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 OF  
**KwaZulu-Natal**

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DIE  
**Provinsiale Koerant**  
 VAN  
**KwaZulu-Natal**

Op Gesag Uitgegee  
 (As 'n nuusblad by die poskantoor geregistreer)

**IGazethi**  
 YESIFUNDAZWE  
 saKwaZulu-Natali

Ishicilelwe ngegunya  
 (Irejistiwe njengephephandaba eposihhovisi)

No. 6524 ULWESINE, 23 KULWEZI 2006

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**O**NDERSTAANDE kennisgewings word vir algemene inligting gepubliseer.

PROFESSOR M. A. MCHUNU  
Direkteur-generaal

300 Langalibalele Straat  
Pietermaritzburg  
23 November 2006

**I**ZAZISO ezilandelayo zikhishelwe ulwazi lukawonkewonke.

USOLWAZI M. A. MCHUNU  
uMqondisi-Jikelele

300 Langalibalele Street  
Pietermaritzburg  
23 kuLwezi 2006

**T**HE following notices are published for general information.

PROFESSOR M. A. MCHUNU  
Director-General

300 Langalibalele Street  
Pietermaritzburg  
23 November 2006

**No. 2058, 2006**

23 November 2006

**DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE**

**KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967:  
OPHEFFING VAN TITELVOORWAARDE; ERF 1462 WESTVILLE, ETHEKWINI MUNISIPALITEIT**

**I**N my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Kusstreek Implementeringskantoor) in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid, uitgereik deur die KwaZulu-Natal lid van die Uitvoerende Raad verantwoordelik vir plaaslike regering en behuising ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet No. 8 van 1994), verwyder ek hiermee van Transportakte T1135/94, betreffende Erf 1462 Westville, Registrasie Afdeling FT, eThekwini Munisipaliteit, provinsie van KwaZulu-Natal, voorwaarde K.2. wat die gebruik van die eiendom tot een woonhuis beperk.

Gegee onder my hand te Durban op hierdie 14de dag van November, Tweeduisend-en-ses.

**T. A. BHENGU**

Bestuurder: Ontwikkelingsbeplanning  
Kusstreek Implementeringskantoor  
Lêerverwysing: 2005/568

**No. 2058, 2006**

23 kuLwezi 2006

**UMNYANGO WOHULUMENI BASEKHAYA KANYE NEZENDABUKO**

**ISAZISO NGOKWESIGABA (2)(1) SOMTHETHO WOKUSUSWA KWEZITHIBELO, 1967:  
UKUSUSWA KWESIMISO SETAYIYELA; ISIZA 1462 ESISE-WESTVILLE, KUMASIPALA WASETHEKWINI**

**N**GOKWESIKHUNDLA sami njengoMphathi: wokuHlelwa kweNtuthuko (eHhovisi lokuQaliswa kweziNhlelo elingasoGwini) eMnyangweni woHulumeni baseKhaya nezeNdabuko waKwaZulu-Natali, ngaphansi kwamandla engiwanikwe yisigaba (2)(1) soMthetho wokuSuswa kweziThibelo, 1967 (uMthetho No. 84 ka 1967) sifundwa kanye nesidluliselo samandla 2 seNgxenywe VIII yeSahluko B seziDluliselo zaMandla eziVamile, esikhishwe yiLungu loMkhandlu oPhethe elibhekele ohulumeni basekhaya kanye nezezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla waKwaZulu-Natali, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngisusa encwadini esemhethweni yokuDluliselwa kweTayitela elingu-T1135/94, eliphathelene neSiza 1462 esise-Westville, isiGaba sokuBhalisa ngu-FT, kuMasipala waseThekwini, esiFundazweni saKwaZulu-Natali, isimiso K.2. esinquma ukuthi kwakhiwe indlu yokuhlala eyodwa kuphela kulowo mhlaba.

Sinikezwe ngaphansi kwesandla sami eThekwini ngalolu suku lwe-14 kuLwezi, oNyakeni weziNkulungwane eziMbili nesiThupha.

**T. A. BHENGU**

uMphathi: wokuHlelwa kweNtuthuko  
eHhovisi lokuQaliswa kweziNhlelo elingasoGwini  
INKomba yefayela: 2005/568

**No. 2058, 2006**

23 November 2006

**DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**

**NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967:  
REMOVAL OF CONDITION OF TITLE; ERF 1462 WESTVILLE, ETHEKWINI MUNICIPALITY**

**I**N my capacity as Manager: Development Planning (Coastal Implementation Office) in the KwaZulu-Natal Department Local Government and Traditional Affairs, under powers vested in me by section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with delegation 2 of Part VIII of Chapter B of the General Delegations of Authority, issued by the KwaZulu-Natal Member of Executive Council responsible for local government and housing in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), I hereby remove from Deed of Transfer T1135/94, pertaining to Erf 1462 Westville, Registration Division FT, eThekwini Municipality, Province of KwaZulu-Natal, condition K.2. that restricts the use of the property to one dwelling house.

Given under my hand at Durban this 14th day of November, Two Thousand and Six.

**T. A. BHENGU**

Manager: Development Planning  
Coastal Implementation Office  
File reference: 2005/568

No. 2059, 2006

23 November 2006

## DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967:  
OPHEFFING VAN TITELVOORWAARDE; GEDEELTE 1 VAN ERF 43 CRESTVIEW, ETHEKWINI MUNISIPALITEIT

IN my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Kusstreek Implementeringskantoor) in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met dele-gasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid, uitgereik deur die KwaZulu-Natal lid van die Uitvoerende Raad verantwoordelik vir plaaslike regering en behuising ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet No. 8 van 1994), verwyder ek hiermee van Transportakte T05 41215, betreffende Gedeelte 1 van Erf 43 Crestview, Registrasie Afdeling FT, eThekwini Munisipaliteit, provinsie KwaZulu-Natal, voorwaarde B.(c) wat die gebruik van sekere soorte boumateriaal beperk.

Gegee onder my hand te Durban op hierdie 14de dag van November, Tweeduisend-en-ses.

T. A. BHENGU

Bestuurder: Ontwikkelingsbeplanning  
Kusstreek Implementeringskantoor  
Lêerverwysing: 2006/163

No. 2059, 2006

23 kuLwezi 2006

## UMNYANGO WOHULUMENI BASEKHAYA KANYE NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEZITHIBELO, 1967:  
UKUSUSWA KWESIMISO SETAYITELA; INGXYENYE 1 YESIZA 43 ESISE-CRESTVIEW, KUMASIPALA WASETHEKWINI

NGOKWESIKHUNDLA sami njengoMphathi: wokuHlelwa kweNtuthuko (eHhovisi lokuQaliswa kweziNhlelo elisoGwini) eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko waKwaZulu-Natali, ngaphansi kwamandla engiwanikwe yisigaba 2(1) soMthetho wokuSuswa kweziThibelo, 1967 (uMthetho No. 84 1967), sifundwa kanye nesidluliselo samandla 2 seNgxenywe VIII yeSahluko B seziDluliselo zaMandla eziVamile esikhishwe yiLungu loMkhandlu oPhethe elibhekele ohulumeni basekhaya kanye nezezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla waKwaZulu-Natali, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngisusa encwadini esemthethweni yokuDluliselwa kweTayitela elingu-T05 41215, eliphathelene neNgxenywe 1 yeSiza 43 esiseCrestview, isiGaba sokuBhalisa ngu-FT, kuMasipala waseThekwini, esiFundazweni saKwaZulu-Natali, isimiso B.(c) esithibela ukusetshenziswa kwezinhlobo ezithile zezimpahla zokwakha.

Sinikezwe ngaphansi kwesandla sami eThekwini ngalolu suku lwe-14 kuLwezi, oNyakeni weziNkulungwane eziMbili nesiThupha.

T. A. BHENGU

uMphathi: wokuHlelwa kweNtuthuko  
eHhovisi lokuQaliswa kweziNhlelo elingasoGwini  
Inkomba yefayela: 2006/163

No. 2059, 2006

23 November 2006

## DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967:  
REMOVAL OF CONDITION OF TITLE; PORTION 1 OF ERF 43 CRESTVIEW, ETHEKWINI MUNICIPALITY

IN my capacity as Manager: Development Planning (Coastal Implementation Office) in the KwaZulu-Natal Department Local Government and Traditional Affairs, under powers vested in me by section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with delegation 2 of Part VIII of Chapter B of the General Delegations of Authority, issued by the KwaZulu-Natal Member of Executive Council responsible for local government and housing in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), I hereby remove from Deed of Transfer T05 41215, pertaining to Portion 1 of Erf 43 Crestview, Registration Division FT, eThekwini Municipality, Province of KwaZulu-Natal, condition B.(c) that restricts the use of certain types of building materials.

Given under my hand at Durban on this 14th day of November, Two Thousand and Six.

T. A. BHENGU

Manager: Development Planning  
Coastal Implementation Office  
File reference: 2006/163

No. 2060, 2006

23 November 2006

## DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967:  
OPHEFFING VAN TITELVOORWAARDE; ERF 1197 UVONGO, HIBISCUS COAST MUNISIPALITEIT

IN my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Kusstreek Implementeringskantoor) in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met dele-gasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid, uitgereik deur die KwaZulu-Natal lid van die Uitvoerende Raad verantwoordelik vir plaaslike regering en behuising ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet No. 8 van 1994), verwyder ek hiermee van Transportakte T 06 07539, betreffende Erf 1197 Uvongo, Registrasie Afdeling ET, in die Hibiscus Coast Munisipaliteit, provinsie van KwaZulu-Natal —

- (a) voorwaarde C. 4. wat die gebruik van die eiendom beperk tot een woonhuis; en
- (b) voorwaarde C. 5. wat die gebruik van sekere tipes boumateriaal beperk.

Gegee onder my hand te Durban op hierdie 13de dag van November, Tweeduisend-en-ses.

**T. A. BHENGU**

Bestuurder: Ontwikkelingsbeplanning  
Kusstreek Implementeringskantoor  
Lêerverwysing: 2006/321

**No. 2060, 2006**

23 kuLwezi 2006

**UMNYANGO WEZOHULUMENI BASEKHAYA KANYE NEZENDABUKO**

**ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEZITHIBELO, 1967:  
UKUSUSWA KWESIMISO SETAYITELA; ISIZA 1197 ESISE-UVONGO, ESIKUMASIPALA WASE-HIBISCUS COAST**

**E**SIKHUNDLENI sami njengoMphathi: wokuHlelwa kweNtuthuko (eHhovisi lokuQaliswa kweziNhlelo elingasoGwini) eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko waKwaZulu-Natali, ngaphansi kwamandla engiwanikezwe yisigaba 2(1) soMthetho wokuSuswa kweziThibelo, 1967 (uMthetho No. 84 ka 1967), sifundwa nesidluliselo samandla 2 seNgxenywe VIII yeSahluko B seziDluliselo zaMandla eziVamile esikhishwe yiLungu loMkhandlu oPhethe elibhekele oHulumeni baseKhaya, soMthetho wokuDluliselwa kwaMandla, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngisusa encwadini esemthethweni yokuDluliselwa kweTayitela elingu-T 06 07539, ephathelene neSiza 1197 esise-Uvongo, isiGaba sokuBhalisa ngu-ET, esikuMasipala wase-Hibiscus Coast, esiFundazweni saKwaZulu-Natali —

- (a) isimiso C. 4. csinquma ukuthi kwakhiwe indlu yokuhlala eyodwa kuphela kulowo mhlaba; kanye  
(b) nesimiso C. 5. esivimbela ukusetshenziswa kwezinhlobo ezithile zezimpahla zokwakha.

Sinikezwe ngaphansi kwesandla sami eThekwini ngalolu suku lwe-13 kuLwezi, oNyakeni weziNkulungwane eziMbili nesiThupha.

**T. A. BHENGU**

uMphathi: wokuHlelwa kweNtuthuko  
eHhovisi lokuQaliswa kweziNhlelo elingasoGwini  
iNkomba yefayela: 2006/321

**No. 2060, 2006**

23 November 2006

**DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**

**NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967:  
REMOVAL OF CONDITIONS OF TITLE; ERF 1197 UVONGO, HIBISCUS COAST MUNICIPALITY**

**I**N my capacity as Manager: Development Planning (Coastal Implementation Office) in the KwaZulu-Natal Department of Local Government and Traditional Affairs, under powers vested in me by section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with delegation 2 of Part VIII of Chapter B of the General Delegations of Authority, issued by the KwaZulu-Natal Member of the Executive Council responsible for local government and housing in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), I hereby remove from Deed of Transfer T 04 54849, pertaining to Erf 1197 Uvongo, Registration Division ET, in the Hibiscus Coast Municipality, Province of KwaZulu-Natal —

- (a) condition C. 4. that restricts the use of the property to one dwelling; and  
(b) condition C. 5. that prohibits the use of certain types of building material.

Given under my hand at Durban on this 13th day of November, Two Thousand and Six.

**T. A. BHENGU**

Manager: Development Planning  
Coastal Implementation Office  
File reference: 2006/321

**No. 2061, 2006**

23 November 2006

**DEPARTEMENT VAN VERVOER**

**KWAZULU-NATAL REGULASIES BETREFFENDE PROVINSIALE PAAIE, 2006**

**E**K vaardig hierby die regulasies uit wat in die bylaag hierby vervat is ingevolge artikel 44 van die KwaZulu-Natal Wet op Provinsiale Paaie, 2001 (Wet No. 4 van 2001) ten einde die provinsiale padnetwerk te reguleer.

Gegee onder my hand te Pietermaritzburg op hierdie 31ste dag van Oktober, Tweeduisend-en-ses.

