



## **REQUIREMENTS AND APPLICATION FOR:**

**RESTRICTION OF ACCESS TO PUBLIC PLACES FOR  
SAFETY AND SECURITY PURPOSES IN TERMS OF  
THE RATIONALISATION OF LOCAL GOVERNMENT  
AFFAIRS ACT, 1998 (ACT 10 OF 1998)**

**ALL REGIONS**

COMPILED BY:  
LAND USE LEGISLATION AND APPLICATION SECTION  
CITY PLANNING AND DEVELOPMENT DEPARTMENT

February 2015

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#### IMPORTANT TO NOTE:

This manual is aimed at assisting the public with the submission of Restriction of Access to Public Places for safety and security purposes application and may be amended from time to time according to the relevant legislation and regulation. It further does not bind the municipality in any form or manner or derogate from the municipalities rights to request any information in terms of any legislation pertaining to permissions which they require in order to assist them in taking a decision. The applicant is required to familiarize himself/herself with the content of the legislation and or any policies applicable within the City of Tshwane.

Any criteria or motivation indicated in the manual that may be required in order to assist the municipality in taking a decision, does not bind the decision maker in any way. The permissions and building plans shall be dealt with based on merit in the sole discretion of the Municipality and no representation by any official or documentation shall be regarded as a decision unless taken by the authorized official of the Municipality.

## A. PROCEDURE

Before the submission of an application, the applicant must consult with the following heads of municipal departments or divisions to discuss the land-use and traffic impact, security assessment, and any other matters deemed necessary:

- Strategic Executive Director: City Planning and Development.
- Director: Intelligent Transport Systems and Traffic Engineering
- Chief of the Metro Police: Crime Prevention
- Director: Development Compliance: Legal Services

## 1. WHO MAY APPLY?

Any person, body or organisation can apply in terms of Chapter 7 of the Rationalisation of Local Government Affairs Act, 1998 (Act 10 of 1998), for the restriction of access in a specific area.

## 2. HOW TO APPLY

- 2.1 The application form (Annexure A) must be completed **in full** and signed.
- 2.2 All applications (18 copies) for restriction of access in the City of Tshwane in terms of the Act must be submitted in writing to the Strategic Executive Director: City Planning and Development, in the format set out in the policy

framework. The policy framework is available for purchase at the following offices:

- **Centurion Office Room F7, Town-Planning Office, cnr Basden and Rabie Streets, Centurion OR**
- **Pretoria Office; Isivuno House, First Floor, Room 1003 or 1004, 143 Lilian Ngoyi Street, Pretoria OR**
- **Akasia Office: Akasia Municipal Complex, 485 Heinrich Avenue (Entrance Dale Street) Karen Park.**

Pursuant to the provisions stipulated in the Act, a minimum of two (2) copies of the proof of support and three (3) copies of the traffic impact study is required.

- 2.3 The application fees prescribed by the City of Tshwane must be paid in terms of the Act. If a cheque is used as the method of payment, the cheque must be bank guaranteed and made out to the City of Tshwane. Post-dated cheques will not be accepted.

In respect of EFT payments, the following applies:

For each application a separate EFT payment must be made.

**BANKING DETAILS:**

ABSA Bank: City of Tshwane Metropolitan Municipality

Account number: 405 338 1912

Branch code: 632005

Reference no: (important): 811 630 07915

The applicant must make sure that the EFT payment has the correct type of application, erf number and suburb as a reference.

No application will be processed before confirmation has been received of payment.

**Note:** Applicants should as far as possible refrain from using this method of payment as it might delay the process of the application.

### 3. WHAT DOCUMENTS ARE REQUIRED?

Without derogating from the provisions of the Act and or the Policy of the City of Tshwane relating to Gated Communities, the applicant shall be required to provide the following information in order to place the local authority in a position to properly consider the application and the impact on the infrastructure and forward planning of the application.

- 3.1 A statement setting out the full names, contact details, identity number and signature of the Applicant and/or each and every person on whose behalf the application is made as well as the name and contact details of the chairman of and secretary of the proposed HOA. If the Applicant is a juristic person, also the

name and details of the authorised representative, together with the relevant Power of Attorney.

3.2 A description of the relevant public place(s) as defined in the Act, which are the subject of the application with reference to the proclaimed township (and agricultural holdings and/or farm land) and the streets inside and on the boundary of the public place.

