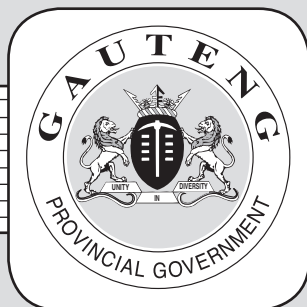


***THE PROVINCE OF
GAUTENG***



***DIE PROVINSIE VAN
GAUTENG***

Provincial Gazette Provinsiale Koerant

Selling price • Verkoopprys: **R2.50**
Other countries • Buitelands: **R3.25**

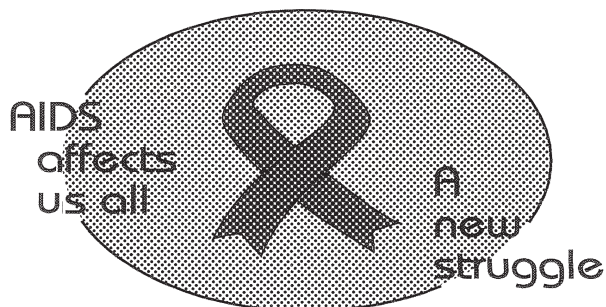
Vol. 23

PRETORIA
15 MARCH 2017
15 MAART 2017

No. 69

PART 1 OF 4

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-4525



9 771682 452005

00069



IMPORTANT NOTICE:

THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.

No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

CONTENTS

*Gazette Page
No. No.*

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

314	Town-Planning and Townships Ordinance (15/1986): Remainder of Portion 73 (a portion of Portion 2) of the farm De Onerstepoort 300JR	69	15
314	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Restant van Gedeelte 73 ('n gedeelte van Gedeelte 2), van die plaas De Onderstepoort 300JR	69	16
317	Town-planning and Townships Ordinance (15/1986): Rant en Dal Extension 13	69	17
317	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Rant en Dal Uitbreiding 13	69	17
318	Gauteng Removal of Restrictions Act (3/1996): Holding 90, Buycelia AH	69	18
318	Gauteng Opheffing van Beperkingswet (3/1996): Hoewe 90, Buycelia LH	69	18
320	City of Tshwane Land Use Management By-law, 2016: Portion 118 of the Farm Derdepoort 326-JR	69	19
320	Stad van Tshwane Grondgebruikbestuurskema Bywet, 2016: Gedeelte 118 van die plaas Derdepoort 326-JR 69	20	
322	Town Planning and Townships Ordinance (15/1986): Erf 231, Bedworth Park	69	20
322	Dorpsbeplanning en Dorpe Ordonnansie (15/1986): Erf 231, Bedworth Park	69	21
325	Town Planning and Townships Ordinance (15/1986): Erf 34, Daniapark	69	21
326	City of Tshwane Land Use Management By-law, 2016: Erf 220, Waterkloof Heights Extension 8	69	22
326	Stad Tshwane Grondgebruikbestuur Bywet, 2016: Erf 220, Waterkloof Hoogte Uitbreiding 8	69	23
331	Gauteng Removal of Restrictions Act (3/1996): Portion 182 of the farm Driefontein 85-IR (Erven 104 and 105 of the proposed Dayanglen Extension 8)	69	23
331	Gauteng Wet op Opheffing van Beperkings (3/1996): Gedeelte 182 van die plaas Driefontein 85-IR (Erwe 104 en 105 van die voorgestelde Dayanglen Uitbreiding 8)	69	24
332	City of Tshwane Land Use Management By-law, 2016: Erf 265, Lynnwood Manor	69	25
332	Stad Tshwane Grondgebruiksbestuur Bywet, 2016: Erf 265, Lynnwood Manor	69	26
333	City of Tshwane Land Use Management By-law, 2016: Portion 1 of Erf 485, Silverton	69	27
333	Stad van Tswane Grondgebruikbestuur Bywet, 2016: Gedeelte 1 van Erf 485, Silverton	69	28
334	City of Tshwane Land Use Management By-law, 2016: Portion 259 (a portion of Portion 6) of the farm Tiegerpoort 371-JR	69	29
334	Stad van Tshwane Grond Gebruiksbestuursplan Bywette, 2016: Gedeelte 259 ('n gedeelte van Gedeelte 6) van die plaas Tiegerpoort 371-JR	69	30
336	City of Tshwane Land Use Management By-law, 2016: Portion 198 (a portion of Portion 196) of the farm Zwavelpoort 373-JR	69	31
336	Stad van Tshwane Grond Gebruiksbestuursplan Bywette, 2016: Gedeelte 198 ('n gedeelte van Gedeelte 196) van die plaas Zwavelpoort 373-JR	69	32
339	City of Tshwane Land Use Management By-Law, 2016: Erf 557, Constantia Park Township, Registration Division JR, Province of Gauteng	69	33
339	Stad van Tshwane Grondgebruiksbestuur Bywette, 2016: Erf 557, Constantia Park Dorpgebied, Registrasie Afdeling JR, Provinsie van Gauteng	69	34
344	City of Johannesburg Municipal Planning By-law, 2016: Erf No. 640, Allen's Nek Extension 35	69	35
345	Town-planning and Townships Ordinance (15/1986): Erf 42, Highbury Township	69	35
345	Ordonansie op Dorpsbeplanning en Dorpe (15/1986): Erf 42, Dorp Highbury	69	36
346	Town-planning and Townships Ordinance (15/1986): Erf 1822, Bedfordview	69	36
346	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Erf 1822, Bedfordview	69	37
347	Town Planning and Townships Ordinance, 1986: Holding 32, Loumarina Agricultural Holdings, Randfontein..	69	37
347	Ordonnansie op Dorpsbeplanning en Dorpe, 1986: Hoewe 32, Loumarina Landbouhoewes, Randfontein	69	38
348	Town Planning and Townships Ordinance, 1986: Erf 1729, Strubenvale Ext 2	69	38
348	Ordonnansie op Dorpsbeplanning en Dorpe, 1986: Erf 1729, Strubenvale Ext 2	69	39
349	Johannesburg Municipal Planning By-Law, 2016: Portion 14 (a portion of Portion 3) of Erf 15, Edenburg	69	40
350	City of Johannesburg Municipal Planning By-law, 2016: Erven No. 152, 153, 154, 155 & 156, Doornfontein...	69	41
351	Town-planning and Townships Ordinance (15/1986): Erf 3177, Clayville Extension 29	69	42
351	Ordonnansie op Dorpsbeplanning En Dorpe (15/1986): Erf 3177, Clayville Uitbreiding 29	69	42
352	Town-planning and Townships Ordinance (15/1986): Erf 666, Alrode South Extension 17	69	43
352	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Erf 666, Alrode South-uitbreiding 17	69	43
353	City of Tshwane Land Use Management By-Law, 2016: Erf 1029, Queenswood Extension 1	69	44
353	Stad van Tshwane Verordening op Grondgebruikbestuur, 2016: Erf 1029, Queenswood-uitbreiding 1	69	45
354	City of Johannesburg's Municipal Planning By-Law, 2016: Erf 1744, Houghton Estate	69	46
355	City of Johannesburg's Municipal Planning By-Law, 2016: Erf 184, De Wetshof Ext 1	69	46

356	Notice of Correction: Kiasha Park Township (District Johannesburg)	69	47
357	City of Johannesburg Municipal Planning By-Law, 2016: Erven 82, 83, 84 and 85 Township, Auckland Park..	69	48
358	Tshwane Town Planning Scheme, Revised 2014: Holding 34, Mnandi Agricultural Holdings	69	49
358	Tshwane Dorpsbeplanningskema, 2008 (Hersien 2014): Hoewe 34, Mnandi Landbouhoewes	69	49
359	Johannesburg Town-planning Scheme, 1979: Erf 117, Cyrildene, 34 Cooper Street, 2198	69	50
360	City of Johannesburg Municipal Planning By-Law, 2016: Portion 1 of Erf 71, Remaining Extent of Erf 71 and Erf 72 Township, Auckland Park	69	51
361	City of Johannesburg Municipal Planning By-Law, 2016: Erven 82, 83, 84 and 85, Auckland Park	69	52
362	City of Johannesburg Municipal Planning By-Law, 2016: Portion 1 of Erf 71, Remaining Extent of Erf 71 and 72, Auckland Park	69	53
363	Town-planning and Townships Ordinance (15/1986): Erven 499, 500, 505, 506, 511 and 512, Hatfield and Erf 599, Hatfield	69	54
363	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Erwe 499, 500, 505, 506, 511 and 512, Hatfield and Erf 599, Hatfield	69	55
364	City of Johannesburg Municipal Planning By-Law, 2016: Portion 1 of Erf 158 and the Remainder of Erf 158, Hurlingham	69	56
365	City of Johannesburg Municipal Planning By-Law, 2016: Erf 137 Township, Auckland Park	69	57
366	City of Johannesburg Municipal Planning By-law, 2016: Erf/Erven (stand) No(s): 137, Auckland Park.....	69	58
367	City of Tshwane Land Use Management By-Law, 2016: Portion 487, 488 and 489 (a portion of Portion 231) of the farm Derdepoort 326-JR.....	69	59
367	Stad van Tshwane Grond Gebruik Bestuur Bywette, 2016: Gedeelte 487, 488 and 489 ('n gedeelte van Gedeelte 231), van die plaas Derdepoort.....	69	59
368	Tshwane Town Planning Scheme, 2008 (Revised 2014): Portion 15, of the farm Riverside Estate 497 JQ	69	60
368	Tshwane Dorpsbeplanning Skema, 2008 (Hersien 2014): Gedeelte 15, van die plaas Riverside Estate 497 JQ 69.....	61	
369	City of Tshwane Land Use Management By-Law, 2016: Remainder of Portion 292, Portion 297, Portion 299 and Portion 303 of the Farm Haakdoornboom 267 JR.....	69	62
369	Stad van Tshwane Grondgebruikbestuur By-Wet, 2016: Restant van Gedeelte 292, Gedeelte 297, Gedeelte 299 en Gedeelte 303, van die plaas Haakdoornboom 267 JR	69	64
370	City of Tshwane Land Use Management By-law, 2016: Portion 487, 488 & 489 (a portion of Portion 231) of the farm Derdepoort 326-JR, Province of Gauteng	69	65
370	Stad van Tshwane Grond Gebruiksbestuursplan Bywette, 2016: Gedeelte 487, 488 & 489 ('n gedeelte van Gedeelte 231) van die plaas Derdepoort 326-JR, Provinsie van Gauteng.....	69	66
371	City of Tshwane Land Use Management By-law 2016: Erf 792, Lynnwood Extension 1 Township.....	69	66
371	Stad van Tshwane Grondgebruikbestuursverordening, 2016: Erf 792, Lynnwood-Uitbreiding 1 Dorpsgebied..	69	67
372	City of Tshwane Land Use Management By-law, 2016: Remainder of Erf 1915, Lyttelton Manor extension 3 Township	69	68
372	Stad van Tshwane Grondgebruikbestuurs-verordening, 2016: Restant van Erf 1915, Lyttelton Manor uitbreiding 3 dorpsgebied.....	69	69
373	City of Tshwane Land Use Management By-Law, 2016: Portion 2 of Erf 1456, Sinoville	69	70
373	Stad van Tshwane Grondgebruikbestuursverordening, 2016: Gedeelte 2 van Erf 1456, Sinoville.....	69	71
374	Tshwane Town Planning Scheme, 2008 (Revised 2014): Erf 90, Alphen Park Township	69	72
374	Tshwane Dorpsbeplanningskema, 2008 (Hersien 2014): Erf 90, Alphen Park dorpsgebied.....	69	73
375	City of Johannesburg: Municipal Planning By-Law, 2016: Amendment of land use scheme (rezoning) and removal of restrictive conditions: Erf 192, Dunkeld	69	74
376	City of Tshwane Land Use Management By-law, 2016: Portion 293 & Portion 294 (portions of Portion 256) of the farm Zwavelpoort 373-JR	69	75
376	Stad van Tshwane Grond Gebruiksbestuursplan Bywette, 2016: Gedeelte 293 & Gedeelte 294 (gedeeltes van Gedeelte 256) van die plaas Zwavelpoort 373-JR	69	76
377	Gauteng Removal of Restrictions Act (3/1996): Erf 907, Roodekop Township.....	69	77
378	City of Johannesburg Municipal Planning By-laws, 2016: Erven 672 and 674, Highlands North.....	69	77
379	Division of Land Ordinance (20/1986): Portion 61 of the Farm Driefontein 581 IQ, Vanderbijlpark	69	78
379	Ordonnansie op die Verdeling van Grond (20/1986): Gedeelte 61 van die Plaas Driefontein 581 IQ, Vanderbijlpark.....	69	78
380	Division of Land Ordinance (20/1986): Portion 68 of the Farm Honingklip 178 IQ.....	69	79
380	Verdeling van Grond Ordonnansie (20/1986): Gedeelte 68 van die plaas Honingklip 178 IQ	69	80
381	Town-planning and Townships Ordinance (15/1986): Erf 21711, Vosloorus Extension 32.....	69	80
381	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Erf 21711, Vosloorus-uitbreiding 32	69	81
382	Town-planning and Townships Ordinance (15/1986): Erf 2169, Admin Triangle	69	81
382	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Erf 2169, Admin Triangle.....	69	82
383	City of Johannesburg Municipal Planning By-law, 2016: The Remaining Extent of Erf 34, Rosebank	69	83
384	City of Tshwane Land Use Management By-law, 2016: Montana Extension 188	69	84
384	Stad van Tshwane Grondgebruiks Beheer Verordening, 2016: Montana Uitbreiding 188.....	69	85
385	City of Tshwane Land Use Management By-Law, 2016: Montana Extension 188.....	69	86
385	Stad van Tshwane Grondgebruiks Beheer Verordening, 2016: Montana-uitbreiding 188	69	87
386	City of Johannesburg: Municipal Planning By-Law, 2016: Erf 191, Dunkeld.....	69	88
387	Spatial Planning and Land Use Management Act (16/2013): Erf 259, Noycedale, Ekurhuleni, GP	69	89
387	Wet Op Ruimtelike Beplanning en Grondgebruiksbestuur (16/2013): Erf 259, Noycedale, Ekurhuleni, Gauteng 69.....	89	
388	City of Johannesburg: Municipal Planning By-law, 2016: Portion 1 of Erf 197, Dunkeld.....	69	90
389	City of Johannesburg: Municipal Planning By-Law, 2016: Remainder of Erf 197, Dunkeld	69	91
390	Town-planning and Townships Ordinance, 1986: Portion 419 of the Farm Witpoortjie 117-IR: Ekurhuleni Amendment Scheme	69	92
390	Ordonnansie op Dorpsbeplanning en Dorpe, 1986: Gedeelte 419 van die plaas Witpoortjie 117-IR: Ekurhuleni-		

	wysigingskema	69	92
391	City of Johannesburg Municipal Planning By-Law, 2016: Erven 1 and 2, The Woodlands Township, Registration Division IR, Province of Gauteng.....	69	93
392	Town-planning and Townships Ordinance (15/1986): Alberton Extension 52.....	69	94
392	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Alberton Uitbreiding 52	69	94
393	Town Planning and Townships Ordinance, 1986: Erf 34, Meyerton Farms Township	69	95
393	Ordonnansie op Dorpsbeplanning en Dorpe, 1986: Erf 34, Meyerton Plase Dorpsgebied	69	95
394	Town-planning and Townships Ordinance, 1986: Meyerton Amendment Scheme H523	69	96
394	Ordonnansie op Dorpsbeplanning en Dorpe, 1986: Meyerton-wysigingskema H523	69	96
395	City of Tshwane Land Use Management By-law, 2016: Erven 114, 115 and 116, Lukasrand Township	69	97
395	Stad Tshwane Grondgebruikbestuurskema Verordening, 2016: Erwe 114, 115 en 116, Lukasrand Dorpsgebied 69.....	98	
396	Tshwane Town Planning Scheme, 2008 (Revised 2014): Erf 71, Colbyn.....	69	99
396	Tshwane Dorpsbeplanningskema, 2008 (Hersien 2014): Erf 71, Colbyn.....	69	100
397	City of Tshwane Land Use Management By-Law, 2016: Erf 183, Lynnwood Glen Township.....	69	101
397	Stad Tshwane Grondgebruikbestuur Verordening, 2016: Erf 183, Lynnwood Glen-dorpsgebied.....	69	102
398	City of Tshwane Land Use Management By-Law, 2016: Bronberg Extension 30	69	103
398	Stad van Tshwane Grondgebruikbestuurskema By-Wet, 2016: Bronberg-uitbreiding 30	69	105
399	City of Tshwane Land Use Management By-Law, 2016: Portion 206 of the Farm Tiegerpoort 371, Gauteng...	69	107
399	Stad van Tshwane Grondgebruikbestuursverordening, 2016: Gedeelte 206 van die plaas Tiegerpoort 371 JR, Gauteng.....	69	108
400	City of Tshwane Land Use Management By-Law, 2016: Erf 1289, Moreletapark Extension 9	69	109
400	Stad van Tshwane Grondgebruikbestuur Verordening, 2016: Erf 1289, Moreletapark Uitbreiding 9.....	69	110
401	City of Johannesburg Municipal Planning By-law, 2016: Erf 8172, Kensington Ext 9 and Erf 8173, Kensington Ext 10	69	111
402	Type a valueCity of Johannesburg Municipal Planning By-Law, 2016: Erf 44, Melrose Estate	69	112
403	Town-planning and Townships Ordinance, 1986: Erf 2667, Eye of Africa Extension 1.....	69	113
403	Ordonnansie op Dorpsbeplanning en Dorpe, 1986: Erf 2667, Eye of Africa-uitbreiding 1	69	113

PROCLAMATION • PROKLAMASIE

35	Gauteng Removal of Restrictions Act (3/1996): Erf 405, Nigel Township	69	114
----	---	----	-----

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

168	City of Johannesburg Municipality Planning By-law, 2016: Portion 185 of the Farm Allandale 10-IR.....	69	114
172	City of Johannesburg Municipality Planning By-Law, 2016: Erven 3 and 4, Randjespark Estate Extension 1 ..	69	115
173	Gauteng Removal of Restrictions Act (3/1996): Portion 142, Kleinfontein 67-IR	69	115
173	Gautengse Wet op Opheffing van Beperkings (3/1996): Gedeelte 142, Kleinfontein 67-IR.....	69	116
174	Division of Land Ordinance (20/1986): Remainder of Portion 11 of the Farm Kafferskraal 381-IR.....	69	116
174	Ordonnansie op Verdeling van Grond (20/1986): Restant van Porsie 11 van die plaas Kafferskraal 381-IR	69	117
176	City of Tshwane Land Use Management By-Law, 2016: Cullinan Extension 2.....	69	118
176	Stad van Tshwane Grondgebruikbestuur Bywet, 2016: Cullinan-uitbreiding 2.....	69	119
177	City of Tshwane Land Use Management By-law, 2016: Cullinan Extension 5.....	69	120
177	Stad van Tshwane Grondgebruiksbestuur By-wet, 2016: Cullinan-uitbreiding 5.....	69	121
178	City of Tshwane Land Use Management By-Law, 2016: Cullinan Extension 6.....	69	122
178	Stad van Tshwane Grondgebruiksbestuur Bywet, 2016: Cullinan-uitbreiding 6.....	69	123
179	City of Tshwane Land Use Management Bylaw, 2016: Cullinan Extension 7	69	124
179	Stad van Tshwane Grondgebruikbestuur Bywet, 2016: Cullinan Uitbreiding 7	69	125
180	City of Tshwane Land Use Management By-law, 2016: Cullinan Extension 8	69	126
180	Stad van Tshwane Grondgebruikbestuurs By-wet, 2016: Cullinan-uitbreiding 8.....	69	127
181	City of Tshwane Land Use Management By-law, 2016: Cullinan Extension 9.....	69	130
181	Stad van Tshwane Grondgebruikbestuur Bywet, 2016: Cullinan-uitbreiding 9.....	69	131
182	City of Tshwane Land Use Management By-law, 2016: Cullinan Extension 10.....	69	132
182	Stad van Tshwane Grondgebruikbestuur Bywet, 2016: Cullinan Uitbreiding 10	69	133
183	City of Tshwane Land Use Management By-Law, 2016: Cullinan Extension 11	69	134
183	Stad van Tshwane Grondgebruiksbestuur Bywet, 2016: Cullinan-uitbreiding 11.....	69	135
184	City of Tshwane Land Use Management Bylaw, 2016: Cullinan Extension 12	69	136
184	Stad van Tshwane Grondgebruikbestuur Bywet, 2016: Cullinan Uitbreiding 12	69	137
185	Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Service): Correction of owners details Provincial Notice 112 of 2017	69	137
186	Town Planning and Townships Ordinance (15/1986): Erf 2107, Primrose Township	69	138
186	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Erf 2107, Primrose Dorpsgebied	69	139
187	City of Johannesburg Municipal Planning By-law, 2016: Erf 14478, Protea Glen Extension 6 Township.....	69	139
190	Town-Planning and Townships Ordinance (15/1986): Erf 749, Bedworthpark.....	69	140
190	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Erf 749, Bedworthpark.....	69	140
191	Town-Planning and Townships Ordinance (15/1986): Erf 131, Bedworthpark.....	69	141
191	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Erf 131, Bedworthpark.....	69	141
192	Town-Planning and Townships Ordinance (15/1986): Erf 31, Dadaville	69	142
192	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Erf 31, Dadaville	69	142
193	Town-Planning and Townships Ordinance (15/1986): Erf 290, Bedworthpark.....	69	143
193	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Erf 290, Bedworthpark.....	69	143
194	Town-Planning and Townships Ordinance (15/1986): Erf 2359, Three Rivers Ext 2	69	144
194	Ordonansie op Dorpsbeplanning en Dorpe (15/1986): Erf 2359, Three Rivers Uitbreiding 2	69	144
195	Gauteng Removal of Restrictions Act, 1996: Erf 111 with scheme number (G 0176), Erf 506 (G 0180) and Erf 730 (G 0181), Delville Township	69	145

195	Gauteng Opheffing van Beperkings Wet, 1996: Erf 111 met skema nommer (G 0176), Erf 506 (G0180) en Erf 730 (G0181), Delville Dorpsgebied	69	145
196	Town-Planning and Townships Ordinance, 1986: Portion 617 and 618 of the Farm Rietfontein 189 I.Q	69	146
196	Ordonnansie op Dorpsbeplanning en Dorpe, 1986: Gedeelte 617 en 618 van die plaas Rietfontein 189 I.Q	69	146
197	Town Planning and Townships Ordinance (15/1986): Portion of the Remainder of Portion 15 of the Farm Zuurbekom 297-IQ	69	146
197	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Gedeelte van die Restant van Gedeelte 15 van die plaas Zuurbekom 297-IQ	69	147
204	Town-planning and Townships Ordinance (15/1986): Portion 1 of Erf 805, Lynnwood Extension 1	69	147
204	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Gedeelte 1 van Erf 805, Lynnwood Uitbreiding 1	69	148
205	Spatial Planning and Land Use Management Act (16/2013): Erven 14351 and 14363, Zamdela Extension 11	69	149
205	Wet op Ruimtelike Beplanning en Grondgebruik (16/2013): Erf 14351 en Erf 14363, Zamdela Uitbreiding 11 ..	69	150
206	Spatial Planning and Land Use Management By-law, 2016: Mogale City Local Municipality	69	151
207	Constitution Act (108/1996): Midvaal Local Municipality Spatial Planning and Land Use Management By-law ..	69	214
208	Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016: Draft By-Law Emfuleni Municipality	69	339
209	The Gautrain Management Agency Amendment Bill 2017: The Gauteng Provincial Government: Intention to Introduce the Bill in the Gauteng Provincial Legislature	69	440
210	City of Tshwane Land Use Management By-law, 2016: Portion 1 of Holding 44, Kenley Agricultural Holdings ..	69	459
210	Stad van Tshwane Grondgebruikbestuurverordening, 2016: Gedeelte 1 van Hoewe 44, Kenley Landbouhoewes ..	69	460
211	City of Tshwane Land Use Management By-law, 2016: Erf no 827, Sinoville	69	461
212	Gauteng Removal of Restrictions Act (3/1996): Erf 253, Delville Township	69	462
212	Gauteng Wet op Opheffing van Beperkings (3/1996): Erf 253, Delville-dorp	69	463
213	Removal of Restriction Act (3/1996): Erf 446, Vanderbijlpark Central East Number 1 Township	69	463
213	Wet op Opheffing van Beperkings Wet (3/1996): Erf 446, Vanderbijlpark Central East nommer 1 Dorp	69	464
214	Gauteng Removal of Restrictions Act, 1996: Portion 1 of Holding 43, Ebner on Vaal	69	464
214	Gauteng Opheffing van Beperkings Wet 1996: Gedeelte 1 van Hoewe 43, Ebner on Vaal, Landbouhoewes ..	69	465
215	City of Tshwane Land Use Management By-law, 2016: Portion 2 of Erf 114, Waltloo	69	466
215	Stad van Tshwane Grondgebruiksbestuur Bywet, 2016: Gedeelte 2 van Erf 114, Waltloo	69	467
216	Gauteng Removal of Restrictive Conditions Act (3/1996): Erf 421 & 723, Highlands North	69	467
216	Gauteng Opheffing van Beperkings Wet (3/1996): Erf 421 & 423, Highlands North	69	468
217	City of Tshwane Land Use Management By-law, 2016: Erven 3808 and 3809, Ga-Rankuwa Unit 9 Township ..	69	468
217	Stad Tshwane Grondgebruikbestuur Verordening, 2016: Erwe 3808 en 3809, Ga-Rankuwa Eenheid 9 Dorp ..	69	469

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

307	City of Tshwane Land Use Management By-law, 2016: Erf 925, Menlo Park	69	469
307	City of Tshwane Land Use Management By-law, 2016: Erf 925, Menlo Park	69	470
309	City of Tshwane Land Use Management By-law, 2016: Erven 357 and 358 Waterkloof Heights Extension 07 ..	69	470
309	City of Tshwane Land Use Management By-Law, 2016: Erwe 357 en 358 Waterkloof Heights Uitbreiding 07 ..	69	471
318	Gauteng Removal of Restrictions Act (3/1996): Erven 225, 231 and 235, Delville, Germiston	69	471
318	Gauteng Wet op Opheffing van Beperkings (3/1996): Erwe 225, 231 en 235, Delville, Germiston	69	472
321	Tshwane Town planning Scheme, 2008, (Revised 2014): Erf 210, Ga-Rankuwa Unit 1	69	472
321	Tshwane-Dorpsbeplanningeskema, 2008 (Hersien 2014): Erf 210, Ga-Rankuwa Unit 1	69	473
330	Town-planning and Townships Ordinance (15/1986): Onderstepoort Extension 38	69	474
330	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Onderstepoort Uitbreiding 38	69	475
331	Spatial Planning and Land Use Management Act (16/2003), (SPLUMA): Holding 34 & Holding 35 Golfview Agricultural Holdings, Midvaal	69	476
331	Wet Op Ruimtelike Beplanning en Grondgebruikbestuur (16/2013), (SPLUMA): Hoewe 34 & Hoewe 35, Golfview Landbouhoewes, Midvaal	69	476
337	Town-planning and Townships Ordinance (15/1986): Portion 1 of Erf 554, Bedfordview Extension 101 Township ..	69	477
338	Town-planning and Township Ordinance (15/1986): Erf 152, Bedfordview Extension 40 Township	69	477
339	Town-planning and Township Ordinance (15/1986): Portion 3-13 of Erf 830, Marais Steyn Park Township	69	478
340	Town-planning and Townships Ordinance (15/1986): Rezoning of Portion 12 of Erf 28, Edendale Township ..	69	478
341	Tshwane Town-planning Scheme, 2008 (Revised 2014): Notice of Consent Use application in terms of Clause 16 of the Act	69	479
342	Town-planning and Townships Ordinance (15/1986): Portion 2 of Erf 70, Edendale	69	479
343	Town Planning and Townships Ordinance (15/1986): Portion 2 of Erf 70, Edendale Township	69	480
344	Tshwane Town-planning Scheme, 2008 (Revised 2014): 143 Lilian Ngoyi Street, Pretoria	69	480
345	Gauteng Removal of Restrictions Act (3/1996): Erf 7444, Benoni Township	69	481
346	Town-planning and Townships Ordinance (15/1986): Erf 941, Kempton Park Extension 2	69	481
347	Town Planning and Townships Ordinance, 1986: Portions 1 to 4 of Erf 3239, Dawn Park Extension 36 Township	69	482
348	Town-planning and Townships Ordinance (15/1986): Portion 1 of Portion 6 of Erf 1724 Dawn Park Extension 31 and Portions 7 to 9 of Erf 1724 Dawn Park Extension 31	69	482
349	Town-planning and Townships Ordinance (15/1986): Erf 257, Philip Nel Park	69	483
349	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Erf 257, Philip Nel Park	69	483
350	Gauteng Removal of Restrictions Act (3/1996): Erf 334, Waterkloof	69	483
350	Gauteng Wet op opheffing van Beperkings (3/1996): Erf 334, Waterkloof	69	484
351	Town Planning and Townships Ordinance (15/1986): Erven 149, 150, 152 and 153, Hurlingham	69	484
352	Gauteng Removal of Restrictions Act (3/1996), as amended: Erf 10, Booysens	69	485
353	Gauteng Removal of Restrictions Act (3/1996): Erf 662, Craighall Park Township	69	486
354	Town Planning and Townships Ordinance (15/1986): Erf 113, Melrose North Extension 2	69	487

355	Town-planning and Townships Ordinance (15/1986): Rezoning of Erf 1807, Houghton Estate	69	488
356	Town-planning and Townships Ordinance, 1986: 115 Rooibok Street, Highbury	69	489
356	Ordonnansie op Dorpsbeplanning en Dorpe, 1986: Rooibokstraat 115, Highbury	69	489
357	Town Planning and Townships Ordinance (15/1986): Erf 441, Brackenhurst Extension 1 Township	69	490
358	Gauteng Removal of Restrictions Act, 1996: Rezoning of Erf 186, Brackenhurst Township	69	490
359	Town-planning and Townships Ordinance (15/1986): Erf 858, Soshanguve L	69	491
359	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Erf 858, Soshanguve L	69	491
360	Spatial Planning and Land Use Management Act (16/2013): Remaining Extent of Erf 15, Strathaon Extension 2 69.....	492	
361	Gauteng Removal of Restrictions Act (3/1996): Erf 836, Vorna Valley Extension 2.....	69	493
362	Spatial Planning and Land Use Management (16/2013): Rezoning of Portion 19 of Erf 4, Oakdene	69	494
363	Gauteng Removal of Restrictions Act (3/1996): Erf 135, Hyde Park Extension 5	69	495
364	Gauteng Removal of Restrictions Act (3/1996): Erven 1691 and 1692, Sydenham.....	69	496
365	Tshwane Town Planning Scheme, 2008 (Revised 2014): Portion 214, of the farm Wonderboom 302-JR	69	496
365	Tshwane Dorpsbeplanningskema, 2008 (Hersien 2014): Gedeelte 214, van die plaas Wonderboom 302-JR..	69	497
366	Gauteng Removal of Restrictions Act (3/1996): Erven 697, 698 and 699, Menlo Park.....	69	498
366	Gauteng Wet op Opheffing van Beperkings (3/1996): Erwe 697, 698 en 699, Menlo Park	69	499
367	Tshwane Town-planning Scheme, 2008 (revised 2014): Portion 214 of the Farm Wonderboom 302-JR	69	500
367	Tshwane-dorpsbeplanningskema, 2008 (hersien 2014): Gedeelte 214 van die plaas Wonderboom 302-JR....	69	501
368	Gauteng Removal of Restrictions Act (3/1996): Portion 772 of the Farm Klipfontein 83 IR	69	501
369	Spatial Planning and Land Use Management By-Law (16/2013): Riverside View Extension 78	69	502
370	City of Johannesburg Municipal Planning By-Law, 2016: Erf 175, Carlswald Estate Extension 1	69	503

Closing times for **ORDINARY WEEKLY** 2017

GAUTENG PROVINCIAL GAZETTE

*The closing time is **15:00** sharp on the following days:*

- 21 December, Wednesday, for the issue of Wednesday 04 January 2017
- 28 December, Wednesday, for the issue of Wednesday 11 January 2017
- 04 January, Wednesday, for the issue of Wednesday 18 January 2017
- 11 January, Wednesday, for the issue of Wednesday 25 January 2017
- 18 January, Wednesday, for the issue of Wednesday 01 February 2017
- 25 January, Wednesday, for the issue of Wednesday 08 February 2017
- 01 February, Wednesday, for the issue of Wednesday 15 February 2017
- 08 February, Wednesday, for the issue of Wednesday 22 February 2017
- 15 February, Wednesday, for the issue of Wednesday 01 March 2017
- 22 February, Wednesday, for the issue of Wednesday 08 March 2017
- 01 March, Wednesday, for the issue of Wednesday 15 March 2017
- 08 March, Wednesday, for the issue of Wednesday 22 March 2017
- 15 March, Wednesday, for the issue of Wednesday 29 March 2017
- 22 March, Wednesday, for the issue of Wednesday 05 April 2017
- 29 March, Wednesday, for the issue of Wednesday 12 April 2017
- 05 April, Wednesday, for the issue of Wednesday 19 April 2017
- 12 April, Wednesday, for the issue of Wednesday 26 April 2017
- 19 April, Wednesday, for the issue of Wednesday 03 May 2017
- 26 April, Wednesday, for the issue of Wednesday 10 May 2017
- 03 May, Wednesday, for the issue of Wednesday 17 May 2017
- 10 May, Wednesday, for the issue of Wednesday 24 May 2017
- 17 May, Wednesday, for the issue of Wednesday 31 May 2017
- 24 May, Wednesday, for the issue of Wednesday 07 June 2017
- 31 May, Wednesday, for the issue of Wednesday 14 June 2017
- 07 June, Wednesday, for the issue of Wednesday 21 June 2017
- 14 June, Wednesday, for the issue of Wednesday 28 June 2017
- 21 June, Wednesday, for the issue of Wednesday 05 July 2017
- 28 June, Wednesday, for the issue of Wednesday 12 July 2017
- 05 July, Wednesday, for the issue of Wednesday 19 July 2017
- 12 July, Wednesday, for the issue of Wednesday 26 July 2017
- 19 July, Wednesday, for the issue of Wednesday 02 August 2017
- 26 July, Wednesday, for the issue of Wednesday 09 August 2017
- 02 August, Wednesday, for the issue of Wednesday 16 August 2017
- 08 August, Tuesday, for the issue of Wednesday 23 August 2017
- 16 August, Wednesday, for the issue of Wednesday 30 August 2017
- 23 August, Wednesday, for the issue of Wednesday 06 September 2017
- 30 August, Wednesday, for the issue of Wednesday 13 September 2017
- 06 September, Wednesday, for the issue of Wednesday 20 September 2017
- 13 September, Wednesday, for the issue of Wednesday 27 September 2017
- 20 September, Wednesday, for the issue of Wednesday 04 October 2017
- 27 September, Wednesday, for the issue of Wednesday 11 October 2017
- 04 October, Wednesday, for the issue of Wednesday 18 October 2017
- 11 October, Wednesday, for the issue of Wednesday 25 October 2017
- 18 October, Wednesday, for the issue of Wednesday 01 November 2017
- 25 October, Wednesday, for the issue of Wednesday 08 November 2017
- 01 November, Wednesday, for the issue of Wednesday 15 November 2017
- 08 November, Wednesday, for the issue of Wednesday 22 November 2017
- 15 November, Wednesday, for the issue of Wednesday 29 November 2017
- 22 November, Wednesday, for the issue of Wednesday 06 December 2017
- 29 November, Wednesday, for the issue of Wednesday 13 December 2017
- 06 December, Wednesday, for the issue of Wednesday 20 December 2017
- 13 December, Wednesday, for the issue of Wednesday 27 December 2017

LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2016

NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1000 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3000** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwonline.co.za

All re-submissions will be subject to the standard cut-off times.

All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 12h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 12h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES

EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice .
(Please see *Quotation* section below for further details)
 - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (Please see the *Copy Section* below, for the specifications).
 - 8.1.5. Any additional notice information if applicable.
9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**QUOTATIONS**

13. Quotations are valid until the next tariff change.
 - 13.1. **Take note:** GPW's annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.
 - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
 - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
 - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
 - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
 - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
 - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
 - 19.1. This means that **the quotation number can only be used once to make a payment.**

GOVERNMENT PRINTING WORKS - BUSINESS RULES**COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03

- 20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).

- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**APPROVAL OF NOTICES**

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

27. The Government Printer will assume no liability in respect of—
 - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
 - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

CUSTOMER INQUIRIES

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwonline.co.za free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*.

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:

Government Printing Works
149 Bosman Street
Pretoria

Postal Address:

Private Bag X85
Pretoria
0001

GPW Banking Details:

Bank: ABSA Bosman Street
Account No.: 405 7114 016
Branch Code: 632-005

For Gazette and Notice submissions: Gazette Submissions:

For queries and quotations, contact: Gazette Contact Centre:

E-mail: submit.egazette@gpw.gov.za

E-mail: info.egazette@gpw.gov.za

Tel: 012-748 6200

Contact person for subscribers: Mrs M. Toka:

E-mail: subscriptions@gpw.gov.za

Tel: 012-748-6066 / 6060 / 6058

Fax: 012-323-9574

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 314 OF 2017

CITY OF TSHWANE AMENDED SCHEME

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

NOTICE OF APPLICATION FOR AMENDMENT OF TOWN-PLANNING SCHEME IN TERMS OF SECTION 56 OF THE TSHWANE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), READ WITH THE RELEVANT PROVISIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)

I PETRUS JOHANNES STEENKAMP, of the firm, MEGAPLAN, Town and Regional Planners, being the authorised agent of the owner of

REMAINDER OF PORTION 73 (A PORTION OF PORTION 2) OF THE FARM DE ONERSTEPOORT 300JR

Hereby give notice in terms of Section 56 of the Town-Planning Ordinance, 1986 (Ordinance 15 of 1986), read with section 2(2), Section 45 and the relevant provisions of the Spatial Planning and Land Use Management Act 2013 (Act 16 of 2013) that I have applied to the City of Tshwane Metropolitan Municipality for the amendment of the Town-Planning Scheme in operation known as the Tshwane Town-Planning Scheme, 2008 (Revised 2014), by the rezoning of the property described above, situated in Graf Street as follows:

From "Special" to "Special" for a Builders Yard.

Particulars of the application will lie for inspection during normal office hours at the office of: The Strategic Executive Director: City Planning, Development and Regional Services: City of Tshwane Metropolitan Municipality LG004, Isivuno House, 143 Lilian Ngoyi (Van der Walt) Street, Pretoria, 0001, for a period of 28 days from **08 March 2017**.

Objections to or representations in request of the application must be lodged with or made in writing to above or be addressed to The Strategic Executive Director: City Planning, Development and Regional Services: City of Tshwane Metropolitan Municipality LG004, Isivuno House, 143 Lillian Ngoyi (Van der Walt) Street, Pretoria, 001, within a period of 28 days from **08 March 2017**.

Address of Agent: Megaplan Town and Regional Planners
P.O Box 35091
Annlin, 0066
Telephone no: (012) 567 0126

8-15

KENNISGEWING 314 VAN 2017**STAD TSHWANE WYSIGINGSKEMA****STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT**

KENNISGEWING VAN AANSOEK OM WYSIGING VAN DORPSBEPLANNINGS-SKEMA INGEVOLGE ARTIKEL 56 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986) SAAMGELEES MET ARTIKEL 2(2), EN DIE RELEVANTE BEPALINGS VAN DIE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKERBESTUUR WET, 2013 (WET 16 VAN 2013)

Ek, PETRUS JOHANNES STEENKAMP, van die firma MEGAPLAN Stads- en Streeksbeplanners, synde die gemagtigde agent van die eienaar van

RENTAL VAN GEDEELTE 73 ('n GEDEELTE VAN GEDEELTE 2) VAN DIE PLAAS DE ONDERSTEPOORT 300JR

Gee hiermee ingevolge Artikel 56 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) saamgelees met Artikel 2(2) Artikel 45 en relevante bepalings van die Ruimtelike beplanning en Grondgebruiksbestuur Wet, 2013 (Wet 16 van 2013), kennis dat ek by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het om die wysiging van die Dorpsbeplanningskema in werking bekend as die Tshwane Dorpsbeplanningskema, 2008 (Hersien 2014), deur die hersonering van die eiendom hierbo beskryf, geleë in Graf Straat as volg:

Van "Spesiaal" na "Spesiaal" vir 'n Bouers werf

Besonderhede van die aansoek lê ter insae gedurende gewone kantoor ure by die kantoor van: Die Strategiese Uitvoerende Direkteur: Stadsbeplanning, Ontwikkeling en Streeksdienste: City of Tshwane Metropolitan Municipality, LG004, Isivuno House, 143 Lilian Ngoyi (Van der Walt) Street, Pretoria, 0001, vir die tydperk van 28 dae vanaf **08 Maart 2017**.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf **08 Maart 2017** skriftelik by of tot die kantoor van: Die Strategiese Uitvoerende Direkteur: Stadsbeplanning, Ontwikkeling en Streeksdienste by bovermelde adres, ingedien of gerig word.

Adres van Agent: Megaplan Stads- en Streeksbeplanners
Posbus 35091
Annlin
0066
Telefoon no: (012) 567 0126

8-15

NOTICE 317 OF 2017**MOGALE CITY LOCAL MUNICIPALITY: NOTICE OF APPLICATION FOR ESTABLISHMENT OF A TOWNSHIP**

The Mogale City Local Municipality hereby gives notice in terms of section 69(6)(a), read in conjunction with section 96 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), as well as the relevant sections of the Spatial Planning and Land Use Management Act, 2013, that an application to establish the township referred to in the Annexure hereto, has been received. Further particulars of the application will lie for inspection during normal office hours at the office of the Executive Manager: Economic Services, First Floor, Furn City Building, cnr Human & Monument Streets, Krugersdorp, for a period of 28 (twenty-eight) days from 8 March 2017. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager, at the above-mentioned address or at PO Box 94, Krugersdorp, 1740, within a period of 28 (twenty-eight) days from 8 March 2017.

ANNEXURE

Name of township: Rant en Dal Extension 13
Full name of applicant: Futurescope Stads en Streekbeplanners BK
Number of erven in proposed township: 95 erven: 'Residential 1' – 89 erven; 'Residential 3' – 1 erf; 'Private Open Space' – 3 erven; and 'Special' – 2 erven.
Description of land on which township is to be established: Remaining Extent of Portion 29 (a Portion of Portion 1) of the farm Paardeplaats 177-IQ
Locality of proposed township: North of Rant en Dal Township and west of Rant en Dal Extension 2, Rant en Dal, Krugersdorp

D MASHATISHO, Mogale City LM, Municipal Manager

8-15

KENNISGEWING 317 VAN 2017**MOGALE CITY PLAASLIKE MUNISIPALITEIT: KENNISGEWING VAN AANSOEK OM STIGTING VAN DORP**

Die Mogale City Plaaslike Munisipaliteit gee hiermee ingevolge artikel 69(6)(a), saamgelees met artikel 96 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), sowel as die tersaaklike afdelings van die Wet op Ruimtelike Beplanning en Grondgebruiksbestuur, 2013, kennis dat 'n aansoek om die dorp in die Bylae hierby genoem, te stig, ontvang is. Nadere besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Uitvoerende Bestuurder: Ekonomiese Dienste, Eerste Vloer, Furn City-gebou, h/v Human en Monumentstrate, Krugersdorp, vir 'n tydperk van 28 dae vanaf 8 Maart 2017. Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 (agt-en-twintig) dae vanaf 8 Maart 2017 skriftelik by die Munisipale Bestuurder, by die bovermelde adres of by Posbus 94, Krugersdorp, 1740, ingedien of gerig word.

BYLAE

Naam van dorp: Rant en Dal Uitbreiding 13
Volle naam van aansoeker: Futurescope Stads- en Streekbeplanners BK
Aantal erwe in voorgestelde dorp: 95 erwe – 'Residensieel 1' – 89 erwe; 'Residensieel 3' – 1 erf; 'Privaat Oop Ruimte' – 3 erwe; en 'Spesiaal' – 2 erwe
Beskrywing van grond waarop dorp gestig staan te word: Resterende Gedeelte van Gedeelte 29 ('n Gedeelte van Gedeelte 1) van die plaas Paardeplaats 177-IQ
Ligging van voorgestelde dorp: Noord van Rant en Dal Dorpsgebied en wes van Rant en Dal Uitbreiding 2, Rant en Dal, Krugersdorp

D MASHITISHO, Mogale City PM, Munisipale Bestuurder

8-15

NOTICE 318 OF 2017**HOLDING 90 BUYCELIA AH
NOTICE****NOTICE IN TERMS OF SECTION 5(5) OF THE GAUTENG REMOVAL OF RESTRICTIONS ACT, 1996 (ACT No 3 OF 1996)**

We MM Town Planning Services, being the authorised agent of the owners of **HOLDING 90 BUYCELIA A.H.** hereby give notice in terms of section 5(5) of the Gauteng Removal of Restrictions Act, 1996, that we have applied to the MIDVAAL LOCAL MUNICIPALITY for the removal of certain conditions contained in the Title Deed of **HOLDING 90 BUYCELIA A.H.** to allow for the relaxation of a building line.

All relevant documents relating to the application will be open for inspection during normal office hours at the office of the Municipal Manager, Development Planning, at the Civic Centre Building, Mitchell Street, and MEYERTON for a period of 28 days from 8 MARCH 2017.

Any person who wish to object to the application or submit representations in respect thereof must lodge the same in writing to the Municipal Manager, PO Box 9, MEYERTON, 1960 and, the undersigned, not later than 28 days from 8 MARCH 2017. Full particulars of the application are available from the address below: MM TOWNPLANNING SERVICES, PO Box 296, HEIDELBERG, 1438
Tel No: 016 349 2948 (info@townplanningservices.co.za)

8-15

KENNISGEWING 318 VAN 2017**HOEWE 90 BUYCELIA LH
KENNISGEWING****KENNISGEWING INGEVOLGE ARTIKEL 5(5) VAN DIE GAUTENG OPHEFFING VAN BEPERKINGSWET, 1996 (WET 3 VAN 1996)**

Ons, MM Town Planning Services, synde die gematigde agent van die eienaar, gee hiermee kennis, ingevolge artikel 5(5) van die Gauteng Opheffing van Beperkingswet, dat ons by die MIDVAAL PLAASLIKE MUNISIPALITEIT aansoek gedoen het vir die opheffing van sekere voorwaardes vervat in die Titel Akte van **HOEWE 90 BUYCELIA LH**, wat voorsiening sal maak vir die verslapping van die boulyn op die eindom.

Besonderhede van die aansoek lê ter insae gedurende normale kantoorure by die kantoor van die Munisipale Bestuurder, p/a Ontwikkelings Beplanning, by die Munisipale Gebou, Mitchell Straat, MEYERTON vir 'n periode van 28 dae vanaf 8 MAART 2017.

Besware teen of verhoë ten opsigte van die aansoek moet binne 28 dae vanaf 8 MAART 2017 skriftelik by die Munisipale Bestuurder, Posbus 9, MEYERTON, 1960, en ondergenoemde ingedien of gerig word. Besonderhede van die aansoek is beskikbaar by MIRNA MULDER, by ondergemelde adres: MM TOWNPLANNING SERVICES PO Box 296, HEIDELBERG, 1438, Tel No: 016 349 2948 (info@townplanningservices.co.za)

8-15

NOTICE 320 OF 2017**CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016 NOTICE OF AN APPLICATION FOR A SUBDIVISION OF LAND USE IN TERMS OF SECTION 16(12)(a)(iii) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

We, Multiprof Property Development and Planning, being the authorised agent on behalf of the owner of Portion 118 of the Farm Derdepoort 326-JR, hereby give notice, in terms of Section 16(1)(f) of the City of Tshwane Metropolitan Municipality for the subdivision of the property described below.

The intension of the applicant in this matter is to subdivide the property into three (3) portions for the purposes of selling off the portions to interested buyers.

Any objection(s) and /or comment(s), including the grounds for such objection(s) and /or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and /or comment(s), shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 8 March 2017 until 5 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette, Beeld and Citizen newspapers.

Address of Municipal offices: LG004, Isivuno House, 143 Lillian Ngoyi Street, Pretoria, 0001. Closing date for any objections: 5 April 2017

Address of applicant: Multiprof Property Development & Planning CC, 402 Pauline Spruijt Street, Garsfontein/ P.O. Box 1285, Garsfontein, 0042. Tel: (012) 361 5095 / Cell: 082 556 0944 / E-mail: info@mpdp.co.za

Dates on which notice will be published: 8 March 2017 and 15 March 2017.

Description of property: Portion 118 of the Farm Derdepoort, 326-JR**Area of proposed portions:**

Proposed Remaining Extent of Portion 118 measures	23 538m ²
Proposed Portion 1 of Portion 118 measures	11 651m ²
Proposed Portion 2 of Portion 118 measures	11 578m ²
TOTAL:	46 767m ²

Reference: CPD/01560/118**Item no: 25843**

08-15

KENNISGEWING 320 VAN 2017**DIE STAD TSHWANE GRONDGEBRUIKBESTUURSKEMA VERORDENING, 2016 KENNISGEWING VIR DIE AANSOEK OM VERDELING VAN GROND IN TERME VAN ARTIKEL 16(12)(a)(iii) VAN DIE STAD VAN TSHWANE GRONDGEBRUIKBESTUURSKEMA BYWET, 2016**

Ons, Multiprof Property Development & Planning CC snyde die gemagtigde agent van die eienaar van Gedeelte 118 van die plaas Derdepoort 326-JR, gee hiermee ingevolge Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 kennis dat ons by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het om onderverdeling van die eiendom hieronder beskryf.

Die voorneme van die eienaar is om sy eiendom in drie (3) gedeeltes te verdeel, en om die gedeeltes te verkoop.

Enige besware of kommentare wat duidelik die gronde van die beswaar en die persoon(ne) se regte uiteensit en aandui hoe hulle belange deur die aansoek geaffekteer gaan word asook die persone se volle kontakbesonderhede, waar sonder die Munisipaliteit nie met die persoon kan korrespondeer nie, moet ingedien word, skriftelik by of tot die Strategiese Uitvoerende Direkteur: Stedelike Beplanning, Afdeling Grondgebruiksregte, ingedien of gerrig word by Posbus 3242, Pretoria, 0001 of na CityP_Registration@tshwane.gov.za vanaf 8 Maart 2017 tot 5 April 2017.

Volledige besonderhede en planne (as daar is) kan gedurende gewone kantoorure besigtig word by die Munisipale kantore soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf die datum van eerste publikasie van die kennisgewing in die Provinsiale Gazette, die Beeld en Citizen koerante.

Adres van Munisipale Kantore: LG004, Isivuno House, 143 Lillian Ngoyi Straat, Pretoria. Sluitingsdatum vir enige beswaar(e) en/of kommentaar(e): 5 April 2017

Adres van agent: Multiprof Property Development & Planning CC, 402 Pauline Spruijt Straat, Garsfontein/ P.O. Box 1285, Garsfontein, 0042. Tel: (012) 361 5095 / Cell: 082 556 0944 / E-pos: info@mpdp.co.za

Datums waarop die kennisgewing sal verskyn: 8 Maart 2017 en 15 Maart 2017

Beskrywing van die eiendom: Gedeelte 118 van die Plaas Derdepoort, 326-JR**Grootte van voorgestelde gedeeltes:**

Voorgestelde Restant van Gedeelte 118 ongeveer	23 538m ² groot
Voorgestelde Gedeelte 1 van Gedeelte 118 ongeveer	11 651m ² groot
Voorgestelde Gedeelte 2 van Gedeelte 118 ongeveer	11 578m ² groot
Totaal:	46 767m ²

Verwysing: CPD/01560/118

Item no: 25843

08-15

NOTICE 322 OF 2017**ERF 231 BEDWORTH PARK – EMFULENI LOCAL MUNICIPALITY****NOTICE IN TERMS OF CLAUSE 56 OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, ORDINANCE 15 OF 1986, READ WITH SECTION 2(2) OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, ACT 16 OF 2013.**

I, Stephanus Johannes Joubert being the authorised agent of the owner hereby give notice in terms of Clause 56 of the Town-planning and Townships Ordinance 15 of 1986, read with Section 2(2) of the Spatial Planning and Land Use Management Act 16 Of 2013, that I have applied to the Emfuleni Local Municipality for the amendment of the Emfuleni Townplanning Scheme, 1987 with regard to Erf 231 Bedworth Park which property is situated at 19 Bellona Avenue, Bedworth Park.

The amendment concerns the rezoning of erf 231 from "Residential 1" to "Residential 4"

All relevant documents relating to the application will be open for inspection during normal office hours at the office of the Municipal Manager : Dept. Land Use Management, EDP Building, cnr of President Kruger and Eric Louw streets, Vanderbijlpark, for a period of 28 day's from 8 March 2017.

Any person who wishes to object to the application or submit representation in respect thereof must lodge the same in writing with the municipality at its address specified or at P O Box 3, Vanderbijlpark, 1900 on or before 5 April 2017.

SJJ Townplanners, PO Box 9597, Centurion, 0046. Date of first publication: 8 March 2017. Reference: SJJ / 014.

08-15

KENNISGEWING 322 VAN 2017**ERF 231 BEDWORTH PARK – EMFULENI PLAASLIKE MUNISIPALITEIT****KENNISGEWING INGEVOLGE ARTIKEL 56 VAN DIE DORPS-BEPLANNING EN DORPE ORDONANSIE, ORDONANSIE 15 VAN 1986, GELEES MET KLOUSULE 2(2) VAN DIE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR WET, WET 16 VAN 2013.**

Ek Stephanus Johannes Joubert synde die gemagtigde agent van dië eienaar gee hiermee, ingevolge Artikel 56 van die Dorpsbeplanning en Dorpe Ordonansie 15 van 1986, gelees met klousule 2(2) van die Ruimtelike Beplanning en Grondgebruiksbestuur Wet 16 van 2013 kennis dat ek aansoek gedoen het by die Emfuleni Plaaslike Munisipaliteit om die wysiging van die Vanderbijlpark Dorpsbeplanning Skema, 1987, ten opsigte van Erf 231 Bedworth Park, welke eiendom geleë is in Bellona Avenue 19, Bedworth park.

Die wysiging van die Skema behels die hersonering van Erf 231 Bedworth Park van "Residensieel 1" na "Residensieel 4".

Alle verbandhoudende dokumente sal tydens normale kantoorure vir besigtiging beskikbaar wees by die Kantoor van die Munisipale Bestuurder: Dept. Grondgebruiksbestuur, EDP Gebou, hoek van President Kruger en Eric Louw strate, Vanderbijlpark, vir 'n tydperk van 28 dae vanaf 8 Maart 2017.

Enige persoon wat beswaar wil aanteken of voorleggings wil maak met betrekking tot die aansoek, moet sodanige beswaar of voorlegging op skrif aan die Emfuleni Plaaslike Munisipaliteit by die betrokke adres en kantoor of Posbus 3, Vanderbijlpark, 1900, voorlê op of voor 5 April 2017.

SJJ Stadsbeplanners, Posbus 9597, Centurion, 0046. Datum van eerste publikasie : 8 Maart 2017. Verwysing :SJJ / 014.

08-15

NOTICE 325 OF 2017**NOTICE OF APPLICATION FOR THE AMENDMENT OF THE EKURHULENI TOWN PLANNING SCHEME, 2014 IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) READ WITH SECTION 2(2) AND RELEVANT PROVISIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)**

I, A J J Theron of Wynandt Theron and Associates being the authorized agent of the owner of Erf 34, Daniapark hereby give notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986 read with Section 2(2) and relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), that I have applied to the Ekurhuleni Metropolitan Municipality for the amendment of the town planning scheme known as the Ekurhuleni Town Planning Scheme, 2014 by the rezoning of the property described above, situated at 110 Geldenhuis Road, Daniapark from "Business3" to "Residential 4" to allow a residential building of 9 storeys on the property.

Particulars of the application will lie for inspection during normal office hours at the office of the Area Manager, City Planning, Germiston Service Delivery Center, Ground Floor, Development Planning Building, 15 Queen Street, Germiston for the period of 28 days from 8 March 2017

Objections to or representations in respect of the application must be lodged with or made in writing to the Area Manager, City Planning at the above address or at PO Box 145, Germiston, 1400 within a period of 28 days from 8 March 2017.

Address of Agent: P O Box 970, Edenvale 1610 Cell No.: 082 444 5997 E-mail: wynandt@wtaa.co.za

KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE EKURHULENI DORPSBEPLANNING SKEMA INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONANSIE 15 VAN 1986) SAAM GELEES MET ARTIKEL 2(2) EN RELEVANTE BEPALINGS VAN DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR, 2013 (WET 16 VAN 2013)

Ek, A J J Theron van Wynandt Theron and Associates, die agent vir die eienaar van die Erf 34, Daniapark Dorpsgebied, gee hiermee kennis ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saam gelees met Artikel 2(2) van relevante bepalings van die Wet op Ruimtelike Beplanning en Grondbestuur, 2013 (Wet 16 van 2013) dat ek by die Ekurhuleni Metropolitaanse Munisipaliteit aansoek gedoen het om die wysiging van die dorpsbeplanningskema bekend as die Ekurhuleni Dorpsbeplanningskema, 2014, in werking deur die hersonering van die eiendom hierbo beskryf, geleë te Geldenhuis Weg 110, Daniapark van "Besigheid 3" na "Residensieel 4" ten einde 'n woongebou van 9 vloere op die eiendom toe te laat.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Area Bestuurder, Stedelike Beplanning, Grondvloer, Ontwikkelings Beplannings Gebou, Queen Straat 15, Germiston vir 'n tydperk van 28 dae vanaf 8 Maart 2017.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf die 8 Maart 2017 skriftelik by of tot die genoemde Area Bestuurder by die bovermelde adres of by Posbus 145, Germiston, 1400 ingedien of gerig word.

Adres van Agent: Posbus 970, Edenvale 1610 Sel No.: 082 444 5997 E-pos: wynandt@wtaa.co.za

8-15

NOTICE 326 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF A REZONING APPLICATION IN TERMS OF SECTION 16(1) OF
THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

We, Origin Town Planning Group (Pty) Ltd, being the applicant of Erf 220 Waterkloof Heights Extension 8, hereby give notice in terms of Section 16(1)(f) and Schedule 13 of the City of Tshwane Land Use Management By-law, 2016, that we have applied to the City of Tshwane Metropolitan Municipality for the amendment of the Tshwane Town-Planning Scheme, 2008 (Revised 2014), by the rezoning in terms of Section 16(1) of the City of Tshwane Land Use Management By-law, 2016 of the property as described above. The property is situated at Number 188 Matroosberg Road, Waterkloof Heights Extension 8. The rezoning is from "Residential 1" subject to conditions contained in Annexure T8977 to "Residential 2" with a density of 20 dwelling units per hectare, subject to certain conditions.

The intension of the applicant in this matter is to obtain appropriate land use rights (density) to allow for the construction of three dwelling-houses on the property.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 8 March 2017 until 5 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from 8 March 2017.

Address of Municipal offices: The office of the General Manager: City Planning Division, City of Tshwane Metropolitan Municipality, Room E10, Registry, cnr Basden and Rabie Streets, Centurion. Closing date for any objections and/or comments: 5 April 2017

Address of applicant: 306 Melk Street, Nieuw Muckleneuk, 0181, Pretoria, P O Box 2162, Brooklyn Square, 0075. Telephone: 012 346 3735 or Fax 012 346 4217. E-mail: plan@origintrp.co.za

Date on which the application will be published: 8 March 2017 and 15 March 2017

Reference: CPD 9/2/4/2-4097T

Item No: 26392

8-15

KENNISGEWING 326 VAN 2017

STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN 'N AANSOEK OM HERSONERING IN TERME VAN ARTIKEL 16 (1) VAN DIE STAD VAN
TSHWANE GRONDGEBRUIKBESTUUR BYWET, 2016.

Ons, Origin Stadsbeplanningsgroep (Edms) Bpk, synde die applikant van Erf 220 Waterkloof Hoogte Uitbreiding 8, gee hiermee ingevolge Artikel 16(1)(f) en Skedule 13 van die Stad Tshwane Grondgebruikbestuur Bywet, 2016, kennis dat ons by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die wysiging van die Tshwane Dorpsbeplanningskema, 2008 (Hersien in 2014), deur die hersonering in terme van Artikel 16(1) van die Stad van Tshwane Grondgebruikbestuur Bywet, 2016, van die eiendom soos hierbo beskryf. Die eiendom is geleë te Matroosbergweg nommer 188, Waterkloof Hoogte Uitbreiding 8. Die hersonering is vanaf "Residensieel 1" onderhewig aan voorwaardes soos vervat in Bylaag T8977 na "Residensieel 2" met 'n digtheid van 20 wooneenhede per hektaar, onderhewig aan sekere voorwaardes.

Die intensie van die applikant is om toepaslike grondgebruiksregte (digtheid) te verkry om voorsiening te maak vir die ontwikkeling van drie woonhuise op die eiendom.

Enige besware of kommentare wat duidelik die gronde van die beswaar en die persoon(ne) se regte uiteensit en aandui hoe hulle belange deur die aansoek geaffekteer gaan word asook die persone se volle kontakbesonderhede, waar sonder die Munisipaliteit nie met die persoon kan korrespondeer nie, moet ingedien word by en skriftelik gerig word aan die Strategiese Uitvoerende Direkteur: Stedelike Beplanning, Afdeling Grondgebruiksregte, Posbus 3242, Pretoria, 0001 of na CityP_Registration@tshwane.gov.za vanaf 8 Maart 2017 tot 5 April 2017.

Volledige besonderhede en planne (indien enige) van die aansoek sal gedurende gewone kantoorure kan besigtig word by die Munisipale kantore soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf 8 Maart 2017.

Adres van die Munisipale kantore: Stad van Tshwane Metropolitaanse Munisipaliteit, Kamer E10, Registrasie, hoek van Basden en Rabie Strate, Centurion. Sluitingsdatum vir enige beswaar(e): 5 April 2017

Adres van gemagtigde agent: Origin Stadsbeplanning, Melkstraat 306, Nieuw Muckleneuk. Posbus 2162, Brooklyn Square, 0075. Tel: (012) 346 3735 of Faks: (012) 346 4217. E-pos: plan@origintr.co.za

Datum van publikasie van die kennisgewing: 8 Maart 2017 en 15 Maart 2017

Verwysing: CPD 9/2/4/2-4097T

Item No: 26392

8-15

NOTICE 331 OF 2017

NOTICE IN TERMS OF SECTION 5(5) OF THE GAUTENG REMOVAL OF
RESTRICTIONS ACT, 1996 (ACT 3 OF 1996), READ WITH THE PROVISIONS OF THE SPATIAL PLANNING
AND LAND USE MANAGEMENT ACT (SPLUMA), ACT 16 OF 2013

I, M. Brits, being the authorised agent of the owners hereby give notice in terms of Section 5(5) of the Gauteng Removal of Restrictions Act, 1996, read with the provisions of the Spatial Planning and Land Use Management Act (SPLUMA), Act 16 of 2013, that I have applied to the Ekurhuleni Metropolitan Municipality, Boksburg CCC (Customer Care Centre) for the removal of conditions A(a),A(d),A(e),B1, B2 and B3 contained in the Title Deed of Portion 182 of the farm Driefontein 85-IR (Erven 104 and 105 of the proposed Dayanglen Extension 8), situated at the north-western corner of the intersection of Rietfontein Road (R21) and Dayan Road, in order to remove certain restrictive and outdated conditions contained in the Deed of Transfer T87884/2004.

All relevant documents relating to the application will be open for inspection from 8:00 to 14:00 on weekdays at the office of the said authorised local authority, at the Area Manager: City Planning Department, Ekurhuleni Metropolitan Municipality, Third Floor, Civic Centre, Corner Trichardts Road and Commissioner Street, Boksburg, 1460, from 08 March 2017 until 05 April 2017.

Any person who wishes to object to the application or submit representations in respect thereof must lodge the same in writing to the Area Manager: City Planning Department, at the above address or at P.O. Box 215 Boksburg, 1460, on or before 05 April 2017.

Name and Address of Owners: Blue Dot Properties 1851 CC, P.O Box 5036, Boksburg North, 1461. C/O Rinus Brits, PO Box 1133, Fontainebleau, 2032, Tel: (011) 888-2232

Date of first Publication: 08 March 2017

08-15

KENNISGEWING 331 VAN 2017**KENNISGEWING IN TERME VAN ARTIKEL 5 (5) VAN DIE GAUTENG WET OP OPHEFFING VAN BEPERKINGS, 1996 (WET 3 VAN 1996), GELEES MET DIE BEPALINGS VAN DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR (SPLUMA), WET 16 VAN 2013**

Ek, M. Brits, synde die gemagtigde agent van die eienaars, gee hiermee ingevolge Artikel 5 (5) van die Gauteng Wet op Opheffing van Beperkings, 1996, gelees met die Bepalings van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur (SPLUMA), Wet 16 van 2013, kennis dat ek aansoek gedoen het by die Ekurhuleni Metropolitaanse Munisipaliteit, Boksburg Kliënte Sorg Sentrum vir die opheffing van voorwaardes A(a),A(d),A(e),B1, B2 en B3 vervat in die titelakte van Gedeelte 182 van die plaas Driefontein 85-IR (Erwe 104 en 105 van die voorgestelde Dayanglen Uitbreiding 8), geleë op die noord-westelike hoek van die kruising van Rietfonteinweg (R21) en Dayanweg, ten einde sekere gedateerde en beperkende voorwaardes vervat in die Titelakte T87884/2004 te verwyder.

Alle dokumente relevant tot die aansoek sal beskikbaar wees vir insae van 8:00 tot 14:00 op weekdae, by die kantoor van die Area bestuurder: Stadsbeplanningsdepartement, Ekurhuleni Metropolitaanse Munisipaliteit, Derde Vloer, Burgersentrum, hoek van Trichardts Weg en Commissioner Straat vanaf 08 Maart 2017 tot en met 05 April 2017.

Enige persoon wat beswaar wil aanteken teen die aansoek of verhoë wil rig ten opsigte daarvan, kan die beswaar of verhoë op skrif indien aan die Area Bestuurder: Stadsbeplanningsdepartement by bovermelde adres of by Posbus 215, Boksburg, 1460, voor of op 05 April 2017.

Naam en Adres van Eienaars: Blue Dot Properties 1851 CC, P.O Box 5036, Boksburg North, 1461. *Per adres* Rinus Brits, Posbus 1133, Fontainebleau, 2032, .Tel: (011) 888-2232

Datum van eerste Publikasie: 08 Maart 2017

08-15

NOTICE 332 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY NOTICE OF A REZONING APPLICATION IN TERMS OF SECTION 16(1) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY -LAW, 2016 AS WELL AS AN APPLICATION FOR THE REMOVAL OF RESTRICTIVE CONDITIONS OF TITLE IN TERMS OF SECTION 16(2) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY LAW, 2016**

We, Multiprof Property Development & Planning CC, being the applicant on behalf of the owner of Erf 265 Lynnwood Manor hereby give notice in terms of section 16(1)(f) of the City of Tshwane Land Use Management By-law, that we have applied to the City of Tshwane Metropolitan Municipality for the amendment of the Tshwane Town -planning Scheme, 2008 (Revised 2014), by the rezoning in terms of Section 16(1) of the City of Tshwane Land Use Management By -law, 2016 as well as for the removal of certain conditions contained in the Title Deeds in terms of Section 16(2) of the City of Tshwane Land Use Management By -Law, 2016 of the property as described above. The property is situated at no. 108 Ashton Street, Lynnwood Manor.

The rezoning is from "Residential 1" with a density of One dwelling house per 1000 m² to "Residential 1" with a density of One dwelling house per 700 m².

Application is also made for the removal of conditions 2(A)(f), 2(B)(a), 2(B)(d) and 2(B)(c)(i), 2(B)(c)(ii) and 2(B)(f) in Title Deed T71689/90.

The intension of the applicant in this matter is to increase the density from one dwelling per 1000m² to one dwelling per 700m² to allow for a subdivision of the property into two portions, as well as to remove conditions of title which may restrict the proposed rezoning and subdivision of the application site and will hamper the approval of Building Plans by the Municipality.

Any objection(s) and /or comment(s), including the grounds for such objection(s) and /or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and /or comment(s), shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP _Registration @tshwane.gov.za from 8 March 2017 until 5 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from 8 March 2017 (the date of first publication of the notice) in the Provincial Gazette, the Beeld and the Citizen newspapers.

Address of Municipal offices: The office of the General Manager: City Planning Division, City of Tshwane Metropolitan Municipality, Room LG004, Isivuno House, 143 Lilian Ngoyi Street (corner of Lillian Ngoyi- and Madiba Street), Pretoria. Closing date for any objections and /or comments: 5 April 2017.

Address of applicant: Multiprof Property Development & Planning CC, 402 Pauline Spruijt Street, Garsfontein/ P.O. Box 1285, Garsfontein, 0042. Tel: (012) 361 5095 / Cell: 082 556 0944 / E-mail: info@mpdp.co.za

Dates on which notice will be published: 8 March 2017 and 15 March 2017

Rezoning Reference: CPD9/2/4/2-4044T
Removal Reference: CPDLWM/0388/265

Item no: 26238
Item no: 26252

08-15

KENNISGEWING 332 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEITKENNISGEWING VAN 'N AANSOEK OM HERSONERING IN TERME VAN ARTIKEL 16 (1) ASOOK VIR DIE OPHEFFING VAN BEPERKENDE VOORWAARDES IN DIE TITELAKTE IN TERME VAN ARTIKEL 16(2) VAN DIE STAD TSHWANE GRONDGEBRUIKBESTUUR BYWET, 2016**

Ons, Multiprof Property Development & Planning CC, synde die gemagtigde agent van die eienaars van Erf 265 Lynnwood Manor, gee hiermee ingevolge Artikel 16(1)(f) van die Stad Tshwane Grondgebruiksbestuur Bywet, 2016, kennis dat ons by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die wysiging van die Tshwane Dorpsbeplanningskema, 2008 (hersien in 2014), deur die hersonering in terme van Artikel 16(1) van die Stad Tshwane Grondgebruiksbestuur Bywet, 2016, asook vir die opheffing van sekere beperkende voorwaardes in die titelakte in terme van Artikel 16(2) van die Stad Tshwane Grondgebruiksbestuur Bywet, 2016, van die eiendom soos hierbo beskryf. Die eiendom is geleë te 108 Ashton weg, Lynnwood Manor.

Die hersonering is vanaf "Residensieël 1" met 'n digtheid van een woonhuis per 1000 m² na "Residensieël 1" met 'n digtheid van een woonhuis per 700 m².

Aansoek is ook gedoen vir die opheffing van beperkende voorwaardes 2(A)(f), 2(B)(a), 2(B)(d), 2(B)(c)(i), 2(B)(c)(ii) en 2(B)(f) in Titelakte T71689/90.

Die voorneme van die applikant is om die eiendom onder bespreking te hersoneer na 'n hoër digtheid van een woonhuis per 1000 m² na een woonhuis per 700 m² om dit moontlik te maak om die erf in twee gedeeltes te verdeel, asook om titelvoorwaardes te verwyder wat die voorgestelde hersonering, onderverdeling en goedkeur van bou planne mag beperk.

Enige besware of kommentare wat duidelik die gronde van die beswaar en die persoon(ne) se regte uiteensit en aandui hoe hulle belange deur die aansoek geaffekteer gaan word asook die persone se volle kontakbesonderhede, waar sonder die Munisipaliteit nie met die persoon kan korrespondeer nie, moet ingedien word, skriftelik by of tot die Strategiese Uitvoerende Direkteur: Stedelike Beplanning, Afdeling Grondgebruiksregte, ingedien of gerrig word by Posbus 3242, Pretoria, 0001 of na CityP_Registration @tshwane.gov.za vanaf 8 Maart 2017 tot 5 April 2017.

Volledige besonderhede en planne (indien enige) van die aansoek sal gedurende gewone kantoorure kan besigtig word by die Munisipale kantore soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf 8 Maart 2017 (die datum van die eerste publikasie van hierdie kennisgewing) in die Gauteng Provinsiale Gazette, Beeld en Citizen koerante.

Adres van die Munisipale kantore: Stad van Tshwane Metropolitaanse Munisipaliteit, Kamer LG004, Isivuno Huis, 143 Lilian Ngoyi Straat, (op die hoek van Lillian Ngoyi- en Madiba Straat), Pretoria. Sluitingsdatum vir enige beswaar(e): 5 April 2017.

Adres van gemagtigde agent: Multiprof Property Development & Planning CC, Pauline Spruijt Straat 402, / Posbus 1285, Garsfontein, 0042. Tel: (012) 361 5095 / Cell: 082 556 0944 / E-pos: info@mpdp.co.za

Datum van publikasie van die kennisgewing: 8 Maart 2017 en 15 Maart 2017

Hersonering Verwysing: CPD9/2/4/2-4044T
Opheffing Verwysing: CPDLWM/0388/265

Item no: 26238
Item no: 26252

08-15

NOTICE 333 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY NOTICE OF A REZONING APPLICATION IN TERMS OF SECTION 16(1) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

We, Multiprof Property Development & Planning CC, being the applicant of Portion 1 of Erf 485 Silverton, hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016, that we have applied to the City of Tshwane Metropolitan Municipality for the amendment of the Tshwane Town-Planning Scheme, 2008 (Revised 2014), by the rezoning in terms of Section 16(1) of the City of Tshwane Land Use Management By-law, 2016 of the property as described above. The property is situated at Number 487 Jasmyn Avenue, Silverton. The rezoning is from "Residential 1" to "Industrial 2".

The intension of the application is to obtain the necessary land use rights to use the property for light industrial purposes.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 8 March 2017 (the first date of the publication of the notice set out in Section 16(1)(f) of the By-law referred to above), until 5 April 2017 (not more than 28 days after the date of first publication of the notice).

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from 8 March 2017 (the date of first publication of the notice) in the Provincial Gazette, the Beeld newspaper and Citizen newspaper.

Address of Municipal offices: City of Tshwane Metropolitan Municipality, Room LG004, Isivuno House, 143 Lilian Ngoyi Street, Pretoria. Closing date for any objections and/or comments: 5 April 2017

Address of applicant: Multiprof Property Development & Planning CC, 402 Pauline Spruijt Street, Garsfontein/ P.O. Box 1285, Garsfontein, 0042. Tel: (012) 361 5095 / Cell: 082 556 0944 / E-mail: info@mpdp.co.za

Date on which the application will be published: 8 March 2017 and 15 March 2017

Reference: CPD 9/2/4/2-4106T

Item No: 26417

08-15

KENNISGEWING 333 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT KENNISGEWING VAN 'N AANSOEK OM HERSONERING IN TERME VAN ARTIKEL 16 (1) VAN DIE STAD VAN TSHWANE GRONDGEBRUIKBESTUUR BYWET, 2016**

Ons, Multiprof Property Development & Planning CC, synde die applikant van Gedeelte 1 van Erf 485 Silverton, gee hiermee ingevolge Artikel 16(1)(f) van die Stad Tshwane Grondgebruiksbestuur Bywet, 2016, kennis dat ons by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die wysiging van die Tshwane Dorpsbeplanningskema, 2008 (Hersien in 2014), deur die hersonering in terme van Artikel 16(1) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016, van die eiendom

soos hierbo beskryf. Die eiendom is geleë te Jasmyn Laan nommer 487, Silverton. Die hersonering is vanaf "Residensieël 1" na "Industrieël 2".

Die intensie van die aansoek is om toepaslike grondgebruiksregte te verkry om die eiendom vir ligte industriële doeleindes te gebruik.

Enige besware of kommentare wat duidelik die gronde van die beswaar en die persoon(ne) se regte uiteensit en aandui hoe hulle belange deur die aansoek geaffekteer gaan word asook die persone se volle kontakbesonderhede, waar sonder die Munisipaliteit nie met die persoon kan korrespondeer nie, moet ingedien word by en skriftelik gerrig word aan die Strategiese Uitvoerende Direkteur: Stedelike Beplanning, Afdeling Grondgebruiksregte, Posbus 3242, Pretoria, 0001 of na CityP_Registration@tshwane.gov.za vanaf 8 Maart 2017 (die datum van die eerste publikasie van hierdie kennisgewing ingevolge Artikel 16 (1)(f) van bogenoemde Bywet, 2016), tot 5 April 2017 (nie meer as 28 dae na die datum van die eerste publikasie van die kennisgewing).

Volledige besonderhede en planne (indien enige) van die aansoek sal gedurende gewone kantoorure kan besigtig word by die Munisipale kantore soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf 8 Maart 2017 (die datum van die eerste publikasie van hierdie kennisgewing) in die Gauteng Provinsiale Gazette, Beeld koerant en Citizen koerant.

Adres van die Munisipale kantore: Stad van Tshwane Metropolitaanse Munisipaliteit, Kamer LG004, Isivuno Huis, 143 Lilian Ngoyi Straat, Pretoria. Sluitingsdatum vir enige beswaar(e): 5 April 2017

Adres van gemagtigde agent: Multiprof Property Development & Planning CC, Pauline Spruijt Street 402, Garsfontein/ P.O. Box 1285, Garsfontein, 0042. Tel: (012) 361 5095 / Cell: 082 556 0944 / E-pos: info@mpdp.co.za

Datum van publikasie van die kennisgewing: 8 Maart 2017 en 15 Maart 2017

Verwysing: CPD 9/2/4/2-4106T

Item No: 26417

08-15

NOTICE 334 OF 2017

**CITY OF TSHWANE LAND USE MANAGEMENT
NOTICE OF AN APPLICATION FOR A SUBDIVISION OF LAND IN TERMS OF SECTION 16(12) (a) (iii) OF
THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

I/We, Carlien Potgieter of Teropo Town and Regional Planners, being the applicant of Portion 259 (a portion of Portion 6) of the farm Tiegerpoort 371-JR hereby give notice, in terms of section 16(1) (f) of the City of Tshwane Land Use Management By-law, 2016, that I have applied to the City of Tshwane Metropolitan Municipality for the subdivision of the property described below.

The intension of the applicant in this matter is to: Subdivide Portion 259 (a portion of Portion 6) of the farm Tiegerpoort 371-JR from Undetermined to Undetermined, to divide into six (6) portions of approximately 4.2 hectares each.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 8 March 2017 until 5 April 2017 (not less than 28 days after the date of first publication of the notice).

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette / Beeld and Citizen newspapers.

Address of Municipal offices: City of Tshwane Metropolitan Municipality, Pretoria Office: Centurion: Room F8, Town Planning Office, cnr Basden and Rabie Streets Pretoria.

Dates on which notice will be published: - 8 March 2017

Closing date for any objections : - 5 April 2017

Address of applicant: Teropo Town and Regional Planners, 8 B Silver Place, Willow Acres Estate, Silver Lakes, Pretoria and/or Postnet Suite 46, Private Bag x37, Lynnwood Ridge, 0040

Fax: 086-762-5014 / Tel: 012) 940-8294 / E-mail: info@teropo.co.za

Description of property: Portion 259 of the farm Tiegerpoort 371-JR

Proposed Portion 1	-	±6.0ha
Proposed Portion 2	-	±5.5ha
Proposed Portion 3	-	±4.5ha
Proposed Portion 4	-	±4.6ha
Proposed Portion 5	-	±5.2ha
Proposed Remainder	-	±4.2ha
TOTAL	-	±30 HA

Reference: CPD 371-JR/0924/259 Item No 26176

08-15

KENNISGEWING 334 VAN 2017**CITY OF TSHWANE GROND GEBRUIK BESTUURSBYWETTE 2016 KENNISGEWING VAN 'N AANSOEK VIR VERDELING VAN GROND IN TERME VAN AFDELING 16(12) (a) (iii) VAN DIE STAD VAN TSHWANE GROND GEBRUIKSBYWETTE, 2016**

Ek, Carlien Potgieter van Teropo Stads- en Streeksbeplanners, die gemagtigde agent, van Gedeelte 259 ('n gedeelte van Gedeelte 6) van die plaas Tiegerpoort 371-JR, gee hiermee kennis in terme van die Stad van Tshwane Grond Gebruiksbestuursplan Bywette, 2016, dat ek aansoek gedoen het by die Stad van Tshwane Metropolitaanse Munisipaliteit vir die onderverdeling :-

Gedeelte 259 ('n Gedeelte van Gedeelte 6) van die plaas Tiegerpoort 371-JR, vanaf Onbepaald na Onbepaald in ses (6) gedeeltes te verdeel van ongeveer 4.2 hektaar elk.

Besware teen of kommentaar, met die redes vir beswaar(e) en/of kommentaar(e) met volle kontak besonderhede, sonder dit kan die Munisipaliteit nie kommunikeer met die persoon or instansie wat die beswaar(e) of Kommentaar(e), moet geloods word in skrif na die Strategiese Uitvoerende Direkteur, Posbus 3242, Pretoria, 0001, of na CityP_Regisration@tshwane.gov.za vanaf 8 Maart 2017 tot 5 April 2017 (nie minder as 28dae vanaf die eerste datum van publikasie van die kennisgewing nie).

Volle besonderhede en planne (indien enige) lê ter insae gedurende gewone kantoor ure by die Munisipale kantore soos hieronder, vir 'n periode van 28 dae vanaf die datum van eerste publikasie van die kennisgewing in die Provinsiale Koerant / Citizen en Beeld Koerante.

Adres van Munisipale Kantore: Die Stad van Tshwane Metropolitaanse Munisipaliteit, Centurion: Kamer F8, Stedelike Beplanning Kantore, h/v Basden- en Rabiestraat, Centurion, Pretoria.

Datums van kennisgewing - 8 Maart 2017

Sluitingsdatum van besware - 5 April 2017

Adres van Aansoeker: Teropo Stads- en Streeksbeplanners, 8 B Silver Place, Willow Acres Estate, Silver Lakes, Pretoria en/of Postnet Suite 46, Privaatsak x37, Lynnwoodrif, 0040

Faks: 086-762-5014 / Tel: 012) 940-8294 / E-pos: info@teropo.co.za

Grondbeskrywing: Gedeelte 259 van die plaas Tiegerpoort 371-JR

Voorgestelde Gedeelte 1 - ±6.0ha

Voorgestelde Gedeelte 2 - ±5.5ha

Voorgestelde Gedeelte 3 - ±4.5ha

Voorgestelde Gedeelte 4 - ±4.6ha

Voorgestelde Gedeelte 5 - ±5.2ha

Voorgestelde Restant - ±4.2ha

TOTAAL - ±30HA

Verwysings nommer CPD 371-JR/0924/259 Item No 26176

08-15

NOTICE 336 OF 2017**CITY OF TSHWANE LAND USE MANAGEMENT
NOTICE OF AN APPLICATION FOR A SUBDIVISION OF LAND IN TERMS OF SECTION 16(12)
(a) (iii) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

I/We, Carlien Potgieter of Teropo Town and Regional Planners, being the applicant of Portion 198 (a portion of Portion 196) of the farm Zwavelpoort 373-JR hereby give notice, in terms of section 16(1) (f) of the City of Tshwane Land Use Management By-law, 2016, that I have applied to the City of Tshwane Metropolitan Municipality for the subdivision of the property described below.

The intension of the applicant in this matter is to: Subdivide Portion 198 (a portion of Portion 196) of the farm Zwavelpoort 373-JR from Undetermined to Undetermined, to divide into three (3) portions of approximately 4.3 hectares each.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 8 March 2017 until 5 April 2017 (not less than 28 days after the date of first publication of the notice).

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette / Beeld and Citizen newspapers.

Address of Municipal offices: City of Tshwane Metropolitan Municipality, Pretoria Office: Registration Office, Centurion Room F8, Town Planning Office, cnr Basden and Rabie Streets, Centurion, Pretoria.

Dates on which notice will be published: - 8 March 2017

Closing date for any objections : - 5 April 2017

Address of applicant: Teropo Town and Regional Planners, 8 B Silver Place, Willow Acres Estate, Silver Lakes, Pretoria and/or Postnet Suite 46, Private Bag x37, Lynnwood Ridge, 0040

Fax: 086-762-5014 / Tel: 012) 940-8294 / E-mail: info@teropo.co.za

Description of property(ies): Portion 198 Zwavelpoort 373-JR

Proposed Portion 1 in extent approximately 5.16ha

Proposed Portion 2 in extent approximately 4.47ha

Proposed Remainder in extent approximately 4.20 ha

TOTAL 21.1ha

Reference: CPD 373-JR/0879/198/R Item No 26175

8-15

KENNISGEWING 336 VAN 2017**CITY OF TSHWANE GROND GEBRUIK BESTUURSBYWETTE 2016 KENNISGEWING VAN 'N AANSOEK VIR VERDELING VAN GROND IN TERME VAN AFDELING 16(12) (a) (iii) VAN DIE STAD VAN TSHWANE GROND GEBRUIKSBYWETTE, 2016**

Ek, Carlien Potgieter van Teropo Stads-en Streeksbeplanners, die gemagtigde agent, van Gedeelte 198 ('n gedeelte van Gedeelte 196) van die plaas Zwavelpoort 373-JR, gee hiermee kennis in terme van die Stad van Tshwane Grond Gebruiksbestuursplan Bywette, 2016, dat ek aansoek gedoen het by die Stad van Tshwane Metropolitaanse Munisipaliteit vir die onderverdeling :-

Gedeelte 198 ('n Gedeelte van Gedeelte 196) van die plaas Zwavelpoort 373-JR, vanaf Onbepaald na Onbepaald in drie (3) gedeeltes te verdeel van ongeveer 4.3 hektaar elk.

Besware teen of kommentaar, met die redes vir beswaar(e) en/of kommentaar(e) met volle kontak besonderhede, sonder dit kan die Munisipaliteit nie kommunikeer met die persoon or instansie wat die beswaar(e) of Kommentaar(e), moet geloods word in skrif na die Strategiese Uitvoerende Direkteur, Posbus 3242, Pretoria, 0001, of na CityP_Registration@tshwane.gov.za vanaf 8 Maart 2017 tot 5 April 2017 (nie minder as 28dae vanaf die eerste datum van publikasie van die kennisgewing nie).

Volle besonderhede en planne (indien enige) lê ter insae gedurende gewone kantoor ure by die Munisipale kantore soos hieronder, vir 'n periode van 28 dae vanaf die datum van eerste publikasie van die kennisgewing in die Provinsiale Koerant / Citizen en Beeld Koerante.

Adres van Munisipale Kantore: Die Stad van Tshwane Metropolitaanse Munisipaliteit, Centurion: Kamer F8, Stedelike Beplanning Kantore, h/v Basden- en Rabiestraat, Centurion, Pretoria.

Datums van kennisgewing - 8 Maart 2017

Sluitingsdatum van besware - 5 April 2017

Adres van Aansoeker: Teropo Stads- en Streeksbeplanners, 8 B Silver Place, Willow Acres Estate, Silver Lakes, Pretoria en/of Postnet Suite 46, Privaatsak x37, Lynnwoodrif, 0040

Faks: 086-762-5014 / Tel: 012) 940-8294 / E-pos: info@teropo.co.za

Grondbeskrywing: Gedeelte 198 Zwavelpoort 373-JR

Voorgestelde Gedeelte 1 ongeveer 5.16ha

Voorgestelde Gedeelte 2 ongeveer 4.47ha

Voorgestelde Restant ongeveer 4.20ha

TOTAAL 21 ha

Reference: CPD 373-JR/0879/198/R Item No 26175

8-15

NOTICE 339 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF AN APPLICATION FOR THE REMOVAL OF A RESTRICTIVE CONDITION IN THE
TITLE DEED IN TERMS OF SECTION 16(2) OF THE CITY OF TSHWANE LAND USE
MANAGEMENT BY-LAW, 2016**

We, DLC Town Plan (Pty) Ltd, being the authorised agent of the owner of Erf 557 Constantia Park Township, Registration Division JR, Province of Gauteng hereby give notice in terms of section 16(1)(f) of the City of Tshwane Land Use Management By-Law, 2016 that we have applied to the City of Tshwane Metropolitan Municipality for the removal of certain conditions contained in the Title Deed in terms of section 16(2) of the City of Tshwane Land Use Management By-Law, 2016 of the above mentioned property.

The property is situated at: 490 Anton van Wouw Street, Constantia Park

The application is for the removal: of title condition II(h) from Title Deed T88788/2015

The intension of the applicant in this matter is to: remove a restrictive title condition from the Title Deed.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to cityp_registration@tshwane.gov.za **from 8 March 2017 until 5 April 2017.**

Full particulars and plans (if any) may be inspected during normal office hours at the municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette / Beeld / Daily Sun newspaper.

Address of municipal offices: The Strategic Executive Director: City Planning, Development and Regional Services: Centurion: Room E10, Town Planning Office, Cnr of Basden and Rabie Streets, Centurion.

Closing date for any objections and/or comments: 5 April 2017

Address of applicant: DLC Town Plan (Pty) Ltd, P.O. Box 35921, Menlo Park, 0102 or 46 26th Street, Menlo Park, 0081

Telephone no: 012 346 7890

Dates on which notice will be published: 8 March and 15 March 2017

Reference: CPD: CTP/0116/557

Item no: 26030

8-15

KENNISGEWING 339 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN AANSOEK OM OPHEFFING VAN BEPERKENDE VOORWAARDES IN DIE
TITELAKTE INGEVOLGE ARTIKEL 16(2) VAN DIE STAD VAN TSHWANE GRONDGEBRUIK
BESTUUR BYWETTE, 2016**

Ons, DLC Town Plan (Pty) Ltd, die gemagtigde agent van die eienaar van Erf 557 Constantia Park Dorpgebied, Registrasie Afdeling JR, Provinsie van Gauteng gee hiermee kennis in terme van artikel 16(1)(f) van die Stad van Tshwane Grondgebruiksbestuur Bywette, 2016 dat ons aansoek gedoen het by die Stad van Tshwane Metropolitaanse Munisipaliteit vir die opheffing van 'n beperkende voorwaarde in die Titelakte ingevolge artikel 16(2) van die Stad Tshwane Grondgebruikbestuur Bywette, 2016 van die eiendom soos hierbo beskryf.

Die eiendom is geleë: Anton van Wouw Straat Nommer 490, Constantia Park

Die aansoek is: vir die opheffing van beperkende voorwaarde II(h) in Titelakte T88788/2015.

Die intensie van die eienaar/applikant in die geval is: om die beperkende voorwaarde in die Titelakte op te hef.

Enige besware en/of kommentare wat duidelik die gronde van die beswaar en die persoon(ne) se regte uiteensit en aandui hoe hulle belange deur die aansoek geaffekteer gaan word, asook die persoon(ne) se volle kontakbesonderhede, waar sonder die munisipaliteit nie met die persoon(ne) kan korrespondeer nie, moet skriftelik by of tot die Strategiese Uitvoerende Direkteur: Stadsbeplanning en Ontwikkeling, ingedien of gerig word by Posbus 3242, Pretoria, 0001, of na cityp_registration@tshwane.gov.za **vanaf 8 Maart 2017 tot en met 5 April 2017.**

Volledige besonderhede en planne (as daar is) kan gedurende gewone kantoor ure geïnspekteer word by die munisipale kantore soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf die datum van eerste keer van tentoonstelling van hierdie kennisgewing.

Adres van munisipale kantore: Die Strategiese Uitvoerende Direkteur: Stadsbeplanning, Ontwikkeling en Streeksdienste Centurion: Kamer E10, Stedelike Beplanning Kantore, H/V Basden- en Rabiestraat, Centurion.

Sluitingsdatum vir enige beswaar(e) en/of kommentaar(e): 5 April 2017

Adres van agent: DLC Town Plan (Pty) Ltd, PO. Boks 35921, Menlo Park, 0102 of 46 26th Straat, Menlo Park, 0081

Datums wat die kennisgewing geplaas sal word: 8 Maart 2017 en 15 Maart 2017

Telefoon no: 012 346 7890

Verwysing: CPD: CTP/0116/557

Item no: 26030

8-15

NOTICE 344 OF 2017**ROODEPOORT TOWN PLANNING SCHEME, 1987**

Notice is hereby given, in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016, that I, the undersigned, intend to apply to the City of Johannesburg for an amendment to the land use scheme.

SITE DESCRIPTION:

Erf No: 640
Township: Allen's Nek Extension 35
Street Address: 1014 Pigeon / Piet Retief Road, Allen's Nek

APPLICATION TYPE: Rezoning

APPLICATION PURPOSES:

The purpose with this application is to rezone the property mentioned above from 'Agricultural' to 'Educational' in order to provide for a private school to be conducted from the property.

The above application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor, A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein. Any objection or representation with regard to the application must be submitted to both the agent and the Registration Section of the Department of Development Planning at the above address, or posted to PO Box 30733, Braamfontein, 2017, or a facsimile send to 011-339-4000 or an e-mail send to benp@joburg.org.za, by not later than 13 April 2017.

AUTHORISED AGENT: PJ Steyn, Futurescope Town Planners, PO Box 59, Paardekraal, 1752; Telno: 011-955-5537; celno: 082-821-9138; e-mail: petrus@futurescope.co.za; Date: 15 March 2017

NOTICE 345 OF 2017

**NOTICE IN TERMS OF SECTION 56 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) READ WITH SECTION 2(2) AND RELEVANT PROVISIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT NO 16 OF 2013)
RANDVAAL AMENDMENT SCHEME WS210 ANNEXURE 195**

I, Jacques Rossouw, of the Firm J Rossouw Town Planners & Associates (Pty) Ltd, being the authorised agent of the owner of **Erf 42, Highbury Township**, hereby gives notice in terms of Section 56 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) read with Section 2(2) and relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act No 16 of 2013), that I have applied to the Midvaal Local Municipality for the amendment of the Randvaal Town Planning Scheme, 1994 by the rezoning of the abovementioned property situated at 42 Bosbok Road, Highbury Township, from "Residential 1" to "Special" for Commercial Uses, Light Industry, Offices, Beer Brewery, Place of Refreshment, Beer Garden and a residential dwelling for the owner, subject to certain conditions as described in the application documents.

Particulars of the application will lie for inspection during normal office hours at the office of the Executive Director: Development Planning and Housing, Midvaal Civic Centre, Mitchell Street, Meyerton, for a period of 28 days from **15 March 2017**. Closing date for objections are **12 April 2017**.

Objections to or representations in respect of the application must be lodged with or made in writing to the Executive Director: Development Planning and Housing, at the above address or at P.O. Box 9, Meyerton, 1960 within a period of 28 days from **15 March 2017**. Closing date for objections are **12 April 2017**.

Address of Agent: J Rossouw Town Planners & Associates, P.O. Box 72604, Lynnwood Ridge, 0040, E-mail: jrossouw@jrtpa.co.za, Tel.: 010 010 5479, Fax: 086 573 3481 Our Reference: J0234_2016

15-22

KENNISGEWING 345 VAN 2017

**KENNISGEWING INGEVOLGE ARTIKEL 56 VAN DIE ORDONANSIE OP DORPSBEPLANNING
EN DORPE, 1986 (ORDONANSIE 15 VAN 1986) SAAM GELEES MET ARTIKEL 2(2) EN
RELEVANTE BEPALINGS VAN DIE WET OP RUIMTELIKE BEPLANNING EN
GRONDGEBRUIKBESTUUR, 2013 (WET NO 16 VAN 2013)
RANDVAAL WYSIGING SKEMA WS210 BYLAE 195**

Ek, Jacques Rossouw, van die Firma J Rossouw Stadsbeplanners & Medewerkers (Edms) Bpk, synde die gemagtigde agent van die eienaar van **Erf 42, Dorp Highbury** gee hiermee ingevolge Artikel 56 van die Ordonansie op Dorpsbeplanning en Dorpe, 1986 (Ordonansie 15 van 1986) saam gelees met Artikel 2(2) en relevante bepalings van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet No. 16 van 2013), kennis dat ek by die Midvaal Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die Randvaal Dorpsbeplanningskema, 1994 deur die hersonering van die eiendom hierbo beskryf geleë te Bosbokpad 42, Dorp Highbury, vanaf "Residensieël 1" na "Spesiaal" vir Kommersiele Gebruike, Ligte Nywerheid, Kantore, Bierbrouery, Verversingsplek, Biertuin en 'n woonhuis vir die eienaar, onderworpe aan sekere voorwaardes soos verwys word in die aansoek dokumente.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Uitvoerende Direkteur: Ontwikkelingsbeplanning en Behuising, Midvaal Burgersentrum, Mitchell Straat, Meyerton, vir 'n tydperk van 28 dae vanaf **15 Maart 2017**. Sluitingsdatum vir besware is **12 April 2017**.

Besware teen of vertoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf **15 Maart 2017** skriftelik by of tot die Uitvoerende Direkteur: Ontwikkelingsbeplanning en Behuising, by bovermelde adres of by Posbus 9, Meyerton, 1960 ingedien of gerig word. Sluitingsdatum vir besware is **12 April 2017**.

Adres van Agent: J Rossouw Stadsbeplanners & Medewerkers, Posbus 72604, Lynnwood Ridge, 0040, E-pos: jrossouw@jrtpa.co.za, Tel.: 010 010 5479, Faks: 086 573 3481 Ons Verwysing: J0234_2016

15-22

NOTICE 346 OF 2017

**NOTICE IN TERMS OF SECTION 56 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE,
1986 (ORDINANCE 15 OF 1986) READ WITH SECTION 2(2) AND RELEVANT PROVISIONS OF
THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT NO 16 OF 2013)
EKURHULENI METROPOLITAN MUNICIPALITY: EDENVALE CUSTOMER CARE CENTRE**

I, Jacques Rossouw, of the Firm J Rossouw Town Planners & Associates (Pty) Ltd, being the authorised agent of the owner of **Erf 1822, Bedfordview Extension 363 Township**, hereby gives notice in terms of Section 56 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) read with Section 2(2) and relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act No 16 of 2013), that I have applied to the Ekurhuleni Metropolitan Municipality: Edenvale Customer Care Centre for the amendment of the Ekurhuleni Town Planning Scheme, 2014 by the rezoning of the abovementioned property situated at 9 Skeen Boulevard, Bedfordview Extension 363 Township, from "Business 1" with a coverage of 30%, F.A.R. of 0,4 and height of 2 storeys to "Business 1" with a coverage of 60%, F.A.R. of 7,5023 and height of 14 storeys, subject to certain conditions as described in the application documents.

Particulars of the application will lie for inspection during normal office hours at the office of the Area Manager: City Planning Department, Edenvale CCC, 1st Floor, Edenvale Civic Centre, cnr Van Riebeeck Avenue and Hendrik Potgieter Street, Edenvale, for a period of 28 days from **15 March 2017**. Closing date for objections are **12 April 2017**.

Objections to or representations in respect of the application must be lodged with or made in writing to the Area Manager: City Planning Department, Edenvale CCC, Ekurhuleni Metropolitan Municipality, at the above address or at P.O. Box 25, Edenvale, 1610 within a period of 28 days from **15 March 2017**. Closing date for objections are **12 April 2017**.

Address of Agent: J Rossouw Town Planners & Associates, P.O. Box 72604, Lynnwood Ridge, 0040, E-mail: jrossouw@jrtpa.co.za, Tel.: 010 010 5479, Fax: 086 573 3481 Our Reference: J0060_2013

15-22

KENNISGEWING 346 VAN 2017

**KENNISGEWING INGEVOLGE ARTIKEL 56 VAN DIE ORDONANSIE OP DORPSBEPLANNING
EN DORPE, 1986 (ORDONANSIE 15 VAN 1986) SAAM GELEES MET ARTIKEL 2(2) EN
RELEVANTE BEPALINGS VAN DIE WET OP RUIMTELIKE BEPLANNING EN
GRONDGEBRUIKBESTUUR, 2013 (WET NO 16 VAN 2013)
EKURHULENI METROPOLITAANSE MUNISIPALITEIT: EDENVALE KLIENTESORGSENTRUM**

Ek, Jacques Rossouw, van die Firma J Rossouw Stadsbeplanners & Medewerkers (Edms) Bpk, synde die gemagtigde agent van die eienaar van **Erf 1822, Dorp Bedfordview Uitbreiding 363** gee hiermee ingevolge Artikel 56 van die Ordonansie op Dorpsbeplanning en Dorpe, 1986 (Ordonansie 15 van 1986) saam gelees met Artikel 2(2) en relevante bepalings van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet No. 16 van 2013), kennis dat ek by die Ekurhuleni Metropolitaanse Munisipaliteit: Edenvale Klientesorgsentrum aansoek gedoen het om die wysiging van die Ekurhuleni Dorpsbeplanningskema, 2014 deur die hersonering van die eiendom hierbo beskryf geleë te Skeen Boulevard 9, Dorp Bedfordview Uitbreiding 363, vanaf "Besigheid 1" met 'n dekking van 30%, 'n V.R.V. van 0,4 en hoogte van 2 verdiepings na "Besigheid 1" met 'n dekking van 60%, 'n V.R.V. van 7,5023 en hoogte van 14 verdiepings, onderworpe aan sekere voorwaardes soos verwys word in die aansoek dokumente.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Area Bestuurder: Departement Stadsbeplanning, Edenvale Klientesorgsentrum, 1ste Vloer, Edenvale Burgersentrum, hv Van Riebeecklaan en Hendrik Potgieter Straat, Edenvale, vir 'n tydperk van 28 dae vanaf **15 Maart 2017**. Sluitingsdatum vir besware is **12 April 2017**.

Besware teen of vertoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf **15 Maart 2017** skriftelik by of tot die Area Bestuurder: Departement Stadsbeplanning, Edenvale Klientesorgsentrum, Ekurhuleni Metropolitaanse Munisipaliteit, by bovermelde adres of by Posbus 25, Edenvale, 1610 ingedien of gerig word. Sluitingsdatum vir besware is **12 April 2017**.

Adres van Agent: J Rossouw Stadsbeplanners & Medewerkers, Posbus 72604, Lynnwood Ridge, 0040, E-pos: jrossouw@jrtpa.co.za, Tel.: 010 010 5479, Faks: 086 573 3481 Ons Verwysing: J0060_2013

15-22

NOTICE 347 OF 2017

**NOTICE IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE,
1986
(ORDINANCE 15 OF 1986): RANDFONTEIN AMENDMENT SCHEME 875**

I, Petrus Jacobus Steyn of the firm Futurescope Town and Regional Planners, being the authorized agent of the owner of Holding 32, Loumarina Agricultural Holdings, Randfontein, hereby gives notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986 read with the relevant provisions of the Spatial Planning and Land Use Management Act, 2013, that we have applied to the Rand-West City Local Municipality for the amendment of the Randfontein Town Planning Scheme, 1988 by the rezoning of the property mentioned above, located on Holding 32, Louis Road, Loumarina Agricultural Holdings, Randfontein, from 'Agriculture' to 'Agriculture' with an annexure to allow for a venue, conference facilities, place of religion, overnight facilities and ancillary uses.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Municipal Offices, c/o Sutherland Avenue and Stubbs Street, Randfontein and at Futurescope, 146 Carol Street, Silverfields, Krugersdorp for a period of 28 days from 15 March 2017. Objections to or representations in respect of the application must be lodged within a period of 28 days on or before 12 April 2017 in writing, to the Municipal Manager, at the above-mentioned address or at PO Box 218, Randfontein, 1760 and with Futurescope, PO Box 59, Paardekraal, 1752. Tel: 011-955-5537 / 082-821-9138; Fax: 086-672-5726; e-mail: petrus@futurescope.co.za

15-22

KENNISGEWING 347 VAN 2017**KENNISGEWING INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986): RANDFONTEIN WYSIGINGSKEMA 875**

Ek, Petrus Jacobus Steyn van die firma Futurescope Stads- en Streekbeplanners, synde die gemagtigde agent van die eienaar van Hoewe 32, Loumarina Landbouhoewes, Randfontein, gee hiermee ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 saamgelees met die tersaaklike bepalings van die Wet op Ruimtelike Beplanning en Grondgebruiksbestuur, 2013, kennis dat ons by die Rand-West City Plaaslike Munisipaliteit aansoek gedoen het vir die wysiging van die Randfontein Dorpsbeplanningskema, 1988, deur die hersonering van die eiendom hierbo gemeld, geleë te Hoewe 32, Louis Straat, Loumarina Landbouhoewes, Randfontein, vanaf 'Landbou' na 'Landbou' met 'n bylaag vir venue / konferensiesentrum, plek van openbare godsdiensoefening, oornagfasiliteite en aanverwante gebruike.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Munisipale Kantore, h/v Sutherlandlaan en Stubbsstraat, Randfontein en by Futurescope, Carolstraat 146, Silverfields, Krugersdorp vir 'n tydperk van 28 dae vanaf 15 Maart 2017. Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae voor of op 13 April Maart 2017 skriftelik by die Munisipale Bestuurder, by die bovermelde adres of by Posbus 218, Randfontein, 1760 en by Futurescope, Posbus 59, Paardekraal, 1752, ingedien word. Tel: 011-955-5537 / 082-821-9138; Faks: 086-672-5726; e-pos: petrus@futurescope.co.za

15-22

NOTICE 348 OF 2017**NOTICE IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986): EKURHULENI AMENDMENT SCHEME S0088**

Notice is hereby given that I, Petrus Jacobus Steyn of the firm Futurescope Stads en Streekbeplanners BK, being the authorized agent of the owner of Erf 1729, Strubenvale Ext 2, in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read together with the relevant sections of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), has applied to the Ekurhuleni Metropolitan Municipality for the amendment of the Ekurhuleni Town Planning Scheme, 2014 by the rezoning of the property described above, located at 4 Langlaagte Road, Strubenvale, from 'Special' to 'Community Facility' for purposes of a Place of Education. The application will be known as Ekurhuleni Amendment Scheme S0088. Particulars of the application will lie for inspection during normal office hours at the office of the Area Manager, Development Planning, Room 405, Block F, Civic Centre, Springs, and at Futurescope, 146 Carol Street, Silverfields, Krugersdorp for a period of 28 days from 15 March 2017. Objections to or representations in respect of the application must be lodged with or made in writing, with reasons, to the Area Manager at the above address or at PO Box 45, Springs, 1560, and the undersigned on or before 13 April 2017. Address of applicant: PO Box 59, Paardekraal, 1752. Tel: 011-955-5537 / 082-821-9138; Fax: 086-672-5726; e-mail: petrus@futurescope.co.za

15-22

KENNISGEWING 348 VAN 2017**KENNISGEWING INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986): EKURHULENI WYSIGINGSKEMA S0088**

Kennis word hiermee gegee dat ek, Petrus Jacobus Steyn van die firma Futurescope Stads- en Streekbeplanners BK, synde die gemagtigde agent van die eienaar van Erf 1729, Strubenvale Ext 2, ingevolge Artikel 56(1)(b)(i) van die Ordonnansie of Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), saamgelees met die tersaaklike artikels van die Wet op Ruimtelike Beplanning en Grondbestuur, 2013 (Wet 16 van 2013), by die Ekurhuleni Metropolitaanse Munisipaliteit (Springs Administratiewe Eenheid) aansoek gedoen het vir die wysiging van die dorpsbeplanningskema bekend as die Ekurhuleni Dorpsbeplanningskema, 2014, deur die hersonering van die eiendom hierbo beskryf, geleë te Langlaagteweg 4, Strubenvale, vanaf 'Spesiaal' na 'Gemeenskapsfasiliteit' vir die doel van 'n Plek van Onderrig. Die aansoek sal bekendstaan as Ekurhuleni Wysigingskema S0088. Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Areabestuurder, Ontwikkelingsbeplanning, Kamer 405, Blok F, Burgersentrum, Springs, en by Futurescope, Carolstraat 146, Silverfields, Krugersdorp vir 'n tydperk van 28 dae vanaf 15 Maart 2017. Besware teen of verhoë ten opsigte van die aansoek moet voor of op 13 April 2017 skriftelik, saam met redes daarvoor, by die Areabestuurder by bovermelde adres of by Posbus 45, Springs, 1560, en die ondergetekende ingedien of gerig word. Adres van applikant: Posbus 59, Paardekraal, 1752. Tel: 011-955-5537 / 082-821-9138; Faks: 086-672-5726; e-pos: petrus@futurescope.co.za

15-22

NOTICE 349 OF 2017
REZONING APPLICATION

APPLICABLE SCHEME:

Sandton Town Planning Scheme, 1980

Notice is hereby given, in terms of Section 21 of the Johannesburg Municipal Planning By-Law, 2016 that we, the undersigned, intend to apply to the City of Johannesburg for an amendment to the land use Scheme.

The site: Portion 14 (a portion of portion 3) of Erf 15 Edenburg

The application: Rezoning from "Residential 1" to "Residential 3" subject to conditions

APPLICATION PURPOSES:

Portion 14 (a portion of portion 3) of Erf 15 Edenburg Township is zoned "Residential 1" subject to conditions of the scheme. It is the intension of the owner/s to rezone the property to "Residential 1" to "Residential 3" (80 dwelling-units per hectare) permitting 28 dwelling-units..

SITE DESCRIPTION:

Farm Portion/Holding No(s): The site: Portion 14 (a portion of portion 3) of Erf 15

Township (Suburb) Name: Edenburg

Street Address: Third Avenue **Code:** 2128

The above application, in terms of the Sandton Town Planning Scheme, 1980, will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th floor A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the owner/agent and the Registration Section of the Department of Development Planning at the above address, or posted to P.O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an email send to benp@joburg.org.za, by no later than 7 December 2016.

OWNER/AUTHORISED AGENT

Full name: JM and NG Consulting group
Postal Address: 31 Princesses Avenue, 09 Marshlands, Windsor West **Code:** 2194
Cell: 081 732 9167
Email Address: musa@jmandngconsultinggroup.co.za
DATE: 09 November 2016

NOTICE 350 OF 2017**JOHANNESBURG TOWN PLANNING SCHEME, 1979**

NOTICE IS HEREBY GIVEN, IN TERMS OF SECTION 21 OF THE CITY OF JOHANNESBURG MUNICIPAL PLANNING BY-LAW, 2016 THAT I THE UNDERSIGNED, INTEND TO APPLY TO THE CITY OF JOHANNESBURG FOR THE AMENDMENT TO THE LAND USE SCHEME AND REMOVAL OF RESTRICTIVE CONDITIONS IN THE TITLE

SITE DESCRIPTION:

ERVEN NO.: 152, 153, 154, 155 & 156

TOWNSHIP (Suburb) NAME: DOORNFONTEIN

STREET ADDRESS: 52, 54, 56, 58, & 60 DOORNFONTEIN **CODE:** 2028

APPLICATION TYPE: SIMULTANEOUS AMENDMENT OF LAND USE SCHEME (REZONING) AND THE REMOVAL OF RESTRICTIVE CONDITIONS IN THE TITLE DEED. APPLICATION IS IN TERMS OF SECTION 21 OF THE CITY OF JOHANNESBURG MUNICIPAL PLANNING BY-LAW, 2016

APPLICATION PURPOSES: TO SIMULTANEOUSLY REMOVE RESTRICTIVE CONDITIONS IN THE TITLE DEED AND TO AMEND THE JOHANNESBURG TOWN PLANNING, 1979 BY REZONING ERVEN 152, 153, 154, 155 & 156 DOORNFONTEIN FROM "GENERAL" TO "GENERAL" SUBJECT TO CONDITIONS

The above application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to (both) the owner / agent and the Registration Section of the Department of Development Planning at the above address, or posted to P.O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by not later than **12th APRIL 2017**.

OWNER / AUTHORISED AGENT:

FULL NAME: Tiiso Masipa

POSTAL ADDRESS: AFHCO CORNER, 1ST FLOOR, 64 SIEMERT ROAD, NEW DOORNFONTEIN **CODE:** 2028

TEL NO (w): 011 224 2532 **FAX NO:** 086 500 9156 **CELL:** 079 679 9168

E-MAIL ADDRESS: Tiisom@afhco.co.za

NOTICE 351 OF 2017**NOTICE IN TERMS OF SECTION 56 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) READ WITH SECTION 2(2) OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT OF 2013 (ACT 16 OF 2013)****EKURHULENI TOWN PLANNING SCHEME 2014
AMENDMENT SCHEME T0081**

I Khosa Mikateko of Quekhumu (Pty) Ltd, being the authorized agent of the owner of **Erf 3177 Clayville Extension 29**, hereby give notice in terms of Section 56 of the Town Planning and Townships Ordinance 1986, (Ordinance 15 of 1986), that I have made an application to the Ekurhuleni Metropolitan Municipality for the amendment of the Town Planning Scheme in operation, known as the Ekurhuleni Town Planning Scheme, 2014 by rezoning portions of the property described above, from **“Social Services”** to **“Residential 1”** and **“Residential 3”**, subject to certain conditions.

Plans and/or particulars relating to the application may be inspected during normal office hours at the office of the Area Manager: City Planning Department, 5th Floor, Kempton Park Civic Centre, Corner CR Swart and Pretoria Roads, Kempton Park, for a period of 28 days from 15 March 2017.

Objections to or representations in respect of the application must be lodged with or made in writing to the Area Manager: City Planning Department at the above-mentioned address, within a period of 28 days from 15 March 2017.

Name: Mikateko Khosa, 4095 Krypton Street, Clayville, 1666
Tel: 073 761 2222, Fax: 086 770 8502, Email: info@quekhumu.com

15-22

KENNISGEWING 351 VAN 2017**KENNISGEWING INGEVOLGE ARTIKEL 56 VAN DIE ORDONNANSIE OP DORPPSEBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), SAAMGELEES MET ARTIKEL 2(2) VAN DIE WET OP RUIMTELIKE BAPLANNING EN GRONDGEBRUIKBESTUUR 16 VAN 2013****EKURHULENI DORPSBEPLANNINGSKEMA 2014
WYSIGINSKEMA T0081**

Ek Khosa Mikateteko van Quekhumu (Pty) Ltd, synde die gemagtigde agent van die eienaar van **Erf 3177 Clayville Uitbruiding 29**, gee hiermee ingevolge artikel 56 van die Ordonnansie op Dorpsebeplanning En Dorpe, 1986 (Ordonnansie 15 Van 1986) dat ons by die Ekurhuleni Metropolitaanse Munisipaliteit, Alberton Diensleweringssentrum aansoek gedoen het vir die wysiging van die Dorpsbeplanningskema in werking bekend as Ekurhuleni Dorpsbeplanningskema, 2014, deur die hersonering van gedeeltes van die eiendom hierbo beskryf, vanaf **“Maatskaplike Dienste”** na **“Residensieel 1”** en **“Residensieel 3”** onderhewig aan sekere voorwaawdes toe te laat.

Planne en/of besonderhede aangaande die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Area Bestuurder: Stadsbeplannings Departement, Ekurhuleni Metropolitaanse Munisipaliteit, 5de vlak, Kempton Park Burgersentrum, H/v CR Swart en Pretoria Straat, Kempton Park, vir 'n tydperk van 28 dae vanaf 15 Maart 2017.

Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 15 Maart 2017 skriftelik en in tweevoud by of tot die Area Bestuurder, Stadsbeplannings Departement, by die bovermelde adres ingedien of gerig word.

Naam: Mikateko Khosa, 4095 Krypton Street, Clayville, 1666
Sel: 073 761 2222, E-pos: info@quekhumu.com

15-22

NOTICE 352 OF 2017**NOTICE IN TERMS OF SECTION 56 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) READ WITH SECTION 2(2) OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT OF 2013 (ACT 16 OF 2013)****EKURHULENI TOWN PLANNING SCHEME 2014
AMENDMENT SCHEME A0224**

I Khosa Mikateko of Quekhumi (Pty) Ltd, being the authorized agent of the owner of **Erf 666 Alrode South Extension 17**, hereby give notice in terms of Section 56 of the Town Planning and Townships Ordinance 1986, (Ordinance 15 of 1986), that I have made an application to the Ekurhuleni Metropolitan Municipality for the amendment of the Town Planning Scheme in operation, known as the Ekurhuleni Town Planning Scheme, 2014 by rezoning the property described above, from **"Agricultural"** to **"Industrial 2"**, subject to certain conditions.

Plans and/or particulars relating to the application may be inspected during normal office hours at the office of the Area Manager: City Planning Department, 11th Floor, Alberton Civic Centre, Alwyn Taljaard Street, New Redruth, Alberton, for a period of 28 days from 15 March 2017.

Objections to or representations in respect of the application must be lodged with or made in writing to the Area Manager: City Planning Department at the above-mentioned address, within a period of 28 days from 15 March 2017.

Name: Quekhumi (Pty) Ltd, 133 The Curve, Corner Baker and Driefontein, Edenglen, Edenvale, 1609 Tel: 073 761 2222, Fax: 086 770 8502, Email: info@quekhumi.com

15-22

KENNISGEWING 352 VAN 2017**KENNISGEWING INGEVOLGE ARTIKEL 56 VAN DIE ORDONNANSIE OP DORPPSEBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), SAAMGELEES MET ARTIKEL 2(2) VAN DIE WET OP RUIMTELIKE BAPLANNING EN GRONDGEBRUIKBESTUUR 16 VAN 2013****EKURHULENI DORPSBEPLANNINGSKEMA 2014
WYSIGINSKEMA A0224**

Ek Khosa Mikateteko van Quekhumi (Pty) Ltd, synde die gemagtigde agent van die eienaar van **Erf 666 Alrode South Uitbreiding 17**, gee hiermee ingevolge artikel 56 van die Ordonnansie op Dorpsbeplanning En Dorpe, 1986 (Ordonnansie 15 Van 1986) dat ons by die Ekurhuleni Metropolitaanse Munisipaliteit, Alberton Diensleweringssentrum aansoek gedoen het vir die wysiging van die Dorpsbeplanningskema in werking bekend as Ekurhuleni Dorpsbeplanningskema, 2014, deur die hersonering van die eiendom hierbo beskryf, vanaf **"Landbou"** na **"Nywerheid 2"**, onderhewing aan sekere voorwaawdes toe te laat.

Planne en/of besonderhede aangaande die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Area Bestuurder: Stadsbeplannings Departement, Ekurhuleni Metropolitaanse Munisipaliteit, 11de vlak, Alberton Burgersentrum, Alwyn Taljaard Straat, New Redruth, Alberton, vir 'n tydperk van 28 dae vanaf 15 Maart 2017.

Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 15 Maart 2017 skriftelik en in tweevoud by of tot die Area Bestuurder, Stadsbeplannings Departement, by die bovermelde adres ingedien of gerig word.

Naam: Quekhumi (Pty) Ltd, 133 The Curve, h/v Baker en Driefontein, Edenglen, Edenvale, 1609 Sel: 073 761 2222, E-pos: info@quekhumi.com

15-22

NOTICE 353 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****NOTICE OF A REZONING APPLICATION IN TERMS OF SECTION 16(1) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

I, Magdalena Christina Alberts, of the firm EVS Town Planning CC, being the authorised agent of the owner of Erf 1029 Queenswood Extension 1, hereby give notice in terms of section 16(1)(f) of the City of Tshwane Land Use Management By-Law, 2016, that I have applied to the City of Tshwane Metropolitan Municipality for the amendment of the Tshwane Town-planning Scheme, 2008 (Revised 2014), by the rezoning in terms of section 16(1) of the City of Tshwane Land Use Management By-law, 2016 of the property as described above. The property is situated at number 1226 Edgehill Lane, Queenswood Extension 1.

The rezoning is from "Residential 1" with a density of one dwelling house per 1500m² to "Residential 1" with a density of one dwelling house per 1250m², subject to certain conditions as set out in the proposed Annexure T attached to the application.

The intention of the applicant in this matter is to: rezone the property to make provision for the subdivision of the property into two portions.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: The Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001; or to CityP_Registration@tshwane.gov.za from 15 March 2017 until 12 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette, Pretoria News Newspaper and Beeld Newspaper.

Address of Municipal offices: LG004, Isivuno House, 143 Lillian Ngoyi Street, Pretoria.
Closing date for objections and/or comments: 12 April 2017.

Address of authorized agent: EVS Planning, P.O. Box 65093, Erasmusrand, 0165 or nr. 218 Oom Jochem's Place, Erasmusrand, 0181. Tel: 061 6004611/082 327 0478, Email: evsplanning@mweb.co.za. Fax: 086 672 9548. Ref: E4924.

Dates on which notice will be published: 15 March and 22 March 2017.

Reference: CPD 9/2/4/2 – 4105T

Item no: 26415

15–22

KENNISGEWING 353 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT****KENNISGEWING VIR HERSONERING AANSOEK IN TERME VAN KLOUSULE 16(1) VAN DIE STAD VAN TSHWANE VERORDENING OPF GRONDGEBRUIK BESTUUR, 2016**

Ek, Magdalena Christina Alberts, van die firma EVS Town Planning CC, in my kapasiteit as die gemagtigde agent van die eienaar van Erf 1029 Queenswood Uitbreiding 1, gee hiermee, ingevolge Klousule 16(1)(f) van die Tshwane Verordening op Grondgebruik Bestuur, 2016 kennis dat ek by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die wysiging van die Tshwane Dorpsbeplanningskema, 2008 (Gewysig 2014) op die eiendom soos hierbo beskryf. Die eiendom is geleë by nommer 1226 Edgehill Laan, Queenswood Uitbreiding 1.

Die aansoek behels die hersonering van "Residensiële 1" met 'n digtheid van een woonhuis per 1500m² na "Residensiële 1" met 'n digtheid van een woonhuis per 1250m², onderworpe aan sekere voorwaardes soos uiteengesit in die voorgestelde Bylae T aangeheg by die aansoek.

Die doel van die aansoeker in hierdie verband is om: die eiendom te hersoneer om die onderverdeling van die eiendom in twee gedeeltes moontlik te maak.

Enige beswaar en/of kommentaar insluitend die redes vir die beswaar en/of kommentaar met volledige kontakbesonderhede, waarsonder die munisipaliteit nie met die beswaarmaker kan kommunikeer nie, sal skriftelik by of tot: die Strategiese Uitvoerende Direkteur: Stadbeplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of aan CityP_Registration@tshwane.gov.za ingedien of gerig word, vanaf 15 Maart 2017 tot 12 April 2017.

Volledige besonderhede en planne (as daar is) kan gedurende gewone kantoorure ter insae by die Munisipale kantoor, soos hieronder uiteengesit, besigting word vir 'n periode van 28 dae vanaf die eerste publiskasie van hierdie kennisgewing in die Provinsiale Koerant, Pretoria News en Beeld Koerant.

Adres van die Munisipale kantoor: LG004, Isivuno House, 143 Lillian Ngoyi Straat, Pretoria.
Sluitingsdatum vir besware: 12 April 2017.

Adres van gemagtigde agent: EVS Planning, Posbus 65093, Erasmusrand, Pretoria, 0165 of Nr. 218 Oom Jochems Place, Erasmusrand, 0181, Tel: 061 600 4611/082 327 0478, E-pos: evsplanning@mweb.co.za Faks: 086 672 9548 Verw: E4924.

Datums waarop kennisgewing gepubliseer word: 15 Maart en 22 Maart 2017

Verwysing: CPD 9/2/4/2 – 4105T

Item no: 26415

15–22

NOTICE 354 OF 2017**JOHANNESBURG TOWN PLANNING SCHEME, 1979**

Notice is hereby given, in terms of Section 21 of the City of Johannesburg's Municipal Planning By-Law, 2016, that I, Zaid Cassim from ZCABC, intend to apply to the City of Johannesburg for an amendment to the land use scheme.

SITE DESCRIPTION

Erf No : 1744
Township : HOUGHTON ESTATE
Street Address : 16 NINETH AVENUE

APPLICATION TYPE: REZONING

From "**Residential 1**" 1 dwelling per erf to "**Residential 1**" 8 dwelling units per Hectare, permitting 3 units to be developed on site, subject to conditions.

The above application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A- Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both ZCABC and the Registration Section of the Department of Development Planning at the above address, or posted to P. O. Box 30733, Braamfontein, 2017, or a facsimile sent to (011) 339 4000, or an e-mail sent to benp@joburg.org.za, by not later than **12 April 2017**.

AUTHORISED AGENT

Zaid Cassim (Zaid Cassim Architectural and Building Consultant)

Postal Address: PO Box 2910 Houghton Code: 2041

Physical Address: 11 9th Avenue, Highlands North Extension, 2192

Tel No (w) : 011 440 5303 Fax No: 086 570 6767
 Cell : 0828946786 E-mail address: zaidc@mweb.co.za

DATE: 15 March 2017

NOTICE 355 OF 2017**JOHANNESBURG TOWN PLANNING SCHEME, 1979**

Notice is hereby given, in terms of Section 21 of the City of Johannesburg's Municipal Planning By-Law, 2016, that I, Zaid Cassim from ZCABC, intend to apply to the City of Johannesburg for an amendment to the land use scheme.

SITE DESCRIPTION

Erf No : 184
Township : DE WETSHOF EXT 1
Street Address : 41 TURNSTONE STREET, DE WETSHOF

APPLICATION TYPE: REZONING

From "**Residential 1**" 1 dwelling per erf to "**Residential 1**" including medical consulting rooms, subject to conditions.

The above application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A- Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both ZCABC and the Registration Section of the Department of Development Planning at the above address, or posted to P. O. Box 30733, Braamfontein, 2017, or a facsimile sent to (011) 339 4000, or an e-mail sent to benp@joburg.org.za, by not later than **12 April 2017**.

AUTHORISED AGENT

Zaid Cassim (Zaid Cassim Architectural and Building Consultant)

Postal Address: PO Box 2910 Houghton Code: 2041

Physical Address: 11 9th Avenue, Highlands North Extension, 2192

Tel No (w) : 011 440 5303 Fax No: 086 570 6767
 Cell : 0828946786 E-mail address: zaidc@mweb.co.za

DATE: 15 March 2017

NOTICE 356 OF 2017

NOTICE OF CORRECTION

KIASHA PARK TOWNSHIP (DISTRICT JOHANNESBURG)

It is hereby notified that, whereas an error occurred in Provincial Gazette Notice 328 dated 12th October 2016, the Administrator has approved the correction of the notice as follows:-

In Clause 2 (3) (a) in the English text, substitute to expression **“All erven with the exception of erven 26 and 28 in the township shall be made subject to the conditions and servitudes, if any, contained in the Deed of Transfer T81387/1991, but excluding the powerline servitude in favour of The Victoria Falls and Transvaal Power Company Limited (Servitude No 1/1938S) which affects erf 27 and a street in the township only”** with the expression **“All erven with the exception of erven 26 and 27 in the township shall be made subject to the conditions and servitudes, if any, contained in the Deed of Transfer T81387/1991, but excluding the powerline servitude in favour of The Victoria Falls and Transvaal Power Company Limited (Servitude No 1/1938S) which affects erf 26, 27 and a street in the township only”**.

The addition of Clause

“3 (2) Conditions of Title imposed in favour of third parties to be registered / created on the first registration of the erven concerned

- (a) “Erf 27 is subject to a Servitude of right of way 4 metres wide as indicated on General Plan S.G No 1632/2013 in favour of Erf 26”
- (b) “Erf 26 is entitled to a right of way servitude 4 metres wide over Erf 27 as indicated on the General Plan S.G No 1632/2013”

NOTICE 357 OF 2017**NEWSPAPER ADVERTISEMENT FOR REMOVAL OF RESTRICTIVE CONDITIONS IN RESPECT OF LAND**

Notice is hereby given, in terms of Section 41 of the City of Johannesburg Municipal Planning By-Law, 2016, that I / we, the undersigned, intend to apply to the City of Johannesburg for

APPLICATION TYPE:

Removal of Restrictive Conditions of Title

APPLICATION PURPOSES:

To remove conditions 1, 2, 3 and 4 from deed of Transfer No T2759/2014, conditions 1, 2, 3 and 5 from deeds of Transfer No's T48004/1990 and T52104/1993 and conditions A, B, C and E from Deed of Transfer No T14851/05 in order to permit the rezoning of the properties from "Residential 1" to "Residential 4".

SITE DESCRIPTION:

Erf / Erven (stand) No(s):	82, 83, 84 and 85
Township (Suburb) Name:	Auckland Park
Street Address:	Twickenham Avenue Code: 2092

Particulars of the above application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A-Block, Metropolitan Centre, 158 Civic Centre Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the owner / agent and the Registration Section of the Department of Development Planning at the above address, or posted to Po Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by not later than 12 April 2017 (state date – 28 days from the date on which the application notice was published).

OWNER / AUTHORISED AGENT

Full name: George van Schoor of GVS & Associated Town Planners
Postal Address: Po Box 78246, Sandton Code: 2146
Tel No (w): (011) 472-2320 Fax No: (011) 472-2305
Cell: 082 554 1860
E-mail Address: gvsassoc@mweb.co.za

DATE: 15 March 2017.

NOTICE 358 OF 2017**NOTICE OF A CONSENT APPLICATION IN TERMS OF CLAUSE 16 OF THE TSHWANE TOWN-PLANNING SCHEME, 2008 (REVISED 2014) READ WITH SECTION 16(3) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

I, Pierre Danté Moelich, of the firm Plankonsult Incorporated, being the authorised agent of the registered owner of Holding 34 Mnandi Agricultural Holdings, situated at 24 Lloys Ellis Avenue hereby gives notice in terms of Clause 16 of the Tshwane Town Planning Scheme, Revised 2014, Read with Section 16(3) of The City of Tshwane Land Use Management By-Law, 2016 that we have applied to the Tshwane Metropolitan Municipality for consent to establish a "Place of Instruction" on the aforementioned property subject to certain development controls. The purpose of this application is to obtain consent from the City of Tshwane Metropolitan Municipality to legally use a portion of the property for the purposes of a crèche and small primary school.

Particulars of the application will lie for inspection during normal office hours at the office of The Strategic Executive Director: City Planning and Development, Room E10, Cnr of Basden and Rabie Streets, Centurion Municipal Offices, P.O. Box 14013, Lyttelton, 0140 from 15 March 2017. Objections to or representations in respect of the application must be lodged with or made in writing and in duplicate to the Strategic Director, to the above address or to CityP_Registration@tshwane.gov.za, within a period of 28 days from 15 March 2017.

Address of agent: Plankonsult Incorporated, 389 Lois Avenue Waterkloof Glen
P O Box 72729, Lynnwood Ridge, 0040
Tel: (012) 993 5848, Fax: (012) 993 1292, E-Mail:
wje@plankonsult.co.za

Dates of publication: 15 March 2017
Reference number: CPD MNDH/0425/34 (Item No: 26388)

KENNISGEWING 358 VAN 2017**KENNISGEWING VAN 'N TOESTEMMINGSGEBRUIKAANSOEK INGEVOLGE KLOUSULE 16 VAN DIE TSHWANE DORPSBEPLANNINGSKEMA, 2008 (HERSIEN 2014) SAAMGELEES MET ARTIKEL 16(3) VAN DIE STAD TSHWANE GRONDGEBRUIKBESTUUR VERORDENING, 2016**

Ek, Pierre Danté Moelich, van die firma Plankonsult Ingelyf, synde die gemagtigde agent van die eienaar van Hoewe 34 Mnandi Landbouhoewes, gelee te 24 Lloys Ellis Laan, gee hiermee ingevolge Klousule 16 van die Tshwane Dorpsbeplanningskema, 2008 (Hersien 2014) saamgelees met Artikel 16(3) van die Stad Tshwane Grondgebruikbestuur Verordening, 2016 kennis dat ons by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het om toestemmingsgebruik aansoek vir 'n Plek van onderrig op die bovermelde eiendom onderhewig aan sekere ontwikkelings maatreëls. Die doel van hierdie aansoek is om toestemming van die Stad Tshwane Metropolitaanse Munisipaliteit verkry om 'n gedeelte van die eiendom wettig gebruik vir die doeleindes van 'n kleuterskool en klein laerskool.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van Die Strategiese Uitvoerende Direkteur: Stedelike Beplanning, Kamer E10, Hoek van Basden en Rabie Straat Centurion Munisipale Kantore, Posbus 14013, Lyttelton, 0140, vanaf 15 Maart 2017. Besware teen of verhoë ten opsigte van die aansoek moet skriftelik by of tot die Strategiese Direkteur, by bovermelde adres of by CityP_Registration@tshwane.gov.za ingedien word binne 28 dae vanaf 15 Maart 2017.

Adres van agent: Plankonsult Ingelyf, 389 Lois Laan Waterkloof Glen
Posbus 72729, Lynnwood Ridge, 0040
Tel: (012) 993 5848, Faks: (012) 993 1292, E-pos:
wje@plankonsult.co.za

Datum van eerste publikasie: 15 Maart 2017
Verwysings nommer: CPD MNDH/0425/34 (Item No: 26388)

NOTICE 359 OF 2017**JOHANNESBURG TOWN PLANNING SCHEME, 1979**

Notice is hereby given, in terms of Section 41 of the City of Johannesburg Municipal Planning By-Law, 2016, that I, the undersigned, intend to apply to the City of Johannesburg for the removal of a restrictive condition of title.

Site Description

Erf 117 Cyrildene, 34 Cooper Street, 2198

Application Type

Removal of a restrictive condition of title.