**B. H. CELE**

Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal  
verantwoordelik vir vervoer

**BYLAAG**

**Omskrywings**

1. In hierdie regulasies beteken "die Wet" die KwaZulu-Natal Wet op Provinsiale Paaie, 2001 (Wet No. 4 van 2001) en enige woord of uitdrukking waarvan 'n betekenis deur die Wet toegeken is, het daardie betekenis, en tensy uit die samehang anders blyk, beteken —

"**hek**" enige hek, motorhek, valhek of soortgelyke struktuur opgerig op, dwarsoor of langs 'n provinsiale pad of grensdraad, wat bedoel is om die in- en uitgang van mense, diere of voertuie te beheer;

"**munisipaliteit**" 'n munisipaliteit bedoel in artikel 155 van die Grondwet van die Republiek van Suid-Afrika, 1996, en ingestel by en kragtens artikel 11 en 12 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), saamgelees met artikel 3, 4 en 5 van die KwaZulu-Natal Wet op die Bepaling van Soorte Munisipaliteite, 2000 (Wet No. 7 van 2000), en "**munisipaliteite**" het dieselfde betekenis;

“**onderverdeling**” die verdeling van ’n geregistreerde onroerende eiendom in twee of meer gedeeltes wat as afsonderlike entiteite in ’n akteskan-toor geregistreer is of kan word, en sluit ook enige konsolidasie van grond in;

“**persoon**” ’n natuurlike of regs persoon;

“**stormwater**” bogrondse afloopwater wat spesifiek deur reën of sneeu veroorsaak word; en

“**waterloop**” enige natuurlik grondformasie wat bogrondse water wegvoer of ’n kunsmatige struktuur gebou met die doel om bogrondse water weg te voer.

### Verklaring en afverklaring van provinsiale paaie

2.(1) Die Minister moet die volgende kriteria by die verklaring of afverklaring van ’n provinsiale pad oorweeg:

- (a) die funksie of gebruik van die provinsiale pad;
- (b) die ligging en plasing van die provinsiale pad;
- (c) pad- en verkeersveiligheidsoorwegings;
- (d) omgewingsimpak;
- (e) bewys van oorlegpleging met partye wat geraak word;
- (f) waar tersaaklik, bevordering van ekonomiese groei en volhoubare ontwikkeling; en
- (g) enige ander tersaaklike faktor.

(2) Die Minister moet op skriftelike versoek van en na betaling van die voorgeskrewe gelde die standaard en vereistes wat toegepas is om ’n beslissing ingevolge die kriteria in subregulasie (1) te maak, aan ’n lid van die publiek beskikbaar stel.

(3) Die vereistes vir ’n grootpad moet die volgende insluit:

- (a) ’n padreserwydte met ’n minimum van 30 meter, of minder as 30 meter indien fisiese beperkings die volle wydte van die padreserwe van 30 meter verhinder; en
- (b) genoegsame voldoening aan beoordelingskriteria ingevolge subregulasie (1).

(4) Die Minister moet aan elke grootpad ’n “P”-voorvoegsel en ’n unieke identifikasienommer toeken.

(5) Die vereistes vir ’n distrikspad moet die volgende insluit:

- (a) ’n padreserwydte met ’n minimum van 20 meter, of minder as 20 meter indien fisiese beperkinge die volle wydte van die padreserwe van 20 meter verhinder; en
- (b) genoegsame voldoening aan beoordelingskriteria ingevolge subregulasie (1).

(6) Die Minister moet aan elke distrikspad ’n “D”-voorvoegsel en unieke identifikasienommer toeken.

(7) Die vereistes vir ’n plaaslike pad moet die volgende insluit:

- (a) ’n padreserwydte met ’n minimum van 10 meter, welke wydte nie 20 meter mag oorskry nie waar die afwesigheid van fisiese beperkinge ’n groter wydte moontlik maak; en
- (b) genoegsame voldoening aan beoordelingskriteria ingevolge subregulasie (1).

(8) Die Minister moet aan elke plaaslike pad ’n “L”-voorvoegsel en unieke identifikasienommer toeken.

(9) Die Minister kan ’n pad of voorgestelde pad in die provinsie identifiseer wat verklaar of afverklaar moet word.

(10) Nieteenstaande subregulasie (9), kan ’n persoon of munisipaliteit ’n pad of voorgestelde pad identifiseer wat deur die Minister verklaar of afverklaar moet word en ’n getekende aansoek ingevolge regulasie 17(1) indien waarin die verklaring of afverklaring versoek word.

(11) Waar die Minister ingevolge subregulasie (9) die behoefte geïdentifiseer het, of ’n persoon of munisipaliteit ’n aansoek ingevolge subregulasie (10) ingedien het vir die verklaring of afverklaring van ’n provinsiale pad, en die geïdentifiseerde of voorgestelde pad voldoen aan beoordelingskriteria in subregulasie (1) gespesifiseer —

- (a) moet die Minister ’n kennisgewing van voorneme om ’n provinsiale pad te verklaar of af te verklaar, met inbegrip van ’n fisiese beskrywing van die geïdentifiseerde of voorgestelde pad, by die munisipaliteit waarbinne die geïdentifiseerde of voorgestelde pad geleë is, indien;
- (b) indien die munisipaliteit waarbinne die geïdentifiseerde of voorgestelde pad geleë is ’n beswaar teen die verklaring of afverklaring van die geïdentifiseerde of voorgestelde pad, kan die betrokke munisipaliteit sy beswaar skriftelik by die Minister indien binne 30 kalenderdae na die datum van die kennisgewing van voorneme;
- (c) indien ’n skriftelike beswaar by die Minister ingevolge paragraaf (b) ingedien word, moet die Minister met die betrokke munisipaliteit oorleg pleeg oor die verklaring of afverklaring van die geïdentifiseerde of voorgestelde pad;
- (d) indien die munisipaliteit waarbinne die geïdentifiseerde of voorgestelde pad geleë is in gebreke bly om binne 30 dae kalenderdae na die datum van die kennisgewing te reageer, kan die Minister aanvaar dat die munisipaliteit geen beswaar teen die verklaring of afverklaring van die provinsiale pad het nie;
- (e) na oorlegpleging ingevolge paragraaf (c) met die munisipaliteit waarbinne die geïdentifiseerde of voorgestelde pad geleë is, of ’n versuim van ’n munisipaliteit om ingevolge paragraaf (d) te reageer, moet die Minister ’n kennisgewing in die *Koerant* plaas van die voorneme om die provinsiale pad te verklaar of af te verklaar, tesame met ’n fisiese beskrywing van die geïdentifiseerde of voorgestelde pad;
- (f) indien ’n persoon skriftelik binne 21 kalenderdae na publikasie ingevolge paragraaf (e) beswaar aanteken teen die verklaring of afverklaring van ’n provinsiale pad, moet die Minister skriftelik op die beswaar reageer binne 30 kalenderdae na ontvangs van die beswaar;
- (g) na oorweging van enige skriftelike beswaar wat ingevolge paragraaf (f) ingedien is, moet die Minister besluit om die provinsiale pad te verklaar of af te verklaar; en
- (h) indien daar ’n skriftelike beswaar ingevolge paragraaf (f) is en die Minister ’n besluit ingevolge paragraaf (g) neem om die geïdentifiseerde of voorgestelde pad te verklaar of af te verklaar, moet die Minister, nie vroeër as 30 kalenderdae na publikasie van die kennisgewing van voorneme ingevolge paragraaf (e), ’n kennisgewing in die *Koerant* plaas om die provinsiale pad te verklaar of af te verklaar, tesame met ’n fisiese beskrywing van die geïdentifiseerde of voorgestelde pad, met inbegrip van die benaderde roete van die pad.

(12) Waar ’n pad of voorgestelde pad nie as ’n provinsiale pad deur die Minister verklaar of afverklaar word binne drie jaar vanaf die datum van die beoordeling ingevolge subregulasie (1) nie, moet die voorgestelde pad weer beoordeel word voordat die Minister dit verklaar of afverklaar.

(13) Die Minister moet, waar ’n aansoek gemagtig is wat ingevolge subregulasie (10) ingedien is, die aansoeker skriftelik in kennis stel —

- (a) van enige voorwaardes rakende die verklaring of afverklaring van ’n provinsiale pad;
- (b) van die nuwe provinsiale pad se nommer; en
- (c) dat enige magtiging ingevolge hierdie regulasie ’n byvoeging is tot en nie ter vervanging is van enige goedkeuring of magtiging deur enige ander wet vereis nie.

- (14) Die Minister moet, waar 'n aansoek wat ingevolge subregulasie (10) ingedien is nie gemagtig is nie, die aansoeker skriftelik in kennis stel —
- (a) dat die geïdentifiseerde of voorgestelde pad nie aan beoordelingskriteria vir provinsiale padstatus ingevolge subregulasie (1) voldoen nie;
  - (b) van die redes waarom nie aan beoordelingskriteria voldoen is nie; en
  - (c) dat die geïdentifiseerde of voorgestelde pad ingevolge subregulasie (1) beoordeel is en dat 'n kopie van die beoordeling op skriftelik versoek aan die aansoeker beskikbaar gestel kan word.
- (15) Indien 'n provinsiale pad nie aan beoordelingsvereistes ingevolge subregulasie (1) voldoen nie —
- (a) kan die Minister die afverklaring van die provinsiale pad inisier en enige ander toepaslike stappe met betrekking tot die pad doen;
  - (b) moet die Minister, waar hy of sy die afverklaring van die provinsiale pad ingevolge paragraaf a) goedkeur, die prosedure vir afverklaring in subregulasie (11) volg; en
  - (c) kan die Minister enige ander toepaslike stappe doen.

### Toegang tot groot- en distrikspaaie

3.(1) Die Minister moet die volgende kriteria by 'n beslissing oor 'n nuwe toegang, verandering in gebruik, 'n opgradering, of 'n sluiting van 'n bestaande toegang tot 'n groot- of distrikspad oorweeg:

- (a) die standaard, tipe toegang en vlak van diens vereis vir toegang tot 'n groot- of distrikspad;
  - (b) enige verandering in grondgebruik of gebruik van 'n gebou, met inbegrip van maar nie beperk nie tot die funksie of potensiële gebruik van die toegang en tipe of grootte van die voertuie wat by die toegang gebruik word;
  - (c) enige onderverdeling of ontwikkeling van grond;
  - (d) enige verandering in gebruik van 'n bestaande toegang;
  - (e) die ligging en plasing van die toegang, met inagneming van openbare en verkeersveiligheid, padveiligheidsrisiko's en verkeersvloei;
  - (f) die aantal bestaande toegange in die onmiddellike omgewing van die betrokke eiendom;
  - (g) stormwaterbeheer;
  - (h) omgewingsimpak;
  - (i) waar tersaaklik, bevordering van ekonomiese groei en volhoubare ontwikkeling; en
  - (j) enige ander tersaaklike faktor.
- (2) Die Minister moet op skriftelike versoek van en na betaling van die voorgeskrewe gelde die standaarde en vereistes wat toegepas is om 'n beslissing ingevolge die kriteria in subregulasie (1) te maak, aan 'n lid van die publiek beskikbaar stel.
- (3) Die Minister kan ten opsigte van 'n groot- of distrikspad die behoefte identifiseer om 'n nuwe toegang te bou, die gebruik van 'n toegang verander, 'n bestaande toegang opgradeer of sluit.
- (4) Niteenstaande subregulasie (3), moet 'n persoon of munisipaliteit, vanaf die datum waarop hierdie regulasie in werking tree, 'n aansoek indien ingevolge regulasie 17(1), geteken deur die eienaar van die grond waarop enige voorgestelde nuwe of geïdentifiseerde toegang geleë is, waarin skriftelike magtiging van die Minister versoek word wanneer enige van die volgende aktiwiteite oorweeg word:
- (a) bou van 'n nuwe toegang tot 'n groot- of distrikspad;
  - (b) enige verandering ten opsigte van grondgebruik of gebruik van 'n gebou, met inbegrip van maar niebeperk nie tot die funksie of potensiële gebruik van die toegang en tipe en grootte van die voertuie wat by die toegang gebruik word;
  - (c) enige verandering in gebruik van 'n bestaande toegang;
  - (d) hersonering, ontwikkeling of uitbreiding van bestaande ontwikkeling;
  - (e) onderverdeling van grond;
  - (f) waar die eienaar van die grond waarop 'n toegang opgerig is dit oorweeg om die toegang te verander, op te gradeer of te sluit; of
  - (g) waar die eienaar van die grond waarop 'n toegang opgerig is voordat hierdie regulasie van krag geword het in kennis gestel is dat die toegang nie in ooreenstemming met hierdie regulasie is nie.
- (5) Waar die Minister ingevolge subregulasie (3) die behoefte aan 'n nuwe toegang, verandering in gebruik, opgradering of sluiting van 'n bestaande toegang oorweeg, of 'n persoon of munisipaliteit 'n aansoek ingevolge subregulasie (4) ingedien het, moet die Minister die behoefte beoordeel ingevolge die kriteria in subregulasie (1) gespesifiseer.
- (6) Waar —
- (a) 'n aansoek wat ingevolge subregulasie (4) ingedien is aan die beoordelingskriteria ingevolge subregulasie (1) voldoen, moet die Minister skriftelike magtiging verleen vir die nuwe toegang, verandering in gebruik, opgradering of sluiting van 'n bestaande toegang; en
  - (b) die nuwe toegang of verandering in gebruik of opgradering van 'n bestaande toegang nie gebou word of die bestaande toegang nie gesluit word binne 18 maande vanaf die datum van die skriftelike magtiging ingevolge paragraaf (a) of aan die einde van die tydperk gemagtig in subregulasie (7)(b) nie, watter ook al die kortste is, of indien die toegang 'n veiligheidsgevaar inhou, vervel die Minister se skriftelike magtiging en moet 'n nuwe aansoek ingedien word.
- (7) Die Minister moet, waar 'n aansoek gemagtig is wat ingevolge subregulasie (4) ingedien is, die aansoeker skriftelik in kennis stel —
- (a) van enige voorwaardes rakende die bou van die nuwe toegang, verandering in gebruik, opgradering of sluiting van die bestaande toegang;
  - (b) van die geldigheids tydperk van die magtiging van die aansoek, welke periode nie 18 maande mag oorskry nie; en
  - (c) (i) dat enige magtiging ingevolge hierdie regulasie 'n byvoeging is tot en nie ter vervanging is van enige goedkeuring of magtiging deur enige ander wet vereis nie; of
  - (ii) van die deregistrasie van die toegang wat gesluit moet word ingevolge die Minister se magtiging.
- (8) Die Minister moet, waar 'n aansoek wat ingevolge subregulasie (4) ingedien is nie gemagtig is nie, die aansoeker skriftelik in kennis stel —
- (a) dat die aansoek nie aan beoordelingskriteria ingevolge subregulasie (1) voldoen nie; en
  - (b) van die redes waarom nie aan beoordelingskriteria voldoen is nie.
- (9) Die persoon of munisipaliteit ingevolge subregulasie (7) gemagtig, moet voordat enige stappe gedoen word, die Minister skriftelik in kennis stel van die verwagte bou van die nuwe toegang of verandering in gebruik, opgradering of sluiting van die toegang.
- (10) Die Minister moet 'n nuut gemagtigde toegang registreer en 'n unieke registrasienommer uitreik aan die gebruiker van die grond waarop die toegang geleë is.

