

APPLICATION FORM FOR APPROVAL OF STRUCTURES AND OTHER WORKS ON, OVER AND BELLOW PROVINCIAL ROADS OR CERTAIN OTHER LAND: SECTION 48 OF THE LIMPOPO ROADS AGENCY LIMITED AND PROVINCIAL ROADS ACT, ACT NO 7 OF 1998

- (1) This application must be accompanied by an application fee of R3600.00
- (2) The Agency may refuse to consider the application if this form has not been completed properly or if the application fee has not been paid.
- (3) Applications must be addressed to the address determined in Provincial Gazette No 1027 of 6 August 2004.
- (4) A separate application must be submitted for each structure / service applied for.
- (5) An application fee must be paid for each application in accordance with the determination made by RAL from time to time.

Note: For payment of an application fee, you have to request RAL's banking details and reference from RAL- Land Use Management unit.

INFORMATION REQUIRED	INFORMATION TO BE SUBMITTED
1. Name and address of applicant Contact person: Tel. / Fax	...............
2. Status (for example access road, and number of road)	Status: Road No.:
3. Width of road reserve	.....
4. District	.....
5. Number of plan or sketch	.....
6. (a) Nature of wayleave required [indicate in red and with red letters on plan] (b) If the Sleeve is larger than 150 mm, a cross-section Signed by a Professional Engineer is to be submitted	..... ..... ..... ..... ..... Sleeve size: Plan number of cross section :
7. Kilometre point (s) and GPS Coordinates where wayleave is required	...............
8. Road surface type (for example, Tarred, grave, etc)	..... .....
9. Location of site: level terrain / in cutting / in filling	..........
10. Proposed depth of the pipeline / cables beneath the road surface at	Proposed depth of crossing:

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the lowest point of the road [minimum 1 metre]
11. Proposed distance from the centre line of road for pipe lines / cables to be installed (if parallel to the road)	Distance from centre line of road:
12. Motivation of Wayleave: Estimated expense for the Reparation of the road surface [Regulation 79(3) ]	..... ..... .....
13. Comments: 1. Proposed method to be used for the crossing / installation 2. Traffic accommodation: (a) if the open trench method is used (b) Proposed deviation (tarred / gravel)	..... ..... ..... ..... ..... .....
14. SIGNATURE OF APPLICANT DATE	
15. Further remarks:	

- Documentation to be submitted:**
1. Letter of motivation.
 2. Plan of location 1: 50 000 map (topo sheet)
 3. Road signs detail at deviation
 4. Plan details at crossing
 5. Plan of cross section
 6. Plan of **Speed Hump** showing detailed road marking

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GENERAL INFORMATION ON APPLICATIONS

APPLICATIONS FOR WAYLEAVES (PIPELINES, POWERLINES, STRUCTURES, ETC); ACCESSES TO PROVINCIAL ROADS; ADVERTISING ON OR VISIBLE TO PROVINCIAL ROADS; CHANGE OF LAND USE (TOWNSHIP ESTABLISHMENT, SUBDIVISION OF LAND, REZONING, ETC); RELAXATION OF BUILDING LINE FROM PROVINCIAL ROADS; CLOSURE AND DEVIATION OF UNNUMBERED PUBLIC AND PROVINCIAL ROADS.

1. The applications should be addressed to:

Chief Executive Officer

The Roads Agency Limpopo SOC Ltd

Private Bag X 9554

Polokwane

0700

Email Address: landuse@ral.co.za

N.B. You are encouraged to forward your application/request to the above mentioned email address.

1. Hand delivered applications

Hand delivered for the above-mentions applications should be submitted during working hours (08H00 – 16H30) to:

Roads Agency Limpopo SOC Limited

26 Rabe Street

Polokwane

0699

2. Payment for application fee, approval and rental fee

Please take note that only applications for wayleaves, accesses to provincial roads, advertising on or visible to provincial roads, relaxation of building line from

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provincial roads; closure and deviation of unnumbered public and provincial roads should pay application fee per application.