Application Purposes

For the removal of a restrictive condition from the title deed in order to permit a Place of Instruction (Creche) on the site.

The above application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the agent and the Registration Section of the Department of Development Planning at the above address, or posted to P.O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by not later than 13 April 2017.

Authorised Agent

Full name: Mario Di Cicco, Postal Address: P.O. Box 28741, Kensington, Code: 2101
Cell: 083 654 0180, E-mail address: mariodc.projects@gmail.com

Date: 15 March 2017

NOTICE 360 OF 2017**NEWSPAPER ADVERTISEMENT FOR REMOVAL OF RESTRICTIVE CONDITIONS IN RESPECT OF LAND**

Notice is hereby given, in terms of Section 41 of the City of Johannesburg Municipal Planning By-Law, 2016, that I / we, the undersigned, intend to apply to the City of Johannesburg for

APPLICATION TYPE:

Removal of Restrictive Conditions of Title

APPLICATION PURPOSES:

To remove conditions 1, 2, 3 and 4 from deeds of Transfer No's T11592/2015 and T11593/2015 and conditions 1, 2, 3 and 5 from Deed of Transfer No T47955/2000 in order to permit the rezoning of the properties from "Residential 1" to "Residential 4".

SITE DESCRIPTION:

Erf / Erven (stand) No(s): Portion 1 of Erf 71, Remaining Extent of Erf 71 and Erf 72

Township (Suburb) Name: Auckland Park

Street Address: Corner of University Road and Ditton Avenue Code: 2092

Particulars of the above application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A-Block, Metropolitan Centre, 158 Civic Centre Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the owner / agent and the Registration Section of the Department of Development Planning at the above address, or posted to Po Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by not later than 12 April 2017 (state date – 28 days from the date on which the application notice was published).

OWNER / AUTHORISED AGENT

Full name: George van Schoor of GVS & Associated Town Planners

Postal Address: Po Box 78246, Sandton

Code: 2146

Tel No (w): (011) 472-2320

Fax No: (011) 472-2305

Cell: 082 554 1860

E-mail Address: gvsassoc@mweb.co.za

DATE: 15 March 2017.

NOTICE 361 OF 2017**NEWSPAPER ADVERTISEMENT FOR TOWN PLANNING SCHEMES****APPLICABLE SCHEME:**

JOHANNESBURG TOWN PLANNING SCHEME, 1979

Notice is hereby given, in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016, that I / we, the undersigned, intend to apply to the City of Johannesburg for an amendment to the land use scheme.

SITE DESCRIPTION:

Erf/Erven (stand) No(s): 82, 83, 84 and 85
Township (Suburb) Name: Auckland Park
Street Address: Twickenham Avenue
Code: 2092

APPLICATION TYPE:

Rezoning from "Residential 1", to "Residential 4", including residential buildings (communes) and restaurants (coffee shops) as Primary Right, height zone 0 (4 storeys), 60% coverage, 2.0 floor area ratio and density of 100 dwelling units per hectare.

APPLICATION PURPOSES:

To develop dwelling units and student accommodation and related facilities on the abovementioned properties.

The above application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A- Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the owner / agent and the Registration Section of the Department of Development Planning at the above address, or posted to P. O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by not later than 12 April 2017.

OWNER / AUTHORISED AGENT

Full name: G. F. R van Schoor of GVS & Associates Town Planners
Postal Address: Po Box 78246, Sandton. Code: 2146
Residential Address: 459 Ontdekkers Road, Florida Hills, 1709
Tel No (w): 011 - 472 - 2320
Fax No: 011-472-230305
Cell: 082 554 1860

E-mail address: gvsassoc@mweb.co.za

DATE: 15 March 2017

NOTICE 362 OF 2017**APPLICABLE SCHEME:
JOHANNESBURG TOWN PLANNING SCHEME, 1979**

Notice is hereby given, in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016, that I / we, the undersigned, intend to apply to the City of Johannesburg for an amendment to the land use scheme.

SITE DESCRIPTION:

Erf/Erven (stand) No(s): Portion 1 of Erf 71, Remaining Extent of Erf 71 and Erf 72
Township (Suburb) Name: Auckland Park
Corner of University Road and Ditton Avenue
Code: 2092

APPLICATION TYPE:

Rezoning from "Residential 1", to "Residential 4", including residential buildings (communes) and restaurants (coffee shops) as Primary Right, height zone 0 (4 storeys), 60% coverage, 2.0 floor area ratio and density of 100 dwelling units per hectare.

APPLICATION PURPOSES:

To develop dwelling units and student accommodation and related facilities on the abovementioned properties.

The above application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A- Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the owner / agent and the Registration Section of the Department of Development Planning at the above address, or posted to P. O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by not later than 12 April 2017.

OWNER / AUTHORISED AGENT

G. F. R van Schoor of GVS & Associates Town Planners
Po Box 78246, Sandton. Code: 2146
459 Ontdekkers Road, Florida Hills, 1709
0 1 1 - 4 7 2 - 2 3 2 0
011-472-230305
082 554 1860
gvsassoc@mweb.co.za
15 March 2017

NOTICE 363 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****NOTICE OF TSHWANE DRAFT SCHEME 3006T**

The City of Tshwane Metropolitan Municipality hereby gives notice in terms of Section 28(1)(a), read with Section 55, of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986), that a draft town-planning scheme to be known as Tshwane Amendment Scheme 3006T has been prepared by it.

This scheme entails the amendment of the Tshwane Town-planning Scheme, 2008 by rezoning Erven 499, 500, 505, 506, 511 and 512, Hatfield from "Residential 1" and Erf 599, Hatfield from "Existing Streets", all to "Educational", subject to conditions laid down by the Municipality.

The erven and the adjoining Portion 10 of the farm Koedoespoort 325 JR are to be transferred by the Municipality to the University of Pretoria and are intended to be developed in conjunction with the adjoining High Performance Centre of the University.

The draft scheme will lie open for inspection during normal office hours at the office of The Strategic Executive Director: City Planning and Development, Pretoria: Room LG004, Isivuno House, 143 Lilian Ngoyi Street Pretoria for a period of 28 days from 15 March 2017 (the date of the first publication of this notice).

Objections to or representations in respect of the scheme must be lodged in writing to the above or be posted to the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 within a period of 28 days from 15 March 2017 (the date of the first publication of this notice) provided that, should representations and/or objections be sent by mail, such representations and/or objections must reach the Council before or on the aforementioned date.

(CPD 9/2/4/2 – 3006T (Item 22689))
15–22

KENNISGEWING 363 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT****KENNISGEWING VAN TSHWANE ONTWERPSKEMA 3006T**

Die Stad van Tshwane Metropolitaanse Munisipaliteit gee hiermee ingevolge Artikel 28(1)(a), saamgelees met Artikel 55, van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986) kennis dat 'n ontwerp dorpsbeplanningskema wat bekend staan as Tshwane Wysigingskema 3006T deur hom opgestel is.

Hierdie skema behels die wysiging van die Tshwane Dorpsbeplanningskema, 2008 deur die hersonering van Erwe 499, 500, 505, 506, 511 and 512, Hatfield van "Residensieel 1" en Erf 599, Hatfield van "Bestaande Strate", almal tot "Opvoedkundig", onderworpe aan voorwaardes deur die Munisipaliteit neergelê.

Die erwe en die aanliggende Gedeelte 10 van die plaas Koedoespoort 325 JR word deur die Munisipaliteit oorgedra aan die Universiteit van Pretoria en is bedoel om ontwikkel te word in samehang met die aanliggende Hoë Prestasie Sentrum van die Universiteit.

Die ontwerp skema sal gedurende gewone kantoorure ter insae lê by die kantoor van Die Strategiese Uitvoerende Direkteur: Stadsbeplanning en Ontwikkeling, Pretoria: Kamer LG004, Isivuno House, Lilian Ngoyistraat 143, Pretoria vir 'n tydperk van 28 dae vanaf 15 Maart 2017 (die datum van die eerste publikasie van hierdie kennisgewing).

Besware teen of verhoë ten opsigte van die aansoek moet skriftelik binne 'n tydperk van 28 dae vanaf 15 Maart 2017 (die datum van die eerste publikasie van hierdie kennisgewing) by bogenoemde ingedien word of gerig word aan Die Strategiese Uitvoerende Direkteur: Stadsbeplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001, met dien verstande dat, indien verhoë en/of besware gepos word, sodanige verhoë en/of besware die Munisipaliteit voor of op voormelde datum moet bereik.

(CPD 9/2/4/2 – 3006T (Item 22689))
15–22

NOTICE 364 OF 2017

APPLICABLE SCHEME: Sandton Town Planning Scheme, 1980

Notice is hereby given, in terms of Sections 21 and 41 of the City of Johannesburg Municipal Planning By-Law, 2016, that we, the undersigned, intend to apply to the City of Johannesburg for an amendment to the land use scheme and simultaneous removal of restrictive conditions.

SITE DESCRIPTION:

Erven Nos: Portion 1 of Erf 158 and the Remainder of Erf 158

Township: Hurlingham

Street Address: 7 and 9 Braemar Road, Hurlingham

APPLICATION TYPE:

Simultaneous rezoning and removal of restrictive title conditions.

APPLICATION PURPOSES:

Amend the land use rights from "Residential 1" to "Residential 3" subject to certain conditions, as well as to remove certain restrictive conditions from the Title Deed.

The above application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the agent and the Registration Section of the Department of Development Planning at the above address, or posted to P.O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an email send to benp@joburg.org.za, by not later than 12 April 2017.

AUTHORISED AGENT:

Name: KIPD (Pty) Ltd

Postal Address: P.O. Box 52287 Saxonwold, 2132

Physical Address: Ground Floor, Henley House, Greenacres Office Park, 13 Victory Road, Victory Park, 2195

Tel: (011) 888 8685 Fax: 086 641 7768 Cell: 082 574 9318

Email address: saskia@kipd.co.za

DATE: 15 March 2017

NOTICE 365 OF 2017**NEWSPAPER ADVERTISEMENT FOR REMOVAL OF RESTRICTIVE CONDITIONS IN RESPECT OF LAND**

Notice is hereby given, in terms of Section 41 of the City of Johannesburg Municipal Planning By-Law, 2016, that I / we, the undersigned, intend to apply to the City of Johannesburg for

APPLICATION TYPE:

Removal of Restrictive Conditions of Title

APPLICATION PURPOSES:

To remove conditions 1, 2, 3 and 4 from deed of Transfer No T32832/2010 in order to permit the rezoning of the property from "Residential 1" to "Special for student accommodation and directly related facilities", subject to conditions.

SITE DESCRIPTION:

Erf / Erven (stand) No(s): 137
Township (Suburb) Name: Auckland Park
Street Address: 40 Richmond Avenue Code: 2092

Particulars of the above application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A-Block, Metropolitan Centre, 158 Civic Centre Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the owner / agent and the Registration Section of the Department of Development Planning at the above address, or posted to Po Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by not later than 12 April 2017 (state date – 28 days from the date on which the application notice was published).

OWNER / AUTHORISED AGENT

Full name: George van Schoor of GVS & Associated Town Planners
Postal Address: Po Box 78246, Sandton Code: 2146
Tel No (w): (011) 472-2320 Fax No: (011) 472-2305
Cell: 082 554 1860
E-mail Address: gvsassoc@mweb.co.za

DATE: 15 March 2017.

NOTICE 366 OF 2017**NEWSPAPERADVERTISEMENT FORTOWN PLANNING SCHEMES****APPLICABLE SCHEME:**

JOHANNESBURG TOWN PLANNING SCHEME, 1979

Notice is hereby given, in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016, that I / we, the undersigned, intend to apply to the City of Johannesburg for an amendment to the land use scheme.

SITE DESCRIPTION:

Erf/Erven (stand) No(s): 137
Township (Suburb) Name: Auckland Park
Street Address: 40 Richmond Avenue
Code: 2092

APPLICATION TYPE:

Rezoning from "Residential 1", to "Special for student accommodation, inclusive of kitchens and canteen, study rooms, meeting or communal rooms, gymnasium, recreation area and administrative offices, reception area, laundry room, games room and store rooms directly related to and for the use of the residents of the building", height zone 0 (6 storeys), 250 dwelling units per hectare, subject to conditions.

APPLICATION PURPOSES:

To develop dwelling units and student accommodation and related facilities on the abovementioned properties.

The above application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the owner / agent and the Registration Section of the Department of Development Planning at the above address, or posted to P. O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by not later than 12 April 2017.

OWNER / AUTHORISED AGENT

Full name: G. F. R van Schoor of GVS & Associates Town Planners
Postal Address: Po Box 78246, Sandton. Code: 2146
Residential Address: 459 Ontdekkers Road, Florida Hills, 1709
Tel No (w): 0 1 1 - 4 7 2 - 2 3 2 0
Fax No: 011-472-230305
Cell: 082 554 1860
E-mail address: gvsassoc@mweb.co.za
DATE: 15 March 2017

NOTICE 367 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY NOTICE OF A REZONING AND REMOVAL OF RESTRICTIVE CONDITIONS APPLICATION IN TERMS OF SECTION 16(1) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

I Carlien Potgieter of Teropo Town and Regional Planners, being the applicant of Portion 487, 488 & 489 (a portion of Portion 231) of the farm Derdepoort 326-JR, Province of Gauteng hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016, that I have applied to the City of Tshwane Metropolitan Municipality for the amendment of the Tshwane Town-planning Scheme, 2008 (Revised 2014), for a rezoning in terms of Section 16(1) of the City of Tshwane Land Use Management By-law, 2016 of the property as described above. The property is situated at: 487 Dewar Street, Derdepoort Registration Division - JR. The rezoning is from "Agricultural" to "Special for Mini Storage".

The intension of the owner/applicant in this matter is to erect mini storage units and to rent them out. Any objection and/or comment, with the grounds thereof and full contact details, shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 until 12 April 2017. Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette / Citizen and Beeld newspaper.

Address of Municipal offices: The City of Tshwane Metropolitan Municipality, Pretoria Office: Registration Office, LG004, Isivuno House, 143 Lillian Ngoyi Street, Pretoria.

Dates on which notice will be published - 15 March 2017

Closing date for any objections - 12 April 2017

Address of owner/ applicant:

Teropo Town Planners, Postnet Suite 46, Private Bag x37, Lynnwood Ridge, 0040 / 8B Silver Place, Willow Acres Estate, Silver Lakes, Pretoria. Telephone No: 082-338-1551 / 012) 940-8294 / Email: info@teropo.co.za

Item No 26366 and 26367

15-22

KENNISGEWING 367 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT KENNISGEWING VAN 'N HERSONERING EN OPHEFFING VAN BEPERKINGS AANSOEK IN TERME VAN ARTIKEL 16(1) VAN DIE STAD VAN TSHWANE GROND GEBRUIK BESTUUR BYWETTE, 2016**

Ek, Carlien Potgieter van Teropo Stads-en Streeksbeplanners, die gemagtigde agent, van Gedeelte 487, 488 & 489 ('n gedeelte van Gedeelte 231) van die plaas Derdepoort 326-JR, Provinsie van Gauteng gee hiermee kennis in terme van artikel 16(1)(f) van die Stad van Tshwane Grond Gebruiksbestuursplan Bywette, 2016 dat ek aansoek gedoen het by die Stad van Tshwane Metropolitaanse Munisipaliteit vir die hersonering in terme van artikel 16(1) van die Stad van Tshwane Grond Gebruiksbestuursplan Bywette, 2016 van die eiendom beskryf soos hierbo. Die eiendom is gelee in Dewar Straat 487, Derdepoort Registrasie Afdeling - JR. Die hersonering sal wees vanaf: "Landbou" na "Spesiaal vir Mini Store"

Die intensie van die eienaar/applikant in die geval is om mini store te bou en dit uit te verhuur.

Besware teen of kommentaar, met die redes daarvoor en volle kontak besonderhede, moet geloods word in skrif na die Strategiese Uitvoerende Direkteur, Posbus 3242, Pretoria, 0001, of na CityP_Regisration@tshwane.gov.za vanaf 15 Maart 2017 tot 12 April 2017.

Volle besonderhede en planne (indien enige) lê ter insae gedurende gewone kantoor ure by die Munisipale kantore soos hieronder, vir 'n periode van 28 dae vanaf die datum van eerste publikasie van die kennisgewing in die Provinsiale Koerant / Citizen en Beeld Koerante.

Adres van Munisipale Kantore: Die Stad van Tshwane Metropolitaanse Munisipaliteit, Pretoria Kantoor: Registrasie Kantore, LG004, Isivuno Huis, Lillian Ngoyi Straat 143, Pretoria..

Datums van publikasie - 15 Maart 2017

Sluitingsdatum van besware - 12 April 2017

Adres van aplikant:

Teropo Stads-en Streeksbeplanners, Postnet Suite 46, Privaatsak x37, Lynnwoodrif, 0040 / 8B Silver Place, Willow Acres Estate, Silver Lakes, Pretoria. Telefoon no: 082-338-1551 / 012) 940-8294 / E-pos: info@teropo.co.za

Item No 26366 and 26367

15-22

NOTICE 368 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF A CONSENT USE APPLICATION IN TERMS OF CLAUSE 16 OF THE TSHWANE
TOWN PLANNING SCHEME, 2008 (REVISED 2014)**

We, Plan Associates Town and Regional Planners Inc., being the authorised agent of the owner of portion 15 of the farm Riverside Estate 497 JQ, hereby give notice in terms of Clause 16 of the Tshwane Town Planning Scheme, 2008 (Revised 2014) that we have applied to the City of Tshwane Metropolitan Municipality, for the consent use for a 'Guest House'.

The subject site is situated in south western part of the city close to the Lanseria Airport at the following coordinates:

25°53'13.85"S and 27°54'1.73"E.

The current zoning of the property is "Undetermined" in terms of the Tshwane Town Planning Scheme, 2008 (Revised 2014).

The intension of the applicant is to establish a guest house with a maximum of 16 rooms for a maximum of 32 guests.

Any objection and/or comments, including the grounds for such objection(s) and/or comments with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comments, shall be lodged with, or made in writing to: The Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 until 12 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal Offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette.

Address of the Municipal Offices: Registration Office, Room E10, Corner of Basden- and Rabie Streets, Centurion

Closing date of objections and/or comments: 12 April 2017. Reference: Item 25918

Address of applicant: Plan Associates Town and Regional Planners Inc., PO Box 14732, Hatfield 0028 339 Hilda Street, Hatfield, Telephone No: 012 342 8701, Email: bertus@planassociates.co.za / jaco@planassociates.co.za, our reference: 243001

Date on which notice will be published: 15 March 2017

KENNISGEWING 368 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN N TOESTEMMINGSGEBRUIK AANSOEK INGEVOLGE KLOUSULE 16 VAN
DIE TSHWANE DORPSBEPLANNINGSKEMA, 2008 (HERSIEN 2014)**

Ons, Plan Medewerkers Stads- en Streekbeplanners Ing., die gemagtigde agent van die eienaar van gedeelte 15 van die plaas Riverside Estate 497 JQ, gee hiermee ingevolge Klousule 16 van die Tshwane Dorpsbeplanning Skema, 2008 (Hersien 2014) dat daar aansoek gedoen is by die Stad van Tshwane Metropolitaanse Munisipaliteit vir n 'Gastehuis'

Die eiendom is geleë in die suid westelike gedeelte van die stad naby Lanseria lughawe by die volgende koördinate:

25°53'13.85"S and 27°54'1.73"E

Die huidige sonering van die eiendom is "Onbepaald" in terme van die Tshwane Dorpsbeplanning Skema, 2008 (Hersien 2014).

Die doel van die applikant is om n raadsvergunning te verkry om n gastehuis met n maksimum van 16 kamers en n 'n maksimum van 32 gaste op te rig.

Enige besware en/of kommentare, insluitend die gronde vir sodanige beswaar en/of kommentaar, met volle kontakbesonderhede, waar sonder die Munisipaliteit nie met die person of liggaam wat die kommentaar of beswaar ingedien het kan kommunikeer nie, moet binne 'n tydperk van 28 dae vanaf die eerste datum van publikasie van die kennisgewing ingedien of gerig word aan: Die Strategiese Uitvoerende Direkteur: Stads beplanning en ontwikkeling, Posbus 3242, Pretoria, 0001 of CityP_Registration@tshwane.gov.za vanaf 15 Maart 2017 tot 12 April 2017.

Volle besonderhede en planne (indien enige) van die aansoek lê ter insae gedurende gewone kantoorure by die Munisipale kantore soos hieronder aangetoon, vir 'n tydperk van 28 dae vanaf die datum van die eerste publikasie van die kennisgewing in die Gauteng Provinsiale Gazette.

Adres van Munisipale kantore: Registrasie kantoor, Kamer E10, hoek van Basden- en Rabie Strate, Centurion.

Sluitingsdatum van besware of kommentare: 12 April 2017. Verwysing: Item 25918

Naam en adres van applikant: Plan Medewerkers Stads- en Streekbeplanners Ing., Posbus 14732, Hatfield 0028, 339 Hilda Straat, Hatfield, Telefoon No: 012 342 8701, Epos: bertus@planassociates.co.za / jaco@planassociates.co.za, Ons verwysing: 243001

Datum waarop kennisgewing gepubliseer gaan word: 15 Maart 2017

NOTICE 369 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF TOWNSHIP IN TERMS OF SECTION 16(4) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016 TO BE KNOWN AS ONDERSTEPSPOORT EXTENSION 43.**

We, *Plan Associates Town and Regional Planners Inc*, being the authorized agent/applicant of the owner of The remainder of portion 292-, portion 297-, portion 299- and portion 303 of the farm Haakdoornboom 267 J.R, hereby give notice in terms of section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016, that we have applied to the City of Tshwane Metropolitan Municipality for the establishment of the Onderstepoort Extension 43 township in terms of section 16(4) of the City of Tshwane Land Use Management By-law, 2016 referred to in the Annexure hereto.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to the Strategic Executive Offices: City Planning and Development, PO Box 3242, Pretoria, 001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 to 12 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette, Beeld and Citizen newspapers.

Address of Municipal Offices: City Planning, Land Use Rights Division, Room LG004, Isivuno House, 143 Lillian Ngoyi Street, Pretoria.

Address of applicant: Plan Associates Town and Regional Planners Inc., PO Box 14732, Hatfield 0028
339 Hilda Street, Hatfield, Telephone No: 012 342 8701, Email: bertus@planassociates.co.za / jaco@planassociates.co.za, Reference: Item 25942

Closing date of objections: 12 April 2017

Dates on which the notice will be published: 15 March 2017 and 22 March 2017

ANNEXURE

Name of Township: Onderstepoort Extension 43.

Name of applicant: Plan Associates Town and Regional Planners Incorporated (Registration No. 2012/06641/21)

Number of erven, proposed zoning and development controls:

- 1135 "Residential 1" zoned erven with a height of 2 storeys (6m), Coverage of 60% and a density of 1 dwelling house per Erf;
- 21 "Residential 3" zoned erven with a height of 4 storeys (12m), coverage of 60%, Floor Area Ratio (FAR) of 0,8 and a density of 150 dwelling units per hectare;
- 7 "Business 1" zoned erven with a height of 2 storeys (6m), coverage of 60% and a Floor Area Ratio (FAR) of 0,6;
- 14 "Institutional" zoned erven with a height of 2 storeys (6m), coverage of 40% and a Floor Area Ratio (FAR) of 0,4;
- 1 "Cemetery" zoned Erf;
- 11 "Public Open Space" zoned erven with a height, Floor Area Ratio (FAR) and coverage as per Site Development Plan;
- Several "Existing Street" zoned areas.

The intension of the applicant/owner in this matter is to: To develop a sustainable integrated development and to provide housing opportunities in the region.

Locality of the properties on which the township is to be established: The properties are situated adjacent and directly to the east of the R80 Mabopane freeway, opposite Soshanguve block XX.

Description of the properties on which the township is to be established: The remainder of portion 292-, portion 297-, portion 299- and portion 303 of the farm Haakdoornboom 267 J.R,

Reference: CPD/9/2/4-368T Item number: 25942

15-22

KENNISGEWING 369 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT****KENNISGEWING VAN AANSOEK OM STIGTING VAN DORP INGEVOLGE ARTIKEL 16(4) VAN DIE STAD VAN TSHWANE GRONDGEBRUIKBESTUUR-BY-WET, 2016 WAT BEKEND GAAN STAAN AS ONDERSTEPSPOORT UITBREIDING 43**

Ons *Plan Medewerkers Stads- en Streekbeplanners Ingelyf*, synde die applicant/gemagtige agent van die eienaar van die restant van gedeelte 292-, gedeelte 297-, gedeelte 299- en gedeelte 303 van die plaas Haakdoornboom 267 JR. gee hiermee kennis ingevolge artikel 16(1)(f) van die Stad van Tshwane Grondgebruikbestuurs-By-wet, 2016, dat ons by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die totstandkoming van die dorp Onderstepoort Uitbreiding 43 in terme van Artikel 16(4) van die Stad van Tshwane Grondgebruikbestuur By-wet, 2016 soos beskryf in die onderstaande bylaag.

Enige beswaar(e) en/of kommentaar, insluitend die gronde vir sodanige beswaar(e) en/of kommentaar en 'n verduideliking van die persoon(e) se regte en hoe hul belange geraak word deur die aansoek(e), met die volledige kontakbesonderhede van die persoon(e) wat die beswaar(e) en/of kommentaar indien, waarsonder die Munisipaliteit nie kan korrespondeer met die persoon of liggaam wat die beswaar(e) en/of kommentaar ingedien het nie, moet gedurende gewone kantoorure ingedien word of skriftelik gerig word aan: Die Strategiese Uitvoerende Direkteur: Stads beplanning en ontwikkeling, Posbus 3242, Pretoria, 0001 of CityP_Registration@tshwane.gov.za vanaf 8 Maart 2017 tot 5 April 2017.

Volledige besonderhede en planne (indien enige) van die aansoek lê ter insae gedurende gewone kantoorure by die Munisipale kantore soos hieronder aangetoon, vir 'n typerk van 28 dae vanaf die datum van die eerste publikasie van die kennisgewing in die Gauteng Provinsiale Gazette, Beeld en Citizen koerante.

Adres van Munisipale kantore: Stads beplanning, Grondgebruiksreg Afdeling, Kamer LG004, Isivuno House, Lillian Ngoyi Straat, Pretoria

Naam en adres van applikant: Plan Medewerkers Stads- en Streekbeplanners Ing., Posbus 14732, Hatfield 0028, 339 Hilda Straat, Hatfield, Telefoon No: 012 342 8701, Epos: bertus@planassociates.co.za / jaco@planassociates.co.za/ Verwysing: Item 25942

Die sluitingsdatum vir enige besware en/or kommentare: 5 April 2017

Datums waarop kennisgewings gepubliseer word: 8 Maart 2017 en 15 Maart 2017.

BYLAAG

Naam van dorp: Onderstepoort Uitbreiding 43

Naam van gemagtige agent: Plan Medewerkers Stads- en Streekbeplanners Ingelyf (Registrasie Nr. 2012/06641/21)

Aantal erwe, voorgestelde sonering en voorgestelde ontwikkeling kontroles:

- 1135 "Residensieel 1" gesoneerde erwe met 'n hoogte van 2 verdiepings (6m), dekking van 60% en 'n digtheid van 1 woonhuis per Erf;
- 21 "Residensieel 3" gesoneerde erwe met 'n hoogte van 4 verdiepings (12m), dekking van 60%, Vloer Ruimte Verhouding (VRV) van 0,8 en 'n digtheid van 150 wooneenhede per hektaar;
- 7 "Besigheid 1" gesoneerde erwe met 'n hoogte van 2 verdiepings (6m), dekking van 60% en Vloer Ruimte Verhouding (VRV) van 0,6;
- 14 "Institusioneel" gesoneerde erwe met 'n hoogte van 2 verdiepings (6m), dekking van 40% en Vloer Ruimte Verhouding (VRV) van 0,4;
- 1 "Begraafplaas" gesoneerde Erf;
- 11 "Openbare Oopruimte" gesoneerde erwe met 'n hoogte, dekking en Vloer Ruimte Verhouding (VRV) soos per die terreinontwikkelingsplan;
- Verskeie "Bestaande Strate" gesoneerde gedeeltes.

Die voorneme van die applicant/eienaar in hierdie saak is om: Om 'n volhoubare, geïntegreerde ontwikkeling te skep met behuising geleenthede vir die streek.

Ligging van die eiendomme waarop die dorp gestig word: Die eiendomme is gelee aangrensend en direk oos van die R80 Mabopane snelweg oorkant Soshanguve blok XX

Beskrywing van die eiendomme waarop die dorp gestig word: Die restant van gedeelte 292-, gedeelte 297-, gedeelte 299- en gedeelte 303 van die plaas Haakdoornboom 267 JR

Verwysing: CPD/9/2/4-368T Item nommer: 25942

15-22

NOTICE 370 OF 2017

CITY OF TSHWANE METROPOLITAN MUNICIPALITY NOTICE OF A REZONING AND REMOVAL OF RESTRICTIVE CONDITIONS APPLICATION IN TERMS OF SECTION 16(1) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016

I Carlien Potgieter of Teropo Town and Regional Planners, being the applicant of Portion 487, 488 & 489 (a portion of Portion 231) of the farm Derdepoort 326-JR, Province of Gauteng hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016, that I have applied to the City of Tshwane Metropolitan Municipality for the amendment of the Tshwane Town-planning Scheme, 2008 (Revised 2014), for a rezoning in terms of Section 16(1) of the City of Tshwane Land Use Management By-law, 2016 of the property as described above. The property is situated at: 487 Dewar Street, Derdepoort Registration Division - JR. The rezoning is from "Agricultural" to "Special for Mini Storage", with admin consent.

The intension of the owner/applicant in this matter is to erect mini storage units and to rent them out.

Any objection and/or comment, with the grounds thereof and full contact details, shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 until 12 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette / Citizen and Beeld newspaper.

Address of Municipal offices: The City of Tshwane Metropolitan Municipality, Pretoria Office: Registration Office, LG004, Isivuno House, 143 Lillian Ngoyi Street, Pretoria.

Dates on which notice will be published - 15 March 2017

Closing date for any objections - 12 April 2017

Address of owner/ applicant:

Teropo Town Planners, Postnet Suite 46, Private Bag x37, Lynnwood Ridge, 0040 / 8B Silver Place, Willow Acres Estate, Silver Lakes, Pretoria. Telephone No: 082-338-1551 / 012) 940-8294 / Email: info@teropo.co.za

Item No 26366 and 26367

15-22

KENNISGEWING 370 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT KENNISGEWING VAN 'N
HERSONERING EN OPHEFFING VAN BEPERKINGS AANSOEK IN TERME VAN ARTIKEL 16(1)
VAN DIE STAD VAN TSHWANE GROND GEBRUIK BESTUUR BYWETTE, 2016**

Ek, Carlien Potgieter van Teropo Stads-en Streeksbeplanners, die gemagtigde agent, van Gedeelte 487, 488 & 489 ('n gedeelte van Gedeelte 231) van die plaas Derdepoort 326-JR, Provinsie van Gauteng gee hiermee kennis in terme van artikel 16(1)(f) van die Stad van Tshwane Grond Gebruiksbestuursplan Bywette, 2016 dat ek aansoek gedoen het by die Stad van Tshwane Metropolitaanse Munisipaliteit vir die hersonering in terme van artikel 16(1) van die Stad van Tshwane Grond Gebruiksbestuursplan Bywette, 2016 van die eiendom beskryf soos hierbo. Die eiendom is gelee in Dewar Straat 487, Derdepoort Registrasie Afdeling - JR. Die hersonering sal wees vanaf: "Landbou" na "Spesiaal vir Mini Store", met Administrateurs toestemming.

Die intensie van die eienaar/applikant in die geval is om mini store te bou en dit uit te verhuur.

Besware teen of kommentaar, met die redes daarvoor en volle kontak besonderhede, moet geloods word in skrif na die Strategiese Uitvoerende Direkteur, Posbus 3242, Pretoria, 0001, of na CityP_Registration@tshwane.gov.za vanaf 15 Maart 2017 tot 12 April 2017.

Volle besonderhede en planne (indien enige) lê ter insae gedurende gewone kantoor ure by die Munisipale kantore soos hieronder, vir 'n periode van 28 dae vanaf die datum van eerste publikasie van die kennisgewing in die Provinsiale Koerant / Citizen en Beeld Koerante.

Adres van Munisipale Kantore: Die Stad van Tshwane Metropolitaanse Munisipaliteit, Pretoria
Kantoor: Registrasie Kantore, LG004, Isivuno Huis, Lillian Ngoyi Straat 143, Pretoria..

Datums van publikasie - 15 Maart 2017

Sluitingsdatum van besware - 12 April 2017

Adres van applikant:

Teropo Stads-en Streeksbeplanners, Postnet Suite 46, Privaatsak x37, Lynnwoodrif, 0040 / 8B Silver Place, Willow Acres Estate, Silver Lakes, Pretoria. Telefoon no: 082-338-1551 / 012) 940-8294 / E-pos: info@teropo.co.za

Item No 26366 and 26367

15-22

NOTICE 371 OF 2017**NOTICE OF AN APPLICATION FOR THE REMOVAL OF RESTRICTIVE CONDITIONS IN THE TITLE DEED IN
TERMS OF SECTION 16(2) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

We, *Plan Associates Town and Regional Planners Inc*, being the applicant of *Erf 792 Lynnwood extension 1 township*, hereby give notice in terms of section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016 that we have applied to the City of Tshwane Metropolitan Municipality for the removal of certain conditions contained in the Title Deed in terms of section 16(2) of the City of Tshwane Land Use Management By-law, 2016 of the above mentioned property. The property is situated at 448 Monica Road, Lynnwood.

The application is for the removal of the following conditions: B (f), B (i), C (c) and C (f) in Title Deed T72944/2014.

The intension of the applicant in this matter is whilst removing condition c (d) which stipulates that the building line on street frontage may not be less than 10,67m, also clear the Deed of Transfer from any obsolete conditions in order to get building plan approval.

Any objection and/or comment, with the grounds thereof and full contact details, shall be lodged with or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 until 12 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette, Beeld and Citizen newspapers. Closing date for any objections and/or comments: 12 April 2017

Address of Municipal Offices: Registration Office, Room E10, Corner of Basden- and Rabie Streets, Centurion

Address of applicant: Plan Associates Town and Regional Planners Inc., PO Box 14732, Hatfield 0028

339 Hilda Street, Hatfield, Telephone No: 012 342 8701, Email: bertus@planassociates.co.za / jaco@planassociates.co.za, Reference: Item 25910

Dates on which notice will be published: 15 March 2017 and 22 March 2017.

15-22

KENNISGEWING 371 VAN 2017**KENNISGEWING VAN AANSOEK OM OPHEFFING VAN BEPERKENDE VOORWAARDES IN DIE TITEL AKTE INGEVOLGE ARTIKEL 16(2) VAN DIE STAD VAN TSHWANE GRONDGEBRUIKBESTUUR-VERORDENING, 2016**

Ons *Plan Medewerkers Stads- en Streekbeplanners Ingelyf*, synde die applikant van die eienaar van *Erf 792 Lynnwood uitbreiding 1 dorpsgebied* gee hiermee ingevolge artikel 16(1)(f) van die Stad van Tshwane Grondgebruikbestuursverordening, 2016, kennis dat ons by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het van die opheffing van sekere beperkende voorwaardes in die titel akte ingevolge Artikel 16(2) van die Stad van Tshwane Grondgebruikbestuursverordening, 2016 van die bogenoemde eiendom. Die eiendom is geleë te Monica Rylaan, 448, Lynnwood. Die aansoek is vir die opheffing van voorwaardes B (f), B (i), C (c) en C (f) in die Titel Akte T72944/2014.

Die applikant se voorneme met hierdie saak is die opheffing van hierdie beperkende voorwaardes is om, terwyl voorwaarde c (d) wat die boulyn aan die straatgrens beperk tot 10,67m opgehef word, ook alle verouderde en irrelevante voorwaardes in die titel akte op te hef ten einde bouplangoedkeuring te bekom vir alle bestaande sowel as voorgestelde geboue en strukture.

Enige besware en/of kommentare, insluitend die gronde vir sodanige beswaar en/of kommentaar, met volle kontakbesonderhede, waar sonder die Munisipaliteit nie met die persoon of liggaam wat die kommentaar of beswaar ingedien het kan kommunikeer nie, moet binne 'n tydperk van 28 dae vanaf die eerste datum van publikasie van die kennisgewing ingedien of gerig word aan: Die Strategiese Uitvoerende Direkteur: Stads beplanning en ontwikkeling, Posbus 3242, Pretoria, 0001 of CityP_Registration@tshwane.gov.za vanaf 15 Maart 2017 tot 12 April 2017. Volle besonderhede en planne (indien enige) van die aansoek lê ter insae gedurende gewone kantoorure by die Munisipale kantore soos hieronder aangetoon, vir 'n tydperk van 28 dae vanaf die datum van die eerste publikasie van die kennisgewing in die Gauteng Provinsiale Gazette, Beeld en Citizen koerante. Sluitingsdatum vir enige besware: 12 April 2017

Adres van Munisipale kantore: Registrasie kantoor, Kamer E10, hoek van Basden- en Rabie Strate, Centurion.

Naam en adres van applikant: Plan Medewerkers Stads- en Streekbeplanners Ing., Posbus 14732, Hatfield 0028, 339 Hilda Straat, Hatfield, Telefoon No: 012 342 8701, Epos: bertus@planassociates.co.za / jaco@planassociates.co.za, Verwysing: Item 25910

Datums waarop kennisgewing gepubliseer gaan word: 15 Maart 2017 en 12 April 2017

15-22

NOTICE 372 OF 2017**NOTICE OF AN APPLICATION FOR THE REMOVAL OF RESTRICTIVE CONDITIONS IN THE TITLE DEED IN TERMS OF SECTION 16(2) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

We, *Plan Associates Town and Regional Planners Inc.*, being the applicant of the Remainder of Erf 1915 Lyttelton Manor extension 3 Township hereby give notice in terms of section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016 that we have applied to the City of Tshwane Metropolitan Municipality for the removal of certain conditions contained in the Title Deed in terms of section 16(2) of the City of Tshwane Land Use Management By-law, 2016 of the above mentioned property. The property is situated at 129 Saffier Road, Lyttelton Manor x 3.

The application is for the removal of the following conditions: 2.A (f) and 2.B (d) in Title Deed T86622/2006.

The intension of the applicant in this matter is to remove certain restrictive conditions in the title deed which prohibits the use of corrugated iron or asbestos as roof material and to remove all other redundant and irrelevant conditions in the title deed in order to get building plan approval.

Any objection and/or comment, with the grounds thereof and full contact details, shall be lodged with or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 until 12 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette, Beeld and Citizen newspapers.

Closing date for any objections and/or comments: 12 April 2017. Reference: Item 26430

Address of Municipal Offices: Registration Office, Room E10, Corner of Basden- and Rabie Streets, Centurion.

Address of applicant: Plan Associates Town and Regional Planners Inc., PO Box 14732, Hatfield 0028

339 Hilda Street, Hatfield, Telephone No: 012 342 8701, Email: bertus@planassociates.co.za / jaco@planassociates.co.za, Our Reference: 243002

Dates on which notice will be published: 15 March 2017 and 22 March 2017

15-22

KENNISGEWING 372 VAN 2017**KENNISGEWING VAN AANSOEK OM OPHEFFING VAN BEPERKENDE VOORWAARDES IN DIE TITEL AKTE INGEVOLGE ARTIKEL 16(2) VAN DIE STAD VAN TSHWANE GRONDGEBRUIKBESTUUR-VERORDENING, 2016**

Ons *Plan Medewerkers Stads- en Streekbeplanners Ingelyf*, synde die applikant van die eienaar van die Restant van Erf 1915 Lyttelton Manor uitbreiding 3 dorpgebied gee hiermee ingevolge artikel 16(1)(f) van die Stad van Tshwane Grondgebruikbestuurs-verordening, 2016, kennis dat ons by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het van die opheffing van sekere beperkende voorwaardes in die titel akte ingevolge Artikel 16(2) van die Stad van Tshwane Grondgebruikbestuurs-verordening, 2016 van die bogenoemde eiendom. Die eiendom is geleë te Saffier Weg, 129, Lyttelton Manor x 3.

Die aansoek is vir die opheffing van voorwaardes 2.A (f) en 2.B (d) in die Titel Akte T86622/2006.

Die applikant se bedoeling met hierdie saak is die opheffing van beperkende voorwaardes in die titel akte wat die gebruik van riffel sink en riffel asbes as dakmateriaal verbied en om alle ander oorbodige en irrelevante voorwaardes in die titel akte op te hef.

Enige besware en/of kommentare, insluitend die gronde vir sodanige beswaar en/of kommentaar, met volle kontakbesonderhede, waar sonder die Munisipaliteit nie met die person of liggaam wat die kommentaar of beswaar ingedien het kan kommunikeer nie, moet binne 'n tydperk van 28 dae vanaf die eerste datum van publikasie van die kennisgewing ingedien of gerig word aan: Die Strategiese Uitvoerende Direkteur: Stads beplanning en ontwikkeling, Posbus 3242, Pretoria, 0001 of CityP_Registration@tshwane.gov.za vanaf 15 Maart 2017 tot 12 April 2017.

Volle besonderhede en planne (indien enige) van die aansoek lê ter insae gedurende gewone kantoorure by die Munisipale kantore soos hieronder aangetoon, vir 'n tydperk van 28 dae vanaf die datum van die eerste publikasie van die kennisgewing in die Gauteng Provinsiale Gazette, Beeld en Citizen koerante. Sluitingsdatum vir enige besware: 12 April 2017. Verwysing: Item 26430

Adres van Munisipale kantore: Registrasie kantoor, Kamer E10, hoek van Basden- en Rabie Strate, Centurion. Naam en adres van applikant: Plan Medewerkers Stads- en Streekbeplanners Ing., Posbus 14732, Hatfield 0028, 339 Hilda Straat, Hatfield, Telefoon No: 012 342 8701, Epos:bertus@planassociates.co.za / jaco@planassociates.co.za , Ons verwysing: 243002

Datums waarop kennisgewing gepubliseer gaan word: 15 Maart 2017 en 22 Maart 2017

15-22

NOTICE 373 OF 2017**NOTICE OF AN APPLICATION FOR THE REMOVAL OF RESTRICTIVE CONDITIONS IN THE TITLE DEED IN TERMS OF SECTION 16(2) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

We, *Plan Associates Town and Regional Planners Inc.*, being the applicant of *Portion 2 of Erf 1456 Sinoville Township*, hereby give notice in terms of section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016 that we have applied to the City of Tshwane Metropolitan Municipality for the removal of certain conditions contained in the Title Deed in terms of section 16(2) of the City of Tshwane Land Use Management By-law, 2016 of the above mentioned property. The property is situated at 289 Mariana Street, Sinoville. The application is for the removal of the following conditions: A (f) and A (l) in Title Deed T56202/2015.

The intension of the applicant in this matter is to remove certain restrictive conditions in the title deed which prohibits the use of corrugated iron or wood as roof material and to remove all other redundant and irrelevant conditions in the title deed in order to get building plan approval.

Any objection and/or comment, with the grounds thereof and full contact details, shall be lodged with or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 until 12 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette, Beeld and Citizen newspapers.

Closing date for any objections and/or comments: 12 April 2017. Reference: Item 26420

Address of Municipal Offices: City Planning, Land Use Rights Division, Room LG004, Isivuno House, 143 Lillian Ngoyi Street, Pretoria.

Address of applicant: Plan Associates Town and Regional Planners Inc., PO Box 14732, Hatfield 0028

339 Hilda Street, Hatfield, Telephone No: 012 342 8701, Email: bertus@planassociates.co.za / jaco@planassociates.co.za, Our Reference 243024

Dates on which notice will be published: 15 March 2017 and 22 March 2017

15–22

KENNISGEWING 373 VAN 2017**KENNISGEWING VAN AANSOEK OM OPHEFFING VAN BEPERKENDE VOORWAARDES IN DIE TITEL AKTE INGEVOLGE ARTIKEL 16(2) VAN DIE STAD VAN TSHWANE GRONDGEBRUIKBESTUUR-VERORDENING, 2016**

Ons *Plan Medewerkers Stads- en Streekbeplanners Ingelyf*, synde die applikant van die eienaar van gedeelte 2 van *Erf 1456 Sinoville* gee hiermee ingevolge artikel 16(1)(f) van die Stad van Tshwane Grondgebruikbestuurs-verordening, 2016, kennis dat ons by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het van die opheffing van sekere beperkende voorwaardes in die titel akte ingevolge Artikel 16(2) van die Stad van Tshwane Grondgebruikbestuurs-verordening, 2016 van die bogenoemde eiendom. Die eiendom is geleë te Mariana Straat, 289, Sinoville.

Die aansoek is vir die opheffing van voorwaardes A (f) en A (l) in die Titel Akte T56202/2015.

Die applikant se bedoeling met hierdie saak is die opheffing van beperkende voorwaardes in die titel akte wat die gebruik van riefel sink en hout as dakmateriaal verbied en om alle ander oorbodige en irrelevante voorwaardes in die titel akte op te hef.

Enige besware en/of kommentare, insluitend die gronde vir sodanige beswaar en/of kommentaar, met volle kontakbesonderhede, waar sonder die Munisipaliteit nie met die persoon of liggaam wat die kommentaar of beswaar ingedien het kan kommunikeer nie, moet binne 'n tydperk van 28 dae vanaf die eerste datum van publikasie van die kennisgewing ingedien of gerig word aan: Die Strategiese Uitvoerende Direkteur: Stads beplanning en ontwikkeling, Posbus 3242, Pretoria, 0001 of CityP_Registration@tshwane.gov.za vanaf 15 Maart 2017 tot 12 April 2017.

Volle besonderhede en planne (indien enige) van die aansoek lê ter insae gedurende gewone kantoorure by die Munisipale kantore soos hieronder aangetoon, vir 'n tydperk van 28 dae vanaf die datum van die eerste publikasie van die kennisgewing in die Gauteng Provinsiale Gazette, Beeld en Citizen koerante. Sluitingsdatum vir enige besware: 12 April 2017. Verwysing: Item 26420

Adres van Munisipale kantore: Stedelike Beplanning, Afdeling Grondgebruiksregte, Kamer LG004, Isivuno Huis, Lillian Ngoyi Straat 143, Pretoria. Naam en adres van applikant: Plan Medewerkers Stads- en Streekbeplanners Ing., Posbus 14732, Hatfield 0028, 339 Hilda Straat, Hatfield, Telefoon No: 012 342 8701, Epos: bertus@planassociates.co.za / jaco@planassociates.co.za, Ons verwysing: 243024

Datums waarop kennisgewing gepubliseer gaan word: 15 Maart 2017 en 22 Maart 2017.

15-22

NOTICE 374 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY NOTICE OF A REZONING APPLICATION IN TERMS OF SECTION 16(1) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

We, *Plan Associates Town and Regional Planners Inc*, being the applicant of *Erf 90 Alphen Park Township* hereby give notice in terms of section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016 that we have applied to the City of Tshwane Metropolitan Municipality for the amendment of the Tshwane Town Planning Scheme, 2008 (Revised 2014), by the rezoning in terms of section 16(1) of the City of Tshwane Land Use Management By-law, 2016 of the above mentioned property. The property is situated at 49 High Street, Alphen Park.

The rezoning is from "Residential 1" to 'Business 4' for the purpose of Offices". The intension of the applicant in this matter is to provide for the development of consulting engineering offices.

Any objection and/or comment, including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 until 12 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette, Beeld and Citizen newspapers.

Closing date for any objections and/or comments: 12 April 2017.

Address of Municipal Offices: Registration Office, Room E10, Corner of Basden- and Rabie Streets, Centurion.

Address of applicant: Plan Associates Town and Regional Planners Inc., PO Box 14732, Hatfield 0028

339 Hilda Street, Hatfield, Telephone No: 012 342 8701, Email: bertus@planassociates.co.za / jaco@planassociates.co.za, Reference: Item 25891

Dates on which notice will be published: 15 March 2017 and 22 March 2016

15-22

KENNISGEWING 374 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT KENNISGEWING VAN AANSOEK OM HERSONERING INGEVOLGE ARTIKEL 16(1) VAN DIE STAD VAN TSHWANE GRONDGEBRUIKBESTUUR-VERORDENING, 2016**

Ons *Plan Medewerkers Stads- en Streekbeplanners Ingelyf*, synde die applikant van die eienaar van *Erf 90 Alphen Park dorpsgebied* gee hiermee ingevolge artikel 16(1)(f) van die Stad van Tshwane Grondgebruikbestuurs-verordening, 2016, kennis dat ons by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die wysiging van die Tshwane Dorpsbeplanningskema, 2008 (Hersien 2014), ingevolge Artikel 16(1) van die Stad van Tshwane Grondgebruikbestuurs-verordening, 2016 van die bogenoemde eiendom. Die eiendom is geleë te 49 High Straat, Alphen Park. Die hersonering is vanaf "Residensieel 1" na "Besigheid 4 vir die doeleindes vir kantore". Die voorneme van die applikant is om die voorsiening te maak vir die ontwikkeling van raadgevende ingenieurs kantore.

Enige beswaar(e) en/of kommentaar, insluitend die gronde vir sodanige beswaar(e) en/of kommentaar en 'n verduideliking van die persoon(e) se regte en hoe hul belange geraak word deur die aansoek(e), met die volledige kontakbesonderhede van die persoon(e) wat die beswaar(e) en/of kommentaar indien, waarsonder die Munisipaliteit nie kan korrespondeer met die persoon of liggaam wat die beswaar(e) en/of kommentaar ingedien het nie, moet gedurende gewone kantoorure ingedien word of skriftelik gerig word aan: Die Strategiese Uitvoerende Direkteur: Stads beplanning en ontwikkeling, Posbus 3242, Pretoria, 0001 of CityP_Registration@tshwane.gov.za vanaf 15 Maart 2017 tot 12 April 2017.

Volledige besonderhede en planne (indien enige) van die aansoek lê ter insae gedurende gewone kantoorure by die Munisipale kantore soos hieronder aangetoon, vir 'n tydperk van 28 dae vanaf die datum van die eerste publikasie van die kennisgewing in die Gauteng Provinsiale Gazette, Beeld en Citizen koerante. Sluitingsdatum vir enige besware: 12 April 2017.

Adres van Munisipale kantore: Registrasie kantoor, Kamer E10, hoek van Basden- en Rabie Strate, Centurion.

Naam en adres van applikant: Plan Medewerkers Stads- en Streekbeplanners Ing., Posbus 14732, Hatfield 0028, 339 Hilda Straat, Hatfield, Telefoon No: 012 342 8701, Epos: bertus@planassociates.co.za / jaco@planassociates.co.za/ Verwysing: Item 25891/ publikasie datums: 15 Maart 2017 and 22 Maart 2017.

15-22

NOTICE 375 OF 2017**AMENDMENT OF LAND USE SCHEME (REZONING) AND REMOVAL OF RESTRICTIVE CONDITIONS****APPLICABLE SCHEME:**

Johannesburg Town Planning Scheme, 1979

Notice is hereby given, in terms of Sections 21 and 41 of the City of Johannesburg: Municipal Planning By-Law, 2016, that we, the undermentioned, intend to apply to the City of Johannesburg for an amendment to the land use scheme and for the removal of certain conditions from the title deed of the erf.

SITE DESCRIPTION:

Erf Number: Erf 192
Township Name: Dunkeld
Street Address: 44 Eastwood Road

APPLICATION TYPE:

Amendment of Land Use Scheme (Rezoning) and Removal of Restrictive Conditions

APPLICATION PURPOSES:

For the amendment of the Johannesburg Town Planning Scheme, 1979 by the amendment of the zoning of the abovementioned erf from "Residential 1" to "Special" for business purposes (excluding warehouses), museum, parking, shops, art gallery, residential buildings, dwelling units, training facilities that are related and subservient to the business uses and children's day care facilities for employees only and for the removal of Conditions A.1 and A.2 from the title deed of the erf in order to develop the erf for a mix of business and residential uses, subject to a height restriction of 4 storeys and a maximum floor area of 21 468m² that may be developed on the combined area of this erf and Erf 191 and Portion 1 and the Remainder of Erf 197, Dunkeld; Provided that the local authority may, subject to the provisions of Clauses 7 and 8 of the Scheme, consent to the height restriction being increased to 6 storeys.

The above application will be open for inspection during weekdays, excluding public holidays, from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th floor A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein. Any objection or representation with regard to the application must be submitted to both the owner/agent and the Registration Section of the Department of Development Planning at the above address, or posted to P.O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by no later than 12 April 2017

OWNER/AUTHORISED AGENT

Full name:	Attwell Malherbe Associates	Code:	2152
Postal Address:	P.O. Box 98960, Sloane Park		
Cell:	083 625 9303		
Tel No (w):	011 463 1188	Fax No:	011 463 1422
Email Address:	ama.dirk@mweb.co.za		
DATE:	15 March 2017		

NOTICE 376 OF 2017

CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016
NOTICE OF AN APPLICATION FOR A SUBDIVISION OF LAND IN TERMS OF SECTION 16(12)
(a) (iii) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016

I, Carlien Potgieter of Teropo Town and Regional Planners, being the applicant hereby give notice, in terms of section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016, that I have applied to the City of Tshwane Metropolitan Municipality for the subdivision of the land described below.

Portion 293 & Portion 294 (portions of Portion 256) of the farm Zwavelpoort 373-JR, From Undetermined to Undetermined. The intension of the applicant in this matter is to: Subdivide Portion 293 and Portion 294 into two portions of 4.2ha each and then consolidate proposed Portion A of Portion 293 and Proposed Portion A of Portion 293 with Portion 291 of the farm Zwavelpoort 373-JR.

Any objection and/or comments, with the grounds thereof and full contact details, shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 until 12 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette / Citizen and Beeld newspaper.

Address of Municipal offices: The City of Tshwane Metropolitan Municipality, Centurion: Room F8, Town Planning Office, cnr Basden and Rabie Streets, Centurion, Pretoria.

Address of owner/ applicant:

Teropo Town Planners, Postnet Suite 46, Private Bag x37, Lynnwood Ridge, 0040 / 8B Silver Place, Willow Acres Estate, Silver Lakes, Pretoria. Telephone No: 082-338-1551 / 012) 940-8294 / Email: info@teropo.co.za

Dates on which notice will be published - 15 & 22 March 2017

Closing date for any objections - 12 April 2017

Description of land:

Portion 293 Zwavelpoort:-

Number and area of proposed portions:

Proposed Portion 1 of Portion 293 in extent approximately 4.2 ha

Proposed Remainder of Portion 293 in extent approximately 4.2 ha

TOTAL 8.5 ha

Portion 294 Zwavelpoort:-

Number and area of proposed portions:

Proposed Portion 1 of Portion 294 in extent approximately 4.2 ha

Proposed Remainder of Portion 294 in extent approximately 4.2 ha

TOTAL 8.5 ha

Reference no: CPD 373-JR/0879/293 & 294 – Item no 25159

15-22

KENNISGEWING 376 VAN 2017**STAD VAN TSHWANE GROND GEBRUIK BESTUURSBYWETTE 2016 KENNISGEWING VAN 'N AANSOEK VIR VERDELING VAN GROND IN TERME VAN AFDELING 16(12) (a) (iii) VAN DIE STAD VAN TSHWANE GROND GEBRUIKSBYWETTE, 2016**

Ek, Carlien Potgieter van Teropo Stads-en Streeksbeplanners, die gemagtigde agent, gee hiermee kennis in terme van die Stad van Tshwane Grond Gebruiksbestuursplan Bywette, 2016, dat ek aansoek gedoen het by die Stad van Tshwane Metropolitaanse Munisipaliteit vir die onderverdeling :- Gedeelte 293 & Gedeelte 294 (gedeeltes van Gedeelte 256) van die plaas Zwavelpoort 373-JR, vanaf Onbepaald na Onbepaald

Die intensie van die applikant in die geval is om Gedeelte 293 en Gedeelte 294 in twee gedeeltes van 4.2ha elk te verdeel en dan voorgestelde Gedeelte A van Gedeelte 293 en voorgestelde Gedeelte A van Gedeelte 294 te konsolideer met Gedeelte 291 van die plaas Zwavelpoort 373-JR.

Besware teen of kommentaar, met die redes daarvoor en volle kontak besonderhede, moet geloods word in skrif na die Strategiese Uitvoerende Direkteur, Posbus 3242, Pretoria, 0001, of na CityP_Regisration@tshwane.gov.za vanaf 15 Maart 2017 tot 12 April 2017.

Volle besonderhede en planne (indien enige) lê ter insae gedurende gewone kantoor ure by die Munisipale kantore soos hieronder, vir 'n periode van 28 dae vanaf die datum van eerste publikasie van die kennisgewing in die Provinsiale Koerant / Citizen en Beeld Koerante.

Adres van Munisipale Kantore: Die Stad van Tshwane Metropolitaanse Munisipaliteit, Centurion: Kamer F8, Stedelike Beplanning Kantore, h/v Basden- en Rabiestraat, Centurion, Pretoria.

Adres van applikant:

Teropo Stads-en Streeksbeplanners, Postnet Suite 46, Privaatsak x37, Lynnwoodrif, 0040 / 8B Silver Place, Willow Acres Estate, Silver Lakes, Pretoria. Telefoon no: 082-338-1551 / 012) 940-8294 / E-pos: info@teropo.co.za

Datums van publikasie - 15 & 22 Maart 2017

Sluitingsdatum van besware - 12 April 2017

Grondbeskrywing:Gedeelte 293 Zwavelpoort:-

Hoeveelheid en area van voorgestelde gedeeltes:

Voorgestelde Gedeelte 1 van Gedeelte 293 ongeveer 4.2 ha

Voorgestelde Restant van Gedeelte 293 ongeveer 4.2 ha

TOTAAL 8.5 ha

Gedeelte 294 Zwavelpoort:-

Hoeveelheid en area van voorgestelde gedeeltes:

Voorgestelde Gedeelte 1 van Gedeelte 294 ongeveer 4.2 ha

Voorgestelde Restant van Gedeelte 294 ongeveer 4.2 ha

TOTAAL 8.5 ha

Reference no: CPD 373-JR/0879/293 & 294 – Item no 25159

15-22

NOTICE 377 OF 2017**EKURHULENI AMENDMENT SCHEME NO. G0128****NOTICE IN TERMS OF SECTION 5(5) OF THE GAUTENG REMOVAL OF RESTRICTIONS ACT, 1996 (ACT NO.3 OF 1996) AND SECTION 56 OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE 1986 (ORDINANCE 15 OF 1986)**

I Siyabonga Nxumalo, being the owner of **Erf 907 Roodekop Township**, hereby give notice, in terms of the Gauteng Removal of Restrictions Act, 1996, (Act 3 of 1996) to remove the restrictive in the title deed and simultaneous rezoning of section 56 (1) (b) (i) of the Town – Planning and Townships Ordinance, 1986, read with the provisions of the Spatial Planning and Land use management Act, 16 of 2013 (SPLUMA), that we have applied to the Ekurhuleni Metropolitan Municipality (Germiston Service Delivery Centre) for the amendment of the town – planning scheme known as the Ekurhuleni Town – Planning Scheme 2014, by rezoning of the properties described above, from “Residential 1” to “Residential 1” for rooming and lodging/or dwelling units

Particular of the application will lie for inspection during normal office hours at the Area Manager: City Planning Department, 15 Queen Street, Germiston 1400. Any person or persons wishing to object to the approval of this application must lodge such objection, together with the grounds thereof in writing to the area Manager. City Planning, at the above mentioned address or at P O Box 145, Germiston 1400, within a period of 28 days from 15 March 2017

Name and address : **S Nxumalo, 77 Hartebeest street Leondale**

Tel and Email **071 028 0836, nxumalo.siyabonga@gmail.com**

15-22

NOTICE 378 OF 2017**JOHANNESBURG TOWN PLANNING SCHEME, 1979**

Notice is hereby given in terms of Section 41 of the City of Johannesburg Municipal Planning By-Laws, 2016, that we, the undersigned, intend to apply to the City of Johannesburg

TYPE OF APPLICATION	FOR THE REMOVAL OF RESTRICTIVE CONDITIONS IN RESPECT OF DEED OF TRANSFER NO. T36815/2014.
---------------------	---

THE EFFECT OF THE APPLICATION	TO PERMIT THE USE OF THE PROPERTY FOR A “PLACE OF INSTRUCTION” (CRÉCHE).
-------------------------------	--

SITE DESCRIPTION	ERVEN 672 AND 674, HIGHLANDS NORTH.
------------------	-------------------------------------

STREET ADDRESS	102 ELEVENTH AVENUE, HIGHLANDS NORTH, 2192.
----------------	---

Particulars of the application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor, A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the owner/agent and the Registration Section of the Department of Development Planning at the above address, or posted to P O Box 30733, Braamfontein, 2017, or a facsimile sent to (011) 339 4000, or an email sent to BenP@joburg.org.za by no later than 12 April 2017.

AUTHORISED AGENT	Steve Jaspan and Associates P O Box 3281, Houghton, 2041 19 Orange Road, Orchards, 2192 Tel (011) 728-0042, Cell : 082 448 4346, Email: kevin@sja.co.za Date of Advertisement : 15 March 2017
------------------	--

NOTICE 379 OF 2017

EMFULENI LOCAL MUNICIPALITY
FIRST SCHEDULE
(Regulation 5)

NOTICE OF DIVISION OF LAND

The Emfuleni Local Municipality hereby gives notice, in terms of section 6(8) (a) of the Division of Land Ordinance, 1986 (Ordinance No. 20 of 1986) read with section 2 and the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), that an application to divide the land as described below has been received.

Further particulars of the application are open for inspection during normal office hours at the office of the Strategic Manager, Development Planning, First floor, Emfuleni Local Municipality, Old Trust Bank Building, Eric Louw Road, P.O. Box 3, Vanderbijlpark 1900.

Any person who wishes to object to the granting of the application or to make representations in regard of the application shall submit his objections or representations in writing and in duplicate to the Strategic Manager: Development Planning at the above address within a period of 28 days from the date of the first publication of this notice.

Date of first publication: 15 March 2017

Description of land: Portion 61 of the Farm Driefontein 581 IQ, Vanderbijlpark.

Number and area of proposed portions:

Proposed subdivision 1, in extent approximately	1,8377 ha
Proposed subdivision 2, in extent approximately	1,7260 ha
Proposed Remainder, in extent approximately	8,4746 ha
TOTAL	12,0383 ha

Publication Dates

15 March 2017

22 March 2017

15-22

KENNISGEWING 379 VAN 2017

EMFULENI PLAASLIKE MUNISIPALITEIT
EERSTE BYLAE
(Regulasie 5)

KENNISGEWING VAN VERDELING VAN GROND

Die Emfuleni Plaaslike Munisipaliteit gee hiermee, ingevolge artikel 6(8) (a) van die Ordonnansie op die Verdeling van Grond, 1986 (Ordonnansie No. 20 van 1986) saamgelees met Artikel (2) en die toepaslike bepalings van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur (Wet 16 van 2013), kennis dat 'n aansoek ontvang is om die grond te verdeel soos hieronder beskryf.

Nadere besonderhede van die aansoek lê ter insae by die kantoor van die Strategiese Bestuurder, Ontwikkelingsbeplanning, Emfuleni Plaaslike Munisipaliteit, Eerste vloer, Ou Trust Bank Gebou, Eric Louw Straat, Posbus 3, Vanderbijlpark 1900.

Enige persoon wat teen die toestaan van die aansoek beswaar wil maak of verhoë in verband daarmee wil rig, moet sy beswaar of verhoë en in tweevoud by die Strategiese Bestuurder : Ontwikkelingsbeplanning by bovermelde adres besorg binne 'n tydperk van 28 dae vanaf die datum van eerste publikasie van hierdie kennisgewing.

Datum van eerste publikasie: 15 Maart 2017

Beskrywing van grond: Gedeelte 61 van die Plaas Driefontein 581 IQ, Vanderbijlpark.

Getal en oppervlakte van voorgestelde gedeeltes :

Voorgestelde onderverdeling 1, groot ongeveer	1,8377 ha
Voorgestelde onderverdeling 2, groot ongeveer	1,7260 ha
Voorgestelde Restant, groot ongeveer	8,4746 ha
TOTAAL	12,0383 ha

Publikasie Datums

15 Maart 2017

22 Maart 2017

15-22

NOTICE 380 OF 2017**NOTICE IN TERMS OF THE DIVISION OF LAND ORDINANCE, 1986 (ORDINANCE 20 OF 1986) AND CLAUSE 14 OF THE KRUGERSDORP TOWN PLANNING SCHEME, 1980**

The Municipal Manager of Mogale City Local Municipality hereby gives notice, in terms of section 6(8) of the Division of Land Ordinance, 1986 (Ordinance 20 of 1986), read together with Section 2 and relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) that an application to divide and subsequently consolidate the land described hereunder has been received. Application is further made for special consent in terms of Clause 14 of the Krugersdorp Town Planning Scheme, 1980, to utilise the proposed Portion 1 for the purpose of a Christian school (place of instruction).

Further particulars of the application are open to inspection during normal office hours at the office of the Manager: Development Planning, Department Economic Services, 1st floor, Furniture City Building, corner of Human Street and Monument Street, Krugersdorp.

Any person who wishes to object to the granting of the application or who wishes to make representations in regard thereto shall submit his/her objections or representations in writing to both the Manager Development Planning: Economic Services, Mogale City Local Municipality at the above office or at PO Box 94, Krugersdorp 1740, and the address of the undersigned, within a period of 28 days from 15 March 2017.

Description of land: Portion 68 of the farm Honingklip 178 IQ

Proposed division: Proposed Portion 1: ± 1,04754 hectares
Proposed Remainder: ± 38,55 hectares

Proposed consolidation of Portion 1 (described above) with the Remainder of Portion 9 of the farm Honingklip 178 IQ, to create a portion measuring ± 4,6240 hectares

Address of Agent: PO Box 1422, Noordheuwel, Krugersdorp, 1756
Contact Number: 082 448 7368
Email address: info@synchroplan.co.za

15–22

KENNISGEWING 380 VAN 2017

KENNISGEWING INGEVOLGE DIE VERDELING VAN GROND ORDONNANSIE, 1986
(ORDONNANSIE 20 VAN 1986) EN KLOUSULE 14 VAN DIE KRUGERSDORP DORPSBEPLANNINGSKEMA,
1980

Die Munisipale Bestuurder van Mogale City Plaaslike Munisipaliteit gee hiermee, ingevolge artikel 6(8) van die Ordonnansie op die Verdeling van Grond, 1986 (Ordonnansie 20 van 1986) saamgelees met Artikel 2 en die toepaslike bepalings van die Ruimtelike Beplanning en Grondgebruiksbestuur Wetgewing 2013 (Wet 16 van 2013) kennis dat 'n aansoek ontvang is om die grond hieronder beskryf, te verdeel en te konsolideer. Aansoek word verder gedoen vir spesiale toestemming in terme van Klousule 1 van die Krugersdorp Dorpsbeplanningskema, 1980, om die voorgestelde Gedeelte 1 vir die doeleindes van 'n Christelike skool (plek van onderrig) aan te wend.

Verdere besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Bestuurder: Ontwikkeling en Beplanning, Departement Ekonomiese Dienste, 1ste vloer, Furniture City Gebou, op die hoek van Human Straat en Monument Straat, Krugersdorp.

Enige persoon wat teen die toestaan van die aansoek beswaar wil maak of verhoë in verband daarmee wil rig, moet sy/haar besware of verhoë skriftelik aan beide die Bestuurder: Ontwikkeling en Beplanning, Mogale City Plaaslike Munisipaliteit by bovermelde kantoor ingedien word of gerig word aan Posbus 94, Krugersdorp, 1740 asook die onderstaande adres van die agent rig, binne 'n tydperk van 28 dae vanaf 15 Maart 2017.

Grondbeskrywing: Gedeelte 68 van die plaas Honingklip 178 IQ

Voorgestelde onderverdeling: Voorgestelde Gedeelte 1: ± 1,0475 hektaar
Voorgestelde Restant: ± 38,55 hektaar

Voorgestelde konsolidasie van Gedeelte 1 (hierbo beskryf) met die Restant van Gedeelte 9 van die plaas Honingklip 178 IQ, om 'n gedeelte van ± 4,6240 hektaar te vorm

Adres van Agent: Posbus 1422, Noordheuwel, Krugersdorp, 1756
Kontaknommer: 082 448 7368
Epos adres: info@synchronplan.co.za

15–22

NOTICE 381 OF 2017**EKURHULENI AMENDMENT SCHEME NO. F0192**

**NOTICE OF APPLICATION FOR AMENDMENT OF TOWN-PLANNING SCHEME IN TERMS OF SECTION
56(1)(b)(i) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986,
(ORDINANCE 15 OF 1986) READ WITH SECTION 2(2) AND THE RELEVANT PROVISIONS OF THE
SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)**

Ons, Origin Town Planning Group (Pty) Ltd, being the authorized agent of the owner of **Erf 21711, Vosloorus Extension 32**, hereby give notice in terms of Section 56(1)(b)(i) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) read with Section 2(2) and the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), that I have applied to the Ekurhuleni Metropolitan Municipality (Boksburg Customer Care Centre) for the amendment of the Ekurhuleni Town Planning Scheme, 2014 by way of rezoning the property described above, situated between Indhlazi Street and Brickfield Street, from "Residential 3" to "Special" for the purpose of a Hardware Store, subject to certain conditions.

Particulars of the application will lie for inspection during normal office hours at the office of the Area Manager: Development Planning, 3rd Floor, Boksburg Civic Centre corner of Trichardt's Road and Commissioner Street, Boksburg for a period of 28 days from **15 March 2017** (the date of first publication of this notice).

Objections to or representations in respect of the application must be lodged with or made in writing to the Area Manager: City Planning Division at P.O. Box 215, Boksburg, 1460, and/or within a period of 28 days from **15 March 2017**.

Address of authorised agent: Origin Town Planning, 306 Melk Street, Nieuw Muckleneuk. PO Box 2162, Brooklyn Square, 0075. Telephone: (012) 346-3735.

15–22

KENNISGEWING 381 VAN 2017**EKURHULENI WYSIGINGSKEMA NR. F0192****KENNISGEWING VAN AANSOEK OM WYSIGING VAN DORPSBEPLANNINGSKEMA INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, (ORDONNANSIE 15 VAN 1986) GELEES SAAM MET ARTIKEL 2(2) EN DIE RELEVANTE BEPALINGS VAN DIE RUIMTELIKE BEPALING EN GRONDGEBRUIK BESTUUR WET, 2013 (WET 16 VAN 2013)**

Ons, Origin Stadsbeplanningsgroep (Edms) Bpk, synde die gemagtigde agent van die eienaar van **Erf 21711 Vosloorus Uitbreiding 32**, gee hiermee ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) gelees saam met Artikel 2(2) en die relevante bepalings van die Ruimtelike Bepallings en Grondgebruik Bestuur Wet, 2013 (Wet 16 van 2013), kennis dat ek by die Ekurhuleni Metropolitaanse Munisipaliteit (Boksburg Diensleweringssentrum) aansoek gedoen het vir die wysiging van die Ekurhuleni Dorpsbeplanningskema, 2014 deur die hersonering van van die eiendom hierbo beskryf, geleë tussen Indhlazi Straat en Brickfield Straat, vanaf "Residensieel 3" na "Spesiaal" vir doeleindes van 'n Hardeware Winkel, onderhewig aan sekere voorwaardes.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Area Bestuurder: Stadsbeplanning, 3^{de} Vloer, Boksburg Diensleweringssentrum, hoek van Trichardts Weg en Commissioner Straat, Boksburg vir 'n tydperk van 28 dae vanaf **15 Maart 2017** (die datum van eerste publikasie van hierdie kennisgewing).

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf **15 Maart 2017** skriftelik by die Area Bestuurder: Stadsbeplanning by bovermelde adres of by Posbus 215, Boksburg, 1460, ingedien of gerig word.

Adres van gemagtigde agent: Origin Stadsbeplanning, Melkstraat 306, Nieuw Muckleneuk. Posbus 2162, Brooklyn Square, 0075. Telefoon: (012) 346-3735.

15-22

NOTICE 382 OF 2017**EKURHULENI AMENDMENT SCHEME NO. G0147****NOTICE OF APPLICATION FOR AMENDMENT OF TOWN-PLANNING SCHEME IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986, (ORDINANCE 15 OF 1986) READ WITH SECTION 2(2) AND THE RELEVANT PROVISIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)**

We, Origin Town Planning Group (Pty) Ltd, being the authorized agent of the owner of **Erf 2169, Admin Triangle**, hereby give notice in terms of Section 56(1)(b)(i) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) read with section 2(2) and the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), that I have applied to the Ekurhuleni Metropolitan Municipality (Germiston Service Delivery Centre) for the amendment of the Ekurhuleni Town Planning Scheme, 2014 by way of rezoning the property described above, situated on the corner of Gumede Street and Masakhane Street, Admin Triangle from "Public Garage" to "Special" for the purpose of a Hardware Store, subject to certain conditions.

Particulars of the application will lie for inspection during normal office hours at the office of the Area Manager: Development Planning, 15 Queen Street, Germiston 1400 for a period of 28 days from **15 March 2017** (the date of first publication of this notice).

Objections to or representations in respect of the application must be lodged with or made in writing to the Area Manager: City Planning Division at above-mentioned address or at P.O. Box 145, Germiston, 1400, and/or within a period of 28 days from **15 March 2017**.

Address of authorised agent: Origin Town Planning, 306 Melk Street, Nieuw Muckleneuk. PO Box 2162, Brooklyn Square, 0075. Telephone: (012) 346-3735.

15-22

KENNISGEWING 382 VAN 2017**EKURHULENI WYSIGINGSKEMA NR. G0147****KENNISGEWING VAN AANSOEK OM WYSIGING VAN DORPSBEPLANNINGSKEMA INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, (ORDONNANSIE 15 VAN 1986) GELEES SAAM MET ARTIKEL 2(2) EN DIE RELEVANTE BEPALINGS VAN DIE RUIMTELIKE BEPALINGS EN GRONDGEBRUIK BESTUUR WET, 2013 (WET 16 VAN 2013)**

Ons, Origin Stadsbeplanningsgroep (Edms) Bpk, synde die gemagtigde agent van die eienaar van **Erf 2169 Admin Triangle**, gee hiermee ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) gelees saam met artikel 2(2) en die relevante bepalinge van die Ruimtelike Bepalings en Grondgebruik Bestuur Wet, 2013 (Wet 16 van 2013), kennis dat ek by die Ekurhuleni Metropolitaanse Munisipaliteit (Germiston Diensleweringssentrum) aansoek gedoen het vir die wysiging van die Ekurhuleni Dorpsbeplanningskema, 2014 deur die hersonering van die eiendom hierbo beskryf, geleë op die hoek van Gumede Straat en Masakhane Straat, Admin Triangle vanaf 'n "Publieke Motorhawe" na "Spesiaal" vir doeleindes van 'n Hardeware Winkel, onderhewig aan sekere voorwaardes.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Area Bestuurder: Stadsbeplanning, Queen Straat 15, Germiston 1400 vir 'n tydperk van 28 dae vanaf **15 Maart 2017** (die datum van eerste publikasie van hierdie kennisgewing).

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf **15 Maart 2017** skriftelik by die Strategiese Area Bestuurder: Stadsbeplanning by bovermelde adres of by Posbus 145, Germiston, 1400, ingedien of gerig word.

Adres van gemagtigde agent: Origin Stadsbeplanning, Melkstraat 306, Nieuw Muckleneuk. Posbus 2162, Brooklyn Square, 0075. Telefoon: (012) 346-3735.

15-22

NOTICE 383 OF 2017**AMENDMENT OF LAND USE SCHEME (REZONING)****APPLICABLE SCHEME:**

Johannesburg Town Planning Scheme, 1979

Notice is hereby given, in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016 that we, the undermentioned, have applied to the City of Johannesburg for an amendment to the land use scheme.

SITE DESCRIPTION:

Erf Number: The Remaining Extent of Erf 34
Township Name: Rosebank
Street Address: 27 Jellicoe Avenue

APPLICATION TYPE:

Amendment of Land Use Scheme (Rezoning)

APPLICATION PURPOSES:

Rezoning of the erf from "Business 4" to "Special" for business purposes, residential buildings, dwelling units and places of instruction subject to conditions in order to develop the property for 15 storey offices and/residential apartments at a FAR of 4,0.

The above application will be open for inspection on weekdays, excluding public holidays, from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th floor A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein. Any objection or representation with regard to the application must be submitted to both the owner/agent and the Registration Section of the Department of Development Planning at the above address, or posted to P.O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by no later than 12 April 2017.

OWNER/AUTHORISED AGENT

Full name:	Attwell Malherbe Associates	Code:	2152
Postal Address:	P.O. Box 98960, Sloane Park		
Cell:	083 625 9303		
Tel No (w):	011 463 1188	Fax No:	011 463 1422
Email Address:	ama.dirk@mweb.co.za		
DATE:	15 March 2017		

NOTICE 384 OF 2017

CITY OF TSHWANE METROPOLITAN MUNICIPALITY: NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF TOWNSHIP IN TERMS OF SECTION 16(4) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016: MONTANA EXTENSION 188:

I, Etienne du Randt of Etienne du Randt Property Consultancy CC, being the applicant hereby give notice in terms of section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016, that I have applied to the City of Tshwane Metropolitan Municipality for the establishment of the township in terms of section 16(4) of the City of Tshwane Land Use Management By-law, 2016 referred to in the Annexure hereto. Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 (*the first date of the publication of the notice set out in section 16(1)(f) of the By-law referred to above*), until 13 April 2017 (*not less than 28 days after the date of first publication of the notice*). Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette/The Citizen/Die Beeld newspapers. Address of Municipal offices: LG004, Isivuno House, 143 Lilian Ngoyi Street. Closing date for any objections and/or comments: 13 April 2017. Address of applicant: 180 Vinko Street, Sinoville, Pretoria, 0182 and/or PO Box 1866, Noorsekloof, 6331. Telephone No: 082-893-3938. Dates on which notice will be published: 15 March 2017 and 22 March 2017. **ANNEXURE:** Name of township: Montana Extension 188. Full name of applicant: Etienne du Randt Property Consultancy CC. Number of erven, proposed zoning and development control measures: 2 Erven: Erf 1 Zoned "Special for Retirement Centre with Ancillary and Subservient Uses" at a density of 163 dwelling units per hectare subject to a Coverage of 60% and height of 3 storeys and Erf 2 Zoned "Special" for Security Purposes, Access control, Access purposes, Private Road, Administrative Purposes, Engineering and Municipal services and a Refuse collection point. The intension of the applicant in this matter is to develop 163 dwelling units on Erf 1 which is 1,944928 ha in extent. Locality and description of property on which township is to be established: Holding 19, Montana Agricultural Holdings is located at 620 Third Road in Montana, Pretoria. The proposed township is situated on the above mentioned property. Reference: CPD 9/2/4/2-4098 T (Item No 26395).

15-22

KENNISGEWING 384 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT: KENNISGEWING VAN 'N DORPSTIGTINGSAANSOEK IN TERME VAN ARTIKEL 16(4) VAN DIE STAD VAN TSHWANE GRONDGEBRUIKS BEHEER VERORDENING, 2016 MONTANA UITBREIDING 188:**

Ek, Etienne du Randt van Etienne du Randt Property Consultancy CC, synde die applikant gee hiermee kennis in terme van Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiks Beheer Verordening, 2016, dat ek aansoek gedoen het by die Stad van Tshwane Metropolitaanse Munisipaliteit vir die stigting van 'n dorp in terme van Artikel 16(4) van die Stad van Tshwane Grondgebruiks Beheer Verordening, 2016 soos verwys na in die Bylae hierby aangeheg. Enige beswaar(e) en/of kommentaar(e), insluitend die gronde van sulke beswaar(e) en/of kommentaar(e) met volle kontak details, waarsonder die Munisipaliteit nie met die persoon of liggaam wat die beswaar(e) en/of kommentaar(e) ingedien het, kan kommunikeer nie, moet ingedien of skriftelik gerig word aan: Die Strategiese Uitvoerende Direkteur: Stadsbeplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of aan CityP_Registration@tshwane.gov.za vanaf 15 Maart 2017 (*die eerste datum van publikasie van die kennisgewing soos uiteengesit in Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiks Beheer Verordening, 2016*), tot 13 April 2017 (*nie minder as 28 dae na die eerste datum van publikasie van die kennisgewing*). Volledige besonderhede en planne (as daar is) kan gedurende gewone kantoorure by die Munisipale kantore hieronder uiteengesit bestudeer word, vir 'n periode van 28 dae vanaf die eerste datum van publikasie van die kennisgewing in die Provinsiale Gazette/The Citizen/Die Beeld. Adres van Munisipale kantore: LG004, Isivuno House, Lilian Ngoyi Straat 143. Sluitingsdatum vir enige beswaar(e) en/of kommentaar(e): 13 April 2017. Adres van applikant: 180 Vinko Straat, Sinoville, Pretoria, 0182; of Posbus 1866, Noorsekloof, 6331. Telefoon No: 082-893-3938. Publikasiedatums van kennisgewing: 15 Maart en 22 Maart 2017. **BYLAE:** Naam van dorp: Montana Uitbreiding 188. Volle name van applikant: Etienne du Randt van Etienne du Randt Property Consultancy CC. Aantal erwe, voorgestelde sonering en ontwikkelingsbeheer maatreels: 2 Erwe: Erf 1 gesoneer "Spesiaal vir 'n Aftreeoord met Aanverwante en Ondergeskikte Regte" met 'n digtheid van 163 wooneenhede per hektaar onderworpe aan 'n Dekking van 60% en 'n VRV van 0,6 en 'n hoogte van 3 verdiepings en Erf 2 gesoneer "Spesiaal" vir Sekuriteitsdoeleindes, Toegangsbeheer, Toegangs doeleindes, Privaat Pad, Administratiewe doeleindes, Ingenieursdienste, Munisipale dienste en 'n Vullisversamelpunt. Die intensie van die applikant in die angeleentheid is om 163 Wooneenhede te ontwikkel op Erf 1 wat 1,944928 ha groot is. Ligging en beskrywing van die eiendom waarop die dorp gestig gaan word: Hoewe 19, Montana Landbou Hoewes, geleë te 620 Derde Weg in Montana, Pretoria. Verwysing: CPD 9/2/4/2-4098 T (Item No 26395).

15-22

NOTICE 385 OF 2017

CITY OF TSHWANE METROPOLITAN MUNICIPALITY: NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF TOWNSHIP IN TERMS OF SECTION 16(4) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016: MONTANA EXTENSION 188:

I, Etienne du Randt of Etienne du Randt Property Consultancy CC, being the applicant hereby give notice in terms of section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016, that I have applied to the City of Tshwane Metropolitan Municipality for the establishment of the township in terms of section 16(4) of the City of Tshwane Land Use Management By-law, 2016 referred to in the Annexure hereto. Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 (*the first date of the publication of the notice set out in section 16(1)(f) of the By-law referred to above*), until 13 April 2017 (*not less than 28 days after the date of first publication of the notice*). Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette/The Citizen/Die Beeld newspapers. Address of Municipal offices: LG004, Isivuno House, 143 Lilian Ngoyi Street. Closing date for any objections and/or comments: 13 April 2017. Address of applicant: 180 Vinko Street, Sinoville, Pretoria, 0182 and/or PO Box 1866, Noorsekloof, 6331. Telephone No: 082-893-3938. Dates on which notice will be published: 15 March 2017 and 22 March 2017. **ANNEXURE:** Name of township: Montana Extension 188. Full name of applicant: Etienne du Randt Property Consultancy CC. Number of erven, proposed zoning and development control measures: 2 Erven: Erf 1 Zoned "Special for Retirement Centre with Ancillary and Subservient Uses" at a density of 83 dwelling units per hectare subject to a Coverage of 60% and height of 3 storeys and Erf 2 Zoned "Special" for Security Purposes, Access control, Access purposes, Private Road, Administrative Purposes, Engineering and Municipal services and a Refuse collection point. The intension of the applicant in this matter is to develop 163 dwelling units on Erf 1 which is 1,944928 ha in extent. Locality and description of property on which township is to be established: Holding 19, Montana Agricultural Holdings is located at 620 Third Road in Montana, Pretoria. The proposed township is situated on the above mentioned property. Reference: CPD 9/2/4/2-4098 T (Item No 26395). EDR371

15-22

KENNISGEWING 385 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT: KENNISGEWING VAN 'N DORPSTIGTINGSAANSOEK IN TERME VAN ARTIKEL 16(4) VAN DIE STAD VAN TSHWANE GRONDGEBRUIKS BEHEER VERORDENING, 2016 MONTANA UITBREIDING 188:**

Ek, Etienne du Randt van Etienne du Randt Property Consultancy CC, synde die applikant gee hiermee kennis in terme van Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiks Beheer Verordening, 2016, dat ek aansoek gedoen het by die Stad van Tshwane Metropolitaanse Munisipaliteit vir die stigting van 'n dorp in terme van Artikel 16(4) van die Stad van Tshwane Grondgebruiks Beheer Verordening, 2016 soos verwys na in die Bylae hierby aangeheg. Enige beswaar(e) en/of kommentaar(e), insluitend die gronde van sulke beswaar(e) en/of kommentaar(e) met volle kontak details, waarsonder die Munisipaliteit nie met die persoon of liggaam wat die beswaar(e) en/of kommentaar(e) ingedien het, kan kommunikeer nie, moet ingedien of skriftelik gerig word aan: Die Strategiese Uitvoerende Direkteur: Stadsbeplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of aan CityP_Registration@tshwane.gov.za vanaf 15 Maart 2017 (*die eerste datum van publikasie van die kennisgewing soos uiteengesit in Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiks Beheer Verordening, 2016*), tot 13 April 2017 (*nie minder as 28 dae na die eerste datum van publikasie van die kennisgewing*). Volledige besonderhede en planne (as daar is) kan gedurende gewone kantoorure by die Munisipale kantore hieronder uiteengesit bestudeer word, vir 'n periode van 28 dae vanaf die eerste datum van publikasie van die kennisgewing in die Provinsiale Gazette/The Citizen/Die Beeld. Adres van Munisipale kantore: LG004, Isivuno House, Lilian Ngoyi Straat 143. Sluitingsdatum vir enige beswaar(e) en/of kommentaar(e): 13 April 2017. Adres van applikant: 180 Vinko Straat, Sinoville, Pretoria, 0182; of Posbus 1866, Noorsekloof, 6331. Telefoon No: 082-893-3938. Publikasiedatums van kennisgewing: 15 Maart en 22 Maart 2017. **BYLAE:** Naam van dorp: Montana Uitbreiding 188. Volle name van applikant: Etienne du Randt van Etienne du Randt Property Consultancy CC. Aantal erwe, voorgestelde sonering en ontwikkelingsbeheer maatreels: 2 Erwe: Erf 1 gesoneer "Spesiaal vir 'n Aftreeoord met Aanverwante en Ondergeskikte Regte" met 'n digtheid van 83 wooneenhede per hektaar onderworpe aan 'n Dekking van 60% en 'n VRV van 0,6 en 'n hoogte van 3 verdiepings en Erf 2 gesoneer "Spesiaal" vir Sekuriteitsdoeleindes, Toegangsbeheer, Toegangs doeleindes, Privaat Pad, Administratiewe doeleindes, Ingenieursdienste, Munisipale dienste en 'n Vullisversamelpunt. Die intensie van die applikant in die angeleentheid is om 163 Wooneenhede te ontwikkel op Erf 1 wat 1,944928 ha groot is. Ligging en beskrywing van die eiendom waarop die dorp gestig gaan word: Hoewe 19, Montana Landbou Hoewes, geleë te 620 Derde Weg in Montana, Pretoria. Verwysing: CPD 9/2/4/2-4098 T (Item No 26395). EDR371

15-22

NOTICE 386 OF 2017**AMENDMENT OF LAND USE SCHEME (REZONING) AND REMOVAL OF RESTRICTIVE CONDITIONS****APPLICABLE SCHEME:**

Johannesburg Town Planning Scheme, 1979

Notice is hereby given, in terms of Sections 21 and 41 of the City of Johannesburg: Municipal Planning By-Law, 2016, that we, the undermentioned, intend to apply to the City of Johannesburg for an amendment to the land use scheme and for the removal of certain conditions from the title deed of the erf.

SITE DESCRIPTION:

Erf Number: Erf 191
Township Name: Dunkeld
Street Address: 44 Cradock Avenue

APPLICATION TYPE:

Amendment of Land Use Scheme (Rezoning) and Removal of Restrictive Conditions

APPLICATION PURPOSES:

For the amendment of the Johannesburg Town Planning Scheme, 1979 by the amendment of the zoning of the abovementioned erf from "Residential 1" to "Special" for business purposes (excluding warehouses), museum, parking, shops, art gallery, residential buildings, dwelling units, training facilities that are related and subservient to the business uses and children's day care facilities for employees only and for the removal of Conditions (1), (2) and (3) from the title deed of the erf in order to develop the erf for a mix of business and residential uses, subject to a height restriction of 4 storeys and a maximum floor area of 21 468m² that may be developed on the combined area of this erf and Erf 192 and Portion 1 and the Remainder of Erf 197, Dunkeld; Provided that the local authority may, subject to the provisions of Clauses 7 and 8 of the Scheme, consent to the height restriction being increased to 6 storeys.

The above application will be open for inspection during weekdays, excluding public holidays, from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th floor A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein. Any objection or representation with regard to the application must be submitted to both the owner/agent and the Registration Section of the Department of Development Planning at the above address, or posted to P.O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by no later than 12 April 2017

OWNER/AUTHORISED AGENT

Full name:	Attwell Malherbe Associates	Code:	2152
Postal Address:	P.O. Box 98960, Sloane Park		
Cell:	083 625 9303	Fax No:	011 463 1422
Tel No (w):	011 463 1188		
Email Address:	ama.dirk@mweb.co.za		
DATE:	15 March 2017		

NOTICE 387 OF 2017**NOTICE IN TERMS OF SECTION 5(5) OF THE GAUTENG REMOVAL OF RESTRICTIONS ACT, 1996 (ACT No 3 OF 1996), READ WITH SECTION (2) OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (ACT 16 OF 2013) FOR A SIMULTANEOUS CONCENT USE AND REMOVAL OF RESTRICTION APPLICATION**

We, MM TOWN PLANNING SERVICES, being the authorised agent of the owner/s hereby give notice in terms of section 5(5) of the Gauteng Removal of Restrictions Act, 1996, read with Section (2) of the Spatial Planning and Land Use Management Act (Act 16 Of 2013), that we have applied to the **NIGEL CCC – EKURHULENI METRO** for a SIMULTANEOUS CONCENT USE AND REMOVAL of RESTRICTION APPLICATION to remove conditions (a) – (p) contained in the Title Deed pertaining to **ERF 259 NOYCEDALE, EKURHULENI, GP**, to allow for a **HOME INDUSTRY: HAIR SALON**. Particulars of the application will lie for inspection during normal office hours at the office of the Area Manager, City Planning Dep (Nigel), c/o Euufees & Hendrik Verwoerd Streets, Nigel, for a period of 28 days from **15 MARCH 2017**. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager, at the aforementioned address or at PO Box 23, NIGEL, 1491, within a period of 28 days from **15 MARCH 2017**. MM TOWN PLANNING SERVICES: 59 HF VERWOERD ST, HEIDELBERG, 1441 / PO Box 296, HEIDELBERG, 1438/ Tel No 016-349 2948/ 082 4000 909 info@townplanningservices.co.za

15-22

KENNISGEWING 387 VAN 2017**KENNISGEWING INGEVOLGE ARTIKEL 5(5) VAN DIE GAUTENG OPHEFFING VAN BEPERKINGSWET, 1996 (WET 3 VAN 1996), GELEES SAAM MET ARTIKEL 2 VAN DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR, (WET 16 VAN 2013) VIR 'N GELYKTYDIGE VERGUNNINGSGEBRUIK EN OPHEFFING VAN BEPERKENDE VOORWAARDE AANSOEK**

Ons, MM TOWN PLANNING SERVICES, synde die gematigde agent van die eienaar/s, gee hiermee kennis, ingevolge artikel 5(5) van die Gauteng Opheffing van Beperkingswet, 1996, gelees saam met Artikel 2 van die Wet Op Ruimtelike Beplanning en Grondgebruiksbestuur, (Wet 16 van 2013), dat ons by die **NIGEL CCC – EKURHULENI METRO** aansoek gedoen het vir 'n GELYKTYDIGE VERGUNNINGSBRUIK EN OPHEFFING VAN BEPERKENDE VOORWAARDES (a) – (p) vervat in die Titel Akte van **ERF 259 NOYCEDALE, EKURHULENI, GAUTENG**, ten doel vir die bedryf van 'n **HUIS INDUSTRIE: HAAR SALON**. Besonderhede van die aansoek lê ter insae gedurende gewone kantoor ure by die kantoor van die Area Bestuurder, Stadsbeplannings Dep (Nigel), h/v Euufees & Hendrik Verwoerd straat, Nigel, vir 'n tydperk van 28 dae vanaf **15 MAART 2017**. Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf **15 MAART 2017** skriftelik by die Munisipale Bestuurder, p/a Posbus 23, Nigel, 1491, ingedien of gerig word. MM TOWN PLANNING SERVICES: 59 HF VERWOERD STR, HEIDELBERG, 1441 / Posbus 296, HEIDELBERG, 1438/ Tel No 016-349 2948/ 082 4000 909 info@townplanningservices.co.za

15-22

NOTICE 388 OF 2017**AMENDMENT OF LAND USE SCHEME (REZONING) AND REMOVAL OF RESTRICTIVE CONDITIONS****APPLICABLE SCHEME:**

Johannesburg Town Planning Scheme, 1979

Notice is hereby given, in terms of Sections 21 and 41 of the City of Johannesburg: Municipal Planning By-Law, 2016, that we, the undermentioned, intend to apply to the City of Johannesburg for an amendment to the land use scheme and for the removal of certain conditions from the title deed of the erf.

SITE DESCRIPTION:

Erf Number: Portion 1 of Erf 197
Township Name: Dunkeld
Street Address: 35 Rosebank Road

APPLICATION TYPE:

Amendment of Land Use Scheme (Rezoning) and Removal of Restrictive Conditions

APPLICATION PURPOSES:

For the amendment of the Johannesburg Town Planning Scheme, 1979 by the amendment of the zoning of the abovementioned erf from "Residential 1" to "Special" for business purposes (excluding warehouses), museum, parking, shops, art gallery, residential buildings, dwelling units, training facilities that are related and subservient to the business uses and children's day care facilities for employees only and for the removal of Conditions 1, 2, 5 and 7 from the title deed of the erf in order to develop the erf for a mix of business and residential uses, subject to a height restriction of 4 storeys and a maximum floor area of 21 468m² that may be developed on the combined area of this erf and Erf 191, Erf 192 and the Remainder of Erf 197, Dunkeld; Provided that the local authority may, subject to the provisions of Clauses 7 and 8 of the Scheme, consent to the height restriction being increased to 6 storeys.

The above application will be open for inspection during weekdays, excluding public holidays, from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th floor A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein. Any objection or representation with regard to the application must be submitted to both the owner/agent and the Registration Section of the Department of Development Planning at the above address, or posted to P.O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by no later than 12 April 2017

OWNER/AUTHORISED AGENT

Full name:	Attwell Malherbe Associates	Code:	2152
Postal Address:	P.O. Box 98960, Sloane Park		
Cell:	083 625 9303		
Tel No (w):	011 463 1188	Fax No:	011 463 1422
Email Address:	ama.dirk@mweb.co.za		
DATE:	15 March 2017		

NOTICE 389 OF 2017**AMENDMENT OF LAND USE SCHEME (REZONING) AND REMOVAL OF RESTRICTIVE CONDITIONS****APPLICABLE SCHEME:**

Johannesburg Town Planning Scheme, 1979

Notice is hereby given, in terms of Sections 21 and 41 of the City of Johannesburg: Municipal Planning By-Law, 2016, that we, the undermentioned, intend to apply to the City of Johannesburg for an amendment to the land use scheme and for the removal of certain conditions from the title deed of the erf.

SITE DESCRIPTION:

Erf Number: Remainder of Erf 197
Township Name: Dunkeld
Street Address: 35ARosebank Road

APPLICATION TYPE:

Amendment of Land Use Scheme (Rezoning) and Removal of Restrictive Conditions

APPLICATION PURPOSES:

For the amendment of the Johannesburg Town Planning Scheme, 1979 by the amendment of the zoning of the abovementioned erf from "Residential 1" to "Special" for business purposes (excluding warehouses), museum, parking, shops, art gallery, residential buildings, dwelling units, training facilities that are related and subservient to the business uses and children's day care facilities for employees only and for the removal of Conditions 1, 2, 5 and 7 from the title deed of the erf in order to develop the erf for a mix of business and residential uses, subject to a height restriction of 4 storeys and a maximum floor area of 21 468m² that may be developed on the combined area of this erf and Erf 191, Erf 192 and Portion 1 of Erf 197, Dunkeld; Provided that the local authority may, subject to the provisions of Clauses 7 and 8 of the Scheme, consent to the height restriction being increased to 6 storeys.

The above application will be open for inspection during weekdays, excluding public holidays, from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th floor A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein. Any objection or representation with regard to the application must be submitted to both the owner/agent and the Registration Section of the Department of Development Planning at the above address, or posted to P.O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by no later than 12 April 2017

OWNER/AUTHORISED AGENT

Full name:	Attwell Malherbe Associates	Code:	2152
Postal Address:	P.O. Box 98960, Sloane Park		
Cell:	083 625 9303		
Tel No (w):	011 463 1188	Fax No:	011 463 1422
Email Address:	ama.dirk@mweb.co.za		
DATE:	15 March 2017		

NOTICE 390 OF 2017**PORTION 419 OF THE FARM WITPOORTJE 117-IR : EKURHULENI AMENDMENT SCHEME**

I, Eduard van der Linde, being the authorized agent of the owner of Portion 419 of the farm Witpoortje 117-IR, hereby give notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986, of an application for the amendment of the Town Planning Scheme known as Ekurhuleni Town Planning Scheme, 2014, by the rezoning of the property from "Agricultural" to "Industrial 1" solely for Commercial Purposes including subservient facilities such as offices, work shop, refueling tanks and staff canteen and accommodation. The site is located at 154 Denne Road, Witpoortje, Brakpan.

The application will be open for inspection from 08:00 to 15:30 at the Offices of the Department of City Planning, 1st Floor, E-Block, Brakpan Civic Centre, Cnr Elliot Road and Escombe Avenue, Brakpan, for a period of 28 days from 15 March 2017.

Objections to, or representations in respect of the application, must be lodged with or made in writing to the Area Manager: City Planning at the above address, or at P.O. Box 15, Brakpan, 1540, within a period of 28 days from 15 March 2017.

Address of owner: c/o Eduard van der Linde & Ass., P.O. Box 44310, Linden, 2104 Tel: (011) 782-2348

15-22

KENNISGEWING 390 VAN 2017**GEDEELTE 419 VAN DIE PLAAS WITPOORTJE 117-IR : EKURHULENI WYSIGINGSKEMA**

Ek, Eduard van der Linde, synde die gemagtigde agent van die eienaar van Gedeelte 419 van die plaas Witpoortje 117-IR, gee hiermee ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, kennis van 'n aansoek om die wysiging van die dorpsbeplanningskema bekend as Ekurhuleni Dorpsbeplanningskema, 2014, deur die hersonering van die eiendom vanaf "Landbou" na "Nywerheid 1" uitsluitlik vir Kommersiële doeleindes, insluitend ondergeskikte fasiliteite soos kantore, werksinkels, brandstof hervulling, kantien en akkommodasie vir personeel. Die eiendom is geleë te Denneweg 154, Witpoortje, Brakpan.

Besonderhede van die aansoek lê ter insae vanaf 08:00 tot 15:30, by die Kantore van die Departement Stedelike Beplanning, 1^{ste} Vloer, E-Blok, Brakpan Burgersentrum, H/v Elliotweg and Escombelaan, Brakpan, vir 'n periode van 28 dae vanaf 15 Maart 2017.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n periode van 28 dae vanaf 15 Maart 2017 skriftelik ingedien word by bovermelde adres of gerig word aan Streekbestuurder: Stedelike Beplanning, Posbus 15, Brakpan, 1540.

Adres van eienaar: P/a Eduard van der Linde & Medewerkers, Posbus 44310, Linden, 2104. Tel: (011) 782-2348

15-22

NOTICE 391 OF 2017**CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY
SANDTON TOWN PLANNING SCHEME, 1980****NOTICE OF A REZONING APPLICATION IN TERMS OF SECTION 21 OF THE CITY OF JOHANNESBURG
MUNICIPAL PLANNING BY-LAW, 2016**

I, Eric Trevor Basson of The Practice Group (Pty) Ltd, being the applicant (authorized agent acting for the owner) of the properties namely Erven 1 and 2 The Woodlands Township, Registration Division IR, Province of Gauteng, hereby give notice in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016, that I have applied to the City of Johannesburg Metropolitan Municipality for the amendment of the Sandton Town Planning Scheme, 1980, by the rezoning in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016, of the properties as described above. The properties lie wedged in between Western Services Road in the east and Woodlands Drive in the west, a short distance north-west of the M1/Woodmead Drive (R55) interchange. The rezoning is from the existing zoning of "Special" for purposes of offices, professional and medical suites, shops and business activities, attached and/or detached dwelling units, recreational facilities, and a hotel, subject to a floor area ratio of 0.25 and a height restriction of 5 storeys to "Special" for offices, professional and medical suites, shops and business activities, places of refreshment, place of instruction, fitness centre, hotel and dwelling units, subject to a floor area ratio of 0.35 and a height restriction of 8 storeys (excluding parking basements). The purpose of the application is to rezone the properties such that an additional floor area of approximately 40 000m² may developed thereon.

The above application will be open for inspection from 08:00 to 15:30 at the registration counter, Department of Development Planning, City of Johannesburg Metropolitan Municipality, Room 8100, 8th Floor A Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the owner/agent and the Registration Section of the Department of Development Planning of the Municipality at the above address, or posted to P.O Box 30733, Braamfontein 2017, or a facsimile sent to (011) 339 4000, or an email send to benp@joburg.org.za, to reach the addressees by no later than 12 April 2017.

Address of applicant: The Practice Group (Pty) Ltd, Cnr of Brooklyn Road and First Street, Menlo Park, Pretoria, 0081, or PO Box 35895, Menlo Park 0102, Tel: 012-362 1741, fax: 012 362 0983,

email: eric@practicegroup.co.za

Date of publication: 15 March 2017

Closing date for any objections/comments: 12 April 2017

NOTICE 392 OF 2017**SCHEDULE 11 (Regulation 21)
NOTICE OF APPLICATION FOR ESTABLISHMENT OF TOWNSHIP
READ TOGETHER WITH SPLUMA, ACT 16 OF 2013**

I, Marthinus Bekker Schutte (Frontplan & Associates) being the authorised agent of the registered owner, hereby give notice in terms of section 69(6)(a) of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), read together with SPLUMA, Act 16 of 2013 that I have applied to the Ekurhuleni Metropolitan Municipality (Alberton Customer Care Centre) to establish the township referred to in the Annexure hereto.

Particulars of the application will lie for inspection during normal office hours at the Office of the Area Manager, Development Planning, Alberton Service Delivery Centre, 11th Floor, Civic Centre, Alwyn Taljaard Street, Alberton, for a period of 28 days from 15 March 2017.

Objections to or representations in respect of the application must be lodged with or made in writing and in duplicate to the Area Manager at the above address or at P.O. Box 4, Alberton, 1450, within a period of 28 days from 15 March 2017.

ANNEXURE

Township: Alberton Extension 52

Full name of Applicant: "Die Gereformeerde Kerk van S.A., Alberton

Number of erven and proposed zoning: 2 - 1 "Residential 1" erf and 1 for Community Services (Church).

Description of land on which township is to be established: Portion 74 (a portion of Portion 67) of the Farm Elandsfontein 108 - IR

Location of proposed township: The proposed township is located in the northern part of the Alberton Customer Care Centre's area of jurisdiction along Parklands Avenue and south of Middel Road, Alberton Township

Address of the agent: Frontplan & Associates, P.O. Box 17256, Randhart, 1457 Sel (083)271-1038 MS198/rs

15-22

KENNISGEWING 392 VAN 2017**BYLAE 11 (Regulasie 21)
KENNISGEWING VAN AANSOEK OM STIGTING VAN DORP SAAMGELEES MET SPLUMA,
WET 16 VAN 2013**

Ek, Marthinus Bekker Schutte (Frontplan & Medewerkers) synde die gemagtigde agent van die geregistreerde eienaar gee hiermee ingevolge Artikel 69(6)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986), saamgelees met SPLUMA, Wet 16 van 2013 kennis dat ek by die Ekurhuleni Metropolitaanse Munisipaliteit (Alberton Diensleweringssentrum) aansoek gedoen het om die dorp in die Bylae hierby genoem te stig.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Areabestuurder, Ontwikkelingsbeplanning Departement, Alberton Diensleweringssentrum, 11de Vloer, Burgersentrum, Alwyn Taljaard Straat, Alberton, vir 'n tydperk van 28 dae vanaf 15 Maart 2017.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 15 Maart 2017 skriftelik en in tweevoud by of tot die Areabestuurder by bovermelde adres of by Posbus 4, Alberton, 1450 ingedien of gerig word.

BYLAE

Naam van dorp: Alberton Uitbreiding 52

Volle naam van Applikant: Die Gereformeerde Kerk van S.A., Alberton

Aantal erwe en voorgestelde sonering: 2 – 1 "Residensieel 1" erf en 1 "Gemeenskapsfasiliteite" erf.

Beskrywing van grond waarop dorp gestig staan te word: Gedeelte 74 ('n gedeelte van Gedeelte 67) van die plaas Elandsfontein 108 – IR.

Ligging van voorgestelde dorp: Die voorgestelde dorp is geleë binne die noorelike gebied van die Alberton Kliëntediensleweringssentrum area van jurisdiksie langs Parklandsweg en suid van Middelweg, Alberton Dorp.

Adres van agent: Frontplan & Medewerkers, Posbus 17256, Randhart, 1457 Sel (083)271-1038

15-22

NOTICE 393 OF 2017**MEYERTON AMENDMENT SCHEME H523**

I, François du Plooy, being the authorised agent of the owner of Erf 34 Meyerton Farms Township, give notice in terms of Section 56 of the Town Planning and Townships Ordinance, 1986, read with the provisions of the Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA), that I have applied to Midvaal Local Municipality for the amendment of the Town Planning Scheme known as the Meyerton Town Planning Scheme, 1986, by rezoning the property described above situated, at 34 Morris Road, Meyerton, from Residential 1 with a density of 20 dwelling units per hectare to Residential 1 with a density of 30 dwelling units per hectare, subject to conditions

Particulars of the application will lie open for inspection during normal office hours and in terms of Section 45 of Act 16 of 2013 (SPLUMA), any interested person, who has the burden to establish his/her status as an interested person, shall lodge in writing, his/her full objection/interest in the application and also provide clear contact details to the office of the Executive Director: Development Planning and Housing, Midvaal Local Municipality, Mitchell Street, Meyerton for the period of 28 days from 15 March 2017.

Objections to or representation in respect of the application must be lodged with or made in writing to the Executive Director: Development Planning and Housing at the above address or at P.O. Box 9, Meyerton 1960, within a period of 28 days from 15 March 2017.

Address of applicant: François du Plooy Associates, P.O. Box 85108, Emmarentia, 2029. Tel: (011) 646-2013. Fax: (011) 486-4544. E-mail: fdpass@lantic.net

15-22

KENNISGEWING 393 VAN 2017**MEYERTON WYSIGINGSKEMA H523**

Ek, François du Plooy synde die gemagtigde agent van die eienaar van Erf 34 Meyerton Plase Dorpsgebied, gee hiermee ingevolge Artikel 56 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saamgelees met die voorskrifte van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 16 van 2013, (SPLUMA) kennis, dat ek by die Midvaal Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die Dorpsbeplanningskema bekend as die Meyerton Dorpsbeplanningskema, 1986, deur die hersonering van die eiendom hierbo beskryf, geleë te Morrisweg 34, Meyerton van Residensieel 1 met 'n digtheid van 20 wooneenhede per hektaar na Residensieel 1 met 'n digtheid van 30 wooneenhede per hektaar, onderworpe aan voorwaardes

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure in gevolg Artikel 45 van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, Wet 16 van 2013 (SPLUMA), moet enige belanghebbende persoon, wat sy/haar status as belanghebbende persoon moet kan bewys, sy/haar volledige beswaar/belang in die aansoek tesame met volledige kontak-besonderhede, voorsien aan die kantoor van die Uitvoerende Direkteur: Ontwikkeling en Beplanning, Midvaal Plaaslike Munisipaliteit, Mitchellstraat, Meyerton, vir 'n tydperk van 28 dae vanaf 15 Maart 2017.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 15 Maart 2017, skriftelik by of tot die Uitvoerende Direkteur: Ontwikkeling en Beplanning indien of rig by bovermelde adres of by Posbus 9, Meyerton, 1960, ingedien word.

Adres van Applikant: François du Plooy Associates, Posbus 85108, Emmarentia, 2029. Tel: (011) 646-2013 Faks: (011) 486-4544. E-pos: fdpass@lantic.net

15-22

NOTICE 394 OF 2017**MEYERTON AMENDMENT SCHEME H523**

I, François du Plooy, being the authorised agent of the owner of Erf 34 Meyerton Farms Township, give notice in terms of Section 56 of the Town Planning and Townships Ordinance, 1986, read with the provisions of the Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA), that I have applied to Midvaal Local Municipality for the amendment of the Town Planning Scheme known as the Meyerton Town Planning Scheme, 1986, by rezoning the property described above situated, at 34 Morris Road, Meyerton, from Residential 1 with a density of 20 dwelling units per hectare to Residential 1 with a density of 30 dwelling units per hectare, subject to conditions

Particulars of the application will lie open for inspection during normal office hours and in terms of Section 45 of Act 16 of 2013 (SPLUMA), any interested person, who has the burden to establish his/her status as an interested person, shall lodge in writing, his/her full objection/interest in the application and also provide clear contact details to the office of the Executive Director: Development Planning and Housing, Midvaal Local Municipality, Mitchell Street, Meyerton for the period of 28 days from 15 March 2017.

Objections to or representation in respect of the application must be lodged with or made in writing to the Executive Director: Development Planning and Housing at the above address or at P.O. Box 9, Meyerton 1960, within a period of 28 days from 15 March 2017.

Address of applicant: François du Plooy Associates, P.O. Box 85108, Emmarentia, 2029. Tel: (011) 646-2013. Fax: (011) 486-4544. E-mail: fdpass@lantic.net

15-22

KENNISGEWING 394 VAN 2017**MEYERTON WYSIGINGSKEMA H523**

Ek, François du Plooy synde die gemagtigde agent van die eienaar van Erf 34 Meyerton Plase Dorpsgebied, gee hiermee ingevolge Artikel 56 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saamgelees met die voorskrifte van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 16 van 2013, (SPLUMA) kennis, dat ek by die Midvaal Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die Dorpsbeplanningskema bekend as die Meyerton Dorpsbeplanningskema, 1986, deur die hersonering van die eiendom hierbo beskryf, geleë te Morrisweg 34, Meyerton van Residensieel 1 met 'n digtheid van 20 wooneenhede per hektaar na Residensieel 1 met 'n digtheid van 30 wooneenhede per hektaar, onderworpe aan voorwaardes

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure in gevolg Artikel 45 van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, Wet 16 van 2013 (SPLUMA), moet enige belanghebbende persoon, wat sy/haar status as belanghebbende persoon moet kan bewys, sy/haar volledige beswaar/belang in die aansoek tesame met volledige kontak-besonderhede, voorsien aan die kantoor van die Uitvoerende Direkteur: Ontwikkeling en Beplanning, Midvaal Plaaslike Munisipaliteit, Mitchellstraat, Meyerton, vir 'n tydperk van 28 dae vanaf 15 Maart 2017.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 15 Maart 2017, skriftelik by of tot die Uitvoerende Direkteur: Ontwikkeling en Beplanning indien of rig by bovermelde adres of by Posbus 9, Meyerton, 1960, ingedien word.

Adres van Applikant: François du Plooy Associates, Posbus 85108, Emmarentia, 2029. Tel: (011) 646-2013 Faks: (011) 486-4544. E-pos: fdpass@lantic.net

15-22

NOTICE 395 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****NOTICE OF SIMULTANEOUS REZONING AND REMOVAL OF RESTRICTIVE TITLE CONDITIONS IN THE TITLE DEED IN TERMS OF SECTIONS 16(1) AND 16(2) RESPECTIVELY OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

I, Conrad Henry Wiehahn of The Practice Group (Pty) Ltd, being the applicant in my capacity as authorized agent acting for the owner of Erven 114, 115 and 116 Lukasrand Township, hereby give notice in terms of:

- Section 16(1)(f) of the City of Tshwane Land Use Management By-Law 2016, that I have applied to the City of Tshwane Metropolitan Municipality for the amendment of the Tshwane Town planning Scheme, 2008 (Revised 2014), by the rezoning in terms of Section 16(1) of the Tshwane Land Use Management By-law, 2016 of the properties as described above. The subject properties are situated at the south-western corner of the intersection of Sibelius Street and Florence Ribeiro Drive in the Lukasrand area. The proposed rezoning is from "Residential 1" to "Business 4" for office purposes on the consolidated site assembly.
- Section 16(1)(f) of the City of Tshwane Land Use Management By-Law 2016, that I have applied to the City of Tshwane Metropolitan Municipality for the removal of certain conditions contained in the Title Deeds in terms of Section 16(2) of the City of Tshwane Land Use Management By-law, 2016 of the above mentioned properties. The subject properties are situated at the south-western corner of the intersection of Sibelius Street and Florence Ribeiro Drive in the Lukasrand area. The application is for the removal of the following conditions: Condition A. in the title deeds relevant to Erven 114 (T56620/2015), 115 (T95159/2015) and 116 (T120301/2002); Condition B(a) in the title deed relevant to Erf 116 (T120301/2002); Conditions B(a), (b) and (c) in the title deed relevant to Erf 114 (T56620/2015); Condition B(a), (b) and (c) in the title deed relevant to Erf 115 (T95159/2015) and Condition B(b), (c) and (d) in the title deed relevant to Erf 116 (T120301/2002).

The intention of the applicant in this matter is to develop an office building on the consolidated erven, consisting of 2299m² of office floor area at a maximum height of 19,2 meters.

In terms of Section 45 of SPLUMA, 16 of 2013, any interested person, who has the burden to establish his/her status as an interested person, shall lodge in writing, his/her full objection/interest in the application and also provide clear contact details to: The Strategic Executive Director: City Planning and Development : Room LG 004, Isivuno House, Lilian Ngoyi Street 143, Pretoria, or via post to PO Box 3242 Pretoria 0001 or to CityP_Registration@tshwane.gov.za within a period of 28 days from 15 March 2017.

Any person making a representation in respect of and/or objecting to the application must provide his/her contact details in order for the municipality to correspond with them with regard to their submission.

All relevant documents relating to the application will be open for inspection during normal office hours at the City of Tshwane Metropolitan Municipality at the office of The Strategic Executive Director: Room LG 004, Isivuno House, Lilian Ngoyi Street 143, Pretoria for a period of 28 days after the publication of the advertisement in the Provincial Gazette.

Name and address of authorized agent: The Practice Group (Pty) Ltd, Cnr of Brooklyn Road and First Street, Menlo Park, Pretoria, 0081, or PO Box 35895, Menlo Park 0102

Date of first publication: 15 March 2017

Date of second publication: 22 March 2017

Closing date for any objections: 12 April 2017

Reference : CPD 9/2/4/2-3994T

Item Number: 26057

15-22

KENNISGEWING 395 VAN 2017**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT****KENNISGEWING VAN GELYKTYDIGE HERSONERING EN OPHEFFING VAN BEPERKENDE TITELVOORWAARDES IN DIE TITELAKTE INGEVOLGE ARTIKEL 16 (1) EN 16 (2) ONDER-SKEIDELIK DEUR DIE STAD TSHWANE GRONDGEBRUIKBESTUURSKEMA VERORDENING, 2016**

Ek, Conrad Henry Wiehahn van The Practice Group (Edms) Bpk, in my hoedanigheid as die gemagtigde agent van die eienaar van Erwe 114, 115 en 116 Lukasrand Dorpsgebied, gee hiermee kennis in terme van :

- Artikel 16 (1)(f) van die Stad Tshwane Grondgebruikbestuur Verordening 2016, dat ek by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het om die wysiging van die Tshwane Dorpsbeplanningskema, 2008 (Hersiene 2014), deur die hersonering in terme van Artikel 16 (1) van die Tshwane Grondgebruikbestuur Verordening, 2016 van die eiendomme hierbo beskryf . Die onderwerpe eiendomme is geleë op die suidwestelike hoek van die kruising van Sibeliusstraat en Florence Ribeiro Drive in die Lukasrand gebied. Die hersonering is vanaf "Residensieel 1 " na "Besigheid 4" vir kantoordoeleindes op die gekonsolideerde perseel.
- Artikel 16 (1)(f) van die Stad Tshwane Grondgebruikbestuur Verordening 2016, kennis dat ek by die Stad van Tshwane Metropolitaanse Munisipaliteit om die opheffing van sekere voorwaardes vervat in die titelaktes van bovermelde eiendomme in terme van Artikel 16 (2) van die Stad Tshwane Grondgebruikbestuur Verordening, 2016 van die bogenoemde eiendomme . Die onderwerpe eiendomme is geleë op die suidwestelike hoek van die kruising van Sibeliusstraat en Florence Ribeiro Drive in die Lukasrand gebied. Die aansoek is vir die verwydering van die volgende voorwaardes: Voorwaarde A. met betrekking tot die aktes van Erwe 114 (T56620/2015), 115 (T95159/2015) en 116 (T120301/2002); Voorwaarde B(a) met betrekking tot die akte van Erf 116 (T120301/2002); Voorwaarde B(a), (b) en (c) met betrekking tot die akte van Erf 114 (T56620/2015); Voorwaarde B(a), (b) en (c) met betrekking tot die akte van Erf 115 (T95159/2015) en Voorwaarde B(b), (c) en (d) met betrekking tot die akte van Erf 116 (T120301/2002).

Die bedoeling van die aansoeker in hierdie saak is om 'n kantoorgebou op die gekonsolideerde erwe te ontwikkel, wat sal bestaan uit 2299m² kantooroppervlakte met 'n maksimum hoogte van 19,2 meter.

In terme van Artikel 45 van SPLUMA, 16 van 2013, 'n belanghebbende persoon, wat die las om sy/haar status as 'n belanghebbende persoon te vestig, sal dien skriftelik sy/haar volle beswaar/belang by die aansoek stel en ook duidelike kontakbesonderhede verskaf aan: Die Strategiese Uitvoerende Direkteur : Stedelike Beplanning en Ontwikkeling, Kamer LG 004, Isivuno House, Lilian Ngoyi Straat 143, Pretoria, of per pos na Posbus 3242 Pretoria 0001 of CityP_Registration@tshwane.gov.za binne 'n tydperk van 28 dae vanaf 15 Maart 2017.

Enige persoon wat 'n verdoel ten opsigte van en/of beswaar teen die aansoek het, moet sy/haar kontakbesonderhede verskaf ten einde vir die munisipaliteit in staat te stel om met gemelde persoon in verbinding te tree ten opsigte van sodanige voorlegging .

Alle verbandhoudende dokumente van die die aansoek lê ter insae gedurende gewone kantoorure by die Stad van Tshwane Metropolitaanse Munisipaliteit by die kantoor van Die Strategiese Uitvoerende Direkteur : Kamer LG 004, Isivuno House, Lilian Ngoyi Straat 143, Pretoria vir 'n tydperk van 28 dae na die publikasie van die kennisgewing in die in die Provinsiale Koerant .

Naam en adres van gemagtigde agent :

Datum van eerste publikasie : 15 Maart 2017

Datum van tweede publikasie : 22 Maart 2017

Sluitingsdatum vir enige besware : 12 April 2017

Verwysing: CPD 9/2/4/2-3994T

Item Nommer: 26057

15-22

NOTICE 396 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF A CONSENT USE APPLICATION IN TERMS OF CLAUSE 16
OF THE TSHWANE TOWN-PLANNING SCHEME, 2008 (REVISED 2014)**

Notice is hereby given to all whom it may concern that, in terms of Clause 16 of the Tshwane Town Planning Scheme, 2008 (Revised 2014), read with Section 16(3) of the City of Tshwane Land Use Management By-Law 2016, I, Hugo Benadie of The Practice Group (Pty) Ltd, being the authorized agent acting for the owner of Erf 71 Colbyn, hereby give notice in terms of Clause 16 of the Tshwane Town Planning Scheme, 2008 (Revised 2014), that I have applied to the City of Tshwane Metropolitan Municipality for consent to use the subject property for purposes of a "Boarding House". The current zoning of the subject property is "Residential 1" for the use of one dwelling-house, one additional dwelling-house in areas described in Schedule 11, Schedule 12, Schedule 13 and Schedule 14 as well as an Embassy/Consulate. The intention of the applicant in this matter is to apply to the municipality for consent to use the subject property and the buildings thereon for a "Boarding House" for residential accommodation. The subject property is situated in Allcock Street approximately 210m north-west of the Thomson Street West and Gordon Road intersection in the Colbyn area.

In terms of Section 45 of SPLUMA, 16 of 2013, any interested person, who has the burden to establish his/her status as an interested person, shall lodge in writing, his/her full objection/interest in the application and also provide clear contact details to: The Strategic Executive Director: City Planning and Development : Room LG 004, Isivuno House, Lilian Ngoyi Street 143, Pretoria, or via post to PO Box 3242 Pretoria 0001 or to CityP_Registration@tshwane.gov.za within a period of 28 days from 15 March 2017.

Any person making a representation in respect of and/or objecting to the application must provide his/her contact details in order for the municipality to correspond with them with regard to their submission.

All relevant documents relating to the application will be open for inspection during normal office hours at the City of Tshwane Metropolitan Municipality at the office of The Strategic Executive Director: Room LG 004, Isivuno House, Lilian Ngoyi Street 143, Pretoria for a period of 28 days after the publication of the advertisement in the Provincial Gazette.

Name and address of authorized agent: The Practice Group (Pty) Ltd, Cnr of Brooklyn Road and First Street, Menlo Park, Pretoria, 0081, or PO Box 35895, Menlo Park 0102

Date of publication: 15 March 2017

Closing date for any objections: 12 April 2017

Reference : CDP/0112/00071 Item Number: 26242

KENNISGEWING 396 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT
TSHWANE DORPSBEPLANNINGSKEMA, 2008 (HERSIEN 2014)
KLOUSULE 16: AANSOEK OM VERGUNNING**

Kennis geskied hiermee aan allam wie dit mag aangaan dat, in terme van Klousule 16 van die Tshwane Dorpsbeplanningskema, 2008 (Hersien 2014), saamgelees met Artikel 16(3) van die Stad van Tshwane se Verordening op Grongebruikbestuur 2016, ek, Hugo Benadie van The Practice Group (Edms) Bpk, synde die gemagtige agent van die eienaar van Erf 71 Colbyn, gee hiermee kennis ingevolge Klousule 16 van die Tshwane Dorpsbeplanningskema, 2008 (Hersien 2014) dat ek by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir vergunning op die onderwerpeiendom vir doeleindes van 'n "Losieshuis" te gebruik. Die huidige sonering van die onderwerpeiendom is "Residensieël 1" vir die gebruik as een woonhuis, een addisionele woonhuis in gebiede beskryf in Bylae 11, Bylae 12, Bylae 13 en Bylae 14 as ook 'n ambassade/konsulaat. Die bedoeling van die aansoeker in hierdie saak is om aansoek te doen by die munisipaliteit om vergunning om die onderwerpeiendom en die geboue daarop vir 'n "Losieshuis" te gebruik vir die versaffing van residensiële akkommodasie. Die eiendom is geleë in Allcockstraat ongeveer 210m noordwes van die kruising van Thomson Straat Wes en Gordonweg in die Colbyn area.

Ingevolge Artikel 45 van die Wet of Ruimtelike Beplanning en Grondgebruiksbestuur, 2013 (Wet 16 van 2013) moet enige belanghebbende persoon, wat sy/haar status as belanghebbende persoon moet kan bewys sy/haar volledige beswaar teen/belang in die aansoek tesame met volledige kontakbesonderhede, binne 28 dae na publikasie van die kennisgewing naamlik 15 Maart 2017 skriftelik by of tot: Die Strategiese Uitvoerende Direkteur : Stadsbeplanning en Ontwikkeling, Kamer LG 004, Isivuno House, Lilian Ngoyi Straat 143, Pretoria, of per pos na PO Box 3242 Pretoria 0001 of na CityP_Registration@tshwane.gov.za rig en indien.

Enige persoon wat vertoë ten opsigte van of beswaar teen die aansoek wil maak, moet sy of haar kontak besonderhede voorsien sodat die munisipaliteit, waar van toepassing, in verband met hul inhandiging, met hul kan korrespondeer.

Alle relevante dokumentasie tot die aansoek sal lê vir inspeksie gedurende normale kantoorure by die Stad van Tshwane Metropolitaanse Munisipaliteit en by die kantore van Die Strategiese Uitvoerende Direkteur : Stadsbeplanning en Ontwikkeling, Kamer LG 004, Isivuno House, Lilian Ngoyi Straat 143, Pretoria, vir 'n tydperk van 28 dae na die publikasie van die advertensie in die Provinsiale Koerant.

Naam en adres van gemagtigde agent: The Practice Group (Edms) Bpk: H/v Brooklynweg en Eerste Straat, Menlo Park, Pretoria, 0081 of Posbus 35895, Menlo Park, 0102.

Datum van publikasie: 15 Maart 2017

Sluitingsdatum vir enige besware: 12 April 2017

Verwysingsnommer: CDP/0112/00071

Item Number: 26242

NOTICE 397 OF 2017

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF SIMULTANEOUS REZONING AND REMOVAL OF RESTRICTIVE TITLE
CONDITIONS IN THE TITLE DEED IN TERMS OF SECTIONS 16(1) AND 16(2)
RESPECTIVELY OF
THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

I, Hugo Benadie of The Practice Group (Pty) Ltd, being the applicant in my capacity as the authorized agent acting for the owner of Erf 183 Lynnwood Glen Township, hereby give notice in terms of:

- Section 16(1)(f) of the City of Tshwane Land Use Management By-Law 2016, that I have applied to the City of Tshwane Metropolitan Municipality for the amendment of the Tshwane Town planning Scheme, 2008 (Revised 2014), by the rezoning in terms of Section 16(1) of the Tshwane Land Use Management By-law, 2016 of the property as described above. The subject property is situated to the south and abutting on Glenwood Road, approximately 250 meters north-west of the intersection of January Masilela Drive and Glenwood Road in the Lynnwood Glen area. The rezoning is from "Residential 1" to "Business 4" for purposes of a Dwelling-house, Office and Medical Consulting Rooms but shall exclude a Veterinary Clinic, provided further that, the gross floor area of the medical consulting room and office be limited to 135m².
- Section 16(1)(f) of the City of Tshwane Land Use Management By-Law 2016, that I have applied to the City of Tshwane Metropolitan Municipality for the removal of certain conditions contained in the Title Deed of the aforesaid property in terms of Section 16(2) of the City of Tshwane Land Use Management By-law, 2016. The subject property is situated to the south and abutting on Glenwood Road, approximately 250 meters north-west of the intersection of January Masilela Drive and Glenwood Road in the Lynnwood Glen area. The application is for the removal of the following conditions: Condition C(a) and (c) of Deed from Transfer T28397/2001.

The intention of the applicant in this matter is to formalize the current activity on the subject property as the land owner conducts his dermatologist practice from his home on the subject property.

In terms of Section 45 of SPLUMA, 16 of 2013, any interested person, who has the burden to establish his/her status as an interested person, shall lodge in writing, his/her full objection/interest in the application and also provide clear contact details to: The Strategic Executive Director: City Planning and Development : Room LG 004, Isivuno House, Lilian Ngoyi Street 143, Pretoria, or via post to PO Box 3242 Pretoria 0001 or to CityP_Registration@tshwane.gov.za within a period of 28 days from 15 March 2017.

Any person making a representation in respect of and/or objecting to the application must provide his/her contact details in order for the municipality to correspond with them with regard to their submission.

All relevant documents relating to the application will be open for inspection during normal office hours at the City of Tshwane Metropolitan Municipality at the office of The Strategic Executive Director: Room LG 004, Isivuno House, Lilian Ngoyi Street 143, Pretoria for a period of 28 days after the publication of the advertisement in the Provincial Gazette.

Name and address of authorized agent: The Practice Group (Pty) Ltd, Cnr of Brooklyn Road and First Street, Menlo Park, Pretoria, 0081, or PO Box 35895, Menlo Park 0102

Date of first publication: 15 March 2017

Date of second publication: 22 March 2017

Closing date for any objections: 12 April 2017

Reference : CPD 9/2/4/2-4107T

Item Number: 26421

15-22

KENNISGEWING 397 VAN 2017**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN GELYKTYDIGE HERSONERING EN OPHEFFING VAN BEPERKENDE
TITELVOORWAARDES IN DIE TITELAKTE INGEVOLGE ARTIKEL 16 (1) EN 16 (2)
ONDERSKEIDELIK DEUR
DIE STAD TSHWANE GRONDGEBRUIKBESTUURSKEMA VERORDENING, 2016**

Ek , Hugo Benadie van The Practice Group (Edms) Bpk , synde die applikant in my hoedanigheid as gemagtigde agent van die eienaar van Erf 183 Lynnwood Glen Dorpsgebied, gee hiermee kennis in terme van :

- Artikel 16 (1)(f) van die Stad Tshwane Grondgebruikbestuur Verordening 2016 , kennis dat ek by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het om die wysiging van die Tshwane Dorpsbeplanningskema , 2008 (Hersiene 2014) , deur die herosnering in terme van Artikel 16 (1) van die Tshwane Grondgebruikbestuur Verordening, 2016 van die eiendom hierbo beskryf . Die onderwerpeindom is geleë ten suide van en aangrensend aan Glenwoodweg, ongeveer 250 meter noord-wes van die kruising van Januarie Masilela Weg en Glenwoodweg in die Lynnwood Glen area. Die herosnering is vanaf "Residensieel 1" na "Besigheid 4" vir doeleindes van 'n woonhuis, kantoor en mediese spreekkamers, maar sal 'n veeartseny kliniek uitsluit, voorts met dien verstande dat die totale vloeroppervlakte van die mediese spreekkamer en kantoor tot 135m² beperk sal word.
- Artikel 16 (1)(f) van die Stad Tshwane Grondgebruikbestuur Verordening 2016 , dat ek by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het om die opheffing van sekere voorwaardes vervat in die titelakte van voormelde eiendom in terme van Artikel 16 (2) van die Stad Tshwane Grondgebruikbestuur Verordening, 2016. Die onderwerpeindom is geleë ten suide van en aangrensend aan Glenwoodweg, ongeveer 250 meter noord-wes van die kruising van Januarie Masilela Weg en Glenwoodweg in die Lynnwood Glen area. Die aansoek is vir die verwydering van die volgende voorwaardes: Voorwaarde C (a) en (c) van Akte van Transport T28397 / 2001.

Die bedoeling van die aansoeker in hierdie saak is om die huidige aktiwiteit op die onderwerpeindom te formaliseer siende dat die grondeienaar sy dermatoloog praktyk van sy residensiële perseel bedryf.

In terme van Artikel 45 van SPLUMA , 16 van 2013 , 'n belanghebbende persoon , wat die las om sy/haar status as 'n belanghebbende persoon te vestig, sal dien skriftelik sy/haar volle beswaar/belang by die aansoek stel en ook duidelike kontakbesonderhede verskaf aan: Die Strategiese Uitvoerende Direkteur : Stedelike Beplanning en Ontwikkeling , Kamer LG 004 , Isivuno House , Lilian Ngoyi Straat 143 , Pretoria , of per pos na Posbus 3242 Pretoria 0001 of CityP_Registration@tshwane.gov.za binne 'n tydperk van 28 dae vanaf 15 Maart 2017.

Enige persoon wat 'n voorstelling ten opsigte van en/of beswaar teen die aansoek het, moet sy/haar kontakbesonderhede verskaf ten einde vir die munisipaliteit om in verbintenis te tree met hulle ten opsigte van hul voorlegging .

Alle verbandhoudende dokumente van die die aansoek lê ter insae gedurende gewone kantoorure by die Stad van Tshwane Metropolitaanse Munisipaliteit by die kantoor van Die Strategiese Uitvoerende Direkteur : Kamer LG 004 , Isivuno House , Lilian Ngoyi Straat 143 , Pretoria vir 'n tydperk van 28 dae na die publikasie van die kennisgewing in die in die Provinsiale Koerant .