- (11) Indien 'n aansoek om verandering in gebruik of vir die opgradering van 'n bestaande toegang nie aan beoordelingskriteria gespesifiseer ingevolge subregulasie (1) voldoen nie, of die eienaar in gebreke bly om die toegang in stand te hou, kan die Minister die bestaande toegang deregistreer en dit sluit en is die eienaar aanspreeklik vir die koste, soos deur die Minister gespesifiseer, om die toegang te sluit en die groot- of distrikspad volgens sy oorspronklike toestand te herstel.
- (12) Waar die Minister ingevolge sub-regulasie (3) die behoefte vir die bou van 'n nuwe toegang of die verandering in gebruik of opgradering van 'n bestaande toegang geïdentifiseer het —
- is die Minister aanspreeklik vir die aanvanklike boukoste; en
  - is die eienaar wie se eiendom deur die toegang bedien word, verantwoordelik vir die instandhouding van die toegang en enige ander koste nadat die aanvanklike bouwerk voltooi is.
- (13) Die eienaar van die eiendom wat deur die toegang bedien word, is aanspreeklik vir alle koste met betrekking tot die bou, onderhoud en ander koste vir 'n nuwe toegang of verandering in gebruik of opgradering van 'n bestaande toegang gemagtig ingevolge subregulasie (7).
- (14) 'n Persoon kan 'n nuwe toegang of verandering in gebruik of opgradering van enige bestaande toegang gebruik waar die —
- Minister voorlopige skriftelike magtiging verleen het vir die gebruik van die toegang in aanbou, met inbegrip van enige bepalinge en voorwaardes wat op die toegang betrekking het; of
  - eienaar skriftelike magtiging van die Minister bekom het, welke magtiging moet meld dat die toegang gebou is op die wyse deur die Minister voorgeskryf, die registrasienumer van die toegang en enige bepalinge en voorwaardes wat op die toegang betrekking het.
- (15) Indien die eienaar van grond waarop 'n toegang geleë is enige bepalinge van hierdie regulasie oortree of in gebreke bly om daaraan te voldoen, of enige voorwaarde deur die Minister opgelê, of in gebreke bly om aan voorgeskryfde standaarde te voldoen, kan die Minister 'n waarskuwing uitreik waarin die eienaar 'n gespesifiseerde tydperk vergun word om sy of haar oortreding of versuim om aan hierdie regulasie te voldoen, reg te stel.
- (16) Waar die eienaar van grond in gebreke bly om aan die regstellingsbepalinge van die waarskuwing uitgereik ingevolge subregulasie (15) te voldoen —
- is die eienaar aanspreeklik vir alle koste deur die Minister aangegaan om die provinsiale pad tot sy oorspronklike toestand te herstel; en
  - kan die Minister gelas dat die toegang gesluit word, met die eienaar aanspreeklik vir alle koste wat met die sluiting van die toegang verband hou.
- (17) Die Minister kan enige skade veroorsaak deur 'n eienaar se versuim om 'n toegang in stand te hou, herstel en die eienaar is aanspreeklik vir herstelwerk en koste wat daarmee verband hou.
- (18) Die Minister kan 'n toegang sluit waar die eienaar in gebreke bly om die toegang in stand te hou, met die eienaar aanspreeklik vir alle koste verbonde aan die sluiting van die toegang.
- (19) 'n Persoon mag nie —
- 'n nuwe toegang bou, of 'n bestaande toegang opgradeer, sonder om aan hierdie regulasie te voldoen nie;
  - in gebreke bly om 'n toegang gemagtig ingevolge hierdie regulasie in stand te hou nie;
  - in gebreke bly om aan die regstellingsbepalinge van enige waarskuwing uitgereik ingevolge subregulasie (15) te voldoen nie;
  - in gebreke bly om 'n toegang ingevolge hierdie regulasie te sluit nie; of
  - 'n toegang sluit sonder om aan hierdie regulasie te voldoen nie.

#### Openbare reg-van-weg

- 4.(1)(a) 'n Register van openbare regte-van-weg moet bygehou word deur die departement of 'n munisipaliteit namens die departement.
- (b) Die Minister moet 'n ooreenkoms met 'n munisipaliteit aangaan ten einde die munisipaliteit te magtig om 'n register van openbare regte-van-weg ingevolge paragraaf (a) by te hou.
- (2) 'n Munisipaliteit wat 'n register van openbare regte-van-weg bygehou het ten tyde van die inwerkingtreding van hierdie regulasie moet voortgaan om die register by te hou en binne 18 maande na die inwerkingtreding van hierdie regulasie 'n ooreenkoms aangaan soos bedoel in subregulasie (1)(b).
- (3) Die Minister of 'n munisipaliteit, na gelang van die geval, moet elke openbare reg-van-weg, tesame met 'n diagram, in die tersaaklike openbare reg-van-weg-register aanteken en 'n registernommer toeken, asook die eiendoms-, perseel- en erfbeskrywing vir die reg-van-weg aanteken.
- (4) Die Minister of munisipaliteit, na gelang van die geval, moet die volgende kriteria by die registrasie of deregistrasie van 'n openbare reg-van-weg oorweeg:
- of die bestaande openbare reg-van-weg 'n munisipale pad is;
  - of die bestaande openbare reg-van-weg 'n redelike manier is om toegang tot of uitgang van grond te verkry;
  - die tydperk wat die openbare reg-van-weg in gebruik is en die bestaande of vorige gebruik daarvan;
  - enige verandering in grondgebruik of gebruik van 'n gebou wat 'n behoefte kan skep vir 'n openbare reg-van-weg;
  - enige verandering in gebruik van 'n bestaande openbare reg-van-weg;
  - die standaard, tipe en vlak van diens vereis;
  - die ligging, plasing en nabyheid van 'n voorgestelde openbare reg-van-weg wat geregistreer moet word met betrekking tot enige ander openbare reg-van-weg;
  - die ligging, plasing en nabyheid van 'n openbare reg-van-weg wat gederegistreer moet word met betrekking tot enige ander openbare reg-van-weg;
  - pad- en verkeersveiligheidsoorwegings;
  - omgewingsimpak;
  - bewys van oorlegpleging met partye wat geraak word, met inbegrip van maar nie beperk nie tot oorlegpleging met gemeenskapstrukture wat met pad en openbare vervoeraangeleenthede handel;
  - waar tersaaklik, bevordering van ekonomiese groei en volhoubare ontwikkeling; en
  - enige ander tersaaklike faktor.
- (5) Die Minister of 'n munisipaliteit kan uit eie beweging die behoefte identifiseer om 'n openbare reg-van-weg te verklaar of af te verklaar.
- (6) 'n Persoon of munisipaliteit kan 'n aansoek ingevolge regulasie 17(1) indien, geteken deur die eienaar van die grond waarop 'n bestaande of voorgestelde openbare reg-van-weg geleë is, waarin die Minister of munisipaliteit, na gelang van die geval, versoek word om die openbare reg-van-weg te verklaar of af te verklaar.
- (7) Waar die Minister of munisipaliteit, ingevolge subregulasie (5), die behoefte geïdentifiseer het om 'n openbare reg-van-weg te registreer of deregistreer, of 'n persoon of 'n munisipaliteit 'n aansoek ingevolge subregulasie (6) ingedien het —
- moet die Minister of die munisipaliteit die aansoek beoordeel ingevolge die kriteria vir 'n reg-van-weg in subregulasie (4) gespesifiseer;
  - moet die Minister of munisipaliteit 'n kennisgewing van voorneme om die openbare reg-van-weg te registreer of te deregistreer, met inbegrip van 'n fisiese beskrywing van die openbare reg-van-weg, voorlê aan die eienaar van die grond waarop die openbare reg-van-weg geleë is, die betrokke munisipaliteit en enige belanghebbende party wat aan die Minister of munisipaliteit bekend is;



- (c) moet die Minister of munisipaliteit, indien die eienaar van die grond waarop die openbare reg-van-weg geleë is binne 30 kalenderdae van die datum van die kennisgewing van voorneme beswaar aanteken teen die registrasie of deregistrasie, die beswaar oorweeg en met die eienaar, munisipaliteit en enige belanghebbende party wat aan die Minister of munisipaliteit bekend is, oorleg pleeg oor die registrasie of deregistrasie van die openbare reg-van-weg;
- (d) moet die Minister of munisipaliteit die openbare reg-van-weg in plaaslike nuusblaai adverteer;
- (e) kan die Minister of munisipaliteit, indien die eienaar van die grond, betrokke munisipaliteit of ander belanghebbende party in wie se gebied die openbare reg-van-weg geleë is in gebreke bly om te reageer binne 30 kalenderdae nadat die kennisgewing van voorneme vereis ingevolge paragraaf (f) voorgelê is en in gebreke bly om te reageer binne 21 kalenderdae na die advertering in plaaslike nuusblaai, aanvaar dat die eienaar van die grond, munisipaliteit of ander belanghebbende party geen beswaar teen die registrasie of deregistrasie van die openbare reg-van-weg het nie; en
- (g) moet die Minister of munisipaliteit waar daar 'n skriftelike beswaar is nadat daar aan paragraaf (e) voldoen is —
- (i) die skriftelike beswaar oorweeg;
  - (ii) oorleg pleeg met die grondeienaar, betrokke munisipaliteit en enige belanghebbende party wat aan die Minister of die munisipaliteit bekend is; en
  - (iii) na oorlegpleging ingevolge subparagraaf (ii), bepaal of die voorgestelde reg-van-weg geregistreer moet word en of die geïdentifiseerde reg-van-weg gederegistreer moet word.
- (8) Indien die Minister of 'n munisipaliteit besluit om die openbare reg-van-weg te registreer of te deregistreer, moet die Minister of 'n munisipaliteit —
- (a) ten einde die openbare reg-van-weg te registreer —
    - (i) die openbare reg-van-weg, tesame met 'n diagram wat die roete van die openbare reg-van-weg spesifiseer, in die toepaslike register vir openbare regte-van-weg aanteken en aan dit 'n registrasienommer toeken, asook die eiendoms-, perseel- en erfbeskrywing vir die openbare reg-van-weg aanteken;
    - (ii) aandui wie verantwoordelik sal wees vir die bou, instandhouding en omheining, indien enige, van die openbare reg-van-weg;
    - (iii) die tipe, standaard, wydte en gebruik van die openbare reg-van-weg aandui; en
    - (iv) waar 'n aansoeker die aansoek ingevolge subregulasie (6) ingedien het, die aansoeker in kennis stel dat die openbare reg-van-weg geregistreer gaan word en dat die registrasiegeld betaal moet word; of
  - (b) ten einde 'n reg-van-weg te deregistreer —
    - (i) die geïdentifiseerde reg-van-weg deregistreer; en
    - (ii) die aansoeker in kennis stel dat die geïdentifiseerde openbare reg-van-weg gederegistreer is en skriftelike redes vir die besluit verskaf.
- (9) Die magtiging vir die registrasie van die openbare reg-van-weg ingevolge subregulasie (8)(a) verval indien —
- (a) die aansoeker in gebreke bly om die vereiste registrasiegeld te betaal; of
  - (b) die openbare reg-van-weg nie gebou word binne 18 maande vanaf die datum van kennisgewing nie.
- (10) Waar 'n openbare reg-van-weg ingevolge subregulasie (9)(b) verval —
- (a) moet die Minister of 'n munisipaliteit die openbare reg-van-weg deregistreer; en
  - (b) moet 'n nuwe aansoek ingedien en goedgekeur word ingevolge hierdie regulasie voordat enige reg-van-weg gebou kan word.
- (11) Die Minister of 'n munisipaliteit moet, waar 'n openbare reg-van-weg ingevolge hierdie regulasie gemagtig is, die aansoeker skriftelik in kennis stel —
- (a) van enige voorwaardes rakende die registrasie van die openbare reg-van-weg, met inbegrip van maar nie beperk nie tot vereistes om —
    - (i) die vereiste gelde te betaal ten einde die openbare reg-van-weg te registreer;
    - (ii) die vereiste registrasiegeld te betaal ten einde die openbare reg-van-weg by die betrokke akteskantoor te registreer; en
    - (iii) die openbare reg-van-weg te bou, in stand te hou en, waar dit vereis word, te omhein;
  - (b) van die registrasienommer van die openbare reg-van-weg;
  - (c) dat enige magtiging ingevolge hierdie regulasie 'n byvoeging is tot en nie ter vervanging is van enige goedkeuring of magtiging deur enige ander wet vereis nie; en
  - (d) wie aanspreeklik sal wees vir alle koste vir en instandhouding van die openbare reg-van-weg gemagtig ingevolge hierdie regulasie.
- (12) Die Minister of munisipaliteit moet, waar 'n aansoek wat ingevolge subregulasie (6) ingedien is nie gemagtig is nie, die aansoeker in kennis stel —
- (a) dat die aansoek nie aan beoordelingskriteria ingevolge subregulasie (4) voldoen nie; en
  - (b) van die redes waarom daar nie aan beoordelingskriteria voldoen is nie.
- (13) 'n Diagram van enige geregistreerde reg-van-weg moet tesame met die registrasie van die openbare reg-van-weg in die departement se hoofkantoor en die streekkantoor verantwoordelik vir die openbare reg-van-weg of in die kantore van die betrokke munisipaliteit beskikbaar wees.
- (14) 'n Persoon kan 'n nuwe openbare reg-van-weg gebruik waar die Minister —
- (a) tydelike skriftelike magtiging vir die openbare reg-van-weg verleen het; of
  - (b) die openbare reg-van-weg geregistreer het.
- (15) Die Minister of die betrokke munisipaliteit kan 'n waarskuwing uitreik waarin die persoon vermeld in subregulasie (11)(a) 'n gespesifiseerde tydperk vergun word om 'n oortreding of versuim reg te stel om aan hierdie regulasie te voldoen waar die persoon —
- (a) die bepalings van hierdie regulasie oortree of in gebreke bly om daaraan te voldoen; of
  - (b) in gebreke bly om aan enige voorwaarde deur die Minister of die betrokke munisipaliteit opgelê, te voldoen met betrekking tot die bou, instandhouding en omheining, indien enige, van die openbare reg-van-weg.
- (16) Waar die persoon vermeld in subregulasie (11)(a) in gebreke bly om aan die regstellingsbepalings van die waarskuwing uitgereik ingevolge subregulasie (15) te voldoen —
- (a) is die persoon aanspreeklik vir alle koste deur die Minister of die betrokke munisipaliteit aangegaan om die openbare reg-van-weg te bou, in stand te hou of te omhein; en
  - (b) kan die Minister of die betrokke munisipaliteit gelas dat die openbare reg-van-weg gesluit word, en is die persoon aanspreeklik vir alle koste aangegaan om die openbare reg-van-weg te sluit.
- (17) Indien 'n persoon 'n gemagtigde reg-van-weg wil verander, moet hy of sy weer ingevolge subregulasie (6) om enige verandering aan die reg-van-weg aansoek doen.
- (18) Waar die Minister of munisipaliteit verneem dat 'n ongemagtigde openbare reg-van-weg in gebruik is, kan die Minister of die betrokke munisipaliteit die openbare reg-van-weg ingevolge hierdie regulasie beoordeel en die openbare reg-van-weg registreer of reël dat dit gesluit word.