Payment should be made to Roads Agency Limpopo SOC Limited as follows:

For payment of an application fee, you have to request RAL's banking details and reference from RAL- Land Use Management unit.

Please note:

- When making a bank deposit you will have to send a copy of the deposit slip as proof of payment.
- Once we receive payment and confirmation, we will begin processing your application.
- We only accept bank deposits from South African banks (no international transfers)

3. **For enquiry and correspondence**

- On applications and application fee, enquiry should be made with **Roads Agency Limpopo SOC Limited** as follows:

Land Use Management Unit

Tel: (015) 291 4236/9; 015 284 4600/45/79

- On contract, approval and rental fees for applications of advertisement signboards enquiry should be made as follows:

Revenue Generation Unit

Tel: (015) 291 4236/9; 015 284 4600

- On the applications for erection of tourism signboards (brown signs) within the road reserves of provincial roads, enquiry should be made as follows:

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**Limpopo Department of Economic Development, Environment and
Tourism under Tourism, Planning and Development section**

Tel: 015 293 8381 / 015 293 8300

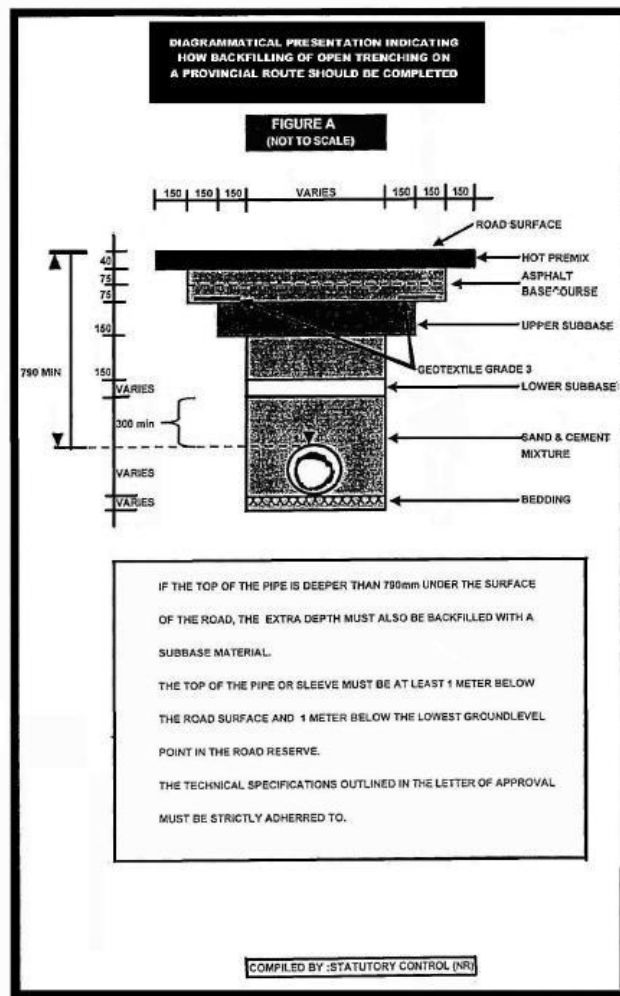
NB. The application forms including attachment documents shall become RAL's documents after submission and RAL is not responsible for any reprint/recopy of the above-mentioned documents after submission.

Furthermore, take note that from page 3 to 15 are not for submission but for your information.