Naam en adres van gemagtigde agent :

Datum van eerste publikasie : 15 Maart 2017

Datum van tweede publikasie : 22 Maart 2017

Sluitingsdatum vir enige besware : 12 April 2017

Verwysing: CPD 9/2/4/2-4107T

Item Nommer: 26421

15-22

NOTICE 398 OF 2017

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF TOWNSHIP IN TERMS OF SECTION 16(4) OF
THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016
BRONBERG EXTENSION 30**

I, Hugo Benadie of The Practice Group (Pty) Ltd, being the authorized agent of the applicant, hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016, that I have applied to the City of Tshwane Metropolitan Municipality for the establishment of the township in terms of Section 16(4) of the City of Tshwane Land Use Management By-law, 2016 referred to in the Annexure hereto.

Any objection(s) and/or comment(s), including the grounds of such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017, until 12 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of this notice in the Provincial Gazette, Beeld and Citizen newspapers.

Address of Municipal offices: Room LG 004, Isivuno House, Lilian Ngoyi Street 143, Pretoria

Closing date of any objections and/or comments: 12 April 2017

Address of applicant: The Practice Group; c/o Brooklyn Road and First Street, Menlo Park, Pretoria, 0081, or P O Box 35895, Menlo Park 0102.

Telephone No: (012) 362 1741

Dates on which notice will be published: 15 March 2017 and 22 March 2017

ANNEXURE

Name of township: **BRONBERG EXTENSION 30**

Full name of applicant: Hugo Benadie of The Practice Group (Pty) Ltd acting for Paciscan (Pty) Ltd

Number of erven, proposed zoning and development control measures : It is proposed to create 2 (two) erven, both to be zoned "Residential 3" in terms of the Tshwane Town Planning Scheme, 2008 (Revised 2014), respectively measuring 252m² and 9748m² in extent.

Development control measures for proposed Erf 1 and Erf 2 include the following : A height restriction of 2 storeys, Floor Area Ratio of 0.3, coverage as stipulated in the Site Development Plan and a density of 40 dwelling-units per hectare.

The intention of the applicant in this matter is to develop a residential township situated on Portion 1 of Holding 36 Olympus Agricultural Holdings which will accommodate 40 dwelling-units on the combined area of both erven.

Locality of property(ies) on which township is to be established: The proposed township is situated close to the south-eastern corner of the T-junction formed between Achilles Street and Ajax Avenue in the Olympus Agricultural Holdings area, a short distance north of the Woodlands Shopping Centre, the Mooikloof Residential Estate and the well-known The Wilds Residential Estate. The proposed township will take access from Ajax Avenue.

Description of the property(ies) on which the township is to be situated: Portion 1 of Holding 36 Olympus Agricultural Holdings; Registration Division: J.R.; Province of Gauteng

Reference: CPD9/2/4/2-4061T

Item No. 26271

15–22

KENNISGEWING 398 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN AANSOEK OM STIGTING VAN DORP / UITBREIDING VAN GRENSE IN TERME
VAN ARTIKEL 16 (4) VAN DIE STAD VAN TSHWANE GRONDGEBRUIKBESTUURSKEMA BY-WET,
2016
BRONBERG UITBREIDING 30**

Ek, Hugo Benadie van The Practice Group (Edms) Bpk, synde die gemagtigde agent van die aansoeker, gee hiermee ingevolge Artikel 16 (1)(f) van die Stad van Tshwane Grondgebruikbestuur Verordening, 2016, kennis dat ek by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek doen vir die stigting van die dorp in terme van Artikel 16 (4) van die Stad van Tshwane Grondgebruikbestuur verordening, 2016 genoem in die Bylae hierby.

Enige beswaar(e) en/of navrae, insluitend grond van sodanige beswaar(e) en/of navrae met volledige kontakbesonderhede, waarsonder die Munisipaliteit nie kan korrispondeer met die persoon of liggaam wat beswaar(e) en/of navrae aflê nie, beswaar(e) en/of navrae sal gedurende gewone kantoorure by, of gerig word aan: die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of by CityP_Registration@tshwane.gov.za vanaf 15 Maart 2017, tot 12 April 2017.

Volledige besonderhede en planne (indien enige) kan gedurende gewone kantoorure by die Munisipale kantore soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf die datum van eerste publikasie van die kennisgewing in die Provinsiale Koerant, Beeld en Star koerant geïnspekteer word.

Adres van Munisipale kantore: Kamer LG 004, Isivuno House, Lilian Ngoyi Straat 143, Pretoria

Sluitingsdatum van enige besware en / of kommentaar: 12 April 2017

Adres van applikant: The Practice Group, h/v van Brooklynweg en Eerstestraat, Menlo Park, Pretoria, 0081, of Posbus 35895, Menlopark 0102.
Telefoon No: (012) 362 1741

Datums waarop kennisgewing gepubliseer moet word: 15 Maart 2017 en 22 Maart 2017

BYLAE

Naam van dorp: **BRONBERG UITBREIDING 30**

Volle naam van aansoeker: Hugo Benadie van The Practice Group (Edms) Bpk, gemagtigde agent van Paciscan (Edms) Bpk

Aantal erwe, voorgestelde sonering en beheermaatreëls: Daar word voorgestel dat 2 (twee) erwe geskep word, beide gesoneer "Residensieel 3" in terme van die Tshwane Dorpsbeplanningskema, 2008 (Hersien 2014), onderskeidelik 252m² en 9748m² groot.

Ontwikkeling beheermaatreëls vir voorgestelde Erf 1 en Erf 2 sluit die volgende in: 'n hoogte van 2 verdiepings, vloeroppervlakteverhouding van 0.3, dekking soos uiteengesit in die Terreinontwikkelingsplan en 'n digtheid van 40 wooneenhede per hektaar.

Die bedoeling van die aansoeker in hierdie saak is die ontwikkeling van 'n residensiële dorp geleë op Gedeelte 1 van Hoewe 36 Olympus Landbouhoewes wat 40 wooneenhede sal akkommodeer op die gesamentlike oppervlakte van beide erwe.

Ligging van eiendom(me) waarop dorp gestig gaan word : Die voorgestelde dorp is geleë naby die suid-oostelike hoek van die T-aansluiting gevorm tussen Achilles Straat en Ajax Laan in die Olympus Landbouhoeve area, 'n kort afstand noord van die Woodlands Winkelsentrum, die Mooikloof Residensiële Landgoed en die bekende The Wilds Residensiële Landgoed. Die voorgestelde dorp sal toegang vanaf Ajax Laan neem.

Beskrywing van die eiendom(me) waarop die dorp gestig gaan word: Gedeelte 1 van Hoewe 36 Olympus Landbouhewes; Registrasie Afdeling: J.R. ; Provinsie van Gauteng

Verwysing: CPD9 / 2/4 / 2-4061T

Item nommer: 26271

15-22

NOTICE 399 OF 2017**CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016
NOTICE OF AN APPLICATION FOR A SUBDIVISION OF LAND IN TERMS OF SECTION 16(12)(a)(iii) OF
THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

I, Hugo Benadie, of The Practice Group (Pty) Ltd, being the applicant in my capacity as authorized agent acting for the owner of Portion 206 of the Farm Tiegerpoort 371, Registration Division JR, Province of Gauteng, hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016, that I have applied to the City of Tshwane Metropolitan Municipality for the subdivision of the property described above.

The owner of the Portion 206 of the Farm Tiegerpoort 371, Registration Division JR, Province of Gauteng, intends to subdivide the said farm portion in to two portion as follows:

- Proposed Portion 1 of the Portion 206: Measuring approximately 4.37ha in extent;
- Resulting in a Remainder of Portion 206: Measuring approximately 4.19ha in extent.

The subject property is situated approximately 400 meters south-west of Graham Road and approximately 7 kilometres northwest of the intersection between the R25 and Graham Road (M6).

Any objection(s) and/or comment(s), including grounds for such objection(s) and/or comment(s) with full contact details, without which the municipality cannot correspond with the person or body submitting the objection(s) or comment(s), shall be lodged with or made in writing to: the Strategic Executive Director: City Planning and Development, P O Bos 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 (first date of publication of the notice) until 12 April 2017 (28 days after first date of publication).

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal Offices set out below for a period of 28 days from the date of first publication of the notice in the Provincial Gazette/Beeld/Star. Address of Municipal Offices: Centurion Municipal Offices, Room 16, Corner of Basden and Rabie Streets, Centurion.

Address of applicant: The Practice Group (Pty) Ltd, Cnr of Brooklyn Road and First Street, Menlo Park, Pretoria, 0081, or PO Box 35895, Menlo Park 0102, Tel: 012-362 1741

Date of first publication: 15 March 2017

Date of second publication: 22 March 2017

Closing date for any objections/comments: 12 April 2017

Reference: CDP 371-JR/0924/206 Item Number: 26236

15-22

KENNISGEWING 399 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN AANSOEK OM ONDERVERDELING VAN GROND INGEVOLGE ARTIKEL
16(12)(a)(iii) VAN DIE STAD VAN TSHWANE GRONDGEBRUIKBESTUURSVERORDENING, 2016**

Ek, Hugo Benadie van The Practice Group (Edms) Bpk, , in my hoedanigheid as die gemagtigde agent van die eienaar van Gedeelte 206 van die Plaas Tiegerpoort 371, Registrasie Afdeling JR, Provinsie van Gauteng, gee hiermee kennis in terme die bepalings van Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiksbestuursverordening, 2016, dat ek aansoek gedoen het by die Stad van Tshwane Metropolitaanse Munisipaliteit vir die onderverdeling van die bogenoemde eiendom.

Die eienaar van die Gedeelte 206 van die plaas Tiegerpoort 371 JR, Provinsie van Gauteng is van voorneme om die genoemde plaasgedeelte in twee gedeeltes as volg te verdeel:

- Voorgestelde Gedeelte 1 van Gedeelte 206: By benadering ongeveer 4.37ha;
- Wat tot gevolg sal he n Restant van Gedelte 206: By benadering ongeveer 4.19ha.

Die eiendom is geleë 400 meter suid-wes van Graham Weg en ongeveer 700 noord-wes van die interseksie tussen die R25 en Graham Weg (M6).

Enige beswaar(e) en/of kommentaar(e) insluitend die grond van sodanige beswaar en/of kommentaar, met volle kontakbesonderhede by gebreke waaraan die munisipaliteit nie met die persoon of instansie wat sodanige beswaar of kommentaar kan korrespondeer nie, sal ingedien of op skrif gerig word aan: Die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of CityP_Registration@tshwane.gov.za vanaf 15 Maart 2017 (eerste datum van publikasie van die kennisgewing) tot en met 12 April 2017 (28 dae na die eerste datum van publikasie).

Volle besonderhede en planne (waar van toepassing) sal beskikbaar wees vir inspeksie gedurende normale kantoorure, vir 'n periode van 28 dae vanaf die eerste datum van publikasie van hierdie kennisgewing in die Provinsiale Gazette/Beeld en Star nuusblaai, by die munisipale kantore soos hieronder bevestig. Adres van Munisipale Kantore: Centurion Munisipale Kompleks, Kamer 16, Hoek van Basden en Rabie Strate, Centurion.

Adres van Applikant: The Practice Group (Edms) Bpk, Hoek van Brooklynweg en Eerstestraat, Menlo Park, Pretoria, 0081, of Posbus 35895, Menlo Park, 0102, Tel: 012-362 1741

Datum van eerste publikasie: 15 Maart 2017

Datum van tweede publikasie: 22 Maart 2017

Sluitingsdatum vir enige besware/kommentare: 12 April 2017

Verwysing: CDP 371-JR/0924/206 Item Nommer: 26236

15-22

NOTICE 400 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY NOTICE OF REZONING APPLICATION IN TERMS OF SECTION 16(1) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

We, **UrbanSmart Planning Studio (Pty) Ltd**, being the authorised agent/applicant of the owner of **Erf 1289 Moreletapark Extension 9**, hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management By-Law, 2016, that we have applied to the **City of Tshwane Metropolitan Municipality** for the amendment of the Tshwane Town Planning Scheme, 2008 (Revised 2014) in operation, by the rezoning in terms of Section 16(1) of the City of Tshwane Land Use Management By-Law, 2016, of the property described above. The property is situated at 1215 De Villebois Mareuil Drive, in Moreletapark Extension 9.

The Rezoning of Erf 1289 Moreletapark Extension 9 is **from "Residential 1"** for one (1) dwelling house, with a non applicable density, a minimum erf size of 1000sqm, a coverage of fifty (50) percent, a non applicable Floor Area Ratio, a maximum height of two (2) storeys (10m) and further subject to certain conditions, **to "Business 4"** for a Dwelling unit and Offices, with a density of one (1) dwelling unit per 1000sqm, a FAR of 0.4 (provided that the office be restricted to 0.3), a coverage of sixty (60) percent, a height of two (2) storeys (10m), and further subject to certain conditions.

The intension of the owner of the property in this matter is to: amend the zoning of the property to use the existing structure for professional offices.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: The Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001, or to CityP_Registration@tshwane.gov.za from **8 March 2017** (the first date of the publication of the notice set out in section 16(1)(f) of the By-Law referred to above), until 5 April 2017 (not less than 28 days after the date of first publication of the notice).

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette, Beeld and Citizen newspapers.

Address of Municipal offices: Room E10, Cnr Basden and Rabie Streets, Centurion Municipal Office.

Closing date of any objection(s) and/or comment(s): 5 April 2017

Address of authorised agent: UrbanSmart Planning Studio (Pty) Ltd; P.O. Box 66465, Woodhill, Pretoria, 0076; 9 Warren Hills Close, Woodhill, Pretoria. Tel: (082) 737 2422 Fax: (086) 582 0369. Ref: R443

Date on which notice will be published: 8 March 2017 and 15 March 2017

Ref no: CPD 9/2/4/2-4102T

Item No: 26408

KENNISGEWING 400 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT KENNISGEWING VIR DIE AANSOEK OM HERSONERING IN TERME VAN ARTIKEL 16 (1) VAN DIE STAD TSHWANE GRONDGEBRUIKBESTUURSKEMA VERORDENING, 2016.**

Ons, **UrbanSmart Planning Studio (Edms) Bpk**, synde die gemagtigde agent van die eienaar van **Erf 1289 Moreletapark Uitbreiding 9** gee hiermee ingevolge artikel 16(1)(f) van die Stad van Tshwane Grondgebruikbestuur Verordening, 2016, kennis dat ons by die **Stad van Tshwane Metropolitaanse Munisipaliteit** aansoek gedoen het om die wysiging van die Tshwane Dorpsbeplanningskema, 2008 (Hersien 2014), in werking, deur die hersonering in terme van Artikel 16(1) van die Stad van Tshwane Grondgebruikbestuur Verordening, 2016, van die eiendomme hierbo beskryf. Die eiendom is geleë aan 1215 De Villebois Mareuil Drive in Moreletapark Uitbreiding 9.

Die hersonering van Erf 1289 Moreletapark Uitbreiding 9 is van **"Residensieël 1"** vir een (1) woonhuis, met 'n nie van toepassing digtheid, a minimum erf grootte van 1000sqm, a dekking van vyftig (50) persent, 'n nie van toepassing vloerruimteverhouding (VRV), 'n maksimum hoogte van twee (2) verdiepings (10m) en verder onderhewig aan sekere voorwaardes; na **"Besigheid 4"** vir 'n woonhuis en kantore, met 'n digtheid van een (1) woonhuis per 1000sqm, 'n vloerruimteverhouding (VRV) van 0.4 (met dien verstande dat die kantoor beperk word tot 0.3), 'n dekking van sestig (60) persent, 'n hoogte van twee (2) verdiepings (10m), en verder onderhewig aan sekere voorwaardes.

Die voorneme van die eienaar van die eiendom is: om die sonerings regte en ontwikkeling kontroles met betrekking tot die erf te verander om die huidige struktuur vir 'n professionele kantore te gebruik.

Enige besware en/of kommentare wat duidelik die gronde van die beswaar en die persoon(ne) se regte uiteensit en aandui hoe hulle belange deur die aansoek geaffekteer gaan word, asook die persoon(ne) se volle kontakbesonderhede, waar sonder die Munisipaliteit nie met die persoon(ne) kan korrespondeer nie, moet binne 'n tydperk van 28 dae vanaf **8 Maart 2017** (die datum van die eerste publikasie van hierdie kennisgewing ingevolge Artikel 16(1)(f) van bogenoemde Verordening, 2016), skriftelik by of tot die Strategiese Uitvoerende Direkteur: Stadsbeplanning en Ontwikkeling, ingedien of gerig word by Posbus 3242, Pretoria, 0001, of na CityP_Registration@tshwane.gov.za tot 5 April 2017 (nie minder nie as 28 dae na die datum van die eerste publikasie van die kennisgewing).

Volledige besonderhede en planne (as daar is) kan gedurende gewone kantoorure geïnspekteer word by die Munisipale kantore soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf die datum van eerste publikasie van die kennisgewing in die Provinsiale Koerant, Beeld en Citizen koerante.

Adres van Munisipale Kantore: Kamer F16, Hoek van Basden- en Rabie strate, Centurion Munisipale Kantore

Sluitingsdatum vir enige beswaar(e) en/of kommentaar(e): 5 April 2017.

Adres van agent: UrbanSmart Planning Studio (Pty) Ltd; P.O. Box 66465, Woodhill, Pretoria, 0076; 9 Warren Hills Close, Woodhill, Pretoria. Tel: (082) 737 2422 Fax: (086) 582 0369. Ref: R443

Dag waarop die kennisgewing sal verskyn: 8 Maart 2017 en 15 Maart 2017

Ref no: CPD 9/2/4/2-4102T

Item No: 26408

NOTICE 401 OF 2017**NOTICE OF APPLICATION FOR AMENDMENT OF LAND USE SCHEME IN TERMS OF SECTION 21 OF THE CITY OF JOHANNESBURG MUNICIPAL PLANNING BY-LAW, 2016**

We, Guy Balderson Town Planners, being the authorised agents of the owners of Erf 8172 Kensington Ext 9 and Erf 8173 Kensington Ext 10, hereby give notice of an application made in terms of section 21 of the City of Johannesburg Municipal Planning By-Law, 2016 for the amendment of the land use scheme by the rezoning of the properties described above, situated at No 9 Smith Road (cnr Langermann Drive), Kensington from "Residential 3" in terms of amendment schemes 13-13805 and 13-13804 respectively to "Residential 4", including a crèche, restaurant and convenience shop for bona fide residents, 7 storeys, 120 dwelling units per hectare, an increase in coverage and floor area and a relaxation of parking, subject to certain conditions.

Particulars of the application will lie for inspection during office hours at the offices of the City of Johannesburg, Executive Director: Development Planning, 8th Floor, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Objections, comments or representations in respect of the relevant application must be submitted in writing to the City of Johannesburg, Executive Director: Development Planning either by hand at the abovementioned address; by registered mail to PO Box 30733, Braamfontein, 2017; by fax to 0113394000 or by email to benp@joburg.org.za within a period of 28 days from **15 March 2017**.

Address of agent: Guy Balderson Town Planners, PO Box 76227, Wendywood, 2144, Tel: 0116564394, Fax: 0866067933, Email: guy@gbtp.co.za

NOTICE 402 OF 2017



NOTICE IN TERMS OF SECTION 41 AND SECTION 21 OF THE CITY OF JOHANNESBURG

MUNICIPAL PLANNING BY-LAW, 2016

JOHANNESBURG TOWN PLANNING SCHEME, 1979

APPLICABLE SCHEME: Johannesburg Town Planning Scheme, 1979

Notice is hereby given, in terms of Sections 21 and 41 of the City of Johannesburg Municipal Planning By-Law, 2016, that we, the undersigned, intend to apply to the City of Johannesburg for an amendment to the land use scheme and simultaneous removal of restrictive conditions.

SITE DESCRIPTION:

Erven Nos: Erf 44

Township: Melrose Estate

Street Address: No. 1 Eighth Street, Melrose Estate

APPLICATION TYPE:

Simultaneous rezoning and removal of restrictive title conditions.

APPLICATION PURPOSES:

Amend the land use rights from "Residential 1" to "Business 4" subject to certain conditions, as well as to remove certain restrictive conditions from the Title Deed.

The above application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the agent and the Registration Section of the Department of Development Planning at the above address, or posted to P.O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an email send to benp@joburg.org.za, by not later than 12 April 2017.

AUTHORISED AGENT:

Name: KIPD (Pty) Ltd

Postal Address: P.O. Box 52287 Saxonwold, 2132

Physical Address: Ground Floor, Henley House, Greenacres Office Park, 13 Victory Road, Victory Park, 2195

Tel: (011) 888 8685 Fax: 086 641 7768 Cell: 082 574 9318

Email address: saskia@kipd.co.za

DATE: 15 March 2017

NOTICE 403 OF 2017**PERI URBAN AREAS
TOWN PLANNING SCHEME, 1975**

I, Schalk Willem Botes, being the authorized agent of the owner of Erf 2667 Eye of Africa Extension 1, hereby give notice in terms of Section 56 (1)(b)(i) of the Town Planning and Townships Ordinance 1986, read with Section 2(2) of the Spatial Planning and Land Use Management Act, 2013, that I applied to the Midvaal Local Municipality for the amendment of the town planning scheme known as Peri Urban Areas Town Planning Scheme, 1975, by the rezoning of the above property situated on the north-western corner of Finch Street and Heron Crescent in the Eye of Africa Golf- and Residential Estate, from "Residential 1" with a density of one dwelling per erf to "Residential 1" with a density of one dwelling per 700m², to allow the subdivision of the erf into two portions.

Particulars of the application lie for inspection during normal office hours at Midvaal Local Municipality: Executive Director: Department of Development Planning, Room 101, at 25 Mitchelle Street, Meyerton, 1961 Midvaal, for a period of 28 days from 15 March 2017.

Objections to or representations in respect to the application must be lodged with or made in writing and in duplicate to the Executive Director at the above address or at P.O. Box 9, Meyerton, 1960 and the agent, within a period of 28 days from 15 March 2017.

Agent: Schalk Botes Town Planner P.O. Box 975 North Riding 2162
Tel: 011-793-5441 Fax: 086-508-5714 sbtp@mweb.co.za www.sbtownplanners

15-22

KENNISGEWING 403 VAN 2017**PERI URBAN AREAS
DORPSBEPLANNINGSKEMA, 1975**

Ek, Schalk Willem Botes, synde die gemagtigde agent van die eienaar van Erf 2667 Eye of Africa Uitbreiding 1, gee hiermee ingevolge Artikel 56(1)(b)(i) van die Ordonansie op Dorpsbeplanning en Dorpe, 1986, saam gelees met Artikel 2(2) van die Spatial Planning and Land Use Management Act, 2013, kennis dat ek by die Midvaal Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die dorpsbeplanningskema bekend as Peri Urban Areas Dorpsbeplanningskema, 1975, deur die hersonering van bogenoemde eiendom geleë op die noordwestelike hoek van Finchstraat en Heron Crescent in die Eye of Africa Golf- en Residensiele Landgoed vanaf "Residensieel 1" met 'n digtheid van een woonhuis per erf na "Residensieel 1" met 'n digtheid van een woonhuis per 700m², teneinde die onderverdeling van die erf in twee gedeeltes toe te laat.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by Midvaal Plaaslike Munisipaliteit, Uitvoerende Direkteur: Ontwikkelingsbeplanning, Kamer 101, te 25 Mitchellestraat, Meyerton, 1961, Midvaal, vir 'n tydperk van 28 dae vanaf 15 Maart 2017.

Besware teen of vertoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 15 Maart 2017 en in tweevoud by die Uitvoerende Direkteur by bovermelde adres of by Posbus 9, Meyerton, 1960, asook die agent, ingedien of gerig word.

Agent: Schalk Botes Stadsbeplanner Posbus 975 North Riding 2162
Tel: (011) 793-5441 Faks: 086-508-5714 sbtp@mweb.co.za www.sbtownplanners

15-22

PROCLAMATION • PROKLAMASIE

PROCLAMATION 35 OF 2017**EKURHULENI METROPOLITAN MUNICIPALITY****GAUTENG REMOVAL OF RESTRICTIONS ACT, 1996 (ACT NO 3 OF 1996)****ERF 405 NIGEL TOWNSHIP**

Notice is hereby given, in terms of Section 6(8) of the Gauteng Removal of Restrictions Act, (Act 3 of 1996), that the EKURHULENI METROPOLITAN MUNICIPALITY approved the application in terms of Section 3(1) of said Act, that; Condition(s) (a) up to and including (l) contained in Deed of Transfer T65110/91, be removed.

Dr I. Mashazi.,
City Manager
2nd Floor, Head Office Building,
Cnr Cross & Roses Streets,
Germiston

Notice No. ____/2017

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 168 OF 2017**HALFWAY HOUSE AND CLAYVILLE AMENDMENT SCHEME, 1976**

Notice is hereby given in terms of Section 26 of the City of Johannesburg Municipality Planning By-Law, 2016, that I, the undersigned, Robert Bremner Fowler of Rob Fowler & Associates Consulting Town & Regional Planners, intend to apply to the City of Johannesburg for the township establishment of a township on behalf of the registered owner, Kervan Development (Proprietary) Limited.

SITE DESCRIPTION:

Portion 185 of the farm Allandale 10-IR

Street Address : 7 West Road, President Park AH

APPLICATION TYPE:

Proposed new township establishment: **PESIDENT PARK EXTENSION 71**

APPLICATION PURPOSE:

It is proposed that the township will consist of 2 : "Residential 3" erven at a density of 60 dwelling units per hectare, subject to certain conditions. Height 3 Storeys FSR 0,6 Coverage 30%.

The above-mentioned application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objections or representation with regard to the application must be submitted to both the owner/agent and the Registration Section of the Department of Development Planning at the above-address, or posted to PO Box 30733, Braamfontein, 2017 or by facsimile sent to (011) 339 4000, or by an e-mail sent to benp@joburg.org.za by not later than 5 April, 2017.

Date of first advertisement : 8 March, 2017

Address of owner: c/o **Rob Fowler & Associates** (Consulting Town & Regional Planners) PO Box 1905, Halfway House, 1685 Tel. 011 238 7937/45 Fax. 086 672 4932 robf0208@gmail.com Ref No. R2706

08-15

PROVINCIAL NOTICE 172 OF 2017

HALFWAY HOUSE AND CLAYVILLE AMENDMENT SCHEME, 1976

Notice is hereby given in terms of Section 21 of the City of Johannesburg Municipality Planning By-Law, 2016, that I, the undersigned, Robert Bremner Fowler of Rob Fowler & Associates Consulting Town & Regional Planners intend to apply to the City of Johannesburg on behalf of the registered owner, Nasser Associates Proprietary Limited, for an amendment to the land use scheme.

SITE DESCRIPTION:

Erven 3 and 4, Randjespark Estate Extension 1

Street Address : 115, Graham Road, Glen Austin AH

APPLICATION TYPE:

Amendment of the Town Planning Scheme in operation.

APPLICATION PURPOSE:

For the rezoning of the properties from “**Special**” for Offices and a conference centre, subject to certain conditions: FSR 0,3 Coverage 30% Height 2 storeys **TO “Residential 3”** at a density of 100 dwelling units per hectare permitting the development of a maximum of 389 residential units subject to certain conditions FSR 0,6 Coverage 30% Height 4 storeys.

The above-mentioned application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objections or representation with regard to the application must be submitted to both the owner/agent and the Registration Section of the Department of Development Planning at the above-address, or posted to PO Box 30733, Braamfontein, 2017 or by facsimile sent to (011) 339 4000, or by an e-mail sent to benp@joburg.org.za by not later than 5 April, 2017.

Date of first advertisement : 8 March, 2017

Address of owner: c/o **Rob Fowler & Associates** (Consulting Town & Regional Planners) PO Box 1905, Halfway House, 1685 Tel. 011 238 7937/45 Fax. 086 672 4932 robf0208@gmail.com Ref No. R2703

PROVINCIAL NOTICE 173 OF 2017

NOTICE IN TERMS OF SECTION 5[5] OF THE GAUTENG REMOVAL OF RESTRICTIONS ACT, 1996 [ACT NO 3 OF 1996] READ IN CONJUNCTION WITH THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 [ACT 16 OF 2013] [SPLUMA]

We, Plan-Enviro CC and D. Erasmus being the authorised agents of the owner of Portion 142, Kleinfontein 67-IR which property is situated at 4 West Street Kleinfontein 67-IR Benoni hereby give notice in terms of Section 5[5] of the Gauteng Removal of Restrictions Act, 1996 [Act 3 of 1996] read in conjunction with the Spatial Planning and Land Use Management Act, 2013 [Act 16 of 2013] [SPLUMA] that we have applied to Ekurhuleni Metropolitan Municipality, Benoni for the Removal of Certain Conditions contained in Title Deed No. T0103494/2014 of the above mentioned property [Condition [2] Page2]. The purpose is to remove the condition to enable the development of a place of public worship. Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager: City Planning, Benoni Customer Care Centre, Treasury Building, 6th Floor, Room 601, Corner of Tom Jones and Elston Avenue, Benoni, 1500 for the period of 28 days from 8 March 2017. Objections to or representations in respect of the application must be lodged with or made in writing to the applicant and the Area Manager: City Planning Department, at the above address or at Private Bag X014, Benoni, 1500 within a period of 28 days from 8 March 2017

Address of Agent: Plan-Enviro CC and D. Erasmus, P O Box 101642, Moreleta Plaza, 0167 Tel/Fax: 012 9930115

E-mail: aps@mweb.co.za

8-15

PROVINSIALE KENNISGEWING 173 VAN 2017

KENNISGEWING INGEVOLGE ARTIKEL 5[5] VAN DIE GAUTENG WET OP OPHEFFING VAN BEPERKINGS, 1996 [WET 3 VAN 1996]. SAAMGELEES MET DIE BETROKKE BEPALINGS VAN DIE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBEHEER BESTUUR WET, 2013 [WET 16 VAN 2013].

Ons, Plan-Enviro Bk en D. Erasmus synde die gemagtigde agent van die eienaar van Gedeelte 142, Kleinfontein 67-IR geleë te 4 Weststraat Kleinfontein 67-IR Benoni gee hiermee ingevolge artikel 5[5] van die Gauteng Wet op Opheffing van Beperkings, 1996 [Wet 3 van 1996], saamgelees met die toepaslike bepalings van die Ruimtelike Beplanning en Grondgebruikbestuur Wet, 2013 [Wet 16 van 2013] kennis dat ons by die Ekurhuleni Metropolitaanse Munisipaliteit, Benoni Diensleweringssentrum aansoek gedoen het vir die opheffing van beperkende voorwaardes in die titelakte nommer T0103494/2014 van die bovermelde eiendom [Voorwaarde [2], Bladsy 2]. Die doel is om die voorwaarde te skrap om die ontwikkeling van 'n plek van openbare godsdienst moontlik te maak. Besonderhede van die aansoek lê ter insae gedurende kantoorure by die kantoor van die Munisipale Bestuurder, Stedelike Beplanning, Benoni Diensleweringssentrum Tesourie Gebou, 6de Vloer, Kamer 601, op die hoek van Tom Jones en Elstonlaan, vir 'n tydperk van 28 dae vanaf 8 Maart 2017, Besware teen of verhoë ten opsigte van die aansoek moet sodanige beswaar of voorlegging op skrif aan die applikant en die Area Bestuurder, Stedelike Beplanning by bovermelde adres of by Privaatsak X 014, Benoni, 1500 vanaf 8 Maart 2017. Naam en adres van agent: D. Erasmus en Plan-Enviro Bk, Posbus 101642, Moreleta Plaza, 0167. Tel/Faks: [012] 9930115 E-pos: aps@mweb.co.za

8-15

PROVINCIAL NOTICE 174 OF 2017

**NOTICE IN TERMS OF SECTION 6 (1) OF THE DIVISION OF LAND ORDINANCE, 1986 (ORDINANCE No. 20 of 1986)
READ WITH THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)**

The Lesedi Local Municipality hereby gives notice in terms of Section 6 (1) of the Division of Land Ordinance, 1986, read with the Spatial Planning and Land Use Management Act, 2013 (SPLUMA) as far as it has relevance, that an application to divide the land described hereunder into one hundred thirty four portions has been received :

Remainder of Portion 11 of the Farm ~~Kaferkraal~~ 381-IR. Located along the R42, Heidelberg Vereeniging Road (which runs east-west), and one Portion to the west of where the Schikfontein Road (which runs north-south) meets the R42.

Further particulars of the application are open for inspection during normal office hours at the office of the Executive Director: LED & Planning, 1 HF Verwoerd Street, Civic Centre Building, Heidelberg.

Any person who wishes to object to or make representations in respect of the application shall submit his objection or representations in writing and in duplicate to the above address or to P.O. Box 201, Heidelberg. Gauteng, 1438 and the undersigned, within a period of 28 days from the date of the first publication of this notice.

NAME AND ADDRESS OF AGENT:

Plans Central Architectural Design, Professional Services, 17 Latona Street, Kensington, JHB, 2094 Tel : (011) 616-2925 Cell 071 686 2936 E-Mail: planscentral1@gmail.com

Dates on which notices will be published:

8 March 2017 and 15 March 2017 (Provincial Gazette - Gauteng)

15 February 2017 and 22 February 2017 (Local Newspaper - Heidelberg Heraut)

8-15

PROVINSIALE KENNISGEWING 174 VAN 2017**KENNISGEWING INGEVOLGE DIE BEPALINGS VAN ARTIKEL 6(1) VAN DIE ORDINNANSIE OP VERDELING VAN GROND, 1986
(ORDONNANSIE No. 20 van 1986) SAAMGELEES MET RUIMTELIKE BEPLANNING AND GRONDGEBRUIK
BESTUUR WET, 2013 (WET 16 VAN 2013)**

Die Lesedi Plaaslike Munisipaliteit gee hiermee ingevolge artikel 6 (1) van die Ordinnansie op Verdeling van Grond, 1986, saamgelees met Ruimtelike Beplanning en Grondgebruik Bestuur Wet, 2013 (SPLUMA), in soverre dit van toepassing is, kennis dat 'n aansoek ontvang is om die grond hieronder beskryf in een honderd vier en dertig gedeeltes te verdeel:

Restant van Porsie 11 van die plaas ~~Kafferskraal~~ 381-IR, geleë te een porsie wes van die Schikfontein Pad, (wat noord - suid loop) waar die pad teen die R42 (wat oos - wes loop) (Heidelberg – Vereeniging Pad) loop,.

Verdere besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, 1 HF Verwoerd Straat, Stadsraad Gebou, Heidelberg.

Enige persoon wat teen die aansoek wil beswaar maak of vertoe in verband daarmee wil rig, moet sy besware of vertoe skriftelik en tweenvoud by die bovermelde adres of by Posbus 201, Heidelberg, Gauteng, 1438 te enige tyd binne 'n tydperk van 28 dae vanaf die datum van eerste publikasie van hierdie kennisgewing indien.

NAAM EN ADRES VAN AGENT:

Plans Central Architectural Design, Professional Services, 17 Latona Street, Kensington, JHB, 2094 Tel : (011) 616-2925 Cell 071 686 2936 E-Pos: planscentral1@gmail.com

Datums waarop kennisgewing gepubliseer gaan word:

8 Maart 2017 en 15 Maart 2017 (Provinsiale Gazette - Gauteng)

15 Februarie 2017 en 22 Februarie 2017 (Plaaslike Koerant - Heidelberg Heraut)

8-15

PROVINCIAL NOTICE 176 OF 2017

CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF A TOWNSHIP IN TERMS OF SECTION 16(4) OF
THE CITY OF TSHWANE LAND USE MANAGEMENT BYLAW, 2016
PROPOSED CULLINAN EXTENSION 2

I, J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of the firm J Paul van Wyk Urban Economists & Planners cc being the applicant hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management Bylaw, 2016 that I have applied to the City of Tshwane Metropolitan Municipality for the establishment of the township in terms of Section 16(4) of the City of Tshwane Land Use Management Bylaw, 2016, referred to in the Annexure hereto. Any objection(s) and / or comment(s), including the grounds for such objection(s) and / or comment(s) with full contact details without which the Municipality cannot correspond with the person or body submitting the objection(s) and / or comment(s), shall be lodged with, or made in writing to the Strategic Executive Director: City Planning and Development, P O Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 08 March until 06 April 2017. Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette, Beeld and Citizen newspapers. Address of Municipal Offices: Room 4, Lower Ground Level, Isivuno House, 143 Lilian Ngoyi Street, Pretoria. Closing date for any objections and / or comments: 06 April 2017. Address of applicant: P O Box 11522, Hatfield, 0028; 50 Tshilonde Street, Pretorius Park Extension 13, Tshwane. Telephone: (012) 996-0097, Fax: (086) 684-1263 or Email: airtaxi@mweb.co.za. Notice publication dates: 08 and 15 March 2017.

ANNEXURE

Name of township: Cullinan Extension 2. Full name of applicant: J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of J Paul van Wyk Urban Economists and Planners cc. Number of erven, proposed zoning and development control measures: 179 erven to respectively be zoned as Residential 1 at one dwelling per 200m² (142 erven) for bonded housing; Residential 1 at one dwelling per 180m² (30 erven) for gap housing (entry level); Residential 5 at 140 dwelling-units per hectare (4 erven) for social housing (medium-rise walk-ups); Institutional at a floor area ratio (FAR) of 0,3 (1 erf) for community facility purposes; Public open space (1 erf) for park purposes; Municipal (1 erf) for purposes of agriculture, farm stall, public open space, municipal purposes & sports facilities and Proposed streets and widenings for public roads / streets. Intention of applicant: To provide a variety of housing typologies to the lower to middle income market segment as part of a mixed-use integrated human settlement project comprising Cullinan Extensions 2 and 5 to 12. Property description and locality: A certain part of Portion 86 of the farm 475-JR with geographical coordinates of overall land-portion being 25° 38' 56,54" South and 28° 32' 57,19" East. The property is situated between Cullinan town (south) and Refilwe town (north), to the east of Colin Road / Provincial Road D25 (K169-route), to the northeast of the Pretoria central business district, approximately 8 km north of Rayton town. Reference: CPD9/2/4/2-4066T Item No:26277

8-15

PROVINSIALE KENNISGEWING 176 VAN 2017**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN AANSOEK VIR DORPSTIGTING IN TERME VAN ARTIKEL 16(4) VAN DIE STAD VAN
TSHWANE GRONDGEBRUIKSBESTUUR BYWET, 2016
VOORGESTELDE CULLINAN UITBREIDING 2**

Ek, J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van die firma J Paul van Wyk Stedelike Ekonomie & Beplanners bk synde die aansoeker, gee hiermee ingevolge Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 kennis dat ek by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die stigting van die dorp ingevolge Artikel 16(4) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 na verwys in die Bylae hiertoe. Enige beswaar / -are en/of kommentaar /-are, met volledige kontakbesonderhede waarsonder die Munisipaliteit nie met die persoon of liggaam wat die beswaar /-are en/of kommentaar / -are indien kan korrespondeer nie, sal ingedien word by of gerig word aan die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of na CityP_Registration@tshwane.gov.za vanaf 08 Maart tot 06 April 2017. Volledige besonderhede en planne (indien enige) mag nagegaan word gedurende gewone kantoorure by die Munisipale kantore soos onder uiteengesit, vir 'n 28 dae periode vanaf die eerste publikasie van die kennisgewing in die Provinsiale Koerant, Beeld en Citizen koerante. Adres van Munisipale Kantore: Kamer 4 Laer Grondvlak, Isivuno Huis, Lilian Ngoyistraat 143, Pretoria. Sluitingsdatum vir enige besware en/of kommentare: 06 April 2017. Adres van aansoeker: Posbus 11522, Hatfield, 0028; Tshilondestraat 50, Pretoriuspark Uitbreiding 13, Tshwane. Telefoon: (012) 996-0097, Faks: (086) 684-1263 of Epos: airtaxi@mweb.co.za. Kennisgewing publikasie-datums: 08 en 15 Maart 2017.

BYLAE

Naam van dorp: Cullinan Uitbreiding 2. Volle naam van aansoeker: J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van J Paul van Wyk Stedelike Ekonomie en Beplanners bk. Getal erwe, voorgestelde sonering en ontwikkelingsbeheermaatreëls: 179 erwe om onderskeidelik gesoneer te word as Residensieël 1 teen een woonhuis per 200 m², (142 erwe) vir verband-behuising; Residensieël 1 teen een woonhuis per 180m² (30 erwe) vir intree-vlak gapingshuising; Residensieël 5 teen 140 wooneenhede per hektaar (4 erwe) vir maatskaplike behuising (medium-hoogte op-stap geboue); Institusioneel teen 'n vloeroppervlakverhouding (VOV) van 0,3 (1 erf) vir gemeenskapsfasiliteitsdoeleindes; Openbare oopruimte (1 erf) vir park doeleindes; Munisipaal (1 erf) vir die doeleindes van landbou, plaasstal, openbare oopruimte, munisipale doeleindes en sportfasiliteite en Voorgestelde strate en verbredings vir openbare paaie / strate. Bedoeling van aansoeker: Om 'n verskeidenheid behuisingstipes te voorsien vir die laag- tot middelinkomste marksegment as deel van 'n gemengde-gebruik geïntegreerde menslike nedersettingsprojek bestaande uit Cullinan Uitbreidings 2 en 5 tot 12. Eiendomsbeskrywing en ligging: 'n Sekere gedeelte van Gedeelte 86 van die plaas 475-JR met geografiese koördinate van die algehele grondgedeelte as 25° 38' 56,54" Suid en 28° 32' 57,19" Oos. Die eiendom is geleë tussen Cullinan dorp (suid) en Refilwe dorp (noord), ten ooste van Colinweg / Provinsiale Pad D25 (K169-roete), ten noord-ooste van Pretoria sentrale sakegebied, ongeveer 8 km noord van Rayton dorp . Verwysing: CPD9/2/4/2-4066T Item No:26277

8-15

PROVINCIAL NOTICE 177 OF 2017

CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF A TOWNSHIP IN TERMS OF SECTION 16(4) OF
THE CITY OF TSHWANE LAND USE MANAGEMENT BYLAW, 2016
PROPOSED CULLINAN EXTENSION 5

I, J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of the firm J Paul van Wyk Urban Economists & Planners cc being the applicant hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management Bylaw, 2016 that I have applied to the City of Tshwane Metropolitan Municipality for the establishment of the township in terms of Section 16(4) of the City of Tshwane Land Use Management Bylaw, 2016, referred to in the Annexure hereto. Any objection(s) and / or comment(s), including the grounds for such objection(s) and / or comment(s) with full contact details without which the Municipality cannot correspond with the person or body submitting the objection(s) and / or comment(s), shall be lodged with, or made in writing to the Strategic Executive Director: City Planning and Development, P O Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 08 March until 06 April 2017. Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette, Beeld and Citizen newspapers. Address of Municipal Offices: Room 4, Lower Ground Level, Isivuno House, 143 Lilian Ngoyi Street, Pretoria. Closing date for any objections and / or comments: 06 April 2017. Address of applicant: P O Box 11522, Hatfield, 0028; 50 Tshilonde Street, Pretorius Park Extension 13, Tshwane. Telephone: (012) 996-0097, Fax: (086) 684-1263 or Email: airtaxi@mweb.co.za. Notice publication dates: 08 and 15 March 2017.

ANNEXURE

Name of township: Cullinan Extension 5. Full name of applicant: J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of J Paul van Wyk Urban Economists and Planners cc. Number of erven, proposed zoning and development control measures: 327 erven to respectively be zoned as Residential 1 at one dwelling-house per 200m² (273 erven) for bonded housing; Residential 1 at one dwelling-house 180m² (50 erven) for entry-level gap housing; Public open space (1 erf) for park purposes; Municipal (3 erven) for purposes of agriculture, farm stall, public open space, municipal purposes & sports facilities and Proposed streets and widenings for public roads / streets. Intention of applicant: To provide a variety of housing typologies to the lower to middle income market segment as part of a mixed-use integrated human settlement project comprising Cullinan Extensions 2 and 5 to 12. Property description and locality: A certain part of Portion 86 of the farm 475-JR with geographical coordinates of overall land-portion being 25° 38' 56,54" South and 28° 32' 57,19" East. The property is situated between Cullinan town (south) and Refilwe town (north), to the east of Colin Road / Provincial Road D25 (K169-route), to the northeast of the Pretoria central business district, approximately 8 km north of Rayton town. Reference: CPD9/2/4/2-4062T Item No: 26272

8-15

PROVINSIALE KENNISGEWING 177 VAN 2017**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN AANSOEK VIR DORPSTIGTING IN TERME VAN ARTIKEL 16(4) VAN DIE STAD VAN
TSHWANE GRONDGEBRUIKSBESTUUR BYWET, 2016
VOORGESTELDE CULLINAN UITBREIDING 5**

Ek, J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van die firma J Paul van Wyk Stedelike Ekonomie & Beplanners bk synde die aansoeker, gee hiermee ingevolge Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 kennis dat ek by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die stigting van die dorp ingevolge Artikel 16(4) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 na verwys in die Bylae hiertoe. Enige beswaar / -are en/of kommentaar /-are, met volledige kontakbesonderhede waarsonder die Munisipaliteit nie met die persoon of liggaam wat die beswaar /-are en/of kommentaar / -are indien kan korrespondeer nie, sal ingedien word by of gerig word aan die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of na CityP_Registration@tshwane.gov.za vanaf 08 Maart tot 06 April 2017. Volledige besonderhede en planne (indien enige) mag nagegaan word gedurende gewone kantoorure by die Munisipale kantore soos onder uiteengesit, vir 'n 28 dae periode vanaf die eerste publikasie van die kennisgewing in die Provinsiale Koerant, Beeld en Citizen koerante. Adres van Munisipale Kantore: Kamer 4 Laer Grondvlak, Isivuno Huis, Lilian Ngoyistraat 143, Pretoria. Sluitingsdatum vir enige besware en/of kommentare: 06 April 2017. Adres van aansoeker: Posbus 11522, Hatfield, 0028; Tshilondestraat 50, Pretoriuspark Uitbreiding 13, Tshwane. Telefoon: (012) 996-0097, Faks: (086) 684-1263 of Epos: airtaxi@mweb.co.za. Kennisgewing publikasie-datums: 08 en 15 Maart 2017.

BYLAE

Naam van dorp: Cullinan Uitbreiding 5. Volle naam van aansoeker: J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van J Paul van Wyk Stedelike Ekonomie en Beplanners bk. Getal erwe, voorgestelde sonering en ontwikkelingsbeheermaatreëls: 327 erwe om onderskeidelik gesoneer te word as Residensieël 1 teen een woonhuis per 200m² (273 erwe) vir verband-behuising; Residensieël 1 teen een woonhuis per 180m² (50 erwe) vir intree-vlak gapingsbehuising; Openbare oopruimte (1 erf) vir park doeleindes; Munisipaal (3 erwe) vir doeleindes van landbou, plaasstal, openbare oopruimte, munisipale doeleindes & sportfasiliteite en Voorgestelde strate en verbredings vir openbare paaie / strate. Bedoeling van aansoeker: Om 'n verskeidenheid behuisingstipes te voorsien vir die laag- tot middelinkomste marksegment as deel van 'n gemengde-gebruik geïntegreerde menslike nedersettingsprojek bestaande uit Cullinan Uitbreidings 2 en 5 tot 12. Eiendomsbeskrywing en ligging: 'n Sekere gedeelte van Gedeelte 86 van die plaas 475-JR met geografiese koördinate van die algehele grondgedeelte as 25° 38' 56,54" Suid en 28° 32' 57,19" Oos. Die eiendom is geleë tussen Cullinan dorp (suid) en Refilwe dorp (noord), ten ooste van Colinweg / Provinsiale Pad D25 (K169-roete), ten noord-ooste van Pretoria sentrale sakegebied, ongeveer 8 km noord van Rayton dorp . Verwysing: CPD9/2/4/2-4062T Item No: 26272

8-15

PROVINCIAL NOTICE 178 OF 2017

CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF A TOWNSHIP IN TERMS OF SECTION 16(4) OF
THE CITY OF TSHWANE LAND USE MANAGEMENT BYLAW, 2016
PROPOSED CULLINAN EXTENSION 6

I, J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of the firm J Paul van Wyk Urban Economists & Planners cc being the applicant hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management Bylaw, 2016 that I have applied to the City of Tshwane Metropolitan Municipality for the establishment of the township in terms of Section 16(4) of the City of Tshwane Land Use Management Bylaw, 2016, referred to in the Annexure hereto. Any objection(s) and / or comment(s), including the grounds for such objection(s) and / or comment(s) with full contact details without which the Municipality cannot correspond with the person or body submitting the objection(s) and / or comment(s), shall be lodged with, or made in writing to the Strategic Executive Director: City Planning and Development, P O Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 08 March until 06 April 2017. Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette, Beeld and Citizen newspapers. Address of Municipal Offices: Room 4, Lower Ground Level, Isivuno House, 143 Lilian Ngoyi Street, Pretoria. Closing date for any objections and / or comments: 06 April 2017. Address of applicant: P O Box 11522, Hatfield, 0028; 50 Tshilonde Street, Pretorius Park Extension 13, Tshwane. Telephone: (012) 996-0097, Fax: (086) 684-1263 or Email: airtaxi@mweb.co.za. Notice publication dates: 08 and 15 March 2017.

ANNEXURE

Name of township: Cullinan Extension 6. Full name of applicant: J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of J Paul van Wyk Urban Economists and Planners cc. Number of erven, proposed zoning and development control measures: 6 erven to respectively be zoned Educational at a floor area ratio (FAR) of 0,15 (2 erven) for school purposes; Residential 5 at 140 dwelling-units per hectare (4 erven) for social housing purposes (medium-rise walk-ups) and Proposed streets and widenings for public roads / streets. Intention of applicant: To provide social housing to be subsidized for less well-off members of the community as well as school sites in support of future families to reside in the township and the mixed-use integrated human settlement project comprising Cullinan Extensions 2 and 5 to 12. Property description and locality: A certain part of Portion 86 of the farm 475-JR with geographical coordinates of overall land-portion being 25° 38' 56,54" South and 28° 32' 57,19" East. The property is situated between Cullinan town (south) and Refilwe town (north), to the east of Colin Road / Provincial Road D25 (K169-route), to the northeast of the Pretoria central business district, approximately 8 km north of Rayton town. Reference: CPD9/2/4/2-4058T Item No: 26267

8-15

PROVINSIALE KENNISGEWING 178 VAN 2017**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN AANSOEK VIR DORPSTIGTING IN TERME VAN ARTIKEL 16(4) VAN DIE STAD VAN
TSHWANE GRONDGEBRUIKSBESTUUR BYWET, 2016
VOORGESTELDE CULLINAN UITBREIDING 6**

Ek, J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van die firma J Paul van Wyk Stedelike Ekonomie & Beplanners bk synde die aansoeker, gee hiermee ingevolge Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 kennis dat ek by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die stigting van die dorp ingevolge Artikel 16(4) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 na verwys in die Bylae hiertoe. Enige beswaar / -are en/of kommentaar /-are, met volledige kontakbesonderhede waarsonder die Munisipaliteit nie met die persoon of liggaam wat die beswaar /-are en/of kommentaar / -are indien kan korrespondeer nie, sal ingedien word by of gerig word aan die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of na CityP_Registration@tshwane.gov.za vanaf 08 Maart tot 06 April 2017. Volledige besonderhede en planne (indien enige) mag nagegaan word gedurende gewone kantoorure by die Munisipale kantore soos onder uiteengesit, vir 'n 28 dae periode vanaf die eerste publikasie van die kennisgewing in die Provinsiale Koerant, Beeld en Citizen koerante. Adres van Munisipale Kantore: Kamer 4 Laer Grondvlak, Isivuno Huis, Lilian Ngoyistraat 143, Pretoria. Sluitingsdatum vir enige besware en/of kommentare: 06 April 2017. Adres van aansoeker: Posbus 11522, Hatfield, 0028; Tshilondestraat 50, Pretoriuspark Uitbreiding 13, Tshwane. Telefoon: (012) 996-0097, Faks: (086) 684-1263 of Epos: airtaxi@mweb.co.za. Kennisgewing publikasie-datums: 08 en 15 Maart 2017.

BYLAE

Naam van dorp: Cullinan Uitbreiding 6. Volle naam van aansoeker: J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van J Paul van Wyk Stedelike Ekonomie en Beplanners bk. Getal erwe, voorgestelde sonering en ontwikkelingsbeheermaatreëls: 6 erwe om onderskeidelik gesoneer te word as Opvoedkundig met 'n vloeroppervlakverhouding (VOV) van 0,15 (2 erwe) vir doeleindes van skole; Residensieël 5 teen 140 wooneenhede per hektaar (4 erwe) vir maatskaplike behuisingsdoeleindes (medium-hoogte op-stap geboue) en Voorgestelde strate en verbredings vir openbare paaie en strate. Bedoeling van aansoeker: Om maatskaplike behuisering om gesubsidieer te word vir minder-welvarende lede van die gemeenskap te voorsien sowel as skoolpersele ter ondersteuning van toekomstige gesinne om te woon in die dorp asook in die gemengde-gebruik menslike nedersettingsprojek bestaande uit Cullinan Uitbreidings 2 en 5 tot 12. Eiendomsbeskrywing en ligging: 'n Sekere gedeelte van Gedeelte 86 van die plaas 475-JR met geografiese koördinate van die algehele grondgedeelte as 25° 38' 56,54" Suid en 28° 32' 57,19" Oos. Die eiendom is geleë tussen Cullinan dorp (suid) en Refilwe dorp (noord), ten ooste van Colinweg / Provinsiale Pad D25 (K169-roete), ten noord-ooste van Pretoria sentrale sakegebied, ongeveer 8 km noord van Rayton dorp. Verwysing: CPD9/2/4/2-4058T Item No: 26267

8-15

PROVINCIAL NOTICE 179 OF 2017

CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF A TOWNSHIP IN TERMS OF SECTION 16(4) OF THE
CITY OF TSHWANE LAND USE MANAGEMENT BYLAW, 2016
PROPOSED CULLINAN EXTENSION 7

I, J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of the firm J Paul van Wyk Urban Economists & Planners cc being the applicant hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management Bylaw, 2016 that I have applied to the City of Tshwane Metropolitan Municipality for the establishment of the township in terms of Section 16(4) of the City of Tshwane Land Use Management Bylaw, 2016, referred to in the Annexure hereto. Any objection(s) and / or comment(s), including the grounds for such objection(s) and / or comment(s) with full contact details without which the Municipality cannot correspond with the person or body submitting the objection(s) and / or comment(s), shall be lodged with, or made in writing to the Strategic Executive Director: City Planning and Development, P O Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 08 March until 06 April 2017. Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette, Beeld and Citizen newspapers. Address of Municipal Offices: Room 4, Lower Ground Level, Isivuno House, 143 Lilian Ngoyi Street, Pretoria. Closing date for any objections and / or comments: 06 April 2017. Address of applicant: P O Box 11522, Hatfield, 0028; 50 Tshilonde Street, Pretorius Park Extension 13, Tshwane. Telephone: (012) 996-0097, Fax: (086) 684-1263 or Email: airtaxi@mweb.co.za. Notice publication dates: 08 and 15 March 2017.

ANNEXURE

Name of township: Cullinan Extension 7. Full name of applicant: J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of J Paul van Wyk Urban Economists and Planners cc. Number of erven, proposed zoning and development control measures: 2 erven to respectively be zoned as Special for purposes of a community centre (clinic & medical consulting rooms) and Residential 5 for social housing purposes (medium-rise walk-ups) and further Proposed streets and widenings for public roads / streets. Intention of applicant: To provide social housing for the less well-off and subservient community facility to serve future families to reside in the township as well as in the mixed-use integrated human settlement project comprising Cullinan Extensions 2 and 5 to 12. Property description and locality: A certain part of Portion 86 of the farm 475-JR with geographical coordinates of overall land-portion being 25° 38' 56,54" South and 28° 32' 57,19" East. The property is situated between Cullinan town (south) and Refilwe town (north), to the east of Colin Road / Provincial Road D25 (K169-route), to the northeast of the Pretoria central business district, approximately 8 km north of Rayton town. Reference: CPD9/2/4/2-4074T Item No: 26292

08-15

PROVINSIALE KENNISGEWING 179 VAN 2017**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN AANSOEK VIR DORPSTIGTING IN TERME VAN ARTIKEL 16(4) VAN DIE STAD VAN
TSHWANE GRONDGEBRUIKSBESTUUR BYWET, 2016
VOORGESTELDE CULLINAN UITBREIDING 7**

Ek, J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van die firma J Paul van Wyk Stedelike Ekonomie & Beplanners bk synde die aansoeker, gee hiermee ingevolge Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 kennis dat ek by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die stigting van die dorp ingevolge Artikel 16(4) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 na verwys in die Bylae hiertoe. Enige beswaar / -are en/of kommentaar /-are, met volledige kontakbesonderhede waaronder die Munisipaliteit nie met die persoon of liggaam wat die beswaar /-are en/of kommentaar / -are indien kan korrespondeer nie, sal ingedien word by of gerig word aan die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of na CityP_Registration@tshwane.gov.za vanaf 08 Maart tot 06 April 2017. Volledige besonderhede en planne (indien enige) mag nagegaan word gedurende gewone kantoorure by die Munisipale kantore soos onder uiteengesit, vir 'n 28 dae periode vanaf die eerste publikasie van die kennisgewing in die Provinsiale Koerant, Beeld en Citizen koerante. Adres van Munisipale Kantore: Kamer 4 Laer Grondvlak, Isivuno Huis, Lilian Ngoyistraat 143, Pretoria. Sluitingsdatum vir enige besware en/of kommentare: 06 April 2017. Adres van aansoeker: Posbus 11522, Hatfield, 0028; Tshilondestraat 50, Pretoriuspark Uitbreiding 13, Tshwane. Telefoon: (012) 996-0097, Faks: (086) 684-1263 of Epos: airtaxi@mweb.co.za. Kennisgewing publikasie-datums: 08 en 15 Maart 2017.

BYLAE

Naam van dorp: Cullinan Uitbreiding 7. Volle naam van aansoeker: J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van J Paul van Wyk Stedelike Ekonomie en Beplanners bk. Getal erwe, voorgestelde sonering en ontwikkelingsbeheermaatreëls: 2 erwe om onderskeidelik gesoneer te word as Spesiaal vir doeleindes van 'n gemeenskapsentrum (kliniek en mediese spreekkamers) en

Residensieël 5 vir maatskaplike behuisingsdoeleindes (medium-hoogte op-stap geboue) en verder Voorgestelde strate en verbredings vir openbare paaie / strate. Bedoeling van aansoeker: Om maatskaplike behuising vir die minder-gegoede lede van die gemeenskap te voorsien, om gesubsidieer te word vir gesinne wat in die toekoms in die dorp sowel as in die geïntegreerde gemengde-gebruik menslike nedersettingsprojek bestaande uit Cullinan Uitbreidings 2 en 5 tot 12 gaan woon. Verder vir die voorsiening van ondersteunende gemeenskapsfasiliteite vir die projek. Eiendomsbeskrywing en ligging: 'n Sekere gedeelte van Gedeelte 86 van die plaas 475-JR met geografiese koördinate van die algehele grondgedeelte as 25° 38' 56,54" Suid en 28° 32' 57,19" Oos. Die eiendom is geleë tussen Cullinan dorp (suid) en Refilwe dorp (noord), ten ooste van Colinweg / Provinsiale Pad D25 (K169-roete), ten noord-ooste van Pretoria sentrale sakegebied, ongeveer 8 km noord van Rayton dorp . Verwysing: CPD9/2/4/2-4074T Item No: 26292

08-15

PROVINCIAL NOTICE 180 OF 2017

CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF A TOWNSHIP IN TERMS OF SECTION 16(4) OF
THE CITY OF TSHWANE LAND USE MANAGEMENT BYLAW, 2016
PROPOSED CULLINAN EXTENSION 8

I, J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of the firm J Paul van Wyk Urban Economists & Planners cc being the applicant hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management Bylaw, 2016 that I have applied to the City of Tshwane Metropolitan Municipality for the establishment of the township in terms of Section 16(4) of the City of Tshwane Land Use Management Bylaw, 2016, referred to in the Annexure hereto. Any objection(s) and / or comment(s), including the grounds for such objection(s) and / or comment(s) with full contact details without which the Municipality cannot correspond with the person or body submitting the objection(s) and / or comment(s), shall be lodged with, or made in writing to the Strategic Executive Director: City Planning and Development, P O Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 08 March until 06 April 2017. Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette, Beeld and Citizen newspapers. Address of Municipal Offices: Room 4, Lower Ground Level, Isivuno House, 143 Lilian Ngoyi Street, Pretoria. Closing date for any objections and / or comments: 06 April 2017. Address of applicant: P O Box 11522, Hatfield, 0028; 50 Tshilonde Street, Pretorius Park Extension 13, Tshwane. Telephone: (012) 996-0097, Fax: (086) 684-1263 or Email: airtaxi@mweb.co.za. Notice publication dates: 08 and 15 March 2017.

ANNEXURE

Name of township: Cullinan Extension 8. Full name of applicant: J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of J Paul van Wyk Urban Economists and Planners cc. Number of erven, proposed zoning and development control measures: 328 erven to respectively be zoned as Residential 1 at a density of 1 dwelling per erf (246 erven) for single dwelling purposes; Residential 1 at a density of 1 dwelling per 150m² (76 erven) for semi-detached housing purposes; Residential 3 at 80 dwelling-units per hectare (3 erven) for row housing purposes; Institutional at a floor area ratio (FAR) of 0,3 (1 erf) for community facility purposes; Special at a floor area ratio (FAR) of 0,4 (1 erf) for purposes of business buildings, showroom, informal market, shop, place of refreshment, place of amusement, retail industry, automatic teller machine, car wash, garden centre, internet café, supermarket and ancillary & subservient uses; Public open space (1 erf) for park purposes and Proposed streets and widening for public roads / streets. Intention of applicant: To provide a variety of housing typologies to the lower to middle income market segment, a park for recreation and subservient shopping and related uses and community facilities to serve future households in the township as well as in the mixed-use integrated human settlement project comprising Cullinan Extensions 2 and 5 to 12. Property description and locality: A certain part of Portion 86 of the farm 475-JR with geographical coordinates of overall land-portion being 25° 38' 56,54" South and 28° 32' 57,19" East. The property is situated between Cullinan town (south) and Refilwe town (north), to the east of Colin Road / Provincial Road D25 (K169-route), to the northeast of the Pretoria central business district, approximately 8 km north of Rayton town. Reference: CPD9/2/4/2-4062T Item No: 26297

8-15

PROVINSIALE KENNISGEWING 180 VAN 2017

**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN AANSOEK VIR DORPSTIGTING IN TERME VAN ARTIKEL 16(4) VAN DIE STAD VAN
TSHWANE GRONDGEBRUIKSBESTUUR BYWET, 2016
VOORGESTELDE CULLINAN UITBREIDING 8**

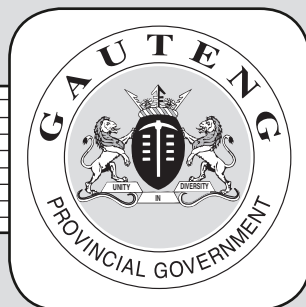
Ek, J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van die firma J Paul van Wyk Stedelike Ekonomie & Beplanners bk synde die aansoeker, gee hiermee ingevolge Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 kennis dat ek by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die stigting van die dorp ingevolge Artikel 16(4) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 na verwys in die Bylae hiertoe. Enige beswaar / -are en/of kommentaar /-are, met volledige kontakbesonderhede waarsonder die Munisipaliteit nie met die persoon of liggaam wat die beswaar /-are en/of kommentaar / -are indien kan korrespondeer nie, sal ingedien word by of gerig word aan die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of na CityP_Registration@tshwane.gov.za vanaf 08 Maart tot 06 April 2017. Volledige besonderhede en planne (indien enige) mag nagegaan word gedurende gewone kantoorure by die Munisipale kantore soos onder uiteengesit, vir 'n 28 dae periode vanaf die eerste publikasie van die kennisgewing in die Provinsiale Koerant, Beeld en Citizen koerante. Adres van Munisipale Kantore: Kamer 4 Laer Grondvlak, Isivuno Huis, Lilian Ngoyistraat 143, Pretoria. Sluitingsdatum vir enige besware en/of kommentare: 06 April 2017. Adres van aansoeker: Posbus 11522, Hatfield, 0028; Tshilondestraat 50, Pretoriuspark Uitbreiding 13, Tshwane. Telefoon: (012) 996-0097, Faks: (086) 684-1263 of Epos: airtaxi@mweb.co.za. Kennisgewing publikasie-datums: 08 en 15 Maart 2017.

BYLAE

Naam van dorp: Cullinan Uitbreiding 8. Volle naam van aansoeker: J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van J Paul van Wyk Stedelike Ekonomie en Beplanners bk. Getal erwe, voorgestelde sonering en ontwikkelingsbeheermaatreëls: 328 erwe om onderskeidelik gesoneer te word as Residensieël 1 vir enkelwoning doeleindes teen 'n digtheid van 1 woning per erf (246 erwe); Residensieël 1 teen 'n digtheid van een woning per 150m² (76 erwe) vir skakelhuis doeleindes; Residensieël 3 teen 80 eenhede per hektaar (3 erwe) vir ry-huis doeleindes; Institusioneel teen 'n vloeroppervlakverhouding (VOV) van 0,3 (1 erf) vir gemeenskapfasiliteitsdoeleindes; Spesiaal teen 'n vloeroppervlakverhouding (VOV) van 0,4 (1 erf) vir doeleindes van sakegeboue, vertoonkamers, informele mark, winkel, verversingsplek, vermaaklikheidsplek, kleinhandelsnywerheid, outomatiese tellermasjien, karwas, tuinsentrum, internet kafee, supermark en aanverwante & ondergeskikte gebruike; Openbare oopruimte (1 erf) vir 'n park en Voorgestelde strate en verbreding vir openbare paaie / strate. Bedoeling van aansoeker: Om 'n verskeidenheid behuisingstipologieë te voorsien aan die laag- tot middelinkomste marksegment, 'n park vir ontspanning en ondergeskikte inkoop- en verwante gebruike en gemeenskapsfasiliteite om toekomstige huishoudings in die dorp, asook in die gemengde-gebruik geïntegreerde menslike nedersettingsprojek bestaande uit Cullinan Uitbreidings 2 en 5 tot 12 te bedien. Eiendomsbeskrywing en ligging: 'n Sekere gedeelte van Gedeelte 86 van die plaas 475-JR met geografiese koördinate van die algehele grondgedeelte as 25° 38' 56,54" Suid en 28° 32' 57,19" Oos. Die eiendom is geleë tussen Cullinan dorp (suid) en Refilwe dorp (noord), ten ooste van Colinweg / Provinsiale Pad D25 (K169-roete), ten noord-ooste van Pretoria sentrale sakegebied, ongeveer 8 km noord van Rayton dorp . Verwysing: CPD9/2/4/2-4062T Item No: 26297

CONTINUES ON PAGE 130 - PART 2

***THE PROVINCE OF
GAUTENG***



***DIE PROVINSIE VAN
GAUTENG***

Provincial Gazette Provinsiale Koerant

Selling price • Verkoopprys: **R2.50**
Other countries • Buitelands: **R3.25**

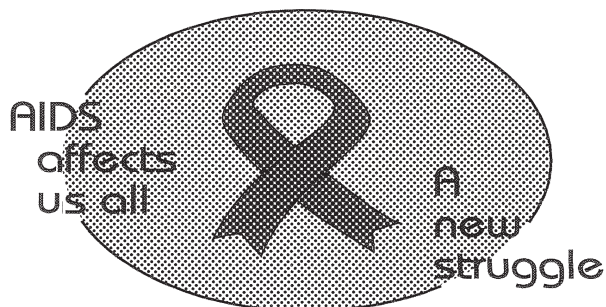
Vol. 23

PRETORIA
15 MARCH 2017
15 MAART 2017

No. 69

PART 2 OF 4

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-4525



9 771682 452005

00069



PROVINCIAL NOTICE 181 OF 2017

CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF A TOWNSHIP IN TERMS OF SECTION 16(4) OF
THE CITY OF TSHWANE LAND USE MANAGEMENT BYLAW, 2016
PROPOSED CULLINAN EXTENSION 9

I, J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of the firm J Paul van Wyk Urban Economists & Planners cc being the applicant hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management Bylaw, 2016 that I have applied to the City of Tshwane Metropolitan Municipality for the establishment of the township in terms of Section 16(4) of the City of Tshwane Land Use Management Bylaw, 2016, referred to in the Annexure hereto. Any objection(s) and / or comment(s), including the grounds for such objection(s) and / or comment(s) with full contact details without which the Municipality cannot correspond with the person or body submitting the objection(s) and / or comment(s), shall be lodged with, or made in writing to the Strategic Executive Director: City Planning and Development, P O Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 08 March until 06 April 2017. Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette, Beeld and Citizen newspapers. Address of Municipal Offices: Room 4, Lower Ground Level, Isivuno House, 143 Lilian Ngoyi Street, Pretoria. Closing date for any objections and / or comments: 06 April 2017. Address of applicant: P O Box 11522, Hatfield, 0028; 50 Tshilonde Street, Pretorius Park Extension 13, Tshwane. Telephone: (012) 996-0097, Fax: (086) 684-1263 or Email: airtaxi@mweb.co.za. Notice publication dates: 08 and 15 March 2017.

ANNEXURE

Name of township: Cullinan Extension 9. Full name of applicant: J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of J Paul van Wyk Urban Economists and Planners cc. Number of erven, proposed zoning and development control measures: 528 erven to be respectively zoned as Residential 1 at a density of 1 dwelling per erf (231 erven) for single dwelling-houses; Residential 1 at a density of 1 dwelling per 160m² (159 erven) for entry-level gap housing purposes; Residential 1 at a density of 1 dwelling per 130m² (128 erven) for purposes of semi-detached housing; Special for dwelling-units (2 erven) at a density of 1 dwelling per 150m²; Residential 3 at a density of 80 dwelling-units per hectare (4 erven) for row housing purposes; Educational (1 erf) at a floor area ratio (FAR) of 0,3 for place of childcare purposes; Public open space (2 erven) for park purposes; Municipal (1 erf) for purposes of agriculture farm stall, parks sports facilities and municipal purposes and Proposed streets and widening for public roads / streets. Intention of applicant: To provide a variety of housing typologies to the lower and middle income market segment, parks for recreation and a crèche / nursery school for future residents in the township and in the mixed-use integrated human settlement project comprising Cullinan Extensions 2 and 5 to 12. Property description and locality: A certain part of Portion 86 of the farm 475-JR with geographical coordinates of overall land-portion being 25° 38' 56,54" South and 28° 32' 57,19" East. The property is situated between Cullinan town (south) and Refilwe town (north), to the east of Colin Road / Provincial Road D25 (K169-route), to the northeast of the Pretoria central business district, approximately 8 km north of Rayton town. Reference: CPD9/2/4/2-4067T Item No:26278

8-15

PROVINSIALE KENNISGEWING 181 VAN 2017

**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN AANSOEK VIR DORPSTIGTING IN TERME VAN ARTIKEL 16(4) VAN DIE STAD VAN
TSHWANE GRONDGEBRUIKSBESTUUR BYWET, 2016
VOORGESTELDE CULLINAN UITBREIDING 9**

Ek, J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van die firma J Paul van Wyk Stedelike Ekonomie & Beplanners bk synde die aansoeker, gee hiermee ingevolge Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 kennis dat ek by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die stigting van die dorp ingevolge Artikel 16(4) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 na verwys in die Bylae hiertoe. Enige beswaar / -are en/of kommentaar /-are, met volledige kontakbesonderhede waaronder die Munisipaliteit nie met die persoon of liggaam wat die beswaar /-are en/of kommentaar / -are indien kan korrespondeer nie, sal ingedien word by of gerig word aan die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of na CityP_Registration@tshwane.gov.za vanaf 08 Maart tot 06 April 2017. Volledige besonderhede en planne (indien enige) mag nagegaan word gedurende gewone kantoorure by die Munisipale kantore soos onder uiteengesit, vir 'n 28 dae periode vanaf die eerste publikasie van die kennisgewing in die Provinsiale Koerant, Beeld en Citizen koerante. Adres van Munisipale Kantore: Kamer 4 Laer Grondvlak, Isivuno Huis, Lilian Ngoyistraat 143, Pretoria. Sluitingsdatum vir enige besware en/of kommentare: 06 April 2017. Adres van aansoeker: Posbus 11522, Hatfield, 0028; Tshilondestraat 50, Pretoriuspark Uitbreiding 13, Tshwane. Telefoon: (012) 996-0097, Faks: (086) 684-1263 of Epos: airtaxi@mweb.co.za. Kennisgewing publikasie-datums: 08 en 15 Maart 2017.

BYLAE

Naam van dorp: Cullinan Uitbreiding 9. Volle naam van aansoeker: J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van J Paul van Wyk Stedelike Ekonomie en Beplanners bk. Getal erwe, voorgestelde sonering en ontwikkelingsbeheermaatreëls: 528 erwe om onderskeidelik gesoneer te word as Residensieël 1 teen 'n digtheid van 1 woning per erf (231 erwe) vir enkelwoning doeleindes; Residensieël 1 teen 'n digtheid van 1 woning per 160m² (159 erwe) vir intree-vlak gapingsbehuising doeleindes; Residensieël 1 teen 'n digtheid van 1 woning per 130m² (128 erwe) vir skakelhuis behuising; Spesiaal vir wooneenhede (2 erwe) teen 'n digtheid van 1 woning per 150m²; Residensieël 3 teen 'n digtheid van 80 eenhede per hektaar (4 erwe) vir ry-huis doeleindes; Opvoedkundig (1 erf) teen 'n vloeroppervlakverhouding (VOV) van 0,3 vir 'n plek van kindersorg; Openbare oopruimte (2 erwe) vir parke; Munisipaal (1 erf) vir doeleindes van landbou, plaasstal, parke, sportfasiliteite en munisipale doeleindes en Voorgestelde strate en verbreding vir openbare paaie / strate. Bedoeling van aansoeker: Om 'n verskeidenheid behuisingstipes te voorsien aan die laag- en middel-inkomste marksegment, parke vir ontspanning en 'n creche / kleuterskool vir toekomstige inwoners in die dorp en in die gemengde-gebruik menslike nedersettingsprojek bestaande uit Cullinan Uitbreidings 2 en 5 tot 12. Eiendomsbeskrywing en ligging: 'n Sekere gedeelte van Gedeelte 86 van die plaas 475-JR met geografiese koördinate van die algehele grondgedeelte as 25° 38' 56,54" Suid en 28° 32' 57,19" Oos. Die eiendom is geleë tussen Cullinan dorp (suid) en Refilwe dorp (noord), ten ooste van Colinweg / Provinsiale Pad D25 (K169-roete), ten noord-ooste van Pretoria sentrale sakegebied, ongeveer 8 km noord van Rayton dorp. Verwysing: CPD9/2/4/2-4067T Item No:26278

8-15

PROVINCIAL NOTICE 182 OF 2017

CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF A TOWNSHIP IN TERMS OF SECTION 16(4) OF THE
CITY OF TSHWANE LAND USE MANAGEMENT BYLAW, 2016
PROPOSED CULLINAN EXTENSION 10

I, J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of the firm J Paul van Wyk Urban Economists & Planners cc being the applicant hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management Bylaw, 2016 that I have applied to the City of Tshwane Metropolitan Municipality for the establishment of the township in terms of Section 16(4) of the City of Tshwane Land Use Management Bylaw, 2016, referred to in the Annexure hereto. Any objection(s) and / or comment(s), including the grounds for such objection(s) and / or comment(s) with full contact details without which the Municipality cannot correspond with the person or body submitting the objection(s) and / or comment(s), shall be lodged with, or made in writing to the Strategic Executive Director: City Planning and Development, P O Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 08 March until 06 April 2017. Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette, Beeld and Citizen newspapers. Address of Municipal Offices: Room 4, Lower Ground Level, Isivuno House, 143 Lilian Ngoyi Street, Pretoria. Closing date for any objections and / or comments: 06 April 2017. Address of applicant: P O Box 11522, Hatfield, 0028; 50 Tshilonde Street, Pretorius Park Extension 13, Tshwane. Telephone: (012) 996-0097, Fax: (086) 684-1263 or Email: airtaxi@mweb.co.za. Notice publication dates: 08 and 15 March 2017.

ANNEXURE

Name of township: Cullinan Extension 10. Full name of applicant: J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of J Paul van Wyk Urban Economists and Planners cc. Number of erven, proposed zoning and development control measures: 383 erven to be respectively zoned as Residential 1 at density of 1 dwelling per erf (296 erven) for single residential purposes; Residential 1 at a density of 1 dwelling per 140m² (76 erven) for semi-detached housing; Residential 3 at a density of 80 dwelling-units per hectare (4 erven) for row house purposes; Special for dwellings (2 erven) at a density of 1 dwelling per 150m²; Public open space (4 erven) for parks; Municipal (1 erf) for purposes of agriculture, farm stall, parks, sports fields and municipal purposes and Proposed streets and widening for public roads / streets. Intention of applicant: To provide a variety of housing typologies and supporting parks and open space for future residents in the township aimed at the lower to middle income market segment, as part of a mixed-use integrated human settlement project comprising Cullinan Extensions 2 and 5 to 12. Property description and locality: A certain part of Portion 86 of the farm 475-JR with geographical coordinates of overall land-portion being 25° 38' 56,54" South and 28° 32' 57,19" East. The property is situated between Cullinan town (south) and Refilwe town (north), to the east of Colin Road / Provincial Road D25 (K169-route), to the northeast of the Pretoria central business district, approximately 8 km north of Rayton town. Reference: CPD9/2/4/2-4069T Item No: 26281

08-15

PROVINSIALE KENNISGEWING 182 VAN 2017

**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN AANSOEK VIR DORPSTIGTING IN TERME VAN ARTIKEL 16(4) VAN DIE STAD VAN
TSHWANE GRONDGEBRUIKSBESTUUR BYWET, 2016
VOORGESTELDE CULLINAN UITBREIDING 10**

Ek, J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van die firma J Paul van Wyk Stedelike Ekonomie & Beplanners bk synde die aansoeker, gee hiermee ingevolge Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 kennis dat ek by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die stigting van die dorp ingevolge Artikel 16(4) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 na verwys in die Bylae hiertoe. Enige beswaar / -are en/of kommentaar /-are, met volledige kontakbesonderhede waarsonder die Munisipaliteit nie met die persoon of liggaam wat die beswaar /-are en/of kommentaar / -are indien kan korrespondeer nie, sal ingedien word by of gerig word aan die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of na CityP_Registration@tshwane.gov.za vanaf 08 Maart tot 06 April 2017. Volledige besonderhede en planne (indien enige) mag nagegaan word gedurende gewone kantoorure by die Munisipale kantore soos onder uiteengesit, vir 'n 28 dae periode vanaf die eerste publikasie van die kennisgewing in die Provinsiale Koerant, Beeld en Citizen koerante. Adres van Munisipale Kantore: Kamer 4 Laer Grondvlak, Isivuno Huis, Lilian Ngoyistraat 143, Pretoria. Sluitingsdatum vir enige besware en/of kommentare: 06 April 2017. Adres van aansoeker: Posbus 11522, Hatfield, 0028; Tshilondestraat 50, Pretoriuspark Uitbreiding 13, Tshwane. Telefoon: (012) 996-0097, Faks: (086) 684-1263 of Epos: airtaxi@mwweb.co.za. Kennisgewing publikasie-datums: 08 en 15 Maart 2017.

BYLAE

Naam van dorp: Cullinan Uitbreiding 10. Volle naam van aansoeker: J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van J Paul van Wyk Stedelike Ekonomie en Beplanners bk. Getal erwe, voorgestelde sonering en ontwikkelingsbeheermaatreëls: 383 erwe om onderskeidelik gesoneer te word as Residensieël 1 teen 'n digtheid van 1 woning per erf (296 erwe) vir enkelwoning doeleindes; Residensieël 1 teen 'n digtheid van 1 woning per 140m² (76 erwe) vir skakelhuis doeleindes; Residensieël 3 teen 'n digtheid van 80 wooneenhede per hektaar (4 erwe) vir ry-huis doeleindes; Spesiaal vir woonhede (2 erwe) teen 'n digtheid van 1 woning per 150m²; Openbare oopruimte (4 erwe) vir parke; Munisipaal (1 erf) vir doeleindes van landbou, plaasstal, parke, sportfasiliteite en munisipale doeleindes, en Voorgestelde strate en verbreding vir openbare paaie / strate. Bedoeling van aansoeker: Om 'n verskeidenheid van behuisingstipes en ondersteunende parke en oopruimtes te voorsien vir toekomstige inwoners in die dorp, gemik op die laag- tot middel-inkomste marksegment, as deel van 'n gemengde-gebruik menslike nedersettingsprojek bestaande uit Cullinan Uitbreidings 2 en 5 tot 12. Eiendomsbeskrywing en ligging: 'n Sekere gedeelte van Gedeelte 86 van die plaas 475-JR met geografiese koördinate van die algehele grondgedeelte as 25° 38' 56,54" Suid en 28° 32' 57,19" Oos. Die eiendom is geleë tussen Cullinan dorp (suid) en Refilwe dorp (noord), ten ooste van Colinweg / Provinsiale Pad D25 (K169-roete), ten noord-ooste van Pretoria sentrale sakegebied, ongeveer 8 km noord van Rayton dorp . Verwysing: CPD9/2/4/2-4069T Item No: 26281

08-15

PROVINCIAL NOTICE 183 OF 2017

CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF A TOWNSHIP IN TERMS OF SECTION 16(4) OF
THE CITY OF TSHWANE LAND USE MANAGEMENT BYLAW, 2016
PROPOSED CULLINAN EXTENSION 11

I, J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of the firm J Paul van Wyk Urban Economists & Planners cc being the applicant hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management Bylaw, 2016 that I have applied to the City of Tshwane Metropolitan Municipality for the establishment of the township in terms of Section 16(4) of the City of Tshwane Land Use Management Bylaw, 2016, referred to in the Annexure hereto. Any objection(s) and / or comment(s), including the grounds for such objection(s) and / or comment(s) with full contact details without which the Municipality cannot correspond with the person or body submitting the objection(s) and / or comment(s), shall be lodged with, or made in writing to the Strategic Executive Director: City Planning and Development, P O Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 08 March until 06 April 2017. Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette, Beeld and Citizen newspapers. Address of Municipal Offices: Room 4, Lower Ground Level, Isivuno House, 143 Lilian Ngoyi Street, Pretoria. Closing date for any objections and / or comments: 06 April 2017. Address of applicant: P O Box 11522, Hatfield, 0028; 50 Tshilonde Street, Pretorius Park Extension 13, Tshwane. Telephone: (012) 996-0097, Fax: (086) 684-1263 or Email: airtaxi@mweb.co.za. Notice publication dates: 08 and 15 March 2017.

ANNEXURE

Name of township: Cullinan Extension 11. Full name of applicant: J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of J Paul van Wyk Urban Economists and Planners cc. Number of erven, proposed zoning and development control measures: 5 erven to be respectively zoned as Institutional (1 erf) for purposes of a community facility (religious centre) at a floor area ratio (FAR) of 0,3; Educational (1 erf) at a floor area ratio (FAR) of 0,2 for a place of childcare; Special (1 erf) for shop, motor dealership and workshop at a floor area ratio (FAR) of 0,4 (repair & sale of vehicles, drive-through restaurant & motor dealership); Cemetery (1 erf) at a floor area ratio (FAR) of 0,1 to accommodate existing graves and future burials; Public open space (1 erf) for a park and Proposed streets and widening for public roads / streets. Intention of applicant: To provide supporting services to surrounding residential areas, including the future residents of the adjoining mixed-use integrated human settlement project comprising Cullinan Extensions 2 and 5 to 12. Property description and locality: A certain part of Portion 86 of the farm 475-JR with geographical coordinates of overall land-portion being 25° 38' 56,54" South and 28° 32' 57,19" East. The property is situated between Cullinan town (south) and Refilwe town (north), to the east of Colin Road / Provincial Road D25 (K169-route), to the northeast of the Pretoria central business district, approximately 8 km north of Rayton town. Reference: CPD9/2/4/2-4063T Item No: 26273

8-15

PROVINSIALE KENNISGEWING 183 VAN 2017**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN AANSOEK VIR DORPSTIGTING IN TERME VAN ARTIKEL 16(4) VAN DIE STAD VAN
TSHWANE GRONDGEBRUIKSBESTUUR BYWET, 2016
VOORGESTELDE CULLINAN UITBREIDING 11**

Ek, J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van die firma J Paul van Wyk Stedelike Ekonomie & Beplanners bk synde die aansoeker, gee hiermee ingevolge Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 kennis dat ek by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die stigting van die dorp ingevolge Artikel 16(4) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 na verwys in die Bylae hiertoe. Enige beswaar / -are en/of kommentaar /-are, met volledige kontakbesonderhede waarsonder die Munisipaliteit nie met die persoon of liggaam wat die beswaar /-are en/of kommentaar / -are indien kan korrespondeer nie, sal ingedien word by of gerig word aan die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of na CityP_Registration@tshwane.gov.za vanaf 08 Maart tot 06 April 2017. Volledige besonderhede en planne (indien enige) mag nagegaan word gedurende gewone kantoorure by die Munisipale kantore soos onder uiteengesit, vir 'n 28 dae periode vanaf die eerste publikasie van die kennisgewing in die Provinsiale Koerant, Beeld en Citizen koerante. Adres van Munisipale Kantore: Kamer 4 Laer Grondvlak, Isivuno Huis, Lilian Ngoyistraat 143, Pretoria. Sluitingsdatum vir enige besware en/of kommentare: 06 April 2017. Adres van aansoeker: Posbus 11522, Hatfield, 0028; Tshilondestraat 50, Pretoriuspark Uitbreiding 13, Tshwane. Telefoon: (012) 996-0097, Faks: (086) 684-1263 of Epos: airtaxi@mweb.co.za. Kennisgewing publikasie-datums: 08 en 15 Maart 2017.

BYLAE

Naam van dorp: Cullinan Uitbreiding 11. Volle naam van aansoeker: J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van J Paul van Wyk Stedelike Ekonomie en Beplanners bk. Getal erwe, voorgestelde sonering en ontwikkelingsbeheermaatreëls: 5 erwe om onderskeidelik gesoneer te word as Institusioneel (1 erf) vir doeleindes van 'n gemeenskapsfasiliteit (geloofsentrum) teen 'n vloeroppervlakverhouding (VOV) van 0,3; Opvoedkundig (1 erf) teen 'n vloeroppervlakverhouding (VOV) van 0,2 vir 'n kinderbewaarplek; Spesiaal (1 erf) vir 'n winkel, motorhandel agentskap en werkwinkel teen 'n vloeroppervlakverhouding (VOV) van 0,4 (herstel & verkoop van voertuie, deurry-restaurant en motorhandel agentskap); Begraafplaas (1 erf) teen 'n vloeroppervlakverhouding (VOV) van 0,1 om bestaande grafte en toekomstige begrawings te huisves; Openbare oopruimte (1 erf) vir 'n park en Voorgestelde strate en verbredings vir openbare paaie / strate. Bedoeling van aansoeker: Om steundienste te verskaf aan omliggende woongebiede, insluitende die toekomstige inwoners van die gemengde-gebruik geïntegreerde menslike nedersettingsprojek bestaande uit Cullinan Uitbreidings 2 en 5 tot 12. Eiendomsbeskrywing en ligging: 'n Sekere gedeelte van Gedeelte 86 van die plaas 475-JR met geografiese koördinate van die algehele grondgedeelte as 25° 38' 56,54" Suid en 28° 32' 57,19" Oos. Die eiendom is geleë tussen Cullinan dorp (suid) en Refilwe dorp (noord), ten ooste van Colinweg / Provinsiale Pad D25 (K169-roete), ten noord-ooste van Pretoria sentrale sakegebied, ongeveer 8 km noord van Rayton dorp . Verwysing: CPD9/2/4/2-4063T Item No: 26273

8-15

PROVINCIAL NOTICE 184 OF 2017

CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF A TOWNSHIP IN TERMS OF SECTION 16(4) OF THE
CITY OF TSHWANE LAND USE MANAGEMENT BYLAW, 2016
PROPOSED CULLINAN EXTENSION 12

I, J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of the firm J Paul van Wyk Urban Economists & Planners cc being the applicant hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management Bylaw, 2016 that I have applied to the City of Tshwane Metropolitan Municipality for the establishment of the township in terms of Section 16(4) of the City of Tshwane Land Use Management Bylaw, 2016, referred to in the Annexure hereto. Any objection(s) and / or comment(s), including the grounds for such objection(s) and / or comment(s) with full contact details without which the Municipality cannot correspond with the person or body submitting the objection(s) and / or comment(s), shall be lodged with, or made in writing to the Strategic Executive Director: City Planning and Development, P O Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 08 March until 06 April 2017. Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette, Beeld and Citizen newspapers. Address of Municipal Offices: Room 4, Lower Ground Level, Isivuno House, 143 Lilian Ngoyi Street, Pretoria. Closing date for any objections and / or comments: 06 April 2017. Address of applicant: P O Box 11522, Hatfield, 0028; 50 Tshilonde Street, Pretorius Park Extension 13, Tshwane. Telephone: (012) 996-0097, Fax: (086) 684-1263 or Email: airtaxi@mweb.co.za. Notice publication dates: 08 and 15 March 2017.

ANNEXURE

Name of township: Cullinan Extension 12. Full name of applicant: J Paul van Wyk Pr Pln (A/089/1985) (or nominee) of J Paul van Wyk Urban Economists and Planners cc. Number of erven, proposed zoning and development control measures: Two erven both to be zoned Business 1, including informal market, place of amusement, supermarket, car wash, garden centre, taxi transport terminus and ancillary & subservient uses, at a floor area ratio (FAR) of 0,4 to provide for business buildings, dwelling-units, government purposes, guesthouse, institution, light industry (subject to conditions), motor dealership, parking garage (subject to conditions), parking site (subject to conditions), place of childcare, place of instruction, place of public worship, place of refreshment, residential building (excluding boarding house, hostel and block of tenements), retail industry, shop, showroom, social hall, sport and recreation club, vehicle sales mart (subject to conditions), vehicle sales showroom, veterinary clinic, informal market, place of amusement, supermarket, car wash, garden centre, taxi transport terminus and other associated uses. Intention of applicant: To create a shopping centre and related uses node to serve future residents in the mixed-use integrated human settlement project comprising Cullinan Extensions 2 and 5 to 12. Property description and locality: A certain part of Portion 86 of the farm 475-JR with geographical coordinates of overall land-portion being 25° 38' 56,54" South and 28° 32' 57,19" East. The property is situated between Cullinan town (south) and Refilwe town (north), to the east of Colin Road / Provincial Road D25 (K169-route), to the northeast of the Pretoria central business district, approximately 8 km north of Rayton town. Reference: CPD9/2/4/2-4065T Item No: 26276

08-15

PROVINSIALE KENNISGEWING 184 VAN 2017

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
 KENNISGEWING VAN AANSOEK VIR DORPSTIGTING IN TERME VAN ARTIKEL 16(4) VAN DIE STAD VAN
 TSHWANE GRONDGEBRUIKSBESTUUR BYWET, 2016
 VOORGESTELDE CULLINAN UITBREIDING 12

Ek, J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van die firma J Paul van Wyk Stedelike Ekonomie & Beplanners bk synde die aansoeker, gee hiermee ingevolge Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 kennis dat ek by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die stigting van die dorp ingevolge Artikel 16(4) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 na verwys in die Bylae hiertoe. Enige beswaar / -are en/of kommentaar /-are, met volledige kontakbesonderhede waarsonder die Munisipaliteit nie met die persoon of liggaam wat die beswaar /-are en/of kommentaar / -are indien kan korrespondeer nie, sal ingedien word by of gerig word aan die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of na CityP_Registration@tshwane.gov.za vanaf 08 Maart tot 06 April 2017. Volledige besonderhede en planne (indien enige) mag nagegaan word gedurende gewone kantoorure by die Munisipale kantore soos onder uiteengesit, vir 'n 28 dae periode vanaf die eerste publikasie van die kennisgewing in die Provinsiale Koerant, Beeld en Citizen koerante. Adres van Munisipale Kantore: Kamer 4 Laer Grondvlak, Isivuno Huis, Lilian Ngoyistraat 143, Pretoria. Sluitingsdatum vir enige besware en/of kommentare: 06 April 2017. Adres van aansoeker: Posbus 11522, Hatfield, 0028; Tshilondestraat 50, Pretoriuspark Uitbreiding 13, Tshwane. Telefoon: (012) 996-0097, Faks: (086) 684-1263 of Epos: airtaxi@mweb.co.za. Kennisgewing publikasie-datums: 08 en 15 Maart 2017.

BYLAE

Naam van dorp: Cullinan Uitbreiding 12. Volle naam van aansoeker: J Paul van Wyk Pr Pln (A/089/1985) (of genomineerde) van J Paul van Wyk Stedelike Ekonomie en Beplanners bk. Getal erwe, voorgestelde sonering en ontwikkelingsbeheermaatreëls: Twee erwe, beide om gesoneer te word as Besigheid 1, insluitende informele mark, vermaaklikheidsplek, supermark, karwas, tuinsentrum, huurmotor vervoerterminus en aangewante en ondergeskikte gebruike, teen 'n vloeroppervlakverhouding (VOV) van 0,4 om te voorsien vir sakegeboue, wooneenhede, regeringsdoeleindes, gastehuis, instelling, ligte nywerheid (onderworpe aan voorwaardes), motorhandel agentskap, parkeergarage (onderworpe aan voorwaardes), parkeerterrein (onderworpe aan voorwaardes), kinderbewaarplek, plek van onderrig, plek van openbare godsdiensoefening, verversingsplek, woongebou (uitgesluit losieshuis, koshuis en huurkamerblok), kleinhandelsnywerheid, winkel, vertoonkamer, gemeenskapsaal, sport en ontspanningsklub, voertuig verkoopsmark (onderworpe aan voorwaardes), voertuig verkoopslokaal, veeartsenykundige kliniek, informele mark, vermaaklikheidsplek, supermark, karwas, tuinsentrum, huurmotor vervoerterminus en ander geassosieerde gebruike. Bedoeling van aansoeker: Om 'n winkelsentrum en verwante gebruike nodus te skep om diens te lewer aan toekomstige inwoners van die gemengde-gebruik geïntegreerde menslike nedersettingsprojek bestaande uit Cullinan Uitbreidings 2 en 5 tot 12. Eiendomsbeskrywing en ligging: 'n Sekere gedeelte van Gedeelte 86 van die plaas 475-JR met geografiese koördinate van die algehele grondgedeelte as 25° 38' 56,54" Suid en 28° 32' 57,19" Oos. Die eiendom is geleë tussen Cullinan dorp (suid) en Refilwe dorp (noord), ten ooste van Colinweg / Provinsiale Pad D25 (K169-roete), ten noord-ooste van Pretoria sentrale besigheidsgebied, ongeveer 8 km noord van Rayton dorp. Verwysing: CPD9/2/4/2-4065T Item No: 26276

08-15

PROVINCIAL NOTICE 185 OF 2017

**NOTICE OF APPLICATION FOR TOWNSHIP ESTABLISHMENT EKURHULENI
 METROPOLITAN MUNICIPALITY (KEMPTON PARK CUSTOMER CARE CENTRE)**

Correction of Owners Details Provincial Notice 112 of 2017.

Name of township: Bredell Extension 73. Name of applicant: The Town Planner and Company on behalf of Ben Willers and Linda Willers 640109 5152 082 and 610427 0002 086.

Should read:

Name of Township: Bredell Extension 73. Name of Applicant: The Town Planner and Company on behalf of Massimo Maiuolo, Mirella Rosa Elide Maiuolo, Antonella Bester & Anna Immacolata Maiuolo.

Publication dates 15/02/2017 and 22/02/2017.

PROVINCIAL NOTICE 186 OF 2017**NOTICE OF APPLICATION FOR THE AMENDMENT OF THE EKURHULENI TOWN PLANNING SCHEME, 2014 IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) READ WITH SECTION 2(2) AND RELEVANT PROVISIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)**

We, Just In Time Planners Pty (Ltd), being the authorized agent of the owner of Erf 2107, Primrose Township, hereby give notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986 read with Section 2(2) and relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), that We have applied to the Ekurhuleni Metropolitan Municipality for the amendment of the town planning scheme known as the Ekurhuleni Town Planning Scheme, 2014 by the rezoning of the property described above, situated at Yew Avenue, Primrose Township, from "Residential 1" to "Residential 3" for the establishment of dwelling units.

Particulars of the application will lie open for inspection during normal office hours and in terms of Section 45 of Act 16 of 2013 (SPLUMA), any interested person, who has the burden to establish his/her status as an interested person, shall lodge in writing, his/her full objection/ interest in the application and also provide clear contact details to the office of the Area Manager: Germiston customer care centre, Department of City Planning, customer care centre, 15 Queen Street.

Objections to or representations in respect of the application must be lodged with or made in writing to the Area Manager: Germiston customer care centre, P.O. BOX 145 Germiston, 1400, within a period of 28 days from the 08 March 2017.

ADDRESS OF AGENT:

Just in Time Planners (Pty) Ltd
41 Kruis, Unit 515 The Colosseum Building
Johannesburg, 2000
Cell: 0737903264
E-mail: glzondo@webmail.co.za

08-15

PROVINSIALE KENNISGEWING 186 VAN 2017**KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE EKURHULENI DORPSBEPLANNING SKEMA INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986) SAAMGELEES MET ARTIKEL 2(2) EN RELEVANTE BEPALINGS VAN DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR, 2013 (WET 16 VAN 2013)**

Ons, Just in Time Planners Pty (Ltd), synde die gemagtigde agent van die eienaar van die Erf 2107, Primrose Dorpsgebied, gee hiermee kennis ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saamgelees met artikel 2(2) van relevante bepalings van die Wet op Ruimtelike Beplanning en Grondbestuur, 2013 (Wet 16 van 2013) dat ek by die Ekurhuleni Metropolitaanse Munisipaliteit aansoek gedoen het om die wysiging van die dorpsbeplanningskema bekend as die Ekurhuleni Dorpsbeplanningskema, 2014, in werking deur die hersonering van die eiendom hierbo beskryf, geleë te Yew Avenue, Primrose Dorpsgebied, vanaf "Residensieel 1" na "Residensieel 3" vir die oprigting van wooneenhede.

Besonderhede van die aansoek le ter insae gedurende gewone kantoorure en in gevolg Artikel 45 van die Wet Op Ruimtelike Beplanning en Grondgebruikbestuur Wet 16 van 2013 (SPLUMA), moet enige belanghebbende persoon, wat sy/haar status as belanghebbende persoon moet kan bewys, sy/haar Volledige beswaar/belang in die aansoek tesame met Volledige - kontak besonderhede voorsien aan die Area Bestuurder: Germiston sentrum, Departement Stadsbeplanning, kliëntediens sentrum, 15 Queen Street. Vir 'n tydperk van 28 dae vanaf 22 Februarie 2017.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 08 Maart 2017 tot 15 Maart 2017 skriftelik by of tot die, Area Bestuurder : Germiston sentrum, P.O. BOX 145 Germiston, 1400.

ADDRESS OF AGENT:

Just in Time Planners (Pty) Ltd
41 Kruis, Unit 515 The Colosseum Building
Johannesburg, 2000
Cell: 0737903264
E-mail: glzondo@webmail.co.za

08-15

PROVINCIAL NOTICE 187 OF 2017**NOTICE OF APPLICATION FOR THE AMENDMENT OF THE TOWN PLANNING SCHEME IN TERMS OF SECTION 21 OF THE CITY OF JOHANNESBURG MUNICIPAL PLANNING BY-LAW, 2016**

We, **Noksa 23 Town Planners**, being the authorized agent of the owner of **ERF 14478, Protea Glen Extension 6 Township**, hereby give notice in terms of Section 21(2)(a) of the City of Johannesburg Metropolitan Municipality: Municipal Planning By-Law, 2016 read with the Spatial Planning and Land Use Management Act, 2013 that we have applied to the **City of Johannesburg** for the amendment of the of the Land Use Conditions in **Annexure F of the Township Establishment and Land Use Regulations, 1986** by the rezoning of the property described above, situated along the **R558 provincial road in Protea Glen Extension 6 Township, 1415** from "**Business**" to "**Industrial**" for Business Purposes and Public Garage.

The purpose of the application is to obtain the appropriate land use rights in order to develop and operate a petrol filling and service station on the property.

The above application will be open for inspection during from 8:00 to 15:30 at Registration Counter, Department Planning, Room 8100, 8th Floor A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein. Any objections or representation with regard to the application must be submitted to both the agent and the Registration Section of the Department of Development Planning at the above address, or posted to PO Box 30733, Braamfontein, 2017, or a facsimile sent to: (011) 339 4000, or an email sent to benp@joburg.org.za, by no later than **5 April 2017**.

Agent address: Noksa 23 Town Planners, 22 Villa Egoli, West Village, Krugersdorp, 1739, Tel: 011 074 5369 Fax No: 086 547 9854, Email Address: info@Noksa.co.za, **Date: 01 March 2017**

08-15

PROVINCIAL NOTICE 190 OF 2017

NOTICE OF APPLICATION FOR AMENDMENT OF THE VEREENIGING TOWN PLANNING SCHEME 1992 IN TERMS OF SECTION 56(1)(b)(ii) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986, (ORDINANCE 15 OF 1986), READ WITH THE SPATIAL PLANNING & LAND USE MANAGEMENT ACT 2013 (ACT 16 OF 2013)

I, C F de Jager of Pace Plan Consultants, being the authorized agent of the owner of Erf 749 Bedworthpark, hereby gives notice in terms of Section 56(1)(b)(ii) of the Town-Planning and Townships Ordinance (15 of 1986), read with section 45 of the Spatial Planning & Land Use Management Act, 2013 (Act 16 of 2013) that I have applied to the Emfuleni Local Municipality for the amendment of the Vereeniging Town Planning Scheme, 1992, by the rezoning of the property described above, situated on 10 Hector Street, Bedworthpark, from "Residential 1", to "Residential 1", to "Special" for a guesthouse / boutique hotel limited to 30 rooms.

All relevant documents relating to the application will be open for inspection during normal office hours at the office of the Manager: Land Use Management, First Floor, Old Trust Bank Building, corner of President Kruger Street and Eric Louw Street, Vanderbijlpark, for 28 days from 8 March 2017

Objections or representations in respect of the application must be lodged with or made in writing at the Municipal Manager, P. O. Box 3, Vanderbijlpark, 1900 or faxed to (016) 9505533 within a period of 28 days from 8 March 2017.

Address of the agent: Pace Plan Consultants, P O Box 60784, VAALPARK, 1948, Tel: (016) 971 3456

Date of first publication: 8 March 2017

8-15

PROVINSIALE KENNISGEWING 190 VAN 2017

KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE VEREENIGING DORPSBEPLANNINGSKEMA, 1992, INGEVOLGE ARTIKEL 56(1)(b)(ii) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE (ORDONNANSIE 15 VAN 1986), SAAM GELEES MET DIE WET OP RUIMTELIKE BEPLANNING & GRONDGEBRUIK BEHEER, 2013 (WET 16 VAN 2013)

Ek, C F de Jager of Pace Plan Consultants, gemagtigde agent van die eienaar van Erf 749 Bedworthpark gee hiermee ingevolge artikel 56(1)(b)(ii) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saam gelees met artikel 45 van die Wet op Ruimtelike Beplanning & Grondgebruik Beheer, 2013 (Wet 16 van 2013) kennis dat ek aansoek gedoen het by Emfuleni Plaaslike Munisipaliteit, om wysiging van die Dorpsbeplanningskema bekend as die Vereeniging Dorpsbeplanningskema, 1992, deur die hersonering van die eiendom hierbo beskryf, geleë te Hectorstraat 10, Bedworthpark vanaf "Residensieel 1" na "Spesiaal" vir 'n gastehuis / boutique hotel beperk tot 30 kamers.

Besonderhede van die aansoek sal ter insae lê gedurende normale kantoorure by die kantoor van die Bestuurder: Grondgebruiksbestuur, Eerste Vloer, Ou Trust Bank Gebou, hoek van President Krugerstraat en Eric Louwstraat, Vanderbijlpark, vir 'n tydperk van 28 dae vanaf 8 Maart 2017.

Besware teen of verhoë ten opsigte van die aansoek moet skriftelik binne 28 dae vanaf 8 Maart 2017, by of tot die Munisipale Bestuurder, by bovermelde adres of by Posbus 3, Vanderbijlpark, 1900 of faks: (016) 950 5533 ingedien of gerig word.

Adres van gemagtigde agent: Pace Plan, Posbus 60784, VAALPARK, 1948, Tel: (016) 971 3456

Datum van eerste publikasie: 8 Maart 2017.

8-15

PROVINCIAL NOTICE 191 OF 2017**NOTICE OF APPLICATION FOR AMENDMENT OF THE VEREENIGING TOWN PLANNING SCHEME 1992 IN TERMS OF SECTION 56(1)(b)(ii) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986, (ORDINANCE 15 OF 1986), READ WITH THE SPATIAL PLANNING & LAND USE MANAGEMENT ACT 2013 (ACT 16 OF 2013)**

I, C F de Jager of Pace Plan Consultants, being the authorized agent of the owner of Erf 131 Bedworthpark, hereby gives notice in terms of Section 56(1)(b)(ii) of the Town-Planning and Townships Ordinance (15 of 1986), read with section 45 of the Spatial Planning & Land Use Management Act, 2013 (Act 16 of 2013) that I have applied to the Emfuleni Local Municipality for the amendment of the Vereeniging Town Planning Scheme, 1992, by the rezoning of the property described above, situated on 47 Penelope Street, Bedworthpark, from "Residential 1", to "Residential 4" with an annexure that the properties be used for student housing only.

All relevant documents relating to the application will be open for inspection during normal office hours at the office of the Manager: Land Use Management, First Floor, Old Trust Bank Building, corner of President Kruger Street and Eric Louw Street, Vanderbijlpark, for 28 days from 8 March 2017

Objections or representations in respect of the application must be lodged with or made in writing at the Municipal Manager, P. O. Box 3, Vanderbijlpark, 1900 or faxed to (016) 9505533 within a period of 28 days from 8 March 2017.

Address of the agent: Pace Plan Consultants, P O Box 60784, VAALPARK, 1948, Tel: (016) 971 3456

Date of first publication: 8 March 2017

8-15

PROVINSIALE KENNISGEWING 191 VAN 2017**KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE VEREENIGING DORPSBEPLANNINGSKEMA, 1992, INGEVOLGE ARTIKEL 56(1)(b)(ii) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE (ORDONNANSIE 15 VAN 1986), SAAM GELEES MET DIE WET OP RUIMTELIKE BEPLANNING & GRONDGEBRUIK BEHEER, 2013 (WET 16 VAN 2013)**

Ek, C F de Jager of Pace Plan Consultants, gemagtigde agent van die eienaar van Erf 131 Bedworthpark gee hiermee ingevolge artikel 56(1)(b)(ii) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saam gelees met artikel 45 van die Wet op Ruimtelike Beplanning & Grondgebruik Beheer, 2013 (Wet 16 van 2013) kennis dat ek aansoek gedoen het by Emfuleni Plaaslike Munisipaliteit, om wysiging van die Dorpsbeplanningskema bekend as die Vereeniging Dorpsbeplanningskema, 1992, deur die hersonering van die eiendom hierbo beskryf, geleë te Penelopestraat 47, Bedworthpark vanaf "Residensieel 1" na "Residensieel 4" met 'n bylae dat die eiendom slegs vir student behuising gebruik mag word.

Besonderhede van die aansoek sal ter insae lê gedurende normale kantoorure by die kantoor van die Bestuurder: Grondgebruiksbestuur, Eerste Vloer, Ou Trust Bank Gebou, hoek van President Krugerstraat en Eric Louwstraat, Vanderbijlpark, vir 'n tydperk van 28 dae vanaf 8 Maart 2017.

Besware teen of vertoë ten opsigte van die aansoek moet skriftelik binne 28 dae vanaf 8 Maart 2017, by of tot die Munisipale Bestuurder, by bovermelde adres of by Posbus 3, Vanderbijlpark, 1900 of faks: (016) 950 5533 ingedien of gerig word.

Adres van gemagtigde agent: Pace Plan, Posbus 60784, VAALPARK, 1948, Tel: (016) 971 3456

Datum van eerste publikasie: 8 Maart 2017.

8-15

PROVINCIAL NOTICE 192 OF 2017**NOTICE OF APPLICATION FOR AMENDMENT OF THE VEREENIGING TOWN PLANNING SCHEME 1992 IN TERMS OF SECTION 56(1)(b)(ii) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986, (ORDINANCE 15 OF 1986), READ WITH THE SPATIAL PLANNING & LAND USE MANAGEMENT ACT 2013 (ACT 16 OF 2013)**

I, C F de Jager of Pace Plan Consultants, being the authorized agent of the owner of Erf 31 Dadaville, hereby gives notice in terms of Section 56(1)(b)(ii) of the Town-Planning and Townships Ordinance (15 of 1986), read with section 45 of the Spatial Planning & Land Use Management Act, 2013 (Act 16 of 2013) that I have applied to the Emfuleni Local Municipality for the amendment of the Vereeniging Town Planning Scheme, 1992 by the rezoning of the properties described above, situated on 26 Babas Salaam Street, Dadaville, from "Residential 1" to "Residential 1 with a density of 1 dwelling per 350m² a coverage of 60 percent, 2 storeys and a FAR of 1.2.

All relevant documents relating to the application will be open for inspection during normal office hours at the office of the Manager: Land Use Management, First Floor, Old Trust Bank Building, corner of President Kruger Street and Eric Louw Street, Vanderbijlpark, for 28 days from 8 March 2017.

Objections or representations in respect of the application must be lodged with or made in writing at the Municipal Manager, P. O. Box 3, Vanderbijlpark, 1900 or faxed to (016) 9505533 within a period of 28 days from 8 March 2017.

Address of the agent: Pace Plan Consultants, P O Box 60784, VAALPARK, 1948, Tel: (016) 971 3456

Date of first publication: 8 March 2017

08-15

PROVINSIALE KENNISGEWING 192 VAN 2017**KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE VEREENIGING DORPSBEPLANNINGSKEMA, 1992, INGEVOLGE ARTIKEL 56(1)(b)(ii) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE (ORDONNANSIE 15 VAN 1986), GELEES SAAM MET DIE WET OP RUIMTELIKE BEPLANNING & GRONDGEBRUIK BEHEER, 2013 (WET 16 VAN 2013)**

Ek, C F de Jager of Pace Plan Consultants, gemagtigde agent van die eienaar van Erf 31 Dadaville, gee hiermee ingevolge artikel 56(1)(b)(ii) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saam gelees met artikel 45 van die Wet op Ruimtelike Beplanning & Grondgebruik Beheer, 2013 (Wet 16 van 2013), kennis dat ek aansoek gedoen het by Emfuleni Plaaslike Munisipaliteit, om wysiging van die Dorpsbeplanningskema bekend as die Vereeniging Dorpsbeplanningskema, 1992, deur die hersonering van die eiendom hierbo beskryf, geleë te Babas Salaamstraat 26, Dadaville, vanaf "Residensieel 1" na "Residensieel 1" met 'n digtheid van 1 woonhuis per 350m² 'n dekking van 60 persent, 2 verdiepeings en VOV van 1,2.

Besonderhede van die aansoek sal ter insae lê gedurende normale kantoorure by die kantoor van die Bestuurder: Grondgebruiksbestuur, Eerste Vloer, Ou Trust Bank Gebou, hoek van President Krugerstraat en Eric Louwstraat, Vanderbijlpark, vir 'n tydperk van 28 dae vanaf 8 Maart 2017.

Besware teen of verhoë ten opsigte van die aansoek moet skriftelik binne 28 dae vanaf 8 Maart 2017, by of tot die Munisipale Bestuurder, by bovermelde adres of by Posbus 3, Vanderbijlpark, 1900 of faks: (016) 950 5533 ingedien of gerig word.

Adres van gemagtigde agent: Pace Plan, Posbus 60784, VAALPARK, 1948, Tel: (016) 971 3456

Datum van eerste publikasie: 8 Maart 2017

08-15

PROVINCIAL NOTICE 193 OF 2017**NOTICE OF APPLICATION FOR AMENDMENT OF THE VEREENIGING TOWN PLANNING SCHEME 1992 IN TERMS OF SECTION 56(1)(b)(ii) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986, (ORDINANCE 15 OF 1986), READ WITH THE SPATIAL PLANNING & LAND USE MANAGEMENT ACT 2013 (ACT 16 OF 2013)**

I, C F de Jager of Pace Plan Consultants, being the authorized agent of the owner of Erf 290 Bedworthpark, hereby gives notice in terms of Section 56(1)(b)(ii) of the Town-Planning and Townships Ordinance (15 of 1986), read with section 45 of the Spatial Planning & Land Use Management Act, 2013 (Act 16 of 2013) that I have applied to the Emfuleni Local Municipality for the amendment of the Vereeniging Town Planning Scheme, 1992, by the rezoning of the property described above, situated on 62 Cassandra Avenue, Bedworthpark, from "Residential 1", to "Residential 4" with an annexure that the properties be used for student housing only.

All relevant documents relating to the application will be open for inspection during normal office hours at the office of the Manager: Land Use Management, First Floor, Old Trust Bank Building, corner of President Kruger Street and Eric Louw Street, Vanderbijlpark, for 28 days from 8 March 2017

Objections or representations in respect of the application must be lodged with or made in writing at the Municipal Manager, P. O. Box 3, Vanderbijlpark, 1900 or faxed to (016) 9505533 within a period of 28 days from 8 March 2017.

Address of the agent: Pace Plan Consultants, P O Box 60784, VAALPARK, 1948, Tel: (016) 971 3456

Date of first publication: 8 March 2017

8-15

PROVINSIALE KENNISGEWING 193 VAN 2017**KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE VEREENIGING DORPSBEPLANNINGSKEMA, 1992, INGEVOLGE ARTIKEL 56(1)(b)(ii) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE (ORDONNANSIE 15 VAN 1986), SAAM GELEES MET DIE WET OP RUIMTELIKE BEPLANNING & GRONDGEBRUIK BEHEER, 2013 (WET 16 VAN 2013)**

Ek, C F de Jager of Pace Plan Consultants, gemagtigde agent van die eienaar van Erf 290 Bedworthpark gee hiermee ingevolge artikel 56(1)(b)(ii) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saam gelees met artikel 45 van die Wet op Ruimtelike Beplanning & Grondgebruik Beheer, 2013 (Wet 16 van 2013) kennis dat ek aansoek gedoen het by Emfuleni Plaaslike Munisipaliteit, om wysiging van die Dorpsbeplanningskema bekend as die Vereeniging Dorpsbeplanningskema, 1992, deur die hersonering van die eiendom hierbo beskryf, geleë te Cassandrалаан 62, Bedworthpark vanaf "Residensieel 1" na "Residensieel 4" met 'n bylae dat die eiendomme slegs vir student behuising gebruik mag word.

Besonderhede van die aansoek sal ter insae lê gedurende normale kantoorure by die kantoor van die Bestuurder: Grondgebruiksbestuur, Eerste Vloer, Ou Trust Bank Gebou, hoek van President Krugerstraat en Eric Louwstraat, Vanderbijlpark, vir 'n tydperk van 28 dae vanaf 8 Maart 2017.

Besware teen of vertoë ten opsigte van die aansoek moet skriftelik binne 28 dae vanaf 8 Maart 2017, by of tot die Munisipale Bestuurder, by bovermelde adres of by Posbus 3, Vanderbijlpark, 1900 of faks: (016) 950 5533 ingedien of gerig word.

Adres van gemagtigde agent: Pace Plan, Posbus 60784, VAALPARK, 1948, Tel: (016) 971 3456

Datum van eerste publikasie: 8 Maart 2017.

8-15

PROVINCIAL NOTICE 194 OF 2017**NOTICE OF APPLICATION FOR AMENDMENT OF THE VEREENIGING TOWN PLANNING SCHEME 1992 IN TERMS OF SECTION 56(1)(b)(ii) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986, (ORDINANCE 15 OF 1986), READ WITH THE SPATIAL PLANNING & LAND USE MANAGEMENT ACT 2013 (ACT 16 OF 2013) ERF 2359 THREE RIVERS EXT 2**

I, C F de Jager of Pace Plan Consultants, being the authorized agent of the owner of Erf 2359 Three Rivers Ext 2, hereby gives notice in terms of Section 56(1)(b)(ii) of the Town-Planning and Townships Ordinance (15 of 1986) that I have applied to the Emfuleni Local Municipality for the amendment of the Vereeniging Town Planning Scheme, 1992, for the rezoning of the property described above, situated on the corner of General Hertzog Road and Blackwood Street, from "Municipal" to "Business 1".

All relevant documents relating to the application will be open for inspection during normal office hours at the office of the Manager: Land Use Management first floor, old Trust Bank build corner of President Kruger Street and Eric Louw Street, Vanderbijlpark, for 28 days from 8 March 2017.

Objections or representations in respect of the application must be lodged with or made in writing at the Municipal Manager, P. O. Box 3, Vanderbijlpark, 1900 or faxed to (016) 9505533 within a period of 28 days from 8 March 2017.

Address of the agent: Pace Plan Consultants, P O Box 60784, VAALPARK, 1948, Tel: (016) 971 3456

Date of first publication: 8 March 2017.

8-15

PROVINSIALE KENNISGEWING 194 VAN 2017**KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE VEREENIGING DORPSBEPLANNINGSKEMA, 1992, INGEVOLGE ARTIKEL 56(1)(b)(ii) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE (ORDONNANSIE 15 VAN 1986), GELEES SAAM MET DIE WET OP RUIMTELIKE BEPLANNING & GRONDGEBRUIK BEHEER, 2013 (WET 16 VAN 2013) ERF 2359 THREE RIVERS UITBREIDING 2**

Ek C F de Jager of Pace Plan Consultants, gemagtigde agent van die eienaar van Erf 2359 Three Rivers Uitbreiding 2, gee hiermee ingevolge artikel 56(1)(b)(ii) van die Ordonansie op Dorpsbeplanning en Dorpe, 1986 kennis dat ek aansoek gedoen het by Emfuleni Plaaslike Munisipaliteit, om wysiging van die Dorpsbeplanningskema bekend as die Vereeniging Dorpsbeplanningskema, 1992, deur die hersonering van die eiendom hierbo beskryf, geleë op die hoek van Generaal Hertzogweg en Blackwoodstraat, vanaf "Munisipaal" na "Besigheid 1".

Besonderhede van die aansoek sal ter insae lê gedurende normale kantoorure by die kantoor van die kantoor van die Bestuurder: Grondgebruiksbestuur, eerste vloer, Ou Trust Bank Gebou, hoek van President Krugerstraat en Eric Louwstraat, Vanderbijlpark, vir 'n tydperk van 28 dae vanaf 8 Maart 2017.

Besware teen of vertoë ten opsigte van die aansoek moet skriftelik binne 28 dae vanaf 8 Maart 2017, by of tot die Munisipale Bestuurder, by bovermelde adres of by Posbus 3, Vanderbijlpark, 1900 of faks: (016) 950 5533 ingedien of gerig word.

Adres van gemagtigde agent: Pace Plan, Posbus 60784, VAALPARK, 1948, Tel: (016) 971 3456

Datum van eerste publikasie: 8 Maart 2017

8-15

PROVINCIAL NOTICE 195 OF 2017**NOTICE IN TERMS OF SECTION 5(5) OF THE GAUTENG REMOVAL OF RESTRICTIONS ACT, 1996 (ACT NO.3 OF 1996)**

We, Just In Time Planners Pty (Ltd), being the authorized agent of the owners of the Erf 111 with scheme number (G 0176), Erf 506 (G 0180) and Erf 730 (G 0181) Delville Township, hereby give notice in terms of Section 5(5) of the Gauteng Removal of Restrictions Act, 1996, as read with the provisions of the Spatial Planning and Land Use Management Act, 16 of 2013, (SPLUMA), that we have applied to the Ekurhuleni Metropolitan Municipality, Germiston City Planning for the simultaneous removal of certain restrictive Title conditions contained in Title Deed T 000022735/2015, T000039601/2016 and T 024951/07 and Rezoning of the properties described above, situated a, Delville Township from "Residential 1" to "Residential 3" for the establishment of dwelling units.

Particulars of the application will lie open for inspection during normal office hours and in terms of Section 45 of Act 16 of 2013 (SPLUMA), any interested person, who has the burden to establish his/her status as an interested person, shall lodge in writing, his/her full objection/interest in the application and also provide clear contact details to the office of the Area Manager: Germiston customer care centre, Department of City Planning, customer care centre, 15 Queen Street.

Objections to or representations in respect of the application must be lodged with or made in writing to the Area Manager: Germiston customer care centre, P.O. BOX 145 Germiston, 1400, within a period of 28 days from the 08 March 2017.

ADDRESS OF AGENT:

Just in Time Planners (Pty) Ltd
41 Kruis, Unit 515 The Colosseum Building
Johannesburg, 2000
Cell: 0737903264
E-mail: glzondo@webmail.co.za

8-15

PROVINSIALE KENNISGEWING 195 VAN 2017**KENNISGEWING IN TERME VAN ARTIKEL 5 (5) VAN DIE GAUTENG WET OP OPHEFFING VAN BEPERKINGS, 1996 (WET NO.3 VAN 1996)**

Ons, Just In Time Planners Pty (Ltd), synde die gemagtigde agent van die eienaar van die Erf 111 met skema nommer (G 0176), Erf 506 (G0180) en Erf 730 (G0181) Delville Dorpsgebied, gee hiermee kennis in terme van Artikel 5 (5) van die Gauteng Opheffing van Beperkings Wet, 1996, saamgelees met die voorskrifte van die Wet Op Ruimtelike Beplanning en Grondgebruikbestuur, 16 van 2013, (SPLUMA), kennis dat ek aansoek gedoen het by die Ekurhuleni Metropolitaanse Munisipaliteit, Germiston Stadsbeplanning vir die gelyktydige opheffing van sekere beperkende Titelvoorwaardes vervat in Titelakte T 000022735, T000039601/2016 en T 024951/07 en hersonerings van die eiendom hierbo beskryf, geleë te, Delville Dorp vanaf "Residensieel 1" na "Residensieel 3" vir die oprigting van wooneenhede.

Besonderhede van die aansoek le ter insae gedurende gewone kantoorure en in gevolg Artikel 45 van die Wet Op Ruimtelike Beplanning en Grondgebruikbestuur Wet 16 van 2013 (SPLUMA), moet enige belanghebbende persoon, wat sy/haar status as belanghebbende persoon moet kan bewys, sy/haar Volledige beswaar/belang in die aansoek tesame met Volledige - kontak besonderhede voorsien aan die Area Bestuurder: Germiston sentrum, Departement Stadsbeplanning, kliëntediens sentrum, 15 Queen Street. Vir 'n tydperk van 28 dae vanaf 02 November 2016.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 08 Maart 2017 tot 15 Maart 2017 skriftelik by of tot die, Area Bestuurder : Germiston sentrum, P.O. BOX 145 Germiston, 1400.

ADDRESS OF AGENT:

Just in Time Planners (Pty) Ltd
41 Kruis, Unit 515 The Colosseum Building
Johannesburg, 2000
Cell: 0737903264
E-mail: glzondo@webmail.co.za

8-15

PROVINCIAL NOTICE 196 OF 2017**NOTICE IN TERMS OF SECTION 56(1) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR THE AMENDMENT OF THE KRUGERSDORP TOWN PLANNING SCHEME, 1980**

We, Noksa 23 Town Planners, being the authorized agent of the owners of Portion 617 and 618 of the Farm Rietfontein 189 I.Q., hereby give notice in terms of Sections 56(1) of the Town-Planning and Townships Ordinance, 1986, that we have applied to the Mogale City Local Municipality for the amendment of the Town-Planning Scheme known as the Krugersdorp Town Planning Scheme, 1980, by rezoning the above-mentioned properties, from "Agriculture" to "Agriculture" with an annexure for a transport business with subservient workshop and related uses for the development of a facility that will include parking of trucks, washing and light repair work.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, first floor, Furniture City Building, corner of Human and Monument Street, Krugersdorp, for a period of 28 days from 08 March 2017. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager: P.O. Box 94, Krugersdorp, 1740, within a period of 28 days from 08 March 2017.

Address of authorized agent: 22 Villa Egoli, West Village, Krugersdorp, 1739 or Info@noksa.co.za

8-15

PROVINSIALE KENNISGEWING 196 VAN 2017**KENNISGEWING INGEVOLGE ARTIKEL 56 (1) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM DIE WYSIGING VAN DIE KRUGERSDORP DORPSBEPLANNINGSKEMA, 1980**

Ons, Noksa 23 Stadsbeplanners, synde die gemagtigde agent van die eienaars van Gedeelte 617 en 618 van die plaas Rietfontein 189 IQ, gee hiermee ingevolge Artikels 56 (1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat ons aansoek gedoen het om die Mogale City Plaaslike Munisipaliteit vir die wysiging van die Dorpsbeplanningskema bekend as die Krugersdorp Dorpsbeplanningskema, 1980, deur die hersonering van die bogenoemde eiendomme vanaf "Landbou" na "Landbou" met 'n bylae vir 'n vervoer besigheid met ondergeskikte werkswinkel en verwante gebruike vir die ontwikkeling van 'n fasiliteit wat sal insluit parkering van vragmotors, wasgoed en ligte herstelwerk.

Besonderhede van die aansoek le ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, eerste vloer, Furniture City Gebou, hoek van Menslike en Monument, Krugersdorp, vir 'n tydperk van 28 dae vanaf 08 Maart 2017. Besware teen of vertoe ten opsigte van die aansoek moet sodanige beswaar of voorlegging op skrif aan die Munisipale Bestuurder: PO Posbus 94, Krugersdorp, 1740, binne 'n tydperk van 28 dae vanaf 08 Maart 2017.

Adres van gemagtigde agent: 22 Villa Egoli, West Village, Krugersdorp, 1739 of Info@noksa.co.za

8-15

PROVINCIAL NOTICE 197 OF 2017**NOTICE IN TERMS OF SECTION 56(1)(B)(I) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE 15 OF 1986 READ WITH PRESCRIBES OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT 16 OF 2013**

We, Noksa 23 Town Planners, being the authorized agent of the owners of a Portion of the Remainder of Portion 15 of the Farm Zuurbekom 297-IQ, hereby give notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance 15 of 1986, read together with prescribes of the Spatial Planning and Land Use Management Act 16 of 2013, that we have applied to Rand West City Local Municipality for the amendment of Westonia Town Planning Scheme, 1981 to rezone the above-mentioned property, from "General" to "Special" in order to establish a Truck-stop Facility.

Particulars of the application will lie for inspection during normal office hours at the office of the Town Planning Section, 33 Saturn Street, Westonia for a period of 28 days from 08 March 2017. Objections to or representations in respect of the application must be lodged with or made in writing to: Municipal Manager at the said address or at P.O. Box 19, Westonia, 1780 within a period of 28 days from 08 March 2017.

Address of the agent: 22 Villa Egoli, West Village, Krugersdorp, 1739. Tel No: +2711 074 5369.

08-15

PROVINSIALE KENNISGEWING 197 VAN 2017**KENNISGEWING INGEVOLGE ARTIKEL 56(1)(B)(I) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE 15 VAN 1986 GELEES MET SKRYF VAN DIE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBEHEER WET 16 VAN 2013**

Ons, Noksa 23 Stadsbeplanners, synde die gemagtigde agent van die eienaars van 'n Gedeelte van die Restant van Gedeelte 15 van die plaas Zuurbekom 297-IQ, gee hiermee ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe 15 van 1986, saamgelees met voorskryf van die Ruimtelike Beplanning en Grondgebruikbestuur Wet 16 van 2013, kennis dat ons by Rand West City Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van Westonaria Dorpsbeplanningskema, 1981 om die hersonering bogenoemde eiendom vanaf "Algemene" na "Spesiaal" ten einde 'n Vragmotorstop fasiliteitsnaam vestig.

Besonderhede van die aansoek le ter insae gedurende gewone kantoorure by die kantoor van die Stadsbeplanningsafdeling, 33 Saturn, Westonaria vir 'n tydperk van 28 dae vanaf 08 Maart 2017. Besware teen of vertoe ten opsigte van die aansoek moet sodanige beswaar of voorlegging op skrif aan Munisipale Bestuurder by genoemde adres of by P.O. Posbus 19, Westonaria, 1780 binne 'n tydperk van 28 dae vanaf 08 Maart 2017.

Adres van die agent: 22 Villa Egoli, West Village, Krugersdorp, 1739. Tel No: 2711 074 5369.

08-15

PROVINCIAL NOTICE 204 OF 2017

NOTICE OF APPLICATION FOR AMENDMENT OF TOWN-PLANNING SCHEME IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986, (ORDINANCE 15 OF 1986) AND THE RELEVANT PROVISIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 16 OF 2013

TSHWANE AMENDMENT SCHEME

We, Diversified Dimensions Pty Ltd, the authorised agent of the owner of Portion 1 of Erf 805, Lynnwood Extension 1, hereby gives notice in terms of Section 56(1)(b)(i) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) and Section 2(2) of the Spatial Planning and Land Use Management Act, 2013, (Act 16 of 2013) (SPLUMA), that I have applied to the City of Tshwane Metropolitan Municipality for the amendment of the Tshwane Town-Planning Scheme, 2008 (Revised 2014) by the rezoning of the property described above, from "Residential 1" to "Residential 2" for purposes of two dwelling units, subject to certain conditions.

Particulars of the application will lie for inspection during normal office hours at the office of the Strategic Executive Director: City Planning and Development: Centurion Office: Room E10, Registry cnr Basden and Rabie Streets, for a period of 28 days from 15 March 2017.

Objections to or representations in respect of the application must be lodged in writing to the Strategic Executive Director: City Planning and Development at the above address or at P.O. Box 14013, Lyttelton, 0140 within a period of 28 days from 15 March 2017. Please take note that your name (legible) and full contact details (physical address, postal address, cell phone number, e-mail address) must be included in the objection/representation.

Address of agent: Diversified Dimensions Pty Ltd, P.O Box 142 Bamokgoko, 0432. Cell no: 071177 0990

Dates of publication: 15 March 2017 and 22 March 2017.

15-22

PROVINSIALE KENNISGEWING 204 VAN 2017

KENNISGEWING VAN AANSOEK OM WYSIGING VAN DORPSBEPLANNINGSKEMA INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, (ORDONNANSIE 15 VAN 1986) EN DIE RELEVANTE BEPALINGS VAN DIE RUIMTELIKE BEPLANNING EN GRONDGEBRUIK BESTUUR WET, 2013 (WET, 16 VAN 2013)

TSHWANE-WYSIGINGSKEMA

Ons, Diversified Dimensions Pty Ltd, die gemagtigde agent van die eienaar van Gedeelte 1 van Erf 805, Lynnwood Uitbreiding 1, gee hiermee ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), en Artikel 2(2) van die Wet op op Ruimtelike Beplanning en Grondgebruikbestuur, 2013, (Wet 16 van 2013) (SPLUMA), kennis dat ek by die Stad Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het om die wysiging van die Tshwane Dorpsbeplanningskema van 2008(Hersien 2014), deur die hersonering van die eiendom hierbo beskryf, vanaf " Residensieel 1" na " Residensieel 2" vir twee (2) wooneenheid, onderworpe aan voorwaardes.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Centurion kantoor: Kamer E10, Registrasie, hoek van Basden- en Rabiestraat, vir 'n tydperk van 28 dae vanaf 15 Maart 2017.

Besware teen of verhoë ten opsigte van die aansoek, moet binne 'n tydperk van 28 dae vanaf 15 Maart 2017 by die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling by bovermelde adres of by Posbus 14013, Lyttelton, 0140, ingedien of gerig word. Neem kennis dat u naam (leesbaar) en volle kontakbesonderhede (Fisiese adres posbus adres, selnommer, e-pos adres) ingesluit moet wees by die beswaar/verhoë.

Adres van agent: Diversified Dimensions Pty Ltd, Posbus 142, Bamokgoko, 0432. Sel: 071 177 0990

Datums van kennisgewings: 15 Maart 2017 and 22 Maart 2017.

15-22

PROVINCIAL NOTICE 205 OF 2017**NOTICE OF APPLICATION FOR THE AMENDMENT OF A TOWN PLANNING SCHEME IN TERMS OF SECTION 56 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 9 OF 1986) READ TOGETHER WITH SECTION 2 OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)**

We, Emendo Inc. Town and Regional Planners, being the authorised agent of the owner of Erven 14351 and 14363 Zamdela, Extension 11, hereby give notice in terms of section 56 of the Town Planning and Townships Ordinance, 1986, read together with Section 2 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 Of 2013) that we applied to the Metsimaholo Local Municipality for the amendment of the Town Planning Scheme known as the Metsimaholo Town Planning Scheme, 1993, by the rezoning and subdivision of the property described above, currently zoned as "Public Open Space" and "Educational" to "Residential 1".