- (19) Waar 'n persoon gespesifiseer in subregulasie (11)(d) in gebreke bly om 'n openbare reg-van-weg in stand te hou, kan die Minister of betrokke munisipaliteit —
- (a) die openbare reg-van-weg sluit, en sal die persoon wat in gebreke gebly het om die openbare reg-van-weg in stand te hou verantwoordelik wees vir alle koste om die openbare reg-van-weg te sluit; of
  - (b) enige skade herstel wat veroorsaak is deur die versuim om die openbare reg-van-weg in stand te hou, met die persoon wat in gebreke gebly het om die openbare reg-van-weg in stand te hou aanspreeklik teenoor die Minister of betrokke munisipaliteit vir alle koste vir herstel.
- (20) Die Minister of betrokke munisipaliteit kan enige skade aan 'n openbare reg-van-weg, met inbegrip van die heining, indien enige, ondersoek.
- (21) 'n Persoon wat verantwoordelik is vir skade aan 'n openbare reg-van-weg, met inbegrip van die heining, indien enige, is aanspreeklik vir alle herstelwerk.
- (22) 'n Persoon mag nie —
- (a) 'n openbare reg-van-weg bou of opgegradeer sonder om aan hierdie regulasie te voldoen nie;
  - (b) in gebreke bly om 'n openbare reg-van-weg gemagtig ingevolge hierdie regulasie in stand te hou nie;
  - (c) in gebreke bly om te voldoen aan die regstellingsbepalings van die waarskuwing uitgereik ingevolge subregulasie (15) nie;
  - (d) in gebreke bly om 'n openbare reg-van-weg ingevolge hierdie regulasie te sluit nie; of
  - (e) 'n openbare reg-van-weg te sluit sonder om aan hierdie regulasie te voldoen nie.

#### Beheer oor stormwater en waterlope op provinsiale paaie

- 5.(1) Die Minister moet die volgende kriteria by enige optrede ingevolge artikel 12(1) of 12(2)(a) en (b) van die Wet oorweeg:
- (a) enige verandering in grondgebruik of grondkontoere op eiendom aanliggend aan 'n provinsiale pad;
  - (b) enige onderverdeling of ontwikkeling van grond;
  - (c) enige gebou of struktuur op die grond;
  - (d) die moontlikheid van vloede of skade aan 'n provinsiale pad;
  - (e) die bou van enige struktuur soos 'n dam of keerwal, waar die watervlak in 'n rivier, stroom of waterloop inbreuk sal maak op 'n provinsiale pad of enige brug, drif, duiker, pyp of wal van 'n provinsiale pad;
  - (f) omgewingsimpak; en
  - (g) enige ander tersaaklike faktor wat 'n nadelige invloed op 'n provinsiale pad sal hê.
- (2) Die Minister moet op skriftelike versoek van en na betaling van die voorgeskrewe gelde die standaarde en vereistes wat toegepas is om 'n beslissing ingevolge die kriteria in subregulasie (1) te maak, aan 'n lid van die publiek beskikbaar stel.
- (3) Voordat enige stappe kragtens artikel 12(1) van die Wet gedoen word, moet 'n persoon of munisipaliteit —
- (a) 'n skriftelike versoek soos voorgeskryf in regulasie 18(1) indien; en
  - (b) die aansoek deur die eienaar laat mede-onderteken.
- (4) Waar 'n persoon of munisipaliteit 'n aansoek ingevolge subregulasie (3) ingedien het, moet die Minister die behoefte beoordeel ingevolge die kriteria in subregulasie (1) gespesifiseer.
- (5) Waar —
- (a) 'n aansoek wat ingevolge subregulasie (3) ingedien is aan beoordelingskriteria ingevolge subregulasie (1) voldoen, kan die Minister skriftelike magtiging verleen; en
  - (b) stappe nie binne 18 maande vanaf die datum van die skriftelike magtiging ingevolge paragraaf (a) gedoen word of aan die einde van die tydperk gemagtig in subregulasie (6) (b) nie, watter ook al die kortste is, verval die Minister se skriftelike magtiging en moet 'n nuwe aansoek ingedien word.
- (6) Die Minister moet, waar 'n aansoek wat ingevolge subregulasie (3) ingedien is ingevolge subregulasie (5)(a) gemagtig is, die aansoeker skriftelik in kennis stel —
- (a) van enige voorwaarde rakende die beskerming van die provinsiale pad teen waterskade;
  - (b) van die geldigheidstydperk van die magtiging om stappe te doen om die provinsiale pad teen waterskade te beskerm, welke tydperk nie 18 maande mag oorskry nie; en
  - (c) dat enige magtiging ingevolge hierdie regulasie 'n byvoeging is en nie ter vervanging is van enige goedkeuring of magtiging wat deur enige ander wet vereis word nie.
- (7) Die Minister moet, waar 'n aansoek wat ingevolge subregulasie (3) ingedien is nie gemagtig is nie, die aansoeker skriftelik in kennis stel —
- (a) dat die aansoek nie aan beoordelingskriteria ingevolge subregulasie (1) voldoen nie; en
  - (b) van die redes waarom nie aan beoordelingskriteria voldoen is nie.
- (8) Die persoon of munisipaliteit gemagtig ingevolge subregulasie 5(a) moet, voordat enige stappe gedoen word, die Minister skriftelik in kennis stel van die verwagte bouwerk om —
- (a) water bo-oor, onderdeur of dwarsoor 'n provinsiale pad te lei; of
  - (b) die vlak van water in 'n rivier, dam of waterloop te verhoog of te verlaag wat enige provinsiale pad of enige brug, duiker, drif of enige ander ding wat deel van 'n provinsiale pad uitmaak of daarmee in verband staan of daaraan behoort, kan belemmer of in gevaar stel.
- (9) Die eienaar van grond aanliggend aan 'n provinsiale pad is aanspreeklik vir alle koste waar stappe gedoen word om —
- (a) water bo-oor, onderdeur of dwarsoor 'n provinsiale pad te lei; of
  - (b) die vlak van water in 'n rivier, dam of waterloop te verhoog of te verlaag om die belemmering of ingevaarstelling van enige provinsiale pad of enige brug, duiker, drif of enige ander ding wat deel van 'n provinsiale pad uitmaak of daarmee in verband staan of daaraan behoort, te voorkom.
- (10) Indien enige eienaar van grond aanliggend aan 'n provinsiale pad enige van die bepalinge van hierdie regulasie oortree of versuim om daaraan te voldoen, of enige voorwaarde wat deur die Minister opgelê is, of versuim om aan voorgeskrewe standaarde vir die beskerming van 'n provinsiale pad teen waterskade te voldoen, kan die Minister 'n waarskuwing uitreik waarin die eienaar 'n gespesifiseerde tydperk vergun word om die eienaar se oortreding of versuim om aan die regulasie te voldoen, reg te stel.
- (11) Waar die eienaar van grond in gebreke bly om aan die regstellingsbepalings van die waarskuwing uitgereik ingevolge subregulasie (10) te voldoen, is die —

- (a) eienaar van die grond aanliggend aan 'n provinsiale pad aanspreeklik vir alle koste waar die eienaar geweet het of rede gehad het om te weet dat sy of haar versuim om stappe te doen die provinsiale pad of enige brug, duiker, drif of ander ding wat deel van 'n provinsiale pad uitmaak, daarmee in verband staan of daaraan behoort, sou beskadig; en
- (b) die Minister kan gelas dat die provinsiale pad tydelik gesluit word, en is die eienaar aanspreeklik vir alle koste deur die Minister aangegaan om enige skade te herstel veroorsaak deur die eienaar se versuim om die provinsiale pad te beskerm teen waterskade en om die provinsiale pad tot 'n aanvaarbare toestand te herstel.
- (12) 'n Persoon mag nie —
- (a) water bo-oor, onderdeur of dwarsoor 'n provinsiale pad lei sonder om aan hierdie regulasie te voldoen nie;
- (b) die vlak van water in 'n rivier, dam of waterloop verhoog of verlaag om die belemmering of ingevaarstelling van enige provinsiale pad of enige brug, duiker, drif, of enige ander ding wat deel van die provinsiale pad uitmaak, of daarmee in verband staan of daaraan behoort, te voorkom sonder om aan hierdie regulasie te voldoen nie;
- (c) enige waterloop, stroom of rivier laat afwyk sonder om aan hierdie regulasie te voldoen nie;
- (d) stormwater van of onder enige provinsiale pad weglei na privaateiendom sonder om aan hierdie regulasie te voldoen nie;
- (e) in gebreke bly om enige waterloop, stroom of rivier in stand te hou of te beheer of om stormwater weg te lei ten einde waterskade aan 'n provinsiale pad te voorkom nie; of
- (f) in gebreke bly om te voldoen aan die regstellingsbepalings van die waarskuwing uitgereik ingevolge subregulasie (10) nie.