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STANDARD WAYLEAVE & ENCROACHMENT APPLICATIONS		
PIPE CROSSINGS (OPEN TRENCHING)	PIPE CROSSINGS (PIPE JACKING)	PIPE CROSSINGS (THRU CULVERTS)
<ol style="list-style-type: none"> 1. PIPE MUST BE LAID INSIDE A SLEEVE PIPE 2. SLEEVE MUST BE 1M BELOW ROAD SURFACE 3. PIPE MAY RUN PARALLEL TO FENCE WITHIN 1M 4. TRENCHING MUST BE DONE IN HALF-WIDTHS 5. TRAFFIC ACCOMMODATION IS CRITICAL 6. INDEMNIFICATION AND REMOVAL CLAUSES ARE ALWAYS APPLIED 	<ol style="list-style-type: none"> 1. JACKING MAY BE UNDERTAKEN INSIDE ROAD RES BUT FIT MUST BE FENCED OFF 2. PIPE MUST BE INSIDE A SLEEVE AT LEAST 1M BELOW SURFACE 3. INDEMNIFICATION AND REMOVAL CLAUSES ARE ALWAYS APPLIED 	<ol style="list-style-type: none"> 1. ONLY WATERPIPES FOR BONA-FIDE FARMING MAY CROSS THRU CULVERTS ON APPLICATION 2. PIPE MAY NOT BE 1/2% OF CULVERT VOLUME 3. PIPE DEPTH IN RESERVE AT LEAST 1M DEEP 4. PIPE MAY RUN WITHIN 1M OUTSIDE FENCE 5. INDEMNIFICATION AND REMOVAL CLAUSES ARE ALWAYS APPLIED
<small>COMPILED BY: JAYCO/COV/COV/MS/2008/03/08/00000000</small>		

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CONDITIONS: PIPELINES

1. The applicant must at least fourteen (14) days prior to the commencement of any work inform the Chief Executive Officer of the Roads Agency Limpopo (SOC) Limited in writing of the date upon which the work shall be commenced with in order to make the necessary arrangements for inspection.

The Inspection and Completion certificate must be completed during inspection and handed to the Inspector (The certificate is attached as Addendum A).

2. The necessary and prescribed road signs for the proposed work must conform to the South African Road Traffic Signs Manual.

You must provide the signs and erect them to the satisfaction of the Chief Executive Officer of the Roads Agency Limpopo (SOC) Limited before commencing with the work. The minimum layout of the road signs is shown on the sketches included in the attached addendum

3. The necessary precautions are to be taken at all times to safeguard traffic while installation operations are in progress within the road reserve. Any accident during installation operations due to negligence on the part of your own employees or contractors will be your responsibility.

4. Any damage to existing wayleaves or to the rights of other people as a result of your installation operations will be your responsibility. If you are the owner of the relevant property, this wayleave is granted to you without prejudice to the rights of the ownership of the owner or any other parties concerned.

When the road servitude ceases to exist, either by the closing or deviation of the relevant road, the full authority and control of the land taken up by the road reserve, will revert to the owner or other parties concerned and removal of your service may be demanded. It will thus be necessary to obtain the consent to this wayleave from the owners of the land in question and/or other parties concerned in order to protect your interests.

5. The Roads Agency Limpopo (SOC) Limited will not be involved in any expenditure in connection with the laying/erection/installation or maintenance of your service. You must undertake to move or deviate your service(s) at your own expense, within the prescribed period if requested by the Roads Agency Limpopo (SOC) Limited, should this become necessary as a result of road widening, road works, road maintenance or road surfacing. This include everything concerned and connected to the service(s) such as meter boxes, meters, transformers, poles, street distribution cabinets, anchors, stays, manholes or any other fittings or parts thereof. Where special conditions were allowed, you will still be held responsible for all costs incurred should your service(s) and all appurtenant items have to be shifted.

6. The shifting of the service(s) could be permitted to a position within a new planned and proposed road reserve. This will, however, be subject to specific approval from the Roads Agency Limpopo (SOC) Limited and will only be considered if the service complies with current standard and policy as laid down by the Roads Agency Limpopo (SOC) Limited. All obstacles/hindrances and permission/negotiations (land owners, etc.) required to achieve this new position within the proposed road reserve will have to be surmounted and undertaken by yourselves, irrespective of what stage/phase the planning of the new proposed road reserve has reached.