Particulars of the application will lie for inspection during normal office hours at of the **Department of Urban Planning, Civic Centre, Fichardt Street, Sasolburg 1947 for a period of 28 days from 15th March 2017**

Objections to or representations in respect of the application must be lodged with or made in writing to the **Directorate: Economic Development and Planning at the above address or at PO Box 60, Sasolburg, 1947, within a period of 28 days from 15th March 2017.**

Address of authorised agent: **Tshiamo Molema**
 Emendo Inc. Town and Regional Planners
 P O Box 5438
 Meyersdal
 1447

Tel: 011 867 1160

Fax: 011 867 6435

Dates on which notices will be published: 15th March 2017 and 22nd March 2017.

15-22

PROVINSIALE KENNISGEWING 205 VAN 2017**KENNISGEWING VAN AANSOEK VIR DIE WYSIGING VAN DIE DORPS BEPLANNING SKEMA IN TERME VAN ARTIKEL 56 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO. 9 VAN 1986) TESAME MET ARTIKEL 2 VAN DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIK, 2013 (WET NO. 16 VAN 2013)**

Ons, Emendo Inc. Stads- en Streekbeplanners, synde die gemagtigde agent van die eienaars van Erf 14351 en Erf 14363, Zamdela Uitbreiding 11, gee hiermee in terme van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie no. 9 van 1986), tesame met Artikel 2 van die Wet op Ruimtelike Beplanning en Grondgebruik, 2013 (Wet no. 16 van 2013) kennis dat ons aansoek gedoen het by die Metsimaholo Plaaslike Munisipaliteit vir die hersiening van die Dorpsbeplanningskema bekend as die Metsimaholo Dorpsbeplanningskema, 1993, deur die onderverdeling en hersonering van die bogenoemde eiendom van "Openbare Oop Ruimte" en "Opvoedkundige" na "Residensieel 1".

Besonderhede van die aansoek le vir inspeksie gedurende gewone kantoorure by die kantoor van die **Departement van Stedelike Beplanning, Burgersentrum Kamer, Fichardt Straat, Sasolburg 1947** vir n tydperk van 28 dae vanaf 15^{de} Maart 2017.

Besware teen of vertoe ten opsigte van die aansoek moet binne n tydperk van 28 dae vanaf 8^{te} Maart 2017 skriftelik by of tot die **Direktoraat: Ekonomiese Ontwikkeling en Beplanning by bovermelde adres of by Posbus 60, Sasolburg, 1947**, vir n tydperk van 28 dae vanaf 15^{de} Maart 2017.

Adres van gemagtigde agent:

**Tshiamo Molema
Emendo Inc. Town and Regional Planners
P.O. Box 5438
Meyersdal
1447**

Tel: 011 867 1160

Fax: 011 867 6435

Datums waarop kennisgewing gepubliseer moet word: 15^{de} Maart 2017 en 22^{de} Maart 2017.

15-22

PROVINCIAL NOTICE 206 OF 2017



SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016

BY-LAW

**DEPARTMENT ECONOMIC SERVICES:
SECTION DEVELOPMENT AND
PLANNING
FURNCITY BUILDING
HUMAN STREET
KRUGERSDORP
(011) 951-2004**

MOGALE CITY LOCAL MUNICIPALITY**MOGALE CITY LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2016****BY-LAW**

The Municipal Manager of the Mogale City Local Municipality hereby, in terms of section 13(a) of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000), publishes the Mogale City Local Municipality Land Use Management By-law, 2016, as approved by its Council, as set out hereunder.

MOGALE CITY LOCAL MUNICIPALITY LAND USE MANAGEMENT BY-LAW, 2016

To give effect to "Municipal Planning" as contemplated in the Constitution of the Republic of South Africa, 1996, and in so doing to lay down and consolidate processes and procedures, to facilitate and make arrangements for the implementation of land development and land development applications, spatial planning and a Land Use Scheme within the jurisdiction of the Mogale City Local Municipality, in line with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), to provide for the processes and procedures of a Municipal Planning and Appeals Tribunal and to provide for matters incidental thereto.

PREAMBLE

WHEREAS section 156(1)(a) and (b) of the Constitution, 1996 (Act 108 of 1996) confers on municipalities the executive authority and the right to administer the local government matters listed in Part B of Schedule 4 and Part B of Schedule 5 to the Constitution and any other matter assigned to municipalities by National or Provincial legislation; and

WHEREAS the Constitution authorizes and empowers municipalities to administer the local government matters listed in Part B of Schedules 4 and 5, which include hoardings and the display of advertisements in public places and any other matter assigned to it by national or provincial legislation, by making and administering By-laws for the effective administration of these matters;

WHEREAS Part B of Schedule 4 to the Constitution lists "municipal planning" as a local government matter; and

WHEREAS section 156(2) of the Constitution empowers municipalities to make and administer by-laws for the effective administration of the matters which it has the right to administer; and

WHEREAS there is fundamental agreement in our country on a vision of democratic, accountable and developmental local government, in which municipalities must strive within their financial and administrative capacity, to achieve their constitutional objectives by ensuring the provision of sustainable, effective and efficient municipal services to communities, by promoting social and economic development, by promoting a safe and healthy environment, and by encouraging the involvement of communities in the matters of local government; and

WHEREAS Parliament has enacted the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), which inter alia sets out development principles which apply to all organs of state and other authorities responsible for the implementation of legislation regulating the use and development of land in terms of sections 20, 21, 22, 23, and 24 and related provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), to establish a uniform, recognisable and comprehensive system of spatial planning and land use management in its municipal area, to maintain economic unity, equal opportunity, equal access to government services and to promote social and economic inclusion;

BE IT THEREFORE ENACTED by the Municipal Council of the Mogale City Local Municipality as follows:-

ARRANGEMENT OF SECTIONS AND SCHEDULES OF THE BY-LAW**CHAPTER 1****DEFINITIONS, INTERPRETATION AND APPLICATION**

1. Definitions and Interpretations
2. Application of By-Law
3. Alignment of Authorisations
4. Types of applications that requires approval
5. Provisions and principles which shall guide and inform all land development applications

CHAPTER 2**SPATIAL PLANNING**

6. Municipal spatial development framework
7. Content of municipal spatial development framework
8. Legal effect of municipal spatial development framework
9. Local Spatial Development Frameworks
10. Compilation, Amendment or Review of Local Spatial Development Frameworks
11. Status of Local Spatial Development Frameworks
12. Local Area Plans
13. Compilation, Review or Amendment of Municipal Spatial Development Framework
14. Establishment of Project Committee
15. Establishment of Intergovernmental Steering Committee
16. Procedure with Intergovernmental Steering Committee
17. Procedure without Intergovernmental Steering Committee
18. Functions and Duties of Project Committee

CHAPTER 3**LAND USE SCHEME**

19. Land Use Scheme
20. Purpose and Content of Land Use Scheme
21. Legal effect of land use scheme
22. Municipality amend its Land Use Scheme

CHAPTER 4**MUNICIPAL PLANNING TRIBUNAL AND AUTHORISED OFFICIAL**

23. Establishment of Municipal Planning Tribunal
24. Municipal Planning Decision-Making Structures
25. Composition of Municipal Planning Tribunal for Municipal Area
26. Meetings of Municipal Planning Tribunal for Municipal Area
27. Administrator for Municipal Planning Tribunal for Municipal Area
28. Functioning of Municipal Planning Tribunal for Municipal Area
29. Powers and functions of a Municipal Planning Tribunal
30. Classification of applications to be determined by the Municipal Planning Tribunal
31. Authorised official
32. Classification of applications to be decided by the authorised official

CHAPTER 5**DEVELOPMENT MANAGEMENT**

33. Pre application Consultation
34. Time frames for land development applications
35. Non-conforming uses
36. Continuation of application after change of ownership
37. Rezoning of land by municipality

CHAPTER 6 APPLICATION PROCEDURES FOR LAND DEVELOPMENT APPLICATIONS

Part 1

Consent use and building line relaxation

- 38. Consent use application
- 39. Building line relaxation application

Part 2

Amendment of Land Use Scheme (Rezoning) and matters related thereto

- 40. Amendment of land use scheme application
- 41. Decision and post-decision procedures – Amendment of Land Use Scheme
- 42. Correction of errors or omissions
- 43. Prohibition of a further application in certain circumstances
- 44. Contributions to be paid in respect of external engineering services and Open Spaces or Parks
- 45. Lapsing of rezoning and extension of validity periods

Part 3

Township establishment, division/phasing of an approved township, extension of boundaries of an approved township and matters related thereto

- 46. Township establishment application
- 47. Consent to certain contracts and options – Township establishment
- 48. Decision and post-decision procedures – Township establishment
- 49. Prohibition of registration of certain deeds of transfer or endorsement on certain title deeds
- 50. Failure to comply with requirements of the Municipality
- 51. Division/phasing of an approved township
- 52. Extension of boundaries of an approved township

Part 4

Subdivision and Consolidation of an erf in an approved township and the subdivision and or consolidation of any other land

- 53. Subdivision and/or consolidation of an erf/erven in an approved township
- 54. Cancellation and amendment of conditions/plan, endorsement of certain documents by Registrar and access
- 55. Subdivision of any other land
- 56. Failure to comply with requirements of the Municipality
- 57. Prohibition of registration of certain deeds of transfer
- 58. Ownership of roads and public places
- 59. Owners' Associations
- 60. Owners' Association Ceases to Function

Part 5

Approval of alteration, amendment or cancellation of general plan

- 61. Alteration, amendment or cancellation of a general plan application
- 62. Decision and post decision procedures
- 63. Effect of alteration, amendment or cancellation of general plan

Part 6

Amendment, suspension or removal of restrictive or obsolete conditions or obligations, servitudes or reservations and matters related thereto

- 64. Application for the amendment, suspension or removal of restrictive or obsolete conditions or obligations, servitudes or reservations in respect of land
- 65. Decision and post-decision procedures

- 66. Endorsements in connection with amendments, suspensions or removals of restrictions or obligations
- 67. Contributions to be paid in respect of external engineering services and Open Spaces or Parks

Part 7

Permanent closure of a public place or diversion of a street

- 68. Permanent closing of a public place or diversion of a street

CHAPTER 7

ENGINEERING SERVICES, CONTRIBUTIONS AND OPEN SPACES OR PARKS

Part 1

Engineering services and engineering services contributions / agreements

- 69. Engineering services
- 70. External engineering services contributions / agreements

Part 2

Land for parks, open space and other uses

- 71. Land for parks, open space and other uses

CHAPTER 8

APPEAL AUTHORITY AND PETITION TO INTERVENE

- 72. Appeal Authority
- 73. Internal appeals
- 74. Hearing by appeal authority
- 75. Record of decisions
- 76. Petition to be granted intervener status

CHAPTER 9 ENFORCEMENT

- 77. Law enforcement
- 78. Offences and penalties
- 79. Content of Compliance Notices

CHAPTER 10 GENERAL PROVISIONS

- 80. Policies, Procedures, Standards, Requirements and Guidelines
- 81. Requirements for Petitions on Land Development Applications
- 82. Approval or adoption of amendment scheme under certain circumstances
- 83. Documents, plans and diagrams and any other information to be submitted with land development applications under the provisions of this By-law
- 84. Continuation of application by new owner
- 85. Excision of land from Agricultural Holdings Register
- 86. Approval of Building Plans and Registration
- 87. Hearing of submissions, objections, comments or representations
- 88. Reasons for a decision
- 89. Naming and numbering of streets
- 90. Tariff of charges
- 91. National and Provincial interest
- 92. Transitional provisions
- 93. Exemption
- 94. False or misleading information in connection with application.—
- 95. Short title and commencement

CHAPTER 1 DEFINITIONS, INTERPRETATION AND APPLICATION

1. Definitions and Interpretations

In this By-law, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Spatial Planning and Land Use Management Act 2013, (Act 16 of 2013) has the meaning assigned to it in that Act. All references to sections in this by-law refers to this specific document unless otherwise stated—

“Act” means the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), as published on 5 August 2013 and as may be amended from time to time;

“additional- necessary information” means any information that may be requested by the Municipality which in its opinion is necessary to consider and decide on a land development application read with Regulation 16(9) of the Act;

“adjoining owner(s)” means the owner of any property sharing a common boundary with a property(ies) which forms the subject of a land development application or touches any corner of the aforesaid property(ies) and will include a property that may be separated from the aforesaid property by a road or a roadway or a right of way servitude or a railway reserve or open space, or similar properties;

“adopt” and “approved”, in relation to a spatial development framework, land use scheme, policy or strategy, means the approval thereof by the executive authority and shall have corresponding meanings;

“agent” means a person authorized in terms of a power of attorney by the owner of land to make an application;

“Appeal Authority” means the Executive Authority as contemplated in section 72(1);

“appeals tribunal” means the Appeal Authority as contemplated in the Act;

“applicant” means:

- (a) an owner(s); or
- (b) duly authorized person on behalf of the owner;
of property(ies) or land within the jurisdiction of the Municipality read with section 45 of the Act who submits a land development application or combination of land development applications contemplated in [section 4](#) of this By-law. It also includes the municipality and an organ of state under who's control and management the property(ies) or land falls in terms of the Local Government Ordinance, 1939 (Ord. 17 of 1939), or relevant legislation;

“application” means an application submitted to the Municipality;

“approved amendment scheme” means a draft amendment scheme that was approved in terms of this By-law, but of which notice has not been given in the Provincial Gazette and read with the definition of “adopted; and approved scheme” shall have a corresponding meaning;

“authorized employee / official” means a municipal employee who is authorised in terms of delegated or sub-delegated authority by the Municipality to exercise a power or perform a duty in terms of this By-law or to inspect land and buildings in order to enforce compliance with this By-law, the land use scheme and Deed of Title;

“body corporate” means a body corporate as contemplated in the Companies Act, 2008 (Act 71 of 2008) and the Sectional Title's Act, 1986 (Act 95 of 1986);

“building” includes any structure of any nature whatsoever as envisaged in section 1 of the National Building Regulations and Building Standards Act;

“bulk engineering service” means an external engineering service required to provide an engineering service to multiple users at a municipality-wide scale;

“capacity” means the extent of availability of a municipal infrastructure/engineering service;

“community” means residents, that have diverse characteristics but living in a particular area or Municipal area.

“comments” refer to comments submitted by the public, municipal departments and other organs of state and service providers on an land development application, appeal, and includes objections, representations and petitions;

“conditions of approval” means condition(s) imposed by the Municipality in the approval of a land development application, including any conditions contained in the annexure(s) and/or plans and/or attachment(s) that form part of the approval and/or are referred to in the approval of the land development application;

“conditional approval” means an approval of a land development application in terms of this By-law, granted by the Municipal Planning Tribunal, Authorized Official or Municipal Appeals Tribunal, in which conditions are imposed, that in the opinion of the Municipality, have to be complied with prior to the land use rights.

“conditions of establishment” are the conditions of approval of an application for township establishment.

“consent use” means a consent for land use rights as contemplated in the Krugersdorp Town-planning Scheme, 1980 to be followed by a Mogale City Integrated Land Use Scheme or Land Use Scheme in terms of the Act as may be amended from time to time;

“consolidation” in relation to land means the joining of two or more adjacent land units into a single registered land unit through the registration thereof in the deeds registry, but excludes the consolidation of farm portions for purposes of this by-law read with the Land Survey Act;

“Constitution” means the Constitution of the Republic of South Africa, 1996 (Act 106 of 1996);

“Council” means the municipal council and legislative authority of the Municipality;

“day” means a calendar day, and when any number of days is prescribed in terms of this By-law for the doing of any act, it must be calculated by excluding the first day and including the last day, provided that, if the last day falls on a Sunday, Saturday or public holiday, the number of days must be calculated by excluding the first day and also the Sunday, Saturday or public holiday and if the date on which any notice must appear in any media or Provincial Gazette such notice may not appear on a Sunday, Saturday or public holiday and shall for purposes of calculation be excluded.

“date of notice or date of notification” means the date on which a notice is served or delivered on a person or body as contemplated in the provisions of this By-law or published in the media or Provincial Gazette as the case may be and which date of notice and appearance shall not be between 10 December to 10 January of any year or as may be determined by the Municipality;

“Deeds Registries Act” means the Deeds Registries Act, 1937 (Act 47 of 1937);

“department” means a department of the administration of the Municipality in the context of this By-law;

“development principles” means the principles as set out in Chapter 2, and more specifically, section 7 of the Spatial Planning and Land Use Management Act, 2013;

“development contribution” means a financial charge or contribution that is levied by the Municipality, as contemplated in this By-law, for the provision, installation, upgrading of engineering services, including payment of which will contribute towards the Municipality's expenditure on capital investment in municipal infrastructure services and provision of public transport read with sections 40(7)(b) and 49 of the Act;

“engineering services” means a system for the provision of water, electricity, renewable energy equipment, gas, roads, storm water drainage and collection and removal of solid waste or sewerage, solid waste sites required for the purpose of land development;

“engineering services agreement” means the agreement envisaged in section 69(2) of this By-law

- (a) detailed and specific respective rights and obligations regarding the provision and installation of the external and internal engineering services required for an approved land development, further including the design, provision, installation, financing and maintenance of engineering services;
- (b) the associated development charges;
- (c) the standard of such engineering services as determined by the Municipality;
- (d) the classification of engineering services as internal or external services; and
- (e) any matter related to the provision of engineering services in terms of this By-law;

“environmental legislation” means the National Environmental Management Act, 1998 (Act 107 of 1998), or any other law which may be enacted from time to time for purposes of regulating environmental activities in so far as it relates to land use rights, the Act and this By-law;

“erf” means land in an approved township registered in a deeds registry as an erf, lot, plot or stand or as a portion or the remainder of any erf, lot, plot or stand or land indicated as such on the general plan of an approved township, and includes any particular portion of land laid out as a township which is not intended for a public place, whether or not such township has been recognized, approved or established as such in terms of this By-law or any repealed law. Any reference to erf or rural land refers to the Land Survey Act, 1997, (Act No 8 of 1997);

“emergency” includes a situation that arises from a flood, strong wind, severe rainstorm, fire, earthquake or industrial accident and that requires the relocation of human settlements;

“external engineering service” means an engineering service situated outside the boundaries of a land area referred to in an application and that is necessary to serve the use and development of the land area and is either a link engineering service or a bulk engineering service;

“Housing Development Schemes for Retired Persons Act” means the Housing Development Schemes for Retired Persons Act, 1988 (Act 65 of 1988);

“general plan” means a general plan approved by the Surveyor-General in terms of the Land Survey Act, 1997 (Act 8 of 1997);

“illegal township” means land held under farm title or as an agricultural holding in terms of the Agricultural Holdings (Transvaal Registration) Act, 1919 (Act 22 of 1919), or other forms of ownership, used in the opinion of the Municipality for purposes contemplated in the definition of a township where such use is not being exercised as a result of the establishment of a township contemplated in this By-law or a township established in terms of any other law, but excludes informal areas as may be determined by the Municipality;

“incomplete land development application” means a land development application submitted without the prescribed accompanying documents as may be required by the Municipality or required in terms of the provisions of this By-law read with Regulation 16(3) of the Regulations to the Act

“inspector” means a person designated or appointed as an inspector in terms of section 32 of the Act and/or a Development Compliance Officer appointed in terms of this By-law or any other relevant law pertaining to the inspection of land and or buildings in order to enforce compliance with this By-law, land use conditions or Land Use Scheme or any other law under the jurisdiction of the Municipality;

“interested and affected person” unless specifically delineated, means any person or group of persons, legal entity or body that can demonstrate their interest in the land development application in terms of section 45(3) of the Act and with specific reference to town planning principles or development principles;

“internal engineering service” means an engineering service situated within the boundaries of a land development area required for the use and development of the land area and which is to be owned and operated by the Municipality or a service provider;

“land” means any erf, agricultural holding, sectional title land or farm portion and includes any improvement on land and any interest in land;

“land development application” means an application or a combination of the applications envisaged in Chapter 5 of this By-law and includes:

- rezoning;
- consent uses, permissions, temporary uses and relaxations in terms of the Land Use Scheme;
- the subdivision and/or consolidation of land;
- the alteration, suspension or deletion of restrictive conditions as defined in the Act and as contemplated in section 47 of the Act or restrictive conditions as contemplated in the Gauteng Removal of Restrictions Act, 1996 (Act 3 of 1996);
- consent of the Municipality in terms of Title Deed conditions or consent in terms of Section 2 of the Gauteng Removal of Restrictions Act, 1996 (Act 3 of 1996), and/or section 45(6) of the Act;
- the establishment of a township;
- the extension of the boundaries of a township;
- the amendment or cancellation of a general plan; and/or
- any other land development application in terms of the Land Use Scheme or National or Provincial Planning and Development Legislation within the jurisdiction of the Municipality as may be determined by the Municipality from time to time;

“land development area” means land consisting of a property(ies) which land forms the subject of a land development application in terms of this By-law or any other law governing the change in land use;

“land use” means the purpose for which land and/or buildings are/or may be used lawfully in terms of a Land Use Scheme, existing scheme, amendment scheme or in terms of any other authorization, permit or consent issued by an erstwhile authority or the Municipality as its successor in title and includes any conditions related to such land use purposes;

“land use plan” means a plan that indicates existing land uses;

“layout plan/map” means a plan indicating information relevant to a land development application and the land intended for development and includes the relative locations of erven, public places, or roads, subdivision or consolidation, and the purposes for which the erven are intended to be used read with any notation or conditions contained thereon

“Land Survey Act” means the Land Survey Act, 1997 (Act 8 of 1997);

“land use rights” means approved land use applicable to land in terms of this By-law or relevant law; for purposes of issuing a zoning certificate;

“land use scheme” means the Municipality’s land use scheme approved and adopted in terms of section 24(1) of the Spatial Planning and Land Use Management Act, 2013 and section 19 of this By-law and it includes any other town planning scheme that might still be in operation within the Municipality’s jurisdiction until replaced by a single land use scheme.

“link engineering service” means an external engineering service required to connect an internal engineering service to a bulk engineering service and includes the land required for the link engineering service;

“Municipal Manager” means the municipal manager of the Municipality;

“Municipality” means the municipality of Mogale City Local Municipality established by Establishment Notice [insert number] of [insert date] issued in terms of the Local Government: Municipal Structures Amendment Act, 2000, and any employee of the Municipality acting in terms of delegated or sub-delegated authority of the Municipality and where in the context so requires includes-

- (a) The Council;
- (b) Another political structure or a political office bearer of the Municipality authorised and delegated to perform or exercise a power in terms of this By-law;
- (c) The Appeal Authority authorised or delegated to perform a function or exercise a power in terms of Spatial Planning and Land Use Management Act, 2013 and this By-law;
- (d) The municipal manager; and
- (e) An authorised employee.

“Municipal Finance Management Act” means the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003);

“Municipal Planning Regulations” means the Local Government: Municipal Planning and Performance Management Regulations, 2001;

“Municipal Planning Tribunal” means the Municipal Planning Tribunal established in terms of section 35(1) of Spatial Planning and Land Use Management Act, 2013 read with section 23(1) of this By-law;

“municipal spatial development framework” means a municipal spatial development framework adopted by the Municipality in terms of Chapter 5 of the Municipal Systems Act and Chapter 4 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013);

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

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

“National Building Regulations and Building Standards Act” means the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);

“non-conforming use” means an existing land use that was lawful in terms of a previous town planning scheme or approval granted by an authority that does not comply with the land use scheme in force;

“notice” means a written notice and **“notify”** means to give notice in writing which notice may include it being sent by electronic means or where the context requires a notice served or published in terms of this By-law in the Provincial Gazette or other media;

“Non-Profit Company or “NPC”” means a Non-Profit Company as contemplated in Section 8 read with Section 10 and Schedule 1 of the Company’s Act, 2008 (Act 71 of 2008) and includes companies which were previously established in terms of Section 21 of the Companies Act, 2008 (Act 71 of 2008), as a result of any land development application in terms of any law or conditions relating to land development on a property(ies);

“objector” means a body or person who has lodged an objection, with the Municipality, during any period allowed or specified in a notice in the media or Provincial Gazette, placed for purposes of public participation in terms of this By-law, Land Use Scheme or any other planning and development legislation; and includes:

- (a) interested and affected persons who negatively commented on a land development application as contemplated in section 45(3) of the Act; or
- (b) interested and affected persons who conditionally supported a land development application; or
- (c) persons who the Municipal Planning Tribunal or Appeal Authority has determined as qualifying as an interested person in terms of section 45(4) of the Act; or
- (d) a person who successfully petitioned the Municipal Planning Tribunal or Appeal Authority to obtain intervener status in terms of section 45(2) of the Act;

but excludes:

- (a) Ward Councillors who negatively commented on a land development application; provided that in terms of section 18 read with section 15(1) of this By-law, he/she shall be invited to a hearing, without objector status;
- (b) interested and affected persons who submitted negative comments on the land development application prior to or after the closing date of the period allowed as indicated above;
- (c) interested and affected persons who submitted comments on the land development application indicating conditional support of the land development application prior to or after the closing date of the period allowed as indicated above;

“occasional use” means a right to use land for a purpose granted on a temporary basis for a specific occasion or event;

“overlay zone” means a category of zoning that applies to land or a land unit or parcel in addition to the base zoning and that-

- (a) stipulates additional development parameters or use rights that may be more or less restrictive than the base zoning; and
- (b) May include provisions and development parameters relating to-
 - (i) primary or consent uses;
 - (ii) base zoning;
 - (iii) subdivision or sub-divisional areas;
 - (iv) development incentives;
 - (v) density limitations;
 - (vi) urban form or urban renewal or other related planning parameters;
 - (vii) heritage and/or environmental protection;
 - (viii) management of the urban edge;
 - (ix) any other purpose as set out in the zoning scheme.

“owners’ association” means an owners’ association established in terms of section 59 and includes a body corporate created in terms of the Sectional Titles Act (Act 95 of 1986);

“owner of land” means the person registered in a deeds registry as the owner of land or beneficial owner in law and includes any organ of state and the Municipality itself, a person acting as the duly authorised agent of the owner of the land concerned, a person to whom the land concerned has been made available for development in writing by any owner of land or such person’s duly authorised agent or a service provider responsible for the provision of infrastructure, utilities or other related services.

“panhandle” for purposes of section 54(3) of this By-law shall mean a portion of land which is either part of the subdivided portion or is notarially tied thereto, is at least 3 metres and at most 8 metres wide and is used as access to a public street;

“person” means any natural or juristic person, including an organ of state;

“precinct plan” means a plan which forms a smaller geographical component of spatial planning;

“private/internal engineering services” means internal engineering services to be owned and operated by a private person or body, as a condition of a land development application and/or as may be agreed upon in a services agreement in terms of this By-law and that is not taken over by the Municipality;

“proclaimed township” means in the context of any land development application in terms of this By-law, a township of which notice has been given in the Provincial Gazette in terms of section 16(9) of this By-law read with its amendment scheme as contemplated in section 16(1) of this By-law or an approved township in terms of any other legislation, a township approved in terms of any repealed law relating to townships and a proclaimed township shall have a corresponding meaning;

“property(ies)” means any erf, erven, lot(s), plot(s) or stand(s), portion(s) or part(s) of farm portions or agricultural holdings, registered in the deeds registry as such;

“province” means the Province of Gauteng in terms of the Constitution;

“public facilities” means amenities that are—

- (a) intended for the use of the general public;
- (b) used to offer a service or for recreation; and
- (c) ordinarily owned by the state or a municipality;

“public place” means any open or enclosed place, park, street, road or thoroughfare or other similar area of land shown on a general plan or diagram which is for the use and benefit of the general public and is owned by or vests with the Municipality, and includes a public open space and a servitude for any similar purposes in favour of the general public as contemplated in the Spatial Planning and Land Use Management Act, 2013 and section 63 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939);

“Registrar” means the Registrar of Deeds as defined in section 102 of the Deeds Registries Act;

“Regulations” means the Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters 2015 as published on 13 November 2015 and as may be amended from time to time;

“restrictive condition” means a restrictive condition as contained in the Act read with the Gauteng Removal of Restrictions Act, 1996 (Act 3 of 1996) and section 2(2) of the Act;

“rezoning” means the amendment of the zoning of property(ies) or land as contemplated in a Land Use Scheme;

“road reserve or street” means a street as defined in section 2 and includes the definitions in section 63(6) of the Local Government Ordinance, 1939 (Ord. 17 of 1939);

“service” means a service provided by the Municipality, any other organ of state or a service provider, including services for the provision of water, sewerage, electricity, refuse removal, roads, storm water, and includes infrastructure, systems and processes related to the service;

“service provider” means a person or entity that provides a service on behalf of an organ of state or may include a non-profit company in terms of the Company’s Act, 2008 (Act 71 of 2008), responsible for the provision and maintenance of engineering services within a land development area;

“servitude” means a servitude registered against a title deed of a property(ies) or which has been created through legislation;

“site development plan” means a scaled and dimensioned plan that shows existing developments and features that will/must be retained, as well as details of the proposed land development, including, but not limited to the site layout, positioning of buildings and structures, property access, building designs, parking, internal services, servitudes and landscaping and any other required information or details as may be determined by the Municipality;

“social infrastructure” means community facilities, services and networks that meet social needs and enhance community well-being;

“spatial development framework” means a spatial development framework referred to in Chapter 4 of the Act and read with sections 23 to 35 of the Municipal Systems Act, 2000 (Act 32 of 2000), and this By-law;

“Spatial Planning and Land Use Management Act, 2013” means the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013);

“Spatial Planning and Land Use Management Act Regulations” means the Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters, 2016 made under the Spatial Planning and Land Use Management Act published under Notice R 239/2016 in Government Gazette 38594 of 23 March 2016;

“subdivision” means a subdivision of a property as contemplated in this By-law, the provisions whereof shall apply *mutatis mutandis* to a subdivision of a property registered as a farm portion, or a portion of a farm portion, or an agricultural holding, or a portion of an agricultural holding;

“Surveyor-General” means the Surveyor-General as defined in the Land Survey Act, 1997 (Act 8 of 1997);

“this By-law” means the Mogale City Local Municipality Spatial Planning and Land Use Management By-law, 2016;

“title deed” means any deed registered in a Deeds Registry recording ownership of land and includes deeds of grant and ninety nine (99) year leasehold titles;

“township” shall be read in conjunction with the definition of **“illegal township”** and means any property(ies), sites and/or land that:

- (a) is laid out or divided or subdivided into or developed or to be developed, as a single property or multiple properties for residential, business, industrial, institutional, educational, community services and/or similar or other purposes or land uses, as may be contained in a Land Use Scheme;
- (b) are arranged in such a manner as to have the character of what constitutes a township, in the opinion of the Municipality, including:
 - (i) intended or actual single or multiple ownership of erven, land or units, and or multiple land use rights; and/or
 - (ii) which may or may not be intersected or connected by or abut on any public or private street or roadway, in the case of a proposed sectional title scheme; and
 - (iii) public or private streets or roadways shall for the purposes of this definition include a right of way or any land used for purposes of a street, road, or roadway whether surveyed and/or registered, which is only notional in character;

“township owner” means the person who is the owner of an approved township or any remaining portion of an approved township or his/her successor in township title;

“township register” means an approved subdivision register of a township in terms of the Deeds Registries Act, 1937 (Act 47 of 1937);

“Tribunal” means the Municipal Planning Tribunal established in terms of section 23 of this by-law.

“zoning” means where the context indicates the zoning categories and conditions relating thereto contained in a Land Use Scheme;

Any reference to the male gender includes the female gender and any reference to the plural will include the singular and vice versa, as the context may require.

2. Application of By-Law

- (1) The provisions of this By-law are consistent with the provisions of Spatial Planning and Land Use Management Act, 2013;

- (2) This By-law applies to all land and development applications situated within the Mogale City Local municipal area.
- (3) No person may use or develop land unless the use or land development is permitted in terms of the Municipalities land use scheme or an approval in terms of this By-law.
- (4) This By-law bind every owner of land and any successor in title of such land and every user of land, including the state and any organ of state.
- (5) In the event of any conflict between Spatial Planning and Land Use Management Act, 2013 and its Regulations, any Provincial Act dealing with spatial planning and land use management and any regulations issued in terms thereof and the provisions of these By-laws give effect to municipal planning as a local government matter as per Part B of Schedule 4 of the Constitution.
- (6) The definitions in subsection (1) apply to the Schedules, Forms and Land Use Scheme in operation within the jurisdiction of the Mogale City Local Municipality and any reference to legislation or regulatory document in this By-law shall include reference to any lawful amendment thereof.
- (7) Should there be any conflict in the interpretation of any provision or definition of this By-law and any other national or provincial legislation, this By-law shall prevail, having regard to Section 146, 147, 156(2), and 155(7) read with Schedule 4, Part B of the Constitution.

3. Alignment of Authorisations

- (1) Where a land development application requiring authorisation in terms of this By-Law is also regulated in terms of another law, whether National or Provincial in terms of its functional area as per the Constitution, the Municipality may exercise its powers under this By-law jointly with such other organ of state by issuing-
 - (a) separate authorisations; or
 - (b) an integrated authorisation.
- (2) An integrated authorisation envisaged in subsection (1) above may only be issued if-
 - (a) the relevant provisions of all applicable legislation have been complied with; and
 - (b) the integrated authorisation specifies the-
 - (i) provisions in terms of which it has been issued; and
 - (ii) relevant authorities that have issued it.

4. Types of applications that requires approval

- (1) Land development applications that may be submitted in terms of this By-law includes the following:-
 - (a) a consent-use application, inclusive of temporary consent, as provided for in the Municipal land use scheme or any other town planning scheme that might still be in operation;
 - (b) a building line relaxation application as provided for in the Municipal land use scheme or any other town planning scheme that might still be in operation;
 - (c) an amendment of a provision of the Municipal land use scheme or any other town planning scheme which might still be applicable relating to land (rezoning) application;
 - (d) a township establishment application;
 - (e) a subdivision and/or consolidation of an erf/erven in an approved township or the subdivision of any other land application;
 - (f) a division of an approved township application;
 - (g) an extension of boundaries of an approved township;
 - (h) an amendment or cancellation either wholly or in part of a general plan of an approved township;
 - (i) a removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of land application, including a consent application if required by a condition of title registered against the title deed of land;
 - (j) excision of agricultural land from agricultural holdings; and
 - (k) any other application as provided for in this By-law.

5. Provisions and principles which shall guide and inform all land development applications

- (1) All land development applications in terms of this By-law must give effect to the development principles as set out in section 7(1) Chapter 2 of the Spatial Planning and Land Use Management Act.
- (2) All land development applications in terms of this By-law shall be guided and informed by any spatial development framework prepared in terms of legislative requirements and municipal spatial development framework as adopted and approved in terms of section 20 of the Spatial Planning and Land Use Management Act and section 6 of this By-law.
- (3) All land development applications in terms of this By-law must inter alia address need, reasonableness, desirability and public interest.
- (4) All land development applications in terms of this By-law shall have as its main purpose the co-ordinated and harmonious development of the area to which the application relates in such a way as will most effectively tend to promote the health, safety, good order, amenity, convenience and general welfare of such specific area as well as efficiency and economy in the process of such development.

CHAPTER 2 SPATIAL PLANNING

6. Municipal spatial development framework

1. The Municipality shall draft a Municipal Spatial Development Framework in terms of sections 6, 20, 21 and relevant provisions of the Act, read with sections 23 to 35 of the Municipal Systems Act, 2000 (Act 32 of 2000).
2. Notwithstanding the provisions of the Municipal Systems Act and its Regulations, before the Municipality adopts its municipal spatial development framework for purposes of this section, including any amendments thereto, the Municipality must-
3. give notice of the proposed municipal spatial development framework in the Provincial Gazette and in the media;
4. invite the public to submit written representations in respect of the proposed municipal spatial development framework to the Municipality within 60 days after the publication of the notice envisaged in (a) above; and
5. consider all representations received in respect of the proposed municipal spatial development framework.
6. The municipal council of a municipality must by notice in the Provincial Gazette adopt a municipal spatial development framework for the municipal area.
7. In the preparation and drafting of a Municipal Spatial Development Framework the Spatial Development Framework shall contain the essential elements of the content of both the Act and Municipal Systems Act, 2000 (Act 32 of 2000), or provincial legislation and the Municipality may for purposes of reaching its constitutional mandate include any matter which it may deem necessary for municipal planning.

7. Content of municipal spatial development framework

- (1) The Municipality's spatial development framework must-
 - (a) give effect to the development principles and applicable norms and standards as set out in Chapter 2 of the Spatial Planning and Land Use Management Act;
 - (b) include a written and spatial representation of a five year spatial development plan for the spatial form of the Municipality;
 - (c) include a longer term spatial development vision statement aligned to the Regional Spatial Vision for the Municipality's area of jurisdiction which indicates a desired spatial growth and development pattern for the next 10 to 20 years;
 - (d) identify current and future significant structuring and restructuring elements of the spatial form of the Municipality, including urbanization boundary, development corridors, activity

- spines and economic nodes where public and private investment will be prioritised and facilitated;
- (e) include population growth estimates for the next five years;
 - (f) include estimates of the demand for housing units across different socio-economic categories and the planned location and density of future housing developments;
 - (g) include estimates of economic activity and employment trends and locations in the Municipality's area of jurisdiction for the next five years;
 - (h) identify, quantify and provide location requirements of engineering infrastructure and services provision for existing and future development needs for the next five years;
 - (i) identify the designated areas where a national, provincial or local inclusionary housing policy may be applicable;
 - (j) include a strategic assessment of the environmental pressures and opportunities within the Municipality's area of jurisdiction, including the spatial location of environmental sensitivities and high potential agricultural land;
 - (k) identify the designation of areas in the Municipality where incremental upgrading approaches to development and regulation will be applicable;
 - (l) identify the designation of areas in which-
 - (i) more detailed local plans must be developed; and
 - (ii) shortened land use development procedures may be applicable and land use schemes may be so amended;
 - (m) provide the spatial expression of the coordinated alignment and integration of sectoral policies of all Municipality Departments;
 - (n) determine a capital expenditure framework for the municipality's development programmes, depicted spatially;
 - (o) determine the purpose, desired impact and structure of the land use management scheme to apply in that Municipality area; and
 - (p) include an implementation plan comprising of-
 - (i) sectoral requirements, including budgets and resources for implementation;
 - (ii) necessary amendments to a land use scheme;
 - (iii) specification of institutional arrangements necessary for implementation;
 - (iv) specification of implementation targets, including dates and monitoring indicators; and
 - (v) specification, where necessary, of any arrangements for partnerships in the implementation process.

8. Legal effect of municipal spatial development framework

- 1) The Municipality or any other authority required or mandated to make a land development decision in terms of this By-law or any other applicable legislation relating to land development, may only depart from the provisions of its municipal spatial development framework where merit and site specific circumstances warrant or justify such departure, upon motivation.
- 2) Where a conflict exists between the Municipality's municipal spatial development framework and the National spatial development framework and/or a Regional spatial development framework and/or a Provincial spatial development framework, the provisions of the Municipality's municipal spatial development framework shall prevail as a result of its executive authority to do "municipal planning" in terms of section 156 read with Schedule 4 Part B of the Constitution.

9. Local Spatial Development Frameworks

- (1) The Municipality may adopt a local spatial development framework for a specific geographical area in a portion of the municipal area.
- (2) The purpose of a local spatial development framework in a specific geographical area is to:
 - (a) provide detailed spatial planning guidelines;
 - (b) provide more detail in respect of a proposal provided for in the municipal spatial development framework;
 - (c) meet specific land use planning needs and priorities;
 - (d) provide detailed policy and development parameters for land use planning;

- (e) provide detailed priorities in relation to land use planning and, in so far as they are linked to land use planning, biodiversity and environmental issues;
- (f) guide decision making on land use applications; and
- (g) identify a funding source and budget for prioritized projects.

10. Compilation, Amendment or Review of Local Spatial Development Frameworks

- (1) If the Municipality compiles, amends or reviews a local spatial development framework, Section 6 apply mutatis mutandis.

11. Status of Local Spatial Development Frameworks

- (1) A local spatial development framework or an amendment thereof comes into operation on the date of publication of the notice contemplated in Section 6.
- (2) A local spatial development framework guides and informs decisions made by the Municipality relating to land development, but it does not confer or take away rights.

12. Local Area Plans

- (1) When the Municipality intends to develop a local area plan it must—
 - (a) review that local area plan and make it consistent with the purpose of a municipal spatial development framework;
 - (b) incorporate the provisions of the local area plan that are consistent with that purpose in a municipal spatial development framework.
- (2) The Municipality must withdraw the relevant local area plan by notice in the Provincial Gazette when it adopts a local spatial development framework contemplated in subsection (1).

13. Compilation, Review or Amendment of Municipal Spatial Development Framework

- (1) When the Council compiles, reviews or amends its municipal spatial development framework in accordance with the Municipal Systems Act and the Spatial Planning and Land Use Management Act, the Council must—
 - (a) establish an intergovernmental steering committee to compile or amend its municipal spatial development framework; or
 - (b) refer its draft municipal spatial development framework or draft amendment of its municipal spatial development framework to National and Provincial Departments and contiguous municipalities for comment, in accordance with Section 7(e)(ii) of the Spatial Planning and Land Use Management Act, 2013.
- (2) The Municipality must—
 - (a) publish a notice in two of the official languages of the Province most spoken in the area in two newspapers circulating in the area concerned of—
 - (i) the intention to compile, review or amend the municipal spatial development framework; and
 - (ii) the process it will follow, in accordance with section 28(3) and 29 of the Municipal Systems Act;
 - (b) in writing inform the National and Provincial Departments and contiguous municipalities of—
 - (i) the intention to compile, review or amend the municipal spatial development framework;
 - (ii) its decision in terms of subsection (1)(a) or (1)(b); and
 - (iii) the process it will follow to compile, review or amend the municipal spatial development framework, including the process for public participation, including the process contemplated in subsection (1)(b)(ii); and

- (iv) register relevant stakeholders, who must be invited to comment on the draft municipal spatial development framework or draft amendment of the municipal spatial development framework as part of the process contemplated in subsection (1)(b)(ii).

14. Establishment of Project Committee

- (1) The Municipality must establish a project committee to compile, review or amend its municipal spatial development framework.
- (2) The project committee must at least consist of—
 - (a) the Municipal Manager or a municipal employee designated by the municipal manager; and
 - (b) municipal employees appointed by the Municipal Manager from at least the following municipal departments:
 - (i) the planning department;
 - (ii) the engineering department;
 - (iii) integrated environmental management
 - (iv) building science
 - (v) legal section/department
 - (vi) the local economic development department; and
 - (vii) the housing department; and
 - (viii) any other department deemed necessary.

15. Establishment of Intergovernmental Steering Committee

- (1) If the Council establishes an intergovernmental steering committee, the Municipality must, in writing, invite written nominations for representatives to serve on the intergovernmental steering committee from the following persons or organs of state:—
 - (a) the delegated party of the national and provincial government department responsible for land use planning;
 - (b) the delegated party of the provincial government department responsible for environmental affairs;
 - (c) the delegated party of the provincial government department responsible for agriculture;
 - (d) relevant organs of state; and
 - (e) any other department deemed necessary by the municipality.

16. Procedure with Intergovernmental Steering Committee

- 1. If the Council establishes an intergovernmental steering committee, the project committee must compile a draft status quo document setting out an assessment of the existing levels of development and development challenges in the municipal area, and must submit it to the intergovernmental steering committee for comments.
- 2. After consideration of the comments of the intergovernmental steering committee, the project committee must complete the status quo document and submit it to the Council for adoption.
- 3. After finalising the status quo report the project committee must compile a first draft of the municipal spatial development framework or first draft amendment of the municipal spatial development framework and submit it to the intergovernmental steering committee for comments.
- 4. After consideration of the comments of the intergovernmental steering committee, the project committee must complete the first draft of the municipal spatial development framework or first draft amendment of the municipal spatial development framework and submit it to the Council to approve the publication thereof for public comments in accordance with the process adopted in terms of section 28 and 29 of the Municipal Systems Act.
- 5. After consideration of the comments and representations of the intergovernmental steering committee, as a result of the publication contemplated in subsection 4, the project committee must compile a final municipal spatial development framework or final amendment of the

- municipal spatial development framework and submit it to the intergovernmental steering committee for comment.
6. After consideration of the comments of the intergovernmental steering committee contemplated in subsection 5, the project committee must complete the final draft of the municipal spatial development framework or final draft amendment of the municipal spatial development framework and submit it to the Council for adoption.
 7. If the final municipal spatial development framework or final amendment of the municipal spatial development framework contemplated in subsection 6 is materially different to what was published in terms of subsection 4, the Municipality must in accordance with subsections 4, 5 and 6 read with the necessary changes, follow a further consultation and public participation process before the municipal spatial development framework or amendment of the municipal spatial development framework is adopted by the Council.
 8. The Council or the project committee may at any time in the process of compiling a municipal spatial development framework or drafting an amendment of the spatial development framework request comments from the intergovernmental steering committee.
 9. The Council must adopt the final municipal spatial development framework or final amendment of the municipal spatial development framework, with or without amendments, and must within 21 days of its decision give notice thereof in the media and the Provincial Gazette.

17. Procedure without Intergovernmental Steering Committee

- (1) If the Council does not establish an intergovernmental steering committee to compile or amend its municipal spatial development framework, the project committee must—
 - (a) compile a draft status quo document setting out an assessment of the existing levels of development and development challenges in the municipal area and submit it to the Council for adoption;
 - (b) after adoption of the status quo document, compile a draft municipal spatial development framework or draft amendment of the municipal spatial development framework and submit it to the Council to approve the publication thereof for public comment;
 - (c) after approval of the draft municipal spatial development framework or draft amendment of the municipal spatial development framework for publication contemplated in subsection (b), submit the draft municipal spatial development framework or draft amendment of the municipal spatial development framework to the MEC for comment in; and
 - (d) after consideration of the comments received from the public and the MEC, submit a final municipal spatial development framework or final amendment of the municipal spatial development framework, with any further amendments, to the Council for adoption.
- (2) The Council must adopt the final municipal spatial development framework or final amendment of the municipal spatial development framework, with or without amendments, and must within 21 days of its decision give notice thereof in the media and the Provincial Gazette.

18. Functions and Duties of Project Committee

- (1) The members of the project committee must, in accordance with the directions of [the executive authority/executive mayor/committee of councillors]—
 - (a) compile a municipal spatial development framework or draft an amendment of the municipal spatial development framework for adoption by the Council;
 - (b) provide technical knowledge and expertise to the Council;
 - (c) monitor progress and ensure that the compilation of the municipal spatial development framework or drafting of the amendment of the municipal spatial development framework is progressing according to the approved process contemplated in section this chapter;
 - (d) guide the public participation process and ensure that the registered affected parties remain informed;
 - (e) oversee the incorporation of amendments to the draft municipal spatial development framework or draft amendment of the municipal spatial development framework based on the consideration of the comments received during the process of drafting thereof;

- (f) oversee the drafting of a report setting out the response of the Municipality to the provincial comments issued;
 - (g) ensure alignment of the municipal spatial development framework with the development plans and strategies of other affected municipalities and other organs of state as contemplated in section 24(1) of the Municipal Systems Act;
 - (h) facilitate the integration of other sector plans into the municipal spatial development framework;
 - (i) if the Municipality decides to establish an intergovernmental steering committee—
 - (i) assist the Municipality in ensuring that the intergovernmental steering committee is established and that timeframes are adhered to; and
 - (ii) ensure the flow of information between the project committee and the intergovernmental steering committee.
- (2) The members of the intergovernmental steering committee must—
- (a) provide the intergovernmental steering committee with the following:
 - (i) technical knowledge and expertise;
 - (ii) input on outstanding information that is required to draft the municipal spatial development framework or an amendment thereof;
 - (iii) information on the locality of projects and budgetary allocations; and
 - (iv) written comments.
 - (b) communicate to the intergovernmental steering committee any current or planned projects that have an influence on the municipal area; and
 - (c) provide the project committee with written comments.

18.1 Public participation:

- (a) for purposes of public participation in the preparation of a Municipal Spatial Development Framework, the public participation shall contain and comply with all the essential elements of any notices to be placed in terms of the Act or the Municipal Systems Act, 2000 (Act 32 of 2000);
- (b) without detracting from the provisions of subsection (a) the Municipality shall:
 - (i) publish a notice in the Provincial Gazette in English and one other official language commonly spoken in the area, once a week for two consecutive weeks;
 - (ii) publish a notice in two local newspapers circulating in the area of jurisdiction of the Municipality in English and one other official language commonly spoken in the area, once a week for two consecutive weeks; and
 - (iii) use any other method of communication it may deem appropriate;

of its intention to draft, review or amend the Municipal Spatial Development Framework and the process to be followed in accordance with section 28(3) of the Municipal Systems Act, 2000 (Act 32 of 2000).

- (c) The Municipality may for purposes of public engagement arrange:
 - (i) specific consultations with professional bodies, ward communities or other groups; and/or
 - (ii) open day(s) in order for the public to peruse the draft Municipal Spatial Development Framework; and/or
 - (iii) public meetings,

to engage in the content of the draft Municipal Spatial Development Framework.

- (d) The notice contemplated in subsection (b) shall specifically state that any person or body wishing to provide comments shall:
 - (i) do so within a period of 60 days from the first day of publication of the notice;
 - (ii) provide written comments; and
 - (iii) provide their contact details as specified in the definition of contact details.
- (e) The Municipality must inform the MEC of the Province in writing of:
 - (i) its intention to draft, review or amend the Municipal Spatial Development Framework;
 - (ii) its decision in terms of subsection (4)(e); and

- (iii) the process that will be followed in the drafting, review or amendment of the Municipal Spatial Development Framework including the process for public participation.

18.2 Consideration of the Municipal Spatial Development Framework

- a) After the public participation process contemplated in subsection (5)(a) to (e) the Department responsible for Development Planning shall review and consider all submissions made in writing or during any engagements.
- b) The Department responsible for Development Planning shall for purposes of proper consideration provide its written comments on the submissions made, which comments shall form part of the documentation to be submitted to the Municipal Council for final consideration, approval and adoption of its Municipal Spatial Development Framework.
- c) The Department responsible for Development Planning shall where required, and based on submission received, make final amendments to the Municipal Spatial Development Framework, provided that if such amendments are in its opinion materially different to what was published in terms of subsection (5)(a) to (e), the Municipality must follow a further consultation and public participation process before adoption by the Municipal Council as provided for in subsection (5)(a) to (e).
- d) The Municipal Council must adopt the Municipal Spatial Development Framework with or without amendments, and must within 60 days of its decision give notice of the adoption thereof in the media circulating in its area of jurisdiction, in English and one other official language, and in the Provincial Gazette; which notice may include a summary in accordance with subsection 25(4) of the Municipal Systems Act, 2000 (Act 32 of 2000).
- e) After the approval of the Municipal Spatial Development Framework the Municipality shall submit the approved and adopted Municipal Spatial Development Framework to the MEC.

18.3 Status and departure from the Municipal Spatial Development Framework

- (1) Nothing contained in sections 5 or 6 of this By-law shall be construed as prohibiting a Municipality from taking a decision on a land development application, which decision in the opinion of the Municipality, departs from the adopted Municipal Spatial Development Framework, provided that:
 - (a) it must motivate site specific circumstances that may justify the departure;
 - (b) subject subsection (1)(c) such departure does not materially change the Municipal Spatial Development Framework;
 - (c) if such departure materially changes the Municipal Spatial Development Framework, the Municipality shall in terms of sections 4, 5 and 6 of this By-law amend the Municipal Spatial Development Framework in so far as it relates to the departure only, in such form as the Municipality may determine without necessarily amending the full Municipal Spatial Development Framework, prior to taking a decision which constitutes a departure from the Municipal Spatial Development Framework;
- (2) In determining whether the site specific circumstances exist in terms of subsection (1)(a) and 1(b), the Municipality must have regard to the land development application or applications which have been submitted and any other relevant considerations.
- (3) In the event of an application departing from the Municipal Spatial Development Framework, the applicant must describe the departure in the application and the impact of such departure on the overall Municipal Spatial Development Framework.
- (4) If there is a conflict between the Municipal Spatial Development Framework and Regionalized, Local Spatial Development Frameworks or any other plans emanating from the Municipal Spatial Development Framework, the Municipal Spatial Development Framework prevails over other development frameworks to the extent of the conflict.

18.4 Record of and access to Spatial Development Frameworks

- (1) The Municipality must keep, maintain and make accessible to the public, including on the Municipality's website, the approved Municipal Spatial Development Framework and/or any component thereof applicable within the jurisdiction of the Municipality.
- (2) Should any person request a copy of the Municipal Spatial Development Framework the Municipality must provide to that person on payment of the prescribed fee, a copy of the approved Municipal Spatial Development Framework or any component thereof; provided that if, in the opinion of the Municipality it will take officials unreasonably away from their substantive duties, such request for a copy may be dealt with in terms of the Promotion of Access to Information Act, 2000 (Act 2 of 2000).

CHAPTER 3 LAND USE SCHEME

19. Land Use Scheme

- (1) The Municipality shall adopt and approve, after public consultation, a single land use scheme for its entire area as prescribed.
- (2) A land use scheme adopted in terms of subsection (1) above must-
 - (a) include appropriate categories of land use zoning and regulations for the entire municipal area, including areas not previously subject to a land use scheme;
 - (b) take cognisance of any environmental management instrument adopted by the relevant environmental management authority, and must comply with environmental legislation;
 - (c) include provisions that permit the incremental introduction of land use management and regulation in areas under traditional leadership, rural areas, informal settlements, slums and areas not previously subject to a land use scheme;
 - (d) include provisions to promote the inclusion of affordable housing in residential land development;
 - (e) include land use and development incentives to promote the effective implementation of the spatial development framework and other development policies;
 - (f) include land use and development provisions specifically to promote the effective implementation of national and provincial policies; and
 - (g) give effect to municipal spatial development frameworks and integrated development plans.
- (3) The land use scheme may include provisions relating to-
 - (a) the use and development of land only with the written consent of the Municipality;
 - (b) specific requirements regarding any special zones identified to address the development priorities of the Municipality; and
 - (c) the variation of conditions of a land use scheme other than a variation which may materially alter or affect conditions relating to the use, size and scale of buildings and the intensity or density of land use.

20. Purpose and Content of Land Use Scheme

- (1) The land use scheme adopted and approved in terms of section 19 above must give effect to and be consistent with the Municipality's municipal spatial development framework and determine the use and development of land within the Municipality's area of jurisdiction in order to promote-
 - (a) economic growth;
 - (b) social inclusion;
 - (c) efficient land development; and
 - (d) minimal impact on public health, the environment and natural resources.
- (2) The land use scheme must include-

- (a) scheme regulations setting out the procedures and conditions relating to the use and development of land in any zone;
- (b) a map indicating the zoning of the municipal area into land use zones; and
- (c) a register of all amendments to such land use scheme.

21. Legal effect of land use scheme

- (1) An adopted and approved land use scheme-
 - (a) has the force of law and all land owners and users of land, including the Municipality, state-owned enterprises and organs of state within the Municipality's area of jurisdiction are bound by the provisions of such a land use scheme;
 - (b) replaces all existing schemes within the Municipality's area of jurisdiction to which the land use scheme applies; and
 - (c) provides for land use and development rights.
- (2) Land may be used only for the purposes permitted-
 - (a) by a land use scheme; or
 - (b) by a town planning scheme, until such scheme is replaced by a land use scheme.
- (3) The Municipality has a duty to enforce the provisions of its land use scheme / town-planning scheme, until such scheme is replaced by a land use scheme, and any use of land which is deemed contrary to such land use scheme shall constitute a criminal offence.
- (4) A land use scheme developed and approved in terms of section 19 above must address conflict between the land use scheme adopted and the one it purports to repeal or replace.

22. Municipality amend its Land Use Scheme

- (1) The Municipality may amend its land use scheme by the rezoning any land necessary if the amendment-
 - (a) is in the public interest;
 - (b) achieve the developmental goals and objectives;
 - (c) to advance, or is in the interest of, a disadvantaged community; and
 - (d) in order to further the vision and development goals and objectives of the Municipality as set out in its Integrated Development Plan and Municipal Spatial Development Framework.
- (2) Where the Municipality intends to amend its land use scheme a land development application process must be followed which include a public participation process to ensure all affected parties have the opportunity to make representations on, object to and appeal the decision.

22.1 Process of incorporation of an area into a Land Use Scheme, drafting, reviewing or amending a Land Use Scheme

- (1) The Municipal Council shall take a decision on the incorporation of an area into a Land Use Scheme and/or drafting, reviewing or amending its Land Use Scheme, provided that in its decision the Municipal Council must:
 - (a) set out a process which complies with the Act and any other applicable legislation;
 - (b) if required, determine the nature and extent of public participation processes to be followed over and above the requirements in terms of the applicable legislation;
 - (c) determine the form and content of the Land Use Scheme;
 - (d) determine the drafting scale to be used on plans and documents and whether it should be available in an electronic medium, if required;
 - (e) deal with any other relevant issue that will impact on the Land Use Scheme or will promote the interpretation and implementation thereof;
 - (f) provide for any resources that may be required for purposes of subsection (1); and
 - (g) confirm the manner in which the Land Use Scheme shall *inter alia* set out the general provisions for land uses applicable to all land, categories of land use, zoning maps, restrictions, prohibitions and/or any other provision that may be

relevant to the management of land use, which may or may not require a consent or permission from the Municipality for purposes of the use of land.

- (2) After the Municipal Council has taken a decision as contemplated in subsection (1) and the Land Use Scheme, has been prepared, it shall:
 - (a) be presented to the Municipal Council to be approved as a draft Land Use Scheme;
 - (b) with a written report from the Department responsible for Development Planning, which shall at least:
 - (i) indicate the rationale in the approach to the drafting of the Land Use Scheme;
 - (ii) summarise the process of drafting the draft Land Use Scheme;
 - (iii) summarise the public participation, engagement and consultation process to be followed with reference to section 11 of this By-law;
 - (iv) indicate the departments that were engaged in the drafting of the draft Land Use Scheme;
 - (v) indicate how the draft Land Use Scheme complies with the requirements of relevant national and provincial legislation, and relevant mechanism controlling and managing land use rights by the Municipal Council; and
 - (vi) recommend the adoption of the draft Land Use Scheme for public participation in terms of the relevant law and this By-law.
- (3) A registered planner must sign the report required by subsection (2).
- (3) The Municipal Council shall adopt the draft Land Use Scheme and authorise the public participation thereof in terms of this By-law and the relevant law in terms of subsection (2).

22.2 Public Participation for a draft Land Use Scheme

- (1) For purposes of public participation, a draft Land Use Scheme shall contain and comply with all the essential elements of any notices to be placed in terms of subsection (2), read with section 28 of the Act.
- (2) Without detracting from the provisions of subsection (1) the Municipality shall substantially in accordance with this By-law:
 - (a) publish a notice in the Provincial Gazette once a week for two consecutive weeks;
 - (b) publish a notice in two local newspapers circulating in the area of jurisdiction of the Municipality in English and one other official language commonly spoken in the area, once a week for two consecutive weeks; and
 - (c) For purposes of notification use any other method of communication it may deem appropriate;
 - (d) of a draft Land Use Scheme; and the notices contemplated in subsection (2) shall specifically state that any person wishing to provide comments and/or objections shall -
 - (i) do so within a period of 60 days from the first day of publication of the notice;
 - (ii) provide detailed written comments;
 - (iii) provide their contact details;
 - (iv) detailed grounds of objection;
 - (v) a demonstration of the interest and or *locus standi* of the interested person or objector to the satisfaction of the Municipality.
- (3) The Municipality may for purposes of public engagement arrange:
 - (a) specific consultations with professional bodies, ward communities or other groups; and/or
 - (b) public meetings.
- (4) The Municipality must deliver to the MEC in writing a copy of the draft Land Use Scheme for comments within 60 days of delivery.

- (5) After the public participation, engagements and consultation processes contemplated in subsections (1) to (3), the Department responsible for Development Planning shall:
- (a) review and consider all submissions made in writing or inputs made during any consultations or engagements; and
 - (b) prepare a report, including all information deemed relevant to the Municipal Council, on the submissions made; provided that:
 - (i) for purposes of reviewing and considering all submissions made, the Municipal Manager or any person duly delegated, may elect to hear the submission through an oral hearing process;
 - (ii) if the Municipal Manager or any person duly delegated elects in terms of subsection (i) to conduct an oral hearing the provisions of section 18(1) to (6) of this By-law shall apply *mutatis mutandis*;
 - (iii) if an oral hearing is to be conducted as contemplated in subsection (ii) the hearing shall be conducted by the Municipal Planning Tribunal for purposes of making a recommendation to the Municipal Council as contemplated in subsection (6) up to and including (9); and
 - (iv) for purposes of the consideration of the submissions made on the Land Use Scheme, the Municipality or the Municipal Planning Tribunal may at any time prior to the submission of the Land Use Scheme to the Municipal Council, request further information or elaboration on the submissions made by any person.
- (6) The Department responsible for Development Planning shall for purposes of proper consideration provide comments on the submissions made during public participation, consultation and engagements, which comments shall:
- (a) be submitted to the Municipal Planning Tribunal in the event of an oral hearing in terms of subsection (5)(b)(iii);
 - (b) contain a recommendation to the Municipal Planning Tribunal in the event of oral hearing in terms of subsection (5)(b)(iii); and
 - (c) form part of the documentation to be submitted to the Municipal Council in terms of subsection (8) including that which was submitted in terms of subsection (a) and subsection (b);
- (7) for final consideration, approval and adoption of the draft Land Use Scheme as contemplated in subsection (9).
- (8) The Department responsible for Development Planning shall, where required and based on the submissions made during public participation, consultation and engagement or oral hearing as the case may be, make final amendments to the draft Land Use Scheme; provided that:
- (a) the amended draft Land Use Scheme shall be submitted to the Municipal Council in terms of subsection (6) with reference to the amendments made;
 - (b) if such amendments are, in the opinion of the Municipality material, to the draft published in terms of subsection (2), the Municipality must follow a further consultation and public participation process in terms of subsection (2), before the draft is adopted by the Municipal Council.
- (9) The Department responsible for Development Planning shall submit a report to the Municipal Council for the approval and adoption of the draft Land Use Scheme, which report shall contain:
- (a) the draft Land Use Scheme as contemplated in subsections (5) to (7); and
 - (b) all relevant supporting documentation to the Municipal Council with a recommendation for approval and adoption;
- (10) The Municipal Council must consider and approve the Land Use Scheme with or without amendments, and within 60 days of its decision give notice thereof in the Provincial Gazette, after which it shall be known as the adopted Land Use Scheme for the Municipality; provided that:
- (a) such notice may include a summary of the approved Land Use Scheme; and

- (b) the notice may indicate a specific date of coming into operation of the approved Land Use Scheme.
- (11) After the Land Use Scheme has been published in terms of subsection (9) the Municipality shall submit the adopted Land Use Scheme to the MEC for cognisance.
- (12) The Municipality shall in hard copy and/or an electronic medium and/or electronic data base keep record of the zoning and land use rights in relation to each property(ies) and which information shall be regarded as part of its Land Use Scheme.
- (13) The Municipality shall keep, maintain and make accessible to the public, including on the Municipality's website, the approved Land Use Scheme and/or any applicable component thereof within the jurisdiction of the Municipality; provided that the electronic data base as contemplated in subsection (11) shall not be published on the Municipality's website.
- (14) Should any person request a copy of the approved Land Use Scheme, the Municipality must provide to that person on payment of the prescribed fee, a copy to them of the approved Land Use Scheme or any component thereof; provided that, in the opinion of the Municipality it will take officials unreasonably away from their substantive duties such request for a copy can be dealt in terms of the Promotion of Access to Information Act, 2000 (Act 2 of 2000).

CHAPTER 4

MUNICIPAL PLANNING TRIBUNAL AND AUTHORISED OFFICIAL

23. Establishment of Municipal Planning Tribunal

- (1) The Municipality shall in order to determine land development applications within its area of jurisdiction:-
 - (a) establish a Municipal Planning Tribunal;
 - (b) by agreement with one or more municipalities establish a joint Municipal Planning Tribunal; or
 - (c) agree to the establishment of a district Municipal Planning Tribunal by the District Municipality.
- (2) An agreement referred to in subsection (1)(b) or (c) must be published in the Provincial Gazette and must provide for—
 - (a) the composition of the Municipal Planning Tribunal;
 - (b) the terms and conditions of appointment of members of the Municipal Planning Tribunal; and
 - (c) the determination of rules and proceedings of the Municipal Planning Tribunal.

24. Municipal Planning Decision-Making Structures

- (1) Applications are decided by—
 - (a) an authorized employee / official who has been authorized by the Municipality to consider and determine the applications per the Municipality's approved terms of reference and delegated authority as delegated to it by the Municipality;
 - (b) the Municipal Planning Tribunal shall decide applications referred to it as per the Municipal Planning Tribunal's approved terms of reference and delegated authority as delegated to it by the Municipality.
 - (c) the Appeal Authority where an appeal has been lodged against a decision of the Municipal Planning Tribunal and or authorised employee / official.

25. Composition of Municipal Planning Tribunal for Municipal Area

- (1) A Municipal Planning Tribunal established in terms of subsection 23(1) must consist of the following members:

- (a) officials in the full-time service of the Municipality, appointed by the Municipality; and at the sole discretion of the Municipality it must also include-
- (b) persons appointed by the Municipality who are not municipal officials and who have knowledge and experience of spatial planning, land use management and land development or the law relating thereto.
- (2) The members of Municipal Planning Tribunal must also be persons who are:
 - (a) registered as a professional with the South African Council for the Planning Profession in terms of the Planning Profession Act, 36 of 2002;
 - (b) registered as a professional with the Engineering Council of South Africa in terms of the Engineering Profession Act, 46 of 2000;
 - (c) registered as an environmental assessment practitioner registered with a voluntary association;
 - (d) any other person who has knowledge and experience of spatial planning, land use management and land development or the law related thereto.
- (3) Municipal Councillors shall not be members of a Municipal Planning Tribunal.
- (4) A Municipal Planning Tribunal must consist of at least 5 (five) members or more as the Municipality deems necessary.
- (5) A Municipal Planning Tribunal may designate at least three (3) members of the Tribunal which will form a quorum to hear, consider and decide a matter which comes before it.
- (6) The Municipality must designate a member of the Municipal Planning Tribunal as chairperson.
- (7) The terms and conditions of service of members of the Municipal Planning Tribunal as envisaged in subsection (1)(a) and (1)(b) above shall be as per Schedule 1 of the Spatial Planning and Land Use Management Act Regulations.
- (8) The members of the Municipal Planning Tribunal must also adhere to and will be required to sign a code of conduct as approved by the Municipality, which will be substantially in accordance with Schedule 3 of the Spatial Planning and Land Use Management Act Regulations.
- (9) The members of the Municipal Planning Tribunal will also be subject to disqualification from membership as set out in section 38 of the Spatial Planning and Land Use Management Act.
- (10) Should the municipality, in its sole discretion, decide to appoint members to the Municipal Planning Tribunal as envisaged in subsection (1)(b) above, it shall comply with the call for nomination procedures as set out in the Spatial Planning and Land Use Management Act Regulations.
- (11) The members of the Municipal Planning Tribunal referred to in subsection (1)(b) may be appointed only after the Municipality, by notice in the Provincial Gazette and in other media that the Municipality considers appropriate, has invited interested parties to submit within the period mentioned in the notice, names of persons who are fit and proper persons to be so appointed.

26. Meetings of Municipal Planning Tribunal for Municipal Area

- (1) The Municipal Planning Tribunal contemplated in Section 23(1)(a) must determine its own internal arrangements, proceedings and procedures and those of its committees by drafting rules for—
 - (a) the convening of meetings;
 - (b) preparation and distribution of agendas
 - (c) the procedure at meetings including:-
 - (i) formal meeting procedures;
 - (ii) apologies;
 - (iii) attendance, and
 - (iv) the frequency of meetings.
- (2) Decisions of the Municipal Planning Tribunal are taken by resolution of a majority of all the members present at a meeting of the Municipal Planning Tribunal, and in the event of an equality of votes on any matter, the person presiding at the meeting in question will have a deciding vote in addition to his deliberative vote as a member of the Municipal Planning Tribunal.
- (3) Meetings of the Municipal Planning Tribunal must be held at the times and places determined by the chairperson of the Municipal Planning Tribunal in accordance with the rules of the Municipal Planning Tribunal.

27. Administrator for Municipal Planning Tribunal for Municipal Area

- (1) The Municipal Manager must appoint an employee as the Administrator and other staff for the Municipal Planning Tribunal in terms of the Systems Act.
- (2) The Administrator must—
 - (a) liaise with the relevant Municipal Planning Tribunal members and the parties in relation to any application or other proceedings filed with the Municipal Planning Tribunal;
 - (b) maintain a diary of hearings of the Municipal Planning Tribunal;
 - (c) allocate meeting dates for and application numbers to applications;
 - (d) arrange the attendance of meetings by members of the Municipal Planning Tribunal;
 - (e) arrange venues for Municipal Planning Tribunal meetings;
 - (f) perform the administrative functions in connection with the proceedings of the Municipal Planning Tribunal;
 - (g) ensure the efficient administration of the proceedings of the Municipal Planning Tribunal in accordance with the directions of the chairperson of the Municipal Planning Tribunal;
 - (h) arrange the affairs of the Municipal Planning Tribunal so as to ensure that time is available to liaise with other authorities regarding the alignment of integrated applications and authorisations;
 - (i) notify parties of decisions and procedural directives given by the Municipal Planning Tribunal;
 - (j) keep a record of all applications submitted to the Municipal Planning Tribunal and the outcome of each, including—
 - (i) decisions of the Municipal Planning Tribunal;
 - (ii) on-site inspections and any matter recorded as a result thereof;
 - (iii) reasons for decisions; and
 - (iv) proceedings of the Municipal Planning Tribunal; and
 - (v) keep records by any means as the Municipal Planning Tribunal may deem expedient.

28. Functioning of Municipal Planning Tribunal for Municipal Area

- (1) The meetings of the Municipal Planning Tribunal contemplated in section 23(1)(a) must be held at the times and places as the chairperson may determine.
- (2) The meetings of the Municipal Planning Tribunal must be held at least once per month if there are applications to consider.

29. Powers and functions of a Municipal Planning Tribunal

- (1) A Municipal Planning Tribunal may—
 - (a) approve, in whole or in part, or refuse any application referred to it in accordance with this By-law;
 - (b) in approval of any application, impose any reasonable conditions, including conditions related to the provision of engineering services and the payment of any engineering services contributions;
 - (c) make an appropriate determination regarding all matters necessary or incidental to the performance of its functions in terms of this By-law, Spatial Planning and Land Use Management Act and/or any Provincial legislation;
 - (d) conduct any necessary investigation;
 - (e) give directions relevant to its functions to any person in the service of the Municipal Entity; or
 - (f) decide any question concerning its own jurisdiction.
- (2) A Municipal Planning Tribunal must keep a record of all its proceedings and decisions.
- (3) A Municipal Planning Tribunal must provide reasons for any of its decisions made on a land development application, and such reasons will be provided by the Municipal Planning Tribunal's Chairperson in writing within 14 days from date of the decision.

30. Classification of applications to be determined by the Municipal Planning Tribunal

- (1) Subject to section 32(2), the Municipal Planning Tribunal shall decide any application submitted in terms of this bylaw, municipal land use scheme or any other applicable law relating to land development that are an:-
 - (a) opposed land development application;
 - (b) application that falls outside the ambits of the municipal spatial development framework;
 - (c) application that falls outside any policy, procedure, standard, requirement and guideline used or implemented by the municipality; and
 - (d) application that was commented on.

31. Authorised official

- (1) As envisaged in terms of section 35(2) of the Spatial Planning and Land Use Management Act the Municipality may authorise an official in terms of a proper delegated power to decide certain land development applications.
- (2) The authorisation in terms of subsection (1) above may include the power to sub-delegate such authorisation to any suitably qualified official(s) in the employ of the Municipality and under the control of the authorised official.
- (3) An authorised official may-
 - (a) approve, in whole or in part, or refuse any application referred to it in accordance with this By-law;
 - (b) where a land development application is refused by an authorised official the application shall be referred to the municipal planning tribunal.
 - (c) in approval of any application, impose any reasonable conditions, including conditions related to the provision of engineering services and the payment of any engineering services contributions;
 - (d) make an appropriate determination regarding all matters necessary or incidental to the performance of its functions in terms of this By-law, Spatial Planning and Land Use Management Act and/or any Provincial legislation;
 - (e) conduct any necessary investigation;
 - (f) give directions relevant to its functions to any person in the service of the Municipal Entity; or
 - (g) decide any question concerning its own jurisdiction.
- (4) An authorised official must keep a record of all its proceedings and decisions.
- (5) An authorised official must provide reasons for any of its decisions made on a land development application.

32. Classification of applications to be decided by the authorised official

- (1) The authorised official may only decide unopposed land development applications submitted in terms of this By-law, or the municipal land use scheme or any other applicable law relating to land development which application complies with the provisions of section 5 above.
- (2) Notwithstanding subsection (1) above, such authorised official will have the discretion to forward any application referred to him/her to the Municipal Planning Tribunal for a decision.
- (3) An authorised official shall also decide applications envisaged in Section 93 of this By-law.

CHAPTER 5 DEVELOPMENT MANAGEMENT:

Part 1 Procedures for Applications

33. Pre Application Consultations

- (1) The Municipality may require an owner of land who intends to submit an application or his agent to meet with the authorized employee for a pre-application consultation before he submits an application to the Municipality in order to determine the information to be submitted with the application.
- (2) The Municipality may make guidelines for determining whether an application requires a pre-application consultation, the nature of the information that is required, the employees from the Municipality or other organs of state that must attend the meeting and the procedures to be followed.
- (3) The Municipality must keep minutes of the proceedings of a pre-application consultation.
- (4) The Municipality must also allow consultation on the behest of the applicant or his agent with regards to subsection (1), (2) and (3).

34. Time frames for land development applications

- (1) An application is regarded as complete only if the Municipality has received the application fee, all information necessary for the Municipality to assess the application as envisaged in Schedules to this By-law and the information submitted is compliant with all information specifications.
- (2) The municipality shall within 14 days notify the owner/applicant that a Land Development Application is complete.
- (3) Upon confirmation, the phases of the application process starts.
- (4) For the purposes of this section, a land development application under the provisions of this By-law shall be subject to an administrative phase, a consideration phase and a decision phase.
- (5) The administration phase commences only after a land development application is regarded as complete as envisaged in subsection (1) above and such phase may not be longer than 12 months.
- (6) The consideration phase may not be longer than 3 months.
- (7) The decision phase shall be subject to the time frames as set out in the relevant sections of this By-law provided that any decision by the Municipal Planning Tribunal shall be made within 30 days from the date of the last meeting of the Municipal Planning Tribunal.
- (8) The administrative phase is the phase during which all public participation notices must be published and responded to, parties must be informed, public participation processes finalised, intergovernmental participation processes finalised and the application referred to the Municipal Planning Tribunal or authorised official for consideration and decision-making.
- (9) The consideration phase is the phase during which the Municipal Planning Tribunal or authorised official must consider the application, whether it be a written or oral proceeding, and undertake investigations, if required.
- (10) If no decision is made within, the period referred to in subsection (7) above, it shall be regarded as an undue delay for purposes of this By-law and the applicant or interested person may lodge an appeal in terms of the provisions of section 73(1) above to the appeal authority for a decision on the application.
- (11) Such non-performance may also be reported to the Municipality Manager, who must in turn report it to the Municipality's executive authority and adequate steps shall be taken to ensure compliance with the prescribed time frames.

35. Non-conforming uses

- (1) A non-conforming use provides that land that is being used lawfully in terms of an existing zoning for a purpose that does not comply with a proposed zoning may continue to be used for that purpose when the new zoning or land use scheme comes into operation.
- (2) A non-conforming use does not constitute an offence in terms of this By-law.
- (3) A non-conforming use may continue as long as it remains otherwise lawful, subject to the following:
 - (a) if the non-conforming use ceases for any reason for a period of more than twenty-four consecutive months, any subsequent use of the property must conform to the requirements of this By-law, with or without temporary uses;
 - (b) an appropriate land development application contemplated in Section 4 must be made for the alteration or extension of buildings or structures in respect of the non-conforming use;
 - (c) the owner bears the onus of proving that the non-conforming land use right exists within 30 days of request for proof;
 - (d) the land use right shall be deemed to not exist or have lapsed if proof of approval of the land use rights is not received within 30 days after request and the land use shall cease with immediate effect and
 - (e) the use right is limited to the area of the building or land on which the proven use right is in existence.
- (4) Subject to subsection (3)(a) and (3)(b), if an existing building, which constitutes a non-conforming use, is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building, the Municipality may grant permission for the reconstruction of such building subject to conditions.

36. Continuation of application after change of ownership

- (1) If land that is the subject of an application is transferred to a new owner, the new owner may continue with the application as the successor in title to the previous owner and the new owner is regarded as the applicant for the purposes of this By-law, provided that the following is submitted to the municipality:
 - (a) proof of change of ownership; and
 - (b) an amended power of attorney, if an agent was appointed to make the application.
- (2) The new owner must advise the Municipality in writing of the continuation of the application.

37. Rezoning of land by municipality

- (1) The Municipality may, on its own initiative, rezone land of which it is not the owner to—
 - (a) provide a public service or to provide a public recreational space; or
 - (b) substitute a zoning or part thereof for a zoning in terms of which the land is not necessarily zoned in accordance with the use thereof or existing use rights.
- (2) The Municipality may, on its own initiative or on application, create an overlay zone for land to amend land use rights for a local area.
- (3) The provisions of Section 28 of the Spatial Planning and Land Use Management Act, 2013 shall apply.

CHAPTER 6
APPLICATION PROCEDURES FOR LAND DEVELOPMENT APPLICATIONS

Part 1
Consent use and building line relaxation

38. Consent use application

- (1) An owner of land may submit a consent use application in terms of this By-law and as provided for in the municipal land use scheme / an existing town planning scheme to use the land or any building on the land for a particular purpose as a secondary right as set out in Schedule 4 to this by-law.
- (2) A consent use application as envisaged in subsection (1) above shall comply with the following procedures:
 - (a) The owner shall at his own expense give notice once of the intended application in a newspaper circulating the area on the same day as the day of submission of the application to the Municipality and obtain the comments from the surrounding land owners. Such notice shall be in English;
 - (b) Such notice shall be displayed on the land from the same date as the submission date of the application to the Municipality;
 - (c) Such notice shall be displayed in a conspicuous place on the land in question where it would be best and easily visible and can be easily read from each and every adjacent public street, right of way servitude or other adjacent public place;
 - (d) Such notice shall be maintained in a clearly legible condition for a period of not less than 21 days from the date of submission of the application to the Municipality;
 - (e) Such notice shall reflect full details of the application including, but not limited to, the street address, the name of the township, agricultural holding of farm, a clear erf description of the erf concerned and the nature and general purpose of the application;
 - (f) Such notice shall reflect the date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application;
 - (g) Such notice shall further reflect that the application and its accompanied documents will lie open for inspection at specified times and at specified places at the Municipality's offices and that any objection, comment or representation in regard thereto must be submitted timeously to both the Municipality and the person mentioned in subsection (2)(f) above in writing by registered post, by hand, by facsimile or by e-mail within a period of 28 days from date of first displaying the notice on the land under consideration; and
- (3) Proof of compliance with subsection (2) above in the form of a written affidavit shall be submitted to the Municipality prior to the application being considered.
- (4) The Municipality shall forward all comments, objections and representation to the applicant within 7 days after the time period to submit any comments, objections or representations has expired.
- (5) Where objections, comments and/or representations have been received as a result of subsection (2) above, the applicant may respond in writing thereto to the Municipality within 21 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
- (6) No decision on the application shall be taken unless due regard has been given to each objection, comment and representation lodged timeously.
- (7) Subject to section 31(2), in the instance of an unopposed application, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 30 days of date of expiry of the time period mentioned in subsection (2)(g) above.

- (8) Such consent use application may be refused or it may be approved subject to any conditions it may deem fit and it may include a condition that-
 - (a) the consent shall lapse if the use of the land or building concerned is not commenced within the period stated in the condition;
 - (b) the consent shall lapse if it is discontinued for a period stated in the condition;
 - (c) the consent shall lapse on the expiry of a period or on the occurrence of an event stated in the condition;
 - (d) the consent may be withdrawn if there has been non-compliance with any of the conditions of approval or because of change of circumstances;
 - (e) a contribution be paid to the Municipality in respect of engineering services where it will be necessary to enhance or improve such services as a result of the consent granted; and
 - (f) an amount of money be paid to the Municipality in respect of open spaces or parks where the granting of the consent will bring about a higher residential density.
- (9) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties of the decision in writing by registered post, by hand or by any other means available without delay.
- (10) The Municipality shall keep a proper record of each consent use application granted.
- (11) The contribution and amount of money envisaged in subsection (8)(e) and (8)(f) above shall become due and payable within 30 days from date of the expiry of the time period referred to in section 73(1) of this By-law.

39. Building line relaxation application

- (1) Any building line restriction imposed on land in terms of the Municipality's land use scheme or any other scheme that may still be applicable to the land under consideration, may be relaxed in terms of an application submitted by an owner of land in terms of this By-law.
- (2) A building line relaxation application as envisaged in subsection (1) above shall comply with the following procedures:
 - (a) A letter, accompanied by a proposed building plan, shall be dispatched in writing and by registered post, by hand or by any other means available to any adjoining owners whom, at the discretion of the Municipality, may possibly be adversely affected by the relaxation of the applicable building line restriction setting out the following:
 - (i) Full details of the application including, but not limited to, the street address, the name of the township, a clear erf description of the erf concerned and the nature and general purpose of the application with specific emphasis on which building lines (side/rear or street) are being applied for;
 - (ii) The date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application; and
 - (iii) That any objection, comment or representation in regard thereto must be submitted timeously to both the Municipality and the person mentioned in subsection (2)(a)(iii) above in writing by registered post, by hand, by facsimile or by e-mail within a period of 14 days from date of receipt of the letter.
 - (b) Proof of compliance with subsection (2)(a) above in the form of a written affidavit must be submitted to the Municipality prior to consideration of the application.
- (3) The Municipality shall forward all comments, objections and representation to the applicant within 7 days after the time period to submit any comments, objections or representations has expired.
- (4) Where objections, comments and/or representations have been received as a result of subsection (2)(a)(iii) above, the applicant may respond in writing thereto to the Municipality within 14 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
- (5) No decision shall be taken on the application unless due regard has been given to each objection, comment and representation lodged timeously.
- (6) Subject to section 32(2), in the instance of an unopposed application, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate

- within 30 days after the date of expiry of the time period mentioned in subsection (2)(a)(iii) above.
- (7) Such building line relaxation may be refused or approved subject to any condition the Municipality may deem fit.
 - (8) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties of the decision in writing by registered post, by hand or by any other means available without delay.
 - (9) The Municipality shall keep a proper record of each building line relaxation application granted.
 - (10) No building plans may be approved in terms of the National Building Regulations and Building Standards Act showing a proposed building within a building line restriction area without the approval of such building line relaxation application as envisaged in subsection (1) above

Part 2

Amendment of Land Use Scheme (Rezoning) and matters related thereto

40. Amendment of land use scheme application

- (1) An owner of land who wishes to have a provision of the Municipality's land use scheme or any provision of any other scheme, which may still be applicable to the land under consideration amended, may lodge an application in terms of this By-law to the Municipality for consideration.
- (2) An application for the amendment of a provision of the Municipality's land use scheme or any other scheme that may still be applicable to the land under consideration as envisaged in subsection (1) above shall comply with the following procedures:
 - (a) Notice of the application shall be given once by simultaneously publishing a notice in the newspaper that circulates within the area of jurisdiction of the Municipality in English on the same day as the day of submission of the application to the Municipality;
 - (b) Such notice shall clearly reflect in terms of which section of this By-law the application is made and which land use scheme or any other scheme is applicable;
 - (c) Such notice shall reflect full details of the application including, but not limited to, the street address, the name of the township, agricultural holding, farm, a clear erf description of the erf concerned and the nature and general purpose of the application;
 - (d) Such notice shall further reflect the date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application;
 - (e) Such notice shall further reflect that the application and its accompanied documents will lie open for inspection at specified times and at specified places at the Municipality's offices and that any objection, comment or representation in regard thereto must be submitted timeously to the Municipality in writing by registered post, by hand, by facsimile or by e-mail within a period of 28 days from the date of publication of the notice as envisaged in subsection (2)(a) above.
 - (f) A notice that contains the same detail as envisaged in subsections (2)(b) – (2)(e) above shall be displayed on the land under consideration in English;
 - (g) Such notice shall be displayed on the land from the same date as the date of the publication of the notice mentioned in subsection (2)(a) above;
 - (h) Such notice shall be displayed in a conspicuous place on the land in question where it would be best and easily visible and can be easily read from each and every adjacent public street, right of way servitude or other adjacent public place; and
 - (i) Such notice shall be maintained in a clearly legible condition for a period of not less than 14 days from the date of publication of the notice mentioned in subsection (2)(a) above.
- (3) Proof of compliance with subsection (2) above must be submitted to the Municipality in the form of a written affidavit prior to the consideration of the application.
- (4) Simultaneously to the actions in sub section (1) above, the owner shall submit a copy of such application to:
 - (a) any Roads authority whether local (as a municipal owned Entity), Provincial or National which may have an interest in the application;
 - (b) any neighbouring municipality who may have an interest in the application; and

- (c) any other stakeholder, Municipal Department, Provincial Department, National Department, Municipal Entity or any other interested party who may, in the discretion of the Municipality, have an interest in the application.
- (5) The interested parties mentioned in subsection (4)(a) to (4)(c) above to which a copy of the application has been forwarded shall submit its objection, comment and/or representation to the Municipality in writing within 60 days of date of receipt of the application, failing which, it shall be deemed that such interested party has no objection, comment or representation to make.
- (6) The Municipality shall forward a copy of each objection, comment and representation received in terms of the notices envisaged in subsections (2)(a), (2)(f) and from the interested parties in terms of subsection (4) above in respect of the application to the applicant and the applicant may respond in writing thereto to the Municipality within 14 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
- (7) No decision shall be taken on the application unless due regard has been given to each objection, comment and/or representation lodged timeously.
- (8) Subject to section 32(2), in the instance of an unopposed application, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 60 days after the date of expiry of the time periods mentioned in subsections (2)(e) and (5) above.
- (9) An applicant may at any stage prior to a decision been taken on the application, amend or withdraw his application provided that with an amendment, the amendment is not regarded in the opinion of the Municipality as being material which would warrant re-compliance with subsections (2) and (4) above.

41. Decision and post-decision procedures – Amendment of Land Use Scheme

- (1) An application for the amendment of a provision of the Municipality's land use scheme or any other scheme that may still be applicable to the land under consideration as envisaged in section 40(1) above may be approved subject to any condition the Municipality deems fit or it may be refused.
- (2) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties of the decision in writing by registered post, by hand or by any other means available without delay.
- (3) The Municipality shall keep a proper record of each application granted under subsection (1) above.
- (4) Where the Municipality has approved an application as envisaged under section 40(1) read with subsection (1) above and after the expiry of the time period envisaged in section 73(1) of this By-law, the applicant shall forthwith give notice thereof in the Provincial Gazette and state in the notice that a copy of the application as approved will lie for inspection at all reasonable times at its office and thereupon the application shall be deemed to be an approved scheme which is an amendment scheme.
- (5) Prior to publishing the notice in subsection (4) above the applicant shall submit a copy of the notice to the Local Authority for scrutiny and approval;
- (6) After publication of the notice in (4) above a copy of the Provincial Gazette shall be submitted to the Local Authority
- (7) Prior to the notice being published as envisaged in subsection (4) above, the applicant may abandon the approval by giving written notice to the Municipality.
- (8) The Municipality shall cause a copy of every approved scheme as envisaged in subsection (4) above to lie for inspection at all reasonable times at its office.
- (9) An approved scheme as envisaged in subsection (1) above shall come into operation on the date of publication of the notice envisaged in subsection (4) above.
- (10) The Municipality shall observe and enforce the provisions of the scheme from the date of it coming into operation and any person who contravenes a provision of an approved scheme shall be guilty of an offence.

42. Correction of errors or omissions

- (1) Where the Municipality is of the opinion that any error or omission in an approved scheme relating to land situated within its area of jurisdiction may be corrected without the necessity of following the provisions of sections 40 and 41 above again, it may correct such error or omission by notice in the Provincial Gazette.

43. Prohibition of a further application in certain circumstances

- (1) Where the Municipality has approved an application envisaged in section 41(1) above, no person shall in respect of the land to which the amendment scheme relates apply for a further amendment in terms of section 40(1) within a period of 24 months from the date of coming into operation of the scheme.
- (2) Notwithstanding subsection (1) above, the Municipality may, upon written application, grant consent that, due to an acceptable change of circumstances, a further amendment application as envisaged in section 40(1) above may be submitted.
- (3) Within a period of 30 days from date of receipt of the change of circumstances application envisaged in subsection (2) above, the Municipality shall consider the application and notify the applicant of its decision.

44. Contributions to be paid in respect of external engineering services and Open Spaces or Parks

- (1) Where an amendment scheme which is an approved scheme came into operation in terms of section 41(9) above, the Municipality may within a period of 30 days from the date of commencement of the scheme, by registered letter, by hand or by any other means available direct the applicant to which the scheme relates to pay a contribution to it in respect of the provision of:
 - (a) the engineering services envisaged in section 69(1) of this By-law where it will be necessary to enhance or improve such services as a result of the commencement of the amendment scheme;
 - (b) open spaces or parks where the commencement of the amendment scheme will bring about a higher residential density.
- (2) The letter envisaged in subsection (1) above shall state the:
 - (a) the amount of the contribution payable;
 - (b) particulars of the manner in which the amount of the contribution was determined; and
 - (c) the purpose for which the contribution is required.
- (3) An applicant who:
 - (a) wishes to avoid the payment of a contribution envisaged in subsection (1) above may request the Municipality to repeal the amendment scheme concerned;
 - (b) wishes to avoid payment of or wishes to reduce the amount of a contribution envisaged in subsection (1) above,
 - (c) may in terms of section 40(1) above apply for the further amendment of the land use scheme concerned, within a period of 60 days from the date of the letter envisaged in subsection (1) above.
- (4) On receipt of a request as envisaged in subsection (3)(a) above the Municipality shall grant or refuse the request and, if granted, give notice thereof in the Provincial Gazette.
- (5) Where the Municipality has given notice of such repeal in terms of subsection (4) above, the obligation to pay any contribution envisaged in subsection (1) above shall lapse from the date of the notice envisaged in subsection (4) above and any contribution already paid shall be refunded.
- (6) The contribution levied under subsection (1) above shall become due and payable within 30 days of the expiry of the 60-day time period envisaged in subsection (3) above.
- (7) No building plans in respect of the approved scheme shall be approved in terms of the National Building Regulations and Building Standards Act unless the contribution levied under subsection (1) above has been settled in full.
- (8) The Municipality may consider a request, on good cause shown, that:
 - (a) the contribution levied under subsection (1) above be paid over a specific period of time not exceeding three (3) years in instalments;

- (b) that a prospective new purchaser be liable for the contribution in terms of an agreement/undertaking after transfer; or
 - (c) that payment of the contribution be postponed for a period not exceeding three years where security or a guarantee for the contribution has been provided to the satisfaction of the Municipality.
- (9) In exercising any of the powers under subsections (8)(a) to (8)(c) above, the Municipality may impose any condition it may deem fit including a condition regarding interest.

45. Lapsing of rezoning and extension of validity periods

- (1) Subject to section 41(1), a rezoning approval lapses after a period of three years, or a shorter period as the municipality may determine, from the date that the approval comes into operation if, within that three-year period or shorter period—
 - (a) the land use is not used in accordance with the approval; or
 - (b) the following requirements have not been met:
 - (i) the approval by the Municipality of a building plan envisaged for the use of the approved use right; and
 - (ii) commencement of the construction of the building contemplated in subsection (i).
- (2) An applicant may apply for the extension of the three (3) year period to the Municipality for the extension of the period referred to in subsection (1) to a maximum of an additional two years by submitting a motivation and good reason.
- (3) The Municipality may grant or refuse the application.

Part 3

Township establishment, division/phasing of an approved township, extension of boundaries of an approved township and matters related thereto

46. Township establishment application

- (1) An owner of land who wishes to establish a township on its land, which falls within the jurisdiction of the Municipality, may submit an application to the Municipality in writing.
- (2) A township must be established on any farm portion/holdings/portions of land where the land concerned is to be used, developed or subdivided for any purpose other than agricultural, open space or nature conservation purposes as defined in the applicable land use scheme or where the application will result in a substantial upgrade of any external engineering services relevant to the application.
- (3) An application for the establishment of a township as envisaged in subsection (1) above shall comply with the following procedures:
 - (a) Notice of the application shall be given once a week for two consecutive weeks by simultaneously publishing a notice in the newspaper that circulates within the area of jurisdiction of the Municipality in English;
 - (b) A letter shall be dispatched in writing by registered post, by hand or by any other means available to any adjoining owners whom, at the discretion of the Municipality, may possibly be adversely affected by the application
 - (c) Such notice shall clearly reflect in terms of which section of this By-law the application is made and which land use scheme or any other scheme will be applicable;
 - (d) Such notice shall reflect full details of the application including, but not limited to, the street address, the proposed name of the township, a clear property description of the land concerned and the nature and general purpose of the application;
 - (e) Such notice shall further reflect the date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application;
 - (f) Such notice shall further reflect that the application and its accompanied documents will lie open for inspection at specified times and at specified places at the Municipality's offices and that any objection, comment or representation in regard thereto must be submitted timeously to the Municipality in writing by registered post, by hand, by

- facsimile or by e-mail within a period of 28 days from the date of the first publication of the notice as envisaged in subsection (3)(a) above.
- (g) A notice that contains the same detail as envisaged in subsections (3)(b) to (3)(e) above shall be displayed on the land under consideration in English;
 - (h) Such notice shall be displayed on the land from the same date as the date of the publication of the notice mentioned in subsection (3)(a) above;
 - (i) Such notice shall be in the format as determined by the Municipality listed in Schedule 13 ;
 - (j) Such notice shall be displayed in a conspicuous place on the land in question where it would be best and easily visible and can be easily read from each and every adjacent public street or other adjacent public place; and
 - (k) Such notice shall be maintained in a clearly legible condition for a period of not less than 14 days from the date of publication of the notice mentioned in subsection (2)(a) above.
- (4) Proof of compliance with subsection (2) above must be submitted to the Municipality in the form of a written affidavit prior to the consideration of the application.
 - (5) Simultaneously to the actions in subsection (1) above, the owner shall submit a copy of such application to:
 - (a) any Roads authority whether local (as a municipal owned Entity), Provincial or National which may have an interest in the application;
 - (b) any neighbouring municipality who may have an interest in the application; and
 - (c) any other stakeholder, Municipal Department, Provincial Department, National Department, Municipal Entity or any other interested party who may, in the discretion of the Municipality, have an interest in the application.
 - (6) The interested parties mentioned in subsection (5)(a) to (5)(c) above to which a copy of the application has been forwarded shall submit its objection, comment and/or representation to the Municipality in writing within 60 days of date of receipt of the application, failing which, it shall be deemed that such interested party has no objection, comment or representation to make.
 - (7) The Municipality shall forward a copy of each objection, comment and representation received in terms of the notice envisaged in subsections (3)(a) and from the interested parties in terms of subsection (5) above in respect of the application to the applicant within 14 days from the last day of the notice period and the applicant may respond in writing thereto to the Municipality within 28 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
 - (8) No decision shall be taken on the application unless due regard has been given to each objection, comment and/or representation lodged timeously.
 - (9) Subject to section 32(2), in the instance of an unopposed application, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 90 days after the date of expiry of the time periods mentioned in subsections (3)(e) and (6) above.
 - (10) Prior to a decision being taken on a township application submitted under this section whether by the Municipal Planning Tribunal or the authorised official, the applicant may-
 - (a) of his own accord and with the consent of the Municipality; or
 - (b) at the request of the Municipality,
 - (c) amend his application, provided that the amendment is not regarded in the opinion of the Municipality as being material which would warrant re-compliance with subsections (2) and (5) above.

47. Consent to certain contracts and options – Township establishment

- (1) After an owner of land has applied in terms of section 46(1) above to establish a township on his land, he may also apply to the Municipality for consent to enter into any contract for the sale, exchange or alienation or disposal in any other matter of an erf in the proposed township or to grant an option to purchase or otherwise acquire an erf in the proposed township.
- (2) The Municipality may grant such consent envisaged in subsection (1) above subject to any condition it may deem expedient, which may include a condition that the applicant shall, before entering into such contract or granting such option and within 6 months of granting the consent, furnish to the Municipality a guarantee of such type and for such amount as the Municipality may determine and which is otherwise to its satisfaction that the applicant will fulfil its duties in

respect of the engineering services as envisaged in section 69(1) and if the applicant fails to do so the consent shall lapse.

- (3) The Municipality shall notify the applicant of its decision in writing and of any condition imposed.
- (4) Where the Municipality has granted such consent as envisaged in subsection (1) above, the contract or option shall contain a clause stating that the township concerned is not an approved township.
- (5) Where such contract or option does not contain such clause as envisaged in subsection (4) above, the contract or option shall, at any time before the township is declared an approved township, be voidable at the instance of any party to the contract or option, other than the person who alienates or disposes of the erf or who grants the option.
- (6) Any person who alienates or disposes of an erf and who enters into a contract or grants an option without such clause as envisaged in subsection (4) above shall be guilty of an offence and notice shall be given to this effect and such a person or entity shall subsequently be liable for legal action or the payment of a fine to be determined by the Local Authority.

48. Decision and post-decision procedures – Township establishment

- (1) After the provisions of section 46 have been complied with, the application may be approved, either wholly or in part, or refused or a decision thereon may be postponed, either wholly or in part.
- (2) Where the Municipality approves an application as envisaged in subsection (1) above, it may impose any condition it may deem expedient.
- (3) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties (including the Surveyor-General and the Registrar) of the decision in writing by registered post, by hand or by any other means available without delay.
- (4) After the applicant has been notified in terms of subsection (3) above that his application has been approved, but before the township is declared an approved township, the Municipality may, in consultation with the applicant, amend or delete any condition imposed in terms of subsection (2) above or add any further condition.
- (5) After an applicant has been notified in terms of subsection (3) that his application has been approved, the applicant shall within a period of 12 months from the date of such notice, or such further period as the Municipality may allow, at the point of approval of the General Plan, lodge with the Surveyor-General for approval such plans, diagrams or other documents as may be required by the Surveyor-General and if the applicant fails to do so the approval will automatically lapse.
- (6) An application for an extension of time as envisaged in subsection (5) above shall be made prior to the expiry of the 12-month period stated in that subsection.
- (7) Where the applicant fails, within a reasonable time after he has lodged the plans, diagrams or other documents as envisaged in subsection (5) above, to comply with any requirement the Surveyor-General may lawfully impose, the Surveyor-General shall notify the Municipality accordingly and where the Municipality is satisfied, after hearing the applicant, that the applicant has failed to comply with any such requirement without good cause shown, the approval will automatically lapse.
- (8) After an applicant has been notified in terms of subsection (3) above that his application has been approved, the Municipality may-
 - (a) where the documents envisaged in subsection (5) above have not yet been lodged with the Surveyor-General; or
 - (b) where the documents envisaged in subsection (5) above have already been lodged with the Surveyor-General, in consultation with the Surveyor-General, consent to the amendment of such documents unless:
 - (i) the amendment is, in the Municipality's opinion, so material as to constitute a new application in terms of section 46(1) above;
 - (ii) the amendment is not regarded as material but that it warrants notice of the amendment to be given as envisaged in section 46(2) and/or 46(5) above.
- (9) The applicant shall lodge with the Municipality, within a period of 3 months from the date upon which the Surveyor-General has approved the plans, diagrams and any other documents envisaged in subsection (5) above, a certified copy or tracing of the general plan of the

- township and where the applicant fails to comply within the 3 month period, the Municipality may obtain a certified copy or tracing directly from the Surveyor-General at the applicant's costs.
- (10) After complying with subsection (5) above, the applicant shall lodge with the Registrar the plans, diagrams and any other documents as envisaged in subsection (5) above and as approved by the Surveyor-General together with the relevant title deeds for endorsement or registration, as the case may be, within 12 months from the date of approval of such plans, diagrams and any other documents by the Surveyor-General, or within such further period as the Municipality may allow.
 - (11) The Registrar shall not accept such plans, diagrams or any other documents for endorsement or registration until such time as the Municipality has advised him in writing that the applicant has complied with such pre-proclamation conditions as the Municipality may require to be fulfilled before giving notice in terms of subsection (15) declaring that the township is an approved township.
 - (12) Failure by the applicant to comply with subsection (10) above, the approval will automatically lapse.
 - (13) An application for an extension of time as envisaged in subsection (10) above shall be made prior to the expiry of the 12-month period stated in that subsection.
 - (14) Having endorsed or registered the title deeds envisaged in subsection (10) above, the Registrar shall notify the Municipality thereof without delay and the Registrar shall not register any further transactions in respect of any land situated in the township thereafter until such time as the township is declared an approved township in terms of subsection (15).
 - (15) After the notice envisaged in subsection (14) above and after compliance with subsections (5), (9), (10) and (11) above, the Municipality or the applicant shall, by giving notice in the Provincial Gazette, declare the township an approved township and it shall in a schedule to such notice set out the conditions on which the township is declared an approved township.
 - (16) Any external engineering services and / or parks and open spaces contributions (if applicable) required to be paid in respect of the approved township as envisaged in section 70(1), shall be paid within 6 months from date of the notice envisaged in subsection (15) above or upon the issuing of the certificate envisaged in section 49(1) below, whichever happens first.
 - (17) Where a township owner is required to transfer land to the Municipality or any other organ of state by virtue of a condition set out in the schedule envisaged in subsection (15) above, the land shall be so transferred at the expense of the township owner within a period of 6 months from date of the publication of the notice envisaged in subsection (15) above or within such further period as the Municipality may allow.
 - (18) With effect from the date of the approval by the Surveyor-General of the plans and diagrams as envisaged in subsection (5) above, the ownership in any road or public place in a township established in terms of this By-law, unless it is a private township, shall vest in the Municipality.

49. Prohibition of registration of certain deeds of transfer or endorsement on certain title deeds

- (1) The Registrar shall not register a deed of transfer by which ownership of an erf in a township is transferred unless the Municipality certifies that-
 - (a) the township has been declared an approved township in terms of section 48(15) above;
 - (b) that any condition as set out in the schedule envisaged in subsection 48(15) above has been complied with;
 - (c) the provisions of section 48(17) above in respect of the transfer of land to the Municipality or any other organ of state (if applicable) have been complied with;
 - (d) that the Municipality will, within a period of 3 months from the date of such certification, be able to provide the erf with such engineering services as it may deem necessary and that it is prepared to consider an application for the approval of a building plan in respect of the erf in question; and
 - (e) all outstanding external engineering services contributions and all amounts in lieu of open spaces or parks as envisaged in sections 70(1) and 71(4) in respect of the township has been paid in full.
- (2) The Registrar shall not endorse a title deed in terms of section 4C (1)(a) of the Housing Development Schemes for Retired Persons Act unless the certificate envisaged in subsection (1) above has been issued.

50. Failure to comply with requirements of the Municipality

- (1) Where an applicant has, for a period of one year from the date he was requested in writing to comply with any requirement of the Municipality in respect of an application envisaged in section 46(1) above, failed to comply, the Municipality shall notify the applicant of such failure and thereupon the application shall automatically lapse.

51. Division/phasing of an approved township

- (1) An applicant who has been notified in terms of section 46(3) above that his township application has been approved-
 - (a) may within a period of 6 months from the date of the notice, or such further period as the Municipality may allow;
 - (b) shall, if directed to do so by the Municipality, within such period as the Municipality may determine,
 - (c) apply to the Municipality for the division of the approved township into two or more separate townships.
- (2) On receipt of an application envisaged in subsection (1) above, the Municipality may-
 - (a) where the documents envisaged in subsection 48(5) have not yet been lodged with the Surveyor-General;
 - (b) where the documents envisaged in subsection 48(5) above have been lodged with the Surveyor-General, after consultation with the Surveyor-General,
 - (c) consent to the division of the township subject to any condition the Municipality may deem expedient.
- (3) Where consent has been granted in terms of subsection (2) above, the Municipality shall forthwith notify the applicant in writing thereof and of any condition imposed.
- (4) The applicant shall within a period of 3 months from the date of the notice envisaged in subsection (3) above, or such further period as the Municipality may allow, submit to the Municipality such plans, diagrams or other documents and furnish to it such information as it may require in respect of each separate township.
- (5) On receipt of the documents or information as envisaged in subsection (3) above, the Municipality shall forthwith notify the Surveyor-General and the Registrar in writing of the consent granted in terms of subsection (2) and such notice shall be accompanied by a copy of the plan of each separate township.
- (6) The granting of consent in terms of subsection (2) above and the notice envisaged in subsection (3) above shall, in respect of each separate township, be deemed to be the approval of an application as envisaged in section 48(1) above and a notice envisaged in section 48(3) above.

52. Extension of boundaries of an approved township

- (1) An owner of land as envisaged in section 49 of the Deeds Registries Act who wishes to have the boundaries of an approved township extended to include his land may, apply in writing to the Municipality.
- (2) The provisions of section 46 to 46(10) shall apply mutatis mutandis to an application envisaged in subsection (1) above and any reference to an application to establish a township shall be construed as a reference to an application to extend the boundaries of a township as envisaged in subsection (1) above.
- (3) After the provisions of section 46 to 46(10) have been complied with, the application may be approved, either wholly or in part, or refused or a decision thereon may be postponed, either wholly or in part.
- (4) Where the Municipality approves an application as envisaged in subsection (1) above, it may impose any condition it may deem expedient.
- (5) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties (including the Surveyor-General and the Registrar) of the decision in writing by registered post, by hand or by any other means available without delay.
- (6) Where the Municipality approves an application envisaged in subsection (1) above, it may-

- (a) apply all or any of the conditions set out in the schedule envisaged in section 48(15) on which the township concerned was declared an approved township;
- (b) impose a condition that the applicant shall pay to the Municipality an amount of money in respect of the provision of the engineering services envisaged in terms of section 69(1) where it will be necessary to enhance or improve such services as a result of the approval of the application envisaged in subsection (1) above.
- (7) Any condition imposed in terms of subsection (4) and (6) above shall be set out in a schedule to the proclamation envisaged in section 49 of the Deeds Registries Act and shall have the same force of law as a condition envisaged in section 48(15).

Part 4

Subdivision and Consolidation of an erf in an approved township and the subdivision and or consolidation of any other land

53. Subdivision and/or consolidation of an erf/erven in an approved township

- (1) An owner of-
 - (a) an erf in an approved township who wishes to subdivide such erf;
 - (b) two or more erven in an approved township who wishes to consolidate such erven, may apply in writing, simultaneously or separately, as the case may be, to the Municipality as provided for in its land use scheme or any other town planning scheme that may still be applicable lodge an application with the Municipality setting out the proposed subdivision and/or consolidation.
- (2) An application as envisaged in subsection (1) above shall comply with the following procedure:
 - (a) A letter, accompanied by a plan showing the proposed subdivision and/or consolidation, shall be dispatched in writing and by registered post, by hand or by any other means available, to any adjoining owners whom, at the discretion of the Municipality, may possibly be negatively affected by the application setting out the following:
 - (i) Full details of the application including, but not limited to, the street address, the name of the township, a clear erf description of the erf concerned and the nature and general purpose of the application;
 - (ii) The date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application; and
 - (iii) That any objection, comment or representation in regard thereto must be submitted timeously to both the Municipality and the person mentioned in subsection (2)(a)(ii) above in writing by registered post, by hand, by facsimile or by e-mail within a period of 14 days from date of receipt of the letter.
 - (b) Proof of compliance with subsection (2)(a) above in the form of a written affidavit must be submitted to the Municipality prior to consideration of the application.
- (3) Where objections, comments and/or representations have been received as a result of subsection (2)(a)(iii) above, the applicant may respond in writing thereto to the Municipality within 14 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
- (4) No decision shall be taken on the application unless due regard has been given to each objection, comment and representation lodged timeously.
- (5) Subject to section 32(2), in the instance of an unopposed application, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 30 days after the date of expiry of the time period mentioned in subsection (2)(a)(iii) above.
- (6) Such subdivision and/or consolidation application may be refused or approved subject to any condition the Municipality may deem fit provided with a consolidation application, if the Municipality fails to approve or refuse such application within 60 days from the date of receipt of the application envisaged in subsection (1) above, the application shall be deemed approved.
- (7) With a subdivision application, such condition may include a condition that the owner shall pay to the Municipality an amount of money in respect of the provision of-
 - (a) the engineering services envisaged in section 68(1) where it will be necessary to enhance or improve the services as a result of the subdivision;

- (b) open spaces or parks, and such amount shall be determined by the Municipality in terms of this By-law or approved policy, provided that in calculating the amount of the contribution to be paid envisaged in subsections (7)(a) and (7)(b) above, a contribution that has been paid or has become due and payable under section 44(1) shall be taken into account.
- (8) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties of the decision in writing by registered post, by hand or by any other means available without delay.
- (9) The Municipality shall keep a proper record of each subdivision and consolidation application granted.
- (10) An application that has been approved in terms of subsection (6) above shall automatically lapse if not registered with the Surveyor-General and the Registrar within 12 months from date of approval or within such further period as the Municipality may allow.
- (11) An application for an extension of time as envisaged in subsection (10) above shall be made prior to the expiry of the 12-month period stated in that subsection.
- (12) The amount of money envisaged in subsection (7) above shall become due and payable within 30 days from date of registration of the application with the Registrar as envisaged in subsection (10) above.
- (13) The owner of land shall within 3 months after the Surveyor General has approved the diagram of the subdivision or the plan for consolidation in terms of the provisions of the Land Survey Act submit two (2) clear legible photocopies of the approved diagram or plan to the Municipality.

54. Cancellation and amendment of conditions/plan, endorsement of certain documents by Registrar and access

- (1) The Municipality may, prior to the registration of the subdivision and/or consolidation approval with the Surveyor-General and the Registrar as envisaged in section 53(10) above and in consultation with the applicant,-
 - (a) cancel the approval of an application submitted in terms of section 53(1) above;
 - (b) amend or delete any condition imposed in terms of section 53(6) above or add any conditions to those already imposed; and
 - (c) approve an amendment of the plan setting out the proposed subdivision and/or consolidation.
- (2) The Municipality may not approve an application envisaged in section 53(1) above if it will bring about a result which is in conflict with-
 - (a) any condition set out in the schedule as envisaged in section 48(15) on which the township concerned was declared an approved township;
 - (b) a condition of title imposed in terms of any law;
 - (c) a provision of an approved scheme applicable to the erf or erven in question.
- (3) The Municipality may not approve an application envisaged in section 53(1) above unless the Municipality is satisfied that each subdivided portion has satisfactory vehicular access to a public street, which access may be provided by means of a panhandle or a servitude.
- (4) If access to a public street is to be provided to more than one proposed subdivided portion by means of a single panhandle, the Municipality shall, when it approves the application for the subdivision of the erf concerned, impose a condition that the applicant shall cause a servitude of right of way in favour of each portion, other than the portion of which the panhandle forms part, to be registered over the latter portion.
- (5) The owner of land shall, before he submits a deed of transfer or certificate of registered title in respect of the subdivided portion to the Registrar for registration in terms of the Deeds Registries Act have the power of attorney in respect of the transfer or the application for such certificate endorsed by the authorised official of the Municipality to the effect that the owner of land has complied with the conditions imposed in terms of section 53(6) above or that arrangements in respect of such compliance, including the furnishing of guarantees in respect of any condition requiring payment of an amount of money as envisaged in section 53(7) above, have been made to the satisfaction of the Municipality.

55. Subdivision of any other land

- (1) An owner of land, excluding land as envisaged in section 53(1) above, who wishes to divide such land may apply in writing to the Municipality.
- (2) Subject to any other law that may be applicable to such land Section 30 of the Spatial Planning and Land Use Management Act shall apply.
- (3) The provisions of section 40(2)(a) to (2)(e) and 40(3) to 40(9) shall apply mutatis mutandis to an application envisaged in subsection (1) above.
- (4) Subject to compliance with subsection (3) above, the application envisaged in subsection (1) above may be approved, either wholly or partly, or it may be refused or a decision thereon may be postponed.
- (5) Where an application has been approved in terms of subsection (4) above, the Municipality may impose any condition it may deem expedient.
- (6) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties (including the Surveyor-General and the Registrar) of the decision and of any condition imposed in terms of subsection (5) above in writing by registered post, by hand or by any other means available without delay.
- (7) When notifying the Registrar in terms of subsection (6) above, the Municipality shall at the same time furnish the Registrar with-
 - (a) a full description of the land;
 - (b) the full name of the registered owner of the land; and
 - (c) the number of the title deed under which the land is held.
- (8) After the applicant has been notified in terms of subsection (6) above that his application has been approved, but before any portion of land is transferred, the Municipality may, in consultation with the applicant, amend or delete any condition imposed in terms of subsection (5) above or add any further condition.
- (9) After an applicant has been notified in terms of subsection (6) that his application has been approved, the applicant shall within a period of 12 months from the date of such notice, or such further period as the Municipality may allow, lodge with the Surveyor-General for approval such plans, diagrams or other documents as may be required by the Surveyor-General and if the applicant fails to do so the approval will automatically lapse.
- (10) An application for an extension of time as envisaged in subsection (9) above shall be made prior to the expiry of the 12-month period stated in that subsection.
- (11) Where the applicant fails, within a reasonable time after he has lodged the plans, diagrams or other documents as envisaged in subsection (9) above, to comply with any requirement the Surveyor-General may lawfully impose, the Surveyor-General shall notify the Municipality accordingly and where the Municipality is satisfied, after hearing the applicant, that the applicant has failed to comply with any such requirement without good cause shown, the approval will automatically lapse.
- (12) After an applicant has been notified in terms of subsection (6) above that his application has been approved, the Municipality may-
 - (a) where the documents envisaged in subsection (9) above have not yet been lodged with the Surveyor-General; or
 - (b) where the documents envisaged in subsection (9) above have already been lodged with the Surveyor-General, in consultation with the Surveyor-General, consent to the amendment of such documents unless the amendment is, in the Municipality's opinion, so material as to constitute a new application in terms of subsection (1) above.
- (13) Upon receipt of the notice envisaged in subsection (6) above and after compliance with subsection (9) above, the Registrar shall endorse the deeds registry copy of the title deed under which the land concerned is held to the effect that an application for the division of such land has been approved by the Municipality and if the copy of the title deed of the owner is thereafter, for whatever reason, lodged with the Registrar, he shall endorse it in like manner.
- (14) An endorsement in terms of subsection (13) above shall be brought forward as a condition of title in any subsequent deed of transfer of the whole or the remainder of the land concerned, and any succeeding owner of such whole or remainder shall be bound by the conditions imposed by the Municipality in terms of subsection (4) above.
- (15) The Registrar shall-
 - (a) after the land envisaged in subsection (13) above has been divided;

- (b) when he is notified that the application has lapsed, cancel any endorsement made by him in terms of subsection (13) above.
- (16) Where an applicant is required to transfer land to the Municipality or any other organ of state by virtue of a condition imposed in terms of subsection (5) above, the land shall be so transferred at the expense of the township owner within a period of 6 months from date of approval of the application in terms of subsection (4) above or within such further period as the Municipality may allow.
- (17) Any external engineering services contribution levied in terms of section 70(1) in relation to an application in terms of subsection (1) above shall become due and payable within 6 months from date of the Registrar endorsing the title deed of the land in question as envisaged in subsection (13) above or upon the issuing of the certificate envisaged in section 56(1), which ever happens first.

56. Failure to comply with requirements of the Municipality

- (1) Where an applicant has, for a period of one year from the date he was requested in writing to comply with any requirement of the Municipality in respect of an application envisaged in section 55(1) above, failed to comply, the Municipality shall notify the applicant of such failure and thereupon the application shall automatically lapse.

57. Prohibition of registration of certain deeds of transfer

- (1) The Registrar shall not register a deed of transfer of any portion of land where an application for the division of land was approved by the Municipality as envisaged in section 55(4) above unless the Municipality certifies that—
 - (a) that any condition imposed in terms of section 55(5), excluding any condition dealing with the transfer of land as envisaged in section 55(16) above, have been complied with;
 - (b) the provisions of section 55(16) in respect of the transfer of land to the Municipality or any other organ of state (if applicable) have been complied with;
 - (c) all outstanding external engineering services contributions and all amounts relating to open spaces or parks in respect of the land have been paid in full.

58. Ownership of roads and public places

- (1) With effect from the date of the approval by the Surveyor-General of the plans and diagrams envisaged in section 55(9) above, the ownership in any road or public place on the land which has been divided in terms of this By-law, shall vest in the Municipality.

59. Owners' Associations

- (1) The Municipality may, when approving an application for a subdivision of land, impose conditions relating to the compulsory establishment of an owners' association by the applicant for an area determined in the conditions.
- (2) An owners' association that comes into being by virtue of subsection (1) is a juristic person and must have a constitution.
- (3) The constitution of an owners' association must be approved by the Municipality before the transfer of the first land parcel and must provide for—
 - (a) the owners' association to formally represent the collective mutual interests of the area, suburb or neighbourhood set out in the constitution in accordance with the conditions of approval;
 - (b) control over and maintenance of buildings, services or amenities arising from the subdivision;
 - (c) the regulation of at least one yearly meeting with its members;
 - (d) control over the design guidelines of the buildings and erven arising from the subdivision;
 - (e) the ownership by the owners' association of all common property arising from the subdivision, including—
 - (i) private open spaces;

- (ii) private roads;
 - (iii) all internal engineering services and infrastructure
 - (iv) private places; and
 - (v) land required for services provided by the owners' association;
- (f) enforcement of conditions of approval or management plans;
- (g) procedures to obtain the consent of the members of the owners' association to transfer an erf in the event that the owners' association ceases to function;
- (h) the implementation and enforcement by the owners' association of the provisions of the constitution.
- (4) The constitution of an owners' association may have other objects as set by the association but may not contain provisions that are in conflict with any law.
- (5) An owners' association may amend its constitution when necessary, but if an amendment affects the Municipality or a provision referred to in subsection (3), the amendment must also be approved by the Municipality.
- (6) An owners' association that comes into being by virtue of subsection (1)—
 - (a) has as its members all the owners of land parcels originating from the subdivision and their successors in title, who are jointly liable for expenditure incurred in connection with the association; and
 - (b) is upon registration of the first land parcel automatically constituted.
- (7) The design guidelines contemplated in subsection (3)(d) may introduce more restrictive development rules than the rules provided for in the land use scheme.
- (8) If an owners' association fails to meet any of its obligations contemplated in subsection (3) and any person is, in the opinion of the Municipality, adversely affected by that failure, the Municipality may take appropriate action to rectify the failure and recover from the members referred to in subsection (6)(a) the amount of any expenditure incurred by it in respect of those actions.
- (9) The amount of any expenditure so recovered is, for the purposes of subsection (8), considered to be expenditure incurred by the owners' association.

60. Owners' Association Ceases to Function

- (1) If an owners' association ceases to function or carry out its obligations, the Municipality may—
 - (a) take steps to instruct the association to hold a meeting and to reconstitute itself;
 - (b) subject to the amendment of the conditions of approval, remove the obligation to establish an owners' association; or
 - (c) subject to the amendment of title conditions pertaining to the owners' association, remove any obligations in respect of an owners' association.
- (2) In determining which option to follow, the Municipality must have regard to—
 - (a) the purpose of the owners' association;
 - (b) who will take over the maintenance of infrastructure for which the owners' association is responsible; and
 - (c) the effect of the dissolution of the owners' association on the members and the community concerned.

Part 5

Approval of alteration, amendment or cancellation of general plan

61. Alteration, amendment or cancellation of a general plan application

- (1) Any person who wishes to have the general plan of an approved township or of a division of land (if any) altered, amended or totally or partially cancelled by the Surveyor-General in terms of the Land Survey Act may subject to the provisions of section 62(3), apply in writing to the Municipality for approval.
- (2) An application for the alteration, amendment or totally or partially cancellation of a general plan envisaged in subsection (1) above shall comply with the following procedures:
 - (a) Submission of an overlay map to the Local Authority outlining the old and new layout and the difference between the two layout plans;

- (b) Notice of the application shall be given once by simultaneously publishing a notice in the Provincial Gazette and two newspapers that circulates within the area of jurisdiction of the Municipality in English;
 - (c) Such notice shall clearly reflect in terms of which section of this By-law the application is made;
 - (d) Such notice shall reflect full details of the application including, but not limited to, the name of the township concerned and the nature and general purpose of the application;
 - (e) Such notice shall further reflect the date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application;
 - (f) Such notice shall further reflect that the application and its accompanied documents will lie open for inspection at specified times and at specified places at the Municipality's offices and that any objection, comment or representation in regard thereto must be submitted timeously to the Municipality in writing by registered post, by hand, by facsimile or by e-mail within a period of 28 days from the date of publication of the notice as envisaged in subsection (2)(a) above.
- (3) Proof of compliance with subsection (2) above must be submitted to the Municipality in the form of a written affidavit prior to the consideration of the application.
 - (4) The Municipality shall forward a copy of each objection, comment and representation received in terms of subsection (2)(a) above in respect of the application to the applicant and the applicant may respond in writing thereto to the Municipality within 14 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
 - (5) No decision shall be taken on the application unless due regard has been given to each objection, comment and/or representation lodged timeously.
 - (6) Subject to section 32(2), in the instance of an unopposed application, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 60 days after the date of expiry of the time period mentioned in subsection (2)(f) above.

62. Decision and post decision procedures

- (1) The Municipality may approve an application envisaged in section 61(1) above either wholly or in part, or refuse it or postpone a decision thereon, either wholly or in part, provided that the Municipality shall not approve such application unless-
 - (a) the applicant has the unencumbered ownership of all the land within the area affected by the alteration, amendment or cancellation of the general plan other than land transferred in terms of section 55(16) and subject to sections 48(18) and 58 above;
 - (b) where the land envisaged in subsection (1)(a) above is subject to a mortgage bond, the bondholder has consented in writing to the alteration, amendment or cancellation of the general plan.
- (2) Where the Municipality approves the application envisaged in section 61(1) above, the Municipality may-
 - (a) impose any condition it may deem expedient;
 - (b) amend or delete any condition set out in the schedule envisaged in section 48(15) above on which the township concerned was declared an approved township.
- (3) The provisions of section 61 shall not apply to an alteration or amendment of a general plan of an approved township which is necessary as a result of the closing of any public place or street or any portion thereof or diversion of a street or a portion of such street in terms of section 68(1) of this By-law.
- (4) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties, including the Surveyor-General, of the decision, and where the application has been approved, state any condition imposed in terms of subsection (2)(a) above, in writing by registered post, by hand or by any other means available without delay.
- (5) After an applicant has been notified in terms of subsection (4) above that his application has been approved, the applicant shall within a period of 12 months from the date of such notice, or such further period as the Municipality may allow, lodge with the Surveyor-General for approval such plans, diagrams or other documents as the Surveyor-General may deem necessary to

- effect the alteration, amendment or cancellation of the general plan, and if the applicant fails to do so the approval will automatically lapse.
- (6) Where the applicant fails, within a reasonable time after he has lodged the plans, diagrams or other documents as envisaged in subsection (5) above, to comply with any requirement the Surveyor-General may lawfully impose, the Surveyor-General shall notify the Municipality accordingly and where the Municipality is satisfied, after hearing the applicant, that the applicant has failed to comply with any such requirement without good cause shown, the approval will automatically lapse.
 - (7) After the Surveyor-General has in terms of the Land Survey Act altered or amended the general plan or has totally or partially cancelled it, he shall notify the Municipality thereof without delay.
 - (8) On receipt of the notice envisaged in subsection (7) above, the Municipality shall forthwith give notice thereof by publishing a notice in the Provincial Gazette declaring that the general plan has been altered, amended or totally or partially cancelled and the Municipality shall in a schedule to the notice set out the conditions imposed in terms of subsection (2)(a) above or the amendment or deletion of any condition envisaged in subsection (2)(b) above, where applicable.
 - (9) The Municipality shall forthwith provide the Registrar with a copy of the notice and schedule envisaged in subsection (8) above.

63. Effect of alteration, amendment or cancellation of general plan

- (1) Where the general plan of an approved township established in terms of the provisions of legislation other than this By-law, is cancelled in whole or in part, or altered or amended or cancelled in part, any public place or street which vested in trust in the Municipality by virtue of section 63 of the Local Government Ordinance, 1939, the ownership thereof shall revert in the township owner.
- (2) Where a general plan is cancelled in whole, the township shall cease to exist as a township.
- (3) Where a general plan is cancelled in part, that portion of the township to which the cancellation of the general plan relates, shall cease to exist as a portion of the township.
- (4) Where such original township owner is no longer in existence or, in the case of a Company, has been deregistered, as the case may be, the ownership of such public places or streets shall then automatically vest in the Municipality.

Part 6

Amendment, suspension or removal of restrictive or obsolete conditions or obligations, servitudes or reservations and matters related thereto

64. Application for the amendment, suspension or removal of restrictive or obsolete conditions or obligations, servitudes or reservations in respect of land

- (1) This part of the By-law refers to any restriction, obligation, servitude or reservation which relates to the subdivision of the land or the purpose for which the land may be used or to the requirements to be complied with or to be observed in connection with the erection of structures or buildings on or the use of the land, which is binding on the owner of the land arising out of-
 - (a) any restrictive condition or servitude which is registered against the title deed or leasehold title of such land; or
 - (b) a provision of a by-law or of a town-planning scheme; or
 - (c) the provisions of a title condition contained in the schedule to the proclamation of a township; or
 - (d) the provisions of a law relating to the establishment of townships or town planning.
- (2) In addition to the provisions of section (1)(d) above, the Municipality may only amend, suspend or remove a restriction or obligation where the Municipality is satisfied that-
 - (a) to do so would promote the preparation and approval of a general plan, the establishment of a township or the development of any area;
 - (b) the affected land is required for public purposes by the State, the Province or the Municipality;

- (c) the affected land is required for the use or construction of a building or other structure by the State, the Province or the Municipality;
- (d) the affected land is required for purposes incidental to any purpose envisaged in subsections (2)(a) to (2)(c) above;
- (e) Is in the interest of the general public to do so.
- (3) The provisions of subsection (1) above shall not apply to-
 - (a) any building line restriction which has been imposed by or under the provisions of any applicable legislation pertaining to roads, whether national or provincial;
 - (b) any condition relating to mineral rights;
 - (c) any condition imposed in respect of land transferred to a beneficiary in terms of any provincial small farmer settlement programme or any similar land reform programme relating to the circumstances under which such land may be alienated or encumbered; or
 - (d) any condition relating to the risk of development on land which has been undermined.
- (4) An owner of land who wishes to have any restriction, obligation, servitude or reservation as envisaged in subsection (1) above amended, suspended or removed, may lodge an application to the Municipality.
- (5) Notwithstanding subsection (4) above, the Municipality may of its own accord amend, suspend or remove any restriction or obligation envisaged in subsection (1) above in respect of any land.
- (6) An application envisaged in subsection (4) above may be submitted simultaneously with any other application envisaged in sections 38, 39, 40, 53 and 55 above and it shall be treated as one application.
- (7) If an application is made only for the amendment, suspension or removal of any restriction, obligation, servitude or reservation as envisaged in subsection (1) above whether by an owner of land or by the Municipality, the provisions of section 40(2) to 40(7) above shall mutatis mutandis apply to such application.
- (8) Where a simultaneous application is submitted as envisaged in subsection (6) above, the applicant shall comply with all the essential elements of the procedures as set out in this section as well as sections 38, 39, 40, 53 and 55, as the case may be, in a consolidated form.
- (9) Subject to section 31(2), in the instance of an unopposed application envisaged in subsection (4) or (5) above, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 30 days after the date of expiry of the time periods mentioned in those sections that apply mutatis mutandis to an application envisaged in subsection (4) and (5) above.
- (10) Subject to section 31(2), in the instance of an unopposed simultaneous application envisaged in subsection (6) above, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 60 days after the expiry of the time periods mentioned in sections 38, 39, 40, 53 and 55 above, whichever section is relevant.
- (11) The provisions of section 40(9) above shall also apply mutatis mutandis to an application envisaged in subsections (4), (5) and (6) above.
- (12) For purposes of this section, where a condition of title, a condition of establishment of a township or an existing scheme provides for a purpose with the consent or approval of the administrator, a Premier, the townships board or any other controlling authority, such consent may be granted by the Municipality and such reference to the administrator, a Premier, the townships board or other controlling authority shall be deemed to be a reference to the Municipality.

65. Decision and post-decision procedures

- (1) An application envisaged in section 64(4), (5) or (6) above may be approved subject to any condition the Municipality deems fit or it may be refused.
- (2) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties of the decision in writing by registered post, by hand or by any other means available without delay.
- (3) The Municipality shall keep a proper record of each application granted under subsection (1) above.
- (4) Where the Municipality has approved an application as envisaged under section 64(4), (5) or (6) above and after the expiry of the time period envisaged in section 73(1) of this By-law, it shall give notice thereof in the Provincial Gazette and state in the notice that a copy of the

application as approved will lie for inspection at all reasonable times at its office and thereupon the application shall be deemed to be an approved application.

- (5) An approved application as envisaged in subsection (1) above shall come into operation on the date of publication of the notice envisaged in subsection (4) above.
- (6) The provisions of section 43 shall also mutatis mutandis apply to an application under this section if the simultaneous application envisaged in 64(6) above included an amendment of a land use scheme application as envisaged in section 40(1) above.

66. Endorsements in connection with amendments, suspensions or removals of restrictions or obligations

- (1) After the coming into operation of any approved application as envisaged in section 64(4), 64(5) or 64(6) above, the owner of land shall within 28 days from the date of the approval coming into operation, whether in terms of section 65(5) or 65(6) above, deliver the original title deed to the Registrar and the Surveyor General in order for them to make the appropriate entries and endorsements on a relevant register, title deed, diagram or plan in their respective offices as may be necessary to reflect the effect of the notice envisaged in section 65(4) above.
- (2) Upon receipt of such original title deed as envisaged in subsection (1) above, the Registrar shall not register any further transactions relating to the land in question until the entries and endorsements envisaged in subsection (1) above have been effected and shall impound the title deed for the purpose of such entries and endorsements whenever it may for any reason be lodged in his or her office.

67. Contributions to be paid in respect of external engineering services and Open Spaces or Parks

- (1) Where applicable, the provisions of section 38(8)(e) and 38(8)(f) and subsection 38(11) of the same section, section 44 and section 53(7) and subsection 53(12) of the same section shall mutatis mutandis apply to an approval envisaged in section 65(1) above, as the case may be.

Part 7

Permanent closure of a public place or diversion of a street

68. Permanent closing of a public place or diversion of a street

- (1) The Municipality may, either of its own accord or upon a written request by any party, permanently close a public place or divert any street or portion of a street.
- (2) A formal proposal that steps be taken for the closing of a public place or diversion of a street or portion of a street shall be accompanied by a plan showing the public place to be closed or showing the boundaries of the street or portion of the street proposed to be closed or diverted.
- (3) When the Municipality intends to exercise the power envisaged in subsection (1) above or upon receipt of a formal proposal, it shall comply with the following procedures:
 - (a) Notice of the application shall be given once by simultaneously publishing a notice in the Provincial Gazette and two newspapers that circulates within the area of jurisdiction of the Municipality in English;
 - (b) Such notice shall clearly reflect in terms of which section of this By-law the application is made;
 - (c) Such notice shall reflect full details of the application including, but not limited to, the relevant street or portion of street to be closed or diverted (if applicable), the name of the applicable township, a clear erf description of the public place to be closed (if applicable) and the nature and general purpose of the application;
 - (d) Such notice shall further reflect that the application and its accompanied plan will lie open for inspection at specified times and at specified places at the Municipality's offices and that any objection, comment or representation in regard thereto must be submitted timeously to the Municipality in writing by registered post, by hand, by facsimile or by e-mail within a period of 28 days from the date of publication of the notice as envisaged in subsection (3)(a) above.