### Strukture aanliggend aan of op provinsiale paaie

6. (1) Die Minister moet die volgende kriteria oorweeg voordat toestemming verleen word dat enige struktuur opgerig, gelê, gevestig of verbou of die oprigting, lê, vestiging of verbouing van enige struktuur toegelaat word, met uitsluiting van heinings deur die departement opgerig ingevolge regulasie 7, op, oor of onder die oppervlak van 'n provinsiale pad om sodoende op die provinsiale pad inbreuk te maak, of in 'n boubeperkingsgebied binne 15 meter van die grens van 'n groot- of distrikspad:
- (a) enige verandering rakende grondgebruik of die gebruik van 'n gebou;
- (b) enige onderverdeling of ontwikkeling van grond;
- (c) die funksie of potensiële gebruik van die struktuur, oprigting of verbetering — bogronds of ondergronds — met inbegrip van maar nie beperk tot nutsdienste en alle strukture wat daarmee verband hou;
- (d) die ligging en plasing van die struktuur;
- (e) padbou-, instandhoudings- en verkeersveiligheidsoorwegings;
- (f) stormwaterbeheer op die groot- en distrikspad;
- (g) omgewingsimpak;
- (h) waar tersaaklik, bevordering van ekonomiese groei en volhoubare ontwikkeling; en
- (i) enige ander tersaaklike faktor wat 'n nadelige uitwerking op die ongeskondenheid van die provinsiale pad kan hê.
- (2) Die Minister moet op skriftelike versoek van en na betaling van die voorgeskrewe gelde die standarde en vereistes wat toegepas is om 'n beslissing ingevolge die kriteria in subregulasie (1) te maak, aan 'n lid van die publiek beskikbaar stel.
- (3) Die Minister kan 'n behoefte identifiseer om enige struktuur op te rig, te lê, te vestig of te verbou op, oor, of onder die oppervlak van 'n provinsiale pad wat op die provinsiale pad inbreuk maak, of in 'n boubeperkingsgebied binne vyftien meter van die grens van 'n groot- of distrikspad.
- (4) 'n Persoon of munisipaliteit wat enige van die stappe hieronder oorweeg, moet skriftelike magtiging van die Minister bekom deur 'n aansoek ingevolge regulasie 17(1) in te dien wanneer enige van die volgende aktiwiteite oorweeg word:
- (a) oprigting, lê, vestiging of verbouing van enige struktuur op, oor of onder die oppervlak van 'n provinsiale pad wat inbreuk maak op 'n provinsiale pad;
- (b) oprigting, lê, vestiging of verbouing van enige struktuur in 'n boubeperkingsgebied binne 15 meter van die grens van 'n groot- of distrikspad; of
- (c) die onderneming van enige aktiwiteit met betrekking tot 'n struktuur wat 'n nadelige uitwerking op 'n provinsiale pad kan hê, of 'n direkte uitwerking op die ongeskondenheid van die pad het.
- (5) Waar die Minister 'n behoefte ingevolge subregulasie (3) geïdentifiseer het, of 'n persoon of 'n munisipaliteit 'n aansoek ingevolge (4) ingedien het, moet die Minister die behoefte beoordeel om die provinsiale pad te beskerm ingevolge die kriteria in subregulasie (1) gespesifiseer en die nodige stappe doen.
- (6) Waar —
- (a) 'n aansoek wat ingevolge subregulasie (4) ingedien is aan die beoordelingskriteria ingevolge subregulasie (1) voldoen, moet die Minister skriftelike magtiging verleen om enige struktuur op te rig, te lê, te vestig of te verbou wat inbreuk maak op 'n provinsiale pad, of binne 15 meter is van die grens van 'n groot- of distrikspad; en
- (b) stappe nie gedoen word binne 18 maande van die datum van die skriftelike magtiging ingevolge paragraaf (a) of aan die einde van die tydperk gemagtig in subregulasie (7)(b) nie, watter ook al die kortste is, verval die Minister se skriftelike magtiging en moet 'n nuwe aansoek ingedien word.
- (7) Die Minister moet, waar 'n aansoek wat ingevolge subregulasie (4) ingedien is ingevolge subregulasie (6)(a) gemagtig is, die aansoeker skriftelik in kennis stel —
- (a) van enige tersaaklike voorwaardes om die provinsiale pad teen skade te beskerm;
- (b) van die geldigheidstydperk van die magtiging van die aansoek om stappe te doen om enige struktuur op te rig, te lê, te vestig of te verbou op, oor, of onder 'n provinsiale pad, of in 'n boubeperkingsgebied binne 15 meter van die grens van die groot- of distrikspad, welke tydperk nie 18 maande mag oorskry nie; en
- (c) dat enige magtiging ingevolge hierdie regulasie 'n byvoeging is en nie ter vervanging is van enige goedkeuring of magtiging deur enige ander wet vereis nie.
- (8) Die Minister moet, waar 'n aansoek wat ingevolge subregulasie (4) ingedien is nie gemagtig is nie, die aansoeker skriftelik in kennis stel —
- (a) dat die aansoek nie aan beoordelingskriteria ingevolge subregulasie (1) voldoen nie;
- (b) van die redes waarom nie aan beoordelingskriteria voldoen is nie; en
- (c) dat die aansoek ingevolge subregulasie (1) beoordeel is en dat 'n afskrif van die beoordeling op skriftelike versoek tot die aansoeker se beskikking is.
- (9) Die persoon of munisipaliteit gemagtig ingevolge subregulasie (6)(a) moet, voordat enige stappe gedoen word, die Minister skriftelik in kennis stel van die verwagte oprigting van 'n struktuur aanliggend aan of op 'n provinsiale pad, of binne 15 meter van die grens van 'n groot- of distrikspad.

- (10) Indien 'n aansoek nie aan die beoordelingsvereistes ingevolge subregulasie (1) voldoen nie en 'n persoon of munisipaliteit 'n struktuur strydig met hierdie regulasie opgerig het, kan die Minister die struktuur verwyder of enige vereiste herstelwerk of instandhouding onderneem ten einde die ongeskondenheid van die provinsiale pad te beskerm.
- (11) 'n Persoon of munisipaliteit wat 'n struktuur oprig, lê, vestig of verbou op grond aanliggend aan of op 'n provinsiale pad of binne 15 meter van die grens van 'n groot- of distrikspad sonder vooraf skriftelike magtiging ingevolge subregulasie (6)(a), is aanspreeklik vir die koste om die provinsiale pad tot sy oorspronklike toestand te herstel.
- (12) Waar die Minister ingevolge subregulasie (3) 'n behoefte geïdentifiseer het, is die Minister verantwoordelik vir die aanvanklike oprigtingskoste, instandhouding en ander koste, behalwe waar daar 'n ooreenkoms bestaan.
- (13) 'n Suksesvolle aansoeker ingevolge subregulasie (6)(a) is aanspreeklik vir alle koste om enige struktuur op te rig, te lê, te vestig of te verbou en die oprigting, lê, vestiging of verbouing van enige struktuur op, oor of onder die oppervlak van 'n provinsiale pad, of in 'n boubeperkingsgebied 15 meter van die groot- of distrikspad, te onderhou of toe te laat.
- (14) 'n Persoon mag 'n struktuur op, oor of onder die oppervlak van 'n provinsiale pad, of in 'n boubeperkingsgebied binne 15 meter van die grens van 'n grootpad of distrikspad, gebruik waar die Minister —
- tydelike skriftelik magtiging ingevolge subregulasie (6)(a) vir die gebruik van die struktuur verleen het; of
  - skriftelike magtiging verleen het wat die nakoming van ingenieurstandaarde sertifiseer wat van tyd tot tyd deur die Minister gespesifiseer word ten einde die ongeskondenheid van die provinsiale pad te verseker.
- (15) Indien enige persoon of munisipaliteit 'n struktuur oprig, lê, vestig of verbou of die oprigting, lê, vestiging of verbouing van 'n struktuur toelaat op, oor of onder die oppervlak van 'n provinsiale pad, of in boubeperkingsgebied binne 15 meter van 'n groot- of distrikspad in stryd met hierdie regulasie, of andersins in gebreke bly om aan enige bepaling van hierdie regulasie of enige voorwaarde opgelê deur die Minister te voldoen, kan die Minister 'n waarskuwing uitreik waarin die persoon of munisipaliteit 'n gespesifiseerde tydperk vergun word om die persoon of munisipaliteit se oortreding van of versuim om aan die hierdie regulasie te voldoen, reg te stel.
- (16) Waar 'n persoon of munisipaliteit in gebreke bly om aan die regstellingsbepalings van 'n waarskuwing uitgereik ingevolge (15) te voldoen, is die persoon of munisipaliteit aanspreeklik vir alle koste om die provinsiale pad tot sy oorspronklike toestand te herstel, met inbegrip van maar nie beperk nie tot die verwydering, sloping en beskikking oor alle materiaal wat met die struktuur verband hou.
- (17) 'n Persoon of munisipaliteit wat verantwoordelik is vir 'n ongemagtigde struktuur op, oor of onder die oppervlak van 'n provinsiale pad wat inbreuk maak op 'n provinsiale pad, of in 'n boubeperkingsgebied binne 15 meter van die grens van 'n groot- of distrikspad, moet binne 30 kalenderdae ingevolge subregulasie (4) aansoek doen nadat die persoon of munisipaliteit formeel in kennis gestel is dat die struktuur nie in ooreenstemming is met kriteria ingevolge hierdie regulasie opgerig is nie.
- (18) Indien 'n persoon of munisipaliteit in gebreke bly om 'n magtiging vir 'n struktuur ingevolge subregulasie (6)(a) of (14) te bekom, moet die persoon of munisipaliteit die struktuur verwyder of verskuif.
- (19) Indien 'n persoon of munisipaliteit in gebreke bly om die struktuur ingevolge subregulasie (18) te verwyder of te verskuif —
- kan die Minister die struktuur verwyder of verskuif; en
  - is die persoon of munisipaliteit aanspreeklik vir alle koste deur die Minister aangegaan om —
    - die struktuur te verwyder of te verskuif; en
    - die provinsiale pad tot sy oorspronklike toestand te herstel.
- (20) Die Minister kan die behoefte identifiseer om 'n struktuur aanliggend aan of op 'n provinsiale pad te verwyder of te verskuif en die struktuur verwyder of verskuif.
- (21) 'n Persoon of munisipaliteit wat die verwydering of verskuiwing van 'n struktuur oorweeg, moet ingevolge subregulasie (4) aansoek doen.
- (22) 'n Persoon of munisipaliteit wat magtiging ontvang om 'n struktuur te verwyder of te verskuif, is aanspreeklik vir alle koste om die struktuur te verwyder of te verskuif en die provinsiale pad tot sy oorspronklike toestand te herstel.
- (23) Die Minister kan enige skade veroorsaak deur 'n persoon of munisipaliteit se versuim om 'n struktuur in stand te hou, herstel en die persoon of munisipaliteit is aanspreeklik vir herstelwerk en alle koste om die provinsiale pad tot sy oorspronklike toestand te herstel.
- (24) Die Minister kan 'n struktuur wat nie ingevolge subregulasie (13) in stand gehou word nie verwyder of verskuif en die Minister kan alle koste vir die verwydering of verskuiwing van die struktuur van die persoon of munisipaliteit verhaal.
- (25) 'n Persoon mag nie —
- 'n struktuur oprig, lê, vestig of verbou op, oor of onder die oppervlak van 'n provinsiale pad wat inbreuk maak op 'n provinsiale pad nie, of in 'n boubeperkingsgebied binne 15 meter van die grens van 'n groot- of distrikspad, sonder om aan hierdie regulasie te voldoen nie;
  - in gebreke bly om te voldoen aan die regstellingsbepalings van die waarskuwing uitgereik ingevolge subregulasie (15) nie; of
  - in gebreke bly om 'n struktuur ingevolge subregulasie (16) of (18) te verwyder of te verskuif nie.

### Heinings op provinsiale paaie

- 7.(1) Die Minister kan heinings oprig aanliggend aan enige provinsiale pad of, na die Minister se uitsluitlike goeddunke, 'n persoon of munisipaliteit geldelik bystaan met die oprigting of herstel van heinings.
- (2) Die Minister moet die volgende kriteria by die magtiging van die oprigting, vervanging of verwydering van heinings aanliggend tot 'n provinsiale pad oorweeg:
- afbakening van die grens van 'n provinsiale padreserwe;
  - toegangsbeheer tot 'n provinsiale pad;
  - voorkoming dat diere 'n provinsiale padreserwe binnegaan;
  - voorkoming dat inbreuk op 'n provinsiale pad gemaak word;
  - pad- en verkeersveiligheidsoorwegings;
  - enige ander tersaaklike faktor wat 'n nadelige uitwerking op 'n provinsiale pad kan hê; en
  - die beskikbaarheid van fondse deur die KwaZulu-Natal Provinsiale Wetgewer vir heinings toegewys.
- (3) Die Minister moet op skriftelike versoek van en na betaling van die voorgeskrewe gelde die standaarde en vereistes wat toegepas is om 'n beslissing ingevolge die kriteria van subregulasie (2) te maak, aan 'n lid van die publiek beskikbaar stel.
- (4) Die Minister kan, ingevolge die kriteria in subregulasie (2) gespesifiseer, die behoefte identifiseer om —
- 'n heining op die grens van 'n padreserwe van nie-omheinde dele van 'n provinsiale pad tydens die bou van of na voltooiing van die bouwerk aan die provinsiale pad op te rig;