3.3 A description of how the application will ahead to the principles and the proposal of the Regional Spatial Development Framework of the specific Region. The Regional Spatial Development Framework can be obtained on the internet.

<http://www.tshwane.gov.za/AboutTshwane/CityManagement/CityDepartments/City%20Plannin%20Development%20and%20Regional%20Services/Pages/RSDF-2012.aspx>

3.4 An indication of the category and estimated number of persons affected by the circumstances giving rise to the application and written proof that all the property owners (and tenants) have been notified of the proposed restriction of access and were invited to the public meeting/s and details of such meeting/s .

3.5 Written proof (minimum two copies) that at least two thirds (2/3) of the people affected by the circumstances giving rise to the application (owners and tenants of properties) as well as all CBO's, NGO's and businesses operating within the area approve of the restriction.

3.6 A site plan on a scale of 1:10 000, relating to each and every property situated within the area that will be affected by the proposed restriction, which must specifically include the following:

- A zoning plan and existing land use plan of each property (e.g. residential, business, public institution, or sport and recreational facility and a description of erven in each zoning category). The zoning plan can be obtained at cost from the City Planning and Development information counters.

3.7 A site plan on a scale of 1: 10 000, indicating, to the satisfaction of the Strategic Executive Director: City Planning and Development Department or his nominee, the location and nature of all proposed access control structures (for vehicles and pedestrians), the exact location of all municipal services and the location of turning facilities, visitor's parking facilities and entrance layout, together with measurements, which are to be constructed.

3.8 A locality plan on a scale of 1: 10 000, indicating the adjacent road network of the area concerned as well as the location of the public place within its regional context.

3.9 A comprehensive memorandum on the following, justifying the application:

- A description of the circumstances giving rise to the application, in relation to the purpose of Chapter 7 and section 43 of the Act, namely “enhancing safety and security”, including the crime statistics for at least the last 6 months.
- An Environmental Crime Prevention Plan in conjunction with the City of Tshwane Metropolitan Police Service:
- the suitability of ‘Restriction of access’ as far as enhancing safety and security as a determining factor;
- how, and how regularly the proposed terms and conditions of the restriction will be monitored by the Metro Police; and
- the extent of areas needing fencing, including all critical areas such as open stands, greenbelts and any other escape routes.
- Detail sketch plans on a scale of 1:200 indicating the position and the full details of the access control gates and guard house. The following information must be indicated on the plans. Location of Council services and all other external services, such as Telkom services, Stormwater information, Road Markings and Road Signs, accommodation of traffic during construction.

Full details of the proposed mechanisms measures and procedures of access control at the various access control points and specifically the accessibility in respect of:

- The general public.
    - The residents within the restricted area.
    - Emergency service vehicles (including those of the SAPS), as well as bus service, refuse removal and maintenance vehicles.
    - Pedestrian accommodation.
    - Officials of the Municipality.
  - Proof of compliance with the specifications of the SED: Roads and Transport: Director: Intelligent Transport Systems and Traffic Engineering regarding the nature of the access control structures, waiting space for vehicles and turning circles.
  - Proof of compliance with the technical standards for closures, as envisaged in the Guideline Document of the SED:Roads Transport: Director: Intelligent Transport Systems and Traffic Engineering
- 3.10 At the cost of the Applicant a traffic impact study or traffic assessment (observing the access or close approximate around the application) providing details of the impact on the road network relating to the application must be conducted and which must specifically include the following details:

- Traffic patterns, rerouting and redistribution of traffic (vehicles and pedestrians), concentration of routes at proposed access control points, and position and location of access control structures.
- Accessibility of emergency service vehicles as well as bus service, refuse removal and maintenance vehicles.
- The likely effect of the redistribution of traffic on the adjacent road networks.
- Explanation of the recommended storage space, visitor's parking facilities where applicable, entrance layout and turning bays.
- The likely effect of the change in road pattern on access to schools, other public institutions, small businesses, sport and recreational facilities.
- Pedestrian movements in relation to all public transport.
- Possible changes of pedestrian movement due to proposed gated community.
- Details regarding the influence of BRT and Feeder routes.

*For further information on the traffic impact study contact Deputy Director: Bavusile Ramekane or Mr Frank Lambert: Capital Towers north, Madiba Street, Pretoria or Tel. No: (012) 358 7822.*

- 3.11 An indication of the municipal services required at the access control points.
- 3.12 Payment of an administrative fee as contemplated in the Act, and as approved and annually revised by the City of Tshwane.