- (e) Another notice that contains the same detail as envisaged in subsections (3)(b) to (3)(d) above shall be displayed on the land under consideration or on or near the street or portion of the street to be closed or diverted in English, and at the discretion of the Municipality, in any other official language;
 - (f) Such notice shall be displayed on the land from the same date as the date of the publication of the notice mentioned in subsection (3)(a) above;
 - (g) Such notice shall be in the format as determined by the Municipality;
 - (h) Such notice shall be displayed in a conspicuous place on the land in question or on or near the street or portion of street to be closed or diverted where it would be best and easily visible and can be easily read from each and every adjacent public street or other adjacent public place; and
 - (i) Such notice shall be maintained in a clearly legible condition for a period of not less than 21 days from the date of publication of the notice mentioned in subsection (3)(a) above.
 - (j) Another notice that contains the same detail as envisaged in subsections (3)(b) to (3)(d) above shall be served by hand on the owners or reputed owners, lessees or reputed lessees and the occupiers of all properties abutting upon the public place or the street or portion of the street which it is proposed to close or divert, provided that if any such property has more than one lessee, reputed lessee or occupier, a copy of the said notice may be posted on the principal door of the main building or in another conspicuous place on such property, except where such property is a sectional title development, in which case the notice shall also be served on the owners of each such unit that constitutes the Body Corporate.
- (4) No decision shall be taken on the application unless due regard has been given to each objection, comment and/or representation lodged timeously.
 - (5) Whether by the Municipal Planning Tribunal, the authorised official or his duly authorised delegate, a permanent closure of a public place or closure or diversion of a street or portion of a street as advertised in subsection (3) above may be approved or it may be refused and all relevant parties shall be notified of the decision by registered post, by hand or by any other means available without delay.
 - (6) After the closure or diversion as envisaged in subsection (1) above has been approved and has been carried out, the Municipality shall notify the Registrar and the Surveyor General in order for them to make the appropriate entries and endorsements on a relevant register, title deed, diagram or plan in their respective offices as may be necessary to reflect the effect of the approval envisaged in subsection (5) above and that it has been carried out properly in accordance with the provisions of this By-law.
 - (7) The notification envisaged in subsection (6) above to the Registrar and the Surveyor General shall include a Land Surveyor's diagram to enable them to make such necessary entries and endorsements as envisaged in that subsection.
 - (8) Such entries and endorsements envisaged in subsection (6) above do not require a formal application as envisaged in section 61 (1) above.
 - (9) For purposes of this section the word "street" shall include a road, thoroughfare, footpath, sidewalk or lane.
 - (10) Where any public place or street or any portion thereof has been closed by virtue of an approval envisaged in subsection (5) above, the township owner shall, without any claim to compensation, be divested of all rights of ownership in the land comprising such public place, street or portion and such rights shall vest in the Municipality and the Registrar shall do whatever is necessary to record such ownership in its registers.

CHAPTER 7 ENGINEERING SERVICES, CONTRIBUTIONS AND OPEN SPACES OR PARKS

Part 1

Engineering services and engineering services contributions / agreements

69. Engineering services

- (1) Every land development application approved in terms of the provisions of this By-law shall be provided with such engineering services as the Municipality deem necessary for proper development.
- (2) For the proper management and enforcement of this Chapter, the owner of the land in question shall enter into an engineering services agreement with the Municipality and such agreement shall contain every reasonable detail relevant to the engineering services to be installed and comprehensive detail on the different roles, duties and responsibilities of the respective parties.
- (3) Subject to subsection (2) above, the owner of the land in question shall be responsible for the provision, installation and costs of internal engineering services required for a development when an application is approved, as contemplated in section 49(1) of the Spatial Planning and Land Use Management Act.
- (4) Subject to subsection (2) above, the Municipality shall be responsible for the provision and installation of external engineering services, as contemplated in section 49(2) of the Spatial Planning and Land Use Management Act.
- (5) When the Municipality is not the provider of an engineering service, the owner of the land in question must satisfy the Municipality that adequate alternative arrangements have been made either by the owner itself or with the relevant service provider for the provision of that service, as contemplated in section 49(3) of the Spatial Planning and Land Use Management Act.
- (6) Every engineering service to be provided as envisaged in subsection (1) above shall be classified in terms of the engineering services agreement envisaged in subsection (2) above between the owner of the land in question and the Municipality as an internal, link or external engineering service in accordance with the provisions of this By-law.
- (7) The internal engineering services to be provided by the owner of the land in question shall be installed and provided to the satisfaction and to the standards of the Municipality or any of its Municipal Entities and for that purpose the owner of the land shall lodge with the Municipality or relevant Municipal Entity such reports, diagrams and specifications as the Municipality or Municipal Entity may require.
- (8) Where any application envisaged in subsection (1) above has lapsed in terms of any provision of this By-law, the engineering services agreement shall also automatically lapse and the owner of the land in question having installed any engineering services based on the above agreement shall have no claim against the Council with regard to the installation or construction of any engineering services of whatsoever nature.

70. External engineering services contributions / agreements

- (1) The Municipality may levy an external engineering services contribution in respect of the provision of an external engineering service to the township or to the divided land in question as envisaged in section 69(1) above.
- (2) The external engineering services contribution envisaged in subsection (1) above must be set out in a policy / By-law adopted and approved by the Municipality and the amount of the external engineering services contribution, payable by the owner of the land in question, shall be calculated in accordance with such policy / By-law as adopted and approved by the Municipality.
- (3) The external engineering services contribution in respect of an approved township shall be calculated in terms of the tariff that is applicable at the time of the notice envisaged in 48(15) above and is subject to escalation at the rate calculated in accordance with the policy/By-law as adopted and approved by the Municipality.
- (4) The owner of land in question may, in terms of the engineering services agreement with the Municipality envisaged in section 69(2) above, install any external engineering service on behalf of the Municipality and the fair and reasonable cost of installing such a service may be set off against the external engineering services contributions payable.

- (5) When an external engineering service is installed by the owner of land as envisaged in subsection (4) above, the provisions of the Municipal Finance Management Act pertaining to procurement and the appointment of contractors on behalf of the Municipality shall not apply.
- (6) The external engineering services contribution levied in terms of subsection (1) above shall become due and payable as envisaged in sections 48(16), 53(12) and 55(17) above.
- (7) No Site Development Plan or building plans may be approved by the Municipality in terms of the National Building Regulations and Building Standards Act until the external engineering services contribution envisaged in subsection (1) above has been settled in full.
- (8) The provisions of section 44(8) and 44(9) above shall apply mutatis mutandis to an external engineering services contribution levied in terms of subsection (1) above.

Part 2

Land for parks, open space and other uses

71. Land for parks, open space and other uses

- (1) The approval of a township application as envisaged in section 46(1) and a division of land application envisaged in section 53(1) and 55(1) above, which provides for the use of land for residential purposes is subject to the provision of land for parks or open space by the applicant.
- (2) The land required for parks or open space must be provided within the land area to which the development application refers or may be provided elsewhere within the Municipality's jurisdiction, at the discretion of the Municipality.
- (3) The extent of land required for parks or public open spaces shall be determined by the Municipality in accordance with the formula as set out in Schedule 24 to this By-law.
- (4) Any area of land in a proposed township or in a division of land application, which is subject to flooding by a 1:50 and 1:100 year flood line, shall be shown on the plan of the township as an open space or park if so required by the Municipality.
- (5) When a township or a division of land application is approved without the required provision of land for parks or open spaces within the land area of the development, the applicant may be required to pay an amount of money to the Municipality in lieu of the provision of land.
- (6) The amount of money envisaged in subsection (5) above shall be calculated in terms of the valuation relevant at the time of proclamation of the approved township envisaged in section 48(15) above, and with a division of land application envisaged in section 53(1) and 55(1) above, at the time of the approval of the application.
- (7) The amount of money calculated in terms of subsection (6) above shall be subject to escalation until it has been settled in full.
- (8) The provisions of sections 48(16), and 55(17) above shall also apply mutatis mutandis to the payment of the amount of money envisaged in subsection (5) above.

CHAPTER 8 APPEAL AUTHORITY AND PETITION TO INTERVENE

72. Appeal Authority

- (1) The [Executive Mayor, Executive Authority / Committee of the Municipality] is the Appeal Authority of the Mogale City Local Municipality.

73. Internal appeals

- (1) An owner of land, a person that submitted an objection, comment or representation in terms of any provision of this By-law and any interested party as envisaged in sections 40(4), 46(5), 53(1)(b), 55(3) and 70(8) above, a person whose rights are affected by a decision taken by an authorised official and municipal planning tribunal as outlined in Section 51(4) and 51(5) of the Spatial Planning and Land Use Management Act, including a person who's petition to intervene has been granted as envisaged in section 72, whose rights may be adversely affected by a decision taken by the Municipal Planning Tribunal, the authorised official or any of its sub-delegates in respect of-
 - (a) any land development application envisaged in Chapter 6 of this By-law;
 - (b) a change of circumstances application envisaged in section 43(2) and 65(6) above;
 - (c) any engineering services contributions and/or parks or open spaces contributions imposed or levied in terms of any provision of this By-law, may appeal against that decision to the Municipal Manager by given written notice of the appeal, including grounds of appeal, within 28 days of the date of notification of the decision or of date of being notified of such engineering services contributions and/or parks or open spaces imposed or levied.
- (2) The Municipal Manager shall within a reasonable time period and after all relevant information on the appeal has been collated submit the appeal to the Municipality's executive authority as the appeal authority for a decision.
- (3) An appeal is invalid if it is not lodged within the time period contemplated in subsection (1) above or does not comply with this section.
- (4) If an owner of land lodges an appeal, the owner of land shall give notice of the appeal to any person or interested party who commented, represented on or opposed the application.
- (5) The notice must be given in accordance with section 115 of the Municipal Systems Act and notice may be given by hand, by registered post or by any other means available.
- (6) The notice must allow the parties 21 days from date of notification to oppose or comment on the appeal.
- (7) The appellant must provide the Municipality with proof of notification, envisaged in subsection (4), within 14 days of the date of notification.
- (8) If an objector or any interested party as envisaged in subsection (1) above lodges an appeal, the Municipality Manager must give notice of the appeal to the applicant within 14 days of receipt thereof.
- (9) A person who has received notice of the appeal may comment on or oppose the appeal within 21 days of being notified.
- (10) If opposition to or comment on the appeal is not lodged within the time period envisaged in subsection (6) and (9) above, the objection or comment will be invalid and the appeal authority will be under no obligation to entertain the appeal.
- (11) The relevant Municipality department must draft a report assessing the appeal and all comments or objections received and submit it to the appeal authority within 30 days of receipt of the comments or after the time period has lapsed and no comment has been received as contemplated in subsections (6) and (9) above as the case may be.
- (12) The appeal authority shall decide the appeal within 90 days from the expiry of the time periods envisaged in subsection (6) and (9) above.
- (13) The appeal authority may confirm, vary or revoke the decision appealed against.
- (14) Parties to the appeal must be notified, in writing, of the decision of the appeal authority within 21 days from the date of the decision as contemplated in subsection (12) above.
- (15) An appeal lodged under this section suspends any decision taken under the provisions of this By-law and any post-decision procedures, as the case may be, until the appeal has been finalised.

74. Hearing by appeal authority

- (1) An appeal shall be heard by the appeal authority by means of a hearing based on written submissions only.
- (2) Notwithstanding subsection (1) above, the appeal authority may decide that a formal oral hearing be conducted if the appeal authority is of the opinion that the issues to be determined is of such a nature that it justifies the parties to the appeal to be heard in person.
- (3) Where the appeal authority decides that an oral hearing be held as envisaged in subsection (2) above, then any party to the appeal may appear in person or may be represented by another person.

75. Record of decisions

- (1) The appeal authority shall keep a proper record of all its proceedings and decisions taken.

76. Petition to be granted intervener status

- (1) Where an application has been submitted to a Municipal Planning Tribunal, authorised official or any of its sub-delegates or an appeal has been lodged to the appeal authority, an interested person may, at any time during the proceedings, but within seven days of becoming aware of the proceedings, petition the Municipality in writing to be granted intervener status.
- (2) The petitioner must submit together with the petition to be granted intervener status a full motivation in support of the petition and an affidavit stating that he or she –
 - (a) does not collude with any applicant, objector or appellant; and
 - (b) is willing to deal with or act in regard to the application or appeal as the Municipality may direct.
- (3) The municipality must determine whether the requirements of this regulation have been complied with and must thereafter provide a copy of the petition referred to in subsection (1) to the parties to the application or appeal.
- (4) Where the Municipality, either through its Municipal Planning Tribunal, authorised official or any of its sub-delegates or the appeal authority, must determine whether a petitioner qualifies as an interested person as contemplated in section 45(4) of the Spatial Planning and Land Use Management Act, it may consider the following:
 - (a) whether such person has a pecuniary or proprietary right or interest in the matter;
 - (b) that such person's right or interest has been affected by the decision of the Municipal Planning Tribunal or authorised official or that his or her rights may be adversely affected by the decision of the Municipal Planning Tribunal or authorised official and might therefore be adversely affected by the decision of the appeal authority;
 - (c) that the petitioner represents a group of people who have a direct concern in the proceedings;
 - (d) the ability of the petitioner to protect his or her interest would be impeded by the decision of the Municipal Planning Tribunal, authorised official or appeal authority and that his or her interest is not adequately represented by the current parties to the proceedings;
 - (e) the petitioner will provide a different perspective on the issues before the Municipal Planning Tribunal, authorised official or appeal authority, without expanding those issues.
- (5) A determination by the Municipal Planning Tribunal, appeal authority or authorised official whether a petitioner qualifies, as an interested person is final and must be communicated to the petitioner and the parties to the proceedings in writing without delay.

CHAPTER 9 ENFORCEMENT

77. Law enforcement

- (1) The Municipality may designate an official or officials under its employ as a law enforcement officer(s) to investigate any non-compliance with the provisions of this By-law, its land use scheme or any other town planning scheme still in operation.
- (2) The provisions of section 32(5) of the Spatial Planning and Land Use Management Act shall apply mutatis mutandis to such law enforcement officers envisaged in subsection (1) above.
- (3) An inspection of a private dwelling may only be carried out by a law enforcement officer at a reasonable time has been given to the owner or occupier of the land or building and after obtaining the consent of the owner or lawful occupier or person in control of the building, or with a warrant issued in terms of section.
- (4) A judge or magistrate for the district in which the land is situated, may, at the request of the Municipality, issue a warrant to enter upon the land or building or premises if the-
 - (a) law enforcement officer has been refused entry to land or a building that he or she is entitled to inspect;
 - (b) prior permission of the occupier or owner of land on which a private dwelling is situated as envisaged in subsection (4) above cannot be obtained after reasonable attempts;
 - (c) the owner, occupier or person in control of a private dwelling has refused consent; or
 - (d) the purpose of the inspection would be frustrated by the prior knowledge thereof.
- (5) The Municipality may apply to a court for an order-
 - (a) interdicting any person from using land in contravention of any provision of this By-law, its land use scheme or any other town planning scheme still in operation;
 - (b) authorising the demolition of any structure erected on land in contravention of any provision of this By-law, its land use scheme or any other town planning scheme still in operation without any obligation on the Municipality or the person carrying out the demolition to pay any compensation; or
 - (c) authorising any other appropriate relief.

78. Offences and penalties

- (1) Further to any section in this By-law that declares a specific action a criminal offence, where any person-
 - (a) undertakes or proceeds with the erection or alteration of or addition to a building or causes it to be undertaken or proceeded with;
 - (b) performs, undertakes or proceeds with any other work or causes it to be performed, undertaken or proceeded with;
 - (c) uses any land or building or causes it to be used;
- (d) alters the form and function of land, in conflict with a provision of this By-law, any other applicable legislation dealing with land development, the Municipality's land use scheme or any other a town planning scheme still in operation, such person shall be guilty of an offence.
- (2) The Municipality may direct such person in writing-
 - (a) to discontinue such erection, alteration, addition or other work or such use or cause it to be discontinued;
 - (b) at his own expense-
 - (i) to remove such building or other work or cause it to be removed;
 - (ii) to cause such building or other work or such use to comply with the provisions of the scheme, and the directive shall state the period within which it shall be carried out.
- (3) The Municipality shall not approve a building plan for the erection or alteration of or addition to a building which would be in conflict with any provision of this By-law, the Municipality's land use scheme or any town planning scheme still in operation.
- (4) The provisions of subsection (3) shall not apply to the erection or alteration of or addition to a building in accordance with an approved building plan.
- (5) Any person who contravenes or fails to comply with a directive issued in terms of subsection (2) shall be guilty of an offence.

- (6) Where any person fails to comply with a directive issued in terms of subsection (2), the Municipality may, whether or not a prosecution has been or will be instituted, remove the building or other work or cause the building or other work to comply with the provisions of this By-law, its land use scheme or any other town planning scheme still in operation and recover all expenses incurred in connection therewith from such person.
- (7) Upon conviction of an offence in terms of this By-law a person is liable to a fine or imprisonment not exceeding 20 years or to both a fine and such imprisonment and the fine shall be calculated according to the ratio determined for such imprisonment in terms of the Adjustment of Fines Act.
- (8) A person convicted of an offence under this By-law who, after conviction, continues with the action in respect of which he or she was so convicted, is guilty of a continuing offence and liable to a fine, or upon conviction, to imprisonment for a period not exceeding three months or to both such fine and imprisonment, in respect of each day on which he or she so continues or has continued with that act or omission.

79. Content of Compliance Notices

- (1) A compliance notice must—
 - (a) identify the judicial person as registered owner to whom it is addressed;
 - (b) describe the alleged unlawful use of land or construction activity concerned and the land on which it occurs;
 - (c) state that the activity is unlawful and inform the person of the particular offence contemplated in the By-law which that person allegedly has committed or is committing through the continuation of that activity on the land;
 - (d) the steps that the person must take and the period within which those steps must be taken;
 - (e) anything which the person may not do and the period during which the person may not do it;
 - (f) provide for an opportunity for a person to submit representations in terms of section 92(6) with the contact person stated in the notice; and
 - (g) issue a warning to the effect that—
 - (i) the person may be prosecuted for and convicted of an offence contemplated in the Bylaw;
 - (ii) on conviction of an offence, the person will be liable for the penalty as provided for;
 - (iii) the person may be required by an order of court to demolish, remove or alter any building, structure or work illegally erected or constructed or to rehabilitate the land concerned or to cease the activity;
- (2) Any person on whom a compliance notice is served must comply with that notice within the time period stated in the notice, unless the Municipality has agreed to suspend the operation of the compliance notice.

CHAPTER 10 GENERAL PROVISIONS

80. Policies, Procedures, Standards, Requirements and Guidelines

- (1) The Municipality may adopt a policy, procedure, standard, requirement or guideline for the effective administration of this By-Law.
- (2) The Municipal Manager may prescribe anything, which this By-Law empowers the Municipality to prescribe.
- (3) The Municipality must make available on the Municipality's website any prescription contemplated in subsection (2) and may make available on the website any policy, procedure, standard, requirement or guideline contemplated in subsection (1)
- (4) If the Municipality intends to adopt or amend a policy, procedure, standard, requirement guideline or prescription and the adoption or amendment materially and adversely affects the rights of the public, the Municipality must follow a participation process and procedure, which meets the requirements of the Municipal Systems Act.
- (5) An applicable policy, procedure, standard, requirement or guideline applies to an application of this By-Law.

81. Requirements for Petitions on Land Development Applications

- (1) All petitions must clearly state—
 - (a) the contact details of the authorized representative of the signatories of the petition;
 - (b) the full name and physical address of each signatory; and
 - (c) the objections, comments or representations and reason therefore.
- (2) Notice to the person contemplated in subsection (1)(a) constitutes notice to all the signatories to the petition.

82. Approval or adoption of amendment scheme under certain circumstances

- (1) Where-
 - (a) a notice is or has been published in terms of section 48(15) above declaring a township an approved township;
 - (b) a proclamation envisaged in section 49 of the Deeds Registries Act is or has been published extending the boundaries of an approved township;
 - (c) a notice is or has been published in terms of section 62(8) above declaring that the general plan of an approved township or a division of land has been altered, amended or totally or partially cancelled;
 - (d) an application for the division of land has been approved in terms of section 55(4) above, the Municipality may, by notice in the Provincial Gazette declare that it has adopted an amendment scheme relating to the same land as the land envisaged in subsection (1)(a) to (1)(d) above and that a copy of the scheme will lie open for inspection at all reasonable times at the office of the Municipality and that thereupon the scheme shall be deemed to be an approved scheme.
- (2) In respect of an amendment scheme envisaged in subsection (1) above-
 - (a) any provision of this By-law;
 - (b) any other provision, which the Municipality may prescribe shall apply.

83. Documents, plans and diagrams and any other information to be submitted with land development applications under the provisions of this By-law

- (1) The documents, plans, diagrams, reports and any other information shall be submitted with any land development application under any provision of this By-law.
- (2) The applicant must, within 30 days or such further period as the Municipality may allow, provide the Municipality with such additional information which the Municipality may require and as provided for in Schedules.

- (3) If the applicant does not timeously provide the additional information and does not submit an appeal to the appeal authority, the Municipality may close the application and notify the applicant in writing.
- (4) Where the Municipality closes the application-
 - (a) the application is deemed to be refused;
 - (b) the application fee is not refundable; and
 - (c) the applicant may submit a new application and must pay a new application fee.

84. Continuation of application by new owner

- (1) If land that is the subject of a land development application in terms of this By-law is transferred to a new owner before the conclusion of such application, the new owner may continue with the application as the successor in title to the previous owner and the new owner will be regarded as the applicant for purposes of this By-law.
- (2) The new owner must inform the Municipality in writing of the continuation of the application and provide the Municipality with a new title deed within 30 days of the date of actual registration of the property, failing which, the application will automatically lapse.

85. Excision of land from Agricultural Holdings Register

- (1) The Applicant / Owner shall be responsible for the excision of land from an Agricultural Holding Register.
- (2) The endorsement of the Agricultural Holding Title by the Registrar of Deeds to the effect that it is excised and known as a farm portion for the purposes of a township establishment can be done simultaneously with the endorsement of the title deed of the farm portion and the opening of a township register.
- (3) The municipality shall issue a certificate certifying that the pre-proclamation conditions have been complied with and in certifying, it may require that certain conditions be complied with together with the opening of a township register.
- (4) If a applicant elects to remove restrictive conditions of title to an Agricultural Holding through an excision application, the municipality shall only regard proof of the removal of the restrictive conditions if the applicant provides the title deed of the Agricultural Holding as it has been endorsed by the Registrar of Deeds and a copy of the farm title created as a result of the excision.

86. Approval of Building Plans and Registration

- (1) An approval in terms of Section 7(6) of the National Building Regulations and Standards Act, 1977, (Act 103 of 1977) shall not be granted unless the land use rights have come into operation in terms of the provisions of this By-law.
- (2) The Municipality shall not approve the erection of any building in terms of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) on the land which is the subject of any land development application save in accordance with such approval;
- (3) The Registrar of Deeds shall not register any transaction in terms of the Deeds Registries Act, 1937 (Act 47 of 1937) or the Sectional Titles Act, 1986 (Act 95 of 1986) submitted by or on behalf of the owner of the land which is the subject of an approval under this By-law and arising as a consequence of such approval unless the documents evidencing such transaction include any conditions of title imposed by the Municipality.

87. Hearing of submissions, objections, comments or representations

- (1) Where in terms of any provision of this By-law a land development application is referred to the Municipal Planning Tribunal for a decision, the Municipality shall forthwith determine a day, time and place for such hearing.

- (2) The person making the application and any other person, who timeously submitted an objection, comment or representation in terms of any provision of this By-law, including an interested person who has been granted intervener status for purposes of section 76 above, shall receive 14 days clear notice of such day, time and place of the hearing.
- (3) At such hearing contemplated in subsection (1) above the parties envisaged in subsection (2) above may appear in person and set out their motivation in support of the application or their grounds of objection or representation, as the case may be, and adduce any evidence in support thereof or authorise any other person to do so on their behalf.
- (4) A hearing contemplated in subsection (1) above shall be open to the public unless otherwise directed by the Chairperson of the Municipal Planning Tribunal.
- (5) Where an objection, comment or representation has been submitted in the form of a petition, the Municipality will only be obliged to give notice of such hearing to the main petitioner.

88. Reasons for a decision

- (1) Unless otherwise provided for in this By-law, the Municipality shall be obliged to provide adequate written reasons on any decision if requested to do so in writing by any party whose rights may be adversely affected by such decision taken in terms of any provision of this By-law.
- (2) Such reasons shall be provided in writing within 14 days of date of receipt of the request for reasons envisaged in subsection (1) above and it shall be provided by the Chairperson of the Municipal Planning Tribunal, the authorised official or its sub-delegate who made the decision, or the appeal authority, as the case may be.

89. Naming and numbering of streets

- (1) If as a result of the approval of a land development application, streets or roads are created, whether public or private, the Municipality must approve the naming of the street and must allocate a street number for each of the erven or land units located in such street or road.
- (2) The proposed names of the streets and numbers must be submitted as part of an application for subdivision.
- (3) In considering the naming of streets, the Municipality must take into account the relevant policies relating to street naming and numbering.
- (4) The Municipality must in writing inform the Surveyor-General of the approval of new street names as a result of the approval or amendment of subdivision plans as envisaged in subsection (1) above and a street name which is indicated on an approved general plan within 30 days of the approval thereof.
- (5) The applicant must erect the street names according to the Municipality's standards.
- (6) No person may alter or amend a street name as approved in terms of subsection (1) above without the approval of the Municipality.
- (7) An owner of land to which a street number has been allocated as envisaged in subsection (1) above shall ensure that the number as approved for that land unit is displayed and remain displayed.
- (8) No person may alter or amend or use another street number unless approved by the Municipality.
- (9) The Municipality may, by written notice direct the owner of a land unit to display the number allocated to the land unit and may also, in exceptional circumstances, prescribe the position where it is to be displayed, and the owner or occupier of such land unit shall, within 30 days of the date of such notice, affix the allotted number on the premises in accordance with such notice.
- (10) The Municipality may direct any owner to replace or repaint any digit of such number which has become illegible, obliterated or defaced.

90. Tariff of charges

- (1) The Municipality may determine tariff of charges in respect of-
 - (a) any act, matter or application in terms of this By-law;

- (b) anything required or authorised to be done in terms of this By-law.
- (2) Such tariff of charges shall be determined yearly as part of the annual tariffs adopted by Council as part of the annual budget;
- (3) And such tariff shall be published in the Provincial Gazette for information.
- (4) As a transitional measure the tariffs determined through the Municipal Financial Management Act shall apply.

91. National and Provincial interest

- (1) The Municipality shall forward a land development application to the relevant Minister or MEC for comment where such application will materially affect an exclusive functional area of the National or Provincial sphere as per Schedules 4 and 5 of the Constitution.
- (2) Subject to section 52(6) of the Spatial Planning and Land Use Management Act, the relevant Minister or MEC, as the case may be, may submit its comments on the application to the Municipality within 60 days from date of receipt of the application, failing which, it shall be deemed that such Minister or MEC has no comment to make.

92. Transitional provisions

92.1 Pending land development applications in terms of other legislation before the Municipality

- (1) Any land use or development application or other matter in terms of any provision of National or Provincial legislation dealing with land development applications that are pending before the Municipality on the date of the coming into operation of this By-law, shall be dealt with in terms of that legislation; provided that:
 - (a) if that legislation is repealed and in terms of that legislation's transitional provisions; or
 - (b) in the absence of any transitional provisions in the that legislation or other law; or
 - (c) where legislation becomes inconsistent with the Act as a result of the enactment of this By-law;
 it may in consultation with the applicant be dealt with in terms of this By-law, read with section 2(2) and section 60 of the Act; provided that:
 - (i) the timeframes in terms of this By-law for the processing and deciding on land development applications shall not be applicable to any applications dealt with in terms of subsection (1)(a) to (c);
 - (ii) but the timeframes after approval of a land development application in terms of subsection (1)(a) to (c) read with section 43(2) of the Act shall apply;
 - (d) a land development application contemplated in subsection 1(a) to (c), to be dealt with in terms of this By-law, shall be dealt with in accordance with the type and format of land development applications capable of being submitted in terms of this By-law as may be determined by the Municipality.
- (2) (a) Reference to the Municipality in terms of legislation contemplated in subsection (1), shall be reference to the Municipal Planning Tribunal or Authorised Official for purposes of the consideration and decision making on land development applications, in that legislation;
 - (a) Land development applications contemplated in subsection (1) shall be dealt with as categorised in terms of of this By-law; and

91.2 Pending applications and land use with the adoption of a new land use scheme

- (3) Where on the date of the coming into operation of an approved Land Use Scheme in terms of sections 26 and 27 of the Act:
 - (a) any land or building is being used; or
 - (b) within one month immediately prior to that date, was used;

- (c) for a purpose, which is not a purpose for which the land concerned has been zoned in terms of the Land Use Scheme contemplated in subsection (2), but-
 - (i) which is otherwise lawful; and
 - (ii) not subject to any prohibition in terms of this By-law, the use may, subject to the provisions of subsection (4), be continued after that date.
- (4) The right to continue using any land or building by virtue of the provisions of subsection (3) shall:
 - (a) where the right is not exercised in the opinion of the Municipality for a continuous period of 15 months, lapse at the expiry of that period;
 - (b) lapse at the expiry of a period of 15 years calculated from the date contemplated in subsection (3) or such further period as the Municipality may allow;
 - (c) where on the date of the coming into operation of a Land Use Scheme in terms of subsection (3):
 - (i) a building, erected in accordance with an approved building plan, exists on land to which the Land Use Scheme relates;
 - (ii) the erection of a building in accordance with an approved building plan has commenced on land and the building does not comply with a provision of the Land Use Scheme, the building shall for a period of 15 years from that date be deemed to comply with that provision.
- (5) Where a period of 15 years, in terms of subsection (4), has commenced in the opinion of the Municipality, from a particular date, in respect of any land or building, no regard shall be had to those provisions of the adopted Land Use Scheme affecting the land use rights on the property(ies), which comes into operation after that date.
- (6) Within one year from the date of the coming into operation of an approved Land Use Scheme:
 - (a) the holder of a right contemplated in subsection (3) may deliver a notice to the Municipality in writing that he/she is prepared to forfeit that right; and
 - (b) the owner of a building contemplated in subsection (4)(c) may deliver a notice to the Municipality in writing that he/she is prepared to forfeit any right acquired by virtue of the provisions of that subsection.
- (7) Where at any proceedings in terms of this By-law it is alleged that a right has lapsed in terms of subsection (3)(a), such allegation shall be deemed to be correct until the contrary is proved.
- (8) Where any land use provisions are contained in any title deed, deed of grant or 99 (ninety nine) year leasehold, which did not form part of a Land Use Scheme, such land use provisions shall apply as contemplated in subsection (3).
- (9) If the geographic area of the Municipality is demarcated to incorporate land from another Municipality then the Land Use Scheme applicable to that land shall prevail until the Municipality amends, repeals or replaces it subject to sections 9 and 13 of this By-law.

91.3 Land development applications to be submitted after the coming into operation of this By-law

- (10) In terms of the Act and specifically the Regulations, the Municipality may determine the processes and procedures for spatial planning, land use, land use management and land development including land development application, consistent with the Act and upon coming into operation of this By-law, any legislation providing alternative or parallel processes and procedures other than any determined by the Municipality, shall be deemed to be inconsistent with the Act as contemplated in section 2(2) of the Act.
- 11 Upon the coming into operation of this By-law, all land development applications must be consistent with the existing adopted Local Area Plans until such time that they are reviewed and replaced by new plans for those areas. The following local area plans were adopted by the Municipality: N14 Development Corridor; Hekpoort, Tarlton, Muldersdrift, Cradle of Humankind and Mogale City Spatial Development Framework, Magaliesburg Precinct plans; Township Regeneration Strategy; Krugersdorp CBD Urban Design Framework; Oatlands Policy; Silverfields Policy; Keywest/Viljoen street Policy, Vootrekker Road Policy and Creche Policy.
- (12) Upon the coming into operation of this By-law all land development applications and processes and procedures related thereto shall be submitted and dealt with in terms of this By-law.

91.4 Appeals pending or submitted in terms of other legislation upon the coming into operation of this By-law

- (12) Upon the coming into operation of this By-law, any other legislation, which as a result of the coming into operation of this By-law or in terms of section 2(2) of the Act, is inconsistent with the Act, and which provides for an appeal procedure against a decision of the Municipality on a land development application shall be dealt with by the Municipal Appeals Tribunal, in terms of the processes and procedures as contemplated in that legislation.

93. Exemption

- (1) The Municipality may in writing exempt any person from complying with any provision of this By-law upon good cause shown.
- (2) An application for exemption shall be in writing setting out which section of the By-law exemption is being applied for accompanied by a full motivation why such exemption should be granted.
- (3) Such application shall be considered by the authorised official and a decision shall be made on the application within 14 days from date of receipt of such application and the applicant shall be informed in writing of such decision.

94. False or misleading information in connection with application.—

- (1) Any person who wilfully and or with intent to defraud furnishes false or misleading information in connection with an application contemplated in this By-law shall be guilty of an offence.

95. Short title and commencement

- (1) This By-Law is called the Mogale City Local Municipality Spatial Planning and Land Use management By-Law, 2016, and comes into operation on a date by proclamation in the Provincial Gazette as determined by Council.

PROVINCIAL NOTICE 207 OF 2017
MIDVAAL LOCAL MUNICIPALITY

MIDVAAL LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW

PREAMBLE

WHEREAS section 156(1)(a) and (b) of the Constitution, 1996 (Act 108 of 1996) confers on municipalities the executive authority and the right to administer the local government matters listed in Part B of Schedule 4 and Part B of Schedule 5 to the Constitution and any other matter assigned to municipalities by National or Provincial legislation; and

WHEREAS the Constitution authorizes and empowers municipalities to administer the local government matters listed in Part B of Schedules 4 and 5, which include hoardings and the display of advertisements in public places and any other matter assigned to it by national or provincial legislation, by making and administering By-laws for the effective administration of these matters;

WHEREAS Part B of Schedule 4 to the Constitution lists “municipal planning” as a local government matter; and

WHEREAS section 156(2) of the Constitution empowers municipalities to make and administer by-laws for the effective administration of the matters which it has the right to administer; and

WHEREAS there is fundamental agreement in our country on a vision of democratic, accountable and developmental local government, in which municipalities must strive within their financial and administrative capacity, to achieve their constitutional objectives by ensuring the provision of sustainable, effective and efficient municipal services to communities, by promoting social and economic development, by promoting a safe and healthy environment, and by encouraging the involvement of communities in the matters of local government; and

WHEREAS Parliament has enacted the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), which *inter alia* sets out development principles which apply to all organs of state and other authorities responsible for the implementation of legislation regulating the use and development of land.

BE IT THEREFORE ENACTED by the Municipal Council of the Midvaal Local Municipality as follows:-

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

ARRANGEMENT OF SECTIONS AND SCHEDULES OF THE BY-LAW**CHAPTER 1****DEFINITIONS, INTERPRETATION AND APPLICATION**

1. Definitions and Interpretations
2. Application of By-Law
3. Alignment of Authorisations
4. Types of applications that requires approval
5. Provisions and principles which shall guide and inform all land development applications

CHAPTER 2**SPATIAL PLANNING**

6. Municipal spatial development framework
7. Content of municipal spatial development framework
8. Legal effect of municipal spatial development framework
9. Local Spatial Development Frameworks
10. Compilation, Amendment or Review of Local Spatial Development Frameworks
11. Status of Local Spatial Development Frameworks
12. Local Area Plans
13. Compilation, Review or Amendment of Municipal Spatial Development Framework
14. Establishment of Project Committee
15. Establishment of Intergovernmental Steering Committee
16. Procedure with Intergovernmental Steering Committee
17. Procedure without Intergovernmental Steering Committee
18. Functions and Duties of Project Committee

CHAPTER 3**LAND USE SCHEME**

19. Land Use Scheme
20. Purpose and Content of Land Use Scheme
21. Legal effect of land use scheme
22. Municipality amend its Land Use Scheme

CHAPTER 4**MUNICIPAL PLANNING TRIBUNAL AND AUTHORISED OFFICIAL**

23. Establishment of Municipal Planning Tribunal
24. Municipal Planning Decision-Making Structures
25. Composition of Municipal Planning Tribunal for Municipal Area
26. Meetings of Municipal Planning Tribunal for Municipal Area
27. Administrator for Municipal Planning Tribunal for Municipal Area
28. Functioning of Municipal Planning Tribunal for Municipal Area
29. Powers and functions of a Municipal Planning Tribunal

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- 30. Classification of applications to be determined by the Municipal Planning Tribunal
- 31. Authorised official
- 32. Classification of applications to be decided by the authorised official

CHAPTER 5**DEVELOPMENT MANAGEMENT**

- 33. Non-conforming uses
- 34. Continuation of application after change of ownership
- 35. Rezoning of land by municipality

CHAPTER 6**APPLICATION PROCEDURES FOR LAND DEVELOPMENT APPLICATIONS****Part 1****Consent use and building line relaxation**

- 36. Consent use application
- 37. Building line relaxation application

Part 2**Amendment of Land Use Scheme (Rezoning) and matters related thereto**

- 38. Amendment of land use scheme application
- 39. Decision and post-decision procedures – Amendment of Land Use Scheme
- 40. Correction of errors or omissions
- 41. Prohibition of a further application in certain circumstances
- 42. Contributions to be paid in respect of external engineering services and Open Spaces or Parks
- 43. Lapsing of rezoning and extension of validity periods

Part 3**Township establishment, division/phasing of an approved township, extension of boundaries of an approved township and matters related thereto**

- 44. Township establishment application
- 45. Consent to certain contracts and options – Township establishment
- 46. Decision and post-decision procedures – Township establishment
- 47. Prohibition of registration of certain deeds of transfer or endorsement on certain title deeds
- 48. Failure to comply with requirements of the Municipality
- 49. Division/phasing of an approved township
- 50. Extension of boundaries of an approved township

Part 4**Subdivision and Consolidation of an erf in an approved township and the subdivision and or consolidation of any other land**

- 51. Subdivision and/or consolidation of an erf/erven in an approved township
- 52. Cancellation and amendment of conditions/plan, endorsement of certain documents by Registrar and access

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- 53. Subdivision of any other land
- 54. Failure to comply with requirements of the Municipality
- 55. Prohibition of registration of certain deeds of transfer
- 56. Ownership of roads and public places
- 57. Owners' Associations
- 58. Owners' Association Ceases to Function

Part 5**Approval of alteration, amendment or cancellation of general plan**

- 59. Alteration, amendment or cancellation of a general plan application
- 60. Decision and post decision procedures
- 61. Effect of alteration, amendment or cancellation of general plan

Part 6**Amendment, suspension or removal of restrictive or obsolete conditions or obligations, servitudes or reservations and matters related thereto**

- 62. Application for the amendment, suspension or removal of restrictive or obsolete conditions or obligations, servitudes or reservations in respect of land
- 63. Decision and post-decision procedures
- 64. Endorsements in connection with amendments, suspensions or removals of restrictions or obligations
- 65. Contributions to be paid in respect of external engineering services and Open Spaces or Parks

Part 7**Permanent closure of a public place or diversion of a street**

- 66. Permanent closing of a public place or diversion of a street

CHAPTER 7**ENGINEERING SERVICES, CONTRIBUTIONS AND OPEN SPACES OR PARKS****Part 1****Engineering services and engineering services contributions / agreements**

- 67. Engineering services
- 68. External engineering services contributions / agreements

Part 2**Land for parks, open space and other uses**

- 69. Land for parks, open space and other uses

CHAPTER 8**APPEAL AUTHORITY AND PETITION TO INTERVENE**

- 70. Appeal Authority
- 71. Internal appeals
- 72. Hearing by appeal authority
- 73. Record of decisions

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

74. Petition to be granted intervener status

CHAPTER 9

ENFORCEMENT

75. Law enforcement

76. Offences and penalties

77. Content of Compliance Notices

CHAPTER 10

GENERAL PROVISIONS

78. Policies, Procedures, Standards, Requirements and Guidelines

79. Requirements for Petitions on Land Development Applications

80. Approval or adoption of amendment scheme under certain circumstances

81. Documents, plans and diagrams and any other information to be submitted with land development applications under the provisions of this By-law

82. Continuation of application by new owner

83. Time frames for land development applications

84. Excision of land from Agricultural Holdings Register

85. Approval of Building Plans and Registration

86. Hearing of submissions, objections, comments or representations

87. Reasons for a decision

88. Naming and numbering of streets

89. Tariff of charges

90. National and Provincial interest

91. Transitional provisions

92. Exemption

93. False or misleading information in connection with application.—

94. Short title and commencement

SCHEDULES

SCHEDULE 1: LAND USE SCHEME REGISTER

SCHEDULE 2: CONTRIBUTIONS PAYABLE AND PROVISIONS OF LAND FOR OPEN SPACES AND PARKS IN TERMS OF THIS BY LAW

SCHEDULE 3 MIDVAAL FORMS

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

CHAPTER 1**DEFINITIONS, INTERPRETATION AND APPLICATION****1. Definitions and Interpretations**

In this By-law, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Spatial Planning and Land Use Management Act 2013, (Act 16 of 2013) has the meaning assigned to it in that Act.

All references to sections in this by-law refers to this specific document unless otherwise stated—

“adopt” and “approved”, in relation to a spatial development framework, land use scheme, policy or strategy, means the approval thereof by the executive authority and shall have corresponding meanings;

“agent” means a person authorized in terms of a power of attorney by the owner of land to make an application;

“Appeal Authority” means the Executive Authority as contemplated in section 70(1)

“authorized employee / official” means a municipal employee who is authorised in terms of delegated or sub-delegated authority by the Municipality to exercise a power or perform a duty in terms of this By-law or to inspect land and buildings in order to enforce compliance with this By-law, the land use scheme and Deed of Title;

“building” includes any structure of any nature whatsoever as envisaged in section 1 of the National Building Regulations and Building Standards Act;

“bulk engineering service” means the municipal capital infrastructure associated with that portion of an external engineering service which is intended to ensure provision of municipal infrastructure services for the benefits of multiple users or the community as a whole;

“comments” refer to comments submitted by the public, municipal departments and other organs of state and service providers on a land development application, appeal, and includes objections, representations and petitions;

“consolidation” in relation to land means the joining of two or more adjacent land units into a single registered land unit through the registration thereof in the deeds registry, but excludes the consolidation of farm portions for purposes of this by-law read with the Land Survey Act;

“Constitution” means the Constitution of the Republic of South Africa, 1996 (Act 106 of 1996);

“Council” means the Midvaal Municipal Council which is the legislative authority of the Municipality;

“day” means a calendar day, and when any number of days is prescribed in terms of this By-law for the doing of any act, it must be calculated by excluding the first day and including the last day, provided that, if the last day falls on a Sunday, Saturday or public

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

holiday, the number of days must be calculated by excluding the first day and also the Sunday, Saturday or public holiday and if the date on which any notice must appear in any media or *Provincial Gazette* such notice may not appear on a Sunday, Saturday or public holiday and shall for purposes of calculation be excluded.

“Deeds Registries Act” means the Deeds Registries Act, 1937 (Act 47 of 1937);

“development principles” means the principles as set out in Chapter 2, and more specifically, section 7 of the Spatial Planning and Land Use Management Act, 2013;

“engineering services” means a system for the provision of water, electricity, renewable energy equipment, gas, roads, storm water drainage and collection and removal of solid waste and/or sewerage, solid waste sites required for the purpose of land development;

“engineering services agreement” means the agreement envisaged in section 67(2) of this By-law;

“erf” means land in an approved township registered in a deeds registry as an erf, lot, plot or stand or as a portion or the remainder of any erf, lot, plot or stand or land indicated as such on the general plan of an approved township, and includes any particular portion of land laid out as a township which is not intended for a public place, whether or not such township has been recognized, approved or established as such in terms of this By-law or any repealed law. Any reference to erf or rural land refers to the Land Survey Act, 1997, (Act No 8 of 1997);

“emergency” includes a situation that arises from a flood, strong wind, severe rainstorm, fire, earthquake or industrial accident and that requires the relocation of human settlements;

“external engineering service” means an engineering service that may be situated outside the boundaries of a land area referred to in a land development application and that is necessary to serve the use and development of the land area and is either a link engineering service or a bulk engineering service;

“Housing Development Schemes for Retired Persons Act” means the Housing Development Schemes for Retired Persons Act, 1988 (Act 65 of 1988);

“internal engineering service” means an engineering service situated within the boundaries of a land development area required for the use and development of the land.

“land” means any erf, agricultural holding, sectional title land or farm portion and includes any improvement on land and any interest in land;

“land development application” means an application or a combination of the applications envisaged in Chapter 5 of this By-law.

“Land Survey Act” means the Land Survey Act, 1997 (Act 8 of 1997);

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

“land use scheme” means the Municipality’s land use scheme approved and adopted in terms of section 24(1) of the Spatial Planning and Land Use Management Act, 2013 and section 19 of this By-law and it includes any other town planning scheme that might still be in operation within the Municipality’s jurisdiction until replaced by a single land use scheme.

“Law enforcement officer” have a corresponding meaning and means a person designated or appointed as an inspector in terms section 32 of the Act and/or a development compliance officer appointed in terms of section 75 of this By-law or any other relevant law pertaining to the inspection of land and or buildings in order to enforce compliance with this By-law, land use conditions or Land Use Scheme or any other law under the jurisdiction of the Municipality;

“link engineering service” means an external engineering service required to connect an internal engineering service to a bulk engineering service and includes the land required for the link engineering service;

“Municipal Manager” means the municipal manager of the Midvaal Local Municipality;

“Municipality” means the municipality of Midvaal Local Municipality established by Establishment Notice 6765 of 1 October 2000 issued in terms of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), and any employee of the Municipality or an employee acting in terms of delegated or sub-delegated authority of the Municipality and where in the context so requires includes-

- (a) The Council;
- (b) Another political structure or a political office bearer of the Municipality authorised and delegated to perform or exercise a power in terms of this By-law;
- (c) The Appeal Authority authorised or delegated to perform a function or exercise a power in terms of Spatial Planning and Land Use Management Act, 2013 and this By-law;
- (d) The municipal manager; and
- (e) An authorised employee.

“Municipal Finance Management Act” means the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003);

“Municipal Planning Regulations” means the Local Government: Municipal Planning and Performance Management Regulations, 2001;

“Municipal Planning Tribunal” means the Municipal Planning Tribunal established in terms of section 35(1) of Spatial Planning and Land Use Management Act, 2013 read with section 23(1) of this By-law;

“municipal spatial development framework” means a municipal spatial development framework adopted by the Municipality in terms of Chapter 5 of the Municipal Systems Act and Chapter 4 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013);

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

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

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

“National Building Regulations and Building Standards Act” means the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);

“Newspaper” means a newspaper registered in terms of the Newspaper Registrations Act, Act 98 of 1992, as amended.

“non-conforming use” means an existing land use that was lawful in terms of a previous town planning scheme or approval granted by an authority that does not comply with the land use scheme in force;

“occasional use” means a right to use land for a purpose granted on a temporary basis for a specific occasion or event;

“overlay zone” means a category of zoning that applies to land or a land unit or parcel in addition to the base zoning and that-

(a) stipulates additional development parameters or use rights that may be more or less restrictive than the base zoning; and

(b) May include provisions and development parameters relating to-

- (i) primary or consent uses;
- (ii) base zoning;
- (iii) subdivision or sub-divisional areas;
- (iv) development incentives;
- (v) density limitations;
- (vi) urban form or urban renewal or other related planning parameters;
- (vii) heritage and/or environmental protection;
- (viii) management of the urban edge;
- (ix) any other purpose as set out in the zoning scheme.

“owners’ association” means an owners’ association established in terms of section 57 and includes a body corporate created in terms of the Sectional Titles Act, 1986 (Act 95 of 1986);

“owner of land” means the person registered in a deeds registry as the owner of land or beneficial owner in law and includes any organ of state and the Municipality itself, a person acting as the duly authorised agent of the owner of the land concerned, a person to whom the land concerned has been made available for development in writing by any owner of land or such person’s duly authorised agent or a service provider responsible for the provision of infrastructure, utilities or other related services.

“panhandle” for purposes of section 52(3) of this By-law shall mean a portion of land which is either part of the subdivided portion or is notarially tied thereto, and is at least 3 metres and at most 8 metres wide and is used as access to a public street;

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

“public facilities” means amenities that are—

- (a) intended for the use of the general public;
- (b) used to offer a service or for recreation; and
- (c) ordinarily owned by the state or a municipality;

“public place” means any open or enclosed place, park, street, road or thoroughfare or other similar area of land shown on a general plan or diagram which is for the use and benefit of the general public and is owned by or vests with the Municipality, and includes a public open space and a servitude for any similar purposes in favour of the general public as contemplated in the Spatial Planning and Land Use Management Act, 2013 and section 63 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939);

“Registrar” means the Registrar of Deeds as defined in section 102 of the Deeds Registries Act; Act 47 of 1937, as amended.

“restrictive condition” means any condition registered against the title deed of land restricting the use, development or subdivision of land concerned;

“Schedule” means the schedules to this By-law which form part of this By-law;

“service” means a service provided by the Municipality, any other organ of state or a service provider, including services for the provision of water, sewerage, electricity, refuse removal, roads, storm water, and includes infrastructure, systems and processes related to the service;

“site development plan” means a scaled and dimensioned plan that shows details of the proposed land development, including, but not limited to the site layout, positioning of buildings and structures, property access, building designs, parking, internal services, servitudes and landscaping;

“social infrastructure” means community facilities, services and networks that meet social needs and enhance community well-being;

“Spatial Planning and Land Use Management Act, 2013” means the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013);

“Spatial Planning and Land Use Management Act Regulations” means the Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters, 2015 made under the Spatial Planning and Land Use Management Act published under Notice R 239/2015 in *Government Gazette* 38594 of 23 March 2015;

“this By-law” means the Midvaal Local Municipality Spatial Planning and Land Use Management By-law;

“township” includes -

- (a) a group of pieces of land, or of sub-divisions of a piece of land, which are combined with public places and are used mainly for residential, business, commercial, industrial or other similar purposes, or are intended to be so used;

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (b) any combination of such groups which is suitable for registration in one register;
- (c) any area of land registered or recognized at the commencement of the Deeds Registries Act in a deeds registry as a township if a general plan thereof is filed in that deeds registry or in the office of the surveyor-general concerned; and
- (d) any township established, approved, proclaimed or otherwise recognized as such under any law.

“Tribunal” means the Municipal Planning Tribunal established in terms of section 23 of this by-law.

Any reference to the male gender includes the female gender and any reference to the plural will include the singular and *vice versa*, as the context may require.

2. Application of this By-Law

- (1) The provisions of this By-law are consistent with the provisions of Spatial Planning and Land Use Management Act, 2013;
- (2) This By-law applies to all land and development applications situated within the Midvaal Local Municipality municipal area.
- (3) No person may use or develop land unless the use or land development is permitted in terms of the Municipality's land use scheme or an approval in terms of this By-law.
- (4) This By-law bind every owner of land and any successor in title of such land and every user of land, including the state and any organ of state.
- (5) In the event of any conflict between the Spatial Planning and Land Use Management Act, 2013 and its Regulations, any Provincial Act dealing with spatial planning and land use management and any regulations issued in terms thereof, the provisions of this By-law that give effect to municipal planning as a local government matter as per Part B of Schedule 4 of the Constitution, will apply..

3. Alignment of Authorisations

- (1) Where a land development application requiring authorisation in terms of this By-Law is also regulated in terms of another law, whether National or Provincial in terms of its functional area as per the Constitution, the Municipality may exercise its powers under this By-law jointly with such other organ of state by issuing-
 - (a) separate authorisations; or
 - (b) an integrated authorisation.
- (2) An integrated authorisation envisaged in subsection (1) above may only be issued if-
 - (a) the relevant provisions of all applicable legislation have been complied with; and
 - (b) the integrated authorisation specifies the-
 - (i) provisions in terms of which it has been issued; and
 - (ii) relevant authorities that have issued it.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

4. Types of applications that requires approval

- (1) Land development applications that may be submitted in terms of this By-law includes the following:-
- (a) a consent-use application as provided for in the Municipal land use scheme or any other town planning scheme that might still be in operation;
 - (b) a building line relaxation application as provided for in the Municipal land use scheme or any other town planning scheme that might still be in operation;
 - (c) an amendment of a provision of the Municipal land use scheme or any other town planning scheme which might still be applicable relating to land (rezoning) application;
 - (d) a township establishment application;
 - (e) a subdivision and/or consolidation of an erf/erven in an approved township or the subdivision of any other land application;
 - (f) a division of an approved township application;
 - (g) an extension of boundaries of an approved township;
 - (h) an amendment or cancellation either wholly or in part of a general plan of an approved township;
 - (i) a removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of land application, including a consent application if required by a condition of title registered against the title deed of land;
 - (j) permanent closure of a public place application;
 - (k) excision of agricultural land from agricultural holdings; and
 - (l) any other application as provided for in this By-law.

5. Provisions and principles which shall guide and inform all land development applications

- (1) All land development applications in terms of this By-law must give effect to the development principles as set out in section 7(1) Chapter 2 of the Spatial Planning and Land Use Management Act.
- (2) All land development applications in terms of this By-law shall be guided and informed by any spatial development framework prepared in terms of legislative requirements and municipal spatial development framework as adopted and approved in terms of section 20 of the Spatial Planning and Land Use Management Act and section 6 of this By-law.
- (3) All land development applications in terms of this By-law must inter alia address need, reasonableness, desirability and public interest.
- (4) All land development applications in terms of this By-law shall have as its main purpose the co-ordinated and harmonious development of the area to which the application relates in such a way as will most effectively tend to promote the health, safety, good

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

order, amenity, convenience and general welfare of such specific area as well as efficiency and economy in the process of such development.

CHAPTER 2

SPATIAL PLANNING

6. Municipal spatial development framework

- (1) The Municipality must by notice in the Provincial Gazette adopt and approve a municipal spatial development framework for the municipality.
 - (a) The Municipality's spatial development framework must be prepared as part of the Municipality's integrated development plan process in terms of Chapter 5 of the Municipal Systems Act and the Municipal Planning Regulations issued in terms thereof.
 - (b) Notwithstanding the provisions of the Municipal Systems Act and its Regulations, before the Municipality adopts its municipal spatial development framework for purposes of this section, including any amendments thereto, the Municipality must-
 - (i) give notice of the proposed municipal spatial development framework in the Provincial Gazette and in the media;
 - (ii) invite the public to submit written representations in respect of the proposed municipal spatial development framework to the Municipality within 60 days after the publication of the notice envisaged in terms of Chapters 4 and 5 of the Local Government: Municipal Systems Act 2000, Act 32 of 2000; and
 - (iii) consider all representations received in respect of the proposed municipal spatial development framework.
- (2) The Council must by notice in the Provincial Gazette adopt a municipal spatial development framework for the municipal area.

7. Content of municipal spatial development framework

- (1) The Municipality must prepare a spatial development framework that -
 - (a) give effect to the development principles and applicable norms and standards as set out in Chapter 2 of the Spatial Planning and Land Use Management Act 2013;
 - (b) include a written and spatial representation of a five year spatial development plan for the spatial form of the Municipality;
 - (c) include a longer term spatial development vision statement for the Municipality's area of jurisdiction which indicates a desired spatial growth and development pattern for the next 10 to 20 years;
 - (d) identify current and future significant structuring and restructuring elements of the spatial form of the Municipality, including development corridors, activity spines and economic nodes where public and private investment will be prioritised and facilitated;

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (e) include population growth estimates for the next five years;
- (f) include estimates of the demand for housing units across different socio-economic categories and the planned location and density of future housing developments;
- (g) include estimates of economic activity and employment trends and locations in the Municipality's area of jurisdiction for the next five years;
- (h) identify, quantify and provide location requirements of engineering infrastructure and services provision for existing and future development needs for the next five years;
- (i) identify the designated areas where a national, provincial or local inclusionary housing policy may be applicable;
- (j) include a strategic assessment of the environmental pressures and opportunities within the Municipality's area of jurisdiction, including the spatial location of environmental sensitivities and high potential agricultural land;
- (k) identify the designation of areas in the Municipality where incremental upgrading approaches to development and regulation will be applicable;
- (l) identify the designation of areas in which-
 - (i) more detailed local plans must be developed; and
 - (ii) shortened land use development procedures may be applicable and land use schemes may be so amended;
- (m) provide the spatial expression of the coordinated alignment and integration of sectoral policies of all Municipality Departments;
- (n) determine a capital expenditure framework for the municipality's development programmes, depicted spatially;
- (o) determine the purpose, desired impact and structure of the land use management scheme to apply in that Municipality area; and
- (p) include an implementation plan comprising of-
 - (i) sectoral requirements, including budgets and resources for implementation;
 - (ii) necessary amendments to a land use scheme;
 - (iii) specification of institutional arrangements necessary for implementation;
 - (iv) specification of implementation targets, including dates and monitoring indicators; and
 - (v) specification, where necessary, of any arrangements for partnerships in the implementation process.

8. Legal effect of municipal spatial development framework

- (1) The Municipality or any other authority required or mandated to make a land development decision in terms of this By-law or any other applicable legislation relating to land development, may not make a decision which is inconsistent with its municipal spatial development framework.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (2) The Municipality or any other authority required or mandated to make a land development decision in terms of this By-law or any other applicable legislation relating to land development, may only depart from the provisions of its municipal spatial development framework where merit and site specific circumstances warrant or justify such departure.
- (3) Where a conflict exists between the Municipality's municipal spatial development framework and the National spatial development framework and/or a Regional spatial development framework and/or a Provincial spatial development framework, the provisions of the Municipality's municipal spatial development framework shall prevail as a result of its executive authority to do "municipal planning" in terms of section 156 read with Schedule 4 Part B of the Constitution.

9. Local Spatial Development Frameworks

- (1) The Municipality may adopt a local spatial development framework for a specific geographical area in a portion of the municipal area.
- (2) The purpose of a local spatial development framework in a specific geographical area is to:
 - (a) provide detailed spatial planning guidelines;
 - (b) provide more detail in respect of a proposal provided for in the municipal spatial development framework;
 - (c) meet specific land use planning needs and priorities;
 - (d) provide detailed policy and development parameters for land use planning;
 - (e) provide detailed priorities in relation to land use planning and, in so far as they are linked to land use planning, biodiversity and environmental issues;
 - (f) guide decision making on land use applications; and
 - (g) identify a funding source and budget for prioritized projects.

10. Compilation, Amendment or Review of Local Spatial Development Frameworks

- (1) If the Municipality compile, amend or review a local spatial development framework, Section 6 will apply *mutatis mutandis*.

11. Status of Local Spatial Development Frameworks

- (1) A local spatial development framework or an amendment thereof comes into operation on the date of publication of the notice contemplated in Section 6(2).
- (2) A local spatial development framework guides and informs decisions made by the Municipality relating to land development, but it does not confer or take away rights.

12. Local Area Plans (Precinct Plan)

- (1) When the Municipality intends to develop a local area plan it must—
 - (a) In drafting that local area plan make it consistent with the purpose of a municipal spatial development framework;

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (b) incorporate the provisions of the local area plan that are consistent with that purpose in a municipal spatial development framework.
- (2) The Municipality must ensure that public participation are under taken in accordance with the provisions of Chapter 4 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), prior to the approval of a local area plan
- (3) The Municipality must repeal existing local area plans, not in line with the municipal spatial development framework, by virtue of a formal Council resolution before it adopts a municipal spatial development framework contemplated in section 6 (1).

13. Compilation, Review or Amendment of Municipal Spatial Development Framework

- (1) When the Council compiles, reviews or amends its municipal spatial development framework in accordance with the Municipal Systems Act and the Spatial Planning and Land Use Management Act, the Council must—
 - (a) establish an intergovernmental steering committee to compile or amend its municipal spatial development framework; or
 - (b) refer its draft municipal spatial development framework or draft amendment of its municipal spatial development framework to National and Provincial Departments and adjacent municipalities for comment, in accordance with Section 7(e)(ii) of the Spatial Planning and Land Use Management Act, 2013.
- (2) The Municipality must—
 - (a) publish a notice in English in a newspaper circulating in the area concerned of—
 - (i) the intention to compile, review or amend the municipal spatial development framework; and
 - (ii) the process it will follow, in accordance with section 28(3) and 29 of the Municipal Systems Act;
 - (b) in writing inform the National and Provincial Departments and adjacent municipalities of—
 - (i) the intention to compile, review or amend the municipal spatial development framework;
 - (ii) its decision in terms of subsection (1)(a) or (1)(b) ; and
 - (iii) the process it will follow to compile, review or amend the municipal spatial development framework, including the process for public participation, including the process contemplated in subsection (2)(a)(ii); and
 - (iv) registered relevant stakeholders, who must be invited to comment on the draft municipal spatial development framework or draft amendment of the municipal spatial development framework as part of the process contemplated in subsection (2)(a)(ii).

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

14. Establishment of Project Committee

- (1) The Municipality must establish a project committee to compile, review or amend its municipal spatial development framework.
- (2) The project committee must at least consist of—
 - (a) the Municipal Manager or a municipal employee designated by the municipal manager; and
 - (b) municipal employees appointed by the Municipal Manager from at least the following municipal departments:
 - (i) the integrated development planning office;
 - (ii) the planning department;
 - (iii) the engineering department;
 - (iv) the local economic development department; and
 - (v) the housing department; and
 - (vi) any other department deemed necessary.

15. Establishment of Intergovernmental Steering Committee

- (1) If the Council establishes an intergovernmental steering committee, the Municipality must, in writing, invite written nominations for representatives to serve on the intergovernmental steering committee from the following persons or organs of state:—
 - (a) the delegated party of the national and provincial government department responsible for land use planning;
 - (b) the delegated party of the provincial government department responsible for environmental affairs;
 - (c) the delegated party of the provincial government department responsible for agriculture;
 - (d) relevant organs of state; and
 - (e) any other department deemed necessary by the municipality.

16. Procedure with Intergovernmental Steering Committee

- (1) If the Council establishes an intergovernmental steering committee, the project committee must compile a draft status quo document setting out an assessment of the existing levels of development and development challenges in the municipal area, and must submit it to the intergovernmental steering committee for comments.
- (2) After consideration of the comments of the intergovernmental steering committee, the project committee must complete the status quo document and submit it to the Council for adoption.
- (3) After finalising the status quo report the project committee must compile a first draft of the municipal spatial development framework or first draft amendment of the municipal

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- spatial development framework and submit it to the intergovernmental steering committee for comments.
- (4) After consideration of the comments of the intergovernmental steering committee, the project committee must complete the first draft of the municipal spatial development framework or first draft amendment of the municipal spatial development framework and submit it to the Council to approve the publication thereof for public comments in accordance with the process adopted in terms of section 28 and 29 of the Municipal Systems Act.
 - (5) After consideration of the comments and representations of the intergovernmental steering committee, as a result of the publication contemplated in subsection (4), the project committee must compile a final municipal spatial development framework or final amendment of the municipal spatial development framework and submit it to the intergovernmental steering committee for comment.
 - (6) After consideration of the comments of the intergovernmental steering committee contemplated in subsection (5), the project committee must complete the final draft of the municipal spatial development framework or final draft amendment of the municipal spatial development framework and submit it to the Council for adoption.
 - (7) If the final municipal spatial development framework or final amendment of the municipal spatial development framework contemplated in subsection (6) is materially different to what was published in terms of subsection (4), the Municipality must in accordance with subsections (4), (5) and (6) read with the necessary changes, follow a further consultation and public participation process before the municipal spatial development framework or amendment of the municipal spatial development framework is adopted by the Council.
 - (8) The Council or the project committee may at any time in the process of compiling a municipal spatial development framework or drafting an amendment of the spatial development framework request comments from the intergovernmental steering committee.
 - (9) The Council must adopt the final municipal spatial development framework or final amendment of the municipal spatial development framework, with or without amendments, and must within 21 days of its decision give notice thereof in the media and the Provincial Gazette.

17. Procedure without Intergovernmental Steering Committee

- (1) If the Council does not establish an intergovernmental steering committee to compile or amend its municipal spatial development framework, the project committee must—
 - (a) compile a draft status quo document setting out an assessment of the existing levels of development and development challenges in the municipal area and submit it to the Council for adoption;
 - (b) after adoption of the status quo document, compile a draft municipal spatial development framework or draft amendment of the municipal spatial development framework and submit it to the Council to approve the publication thereof for public comment;

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (c) after approval of the draft municipal spatial development framework or draft amendment of the municipal spatial development framework for publication contemplated in sub-section (b), submit the draft municipal spatial development framework or draft amendment of the municipal spatial development framework to the MEC for comment in; and
 - (d) after consideration of the comments received from the public and the MEC, submit a final municipal spatial development framework or final amendment of the municipal spatial development framework, with any further amendments, to the Council for adoption.
- (2) The Council must adopt the final municipal spatial development framework or final amendment of the municipal spatial development framework, with or without amendments, and must within 21 days of its decision give notice thereof in the media and the Provincial Gazette.

18. Functions and Duties of Project Committee

- (1) The members of the project committee must, in accordance with the directions of [the executive authority/executive mayor/committee of councillors]—
- (a) compile a municipal spatial development framework or draft an amendment of the municipal spatial development framework for adoption by the Council;
 - (b) provide technical knowledge and expertise to the Council;
 - (c) monitor progress and ensure that the compilation of the municipal spatial development framework or drafting of the amendment of the municipal spatial development framework is progressing according to the approved process contemplated in section this chapter;
 - (d) guide the public participation process and ensure that the registered affected parties remain informed;
 - (e) oversee the incorporation of amendments to the draft municipal spatial development framework or draft amendment of the municipal spatial development framework based on the consideration of the comments received during the process of drafting thereof;
 - (f) oversee the drafting of a report setting out the response of the Municipality to the provincial comments issued;
 - (g) ensure alignment of the municipal spatial development framework with the development plans and strategies of other affected municipalities and other organs of state as contemplated in section 24(1) of the Municipal Systems Act;
 - (h) facilitate the integration of other sector plans into the municipal spatial development framework;
 - (i) if the Municipality decides to establish an intergovernmental steering committee—
 - (i) assist the Municipality in ensuring that the intergovernmental steering committee is established and that timeframes are adhered to; and

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (ii) ensure the flow of information between the project committee and the intergovernmental steering committee.
- (2) The members of the intergovernmental steering committee must—
 - (a) provide the intergovernmental steering committee with the following:
 - (i) technical knowledge and expertise;
 - (ii) input on outstanding information that is required to draft the municipal spatial development framework or an amendment thereof;
 - (iii) information on the locality of projects and budgetary allocations; and
 - (iv) written comments.
 - (b) communicate to the intergovernmental steering committee any current or planned projects that have an influence on the municipal area; and
 - (c) provide the project committee with written comments.

CHAPTER 3

LAND USE SCHEME

19. Land Use Scheme

- (1) The Municipality shall adopt and approve, after public consultation, a single land use scheme for its entire area as prescribed.
- (2) A land use scheme adopted in terms of subsection (1) above must-
 - (a) include appropriate categories of land use zoning and regulations for the entire municipal area, including areas not previously subject to a land use scheme;
 - (b) take cognisance of any environmental management instrument adopted by the relevant environmental management authority, and must comply with environmental legislation;
 - (c) include provisions that permit the incremental introduction of land use management and regulation in areas under traditional leadership, rural areas, informal settlements, slums and areas not previously subject to a land use scheme;
 - (d) include provisions to promote the inclusion of affordable housing in residential land development;
 - (e) include land use and development incentives to promote the effective implementation of the spatial development framework and other development policies;
 - (f) include land use and development provisions specifically to promote the effective implementation of national and provincial policies; and
 - (g) give effect to municipal spatial development frameworks and integrated development plans.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (3) The land use scheme may include provisions relating to-
 - (a) the use and development of land only with the written consent of the Municipality;
 - (b) specific requirements regarding any special zones identified to address the development priorities of the Municipality; and
 - (c) the variation of conditions of a land use scheme other than a variation which may materially alter or affect conditions relating to the use, size and scale of buildings and the intensity or density of land use.

20. Purpose and Content of Land Use Scheme

- (1) The land use scheme adopted and approved in terms of section 19 above must give effect to and be consistent with the Municipality's municipal spatial development framework and determine the use and development of land within the Municipality's area of jurisdiction in order to promote-
 - (a) economic growth;
 - (b) social inclusion;
 - (c) efficient land development; and
 - (d) minimal impact on public health, the environment and natural resources.
- (2) The land use scheme must include-
 - (a) scheme regulations setting out the procedures and conditions relating to the use and development of land in any zone;
 - (b) a map indicating the zoning of the municipal area into land use zones; and
 - (c) a register of all amendments to such land use scheme.

21. Legal effect of land use scheme

- (1) An adopted and approved land use scheme-
 - (a) has the force of law and all land owners and users of land, including the Municipality, state-owned enterprises and organs of state within the Municipality's area of jurisdiction are bound by the provisions of such a land use scheme;
 - (b) replaces all existing schemes within the Municipality's area of jurisdiction to which the land use scheme applies; and
 - (c) provides for land use and development rights.
- (2) Land may be used only for the purposes permitted-
 - (a) by a land use scheme; or
 - (b) by a town planning scheme, until such scheme is replaced by a land use scheme.
- (3) The Municipality has a duty to enforce the provisions of its land use scheme / town-planning scheme, until such scheme is replaced by a land use scheme, and any use of land which is deemed contrary to such land use scheme shall constitute a criminal offence.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (4) A land use scheme developed and approved in terms of section 19 above must address conflict between the land use scheme adopted and the one it intends to repeal or replace.

22. Municipality amend its Land Use Scheme

- (1) The Municipality may amend its land use scheme by the rezoning any land necessary if the amendment-
- (a) is in the public interest;
 - (b) achieve the developmental goals and objectives;
 - (c) to advance, or is in the interest of, a disadvantaged community; and
 - (d) in order to further the vision and development goals and objectives of the Municipality as set out in its Integrated Development Plan and Municipal Spatial Development Framework.
- (2) Where the Municipality intends to amend its land use scheme a land development application process must be followed which include a public participation process to ensure all affected parties have the opportunity to make representations on, object to and appeal the decision.

CHAPTER 4

MUNICIPAL PLANNING TRIBUNAL AND AUTHORISED OFFICIAL

23. Establishment of Municipal Planning Tribunal

- (1) The Municipality shall in order to determine land development applications within its area of jurisdiction:-
- (a) establish a Municipal Planning Tribunal;

24. Municipal Planning Decision-Making Structures

- (1) Applications are decided by—
- (a) an authorized employee / official who has been authorized by the Municipality to consider and determine the applications per the Municipality's approved system of delegations as adopted by the Midvaal Council;
 - (b) the Municipal Planning Tribunal shall decide on applications referred to it as per the Municipal Planning Tribunal's approved terms of reference and delegated authority as delegated to it by the Municipality.
 - (c) the Appeal Authority where an appeal has been lodged against a decision of the Municipal Planning Tribunal and or authorised employee / official.

25. Composition of Municipal Planning Tribunal for the Municipal Area

- (1) A Municipal Planning Tribunal established in terms of subsection 23(1) must consist of the following members:

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (a) officials in the full-time service of the Municipality, appointed by the Municipality; and
at the sole discretion of the Municipality it may also include-
- (b) persons appointed by the Municipality who are not municipal officials and who have knowledge and experience of spatial planning, land use management and land development or the law relating thereto.
- (2) Municipal Councillors shall not be members of a Municipal Planning Tribunal.
- (3) A Municipal Planning Tribunal must consist of at least 5 (five) members or more as the Municipality deems necessary.
- (4) At least three (3) members of the Municipal Planning Tribunal must be present at a meeting to form a quorum to hear, consider and decide a matter which comes before it.
- (5) The Municipality must designate a member of the Municipal Planning Tribunal as chairperson.
- (6) The terms and conditions of service for members of the Municipal Planning Tribunal as envisaged in subsection (1)(a) and (1)(b) above shall be as per Schedule 1 of the Spatial Planning and Land Use Management Act Regulations.
- (7) The members of the Municipal Planning Tribunal must also adhere to and will be required to sign a code of conduct as approved by the Municipality, which will be substantially in accordance with Schedule 3 of the Spatial Planning and Land Use Management Act Regulations.
- (8) The members of the Municipal Planning Tribunal will also be subject to disqualification from membership as set out in Section 38 of the Spatial Planning and Land Use Management Act.
- (9) Should the municipality, in its sole discretion, decide to appoint members to the Municipal Planning Tribunal as envisaged in subsection (1)(b) above, it shall comply with the call for nomination procedures as set out in the Spatial Planning and Land Use Management Act Regulations.
- (10) The members of the Municipal Planning Tribunal referred to in subsection (1)(b) may be appointed only after the Municipality, by notice in the *Provincial Gazette* and in other media that the Municipality considers appropriate, has invited interested parties to submit within the period mentioned in the notice, names of persons who are fit and proper persons to be so appointed.

26. Meetings of Municipal Planning Tribunal for the Municipal Area

- (1) The Municipal Planning Tribunal contemplated in Section 23(1)(a) must determine its own internal arrangements, proceedings and procedures and those of its committees by drafting rules for—
 - (a) the convening of meetings;
 - (b) preparation and distribution of agendas
 - (c) the procedure at meetings including:-
 - (i) formal meeting procedures;

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (ii) apologies;
 - (iii) attendance,
 - (iv) the frequency of meetings and
 - (v) the recording of meetings.
- (2) Decisions of the Municipal Planning Tribunal are taken by resolution of a majority of all the members present at a meeting of the Municipal Planning Tribunal, and in the event of an equality of votes on any matter, the person presiding at the meeting in question will have a deciding vote in addition to his deliberative vote as a member of the Municipal Planning Tribunal.
- (3) Meetings of the Municipal Planning Tribunal must be held at the times and places determined by the chairperson of the Municipal Planning Tribunal in accordance with the rules of the Municipal Planning Tribunal.

27. Administrator for the Municipal Planning Tribunal for Municipal Area

- (1) The Municipal Manager must appoint an employee as the Administrator and other staff for the Municipal Planning Tribunal in terms of the Systems Act.
- (2) The Administrator must—
 - (a) liaise with the relevant Municipal Planning Tribunal members and the parties in relation to any application or other proceedings filed with the Municipal Planning Tribunal;
 - (b) maintain a diary of hearings of the Municipal Planning Tribunal;
 - (c) allocate meeting dates for and application numbers to applications;
 - (d) arrange the attendance of meetings by members of the Municipal Planning Tribunal;
 - (e) arrange venues for Municipal Planning Tribunal meetings;
 - (f) perform the administrative functions in connection with the proceedings of the Municipal Planning Tribunal;
 - (g) ensure the efficient administration of the proceedings of the Municipal Planning Tribunal in accordance with the directions of the chairperson of the Municipal Planning Tribunal;
 - (h) arrange the affairs of the Municipal Planning Tribunal so as to ensure that time is available to liaise with other authorities regarding the alignment of integrated applications and authorisations;
 - (i) notify parties of decisions and procedural directives given by the Municipal Planning Tribunal;
 - (j) keep a record of all applications submitted to the Municipal Planning Tribunal and the outcome of each, including—
 - (i) decisions of the Municipal Planning Tribunal;
 - (ii) on-site inspections and any matter recorded as a result thereof;

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (iii) reasons for decisions; and
- (iv) proceedings of the Municipal Planning Tribunal; and
- (v) keep records by any means as the Municipal Planning Tribunal may deem expedient.

28. Functioning of Municipal Planning Tribunal for Municipal Area

- (1) The meetings of the Municipal Planning Tribunal contemplated in section 23(1)(a) must be held at the times and places as the chairperson may determine.
- (2) The meetings of the Municipal Planning Tribunal must be held at least once per month if there are any applications to consider.

29. Powers and functions of a Municipal Planning Tribunal

- (1) A Municipal Planning Tribunal may-
 - (a) approve, in whole or in part, or refuse any application referred to it in accordance with this By-law;
 - (b) in approval of any application, impose any reasonable conditions, including conditions related to the provision of engineering services and the payment of any engineering services contributions;
 - (c) make an appropriate determination regarding all matters necessary or incidental to the performance of its functions in terms of this By-law, Spatial Planning and Land Use Management Act 2013 and/or any Provincial legislation;
 - (d) conduct any necessary investigation;
 - (e) give directions relevant to its functions to any person in the service of the Municipality; or
 - (f) decide any question concerning its own jurisdiction.
- (2) A Municipal Planning Tribunal must keep a record of all its proceedings and decisions.
- (3) A Municipal Planning Tribunal must provide reasons for any of its decisions made on a land development application, and such reasons will be provided by the Municipal Planning Tribunal's Chairperson in writing within 14 days from date of decision.

30. Classification of applications to be determined by the Municipal Planning Tribunal

- (1) Subject to section 32(2), the Municipal Planning Tribunal shall decide any application submitted in terms of this By-law, municipal land use scheme or any other applicable law relating to land development that are an:-
 - (a) opposed land development application;
 - (b) application that falls outside the ambits of the municipal spatial development framework;
 - (c) application that falls outside any policy, procedure, standard, requirement and guideline used or implemented by the municipality; and

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (d) application that was adversely commented on.

31. Authorised official

- (1) As envisaged in terms of section 35(2) of the Spatial Planning and Land Use Management Act 2013 the Municipality may authorise an official in terms of a proper delegated power to decide certain land development applications.
- (2) The authorisation in terms of subsection (1) above may include the power to sub-delegate such authorisation to any suitably qualified official(s) in the employ of the Municipality and under the control of the authorised official.
- (3) An authorised official may-
 - (a) approve, in whole or in part, or refuse any application referred to it in accordance with this By-law;
 - (b) where a land development application is refused by an authorised official the application shall be referred to the municipal planning tribunal.
 - (c) in approval of any application, impose any reasonable conditions, including conditions related to the provision of engineering services and the payment of any engineering services contributions;
 - (d) make an appropriate determination regarding all matters necessary or incidental to the performance of its functions in terms of this By-law, Spatial Planning and Land Use Management Act 2013 and/or any Provincial legislation;
 - (e) conduct any necessary investigation;
 - (f) give directions relevant to its functions to any person in the service of the Municipality; or
 - (g) decide any question concerning its own jurisdiction.
- (4) An authorised official must keep a record of all its proceedings and decisions.
- (5) An authorised official must provide reasons for any of its decisions made on a land development application.

32. Classification of applications to be decided by the authorised official

- (1) The authorised official may only decide unopposed land development applications submitted in terms of this By-law, or the municipal land use scheme or any other applicable law relating to land development which application complies with the provisions of Section 5 above.
- (2) Notwithstanding subsection (1) above, such authorised official will have the discretion to forward any application referred to him/her to the Municipal Planning Tribunal for a decision.
- (3) An authorised official shall also decide applications envisaged in Section 92 of this By-law.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

CHAPTER 5

DEVELOPMENT MANAGEMENT

33. Non-conforming uses

- (1) A non-conforming use provides that land that is being used unlawfully in terms of an existing zoning for a purpose that does not comply with a current zoning may continue to be used for that purpose when the new zoning or land use scheme comes into operation.
- (2) A non-conforming use does not constitute an offence in terms of this By-law.
- (3) A non-conforming use may continue as long as it remains otherwise lawful, subject to the following:
 - (a) if the non-conforming use ceases for any reason for a period of more than twenty-four consecutive months, any subsequent use of the property must conform to the requirements of this By-law, with or without temporary uses;
 - (b) an appropriate land development application contemplated in Section 4 must be made for the alteration or extension of buildings or structures in respect of the non-conforming use;
 - (c) the owner bears the onus of proving that the non-conforming use right exists; and
 - (d) the land use right is limited to the area of the building or land on which the proven land use right is in existence.
- (4) Subject to subsection (3)(a) and (3)(b), if an existing building, which constitutes a non-conforming use, is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building, the Municipality may grant permission for the reconstruction of such building subject to conditions.

34. Continuation of application after change of ownership

- (1) If land that is the subject of an application is transferred to a new owner, the new owner may continue with the application as the successor in title to the previous owner and the new owner is regarded as the applicant for the purposes of this By-law, provided that the following is submitted to the municipality:
 - (a) proof of change of ownership; and
 - (b) an amended power of attorney, if an agent was appointed to make the application.
- (2) The new owner must advise the Municipality in writing no later than 30 days from date of registration of the property of the continuation of the application.

35. Rezoning of land by the municipality

- (1) The Municipality may, on its own initiative, rezone land of which it is not the owner to—
 - (a) provide a public service or to provide a public recreational space; or
 - (b) substitute a zoning or part thereof for a zoning in terms of which the land is not necessarily zoned in accordance with the use thereof or existing use rights.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (2) The Municipality may, on its own initiative or on application, create an overlay zone for land.
- (3) The provisions of Section 28 of the Spatial Planning and Land Use Management Act shall apply.

CHAPTER 6

APPLICATION PROCEDURES FOR LAND DEVELOPMENT APPLICATIONS

Part 1

Consent use and building line relaxation

36. Consent use application

- (1) An agent/owner of land may submit a consent use application in terms of this By-law and as provided for in the municipal land use scheme / an existing town planning scheme to use the land or any building on the land for a particular purpose as a secondary right as set out in the said Town planning Scheme or Land Use Scheme.
- (2) A consent use application as envisaged in subsection (1) above shall comply with the following procedures:
 - (a) The agent/owner of land shall at his own expense give notice once of the intended application in a newspaper circulating the area and obtain the comments from the surrounding land owners. Such notice shall be in English;
 - (b) Such notice shall be displayed on the land from the same date as the submission date of the application to the Municipality;
 - (c) Such notice shall be in the format as outlined in Schedule 3 of this By-law;
 - (d) Such notice shall be displayed in a conspicuous place on the land in question where it would be best and easily visible and can be easily read from each and every adjacent public street or other adjacent public place;
 - (e) Such notice shall be maintained in a clearly legible condition for a period of not less than 21 days from the date of submission of the application to the Municipality;
 - (f) Such notice shall reflect full details of the application including, but not limited to, the street address, the name of the township, a clear erf description of the erf concerned and the nature and general purpose of the application;
 - (g) Such notice shall reflect the date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application;
 - (h) Such notice shall further reflect that the application and its accompanied documents will lie open for inspection at specified times and at specified places at the Municipality's offices and that any objection, comment or representation in regard thereto must be submitted timeously to both the Municipality and the person mentioned in subsection (2)(g) above in writing by registered post, by

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

hand, by facsimile or by e-mail within a period of 28 days from date of first displaying the notice on the land under consideration; and

- (3) Proof of compliance with subsection (2) above in the form of a written affidavit shall be submitted to the Municipality prior to the application being considered.
- (4) The Municipality shall forward all comments, objections and representation to the applicant within 7 days after the time period to submit any comments, objections or representations has expired.
- (5) Where objections, comments and/or representations have been received as a result of subsection (2) above, the applicant may respond in writing thereto to the Municipality within 21 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
- (6) No decision on the application shall be taken unless due regard has been given to each objection, comment and representation lodged timeously.
- (7) Subject to section 32(2), in the instance of an unopposed application, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 30 days of date of expiry of the time period mentioned in subsection (2)(h) above.
- (8) Such consent use application may be refused or it may be approved subject to any conditions it may deem fit and it may include a condition that-
 - (a) the consent shall lapse if the use of the land or building concerned is not commenced with within the period stated in the condition;
 - (b) the consent shall lapse if it is discontinued for a period stated in the condition;
 - (c) the consent shall lapse on the expiry of a period or on the occurrence of an event stated in the condition;
 - (d) the consent may be withdrawn by the Municipality if there has been non-compliance with any of the conditions of approval or because of change of circumstances;
 - (e) a contribution be paid to the Municipality in respect of engineering services where it will be necessary to enhance or improve such services as a result of the consent granted; and
 - (f) an amount of money be paid to the Municipality in respect of open spaces or parks where the granting of the consent will bring about a higher residential density.
- (9) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties of the decision in writing by registered post, by hand or by any other means available without delay.
- (10) The Municipality shall keep a proper record of each consent use application granted.
- (11) The contribution and amount of money envisaged in subsection (8)(e) and (8)(f) above shall become due and payable within 30 days from the date of the notice referred to in subsection (9)

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

37. Building line relaxation application

- (1) Any building line restriction imposed on land in terms of the Municipality's land use scheme or any other scheme that may still be applicable to the land under consideration, may be relaxed in terms of an application submitted by an agent/owner of land in terms of this By-law.
- (2) A building line relaxation application as envisaged in subsection (1) above shall comply with the following procedures:
 - (a) A letter, accompanied by a proposed building plan, shall be dispatched in writing and by registered post, by hand or by any other means available to any adjoining owners whom, at the discretion of the Municipality, may possibly be adversely affected by the relaxation of the applicable building line restriction setting out the following:
 - (i) Full details of the application including, but not limited to, the street address, the name of the township, a clear erf description of the erf concerned and the nature and general purpose of the application with specific emphasis on which building lines (side/rear or street) are being applied for;
 - (ii) The date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application; and
 - (iii) That any objection, comment or representation in regard thereto must be submitted timeously to both the Municipality and the person mentioned in subsection (2)(a)(iii)(a)(ii) above in writing by registered post, by hand, by facsimile or by e-mail within a period of 14 days from date of receipt of the letter.
 - (b) Proof of compliance with subsection (2)(a) above should be accompanied by a written affidavit must be submitted to the Municipality prior to consideration of the application.
- (3) The Municipality shall forward all comments, objections and representation to the applicant within 7 days after the time period to submit any comments, objections or representations has expired.
- (4) Where objections, comments and/or representations have been received as a result of subsection (2)(a)(iii) above, the applicant may respond in writing thereto to the Municipality within 14 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
- (5) No decision shall be taken on the application unless due regard has been given to each objection, comment and representation lodged timeously.
- (6) Subject to section 32, in the instance of an unopposed application, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 30 days after the date of expiry of the time period mentioned in subsection (2)(a)(iii) above.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (7) Such building line relaxation may be refused or approved subject to any condition the Municipality may deem fit.
- (8) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties of the decision in writing by registered post, by hand or by any other means available without delay.
- (9) The Municipality shall keep a proper record of each building line relaxation application granted.
- (10) No building plans may be approved in terms of the National Building Regulations and Building Standards Act showing a proposed building within a building line restriction area without the approval of such building line relaxation application as envisaged in subsection (1) above.

Part 2

Amendment of Land Use Scheme (Rezoning) and matters related thereto

38. Amendment of land use scheme application

- (1) An agent/owner of land who wishes to have a provision of the Municipality's land use scheme or any provision of any other scheme, which may still be applicable to the land under consideration amended, may lodge an application in terms of this By-law to the Municipality for consideration in terms of Schedule 3
- (2) An application for the amendment of a provision of the Municipality's land use scheme or any other scheme that may still be applicable to the land under consideration as envisaged in subsection (1) above shall comply with the following procedures:
 - (a) Notice of the application shall be given once by simultaneously publishing a notice in the Provincial Gazette and a newspaper that circulates within the area of jurisdiction of the Municipality in English;
 - (b) Such notice shall clearly reflect in terms of which section of this By-law the application is made and which land use scheme or any other scheme is applicable;
 - (c) Such notice shall reflect full details of the application including, but not limited to, the street address, the name of the township, a clear erf description of the erf concerned and the nature and general purpose of the application;
 - (d) Such notice shall further reflect the date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application;
 - (e) Such notice shall further reflect that the application and its accompanied documents will lie open for inspection at specified times and at specified places at the Municipality's offices and that any objection, comment or representation in regard thereto must be submitted timeously to the Municipality in writing by registered post, by hand, by facsimile or by e-mail within a period of 28 days from the date of publication of the notice as envisaged in subsection (2)(a) above.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (f) A notice that contains the same detail as envisaged in subsections (2)(b) – (2)(e) above shall be displayed on the land under consideration in English;
 - (g) Such notice shall be displayed on the land from the same date as the date of the publication of the notice mentioned in subsection (2)(a) above;
 - (h) Such notice shall be in the format as determined by the as per Schedule 3 of the By-law;
 - (i) Such notice shall be displayed in a conspicuous place on the land in question where it would be best and easily visible and can be easily read from each and every adjacent public street or other adjacent public place; and
 - (j) Such notice shall be maintained in a clearly legible condition for a period of not less than 21 days from the date of publication of the notice mentioned in subsection (2)(a) above.
- (3) Proof of compliance with subsection (2) above must be submitted to the Municipality should be accompanied by a written affidavit prior to the consideration of the application.
- (4) Simultaneously to the actions in sub section (1) above, the agent/owner of land shall submit a copy of such application to:
- (a) any Roads authority whether local (as a municipal owned Entity), Provincial or National which may have an interest in the application;
 - (b) any neighbouring municipality who may have an interest in the application; and
 - (c) any other stakeholder, Municipal Department, Provincial Department, National Department, Municipal Entity or any other interested party who may, in the discretion of the Municipality, have an interest in the application.(Include this paragraph under section 37)
- (5) The interested parties mentioned in subsection (4)(a) to (4)(c) above to which a copy of the application has been forwarded shall submit its objection, comment and/or representation to the Municipality in writing within 60 days of date of receipt of the application, failing which, it shall be deemed that such interested party has no objection, comment or representation to make.
- (6) The Municipality shall forward a copy of each objection, comment and representation received in terms of the notices envisaged in subsections (2)(a), (2)(f) and from the interested parties in terms of subsection (4) above in respect of the application to the applicant and the applicant may respond in writing thereto to the Municipality within 14 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
- (7) No decision shall be taken on the application unless due regard has been given to each objection, comment and/or representation lodged timeously.
- (8) Subject to section 32(2), in the instance of an unopposed application, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 60 days after the date of expiry of the time periods mentioned in subsections (2)(e) and (5) above.
-

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (9) An applicant may at any stage prior to a decision been taken on the application, amend or withdraw his application provided that with an amendment, the amendment is not regarded in the opinion of the Municipality as being material which would warrant re-compliance with subsections (2) and (4) above.

39. Decision and post-decision procedures – Amendment of Land Use Scheme

- (1) An application for the amendment of a provision of the Municipality's land use scheme or any other scheme that may still be applicable to the land under consideration as envisaged in section 38(1) above may be approved subject to any condition the Municipality deems fit or it may be refused.
- (2) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties of the decision in writing by registered post, by hand or by any other means available without delay.
- (3) The Municipality shall keep a proper record of each application granted under subsection (1) above.
- (4) Where the Municipality has approved an application as envisaged under section 38(1) read with subsection (1) above and after the expiry of the time period envisaged in section 71(1) of this By-law, and after all conditions of approval have been met to the satisfaction of the local authority, the agent/owner of land shall with the written consent of the local authority forthwith give notice thereof in the Provincial Gazette and state in the notice that a copy of the application as approved will lie for inspection at all reasonable times at its office and thereupon the application shall be deemed to be an approved scheme which is an amendment scheme.
- (5) The owner/agent shall provide the local authority with a certified and legible copy of published notice as indicated in (4) above.
- (6) Prior to the notice being published as envisaged in subsection (4) above, the applicant may abandon the approval by giving written notice to the Municipality.
- (7) The Municipality shall cause a copy of every approved scheme as envisaged in subsection (4) above to lie for inspection at all reasonable times at its office.
- (8) An approved scheme as envisaged in subsection (1) above shall come into operation on the date of publication of the notice envisaged in subsection (4) above.
- (9) The Municipality shall observe and enforce the provisions of the scheme from the date of it coming into operation and any person who contravenes a provision of an approved scheme shall be guilty of an offence.

40. Correction of errors or omissions

- (1) Where the Municipality is of the opinion that any error or omission in an approved scheme relating to land situated within its area of jurisdiction may be corrected without the necessity of following the provisions of sections 38 and 39 above again, it may correct such error or omission by notice in the *Provincial Gazette*.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

41. Prohibition of a further application in certain circumstances

- (1) Where the Municipality has approved an application envisaged in section 39(1) above, no person shall in respect of the land to which the amendment scheme relates apply for a further amendment in terms of section 38(1) within a period of 24 months from the date of coming into operation of the scheme.
- (2) Notwithstanding subsection (1) above, the Municipality may, upon written application, grant consent that, due to an acceptable change of circumstances, a further amendment application as envisaged in section 38(1) above may be submitted.
- (3) Within a period of 30 days from date of receipt of the change of circumstances application envisaged in subsection (2) above, the Municipality shall consider the application and notify the applicant of its decision.

42. Contributions to be paid in respect of external engineering services and Open Spaces or Parks

- (1) Where an amendment scheme which is an approved scheme came into operation in terms of section 39(8) above, the Municipality may within a period of 30 days from the date of commencement of the scheme, by registered letter and/or by hand and/or by any other means available direct the agent/owner of land to which the scheme relates to pay a contribution to it in respect of the provision of:
 - (a) the engineering services envisaged in section 67(1) of this By-law where it will be necessary to enhance or improve such services as a result of the commencement of the amendment scheme;
 - (b) open spaces or parks where the commencement of the amendment scheme will bring about a higher residential density.
- (2) The letter envisaged in subsection (1) above shall state the following:
 - (a) the amount of the contribution payable;
 - (b) particulars of the manner in which the amount of the contribution was determined; and
 - (c) the purpose for which the contribution is required.
- (3) An agent/owner of land who:
 - (a) wishes to avoid the payment of a contribution envisaged in subsection (1) above may request the Municipality to repeal the amendment scheme concerned;
 - (b) wishes to avoid payment of or wishes to reduce the amount of a contribution envisaged in subsection (1) above,
 - (c) may in terms of section 38(1) above apply for the further amendment of the land use scheme concerned, within a period of 60 days from the date of the letter envisaged in subsection (1) above.
- (4) On receipt of a request as envisaged in subsection (3)(a) above the Municipality shall grant or refuse the request and, if granted, give notice thereof in the Provincial Gazette.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (5) Where the Municipality has given notice of such repeal in terms of subsection (4) above, the obligation to pay any contribution envisaged in subsection (1) above shall lapse from the date of the notice envisaged in subsection (4) above and any contribution already paid shall be refunded.
- (6) The contribution levied under subsection (1) above shall become due and payable within 30 days of the expiry of the 60-day time period envisaged in subsection (3) above.
- (7) No building plans in respect of the approved scheme shall be approved in terms of the National Building Regulations and Building Standards Act unless the contribution levied under subsection (1) above has been settled in full.
- (8) The Municipality may consider a request, on good cause shown, that:
 - (a) the contribution levied under subsection (1) above be paid over a specific period of time not exceeding three (3) years in instalments;
 - (b) that a prospective new purchaser be liable for the contribution in terms of an agreement/undertaking after transfer; or
 - (c) that payment of the contribution be postponed for a period not exceeding three years where security or a guarantee for the contribution has been provided to the satisfaction of the Municipality.
- (9) In exercising any of the powers under subsections (8)(a) to (8)(c) above, the Municipality may impose any condition it may deem fit including a condition regarding interest.

43. Lapsing of rezoning and extension of validity periods

- (1) Subject to section 39(1), a rezoning approval lapses after a period of three years, or a shorter period as the municipality may determine, from the date that the approval comes into operation if, within that three-year period or shorter period—
 - (a) the land use is not used in accordance with the approval; or
 - (b) the following requirements have not been met:
 - (i) the approval by the Municipality of a building plan envisaged for the use of the approved use right; and
 - (ii) commencement of the construction of the building contemplated in subsection (i).
- (2) An applicant may apply for the extension of the three (3) year period to the Municipality for the extension of the period referred to in subsection (1) to a maximum of an additional two years by submitting a motivation and good reason.
- (3) The Municipality may grant or refuse the application.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

Part 3**Township establishment, division/phasing of an approved township, extension of boundaries of an approved township and matters related thereto****44. Township establishment application**

- (1) An agent/owner of land who wishes to establish a township on its land, which falls within the jurisdiction of the Municipality, may submit an application to the Municipality in writing as prescribed in Schedule 3 of the By-law.
- (2) A township must be established on any farm portion where the land concerned is to be used, developed or subdivided for any purpose other than agricultural, open space or nature conservation purposes as defined in the applicable land use scheme or where the application will result in a substantial upgrade of any external engineering services relevant to the application.
- (3) An application for the establishment of a township as envisaged in subsection (1) above shall comply with the following procedures:
 - (a) Notice of the application shall be given once a week for two consecutive weeks by simultaneously publishing a notice in the Provincial Gazette and a newspaper that circulates within the area of jurisdiction of the Municipality in English;
 - (b) A letter shall be dispatched in writing by registered post, by hand or by any other means available to any adjoining owners whom, at the discretion of the Municipality, may possibly be adversely affected by the application
 - (c) Such notice shall clearly reflect in terms of which section of this By-law the application is made and which land use scheme or any other scheme will be applicable;
 - (d) Such notice shall reflect full details of the application including, but not limited to, the street address, the proposed name of the township, a clear property description of the land concerned and the nature and general purpose of the application;
 - (e) Such notice shall further reflect the date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application;
 - (f) Such notice shall further reflect that the application and its accompanied documents will lie open for inspection at specified times and at specified places at the Municipality's offices and that any objection, comment or representation in regard thereto must be submitted timeously to the Municipality in writing by registered post, by hand, by facsimile or by e-mail within a period of 28 days from the date of the first publication of the notice as envisaged in subsection (3)(a) above.
 - (g) A notice that contains the same detail as envisaged in subsections (3)(b) to (3)(e) above shall be displayed on the land under consideration in English;
 - (h) Such notice shall be displayed on the land from the same date as the date of the publication of the notice mentioned in subsection (3)(a) above;

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (i) Such notice shall be in the format as determined by the Municipality listed in Schedule 3 ;
 - (j) Such notice shall be displayed in a conspicuous place on the land in question where it would be best and easily visible and can be easily read from each and every adjacent public street or an adjacent public place; and
 - (k) Such notice shall be maintained in a clearly legible condition for a period of not less than 21 days from the date of publication of the notice mentioned in subsection (2)(a) above.
- (4) Proof of compliance with subsection (3) above must be submitted to the Municipality and shall be accompanied by a form of a written affidavit prior to the consideration of the application.
- (5) Simultaneously to the actions in subsection (1) above, the agent/owner of land shall submit a copy of such application to:
- (a) any Roads authority whether local (as a municipal owned Entity), Provincial or National which may have an interest in the application;
 - (b) any neighbouring municipality who may have an interest in the application; and
 - (c) any other stakeholder, Municipal Department, Provincial Department, National Department, Municipal Entity or any other interested party who may, in the discretion of the Municipality, have an interest in the application.
- (6) The interested parties mentioned in subsection (5)(a) to (5)(c) above to which a copy of the application has been forwarded shall submit its objection, comment and/or representation to the Municipality in writing within 60 days of date of receipt of the application, failing which, it shall be deemed that such interested party has no objection, comment or representation to make.
- (7) The Municipality shall forward a copy of each objection, comment and representation received in terms of the notice envisaged in subsections (3)(a) and from the interested parties in terms of subsection (5) above in respect of the application to the applicant within 14 days from the last day of the notice period and the applicant may respond in writing thereto to the Municipality within 28 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
- (8) No decision shall be taken on the application unless due regard has been given to each objection, comment and/or representation lodged timeously.
- (9) Subject to section 32(2), in the instance of an unopposed application, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 90 days after the date of expiry of the time periods mentioned in subsections (3)(e) and (6) above.
- (10) Prior to a decision being taken on a township application submitted under this section whether by the Municipal Planning Tribunal or the authorised official, the agent/owner of land may-
- (a) of his own accord and with the consent of the Municipality; or

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (b) at the request of the Municipality,
- (c) amend his application, provided that the amendment is not regarded in the opinion of the Municipality as being material which would warrant re-compliance with subsections (3) and (5) above.

45. Consent to certain contracts and options – Township establishment

- (1) After an agent/owner of land has applied in terms of section 44(1) above to establish a township on his land, he may also apply to the Municipality for consent to enter into any contract for the sale, exchange or alienation or disposal in any other matter of an erf in the proposed township or to grant an option to purchase or otherwise acquire an erf in the proposed township.
- (2) The Municipality may grant such consent envisaged in subsection (1) above subject to any condition it may deem expedient, which may include a condition that the applicant shall, before entering into such contract or granting such option and within 6 months of granting the consent, furnish to the Municipality a guarantee of such type and for such amount as the Municipality may determine and which is otherwise to its satisfaction that the agent/owner of land will fulfil its duties in respect of the engineering services as envisaged in section 67(1) and if the applicant fails to do so the consent shall lapse.
- (3) The Municipality shall notify the applicant of its decision in writing and of any condition imposed.
- (4) Where the Municipality has granted such consent as envisaged in subsection (1) above, the contract or option shall contain a clause stating that the township concerned is not an approved township.
- (5) Where such contract or option does not contain such clause as envisaged in subsection (4) above, the contract or option shall, at any time before the township is declared an approved township, be voidable at the instance of any party to the contract or option, other than the person who alienates or disposes of the erf or who grants the option.
- (6) Any person who alienates or disposes of an erf and who enters into a contract or grants an option without such clause as envisaged in subsection (4) above shall be guilty of an offence.

46. Decision and post-decision procedures – Township establishment

- (1) After the provisions of section 44 have been complied with, the application may be approved, either wholly or in part, or refused or a decision thereon may be postponed, either wholly or in part.
- (2) Where the Municipality approves an application as envisaged in subsection (1) above, it may impose any condition it may deem expedient.
- (3) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties (including the Surveyor-General and the Registrar) of the decision in writing by registered post, by hand or by any other means available without delay.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (4) After the agent/owner of land has been notified in terms of subsection (3) above that the application has been approved, but before the township is declared an approved township, the Municipality may, in consultation with the agent/owner of land, amend or delete any condition imposed in terms of subsection (2) above or add any further condition.
- (5) After an agent/owner of land has been notified in terms of subsection (3) that the application has been approved, the agent/owner of land shall within a period of 12 months from the date of such notice, or such further period as the Municipality may allow, lodge with the Surveyor-General for approval such plans, diagrams or other documents as may be required by the Surveyor-General and if the agent/owner of land fails to do so the approval will automatically lapse.
- (6) An application for an extension of time as envisaged in subsection (5) above shall be made prior to the expiry of the 12-month period stated in that subsection.
- (7) Where the agent/owner of land fails, within a reasonable time after he has lodged the plans, diagrams or other documents as envisaged in subsection (5) above, to comply with any requirement the Surveyor-General may lawfully impose, the Surveyor-General shall notify the Municipality accordingly and where the Municipality is satisfied, after hearing the agent/owner of land, that the agent/owner of land has failed to comply with any such requirement without good cause shown, the approval will automatically lapse.
- (8) After an agent/owner of land has been notified in terms of subsection (3) above that the application has been approved, the Municipality may-
 - (a) where the documents envisaged in subsection (5) above have not yet been lodged with the Surveyor-General; or
 - (b) where the documents envisaged in subsection (5) above have already been lodged with the Surveyor-General, in consultation with the Surveyor-General, consent to the amendment of such documents unless:
 - (i) the amendment is, in the Municipality's opinion, so material as to constitute a new application in terms of section 44(1) above;
 - (ii) the amendment is not regarded as material but that it warrants notice of the amendment to be given as envisaged in section 44(3) and/or 44(5) above.
- (9) The agent/owner of land shall lodge with the Municipality, within a period of 3 months from the date upon which the Surveyor-General has approved the plans, diagrams and any other documents envisaged in subsection (5) above, a certified copy or tracing of the general plan of the township and where the agent/owner of land fails to comply within the 3 month period, the Municipality may obtain a certified copy or tracing directly from the Surveyor-General at the agent/owner of land's costs.
- (10) After complying with subsection (5) above, the agent/owner of land shall lodge with the Registrar the plans, diagrams and any other documents as envisaged in subsection (5) above and as approved by the Surveyor-General together with the relevant title deeds for endorsement or registration, as the case may be, within 12 months from the date of approval of such plans, diagrams and any other documents by the Surveyor-General, or within such further period as the Municipality may allow.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (11) The Registrar shall not accept such plans, diagrams or any other documents for endorsement or registration until such time as the Municipality has advised him in writing that the agent/owner of land has complied with such pre-proclamation conditions as the Municipality may require to be fulfilled before giving notice in terms of subsection (15) declaring that the township is an approved township.
- (12) Failure by the applicant to comply with subsection (10) above, the approval will automatically lapse.
- (13) An application for an extension of time as envisaged in subsection (10) above shall be made prior to the expiry of the 12-month period stated in that subsection.
- (14) Having endorsed or registered the title deeds envisaged in subsection (10) above, the Registrar shall notify the Municipality thereof without delay and the Registrar shall not register any further transactions in respect of any land situated in the township thereafter until such time as the township is declared an approved township in terms of subsection (15).
- (15) After the notice envisaged in subsection (14) above and after compliance with subsections (5), (9), (10) and (11) above, the Municipality or the agent/owner of land shall, by giving notice in the *Provincial Gazette*, declare the township an approved township and it shall in a schedule to such notice set out the conditions on which the township is declared an approved township.
- (16) Any external engineering services and / or parks and open spaces contributions (if applicable) required to be paid in respect of the approved township as envisaged in section 68(1), shall be paid within 6 months from date of the notice envisaged in subsection (15) above or upon the issuing of the certificate envisaged in section 47(1) below, whichever ever happens first.
- (17) Where a township owner is required to transfer land to the Municipality or any other organ of state by virtue of a condition set out in the schedule envisaged in subsection (15) above, the land shall be so transferred at the expense of the township owner within a period of 6 months from date of the publication of the notice envisaged in subsection (15) above or within such further period as the Municipality may allow.
- (18) With effect from the date of the approval by the Surveyor-General of the plans and diagrams as envisaged in subsection (5) above, the ownership in any road or public place in a township established in terms of this By-law, unless it is a private township, shall vest in the Municipality.

47. Prohibition of registration of certain deeds of transfer or endorsement on certain title deeds

- (1) The Registrar shall not register a deed of transfer by which ownership of an erf in a township is transferred unless the Municipality certifies that-
 - (a) the township has been declared an approved township in terms of section 46(15) above;
 - (b) that any condition as set out in the schedule envisaged in subsection 46(15) above has been complied with;

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (c) the provisions of section 46(17) above in respect of the transfer of land to the Municipality or any other organ of state (if applicable) have been complied with;
 - (d) that the Municipality will, within a period of 3 months from the date of such certification, be able to provide the erf with such engineering services as it may deem necessary and that it is prepared to consider an application for the approval of a building plan in respect of the erf in question; and
 - (e) all outstanding external engineering services contributions and all amounts in lieu of open spaces or parks as envisaged in sections 68(1) and 69(4) in respect of the township has been paid in full.
- (2) The Registrar shall not endorse a title deed in terms of section 4C (1)(a) of the Housing Development Schemes for Retired Persons Act unless the certificate envisaged in subsection (1) above has been issued.

48. Failure to comply with requirements of the Municipality

- (1) Where an applicant has, for a period of one year from the date he was requested in writing to comply with any requirement of the Municipality in respect of an application envisaged in section 44(1) above, failed to comply, the Municipality shall notify the agent/owner of land of such failure and thereupon the application shall automatically lapse.

49. Division/phasing of an approved township

- (1) An agent/owner of land who has been notified in terms of section 46(3) above that his township application has been approved-
- (a) may within a period of 6 months from the date of the notice, or such further period as the Municipality may allow;
 - (b) shall, if directed to do so by the Municipality, within such period as the Municipality may determine,

apply to the Municipality for the division of the approved township into two or more separate townships as outlined in Schedule 3 of this by-law.

- (2) On receipt of an application envisaged in subsection (1) above, the Municipality may-
- (a) where the documents envisaged in subsection 46(5) have not yet been lodged with the Surveyor-General;
 - (b) where the documents envisaged in subsection 46(5) above have been lodged with the Surveyor-General, after consultation with the Surveyor-General,

consent to the division of the township subject to any condition the Municipality may deem expedient.

- (3) Where consent has been granted in terms of subsection (2) above, the Municipality shall forthwith notify the applicant in writing thereof and of any condition imposed.
- (4) The applicant shall within a period of 3 months from the date of the notice envisaged in subsection (3) above, or such further period as the Municipality may allow, submit to

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

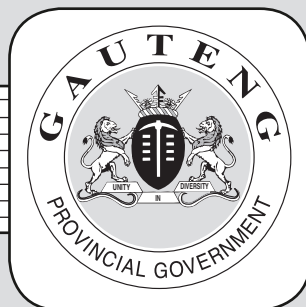
- the Municipality such plans, diagrams or other documents and furnish to it such information as it may require in respect of each separate township.
- (5) On receipt of the documents or information as envisaged in subsection (4) above, the Municipality shall forthwith notify the Surveyor-General and the Registrar in writing of the consent granted in terms of subsection (2) and such notice shall be accompanied by a copy of the plan of each separate township.
- (6) The granting of consent in terms of subsection (2) above and the notice envisaged in subsection (3) above shall, in respect of each separate township, be deemed to be the approval of an application as envisaged in section 46(1) above and a notice envisaged in section 46(3) above.

50. Extension of boundaries of an approved township

- (1) An owner of land as envisaged in section 49 of the Deeds Registries Act who wishes to have the boundaries of an approved township extended to include his land may, apply in writing to the Municipality.
- (2) The provisions of section 44(3) to 44(10) shall apply mutatis mutandis to an application envisaged in subsection (1) above and any reference to an application to establish a township shall be construed as a reference to an application to extend the boundaries of a township as envisaged in subsection (1) above.
- (3) After the provisions of section 44(3) to 44(10) have been complied with, the application may be approved, either wholly or in part, or refused or a decision thereon may be postponed, either wholly or in part.
- (4) Where the Municipality approves an application as envisaged in subsection (1) above, it may impose any condition it may deem expedient.
- (5) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties (including the Surveyor-General and the Registrar) of the decision in writing by registered post, by hand or by any other means available without delay.
- (6) Where the Municipality approves an application envisaged in subsection (1) above, it may-
- (a) apply all or any of the conditions set out in the schedule envisaged in section 46(15) on which the township concerned was declared an approved township;
- (b) impose a condition that the applicant shall pay to the Municipality an amount of money in respect of the provision of the engineering services envisaged in terms of section 67(1) where it will be necessary to enhance or improve such services as a result of the approval of the application envisaged in subsection (1) above.
- (7) Any condition imposed in terms of subsection (4) and (6) above shall be set out in a schedule to the proclamation envisaged in section 49 of the Deeds Registries Act and shall have the same force of law as a condition envisaged in section 46(15).

CONTINUES ON PAGE 258 - PART 3

***THE PROVINCE OF
GAUTENG***



***DIE PROVINSIE VAN
GAUTENG***

Provincial Gazette Provinsiale Koerant

Selling price • Verkoopprys: **R2.50**
Other countries • Buitelands: **R3.25**

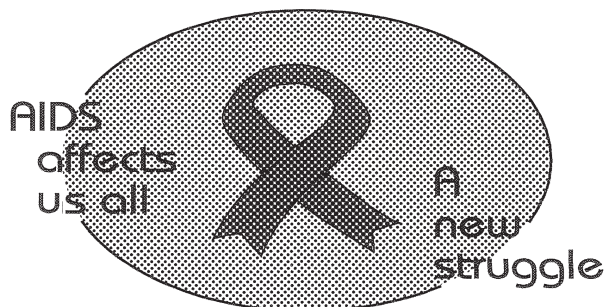
Vol. 23

PRETORIA
15 MARCH 2017
15 MAART 2017

No. 69

PART 3 OF 4

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-4525



9 771682 452005

00069



The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

Part 4**Subdivision and Consolidation of an erf in an approved township and the subdivision and or consolidation of any other land****51. Subdivision and/or consolidation of an erf/erven in an approved township**

- (1) An agent/owner of land of-
 - (a) an erf in an approved township who wishes to subdivide such erf;
 - (b) two or more erven in an approved township who wishes to consolidate such erven, may apply in writing, simultaneously or separately, as the case may be, to the Municipality as provided for in its land use scheme or any other town planning scheme that may still be applicable lodge an application in terms Schedule 3 with the Municipality setting out the proposed subdivision and/or consolidation.
- (2) An application as envisaged in subsection (1) above shall comply with the following procedure:
 - (a) A letter, accompanied by a plan showing the proposed subdivision and/or consolidation, shall be dispatched in writing and by registered post, by hand or by any other means available, to any adjoining owners whom, at the discretion of the Municipality, may possibly be negatively affected by the application setting out the following:
 - (i) Full details of the application including, but not limited to, the street address, the name of the township, a clear erf description of the erf concerned and the nature and general purpose of the application;
 - (ii) The date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application; and
 - (iii) That any objection, comment or representation in regard thereto must be submitted timeously to both the Municipality and the person mentioned in subsection (2)(a)(ii) above in writing by registered post, by hand, by facsimile or by e-mail within a period of 14 days from date of receipt of the letter.
 - (b) Proof of compliance with subsection (2)(a) above in the form of a written affidavit must be submitted to the Municipality prior to consideration of the application.
- (3) Where objections, comments and/or representations have been received as a result of subsection (2)(a)(iii) above, the applicant may respond in writing thereto to the Municipality within 14 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
- (4) No decision shall be taken on the application unless due regard has been given to each objection, comment and representation lodged timeously.
- (5) Subject to section 32(2), in the instance of an unopposed application, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- delegate within 30 days after the date of expiry of the time period mentioned in subsection (2)(a)(iii) above.
- (6) Such subdivision and/or consolidation application may be refused or approved subject to any condition the Municipality may deem fit. In the case of a consolidation application, if the Municipality fails to approve or refuse such application within 60 days from the date of receipt of the application envisaged in subsection (1) above, the application shall be deemed approved.
- (7) With a subdivision application, such condition may include a condition that the owner shall pay to the Municipality an amount of money in respect of the provision of-
- (a) the engineering services envisaged in section 68(1) where it will be necessary to enhance or improve the services as a result of the subdivision;
 - (b) open spaces or parks, and such amount shall be determined by the Municipality in terms of this By-law or approved policy,
- provided that in calculating the amount of the contribution to be paid envisaged in subsections (7)(a) and (7)(b) above, a contribution that has been paid or has become due and payable under section 42(1) shall be taken into account.
- (8) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties of the decision in writing by registered post and/or by hand and/or by any other means available without delay.
- (9) The Municipality shall keep a proper record of each subdivision and consolidation application granted.
- (10) An application that has been approved in terms of subsection (6) above shall automatically lapse if not registered with the Surveyor-General and the Registrar within 12 months from date of approval or within such further period as the Municipality may allow.
- (11) An application for an extension of time as envisaged in subsection (10) above shall be made prior to the expiry of the 12-month period stated in that subsection.
- (12) The amount of money envisaged in subsection (7) above shall become due and payable within 30 days from date of registration of the application with the Registrar as envisaged in subsection (10) above.
- (13) The owner of land shall within 3 months after the Surveyor General has approved the diagram of the subdivision or the plan for consolidation in terms of the provisions of the Land Survey Act submit two (2) clear legible photocopies of the approved diagram or plan to the Municipality.

52. Cancellation and amendment of conditions/plan, endorsement of certain documents by Registrar and access

- (1) The Municipality may, prior to the registration of the subdivision and/or consolidation approval with the Surveyor-General and the Registrar as envisaged in section 51(10) above and in consultation with the applicant,-
- (a) cancel the approval of an application submitted in terms of section 51(1) above;

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (b) amend or delete any condition imposed in terms of section 51(6) above or add any conditions to those already imposed; and
 - (c) approve an amendment of the plan setting out the proposed subdivision and/or consolidation.
- (2) The Municipality may not approve an application envisaged in section 51(1) above if it will bring about a result which is in conflict with-
 - (a) any condition set out in the schedule as envisaged in section 46(15) on which the township concerned was declared an approved township;
 - (b) a condition of title imposed in terms of any law;
 - (c) a provision of an approved scheme applicable to the erf or erven in question.
- (3) The Municipality may not approve an application envisaged in section 51(1) above unless the Municipality is satisfied that each subdivided portion has satisfactory vehicular access to a public street, which access may be provided by means of a panhandle or a servitude.
- (4) If access to a public street is to be provided to more than one proposed subdivided portion by means of a single panhandle, the Municipality shall, when it approves the application for the subdivision of the erf concerned, impose a condition that the applicant shall cause a servitude of right of way in favour of each portion, other than the portion of which the panhandle forms part, to be registered over the latter portion.
- (5) The agent/owner of land shall, before he submits a deed of transfer or certificate of registered title in respect of the subdivided portion to the Registrar for registration in terms of the Deeds Registries Act have the power of attorney in respect of the transfer or the application for such certificate endorsed by the authorised official of the Municipality to the effect that the owner of land has complied with the conditions imposed in terms of section 51(6) above or that arrangements in respect of such compliance, including the furnishing of guarantees in respect of any condition requiring payment of an amount of money as envisaged in section 51(7) above, have been made to the satisfaction of the Municipality.

53. Subdivision of any other land

- (1) An agent/owner of land, excluding land as envisaged in section 51(1) above, who wishes to divide such land, may apply in writing to the Municipality and such application shall be as outlined in Schedule 3, of this by-law.
- (2) Subject to any other law that may be applicable to such land Section 30 of the Spatial Planning and Land Use Management Act shall apply.
- (3) The provisions of section 38(2)(a) to (2)(e) and 38(3) to 38(9) shall apply *mutatis mutandis* to an application envisaged in subsection (1) above.
- (4) Subject to compliance with subsection (3) above, the application envisaged in subsection (1) above may be approved, either wholly or partly, or it may be refused or a decision thereon may be postponed.
- (5) Where an application has been approved in terms of subsection (4) above, the Municipality may impose any condition it may deem expedient.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (6) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties (including the Surveyor-General and the Registrar) of the decision and of any condition imposed in terms of subsection (5) above in writing by registered post and/or by hand and/or by any other means available without delay.
- (7) When notifying the Registrar in terms of subsection (6) above, the Municipality shall at the same time furnish the Registrar with-
 - (a) a full description of the land;
 - (b) the full name of the registered owner of the land; and
 - (c) the number of the title deed under which the land is held.
- (8) After the agent/owner of land has been notified in terms of subsection (6) above that the application has been approved, but before any portion of land is transferred, the Municipality may, in consultation with the agent/owner of land, amend or delete any condition imposed in terms of subsection (5) above or add any further condition.
- (9) After an agent/owner of land has been notified in terms of subsection (6) that the application has been approved, the agent/owner of land shall within a period of 12 months from the date of such notice, or such further period as the Municipality may allow, lodge with the Surveyor-General for approval such plans, diagrams or other documents as may be required by the Surveyor-General and if the agent/owner of land fails to do so the approval will automatically lapse.
- (10) An application for an extension of time as envisaged in subsection (9) above shall be made prior to the expiry of the 12-month period stated in that subsection.
- (11) Where the agent/owner of land fails, within a reasonable time after he has lodged the plans, diagrams or other documents as envisaged in subsection (9) above, to comply with any requirement the Surveyor-General may lawfully impose, the Surveyor-General shall notify the Municipality accordingly and where the Municipality is satisfied, after hearing the agent/owner of land has failed to comply with any such requirement without good cause shown, the approval will automatically lapse.
- (12) After an agent/owner of land has been notified in terms of subsection (6) above that his application has been approved, the Municipality may-
 - (a) where the documents envisaged in subsection (9) above have not yet been lodged with the Surveyor-General; or
 - (b) where the documents envisaged in subsection (9) above have already been lodged with the Surveyor-General, in consultation with the Surveyor-General,
 consent to the amendment of such documents unless the amendment is, in the Municipality's opinion, so material as to constitute a new application in terms of subsection (1) above.
- (13) Upon receipt of the notice envisaged in subsection (6) above and after compliance with subsection (9) above, the Registrar shall endorse the deeds registry copy of the title deed under which the land concerned is held to the effect that an application for the division of such land has been approved by the Municipality and if the copy of the title

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- deed of the owner is thereafter, for whatever reason, lodged with the Registrar, he shall endorse it in like manner.
- (14) An endorsement in terms of subsection (13) above shall be brought forward as a condition of title in any subsequent deed of transfer of the whole or the remainder of the land concerned, and any succeeding owner of such whole or remainder shall be bound by the conditions imposed by the Municipality in terms of subsection (4) above.
- (15) The Registrar shall-
- (a) after the land envisaged in subsection (13) above has been divided;
 - (b) when it is notified in terms of section 54(1) that the application has lapsed, cancel any endorsement made in terms of the application referred to in subsection (13) above.
- (16) Where an agent/owner of land is required to transfer land to the Municipality or any other organ of state by virtue of a condition imposed in terms of subsection (5) above, the land shall be so transferred at the expense of the township owner within a period of 6 months from date of approval of the application in terms of subsection (4) above or within such further period as the Municipality may allow.
- (17) Any external engineering services contribution levied in terms of section 68(1) in relation to an application in terms of subsection (1) above shall become due and payable within 6 months from date of the Registrar endorsing the title deed of the land in question as envisaged in subsection (13) above or upon the issuing of the certificate envisaged in section 54(1), whichever ever happens first.

54. Failure to comply with requirements of the Municipality

- (1) Where an applicant has, for a period of one year from the date it was requested in writing to comply with any requirement of the Municipality in respect of an application envisaged in section 53(1) above, failed to comply, the Municipality shall notify the applicant of such failure and thereupon the application shall automatically lapse.

55. Prohibition of registration of certain deeds of transfer

- (1) The Registrar shall not register a deed of transfer of any portion of land where an application for the division of land was approved by the Municipality as envisaged in section 53(4) where: above unless the Municipality certifies that-
- (a) any condition imposed in terms of section 53(5), excluding any condition dealing with the transfer of land as envisaged in section 53(16) above, have not been complied with;
 - (b) the provisions of section 53(16) in respect of the transfer of land to the Municipality or any other organ of state (if applicable) have not been complied with;
 - (c) all outstanding external engineering services contributions and all amounts relating to open spaces or parks in respect of the land have not been paid in full.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

56. Ownership of roads and public places

- (1) With effect from the date of the approval by the Surveyor-General of the plans and diagrams envisaged in section 53(9) above, the ownership in any road or public place on the land which has been divided in terms of this By-law, shall vest in the Municipality.

57. Owners' Associations

- (1) The Municipality may, when approving an application for a subdivision of land, impose conditions relating to the compulsory establishment of an owners' association by the agent/owner of land for an area determined in the conditions.
- (2) An owners' association that comes into being by virtue of subsection (1) is a juristic person and must have a constitution.
- (3) The constitution of an owners' association must be approved by the Municipality before the transfer of the first land parcel and must provide for—
 - (a) the owners' association to formally represent the collective mutual interests of the area, suburb or neighbourhood set out in the constitution in accordance with the conditions of approval;
 - (b) control over and maintenance of buildings, services or amenities arising from the subdivision;
 - (c) the regulation of at least one yearly meeting with its members;
 - (d) control over the design guidelines of the buildings and erven arising from the subdivision;
 - (e) the ownership by the owners' association of all common property arising from the subdivision, including—
 - (i) private open spaces;
 - (ii) private roads;
 - (iii) private places; and
 - (iv) land required for services provided by the owners' association;
 - (f) enforcement of conditions of approval or management plans;
 - (g) procedures to obtain the consent of the members of the owners' association to transfer an erf in the event that the owners' association ceases to function;
 - (h) the implementation and enforcement by the owners' association of the provisions of the constitution.
- (4) The constitution of an owners' association may have other objects as set by the association but may not contain provisions that are in conflict with any law.
- (5) An owners' association may amend its constitution when necessary, but if an amendment affects the Municipality or a provision referred to in subsection (3), the amendment must also be approved by the Municipality.
- (6) An owners' association that comes into being by virtue of subsection (1)—

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (a) has as its members all the owners of land parcels originating from the subdivision and their successors in title, who are jointly liable for expenditure incurred in connection with the association; and
 - (b) is upon registration of the first land parcel automatically constituted.
- (7) The design guidelines contemplated in subsection (3)(d) may introduce more restrictive development rules than the rules provided for in the land use scheme.
- (8) If an owners' association fails to meet any of its obligations contemplated in subsection (3) and any person is, in the opinion of the Municipality, adversely affected by that failure, the Municipality may take appropriate action to rectify the failure and recover from the members referred to in subsection (6)(a) the amount of any expenditure incurred by it in respect of those actions.
- (9) The amount of any expenditure so recovered is, for the purposes of subsection (8), considered to be expenditure incurred by the owners' association.

58. Owners' Association Ceases to Function

- (1) If an owners' association ceases to function or carry out its obligations, the Municipality may—
- (a) take steps to instruct the association to hold a meeting and to reconstitute itself;
 - (b) subject to the amendment of the conditions of approval, remove the obligation to establish an owners' association; or
 - (c) subject to the amendment of title conditions pertaining to the owners' association, remove any obligations in respect of an owners' association.
- (2) In determining which option to follow, the Municipality must have regard to—
- (a) the purpose of the owners' association;
 - (b) who will take over the maintenance of infrastructure for which the owners' association is responsible; and
 - (c) the effect of the dissolution of the owners' association on the members and the community concerned.

Part 5**Approval of alteration, amendment or cancellation of general plan****59. Alteration, amendment or cancellation of a general plan application**

- (1) Any person who wishes to have the general plan of an approved township or of a division of land (if any) altered, amended or totally or partially cancelled by the Surveyor-General in terms of the Land Survey Act may subject to the provisions of section 60(3), apply in writing to the Municipality for approval as outlined in Schedule 3 of this by-law
- (2) An application for the alteration, amendment or totally or partially cancellation of a general plan envisaged in subsection (1) above shall comply with the following procedures:

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (a) Notice of the application shall be given once by simultaneously publishing a notice in the Provincial Gazette and a newspaper that circulates within the area of jurisdiction of the Municipality in English;
 - (b) Such notice shall clearly reflect in terms of which section of this By-law the application is made;
 - (c) Such notice shall reflect full details of the application including, but not limited to, the name of the township concerned and the nature and general purpose of the application;
 - (d) Such notice shall further reflect the date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application;
 - (e) Such notice shall further reflect that the application and its accompanied documents will lie open for inspection at specified times and at specified places at the Municipality's offices and that any objection, comment or representation in regard thereto must be submitted timeously to the Municipality in writing by registered post and/or by hand and/or by facsimile and/or by e-mail within a period of 28 days from the date of publication of the notice as envisaged in subsection (2)(a) above.
- (3) Proof of compliance with subsection (2) above must be submitted to the Municipality in the form of a written affidavit prior to the consideration of the application.
- (4) The Municipality shall forward a copy of each objection, comment and representation received in terms of subsection (2)(a) above in respect of the application to the agent/owner of land and the agent/owner of land may respond in writing thereto to the Municipality within 14 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
- (5) No decision shall be taken on the application unless due regard has been given to each objection, comment and/or representation lodged timeously.
- (6) Subject to section 32(2), in the instance of an unopposed application, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 60 days after the date of expiry of the time period mentioned in subsection (2)(e) above.

60. Decision and post decision procedures

- (1) The Municipality may approve an application envisaged in section 59(1) above either wholly or in part, or refuse it or postpone a decision thereon, either wholly or in part, provided that the Municipality shall not approve such application unless-
 - (a) the agent/owner of land has the unencumbered ownership of all the land within the area affected by the alteration, amendment or cancellation of the general plan other than land transferred in terms of section 53(16) and subject to sections 46(18) and 56 above;

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (b) where the land envisaged in subsection (1)(a) above is subject to a mortgage bond, the bondholder has consented in writing to the alteration, amendment or cancellation of the general plan.
- (2) Where the Municipality approves the application envisaged in section 59(1) above, the Municipality may-
 - (a) impose any condition it may deem expedient;
 - (b) amend or delete any condition set out in the schedule envisaged in section 46(15) above on which the township concerned was declared an approved township.
- (3) The provisions of section 59 shall not apply to an alteration or amendment of a general plan of an approved township which is necessary as a result of the closing of any public place or street or any portion thereof or diversion of a street or a portion of such street in terms of section 66(1) of this By-law.
- (4) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties, including the Surveyor-General, of the decision, and where the application has been approved, state any condition imposed in terms of subsection (2)(a) above, in writing by registered post and/or by hand and/or by any other means available without delay.
- (5) After an agent/owner of land has been notified in terms of subsection (4) above that the application has been approved, the agent/owner of land shall within a period of 12 months from the date of such notice, or such further period as the Municipality may allow, lodge with the Surveyor-General for approval such plans, diagrams or other documents as the Surveyor-General may deem necessary to effect the alteration, amendment or cancellation of the general plan, and if the agent/owner of land fails to do so the approval will automatically lapse.
- (6) Where the agent/owner of land fails, within a reasonable time after lodging the plans, diagrams or other documents as envisaged in subsection (5) above, to comply with any requirement the Surveyor-General may lawfully impose, the Surveyor-General shall notify the Municipality accordingly and where the Municipality is satisfied, after hearing the agent/owner of land has failed to comply with any such requirement without good cause shown, the approval will automatically lapse.
- (7) After the Surveyor-General has in terms of the Land Survey Act altered or amended the general plan or has totally or partially cancelled it, he shall notify the Municipality thereof without delay.
- (8) On receipt of the notice envisaged in subsection (7) above, the Municipality shall forthwith give notice thereof by publishing a notice in the Provincial Gazette declaring that the general plan has been altered, amended or totally or partially cancelled and the Municipality shall in a schedule to the notice set out the conditions imposed in terms of subsection (2)(a) above or the amendment or deletion of any condition envisaged in subsection (2)(b) above, where applicable.
- (9) The Municipality shall forthwith provide the Registrar with a copy of the notice and schedule envisaged in subsection (8) above.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

61. Effect of alteration, amendment or cancellation of general plan

- (1) Where the general plan of an approved township established in terms of the provisions of legislation other than this By-law, is cancelled in whole or in part, or altered or amended or cancelled in part, any public place or street which vested in trust in the Municipality by virtue of section 63 of the Local Government Ordinance, 1939, the ownership thereof shall revert to the township owner.
- (2) Where a general plan is cancelled in whole, the township shall cease to exist as a township.
- (3) Where a general plan is cancelled in part, that portion of the township to which the cancellation of the general plan relates, shall cease to exist as a portion of the township.
- (4) Where such original township owner is no longer in existence or, in the case of a Company, has been deregistered, as the case may be, the ownership of such public places or streets shall then automatically vest in the Municipality

Part 6**Amendment, suspension or removal of restrictive or obsolete conditions or obligations, servitudes or reservations and matters related thereto****62. Application for the amendment, suspension or removal of restrictive or obsolete conditions or obligations, servitudes or reservations in respect of land**

- (1) This part of the By-law refers to any restriction, obligation, servitude or reservation which relates to the subdivision of the land or the purpose for which the land may be used or to the requirements to be complied with or to be observed in connection with the erection of structures or buildings on or the use of the land, which is binding on the owner of the land arising out of-
 - (a) any restrictive condition or servitude which is registered against the title deed or leasehold title of such land; or
 - (b) a provision of a by-law or of a town-planning scheme; or
 - (c) the provisions of a title condition contained in the schedule to the proclamation of a township; or
 - (d) the provisions of a law relating to the establishment of townships or town planning.
- (2) In addition to the provisions of section (1)(d) above, the Municipality may only amend, suspend or remove a restriction or obligation where the Municipality is satisfied that-
 - (a) to do so would promote the preparation and approval of a general plan, the establishment of a township or the development of any area;
 - (b) the affected land is required for public purposes by the State, the Province or the Municipality;
 - (c) the affected land is required for the use or construction of a building or other structure by the State, the Province or the Municipality;

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (d) the affected land is required for purposes incidental to any purpose envisaged in subsections (2)(a) to (2)(c) above;
 - (e) Is in the interest of the general public to do so.
- (3) The provisions of subsection (1) above shall not apply to-
- (a) any building line restriction which has been imposed by or under the provisions of any applicable legislation pertaining to roads, whether national or provincial;
 - (b) any condition relating to mineral rights;
 - (c) any condition imposed in respect of land transferred to a beneficiary in terms of any provincial small farmer settlement programme or any similar land reform programme relating to the circumstances under which such land may be alienated or encumbered; or
 - (d) any condition relating to the risk of development on land which has been undermined.
- (4) An owner of land who wishes to have any restriction, obligation, servitude or reservation as envisaged in subsection (1) above amended, suspended or removed, may lodge an application to the Municipality in terms of Schedules 3 of this by-law.
- (5) Notwithstanding subsection (4) above, the Municipality may of its own accord amend, suspend or remove any restriction or obligation envisaged in subsection (1) above in respect of any land.
- (6) An application envisaged in subsection (4) above may be submitted simultaneously with any other application envisaged in sections 36, 37, 38, 51 and 53 above and it shall be treated as one application.
- (7) If an application is made only for the amendment, suspension or removal of any restriction, obligation, servitude or reservation as envisaged in subsection (1) above whether by an agent/owner of land or by the Municipality, the provisions of section 38(2) to 38(7) above shall mutatis mutandis apply to such application.
- (8) Where a simultaneous application is submitted as envisaged in subsection (6) above, the applicant shall comply with all the essential elements of the procedures as set out in this section as well as sections 36, 37, 38, 51 and 53, as the case may be, in a consolidated form.
- (9) Subject to section (2), in the instance of an unopposed application envisaged in subsection (4) or (5) above, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 30 days after the date of expiry of the time periods mentioned in those sections that apply mutatis mutandis to an application envisaged in subsection (4) and (5) above.
- (10) Subject to section (2), in the instance of an unopposed simultaneous application envisaged in subsection (6) above, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 60 days after the expiry of the time periods mentioned in sections 36, 37, 38, 51 and 53 above, which ever section is relevant.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (11) The provisions of section 38(9) above shall also apply mutatis mutandis to an application envisaged in subsections (4), (5) and (6) above.
- (12) For purposes of this section, where a condition of title, a condition of establishment of a township or an existing scheme provides for a purpose with the consent or approval of the administrator, a Premier, the townships board or any other controlling authority, such consent may be granted by the Municipality and such reference to the administrator, a Premier, the townships board or other controlling authority shall be deemed to be a reference to the Municipality.