- (b) heinings op die grens van die padreserwe van 'n provinsiale pad op te rig, in stand te hou of te vervang; of
- (c) 'n heining op die grens van 'n provinsiale pad te verwyder.
- (5) Wanneer 'n bydrae ingevolge artikel 14(3) van die Wet verlang word, moet 'n persoon of munisipaliteit, met inbegrip van maar nie beperk nie tot die eienaar van eiendom aanliggend aan 'n provinsiale pad, 'n aansoek indien om 'n heining op te rig, te vervang of te verwyder voordat enige stappe gedoen word.
- (6) 'n Aansoek ingedien ingevolge subregulasie (5) moet deur die eienaar van eiendom aanliggend tot 'n provinsiale pad onderteken word.
- (7) Waar die Minister ingevolge subregulasie (4) die behoefte geïdentifiseer het om 'n heining op die grens van 'n provinsiale pad op te rig, te vervang of te verwyder, of 'n persoon of munisipaliteit, met inbegrip van maar nie beperk nie tot die eienaar, 'n aansoek ingevolge subregulasie (5) ingedien het, moet die Minister die behoefte beoordeel om 'n heining ingevolge subregulasie (2) op te rig, te vervang of te verwyder.
- (8) Waar —
- (a) 'n aansoek wat ingevolge subregulasie (5) ingedien is aan die beoordelingskriteria ingevolge subregulasie (2) voldoen, kan die Minister skriftelike magtiging verleen dat 'n heining op die grens van 'n provinsiale pad opgerig, vervang of verwyder moet word; en
- (b) stappe nie binne 18 maande na die skriftelike magtiging ingevolge paragraaf (a) gedoen word of aan die einde van die tydperk gemagtig in subregulasie (9)(c) nie, watter een ook al die kortste is, verval die Minister se skriftelike magtiging en moet 'n nuwe aansoek ingedien word.
- (9) Die Minister moet, waar 'n aansoek wat ingevolge subregulasie (5) ingedien is ingevolge subregulasie (8)(a) gemagtig is, die aansoeker skriftelik in kennis stel —
- (a) van enige tersaaklike voorwaardes, met inbegrip van maar nie beperk nie tot voorwaardes wat spesifiseer —
- (i) watter deel van die provinsiale pad omhein en nie omhein mag word nie;
- (ii) dat die eienaar van die eiendom aanliggend tot die provinsiale pad verantwoordelik is vir alle koste betreffende die oprigting of verwydering van 'n heining;
- (iii) dat in plaas van 'n heining, padreserwewerkers op die grens van die padreserwe deur die Minister opgerig kan word en nie verwyder mag word nie; en
- (iv) dat die aanliggende grondeienaar die Minister vrywaar van aanspreeklikheid met betrekking tot enige skade wat voortspruit uit die heining, versuim om 'n heining op te rig, versuim om 'n heining in stand te hou of verwydering van heinings op eiendom aanliggend tot die provinsiale pad;
- (b) dat die aanliggende grondeienaar aan hierdie regulasie moet voldoen;
- (c) van die geldigheidstydperk van die magtiging van die aansoek om 'n heining op die grens van 'n provinsiale pad op te rig, te vervang of te verwyder, welke tydperk nie 18 maande mag oorskry nie; en
- (d) dat enige magtiging ingevolge hierdie regulasie 'n byvoeging en nie ter vervanging is van enige goedkeuring of magtiging deur enige ander wet vereis nie.
- (10) Die Minister moet, waar 'n aansoek wat ingevolge subregulasie (5) ingedien is nie gemagtig is nie, die aansoeker skriftelik in kennis stel —
- (a) dat die aansoek nie aan beoordelingskriteria ingevolge subregulasie (2) voldoen nie; en
- (b) van die redes waarom nie aan beoordelingskriteria voldoen is nie.
- (11) Die persoon of munisipaliteit gemagtig ingevolge subregulasie (8)(a) moet, voordat enige stappe gedoen word, die Minister in kennis stel van enige verwagte oprigting, vervanging of verwydering van heinings.
- (12) Indien 'n aansoek nie aan die beoordelingsvereistes ingevolge subregulasie (2) voldoen nie en 'n persoon of munisipaliteit heinings in stryd met hierdie regulasie opgerig, vervang of verwyder het, kan die Minister die heinings oprig, vervang of verwyder en enige verlangde herstelwerk of instandhouding onderneem om die ongeskondenheid van die provinsiale pad te verseker, met die persoon of munisipaliteit aanspreeklik vir die koste om die provinsiale pad tot sy oorspronklike toestand te herstel.
- (13) Waar die Minister ingevolge subregulasie (4) die behoefte geïdentifiseer het om heinings op te rig, te vervang of te verwyder, is die Minister verantwoordelik vir alle koste om die heinings op te rig, te vervang of te verwyder.
- (14) Waar 'n aansoek ingevolge subregulasie 8(a) gemagtig is, is die eienaar van eiendom aanliggend aan die provinsiale pad verantwoordelik vir alle koste om die heinings op te rig, te vervang of te verwyder.
- (15) Die eienaar aanliggend aan 'n provinsiale pad is verantwoordelik vir alle koste om heinings aanliggend aan die provinsiale pad in stand te hou.
- (16) Die Minister kan, na sy of haar uitsluitlike goeëddunke en nadat 'n skriftelike kennisgewing van 'n eienaar van eiendom aanliggend aan 'n provinsiale pad ontvang is, skade aan die heining herstel binne vyf kalenderdae na die skade en die koste verhaal van die verantwoordelike party.
- (17) Indien die eienaar van eiendom aanliggend aan die provinsiale pad in gebreke bly om skriftelik kennis te gee van skade aan heinings aanliggend aan sy of haar eiendom ingevolge subregulasie (16), of die Minister andersins weier om 'n heining te herstel, is die aanliggende eienaar verantwoordelik vir die herstel van die heining.
- (18) 'n Eienaar van eiendom aanliggend aan 'n grootpad kan 'n skriftelike aansoek indien vir 'n bydrae om heinings op die grens van die padreserwe van 'n grootpad op te rig, in stand te hou of te vervang op die wyse wat van tyd tot tyd deur die Minister voorgeskryf word, welke bydrae na die goeëddunke van die Minister gemagtig kan word.
- (19) 'n Eienaar van eiendom aanliggend aan 'n provinsiale pad wat 'n bydrae ingevolge subregulasie (18) bekom, moet heinings in ooreenstemming met spesifikasies en standaarde, met inbegrip van kostevereistes deur die Minister gespesifiseer, in stand hou of vervang.
- (20) Waar 'n eienaar van eiendom aanliggend tot 'n provinsiale pad deur wetgewing aangesê word om 'n heining langs 'n provinsiale pad te vervang, kan die Minister, na sy of haar goeëddunke, 'n bydrae maak tot die koste van materiaal vir die vervanging van die heining teen 'n tarief wat deur die Minister gemagtig is.
- (21) Die eienaar van eiendom aanliggend aan 'n provinsiale pad moet skriftelik in kennis gestel word indien 'n heining inbreuk maak op die padreserwe langs 'n provinsiale pad en die heining moet verskuif word of heropgerig word binne die tydperk wat deur die Minister gespesifiseer word, en die eienaar is aanspreeklik vir alle koste aangegaan om die heining te verskuif na die grens deur die Minister gespesifiseer.
- (22) Waar die eienaar van grond aanliggend aan 'n provinsiale pad in gebreke bly om 'n heining ingevolge subregulasie (21) te verskuif of herop te rig, kan die Minister die heining verskuif of heroprig en die koste van die grondeienaar eis.
- (23) Die Minister is verantwoordelik vir die verskuiwing of vervanging van heinings langs die padreserwegrense waar bestaande heinings geraak word deur die verlegging of bou van 'n provinsiale pad.
- (24) 'n Persoon mag nie —
- (a) 'n heining aanliggend aan of op 'n provinsiale pad oprig, vervang of verwyder sonder die vooraf skriftelike magtiging van die Minister nie;
- (b) 'n heining aanliggend aan of op 'n provinsiale pad oprig, vervang of verwyder sonder om te voldoen aan die spesifikasies deur die Minister bepaal nie;

- (c) 'n heining oprig wat inbreuk maak op 'n provinsiale pad nie; of
- (d) weier om 'n heining ingevolge subregulasie (21) te verwyder of her-op te rig nie.

#### **Hekke op of dwarsoor provinsiale paaie**

8.(1) Die Minister moet die volgende kriteria oorweeg wanneer hy die oprigting van 'n hek op of dwarsoor 'n provinsiale pad oorweeg:

- (a) openbare gesondheids- en dieregesondheidsbeheer;
  - (b) internasionale grensbeheer;
  - (c) natuurbewaring, met inbegrip van maar nie beperk nie tot die beweging van vee in 'n gebied aanliggend aan 'n openbare of privaat wildreser-vaat;
  - (d) voorraadbeheer, met inbegrip van die beheer van voorraad aanliggend aan 'n provinsiale pad;
  - (e) verkeersvloei op die provinsiale pad of 'n aanliggende provinsiale pad;
  - (f) pad- en verkeersveiligheidsoorwegings; en
  - (g) enige ander tersaaklike faktor wat 'n invloed op die provinsiale pad kan hê.
- (2) Die Minister moet op skriftelike versoek van en na betaling van die voorgeskrewe gelde van die standaard en vereistes wat toegepas is om 'n beslissing ingevolge die kriteria in subregulasie (1) te maak, aan 'n lid van die publiek beskikbaar stel.
- (3) Die Minister kan, ingevolge kriteria vermeld in subregulasie (1), die behoefte identifiseer om 'n hek dwarsoor 'n provinsiale pad op te rig, te vervang of te verwyder.
- (4) Ondanks subregulasie (3), moet 'n persoon of munisipaliteit 'n aansoek voorgeskryf in subregulasie 17(1) indien om 'n hek dwarsoor 'n provinsiale pad op te rig, te vervang of te verwyder.
- (5) Waar die Minister ingevolge subregulasie (3) die behoefte geïdentifiseer het om 'n hek op te rig, te vervang of te verwyder of 'n persoon of munisipaliteit 'n aansoek ingevolge subregulasie (4) ingedien het, moet die Minister die behoefte beoordeel om die hek ingevolge subregulasie (1) op te rig, te vervang of te verwyder.
- (6) Waar —
- (a) 'n aansoek wat ingevolge subregulasie (4) ingedien is aan beoordelingskriteria ingevolge subregulasie (1) voldoen, kan die Minister skriftelike magtiging verleen om die hek op te rig, te vervang of te verwyder; en
  - (b) stappe nie gedoen word binne 18 maande vanaf die datum van die skriftelike magtiging ingevolge paragraaf (a) of aan die einde van die tydperk gemagtig in subregulasie (7)(b) nie, watter een ook al die kortste is, verval die Minister se skriftelike magtiging en moet 'n nuwe aansoek ingedien word.
- (7) Die Minister moet waar 'n aansoek wat ingevolge subregulasie (4) ingedien ingevolge subregulasie (6)(a) gemagtig is, die aansoeker in kennis stel —
- (a) van enige voorwaardes rakende die magtiging om die hek op te rig, te vervang of te verwyder, met inbegrip van maar nie beperk nie tot —
    - (i) standaard spesifikasies van die hek;
    - (ii) die plasing van die hek;
    - (iii) die vereiste dat die persoon of munisipaliteit verantwoordelik vir die oprigting van die hek, die volle koste betaal vir die installasie en instandhouding van die hek;
    - (iv) die vereiste dat die persoon of munisipaliteit verantwoordelik vir die oprigting van die hek, die koste betaal van enige voorgeskrewe beligting vir die hek; en
    - (v) dat die persoon of munisipaliteit wat die hek oprig, verplig is om die hek op eie koste te verwyder indien dit verwaarloos of 'n onnodige belemmering vir verkeersvloei is;
  - (b) van die geldigheids tydperk van die magtiging van die aansoek om die hek op te rig, te vervang of te verwyder, welke periode nie 18 maande mag oorskry nie; en
  - (c) dat enige magtiging ingevolge hierdie regulasie ter aanvulling van en nie ter vervanging is van enige goedkeuring of magtiging deur enige ander wet vereis nie.
- (8) Die Minister moet, waar 'n aansoek wat ingevolge subregulasie (4) ingedien is nie gemagtig is nie, die aansoeker skriftelik in kennis stel —
- (a) dat die aansoek nie aan beoordelingskriteria ingevolge subregulasie (1) voldoen nie; en
  - (b) van die redes waarom nie aan beoordelingskriteria voldoen is nie.
- (9) Die persoon of munisipaliteit gemagtig ingevolge subregulasie 6(a) moet, voordat enige stappe gedoen word, die Minister in kennis stel van enige verwagte oprigting, vervanging of verwydering van 'n hek.
- (10) Indien die aansoek nie aan beoordelingsvereistes ingevolge subregulasie (1) voldoen nie en 'n persoon of munisipaliteit 'n hek in stryd met hierdie regulasie opgerig, vervang of verwyder het, kan die Minister die hek verwyder en enige vereiste herstelwerk of instandhouding onderneem om die ongeskondenheid van die provinsiale pad te verseker, en is die persoon of munisipaliteit wat die hek opgerig het aanspreeklik vir die koste om die provinsiale pad tot sy oorspronklike toestand te herstel.
- (11) Waar die Minister ingevolge subregulasie (3) die behoefte geïdentifiseer het om 'n hek dwarsoor 'n provinsiale pad op te rig of te vervang, is die Minister vir alle koste verantwoordelik.
- (12) Waar die Minister bepaal dat 'n hek die vloei van verkeer belemmer of 'n veiligheidsgevaar is, kan die Minister die persoon wat die hek opgerig het, aansê om die hek te verwyder of te verander en wat by versuim deur die Minister verwyder of verander kan word, met die persoon wat die hek opgerig het verantwoordelik vir alle koste vir verwydering, verandering of herstel van die provinsiale pad tot sy oorspronklike toestand.
- (13) 'n Persoon mag nie 'n hek wat dwarsoor 'n provinsiale pad opgerig is sluit of andersins toegang daartoe beperk nie.
- (14) 'n Persoon mag nie —
- (a) 'n hek dwarsoor 'n provinsiale pad oprig sonder die vooraf magtiging van die Minister nie;
  - (b) 'n hek oor 'n provinsiale pad oprig sonder om aan die spesifikasies te voldoen wat deur die Minister bepaal is nie;
  - (c) in gebreke bly om die hek in stand te hou nie;
  - (d) weier om 'n hek in oortreding van subregulasie (2) te verwyder nie; of
  - (e) 'n hek sluit in oortreding van subregulasie (13) nie.

#### **Laat staan van voertuie, masjiene of dele, of die agterlaat van vullis binne die grense van provinsiale paaie en padreserwes**

- 9.(1) 'n Persoon kan nie sonder om 'n aansoek in te dien en vooraf skriftelike magtiging van die Minister ingevolge subregulasie (2) te bekom nie —
- (a) 'n voertuig op dieselfde plek binne die grense van 'n provinsiale pad vir 'n aaneenlopende tydperk van meer as sewe kalenderdae los nie;

- (b) enige petrol of ander vloeibare brandstof, olie, ghries of ander vlambare of hinderlike materiaal, as of ander vullis, van watter aard ook al, langs 'n provinsiale pad nalatig of opsetlik stort of veroorsaak of toelaat dat dit gestort word nie;
- (c) 'n voertuig, masjien of deel los of vullis binne die grense van 'n provinsiale pad laat staan nie; of
- (d) weier om 'n voertuig, masjien, deel of vullis binne die grense van 'n provinsiale pad te verwyder waar deur die Minister aangesê om dit te doen nie.

## (2) Die Minister —

- (a) moet die aansoek wat ingevolge subregulasie (1) ingedien word, oorweeg en die aansoeker binne twee werkdade nadat die aansoek ontvang is, in kennis stel of die aansoek suksesvol was; of
- (b) kan 'n verlate voertuig, masjien of deel of vullis van 'n provinsiale pad of aanliggend aan 'n provinsiale pad verwyder; en
- (c) die Minister kan niestandaard subregulasie (2)(a) enige voertuig, masjien of deel, of vullis wat 'n gevaar inhou, sonder enige vertraging verwyder.