7. NB : This permission with regard parallel services and services within the existing road reserve can expire later when you are instructed to shift/remove your services and can, therefore, mean that your service will not automatically be allowed within the future/new road reserve. Your service will then have to be placed outside the road reserve and the building line.

8. You will be held responsible for any damage suffered by the Roads Agency Limpopo (SOC) Limited as a result of your negligence to shift the service(s) within the prescribed period(s)

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9. If it is deemed necessary in the future by the Roads Agency Limpopo (SOC) Limited to repair, resurface or do repair work directly as a result of the presence of your service (in spite of the duration of when the service was installed), you will have to accept full responsibility for the extra costs (that is those repair costs directly attached to the presence of your service within the road reserve) incurred by the Roads Agency Limpopo (SOC) Limited. You will have to pay the full amount, within three (3) months from date of the written notice, to the Chief Executive Officer.
10. You will be responsible for all liaison and coordination work including any and all correspondence between your commission/Agency and any private property owners. The Roads Agency Limpopo (SOC) Limited will not be involved with any individual property owners with regard to the service, as this is then still your responsibility. See also clauses 4 and 5 of this wayleave.
11. You indemnify the Premier of Limpopo Province and exempt him from any claim or damage which may be instituted or suffered by any person, including legal costs, as a result of the laying or erection of any service or any other works caused or erected by you, or as a result of negligence on your part to protect or maintain the service or other works caused by any other person unless you can prove negligence on the part of the Roads Agency Limpopo (SOC) Limited or its officials.
12. The Roads Agency Limpopo (SOC) Limited will not be liable for any damage suffered by the applicant as a result of operations carried out on road construction or road maintenance or any other operations whatsoever, unless negligence on the part of the Roads Agency Limpopo (SOC) Limited or its officials can be proved.
13. The work must be carried out to the entire satisfaction of the Chief Executive Officer. No trees, shrubs, cultivated grass or fencing must be removed or damaged. If such plants or fences were removed or damaged you will have to replace it to the entire satisfaction of the Chief Executive Officer.
14. Permission must be obtained from the Chief Executive Officer before any trees or shrubs can be pruned or removed for erection/installation or maintenance purposes. All branches and tree trunks or other waste must be removed and the road reserve must be cleaned up before the final inspection takes place. The service(s) must be erected in such a manner that no trees are affected or will fall within the safe area of the service(s).
15. Drainage systems (surface and sub-surface) must not be interfered with or damaged in any way. The road reserve must be left clean and all waste products be removed.
16. No permanent access to and from the road to the service will be allowed. Temporary access points must be approved by the Chief Executive Officer.
17. The work must be done within twelve months from the date of this letter. If for any reason at all, the work is delayed for a longer period, extension of time must be requested in writing or a new application will have to be submitted.
18. The official in charge in charge of the construction or maintenance work on the site must, at all times, be in possession of a complete copy of the letter of approval, including the general conditions, special conditions and specific conditions where applicable to the service concerned, as well as all plans that are required and are referred to in the correspondence, so that during an inspection the official can submit it to the official(s) of the Controlling Authority when requested to do so. If no approval can be submitted the official of the Controlling Authority then can order that the road be secured and the work immediately ceased. Any cost incurred by Roads Agency Limpopo (SOC) Limited to secure the road, will be to your account.
19. The conditions of this wayleave are applicable to you as well as your successor-in-title (where applicable). If property rights of your service be transferred to any other person or institution, it will be your responsibility to bring the contents of this wayleave to the attention of your successor-in-title as the conditions of this wayleave together with your property rights will be transferred to your successor-in-title and will still be applicable.