63. Decision and post-decision procedures

- (1) An application envisaged in section 62(4), (5) or (6) above may be approved subject to any condition the Municipality deems fit or it may be refused.
- (2) Whether a decision was taken on the application by the authorised official or his/her duly authorised delegate or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties of the decision in writing by registered post and /or by hand and /or by any other means available without delay.
- (3) The Municipality shall keep a proper record of each application granted under subsection (1) above.
- (4) Where the Municipality has approved an application as envisaged under section 62(4), (5) or (6) above and after the expiry of the time period envisaged in section 71(1) of this By-law, it shall give notice thereof in the Provincial Gazette and state in the notice that a copy of the application as approved will lie for inspection at all reasonable times at its office and thereupon the application shall be deemed to be an approved application.
- (5) An approved application as envisaged in subsection (1) above shall come into operation on the date of publication of the notice envisaged in subsection (4) above.
- (6) The provisions of section 41 shall also mutatis mutandis apply to an application under this section if the simultaneous application envisaged in section 62(6) above included an amendment of a land use scheme application as envisaged in section 38(1) above.

64. Endorsements in connection with amendments, suspensions or removals of restrictions or obligations

- (1) After the coming into operation of any approved application as envisaged in section 62(4), 62(5) or 62(6) above, the owner of land shall within 28 days from the date of the approval coming into operation, whether in terms of section 63(5) or 63(6) above, deliver the original title deed to the Registrar and the Surveyor General in order for them to make the appropriate entries and endorsements on a relevant register, title deed, diagram or plan in their respective offices as may be necessary to reflect the effect of the notice envisaged in section 63(4) above.
- (2) Upon receipt of such original title deed as envisaged in subsection (1) above, the Registrar shall not register any further transactions relating to the land in question until the entries and endorsements envisaged in subsection (1) above have been effected and shall impound the title deed for the purpose of such entries and endorsements whenever it may for any reason be lodged in his or her office.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

65. Contributions to be paid in respect of external engineering services and Open Spaces or Parks

- (1) Where applicable, the provisions of section 36(8)(e) and 36(8)(f) and subsection 36(11) of the same section, section 42 and section 51(7) and subsection 51(12) of the same section shall *mutatis mutandis* apply to an approval envisaged in section 63(1) above, as the case may be.

Part 7**Permanent closure of a public place or diversion of a street****66. Permanent closing of a public place or diversion of a street**

- (1) The Municipality, by virtue of a Council resolution may, either of its own accord or upon a written request by any party; permanently close a public place or divert any street or portion of a street.
- (2) A formal proposal that steps be taken for the closing of a public place or diversion of a street or portion of a street shall be accompanied by a plan showing the public place to be closed or showing the boundaries of the street or portion of the street proposed to be closed or diverted.
- (3) When the Municipality intends to exercise the power envisaged in subsection (1) above or upon receipt of a formal proposal, it shall comply with the following procedures:
- (a) Notice of the application shall be given once by simultaneously publishing a notice in the Provincial Gazette and a newspaper that circulates within the area of jurisdiction of the Municipality in English;
- (b) Such notice shall clearly reflect in terms of which section of this By-law the application is made;
- (c) Such notice shall reflect full details of the application including, but not limited to, the relevant street or portion of street to be closed or diverted (if applicable), the name of the applicable township, a clear erf description of the public place to be closed (if applicable) and the nature and general purpose of the application;
- (d) Such notice shall further reflect that the application and its accompanied plan will lie open for inspection at specified times and at specified places at the Municipality's offices and that any objection, comment or representation in regard thereto must be submitted timeously to the Municipality in writing by registered post and/or by hand and/or by facsimile and/or by e-mail within a period of 28 days from the date of publication of the notice as envisaged in subsection (3)(a) above.
- (e) Another notice that contains the same detail as envisaged in subsections (3)(b) to (3)(d) above shall be displayed on the land under consideration or on or near the street or portion of the street to be closed or diverted in English, and at the discretion of the Municipality, in any other official language;
- (f) Such notice shall be displayed on the land from the same date as the date of the publication of the notice mentioned in subsection (3)(a) above;

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (g) Such notice shall be in the format as determined by the Municipality;
 - (h) Such notice shall be displayed in a conspicuous place on the land in question or on or near the street or portion of street to be closed or diverted where it would be best and easily visible and can be easily read from each and every adjacent public street or other adjacent public place; and
 - (i) Such notice shall be maintained in a clearly legible condition for a period of not less than 21 days from the date of publication of the notice mentioned in subsection (3)(a) above.
 - (j) Another notice that contains the same detail as envisaged in subsections (3)(b) to (3)(d) above shall be served by hand on the owners or reputed owners, lessees or reputed lessees and the occupiers of all properties abutting upon the public place or the street or portion of the street which it is proposed to close or divert, provided that if any such property has more than one lessee, reputed lessee or occupier, a copy of the said notice may be posted on the principal door of the main building or in another conspicuous place on such property, except where such property is a sectional title development, in which case the notice shall also be served on the owners of each such unit that constitutes the Body Corporate.
- (4) No decision shall be taken on the application unless due regard has been given to each objection, comment and/or representation lodged timeously.
 - (5) Whether by the Municipal Planning Tribunal, the authorised official or his duly authorised delegate, a permanent closure of a public place or closure or diversion of a street or portion of a street as advertised in subsection (3) above may be approved or it may be refused and all relevant parties shall be notified of the decision by registered post, by hand or by any other means available without delay.
 - (6) After the closure or diversion as envisaged in subsection (1) above has been approved and has been carried out, the Municipality shall notify the Registrar and the Surveyor General in order for them to make the appropriate entries and endorsements on a relevant register, title deed, diagram or plan in their respective offices as may be necessary to reflect the effect of the approval envisaged in subsection (5) above and that it has been carried out properly in accordance with the provisions of this By-law.
 - (7) The notification envisaged in subsection (6) above to the Registrar and the Surveyor General shall include a Land Surveyor's diagram to enable them to make such necessary entries and endorsements as envisaged in that subsection.
 - (8) Such entries and endorsements envisaged in subsection (6) above do not require a formal application as envisaged in section 59 (1) above.
 - (9) For purposes of this section the word "street" shall include a road, thoroughfare, footpath, sidewalk or lane.
 - (10) Where any public place or street or any portion thereof has been closed by virtue of an approval envisaged in subsection (5) above, the zoning shall remain the same as indicated in the land use scheme applicable to the property.
 - (11) Upon the compliance with formal procedures as set out above the local authority shall lodge with the surveyor general the necessary street/public places closure certificates for the amendment of the general plan.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

CHAPTER 7**ENGINEERING SERVICES, CONTRIBUTIONS AND OPEN SPACES OR PARKS****Part 1****Engineering services and engineering services contributions / agreements****67. Engineering services**

- (1) Every land development application approved in terms of the provisions of this By-law shall be provided with such engineering services as the Municipality deem necessary for proper development.
- (2) For the proper management and enforcement of this Chapter, the owner of the land in question shall enter into an engineering services agreement with the Municipality and such agreement shall contain every reasonable detail relevant to the engineering services to be installed and comprehensive detail on the different roles, duties and responsibilities of the respective parties.
- (3) Subject to subsection (2) above, the owner of the land in question shall be responsible for the provision, installation and costs of internal engineering services required for a development when an application is approved, as contemplated in section 49(1) of the Spatial Planning and Land Use Management Act.
- (4) Subject to subsection (2) above, the Municipality shall be responsible for the provision and installation of external engineering services, as contemplated in section 49(2) of the Spatial Planning and Land Use Management Act.
- (5) When the Municipality is not the provider of an engineering service, the owner of the land in question must satisfy the Municipality that adequate alternative arrangements have been made either by the owner itself or with the relevant service provider for the provision of that service, as contemplated in section 49(3) of the Spatial Planning and Land Use Management Act.
- (6) Every engineering service to be provided as envisaged in subsection (1) above shall be classified in terms of the engineering services agreement envisaged in subsection (2) above between the owner of the land in question and the Municipality as an internal or external engineering service in accordance with the provisions of this By-law.
- (7) The internal engineering services to be provided by the owner of the land in question shall be installed and provided to the satisfaction and to the standards of the Municipality or any of its Municipal Entities and for that purpose the owner of the land shall lodge with the Municipality or relevant Municipal Entity such reports, diagrams and specifications as the Municipality or Municipal Entity may require.
- (8) Where any application envisaged in subsection (1) above has lapsed in terms of any provision of this By-law, the engineering services agreement shall also automatically lapse and the owner of the land in question having installed any engineering services based on the above agreement shall have no claim against the Council with regard to the installation or construction of any engineering services of whatsoever nature.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

68. External engineering services contributions / agreements

- (1) The Municipality may levy an external engineering services contribution in respect of the provision of an external engineering service to the township or to the divided land in question as envisaged in section 67(1) above.
- (2) The external engineering services contribution envisaged in subsection (1) above must be set out in a policy adopted and approved by the Municipality and the amount of the external engineering services contribution, payable by the owner of the land in question, shall be calculated in accordance with such policy as adopted and approved by the Municipality.
- (3) The external engineering services contribution in respect of an approved township shall be calculated in terms of the tariff that is applicable at the time of the notice envisaged in 46(15) above and is subject to escalation at the rate calculated in accordance with the policy/By-law as adopted and approved by the Municipality.
- (4) The owner of land in question may, in terms of the engineering services agreement with the Municipality envisaged in section 67(2) above, install any external engineering service on behalf of the Municipality and the fair and reasonable cost of installing such a service may be set off against the external engineering services contributions payable.
- (5) When an external engineering service is installed by the owner of land as envisaged in subsection (4) above, the provisions of the Municipal Finance Management Act pertaining to procurement and the appointment of contractors on behalf of the Municipality shall not apply.
- (6) The external engineering services contribution levied in terms of subsection (1) above shall become due and payable for any amendment or change in land use.
- (7) No building plans may be approved by the Municipality in terms of the National Building Regulations and Building Standards Act until the external engineering services contribution envisaged in subsection (1) above has been settled in full.
- (8) The provisions of section 42(8) and 42(9) above shall apply mutatis mutandis to an external engineering services contribution levied in terms of subsection (1) above.

Part 2**Land for parks, open space and other uses****69. Land for parks, open space and other uses**

- (1) The approval of a township application as envisaged in section 44(1) and a division of land application envisaged in section 51(1) and 53(1) above, which provides for the use of land for residential purposes is subject to the provision of land for parks or open space by the agent/owner of land.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (2) The land required for parks or open space must be provided within the land area to which the development application refers or may be provided elsewhere within the Municipality's jurisdiction, at the discretion of the Municipality.
- (3) The extent of land required for parks or public open spaces shall be determined by the Municipality in accordance with the formula as set out in Schedule 3 to this By-law.
- (4) Any area of land in a proposed township or in a division of land application, which is subject to flooding by a 1:50 and 1:100 year flood line, shall be shown on the plan of the township as an open space or park if so required by the Municipality.
- (5) When a township or a division of land application is approved without the required provision of land for parks or open spaces within the land area of the development, the applicant may be required to pay an amount of money to the Municipality in lieu of the provision of land.
- (6) The amount of money envisaged in subsection (5) above shall be calculated in accordance with the formula as set out in Schedule 3 to this By-law and it shall be calculated in terms of the valuation relevant at the time of proclamation of the approved township envisaged in section 46(15) above, and with a division of land application envisaged in section 51(1) and 53(1) above, at the time of the approval of the application.
- (7) The amount of money calculated in terms of subsection (6) above shall be subject to escalation until it has been settled in full.
- (8) The provisions of sections 46(16), and 53(17) above shall also apply mutatis mutandis to the payment of the amount of money envisaged in subsection (5) above.

CHAPTER 8

APPEAL AUTHORITY AND PETITION TO INTERVENE

70. Appeal Authority

- (1) The Mayoral Committee (executive authority) is the Appeal Authority of the Midvaal Local Municipality.
- (2) A quorum for the purposes of an appeal authority would be the Executive Mayor, as presiding officer (or his duly delegated representative) and two members of the Midvaal Mayoral Committee
- (3) The Midvaal Local Municipality may in the place of its Mayoral Committee authorise that a body or institution outside the municipality assume the obligations of an appeal authority in terms of Section 51 (6) of the Spatial Planning and Land Use Management Act.

71. Internal appeals

- (1) An owner of land, a person that submitted an objection, comment or representation in terms of any provision of this By-law and any interested party as envisaged in sections 38(4), 44(5), 51(2), 53(3) and 68(8) above, a person whose rights are affected by a decision taken by an authorised official and municipal planning tribunal as outlined in

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

Section 51(4) and 51(5) of the Spatial Planning and Land Use Management Act, including a person who's petition to intervene has been granted as envisaged in section 72, whose rights may be adversely affected by a decision taken by the Municipal Planning Tribunal, the authorised official or any of its sub-delegates in respect of-

- (a) any land development application envisaged in Chapter 6 of this By-law;
- (b) a change of circumstances application envisaged in section 41(2) and 63(6) above;
- (c) any engineering services contributions and/or parks or open spaces contributions imposed or levied in terms of any provision of this By-law,

may appeal against that decision to the Municipal Manager by giving written notice of the appeal, including grounds of appeal, within 28 days of the date of notification of the decision or date of being notified of such engineering services contributions and/or parks or open spaces imposed or levied.

- (2) The Municipal Manager shall within a reasonable time period and after all relevant information on the appeal has been collated submit the appeal to the Municipality's executive authority as the appeal authority for a decision.
- (3) The Municipality's Executive Authority may delegate its appeal authority in terms of section 56 of Spatial Planning and Land Use Management Act read with section 59 of the Municipal Systems Act to-
 - (a) a body or institution outside of the Municipality to assume the obligations of an appeal authority;
 - (b) to an official or a committee of officials in the employ of the Municipality,

provided that such appeal authority may not be delegated to an official in the employ of the Municipality who originally made the decision on the application or who is a member of the Municipality's Municipal Planning Tribunal.

- (4) An appeal is invalid if it is not lodged within the time period contemplated in subsection (1) above or does not comply with this section.
- (5) If an agent/owner of land lodges an appeal, the agent/owner of land shall give notice of the appeal to any person or interested party who commented, represented on or opposed the application.
- (6) The notice referred to in subsection (5) must be given in accordance with section 115 of the Municipal Systems Act and notice may be given by hand and/or, by registered post and/or by any other means available.
- (7) The notice must allow the parties 21 days from date of notification to oppose or comment on the appeal.
- (8) The appellant must provide the Municipality with proof of notification, envisaged in subsection (5), within 14 days of the date of notification.
- (9) If an objector or any interested party as envisaged in subsection (1) above lodges an appeal, the Municipal Manager must give notice of the appeal to the applicant within 14 days of receipt thereof.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (10) A person who has received notice of the appeal may comment on or oppose the appeal within 21 days of being notified.
- (11) If opposition to or comment on the appeal is not lodged within the time period envisaged in subsection (7) and (10) above, the objection or comment will be invalid and the appeal authority will be under no obligation to entertain the appeal.
- (12) The relevant Municipal department must draft a report assessing the appeal and all comments or objections received and submit it to the appeal authority within 30 days of receipt of the comments or after the time period has lapsed and no comment has been received as contemplated in subsections (7) and (10) above as the case may be.
- (13) The appeal authority shall decide the appeal within 90 days from the expiry of the time periods envisaged in subsection (7) and (10) above.
- (14) The decision of the appeal authority is based on the record of preceding proceedings.
- (15) The appeal authority may confirm, vary or revoke the decision appealed against.
- (16) Parties to the appeal must be notified, in writing, of the decision of the appeal authority within 21 days from the date of the decision as contemplated in subsection (13) above.
- (17) An appeal lodged under this section suspends any decision taken under the provisions of this By-law and any post-decision procedures, as the case may be, until the appeal has been finalised.

72. Hearing by appeal authority

- (1) An appeal shall be heard by the appeal authority by means of a hearing based on written submissions only.
- (2) Notwithstanding subsection (1) above, the appeal authority may decide that a formal oral hearing be conducted if the appeal authority is of the opinion that the issues to be determined is of such a nature that it justifies the parties to the appeal to be heard in person.
- (3) Where the appeal authority decides that an oral hearing be held as envisaged in subsection (2) above, then any party to the appeal may appear in person or may be represented by another person.

73. Record of decisions

- (1) The appeal authority shall keep a proper record of all its proceedings and decisions taken.

74. Petition to be granted intervener status

- (1) Where an application has been submitted to a Municipal Planning Tribunal, authorised official or any of its sub-delegates or an appeal has been lodged to the appeal authority, an interested person may, at any time during the proceedings, but within seven days of becoming aware of the proceedings, petition the Municipality in writing to be granted intervener status.
- (2) The petitioner must submit together with the petition to be granted intervener status a full motivation in support of the petition and an affidavit stating that he or she –

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (a) does not collude with any applicant, objector or appellant; and
 - (b) is willing to deal with or act in regard to the application or appeal as the Municipality may direct.
- (3) The municipality must determine whether the requirements of this regulation have been complied with and must thereafter provide a copy of the petition referred to in subsection (1) to the parties to the application or appeal.
- (4) Where the Municipality, either through its Municipal Planning Tribunal, authorised official or any of its sub-delegates or the appeal authority, must determine whether a petitioner qualifies as an interested person as contemplated in section 45(4) of the Spatial Planning and Land Use Management Act, it may consider the following:
- (a) whether such person has a pecuniary or proprietary right or interest in the matter;
 - (b) that such person's right or interest has been affected by the decision of the Municipal Planning Tribunal or authorised official or that his or her rights may be adversely affected by the decision of the Municipal Planning Tribunal or authorised official and might therefore be adversely affected by the decision of the appeal authority;
 - (c) that the petitioner represents a group of people who have a direct concern in the proceedings;
 - (d) the ability of the petitioner to protect his or her interest would be impeded by the decision of the Municipal Planning Tribunal, authorised official or appeal authority and that his or her interest is not adequately represented by the current parties to the proceedings;
 - (e) the petitioner will provide a different perspective on the issues before the Municipal Planning Tribunal, authorised official or appeal authority, without expanding those issues.
- (5) A determination by the Municipal Planning Tribunal, appeal authority or authorised official whether a petitioner qualifies, as an interested person is final and must be communicated to the petitioner and the parties to the proceedings in writing without delay.

CHAPTER 9

ENFORCEMENT

75. Law enforcement

- (1) The Municipality may designate an official or officials under its employ as a law enforcement officer(s) to investigate any non-compliance with the provisions of this By-law, its land use scheme or any other town planning scheme still in operation.
- (2) The provisions of section 32(5) of the Spatial Planning and Land Use Management Act shall apply mutatis mutandis to such law enforcement officers envisaged in subsection (1) above.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (3) An inspection of an alleged activity may only be carried out by a law enforcement officer at a reasonable time and after reasonable notice has been given to the owner or occupier of the land or building and after obtaining the consent of the owner or lawful occupier or person in control of the building, or with a warrant issued in terms of section 75 (4)
- (4) A judge or magistrate for the district in which the land is situated, may, at the request of the Municipality, issue a warrant to enter upon the land or building or premises if the-
 - (a) law enforcement officer has been refused entry to land or a building that he or she is entitled to inspect;
 - (b) prior permission of the occupier or owner of land on which an alleged activity is situated as envisaged in subsection (4) above cannot be obtained after reasonable attempts;
 - (c) the owner, occupier or person in control of a private dwelling has refused consent; or
 - (d) the purpose of the inspection would be frustrated by the prior knowledge thereof.
- (5) The Municipality may apply to a court for an order-
 - (a) interdicting any person from using land in contravention of any provision of this By-law, its land use scheme or any other town planning scheme still in operation;
 - (b) authorising the demolition of any structure erected on land in contravention of any provision of this By-law, its land use scheme or any other town planning scheme still in operation without any obligation on the Municipality or the person carrying out the demolition to pay any compensation; or
 - (c) authorising any other appropriate relief.

76. Offences and penalties

- (1) Further to any section in this By-law that declares a specific action a criminal offence, where any person-
 - (a) undertakes or proceeds with the erection or alteration of or addition to a building or causes it to be undertaken or proceeded with;
 - (b) performs, undertakes or proceeds with any other work or causes it to be performed, undertaken or proceeded with;
 - (c) uses any land or building or causes it to be used;
 - (d) alters the form and function of land,in conflict with a provision of this By-law, any other applicable legislation dealing with land development, the Municipality's land use scheme or any other a town planning scheme still in operation, such person shall be guilty of an offence.
- (2) The Municipality may direct such person in writing-
 - (a) to discontinue such erection, alteration, addition or other work or such use or cause it to be discontinued;
 - (b) at his own expense-

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (i) to remove such building or other work or cause it to be removed;
 - (ii) to cause such building or other work or such use to comply with the provisions of the scheme,
- and the directive shall state the period within which it shall be carried out.
- (3) The Municipality shall not approve a building plan for the erection or alteration of or addition to a building which would be in conflict with any provision of this By-law, the Municipality's land use scheme or any town planning scheme still in operation.
- (4) The provisions of subsection (3) shall not apply to the erection or alteration of or addition to a building in accordance with an approved building plan.
- (5) Any person who contravenes or fails to comply with a directive issued in terms of subsection (2) shall be guilty of an offence.
- (6) Where any person fails to comply with a directive issued in terms of subsection (2), the Municipality may, whether or not a prosecution has been or will be instituted, stop the building or other work or cause the building or other work to comply with the provisions of this By-law, its land use scheme or any other town planning scheme still in operation and recover all expenses incurred in connection therewith from such person.
- (7) Upon conviction of an offence in terms of this By-law a person is liable to a fine or imprisonment not exceeding 20 years or to both a fine and such imprisonment and the fine shall be calculated according to the ratio determined for such imprisonment in terms of the Adjustment of Fines Act.
- (8) A person convicted of an offence under this By-law who, after conviction, continues with the action in respect of which he or she was so convicted, is guilty of a continuing offence and liable to a fine, or upon conviction, to imprisonment for a period not exceeding three months or to both such fine and imprisonment, in respect of each day on which he or she so continues or has continued with that act or omission.

77. Content of Compliance Notices

- (1) A compliance notice must—
 - (a) identify the judicial person as registered owner to whom it is addressed;
 - (b) describe the alleged unlawful use of land or construction activity concerned and the land on which it occurs;
 - (c) state that the activity is unlawful and inform the person of the particular offence contemplated in the By-law which that person allegedly has committed or is committing through the continuation of that activity on the land;
 - (d) the steps that the person must take and the period within which those steps must be taken;
 - (e) anything which the person may not do and the period during which the person may not do it;
 - (f) provide for an opportunity for a person to submit representations in terms of section 92 with the contact person stated in the notice; and
 - (g) issue a warning to the effect that—

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (i) the person may be prosecuted for and convicted of an offence contemplated in the Bylaw;
 - (ii) on conviction of an offence, the person will be liable for the penalty as provided for;
 - (iii) the person may be required by an order of court to demolish, remove or alter any building, structure or work illegally erected or constructed or to rehabilitate the land concerned or to cease the activity;
- (2) Any person on whom a compliance notice is served must comply with that notice within the time period stated in the notice, unless the Municipality has agreed to suspend the operation of the compliance notice.

CHAPTER 10**GENERAL PROVISIONS****78. Policies, Procedures, Standards, Requirements and Guidelines**

- (1) The Municipality may adopt a policy, procedure, standard, requirement or guideline for the effective administration of this By-Law.
- (2) The Municipal Manager may prescribe anything, which this By-Law empowers the Municipality to prescribe.
- (3) The Municipality must make available on the Municipality's website any prescription contemplated in subsection (2) and may make available on the website any policy, procedure, standard, requirement or guideline contemplated in subsection (1)
- (4) If the Municipality intends to adopt or amend a policy, procedure, standard, requirement guideline or prescription and the adoption or amendment materially and adversely affects the rights of the public, the Municipality must follow a participation process and procedure, which meets the requirements of the Municipal Systems Act.
- (5) An applicable policy, procedure, standard, requirement or guideline applies to an application of this By-Law.

79. Requirements for Petitions on Land Development Applications

- (1) All petitions must clearly state—
 - (a) the contact details of the authorized representative of the signatories of the petition;
 - (b) the full name and physical address of each signatory; and
 - (c) the objections, comments or representations and reason therefore.
- (2) Notice to the person contemplated in subsection (1)(a) constitutes notice to all the signatories to the petition.

80. Approval or adoption of amendment scheme under certain circumstances

- (1) Where-

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (a) a notice is or has been published in terms of section 46(15) above declaring a township an approved township;
- (b) a proclamation envisaged in section 49 of the Deeds Registries Act is or has been published extending the boundaries of an approved township;
- (c) a notice is or has been published in terms of section 60(8) above declaring that the general plan of an approved township or a division of land has been altered, amended or totally or partially cancelled;
- (d) an application for the division of land has been approved in terms of section 53(4) above,

the Municipality may, by notice in the *Provincial Gazette* declare that it has adopted an amendment scheme relating to the same land as the land envisaged in subsection (1)(a) to (1)(d) above and that a copy of the scheme will lie open for inspection at all reasonable times at the office of the Municipality and that thereupon the scheme shall be deemed to be an approved scheme.

- (2) In respect of an amendment scheme envisaged in subsection (1) above-

- (a) any provision of this By-law;
- (b) any other provision,

which the Municipality may prescribe shall apply.

81. Documents, plans and diagrams and any other information to be submitted with land development applications under the provisions of this By-law

- (1) The documents, plans, diagrams, reports and any other information as set out in Schedules to this By-law shall be submitted with any land development application under any provision of this By-law.
- (2) The applicant must, within 30 days or such further period as the Municipality may allow, provide the Municipality with such additional information which the Municipality may require and as provided for in Schedules.
- (3) If the applicant does not timeously provide the additional information and does not submit an appeal to the appeal authority, the Municipality may close the application and notify the applicant in writing.
- (4) Where the Municipality closes the application-
 - (a) the application is deemed to be refused;
 - (b) the application fee is not refundable; and
 - (c) the applicant may submit a new application and must pay a new application fee.

82. Continuation of application by new owner

- (1) If land that is the subject of a land development application in terms of this By-law is transferred to a new owner before the conclusion of such application, the new owner may continue with the application as the successor in title to the previous owner and the new owner will be regarded as the applicant for purposes of this By-law.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (2) The new owner must inform the Municipality in writing of the continuation of the application and provide the Municipality with a new title deed within 30 days of the date of actual registration of the property, failing which, the application will automatically lapse.

83. Time frames for land development applications

- (1) An application is regarded as complete only if the Municipality has received the application fee, all information necessary for the Municipality to assess the application as envisaged in Schedules to this By-law and the information submitted is compliant with all information specifications.
- (2) The municipality shall within 14 days notify the agent/owner of land that a Land Development Application is complete.
- (3) Upon confirmation, the phases of the application process starts.
- (4) For the purposes of this section, a land development application under the provisions of this By-law shall be subject to an administrative phase, a consideration phase and a decision phase.
- (5) The administration phase commences only after a land development application is regarded as complete as envisaged in subsection (1) above and such phase may not be longer than 12 months.
- (6) The consideration phase may not be longer than 3 months.
- (7) The decision phase shall be subject to the time frames as set out in the relevant sections of this By-law provided that a decision in respect of any matter to be considered by the Municipal Planning Tribunal, such decision shall be made within 30 days from the date of the last meeting of the Municipal Planning Tribunal or from the date of the completion of the consideration phase.
- (8) The administrative phase is the phase during which all public participation notices must be published and responded to, parties must be informed, public participation processes finalised, intergovernmental participation processes finalised and the application referred to the Municipal Planning Tribunal or authorised official for consideration and decision-making.
- (9) The consideration phase is the phase during which the Municipal Planning Tribunal or authorised official must consider the application, whether it be a written or oral proceeding, and undertake investigations, if required.
- (10) If no decision is made within, the period referred to in subsection (7) above, it shall be regarded as an undue delay for purposes of this By-law and the applicant or interested person may lodge an appeal in terms of the provisions of section 71(1) above to the appeal authority for a decision on the application.
- (11) Such non-performance may also be reported to the Municipality Manager, who must in turn report it to the Municipality's executive authority and adequate steps shall be taken to ensure compliance with the prescribed time frames.

84. Excision of land from Agricultural Holdings Register

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (1) The agent/owner of land shall be responsible for the excision of land from an Agricultural Holding Register.
- (2) The endorsement of the Agricultural Holding Title by the Registrar of Deeds to the effect that it is excised and known as a farm portion for the purposes of a township establishment can be done simultaneously with the endorsement of the title deed of the farm portion and the opening of a township register.
- (3) The municipality shall issue a certificate certifying that the pre-proclamation conditions have been complied with and in certifying; it may require that certain conditions be complied with together with the opening of a township register.
- (4) If an applicant elects to remove restrictive conditions of title to an Agricultural Holding through an excision application, the municipality shall only regard proof of the removal of the restrictive conditions if the applicant provides the title deed of the Agricultural Holding as it has been endorsed by the Registrar of Deeds and a copy of the farm title deed created as a result of the excision.

85. Approval of Building Plans and Registration

- (1) An approval in terms of Section 7(6) of the National Building Regulations and Standards Act, 1977, (Act 103 of 1977) shall not be granted unless the land use rights have come into operation in terms of the provisions of this By-law.
- (2) The Municipality shall not approve the erection of any building in terms of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) on the land which is the subject of any land development application in accordance with such approval;
- (3) The Registrar of Deeds shall not register any transaction in terms of the Deeds Registries Act, 1937 (Act 47 of 1937) or the Sectional Titles Act, 1986 (Act 95 of 1986) submitted by or on behalf of the owner of the land which is the subject of an approval under this By-law and arising as a consequence of such approval unless the documents evidencing such transaction include any conditions of title imposed by the Municipality.

86. Hearing of submissions, objections, comments or representations

- (1) Where in terms of any provision of this By-law a land development application is referred to the Municipal Planning Tribunal for a decision, the Municipality shall forthwith determine a day, time and place for such hearing.
- (2) The person making the application and any other person, who timeously submitted an objection, comment or representation in terms of any provision of this By-law, including an interested person who has been granted intervener status for purposes of section 74 above, shall receive 14 days written notice of such day, time and place of the hearing.
- (3) At such hearing contemplated in subsection (1) above the parties envisaged in subsection (2) above may appear in person and set out their motivation in support of the application or their grounds of objection or representation, as the case may be, and adduce any evidence in support thereof or authorise any other person to do so on their behalf.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (4) A hearing contemplated in subsection (1) above shall be open to the public unless otherwise directed by the Chairperson of the Municipal Planning Tribunal.
- (5) Where an objection, comment or representation has been submitted in the form of a petition, the Municipality will only be obliged to give notice of such hearing to the main petitioner.

87. Reasons for a decision

- (1) Unless otherwise provided for in this By-law, the Municipality shall be obliged to provide written reasons on any decision if requested to do so in writing by any party whose rights may be adversely affected by such decision, taken in terms of any provision of this By-law.
- (2) Such reasons shall be provided in writing within 21 days of date of receipt of the request for reasons envisaged in subsection (1) above and it shall be provided by the Chairperson of the Municipal Planning Tribunal, the authorised official or its sub-delegate who made the decision, or the appeal authority, as the case may be.

88. Naming and numbering of streets

- (1) If as a result of the approval of a land development application, streets or roads are created, whether public or private, the Municipality must approve the naming of the street and must allocate a street number for each of the erven or land units located in such street or road.
- (2) The proposed names of the streets and numbers must be submitted as part of an application for subdivision.
- (3) In considering the naming of streets, the Municipality must take into account the relevant policies relating to street naming and numbering.
- (4) The Municipality must in writing inform the Surveyor-General and Post Office General of the approval of new street names as a result of the approval or amendment of subdivision plans as envisaged in subsection (1) above and a street name which is indicated on an approved general plan within 30 days of the approval thereof.
- (5) The applicant must erect the street names according to the Municipality's standards.
- (6) No person may alter or amend a street name as approved in terms of subsection (1) above without the approval of the Municipality.
- (7) An owner of land to which a street number has been allocated as envisaged in subsection (1) above shall ensure that the number as approved for that land unit is displayed and remain displayed.
- (8) No person may alter or amend or use another street number unless approved by the Municipality.
- (9) The Municipality may, by written notice direct the owner of a land unit to display the number allocated to the land unit and may also, in exceptional circumstances, prescribe the position where it is to be displayed, and the owner or occupier of such land unit shall, within 30 days of the date of such notice, affix the allocated number on the premises in accordance with such notice.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

- (10) The Municipality may direct any owner to replace or repaint any digit of such number which has become illegible, obliterated or defaced.

89. Tariff of charges

- (1) The Municipality may determine tariff of charges in respect of-
- (a) any act, matter or application in terms of this By-law;
 - (b) anything required or authorised to be done in terms of this By-law.
- (2) Such tariff of charges shall be published as part of the approved tariffs, adopted by Council as part of the approved budget.
- (3) As a transitional measure the tariffs determined through the Municipal Financial Management Act shall apply.

90. National and Provincial interest

- (1) The Municipality shall forward a land development application to the relevant Minister or MEC for comment where such application will materially affect an exclusive functional area of the National or Provincial sphere as per Schedules 4 and 5 of the Constitution.
- (2) Subject to section 52(6) of the Spatial Planning and Land Use Management Act, the relevant Minister or MEC, as the case may be, may submit its comments on the application to the Municipality within 60 days from date of receipt of the application, failing which, it shall be deemed that such Minister or MEC has no comment to make.

91. Transitional provisions

- (1) Transitional arrangements are as per Council Resolution C 1415/11/2015, and shall lapse on the inception date of these By-laws.

92. Exemption

- (1) The Municipality may in writing exempt any person from complying with any provision of this By-law upon good cause shown.
- (2) An application for exemption shall be in writing setting out which section of the By-law exemption is being applied for accompanied by a full motivation why such exemption should be granted.
- (3) Such application shall be considered by the authorised official or Municipal Planning Tribunal and a decision shall be made on the application within 14 days from date of receipt of such application and the agent /owner of land shall be informed in writing of such decision.

93. False or misleading information in connection with application.—

- (1) Any person who wilfully and or with intent to defraud furnishes false or misleading information in connection with an application contemplated in this By-law shall be guilty of an offence.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

94. Short title and commencement

- (1) This By-Law is called the Midvaal Local Municipality Spatial Planning and Land Use Management By-Law, and comes into operation on the date as indicated by the proclamation of the inception date in the *Provincial Gazette*.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

SCHEDULES TO THE BY-LAW**SCHEDULE 1: LAND USE SCHEME REGISTER**

1. A Land Use Scheme Register as contemplated in section 14(10) of this By-law may where applicable include the following:
 - (a) Date of application
 - (b) Name and contact details of applicant
 - (c) Type of Application
 - (d) Property Description
 - (e) Existing Zoning
 - (f) Square Metres Granted
 - (g) Density
 - (h) FAR
 - (i) Height (storeys/meters)
 - (j) Coverage
 - (k) Building Line
 - (l) Parking Requirements
 - (m) Amendment scheme no
 - (n) Annexure Number
 - (o) Item No
 - (p) Decision and date
 - (q) Date of proclamation
 - (r) Any other information, which in the opinion of the Municipality shall be required to assist land development in general; provided that (a) to (q), can be made available to the public but information in terms of (r) need not be made available.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

SCHEDULE 2 CONTRIBUTIONS PAYABLE AND PROVISIONS OF LAND FOR OPEN SPACES AND PARKS IN TERMS OF THIS BY LAW

1. Determination of amount or contribution payable in respect of provision of open spaces (private open space or public open space) or parks.
2. Where, by virtue of or in terms of the provisions of this By-law an owner of land on which a land development application is approved (excluding a township establishment in terms of section xxx is required to pay an amount of money or a contribution to the Municipality in respect of the provision of open spaces or parks, such amount or contribution shall be determined substantially, in the opinion of the Municipality, in accordance with the formula—

$$\frac{(a - b) \times c \times e}{d}, \text{ in which formula}$$

“a” represents the number of residential units which may be erected on the land to which the application relates in terms of the approved application;

“b” represents the number of residential units which could have been erected on the land contemplated in paragraph (a) prior to the approval of the application;

“c” represents:

- (a) 24 m² where, in terms of the approved application, the land contemplated in paragraph (a) may be used for Residential 1 or 2 purposes or for purposes as may be determined by the Municipality from time to time, as the case may be;
- (b) 18 m² where, in terms of the approved application, the land contemplated in paragraph (a) may be used for Residential 3, 4 or 5 for purposes as may be determined by the Municipality from time to time or as the case may be; (e.g. retirement village)

“d” represents the area of the land contemplated in paragraph (a) in m²;

“e” represents the site value of the land contemplated in paragraph 1

- (c) as reflected in the valuation roll or the supplementary valuation roll of the local authority; or
 - (d) if the land is not reflected in the valuation roll or supplementary valuation roll of the Municipality, as determined by a valuer
 - (i) who is a member of the South African Institute of Valuers; or
 - (ii) as defined in the Local Government Property Rates Act, 2004.
3. Provision of Land for Open Spaces (private open space or public open space) or Parks including where a division of township application;
 - (e) Where, in terms of sections xx, the Municipality of an application to establish a township, imposes a condition requiring the applicant to provide land for open spaces or parks, the area of that land shall be determined substantially, in the opinion of the Municipality, in accordance with the formula:

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

$a \times 24 \text{ m}^2 + b \times 18 \text{ m}^2$, in which formula

“a” represents the number of residential units which may be erected on land in the township which, in terms of the land use scheme concerned, is to be zoned —Residential 1 or —Residential 2 or as may be determined by the Municipality from time to time, as the case may be;

“b” represents the number of residential units which may be erected on land in the township which, in terms of the town planning scheme concerned, is to be zoned —Residential 3’ —Residential 4 or —Residential 5 or as may be determined by the Municipality from time to time, as the case may be.

- (f) Any area of land in a proposed township which is subject to flooding by a 1:100 year flood shall be shown on the plan of the township as an open space or park if so required by the Municipality concerned and such area may at the request be protected by means of a servitude and shall be indicated in terms of a zoning for the purpose for which it is set aside.
- (g) If, in a proposed township, part of any area of land subject to flooding by a flood contemplated in paragraph (2) is less than 32 m measured from the centre of a water course, the area of land shown as an open space or park on the plan of the township shall be extended to measure 32 m from the centre of the water course.
- (h) The area of land to be provided for open spaces or parks in terms of paragraph (1), may not be reduced by the area of land to be shown as open spaces or parks in terms of paragraph (2) and (3); provided that the Municipality may give consent to reduce this requirement.

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***SCHEDULE 3 MIDVAAL FORMS****ARRANGEMENT OF THE FORMS:**

MLM: F/1	Application for with applicant and owner details	
MLM: F/2	Application form for change of land use rights also known as rezoning in terms of section 38(1)	
MLM: F/3	Application form for removal, amendment or suspension of title conditions in terms of section 62(1)	
MLM: F/4	Application form for consent use in terms of the Land Use Scheme read with section 36(1)	
MLM: F/5	Application form for township establishment in terms of section 44(1)	
MLM: F/6	Checklist for layout plans for township establishment	
MLM: F/7	Application form for a division or phasing of a township application in terms of section 49	
MLM: F/8	Application form for the amendment of an approved township in terms of section 46(8)	
MLM: F/9	Application form for subdivision and consolidation in terms of section 51(1)	
MLM: F/10	Application form for application for extension of time to comply with pre-promulgation conditions in terms this By-law	
MLM: F/11	List of attachments and supporting information required / submitted by the applicant can checklist for Municipal use	
MLM: F/12	List of number of copies per document per land development application required	
MLM: F/13	The Provincial Gazette, newspapers and placard notice in terms of section 38(2)(a) of the Midvaal Local Municipality Land Use Management By-law, 2016 for a change of land use rights	
MLM: F/14	The Provincial Gazette, newspapers and placard notice in terms of section 38(2)(a) of the Midvaal Local Municipality Land Use Management By-law, 2016 for the removal, amendment or suspension of a restrictive condition in the	
MLM: F/15	The Provincial Gazette, newspapers and placard notice for a consent use in terms of a Land Use Scheme	
MLM: F/16	The Provincial Gazette, newspapers and placard notice in terms of section 44 of the Midvaal Local Municipality Land Use Management By-law, 2016 for the establishment of a township	
MLM: F/17	The Provincial Gazette, newspapers and placard notice in terms of section 46(8) of the Midvaal Local Municipality Land Use Management By-law, 2016 for the alteration / amendment or partial cancellation of a general plan of a	
MLM: F/18	The Provincial Gazette, newspapers and placard notice in terms of section 51(1)(a) of the Midvaal Local Municipality Land Use Management By-law, 2016 for subdivision of land as contemplated in terms of section 16(12)(a)(iii)	
MLM: F/19	Notice in the Provincial Gazette and newspapers of the Draft Land Use Scheme in terms of section 11 (2) of the Midvaal Local Municipality Land Use Management By-law, 2016	
MLM: F/20	Example of a Locality Plan	
MLM: F/21	Example of a Land Use Plan	
MLM: F/22	Example of a Zoning Plan	
MLM: F/23	Example of a Site Plan	
MLM: F/24	Format of proposed development controls for change of land use rights and consent use application in terms of section 36(1) AND 38(1)	

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

MLM: F/25	Example of a Power of Attorney	
MLM: F/26	Example of affidavit / affirmation	
MLM: F/27	Notification of place, date and time of hearing of the Municipal Planning Tribunal in terms of section 86(2)	
MLM: F/28	Notice of Appeals	
MLM: F/29	Notice of a draft Land Use Scheme in terms of section 22(2) of the Midvaal Local Municipality Land Use Management By-law, 2016	
MLM: F/30	Notice of an approved Land Use Scheme in terms of section 19(1) of the Midvaal Local Municipality Land Use Management By-law, 2016	
MLM: F/31	Notice of an approval of an amendment scheme in terms of section 38(6) or (8) of the Midvaal Local Municipality Land Use Management By-law, 2016	
MLM: F/32	Notice of an approved removal, amendment or suspension of a restrictive condition in title in terms of section 63(2) of the Midvaal Local Municipality Land Use Management By-law, 2016	
MLM: F/33	Declaration of an approved township in terms of section 46(11) of Midvaal Local Municipality Land Use Management By-law, 2016	
MLM: F/34	Notice of an approval of an amendment scheme in terms of section 39(2) Midvaal Local Municipality Land Use Management By-law, 2016 for an approved	
MLM: F/35	Notice of application for the alteration / amendment / total or partial cancellation of a general plan of a township	

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

MLM: F/1

APPLICATION FORM WITH APPLICANT AND OWNER DETAILS

APPLICANT DETAILS			
Please indicate the type of applicant :			
Individual	<input type="checkbox"/>	Legal Entity / Other	<input type="checkbox"/>
Applicant Details: Individual			
Title			
Initial			
First Name(s)			
Surname			
Preferred Name			
ID Number			
Gender	Male <input type="checkbox"/>		Female <input type="checkbox"/>
Applicant Details: Legal Entity / Other			
Name			
Registration number			
Representative name			
Postal Details of Applicant			
Physical Address (Work)			
Address Line 1 (street no)			
Address Line 2 (street name)			
Township		Postal Code	
Specify City			
Physical Address (Home)			
Address Line 1 (street no)			
Address Line 2 (street name)			
Township		Postal Code	
Specify City			
Applicant Postal Address Details			
Postal Type	PO Box <input type="checkbox"/>	Physical Address (Home)	<input type="checkbox"/>
	Private Bag <input type="checkbox"/>	Physical Address (Work)	<input type="checkbox"/>
Postal Number			
Township		Postal Code	
Specify City			
Applicant Communication Details			
E-Mail Address			
Cell Phone			
Home Phone			
Work Phone			
Home fax			
Work fax			
Preferred Communication Type:	E-Mail <input type="checkbox"/>		SMS (Text) <input type="checkbox"/>

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

OWNER DETAILS			
Please indicate the type of applicant :			
Individual	<input type="checkbox"/>	Legal Entity / Other	<input type="checkbox"/>
Owner Details : Individual			
Title			
Initials			
First name			
Surname			
Preferred name			
ID Number			
Gender	Male <input type="checkbox"/>		Female <input type="checkbox"/>
Owner Details: Legal Entity/other			
Name			
Registration number			
Representative name			
Postal Details of Owner			
Physical Address (Work)			
Address Line 1 (street no)			
Address Line 2 (street name)			
Township		Postal Code	
Specify City			
Physical Address (Home)			
Address Line 1(street no)			
Address Line 2 (street name)			
Township		Postal Code	
Specify City			
Owner Postal Address Details			
Postal Type	PO Box <input type="checkbox"/>	Physical Address (Home) <input type="checkbox"/>	
	Private Bag <input type="checkbox"/>	Physical Address (Work) <input type="checkbox"/>	
Postal Number			
Township		Postal Code	
City			
Communication Details			
E-Mail Address			
Cell Phone			
Home Phone			

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

Work Phone			
Home fax			
Work fax			
Preferred Communication Type	E-Mail	SMS	
Details of Owner's / Marital Status	Not Applicable	Married in Community of Property	Married out of Community of Property
FOR OFFICIAL USE			
Receipt Amount			
Receipt Number			
Payment Date			
Application Form Date			

I, being the registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

I hereby acknowledge that the Midvaal Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE DATE:

MLM: F/2

APPLICATION FORM FOR CHANGE OF LAND USE RIGHTS ALSO KNOWN AS REZONING IN TERMS OF SECTION 38(1)

PROPERTY INFORMATION

Complete this section for each property (make a separate copy for each property)

Township / Agricultural Holding / Farm			
Erf / Plot / Farm No		Portion (e.g. /R/1)	
Ward			
Street name			
Street number		Planning Region	

REZONING DETAILS

Land Use Scheme			
Present Zoning			
Property Size (m ²)		Title Deed Number	
Present Height (Scheme)			

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

Present Density (Scheme)			
Present Coverage (Scheme)			
Present Annexure No		Present Amendment Scheme No	
Present Land Value		Present FAR	
Bond (Yes/No)			
If yes specify Bond Account No			
Bondholder's Name			
Existing Development			
Restrictive Title Deed Condition paragraph No			
Proposed Use Zone			
Proposed Primary Right			
Proposed number of units			
Proposed density			
Density Units (m ² /units per ha)			
Proposed Height (m/storey)			
Proposed coverage (%)			
Proposed FAR			
Estimate project value			
Applicant responsible to request outside comments?	Yes	No	N/a

REQUIRED DOCUMENTS

Covering Letter		Power of Attorney		Bondholders Consent	
Company/Close Corporation/Trust resolution		Proof of Members of Company /Close Corporation/Trust		Proof of Marital Status of the Owner	
Motivating Memorandum		Locality Plan		Zoning Plan	
Zoning Certificate		Site Plan		Registered Title Deed	
List of names of adjacent properties		Proposed Development Controls		Other	

I, being the registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

I hereby acknowledge that the Midvaal Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE DATE:

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/3****APPLICATION FORM FOR REMOVAL, AMENDMENT OR SUSPENSION OF TITLE CONDITIONS IN TERMS OF SECTION 62(1)****PROPERTY INFORMATION**

Complete this section for each property (make a separate copy for each property)

Township / Agricultural Holding / Farm		Portion (eg /R1)	
Erf / Plot / Farm No			
Ward			
Street Name			
Street Number		Planning Region	
Land Use Scheme			
Present Zoning			
Property Size (m²)		Title Deed Number	
Bond (Yes/No)			
If yes specify Bond Account No			
Bondholder's Name			
Existing Development			
Restrictive Title Deed Condition paragraph No			
Marital Status	Not applicable	In community of property	Out of community of property

REMOVAL OF RESTRICTIONS IN TITLE DEED

Removal or suspension of conditions (According to the Title Deed)				
Amendment of condition/s				
Reason for Amendment or Removal of Condition/s				
Indicate whether the property/ties is/are situated in a conservation area or has/have been included in a register of properties worthy of conservation		Yes		No
Does the property have any endangered plant or animal species, which will be Specify		Yes		No

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law**REQUIRED DOCUMENTS**

Covering Letter		Power of Attorney		Bondholders Consent	
Company/Close Corporation/Trust resolution		Proof of Members of Company /Close Corporation/Trust		Proof of Marital Status of the Owner	
Motivating Memorandum		Locality Plan		List of names of adjacent properties	
Zoning Certificate		Registered Title Deed		Other	

I,.....being the registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

I hereby acknowledge that the Midvaal Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE DATE:

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/4****APPLICATION FORM FOR CONSENT USE IN TERMS OF THE LAND USE SCHEME READ WITH SECTION 36(1)****PROPERTY INFORMATION**

Complete this section for each property (make a separate copy for each property)

Township / Agricultural Holding / Farm		Portion (eg /R1)	
Erf / Plot / Farm No			
Ward			
Street Name			
Street Number		Planning Region	

CONSENT USE DETAILS

Land Use Scheme			
Present Zoning			
Present Height			
Present Density			
Present Coverage		Present FAR	
Present Annexure T No		Present Amendment Scheme No	
Present Land Value			
Property Size (m ²)		Title Deed Number	
Existing Development			
Restrictive Title Deed Condition paragraph No			

Please complete this section for each property (make a separate copy for each property)

Proposed Use					
Area of proposed Use	Main building	Existing			m ²
		New			m ²
	Outbuilding	Existing			m ²
		New			m ²
		Total			m ²
Proposed Height					
Height Units :	Metres		Storey		Not Applicable
Proposed Coverage (%)					
Proposed FAR					
Time and number of deliveries		Weekdays	Saturdays	Sunday or Public holiday	
	Morning				
	Afternoon				
	Night				
BUSINESS HOURS		Start	End		
	Weekday				
	Saturday				
	Sunday				
	Public holiday				

NUISANCE

Noise level	None	Low	Medium	High
Noise Description				

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

Odour level	None	Low	Medium	High
Odour Description				

Dust level	None	Low	Medium	High
Dust Description				

Vibration level	None	Low	Medium	High
Vibration Description				

ADDITIONAL INFORMATION

Numbering of Parking Spaces on Property	
---	--

Does the approval of this application require obtaining a trade licence?	Yes		No	
If yes, has the application for a trade licence been handed in already?	Yes		No	

Licence Number	
Number of loading zones required?	
Staff Composition : Management	
Staff Composition : Employees	
TOTAL OF STAFF COMPOSITION	

Describe activities indoors	
------------------------------------	--

Describe activities outdoors	
-------------------------------------	--

Number of clients expected daily	
---	--

REQUIRED DOCUMENTS

Covering Letter		Power of Attorney		Bondholders' Consent	
-----------------	--	-------------------	--	----------------------	--

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

Company/Close Corporation/Trust resolution		Proof of Members of Company /Close Corporation/Trust		Proof of Marital Status of the Owner	
Motivating Memorandum		Locality Plan		Zoning Plan	
Zoning Certificate		Site Plan		Registered Title Deed	
Proposed Development Controls					

I, being the registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

I hereby acknowledge that the Midvaal Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE DATE:

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/5****APPLICATION FORM FOR TOWNSHIP ESTABLISHMENT IN TERMS OF SECTION 44(1)****PART B: PROPERTY INFORMATION**

Complete this section for each property (make a separate copy for each property)

Township / Agricultural Holding / Farm			
Erf / Plot / Farm No		Portion (e.g. /R/1)	
Title Deed no/ certificate of Registered Title no			
Size of property			
Name of Bond Holder			
Mortgage Bond Account No		Date of Bond	
Ward		Planning Region	

PART C: EXISTING LAND USE INFORMATION

Land Use Scheme			
Present Zoning			
Present Height (Scheme)			
Present Density (Scheme)			
Present Coverage (Scheme)			
Present Annexure No or Schedule No		Present Amendment Scheme No	
Present Land Value		Present FAR	
Existing Development			

PART D: PROPOSED TOWNSHIP

Name and Extension of the proposed township							
Use zone no	Proposed use zone	Erf no	Average size m ²	Height	FAR	Coverage	Other development control measures (density)

PART E: GENERAL INFORMATION

Has the consent of the Department of Minerals and Energy as custodian of mineral rights been obtained?	Yes	No
--	-----	----

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

Is the property situated in a demarcated noise zone in terms of the Gauteng Noise Control Regulations, 1999?		Yes	No
Is the property situated within 3 km of a sewerage disposal works?		Yes	No
Name the local authority(s) that is situated within 10 km of the boundaries of the property			
Name the local authorities or authorised bodies that provide the following services:			
Water			
Electricity			
Sewerage			
Roads and stormwater			
Is the existing development (structures and land use) on the property described in the memorandum?		Yes	No
Is it required that the building(s) on the property be conserved in terms of the National Heritage resources Act, Act 25 of 1999?		Yes	No
ENDOWMENT/DWELLING UNITS			
Does the layout plan provide for open spaces or parks according to section 69 of this By-law.		Yes	No
Motivate if answer is "no" above			
Provide the total number of dwelling units on all erven in the township			
ENVIRONMENTAL/BIOPHYSICAL SENSITIVITIES			
Is the development a "listed activity" in terms of the National Environmental Management Amended Act, 2004 (Act 8 of 2004), with specific reference to the regulations promulgated under section 24(5)?		Yes	No
If "Yes" above, Has an environmental impact assessment (EIA) process been initiated?		Yes	No
Indicate which process has been initiated	Basic	Yes	No
	Scoping	Yes	No
	None	Yes	No
Appointed environmental consultant	Name		
	Contact details		
Are two copies of the application regarding the above process attached to this application?		Yes	No
If the development is not a "listed activity" or if the above EIA process has not been initiated, have the on-site ecological issues been discussed in the memorandum?		Yes	No
Request permission to forward a copy of the application to external bodies in terms of section 44(5)		Yes	No

I, being the registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

I hereby acknowledge that the Midvaal Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE DATE:

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/6****CHECKLIST FOR LAY-OUT PLANS FOR TOWNSHIP ESTABLISHMENT**

No	Requirements of information to be provided	Yes	No
1	Prints of the plan of the proposed township		
2	Plan number; CPD (Township name, extension / number of plan e.g. CPD MVO x55/1)		
3	Contour lines and values		
4	A bar scale		
5	The true north		
6	The name of the Municipality within whose area of jurisdiction the land on which the applicant proposes to establish the township is situated		
7	The boundaries of the proposed township		
8	The Property description as indicated in the 'name reservation letter'		
9	Grid co-ordinates and a reference to the geodetic system used		
10	Existing buildings in the proposed township		
11	Adjoining existing and adjoining proposed streets and roads with their names;		
12	Adjoining proposed public streets/roads with their names and widths		
13	adjoining erven in existing townships or proposed townships in respect of which applications have been submitted or notice has been given in terms of section 16(4) or 16(5)		
14	Streets, squares and Open spaces (Private and Public) in the proposed township		
15	Adjoining erven in existing townships or proposed townships in respect of which applications have been submitted		
16	Water courses, railways, pipe lines, power lines, existing public roads and all servitudes in or abutting the proposed township		
17	Public roads in or abutting the proposed township		
18	All servitude in or abutting the proposed township		
19	Private 'access' erven (name and widths) in or abutting the proposed township		
20	A table indicting the total number of erven in the proposed township, the number of erven for specific purposes (proposed zoning) and their numbers, the minimum size of the erven, the ruling size of the erven, the minimum and maximum gradient of the streets, the total length of the streets within the township, the area of streets as a percentage of the total area of the township and the area of parks and open spaces, if any, as a percentage of the total area of the township		
21	A locality plan, as an inset on the plan of the township, accurately drawn to a scale of not less than 1:50 000 or such other scale which the Municipality, as the case may be, may approve indicating:		
21.1	The situation of the proposed township on the farm or agricultural holding		
21.2	The routes giving access to the nearest main road and the road network in the vicinity of the township		
21.3	The boundaries of the farm portion or agricultural holding on which the township is to be established		
21.4	the situation of existing sewage disposal works and the distance from the proposed township of such works, where such works are situated within 3 km of the boundaries of the township		
21.5	The boundaries of a demarcated noise zone		
21.6	A bar scale, in respect of the locality plan		
21.7	The true north		
22	The erven in the proposed township accurately drawn to a scale of 1:1 000, 1:1 250, 1:1 500, 1:2 000; 1:2 500 or 1: 5000 and numbered consecutively in each block		
23	In an enclosure, the names of the persons responsible for the contour surveys and the design of the township and a reference to the datum plan on which the contour values are based		

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

No	Requirements of information to be provided	Yes	No
24	If the township is to be established on two or more farm portions or agricultural holdings, the boundaries and description of such farm portions or holdings		
25	Each registered servitude over the land in the proposed township with a reference to the purpose of the servitude, the notarial deed or approved diagram relating to such servitude and, where an alteration in the route of such servitude is contemplated, the proposed route		
26	The boundaries of the geological zones on dolomite as well as the certification thereof of the geologist (if applicable);		
27	The 1:50 year and 1:100 year flood line shall be certified on the layout plan		

It is hereby certified that in terms of the provisions of section 144 of the National Water Act, (Act 36 of 1998), the 1:50 and 1:100 year flood lines, are correctly indicated on the plan.

SIGNATUREDATE:

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/7****APPLICATION FORM FOR A DIVISION OR PHASING
OF A TOWNSHIP APPLICATION IN TERMS OF SECTION 49(1)****NOTE: MLM: F/1 and F/5, PART A TO PART E MUST BE SUBMITTED TOGETHER WITH MLM: F/6**1. Name and extension:
.....2. Date of approval of township to be divided:
.....

3. Has extension of time in terms of section 53(10) been granted?

Yes ☐ No ☐ Not applicable ☐

4. Has the general plan of the township to be divided been approved by the Surveyor-General?

Yes ☐ No ☐5. Division of township in separate townships, namely:
.....**6. APPROVED LAND USES**

Details of approved land uses of the township to be divided

Use zone no	Proposed use zone	Erf no	Size m ²	Height	FAR	Coverage	Other development control measures (density)

7. PROPOSED LAND USES FOR SEPARATE TOWNSHIPS

Details of proposed land uses for township:

.....

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

Use zone no	Proposed use zone	Erf no	Average size m ²	Height (Storeys)	FAR	Coverage	Other development control measures (density)

(Complete a separate table for each new township.)

8. ENDOWMENT AND DWELLING-UNITS

Details of endowment and total number of dwelling units for separate townships

Township name	Is endowment payable?			Total number of dwelling units
	Yes	No	If "No", why not?	

I, being the Registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

I hereby acknowledge that the Midvaal Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE DATE:

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/8****APPLICATION FORM FOR THE AMENDMENT OF AN APPROVED TOWNSHIP IN TERMS OF SECTION 46(8)**

NOTE: MLM: F/1 and MLM F/5, PART A TO PART E MUST BE SUBMITTED TOGETHER WITH MLM: F/6

1. Name and extension:

2. Date of approval of township:

3. Have the documents contemplated in the above township been lodged at the Surveyor-General?

Yes

☐

No

☐

4. If "Yes", have the Surveyor-General's comments on the proposed amendment in terms of section 16(4)(i) been submitted?

Yes

☐

No

☐
5. APPROVED LAND USES

Details of approved land uses

Use zone no	Proposed use zone	Erf No	Size m ²	Height	FAR	Coverage	Other development control measures (density)

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***6. PROPOSED LAND USES**

Details of proposed land uses

Use zone no	Proposed use zone	Erf no	Average size m ²	Height	FAR	Coverage	Other development control measures (density)

I, being the registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

I hereby acknowledge that the Midvaal Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE DATE:

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/9****APPLICATION FORM FOR SUBDIVISION AND CONSOLIDATION IN TERMS OF SECTION 51(1)****PROPERTY INFORMATION**

Complete this section for each property (make a separate copy for each property)

Township / Agricultural Holding / Farm		Portion (e.g. /R1)	
Erf / Plot / Farm No			
Ward			
Street Name			
Street Number		Planning Region	

SIMULTANEOUS CONSOLIDATION / SUBDIVISION

SUBDIVISION DETAILS				
Proposed Portion Description	Buildable Area (m ²)	Panhandle Area (m ²)	Panhandle Width (m)	Portion Area

CONSOLIDATION DETAILS	
Proposed Portion Description	Size (m ²)

Land Use Scheme			
Present Zoning			
Present Height			
Present Density			
Present Coverage		Present FAR	
Present Annexure No		Present Amendment Scheme No	
Present Land Value			
Property Size (m ²)		Title Deed Number	
Existing Development			
Restrictive Title Deed Condition paragraph No			

REQUIRED DOCUMENTS

Covering Letter		Power of Attorney		Bondholders Consent	
Company/Close Corporation/Trust resolution		Proof of Members of Company /Close Corporation/Trust		Proof of Marital Status of the Owner	
Motivating Memorandum		Locality Plan		Registered Title Deed	
Zoning Certificate		Subdivision and/or consolidation plans		Other	

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

I, being the registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

I hereby acknowledge that the Midvaal Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE DATE:

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/10****APPLICATION FORM FOR APPLICATION FOR EXTENSION OF TIME TO COMPLY WITH PRE-PROMULGATION CONDITIONS IN TERMS OF THIS BY-LAW****APPROVED APPLICATION INFORMATION**

Complete this section for each property (make a separate copy for each property)

Type of application (section into the By-law)			
Reference number			
Date of approval			
Date approval will lapse			
Township / Agricultural Holding / Farm			
Erf / Plot / Farm No		Portion (e.g. /R/1)	
Ward			
Street name			
Street number		Planning Region	

REQUIRED DOCUMENTS

Covering Letter		Power of Attorney		Bondholders Consent	
Company/Close Corporation/Trust resolution		Proof of Members of Company /Close Corporation/Trust		Proof of Marital Status of the Owner	
Motivating Memorandum with reasons for extension		Other			

I, being the registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

I hereby acknowledge that the Midvaal Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE DATE:

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/11****LIST OF ATTACHMENTS AND SUPPORTING INFORMATION
REQUIRED / SUBMITTED BY THE APPLICANT AND CHECKLIST FOR MUNICIPAL USE**

Checklist: to be completed by the Applicant Only				Checklist: for Official Use only		
YES	NO	ANNEXURE OR PAGE REFERENCE	DOCCUMENT ATTACHED	YES	NO	NA
			Official Receipt of payment of the application fees			
			Covering letter			
			Completed Application form			
			Power of Attorney			
			In the instant of the owner being a company: CM 29 form			
			In the instant of a close corporation a CK 1 or 2 forms			
			In the instant of a Trust a Letter of appointment of the Trustees			
			Proof of marriage out / in community of property			
			Bondholder's consent			
			Motivational Memorandum			
			Proposed development controls			
			Locality Plan			
			Land-Use Plan			
			Zoning Plan			
			Site Plan			
			Township Lay-out Plan			
			Zoning Certificate			
			Registered Title Deed			
			Township Name Reservation Letter			
			Conveyancer's Certificate			
			Proposed design / lay-out Plan			
			Proposed Subdivision Plan			
			Proposed Consolidation Plan			
			Mineral Rights Certificate (together with mineral holder's consent) and/or prospecting contract			
			Environmental Impact Assessment, including Heritage Impact Assessment and Archeological Assessment			
			Geo-technical Report (including geology)			
			Transport Impact Report			
			Retail study			
			Architectural drawings / draft Site Development Plans			
			Noise Impact assessment			
			List of conditions to be removed, amended or suspended in the Title Deed			

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/12****LIST OF NUMBER OF COPIES PER DOCUMENT PER LAND DEVELOPMENT APPLICATION
REQUIRED**

Documents	Rezoning 16(1)	Removal of Restrictions 16(2)	Consent use 16(3)	Township Establishment 16(4)	Division or Phasing of Township 16(5)	Subdivision & Consolidation 16(12)
Covering Letter	5	5	5	3	5	5
Application Form	5	5	5	15 Plus 16 (External Departments)	5	5
Power of Attorney	3	3	3	3	3	3
Company/close corporation/trust resolution	3	3	3	3	3	3
Proof of Members of company/close Corporation/trust	3	3	3	3	3	3
Proof of Marital Status of the Owner	3	3	3	nil	3	3
Bondholder's consent	3	3	3	3	3	3
Motivating Memorandum	5	5	5	20 Plus 16 (External Departments)	5	5
Locality plan	5	5	5	nil	5	5
Zoning Plan	5	Nil	5	nil	nil	nil
Zoning Certificate	5	5	5	3	5	5
Site plan	5	Nil	5	nil	nil	nil
Land Use Plan	5	Nil	5	nil	nil	nil
Registered Title Deed	3	3	3	3	3	3
list of names and addresses of surrounding owners	nil	5	Nil	nil		nil
The Municipality's report on the sale/lease of the application property as approved by Council(if application is on Council owned land)	3	3	3	3	3	3
Subdivision and/or consolidation sketch plans	nil	Nil	nil	nil	5	5
Proof of Advertisement	1	1	1		1	1 (section 16(12)(a)(iii))
Name Reservation letter	nil	Nil	nil	3	nil	nil
Deeds/Conveyances Report	nil	Nil	nil	4	nil	nil
Land Surveyors Report	nil	Nil	nil	3	nil	nil

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

Documents	Rezoning 16(1)	Removal of Restrictions 16(2)	Consent use 16(3)	Township Establishment 16(4)	Division or Phasing of Township 16(5)	Subdivision & Consolidation 16(12)
Geological Report	nil	Nil	nil	3	nil	nil
Township Layout Plan	nil	Nil	nil	20 Plus 16 (External Departments)	nil	nil
Land Use Map	nil	Nil	nil	20	nil	nil
Proposed Conditions of Establishment	nil	Nil	nil	20	nil	nil
Transport Impact Report	nil	Nil	nil	5	nil	nil
Retail Study (If Required)	nil	Nil	nil	2	nil	nil
Architectural drawings/ Draft Site Development Plans (If Required)	nil	Nil	nil	15	nil	nil
Noise Impact Assessment (If Required)	nil	Nil	nil	2	nil	nil
Divisional Plan	nil	Nil	nil	nil	5	nil
other						

The number of copies and the documents required for submission per land development application can be amended from time to time by the Municipality

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

MLM: F/13

**THE PROVINCIAL GAZETTE, NEWSPAPERS AND PLACARD NOTICE IN TERMS OF
SECTION 38(2)(a) OF THE MIDVAAL LOCAL MUNICIPALITY LAND USE
MANAGEMENT BY-LAW, 2016 FOR A CHANGE OF LAND USE RIGHTS**

I, (full name),
being the *owner/ Applicant of *erf/erven/portion(s)
.....

.. (complete description of property as set out in title deed) hereby give notice in terms of Section
38(2)(a) of the Midvaal Local Municipality Land Use Management By-law, 2016 that I have applied to
the Midvaal Local Municipality Metropolitan Municipality for a change of land use rights also known
as rezoning of the property(ies) described above, situated at
.....

... from
..... to
.....

Any objection or comments, with the grounds therefore and contact details, shall be lodged
within a period of 28 days from the first date on which the notice appeared, with or made in writing
to: Municipality at:
.....
.....
.....
.....

Full particulars and plans (if any) may be inspected during normal office hours at the above-
mentioned offices, for a period of 28 days from the date of first publication of the advertisement in
the Provincial Gazette / newspaper ;

Closing date for any objections :

..... Address of *owner/ applicant :(

Physical as well as postal address)

.....
...
...
.....

Telephone No:

..... Dates on

which notice will be published:

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

MLM:F/14

THE PROVINCIAL GAZETTE, NEWSPAPERS AND PLACARD NOTICE TERMS OF SECTION 38(2)(a) OF THE MIDVAAL LOCAL MUNICIPALITY LAND USE MANAGEMENT BY-LAW, 2016 FOR THE REMOVAL, AMENDMENT OR SUSPENSION OF A RESTRICTIVE CONDITION IN THE TITLE DEED

I/We, being the owner/Applicant hereby give notice in terms of section 38(2)(a) of the Midvaal Local Municipality Land Use Management By-law, 2016 that I/we have applied to the Midvaal Local Municipality for the removal / amendment or suspension of certain conditions contained in the Title Deed/Leasehold Title of (property description), which property is situated at

.....

...

.....

...

Any objection, with the grounds therefore and contact details, shall be lodged with or made in writing to: the Municipality at:

.....

...

.....

...

.....

...

From (the first date of the publication of the notice set out in section 38(2)(a) of the By-law referred to above) until (not less than 21 days after the date of first publication of the notice set out in section 38(2)(a)).

Full particulars and plans (if any) may be inspected during normal office hours at the above-mentioned office, for a period of 28 days after the publication of the advertisement in the Provincial Gazette/
..... newspaper

Closing date for any objections :

..... Address of *owner/ applicant

:(Physical as well as postal address)

.....

...

.....

...

.....

Telephone No:

..... Dates on

which notice will be published:

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/15****THE PROVINCIAL GAZETTE, NEWSPAPERS AND
PLACARD NOTICE FOR A CONSENT USE IN TERMS OF A LAND USE SCHEME**

Notice is hereby given to all whom it may concern, that in terms of the Land Use Scheme, I, (full name)

..... Intend applying to The Midvaal Local Municipality for consent for:
.....

on (erf and suburb)

..... also known as
(street name and number) located in a
.....zone.

Any objection, with the grounds therefore and contact details, shall be lodged with or made in writing to: Municipality at:

.....
...
.....
...
.....
...

within 28 days of the publication of the advertisement in the Provincial Gazette, viz
20.....

Full particulars and plans (if any) may be inspected during normal office hours at the above-mentioned office, for a period of 28 days after the publication of the advertisement in the Provincial Gazette.

Closing date for any objections :

..... Address of *owner/ applicant :(

Physical as well as postal address)

.....
...
.....
...
.....
...

Telephone No:

..... Dates on

which notice will be published:

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

MLM:F/16

**THE PROVINCIAL GAZETTE, NEWSPAPERS AND PLACARD NOTICE INTERMS
OF SECTION 44 OF THE MIDVAAL LOCAL MUNICIPALITY LAND USE MANAGEMENT BY-
LAW, 2016 FOR THE ESTABLISHMENT OF A TOWNSHIP**

**MIDVAAL LOCAL MUNICIPALITY NOTICE OF APPLICATION FOR
ESTABLISHMENT OF TOWNSHIP**

..... **EXTENSION**

I,hereby give notice in terms of section 44(3)(a) of the Midvaal Local Municipality Land Use Management By-law, 2016, that an application to establish the township referred to in the Annexure hereto, has been received by it.

Particulars of the application are open to inspection during normal office hours at the office of the Municipality at:

.....
...
.....
...
.....
...

for a period of 28 days from (the date of first publication of this notice).

Objections to or representations together with contact details in respect of the application must be lodged in writing and in duplicate with the Municipality at the above office or posted to him/her at PO Box 9, Meyerton, 1960, within a period of 28 days from (the date of first publication of this notice).

Closing date for any objections:

Address of *owner/ applicant :(Physical as well as postal address)

.....
.....

Telephone No:

Dates on which notice will be published:

.....

ANNEXURE

Name of township : Extension

Full name of applicant:.....

Number of erven, proposed zoning and development control measures:

.....

Description of land on which township is to be established:

.....

Locality of proposed township:

The proposed township is situated

Reference:

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/17**

**THE PROVINCIAL GAZETTE, NEWSPAPERS IN TERMS OF SECTION 46(8) OF THE
MIDVAAL LOCAL MUNICIPALITY LAND USE MANAGEMENT BY-LAW, 2016 FOR THE
ALTERATION / AMENDMENT OR PARTIAL CANCELLATION OF A GENERAL PLAN OF A
TOWNSHIP**

Notice of application for *alteration/amendment/total or partial cancellation of general plan of the township

.....

The Municipality hereby gives notice in terms of section 46(8) of the Midvaal Local Municipality Land Use Management By-law, 2016, that application has been made

by.....

..... for the

..... *alteration/amendment/total or partial cancellation of the general plan of the township known as

.....

... The application together with the relevant plans, documents and information will lie for inspection during normal office hours at the Municipality, at

.....

.....

.. , for a period of 28 days from (the date of first publication of this notice).

Objections to or representations together with contact details in respect of the application must be lodged with or made in writing to the Municipality at the above address or at PO Box 9, Meyerton, 1960 within a period of 28 days from

.....

*Delete whichever does not apply.

Closing date for any objections :

..... Address of *owner/ applicant :(

Physical as well as postal address)

.....

.....

.....

Telephone No:.....

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

Dates on which notice will be published:

MLM : F/18

**THE PROVINCIAL GAZETTE, NEWSPAPERS AND PLACARD NOTICE IN TERMS OF
SECTION 51(1)(e) OF THE MIDVAAL LOCAL MUNICIPALITY LAND USE MANGEMENT
BY-LAW, 2016 FOR SUBDIVISION OF LAND AS CONTEMPLATED IN TERMS OF
SECTION 51**

NOTICE OF DIVISION OF LAND

I, (full
name), being the *owner/ Applicant of

.....
.. hereby give gives notice, in terms of section 51(1)(a) of the Midvaal Local Municipality Land Use
Management By- law, 2016 , that I have applied to the Midvaal Local Municipality Metropolitan
Municipality for the subdivision of the land described below .

From
To.....
...

Any objection or comments, with the grounds therefore and contact details, shall be lodged
within a period of 28 days from the first date on which the notice appeared, with or made in writing
to: Municipality at:

.....
.....
.....
.....

Full particulars and plans (if any) may be inspected during normal office hours at the above-
mentioned offices, for a period of 28 days from the date of first publication of the advertisement in
the Provincial Gazette / newspaper ;

Closing date for any objections:

Address of *owner/ applicant :(Physical as well as postal address)

.....
.....
.....

Telephone No:

Dates on which notice will be published:

.....

Description of land:

Number and area of proposed portions:
Proposed Portion in extent approximatelym²
Proposed Remainder.... , in extent approximatelym²
TOTALm²

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

MLM: F/19**NOTICE IN THE PROVINCIAL GAZETTE AND NEWSPAPERS OF THE DRAFT LAND USE SCHEME IN TERMS OF SECTION 19 OF THE MIDVAAL LOCAL MUNICIPALITY LAND USE MANAGEMENT BY-LAW, 2016**

The Midvaal Local Municipality hereby gives notice in terms of section 19 of the Midvaal Local Municipality Land Use Management By-law, 2016, that a draft Land Use Scheme to be known as the

..... has been prepared

by it. This scheme is a new / amendment scheme and contains the following proposals:

Give

- (a) a clear indication of all the proposals in the proposed original or amendment scheme;
- (b) a clear description of the property(ies) affected thereby;
- (c) a summary of the existing or proposed zoning and the effect of the latter).

The draft scheme will lie for inspection during normal office hours at the office of the.....(address and room number) for a period of 60 days from (the date of first publication of the notice).

Objections to or representations together with contact details in respect of the scheme must be lodged with or made in writing to the at the above address or at P.O. Box 9, Meyerton 1960 within a period of 60 days from (the date of first publication).

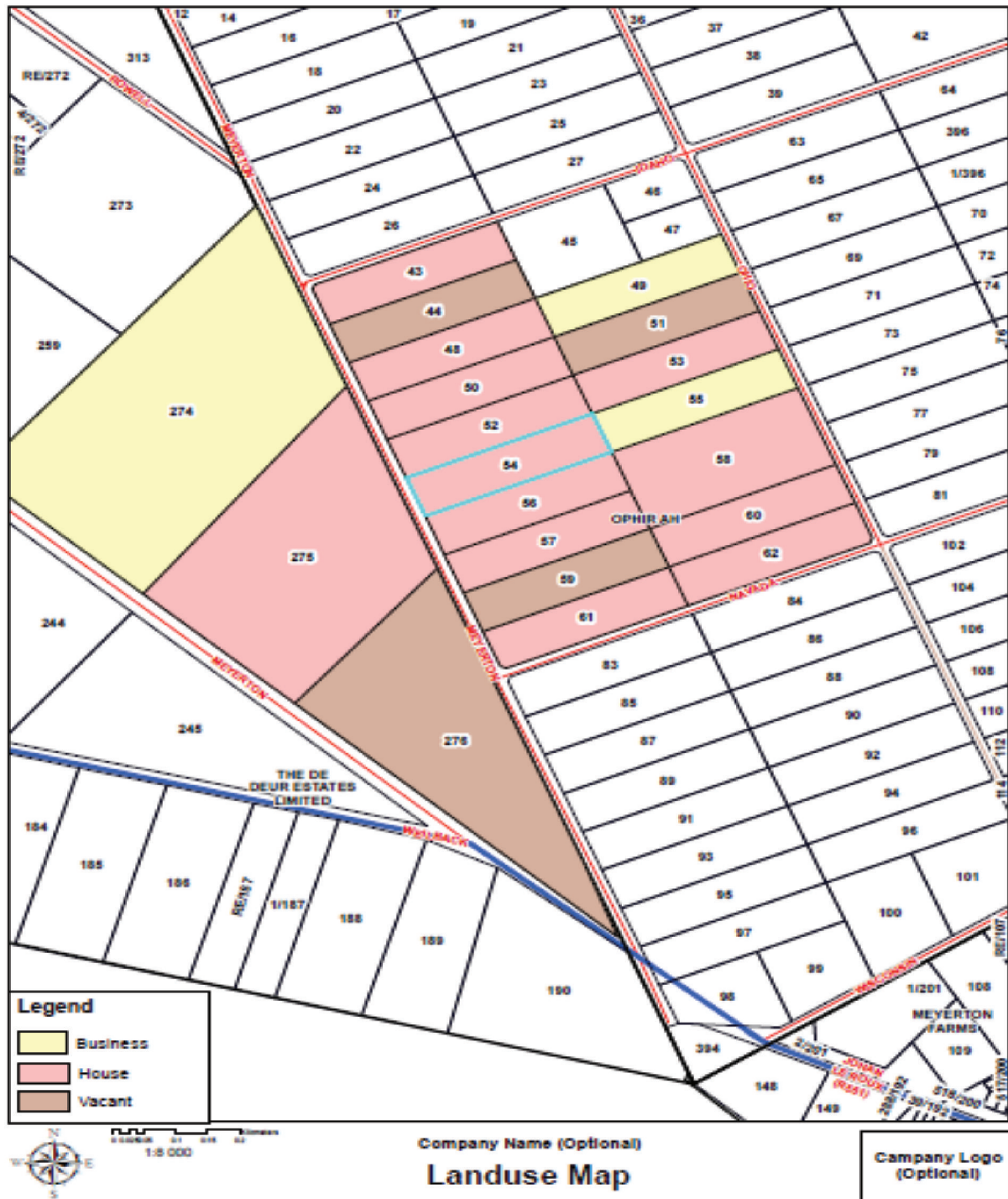
MLM: F/20

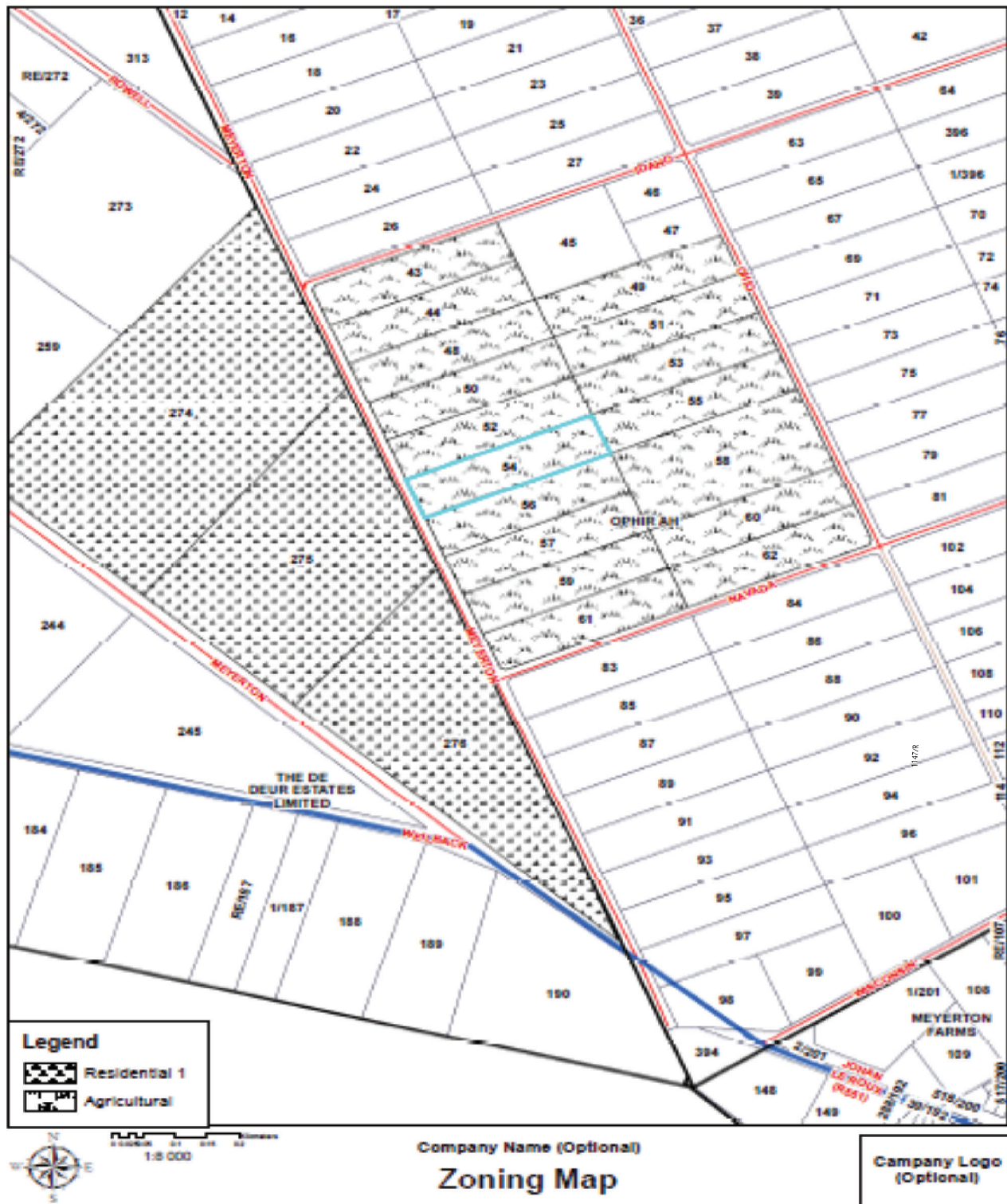
The map displays a grid of land parcels, many of which are numbered. A central parcel is highlighted in blue. Roads are shown as red lines, with labels such as 'MEYERTON', 'HAROLD', and 'MEYERTON'. The text 'THE DE DEUR ESTATES LIMITED' is prominently displayed in the lower-left quadrant. In the bottom right corner, 'MEYERTON FARMS' is labeled. A scale bar at the bottom left indicates a scale of 1:5,000, and a north arrow is positioned next to it. The map is titled 'Locality Map' at the bottom center.

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

MLM: F/21

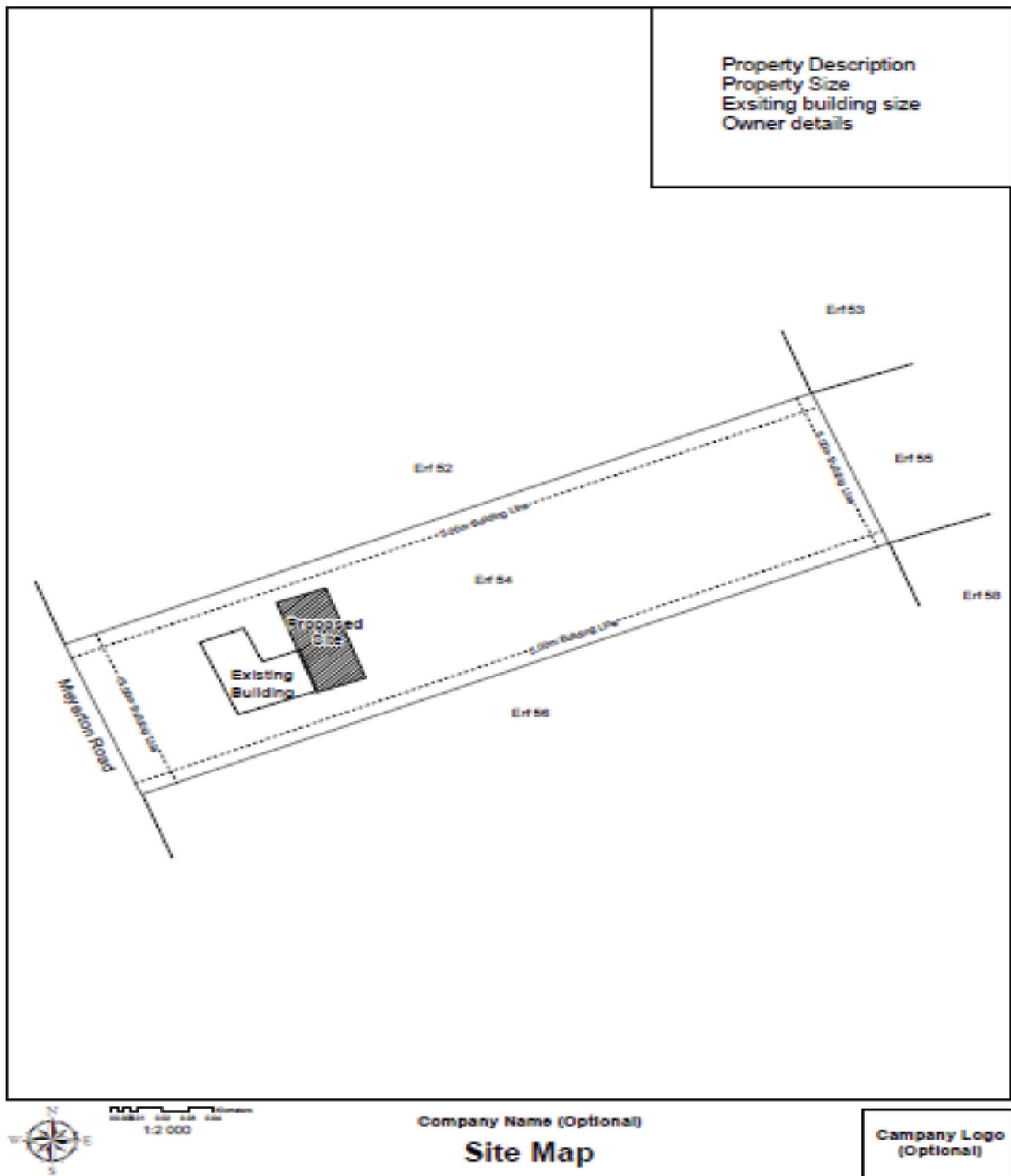
EXAMPLE OF A LAND USE PLAN



*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/22 EXAMPLE OF A ZONING PLAN**

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

MLM:F/23 EXAMPLE OF A SITE PLAN



The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

MLM: F/24

**FORMAT OF PROPOSED DEVELOPMENT CONTROLS FOR CHANGE OF LAND USE RIGHTS
AND CONSENT USE APPLICATIONS IN TERMS OF SECTIONS 36(1) AND 38(1)**

1	Use Zone	
2	Uses permitted	
3	Uses with consent	
4	Uses not permitted	
5	Definitions	
6	Density	
7	Coverage	
8	Height	
9	Floor area ratio	
10	Site development plan and landscape development plan	
11	Building lines	
12	Parking requirements	
13	Paving of traffic areas	
14	Access to the erf	
15	Loading and off-loading facilities	
16	Turning facilities	
17	Physical barriers	
18	Health measures	
19	Outdoor advertising	
20	General: 1) ?? 2) In addition to the above conditions the erf and buildings thereon are further subject to the general provisions of the Land Use Scheme	

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

MLM: F/25**EXAMPLE OF A POWER OF ATTORNEY**

I/We,

.....

ID No: the undersigned, hereby nominate, constitute and
appoint –

..... ID No:

with the power of substitution to be my/our legal attorney(s) and agent(s) in my/our name, place and
stead to apply for -

..... (type of application and property description)

at The Midvaal Local Municipality
and in general to do everything to effect the application and to do whatever I/we would do if I/we were
present in person and acting in the matter; and I/we hereby ratify, allow and confirm, and promise and
agree to ratify, allow and confirm everything and anything my/our attorney(s) and agent(s) may do or
may permit to be done legally in terms of this power of attorney.Signed at on this day of
.....20..... in the presence of the undersigned witnesses.

AS WITNESSES:

1.....
.....

2.....

.....
Registered Owner

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

MLM: F/26**EXAMPLE OF AFFIDAVIT / AFFIRMATION**

TO WHOM IT MAY CONCERN:

I, the undersigned, (full name and surname), hereby *make oath/affirm that the placard notice(s) as prescribed in terms of Section 16(1)(e)(ii) on Erf No, Township, was displayed and maintained in a conspicuous and to the public accessible place, for a period of 14 days from the first day the advertisements were advertised in local newspapers, viz from to, both dates inclusive.

SIGNED (SIGNATURE OF APPLICANT)
onat

I hereby certify that the deponent acknowledges that *he/she was conversant with the contents of this statement and understood it, and that the deponent uttered the following words: "I swear that the contents of this statement are the truth and nothing but the truth, so help me God".

COMMISSIONER OF

OATHS:..... DATE :
.....

*Delete whichever is not applicable.

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/27****NOTIFICATION OF PLACE, DATE AND TIME OF
HEARING OF THE MUNICIPAL PLANNING TRIBUNAL IN TERMS OF SECTION 86(2)**

Sir/Madam

.....

APPLICATION IN TERMS OF

.....

The abovementioned application will be considered by the Midvaal Local Municipality Municipal Planning Tribunal.

You are requested to be available at the from as the application will be heard by the Tribunal any time after the abovementioned time.

Kindly limit your deputation to a maximum of three persons. Please note that you will be limited in terms of time to verbally elucidate on your submissions/objection, which is already in the possession of the Tribunal and does not require full repetition.

If any documentation is going to be used in support of the submission, 15 copies must be provided to the Municipal Planning Tribunal at the Tribunal Hearing.

Any point *in limine* (technical points) which will be raised at the hearing, must be provided at least 7 (seven) working days prior to the hearing, addressed to the Head of Legal services at any time of the Municipality.

In the event that you will be represented in this matter, written proof of a mandate authorising such representation must be submitted accordingly.

Should experts by any party be called for purposes of the hearing, within any particular field to adduce evidence or provide any documents, the other parties including the Municipal Planning Tribunal, shall at least 7 days prior to the date of the hearing, be provided with a list of experts to be called and copies of the documents to be submitted, with an indication of the expertise to be used;

Please direct any queries to the Municipality.

Name :

Telephone nr :

Fax nr :

e-mail address:

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/28 NOTICE OF APPEAL****1. General Information**

Surname :

First Name :

Date of birth :

Identity/Passport number :

Residential Address :

Code :

Cellular Telephone No :

Work Telephone :

Fax No :

e-mail address :

1. Concise and succinct grounds of Appeal:

.....

.....

.....

.....

.....

.....

2. Relief Sought by the Appellant from the Appeal Authority:

.....

.....

.....

.....

4. Declaration:

I, (full names).....

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

hereby submit an appeal to the Appeal Authority in terms of section 51 of Act 16 of 2013. I declare that I shall be bound by all the provisions of the Act. I solemnly declare that, to the best of my knowledge and belief, all the information contained herein is true and correct.

Signed: Appellant

The Respondent must within 5 days after receipt of this notice state whether he or she opposes the appeal or not.

If the Respondent opposes the appeal the respondent must file within 20 days after notice of appeal, total record of hearing.

Appellant must within 20 days from receipt of record submit to the Appeal Authority a reply to the respondent's response to the appeal.

The Appeal Authority must determine a date on which the appeal will be heard and notify Respondent and Appellant within 10 days from receipt of the Appellant's reply.

5. COMMENTS/REMARKS (including a list of documents attached):

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/29****NOTICE OF A DRAFT LAND USE SCHEME IN TERMS OF SECTION 22(2) OF THE MIDVAAL
LOCAL MUNICIPALITY LAND USE MANAGEMENT BY-LAW, 2016****LOCAL AUTHORITY NOTICE MIDVAAL LOCAL****MUNICIPALITY****NOTICE OF THE DRAFT LAND USE SCHEME,.....**

The Midvaal Local Municipality hereby gives notice in terms of section 22(2) of the Midvaal Local Municipality Land Use Management By-law, 2016 , that a draft Land Use Scheme to be known as
..... Land Use Scheme, has been prepared by it.

This Scheme is a replacement of the Land Use Scheme or revision or amendment of the
..... Land Use Scheme

The DraftLand Use Scheme, is open to inspection during normal office hours at the office of the Municipality from until Enquiries may be made at

Objections to or representation in respect of the scheme must be lodged in writing with the Municipality
.....
.....

or posted to from, provided that, should claims and/or objections be sent by mail, such claims and/or objections must reach the Midvaal Local Municipality Metropolitan Municipality before or on

EXECUTIVE DIRECTOR: DEVELOPMENT, PLANNING & HOUSING

(date of publication)

(Notice No)

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/30****NOTICE OF AN APPROVED LAND USE SCHEME IN TERMS OF SECTION 19(1) OF THE
MIDVAAL LOCAL MUNICIPALITY LAND USE MANAGEMENT BY-LAW, 2016****LOCAL AUTHORITY NOTICE****MIDVAAL LOCAL MUNICIPALITY****NOTICE OF THE LAND USE SCHEME**

It is hereby notified in terms of the provisions of section 19(1) of the Midvaal Local Municipality Land Use Management By-law, 2016 that the Midvaal Local Municipality has adopted the Land Use Scheme,

This amendment scheme is a substitution of theLand Use Scheme..... / Land Use Scheme,....., within the jurisdiction of the of the Midvaal Local Municipality Area.

Land Use Scheme the Scheme Clauses and annexures of this amendment scheme are filed with the Department of Economic Development, Gauteng Provincial Government or his successor in title and the Municipality and are open to inspection during normal office hours.

This scheme shall be known as the Land Use Scheme, and shall come into operation on

(.....Reference number)

EXECUTIVE DIRECTOR: DEVELOPMENT, PLANNING & HOUSING

(date of publication)

(Notice No)

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/31****NOTICE OF AN APPROVAL OF AN AMENDMENT SCHEME IN TERMS OF SECTION 38(6) OR (8) OF THE MIDVAAL LOCAL MUNICIPALITY LAND USE MANAGEMENT BY-LAW, 2016****LOCAL AUTHORITY NOTICE MIDVAAL LOCAL MUNICIPALITY
..... AMENDMENT SCHEME (no)**

It is hereby notified in terms of the provisions of Section 38(6) or (8) of the Midvaal Local Municipality Land Use Management By-laws, 2016, that the Midvaal Local Municipality has approved the application for the amendment of the Land Use Scheme, being the rezoning of (property description), from (current zoning) to (approved zoning), subject to certain further conditions.

Land Use Scheme and the scheme clauses and Annexures of this amendment scheme are filed with the Head of the Department: Department of Development, Planning & Housing, Midvaal Local Municipality, and are open to inspection during normal office hours.

This amendment is known as Amendment Scheme and shall come into operation on the date of publication of this notice.

(Reference number.....)

EXECUTIVE DIRECTOR: DEVELOPMENT, PLANNING & HOUSING

(date of publication)

(Notice No)

The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

MLM: F/32**NOTICE OF AN APPROVED REMOVAL, AMENDMENT OR SUSPENSION OF A RESTRICTIVE
CONDITION IN TITLE IN TERMS OF SECTION 63(2) OF THE MIDVAAL LOCAL MUNICIPALITY
LAND USE MANAGEMENT BY-LAW, 2016****NOTICE OF 20.....
MIDVAAL LOCAL MUNICIPALITY METROPOLITAN MUNICIPALITY****NOTICE IN TERMS OF SECTION 63(2) OF MIDVAAL LOCAL MUNICIPALITY LAND USE
MANAGEMENT BY- LAWS, 2016 FOR THE REMOVAL, AMENDMENT OR SUSPENSION OF
RESTRICTIVE CONDITIONS IN TITLE IN TERMS OF SECTION 63(2)**

It is hereby notified in terms of the provisions of section 63(2) of the Midvaal Local Municipality Land Use Management By-laws, 2016, that the Midvaal Local Municipality has approved the application for the removal, amendment or suspension of certain conditions contained in Title Deed, with reference to the following property:

The following condition and/or phrases are hereby cancelled:

..... This removal will come into effect on the date of publication
of this notice.

(Ref. Nr.....)

EXECUTIVE DIRECTOR: DEVELOPMENT, PLANNING & HOUSING
..... 20.....

(Notice /20.....)

*The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law***MLM: F/33****DECLARATION OF AN APPROVED TOWNSHIP IN TERMS OF SECTION 46(11) OF THE MIDVAAL LOCAL MUNICIPALITY LAND USE MANAGEMENT BY-LAW, 2016****LOCAL AUTHORITY NOTICE
MIDVAAL LOCAL MUNICIPALITY DECLARATION OF AN APPROVED TOWNSHIP
.....**

It is hereby declared that in terms of the provisions of section 46(11) of the Midvaal Local Municipality Land Use Management By-law, 2016, that is an approved township, subject to the conditions as set out in the schedules hereto.

(.....)

MLM: F/34**NOTICE OF AN APPROVAL OF AN AMENDMENT SCHEME
IN TERMS OF SECTION 39(2) OF THE MIDVAAL LOCAL MUNICIPALITY LAND USE
MANAGEMENT BY-LAW, 2016 FOR AN APPROVED TOWNSHIP****LOCAL AUTHORITY NOTICE MIDVAAL
LOCAL MUNICIPALITY
..... LAND USE SCHEME**

It is hereby notified in terms of the provisions of section 39(2) of the Midvaal Local Municipality Land Use Management By-law, 2016 that the Midvaal Local Municipality has approved an amendment scheme with regard to the land in the township of, being an amendment of the Land Use Scheme

Map 3 and the scheme clauses of this amendment scheme are filed with the Head of Department: Department of Economic Development, Gauteng Provincial Government or its successor in title and the Municipality, and are open to inspection during normal office hours.

This amendment is known as Amendment Scheme
.....

(.....(reference number..... (.....))

EXECUTIVE DIRECTOR: DEVELOPMENT, PLANNING & HOUSING

(date of promulgation) (Notice/20.....)

Draft 2.1 The Midvaal Local Municipality Spatial Planning and Land Use Management By-Law, 2015

MLM: F/35**NOTICE OF APPLICATION FOR THE ALTERATION / AMENDMENT / TOTAL OR PARTIAL
CANCELLATION OF A GENERAL PLAN OF A TOWNSHIP****MIDVAAL LOCAL MUNICIPALITY METROPOLITAN MUNICIPALITY**

It is hereby notified in terms of the provisions of Section 59(1) of the Midvaal Local Municipality Land Use Management By-law, 2016 that an application has been made by for the

..... *alteration / amendment / total or partial cancellation of the
general plan of the township known as
.....

The application together with the relevant plans, documents and information will lie for inspection during normal office hours at the office of the Municipality, at,
....., for a period of 28 days from - (the date of first publication of this notice).

Objections to or representations in respect of the application with contact details must be lodged with or made in writing to the Municipality at (postal address) within a period of 28 days from

*Delete whichever does not apply.

PROVINCIAL NOTICE 208 OF 2017



EMFULENI
LOCAL MUNICIPALITY

Vaal River City, the Cradle of Human Rights

**The Emfuleni Municipality Spatial Planning and Land Use
Management By-Laws, 2016.**

Corner Klasie Havenga and Frikkie Meyer Boulevard

P. O. Box, 3 Vanderbijlpark, 1900.

Tel: 016 950 5000

www.emfuleni.gov.za

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

EMFULENI MUNICIPALITY**EMFULENI MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW,
2016****DRAFT BYLAW****PREAMBLE**

WHEREAS section 156(1)(a) and (b) of the Constitution of the Republic of South Africa, 1996 confers on municipalities the executive authority and the right to administer the local government matters listed in Part B of Schedule 4 and Part B of Schedule 5 to the Constitution and any other matter assigned to municipalities by National or Provincial legislation; and

WHEREAS the Constitution authorizes and empowers municipalities to administer the local government matters listed in Part B of Schedules 4 and 5, which include hoardings and the display of advertisements in public places and any other matter assigned to it by national or provincial legislation, by making and administering By-laws for the effective administration of these matters;

WHEREAS Part B of Schedule 4 to the Constitution lists “municipal planning” as a local government matter; and

WHEREAS section 156(2) of the Constitution empowers municipalities to make and administer by-laws for the effective administration of the matters which it has the right to administer; and

WHEREAS there is fundamental agreement in our country on a vision of democratic, accountable and developmental local government, in which municipalities must strive within their financial and administrative capacity, to achieve their constitutional objectives by ensuring the provision of sustainable, effective and efficient municipal services to communities, by promoting social and economic development, by promoting a safe and healthy environment, and by encouraging the involvement of communities in the matters of local government; and

WHEREAS Parliament has enacted the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), which *inter alia* sets out development principles which apply to all organs of state and other authorities responsible for the implementation of legislation regulating the use and development of land.

BE IT THEREFORE ENACTED by the Municipal Council of the Emfuleni Municipality as follows:-

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

ARRANGEMENT OF SECTIONS AND SCHEDULES OF THE BY-LAW**CHAPTER 1****DEFINITIONS, INTERPRETATION AND APPLICATION**

1. Definitions and Interpretations
2. Application of By-Law
3. Alignment of Authorisations
4. Types of applications that requires approval
5. Provisions and principles which shall guide and inform all land development applications

CHAPTER 2**SPATIAL PLANNING**

6. Municipal spatial development framework
7. Content of municipal spatial development framework
8. Legal effect of municipal spatial development framework
9. Local Spatial Development Frameworks
10. Compilation, Amendment or Review of Local Spatial Development Frameworks
11. Status of Local Spatial Development Frameworks
12. Local Area Plans
13. Compilation, Review or Amendment of Municipal Spatial Development Framework
14. Establishment of Project Committee
15. Establishment of Intergovernmental Steering Committee
16. Procedure with Intergovernmental Steering Committee
17. Procedure without Intergovernmental Steering Committee
18. Functions and Duties of Project Committee

CHAPTER 3**LAND USE SCHEME**

19. Land Use Scheme
20. Purpose and Content of Land Use Scheme
21. Legal effect of land use scheme
22. Municipality amend its Land Use Scheme

CHAPTER 4**MUNICIPAL PLANNING TRIBUNAL AND AUTHORISED OFFICIAL**

23. Establishment of Municipal Planning Tribunal
24. Municipal Planning Decision-Making Structures
25. Composition of Municipal Planning Tribunal for Municipal Area
26. Meetings of Municipal Planning Tribunal for Municipal Area
27. Administrator for Municipal Planning Tribunal for Municipal Area
28. Functioning of Municipal Planning Tribunal for Municipal Area
29. Powers and functions of a Municipal Planning Tribunal
30. Classification of applications to be determined by the Municipal Planning Tribunal
31. Authorised official

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

32. Classification of applications to be decided by the authorised official

CHAPTER 5**DEVELOPMENT MANAGEMENT**

33. Non-conforming uses
34. Continuation of application after change of ownership of land
35. Pre-Application Consultation

CHAPTER 6**APPLICATION PROCEDURES FOR LAND DEVELOPMENT APPLICATIONS****Part 1****Consent use, Written Consent and building line relaxation (if not in scheme)**

36. Consent use application and Written Consent
37. Building line relaxation application

Part 2**Amendment of Land Use Scheme (Rezoning) and matters related thereto**

38. Amendment of land use scheme application (Rezoning)
39. Decision and post-decision procedures – Amendment of Land Use Scheme
40. Correction of errors or omissions
41. Prohibition of a further application in certain circumstances
42. Contributions to be paid in respect of external engineering services and Open Spaces or Parks
43. Lapsing of rezoning and extension of validity periods

Part3**Township establishment, division/phasing of an approved township, extension of boundaries of an approved township and matters related thereto**

44. Township establishment application
45. Consent to certain contracts and options – Township establishment
46. Decision and post-decision procedures – Township establishment
47. Prohibition of registration of certain deeds of transfer or endorsement on certain title deeds
48. Failure to comply with requirements of the Municipality
49. Division/phasing of an approved township
50. Extension of boundaries of an approved township

Part 4**Subdivision and Consolidation of an erf in an approved township and the subdivision and or consolidation of any other land**

51. Subdivision and/or consolidation of an erf/erven in an approved township
52. Cancellation and amendment of conditions/plan, endorsement of certain documents by Registrar and access
53. Subdivision of any other land
54. Failure to comply with requirements of the Municipality

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- 55. Prohibition of registration of certain deeds of transfer
- 56. Ownership of roads and public places
- 57. Owners' Associations
- 58. Owners' Association Ceases to Function

Part 5**Approval of alteration, amendment or cancellation of general plan**

- 59. Alteration, amendment or cancellation of a general plan application
- 60. Decision and post decision procedures
- 61. Effect of alteration, amendment or cancellation of general plan

Part 6**Amendment, suspension or removal of restrictive or obsolete conditions or obligations, servitudes or reservations and matters related thereto**

- 62. Application for the amendment, suspension or removal of restrictive or obsolete conditions or obligations, servitudes or reservations in respect of land
- 63. Decision and post-decision procedures
- 64. Endorsements in connection with amendments, suspensions or removals of restrictions or obligations
- 65. Contributions to be paid in respect of external engineering services and Open Spaces or Parks

CHAPTER 7**ENGINEERING SERVICES, CONTRIBUTIONS AND OPEN SPACES OR PARKS****Part 1****Engineering services and engineering services contributions / agreements**

- 66. Engineering services
- 67. External engineering services contributions / agreements

Part 2**Land for parks, open space and other uses**

- 68. Land for parks, open space and other uses

CHAPTER 8**APPEAL AUTHORITY AND PETITION TO INTERVENE**

- 69. Appeal Authority
- 70. Internal appeals
- 71. Hearing by appeal authority
- 72. Record of decisions
- 73. Petition to be granted intervener status

CHAPTER 9**ENFORCEMENT**

- 74. Law enforcement
- 75. Offences and penalties

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

76. Content of Compliance Notices

CHAPTER 10**GENERAL PROVISIONS**

- 77. Policies, Procedures, Standards, Requirements and Guidelines
- 78. Requirements for Objections on Land Development Applications
- 79. Approval or adoption of amendment scheme under certain circumstances
- 80. Documents, plans and diagrams and any other information to be submitted with land development applications under the provisions of these By-Laws
- 81. Continuation of application by new owner
- 82. Time frames for land development applications
- 83. Excision of land from Agricultural Holdings Register
- 84. Approval of Building Plans and Registration
- 85. Hearing of submissions, objections, comments or representations
- 86. Reasons for a decision
- 87. Naming and numbering of streets
- 88. Tariff of charges
- 89. National and Provincial interest
- 90. Transitional provisions
- 91. Exemption
- 92. False or misleading information in connection with application.—
- 93. Short title and commencement

SCHEDULES TO THE BY-LAW**SCHEDULE 1: LAND USE SCHEME REGISTER****SCHEDULE 2: APPLICATION FORM****SCHEDULE 3 CONTRIBUTIONS PAYABLE AND PROVISIONS OF LAND FOR OPEN SPACES AND PARKS IN TERMS OF THIS BY LAW****SCHEDULE 4 TRANSITIONAL MEASURES SCHEDULE**

CHAPTER 1**DEFINITIONS, INTERPRETATION AND APPLICATION****1. Definitions and Interpretations**

In these By-Laws, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Spatial Planning and Land Use Management Act 2013, (Act 16 of 2013) has the meaning assigned to it in that Act.

All references to sections in these By-Laws refers to this specific document unless otherwise stated—

“Act” means the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), as published on 5 August 2013 and as may be amendment from time to time;

“Adjoining owner(s)” means the owner of any property sharing a common boundary with a property(ies) which forms the subject of a land development application or touches any corner of the aforesaid property(ies) and will include a property that may be separated from the aforesaid property by a road or a roadway or a right of way servitude or a railway reserve or open space.

“Adopt” and “Approved”, in relation to a spatial development framework, land use scheme, policy or strategy, means the approval thereof by the executive authority and shall have corresponding meanings;

“Administrator” the Premier of Gauteng or the Municipality as duly delegated in terms of relevant legislation;

“Agricultural Holding” means an agricultural holding as defined in the Agricultural Holdings (Transvaal) Registration Act, 1919 (Act 22 of 1919);

“Amendment Scheme” means an amendment to the Land Use Scheme which amendment has been approved, adopted and came into operation in terms of these By-Laws or any other relevant law and adopted amendment scheme shall have a corresponding meaning and include:

- (a) an amendment scheme contemplated in section 28(1) of the Act;
- (b) an application deemed to be an amendment scheme i terms of section 41(1)(a) of the Act;
- (c) an amendment of an existing Land Use Scheme as contemplated in section 38 of these By-Laws;
- (d) a land development application for the amendment of any provision of the Land Use Scheme applicable to a property(ies), and includes a rezoning and township establishment application in terms of section 38 and 39 of these By-Laws; and
- (e) conditions of approval that were imposed as part of the approval of the application for the amendment of the Land Use Scheme;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

“Agent” means a person authorized in terms of a power of attorney by the owner of land to make an application;

“Appeal Authority” means the Executive Authority or authorized body as contemplated in section 51(6) of the Act

“Applicant” means: the person registered in a deeds registry as the owner of land or beneficial owner in law and includes any organ of state and the Municipality itself, a person acting as the duly authorised agent of the owner of the land concerned, a person to whom the land concerned has been made available for development in writing by any owner of land or such person’s duly authorised agent or a service provider responsible for the provision of infrastructure, utilities or other related services.

“Approval Authority” means either the authorised official or the municipal planning tribunal or the Appeal Authority, whoever took the final decision on a land development application.

“Approved Amendment Scheme” means a draft amendment scheme that was approved in terms of these By-laws

“Authorized Employee” means a municipal employee who is authorised in terms of delegated or sub-delegated authority by the Municipality to exercise a power or perform a duty in terms of these By-Laws or to inspect land and buildings in order to enforce compliance with these By-Laws, the land use scheme and Deed of Title

“Authorised Official”- means an official who may consider applications as contemplated in Section 35(20) of the Act.

“Authorized Person” means any person or body duly authorized by the Municipality who is/are required to take a decision in terms of section 31 of these By-Laws.

“Body Corporate” means a body corporate as contemplated in the Companies Act, 2008 (Act 71 of 2008) and the Sectional Title’s Act, 1986 (Act 95 of 1986);

“Building” includes any structure of any nature whatsoever as envisaged in section 1 of the National Building Regulations and Building Standards Act;

“Bulk Engineering Service” means an external engineering service required to provide an engineering service to multiple users at a municipality-wide scale as indicated in the relevant master plan and includes the land required for the bulk engineering service;

“Capacity” means the extent of availability of a municipal structure service;

“Comments” refer to comments submitted by the public, municipal departments and other organs of state and service providers on an land development application, appeal, and includes objections, representations and petitions;

“Community” a group of people living in the same place or having a particular characteristic in common.

“Conditions of Approval” means condition(s) imposed by the Municipality in the approval of a land development application, including any conditions contained in the annexure(s) and/or plans and/or attachment(s) that form part of the approval and/or are referred to in the approval of the land development application;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

“Consent Use” means a consent for land use rights as contemplated in the Emfuleni Town Planning Schemes, or approved Land Use Scheme in terms of the Act as may be deemed from time to time;

“Consolidation” means the joining of two or more adjacent erven into a single entity that is capable of being registered in the deeds registry as one property, in terms of a consolidation application as contemplated in these By-Laws; provided that it shall:

- (a) exclude the consolidation of farm portions for purposes of these By-Laws as contemplated in the Land Survey Act, 1997 (Act 8 of 1997)
- (b) not mean or result in an amendment of the existing land use rights attached to one or both of the component erven so consolidated; and
- (c) not mean that the existing land use rights of such component erven shall be added together or spread, so as to apply generically to the consolidated erven area, except in the event that the component erven have uniform land use rights in which case the land use rights may not be so concentrated or located on the consolidated erf that it shall bring about a result which, in the opinion of the Municipality, shall require a change in land use rights through a land development application;

“Constitution” means the Constitution of the Republic of South Africa, 1996 (Act 106 of 1996);

“Contact Details” means sufficient details including but not limited to a name, surname, telephone number (business or private), e-mail address, postal and residential addresses that will enable a Municipality or organ of state to contact a person for purposes of executing their functions in terms of the Act or these By-Laws and in so far as it relates to an organ of state, the details of a contact person within the employ of the organ of state;

“Conveyancer” means a conveyancer as defined in section 102 of the Deeds Registries Act, 1937 (Act 47 of 1937);

“Council” means the municipal council and legislative authority of the Municipality;

“Day” means a calendar day, and when any number of days is prescribed in terms of these By-Laws for the doing of any act, it must be calculated by excluding the first day and including the last day, provided that, if the last day falls on a Sunday, Saturday or public holiday, the number of days must be calculated by excluding the first day and also the Sunday, Saturday or public holiday and if the date on which any notice must appear in any media or *Provincial Gazette* such notice may not appear on a Sunday, Saturday or public holiday and shall for purposes of calculation be excluded.

“Date of Notice or date of Notification” means the date on which a notice is served or delivered on a person or body as contemplated in the provisions of these By-Laws or published in the media or Provincial gazette as the case may be and which date of notice and appearance shall not be between 15 December to 7 January of any year or as may be deemed by the Municipality.

“Deeds Registry” means a deeds registry as defined in section 102 of the Deeds Registries Act, 1937 (Act 47 of 1937);

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

“Development Principles” means the principles set out in Chapter 2 of the Act read with development principles as may be deemed in addition to those by the Municipality from time to time;

“Development Charge(s)” means a financial charge or contribution that is levied by the Municipality, as contemplated in these By-Laws, for the provision, installation, enhancing, upgrading of engineering services, including payment of which will contribute towards the Municipality’s expenditure on capital investment in municipal infrastructure services and provision of public transport read with section 40(7)(b) of the Act.

“Development, Land Use or Land Development Application” shall have a corresponding meaning as contemplated in section 35(2) of the Act and Regulation 15 of the Regulation 15 of the Regulations to the Act;

“Diagram” means a diagram as defined in the Land Survey Act, 1997 (Act 8 of 1997), but for purposes of these By-Laws shall be an approved diagram in terms of the Land Survey Act, 1997 (Act 8 of 1997);

“Draft Amendment Scheme” means documents, maps and annexures submitted for purposes of consideration of a land development application in terms of these By-Laws.

“Land Use Scheme” means a scheme prepared in terms of sections 24(1), 27 and 28 of the Act and sections 10, 11 and 12 of these By-Laws.

“Draft Spatial Development Framework” means a draft spatial development framework as contemplated in section 5 of these By-Laws, which has been prepared for purpose of submission to a decision-making person or body, for approval to commence public participation in terms of sections 20 and 21 of the Act.

“Deeds Registries Act” means the Deeds Registries Act, 1937 (Act 47 of 1937);

“Development Principles” means the principles as set out in Chapter 2, and more specifically, section 7 of the Spatial Planning and Land Use Management Act, 2013;

“Emergency” includes a situation that arises from a flood, strong wind, severe rainstorm, fire, earthquake or industrial accident and that requires the relocation of human settlements;

“Engineering Services” means a system for the provision of water, electricity, renewable energy equipment, gas, roads, storm water drainage and collection and removal of solid waste or sewerage, solid waste sites required for the purpose of land development;

“Engineering Services Agreement” means the agreement envisaged in section 66(2) of these By-Laws;

“Environmental Legislation” means the National Environmental Management Act, 1998 (Act 107 of 1998), or any other law which may be enacted from time to time for purposes of regulating environmental activities in so far as it relates to land use rights, the Act and these By-Laws.

“Erf” means land in an approved township registered in a deeds registry as an erf, lot, plot or stand or as a portion or the remainder of any erf, lot, plot or stand or land indicated as such on the general plan of an approved township, and includes any particular portion of land laid out as a township which is not intended for a public place, whether or not such township has been recognized, approved or established as such in terms of these By-Laws or any repealed law. Any reference to erf or rural land refers to the Land Survey Act, 1997, (Act No 8 of 1997);

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

“Executive Authority”, in relation to a municipality, means the executive committee or executive mayor of the municipality or, if the municipality does not have an executive committee or executive mayor, a committee of councillors appointed by the Municipal Council;

“External Engineering Service” means an engineering service situated outside the boundaries of a land area referred to in an application and that is necessary to serve the use and development of the land area and is either a link engineering service or a bulk engineering service;

“Gender”, any reference to the male gender includes the female gender and any reference to the plural will include the singular and *vice versa*, as the context may require.

“General Plan” means a general plan approved by the Surveyor-General in terms of the Land Survey Act, 1997 (Act 8 of 1997)

“Illegal Township” means land held under farm title or as an agricultural holding in terms of the Agricultural Holdings (Transvaal Registration) Act, 1919 (Act 22 of 1919), or in other forms of ownership, used in the opinion of the Municipality for purposes contemplated in the definition of a township where such use is not being exercised as a result of the establishment of a township or a township established in terms of any other law, but excludes informal areas as may be determined by the Municipality.

“Incomplete Land Development Application” means a land development application submitted without the prescribed accompanying documents as may be required by the Municipality or required in terms of the provisions of these By-laws read with Regulation 16(3) of the Regulations to the Act and the Schedules to these By-Laws.

“Law Enforcement Officer(s)” have a corresponding meaning and means a person designated or appointed as an inspector in terms of section 32 of the Act and/or a Development Compliance Officer appointed in terms of section 38 of these By-Laws or any other relevant law pertaining to the inspection of land and or buildings in order to enforce compliance with these By-Laws, land use conditions or Land Use Scheme or any other law under the jurisdiction of the Municipality;

“Interested and Affected Person” unless specifically delineated, means any person or group of persons, legal entity or body that can demonstrate their interest in the land development application in terms of section 45(3) of the Act and with specific reference to town planning principles or development principles;

“Internal Engineering Service” means an engineering service situated within the boundaries of a land development area required for the use and development of the land area and which is to be owned and operated by the Municipality or a service provider;

“Land” means any erf, agricultural holding, sectional title land or farm portion and includes any improvement on land and any interest in land;

“Land Area and Land Development Area” shall have a corresponding meaning;

“Land Development” means the erection of buildings or structures on land, or the change of use of land, including township establishment, the subdivision or consolidation of land or any relaxation from the land use or uses permitted in terms of an applicable Land Use Scheme;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

“Land Development Application” means an application or a combination of the applications envisaged in Chapter 5 of these By-Laws whether considered by an Authorised Official, Municipal Planning Tribunal or an Appeal Authority as provided for in the Act.

“Land Development Application” means one of or a combination of the following applications submitted to the Municipality under Chapter 5 of this By-law with the intention to obtain approval for land development:

- rezoning;
- consent uses, permissions, temporary uses and relaxations in terms of the Land Use Scheme;
- the subdivision and/or consolidation of land;
- the alteration, suspension or deletion of restrictive conditions as defined in the Act and as contemplated in section 47 of the Act or restrictive conditions as contemplated in the Gauteng Removal of Restrictions Act, 1996 (Act 3 of 1996);
- consent of the Municipality in terms of Title Deed conditions or consent in terms of Section 2 of the Gauteng Removal of Restrictions Act, 1996 (Act 3 of 1996), and/or section 45(6) of the Act.
- the establishment of a township;
- the extension of the boundaries of a township;
- the amendment or cancellation of a general plan; and/or
- any other land development application in terms of the Land Use Scheme or National or Provincial Planning and Development Legislation within the jurisdiction of the Municipality as may be determined by the Municipality from time to time;

but specifically excluding any request, allowance or administrative decision in terms of these By-Laws, national or Provincial planning and development legislation;

“Land Use” means the purpose for which land and/or buildings are/or may be used lawfully in terms of a Land Use Scheme, existing scheme, amendment scheme or in terms of any other authorization, permit or consent issued by an erstwhile authority or the Municipality as its successor in title and includes any conditions related to such land use purposes;

“Land Use Plan” means a plan that indicates existing land uses;

“Layout Plan” means a plan indicating information relevant to a land development application and the land intended for development and includes the relative locations of erven, public places, or roads, subdivision or consolidation, and the purposes for which the erven are intended to be used.

“Land Survey Act” means the Land Survey Act, 1997 (Act 8 of 1997);

“Land Use Scheme” means the Municipality’s land use scheme approved and adopted in terms of section 24(1) of the Spatial Planning and Land Use Management Act, 2013 and section 19 of these By-Laws and it includes any other town planning scheme that might still be in operation within the Municipality’s jurisdiction until replaced by a single land use scheme.

“Land Use Scheme Register” means the register as contemplated in section 25(2)(c) of the Act.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

“Link Engineering Service” means an external engineering service required to connect an internal engineering service to a bulk engineering service and includes the land required for the link engineering service;

“Local Authority and Municipality” means Emfuleni Local Municipality established by Notice No. 479 of 200 in terms of Section 12 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)

- (a) the Emfuleni Local Municipality or its successor-in-title; or
- (b) the municipal manager of the Emfuleni Local Municipality in respect of the performance of any function or exercise of any right, duty, obligation of function in terms of this manual; or
- (c) An authorized agent of the Emfuleni Local Municipality.

“MEC” means member of the executive council of the Gauteng Provincial Government.

“Municipal Council” means the Council of the Municipality as contemplated in Section 157 of the Constitution;

“Municipal Manager” means the municipal manager of the Municipality;

“Municipal Spatial Development Framework” means a Municipal Spatial Development Framework adopted by the Municipality in terms of Chapter 5 of the Municipal Systems Act, 2000 (Act 32 of 2000), sections 20 and 21 of the Act, read with Chapter 3 of this By-law and includes any component thereof or Regionalised Spatial Development Frameworks forming part of the Municipal Spatial Development Framework;

“Municipality” means the municipality of Emfuleni established in terms of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), and any employee of the Municipality acting in terms of delegated or sub-delegated authority of the Municipality and where in the context so requires includes-

- (a) The Council;
- (b) Another political structure or a political office bearer of the Municipality authorised and delegated to perform or exercise a power in terms of these By-Laws;
- (c) The Appeal Authority authorised or delegated to perform a function or exercise a power in terms of Spatial Planning and Land Use Management Act, 2013 and these By-Laws;
- (d) The municipal manager; and
- (e) An authorised employee.

“Municipal Finance Management Act” means the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003);

“Municipal Planning Regulations” means the Local Government: Municipal Planning and Performance Management Regulations, 2001;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

“Municipal Planning Tribunal” means the Municipal Planning Tribunal established in terms of section 35(1) of Spatial Planning and Land Use Management Act, 2013 read with section 23(1) of these By-Laws;

“Municipal Spatial Development Framework” means a municipal spatial development framework adopted by the Municipality in terms of Chapter 5 of the Municipal Systems Act and Chapter 4 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013);

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

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

“National Building Regulations and Building Standards Act” means the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) as amended;

“Non-conforming Use” means an existing land use that was lawful in terms of a previous town planning scheme or approval granted by an authority that does not comply with the land use scheme in force;

“Notice” means a written notice and “notify” means to give notice in writing which notice may include it being sent by electronic means or where the context requires a notice served or published in terms of these By-Laws in the Provincial Gazette or other media;

“Objector” means a body or person who has lodged an objection, with the Municipality, during any period allowed or specified in a notice in the media or Provincial Gazette, placed for purposes of public participation in terms of this By-law, Land Use Scheme or any other planning and development legislation; and includes:

- (a) interested and affected persons who negatively commented on a land development application as contemplated in section 45(3) of the Act; or
- (b) interested and affected persons who conditionally supported a land development application; or
- (c) interested and affected persons who conditionally supported a land development application; or
- (d) persons who the Municipal Planning Tribunal or Appeal Authority has determined as qualifying as an interested person in terms of section 45(4) of the Act; or
- (e) a person who successfully petitioned the Municipal Planning Tribunal or Appeal Authority to obtain intervener status in terms of section 45(2) of the Act;

but excludes:

- (a) Ward Councillors who negatively commented on a land development application.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (b) interested and affected persons who submitted negative comments on the land development application prior to or after the closing date of the period allowed as indicated above;
- (c) interested and affected persons who submitted comments on the land development application indicating conditional support of the land development application prior to or after the closing date of the period allowed as indicated above;

“Occasional Use” means a right to use land for a purpose granted on a temporary basis for a specific occasion or event;

“Organ of State” means an organ of state as defined in section 239 of the Constitution;

“Open Space(s)” means an area of land set aside and required to be legally protected, in the opinion and to the satisfaction of the Municipality, from development over and above the assignment of land use rights, which shall be for the use and benefit of a community, irrespective of ownership of such land and may include, in the opinion of the Municipality, recreational areas, natural areas, parks, public and private open space for purposes of compliance with these By-Laws;

“Owner” means anybody or person registered in a deeds registry as contemplated in section 1, 2 and 102 of the Deeds Registries Act, 1937 (Act 47 of 1937), as the owner of land or beneficial owner in law and includes a Municipality or any other organ of state as an owner or where properties have been vested and is under the control and management of the Municipality in terms of section 63 of the Local Government Ordinance, 1939 (Ord. 17 of 1939), for purposes of Chapter 5 of this By-law read with the definition of a Land Use Scheme in terms of the Act and as may be amended from time to time;

“Owners’ Association” means an owners’ association established in terms of section 57 and includes a body corporate created in terms of the Sectional Titles Act (Act 95 of 1986);

“Panhandle” for purposes of section 52(3) of these By-Laws shall mean a portion of land which is either part of the subdivided portion or is notarially tied thereto, is at least 3 metres and at most 8 metres wide and is used as access to a public street;

“Person” means any natural or juristic person, including an organ of state;

“Private Engineering Services” means internal engineering services to be owned and operated by a private person or body, as a condition of a land development application and/or as may be agreed upon in a services agreement in terms of these By-laws and that is not taken over by the Municipality;

“Proclaimed Township” means in the context of any land development application in terms of this By-law, a township of which notice has been given in the Provincial Gazette in terms of section 46(15) of these By-Laws.

“Property(ies)” means any erf, erven, lot(s), plot(s) or stand(s), portion(s) or part(s) of farm portions or agricultural holdings, registered in the deeds registry as such;

“Province” means the Province of Gauteng in terms of the Constitution;

“Prescribe” means requirements or provisions in terms of this By-law, and/or requirements in terms of any of the schedules to this By-law or other relevant legislation;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

“Public Facilities” means amenities that are—

- (a) intended for the use of the general public;
- (b) used to offer a service or for recreation; and
- (c) ordinarily owned by the state or a municipality;

“Public Place” means any open or enclosed place, park, street, road or thoroughfare or other similar area of land shown on a general plan or diagram which is for the use and benefit of the general public and is owned by or vests with the Municipality, and includes a public open space and a servitude for any similar purposes in favour of the general public as contemplated in the Spatial Planning and Land Use Management Act, 2013 and section 63 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939).

“Registrar of Deeds” means the Registrar of Deeds as defined in section 102 of the Deeds Registries Act;

“Regulations” means the Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters 2015 as published on 13 November 2015 and as may be amended from time to time;

“Resort” means a place used for a self-contained establishment which attempts to provide for most of a vacationers' wants while remaining on the premises, such as place of refreshment, lodging, sports, entertainment, recreation and retail subservient to the main use.

“Restrictive Condition” means any condition registered against the title deed of land restricting the use, development or subdivision of land concerned;

“Rezoning” means the changing of a certain zoning to another through a prescribed process. Rezoning is also known as Amendment scheme.

“Road Reserve or Street” means a street as defined in section 2 and includes the definitions in section 63(6) of the Local Government Ordinance, 1939 (Ord. 17 of 1939);

“Schedule” means the schedules to these By-Laws which form part of these By-Laws;

“Service” means a service provided by the Municipality, any other organ of state or a service provider, including services for the provision of water, sewerage, electricity, refuse removal, roads, storm water, and includes infrastructure, systems and processes related to the service;

“Service Provider” means a person or entity that provides a service on behalf of an organ of state or may include a non-profit company in terms of the Company's Act, 2008 (Act 71 of 2008), responsible for the provision and maintenance of engineering services within a land development area;

“Servitude” means a servitude registered against a title deed of a property(ies) or which has been created through legislation;

“Site Development Plan” means a scaled and dimensioned plan that shows details of the proposed land development, including, but not limited to the site layout, positioning of buildings and structures, property access, building designs, parking, internal services, servitudes and landscaping;

“Social Infrastructure” means community facilities, services and networks that meet social needs and enhance community well-being;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

“Spatial Development Framework” means a spatial development framework referred to in Chapter 4 of the Act and read with sections 23 to 35 of the Municipal Systems Act, 2000 (Act 32 of 2000), and this By-law;

“Spatial Planning and Land Use Management Act, 2013” means the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), hereafter referred to as ‘the Act’;

“Spatial Planning and Land Use Management Act Regulations” means the Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters, 2016 made under the Spatial Planning and Land Use Management Act published under Notice R 239/2016 in *Government Gazette* 38594 of 23 March 2016, hereafter referred to as ‘the Regulations’;

“Subdivision” means the act of dividing land into pieces that are easier to sell or otherwise develop;

“Surveyor General” means the Surveyor-General as defined in the Land Survey Act, 1997 (Act 8 of 1997);

“These By-Laws” means the Emfuleni Municipality Spatial Planning and Land Use Management By-law, 2016;

“Township” includes -

- (a) a group of pieces of land, or of sub-divisions of a piece of land, which are combined with public places and are used mainly for residential, business, commercial, industrial or other similar purposes, or are intended to be so used;
- (b) any combination of such groups which is suitable for registration in one register;
- (c) any area of land registered or recognized at the commencement of the Deeds Registries Act in a deeds registry as a township if a general plan thereof is filed in that deeds registry or in the office of the surveyor-general concerned; and
- (d) any township established, approved, proclaimed or otherwise recognized as such under any law.
- (e) Where three (3) or more dwelling units are to be developed on an Agricultural Holding excluding a resort, or housing for farm workers or servant’s quarters, such development shall be considered a township or a township development.

“Township Owner” means the person who is the owner of an approved township or any remaining portion of an approved township or his/her successor in township title;

“Township Register” means an approved subdivision register of a township in terms of the Deeds Registries Act, 1937 (Act 47 of 1937);

“Tribunal” means the Municipal Planning Tribunal established in terms of section 35 of the Spatial Planning and Land Use Management Act, 2013.

“Zoning” means where the context indicates the zoning categories and conditions relating thereto contained in a Land Use Scheme;

2. Application of By-Law

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (1) The provisions of these By-Laws are consistent with the provisions of Spatial Planning and Land Use Management Act, 2013;
- (2) These By-Laws applies to all land and development applications for areas situated within the municipality's area jurisdiction.
- (3) No person may use or develop land unless the use or land development is permitted in terms of the Municipalities land use scheme or an approval in terms of these By-Laws.
- (4) These By-Laws binds every owner of land and any successor in title of such land and every user of land, including the state and any organ of state.
- (5) In the event of any conflict between the Act and its Regulations, any Provincial Act dealing with spatial planning and land use management and any regulations issued in terms thereof and the provisions of these By-laws give effect to municipal planning as a local government matter as per Part B of Schedule 4 of the Constitution.

3. Alignment of Authorisations

- (1) Where a land development application requiring authorisation in terms of these By-Laws is also regulated in terms of another law, whether National or Provincial in terms of its functional area as per the Constitution, the Municipality may exercise its powers under these By-Laws jointly with such other organ of state by issuing-
 - (a) separate authorisations; or
 - (b) an integrated authorisation.
- (2) An integrated authorisation envisaged in subsection (1) above may only be issued if-
 - (a) the relevant provisions of all applicable legislation have been complied with; and
 - (b) the integrated authorisation specifies the-
 - (i) provisions in terms of which it has been issued; and
 - (ii) relevant authorities that have issued it.

4. Types of applications that requires approval

- (1) Land development applications that may be submitted in terms of these By-Laws includes the following:-
 - (a) A written consent for an occasional use if not provided for in the Municipal land use scheme or any other town planning scheme that might be still in operation;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (b) a consent-use application as provided for in the Municipal land use scheme or any other town planning scheme that might still be in operation;
- (c) a building line relaxation application as provided for in the Municipal land use scheme or any other town planning scheme that might still be in operation;
- (d) an amendment of a provision of the Municipal land use scheme or any other town planning scheme which might still be applicable relating to land (rezoning application);
- (e) a township establishment application;
- (f) a subdivision and/or consolidation of an erf/erven in an approved township or the subdivision of any other land application;
- (g) a division of an approved township application;
- (h) an extension of boundaries of an approved township;
- (i) an amendment or cancellation either wholly or in part of a general plan of an approved township;
- (j) a removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of land application, including a consent application if required by a condition of title registered against the title deed of land;
- (k) excision of agricultural land from agricultural holdings; and
- (l) any other application as provided for in these By-Laws.