(3) Die Minister is nie aanspreeklik vir enige koste waar 'n persoon 'n voertuig, masjien, of deel laat staan, of vullis agterlaat, binne die grense van 'n provinsiale pad nie.

(4) 'n Persoon wat 'n voertuig, masjien of deel laat staan, of vullis agterlaat, binne die grense van 'n provinsiale pad is aanspreeklik vir alle koste om die voertuig, masjien, deel of ander vullis te verwyder.

**Handel dryf op of aanliggend aan 'n provinsiale pad**

10.(1) Die Minister moet die volgende kriteria in aanmerking neem by die oorweging van 'n aansoek van 'n persoon om op of aanliggend aan 'n groot-pad of distrikspad handel te dryf:

(a) of die gebied wat in die aansoek vir handel bestem is —

- (i) om enige eiendom, stilstaande voertuig of enige ander item vir handelsdoeleindes te plaas binne die padreserwe van die provinsiale pad, of binne 15 meter van die padreserwegrens van die groot- of distrikspad;
- (ii) vir daardie doel deur 'n munisipaliteit gesoneer of afgebaken is;
- (iii) op of langs 'n groot- of distrikspad in 'n stedelike gebied is;
- (iv) binne 180 meter is van 'n spoorweegoorgang of enige padverkeerstek, of binne 500 meter van 'n kruising;
- (v) 'n toegang, kruising na of vanaf 'n groot- of distrikspad, of die sigbaarheid van padverkeergebruikers sal versper;
- (vi) toegang tot voertuigverkeer beperk, of parkering of laaigeriewe of ander geriewe daarvoor gebruik;
- (vii) enige padverkeersveiligheidsbaken sal versper; of
- (viii) 'n veiligheidsgevaar skep of enige persoon, met inbegrip van maar nie beperk nie tot padgebruikers en voetgangers, in enige gevaar stel;

(b) omgewingsimpak en gesondheidsgevaar, met inbegrip van maar nie beperk nie tot vullisverwydering;

(c) waar tersaaklik, bevordering van ekonomiese groei en volhoubare ontwikkeling; en

(d) enige ander tersaaklike faktor, met inbegrip van maar nie beperk nie tot padverkeersveiligheidsoorwegings, wat 'n impak op die groot- of distrikspad kan hê.

(2) Die Minister moet op skriftelike versoek van en na betaling van die voorgeskrewe gelde die standarde en vereistes wat toegepas is om 'n beslissing ingevolge die kriteria van subregulasie (1) te maak, aan 'n lid van die publiek beskikbaar stel.

(3) Die Minister kan die behoefte identifiseer om handel op of langs 'n provinsiale pad toe te laat.

(4) 'n Persoon of munisipaliteit wat alreeds handel dryf of van voorneme is om handel te dryf op of aanliggend aan 'n provinsiale pad, moet 'n aansoek indien in die formaat voorgeskryf by regulasie 17(1), waarin skriftelike magtiging van die Minister versoek word en moet die aansoek binne 10 kalenderdae na ontvangs van 'n amptelike kennisgewing om dit te doen, indien.

(5) Waar die Minister ingevolge subregulasie (3) die behoefte geïdentifiseer het vir die dryf van handel op of aanliggend aan 'n provinsiale pad, of 'n persoon of munisipaliteit 'n aansoek ingevolge subregulasie (4) ingedien het om op of aanliggend aan 'n provinsiale pad handel te dryf, moet die Minister die behoefte beoordeel en toepaslike stappe doen ingevolge kriteria ingevolge subregulasie (1) gespesifiseer.

(6) Waar —

(a) 'n aansoek wat ingevolge subregulasie (4) ingedien is aan beoordelingskriteria ingevolge subregulasie (1) voldoen, kan die Minister skriftelike magtiging verleen aan 'n persoon of munisipaliteit om op of aanliggend aan 'n provinsiale pad handel te dryf; en

(b) stappe nie binne 18 maande na die skriftelike magtiging ingevolge paragraaf (a) gedoen word of aan die einde van die tydperk gemagtig in subregulasie (7)(b) nie, wat ook al die kortste is, om handel op of aanliggend aan die groot- of distrikspad in te stel, verval die Minister se magtiging en moet 'n nuwe aansoek ingedien word.

(7) Die Minister moet, waar 'n aansoek wat ingevolge subregulasie (4) ingedien is ingevolge subregulasie (6)(a) gemagtig is, die aansoeker skriftelik in kennis stel —

(a) van enige voorwaardes rakende beoordelingskriteria ingevolge subregulasie (1), met inbegrip van maar nie beperk nie tot padveiligheidsaan-geleenthede en omgewingsimpak, met inbegrip van gesondheidsgevaar;

(b) van die geldigheids tydperk van die magtiging van die aansoek om handel te dryf op of aanliggend aan 'n groot- of distrikspad, welke periode nie 18 maande mag oorskry nie; en

(c) dat enige magtiging ingevolge hierdie regulasie ter aanvulling van en nie ter vervanging is van enige goedkeuring of magtiging vereis deur enige ander wet nie.

(8) Die Minister moet, waar 'n aansoek wat ingevolge subregulasie (4) ingedien is nie gemagtig is nie, die aansoeker skriftelik in kennis stel —

(a) dat die aansoek nie aan beoordelingskriteria ingevolge subregulasie (1) voldoen nie;

(b) van die redes waarom nie aan beoordelingskriteria voldoen is nie.

(9) Indien die aansoek nie aan beoordelingskriteria ingevolge subregulasie (1) voldoen nie en 'n persoon of munisipaliteit handel dryf op of aanliggend aan 'n provinsiale pad, of 'n persoon of munisipaliteit nie in ooreenstemming met die bepalinge en voorwaardes van die magtiging verleen ingevolge subregulasie (6)(a) of (7) handel dryf nie, kan die Minister —

(a) enige goedere of eiendom wat aan die persoon of munisipaliteit behoort wat op of aanliggend aan die groot- of distrikspad handel dryf, verwyder of daaroor beskik; of

(b) die struktuur waar die persoon of munisipaliteit goedere, eiendom of dienste verkoop het, verwyder of hervestig.

(10) Die persoon of munisipaliteit is aanspreeklik vir die koste om die goedere en eiendom te verwyder of daaroor te beskik, die struktuur waar die persoon of verantwoordelike owerheid die goedere, eiendom of dienste verkoop het, te verwyder of te hervestig ingevolge subregulasie (9), en om die groot- of distrikspad tot sy oorspronklike toestand te herstel.

- (11) Die suksesvolle aansoeker ingevolge subregulasie (6)(a) is aanspreeklik vir alle koste om op of aanliggend aan 'n groot- of distrikspad handel te dryf.
- (12) Ongeag enige goedkeuring wat die Minister ingevolge subregulasie (6)(a) aan 'n persoon verleen om op of aanliggend aan 'n groot- of distrikspad handel te dryf, is die Minister nie aanspreeklik vir enige koste hoegenaamd nie, met inbegrip van maar nie beperk nie tot nalatigheid of 'n opsetlike handeling deur of teenoor 'n persoon wat op of aanliggend aan 'n 'n groot- of distrikspad handel dryf.
- (13) Indien 'n persoon of munisipaliteit strydig met hierdie regulasie op of aanliggende aan 'n grootpad handel dryf, of andersins in gebreke bly om te voldoen aan enige bepaling van hierdie regulasie of enige voorwaarde deur die Minister opgelê, kan die Minister 'n waarskuwing uitreik waarin die persoon of munisipaliteit 'n spesifieke tydperk vergun word om die oortreding of versuim om aan hierdie regulasie te voldoen, reg te stel.
- (14) Waar 'n persoon of munisipaliteit in gebreke bly om aan die regstellingsbepalings van die waarskuwing uitgereik ingevolge subregulasie (13) te voldoen, is die persoon of munisipaliteit aanspreeklik vir alle koste om die groot- of distrikspad tot sy oorspronklike toestand te herstel, met inbegrip van maar nie beperk nie tot die verwydering, sloping en beskikking oor alle materiaal wat met die struktuur verband hou wat gebruik is vir handel dryf op of aanliggend aan die groot- of distrikspad.
- (15) Indien 'n persoon of munisipaliteit in gebreke bly om magtiging te bekom om handel te dryf op of aanliggend aan 'n groot- of distrikspad ingevolge hierdie regulasie, moet die persoon of munisipaliteit die dryf van handel staak.
- (16) 'n Persoon mag nie —
- (a) sonder om skriftelike magtiging ingevolge hierdie regulasie te bekom binne die padreserwe van 'n provinsiale pad handel dryf nie, of binne 15 meter van die padreserwegrens van 'n groot- of distrikspad nie;
  - (b) goedere op 'n plaaslike pad waar hierdie aktiwiteite 'n veiligheidsgevaar uitmaak, verhandel, aanbied, aflewer of vervaardig nie;
  - (c) versuim om aan hierdie regulasie of 'n voorwaarde deur die Minister ingevolge hierdie regulasie opgelê, te voldoen nie;
  - (d) sonder om skriftelike magtiging ingevolge hierdie regulasie te bekom, enige eiendom, stilstaande voertuig of ander item wat vir handelsdoeleindes gebruik word binne die padreserwe van 'n groot- of distrikspad plaas, of binne 15 meter van die padreserwegrens van die groot- of distrikspad nie;
  - (e) 'n toegang, kruising of sigbaarheid van padgebruikers op 'n groot- of distrikspad versper nie;
  - (f) toegang tot voertuigverkeer beperk, of parkering of laaigeriewe of ander geriewe daarvoor gebruik nie;
  - (g) enige padverkeersveiligheidsbakke versper nie; of
  - (h) enige persoon, met inbegrip van padgebruikers en voetgangers in gevaar stel nie.

#### Ontwikkelingsplanne

- 11.(1) Daar word van 'n munisipaliteit vereis om 'n vervoerplan by sy geïntegreerde ontwikkelingsplan, wat ingevolge artikel 19 van die Wet ingedien moet word, in te sluit waar die ontwikkelingsplan, wat 'n diagram moet insluit —
- (a) toegang tot, of verkeersvolumes op 'n provinsiale pad raak; of
  - (b) enige bouwerk of oprigting van strukture binne 500 meter van 'n provinsiale pad beoog.
- (2) Die Minister kan weier om 'n geïntegreerde ontwikkelingsplan goed te keur waar die plan —
- (a) nie betyds deur 'n munisipaliteit ingedien is nie;
  - (b) nie al die inligting bevat wat nodig is om die Minister in staat te stel om die impak van die ontwikkelingsplan op die provinsiale netwerk te beoordeel nie;
  - (c) in stryd is met provinsiale padnetwerkinfrastruktuurstandaarde;
  - (d) padverkeer- en padveiligheidsstandaarde negatief beïnvloed;
  - (e) toegang tot 'n provinsiale pad negatief beïnvloed;
  - (f) enige bouwerk of die oprigting van strukture binne 500 meter van 'n provinsiale pad beoog;
  - (g) enige provinsiale padontwikkeling en -onderhoud beoog wat nie in die begroting vir padontwikkeling en -onderhoud in die provinsie is nie;
  - (h) 'n negatiewe impak op die omgewing het; of
  - (i) die padnetwerk op enige ander wyse negatief beïnvloed.
- (3) 'n Munisipaliteit wat 'n ontwikkelingsplan implementeer —
- (a) sonder om ministeriële magtiging te verkry; of
  - (b) in stryd met ministeriële opdragte,
- is aanspreeklik vir alle koste deur die Minister aangegaan vir alle gevolglike herstel- of ander werk aan die provinsiale padnetwerk.

#### Beperking op die onderverdeling van grond

- 12.(1) 'n Persoon of munisipaliteit wat 'n onderverdelingsaansoek ingevolge artikel 20(1) van die Wet moet indien, moet dit op die voorgeskrewe vorm ingevolge regulasie 17(1) doen.
- (2) Die Minister kan weier om 'n onderverdelingsaansoek goed te keur waar die onderverdelingsaansoek —
- (a) nie betyds deur die munisipaliteit ingedien is nie;
  - (b) nie al die inligting bevat wat nodig is om die Minister in staat te stel om die impak van die onderverdelingsaansoek op die provinsiale padnetwerk te assesser ;
  - (c) in stryd is met provinsiale padnetwerkinfrastruktuurstandaarde;
  - (d) enige provinsiale padontwikkeling en -onderhoud beoog wat nie in die begroting vir padontwikkeling en -onderhoud in die provinsie is nie;
  - (e) 'n negatiewe uitwerking op die omgewing het; of
  - (f) waar die onderverdelingsaansoek die provinsiale padnetwerk op enige ander wyse negatief beïnvloed.
- (3) 'n Munisipaliteit wat voortgaan om 'n onderverdelingsplan te implementeer
- (a) sonder om 'n onderverdelingsaansoek in te dien;
  - (b) sonder dat ministeriële magtiging verkry is; of
  - (c) strydig is met ministeriële opdragte,
- is aanspreeklik vir die koste deur die Minister aangegaan vir alle gevolglike herstel- of ander werk aan die provinsiale padnetwerk.



**Veranderings in grondgebruik en ontwikkelingsvoorstelle**

13.(1) 'n Persoon of munisipaliteit wat 'n verandering in grondgebruik- of ontwikkelingsvoorstelaansoek ingevolge artikel 21(1) van die Wet moet indien, moet dit op die voorgeskrewe vorm ingevolge regulasie 17(1) doen.