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20. This clause is applicable to Telkom or any other institution/company acting on their behalf within the said Acts as set out below :

The Postal Act No. 44 of 1958 (as amended) and any further amendments to the act will not be applicable with regard to this application and approval. Only the conditions laid down in this wayleaves will be considered as legal and binding! Therefore, any claims that may arise as a result of the presence of your service will be treated strictly according to the conditions laid down in the wayleave. Therefore, section 108 of the Postal Act 44 of 1958 or section 50 of the Postal amendment Act No 113 of 1976 or any other sections of any Postal Act, will not be applicable to the Roads Agency Limpopo (SOC) Limited.

On non-acceptance of this condition, this approval is withdrawn and your application is not approved. Application must then be re-submitted.

21. If you fail to comply with any of the general, specific and special conditions of this wayleaves during the laying/installation/erection or maintenance of the concerned service, the Chief Executive Officer of the Roads Agency Limpopo (SOC) Limited reserves the right to withdraw this wayleave and you will be obliged to cease all work immediately or to rectify the situation or failure of the latter you can be ordered (Act 21 of 1940), to remove the service from within the building restriction area.

CONDITIONS FOR UNDERGROUND PIPES / CABLES :

22. Except where the service crosses the road it may in terms of Section 9 of the Advertising on Roads and Ribbon Development Act (Act 21 of 1940, as amended) not be laid nearer than 95 metres from the centre line of the road or within a 500 metre radius measured from the centre line of the junction of a building restriction road and the centre line of any other road (except a national road), without the specific permission of the Roads Agency Limpopo (SOC) Limited. For any special specifications see the covering letter.
23. The service must be laid in a sleeve pipe over the full width of the road reserve. The top of the sleeve pipe must be laid at least one metre under the lowest point of the road or road reserve and follow a straight line. The cable must cross the road perpendicular as far as possible and no manholes/distribution cabinets, access chamber, etc., must be erected within the road reserve. Manholes, access/valve chambers, air valves, etc., may only be erected on one side of the road and outside the road reserve, Should permission be given to allow one or more of the foregoing structures within the road reserve, it shall not protrude above the surrounding surface and the structure must be of sufficient strength to withstand and carry axle loading as prescribed by the Roads Agency Limpopo (SOC) Limited.
- The sleeve pipe or duct must be acceptable and comply to the standard types approved by the Roads Agency Limpopo (SOC) Limited. A list of standard types is available on written request. In the event of the sleeve/pipe being larger than 150 mm (inside diameter) a note on the detail plans is to be added confirming that the sleeve/pipe is strong enough for the required purpose. (Detail plans will normally encompass a lay-out plan, locality plan, longitudinal and cross-sections to a suitable scale signed by a professional Engineer).
24. A bright weather-proof plastic tape must be laid, where applicable, +300mm above the sleeve to act as a warning.
25. The material that is used must be of such quality that during the expected life of the road it will not be necessary to disturb the road surface to do repairs to the service.
26. If the open trench method is used, the sleeve pipe must be laid in two sections across the roadway to obviate interruption to the flow of traffic; only one lane may be closed to the public at a time. A deviation to make the crossing of the road easier, can be considered but it must be shown on a fully detailed plan and approved by the Chief Executive Officer before commencement of the work.
27. Care must be taken that the existing stormwater drains or subsurface drainage systems or survey beacons/pegs are not damaged or interfered with by excavations. Excavation within the road reserve must be fenced and secured.