#### **4. RESUBMISSION EVERY TWO YEARS**

Without derogating from the provisions of the Act and or the Policy of the City of Tshwane relating to Gated Communities, the applicant shall be required to provide the following information in order to place the local authority in a position to properly consider the application and the impact on the infrastructure and forward planning of the application.

- 4.1. Motivational Memorandum for the extension of time with detail information as indicated in 3.1 to 3.11.
- 4.2 Original approval letter and layout plan.
- 4.3 All amendments if any to security structure which differ from the original approval (road closures, access gates on different places than originally approved).
- 4.4. Updated written proof of Ward Councillor's support.
- 4.5 Updated Written proof (minimum two copies) that at least two thirds (2/3) of the people affected by the circumstances giving rise to the application (owners and tenants of properties) as well as all CBO's, NGO's and businesses operating within the area approve of the restriction
- 4.6. Updated traffic impact / observation as determined by the SED: Transport Department Roads and Transport. (Discuss with Department before submission) Original approved traffic impact / observation must also be submitted.
- 4.7 Copy of approved building plan if structures such as a guard house have been erected in the road reserve.

- 4.8. Crime report updates (original and one of current situation).
- 4.9 All complaints and mitigations measures registered since inception of original closure.
- 4.10 Proof of payment regarding the re –submission.

## ANNEXURE 1

### CITY OF TSHWANE

**APPLICATION FORM: RESTRICTION OF ACCESS TO PUBLIC PLACES FOR SAFETY AND SECURITY PURPOSES IN TERMS OF THE RATIONALISATION OF LOCAL GOVERNMENT AFFAIRS ACT, 1998 (ACT 10 OF 1998)**

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Please ensure that all the information is provided and that all the sections are completed. If any information is missing/section incomplete, it might result in a rejection of the application.

This application can be submitted to the Strategic Executive Director: City Planning and Development (at the relevant office)

Akasia Office: Akasia Municipal Complex, 485 Heinrich Avenue, (Entrance Dale Street) Karenpark  
Manuals: Geomatics Ground Floor Room G4 and Submission of new Application: 1<sup>st</sup> Floor Room F12

**OR**

Centurion Office: Room F7, Town Planning Office, c/o Basden and Rabie Streets, Centurion

**OR**

Pretoria Office: Isivuno House, First Floor, Room 1003 or 1004, 143 Lilian Ngoyi Street, Pretoria

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**PROPOSED RESTRICTION OF ACCESS TO -**

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*(Description of the relevant public place)*

**APPLICANT**

1. Full name

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2. Name of authorised agent

.....

3. Physical address of agent

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4. Postal address of agent

.....

5. Telephone number of agent

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6. Fax number of agent

.....

7. Cellular phone number of agent

.....

8. Area of security area

..... ha/m<sup>2</sup>

9. Other applicable information

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.....  
.....

.....  
**SIGNATURE**

.....  
**DATE**

**ANNEXURE 2**

**CONSENT AND POWER OF ATTORNEY**

I/We, \_\_\_\_\_, ID number \_\_\_\_\_,

and \_\_\_\_\_, ID number \_\_\_\_\_,

the undersigned and registered owner(s) of or duly authorised representative of the

\_\_\_\_\_ trust/cc/(Pty) Ltd and owner(s) of the erf/unit number

\_\_\_\_\_ with the street address:

\_\_\_\_\_

\_\_\_\_\_ and postal address:

\_\_\_\_\_

1. consent to the closure of the agreed portion of \_\_\_\_\_ (name of township/farm portion/agricultural holding) by means of access control measures permitted in terms of the Rationalisation of Local Government Affairs Act, 1998 (Act 10 of 1998), and any other legislation where necessary; and

2. nominate, constitute and appoint

\_\_\_\_\_

with power of substitution and delegation to be my/our lawful agent, to make application to such authorities as may be necessary to apply for the restriction of access to \_\_\_\_\_

\_\_\_\_\_, and generally for effecting the foregoing purpose, to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as we might or could do if personally present and acting therein, hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our agent shall lawfully do, or cause to be done, by virtue of these present.

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20..... in the presence of the undersigned witnesses.

AS WITNESSES:

1. \_\_\_\_\_ OWNER
2. \_\_\_\_\_ OWNER

My/our particulars: telephone number at work \_\_\_\_\_ home \_\_\_\_\_  
cell \_\_\_\_\_ email \_\_\_\_\_