5. Provisions and principles which shall guide and inform all land development applications

- (1) All land development applications in terms of these By-Laws must give effect to the development principles as set out in section 7(1) Chapter 2 of the Spatial Planning and Land Use Management Act.
- (2) All land development applications in terms of these By-Laws shall be guided and informed by any spatial development framework prepared in terms of legislative requirements and municipal spatial development framework as adopted and approved in terms of section 20 of the Spatial Planning and Land Use Management Act and section 6 of these By-Laws.
- (3) All land development applications in terms of these By-Laws must inter alia address need, reasonableness, desirability and public interest.
- (4) All land development applications in terms of these By-Laws shall have as its main purpose the coordinated and harmonious development of the area to which the application relates in such a way as will most effectively tend to promote the health, safety, good order, amenity, convenience and general

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

welfare of such specific area as well as efficiency and economy in the process of such development.

CHAPTER 2

SPATIAL PLANNING

6. Municipal spatial development framework

- (1) The Municipality must by notice in the Provincial Gazette adopt and approve a municipal spatial development framework for the municipality.
 - (a) The Municipality's spatial development framework must be prepared as part of the Municipality's integrated development plan process in terms of Chapter 5 of the Municipal Systems Act and the Municipal Planning Regulations issued in terms thereof.
 - (b) Notwithstanding the provisions of the Municipal Systems Act and its Regulations, before the Municipality adopts its municipal spatial development framework for purposes of this section, including any amendments thereto, the Municipality must-
 - (i) give notice of the proposed municipal spatial development framework in the Provincial Gazette and in the media;
 - (ii) invite the public to submit written representations in respect of the proposed municipal spatial development framework to the Municipality within 30 days after the publication of the notice envisaged in (i) above; and
 - (iii) consider all representations received in respect of the proposed municipal spatial development framework.
- (2) The municipal council of a municipality must by notice in the Provincial Gazette adopt a municipal spatial development framework for the municipal area.

7. Content of municipal spatial development framework

- (3) The Municipality's spatial development framework must-
 - (a) give effect to the development principles and applicable norms and standards as set out in Chapter 2 of the Spatial Planning and Land Use Management Act;
 - (b) include a written and spatial representation of a five-year spatial development plan for the spatial form of the Municipality;
 - (c) include a longer term spatial development vision statement for the Municipality's area of jurisdiction which indicates a desired spatial growth and development pattern for the next 10 to 20 years;
 - (d) identify current and future significant structuring and restructuring elements of the spatial form of the Municipality, including development corridors, activity spines and economic nodes where public and private investment will be prioritised and facilitated;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (e) include population growth estimates for the next five years;
- (f) include estimates of the demand for housing units across different socio-economic categories and the planned location and density of future housing developments;
- (g) include estimates of economic activity and employment trends and locations in the Municipality's area of jurisdiction for the next five years;
- (h) identify, quantify and provide location requirements of engineering infrastructure and services provision for existing and future development needs for the next five years;
- (i) identify the designated areas where a national, provincial or local inclusionary housing policy may be applicable;
- (j) include a strategic assessment of the environmental pressures and opportunities within the Municipality's area of jurisdiction, including the spatial location of environmental sensitivities and high potential agricultural land;
- (k) identify the designation of areas in the Municipality where incremental upgrading approaches to development and regulation will be applicable;
- (l) identify the designation of areas in which-
 - (i) more detailed local plans must be developed; and
 - (ii) shortened land use development procedures may be applicable and land use schemes may be so amended;
- (m) provide the spatial expression of the coordinated alignment and integration of sectoral policies of all Municipality Departments;
- (n) determine a capital expenditure framework for the municipality's development programmes, depicted spatially;
- (o) determine the purpose, desired impact and structure of the land use management scheme to apply in the Municipality area; and
- (p) include an implementation plan comprising of-
 - (i) sectoral requirements, including budgets and resources for implementation;
 - (ii) necessary amendments to a land use scheme;
 - (iii) specification of institutional arrangements necessary for implementation;
 - (iv) specification of implementation targets, including dates and monitoring indicators; and

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (v) specification, where necessary, of any arrangements for partnerships in the implementation process.

8. Legal effect of municipal spatial development framework

- (1) The Municipality or any other authority required or mandated to make a land development decision in terms of these By-Laws or any other applicable legislation relating to land development, may not make a decision which is inconsistent with its municipal spatial development framework.
- (2) The Municipality or any other authority required or mandated to make a land development decision in terms of these By-Laws or any other applicable legislation relating to land development, may only depart from the provisions of its municipal spatial development framework where merit and site specific circumstances warrant or justify such departure.
- (3) Where a conflict exists between the Municipality's municipal spatial development framework and the National spatial development framework and/or a Regional spatial development framework and/or a Provincial spatial development framework, the provisions of the Municipality's municipal spatial development framework shall prevail as a result of its executive authority to do "municipal planning" in terms of section 156 read with Schedule 4 Part B of the Constitution.

9. Local Spatial Development Frameworks

- (1) The Municipality may adopt a local spatial development framework for a specific geographical area in a portion of the municipal area.
- (2) The purpose of a local spatial development framework in a specific geographical area is to:
 - (a) provide detailed spatial planning guidelines;
 - (b) provide more detail in respect of a proposal provided for in the municipal spatial development framework;
 - (c) meet specific land use planning needs and priorities;
 - (d) provide detailed policy and development parameters for land use planning;
 - (e) provide detailed priorities in relation to land use planning and, in so far as they are linked to land use planning, biodiversity and environmental issues;
 - (f) guide decision making on land use applications; and
 - (g) identify a funding source and budget for prioritized projects.

10. Compilation, Amendment or Review of Local Spatial Development Frameworks

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (1) If the Municipality compiles, amends or reviews a local spatial development framework, Section 6 applies *mutatis mutandis*.

11. Status of Local Spatial Development Frameworks

- (1) A local spatial development framework or an amendment thereof comes into operation on the date of publication of the notice contemplated in Section 6(2).
- (2) A local spatial development framework guides and informs decisions made by the Municipality relating to land development, but it does not confer or take away rights.

12. Local Area Plans

- (1) When the Municipality intends to develop a local area plan it must—
- (a) review that local area plan and make it consistent with the purpose of a municipal spatial development framework;
- (b) incorporate the provisions of the local area plan that are consistent with that purpose in a municipal spatial development framework.
- (2) The Municipality must withdraw the relevant local area plan by notice in the Provincial Gazette when it adopts a local spatial development framework contemplated in subsection (1).

13. Compilation, Review or Amendment of Municipal Spatial Development Framework

- (1) When the Council compiles, reviews or amends its municipal spatial development framework in accordance with the Municipal Systems Act and the Spatial Planning and Land Use Management Act, the Council must—
- (a) establish an intergovernmental steering committee to compile or amend its municipal spatial development framework; or
- (b) refer its draft municipal spatial development framework or draft amendment of its municipal spatial development framework to National and Provincial Departments and contiguous municipalities for comment, in accordance with Section 7(e)(ii) of the Spatial Planning and Land Use Management Act, 2013.
- (2) The Municipality must—
- (a) publish a notice in two of the official languages of the Province most spoken in the area in two newspapers circulating in the area concerned of—
- (i) the intention to compile, review or amend the municipal spatial development framework; and
- (ii) the process it will follow, in accordance with section 28(3) and 29 of the Municipal Systems Act;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (b) in writing inform the National and Provincial Departments and contiguous municipalities of—
 - (i) the intention to compile, review or amend the municipal spatial development framework;
 - (ii) its decision in terms of subsection (1)(a) or (1)(b); and
 - (iii) the process it will follow to compile, review or amend the municipal spatial development framework, including the process for public participation, including the process contemplated in subsection (2)(a)(ii); and
 - (iv) register relevant stakeholders, who must be invited to comment on the draft municipal spatial development framework or draft amendment of the municipal spatial development framework as part of the process contemplated in subsection (2)(a)(ii).

14. Establishment of Project Committee

- (1) The Municipality may establish a project committee to compile, review or amend its municipal spatial development framework.
- (2) The project committee may at least consist of—
 - (a) the Municipal Manager or a municipal employee designated by the municipal manager; and
 - (b) municipal employees appointed by the Municipal Manager from at least the following municipal departments:
 - (i) the integrated development planning office;
 - (ii) the planning department;
 - (iii) the engineering department;
 - (iv) the local economic development department; and
 - (v) the housing department; and
 - (vi) any other department deemed necessary.

15. Establishment of Intergovernmental Steering Committee

- (1) If the Council establishes an intergovernmental steering committee, the Municipality must, in writing, invite written nominations for representatives to serve on the intergovernmental steering committee from the following persons or organs of state:—
 - (a) the delegated party of the national and provincial government department responsible for land use planning;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (b) the delegated party of the provincial government department responsible for environmental affairs;
- (c) the delegated party of the provincial government department responsible for agriculture;
- (d) relevant organs of state; and
- (e) any other department deemed necessary by the municipality.

16. Procedure with Intergovernmental Steering Committee

- (1) If the Council establishes an intergovernmental steering committee, the project committee must compile a draft status quo document setting out an assessment of the existing levels of development and development challenges in the municipal area, and must submit it to the intergovernmental steering committee for comments.
- (2) After consideration of the comments of the intergovernmental steering committee, the project committee must complete the status quo document and submit it to the Council for adoption.
- (3) After finalising the status quo report the project committee must compile a first draft of the municipal spatial development framework or first draft amendment of the municipal spatial development framework and submit it to the intergovernmental steering committee for comments.
- (4) After consideration of the comments of the intergovernmental steering committee, the project committee must complete the first draft of the municipal spatial development framework or first draft amendment of the municipal spatial development framework and submit it to the Council to approve the publication thereof for public comments in accordance with the process adopted in terms of section 28 and 29 of the Municipal Systems Act.
- (5) After consideration of the comments and representations of the intergovernmental steering committee, as a result of the publication contemplated in subsection (4), the project committee must compile a final municipal spatial development framework or final amendment of the municipal spatial development framework and submit it to the intergovernmental steering committee for comment.
- (6) After consideration of the comments of the intergovernmental steering committee contemplated in subsection (5), the project committee must complete the final draft of the municipal spatial development framework or final draft amendment of the municipal spatial development framework and submit it to the Council for adoption.
- (7) If the final municipal spatial development framework or final amendment of the municipal spatial development framework contemplated in subsection (6) is materially different to what was published in terms of subsection (4), the

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

Municipality must in accordance with subsections(4), (5) and (6) read with the necessary changes, follow a further consultation and public participation process before the municipal spatial development framework or amendment of the municipal spatial development framework is adopted by the Council.

- (8) The Council or the project committee may at any time in the process of compiling a municipal spatial development framework or drafting an amendment of the spatial development framework request comments from the intergovernmental steering committee.
- (9) The Council must adopt the final municipal spatial development framework or final amendment of the municipal spatial development framework, with or without amendments, and must within 28 days of its decision give notice thereof in the media and the Provincial Gazette.

17. Procedure without Intergovernmental Steering Committee

- (1) If the Council does not establish an intergovernmental steering committee to compile or amend its municipal spatial development framework, the project committee or the responsible planning department may—
 - (a) compile a draft status quo document setting out an assessment of the existing levels of development and development challenges in the municipal area and submit it to the Council for adoption;
 - (b) after adoption of the status quo document, compile a draft municipal spatial development framework or draft amendment of the municipal spatial development framework and submit it to the Council to approve the publication thereof for public comment;
 - (c) after approval of the draft municipal spatial development framework or draft amendment of the municipal spatial development framework for publication contemplated in sub-section(b), submit the draft municipal spatial development framework or draft amendment of the municipal spatial development framework to the MEC for comment in; and
 - (d) after consideration of the comments received from the public and the MEC, submit a final municipal spatial development framework or final amendment of the municipal spatial development framework, with any further amendments, to the Council for adoption.
- (2) The Council must adopt the final municipal spatial development framework or final amendment of the municipal spatial development framework, with or without amendments, and must within 28 days of its decision give notice thereof in the media and the Provincial Gazette.

18. Functions and Duties of Project Committee

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (1) The members of the project committee must, in accordance with the directions of the executive authority or committee of councillors—
- (a) compile a municipal spatial development framework or draft an amendment of the municipal spatial development framework for adoption by the Council;
 - (b) provide technical knowledge and expertise to the Council;
 - (c) monitor progress and ensure that the compilation of the municipal spatial development framework or drafting of the amendment of the municipal spatial development framework is progressing according to the approved process contemplated in section this chapter;
 - (d) guide the public participation process and ensure that the registered affected parties remain informed;
 - (e) oversee the incorporation of amendments to the draft municipal spatial development framework or draft amendment of the municipal spatial development framework based on the consideration of the comments received during the process of drafting thereof;
 - (f) oversee the drafting of a report setting out the response of the Municipality to the provincial comments issued;
 - (g) ensure alignment of the municipal spatial development framework with the development plans and strategies of other affected municipalities and other organs of state as contemplated in section 24(1) of the Municipal Systems Act;
 - (h) facilitate the integration of other sector plans into the municipal spatial development framework;
 - (i) if the Municipality decides to establish an intergovernmental steering committee—
 - (i) assist the Municipality in ensuring that the intergovernmental steering committee is established and that timeframes are adhered to; and
 - (ii) ensure the flow of information between the project committee and the intergovernmental steering committee.
- (2) The members of the intergovernmental steering committee must—
- (a) provide the intergovernmental steering committee with the following:
 - (i) technical knowledge and expertise;
 - (ii) input on outstanding information that is required to draft the municipal spatial development framework or an amendment thereof;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (iii) information on the locality of projects and budgetary allocations;
and
 - (iv) written comments.
- (b) communicate to the intergovernmental steering committee any current or planned projects that have an influence on the municipal area; and
- (c) provide the project committee with written comments.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

CHAPTER 3

LAND USE SCHEME

19. Land Use Scheme

- (1) The Municipality shall adopt and approve, after public consultation, a single land use scheme for its entire area as prescribed in Section 24 of the Act.
- (2) A land use scheme adopted in terms of subsection (1) above must-
 - (a) include appropriate categories of land use zoning and regulations for the entire municipal area, including areas not previously subject to a land use scheme;
 - (b) take cognisance of any environmental management instrument adopted by the relevant environmental management authority, and must comply with environmental legislation;
 - (c) include provisions that permit the incremental introduction of land use management and regulation in areas under traditional leadership, rural areas, informal settlements, slums and areas not previously subject to a land use scheme;
 - (d) include provisions to promote the inclusion of affordable housing in residential land development;
 - (e) include land use and development incentives to promote the effective implementation of the spatial development framework and other development policies;
 - (f) include land use and development provisions specifically to promote the effective implementation of national and provincial policies; and
 - (g) give effect to municipal spatial development frameworks and integrated development plans.
- (3) The land use scheme may include provisions relating to-
 - (a) the use and development of land only with the written consent of the Municipality;
 - (b) specific requirements regarding any special zones identified to address the development priorities of the Municipality; and
 - (c) the variation of conditions of a land use scheme other than a variation which may materially alter or affect conditions relating to the use, size and scale of buildings and the intensity or density of land use.

20. Purpose and Content of Land Use Scheme

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (1) The land use scheme adopted and approved in terms of section 19 above must give effect to and be consistent with the Municipality's municipal spatial development framework and determine the use and development of land within the Municipality's area of jurisdiction in order to promote-
 - (a) economic growth;
 - (b) social inclusion;
 - (c) efficient land development; and
 - (d) minimal impact on public health, the environment and natural resources.
- (2) The land use scheme must include-
 - (a) scheme regulations setting out the procedures and conditions relating to the use and development of land in any zone;
 - (b) a map indicating the zoning of the municipal area into land use zones; and
 - (c) a register of all amendments to such land use scheme.

21. Legal effect of land use scheme

- (1) An adopted and approved land use scheme-
 - (a) has the force of law and all land owners and users of land, including the Municipality, state-owned enterprises and organs of state within the Municipality's area of jurisdiction are bound by the provisions of such a land use scheme;
 - (b) replaces all existing schemes within the Municipality's area of jurisdiction to which the land use scheme applies; and
 - (c) provides for land use and development rights.
- (2) Land may be used only for the purposes permitted-
 - (a) by a land use scheme; or
 - (b) by a town planning scheme, until such scheme is replaced by a land use scheme.
- (3) The Municipality has a duty to enforce the provisions of its town-planning scheme, until such scheme is replaced by a land use scheme, and any use of land which is deemed contrary to such land use scheme shall constitute a criminal offence.
- (4) A land use scheme developed and approved in terms of section 19 above must address conflict between the land use scheme adopted and the one it purports to repeal or replace.

22. Municipality amend its Land Use Scheme

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (1) The Municipality may amend its land use scheme by the rezoning of any municipal owned land necessary if the amendment-
 - (a) is in the public interest;
 - (b) achieve the developmental goals and objectives;
 - (c) to advance, or is in the interest of, a disadvantaged community; and
 - (d) in order to further the vision and development goals and objectives of the Municipality as set out in its Integrated Development Plan and Municipal Spatial Development Framework.
- (2) Where the Municipality intends to amend its land use scheme a land development application process must be followed which include a public participation process to ensure all affected parties have the opportunity to make representations on, object to and appeal the decision.

CHAPTER 4

MUNICIPAL PLANNING TRIBUNAL AND AUTHORISED OFFICIAL

23. Establishment of Municipal Planning Tribunal

- (1) The Municipality shall in order to determine land development applications within its area of jurisdiction:-
 - (a) establish a Municipal Planning Tribunal;
 - (b) by agreement with one or more municipalities establish a joint Municipal Planning Tribunal; or
 - (c) agree to the establishment of a district Municipal Planning Tribunal by the District Municipality.
- (2) An agreement referred to in subsection (1)(b) or (c) must be published in the Provincial Gazette and must provide for—
 - (a) the composition of the Municipal Planning Tribunal;
 - (b) the terms and conditions of appointment of members of the Municipal Planning Tribunal; and
 - (c) the determination of rules and proceedings of the Municipal Planning Tribunal.

24. Municipal Planning Decision-Making Structures

- (1) Applications are decided by—
 - (a) an authorized employee / official who has been authorized by the Municipality to consider and determine the applications per the Municipality's approved terms of reference and delegated authority as delegated to it by the Municipality;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (b) the Municipal Planning Tribunal shall decide applications referred to it as per the Municipal Planning Tribunal's approved terms of reference and delegated authority as delegated to it by the Municipality.
- (c) the Appeal Authority where an appeal has been lodged against a decision of the Municipal Planning Tribunal and/ or authorised employee / official.

25. Composition of Municipal Planning Tribunal for Municipal Area

- (1) A Municipal Planning Tribunal established in terms of subsection 23(1) must consist of the following members:
 - (a) officials in the full-time service of the Municipality, appointed by the Municipality; and
at the sole discretion of the Municipality it may also include-
 - (b) persons appointed by the Municipality who are not municipal officials and who have knowledge and experience of spatial planning, land use management and land development or the law relating thereto.
- (2) Municipal Councillors shall not be members of a Municipal Planning Tribunal.
- (3) A Municipal Planning Tribunal must consist of at least 5 (five) members or more as the Municipality deems necessary.
- (4) A Municipal Planning Tribunal may designate at least three (3) members of the Tribunal which will form a quorum to hear, consider and decide a matter which comes before it.
- (5) The Municipality must designate a member of the Municipal Planning Tribunal as chairperson.
- (6) The terms and conditions of service of members of the Municipal Planning Tribunal as envisaged in subsection (1)(a) and (1)(b) above shall be as per Schedule 1 of the Spatial Planning and Land Use Management Act Regulations.
- (7) The members of the Municipal Planning Tribunal must also adhere to and will be required to sign a code of conduct as approved by the Municipality, which will be substantially in accordance with Schedule 3 of the Spatial Planning and Land Use Management Act Regulations.
- (8) The members of the Municipal Planning Tribunal will also be subject to disqualification from membership as set out in section 38 of the Spatial Planning and Land Use Management Act.
- (9) Should the municipality, in its sole discretion, decide to appoint members to the Municipal Planning Tribunal as envisaged in subsection (1)(b) above, it shall comply with the call for nomination procedures as set out in the Spatial Planning and Land Use Management Act Regulations.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (10) The members of the Municipal Planning Tribunal referred to in subsection (1)(b) may be appointed only after the Municipality, by notice in the *Provincial Gazette* and in other media that the Municipality considers appropriate, has invited interested parties to submit within the period mentioned in the notice, names of persons who are fit and proper persons to be so appointed.

26. Meetings of Municipal Planning Tribunal for Municipal Area

- (1) The Municipal Planning Tribunal contemplated in Section 23(1)(a) must determine its own internal arrangements, proceedings and procedures and those of its committees by drafting rules for—
- (a) the convening of meetings;
 - (b) preparation and distribution of agendas
 - (c) the procedure at meetings including:—
 - (i) formal meeting procedures;
 - (ii) apologies;
 - (iii) attendance, and
 - (iv) the frequency of meetings.
- (2) Decisions of the Municipal Planning Tribunal are taken by resolution of a majority of all the members present at a meeting of the Municipal Planning Tribunal, and in the event of an equality of votes on any matter, the person presiding at the meeting in question will have a deciding vote in addition to his deliberative vote as a member of the Municipal Planning Tribunal.
- (3) Meetings of the Municipal Planning Tribunal must be held at the times and places determined by the chairperson of the Municipal Planning Tribunal in accordance with the rules of the Municipal Planning Tribunal.

27. Administrator for Municipal Planning Tribunal for Municipal Area

- (1) The Municipal Manager must appoint an employee as the Administrator and other staff for the Municipal Planning Tribunal in terms of the Systems Act.
- (2) The Administrator must—
- (a) liaise with the relevant Municipal Planning Tribunal members and the parties in relation to any application or other proceedings filed with the Municipal Planning Tribunal;
 - (b) maintain a diary of hearings of the Municipal Planning Tribunal;
 - (c) allocate meeting dates for and application numbers to applications;
 - (d) arrange the attendance of meetings by members of the Municipal Planning Tribunal;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (e) arrange venues for Municipal Planning Tribunal meetings;
- (f) perform the administrative functions in connection with the proceedings of the Municipal Planning Tribunal;
- (g) ensure the efficient administration of the proceedings of the Municipal Planning Tribunal in accordance with the directions of the chairperson of the Municipal Planning Tribunal;
- (h) arrange the affairs of the Municipal Planning Tribunal so as to ensure that time is available to liaise with other authorities regarding the alignment of integrated applications and authorisations;
- (i) notify parties of decisions and procedural directives given by the Municipal Planning Tribunal;
- (j) keep a record of all applications submitted to the Municipal Planning Tribunal and the outcome of each, including—
 - (i) decisions of the Municipal Planning Tribunal;
 - (ii) on-site inspections and any matter recorded as a result thereof;
 - (iii) reasons for decisions; and
 - (iv) proceedings of the Municipal Planning Tribunal; and
 - (v) keep records by any means as the Municipal Planning Tribunal may deem expedient.

28. Functioning of Municipal Planning Tribunal for Municipal Area

- (1) The meetings of the Municipal Planning Tribunal contemplated in section 23(1)(a) must be held at the times and places as the chairperson may determine.
- (2) The meetings of the Municipal Planning Tribunal must be held at least once per month if there are applications to consider.

29. Powers and functions of a Municipal Planning Tribunal

- (1) A Municipal Planning Tribunal may—
 - (a) approve, in whole or in part, or refuse any application referred to it in accordance with these By-Laws;
 - (b) in approval of any application, impose any reasonable conditions, including conditions related to the provision of engineering services and the payment of any engineering services contributions;
 - (c) make an appropriate determination regarding all matters necessary or incidental to the performance of its functions in terms of these By-Laws, Spatial Planning and Land Use Management Act and/or any Provincial legislation;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (d) conduct any necessary investigation;
 - (e) give directions relevant to its functions to any person in the service of the Municipal Entity; or
 - (f) decide any question concerning its own jurisdiction.
- (2) A Municipal Planning Tribunal must keep a record of all its proceedings and decisions.
- (3) A Municipal Planning Tribunal must provide reasons for any of its decisions made on a land development application.

30. Classification of applications to be determined by the Municipal Planning Tribunal

- (1) Subject to section 32(2), the Municipal Planning Tribunal shall decide any application submitted in terms of this bylaw, municipal land use scheme or any other applicable law relating to land development that are an:-
- (a) opposed land development application;
 - (b) application that falls outside the ambit of the municipal spatial development framework;
 - (c) application that falls outside any policy, procedure, standard, requirement and guideline used or implemented by the municipality; and
 - (d) application that was commented on negatively by any external Department and /or any institution and/or parastatal and/or internal municipal department.
- (2) A Municipal Planning Tribunal shall also decide applications envisaged in Section 91 of these By-Laws.

31. Authorised official

- (1) As envisaged in terms of section 35(2) of the Act the Municipality may authorise an official in terms of a proper delegated power to decide certain land development applications.
- (2) An authorised official in terms of the Municipal Delegated Authority, may-
- (a) approve, in whole or in part, or refuse any application referred to it in accordance with these By-Laws;
 - (b) where a land development application is refused by an authorised official the application shall be referred to the municipal planning tribunal.
 - (c) in approval of any application, impose any reasonable conditions, including conditions related to the provision of engineering services and the payment of any engineering services contributions;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (d) make an appropriate determination regarding all matters necessary or incidental to the performance of its functions in terms of these By-Laws, the Act and/or any Provincial legislation;
 - (e) conduct any necessary investigation;
 - (f) give directions relevant to its functions to any person in the service of the Municipal Entity; or
 - (g) decide any question concerning its own jurisdiction.
- (3) An authorised official must keep a record of all its proceedings and decisions.
- (4) An authorised official must provide reasons for any of its decisions made on a land development application.

32. Classification of applications to be decided by the authorised official

- (1) The authorised official may only decide unopposed land development applications submitted in terms of these By-Laws, or the municipal land use scheme or any other applicable law relating to land development which application complies with the provisions of section 4 above.
- (2) Notwithstanding subsection (1) above, such authorised official will have the discretion to forward any application referred to him/her to the Municipal Planning Tribunal for a decision.

CHAPTER 5

DEVELOPMENT MANAGEMENT

33. Non-conforming uses

- (1) A non-conforming use provides that land that is being used lawfully in terms of an existing zoning for a purpose that does not comply with a proposed zoning may continue to be used for that purpose when the new zoning or land use scheme comes into operation.
- (2) A non-conforming use does not constitute an offence in terms of these By-Laws.
- (3) A non-conforming use may continue as long as it remains otherwise lawful, subject to the following:
 - (a) if the non-conforming use ceases for any reason for a period of more than twenty-four consecutive months, any subsequent use of the property must conform to the requirements of these By-Laws, with or without temporary uses;
 - (b) an appropriate land development application contemplated in Section 4 must be made for the alteration or extension of buildings or structures in respect of the non-conforming use;
 - (c) the owner bears the onus of proving that the non-conforming use right exists; and
 - (d) the use right is limited to the area of the building or land on which the proven use right is in existence.
- (4) Subject to subsection (3)(a) and (3)(b), if an existing building, which constitutes a non-conforming use, is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building, the Municipality may grant permission for the reconstruction of such building subject to conditions.

34. Continuation of application after change of ownership of land

- (1) If land that is the subject of an application is transferred to a new owner, the new owner may continue with the application as the successor in title to the previous owner and the new owner is regarded as the applicant for the purposes of these By-Laws, provided that the following is submitted to the municipality:
 - (a) proof of change of ownership; and
 - (b) an amended power of attorney, if an agent was appointed to make the application.
- (2) The new owner must advise the Municipality in writing of the continuation of the application.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

35. Pre-Application Consultation

- (1) The Municipality may require an applicant who intends to submit an application to meet with the authorised official for a pre-application consultation before he submits an application to the Municipality in order to determine the information to be submitted with the application.
- (2) The Municipality may make guidelines for determining whether an application requires a pre-application consultation, the nature of the information that is required, the employees from the Municipality or other organs of state that must attend the meeting and the procedures to be followed.
- (3) The Municipality must keep record of a pre-application consultation.

CHAPTER 6**APPLICATION PROCEDURES FOR LAND DEVELOPMENT APPLICATIONS****Part 1****Consent use, Written Consent and building line relaxation (if not in scheme)****36. Consent use application and Written Consent**

- (1) An applicant may submit a consent use application in terms of these By-Laws and as provided for in the municipal land use scheme / an existing town planning scheme to use the land or any building on the land for a particular purpose in accordance to these By-Laws.
- (2) A consent use application as envisaged in subsection (1) above shall comply with the following procedures:
 - (a) The applicant shall at his own expense give notice once of the intended application in a newspaper circulating the area and give notice to the adjoining and directly opposite land owners on the same date of the submission of the application. Such notice shall be in English and any other official language at the discretion of the Municipality;
 - (b) Such notice shall be displayed on the land from the same date as the submission date of the application to the Municipality;
 - (c) Such notice shall be in the format as prescribed by the Municipality;
 - (d) Such notice shall be displayed in a conspicuous place as prescribed by the Municipality on the land in question where it would be best and easily visible and can be easily read from each and every adjacent public street;
 - (e) Such notice shall be maintained in a clearly legible condition for a period of not less than 14 days from the date of submission of the application to the Municipality;
 - (f) Such notice shall reflect full details of the application including, but not limited to, the street address, the name of the township, a clear description of the property concerned and the nature and general purpose of the application;
 - (g) Such notice shall reflect the date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application;
 - (h) Such notice shall further reflect that the application and its accompanied documents will lie open for inspection at specified times and at specified places at the Municipality's offices and that any objection, comment or representation in regard thereto must be submitted timeously to both the Municipality and the person mentioned in subsection (2)(g) above in

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

writing by registered post, by hand, by facsimile or by e-mail within a period of 28 days from date of first displaying the notice on the land under consideration; and

- (3) Proof of compliance with subsection (2) above shall be considered a complete application.
- (4) Upon receipt of all required documents, the Municipality shall forward all comments, objections and representation to the applicant within 14 days after the time period to submit any comments, objections or representations has expired.
- (5) Where objections, comments and/or representations have been received as a result of subsection (2) above, the applicant may respond in writing thereto to the Municipality within 14 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application to the Municipal Planning Tribunal for determination.
- (6) No decision on the application shall be taken unless due regard has been given to each objection, comment and representation lodged timeously.
- (7) Subject to section 31, in the instance of an unopposed application, a decision on the application shall be taken by the authorised official within 180 days of date of expiry of the time period mentioned in subsection (2)(h) above.
- (8) Such consent use application may be refused or it may be approved subject to any conditions it may deem fit and it may include a condition that-
 - (a) the consent shall lapse if the use of the land or building concerned is not commenced with within the period stated in the condition;
 - (b) the consent shall lapse if it is discontinued for a period stated in the conditions;
 - (c) the consent shall lapse on the expiry of a period or on the occurrence of an event stated in the condition;
 - (d) the consent may be withdrawn if there has been non-compliance with any of the conditions of approval or because of change of circumstances;
 - (e) a contribution be paid to the Municipality in respect of engineering services where it will be necessary to enhance or improve such services as a result of the consent granted; and
 - (f) a contribution, in terms of Schedule 3, be paid to the Municipality in respect of open spaces or parks where the granting of the consent will bring about a higher residential density.
- (9) Whether a decision was taken on the application by the authorised official and/or the Municipal Planning Tribunal, the Municipality shall notify all relevant

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- parties of the decision in writing by registered post, by hand or by any other means available without delay.
- (10) The Municipality shall keep a proper record of each consent use application granted.
- (11) The contribution and amount of money envisaged in subsection (8)(e) and (8)(f) above shall become due and payable within 60 days from date of the expiry of the time period referred to in section 66 of these By-Laws.
- (12) Temporary Uses: Where an applicant has, for a period of one year from the date he was requested in writing to comply with any requirement of the Municipality in respect of an application envisaged in section (1) above, failed to comply, the Municipality shall notify the applicant of such failure and thereupon the application shall automatically lapse.

Notwithstanding anything to the contrary contained in these By-Laws, it shall be competent for the local authority to consent to the temporary use of any land (private or state-owned land) or building within any use zone, for any of the following:

- (a) The erection and use of temporary buildings or the use of existing buildings for purposes of site offices, storerooms, workshops or such other uses as are, in the opinion of the local authority necessary during the construction of any permanent building or structure on the land: Provided that such consent shall ipso facto lapse upon completion of the permanent building of structure.
- (b) The ad-hoc use of land or buildings for concerts, fairs, circuses, bazaars, flea markets or public gatherings.
- (c) The use of the land or buildings thereon for state or Municipal purposes: A written Consent shall comply with the following procedures:
 - (i). Provided that any such consent shall be for a period not exceeding 12 months subject thereto that the total of such periods shall not exceed 5 years. Further that such an application fully complies with the conditions of the Municipality.
 - (ii). Where an applicant has, for a period of one year from the date he was requested in writing to comply with any requirement of the Municipality in respect of an application envisage in Section 36 above, fail to comply, the Municipality shall notify the applicant of such failure and thereupon the application shall automatically lapse.

37. Building line relaxation application

- (1) Any building line restriction imposed on land in terms of the Municipality's land use scheme or any other scheme that may still be applicable to the land under

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

consideration, may be relaxed in terms of an application submitted by an applicant in terms of these By-Laws.

- (2) A building line relaxation application as envisaged in subsection (1) above shall comply with the following procedures:
- (a) A letter, accompanied by a proposed building plan and locality plan, shall be dispatched in writing and by registered post, by hand or by any other means available to any adjoining owners whom, at the discretion of the Municipality, may possibly be adversely affected by the relaxation of the applicable building line restriction setting out the following:
- (i) Full details of the application including, but not limited to, the street address, the name of the township, a clear erf description of the erf concerned and the nature and general purpose of the application with specific emphasis on which building lines (side/rear or street) are being applied for;
 - (ii) The date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application; and
 - (iii) That any objection, comment or representation in regard thereto must be submitted timeously to both the Municipality and the person mentioned in subsection (2)(a) (i) above in writing by registered post, by hand, by facsimile or by e-mail within a period of 14 days from date of receipt of the letter.
- (iv). Proof of compliance with subsection (2)(a) above in the form of a written affidavit must be submitted to the Municipality prior to consideration of the application.
- (3) The Municipality shall forward all comments, objections and representation to the applicant within 14 days after the time period to submit any comments, objections or representations has expired.
- (4) Where objections, comments and/or representations have been received as a result of subsection (2)(a) (iii) above, the applicant may respond in writing thereto to the Municipality within 14 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
- (5) No decision shall be taken on the application unless due regard has been given to each objection, comment and representation lodged timeously.
- (6) In the instance of an unopposed application, a decision on the application shall be taken by the authorised official within 30 days after the date of expiry of the time period mentioned in subsection (2)(a) (iii) above.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (7) Such building line relaxation may be refused or approved subject to any condition the Municipality may deem fit.
- (8) Whether a decision was taken on the application by the authorised official or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties of the decision in writing by registered post, by hand or by any other means available without delay.
- (9) The Municipality shall keep a proper record of each building line relaxation application granted.
- (10) No building plans may be approved in terms of the National Building Regulations and Building Standards Act or any other law showing a proposed building within a building line restriction area without the approval of such building line relaxation application as envisaged in subsection (1) above.

Part 2

Amendment of Land Use Scheme (Rezoning) and matters related thereto

38. Amendment of land use scheme application (Rezoning)

- (1) An applicant who wishes to have a provision of the Municipality's land use scheme or any provision of any other scheme, which may still be applicable to the land under consideration amended, may lodge an application in terms of these By-Laws to the Municipality for consideration in terms of Schedule 2.
- (2) An application for the amendment of a provision of the Municipality's land use scheme or any other scheme that may still be applicable to the land under consideration as envisaged in subsection (1) above shall comply with the following procedures:
 - (a) Notice of the application shall be given once by simultaneously publishing a notice in the Provincial Gazette and two newspapers that circulates within the area of jurisdiction of the Municipality in English and any other official language at the discretion of the Municipality;
 - (b) Such notice shall clearly reflect in terms of which section of these By-Laws the application is made and which land use scheme or any other scheme is applicable;
 - (c) Such notice shall reflect full details of the application including, but not limited to, the street address, the name of the township, a clear description of the property concerned and the nature and general purpose of the application;
 - (d) Such notice shall further reflect the date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application;

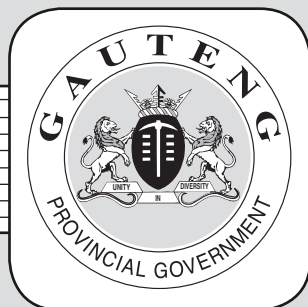
Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (e) Such notice shall further reflect that the application and its accompanied documents will lie open for inspection at specified times and at specified places at the Municipality's offices and that any objection, comment or representation in regard thereto must be submitted timeously to the Municipality in writing by registered post, by hand, by facsimile or by e-mail within a period of 28 days from the date of publication of the notice as envisaged in subsection (2)(a) above.
 - (f) A site notice that contains the same detail as envisaged in subsections (2)(b) – (2)(e) above shall be displayed on the land under consideration in English and any other official language at the discretion of the Municipality;
 - (g) Such notice shall be displayed on the land from the same date as the date of the publication of the notice mentioned in subsection (2)(a) above;
 - (h) Such notice shall be in the format as determined by the Municipality;
 - (i) Such notice shall be displayed in a conspicuous place on the land in question where it would be best and easily visible and can be easily read from each and every adjacent public street; and
 - (j) Such notice shall be maintained in a clearly legible condition for a period of not less than 21 days from the date of publication of the notice mentioned in subsection (2)(a) above.
- (3) Proof of compliance with subsection (2) above must be submitted to the Municipality in the form of a written affidavit prior to the consideration of the application.
- (4) The Municipality shall forward a copy of each objection, comment and representation received in terms of the notices envisaged in subsections (2)(a), (2)(f) in respect of the application to the applicant and the applicant may respond in writing thereto to the Municipality within 14 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
- (5) No decision shall be taken on the application unless due regard has been given to each objection, comment and/or representation lodged timeously.
- (6) In the instance of an unopposed application, a decision on the application shall be taken by the authorised official within 180 days after the date of expiry of the time periods mentioned in subsections (2)(e) above.
- (7) An applicant may at any stage prior to a decision been taken on the application, amend or withdraw his application provided that with an amendment, the amendment is not regarded in the opinion of the Municipality as being material which would warrant re-compliance with subsection (2).

39. Decision and post-decision procedures – Amendment of Land Use Scheme

CONTINUES ON PAGE 386 - PART 4

***THE PROVINCE OF
GAUTENG***



***DIE PROVINSIE VAN
GAUTENG***

Provincial Gazette Provinsiale Koerant

Selling price • Verkoopprys: **R2.50**
Other countries • Buitelands: **R3.25**

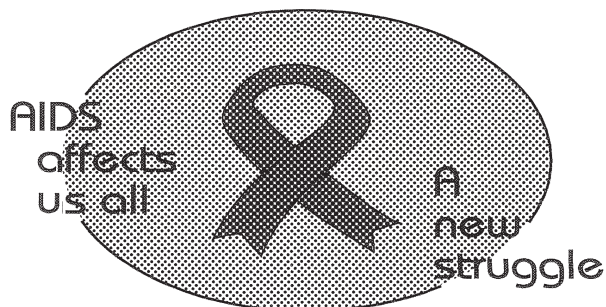
Vol. 23

PRETORIA
15 MARCH 2017
15 MAART 2017

No. 69

PART 4 OF 4

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-4525



9 771682 452005

00069



Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (1) An application for the amendment of a provision of the Municipality's land use scheme or any other scheme that may still be applicable to the land under consideration as envisaged in section 38(1) above may be approved subject to any condition the Municipality deems fit or it may be refused.
- (2) Whether a decision was taken on the application by the authorised official or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties of the decision in writing by registered post, by hand or by any other means available without delay.
- (3) The Municipality shall keep a proper record of each application granted under subsection (1) above.
- (4) Where the Municipality has approved an application as envisaged under section 38(1) read with subsection (1) above and after the expiry of the time period envisaged in section 70(1) of these By-Laws, the Municipality, at the cost of the applicant, shall give notice in English thereof in the Provincial Gazette and state in the notice that a copy of the application as approved will lie for inspection at all reasonable times at the municipal office and thereupon the application shall be deemed to be an approved scheme which is an amendment scheme.
- (5) Prior to the notice being published as envisaged in subsection (4) above, the applicant may abandon the approval by giving written notice to the Municipality.
- (6) The Municipality shall cause a copy of every approved scheme as envisaged in subsection (4) above to lie for inspection at all reasonable times at its office.
- (7) An approved scheme as envisaged in subsection (1) above shall come into operation on the date of publication of the notice envisaged in subsection (4) above.
- (8) The Municipality shall observe and enforce the provisions of the scheme from the date of it coming into operation and any person who contravenes a provision of an approved amendment scheme shall be guilty of an offence.
- (9) Where an applicant has, for a period of one year from the date he was requested in writing to comply with any requirement of the Municipality in respect of an application envisaged in section (1) above, failed to comply, the Municipality shall notify the applicant of such failure and thereupon the application shall automatically lapse.

40. Correction of errors or omissions

- (1) Where the Municipality is of the opinion that any error or omission in an approved scheme relating to land situated within its area of jurisdiction may be corrected without the necessity of following the provisions of sections 38 and 39 above again, it may correct such error or omission by notice in the *Provincial Gazette*.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

41. Prohibition of a further application in certain circumstances

- (1) Where the Municipality has approved an application envisaged in section 39(1) above, no person shall in respect of the land to which the amendment scheme relates apply for a further amendment in terms of section 39(1) within a period of 24 months from the date of coming into operation of the scheme.
- (2) Notwithstanding subsection (1) above, the Municipality may, upon written application, grant consent that, due to an acceptable change of circumstances, a further amendment application as envisaged in section 39(1) above may be submitted.
- (3) Within a period of 30 days from date of receipt of the change of circumstances application envisaged in subsection (2) above, the municipality shall consider the application and notify the applicant of its decision.

42. Contributions to be paid in respect of external engineering services and Open Spaces or Parks

- (1) Where an amendment scheme which is an approved scheme came into operation in terms of section 39(7) above, the Municipality may within a period of 30 days from the date of commencement of the scheme, by registered letter, by hand or by any other means available direct the applicant to which the scheme relates to pay a contribution to it in respect of the provision of:
 - (a) the engineering services envisaged in section 66 of these By-Laws where it will be necessary to enhance or improve such services as a result of the commencement of the amendment scheme;
 - (b) open spaces or parks where the commencement of the amendment scheme will bring about a higher residential density.
- (2) The letter envisaged in subsection (1) above shall state the:
 - (a) the amount of the contribution payable;
 - (b) particulars of the manner in which the amount of the contribution was determined; and
 - (c) the purpose for which the contribution is required.
- (3) An applicant who:
 - (a) wishes to avoid the payment of a contribution envisaged in subsection (1) above may request the Municipality to repeal the amendment scheme concerned;
 - (b) wishes to avoid payment of or wishes to reduce the amount of a contribution envisaged in subsection (1) above,

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (c) may in terms of section 38(1) above apply for the further amendment of the land use scheme concerned, within a period of 60 days from the date of the letter envisaged in subsection (1) above.
- (4) On receipt of a request as envisaged in subsection (3)(a) above the Municipality shall grant or refuse the request and, if granted, give notice thereof in the Provincial Gazette at the cost of the applicant.
- (5) Where the Municipality has given notice of such repeal in terms of subsection (4) above, the obligation to pay any contribution envisaged in subsection (1) above shall lapse from the date of the notice envisaged in subsection (4) above and any contribution already paid shall be refunded.
- (6) The contribution levied under subsection (1) above shall become due and payable within 30 days of the expiry of the 60-day time period envisaged in subsection (3) above.
- (7) No building plans in respect of the approved scheme shall be approved in terms of the National Building Regulations and Building Standards Act unless the contribution levied under subsection (1) above has been settled in full.
- (8) The Municipality may consider a request, on good cause shown, that:
 - (a) the contribution levied under subsection (1) above be paid over a specific period of time not exceeding three (3) years in installments;
 - (b) that a prospective new purchaser be liable for the contribution in terms of an agreement/undertaking after transfer; or
 - (c) that payment of the contribution be postponed for a period not exceeding three years where security or a guarantee for the contribution has been provided to the satisfaction of the Municipality.
- (9) In exercising any of the powers under subsections (8)(a) to (8)(c) above, the Municipality may impose any condition it may deem fit including a condition regarding interest.

43. Lapsing of rezoning and extension of validity periods

- (1) Subject to section 39(1), a rezoning approval lapses after a period of three years from the date that the approval comes into operation if, within that three-year period—
 - (a) the land use is not used in accordance with the approval; or
 - (b) the following requirements have not been met:
 - (i) the approval by the Municipality of a building plan envisaged for the use of the approved use right; and
 - (ii) commencement of the construction of the building contemplated in subsection (i)

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (2) An applicant may apply to the approval authority for the extension of the three (3) year period referred to in subsection (1) to a maximum of an additional two years by submitting a motivation and good reason.
- (3) The approval authority may grant or refuse the application refer to in Section (2) above.

Part3

Township establishment, division/phasing of an approved township, extension of boundaries of an approved township and matters related thereto

44. Township establishment application

- (1) An applicant who wishes to establish a township on its land, which falls within the jurisdiction of the Municipality, may submit an application to the Municipality in writing as prescribed in Schedule 2 of the By-law.
- (2) A township must be established on any farm portion or agricultural holding where the development will result into a township as per the definition.
- (3) An application for the establishment of a township as envisaged in subsection (1) above shall comply with the following procedures:
 - (a) Notice of the application shall be given once a week for two consecutive weeks by simultaneously publishing a notice in the Provincial Gazette and two newspapers that circulates within the area of jurisdiction of the Municipality in English and any other official language at the discretion of the Municipality;
 - (b) A letter shall be dispatched in writing by registered post, by hand or by any other means available to any adjoining owners whom, at the discretion of the Municipality, may possibly be adversely affected by the application
 - (c) Such notice shall clearly reflect in terms of which section of these By-Laws the application is made and which land use scheme or any other scheme will be applicable;
 - (d) Such notice shall reflect full details of the application including, but not limited to, the street address, the proposed name of the township, a clear property description of the land concerned and the nature and general purpose of the application;
 - (e) Such notice shall further reflect the date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application;
 - (f) Such notice shall further reflect that the application and its accompanied documents will lie open for inspection at specified times and at specified places at the Municipality's offices and that any objection, comment or

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- representation in regard thereto must be submitted timeously to the Municipality in writing by registered post, by hand, by facsimile or by e-mail within a period of 28 days from the date of the first publication of the notice as envisaged in subsection (3)(a) above.
- (g) A notice that contains the same detail as envisaged in subsections (3)(b) to (3)(e) above shall be displayed on the land under consideration in English and any other official language at the discretion of the Municipality;
 - (h) Such notice shall be displayed on the land from the same date as the date of the publication of the notice mentioned in subsection (3)(a) above;
 - (i) Such notice shall be in the format as determined by the Municipality;
 - (j) Such notice shall be displayed in a conspicuous place on the land in question where it would be best and easily visible and can be easily read from each and every adjacent public street and/or road; and
 - (k) Such notice shall be maintained in a clearly legible condition for a period of not less than 21 days from the date of publication of the notice mentioned in subsection (2)(a) above.
- (4) Proof of compliance with subsection (3) above must be submitted to the Municipality in the form of a written affidavit prior to the consideration of the application.
 - (5) Simultaneously to the actions in subsection (1) above, as part of the administrative phase, the applicant shall submit a copy of such application to:
 - (a) any Roads authority whether local (as a municipal owned Entity), Provincial or National which may have an interest in the application;
 - (b) any neighbouring municipality who may have an interest in the application; and
 - (c) any other stakeholder, Municipal Department, Provincial Department, National Department, Municipal Entity or any other interested party who may, in the discretion of the Municipality, have an interest in the application.
 - (6) The interested parties mentioned in subsection (5)(a) to (5)(c) above to which a copy of the application has been forwarded shall submit its objection, comment and/or representation to the Municipality in writing within 60 days of date of receipt of the application, failing which, it shall be deemed that such interested party has no objection, comment or representation to make.
 - (7) The Municipality shall forward a copy of each objection, comment and representation received in terms of the notice envisaged in subsections (3)(a) and from the interested parties in terms of subsection (5) above in respect of the application to the applicant within 14 days from the last day of the notice period and the applicant may respond in writing thereto to the Municipality

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

within 28 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.

- (8) No decision shall be taken on the application unless due regard has been given to each objection, comment and/or representation lodged timeously.
- (9) Prior to a decision being taken on a township application submitted under this section whether by the Municipal Planning Tribunal or the authorised official, the applicant may-
 - (a) of his own accord and with the consent of the Municipality; or
 - (b) at the request of the Municipality, amend his application, provided that the amendment is not regarded in the opinion of the Municipality as being material which would warrant re-compliance with subsections (3) and (5) above.

45. Consent to certain contracts and options – Township establishment

- (1) After an applicant has applied in terms of section 44(1) above to establish a township on his land, he may also apply to the Municipality for consent to enter into any contract for the sale, exchange or alienation or disposal in any other matter of an erf in the proposed township or to grant an option to purchase or otherwise acquire an erf in the proposed township.
- (2) The Municipality may grant such consent envisaged in subsection (1) above subject to any condition it may deem expedient, which may include a condition that the applicant shall, before entering into such contract or granting such option and within 6 months of granting the consent, furnish to the Municipality a guarantee of such type and for such amount as the Municipality may determine and which is otherwise to its satisfaction that the applicant will fulfill its duties in respect of the engineering services as envisaged in section 66(1) and if the applicant fails to do so the consent shall lapse.
- (3) The Municipality shall notify the applicant of its decision in writing and of any condition imposed.
- (4) Where the Municipality has granted such consent as envisaged in subsection (1) above, the contract or option shall contain a clause stating that the township concerned is not an approved township.
- (5) Where such contract or option does not contain such clause as envisaged in subsection (4) above, the contract or option shall, at any time before the township is declared an approved township, be voidable at the instance of any party to the contract or option, other than the person who alienates or disposes of the erf or who grants the option.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (6) Any person who alienates or disposes of an erf and who enters into a contract or grants an option without such clause as envisaged in subsection (4) above shall be guilty of an offence.

46. Decision and post-decision procedures – Township establishment

- (1) After the provisions of section 44 have been complied with, the application may be approved, either wholly or in part, or refused or a decision thereon may be postponed, either wholly or in part.
- (2) Where the Municipality approves an application as envisaged in subsection (1) above, it may impose any condition it may deem expedient.
- (3) Whether a decision was taken on the application by the authorised official or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties (including the Surveyor-General and the Registrar) of the decision in writing by registered post, by hand or by any other means available without delay.
- (4) After the applicant has been notified in terms of subsection (3) above that his application has been approved, but before the township is declared an approved township, the Municipality may, in consultation with the applicant, amend or delete any condition imposed in terms of subsection (2) above or add any further condition.
- (5) After an applicant has been notified in terms of subsection (3) that his application has been approved, the applicant shall within a period of 12 months from the date of such notice, or such further period as the Municipality may allow, lodge with the Surveyor-General for approval such plans, diagrams or other documents as may be required by the Surveyor-General and if the applicant fails to do so the approval will automatically lapse.
- (6) An application for an extension of time as envisaged in subsection (5) above shall be made prior to the expiry of the 12-month period stated in that subsection.
- (7) Where the applicant fails, within a reasonable time after he has lodged the plans, diagrams or other documents as envisaged in subsection (5) above, to comply with any requirement the Surveyor-General may lawfully impose, the Surveyor-General shall notify the Municipality accordingly and where the Municipality is satisfied, after hearing the applicant, that the applicant has failed to comply with any such requirement without good cause shown, the approval will automatically lapse.
- (8) After an applicant has been notified in terms of subsection (3) above that his application has been approved, the Municipality may-
- (a) where the documents envisaged in subsection (5) above have not yet been lodged with the Surveyor-General; or

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (b) where the documents envisaged in subsection (5) above have already been lodged with the Surveyor-General, in consultation with the Surveyor-General,
- consent to the amendment of such documents unless:
- (i) the amendment is, in the Municipality's opinion, so material as to constitute a new application in terms of section 44(1) above;
 - (ii) the amendment is not regarded as material but that it warrants notice of the amendment to be given as envisaged in section 44(3) and/or 44(5) above.
- (9) The applicant shall lodge with the Municipality, within a period of 3 months from the date upon which the Surveyor-General has approved the plans, diagrams and any other documents envisaged in subsection (5) above, a certified copy or tracing of the general plan of the township and where the applicant fails to comply within the 3 month period, the Municipality may obtain a certified copy or tracing directly from the Surveyor-General at the applicant's costs.
- (10) After complying with subsection (5) above, the applicant shall lodge with the Registrar the plans, diagrams and any other documents as envisaged in subsection (5) above and as approved by the Surveyor-General together with the relevant title deeds for endorsement or registration, as the case may be, within 12 months from the date of approval of such plans, diagrams and any other documents by the Surveyor-General, or within such further period as the Municipality may allow.
- (11) The Registrar shall not accept such plans, diagrams or any other documents for endorsement or registration until such time as the Municipality has advised him in writing that the applicant has complied with such pre-proclamation conditions as the Municipality may require to be fulfilled before giving notice in terms of subsection (15) declaring that the township is an approved township.
- (12) Failure by the applicant to comply with subsection (10) above, the approval will automatically lapse.
- (13) An application for an extension of time shall be made prior to the expiry of the 12-month period stated in subsection (10).
- (14) Having endorsed or registered the title deeds envisaged in subsection (10) above, the Registrar shall notify the Municipality thereof without delay and the Registrar shall not register any further transactions in respect of any land situated in the township thereafter until such time as the township is declared an approved township in terms of subsection (15).
- (15) After the notice envisaged in subsection (14) above and after compliance with subsections (5), (9), (10) and (11) above, the Municipality or the applicant shall, by giving notice in the *Provincial Gazette*, declare the township an approved

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- township and it shall in a schedule to such notice set out the conditions on which the township is declared an approved township.
- (16) Any external engineering services and/or parks and open spaces contributions (if applicable) required to be paid in respect of the approved township as envisaged in section 67(1), shall be paid within 6 months from date of the notice envisaged in subsection (15) above or upon the issuing of the certificate envisaged in section 47(1) below, whichever ever happens first.
 - (17) Where a township owner is required to transfer land to the Municipality or any other organ of state by virtue of a condition set out in the schedule envisaged in subsection (15) above, the land shall be so transferred at the expense of the township owner within a period of 6 months from date of the publication of the notice envisaged in subsection (15) above or within such further period as the Municipality may allow.
 - (18) With effect from the date of the approval by the Surveyor-General of the plans and diagrams as envisaged in subsection (5) above, the ownership in any road or public place in a township established in terms of these By-Laws, unless it is a private township, shall vest in the Municipality.

47. Prohibition of registration of certain deeds of transfer or endorsement on certain title deeds

- (1) The Registrar shall not register a deed of transfer by which ownership of an erf in a township is transferred unless the Municipality certifies that-
 - (a) the township has been declared an approved township in terms of section 46(15) above;
 - (b) that any condition as set out in the schedule envisaged in subsection 46(15) above has been complied with;
 - (c) the provisions of section 46(17) above in respect of the transfer of land to the Municipality or any other organ of state (if applicable) have been complied with;
 - (d) that the Municipality will, within a period of 3 months from the date of such certification, be able to provide the erf with such engineering services as it may deem necessary and that it is prepared to consider an application for the approval of a building plan in respect of the erf in question; and
 - (e) all outstanding external engineering services contributions and all amounts in lieu of open spaces or parks as envisaged in sections 67(1) and 68(4) in respect of the township has been paid in full.
- (2) The Registrar shall not endorse a title deed in terms of section 4C (1)(a) of the Housing Development Schemes for Retired Persons Act (65 of 1998) unless the certificate envisaged in subsection (1) above has been issued.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

48. Failure to comply with requirements of the Municipality

- (1) Where an applicant has, for a period of one year from the date he was requested in writing to comply with any requirement of the Municipality in respect of an application envisaged in section 44(1) above, failed to comply, the Municipality shall notify the applicant of such failure and thereupon the application shall automatically lapse.

49. Division/phasing of an approved township

- (1) An applicant who has been notified in terms of section 46(3) above that his township application has been approved-
 - (a) may within a period of 6 months from the date of the notice, or such further period as the Municipality may allow;
 - (b) shall, if directed to do so by the Municipality, within such period as the Municipality may determine, apply to the Municipality for the division of the approved township into two or more separate townships.
- (2) On receipt of an application envisaged in subsection (1) above, the Municipality may-
 - (a) where the documents envisaged in subsection 46(5) have not yet been lodged with the Surveyor-General;
 - (b) where the documents envisaged in subsection 46 (5) above have been lodged with the Surveyor-General, after consultation with the Surveyor-General,

consent to the division of the township subject to any condition the Municipality may deem expedient.
- (3) Where consent has been granted in terms of subsection (2) above, the Municipality shall forthwith notify the applicant in writing thereof and of any condition imposed.
- (4) The applicant shall within a period of 3 months from the date of the notice envisaged in subsection (3) above, or such further period as the Municipality may allow, submit to the Municipality such plans, diagrams or other documents and furnish to it such information as it may require in respect of each separate township.
- (5) On receipt of the documents or information as envisaged in subsection (4) above, the Municipality shall forthwith notify the Surveyor-General and the Registrar in writing of the consent granted in terms of subsection (2) and such notice shall be accompanied by a copy of the plan of each separate township.
- (6) The granting of consent in terms of subsection (2) above and the notice envisaged in subsection (3) above shall, in respect of each separate township,

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

be deemed to be the approval of an application as envisaged in section 46(1) above and a notice envisaged in section 46(3) above.

50. Extension of boundaries of an approved township

- (1) An owner of land as envisaged in section 49 of the Deeds Registries Act who wishes to have the boundaries of an approved township extended to include his land, may apply in writing to the Municipality.
- (2) The provisions of section 44(3) to 44(9) shall apply mutatis mutandis to an application envisaged in subsection (1) above and any reference to an application to establish a township shall be construed as a reference to an application to extend the boundaries of a township as envisaged in subsection (1) above.
- (3) After the provisions of section 44(3) to 44(9) have been complied with, the application may be approved, either wholly or in part, or refused or a decision thereon may be postponed, either wholly or in part.
- (4) Where the Municipality approves an application as envisaged in subsection (1) above, it may impose any condition it may deem expedient.
- (5) Whether a decision was taken on the application by the authorised official or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties (including the Surveyor-General and the Registrar) of the decision in writing by registered post, by hand or by any other means available without delay.
- (6) Where the Municipality approves an application envisaged in subsection (1) above, it may-
 - (a) apply all or any of the conditions set out in the schedule envisaged in section 46(15) on which the township concerned was declared an approved township;
 - (b) impose a condition that the applicant shall pay to the Municipality an amount of money in respect of the provision of the engineering services envisaged in terms of section 66(1) where it will be necessary to enhance or improve such services as a result of the approval of the application envisaged in subsection (1) above.
- (7) Any condition imposed in terms of subsection (4) and (6) above shall be set out in a schedule to the proclamation envisaged in section 49 of the Deeds Registries Act and shall have the same force of law as a condition envisaged in section 46(15).

Part 4

Subdivision and Consolidation of an erf in an approved township and the subdivision and or consolidation of any other land

51. Subdivision and/or consolidation of an erf/erven in an approved township

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (1) An applicant of-
- (a) an erf in an approved township who wishes to subdivide such erf;
 - (b) two or more erven in an approved township who wishes to consolidate such erven,
- may apply in writing, simultaneously or separately, as the case may be, to the Municipality as provided for in its land use scheme or any other town planning scheme that may still be applicable lodge an application in terms Schedule 2 with the Municipality setting out the proposed subdivision and/or consolidation.
- (2) An application as envisaged in subsection (1) above shall comply with the following procedure:
- (a) A letter, accompanied by a plan showing the proposed subdivision and/or consolidation, shall be dispatched by the applicant in writing and by registered post, by hand or by any other means available, to any adjoining owners whom, at the discretion of the Municipality, may possibly be negatively affected by the application setting out the following:
 - (i) Full details of the application including, but not limited to, the street address, the name of the township, a clear erf description of the erf concerned and the nature and general purpose of the application;
 - (ii) The date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application; and
 - (iii) That any objection, comment or representation in regard thereto must be submitted timeously to both the Municipality and the person mentioned in subsection (2)(a) (ii) above in writing by registered post, by hand, by facsimile or by e-mail within a period of 14 days from date of receipt of the letter.
 - (b) Proof of compliance with subsection (2)(a) above in the form of a written affidavit must be submitted to the Municipality prior to consideration of the application.
- (3) Where objections, comments and/or representations have been received as a result of subsection (2)(a) (iii) above, the applicant may respond in writing thereto to the Municipality within 14 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
- (4) No decision shall be taken on the application unless due regard has been given to each objection, comment and representation lodged timeously.
- (5) Subject to section 32(2), in the instance of an unopposed application, a decision on the application shall be taken by the authorised official within 30 days after

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- the date of expiry of the time period mentioned in subsection (2)(a) (iii) above.
- (6) Such subdivision and/or consolidation application may be refused or approved subject to any condition the Municipality may deem fit provided with a consolidation application, if the Municipality fails to approve or refuse such application within 60 days from the date of receipt of all comments shall be deemed approved.
- (7) With a subdivision application, such condition may include a condition that the owner shall pay to the Municipality an amount of money in respect of the provision of-
- (a) the engineering services envisaged in section 67(1) where it will be necessary to enhance or improve the services as a result of the subdivision;
- (b) open spaces or parks, and such amount shall be determined by the Municipality in terms of these By-Laws or approved policy,
- provided that in calculating the amount of the contribution to be paid envisaged in subsections(7)(a) and (7)(b) above, a contribution that has been paid or has become due and payable under section 42(1) shall be taken into account.
- (8) Whether a decision was taken on the application by the authorised official or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties of the decision in writing by registered post, by hand or by any other means available without delay.
- (9) The Municipality shall keep a proper record of each subdivision and consolidation application granted.
- (10) An application that has been approved in terms of subsection (6) above shall automatically lapse if not registered with the Surveyor-General and the Registrar within 12 months from date of approval or within such further period as the Municipality may allow.
- (11) An application for an extension of time as envisaged in subsection (10) above shall be made prior to the expiry of the 12-month period stated in that subsection.
- (12) The amount of money envisaged in subsection (7) above shall become due and payable within 60 days from date of registration of the application with the Registrar as envisaged in subsection (10) above.
- (13) The owner of land shall within 30 days after the Surveyor General has approved the diagram of the subdivision or the plan for consolidation in terms of the provisions of the Land Survey Act submit two (2) clear legible photocopies of the approved diagram or plan to the Municipality.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (14) Subdivision of a municipal land shall be subject to approval of council as guided by the Council resolution.
- (15) The provisions of these By-Laws shall not apply to the division of land which the state or local authority is the owner.

52. Cancellation and amendment of conditions/plan, endorsement of certain documents by Registrar and access

- (1) The Municipality may, prior to the registration of the subdivision and/or consolidation approval with the Surveyor-General and the Registrar as envisaged in section 51(10) above and in consultation with the applicant,-
 - (a) cancel the approval of an application submitted in terms of section 51(1) above;
 - (b) amend or delete any condition imposed in terms of section 51(6) above or add any conditions to those already imposed; and
 - (c) approve an amendment of the plan setting out the proposed subdivision and/or consolidation.
- (2) The Municipality may not approve an application envisaged in section 51(1) above if it will bring about a result which is in conflict with-
 - (a) any condition set out in the schedule as envisaged in section 46(15) on which the township concerned was declared an approved township;
 - (b) a condition of title imposed in terms of any law;
 - (c) a provision of an approved scheme applicable to the erf or erven in question.
- (3) The Municipality may not approve an application envisaged in section 51(1) above unless the Municipality is satisfied that each subdivided portion has satisfactory vehicular access to a public street, which access may be provided by means of a panhandle or a servitude.
- (4) If access to a public street is to be provided to more than one proposed subdivided portion by means of a single panhandle, the Municipality shall, when it approves the application for the subdivision of the erf concerned, impose a condition that the applicant shall cause a servitude of right of way in favour of each portion, other than the portion of which the panhandle forms part, to be registered over the latter portion.
- (5) The owner of land shall, before he submits a deed of transfer or certificate of registered title in respect of the subdivided portion to the Registrar for registration in terms of the Deeds Registries Act have the power of attorney in respect of the transfer or the application for such certificate endorsed by the authorised official of the Municipality to the effect that the owner of land has complied with the conditions imposed in terms of section 51(6) above or that

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

arrangements in respect of such compliance, including the furnishing of guarantees in respect of any condition requiring payment of an amount of money as envisaged in section 51(7) above, have been made to the satisfaction of the Municipality.

53. Subdivision of any other land

- (1) An owner of land, excluding land as envisaged in section 51(1) above, who wishes to divide such land may apply in writing to the Municipality.
- (2) Subject to any other law that may be applicable to such land Section 30 of the Spatial Planning and Land Use Management Act shall apply.
- (3) The provisions of section 38(2)(a) to (2)(e) and 38(3) to 38(7) shall apply *mutatis-mutandis* to an application envisaged in subsection (1) above.
- (4) Subject to compliance with subsection (3) above, the application envisaged in subsection (1) above may be approved, either wholly or partly, or it may be refused or a decision thereon may be postponed.
- (5) Where an application has been approved in terms of subsection (4) above, the Municipality may impose any condition it may deem expedient.
- (6) Whether a decision was taken on the application by the authorised official or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties (including the Surveyor-General and the Registrar) of the decision and of any condition imposed in terms of subsection (5) above in writing by registered post, by hand or by any other means available without delay.
- (7) When notifying the Registrar in terms of subsection (6) above, the Municipality shall at the same time furnish the Registrar with-
 - (a) a full description of the land;
 - (b) the full name of the registered owner of the land; and
 - (c) the number of the title deed under which the land is held.
- (8) After the applicant has been notified in terms of subsection (6) above that his application has been approved, but before any portion of land is transferred, the Municipality may, in consultation with the applicant, amend or delete any condition imposed in terms of subsection (5) above or add any further condition.
- (9) After an applicant has been notified in terms of subsection (6) that his application has been approved, the applicant shall within a period of 12 months from the date of such notice, or such further period as the Municipality may allow, lodge with the Surveyor-General for approval such plans, diagrams or other documents as may be required by the Surveyor-General and if the applicant fails to do so the approval will automatically lapse.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (10) An application for an extension of time as envisaged in subsection (9) above shall be made prior to the expiry of the 12-month period stated in that subsection.
- (11) Where the applicant fails, within a reasonable time after he has lodged the plans, diagrams or other documents as envisaged in subsection (9) above, to comply with any requirement the Surveyor-General may lawfully impose, the Surveyor-General shall notify the Municipality accordingly and where the Municipality is satisfied, after hearing the applicant, that the applicant has failed to comply with any such requirement without good cause shown, the approval will automatically lapse.
- (12) After an applicant has been notified in terms of subsection (6) above that his application has been approved, the Municipality may-
- (a) where the documents envisaged in subsection (9) above have not yet been lodged with the Surveyor-General; or
 - (b) where the documents envisaged in subsection (9) above have already been lodged with the Surveyor-General, in consultation with the Surveyor-General,
- consent to the amendment of such documents unless the amendment is, in the Municipality's opinion, so material as to constitute a new application in terms of subsection (1) above.
- (13) An authorised official and or Municipal Planning Tribunal must within the prescribed period after a land use decision affecting the use of land not in accordance with a condition in a title, notify the:
- (a) Registrar of Deeds in whose office the deed or document is filed of such approval; and
 - (b) Office of the Surveyor-General, where such approval affects a diagram of general plan in that office
- (14) Upon receipt of the notification the Registrar of Deeds or the Surveyor-General must endorse the affected records to give effect to such decision
- (15) The Registrar shall-
- (a) after the land envisaged in the application has been divided;
 - (b) when he is notified that the application has lapsed,
- cancel any endorsement made as approved in the application.
- (16) Where an applicant is required to transfer land to the Municipality or any other organ of state by virtue of a condition imposed in terms of subsection (5) above, the land shall be so transferred at the expense of the township owner within a period of 60 days from date of approval of the application in terms of subsection (4) above or within such further period as the Municipality may allow.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (17) Any external engineering services contribution levied in terms of section 67(1) in relation to an application in terms of subsection (1) above shall become due and payable within 60 days from date of the Registrar endorsing the title deed of the land in question or upon the issuing of the certificate envisaged in section 54(1), whichever ever happens first.

54. Failure to comply with requirements of the Municipality

- (1) Where an applicant has, for a period of one year from the date he was requested in writing to comply with any requirement of the Municipality in respect of an application envisaged in section 53(1) above, failed to comply, the Municipality shall notify the applicant of such failure and thereupon the application shall automatically lapse.

55. Prohibition of registration of certain deeds of transfer

- (1) The Registrar shall not register a deed of transfer of any portion of land where an application for the division of land was approved by the Municipality as envisaged in section 53(4) above unless the Municipality certifies that-
- (a) that any condition imposed in terms of section 53(5), excluding any condition dealing with the transfer of land as envisaged in section 53(16) above, have been complied with;
 - (b) the provisions of section 53(16) in respect of the transfer of land to the Municipality or any other organ of state (if applicable) have been complied with;
 - (c) all outstanding external engineering services contributions and all amounts relating to open spaces or parks in respect of the land have been paid in full.

56. Ownership of roads and public places

- (1) With effect from the date of the approval by the Surveyor-General of the plans and diagrams envisaged in section 53(9) above, the ownership in public road or public place on the land which has been divided in terms of these By-Laws, shall vest in the Municipality.

57. Owners' Associations

- (1) The Municipality may, when approving an application for a subdivision of land or high density development, impose conditions relating to the compulsory establishment of an owners' association by the applicant for an area determined in the conditions.
- (2) An owners' association that comes into being by virtue of subsection (1) is a juristic person and must have a constitution.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (3) The constitution of an owners' association must be approved by the Municipality before the transfer of the first land parcel

58. Owners' Association Ceases to Function

- (1) If an owners' association ceases to function or carry out its obligations, the Municipality may—
- (a) take steps to instruct the association to hold a meeting and to reconstitute itself;
 - (b) subject to the amendment of the conditions of approval, remove the obligation to establish an owners' association; or
 - (c) subject to the amendment of title conditions pertaining to the owners' association, remove any obligations in respect of an owners' association.
- (2) In determining which option to follow, the Municipality must have regard to—
- (a) the purpose of the owners' association;
 - (b) who will take over the maintenance of infrastructure for which the owners' association is responsible; and
 - (c) the effect of the dissolution of the owners' association on the members and the community concerned.

Part 5**Approval of alteration, amendment or cancellation of general plan****59. Alteration, amendment or cancellation of a general plan application**

- (1) Any person who wishes to have the general plan of an approved township or of a division of land (if any) altered, amended or totally or partially cancelled by the Surveyor-General in terms of the Land Survey Act may subject to the provisions of section 60(3), apply in writing to the Municipality for approval.
- (2) An application for the alteration, amendment or totally or partially cancellation of a general plan envisaged in subsection (1) above shall comply with the following procedures:
- (a) Notice of the application shall be given once by simultaneously publishing a notice in the Provincial Gazette and two newspapers that circulates within the area of jurisdiction of the Municipality in English and any other official language at the discretion of the Municipality;
 - (b) Such notice shall clearly reflect in terms of which section of these By-Laws the application is made;
 - (c) Such notice shall reflect full details of the application including, but not limited to, the name of the township concerned and the nature and general purpose of the application;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (d) Such notice shall further reflect the date on which such application was submitted to the Municipality and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application;
 - (e) Such notice shall further reflect that the application and its accompanied documents will lie open for inspection at specified times and at specified places at the Municipality's offices and that any objection, comment or representation in regard thereto must be submitted timeously to the Municipality in writing by registered post, by hand, by facsimile or by e-mail within a period of 28 days from the date of publication of the notice as envisaged in subsection (2)(a) above.
- (3) Proof of compliance with subsection (2) above must be submitted to the Municipality in the form of a written affidavit prior to the consideration of the application.
 - (4) The Municipality shall forward a copy of each objection, comment and representation received in terms of subsection (2)(a) above in respect of the application to the applicant and the applicant may respond in writing thereto to the Municipality within 14 days of date of receipt of such objection, comment and/or representation where after the Municipality shall refer the application without delay to the Municipal Planning Tribunal for determination.
 - (5) No decision shall be taken on the application unless due regard has been given to each objection, comment and/or representation lodged timeously.
 - (6) In the instance of an unopposed application, a decision on the application shall be taken by the authorised official or his/her duly authorised sub-delegate within 60 days after all comments have been received

60. Decision and post decision procedures

- (1) The Municipality may approve an application envisaged in section 59(1) above either wholly or in part, or refuse it or postpone a decision thereon, either wholly or in part, provided that the Municipality shall not approve such application unless-
 - (a) the applicant has the unencumbered ownership of all the land within the area affected by the alteration, amendment or cancellation of the general plan.
 - (b) where the land envisaged in subsection (1)(a) above is subject to a mortgage bond, the bondholder has consented in writing to the alteration, amendment or cancellation of the general plan.
- (2) Where the Municipality approves the application envisaged in section 59(1) above, the Municipality may-
 - (a) impose any condition it may deem expedient;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (b) amend or delete any condition set out in the schedule envisaged in section 46(15) above on which the township concerned was declared an approved township.
- (3) The provisions of section 59 shall not apply to an alteration or amendment of a general plan of an approved township which is necessary as a result of the closing of any public place or street or any portion thereof or diversion of a street or a portion of such street in terms of the relevant legislation.
- (4) Whether a decision was taken on the application by the authorised official or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties, including the Surveyor-General, of the decision, and where the application has been approved, state any condition imposed in terms of subsection (2)(a) above, in writing by registered post, by hand or by any other means available without delay.
- (5) After an applicant has been notified in terms of subsection (4) above that his application has been approved, the applicant shall within a period of 12 months from the date of such notice, or such further period as the Municipality may allow, lodge with the Surveyor-General for approval such plans, diagrams or other documents as the Surveyor-General may deem necessary to effect the alteration, amendment or cancellation of the general plan, and if the applicant fails to do so the approval will automatically lapse.
- (6) Where the applicant fails, within a reasonable time after he has lodged the plans, diagrams or other documents as envisaged in subsection (5) above, to comply with any requirement the Surveyor-General may lawfully impose, the Surveyor-General shall notify the Municipality accordingly and where the Municipality is satisfied, after hearing the applicant, that the applicant has failed to comply with any such requirement without good cause shown, the approval will automatically lapse.
- (7) After the Surveyor-General has in terms of the Land Survey Act altered or amended the general plan or has totally or partially cancelled it, he shall notify the Municipality thereof without delay.
- (8) On receipt of the notice envisaged in subsection (7) above, the Municipality shall forthwith give notice thereof by publishing a notice in the Provincial Gazette declaring that the general plan has been altered, amended or totally or partially cancelled and the Municipality shall in a schedule to the notice set out the conditions imposed in terms of subsection (2)(a) above or the amendment or deletion of any condition envisaged in subsection (2)(b) above, where applicable.
- (9) The Municipality shall forthwith provide the Registrar with a copy of the notice and schedule envisaged in subsection (8) above.

61. Effect of alteration, amendment or cancellation of general plan

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (1) Where the general plan of an approved township established in terms of the provisions of legislation other than these By-Laws, is cancelled in whole or in part, or altered or amended or cancelled in part, any public place or street which vested in trust in the Municipality by virtue of section 63 of the Local Government Ordinance, 1939 (Act No. 17 of 1939), the ownership thereof shall revert to the township owner.
- (2) Where a general plan is cancelled in whole, the township shall cease to exist as a township.
- (3) Where a general plan is cancelled in part, that portion of the township to which the cancellation of the general plan relates, shall cease to exist as a portion of the township.
- (4) Where such original township owner is no longer in existence or, in the case of a Company, has been deregistered, as the case may be, the ownership of such public places or streets shall then automatically vest in the Municipality.

Part 6

Amendment, suspension or removal of restrictive or obsolete conditions or obligations, servitudes or reservations and matters related thereto

62. Application for the amendment, suspension or removal of restrictive or obsolete conditions or obligations, servitudes or reservations in respect of land

- (1) This part of the By-law refers to any restriction, obligation, servitude or reservation which relates to the subdivision of the land or the purpose for which the land may be used or to the requirements to be complied with or to be observed in connection with the erection of structures or buildings on or the use of the land, which is binding on the owner of the land arising out of-
 - (a) any restrictive condition or servitude which is registered against the title deed or leasehold title of such land; or
 - (b) a provision of a by-law or of a town-planning scheme; or
 - (c) the provisions of a title condition contained in the schedule to the proclamation of a township; or
 - (d) the provisions of a law relating to the establishment of townships or town planning.
- (2) In addition to the provisions of section (1)(d) above, the Municipality may only amend, suspend or remove a restriction or obligation where the Municipality is satisfied that-
 - (a) to do so would promote the preparation and approval of a general plan, the establishment of a township or the development of any area;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (b) the affected land is required for public purposes by the State, the Province or the Municipality;
 - (c) the affected land is required for the use or construction of a building or other structure by the State, the Province or the Municipality;
 - (d) the affected land is required for purposes incidental to any purpose envisaged in subsections (2)(a) to (2)(c) above;
 - (e) Is in the interest of the general public to do so.
- (3) The provisions of subsection (1) above shall not apply to-
- (a) any building line restriction which has been imposed by or under the provisions of any applicable legislation pertaining to roads, whether national or provincial;
 - (b) any condition relating to mineral rights;
 - (c) any condition imposed in respect of land transferred to a beneficiary in terms of any provincial small farmer settlement programme or any similar land reform programme relating to the circumstances under which such land may be alienated or encumbered; or
 - (d) any condition relating to the risk of development on land which has been undermined.
- (4) An owner of land who wishes to have any restriction, obligation, servitude or reservation as envisaged in subsection (1) above amended, suspended or removed, may lodge an application to the Municipality.
- (5) Notwithstanding subsection (4) above, the Municipality may of its own accord amend, suspend or remove any restriction or obligation envisaged in subsection (1) above in respect of any municipal owned land.
- (6) An application envisaged in subsection (4) above may be submitted simultaneously with any other application envisaged in sections 36, 37, 38, 51 and 53 above and it shall be treated as one application.
- (7) If an application is made only for the amendment, suspension or removal of any restriction, obligation, servitude or reservation as envisaged in subsection (1) above whether by an owner of land or by the Municipality, the provisions of section 38(2) to 38(5) above shall mutatis mutandis apply to such application.
- (8) Where a simultaneous application is submitted as envisaged in subsection (6) above, the applicant shall comply with all the essential elements of the procedures as set out in this section as well as sections 36, 37, 38, 51 and 53, as the case may be, in a consolidated form.
- (9) Subject to section 31, in the instance of an unopposed application envisaged in subsection (4) or (5) above, a decision on the application shall be taken by the authorised official within 30 days after the date of expiry of the time periods

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- mentioned in those sections that apply mutatis mutandis to an application envisaged in subsection (4) and (5) above.
- (10) Subject to section 31, in the instance of an unopposed simultaneous application envisaged in subsection (6) above, a decision on the application shall be taken by the authorised official within 60 days after the expiry of the time periods mentioned in sections 36, 37, 38, 51 and 53 above, which ever section is relevant.
- (11) The provisions of section 38(7) above shall also apply mutatis mutandis to an application envisaged in subsections (4), (5) and (6) above.
- (12) For purposes of this section, where a condition of title, a condition of establishment of a township or an existing scheme provides for a purpose with the consent or approval of the administrator, a Premier, the townships board or any other controlling authority, such consent may be granted by the Municipality and such reference to the administrator, a Premier, the townships board or other controlling authority shall be deemed to be a reference to the Municipality.
- (13) Where an applicant has, for a period of one year from the date he was requested in writing to comply with any requirement of the Municipality in respect of an application envisaged in section (1) above, failed to comply, the Municipality shall notify the applicant of such failure and thereupon the application shall automatically lapse.

63. Decision and post-decision procedures

- (1) An application envisaged in section 62(4), (5) or (6) above may be approved subject to any condition the Municipality deems fit or it may be refused.
- (2) Whether a decision was taken on the application by the authorised official or the Municipal Planning Tribunal, the Municipality shall notify all relevant parties of the decision in writing by registered post, by hand or by any other means available.
- (3) The Municipality shall keep a proper record of each application granted under subsection (1) above.
- (4) Where the Municipality has approved an application as envisaged under section 62(4), (5) or (6) above and after the expiry of the time period envisaged in section 70(1) of these By-Laws, it shall give notice thereof in the Provincial Gazette and state in the notice that a copy of the application as approved will lie for inspection at all reasonable times at its office and thereupon the application shall be deemed to be an approved application.
- (5) An approved application as envisaged in subsection (1) above shall come into operation on the date of publication of the notice envisaged in subsection (4) above.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (6) The provisions of section 38 shall also *mutatis mutandis* apply to an application under this section if the simultaneous application envisaged in 62(6) above included an amendment of a land use scheme application as envisaged in section 38(1) above.

64. Endorsements in connection with amendments, suspensions or removals of restrictions or obligations

- (1) After the coming into operation of any approved application as envisaged in section 62(4), 62(5) or 62(6) above, the owner of land shall within 60 days from the date of the approval coming into operation, whether in terms of section 63(5) or 63(6) above, deliver the original title deed to the Registrar and the Surveyor General in order for them to make the appropriate entries and endorsements on a relevant register, title deed, diagram or plan in their respective offices as may be necessary to reflect the effect of the notice envisaged in section 63(4) above.
- (2) Upon receipt of such original title deed as envisaged in subsection (1) above, the Registrar shall not register any further transactions relating to the land in question until the entries and endorsements envisaged in subsection (1) above have been effected and shall impound the title deed for the purpose of such entries and endorsements whenever it may for any reason be lodged in his or her office.

65. Contributions to be paid in respect of external engineering services and Open Spaces or Parks

- (1) Where applicable, the provisions of section 36(8)(e) and 36(8)(f) and subsection 36(11) of the same section, section 42 and section 51(7) and subsection 51(12) of the same section shall *mutatis mutandis* apply to an approval envisaged in section 63(1) above, as the case may be.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

CHAPTER 7**ENGINEERING SERVICES, CONTRIBUTIONS AND OPEN SPACES OR PARKS****Part 1****Engineering services and engineering services contributions / agreements****66. Engineering services**

- (1) Every land development application land approved in terms of the provisions of these By-Laws shall be provided with such engineering services as the Municipality deem necessary for proper development.
- (2) For the proper management and enforcement of this Chapter, the owner of the land in question shall enter into an engineering services agreement with the Municipality and such agreement shall contain every reasonable detail relevant to the engineering services to be installed and comprehensive detail on the different roles, duties and responsibilities of the respective parties.
- (3) Subject to subsection (2) above, the owner of the land in question shall be responsible for the provision, installation and costs of internal engineering services required for a development when an application is approved, as contemplated in section 49(1) of the Act.
- (4) Subject to subsection (2) above, the Municipality shall be responsible for the provision and installation of external engineering services, as contemplated in section 49(2) of the Act.
- (5) When the Municipality is not the provider of an engineering service, the owner of the land in question must satisfy the Municipality that adequate alternative arrangements have been made either by the owner itself or with the relevant service provider for the provision of that service, as contemplated in section 49(3) of the Act.
- (6) Every engineering service to be provided as envisaged in subsection (1) above shall be classified in terms of the engineering services agreement envisaged in subsection (2) above between the owner of the land in question and the Municipality as an internal or external engineering service in accordance with the provisions of these By-Laws.
- (7) The internal engineering services to be provided by the owner of the land in question shall be installed and provided to the satisfaction and to the standards of the Municipality or any of its Municipal Entities and for that purpose the owner of the land shall lodge with the Municipality or relevant Municipal Entity such reports, diagrams and specifications as the Municipality or Municipal Entity may require.
- (8) Where any application envisaged in subsection (1) above has lapsed in terms of any provision of these By-Laws, the engineering services agreement shall also automatically lapse and the owner of the land in question having installed any

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

engineering services based on the above agreement shall have no claim against the Council with regard to the installation or construction of any engineering services of whatsoever nature.

67. External engineering services contributions / agreements

- (1) The Municipality may levy an external engineering services contribution in respect of the provision of an external engineering service to the township or to the divided land in question as envisaged in section 66(1) above.
- (2) The external engineering services contribution envisaged in subsection (1) above must be set out in a policy / By-law adopted and approved by the Municipality and the amount of the external engineering services contribution, payable by the owner of the land in question, shall be calculated in accordance with such policy / By-law as adopted and approved by the Municipality.
- (3) The external engineering services contribution in respect of an approved township shall be calculated in terms of the tariff that is applicable at the time of the notice envisaged in 46(15) above and is subject to escalation at the rate calculated in accordance with the policy/By-law as adopted and approved by the Municipality.
- (4) The applicant in question may, in terms of the engineering services agreement with the Municipality envisaged in section 66(2) above, install any external engineering service on behalf of the Municipality and the fair and reasonable cost of installing such a service may be set off against the external engineering services contributions payable.
- (5) When an external engineering service is installed by the owner of land as envisaged in subsection (4) above, the provisions of the Municipal Finance Management Act pertaining to procurement and the appointment of contractors on behalf of the Municipality shall not apply.
- (6) The external engineering services contribution levied in terms of subsection (1) above shall become due and payable as envisaged in sections 46(16), 51(12) and 53(17) above.
- (7) No building plans may be approved by the Municipality in terms of the National Building Regulations and Building Standards Act until the external engineering services contribution envisaged in subsection (1) above has been settled in full or unless appropriate alternative arrangements have been made which may not exceed a period of 36 months
- (8) The provisions of section 42(8) and 42(9) above shall apply mutatis mutandis to an external engineering services contribution levied in terms of subsection (1) above.
- (9) If external engineering services are installed by an applicant instead of payment of development charges, the provisions of the Local Government: Municipal

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

Finance Management Act, 2003 (Act 56 of 2003) pertaining the procurement and the appointment of contractors on behalf of the municipality does not apply.

Part 2

Land for parks, open space and other uses

68. Land for parks, open space and other uses

- (1) The approval of a township application as envisaged in section 44(1) and a division of land application envisaged in section 51(1) and 53(1) above, which provides for the use of land for residential purposes is subject to the provision of land for parks or open space by the applicant.
- (2) The land required for parks or open space must be provided within the land area to which the development application refers or may be provided elsewhere within the Municipality's jurisdiction, at the discretion of the Municipality.
- (3) The extent of land required for parks or public open spaces shall be determined by the Municipality in accordance with the formula as set out in Schedule 3 to these By-Laws.
- (4) Any area of land in a proposed township or in a division of land application, which is subject to flooding by a 1:100 year flood line as defined described in the National Water Act, Act 36 of 1998 shall be shown on the plan of the township or subdivision plan as such.
- (5) When a township or a division of land application is approved without the required provision of land for parks or open spaces within the land area of the development, the applicant may be required to pay an amount of money to the Municipality in lieu of the provision of such land.
- (6) The amount of money envisaged in subsection (5) above shall be calculated in accordance with the formula as set out in Schedule 3 to these By-Laws and it shall be calculated in terms of the valuation relevant at the time of proclamation of the approved township envisaged in section 46(15) above, and with a division of land application envisaged in section 51(1) and 53(1) above, at the time of the approval of the application.
- (7) The amount of money calculated in terms of subsection (6) above shall be subject to escalation until it has been settled in full.
- (8) The provisions of sections 46(16), and 53(17) above shall also apply mutatis mutandis to the payment of the amount of money envisaged in subsection (5) above.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

CHAPTER 8**APPEAL AUTHORITY AND PETITION TO INTERVENE****69. Appeal Authority**

- (1) The Executive Authority of the Municipality is the Appeal Authority of the Municipality.
- (2) The Municipality may in the place of its executive authority authorise that a body or institution outside the municipality assume the obligations of an appeal authority in terms of Section 51 (6) of the Spatial Planning and Land Use Management Act.

70. Internal appeals

- (1) An applicant, a person that submitted an objection, comment or representation in terms of any provision of these By-Laws and any interested party as envisaged in the Act, a person whose rights are affected by a decision taken by an authorised official and municipal planning tribunal as outlined in Section 51(4) and 51(5) of the Act, including a person who's petition to intervene has been granted as envisaged in section 73, whose rights may be adversely affected by a decision taken by the Municipal Planning Tribunal, the authorised official in respect of-
 - (a) any land development application envisaged in Chapter 6 of these By-Laws;
 - (b) a change of circumstances in an application in these By-Laws;
 - (c) any engineering services contributions and/or parks or open spaces contributions imposed or levied in terms of any provision of these By-Laws,may appeal against that decision to the Municipal Manager by given written notice of the appeal, including grounds of appeal, within 21 days of the date of notification of the decision or of date of being notified of such engineering services contributions and/or parks or open spaces imposed or levied.
- (2) The Municipal Manager shall within a reasonable time period and after all relevant information on the appeal has been collated submit the appeal to the Municipality's executive authority as the appeal authority for a decision.
- (3) The Municipality's executive authority may delegate its appeal authority in terms of section 56 of the Act read with section 59 of the Municipal Systems Act to-
 - (a) a body or institution outside of the Municipality to assume the obligations of an appeal authority;
 - (b) to an official or a committee of officials with relevant skills and experience in the Public and private sector as per database compiled by the municipality.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (4) An appeal is invalid if it is not lodged within the time period contemplated in subsection (1) above or does not comply with this section.
- (5) If an owner of land lodges an appeal, the municipal manager shall give notice of the appeal to any person or interested party who commented, represented on or opposed the application.
- (6) The notice must be given in accordance with section 115 of the Municipal Systems Act and notice may be given by hand, by registered post or by any other means available.
- (7) If an objector or any interested party as envisaged in subsection (1) above lodges an appeal, the Municipal Manager must give notice of the appeal to the applicant within 14 days of receipt thereof.
- (8) The relevant Municipal department must draft a report assessing the appeal and all comments or objections received and submit it to the appeal authority within 30 days of receipt of the appeal as contemplated above.
- (9) The appeal authority shall decide the appeal within 90 days from the receipt of the appeal
- (10) The appeal authority may confirm, vary or revoke the decision appealed against.
- (11) Parties to the appeal must be notified, in writing, of the decision of the appeal authority within 21 days from the date of the decision as contemplated in subsection (9) above.
- (12) An appeal lodged under this section suspends any decision taken under the provisions of these By-Laws and any post-decision procedures, as the case may be, until the appeal has been finalised.

71. Hearing by appeal authority

- (1) An appeal shall be heard by the appeal authority by means of a hearing based on written and / or oral submissions
- (2) Notwithstanding subsection (1) above, the appeal authority may decide that a formal oral hearing be conducted if the appeal authority is of the opinion that the issues to be determined is of such a nature that it justifies the parties to the appeal to be heard in person, provided such hearing is conducted under strict recording conditions.
- (3) Where the appeal authority decides that an oral hearing be held as envisaged in subsection (2) above, then any party to the appeal may appear in person or may be represented by another person.

72. Record of decisions

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (1) The appeal authority shall keep a proper record of all its proceedings and decisions taken.

73. Petition to be granted intervener status

- (1) Where an application has been submitted to a Municipal Planning Tribunal, authorised official or an appeal has been lodged to the appeal authority, an interested person may, at any time during the proceedings, but within seven days of becoming aware of the proceedings, petition the Municipality in writing to be granted intervener status.
- (2) The petitioner must submit together with the petition to be granted intervener status a full motivation in support of the petition and an affidavit stating that he or she –
 - (a) does not collude with any applicant, objector or appellant; and
 - (b) is willing to deal with or act in regard to the application or appeal as the Municipality may direct.
- (3) The municipality must determine whether the requirements of this regulation have been complied with and must thereafter provide a copy of the petition referred to in subsection (1) to the parties to the application or appeal.
- (4) Where the Municipality, either through its Municipal Planning Tribunal, authorised official or any of its sub-delegates or the appeal authority, must determine whether a petitioner qualifies as an interested person as contemplated in section 45(4) of the Act, it may consider the following:
 - (a) whether such person has a pecuniary or proprietary right or interest in the matter;
 - (b) that such person's right or interest has been affected by the decision of the Municipal Planning Tribunal or authorised official or that his or her rights may be adversely affected by the decision of the Municipal Planning Tribunal or authorised official and might therefore be adversely affected by the decision of the appeal authority;
 - (c) that the petitioner represents a group of people who have a direct concern in the proceedings;
 - (d) the ability of the petitioner to protect his or her interest would be impeded by the decision of the Municipal Planning Tribunal, authorised official or appeal authority and that his or her interest is not adequately represented by the current parties to the proceedings;
 - (e) the petitioner will provide a different perspective on the issues before the Municipal Planning Tribunal, authorised official or appeal authority, without expanding those issues.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (5) A determination by the Municipal Planning Tribunal, appeal authority or authorised official whether a petitioner qualifies, as an interested person is final and must be communicated to the petitioner and the parties to the proceedings in writing without delay.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

CHAPTER 9

ENFORCEMENT

74. Law enforcement

- (1) The Municipality may designate an official or officials under its employ as a law enforcement officer(s) to investigate any non-compliance with the provisions of these By-Laws, its land use scheme or any other town planning scheme still in operation.
- (2) The provisions of section 32(5) of the Act shall apply mutatis mutandis to such law enforcement officers envisaged in subsection (1) above.
- (3) An inspection of any property may only be carried out by a law enforcement officer or any other municipal official at any time.
- (4) A judge or magistrate for the district in which the land is situated, may, at the request of the Municipality, issue a warrant to enter upon the land or building or premises if the-
 - (a) law enforcement officer or any municipal official has been refused entry to land or a building that he or she is entitled to inspect;
 - (b) prior permission of the occupier or owner of land on which a private dwelling is situated as envisaged in subsection (4) above cannot be obtained after reasonable attempts;
 - (c) the purpose of the inspection would be frustrated by the prior knowledge thereof.
- (5) The Municipality may apply to a court for an order-
 - (a) interdicting any person from using land in contravention of any provision of these By-Laws, its land use scheme or any other town planning scheme still in operation;
 - (b) authorising the demolition of any structure erected on land in contravention of any provision of these By-Laws, its land use scheme or any other town planning scheme still in operation without any obligation on the Municipality or the person carrying out the demolition to pay any compensation; and/or
 - (c) authorising any other appropriate relief and all costs incurred be for the account of the land owner.

75. Offences and penalties

- (1) Further to any section in these By-Laws that declares a specific action a criminal offence, where any person-
 - (a) undertakes or proceeds with the erection or alteration of or addition to a building or causes it to be undertaken or proceeded with;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (b) performs, undertakes or proceeds with any other work or causes it to be performed, undertaken or proceeded with;
 - (c) uses any land or building or causes it to be used;
 - (d) alters the form and function of land,
- in conflict with a provision of these By-Laws, any other applicable legislation dealing with land development, the Municipality's land use scheme or any other a town planning scheme still in operation, such person shall be guilty of an offence.
- (2) The Municipality may direct such person in writing-
- (a) to discontinue such erection, alteration, addition or other work or such use or cause it to be discontinued;
 - (b) at his own expense-
 - (i) to remove such building or other work or cause it to be removed;
 - (ii) to cause such building or other work or such use to comply with the provisions of the scheme,
- and the directive shall state the period within which it shall be carried out.
- (3) The Municipality shall not approve a building plan for the erection or alteration of or addition to a building which would be in conflict with any provision of these By-Laws, the Municipality's land use scheme or any town planning scheme still in operation.
- (4) The provisions of subsection (3) shall not apply to the erection or alteration of or addition to a building in accordance with an approved building plan.
- (5) Any person who contravenes or fails to comply with a directive issued in terms of subsection (2) shall be guilty of an offence.
- (6) Where any person fails to comply with a directive issued in terms of subsection (2), the Municipality may, whether or not a prosecution has been or will be instituted, remove the building or other work or cause the building or other work to comply with the provisions of these By-Laws, its land use scheme or any other town planning scheme still in operation and recover all expenses incurred in connection therewith from such person.
- (7) Upon conviction of an offence in terms of these By-Laws a person is liable to a fine as determined by the court or municipal policy or imprisonment not exceeding 5 years or to both a fine and such imprisonment and the fine shall be calculated according to the ratio determined for such imprisonment in terms of the relevant legislation or approved municipal policy.
- (8) A person convicted of an offence under these By-Laws who, after conviction, continues with the action in respect of which he or she was so convicted, is guilty of a continuing offence and liable to a fine, or upon conviction, to imprisonment for a period not exceeding three months or to both such fine and

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

imprisonment, in respect of each day on which he or she so continues or has continued with that act or omission.

76. Content of Compliance Notices

- (1) A compliance notice must—
 - (a) identify the judicial person as registered owner to whom it is addressed;
 - (b) describe the alleged unlawful use of land or construction activity concerned and the land on which it occurs;
 - (c) state that the activity is unlawful and inform the person of the particular offence contemplated in the By-law which that person allegedly has committed or is committing through the continuation of that activity on the land;
 - (d) the steps that the person must take and the period within which those steps must be taken;
 - (e) anything which the person may not do and the period during which the person may not do it;
 - (f) issue a warning to the effect that—
 - (i) the person may be prosecuted for and convicted of an offence contemplated in the Bylaw;
 - (ii) on conviction of an offence, the person will be liable for the penalty as provided for;
 - (iii) the person may be required by an order of court to demolish, remove or alter any building, structure or work illegally erected or constructed or to rehabilitate the land concerned or to cease the activity;
- (2) Any person on whom a compliance notice is served must comply with that notice within the time period stated in the notice, unless the Municipality has agreed to suspend the operation of the compliance notice.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

CHAPTER 10

GENERAL PROVISIONS

77. Policies, Procedures, Standards, Requirements and Guidelines

- (1) The Municipality may adopt a policy, procedure, standard, requirement or guideline for the effective administration of these By-Laws.
- (2) The Municipal Manager may prescribe anything, which these By-Laws empowers the Municipality to prescribe.
- (3) The Municipality must make available on the Municipality's website any prescription contemplated in subsection (2) and may make available on the website any policy, procedure, standard, requirement or guideline contemplated in subsection (1)
- (4) If the Municipality intends to adopt or amend a policy, procedure, standard, requirement guideline or prescription and the adoption or amendment materially and adversely affects the rights of the public, the Municipality must follow a participation process and procedure, which meets the requirements of the Municipal Systems Act.
- (5) An applicable policy, procedure, standard, requirement or guideline applies to an application of these By-Laws.

78. Requirements for Objections on Land Development Applications

- (1) All objections must clearly state—
 - (a) the contact details of the authorized representative of the signatories of the objections;
 - (b) the full name and physical address of each signatory; and
 - (c) the objections, comments or representations and reason therefore.
- (2) Any notice to the person contemplated in subsection (1)(a) constitutes notice to all the signatories to the objection.
- (3) Where an objection was submitted under more than one signatories the Municipality reserves the right to limit representation to four representatives.

79. Approval or adoption of amendment scheme under certain circumstances

- (1) Where—
 - (a) a notice is or has been published in terms of section 46(15) above declaring a township an approved township;
 - (b) a proclamation envisaged in section 49 of the Deeds Registries Act is or has been published extending the boundaries of an approved township;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

(c) a notice is or has been published in terms of section 60(8) above declaring that the general plan of an approved township or a division of land has been altered, amended or totally or partially cancelled;

(d) an application for the division of land has been approved in terms of section 53(4) above,

the Municipality may, by notice in the *Provincial Gazette* declare that it has adopted an amendment scheme relating to the same land as the land envisaged in subsection (1)(a) to (1)(d) above and that a copy of the scheme will lie open for inspection at all reasonable times at the office of the Municipality and that thereupon the scheme shall be deemed to be an approved scheme.

(2) In respect of an amendment scheme envisaged in subsection (1) above-

(a) any provision of these By-Laws;

(b) any other provision, which the Municipality may prescribe shall apply.

80. Documents, plans and diagrams and any other information to be submitted with land development applications under the provisions of these By-Laws

(1) The documents, plans, diagrams, reports and any other information as set out in Schedules to these By-Laws shall be submitted with any land development application under any provision of these By-Laws.

(2) The applicant must, within 30 days or such further period as the Municipality may allow, provide the Municipality with such additional information which the Municipality may require and as provided for in Schedules.

(3) If the applicant does not timeously provide the additional information and does not submit an appeal to the appeal authority, the Municipality may close the application and notify the applicant in writing.

(4) Where the Municipality closes the application-

(a) the application is deemed to be refused;

(b) the application fee is not refundable; and

(c) the applicant may submit a new application and must pay a new application fee.

81. Continuation of application by new owner

(1) If land that is the subject of a land development application in terms of these By-Laws is transferred to a new owner before the conclusion of such application, the new owner may continue with the application as the successor in title to the previous owner and the new owner will be regarded as the applicant for purposes of these By-Laws.

(2) The new owner must inform the Municipality in writing of the continuation of the application and provide the Municipality with a new title deed within 30 days of

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

the date of actual registration of the property, failing which, the application will automatically lapse.

82. Time frames for land development applications

- (1) An application is regarded as complete only if the Municipality has received the application fee, all information necessary for the Municipality to assess the application as envisaged in Schedules to these By-Laws and the information submitted is compliant with all information specifications.
- (2) The municipality shall within 14 days notify the owner/applicant that a Land Development Application is complete.
- (3) Upon confirmation, the phases of the application process starts.
- (4) For the purposes of this section, a land development application under the provisions of these By-Laws shall be subject to an administrative phase, a consideration phase and a decision phase.
- (5) The administration phase commences only after a land development application is regarded as complete as envisaged in subsection (1) above and such phase may not be longer than 12 months.
- (6) The consideration phase may not be longer than 3 months.
- (7) The decision phase shall be subject to the time frames as set out in the relevant sections of these By-Laws provided that any decision by the Municipal Planning Tribunal shall be made within 30 days from the date of the last meeting of the Municipal Planning Tribunal.
- (8) The administrative phase is the phase during which all public participation notices must be published and responded to, parties must be informed, public participation processes finalised, intergovernmental participation processes finalised and the application referred to the Municipal Planning Tribunal or authorised official for consideration and decision-making.
- (9) The consideration phase is the phase during which the Municipal Planning Tribunal or authorised official must consider the application, whether it be a written or oral proceeding, and undertake investigations, if required.
- (10) If no decision is made within the period referred to in subsection (7) above, it shall be regarded as an undue delay for purposes of these By-Laws and the applicant or interested person may lodge an appeal in terms of the provisions of section 70(1) above to the appeal authority for a decision on the application.
- (11) Such non-performance may also be reported to the Municipality Manager, who must in turn report it to the Municipality's executive authority and adequate steps shall be taken to ensure compliance with the prescribed time frames.

83. Excision of land from Agricultural Holdings Register

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (1) The Applicant shall be responsible for the excision of land from an Agricultural Holding Register.
- (2) The endorsement of the Agricultural Holding Title by the Registrar of Deeds to the effect that it is excised and known as a farm portion for the purposes of a rezoning application or a township establishment can be done simultaneously with the endorsement of the title deed of the farm portion and the opening of a township register.
- (3) The municipality shall issue a certificate certifying that the pre-proclamation conditions have been complied with and in certifying, it may require that certain conditions be complied with together with the opening of a township register.
- (4) If an applicant elects to remove restrictive conditions of title to an Agricultural Holding through an excision application, the municipality shall only regard proof of the removal of the restrictive conditions if the applicant provides the title deed of the Agricultural Holding as it has been endorsed by the Registrar of Deeds and a copy of the farm title created as a result of the excision.

84. Approval of Building Plans and Registration

- (1) An approval in terms of Section 7(6) of the National Building Regulations and Standards Act, 1977, (Act 103 of 1977) shall not be granted unless the land use rights have come into operation in terms of the provisions of these By-Laws.
- (2) The Municipality shall not approve the erection of any building in terms of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) on the land which is the subject of any land development application save in accordance with such approval;
- (3) The Registrar of Deeds shall not register any transaction in terms of the Deeds Registries Act, 1937 (Act 47 of 1937) or the Sectional Titles Act, 1986 (Act 95 of 1986) submitted by or on behalf of the owner of the land which is the subject of an approval under these By-Laws and arising as a consequence of such approval unless the documents evidencing such transaction include any conditions of title imposed by the Municipality.

85. Hearing of submissions, objections, comments or representations

- (1) Where in terms of any provision of these By-Laws a land development application is referred to the Municipal Planning Tribunal for a decision, the Municipality shall forthwith determine a day, time and place for such hearing.
- (2) The person making the application and any other person, who timeously submitted an objection, comment or representation in terms of any provision of these By-Laws, including an interested person who has been granted intervener status for purposes of section 73 above, shall receive 14 days clear notice of such day, time and place of the hearing.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (3) At such hearing contemplated in subsection (1) above the parties envisaged in subsection (2) above may appear in person and set out their motivation in support of the application or their grounds of objection or representation, as the case may be, and adduce any evidence in support thereof or authorise any other person to do so on their behalf.
- (4) A hearing contemplated in subsection (1) above shall be open to the public unless otherwise directed by the Chairperson of the Municipal Planning Tribunal.
- (5) Where an objection, comment or representation has been submitted in the form of a petition, the Municipality will only be obliged to give notice of such hearing to the main petitioner.

86. Reasons for a decision

- (1) Unless otherwise provided for in these By-Laws, the approval authority shall be obliged to provide adequate written reasons on all land development applications envisaged in these By-Laws.

87. Naming and numbering of streets

- (1) If as a result of the approval of a land development application, streets or roads are created, whether public or private, the Municipality must approve the naming of the street and must allocate a street number for each of the erven or land units located in such street or road.
- (2) The proposed names of the streets and numbers must be submitted as part of an application for subdivision.
- (3) In considering the naming of streets, the Municipality must take into account the relevant policies relating to street naming and numbering.
- (4) The Municipality must in writing inform the Surveyor-General of the approval of new street names as a result of the approval or amendment of subdivision plans as envisaged in subsection (1) above and a street name which is indicated on an approved general plan within 30 days of the approval thereof.
- (5) The applicant must erect the street names according to the Municipality's standards.
- (6) No person may alter or amend a street name as approved in terms of subsection (1) above without the approval of the Municipality.
- (7) An owner of land to which a street number has been allocated as envisaged in subsection (1) above shall ensure that the number as approved for that land unit is displayed and remain displayed.
- (8) No person may alter or amend or use another street number unless approved by the Municipality.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- (9) The Municipality may, by written notice direct the owner of a land unit to display the number allocated to the land unit and may also, in exceptional circumstances, prescribe the position where it is to be displayed, and the owner or occupier of such land unit shall, within 30 days of the date of such notice, affix the allotted number on the premises in accordance with such notice.
- (10) The Municipality may direct any owner to replace or repaint any digit of such number which has become illegible, obliterated or defaced.

88. Tariff of charges

- (1) The Municipality may determine tariff of charges in respect of-
 - (a) any act, matter or application in terms of these By-Laws;
 - (b) anything required or authorised to be done in terms of these By-Laws.
- (2) Such tariff of charges shall be published in the Provincial Gazette for information.
- (3) As a transitional measure the tariffs determined through the Municipal Financial Management Act shall apply.

89. National and Provincial interest

- (1) The Municipality shall forward a land development application to the relevant Minister or MEC for comment where such application will materially affect an exclusive functional area of the National or Provincial sphere as per Schedules 4 and 5 of the Constitution.
- (2) Subject to section 52(6) of the Spatial Planning and Land Use Management Act, the relevant Minister or MEC, as the case may be, may submit its comments on the application to the Municipality within 60 days from date of receipt of the application, failing which, it shall be deemed that such Minister or MEC has no comment to make.

90. Transitional provisions

- (1) Any land development application or other matter in terms of any provision of National or Provincial legislation dealing with land development applications that are pending before the Municipality on the date of the coming into operation of these By-Laws, shall be dealt with in terms of that legislation or if repealed in terms of its transitional arrangements or in the absence of any other provision, in terms of these By-Laws, read with Section 2(2) and Section 60 of the Act.
- (2) Where on the date of the coming into operation of an approved Land Use Scheme in terms of Section 26(1) of the Act, any land or building is being used or, within one month immediately prior to that date, was used for a purpose which is not a purpose for which the land concerned has been reserved or zoned in terms of the provisions of a Land Use Scheme in terms of these By-

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- Laws read with Section 27 of the Act, but which is otherwise lawful and not subject to any prohibition in terms of these By-Laws, the use for that purpose may, subject to the provisions of Section 2(3), be continued after that date read with the provisions of a Land Use Scheme.
- (3) The right to continue using any land or building by virtue of the provisions of Section 2(3) shall:
- (a) Where the right is not exercised in the opinion of the Municipality for a continuous period of 15 months, lapse at the expiry of that period.
 - (b) Lapse at the expiry of a period of 15 years calculated from the date contemplated in Section 2(3) in which case no compensation shall be payable.
- (4) Where on the date of the coming into operation of an approved Land Use Scheme –
- (a) a building, erected in accordance with an approved building plan, exists on land to which the approved Land Use Scheme relates;
 - (b) the erection of a building in accordance with an approved building plan has commenced on land and the building does not comply with a provision of the approved Land Use Scheme, the building shall, for a period of 15 years from that date be deemed to comply with that provision.
- (5) Thereafter the owner of the aforesaid building or land shall submit a development application within the said 15 year period for consideration by Council to regularise the existing use.
- (6) Within one year from the date of the coming into operation of an approved Land Use Scheme –
- (a) the holder of a right contemplated in Section 2(3) may notify the Municipality in writing that he/she is prepared to forfeit that right;
 - (b) the owner of a building contemplated in Section 2(3) may notify the Municipality in writing that he/she is prepared to forfeit that right acquired by virtue of the provisions of that subsection.
- (7) Where at any proceedings in terms of these By-Laws it is alleged that a right has lapsed in terms of Section 2(3), such allegation shall be deemed to be correct until the contrary is proved.
- (8) Where any land use provisions are contained in any title deed, deed of grant or 99 (ninety nine) year leasehold, which did not form part of a land use scheme, such land use provisions shall apply as contemplated in Section 2(3).
- (9) If the geographic area of the Municipality is demarcated to incorporate land from another municipality then the Land Use Scheme applicable to that land remains

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

in force until the Municipality amends, repeals or replaces it subject to Sections 11 and 15 of these By-Laws.

91. Exemption

- (1) The Municipality may in writing exempt any person from complying with any provision of these By-Laws upon good cause shown.
- (2) An application for exemption shall be in writing setting out which section of the By-law exemption is being applied for accompanied by a full motivation why such exemption should be granted.
- (3) Such application shall be considered by the municipal planning tribunal and a decision shall be made on the application within 14 days from date of receipt of such application and the applicant shall be informed in writing of such decision.

92. False or misleading information in connection with application.—

- (1) Any person who willfully and or with intent to defraud furnishes false or misleading information in connection with an application contemplated in these By-Laws shall be guilty of an offence.

93. Short title and commencement

- (1) These By-Laws is called the Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016, and comes into operation on a date by proclamation in the *Provincial Gazette*.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

SCHEDULES TO THESE BY- LAWS**SCHEDULE 1: LAND USE SCHEME REGISTER**

1. A Land Use Scheme Register as contemplated in section 14(10) of these By-Laws may, where applicable, include the following:
 - (a) Date of application
 - (b) Name and contact details of applicant
 - (c) Type of Application
 - (d) Property Description
 - (e) Existing Zoning
 - (f) Square Metres Granted
 - (g) Density
 - (h) FAR
 - (i) Height (storeys/meters)
 - (j) Coverage
 - (k) Building Line
 - (l) Parking Requirements
 - (m) Amendment scheme no
 - (n) Annexure Number
 - (o) Item No
 - (p) Decision and date
 - (q) Date of proclamation
 - (r) Any other information, which in the opinion of the Municipality shall be required to assist land development in general; provided that (a) to (q), can be made available to the public but information in terms of (r) need not be made available.

SCHEDULE 2: APPLICATION FORM

<div>SECTION 1</div> <div>Details of Land Owner (If different from Applicant)</div>			
Name:	_____	Contact person:	_____
Postal address:	_____	Physical address:	_____
	_____		_____
	_____ Code: _____		_____
Tel no:	_____	Cell no:	_____
Fax no:	_____	E-mail address:	_____

<div style="text-align: center;"> <u>SECTION 2</u> Details of Applicant </div>			
Name: _____ Postal address: _____ _____ <div style="text-align: right;">Code: _____</div> Tel no: _____ Fax no: _____ Professional Reg. No. and Organisation: _____ (Where applicable)	Contact person: _____ Physical address: _____ _____ Cell no: _____ E-mail address: _____ _____		

If the applicant is not the registered owner(s), attach a power of attorney from the registered owner(s) to the application. This also applies if the person applying is still busy obtaining the land parcel and if the land parcel is owned by a company or more than one person.

SECTION 3 **Details of Property**(In accordance with Title deed)

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

Erf/ Farm No and portion description: _____	Area (m ² or ha): _____
Physical address of erf/farm: _____	Existing zoning: _____
Location from nearest town: _____	Existing land use: _____
Town/suburb: _____	Area applicable to application: _____
Registration Division: _____	Title deed no: _____

SECTION 4**Type of Application being Submitted** (Mark with an X and give detail)**Application for:**

(Please mark applicable block with a cross)

Consent use / Written Consent	
Relaxation of a building line	
Amendment of Land Use Scheme	
Township Establishment	
Division or Phasing of a Township	
Extension of boundaries of an approved Township	
Subdivision of land in an approved township	
Consolidation of land in an approved township	
Subdivision of any other land	
Consolidation of any other land	
Cancellation and amendment of conditions, plan or endorsement of certain conditions (subdivision/consolidation)	
Approval of alteration, amendment or cancelation of general plan	
Amendment suspension or restrictive or obsolete conditions or obligations, servitudes or reservations in Title	
Appeal	
Petition to intervene	
Continuation of an application by new owner	
Exemption from certain provisions of the By-law	

Please give a short description of the scope of the project:

*Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016***SECTION 5****Detail of application**(Mark with an X and give detail where applicable)

Is the land parcel currently developed (buildings etc.)?	YES	NO	If answered YES, what is the nature & condition of the developments/improvements?	
Is the current zoning of the land used?	YES	NO	If answered NO, what is the application/ use of land?	
Is the property subjected to a bond?	YES	NO	If answered YES, attach the bondholder's consent to the application:	
Has any application on the property previously been considered?	YES	NO	If answered YES, when and provide particulars, including type of application, all authority reference numbers and decisions:	
Does the proposal apply to the entire land parcel?	YES	NO	If answered NO, indicate the size of the portion of the land parcel concerned, as well as what it will be used for, including the remaining extent:	
Are there any restrictions, such as servitudes, rights, bonds, etc. with regard to the land parcel in terms of the deed of transfer that should be removed, as it might have an influence on this application?	YES	NO	If answered YES, please provide detail description:	
Are there any physical restrictions (e.g. steep inclines, unstable land formations, marshes, etc.) that might influence the intended development	YES	NO	If answered YES, name full particulars and state how the problem will be solved and submit detail layout plan:	
Is any portion of the land parcel in a flood plain of a river beneath the 1:50/1:100 year flood-line, or subject to any flooding?	YES	NO	If answered YES, please provide detail description:	
Is any other approval that falls outside of these By-Laws, necessary for the implementing of the intended development?	YES	NO	If answered YES, please provide detail description:	
Is the proposed application in line with the approved spatial development frameworks?	YES	NO	If answered NO, please provide site specific circumstances in accordance with section 22(2) of the SPLUMA.	
What arrangements will be made regarding the following	Water supply:			

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

services for the development? (Full Engineering Reports must be supplied, where applicable)	Electricity supply:	
	Sewerage and waste-water	
	Storm-Water:	
	Road Network:	

SECTION 6**List of Attachments and supporting information required/ submitted with checklist for Municipal use** (Mark with an X/ number annexure)

Checklist (for the completion by the Applicant only)				Checklist (for the use of the Responsible Authority only)		
YES	NO	ANNEXURE	DOCUMENT ATTACHED	YES	NO	N/A
			Completed Comprehensive Application form			
			Complete Motivation Report			
			Board of Directors' / Trustees' resolution / consent			
			Power of Attorney			
			Certified copy of Title Deed(s)			
			Orientating Locality Map			
			Basic Layout Map			
			Land Use Scheme Zoning Map Extract			
			Land Use Map			
			Detail Layout Map			
			Ortophoto / Aerial survey map			
			Site Development Plan			
			Extract of Spatial Development Framework			
			Contour map			
			Surveyor-General diagrams (cadastral information)			
			Deeds Report			
			Bondholder's consent			
			Home Owners' Association consent / stamp of approval			
			Special endorsement/proxy			
			Mineral rights certificate (together with mineral holder's consent)			
			Prospecting contract			
			Registered servitudes (deed and map/plan)			
			Status report from Surveyor-General – street closure or state owned land			
			Detail Engineering Services plan (Bulk and internal)			
			Environmental Impact Study/Assessment (EIA – Environmental Authorisation)			
			Archaeological Impact Assessment (AIA) - approval from relevant Department			
			Heritage Impact Assessment - approval from relevant Department			

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

			Traffic impact study/assessment			
			Geotechnical report (NHBRC Standards)			
			Flood line certificate - certificate from relevant Dept			
			Subdivision of Agricultural land - permission from relevant Department Agriculture			
			List of sections in Title Deed conditions to be removed /amended			
			Public participation report and minutes of meetings			
			Other (specify):			
			Seven (7) sets of full colour documentation copies			

SECTION 7 Declaration

Note: *If application is made by a person other than the owner, a Power of Attorney is compulsory. If the property is owned by more than one person, the signature of each owner is compulsory. Where the property is owned by a company, trust, or other juristic person, a certified copy of the Board of Directors/Trustees' resolution is compulsory*

I hereby certify the information supplied in this application form to be complete and correct and that I am properly authorised to make this application.

Applicant's/ Owner's Signature:	_____	Date:										
Full name (print):	_____											
Professional capacity (Reg. No.):	_____											
Applicant's ref:	_____											

*Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016***SCHEDULE 3 CONTRIBUTIONS PAYABLE AND PROVISIONS OF LAND FOR OPEN SPACES AND PARKS IN TERMS OF THIS BY LAW**

1. Determination of amount or contribution payable in respect of provision of open spaces (private open space or public open space) or parks.
2. Where, by virtue of or in terms of the provisions of these By-Laws an owner of land on which a land development application is approved (excluding a township establishment in terms of section 44 is required to pay an amount of money or a contribution to the Municipality in respect of the provision of open spaces or parks, such amount or contribution shall be determined substantially, in the opinion of the Municipality, in accordance with the formula—

$$\frac{(a-b) \times c \times e}{d}$$

d

“a” represents the number of residential units which may be erected on the land to which the application relates in terms of the approved application;

“b” represents the number of residential units which could have been erected on the land contemplated in paragraph (a) prior to the approval of the application;

“c” represents:

- (a) 24 m² where, in terms of the approved application, the land contemplated in paragraph (a) may be used for Residential 1 or 2 purposes or for purposes as may be determined by the Municipality from time to time, as the case may be;
- (b) 18 m² where, in terms of the approved application, the land contemplated in paragraph (a) may be used for Residential 3, 4 or 5 for purposes as may determined by the Municipality from time to time or as the case may be; (e.g. retirement village)

“d” represents the area of the land contemplated in paragraph (a) in m²;

“e” represents the site value of the land contemplated in paragraph 1

- (a) as reflected in the valuation roll or the supplementary valuation roll of the local authority;
or
- (b) if the land is not reflected in the valuation roll or supplementary valuation roll of the Municipality, as determined by a valuer
 - (i) who is a member of the South African Institute of Valuers; or
 - (ii) as defined in the Local Government Property Rates Act, 2004.

3. Provision of Land for Open Spaces (private open space or public open space) or Parks including where a division of township application;
 - (a) Where, in terms of sections 42, the Municipality of an application to establish a township, imposes a condition requiring the applicant to provide land for open spaces or parks, the area of that land shall be determined substantially, in the opinion of the Municipality, in accordance with the formula:

$$a \times 24 \text{ m}^2 + b \times 18 \text{ m}^2, \text{ in which formula}$$

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

- “a” represents the number of residential units which may be erected on land in the township which, in terms of the land use scheme concerned, is to be zoned —Residential 1 or —Residential 2 or as may be determined by the Municipality from time to time, as the case may be;
- “b” represents the number of residential units which may be erected on land in the township which, in terms of the town planning scheme concerned, is to be zoned —Residential 3’ —Residential 4 or —Residential 5 or as may be determined by the Municipality from time to time, as the case may be.
- (b) Any area of land in a proposed township which is subject to flooding by a 1:100 year flood shall be shown on the plan of the township as an open space or park if so required by the Municipality concerned and such area may at the request be protected by means of a servitude and shall be indicated in terms of a zoning for the purpose for which it is set aside.
- (c) If, in a proposed township, part of any area of land subject to flooding by a flood contemplated in paragraph (2) is less than 32 m measured from the centre of a water course, the area of land shown as an open space or park on the plan of the township shall be extended to measure 32 m from the centre of the water course.
- (d) The area of land to be provided for open spaces or parks in terms of paragraph (1), may not be reduced by the area of land to be shown as open spaces or parks in terms of paragraph (2) and (3); provided that the Municipality may give consent to reduce this requirement.

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

SCHEDULE 4 TRANSITIONAL MEASURES SCHEDULE

APPLICABLE LEGISLATION	PRIOR TO 1 JULY 2015	AFTER 1 JULY 2015; ENACTMENT OF SPLUMA	AFTER ENACTMENT OF BY-LAW
Town Planning and Townships Ordinance, 1986 (Ord. 15 of 1986)	Drafting of Town-planning Scheme: Section 18	Promulgated Town Planning Scheme remains applicable until replaced by a land use scheme; Must draft a Land Use Scheme within 5 years of enactment of SPLUMA.	Promulgated Town Planning Scheme remains applicable until replaced by a land use scheme; Must draft a Land Use Scheme within 5 years of enactment of SPLUMA.
	Rezoning, subdivision, consolidation and Township Establishment Applications: Section 28, 56, 61(2), 62, 63, 92, 96, 82, 100, 101, 108, 125 and all other sections that deals with or are related to the processing of the an application	Submitted to and decision taken by Municipalities in terms of the Ordinance; Decision taken by the CP & DC; Appeal to the Townships Board	Submission of new land development applications must be done to the By-law – Ordinance no longer applicable. The Ordinance will remain applicable until such time it is repealed by provincial legislation. However, the introduction of the municipal By-law, and the effect(s) thereof will in some manner 'friendly force' applicants to rather make use of the By-law. All applications already submitted in terms of the Ordinance can be finalized in terms of the Ordinance. Decisions taken by Authorised Official or MPT; Appeal to the AA.
	Appeal against a decision of Council to section 59 and 139	Submit appeal to the Townships Board; they recommend to the MEC for final decision If applications were submitted prior 1 July, for applications submitted before 1 July	Townships Board finalize appeals that was lodged with it before 1 July 2015 in terms of the Ord

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

APPLICABLE LEGISLATION	PRIOR TO 1 JULY 2015	AFTER 1 JULY 2015; ENACTMENT OF SPLUMA	AFTER ENACTMENT OF BY-LAW
	July and decisions are received after 1 July – applicant wish to appeal – such appeals still to be finalized by Townships Board	should also still be dealt with by the Townships Board Appeals lodged after 1 July – to be submitted to the Municipal Appeals Tribunal – only if the application was submitted after 1 July	Appeals lodged after 1 July 2015 and after enactment of By-law – to be submitted to the Municipal Appeals Tribunal
Extension of Boundaries – Section 88	Submitted and approved by Province	Section 88 determine that the application must be submitted to the Administrator – province must sub-delegate that this application can be submitted and processed by the Municipalities; only thereafter the following can apply: All applications submitted to Province must be handed over to the Municipality to further finalize the application; New applications must be submitted to the Municipality to process and finalize the application.	Section 88 determine that the application must be submitted to the Administrator – province must sub-delegate that This application can be submitted and processed by the Municipalities; only thereafter the following can apply: All applications already submitted must be finalized in terms of the Ordinance; New application must be submitted to the By-law.
Consent uses, permissions and temporary uses lodged in terms of the Town planning scheme read with section 20	Submitted in terms of the relevant clauses in terms of the Town planning scheme to the Municipality; processed and finalized by the Municipality; Decision taken by CP&DC.	Submitted in terms of the relevant clauses in terms of the Town planning scheme to the Municipality; processed and finalized by the Municipality; SPLUMA prescribes that a Land Use Scheme must be done within 5 years – if it contains consent uses etc. – will be submitted to and administered by the Municipality. Decisions taken regarding the land development application by Authorised Official or MPT;	Submitted in terms of the relevant clauses in terms of the Town planning scheme to the Municipality; processed and finalized by the Municipality; SPLUMA prescribes that a Land Use Scheme must be done within 5 years – if it contains consent uses etc. – will be submitted to and administered by the Municipality. Decisions taken regarding the land development application by Authorised Official or MPT;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

APPLICABLE LEGISLATION	PRIOR TO 1 JULY 2015	AFTER 1 JULY 2015; ENACTMENT OF SPLUMA	AFTER ENACTMENT OF BY-LAW
Removal and / or rezoning in terms of Section 2 and 5(5)	Submitted to and processed by the Municipality; Decision taken by CP&DC.	Appeals submitted to the AA; Submitted to and processed by the Municipality; Decisions taken by Authorised Official or MPT; Appeals submitted to the AA;	Appeals submitted to the AA; Submission of new land development applications must be done to the By-law – GRRRA no longer applicable – same remarks as per Ordinance-applications above apply. GRRRA will only become redundant once repealed by Provincial Legislation; Decisions taken by Authorised Official or MPT; Appeals submitted to the AA; All applications already submitted to GRRRA can be finalized to the Act.
Appeal against a decision of the Municipality in terms of Section 5(7) – same remarks as per Ordinance applications to apply here – to be discussed	Submit appeal to the Townships Board	Townships Board finalize appeals that was lodged with it in terms of GRRRA; Appeals lodged after 1 July – to be submitted to the Municipal Appeals Tribunal – don't agree. If application was lodged before 1 July – appeal to be finalized by Townships Board	Townships Board finalize appeals that were lodged with it in terms of GRRRA;; Appeals lodged after 1 July and after enactment of By-law – to be submitted to the Municipal Appeals Tribunal.
Submission of applications in terms of Section 6(1) and 17(3)	Submitted to and processed by the Municipality; Decision taken by CP&DC.	Submitted to and processed by the Municipality; Decisions taken by Authorised Official or MPT; Appeals submitted to the AA;	Submission of new subdivision applications must be done to the By-law – Ord. no longer applicable – again – Division of Land Ordinance will only become redundant, once repealed by Provincial Legislation Decisions taken by Authorised Official or MPT;

Draft 4.9 The Emfuleni Municipality Spatial Planning and Land Use Management By-Law, 2016

APPLICABLE LEGISLATION	PRIOR TO 1 JULY 2015	AFTER 1 JULY 2015; ENACTMENT OF SPLUMA	AFTER ENACTMENT OF BY-LAW
Gauteng Removal of Restrictions Act, 1996	All land use rights established in terms of this legislation has been taken up into the Town Planning Scheme and the Town Planning and Townships Ordinance must be used to lodge a land development application.	Submitted and processed by the Municipality. Decisions taken by the Cp&DC	Appeals submitted to the AA; All applications already submitted to Ord can be finalized to thereof. Submission of new application must be done to the By-law – Ord. no longer applicable; Decisions taken by Authorised Official or MPT; Appeals submitted to the AA; All applications already submitted to Ord can be finalized to thereof.
	Submission of applications submitted to chapter 7 (Gated Communities	Submitted to and processed by the Municipality; Decision taken by SLDT	Act still applicable; Submitted to and processed by the Municipality; Decision taken by MPT
	Submission and Processing of land development applications	Section 60 of SPLUMA enacted; 60(b) Any reference to a tribunal in terms of Section 15 of the DFA must be construed as reference to the Local Authority 60(c) reference to the Designated officer must be construed as reference to the Official of the Municipality	Section 60 of SPLUMA remain applicable and applications lodged in terms of the DFA must be dealt with accordingly Any new land development application must be submitted in terms of the By-law

PROVINCIAL NOTICE 209 OF 2017



GAUTENG

LEGISLATURE

Your View ~ Our Vision

**THE GAUTENG PROVINCIAL GOVERNMENT INTENDS TO INTRODUCE
THE GAUTRAIN MANAGEMENT AGENCY AMENDMENT BILL 2017 IN THE
GAUTENG PROVINCIAL LEGISLATURE**

The above mentioned Bill is hereby published in English in the Gauteng Provincial Extraordinary Gazette No.dated 03 March 2017 for public comments and general information.

The Bill seeks to amend the Gautrain Management Agency Act, 2006, so as to substitute certain definitions; to amend the objects of the Agency; to extend the scope of projects that the Agency may undertake; to amend the functions of the Agency; to provide for limitation of liability; to provide for consequential amendments, and to provide for matters connected therewith.

People, who wish to comment on the Bill, may send their written comments to:

Office of the Secretary
Committee Coordinator (Mr. S Mthiyane)
Gauteng Provincial Legislature
Private Bag X52
Johannesburg
2000

Tel: (011) 498 5553
Mobile: (082) 9677518
Fax: (011) 498 5719

Comments must reach the above office on or before 14 April 2017.

Copies of the *Gazette* may be obtained from Government Printers, Publications Section, Vermeulen and Bosman Streets, Pretoria at R2.50 per copy

GAUTENG PROVINCIAL GOVERNMENT

GAUTRAIN MANAGEMENT AGENCY AMENDMENT BILL, 2017

(As introduced by the MEC for Roads and Transport)

(The English text is the official text of the Bill)

[G001-2017]

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments

B I L L

To amend the Gautrain Management Agency Act, 2006, so as to substitute certain definitions; to amend the objects of the Agency; to extend the scope of projects that the Agency may undertake; to amend the functions of the Agency; to provide for limitation of liability; to provide for consequential amendments, and to provide for matters connected therewith.

BE IT ENACTED by the Gauteng Provincial Legislature as follows:—

Amendment of section 1 of Act 5 of 2006

1. Section 1 of the Gautrain Management Agency Act, 2006 (Act No. 5 of 2006) (hereafter referred to as “the Principal Act”) is hereby amended—

(a) by the substitution for the definition of “Companies Act” of the following definition:

“‘Companies Act’ means the Companies Act, **[1971 (Act No. 61 of 1973)]** 2008 (Act No. 71 of 2008);”;

(b) by the substitution for the definition of “concession agreement” of the following definition:

“‘concession agreement’ means a written agreement concluded between the Province and a concessionaire for any aspect of the planning, design, construction, operation, maintenance, financing or partial financing of **[the Gautrain Rapid Rail Link Project]** a project;”;

(c) by the substitution for the definition of “Department” of the following definition:

“‘Department’ means the **[Gauteng Department of Public Transport Roads and Works or its successor]** department responsible for roads and transport matters in the Province;”;

(d) by the insertion after the definition of “Department” of the following definition:

“‘GTIA’ means the Gauteng Transport Infrastructure Act, 2001 (Act No. 8 of 2001);”;

(e) by the insertion after the definition of "Metropolitan municipalities" of the following definition:

"organ of state" means an organ of state as defined in section 239 of the Constitution;;

(f) by the substitution for the definition of "Project" of the following definition:

"project" means **[the Gautrain Rapid Rail Link Project]** a project for the planning, design, construction, financing, operation and maintenance of **[the rapid]** any part or aspect of the rail transit system or other functions related to rail in the Province, or a feeder and distribution service connected therewith **[to be developed and operated pursuant to a concession agreement]**;;

(g) by the insertion after the definition of "Province" of the following definition:

"Provincial Treasury" means the Gauteng Provincial Treasury established in terms of section 17(1) of the PFMA;; and

(h) by the substitution for the definition of "this Act" of the following definition:

"this Act" includes any regulations **[and any directions]** made under section **[8]** 41."

Amendment of section 4 of Act 5 of 2006

2. Section 4 of the Principal Act is hereby amended-

(a) by the insertion after paragraph (a) of the following paragraph:

(aA) assist the MEC, where the MEC has so requested, in performing public transport and rail-related

functions and exercising public transport and rail-related powers contemplated in section 50 of the GTIA, subject to section 56 of the GTIA;”;

- (b) by the substitution of paragraph (d) of the following paragraph:

“(d) manage the finances of the Project and manage the financial securities provided by concessionaires;”;

- (c) by the insertion after paragraph (d) of the following paragraph:

“(dA) assist or act on behalf any organ of state, when so requested, in realising its public transport and rail-related objectives and in protecting its interests and managing the assets, finance and financial securities of such organ of state;”; and

- (d) by the substitution for paragraph (i) of the following paragraph:

“(i) enhance the integration of **[the Project]** rail services in the Province with other transport services and Public Transport Plans.”.