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28. a) Any survey pegs/beacons that are damaged as a result of your activities must be replaced at your own cost by a surveyor who is on an approved panel of surveyors appointed by the Roads Agency Limpopo (SOC) Limited.
- b) Cadastral beacons, however, must be replaced by a registered Surveyor.
- c) After the beacons have been replaced, a Completion Certificate, marked for the specific attention of the Control Industrial Technician: Inspection, must be handed in at the office of the Chief Executive Officer for approval.
- d) All arrangements for the implementation of the abovementioned procedures will be arranged by the service owner/applicant and will they accept full responsibility thereof.
29. Treatment of the layers for service excavations must conform to the Standard Specifications for Roads Agency as well as the Material and Pavement Design Manual (L1/78 as amended) issued by the Deputy Director General: Roads, Transvaal Provincial Administration, Pretoria.
- Should these specifications in any instance be less stringent and / or a lesser standard than the general specifications as given below, these will apply:
- Backfilling alongside and over all sleeve pipes must be placed and compacted in layers of at most 100 mm after compaction to a density required for the material in adjacent fill, subgrade or subbase layer. The density of the backfill in excavations in natural ground must be at least 90 % of the modified AASHTO density. You will be held responsible for any subsidence in the backfill or accidents due to such subsidence.
30. You agree to maintain at all times underground services and appurtenant items including repair work to the surface of the road if requested and to take the necessary precautions to safeguard the travelling public.
31. No excavation in the roadway may be left open overnight.
32. Service markers as specified on attached plan W93 indicating the nature, position and depth of the service will have to be erected on both sides at crossings, by the service owner. For parallel services within the road reserve the markers must be erected at least at every 100 metres alongside the underground service. The markers must be at least 200 mm high and also be clearly visible.
33. You will not be allowed to excavate at any time to effect repairs to the service. If a defect occurs you will have to apply for a new wayleave before the service may be repaired.
34. Arrangements must be made with the provincial or local traffic department to be present while work is in progress on the road. This clause may be ignored if you make use of the method where the pipe is pushed underneath the road, but clause 3 will still apply.
35. The joints of the pipes beneath the road must be watertight and you will be responsible for any damage to the road and road reserve because of leakage. (Not applicable in the case of powerline cables).
36. a) You will be required to furnish the abovementioned General Manager Operations (RAL) with a deposit to cover the cost of reinstating the road surface.
- b) You will be required to furnish the abovementioned General Manager Operations (RAL) with a works order to cover the cost of reinstating the road surface.
- c) You must reinstate the road surface to the entire satisfaction of the abovementioned General Manager Operations (RAL) and it must be to the specifications of Roads Branch.
37. The work shall only be carried out provided the abovementioned GENERAL, SPECIFIC and SPECIAL conditions are accepted in writing.

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38. This wayleaves is granted in terms of the Advertising on Roads and Ribbon Development Act, (Act 21 of 1940,as amended) and the Roads Agency Limpopo (SOC) Limited and Provincial Roads Act, (Act 7 of 1998) and its Regulations, and does not exempt you from the provisions of any other law.

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WAYLEAVE NUMBER.....

ADDENDUM A

A CERTIFICATE OF INSPECTION AND COMPLETION

ROAD NUMBER(S).....

N.B. : This form must be signed by the Senior Project Manager concerned. This signature is just for administrative control and by no means implies that the work has been done to the specification of the wayleave. The onus and responsibility of ensuring that the service has been correctly placed, is that of the applicant.

Roads Agency Limpopo (SOC) Limited reference number and date _____

Description of the wayleave : _____

(Give the heading of the wayleave as a description)

Name and address of owner / applicant: _____

Responsible person: (For the erection / installation of the service) Tel. No. : _____

Address (If different from the above)

- It is hereby certified that :
- 1) the owner / applicant has made arrangements with the Senior Project Manager concerned before commencement of work, and
 - 2) the above mentioned service has completely erected / installed on _____ and that the work has been done strictly according to the wayleave conditions.

PERSON IN CHARGE

DATE

- NOTES :
- 1) This form must be completed in duplicate by the owner / applicant and must be handed to the Senior Project Manager concerned after the completion of the service for his signature. It must also be completed when the final inspection has been done and handed to the Senior Project Manager who must be present.
 - 2) The Senior Project Manager must send one copy of the completed certificate to the Northern Province Roads Agency (SOC) Limited office, if the work was completed to his satisfaction.

SENIOR PROJECT MANAGER

DATE

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