Amendment of section 5 of Act 5 of 2006

3. Section 5 of the Principal Act is hereby amended—

- (a) by the substitution for paragraph (a) of the following paragraph:

“(a) carry out **[the duties assigned to it by]** its functions in terms of this Act, **[the National Railway Safety Regulator Act, 2002 (Act No.**

16 of 2002) or] and any [applicable] other law;”;

(b) by the substitution for paragraph (d) of the following paragraph:

“(d) act as an agent of the MEC under section 56(2) of the **[Gauteng Transport Infrastructure Act, 2001 (Act No. 8 of 2001)]** GTIA in relation to **[protection of the rail reserve and other Provincial transport infrastructure involved in the Project]** the public transport and rail-related functions of the MEC contemplated in section 50 of the GTIA and in the National Railway Safety Regulator Act, 2002 (Act No. 16 of 2002);”;

(c) by the insertion after paragraph (f) of the following paragraph:

“(fA) after the MEC’s consultation with the Minister responsible for transport in the national sphere of government in order to promote integration and co-ordination of transport, plan and manage the determination of routes for provincial railway lines in terms of section 6 of the GTIA and manage the determination of preliminary designs for provincial railway lines in terms of section 8 of the GTIA;” ;
and

(d) by the substitution for paragraph (g) of the following paragraph:

“(g) exercise or perform any other public transport and [function related to transport service] rail-related duty, right or power of the MEC provided for in section 50 of the GTIA that may be [assigned] delegated to the Agency by the MEC from time to time;”.

Amendment of section 13 of Act 5 of 2006

4. Section 13 of the Principal Act is hereby amended by the substitution of subsection (3) of the following subsection:

“(3) Subject to section 11, any person whose term of office as a member has expired is eligible for reappointment provided that such member may not serve for more than two consecutive terms.”.

Amendment of section 19 of Act 5 of 2006

5. Section 19 of the Principal Act is hereby amended by the substitution for paragraph (a) of subsection (3) of the following paragraph:

“(a) consist of at least **[one member]** three members and such other persons, as the Board may appoint;”.

Amendment of section 20 of Act 5 of 2006

6. Section 20 of the Principal Act is hereby amended by the substitution for subsection (3) of the following subsection:

“(3) The Board must summarise the Charter in the annual report and review it at least **[every three years]** annually.”.

Amendment of section 28 of Act 5 of 2006

7. Section 28 of the Principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The Chief Executive Officer must disclose to the Board any direct or indirect interest, including a potential interest, which he or she or an immediate family member, business partner, associate or previous employer has in any business that may benefit from any project or from the Agency.”

Amendment of section 34 of Act 5 of 2006

8. Section 34 of the principal Act is hereby amended—

(a) by the substitution for paragraphs (i) and (j) of subsection (2) of the following paragraphs respectively:

“(i) a human resources plan; and

(j) a plan for enhancing the integration of the Project with other transport services, including public road and rail transport and private transport, within the framework of the Province’s Provincial Land Transport Framework contemplated in section **[22]** 35 of the National Land Transport **[Transition]** Act, **[2000 (Act No. 22 of 2000)]** 2009 (Act No. 5 of 2009), and the municipal integrated transport plans in the Province contemplated in section **[27]** 36 of that Act **[; and]**.”; and

(b) by the substitution for subsection (4) of the following subsection:

“(4) The Board must consider any comments, **[or]** proposals or suggestions made by the MEC, and must implement any changes or additions requested by the MEC.”.

Amendment of section 38 of Act 5 of 2006

9. Section 38 of the Principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

“(1) The Agency must keep **[such accounting and related records]** full and proper books and records of its financial affairs and of all projects according to Generally Recognised Accounting Practice, and in the format prescribed in terms of the **[Public Finance Management Act]** PFMA.”;

(b) by the substitution for subsection (2) of the following subsection:

“(2) Such books and records must distinguish between the funds required for Agency operation and funds required for **[the Project]** each project.”;

(c) by the substitution for subsection (3) of the following subsection:

“(3) The **[accounting and related]** books and records of the Agency must be **[audited annually by]** submitted to the Auditor-General within two months of the end of the financial year **[and financial statements must be submitted to the Provincial Treasury and Auditor-General within five months of the financial year end]** to enable the Auditor-General to audit them.”; and

(d) by the insertion after subsection (3) of the following subsection:

“(3A) The audited financial statements must be submitted to the Provincial Treasury and the MEC within five months of the end of the financial year.”.

Insertion of section 41A in Act 5 of 2006

10. The following section is hereby inserted in the Principal Act after section 41:

“Limitation of liability

41A. The Province, the Agency and their officials, employees or agents, and any other person acting on their behalf, shall not be liable for any loss or damage suffered by any person as a result of the exercise of any power or the performance of any duty in terms of this Act in good faith, or the failure to exercise any such power or to perform any such duty in good faith.” .

Substitution of words or expressions in Act 5 of 2006

11. The Principal Act is hereby amended-

- (a) by the substitution for the word “Project” wherever it occurs of the word “project”; and
- (b) by the substitution for the expression “Gauteng Transport Infrastructure Act, 2001 (Act No. 8 of 2001)” wherever it occurs of the expression “GTIA”.

Amendment of law

12. The Gauteng Transport Infrastructure Act, 2001 (Act No. 8 of 2001) is hereby amended to the extent mentioned in column 2 of the Schedule.

Substitution of long title of Act 5 of 2006

13. The following long title is hereby substituted for the long title of the Principal Act:

“To provide for the establishment of a Gautrain Management Agency as a provincial public entity to manage and oversee concession agreements for the **[Gautrain Rapid Rail Link Project]** Gauteng rail transit system and assist the Province and other Organs of State in realising their public transport and rail-related objectives in the Province, to determine [its] the Agency’s objectives, powers and duties; to provide for directives or delegations by the MEC; to provide for a Board to govern and control the Agency; to provide for the appointment of a Chief Executive Officer and staff to manage the Agency; to provide for the transfer of staff and assets to the Agency; to provide measures for accountability and reporting; to provide for liquidation and [judicial management] business rescue; to provide for delegations by the MEC, Board and the chief executive officer; to provide for transitional provisions; and to provide for matters connected therewith.”.

Short title and commencement

- 14.** This Act is called the Gautrain Management Agency Amendment Act, 2017.

SCHEDULE

Amendment of law (section 12)	
Column 1	Column 2
Act No. 8 of 2001	Section 56 of the Gauteng Transport Infrastructure Act, 2001 (Act No. 8 of 2001) is hereby amended by the insertion after subsection (1) of the following subsection: <u>“(1A) Subject to subsection (3), the MEC may delegate any public transport and rail-related duty, right or power given by this Act to the Gautrain Management Agency, established by section 2 of the Gautrain Management Agency Act, 2006 (Act No. 5 of 2006), subject to conditions determined by the MEC that apply to such delegation, and will not thereby be divested of such a delegated duty, right or power.”.</u>

MEMORANDUM ON THE OBJECTS OF THE GAUTRAIN MANAGEMENT AGENCY AMENDMENT BILL, 2017

Memorandum in terms of Rule 136 of the Standing Rules of the Gauteng Provincial Legislature.

1. REASONS FOR THE BILL

The Gautrain Management Agency Act, 2006 (Act No. 5 of 2006) ("the Act") was brought into operation on 3 September 2007. It was passed to provide for the establishment of the Gautrain Management Agency ("the Agency") as a provincial public entity to manage and oversee concession agreements for the Gautrain Rapid Rail Link Project. This was the original Project (Phase 1) providing the link from Hatfield in Tshwane to Park Station in Johannesburg and from Sandton Station in Johannesburg to OR Tambo Station in Ekurhuleni. The word "Project" is defined in the Act as being limited to this first Phase.

In line with the approved 25 year Gauteng Transport Master Plan, the Province intends to extend the Gauteng rapid rail network to new areas. This will amount to embarking on a new project or projects, or may involve extensions to Phase 1 of the Project. Due to the limited scope of the Act at present, amendments to the Act are needed to enable or facilitate the extension of the Gautrain Rapid Rail Link and similar projects to other areas.

The powers of the Agency will accordingly be expanded to cover the possible extensions as well as new, similar projects, including broader public transport and rail-related projects that fall within the functional areas of the Province's powers under Schedule 4 of the Constitution. It is also considered necessary to extend the powers of the MEC to delegate certain public transport and rail-related functions under the

Gauteng Transport Infrastructure Act, 2001 (Act No. 8 of 2001) to the Agency.

Various consequential amendments to the Act are also required.

By broadening the mandate of the Agency to include public transport functions and powers, the Agency may then also be able to even facilitate the establishment of the Transport Authority.

2. ENVIRONMENTAL IMPACT

It is envisaged that by integrating public transport, the negative environmental impact of transport in Gauteng will be greatly reduced.

3. FINANCIAL IMPLICATIONS OF THE BILL

The amendments could bring about streamlined procedures that can save costs. GMA will, however, need more financial resources, to enable it to fulfil its expanded mandate. There are no additional financial implications for local government.

4. COMMENTS RECEIVED AND SOLICITED

The provisions of the Bill will be discussed with relevant stakeholders. The Department considers that it is not necessary to publish the Bill for comment as the amendments do not bring about any material changes in principle.

5. CLAUSE-BY-CLAUSE EXPLANATION

Clause 1 of the Bill amends the definition of the "Project" and "concession agreement" to expand the scope of the Act as indicated above. Other definitions are amended consequentially, or to update or correct them.

Clause 2 of the Bill amends section 4 of the Act to incorporate the Agency's role in assisting or acting for any Organ of State to enable it to realise its public transport and rail-related objectives and to expand its Objects as indicated above and to update the reference to the integration of public transport and rail services, in the Province, with other transport plans.

Clause 3 of the Bill amends section 5 of the Act on the Functions of the Agency to expand them accordingly. The Agency will, after the MEC's consultation with the Minister, be empowered to plan and manage, on behalf of the MEC, the process of route determination and preparing preliminary designs for new or expanded rail routes. These functions include public transport and provincial railway lines that fall under the functional area of "public transport" as contemplated in Schedule 4 Part A of the Constitution.

Clause 4 of the Bill amends section 13 of the Act to provide that members of the Board of the Agency may serve for more than one term, as long as they do not serve for more than two consecutive terms. This is because it is considered that the provision should be relaxed so as not to lose the expertise of qualified and experienced Board members whose previous term(s) have been valuable to the Agency.

Clause 5 of the Bill amends section 19 of the Act to provide that committees of the Board must consist of at least three members, because one-person committees are not considered advisable.

Clause 6 of the Bill amends section 20 of the Act to effect a correction and to provide that the Board must summarise the Board's charter in each annual report, rather than every three years. This is being done at present in practice, and is intended to promote good governance.

Clause 7 of the Bill effects a consequential amendment to and correction of section 28 of the Act.

Clause 8 of the Bill effects a consequential amendment of and correction to section 34 of the Act, and updates the reference to the National Land Transport Transition Act, 2000 which has been replaced by the National Land Transport Act, 2009.

Clause 9 of the Bill effects a consequential amendment of and improvements to section 38 of the Act.

Clause 10 of the Bill inserts a clause on limitation of liability, which is a standard clause in Acts of this nature.

Clause 11 of the Bill substitutes words and expressions to provide for the change in the definitions of "project" and "GTIA".

Clause 12 of the Bill amends the law mentioned in the Schedule to the Bill. It provides for the amendment of section 56 of the Gauteng Transport Infrastructure Act, 2001 to empower the MEC to delegate the abovementioned rail-related functions to the Agency, subject to conditions that the MEC may determine.

Clause 13 of the Bill substitutes the long title, to enable the Agency to assist the Province in performing the Province's public transport and rail-related functions that may be delegated to the Agency.

Clause 14 of the Bill provides for the short title. The Bill will come into operation upon it being signed by the Premier.

The Schedule contains the detail of the law amended in clause 12.

PROVINCIAL NOTICE 210 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF AN APPLICATION FOR THE REMOVAL OF RESTRICTIVE CONDITIONS IN
THE TITLE DEED IN TERMS OF SECTION 16(2) OF THE CITY OF TSHWANE LAND USE
MANAGEMENT BY-LAW, 2016**

We, Smit & Fisher Planning (Pty) Ltd, being the authorized agent of the owner of Portion 1 of Holding 44, Kenley Agricultural Holdings, hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016 that we have applied to the City of Tshwane Metropolitan Municipality for the removal of Condition 4(a) in Deed of Transfer T29652/2010 in terms of Section 16(2) of the City of Tshwane Land Use Management By-laws, 2016 applicable on the abovementioned property. The property is situated at Holding 44 on the c/o Dennis Avenue and Hoogenhout Street, Kenley Agricultural Holdings. The intension of the applicant in this matter is to erect a telecommunications mast and base station on a portion of Portion 1 of Holding 44, Kenley Agricultural Holdings. A separate application for the permission to use a portion of Portion 1 of Holding 44, Kenley Agricultural Holdings for cellular telephone infrastructure has been submitted in terms of Clause 14(11) of the City of Tshwane Town planning Scheme, 2008 (Revised 2014), read with the City of Tshwane Land Use Management By-law, 2016 and the reference can be found below.

Any objection(s) and/or comment(s), including the grounds for such objection(s) applicable to this application and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 (the first date of the publication of the notice set out in Section 16(2) of the By-law referred to above), until 12 April 2017 (28 days after the date of first publication of the notice).

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette, Beeld and Citizen newspapers being 15 March 2017.

Address of Municipal Offices: Pretoria Municipal Complex (Isivuno House), 143 Lilian Ngoyi Street LG004, Pretoria Municipal Offices.

Closing date for any objections and/or comments: 12 April 2017.

Name and Address of applicant: Smit & Fisher Planning (Pty) Ltd
371 Melk Street, Nieuw Muckleneuk
PO Box 908, Groenkloof, 0027
Telephone No: (012) 346 2340
Fax No: (012) 346 0638
Email: stephan@sfplan.co.za

Dates on which notice will be published: 15 March 2017 and 22 March 2017

Reference:

Item No. 24700 (Permission Application)

Item No. 26435, CPD/0306/44/1 (Removal of Restrictive Conditions in Title Deed)

Our Ref.:Scholtz ROR (Atlas Towers)

15-22

PROVINSIALE KENNISGEWING 210 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VIR DIE OPHEFFING VAN BEPERKENDE TITEL VOORWAARDES IN
TERME VAN ARTIKEL 16(2) VAN DIE STAD VAN TSHWANE
GRONDGEBRUIKSBESTUUR-VERORDENING, 2016**

Ons, Smit & Fisher Beplanning (Edms) Bpk, synde die gemagtigde agent van die eienaar van Gedeelte 1 van Hoewe 44, Kenley Landbouhoewes, gee hiermee kennis in terme van Artikel 16(1)(f) van die Stad van Tshwane Grondgebruikbestuurverordening, 2016 dat ons by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die opheffing van Voorwaardes 4(a) in titelakte T29652/2010 in terme van Artikel 16(2) van die Stad van Tshwane Grondgebruikbestuurverordeninge, 2016. Die eiendom is geleë te Hoewe 44, op die h/v Dennislaan & Hoogenhoutstraat, Kenley Landbouhoewes. Die applikant is van voorneme om aansoek te doen om toestemming tot die gebruik van 'n gedeelte van Gedeelte 1 van Hoewe 44, Kenley Landbouhoewes vir die volgende doeleinde(s) te wete vir die oprigting van 'n selfoonmas en beheerstasie. 'n Aparte aansoek vir die toestemmings gebruik vir 'n selfoonmas en beheerstasie op Gedeelte 1 van Hoewe 44, Kenley Landbouhoewes in terme van Klousule 14(11) van die Tshwane Dorpsbeplanningskema 2008 (Hersien 2014) lees tesame met die Grondgebruikbestuur Verordening, 2016, is ingedien met die verwysing hieronder.

Enige beswaar(e) of kommentaar(e), met die gronde daarvoor ter opigte van hierdie spesifiek saam met volledige kontakbesonderhede waarsonder die Munisipaliteit nie met die persoon of liggaam wat die kommentaar(e) of beswaar(e) ingedien het kan kommunikeer nie, moet binne nie minder as 28 dae na die datum van die eerste publikasie van die kennisgewing ingedien of gerig word aan: Die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling Pretoria: Posbus 3242, Pretoria, 0001 of by Pretoria Munisipale Kompleks (Isivuno Huis), 143 Lilian Ngoyistraat, LG004, Pretoria Munisipale Kantore of by cityp_registration@tshwane.gov.za vanaf 15 Maart 2017 (die datum van eerste publikasie van die kennisgewing) tot 12 April 2017.

Volledige besonderhede en planne (as daar is) kan gedurende gewone kantoorure by die Munisipale kantore soos hierbo uiteengesit geïnspekteer word, vir 'n tydperk van 28 dae vanaf die datum van eerste publikasie van die kennisgewing in die Gauteng Provinsiale Koerant, Beeld en Citizen koerante te wete 15 Maart 2017.

Naam en adres van aansoeker: Smit & Fisher Beplanning (Edms) Bpk
371 Melk Straat, Nieuw Muckleneuk
Posbus 908, Groenkloof, 0027
Tel: (012) 346 2340
Faks: (012) 346 0638
E-pos: stephan@sfplan.co.za

Datum waarop kennisgewing gepubliseer word: 15 Maart 2017 en 22 Maart 2017

Verwysing:

Item No. 24700 (Toestemmingsgebruik Aansoek)

Item No. 26435, CPD/0306/44/1 (Wysiging van Titelakte Voorwaardes Aansoek)

Ons Verwysing: Scholtz ROR (Atlas Towers)

15-22

PROVINCIAL NOTICE 211 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****NOTICE OF AN APPLICATION FOR THE REMOVAL OF A RESTRICTIVE CONDITION IN THE TITLE DEED IN TERMS OF SECTION 16(2) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAWS, 2016**

I Anna Herholdt, representative of AR Architectural Consultants, being the applicant of property Erf no 827, Sinoville hereby give notice in terms of section 16(1)(f) of the City of Tshwane Metropolitan Municipality for the removal of certain conditions contained in the Title Deed in terms of section 16(2) of the City of Tshwane Land Use Management By-law, 2016 of the above mentioned property. The property is situated at 283 Alpha avenue, Sinoville.

The application is for the removal of the following conditions: Paragraphs B(f) and C(d) in Title Deed T14400/1982.

The intension of the applicant in this matter is to:

Add a carport on the South East of the property, that is going to be located 1,1 m away from the street boundary. Also the Wooden wendy on the North West Boundary of the property.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to:

The Strategic Executive Director: City Planning and Development, P O Box 3242, Pretoria, 0001 from 15th February 2017 until 15th March 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette/ 2 local news papers.

Address of Municipal Offices: Registration office, LG004, ISivuno House, 143 Lilian Ngoyistreet, Pretoria.

Closing date for any objections and/or comments: 15 March 2017

Address of Applicant: 100 Oliewenavenue, Proclamation hill, 0183. P O Box 19322, Pretoria-west, 0117

Telephone No: 012 386 2249

Dates on which notice will be published: 15 February 2017 & 22 February 2017

Reference no: CPD/0640/00827 Item no: 26163

15-22

PROVINCIAL NOTICE 212 OF 2017**NOTICE IN TERMS OF SECTION 5(5) OF THE GAUTENG REMOVAL OF RESTRICTIONS ACT, 1996 (ACT NO.3 OF 1996)**

We, Just In Time Planners Pty (Ltd), being the authorized agent of the owner of the Erf 253 Delville Township, hereby give notice in terms of Section 5(5) of the Gauteng Removal of Restrictions Act, 1996, as read with the provisions of the Spatial Planning and Land Use Management Act, 16 of 2013, (SPLUMA), that we have applied to the Ekurhuleni Metropolitan Municipality, Germiston City Planning for the simultaneous removal of certain restrictive Title conditions contained in Title Deed T000031149/2014 and Rezoning of the property described above, situated at, Delville Township from "Residential 1" to "Residential 1 permitting rooming and lodging of maximum of 16 rooms".

Particulars of the application will lie open for inspection during normal office hours and in terms of Section 45 of Act 16 of 2013 (SPLUMA), any interested person, who has the burden to establish his/her status as an interested person, shall lodge in writing, his/her full objection/ interest in the application and also provide clear contact details to the office of the Area Manager: Germiston customer care centre, Department of City Planning, customer care centre, 15 Queen Street.

Objections to or representations in respect of the application must be lodged with or made in writing to the Area Manager: Germiston customer care centre, P.O. BOX 145 Germiston, 1400, within a period of 28 days from the 20 January 2017.

ADDRESS OF AGENT:

Just in Time Planners (Pty) Ltd
41 Kruis, Unit 515 The Colosseum Building
Johannesburg, 2000
Cell: 083 400 7858
E-mail: cnsimphiwe@gmail.com

15-22

PROVINSIALE KENNISGEWING 212 VAN 2017**KENNISGEWING IN TERME VAN ARTIKEL 5 (5) VAN DIE GAUTENG WET OP OPHEFFING VAN BEPERKINGS, 1996 (WET NO.3 VAN 1996)**

Ons, Just In Time Planners Pty (Ltd), synde die gemagtigde agent van die eienaar van die Erf 253 Delville Dorp, gee hiermee ingevolge artikel 5 (5) van die Gauteng Wet op Opheffing van Beperkings, 1996, saamgelees met die bepalings van die Ruimtelike Beplanning en Grondgebruikbestuur Wet 16 van 2013, (SPLUMA), kennis dat ons by die Ekurhuleni Metropolitaanse Munisipaliteit, Germiston Stadsbeplanning aansoek gedoen het om die opheffing van sekere beperkende voorwaardes vervat in Titelakte T000031149 / 2014 en Hersonerings van die eiendom hierbo beskryf, geleë te, Delville Dorp vanaf "Residensiële 1" na "Residensiële 1 om Accommodasies en indiening van maksimum van 16 kamers".

Besonderhede van die aansoek lê ter insae gedurende normale kantoorure en in terme van Artikel 45 van Wet 16 van 2013 (SPLUMA), enige belanghebbende persoon, wat die las om sy / haar status as 'n belanghebbende persoon vestig het, sal vernag in skryf, sy / haar volle beswaar / belang by die aansoek en ook duidelik kontakbesonderhede na die kantoor van die Area Bestuurder: Germiston sentrum, Departement van Stedelike Ontwikkeling, kliëntediens sentrum, 15 Queen Street.

Besware teen of vertoe ten opsigte van die aansoek moet sodanige beswaar of voorlegging op skrif aan die Area Bestuurder: Germiston sentrum, P.O. BOX 145 Germiston, 1400, binne 'n tydperk van 28 dae vanaf die 20 Januarie 2017.

ADDRESS OF AGENT:

Just in Time Planners (Pty) Ltd
41 Kruis, Unit 515 The Colosseum Building
Johannesburg, 2000
Cell: 083 400 7858
E-mail: cnsimphiwe@gmail.com

15-22

PROVINCIAL NOTICE 213 OF 2017**NOTICE OF APPLICATION FOR SIMULTANEOUS AMENDMENT OF VANDERBIJLPARK TOWN PLANNING SCHEME, 1987 IN TERMS OF SECTION 5(5) OF THE GAUTENG REMOVAL OF RESTRICTIVE ACT, (ACT 3 OF 1996) AND SECTION 56 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE (ORD 15 OF 1986) FOR THE REZONING OF ERF VANDERBIJLPARK CENTRAL EAST NUMBER 1.**

In terms of section 5 of the Removal of Restriction Act 3 of 1996 for the removal of Clause C (g) (k), D (a) (b) in the Draft Deed. Notice is hereby given that we, the undersigned, intend to apply to the Emfuleni Local Municipality for the rezoning of Erf 446 Vanderbijlpark Central East Number 1 Township, from: "Residential 1" to "Residential 1" for offices.

Plans and/or particulars of this application may be inspected during normal office hours at: Land Use Manager, 1st floor, Old Trust Bank Building, C/O Eric Louw and President Kruger Streets, Vanderbijlpark, for 28 days from 15-03-2017.

Any Persons having any objection(s), to the approval of this application must lodge such objection, together with the grounds thereof, with the Land Use Manager, 1st floor, Old Trust Bank Building, C/O Eric Louw and President Kruger Street, Vanderbijlpark, and the undersigned, in writing not later than 11-04-2017.

15-22

PROVINSIALE KENNISGEWING 213 VAN 2017**KENNISGEWING VAN AANSOEK OM GELYKTYDIGE WYSIGING VAN VANDERBIJLPARK DORPSBEPLANNINGSKEMA, 1987 INGEVOLGE ARTIKEL 5 (5) VAN DIE GAUTENG WET OP OPHEFFING VAN BEPERKINGS, (WET 3 VAN 1996) EN ARTIKEL 56 VAN DIE ORDONNANSIE OP Dorpsbeplanning en Dorpe (Ord 15 van 1986) VIR die hersonering van Erf VANDERBIJLPARK CENTRAL EAST NOMMER 1.**

In terme van artikel 5 van die Wet op Opheffing van Beperkings Wet 3 van 1996 vir die verwydering van klousule C (g) (k), D (a) (b) in die Konsep Akte. Kennis geskied hiermee dat ons, die ondergetekende, van voorneme is om aansoek te doen by die Emfuleni Plaaslike Munisipaliteit vir die hersonering van Erf 446 Vanderbijlpark Central East nommer 1 Dorp, vanaf "Residensieel 1" na "Residensieel 1" vir kantore.

Planne en / of besonderhede van hierdie aansoek kan gedurende gewone kantoorure besigtig word by: Grondgebruik Bestuur, 1ste vloer, Ou Trust Bank Gebou, H / V Eric Louw en President Krugerstraat, Vanderbijlpark, vir 28 dae vanaf 15-03-2017 .

Indien enige persoon beswaar (s), aan die goedkeuring van hierdie aansoek moet sodanige beswaar daarvan in te dien, saam met die redes, met die Grondgebruik, 1ste vloer, Ou Trust Bank Gebou, H / V Eric Louw en President Krugerstraat, Vanderbijlpark, en die ondergetekende, skriftelik nie later nie as 2017/11/04.

15-22

PROVINCIAL NOTICE 214 OF 2017**NOTICE IN TERMS OF SECTIONS 2(1) AND 5(5) OF THE GAUTENG REMOVAL OF RESTRICTIONS ACT, 1996 (ACT 3 OF 1996) AND THE PERI-URBAN AMENDMENT SCHEME, 1975 READ WITH THE SPATIAL PLANNING & LAND USE MANAGEMENT ACT 2013 (ACT 16 OF 2013): PORTION 1 OF HOLDING 43 EBNER ON VAAL, AGRICULTURAL HOLDINGS**

I, Mr. C F DE JAGER of PACE PLAN CONSULTANTS, being the authorized agent of the owner of Portion 1 of Holding 43 EBNER ON VAAL, agricultural holdings, hereby gives notice in terms of Sections 2(1) and 5(5) of the Gauteng Removal of Restrictions Act, 1996 and Clauses 6 and 7 of the Peri-Urban amendment scheme read with the Spatial Planning & Land Use Management Act, 2013 (Act 16 of 2013) that I have applied to the Emfuleni Municipal Council for:

1. The removal of certain conditions described in the Title Deed of Portion 1 of Holding 43 EBNER ON VAAL, Agricultural holdings,
2. For, its special consent to use the said property for the purposes of erecting 6 dwellings on the property.
3. The simultaneous amendment of the Peri-Urban Areas Town Planning Scheme, 1975, with the rezoning of the above-mentioned property from "Undetermined" to "Undetermined" with a 10 metre street building line and a 0 meter building line on all other boundaries. Portion 1 of Holding 43 Ebner on Vaal is situated on the corner of the R42 and Boundary Road, Ebner on Vaal, west of Vanderbijlpark.

All relevant documents relating to the application will be open for inspection during normal office hours at the office of the Strategic Manager: Land Use Management, first floor, Old Trust Bank Building, corner of President Kruger Street and Eric Louw Street, Vanderbijlpark, for 28 days from **15 March 2017**.

Any person, who wishes to object to the application or submit representations in respect thereof, must lodge the same in writing to the Municipal Manager at the named address or to P O Box 3, Vanderbijlpark, 1900 or fax to (016) 950 55 33 within 28 days from **15 March 2017**.

Address of the agent: **Pace Plan Consultants**, PO Box 60784 VAALPARK, 1948, **Tel:** 083 446 5872

Date of first publication: 15 March 2017

PROVINSIALE KENNISGEWING 214 VAN 2017**KENNISGEWING INGEVOLGE ARTIKELS 2(1) EN 5(5) VAN DIE GAUTENG WET OP OPHEFFING VAN BEPERKINGS, 1996 (WET 3 VAN 1996) PERI-URBAN WYSIGINGSKEMA, 1975, SAAM GELEES MET DIE WET OP RUIMTELIKE BEPLANNING & GRONDGEBRUIK BEHEER, 2013 (WET 16 VAN 2013): GEDEELTE 1 VAN HOEWE 43 EBNER ON VAAL, LANDBOUHOEWES**

Ek, Mnr. C F DE JAGER VAN PACE PLAN KONSULTANTE, synde die agent van die wettige eienaar van Gedeelte 1 van Hoewe 43 EBNER ON VAAL, Landbouhoewes, gee hiermee kennis ingevolge Klousules 2(1) en 5(5) van die Gauteng Opheffing van Beperkings Wet 1996 en Klousule 6 and 7 die Peri-Urban Wysigingskema, 1975, saam gelees met die Wet op Ruimtelike Beplanning & Grondgebruik Beheer, 2013 (Wet 16 van 2013) dat ek by die Emfuleni Munisipale Raad aansoek gedoen het vir:

1. Vir die opheffing van sekere beperkende voorwaardes in die Titellakte van Gedeelte 1 van Hoewe 43 EBNER ON VAAL, Landbouhoewes.
2. Vir die spesiale toestemming om die genoemde eiendom te gebruik vir doeleindes van die oprigting van 6 woonhuise op die eiendom.
3. Die gelyktydige wysiging van die Buitestedelike Gebiede Dorpsbeplanningskema 1975, deur die hersonering van bogenoemde eiendomme vanaf "Onbepaald" na "Onbepaald" met 'n 10 meter straat boulyn en 'n 0 meter boulyn of alle ander grense. Gedeelte 1 van Hoewe 43 EBNER ON VAAL, Landbouhoewes is geleë op die hoek van die R42 en Boundary Pad, Ebner on Vaal, west van Vanderbijlpark.

Besonderhede van die aansoek sal ter insae lê gedurende normale kantoorure by die kantoor van die Strategiese Bestuurder: Grondgebruiksbestuur, eerste vloer, Ou Trust Bank Gebou, hoek van President Krugerstraat en Eric Louwstraat, Vanderbijlpark, vir 'n tydperk van 28 dae vanaf **15 Maart 2017**.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf **15 Maart 2017** skriftelik by die Munisipale Bestuurder by bogemelde adres of by Posbus 3, Vanderbijlpark 1900 ingedien of gerig word of gefaks word na (016) 950 5533.

Adres van AGENT: **Pace Plan Konsultante, Posbus 60784, VAALPARK 1948, Tel: 083 446 5872**

Datum van eerste publikasie: 15 Maart 2017

PROVINCIAL NOTICE 215 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY
NOTICE OF A REZONING APPLICATION IN TERMS OF SECTION 16(1) OF
THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

I, Ina van Zyl of Metroplan Town Planners and Urban Designers (Pty) Ltd (Reg. No. 1992/06580/07) ("Metroplan"), being the authorised agent of the owners of Portion 2 of Erf 114, Waltloo hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016 that we have applied to the City of Tshwane Metropolitan Municipality for the amendment of the Tshwane Town-planning Scheme, 2008 (Revised 2014) by the rezoning of the property described above in terms of Section 16(1) of the City of Tshwane Land Use Management By-law, 2016. The said property is situated at 286 Alwyn Street, Waltloo. The rezoning is from "Industrial 1" including a fuel depot with ancillary and subservient land uses with a height of 19m to "Industrial 1" including a fuel depot with ancillary and subservient land uses with a height of 32m. The intension of the applicant in this matter is to increase the permissible height of the property to allow for the construction of fuel storage facilities with a higher capacity.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: The Strategic Executive Director: City Planning and Development, Municipal Office, LG 004, Isivuno House, 143 Lilian Ngoyi Street or to P.O. Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 until 12 April 2017.

Full particulars of the application and plans (if any) may be inspected during normal office at the Municipal offices as set out above and at the offices of Metroplan as set out below, for a period of 28 days from date of first publication of the notice 15 March 2017. Authorised Agent: Metroplan; Postal Address: P.O. Box 916, Groenkloof, 0027; Physical Address: 96 Rauch Avenue Georgeville, Pretoria; Tel: (012) 804 2522; Fax: (012) 804 2877 and E-mail: ina@metroplan.net / sibusiso@metroplan.net

Closing date for objection(s) and or comment(s): 12 April 2017.

Dates on which notices will be published: 15 March 2017 and 22 March 2017

Rezoning Reference: CPD 9/2/4/2-4054T

Item No: 26261

15-22

PROVINSIALE KENNISGEWING 215 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN DIE AANSOEK OM HERSONERING IN TERME VAN ARTIKEL 16(1) VAN
DIE STAD VAN TSHWANE GRONDGEBRUIKSBESTUUR BYWET, 2016**

Ek, Ina van Zyl van Metroplan Town Planners and Urban Designers (Edms) Bpk (Reg. No. 1992/06580/07) ("Metroplan"), synde die gemagtigde agent van die eienaars van Gedeelte 2 van Erf 114, Waltloo gee hiermee ingevolge Artikel 16(1)(f) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016 kennis dat ons by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het om die wysiging van die Tshwane-dorpsbeplanningskema, 2008 (Hersien 2014) deur die hersonering van die eiendom hierbo beskryf in terme van Artikel 16(1) van die Stad van Tshwane Grondgebruiksbestuur Bywet, 2016. Die eiendom is geleë te 286 Alwyn Street, Waltloo. Die hersonering is vanaf "Nywerheid 1" insluitend 'n brandstof depot met aanverwante en ondergeskikte grondgebruike met 'n hoogte van 19m na "Nywerheid 1" insluitend 'n brandstof depot met aanverwante en ondergeskikte grondgebruike met 'n hoogte van 32m. Dit is die voorneme van die aansoeker in hierdie saak om die toelaatbare hoogte van die eiendom te verhoog om voorsiening te maak vir die bou van brandstof stoor fasiliteite met 'n hoër kapasiteit.

Enige beswaar(e) en/of kommentaar, insluitend die gronde vir die beswaar(e) en/of kommentaar met volledige kontakbesonderhede waarsonder die Munisipaliteit nie kan korrespondeer met die persoon of liggaam wat beswaar(e) en/of kommentaar gelewer het nie, moet skriftelik by of tot Die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Munisipale Kantoor, LG 004, Isivuno House, 143 Lilian Ngoyi Straat of by Posbus 3242, Pretoria, 0001 of by CityP_Registration@tshwane.gov.za ingedien of gerig word vanaf 15 Maart 2017 tot en met 12 April 2017.

Volledige besonderhede van die aansoek en planne (indien enige) kan gedurende gewone kantoorure besigtig word by die Munisipale kantore soos hierbo uiteengesit en by die kantore van Metroplan soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf datum van eerste publikasie van die kennisgewing 15 Maart 2017. Gemagtigde agent: Metroplan; Posadres: Posbus 916, Groenkloof, 0027; Fisiese adres: Rauch Laan 96 Georgeville, Pretoria; Tel: (012) 804 2522; Faks: (012) 804 2877; en E-pos: ina@metroplan.net / sibusiso@metroplan.net

Die sluitingsdatum vir beswaar(e) en/of kommentaar: 12 April 2017.

Datums waarop kennisgewings gepubliseer word: 15 Maart 2017 en 22 Maart 2017

Hersonering Verwysing: CPD 9/2/4/2-4054T

Item No: 26261

15-22

PROVINCIAL NOTICE 216 OF 2017**NOTICE IN TERMS OF SECTION 5 (5) OF THE GAUTENG REMOVAL OF
RESTRICTIVE CONDITIONS ACT, 1996 (ACT 3 OF 1996)**

I, Phillip Ralph Falconer, being the authorized agent of the registered owner of **Erf 421 & 723 Highlands North**, hereby give notice in terms of section 5 (5) of the Gauteng Removal of Restrictive Conditions Act, 1996 (Act 3 of 1996) that I have applied to the city of Johannesburg for the removal of restrictive condition 3 contained in Deed of Transfer T 25821/1994.

Particulars of the application will lie for inspection during normal office hours at the office of the Executive Director, Development Planning, Transportation and Urban Development, Room 8100, 8th Floor, A-Block, Metropolitan Centre, 158 Loveday Street, Braamfontein, for a period of 28 days from 01/07/2015.

Objections to or representations in respect of the application must be lodged with or made in writing to the Executive Director at the above address or at P.O. Box 30733, Braamfontein, 2017 within a period of 28 days from 06/03/2017. Address of Agent: Phillip R Falconer. 22 Rotherfield Ave, Essexwold, Bedfordview, 2007. Tel 0648200 8489 Fax 0866141478. email: falconfamily001@gmail.com

PROVINSIALE KENNISGEWING 216 VAN 2017**KENNISGEWING IN TERME VAN ARTIKEL 5(5) VAN DIE GAUTENG WET OP VERWYDERING VAN BEPERKENDE VOORWAARDES, 1996 (WET 3 VAN 1996)**

Ek, Phillip Ralph Falconer, synde die gemagtigde agent van die eienaar van **ERF 421 & 423 Highlands North**, gee hiermee kennis in terme van artikel 5(5) van die Gauteng Opheffing van Beperkings Wet, 1996 (wet 3 van 1996), dat ek by die Stad van Johannesburg aansoek gedoen het om die verwydering van beperking 3 (drie) in Akte van Transport T 25821/1994.

Besonderhede van die aansoek le ter insae gedurende gewone kantoor ure by die kantoor van die Uitvoerende Direkteur: Ontwikkelingsbeplanning, en Stedelike Beheer, Kamer 8100, 8st Vloer, A-blok, Loveday Straat 158, Braamfontein, vir 'n tydperk van 28 dae vanaf 06/03/2017

Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 01/07/2015 skriftelik by of tot die Uitvoerende Direkteur by bovermelde adres of by Posbus 30733, Braamfontein, 2017, ingedien of gerig word. Adres van agent: Philip R Falconer, 22 Rotherfield Ave, Essexwold, Bedfordview, 2007. Tel: 064 200 8489

PROVINCIAL NOTICE 217 OF 2017**NOTICE OF AN APPLICATION FOR THE REMOVAL / AMENDMENT / SUSPENSION OF A RESTRICTIVE CONDITION IN THE TITLE DEED IN TERMS OF SECTION 16(2) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016**

I Zinhle Madlala, being the applicant of erven 3808 and 3809 Ga-Rankuwa Unit 9 Township, hereby give notice in terms of section 16(1) (f) of the City of Tshwane Land Use Management By-law, 2016 that I have applied to the City of Tshwane Metropolitan Municipality for the removal/amendment/ suspension of certain conditions contained in the Title Deed in terms of section 16(2) of the City of Tshwane Land Use Management By-law, 2016 of the above mentioned property. The properties are situated on street numbers 6249 for erf 3808 and 6247 for erf 3809. The application is for the removal / amendment / suspension of the following conditions in Title Deed T 10589/2015 for erf 3808 and T 60823/2016 for erf 3809. The intention of the applicant is to consolidate the properties.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: City Planning and Development Department: Regional Spatial Planning, Akasia Municipal Complex, PO Box 58393, Karen Park, from the 15 March 2017 until 12 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette / Citizen and Beeld newspaper.

Address of Municipal Offices: Akasia Municipal Complex, 485 Heinrich Avenue (Entrance Dale Street) 1st floor, Room F12, Karen Park.

Closing date for any objections and/or comments: 12 April 2017

Address of applicant: 24202 Macadamia Street, Protea Glen Ext 27

Telephone No: 073 289 8815

Dates on which notice will be published: 15 March 2017 and 22 March 2017

Reference: CPD /0363/3808 Item No: 26440

PROVINSIALE KENNISGEWING 217 VAN 2017

KENNISGEWING VAN AANSOEK OM DIE OPHEFFING / WYSIGING / OPHEFFING VAN 'N BEPERKENDE VOORWAARDE IN DIE TITELAKTE INGEVOLGE ARTIKEL 16 (2) VAN DIE STAD TSHWANE GRONDGEBRUIKBESTUURSKEMA VERORDENING, 2016

Ek Zinhle Madlala, synde die aansoeker erwe 3808 en 3809 Ga-Rankuwa Eenheid 9 Dorp, gee hiermee ingevolge artikel 16 (1) (f) van die Stad Tshwane Grondgebruikbestuur Verordening, 2016 kennis dat ek by het by die Stad Tshwane Metropolitaanse Munisipaliteit om die opheffing / wysiging / opskorting van sekere voorwaardes vervat in die titelakte in terme van artikel 16 (2) van die Stad Tshwane Grondgebruikbestuur verordening, 2016 van die bogenoemde eiendom. Die eiendomme is geleë op straat getalle 6249 vir erf 3808 en 6247 vir erf 3809. The aansoek is vir die verwydering / wysiging / opskorting van die volgende toestande in Titelakte T 10589/2015 vir erf 3808 en T 60823/2016 vir erf 3809. die voorneme van die aansoeker is om die eiendomme te konsolideer.

Enige beswaar (s) en / of comment (s), insluitend die gronde vir so 'n beswaar (s) en / of comment (s) met volledige kontakbesonderhede, waarsonder die Munisipaliteit nie kan ooreenstem met die persoon of liggaam wat beswaar wil (s) en / of comment (s), sal gedurende gewone kantoorure by, of gerig word aan: Stedelike Beplanning en Ontwikkeling Departement: Regional Ruimtelike Beplanning, Akasia Munisipale Kompleks, Posbus 58393, Karenpark van die 15 Maart 2017 tot 12 April 2017.

Volledige besonderhede en planne (as daar is) kan gedurende gewone kantoorure by die Munisipale kantore soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf die datum van eerste publikasie van die kennisgewing in die Provinsiale Koerant / Burger en Beeld besigtig.

Adres van Munisipale Kantore: Akasia Munisipale Kompleks, 485 Heinrich (Toegang Dale Street) 1ste vloer, Kamer F12, Karen Park.

Sluitingsdatum vir enige besware en / of kommentaar: 12 April 2017

Adres van aplikant: 24.202 Macadamia Street, Protea Glen Uitbreiding 27

Telefoon No: 073 289 8815

Datums waarop kennisgewing gepubliseer moet word: 15 Maart 2017 en 22 Maart 2017

Verwysing: CPD / 0363/3808 Item No: 26440

15-22

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 307 OF 2017

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

NOTICE OF [1] AN APPLICATION FOR THE REMOVAL OF RESTRICTIVE CONDITIONS IN THE TITLE DEED IN TERMS OF SECTION 16(2) AND [2] A REZONING APPLICATION IN TERMS OF SECTION 16(1) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016

I, **Mauritz Oosthuizen of MTO Town Planners CC t/a MTO Town & Regional Planners (Reg. No.: 2005/135370/23)**, being the applicant on behalf of the registered owner of **Erf 925 Menlo Park** hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016, that we have applied to the City of Tshwane Metropolitan Municipality for **[1]** the removal of certain conditions contained in the title deed in terms of Section 16(2); and **[2]** for the amendment of the Tshwane Town-Planning Scheme, 2008 (Revised 2014), by the rezoning in terms of Section 16(1) of the City of Tshwane Land Use Management By-Law, 2016, of the property as described above. The property is situated at **No. 10 Upper Terrace Road**.

The Application is for the removal of Conditions 3 up to and including Condition 15 in Deed of Transfer T96384/2015.

The Rezoning is **from** "Residential 1" subject to a density of one dwelling house per minimum erf size of 1000m² **to** "Residential 1" subject to a density of one dwelling house/unit per a minimum erf size of 500m², subject to certain further conditions.

The intension of the applicant in this matter is to demolish all existing buildings, in order to **subdivide** the property into **three (3) full title erven**, subject to a minimum erf size of 500m², and then erect one dwelling house per a minimum erf size of 500m² (in total, a number of three (3) dwelling houses / units shall be developed on the property). The Subdivision Application was submitted together with Rezoning Application. Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za **from 08 March 2017 (first date of publication of the notice) until 05 April 2017 (28 days after first date of publication)**.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the **Gauteng Provincial Gazette / Beeld / Pretoria News**. **Address of Municipal offices:** Centurion Office: The Office of the General Manager: City Planning Division, City of Tshwane Metropolitan Municipality, Room E10, corner Basden and Rabie Streets, Centurion Municipal Offices.

Closing date for any objections and/or comments: 05 April 2017

Address of applicant: Street Address: No. 511 Dawn Street, Lynnwood Extension 01, 0081; **Postal Address:** P.O. Box 76173, Lynnwood Ridge, 0040; **Telephone:** (012) 348 1343; **Fax:** 086 610 1892 / (012) 348 7219; **Email:** info@mto-townplanners.co.za

Dates on which notice will be published: 08 March 2017 and 15 March 2017

Reference: CPD/9/2/4-2-4108T (Rezoning) and CPD MNP/0416/925 (Removal); **Item No:** 26427 (Rezoning) and 26428 (Removal)

8-15

PLAASLIKE OWERHEID KENNISGEWING 307 VAN 2017

STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT

KENNISGEWING VAN [1] DIE AANSOEK VIR DIE OPHEFFING VAN BEPERKENDE VOORWAARDES IN DIE TITEL AKTE IN TERME VAN ARTIKEL 16(2) EN [2] DIE AANSOEK OM HERSONERING IN TERME VAN ARTIKEL 16(1) VAN DIE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016

Ek, **Mauritz Oosthuizen van MTO Town Planners CC t/a MTO Town & Regional Planners (Reg. Nr.: 2005/135370/23)**, synde die aansoeker namens die registreerde eienaar van **Erf 925 Menlo Park** gee hiermee ingevolge Artikel 16(1)(f) van die City of Tshwane Land Use Management By-Law, 2016, dat ons by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir **[1]** die opheffing van sekere voorwaardes in die titel akte in terme van Artikel 16(2); en **[2]** vir die wysiging van die Tshwane – Dorpsbeplanningskema, 2008 (Hersien in 2014), deur die hersonering in terme van Artikel 16(1) van die van die City of Tshwane Land Use Management By-Law, 2016, van die eiendom hierbo beskryf.

Die eiendom is gelee te **Upper Terrace Straat/Pad Nr. 10**.

Die Aansoek is vir die opheffing van Voorwaardes 3 tot in met en insluitend Voorwaarde 15 in Deed of Transfer T96384/2015.

Die Hersonering is **vanaf** "Residensieel 1" onderworpe aan 'n digtheid van een wooneenheid per 'n minimum erf grootte van 1000m² **na** "Residensieel 1" onderworpe aan 'n digtheid van een wooneenheid per 'n minimum erf grootte van 500m², onderworpe aan sekere verdere voorwaardes.

Die bedoeling van die aansoeker in hierdie saak is om alle bestaande strukture te sloop, met die doel om die eiendom te **onderverdeel in drie (3) volttitel erwe**, onderworpe aan 'n minimum erf grootte van 500m², en so om een wooneenheid per 'n minimum erf grootte van 500m² te ontwikkel (in totaal sal drie (3) wooneenhede ontwikkel word op die eiendom). Die Onderverdelings-aansoek was gelyktydig ingedien, saam die genoemde Hersonerings-aansoek.

Enige beswaar en/of kommentaar, insluitend die gronde vir so 'n beswaar en/of kommentaar met volledige kontakbesonderhede, waarsonder die Munisipaliteit nie kan korrespondeer met die persoon of liggaam wat beswaar en/of kommentaar indien, sal gedurende gewone kantoor-ure ingedien word by, of gerig word aan: Die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of by CityP_Registration@tshwane.gov.za **vanaf 08 Maart 2017 (eerste datum van publikasie van die kennisgewing) tot in met 05 April 2017 (28 dae na die eerste dag van publikasie)**.

Volledige besonderhede en planne (as daar is) kan gedurende gewone kantoor-ure ter insae by die Munisipale Kantore soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf die datum van eerste publikasie van die kennisgewing in die **Gauteng Provinsiale Gazette / Beeld / Pretoria News**. **Adres van die Munisipale Kantore:** Centurion Kantoor: Die Kantoor van die Algemene Bestuurder: Stadsbeplanningsafdeling, Stad van Tshwane Metropolitaanse Munisipaliteit, Kamer E10, hoek van Basden en Rabie Strate, Centurion Munisipale Kantore.

Sluitingsdatum vir enige besware en/of kommentare: 05 April 2017.

Adres van Applikant: Straatadres: Dawnstraat Nr. 511, Lynnwood Uitbreiding 01, 0081; **Posadres:** Posbus 76173, Lynnwoodrif, 0040; **Telefoon:** (012) 348 1343; **Faks:** 086 610 1892 / (012) 348 7219; **Epos:** info@mto-townplanners.co.za

Datums van plasing van die betrokke kennisgewing: 08 Maart 2017 en 15 Maart 2017

Verwysing: CPD/9/2/4/2-4108T (Hersonering) en CPD MNP/0416/925 (Opheffing); **Item No:** 26427 (Hersonering) en 26428 (Opheffing)

8-15

LOCAL AUTHORITY NOTICE 309 OF 2017

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

NOTICE OF A REZONING APPLICATION IN TERMS OF SECTION 16(1) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016

I, **Mauritz Oosthuizen of MTO Town Planners CC t/a MTO Town & Regional Planners (Reg. No.: 2005/135370/23)**, being the applicant on behalf of the registered owners of **Erven 357 and 358 Waterkloof Heights Extension 07** hereby give notice in terms of Section 16(1)(f) of the City of Tshwane Land Use Management By-law, 2016, that we have applied to the City of Tshwane Metropolitan Municipality for the amendment of the Tshwane Town-Planning Scheme, 2008 (Revised 2014), by the rezoning in terms of Section 16(1) of the of the City of Tshwane Land Use Management By-Law, 2016, of the properties as described above.

The properties are situated at **No. 215 and 219 Bauhinia Road**.

The Rezoning is **from** "Residential 1" subject to Annexure T8982, [*one (1) dwelling house/unit per minimum erf size of 1500m²*] **to** "Residential 2" subject to a density of 15 dwelling units per hectare, subject to certain further conditions.

The intension of the applicant in this matter is to **erect four (4) dwelling units** (including the 2 dwelling units already under construction) on **the Consolidated Erf**, to be known as Erf 570 Waterkloof Heights Extension 07 (currently known as Erven 357 and 358 Waterkloof Heights Extension 07). The new Erf number shall be registered in both the Deeds Office and Surveyor General's Offices, after approval of the Consolidation Application, which has been submitted simultaneously with this Rezoning Application.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za **from 08 March 2017 (first date of publication of the notice) until 05 April 2017 (28 days after first date of publication)**.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the **Gauteng Provincial Gazette / Beeld / Pretoria News**. **Address of Municipal offices:** Centurion Office: The Office of the General Manager: City Planning Division, City of Tshwane Metropolitan Municipality, Room E10, corner Basden and Rabie Streets, Centurion Municipal Offices.

Closing date for any objections and/or comments: 05 April 2017

Address of applicant: Street Address: No. 511 Dawn Street, Lynnwood Extension 01, 0081; **Postal Address:** P.O. Box 76173, Lynnwood Ridge, 0040; **Telephone:** (012) 348 1343; **Fax:** 086 610 1892 / (012) 348 7219; **Email:** info@mto-townplanners.co.za

Dates on which notice will be published: 08 March 2017 and 15 March 2017

Reference: CPD/9/2/4/2-4109T; **Item No:** 26434

8-15

PLAASLIKE OWERHEID KENNISGEWING 309 VAN 2017

STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT
KENNISGEWING VAN DIE AANSOEK OM HERSONERING IN TERMS VAN ARTIKEL 16(1) VAN DIE CITY OF TSHWANE LAND USE
MANAGEMENT BY-LAW, 2016

Ek, **Mauritz Oosthuizen van MTO Town Planners CC t/a MTO Town & Regional Planners (Reg. Nr.: 2005/135370/23)**, synde die aansoeker namens die registreerde eienaars van **Erwe 357 en 358 Waterkloof Heights Uitbreiding 07** gee hiermee ingevolge Artikel 16(1)(f) van die City of Tshwane Land Use Management By-Law, 2016, dat ons by die Stad van Tshwane Metropolitaanse Munisipaliteit aansoek gedoen het vir die wysiging van die Tshwane – Dorpsbeplanningskema, 2008 (Hersien in 2014), deur die hersonering in terme van Artikel 16(1) van die City of Tshwane Land Use Management By-Law, 2016, van die eiendomme hierbo beskryf.

Die eiendomme is gelee te **Bauhinia Straat/Pad Nr. 215 en 219**.

Die Hersonering is **vanaf** "Residensieel 1" onderworpe aan Bylaag T8982 [een (1) wooneenheid per n minimum erf grootte van 1500m²] **na** "Residensieel 2" onderworpe aan 'n digtheid van 15 wooneenhede per hektaar, onderworpe aan sekere verdure voorwaardes.

Die bedoeling van die aansoeker in hierdie saak is om **vier (4) wooneenhede te ontwikkel** (insluitend die 2 wooneenhede wat reeds onder konstruksie is) op **die Gekonsolideerde Erf**, wat bekend sal wees as Erf 570 Waterkloof Heights Uitbreiding 07 (huidiglik nog bekend as Erwe 357 en 358 Waterkloof Heights Uitbreiding 07). Die nuwe Erf nommer sal geregistreer word in beide die Akte Kantoor en Landmeter Generaal Kantoor, na goedkeuring van die Konsolidasie Aansoek, wat gelyktydig saam die betrokke Hersonerings-aansoek geloods was.

Enige beswaar en/of kommentaar, insluitend die gronde vir so 'n beswaar en/of kommentaar met volledige kontakbesonderhede, waarsonder die Munisipaliteit nie kan korrespondeer met die persoon of liggaam wat beswaar en/of kommentaar indien, sal gedurende gewone kantoor-ure ingedien word by, of gerig word aan: Die Strategiese Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of by CityP.Registration@tshwane.gov.za **vanaf 08 Maart 2017 (eerste datum van publikasie van die kennisgewing) tot in met 05 April 2017 (28 dae na die eerste dag van publikasie)**.

Volledige besonderhede en planne (as daar is) kan gedurende gewone kantoor-ure ter insae by die Munisipale Kantore soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf die datum van eerste publikasie van die kennisgewing in die **Gauteng Provinsiale Gazette / Beeld / Pretoria News**. Adres van die Munisipale Kantore: Centurion Kantoor: Die Kantoor van die Algemene Bestuurder: Stadsbeplanningsafdeling, Stad van Tshwane Metropolitaanse Munisipaliteit, Kamer E10, hoek van Basden en Rabie Strate, Centurion Munisipale Kantore.

Sluitingsdatum vir enige besware en/of kommentare: **05 April 2017**.

Adres van Applikant: **Straatadres:** Dawnstraat Nr. 511, Lynnwood Uitbreiding 01, 0081; **Posadres:** Posbus 76173, Lynnwoodrif, 0040;

Telefoon: (012) 348 1343; **Faks:** 086 610 1892 / (012) 348 7219; **Epos:** info@mto-townplanners.co.za

Datums van plasing van die betrokke kennisgewing: **08 Maart 2017 en 15 Maart 2017**

Verwysing: CPD/9/2/4/2-4109T; **Item No:** 26434

8-15

LOCAL AUTHORITY NOTICE 318 OF 2017

NOTICE IN TERMS OF SECTION 5(5) OF THE GAUTENG REMOVAL OF RESTRICTIONS ACT, 1996
(ACT 3 OF 1996)

EKURHULENI AMENDMENT SCHEME G0166

I, JACOBUS ALWYN BUITENDAG, being the authorized agent of the owner of Erven 225, 231 and 235, Delville, Germiston, hereby give notice in terms of section 5(5) of the Gauteng Removal of Restrictions Act, 1996, that I have applied to the Ekurhuleni Metropolitan Municipality : Germiston Customer Care Area, for the simultaneous removal of certain restrictive title conditions contained in Deeds of Transfer No.T2481/2016, T30455/2014 and T5008/2015 and the amendment of the Ekurhuleni Town Planning Scheme 2014, by the rezoning of Erven 225, 231 and 235, Delville, Germiston, situated at Elsburg Road (Erven 225 and 231) and Verdun Road (Erf 235), Delville from "Residential 1" to "Residential 3" in order to be able to use the erven for residential buildings/dwelling units.

All relevant documents relating to the application will be open for inspection during normal office hours at the office of The Area Manager : City Planning Department, Germiston Customer Care Area, 15 Queen Street, Germiston 1400 and at the offices of The African Planning Partnership, First Floor, 658 Trichardt's Road, Beyers Park, Boksburg from

8 March 2017 (the date of first publication of this notice) until 5 April 2017.

Any person who wishes to object to the application or submit representations in respect thereof must lodge the same (with the grounds thereof) in writing with The Area Manager : City Planning Department, Germiston Customer Care Area at the abovementioned address or at PO Box 145, Germiston, 1400, on or before 5 April 2017.

Name and address of agent : THE AFRICAN PLANNING PARTNERSHIP, PO BOX 2256, BOKSBURG, 1460. TEL. (011) 918-0100.

08-15

PLAASLIKE OWERHEID KENNISGEWING 318 VAN 2017**KENNISGEWING VAN AANSOEK INGEVOLGE ARTIKEL 5(5) VAN DIE GAUTENG WET OP OPHEFFING VAN BEPERKINGS, 1996 (WET 3 VAN 1996)
EKURHULENI WYSIGINGSKEMA G0166**

Ek, JACOBUS ALWYN BUITENDAG, synde die gemagtigde agent van die eienaar van Erwe 225, 231 en 235 Delville, Germiston, gee hiermee ingevolge artikel 5(5) van die Gauteng Wet op Opheffing van Beperkings, 1996, kennis dat ek by die Ekurhuleni Metropolitaanse Munisipaliteit : Germiston Kliëntesorggebied, aansoek gedoen het vir die opheffing van sekere beperkende titelvoorwaardes in Transportaktes No.T2481/2016, T30455/2014 en T5008/2015 en die gelyktydige wysiging van die Ekurhuleni Dorpsbeplanningskema 2014, deur die hersonering van Erwe 225, 231 en 235 Delville, Germiston, geleë te Elsburgweg (Erwe 225 en 231) en Verdunweg (Erf 235), Delville, vanaf "Residensieël 1" tot "Residensieël 3", ten einde die erwe te kan aanwend vir woongeboue/wooneenhede.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van Die Area Bestuurder : Department Stadsbeplanning, Germiston Kliëntesorggebied, Queenstraat 15, Germiston 1401 en by die kantore van The African Planning Partnership, 1ste Vloer, Trichardtsweg 658, Beyers Park, Boksburg, vanaf 8 Maart 2017 (die datum van eerste publikasie van hierdie kennisgewing) tot 5 April 2017.

Besware teen of verhoë ten opsigte van die aansoek (tesame met redes daarvoor) deur enige persoon, moet voor of op 5 April 2017 skriftelik by Die Area Bestuurder : Department Stadsbeplanning, Germiston Kliëntesorggebied by bovermelde adres, of by Posbus 145, Germiston, 1400 ingedien of gerig word.

Naam en adres van agent : THE AFRICAN PLANNING PARTNERSHIP, POSBUS 2256, BOKSBURG, 1460. TEL. (011) 918-0100.

08-15

LOCAL AUTHORITY NOTICE 321 OF 2017**TSHWANE TOWN-PLANNING SCHEME, 2008, (REVISED 2014)**

Notice is hereby given to all whom it may concern, that in terms of Clause 16 of the Tshwane Town planning Scheme, 2008, (Revised 2014)

I, Alick Matwasa Intend applying to The City of Tshwane for consent for a Boarding house on erf 210 Ga-Rankuwa Unit 1, also known as A24936126 Street Ga-Rankuwa Unit 1, located in a Residential 1 zone.

Any objection, with the grounds therefore, shall be lodged with or made in writing to: The Strategic Executive Director: City Planning and Development at **Akasia Municipal Complex, 485 Heinrich Avenue, (Entrance Dale Street) Karenpark. PO Box 58393, Karenpark, 0118**, within 28 days of the publication of the advertisement in the Provincial Gazette, viz 08 March 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the abovementioned office, for a period of 28 days after the publication of the advertisement in the Provincial Gazette.

Closing date for any objections: 05 APRIL 2017

APPLICANT: STREET ADDRESS AND POSTAL ADDRESS
08 Bush Close, Mamelodi 0122.

TELEPHONE: 0825986693

8-15

PLAASLIKE OWERHEID KENNISGEWING 321 VAN 2017

TSHWANE-DORPSBEPLANNINGSKEMA, 2008, (HERSIEN 2014)

Ingevolge klousule 16 van die Tshwane - Dorpsbeplanningskema, 2008, (Hersien 2014) word hiermee aan alle belanghebbendes kennis gegee dat ek, Alick Matwasa

van voornemens is om by die Stad Tshwane aansoek te doen om toestemming

vir: Losieshuis op erf 210 Ga-Rankuwa Unit 1, ook bekend as A24936126 Straat Ga-Rankuwa Unit 1. geleë in 'n Residensieel 1 sone.

Enige beswaar, met die redes daarvoor, moet binne 28 dae na publikasie van die advertensie in die Provinsiale Koerant, nl 08 April 2017, skriftelik by of tot:

Die Strategiese Uitvoerende Direkteur: Stadsbeplanning en Ontwikkeling by Akasia Municipal Complex, 485 Heinrich Avenue, (Ingang Dale Staat) Karenpark, Posbus 58393, Karenpark, 0118

Volledige besonderhede en planne (as daar is) kan gedurende gewone kantoorure by bogenoemde kantoor besigtig word vir 'n periode van 28 dae na publikasie van die kennisgewing in die Provinsiale Koerant.

Sluitingsdatum vir enige besware: 05 April 2017

AANVRAER

STRAATNAAM EN POS ADRES : 08 Bush Close, Mamelodi 0122.

TELEFOON: 0825986693

8-15

LOCAL AUTHORITY NOTICE 330 OF 2017**CITY OF TSHAWNE METROPOLITAN MUNICIPALITY****NOTICE OF APPLICATIONS FOR ESTABLISHMENT OF TOWNSHIPS
ONDERSTEPOORT EXTENSIONS 38 AND 39**

The City of Tshwane Metropolitan Municipality hereby gives notice in terms of Section 69 (6) (a) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that an application in terms of Section 96(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) read with Section 2(2) of the Spatial Planning and Land Use Management Act 16 of 2013, to establish the townships referred to in the Annexure attached hereto has been received by it. Particulars of the applications will lie for inspection during normal office hours at the office of Executive Director: City Planning, Room LG004 Isivuno House, 143 Lilian Ngoyi Street, Pretoria, for a period of 28 days from **8 March 2017**. Objections to or representations in respect of the applications must be lodged with or made in writing and in duplicate to The Strategic Executive Director at the above address or posted to P.O. Box 3242, Pretoria, 0001, within a period of 28 days from **8 March 2017**. Please note that your name (legible) and full contact details (physical address, postal address, cell phone number, e-mail address) must be included in the objection/representation.

ANNEXURE A

Name of township: Onderstepoort Extension 38

Full name of applicant: Plandev Town and Regional Planners on behalf Midnight Masquerade Properties 215 (Pty) Ltd

Number of erven in proposed township: 430 Erven:

Erf 1-416: "Residential 1" with a density of 1 dwelling unit per 180m², **Erf 417:** "Residential 4" with a density of 80 dwelling units per hectare, **Erf 418:** "Special" for community uses with a coverage, FAR and height of 50%, 0.5 and 2 storeys (10 metres), **Erf 419:** "Municipal", **Erven 420 to 427:** "Special" for mixed uses including showrooms, offices, wholesale trade, vehicle sales mart, vehicle sales showroom, computer centers, retail industries, banks, block of flats, builders yard, business buildings, warehouses, commercial uses, fitness centre, funeral undertaker, garden centre, government purposes, hospital, place of instruction, light industries, motor workshops and places of refreshment with a coverage, FAR and height of 40%, 0.5 and 2 storeys (10 meters), **Erven 428 to 430:** "Public open space".

Description of land on which township is to be established: Parts of Portions 113, 114, 115 and 116 of the farm Onderstepoort 266-JR

Locality of proposed township: The property is situated adjacent and north of Mopane Road (K2) just east of Soshanguwe between the Mabopane Highway (R80) and Southpans Road (M35) in the Haakdoornboom area.

(Ref.: 9/1/1/1-OPTX38 018)

ANNEXURE B

Name of township: Onderstepoort Extension 39

Full name of applicant: Plandev Town and Regional Planners on behalf Midnight Masquerade Properties 215 (Pty) Ltd

Number of erven in proposed township: 158 Erven:

Erven 1 to 155: "Residential 1" with a density of 1 dwelling unit per 180m², **Erf 156:** "Special" for "Educational" or "Residential 4" (80 dwelling units per hectare) uses with a coverage, FAR and height of 50%, 0.5 and 2 storeys (10 metres), **Erf 157:** "Private open space", **Erf 158:** "Public open space".

Description of land on which township is to be established: Parts of Portions 68 and 69 of the farm Onderstepoort 266-JR

Locality of proposed township: The property is situated south of Mopane Road (K2) and the proposed township Onderstepoort Extension 33 just east of Soshanguwe between the Mabopane Highway (R80) and Southpans Road (M35) in the Haakdoornboom area.

(Ref.: 9/1/1/1-OPTX38 018)

Please note that your name (legible) and full contact details (physical address, postal address, cell phone number, e-mail address) must be included in the objection/representation.

8-15

PLAASLIKE OWERHEID KENNISGEWING 330 VAN 2017**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT****KENNISGEWING VAN AANSOEK OM STIGTING VAN DORPE
ONDERSTEPSPOORT UITBREIDINGS 38 EN 39**

Die Stad Tshwane Metropolitaanse Munisipaliteit gee hiermee ingevolge Artikel 69 (6) (a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), kennis dat 'n aansoek ingevolge Artikel 96(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), saamgelees met Artikel 2(2) van die Wet op Ruimetelike Beplanning en Grondgebruikbestuur 16 van 2013, om die dorpe in die Bylae hierby genoem, te stig, deur hom ontvang is. Besonderhede van die aansoeke lê ter insae gedurende gewone kantoorure by die kantoor van die Uitvoerende Direkteur: Afdeling Stadsbeplanning, Kamer LG004 Isivuno gebou, Lilian Ngoyi straat 143, Pretoria vir 'n tydperk van 28 dae vanaf **8 Maart 2017**. Besware teen of verhoë ten opsigte van die aansoeke moet binne 'n tydperk van 28 dae vanaf **8 Maart 2017** skriftelik en in tweevoud by Die Strategiese Uitvoerende Direkteur by bovermelde kantoor ingedien of aan hom/haar by Posbus 3242, Pretoria, 0001, gepos word. Neem asseblief kennis dat u naam (leesbaar) en volle kontakbesonderhede (fisiese adres, posadres, selnommer, e-pos adres) ingeluit moet wees by die beswaar/verhoë.

BYLAE A

Naam van dorp: Onderstepoort Uitbreiding 38

Volle naam van aansoeker: Plandev Stads- en Streekbeplanners namens Midnight Masquerade Properties 215 (Pty) Ltd

Aantal erwe in voorgestelde dorp: 430 Erwe:

Erwe 1-416: "Residentieel 1" met 'n digtheid van 1 wooneenheid per 180m², **Erf 417:** "Residensieel 4" met 'n digtheid van 80 wooneenhede per hektaar, **Erf 418:** "Spesiaal" vir gemeenskapsgebruik met a dekking, VRV en hoogte onderskeidelik van 50%, 0.5 en 2 verdiepings (10 meters), **Erf 419:** "Munisipaal", **Erwe 420 tot 427:** "Spesiaal" vir gemengde gebruik insluitend vertoonlokale, kantore, groothandel, voertuig verkoops mark, voertuig vertoonlokaal, rekenaar sentrums, kleinhandel nywerhede, banke, woonstelle, bouers werf, besigheids geboue, pakhuse, kommersiële gebruik, fiksheid sentrum, begrafnisondernemer, tuin sentrum, regering doeleindes, hospitaal, plek van onderrig, ligte nywerhede, motor voertuig werksinkels en verversingsplekke met 'n dekking, VRV en hoogte van 40%, 0.5 en 2 verdiepings (10 meters), **Erwe 428 - 430:** "Publieke oop ruimte".

Beskrywing van grond waarop dorp gestig staan te word: Dele van Gedeeltes 113, 114, 115 en 116 van die plaas Onderstepoort 266-JR.

Ligging van die voorgestelde dorp: Die eiendom is geleë aangrensend en noord van Mopaneweg (K2), net oos van Soshanguwe tussen die Mabopane Snelweg (R80) en Soutpans Weg (M35) in die Haakdoornboom area.

(Verw: 9/1/1-1-OPTX38 018)

BYLAE B

Naam van dorp: Onderstepoort Uitbreiding 39

Volle naam van aansoeker: Plandev Stads- en Streekbeplanners namens Midnight Masquerade Properties 215 (Pty) Ltd

Aantal erwe in voorgestelde dorp: 158 Erwe:

Erwe: 1 tot 155: "Residensieel 1" met 'n digtheid van 1 wooneenheid per 180m², **Erf 156:** "Spesiaal" vir Opvoedkundig of "Residensieel 4" (80 wooneenhede per hektaar), **Erf 157:** "Privaat oop ruimte", **Erf 158:** "Publieke oop ruimte".

Beskrywing van grond waarop dorp gestig staan te word: Dele van Gedeeltes 68 en 69 van die plaas Onderstepoort 266-JR.

Ligging van die voorgestelde dorp: Die eiendom is geleë suid van Mopaneweg (K2) en die voorgestelde dorp Onderstepoort Uitbreiding 33, net oos van Soshanguwe tussen die Mabopane Snelweg (R80) en Soutpans Weg (M35) in die Haakdoornboom area.

(Verw: 9/1/1-1-OPTX38 018)

Neem asseblief kennis dat u naam (leesbaar) en volle kontakbesonderhede (fisiese adres, posadres, selnommer, e-pos adres) ingesluit moet wees by die beswaar/verhoë.

8-15

LOCAL AUTHORITY NOTICE 331 OF 2017**NOTICE IN TERMS OF SECTION 5(5) OF THE GAUTENG REMOVAL
OF RESTRICTIONS ACT, 1996 (ACT NO. 3 OF 1996)**

I, François du Plooy, being the authorised agent of the owner hereby give notice in terms of Section 5(5) of the Gauteng Removal of Restrictions Act, 1996, read with the provisions of the Spatial Planning and Land Use Management Act, 16 of 2013, (SPLUMA), that I have applied to Midvaal Local Municipality for the removal of certain restrictive conditions contained in Title Deed T16/10494 & T16/13230 of Holding 34 & Holding 35 Golfview Agricultural Holdings, Midvaal, which is situated at 34 & 35 Main Road, Golfview Agricultural Holdings.

Particulars of the application will lie open for inspection during normal office hours and in terms of Section 45 of SPLUMA, (Act 16 of 2013), any interested person, who has the burden to establish his/her status as an interested person, shall lodge in writing, his/her full objection/ interest in the application and also provide clear contact details to the office of the Executive Director: Development and Planning, Midvaal Local Municipality, Mitchell Street, Meyerton for the period of 28 days from 08 March 2017

Objections to or representation in respect of the application must be lodged with or made in writing to the Executive Director: Development and Planning at the above address or at P.O. Box 9, Meyerton 1960, within a period of 28 days from 08 March 2017 to 05 April 2017.

Address of applicant: François du Plooy Associates, P.O. Box 85108, Emmarentia, 2029. Tel: (011) 646-2013. Fax: (011) 486-4544. E-mail: francois@fdpass.co.za

8-15

PLAASLIKE OWERHEID KENNISGEWING 331 VAN 2017**KENNISGEWING IN TERME VAN ARTIKEL 5(5) VAN DIE GAUTENG WET OP OPHEFFING VAN BEPERKINGS, 1996
(WET NO. 3 VAN 1996)**

Ek, François du Plooy synde die gemagtigde agent van die eienaar gee hiermee, ingevolge Artikel 5(5) van die Gauteng Wet op Opheffing van Beperkings, 1996, saamgelees met die voorskrifte van die Wet Op Ruimtelike Beplanning en Grondgebruikbestuur, 16 van 2013, (SPLUMA), kennis dat ek aansoek gedoen het by Midvaal Plaaslike Munisipaliteit om die opheffing van sekere beperkende voorwaardes vervat in die Titellakte T16/10494 & T16/13230 van Hoewe 34 & Hoewe 35 Golfview Landbouhoewes, Midvaal, welke eiendomme hierbo beskryf, geleë is te Mainweg 34 & 35, Golfview Landbouhoewes.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure en in gevolg Artikel 45 van die Wet Op Ruimtelike Beplanning en Grondgebruikbestuur, 2013, (Wet 16 van 2013), moet enige belanghebbende persoon, wat sy/haar status as belanghebbende persoon moet kan bewys, sy/haar volledige beswaar/ belang in die aansoek tesame met volledige kontak-besonderhede voorsien aan, die Uitvoerende Direkteur: Ontwikkeling en Beplanning, Midvaal Plaaslike Munisipaliteit, Mitchellstraat, Meyerton, vir 'n tydperk van 28 dae vanaf 08 Maart 2017 tot 05 April 2017

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 08 Maart 2017, skriftelik by of tot die Uitvoerende Direkteur: Ontwikkeling en Beplanning indien of rig by bovermelde adres of by Posbus 9, Meyerton, 1960, ingedien word.

Adres van Applikant: François du Plooy Associates, Posbus 85108, Emmarentia, 2029. Tel: (011) 646-2013 Faks: (011) 486-4544. E-pos: francois@fdpass.co.za

8-15

LOCAL AUTHORITY NOTICE 337 OF 2017**EKURHULENI METROPOLITAN MUNICIPALITY
EKURHULENI AMENDMENT SCHEME E0035****PORTION 1 OF ERF 554 BEDFORDVIEW EXTENSION 101 TOWNSHIP**

It is hereby notified that in terms of Section 57(1) of the Town Planning and Township Ordinance, 1986 (Ordinance No. 15 of 1986) that the Ekurhuleni Metropolitan Municipality has approved the amendment of the Ekurhuleni Town Planning Scheme, 2014, by the Rezoning of Portion 1 of Erf 554 Bedfordview Extension 101 Township from "Residential 1" to "Residential 1" in order to increase the coverage from 50% to 63.26%, subject to certain conditions.

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Head of Department: City Planning, Ekurhuleni Metropolitan Municipality, and at the offices of the Area Manager: Edenvale CCC, Edenvale Civic Centre.

This Scheme shall come into operation 56 days from the date of publication of this notice.

Dr. Imogen Mashazi, City Manager

2nd Floor, Head Office Building,
Cnr Cross & Roses Streets,
Germiston

Notice No. ____/2017

LOCAL AUTHORITY NOTICE 338 OF 2017**EKURHULENI METROPOLITAN MUNICIPALITY
EKURHULENI AMENDMENT SCHEME E0187****ERF 152 BEDFORDVIEW EXTENSION 40 TOWNSHIP**

It is hereby notified that in terms of Section 57(1) of the Town Planning and Township Ordinance, 1986 (Ordinance No. 15 of 1986) that the Ekurhuleni Metropolitan Municipality has approved the amendment of the Ekurhuleni Town Planning Scheme, 2014, by the rezoning of Erf 152, Bedfordview extension 40 Township from "Residential 1" to "Residential 1" in order to allow a crèche with a maximum of 80 kids, subject to certain conditions.

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Head of Department: City Planning, Ekurhuleni Metropolitan Municipality, and at the offices of the Area Manager: Edenvale CCC, Edenvale Civic Centre.

This Scheme shall come into operation 56 days from the date of publication of this notice.

Imogen Mashazi, City Manager

2nd Floor, Head Office Building,
Cnr Cross & Roses Streets,
Germiston

LOCAL AUTHORITY NOTICE 339 OF 2017**EKURHULENI METROPOLITAN MUNICIPALITY
EKURHULENI AMENDMENT SCHEME E0311****PORTION 3-13 OF ERF 830 MARAIS STEYN PARK TOWNSHIP**

It is hereby notified that in terms of Section 57(1) of the Town Planning and Township Ordinance, 1986 (Ordinance No. 15 of 1986) that the Ekurhuleni Metropolitan Municipality has approved the amendment of the Ekurhuleni Town Planning Scheme, 2014, by the rezoning of portion 3-13 of Erf 830 Marais Steyn Park Township from "Residential 1" with a density of 700m² to "Residential 3" subject to certain condition.

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Head of Department: City Planning, Ekurhuleni Metropolitan Municipality, and at the offices of the Area Manager: Edenvale CCC, Edenvale Civic Centre.

This Scheme shall come into operation 56 days from the date of publication of this notice.

Imogen Mashazi, City Manager
2nd Floor, Head Office Building,
Cnr Cross & Roses Streets,
Germiston

LOCAL AUTHORITY NOTICE 340 OF 2017**EKURHULENI METROPOLITAN MUNICIPALITY
EKURHULENI TOWN PLANNING SCHEME, 2014
EKURHULENI AMENDMENT SCHEME E0078**

It is hereby notified in terms of section 57(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Ekurhuleni Metropolitan Municipality has approved the amendment of the Ekurhuleni Town Planning Scheme, 2014 by the rezoning of Portion 12 of erf 28 Edendale Township from "Residential 1" to "Residential 3" in order to erect 8 dwelling units and a building line relaxation of 3m on the street boundary.

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Area Manager: City Planning, Edenvale Civic Centre.

This amendment scheme is known as Ekurhuleni Amendment Scheme E0078. This Scheme shall come into operation not less than 56 days from date of publication of this notice.

Imogen Mashazi, City Manager
2nd Floor, Head Office Building,
Cnr Cross & Roses Streets,
Germiston

Notice No. ____/2017

LOCAL AUTHORITY NOTICE 341 OF 2017

City of Tshwane Metropolitan Municipality

Notice of Consent Use application in terms of Clause 16 of the Tshwane Town-planning Scheme, 2008 (Revised 2014)

I **Makhanana Salome Latane**, being the owner of **Hunadi Day Care** hereby give notice in terms of Clause 16 of the Tshwane Town-planning Scheme, 2008 (Revised 2014), that I have applied to the City of Tshwane Metropolitan Municipality for a consent Use for **a place of Child Care**. The property is situated at **1018 Aces Street Nellmapius Ext 3**. The intension of the applicant in this matter is to **get approval**.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objections (s) and/or comment(s) , shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from **15 March 2017** until **28 April 2017**

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette.

Address of Municipal offices: **143 Lilian Ngoyi Street Pretoria.**

Closing date for any objections and/or comments: **28 April 2017**

Address of applicant: **1018 Aces Street Nellmapius Ext 3.**

Telephone No: **0734287326**

Date on which notice will be published: **15 March 2017**

Reference: CPD

Item number: **23535**

LOCAL AUTHORITY NOTICE 342 OF 2017**EKURHULENI METROPOLITAN MUNICIPALITY
EKURHULENI TOWN PLANNING SCHEME, 2014
EKURHULENI AMENDMENT SCHEME E0281****PORTION 2 OF ERF 70 EDENDALE**

It is hereby notified in terms of section 57(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Ekurhuleni Metropolitan Municipality has approved the amendment of the Ekurhuleni Town Planning Scheme, 2014 by the rezoning of Portion 2 of erf 70 Edendale Township from "Special" to "Business 1" **BE APPROVED**

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Area Manager: City Planning, Edenvale Civic Centre.

This amendment scheme is known as Ekurhuleni Amendment Scheme E0281. This Scheme shall come into operation not less than 56 days from date of publication of this notice.

Imogen Mashazi, City Manager
2nd Floor, Head Office Building,
Cnr Cross & Roses Streets,
Germiston

Notice No. ____/2017

LOCAL AUTHORITY NOTICE 343 OF 2017**EKURHULENI METROPOLITAN MUNICIPALITY
EKURHULENI TOWN PLANNING SCHEME, 2014
EKURHULENI AMENDMENT SCHEME E0281****PORTION 2 OF ERF 70 EDENDALE**

It is hereby notified in terms of section 57(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Ekurhuleni Metropolitan Municipality has approved the amendment of the Ekurhuleni Town Planning Scheme, 2014 by the rezoning of Portion 2 of erf 70 Edendale Township from "Special" to "Business 1" **BE APPROVED**

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Area Manager: City Planning, Edenvale Civic Centre.

This amendment scheme is known as Ekurhuleni Amendment Scheme E0281. This Scheme shall come into operation not less than 56 days from date of publication of this notice.

Imogen Mashazi, City Manager
2nd Floor, Head Office Building,
Cnr Cross & Roses Streets,
Germiston

Notice No. ____/2017

LOCAL AUTHORITY NOTICE 344 OF 2017**City of Tshwane Metropolitan Municipality**

Notice of Consent Use application in terms of Clause 16 of the Tshwane Town-planning Scheme, 2008 (Revised 2014) Read with section 2 (2) and the provisions of the spatial planning and land use management act, 2013 (Act 16 of 2013)

I **Makhanana Salome Latane**, being the owner of **Hunadi Day Care** hereby give notice in terms of Clause 16 of the Tshwane Town-planning Scheme, 2008 (Revised 2014), that I have applied to the City of Tshwane Metropolitan Municipality for a consent Use for **a place of Child Care**. The property is situated at **1018 Aces Street Nellmapius Ext 3**. The intension of the applicant in this matter is to **get approval**.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objections (s) and/or comment(s) , shall be lodged with, or made in writing to: the Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from **15 March 2017** until **28 April 2017**

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette.

Address of Municipal offices: **143 Lilian Ngoyi Street Pretoria.**

Closing date for any objections and/or comments: **28 April 2017**

Address of applicant: **1018 Aces Street Nellmapius Ext 3.**

Telephone No: **0734287326**

Date on which notice will be published: **15 March 2017**

Reference: **CPD/0494/01018** Item number: **23535**

LOCAL AUTHORITY NOTICE 345 OF 2017

LOCAL AUTHORITY NOTICE CD11/2017
EKURHULENI METROPOLITAN MUNICIPALITY
GAUTENG REMOVAL OF RESTRICTIONS ACT, 1996 READ WITH SPLUMA
ERF 7444 BENONI TOWNSHIP

NOTICE IS HEREBY GIVEN, in terms of Section 6(8) of the Gauteng Removal of Restrictions Act, 1996 (Act 3 of 1996), read with the Spatial Planning and Land Use Management Act (SPLUMA) (Act 16 of 2013) that the Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre), approved the application in terms of Section 3(1) of the said Act, that:

Condition 1. contained in Deed of Transfer T39257/2013 be removed.

The application as approved will lie for inspection during normal office hours at the offices of the Head of Department: City Planning, Ekurhuleni Metropolitan Municipality, and at the offices of the Area Manager: City Planning, Benoni Civic Centre, Elston Avenue, 6th Floor, Benoni. This application shall come into operation on the date of this publication.

Dr Imogen Mashazi, City Manager, Ekurhuleni Metropolitan Municipality, 2nd Floor, Head Office Building, corner Cross and Roses Streets, Germiston, Private Bag X1069, Germiston, 1400. Notice No.: CD11/2017 Date: 15/03/2017

LOCAL AUTHORITY NOTICE 346 OF 2017

EKURHULENI METROPOLITAN MUNICIPALITY
KEMPTON PARK CUSTOMER CARE CENTRE
EKURHULENI AMENDMENT SCHEME K0185

The Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre) hereby gives notice in terms of Section 57(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the application for the rezoning Erf 941 Kempton Park Extension 2 from "Residential 1" to "Residential 1", with the inclusion of a guesthouse, subject to certain conditions, has been approved.

Amendment Scheme Annexure will be open for inspection during normal office hours at the office of the Head of Department, Department of Economic Development: Gauteng Provincial Government, 8th Floor Corner House, 63 Fox Street, Johannesburg, 2000, as well as the Manager City Planning, Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre), 5th Floor, Civic Centre, c/o CR Swart Drive and Pretoria Road, Kempton Park.

This amendment scheme is known as Ekurhuleni Amendment Scheme K0185, and shall come into operation 56 days after the date of publication of this notice.

Dr. Imogen Mashazi: City Manager:

Ekurhuleni Metropolitan Municipality, Germiston, Private Bag X1069, Germiston, 1400

Notice: CP.004.2017

[15/2/7/K0185]

LOCAL AUTHORITY NOTICE 347 OF 2017**EKURHULENI METROPOLITAN MUNICIPALITY
EKURHULENI AMENDMENT SCHEME F0243**

It is hereby notified in terms of section 57(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Ekurhuleni Metropolitan Municipality has approved the amendment of the Ekurhuleni Town Planning Scheme, 2014 by the rezoning of Portions 1 to 4 of Erf 3239 Dawn Park Extension 36 Township from "Residential 4" to "Residential 4" with amended conditions, subject to conditions.

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Head of Department: City Planning, Ekurhuleni Metropolitan Municipality, and at the offices of the Area Manager: City Planning, Boksburg Civic Centre; as well as at the Gauteng Provincial Government, Office of the Premier, Gauteng Planning Division.

This amendment scheme is known as Ekurhuleni Amendment Scheme F0243. This Scheme shall come into operation from the date of publication of this notice.

Imogen Mashazi, City Manager
2nd Floor, Head Office Building,
Cnr Cross & Roses Streets,
Germiston

LOCAL AUTHORITY NOTICE 348 OF 2017**EKURHULENI METROPOLITAN MUNICIPALITY
BOKSBURG TOWN PLANNING SCHEME, 1991
EKURHULENI AMENDMENT SCHEME F0242**

It is hereby notified in terms of section 57(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Ekurhuleni Metropolitan Municipality has approved the amendment of the Boksburg Town Planning Scheme, 1991 by the rezoning of Portion 1 of Portion 6 of Erf 1724 Dawn Park Extension 31 from "Special" for dwelling units with a density of 20 dwelling units per hectare to "Private Open Space" and Portions 7 to 9 of Erf 1724 Dawn Park Extension 31 from "Special" for dwelling units with a density of 20 dwelling units per hectare to "Residential 1" with a density of 26 dwelling units per hectare, subject to conditions.

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Head of Department: City Planning, Ekurhuleni Metropolitan Municipality, and at the offices of the Area Manager: City Planning, Boksburg Civic Centre; as well as at the Gauteng Provincial Government, Office of the Premier, Gauteng Planning Division.

This amendment scheme is known as Ekurhuleni Amendment Scheme F0242, previously known as Boksburg Amendment Scheme 1937. This Scheme shall come into operation from date of publication of this notice.

Imogen Mashazi, City Manager
2nd Floor, Head Office Building,
Cnr Cross & Roses Streets,
Germiston

LOCAL AUTHORITY NOTICE 349 OF 2017**CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 2713T**

It is hereby notified in terms of the provisions of Section 57(1)(a) of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986), that the City of Tshwane has approved the application for the amendment of the Tshwane Town-planning Scheme, 2008, being the rezoning of Part ABCDEFGHJKLMNA of Erf 257, Philip Nel Park, to Special for Residential Buildings with a density of 232 units maximum, excluding Hotel, subject to certain further conditions.

Map 3 and the scheme clauses of this amendment scheme are filed with the Head of the Department: Department of Economic Development, Gauteng Provincial Government and the Executive Director: City Planning and Development, City of Tshwane, and are open to inspection during normal office hours.

This amendment is known as Tshwane Amendment Scheme 2713T and shall come into operation on the date of publication of this notice.

(13/4/3/Philip Nel Park-257/- (2713T))
15 MARCH 2017

GROUP LEGAL AND SECRETARIAT SERVICES
(Notice 353/2017)

PLAASLIKE OWERHEID KENNISGEWING 349 VAN 2017**STAD TSHWANE****TSHWANE WYSIGINGSKEMA 2713T**

Hierby word ingevolge die bepalings van Artikel 57(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), bekend gemaak dat die Stad Tshwane die aansoek om die wysiging van die Tshwane-dorpsbeplanningskema, 2008, goedgekeur het, synde die hersonering van Deel ABCDEFGHJKLMNA van Erf 257, Philip Nel Park, tot Spesiaal vir Woongeboue met 'n maksimum digtheid van 232 eenhede, Hotel uitgesluit, onderworpe aan sekere verdere voorwaardes.

Kaart 3 en die skema klousules van hierdie wysigingskema word deur die Hoof van die Departement: Departement van Ekonomiese Ontwikkeling, Gauteng Provinsiale Administrasie en die Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Stad Tshwane, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Tshwane Wysigingskema 2713T en tree op die datum van publikasie van hierdie kennisgewing in werking.

(13/4/3/Philip Nel Park-257/- (2713T))
15 MAART 2017

GROEP REGS EN SEKRETARIAAT DIENSTE
(Kennisgewing 353/2017)

LOCAL AUTHORITY NOTICE 350 OF 2017**CITY OF TSHWANE****NOTICE IN TERMS OF SECTION 6(8) OF THE GAUTENG REMOVAL OF RESTRICTIONS ACT, 1996 (ACT NO 3 OF 1996): ERF 334, WATERKLOOF**

It is hereby notified in terms of the provisions of Section 6(8) of the Gauteng Removal of Restrictions Act, 1996 (Act No 3 of 1996), that the City of Tshwane has approved the application of the removal of certain conditions as contained in Deed of Transfer T012043/07, with reference to the following property: Erf 334, Waterkloof.

The following conditions and/or phrases are hereby cancelled: Conditions (a), (b), (c), (d) and (e).

This removal will come into effect on the date of publication of this notice.

(13/5/5/Waterkloof-334)
15 MARCH 2017

GROUP LEGAL AND SECRETARIAT SERVICES
(Notice 357/2017)

PLAASLIKE OWERHEID KENNISGEWING 350 VAN 2017**STAD TSHWANE****KENNISGEWING INGEVOLGE ARTIKEL 6(8) VAN DIE GAUTENG WET OP OPHEFFING VAN BEPERKINGS, 1996 (WET NO 3 VAN 1996): ERF 334, WATERKLOOF**

Hiermee word ingevolge die bepalings van Artikel 6(8) van die Gauteng Wet op Opheffing van Beperkings, 1996 (Wet No 3 van 1996), bekend gemaak dat die Stad Tshwane die aansoek om opheffing van sekere voorwaardes soos vervat in Akte van Transport T012043/07, met betrekking tot die volgende eiendom, goedgekeur het: Erf 334, Waterkloof.

Die volgende voorwaardes en/of gedeeltes daarvan word hiermee gekanselleer: Voorwaardes (a), (b), (c), (d) en (e).

Hierdie opheffing tree in werking op die datum van publikasie van hierdie kennisgewing.

(13/5/5/Waterkloof-334)
15 MAART 2017

GROEP REGS- EN SEKRETARIAAT DIENSTE
(Kennisgewing 357/2017)

LOCAL AUTHORITY NOTICE 351 OF 2017**AMENDMENT SCHEME / WYSIGINGSKEMA 02-16564**

- A. Notice is hereby given in terms of section 57.(1)(a) read with section 58.(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as amended, that the City of Johannesburg Metropolitan Municipality has approved the amendment of the Sandton Town Planning Scheme, 1980 by the rezoning of Erven 149, 150, 152 and 153 Hurlingham from "Residential 3" to "Institutional", subject to certain conditions as indicated in the approved application, which Amendment Scheme will be known as Amendment Scheme 02-16564.

The Amendment Scheme is filed with the Executive Director: Development Planning, 158 Civic Boulevard, Metropolitan Centre, A Block, 8th Floor, Braamfontein 2017 and is open for inspection at all reasonable times. Amendment Scheme 02-16564 will come into operation 58 days after the date of publication hereof.

- B. Kennis word hiermee gegee ingevolge artikel 57.(1)(a) saamgelees met artikel 58.(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) soos gewysig, dat die Stad van Johannesburg Metropolitaanse Munisipaliteit die wysiging van die Sandton Dorpsbeplanningskema, 1980 goedgekeur het deur die hersonering van Erwe 149, 150, 152 en 153 Hurlingham vanaf "Residensieel 3" na "Inrigting", onderhewig aan sekere voorwaardes soos aangedui in die goedgekeurde aansoek, welke wysiging bekend sal staan as Wysigingskema 02-16564.

Die Wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning, Civic Boulevard 158, Metropolitaanse Sentrum, A Blok, 8^{ste} Vloer, Braamfontein 2017 en is beskikbaar vir inspeksie te alle redelike tye. Wysigingskema 02-16564 sal in werking tree 58 dae vanaf die datum van publikasie hiervan.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr 117/2017

Date/ datum: 15 March 2017

LOCAL AUTHORITY NOTICE 352 OF 2017**AMENDMENT SCHEME / WYSIGINGSKEMA 13-16197**

- A. Notice is hereby given in terms of section 6(8) read with section 9(1) of the Gauteng Removal of Restrictions Act, 1996 (Act 3 of 1996) as amended, that the City of Johannesburg Metropolitan Municipality has approved the following in respect of Erf 10 Booyens :

- (1) The removal of Condition B.(1) and B.(3) from Deed of Transfer T018977/2004;
- (2) The amendment of the Johannesburg Town Planning Scheme, 1979 by the rezoning of the erf from "Commercial 2" to "Industrial 1", subject to certain conditions as indicated in the approved application, which Amendment Scheme will be known as Amendment Scheme 13-16197.

The Amendment Scheme is filed with the Executive Director: Development Planning, 158 Civic Boulevard, Metropolitan Centre, A Block, 8th Floor, Braamfontein 2017 and is open for inspection at all reasonable times. Amendment Scheme 13-16197 will come into operation on date of publication.

- B. Kennis word hiermee gegee ingevolge artikel 6(8) saamgelees met artikel 9(1) van die Gauteng Opheffing van Beperkinge Wet, 1996 (Wet 3 van 1996), soos gewysig, dat die Stad van Johannesburg Metropolitaanse Munisipaliteit die volgende ten opsigte van Erf 10 Booyens goedgekeur het:

- (1) Die opheffing van Voorwaarde B.(1) en B.(3) vanuit Akte van Transfer T018977/2004;
- (2) Die wysiging van die Johannesburg Dorpsbeplanningskema, 1979 deur die hersonering van die erf vanaf "Kommersiële 2" na "Industrieel 1", onderworpe aan sekere voorwaardes

soos aangedui in die goedgekeurde aansoek, welke wysiging bekend sal staan as Wysigingskema 13-16197.

Die Wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning, Civic Boulevard 158, Metropolitaanse Sentrum, A Blok, 8^{ste} Vloer, Braamfontein 2017 en is beskikbaar vir inspeksie te alle redelike tye. Wysigingskema 13-16197 sal in werking tree op datum van publikasie.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr 111/2017

Date / Datum: 15 March 2017

*By Johannes Ratebe
Snr Legal Administrator
City of Johannesburg
Development Planning*

LOCAL AUTHORITY NOTICE 353 OF 2017**NOTICE IN TERMS OF SECTION 5(5) OF THE GAUTENG REMOVAL OF RESTRICTIONS ACT, 1996 (ACT NO. 3 OF 1996), READ WITH SECTION 21, 33 & 41 OF THE CITY OF JOHANNESBURG MUNICIPAL PLANNING BY- LAW, 2016, AS WELL AS THE PROVISIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 16 OF 2013, (SPLUMA)**

I, François du Plooy, being authorized agent of the owner of Erf 662 Craighall Park Township, give notice in terms of Section 5(5) of the Gauteng Removal of Restrictions Act, 1996, read with Sections 21, 33 & 41 of the City Of Johannesburg Municipal Planning By- Law, 2016, as well as read with the provisions of the Spatial Planning and Land Use Management Act, 16 of 2013, (SPLUMA), that I have applied to the City of Johannesburg, for the simultaneous removal of certain restrictive Title conditions contained in Title Deed T0156499/2000 and rezoning of the property described above, situated at 92 Hamilton Avenue, Craighall Park Township from Residential 1 with a density of one (1) dwelling per erf to Residential 1 to permit one dwelling per 800m² (2 portions only), subject to certain conditions, as well as to subdivided into 2 portions in terms of Section 92 of the Town Planning and Townships Ordinance, 1986.

Particulars of the application will lie open for inspection during normal office hours from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A- Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein for a period of 28 days from 15 March 2017.

Any objection or representation with regards to the application must be submitted to both the owner/ agent and Registration Section of the Department of Development Planning at the above address, or posted to P. O. Box 30733, Braamfontein, 2017, or facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, for a period of 28 days from 15 March 2017 to the 12 April 2017

Address of applicant: François du Plooy Associates, P.O. Box 85108, Emmarentia, 2029. Tel: (011) 646-2013. Fax: (011) 486-4544. E-mail: francois@fdpass.co.za

LOCAL AUTHORITY NOTICE 354 OF 2017**AMENDMENT SCHEME / WYSIGINGSKEMA 01-13244**

- A. Notice is hereby given in terms of section 57.(1)(a) read with section 58.(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as amended and in terms of the provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), that the City of Johannesburg Metropolitan Municipality has approved the amendment of the Johannesburg Town Planning Scheme, 1979 by the rezoning of Erf 113 Melrose North Extension 2 from "Residential 1" to "Residential 2", subject to certain conditions as indicated in the approved application, which Amendment Scheme will be known as Amendment Scheme 01-13244.

The Amendment Scheme is filed with the Executive Director: Development Planning, 158 Civic Boulevard, Metropolitan Centre, A Block, 8th Floor, Braamfontein 2017 and is open for inspection at all reasonable times. Amendment Scheme 01-13244 will come into operation 58 days after the date of publication hereof.

- B. Kennis word hiermee gegee ingevolge artikel 57.(1)(a) saamgelees met artikel 58.(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) soos gewysig en ingevolge die bepalings van die Wet op Ruimtelike Grondgebruikbestuur 2013 (Wet 16 van 2013), soos gewysig, dat die Stad van Johannesburg Metropolitaanse Munisipaliteit die wysiging van die Johannesburg Dorpsbeplanningskema, 1979 goedgekeur het deur die hersonering van Erf 113 Melrose North Uitbreiding 2 vanaf "Residensiël 1" na "Residensiël 2", onderhewig aan sekere voorwaardes soos aangedui in die goedgekeurde aansoek, welke wysiging bekend sal staan as Wysigingskema 01-13244.

Die Wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning, Civic Boulevard 158, Metropolitaanse Sentrum, A Blok, 8^{ste} Vloer, Braamfontein 2017 en is beskikbaar vir inspeksie te alle redelike tye. Wysigingskema 01-13244 sal in werking tree 58 dae vanaf die datum van publikasie hiervan.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr 109/2017

Date / Datum: 15 March 2017

LOCAL AUTHORITY NOTICE 355 OF 2017**AMENDMENT SCHEME / WYSIGINGSKEMA 01-11322**

- A. Notice is hereby given in terms of section 57.(1)(a) read with section 58.(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as amended and in terms of the provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), that the City of Johannesburg Metropolitan Municipality has approved the amendment of the Johannesburg Town Planning Scheme, 1979 by the rezoning of Erf 1807 Houghton Estate from "Business 4" to "Business 4", subject to certain conditions as indicated in the approved application, which Amendment Scheme will be known as Amendment Scheme 01-11322.

The Amendment Scheme is filed with the Executive Director: Development Planning, 158 Civic Boulevard, Metropolitan Centre, A Block, 8th Floor, Braamfontein 2017 and is open for inspection at all reasonable times. Amendment Scheme 01-11322 will come into operation 58 days after the date of publication hereof.

- B. Kennis word hiermee gegee ingevolge artikel 57.(1)(a) saamgelees met artikel 58.(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) soos gewysig en ingevolge die bepalings van die Wet op Ruimtelike Grondgebruikbestuur 2013 (Wet 16 van 2013), soos gewysig, dat die Stad van Johannesburg Metropolitaanse Munisipaliteit die wysiging van die Johannesburg Dorpsbeplanningskema, 1979 goedgekeur het deur die hersonering van Erf 1807 Houghton Estate vanaf "Besigheid 4" na "Besigheid 4", onderhewig aan sekere voorwaardes soos aangedui in die goedgekeurde aansoek, welke wysiging bekend sal staan as Wysigingskema 01-11322.

Die Wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning, Civic Boulevard 158, Metropolitaanse Sentrum, A Blok, 8^{ste} Vloer, Braamfontein 2017 en is beskikbaar vir inspeksie te alle redelike tye. Wysigingskema 01-11322 sal in werking tree 58 dae vanaf die datum van publikasie hiervan.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr 110/2017

Date / Datum: 15 March 2017

*By Johannes Ratebe
Snr Legal Administrator
City of Johannesburg
Development Planning*

LOCAL AUTHORITY NOTICE 356 OF 2017**RANDVAAL AMENDMENT SCHEME WS220****NOTICE OF APPLICATION FOR AMENDMENT OF THE TOWN PLANNING SCHEME IN TERMS OF SECTION 56 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986, READ WITH THE PROVISIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 16 OF 2013, (SPLUMA)**

I, François du Plooy, being authorized agent of the owner of erf 115 Highbury Township, give notice in terms of Section 56 of the Town Planning and Townships Ordinance, 1986, read with the provisions of the Spatial Planning and Land Use Management Act, 16 of 2013, (SPLUMA), that I have applied to the Midvaal Local Municipality, for the amendment of the Town Planning Scheme, known as the Randvaal Town Planning Scheme, 1994, by rezoning the property described above, situated in 115 Rooibok Street, Highbury, from Residential 1 to Industrial 1, subject to certain conditions.

Particulars of the application will lie open for inspection during normal office hours and in terms of Section 45 of Act 16 of 2013 (SPLUMA), any interested person, who has the burden to establish his/her status as an interested person, shall lodge in writing, his/ her full objection/ interest in the application and also provide clear contact details to the office of the Head Of Department: Development Planning and Housing, Midvaal Local Municipality, Room 101, Municipal Offices, Mitchell Street, Meyerton, for a period of 28 days from 15 March 2017.

Objections to or representations in respect of the application must be lodged with or made in writing to the, Head Of Department: Development Planning and Housing, Midvaal Local Municipality at the above address or at P.O. Box 9, Meyerton, 1960 within a period of 28 days from 15 March 2017.

Address of applicant: François du Plooy Associates, P.O. Box 85108, Emmarentia, 2029. Tel: (011) 646-2013. Fax: (011) 486-4544. E-mail: francois@fdpass.co.za

15-22

PLAASLIKE OWERHEID KENNISGEWING 356 VAN 2017**RANDVAAL WYSIGINGSKEMA WS220****KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE DORPSBEPLANNINGSKEMA INGEVOLGE ARTIKEL 56 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, SAAMGELEES MET DIE VOORSKRIFTE VAN DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR, 16 VAN 2013, (SPLUMA)**

Ek, François du Plooy synde die gemagtigde agent van die eienaar van erf 115 Highbury Dorpsgebied, gee hiermee ingevolge Artikel 56 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saamgelees met die voorskrifte van die Wet Op Ruimtelike Beplanning en Grondgebruikbestuur, 16 van 2013 (SPLUMA), kennis dat ek by die Midvaal Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die Dorpsbeplanningskema bekend as die Randvaal Dorpsbeplanningskema, 1994, deur die hersonering van die eiendom hierbo beskryf, geleë in Rooibokstraat 115, Highbury, vanaf Residensieel 1 na Nywerheid 1, onderhewig aan sekere voorwaardes

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure en in gevolg Artikel 45 van die Wet Op Ruimtelike Beplanning en Grondgebruikbestuur Wet 16 van 2013 (SPLUMA), moet enige belanghebbende persoon, wat sy/haar status as belanghebbende persoon moet kan bewys, sy/haar volledige beswaar/ belang in die aansoek tesame met volledige kontak – besonderhede voorsien aan die Departementshoof: Ontwikkelingsbeplanning en Behuising, Midvaal Plaaslike Munisipaliteit, Kamer 101, Munisipale Kantore, Mitchellstraat, Meyerton, vir 'n tydperk van 28 dae vanaf 15 Maart 2017.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 15 Maart 2017 skriftelik by of tot die, Departementshoof: Ontwikkelingsbeplanning by bovermeld adres of by Posbus 9, Meyerton, 1960, ingedien of gerig word.

Adres van Applikant: François du Plooy Associates, Posbus 85108, Emmarentia, 2029. Tel: (011) 646-2013 Faks: (011) 486-4544. E-pos: francois@fdpass.co.za

15-22

LOCAL AUTHORITY NOTICE 357 OF 2017**EKURHULENI METROPOLITAN MUNICIPALITY
EKURHULENI TOWN PLANNING SCHEME, 2014
EKURHULENI AMENDMENT SCHEME A0207**

It is hereby notified in terms of section 57(1) (a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Ekurhuleni Metropolitan Municipality has approved the amendment of the Ekurhuleni Town Planning Scheme, 2014 by the rezoning of Erf 441 Brackenhurst Extension 1 Township from "Special" for offices to "Educational" to allow a crèche, subject to certain conditions.

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Head of Department: City Planning, Ekurhuleni Metropolitan Municipality, and at the offices of the Area Manager: Alberton Civic Centre; as well as the Gauteng Provincial Government, office of the Premier, Gauteng Planning Division.

This amendment scheme was previously known as Alberton Amendment Scheme 2530 and is now known as Ekurhuleni Amendment Scheme A0207. This Scheme shall come into operation from date of publication of this notice.

Dr Imogen Mashazi, City Manager
2nd Floor, Head Office Building,
Cnr Cross & Roses Streets,
Germiston

Notice No A001/2017

LOCAL AUTHORITY NOTICE 358 OF 2017**EKURHULENI METROPOLITAN MUNICIPALITY
EKURHULENI TOWN PLANNING SCHEME, 2014
EKURHULENI AMENDMENT SCHEME A0055**

It is hereby notified in terms of section 6(8) of the Gauteng Removal of Restrictions Act, 1996 that the Ekurhuleni Metropolitan Municipality has approved the application for removal of restrictive conditions B (b), (c), (d), (e), (f), (g), (h), (j), (k)(i), (k)(ii), (l), C and D(ii) from the deed of transfer T20127/2000 and the amendment of the Ekurhuleni Town Planning Scheme 2014, by the rezoning of Erf 186 Brackenhurst township from "Residential 1" with a density of 1 dwelling per erf to "Residential 3" to allow 16 dwelling units, subject to certain conditions.

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Head of Department: City Planning, Ekurhuleni Metropolitan Municipality, and at the offices of the Area Manager: Alberton Civic Centre; as well as the Gauteng Provincial Government, office of the Premier, Gauteng Planning Division.

This Scheme shall come into operation from date of publication of this notice.

Dr Imogen Mashazi, City Manager
2nd Floor, Head Office Building,
Cnr Cross & Roses Streets,
Germiston

Notice No A002/2017

LOCAL AUTHORITY NOTICE 359 OF 2017**CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 2463T**

It is hereby notified in terms of the provisions of Section 57(1)(a) of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986), that the City of Tshwane has approved the application for the amendment of the Tshwane Town-planning Scheme, 2008, being the rezoning of Erf 858, Soshanguve L, to Special for Dwelling House, Block of Tenements (limited to 16 beds) and Clothing Shop, subject to certain further conditions.

Map 3 and the scheme clauses of this amendment scheme are filed with the Head of the Department: Department of Economic Development, Gauteng Provincial Government and the Executive Director: City Planning and Development, City of Tshwane, and are open to inspection during normal office hours.

This amendment is known as Tshwane Amendment Scheme 2463T and shall come into operation on the date of publication of this notice.

(13/4/3/Soshanguve L-858 (2463T))
15 MARCH 2017

GROUP LEGAL AND SECRETARIAT SERVICES
(Notice 358/2017)

PLAASLIKE OWERHEID KENNISGEWING 359 VAN 2017**STAD TSHWANE****TSHWANE WYSIGINGSKEMA 2463T**

Hierby word ingevolge die bepalings van Artikel 57(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), bekend gemaak dat die Stad Tshwane die aansoek om die wysiging van die Tshwane-dorpsbeplanningskema, 2008, goedgekeur het, synde die hersonering van Erf 858, Soshanguve L, tot Spesiaal vir Woonhuis, Huurkamerwonings (beperk tot 16 beddens) en Klerewinkel, onderworpe aan sekere verdere voorwaardes.

Kaart 3 en die skema klousules van hierdie wysigingskema word deur die Hoof van die Departement: Departement van Ekonomiese Ontwikkeling, Gauteng Provinsiale Administrasie en die Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Stad Tshwane, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Tshwane Wysigingskema 2463T en tree op die datum van publikasie van hierdie kennisgewing in werking.

(13/4/3/Soshanguve L-858 (2463T))
15 MAART 2017

GROEP REGS EN SEKRETARIAAT DIENSTE
(Kennisgewing 358/2017)

LOCAL AUTHORITY NOTICE 360 OF 2017**AMENDMENT SCHEME / WYSIGINGSKEMA 02-13874**

- A. Notice is hereby given in terms of the provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), that the City of Johannesburg Metropolitan Municipality has approved the amendment of the Sandton Town Planning Scheme, 1980 by the rezoning of Remaining Extent of Erf 15 Strathavon Extension 2 from "Residential 2" to "Residential 3", subject to certain conditions as indicated in the approved application, which Amendment Scheme will be known as Amendment Scheme 02-13874.

The Amendment Scheme is filed with the Executive Director: Development Planning, 158 Civic Boulevard, Metropolitan Centre, A Block, 8th Floor, Braamfontein 2017 and is open for inspection at all reasonable times. Amendment Scheme 02-13874 will come into operation 56 days from the date of publication hereof.

- B. Kennis word hiermee gegee ingevolge die bepalings van die Wet op Ruimtelike Grondgebruikbestuur 2013 (Wet 16 van 2013), dat die Stad van Johannesburg Metropolitaanse Munisipaliteit die wysiging van die Sandton Dorpsbeplanningskema, 1980 goedgekeur het deur die hersonering van die Resterende Gedeelte van Erf 15 Strathavon Uitbreiding 2 vanaf "Residensieël 2" na "Residensieël 3", onderhewig aan sekere voorwaardes soos aangedui in die goedgekeurde aansoek, welke wysiging bekend sal staan as Wysigingskema 02-13874.

Die Wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning, Civic Boulevard 158, Metropolitaanse Sentrum, A Blok, 8^{ste} Vloer, Braamfontein 2017 en is beskikbaar vir inspeksie te alle redelike tye. Wysigingskema 02-13874 sal in werking tree op 56 dae vanaf datum van publikasie hiervan.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr 067/2017

LOCAL AUTHORITY NOTICE 361 OF 2017**AMENDMENT SCHEME / WYSIGINGSKEMA 13-14766**

- A. Notice is hereby given in terms of section 6(8) read with section 9(1) of the Gauteng Removal of Restrictions Act, 1996 (Act 3 of 1996) as amended, that the City of Johannesburg Metropolitan Municipality has approved the following in respect of Erf 836 Vorna Valley Extension 2:

- (1) The removal of Conditions 2.(a) to (i) from Deed of Transfer T099975/2007;
- (2) The amendment of the Halfway House and Clayville Town Planning Scheme, 1976 by the rezoning of the erf from "Business 1" to "Business 1", subject to certain conditions as indicated in the approved application, which Amendment Scheme will be known as Amendment Scheme 13-14766.

The Amendment Scheme is filed with the Executive Director: Development Planning, 158 Civic Boulevard, Metropolitan Centre, A Block, 8th Floor, Braamfontein 2017 and is open for inspection at all reasonable times. Amendment Scheme 13-14766 will come into operation on the date of publication.

- B. Kennis word hiermee gegee ingevolge artikel 6(8) saamgelees met artikel 9(1) van die Gauteng Opheffing van Beperkings Wet, 1996 (Wet 3 van 1996), soos gewysig, dat die Stad van Johannesburg Metropolitaanse Munisipaliteit die volgende ten opsigte van Erf 836 Vorna Valley Uitbreiding 2 goedgekeur het:

- (1) Die opheffing van Voorwaardes 2.(a) to (i) vanuit Akte van Transport T099975/2007;
- (2) Die wysiging van die Halfway House en Clayville Dorpsbeplanningskema, 1976 deur die hersonering van die erf vanaf "Besigheid 1" na "Besigheid 1", onderworpe aan sekere voorwaardes soos aangedui in die goedgekeurde aansoek, welke wysiging bekend sal staan as Wysigingskema 13-14766.

Die Wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning, Civic Boulevard 158, Metropolitaanse Sentrum, A Blok, 8^{ste} Vloer, Braamfontein 2017 en is beskikbaar vir inspeksie te alle redelike tye. Wysigingskema 13-14766 sal in werking tree op datum van publikasie hiervan.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr 068/2017

LOCAL AUTHORITY NOTICE 362 OF 2017**AMENDMENT SCHEME / WYSIGINGSKEMA 01-15847**

- A. Notice is hereby given in terms of the provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), that the City of Johannesburg Metropolitan Municipality has approved the amendment of the Johannesburg Town Planning Scheme, 1979 by the rezoning of Portion 19 of Erf 4 Oakdene from "Residential 1" with offices to "Special", for a motor vehicle (tyre & exhaust) fitment centre, subject to certain conditions as indicated in the approved application, which Amendment Scheme will be known as Amendment Scheme 01-15847.

The Amendment Scheme is filed with the Executive Director: Development Planning, 158 Civic Boulevard, Metropolitan Centre, A Block, 8th Floor, Braamfontein 2017 and is open for inspection at all reasonable times. Amendment Scheme 01-15847 will come into operation on date of publication hereof.

- B. Kennis word hiermee gegee ingevolge die bepalinge van die Wet op Ruimtelike Grondgebruikbestuur 2013 (Wet 16 van 2013), dat die Stad van Johannesburg Metropolitaanse Munisipaliteit die wysiging van die Johannesburg Dorpsbeplanningskema, 1979 goedgekeur het deur die hersonering van die Gedeelte 19 van erf 4 Oakdene vanaf "Residensieel 1" met kantore na "Spesiaal" vir a 'n motorwinkel (bande en uitlaat) passentrum, onderhewig aan sekere voorwaardes soos aangedui in die goedgekeurde aansoek, welke wysiging bekend sal staan as Wysigingskema 01-15847.

Die Wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning, Civic Boulevard 158, Metropolitaanse Sentrum, A Blok, 8^{ste} Vloer, Braamfontein 2017 en is beskikbaar vir inspeksie te alle redelike tye. Wysigingskema 01-15847 sal in werking tree op datum van publikasie hiervan.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr 069/2017

LOCAL AUTHORITY NOTICE 363 OF 2017**AMENDMENT SCHEME / WYSIGINGSKEMA 13-12792**

- A. Notice is hereby given in terms of section 6(8) read with section 9(1) of the Gauteng Removal of Restrictions Act, 1996 (Act 3 of 1996) as amended, that the City of Johannesburg Metropolitan Municipality has approved the following in respect of Erf 135 Hyde Park Extension 5 :
- (1) The removal of Condition A(b), A(i), A(k) and A(l) from Deed of Transfer T86855/2013; and conditions A(n) and A(o) in Deed of Transfer T86855/2013 be amended in terms of the replacement of the figures 1.89m to 2.00m;
 - (2) The amendment of the Sandton Town Planning Scheme, 1980 by the rezoning of the erf from "Residential 1" to "Residential 2", subject to certain conditions as indicated in the approved application, which Amendment Scheme will be known as Amendment Scheme 13-12792.

The Amendment Scheme is filed with the Executive Director: Development Planning, 158 Civic Boulevard, Metropolitan Centre, A Block, 8th Floor, Braamfontein 2017 and is open for inspection at all reasonable times. Amendment Scheme 13-12792 will come into operation on date of publication.

- B. Kennis word hiermee gegee ingevolge artikel 6(8) saamgelees met artikel 9(1) van die Gauteng Opheffing van Beperkings Wet, 1996 (Wet 3 van 1996), soos gewysig, dat die Stad van Johannesburg Metropolitaanse Munisipaliteit die volgende ten opsigte van Erf 135 Hyde Park Uitbreiding 5 goedgekeur het:
- (1) Die opheffing van Voorwaardes A(b), A(i), A(k) en A(l) vanuit Akte van Transport T86855/2013; en voorwaardes A(n) en A(o) vanuit Akte van Transport T86855/2013 sal gewysig word in terme van die vervangings van figuur 1.89m na 2.00m.
 - (2) Die wysiging van die Sandton Dorpsbeplanningskema, 1980 deur die hersonering van die erf vanaf "Residensieël 1" na "Residensieël 2", onderworpe aan sekere voorwaardes soos aangedui in die goedgekeurde aansoek, welke wysiging bekend sal staan as Wysigingskema 13-12792.

Die Wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning, Civic Boulevard 158, Metropolitaanse Sentrum, A Blok, 8^{ste} Vloer, Braamfontein 2017 en is beskikbaar vir inspeksie te alle redelike tye. Wysigingskema 13-12792 sal in werking tree op datum van publikasie.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr 70/2017

LOCAL AUTHORITY NOTICE 364 OF 2017**ERF/ERWE 1691 AND/EN 1692 SYDENHAM**

- A. Notice is hereby given in terms of section 6(8) of the Gauteng Removal of Restrictions Act, 1996 (Act 3 of 1996) that the City of Johannesburg Metropolitan Municipality has approved the removal of Restrictive Conditions (a), (b), (c) and (d) from Deed of Transfer No. T15682/2007 in respect of Erven 1691 and 1692 Sydenham.
- B. Hierby word ooreenkomstig die bepalings van artikel 6 (8) van die Gautengse Wet op die Opheffing van Beperkings, 1996, (Wet No. 3 van 1996) bekend gemaak dat die Stad van Johannesburg die opheffing van Titelveoorwaardes (a), (b), (c) en (d) in Titelakte No. T15682/2007 met betrekking tot Erwe 1691 en 1692 Sydenham.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr 071/2017

LOCAL AUTHORITY NOTICE 365 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****NOTICE OF A CONSENT USE APPLICATION IN TERMS OF CLAUSE 16 OF THE TSHWANE TOWN PLANNING SCHEME, 2008 (REVISED 2014)**

I, Sonja Meissner-Roloff of SMR Town & Environmental Planning, being the authorized applicant of Portion 214 of the farm Wonderboom 302-JR hereby give notice in terms of Clause 16 of the Tshwane Town Planning Scheme, 2008 (Revised 2014), that I have applied to the City of Tshwane Metropolitan Municipality for a consent use for a place of public worship.

The property is situated at Rosemary Street, Annlin and the current zoning of the land is "Agricultural".

The intention of the applicant in this matter is to establish town planning rights for the existing place of public worship (church), Victorian Life Church, on part of the property.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: The Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 until 12 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the first publication (15 March 2017) of the notice in the Provincial Gazette.

Address of Municipal offices: LG004, Isivuno House, 143 Lillian Ngoyi Street, Municipal offices

Address of applicant: SMR Town & Environmental Planning, PO Box 7194, CENTURION, 0046
9 Charles de Gaulle Crescent, Highveld Office Park, Highveld Extension 12, Telephone No: 012 665 2330

Dates on which notice will be published: 15 March 2017

Reference: CPD 302-JR/0792/214 (Item 26422)

PLAASLIKE OWERHEID KENNISGEWING 365 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT****KENNISGEWING VAN AANSOEK VIR TOESTEMMINGSGEBRUIK INGEVOLGE KLOUSULE 16 VAN DIE TSHWANE DORPSBEPLANNINGSKEMA, 2008 (HERSIEN 2014)**

Ek, Sonja Meissner-Roloff van SMR Town & Environmental Planning, synde die gemagtigde applikant van Gedeelte 214 van die plaas Wonderboom 302-JR, gee hiermee kennis in terme van Klousule 16 van die Tshwane Dorpsbeplanningskema, 2008 (Hersien 2014), dat ek aansoek gedoen het by die Stad van Tshwane Metropolitaanse Munisipaliteit vir 'n toestemmingsgebruik vir 'n plek van godsdiensoefening.

Die eiendom is geleë in Rosemarystraat, Annlin en die sonering is "Landbou".

Die doelwit van die applikant in hierdie geval is om die regte te vestig vir die bestaande plek van godsdiensoefening (kerk), Victorian Life Church, op 'n deel van die eiendom.

Enige beswaar/besware en/of kommentaar/kommentare, insluitende die gronde vir sulke beswaar/besware en kommentaar/kommentare saam met volledige kontakbesonderhede, waarsonder die Munisipaliteit nie kan korrespondeer met die persoon of liggaam wie die beswaar/besware of kommentaar/kommentare ingedien het nie moet skriftelik gerig word aan: Die Strategiese Uitvoerende Direkteur: Stadsbeplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of aan CityP_Registration@tshwane.gov.za vanaf 15 Maart 2017 tot op 12 April 2017.

Besonderhede asook planne (indien enige) van die aansoeke lê ter insae gedurende gewone kantoorure by die Munisipale kantore soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf die datum van die eerste publikasie (15 Maart 2017) van die kennisgewing in die Provinsiale Koerant.

Adres van die Munisipale kantore: Kamer LG004, Isivunogebou, Lillian Ngoyistraat 143, Munisipale kantore.

Adres van die applikant: SMR Town & Environmental Planning, Posbus 7194, CENTURION, 0046
9 Charles de Gaullesingel, Highveld Office Park, Highveld Uitbreiding 12, Telefoon Nr: 012 665 2330

Datum waarop die kennisgewing gepubliseer word: 15 Maart 2017.

Verwysing: CPD 302-JR/0792/214 (Item 26422)

LOCAL AUTHORITY NOTICE 366 OF 2017**CITY OF TSHWANE****NOTICE IN TERMS OF SECTION 6(8) OF THE GAUTENG REMOVAL OF RESTRICTIONS ACT, 1996 (ACT NO 3 OF 1996)**

It is hereby notified in terms of the provisions of Section 6(8) of the Gauteng Removal of Restrictions Act, 1996 (Act No 3 of 1996), that the City of Tshwane has approved the application for the removal and amendment of certain conditions contained in Title Deed T11102/2015 and T70902/2011, with reference to the following properties: Erven 697, 698 and 699, Menlo Park.

The following condition(s) and/or phrases are hereby cancelled in both Title Deeds: Condition (e).

This removal will come into effect on the date of publication of this notice.

AND/AS WELL AS

that the City of Tshwane has approved the application for the amendment of the Tshwane Town-planning Scheme, 2008, being the rezoning of Erven 697, 698 and 699, Menlo Park, to Residential 4, Dwelling Units, Parking site subject to Schedule 10, Residential Building excluding a Boarding House, Hostel and a Block of Tenements, subject to certain further conditions.

Map 3 and the scheme clauses of this amendment scheme are filed with the Head of Department: Department of Economic Development, Gauteng Provincial Government and the Executive Director: City Planning and Development, City of Tshwane, and are open to inspection during normal office hours.

This amendment is known as Tshwane Amendment Scheme 3056T and shall come into operation on the date of publication of this notice.

(13/4/3/Menlo Park-697 (3056T))
15 MARCH 2017

GROUP LEGAL AND SECRETARIAT SERVICES
(Notice 359/2017)

PLAASLIKE OWERHEID KENNISGEWING 366 VAN 2017**STAD TSHWANE****KENNISGEWING INGEVOLGE ARTIKEL 6(8) VAN DIE GAUTENG WET OP OPHEFFING VAN BEPERKINGS, 1996 (WET NO 3 VAN 1996)**

Hierby word ingevolge die bepalings van Artikel 6(8) van die Gauteng Wet op Opheffing van Beperkings, 1996 (Wet no 3 van 1996), bekend gemaak dat die Stad Tshwane die aansoek om opheffing en wysiging van sekere voorwaardes vervat in Akte van Transport T11102/2015 en T70902/2011, met betrekking tot die volgende eiendomme, goedgekeur het: Erwe 697, 698 en 699, Menlo Park.

Die volgende voorwaarde(s) en/of gedeeltes daarvan word hiermee gekanselleer in beide Titel Aktes: Voorwaarde (e).

Hierdie opheffing tree in werking op die datum van publikasie van hierdie kennisgewing.

EN/ASOOK

dat die Stad Tshwane die aansoek om wysiging van die Tshwane dorpsbeplanningskema, 2008, goedgekeur het, synde die hersonering van Erwe 697, 698 en 699, Menlo Park, tot Residensieël 4, Wooneenhede, Parkeerterrein onderworpe aan Skedule 10, Woongeboue uitsluitend 'n Losieshuis, Hostel en 'n Blok van Huurkamerwonings, onderworpe aan sekere verdere voorwaardes.

Kaart 3 en die skema klousules van hierdie wysigingskema word deur die Hoof van die Departement: Departement van Ekonomiese Ontwikkeling, Gauteng Provinsiale Administrasie en die Uitvoerende Direkteur: Stedelike Beplanning en Ontwikkeling, Stad Tshwane, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Tshwane wysigingskema 3056T en tree op die datum van publikasie van hierdie kennisgewing in werking.

(13/4/3/Menlo Park-697 (3056T))
15 MAART 2017

GROEP REGS- EN SEKRETARIAAT DIENSTE
(Kennisgewing 359/2017)

LOCAL AUTHORITY NOTICE 367 OF 2017**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****NOTICE OF A CONSENT USE APPLICATION IN TERMS OF CLAUSE 16 OF THE TSHWANE TOWN PLANNING SCHEME, 2008 (REVISED 2014)**

I, Sonja Meissner-Roloff of SMR Town & Environmental Planning, being the authorized applicant of Portion 214 of the farm Wonderboom 302-JR hereby give notice in terms of Clause 16 of the Tshwane Town Planning Scheme, 2008 (Revised 2014), that I have applied to the City of Tshwane Metropolitan Municipality for a consent use for a place of public worship.

The property is situated at Rosemary Street, Annlin and the current zoning of the land is "Agricultural".

The intention of the applicant in this matter is to establish town planning rights for the existing place of public worship (church), Victorian Life Church, on part of the property.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: The Strategic Executive Director: City Planning and Development, PO Box 3242, Pretoria, 0001 or to CityP_Registration@tshwane.gov.za from 15 March 2017 until 12 April 2017.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the first publication (15 March 2017) of the notice in the Provincial Gazette.

Address of Municipal offices: LG004, Isivuno House, 143 Lillian Ngoyi Street, Municipal offices

Address of applicant: SMR Town & Environmental Planning, PO Box 7194, CENTURION, 0046
9 Charles de Gaulle Crescent, Highveld Office Park, Highveld Extension 12, Telephone No: 012 665 2330

Dates on which notice will be published: 15 March 2017

Reference: CPD 302-JR/0792/214 (Item 26422)

PLAASLIKE OWERHEID KENNISGEWING 367 VAN 2017**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT****KENNISGEWING VAN AANSOEK VIR TOESTEMMINGSGEBRUIK INGEVOLGE KLOUSULE 16 VAN DIE TSHWANE DORPSBEPLANNINGSKEMA, 2008 (HERSIEN 2014)**

Ek, Sonja Meissner-Roloff van SMR Town & Environmental Planning, synde die gemagtigde applikant van Gedeelte 214 van die plaas Wonderboom 302-JR, gee hiermee kennis in terme van Klousule 16 van die Tshwane Dorpsbeplanningskema, 2008 (Hersien 2014), dat ek aansoek gedoen het by die Stad van Tshwane Metropolitaanse Munisipaliteit vir 'n toestemmingsgebruik vir 'n plek van godsdiensoefening.

Die eiendom is geleë in Rosemarystraat, Annlin en die sonering is "Landbou".

Die doelwit van die applikant in hierdie geval is om die regte te vestig vir die bestaande plek van godsdiensoefening (kerk), Victorian Life Church, op 'n deel van die eiendom.

Enige beswaar/besware en/of kommentaar/kommentare, insluitende die gronde vir sulke beswaar/besware en kommentaar/kommentare saam met volledige kontakbesonderhede, waarsonder die Munisipaliteit nie kan korrespondeer met die persoon of liggaam wie die beswaar/besware of kommentaar/kommentare ingedien het nie moet skriftelik gerig word aan: Die Strategiese Uitvoerende Direkteur: Stadsbeplanning en Ontwikkeling, Posbus 3242, Pretoria, 0001 of aan CityP_Registration@tshwane.gov.za vanaf 15 Maart 2017 tot op 12 April 2017.

Besonderhede asook planne (indien enige) van die aansoeke lê ter insae gedurende gewone kantoorure by die Munisipale kantore soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf die datum van die eerste publikasie (15 Maart 2017) van die kennisgewing in die Provinsiale Koerant.

Adres van die Munisipale kantore: Kamer LG004, Isivunogebou, Lillian Ngoyistraat 143, Munisipale kantore.

Adres van die applikant: SMR Town & Environmental Planning, Posbus 7194, CENTURION, 0046
9 Charles de Gaullesingel, Highveld Office Park, Highveld Uitbreiding 12, Telefoon Nr: 012 665 2330

Datum waarop die kennisgewing gepubliseer word: 15 Maart 2017.

Verwysing: CPD 302-JR/0792/214 (Item 26422)

LOCAL AUTHORITY NOTICE 368 OF 2017**EKURHULENI METROPOLITAN MUNICIPALITY
GAUTENG REMOVAL OF RESTRICTIONS ACT, 1996
PORTION 772 OF THE FARM KLIPFONTEIN 83 IR**

It is hereby notified in terms of section 6(8) of the Gauteng Removal of Restrictions Act, 1996 (Act 3 of 1996), read with the Spatial Planning and Land Use Management Act, 2013, that the Ekurhuleni Metropolitan Municipality has approved the removal of part of condition 2 which reads as follows: ".....SUBJECT to a right-of-way in favour of portion k of the said farm as set out in the Deed of Transfer of the said portion k, which servitudes are indicated by the figures ZsRa'Z and VtTUV on the annexed diagram L.G. 7100/2003", conditions 3, 4, 5(i) and (ii)(a) – (d), 6(a) – (j), 9(b) and 9(c) in Deed of Transfer T114327/2015.

The application as approved will lie for inspection during normal office hours at the offices of the Head of Department: City Planning, Ekurhuleni Metropolitan Municipality, and at the offices of the Area Manager: City Planning, Boksburg Civic Centre.

Imogen Mashazi, City Manager
2nd Floor, Head Office Building,
Cnr Cross & Roses Streets,
Germiston

15/4/3/15/43/772

LOCAL AUTHORITY NOTICE 369 OF 2017**SCHEDULE 11 (Regulation 21)
NOTICE OF APPLICATION FOR ESTABLISHMENT OF TOWNSHIP**

The City of Johannesburg Metropolitan Municipality hereby gives notice in terms of Section 26 of the City of Johannesburg Municipal Planning By-Law, 2016, read with Section 2(2) and the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), that an application to establish the township referred to in the Annexure hereto has been received by it. Particulars of the application will lie for inspection during normal office hours at the Office of the Executive Director: Development Planning, Room 8100, 8th floor, A-Block, Metropolitan Centre, Braamfontein for a period of 28 (twenty-eight) days from **15 March 2017**.

Objections to or representations in respect of the application must be lodged no later than on **15 March 2017**, with or made in writing and in duplicate to the Executive Director at the above address or at P.O. Box 30733, Braamfontein, 2017, within a period of 28 (twenty-eight) days from **15 March 2017**.

ANNEXURE

TOWNSHIP:

RIVERSIDE VIEW EXTENSION 78

APPLICANT:

JOSEF JOHANNES JORDAAN

ADDRESS OF AGENT:

P.O. Box 4366, RIETVALLEIRAND, 0174

CONTACT DETAILS:

Mobile: 082 499 1474; Fax number: 0866 9399 73; E-mail: johann@century.co.za

NUMBER OF ERVEN IN PROPOSED TOWNSHIP:

Erf 1: "Educational" subject to certain conditions**Erf 2: "Private Open Space"**

DESCRIPTION OF LAND ON WHICH TOWNSHIP IS TO BE ESTABLISHED:

Part of Remaining Extent of Portion 5 of the Farm Zevenfontein 407-JR, part of Remaining Extent of Portion 187 of the Farm Zevenfontein 407-JR and part of Portion 11 of the Farm Zevenfontein 407-JR

LOCATION OF PROPOSED TOWNSHIP:

The township forms part of the Helderfontein Development with access from Chattan Road, Glenferness Agricultural Holdings area and future access from Erling Road, Treesbank.

MS YONDELA SILIMELA

EXECUTIVE DIRECTOR, DEVELOPMENT PLANNING

CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY

LOCAL AUTHORITY NOTICE 370 OF 2017**ERF 175 CARLSWALD ESTATE EXTENSION 1
HALFWAY HOUSE AND CLAYVILLE AMENDMENT SCHEME**

Notice is hereby given, in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016 that I, **Josef Johannes Jordaan**, have applied in terms of Section 56(1)(b)(i) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) to the City of Johannesburg for an amendment to the land use scheme.

I, being the authorised agent of the owner of **Erf 175 Carlswald Estate Extension 1**, situated at 305 Whiskin Avenue within Crowthorne Agricultural Holdings, known as Crowthorne Village, Midrand area hereby give notice, that we have applied to the City of Johannesburg Metropolitan Municipality for the amendment of the Halfway House and Clayville Town Planning Scheme, 1976, by the rezoning of the above-mentioned property from "Residential 2" with a density of 20 units per hectare (50 units on the erf) to "Residential 3" with a density of 53 units on the erf (equals a density of 21,01 units per hectare).

The above application will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A- Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the agent and the Registration Section of the Department of Development Planning at the above address, or posted to PO Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by not later than **15 March 2017** (28 days from the date on which the application notice was published).

Address of Agent: JJ Jordaan, P.O. Box 4366, RIETVALLEIRAND, 0174

Tel: (011) 300 8739, *Fax No.:* 0866 9399 73, *Cell:* 082 499 1474, *E-mail address:* johann@century.co.za

Date of publication: **15 March 2017**

Printed by the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001,
for the **Gauteng Provincial Administration**, Johannesburg.

Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065