- (2) Die Minister kan weier om 'n grondgebruik- en ontwikkelingsvoorstel goed te keur waar die grondgebruik- en ontwikkelingsvoorstel —
- (a) nie betyds deur die munisipaliteit ingedien word nie;
  - (b) nie al die inligting bevat wat nodig is om die Minister in staat te stel om die impak van die grondgebruik en ontwikkelingsvoorstel op die provinsiale padnetwerk te beoordeel nie;
  - (c) in stryd is met provinsiale padnetwerkinfrastruktuurstandaarde;
  - (d) padverkeer- en padveiligheidsstandaarde negatief beïnvloed;
  - (e) die toegangsomstandighede van 'n provinsiale of die bestaande vermoë van die provinsiale pad negatief beïnvloed;
  - (f) 'n negatiewe impak op die omgewing het;
  - (g) enige provinsiale padontwikkeling en -onderhoud beoog wat nie in die begroting vir padontwikkeling en -onderhoud in die provinsie is nie;
  - (h) die padnetwerk op enige ander wyse negatief beïnvloed.
- (3) 'n Munisipaliteit owerheid wat voortgaan om 'n verandering in grondgebruik en ontwikkelingsvoorstel te implementeer —
- (a) sonder om 'n verandering in grondgebruik en ontwikkelingsvoorstel in te dien;
  - (b) sonder dat ministeriële magtiging verkry is; of
  - (c) wat strydig is met ministeriële opdragte,
- is aanspreeklik vir die koste deur die Minister aangegaan vir alle gevolglike herstel- of ander werk aan die provinsiale padnetwerk.

**Instelling, beheer en bestuur van rusplekke vir vee**

14.(1) Die Minister moet die volgende kriteria oorweeg by die verklaring of afverklaring van 'n rusplek vir vee:

- (a) die beweging van vee op 'n provinsiale of openbare pad en die behoefte aan 'n rusplek vir vee;
  - (b) enige serwituut op of oor eiendom met die doel om 'n toegang, werke, keerwal die lê van pype in te stel en verbandhoudende koste om water aan 'n rusplek te voorsien;
  - (c) waar diere wat gewoonlik in die nabyheid van 'n pad wei 'n padveiligheidsgevaar skep;
  - (d) of die rusplek vir vee steeds in gebruik is;
  - (e) of die rusplek vir vee 'n padveiligheidsgevaar inhou; en
  - (f) die beskikbaarheid van fondse deur die KwaZulu-Natal Provinsiale Wetgewer vir daardie doel toegewys.
- (2) 'n Persoon of munisipaliteit kan 'n aansoek by die Minister indien vir die verklaring of afverklaring van 'n rusplek vir vee.
- (3) Waar 'n persoon of munisipaliteit 'n aansoek vir die verklaring van 'n rusplek ingevolge subregulasie
- (4) indien, kan die Minister, na oorlegpleging met die munisipaliteit waarbinne die voorgestelde of bestaande rusplek geleë is —
- (a) eiendom verkry met die doel om 'n rusplek vir vee in te stel; of
  - (b) enige serwituut op of oor die eiendom met die doel om redelike voorsiening van water aan die rusplek te verseker.
- (5) Die Minister moet 'n rusplek by kennisgewing in die *Koerant* verklaar op die eiendom in die kennisgewing beskryf.
- (6) Enige kennisgewing uitgereik ingevolge subregulasie (4) kan, te enige tyd, deur die Minister gewisig of herroep word by wyse van 'n verdere kennisgewing in die *Koerant*.
- (7) Die Minister moet die omvang en ligging van die rusplek aanliggend aan 'n provinsiale of openbare pad bepaal.
- (8) Die Minister kan enige rusplek wat duidelik deur 'n kennisgewingbord aangedui moet word, omhein.
- (9) Die Minister kan, na goeddunke, 'n serwituut of deel daarvan omhein wat op eiendom anders as 'n rusplek verkry kan word met die doel om 'n redelike toevoer van water aan die rusplek te voorsien.
- (10) 'n Persoon kan, na die verklaring van 'n rusplek ingevolge subregulasie (4), die eiendom gebruik as 'n rusplek vir vee wat op die openbare pad aangejaag word of wat gewoonlik in daardie omgewing wei.
- (11) Waar 'n persoon of munisipaliteit 'n aansoek ingedien het vir die afverklaring van 'n rusplek ingevolge subregulasie (4), kan die Minister, na oorlegpleging met die eienaar van die eiendom waarop die rusplek geleë is, 'n rusplek afverklaar en —
- (a) die eienaarskap van die rusplek weer in die eienaar vestig volgens sodanige bepalinge en voorwaardes waarop die Minister en die grondeienaar kan ooreenkom; of
  - (b) indien geen ooreenkoms bereik kan word tussen die Minister en die eienaar van die eiendom nie, kan die Minister —
    - (i) die eiendom waarop die rusplek geleë is toepaslik vervreem indien die eienaar van die eiendom nie begerig is om eienaarskap op te neem nie; of
    - (ii) die eiendom waarop die rusplek geleë is vir enige ander doel in die openbare belang gebruik.

**Advertensieregulasies**

15.(1) Die volgende kriteria moet in aanmerking geneem word by oorweging van 'n aansoek om 'n advertensie te vertoon of op te rig:

- (a) pad- en verkeersveiligheidsoorwegings;
- (b) sonering of afbakening deur 'n verantwoordelike owerheid, soos van toepassing;
- (c) funksie, grootte, aard en tipe advertensie beoog;
- (d) ligging, plasing en oriëntering van die advertensie;
- (e) visuele inhoud van die advertensie, met inbegrip van maar nie beperk nie tot lettergroottes, lengte van boodskappe, kleure en impak;
- (f) omgewingsoorwegings, wat visuele en maatskaplike aspekte kan insluit en 'n omgewingsimpakbeoordeling deur 'n geakkrediteerde omgewingskonsultant;
- (g) visuele of estetiese sensitiwiteit van die landskap;
- (h) bevordering van ekonomiese groei en volhoubare ontwikkeling; en
- (i) enige ander uitwerking op die provinsiale padnetwerk.

- (2) Die Minister moet op skriftelike versoek van en na betaling van die voorgeskrewe gelde die standarde en vereistes wat toegepas is om die beslissing ingevolge subregulasie (1) te maak, aan 'n lid van die publiek beskikbaar stel.
- (3) Die Minister kan die behoefte identifiseer om 'n huurooreenkoms te sluit vir 'n advertensie op of aanliggend aan 'n provinsiale pad.
- (4) 'n Persoon of munisipaliteit wat 'n advertensie vertoon wat binne die bestek van hierdie regulasie val en wat op die datum van die inwerkingtreding van hierdie regulasies voorheen skriftelike magtiging van die Minister bekom het vir 'n advertensie, word geag aan hierdie regulasie te voldoen.
- (5) 'n Persoon of munisipaliteit wat 'n advertensie vertoon wat binne die bestek van hierdie regulasie val en wat nie skriftelike magtiging van die Minister bekom het nie of van voorneme is om 'n advertensie op te rig en te vertoon op of aanliggend aan —
- 'n hoofpad of binne 500 meter vanaf en sigbaar van 'n grootpad; of
  - distrikspad of plaaslike pad waar die advertensie 'n veiligheidsgevaar uitmaak of sal uitmaak, moet 'n skriftelike aansoek by die Minister op die voorgeskrewe vorm kragtens regulasie 17 (1) indien, wat 'n skriftelike goedkeuring moet insluit van die eienaar van die eiendom waar die advertensie vertoon word of vertoon gaan word.
- (6) Waar die Minister ingevolge subregulasie (3) die behoefte geïdentifiseer het om 'n huurooreenkoms aan te gaan vir 'n advertensie, of 'n persoon of 'n verantwoordelike owerheid 'n aansoek ingevolge subregulasie (5) ingedien het, moet die Minister die behoefte beoordeel en toepaslike stappe doen ingevolge die kriteria ingevolge subregulasie (1) gespesifiseer.
- (7) Waar 'n aansoek wat ingevolge subregulasie (5) ingedien is aan die beoordelingskriteria ingevolge subregulasie (1) voldoen, kan die Minister —
- skriftelike magtiging verleen aan 'n persoon of munisipaliteit om die advertensie op of aanliggend aan die provinsiale pad op te rig;
  - die ligging van die advertensie spesifiseer, met inbegrip van magtiging om die advertensie op te rig in die boubeperkingsgebied op die provinsiale pad;
  - die grootte en inhoud van die advertensie spesifiseer;
  - die huurooreenkoms spesifiseer wat aangegaan staan te word en die bedrag wat aan die Minister betaal moet word vir die advertensie;
  - bevestig dat die eienaar van die advertensie verantwoordelik is vir die verkryging van enige vereiste munisipale goedkeuring;
  - bevestig dat die eienaar van die advertensie die Minister vrywaar teen aanspreeklikheid vir enige eise of skade, met inbegrip van regskoste aangegaan, as gevolg van die oprigting van die advertensie of versuim om die advertensie in stand te hou; en
  - 'n huurooreenkoms met die aansoeker aangaan.
- (8) Waar die aansoeker in gebreke bly om 'n huurooreenkoms ingevolge subregulasie (7)(d) en (g) aan te gaan, of 'n advertensie nie binne 18 maande vanaf die datum van die skriftelike magtiging ingevolge subregulasie (7)(a) opgerig word of aan die einde van die tydperk gemagtig in subregulasie (9)(b) nie, wat ook al die kortste is, verval die Minister se skriftelike magtiging en moet 'n nuwe aansoek ingedien word.
- (9) Waar die aansoek wat ingevolge subregulasie (5) ingedien is ingevolge subregulasie (7)(a) gemagtig is, moet die Minister die aansoeker in kennis stel —
- van enige voorwaardes rakende beoordelingskriteria ingevolge subregulasie (1), met inbegrip van maar nie beperk nie tot padveiligheids- en verkeersaangeleenthede en omgewingsimpak;
  - die geldigheids tydperk van die magtiging om 'n advertensie op of aanliggend aan 'n provinsiale pad op te rig, welke tydperk nie 18 maande mag oorskry nie; en
  - dat enige magtiging ingevolge hierdie regulasie ter aanvulling is tot en nie ter vervanging is nie van enige goedkeuring of magtiging vereis deur enige ander wet nie.
- (10) 'n Advertensie gemagtig ingevolge hierdie regulasie moet deur die Minister geregistreer word deur 'n unieke registrasienommer toe te ken, en die eienaar van die advertensie moet die registrasienommer op die advertensie ten toon stel op 'n duidelik sigbare wyse en op 'n wyse deur die Minister voorgeskryf.
- (11) Die Minister moet waar 'n aansoek wat ingevolge subregulasie (5) ingedien is nie gemagtig is nie, die aansoeker skriftelik in kennis stel —
- dat die aansoek nie aan beoordelingskriteria ingevolge subregulasie (1) voldoen nie; en
  - van die redes waarom nie aan beoordelingskriteria voldoen is nie.
- (12) Indien 'n persoon of munisipaliteit 'n advertensie opgerig het —
- wat nie gemagtig is nie of in gebreke gebly het om 'n aansoek in te dien wanneer deur hierdie regulasie daartoe verplig word;
  - waarvoor magtiging nie tydens aansoek verleen is nie;
  - wat nie voldoen aan die bepalinge en voorwaardes van enige magtiging verleen ingevolge subregulasie (7)(a) nie; of
  - in gebreke bly om voort te gaan om aan beoordelings ingevolge subregulasie (1) te voldoen,
- kan die Minister die verwydering of sloping van die advertensie gelas of die advertensie verwyder of sloop, en die persoon of verantwoordelike owerheid wat die advertensie opgerig het, is aanspreeklik vir alle koste om die advertensie te verwyder of te sloop en die provinsiale pad tot sy oorspronklike toestand te herstel.
- (13) 'n Persoon hoef nie vir magtiging aansoek te doen om 'n advertensie op 'n grootpad op te rig nie, of binne 500 meter vanaf en sigbaar van 'n grootpad waar 'n advertensie —
- 'n eiendomsagentbord is nie: Met dien verstande dat —
    - die advertensie geen inligting bevat nie behalwe die woorde “te koop”, “te huur”, of “verkoop” en die naam, logo, adres en telefoonnommer van die verkoops- of verhuuringsagent;
    - slegs een advertensie per verhuurings- of verkoopsagent op enige erf opgerig mag word;
    - 'n maksimum van twee verhuurings- of verkoopsagent hulle advertensie gelyktydig op dieselfde erf mag adverteer;
    - die grootte van die advertensie nie twee vierkante meter vir 'n kommersiële en 0,65 vierkante meter vir 'n residensiële perseel moet oorskry nie;
    - die advertensie op die betrokke gebou geplaas moet word, aan die grensdraad van die betrokke gebou vasgeheg word, of vertoon word binne die grense van die perseel; en
    - die advertensie verwyder word nie later as 14 kalenderdae na die verkoops- of huurkontrak ten opsigte van die betrokke eiendom gesluit is nie;
  - die verkoop van goedere of vee aangekondig word op grond of persele wat nie normaalweg vir kommersiële doeleindes gebruik word nie: Met dien verstande dat —
    - slegs een advertensie per verkoping toegelaat word;
    - die grootte van die advertensie nie twee vierkante meter oorskry nie;

- (iii) die advertensie slegs vertoon word op 'n perseel of eiendom waar die geadverteerde verkoping gaan plaasvind, of aan die grensdraad van die eiendom of perseel vasgeheg word;
- (iv) die advertensie nie verlig of geanimeer mag wees nie; en
- (v) die advertensie verwyder moet word binne sewe kalenderdae na die verkoping afgehandel is;
- (c) tydelik of permanent geverf is op of vasgeheg is aan 'n glasvenster van 'n gebou wat gebruik word vir industriële doeleindes, of enige bord wat binne 'n gebou vertoon word binne twee meter van 'n venster of eksterne opening sodat dit van die buitekant af sigbaar is: Met dien verstande dat —
- (i) die advertensie slegs vertoon mag word op of met betrekking tot grondvloervensters of openinge;
- (ii) die totale oppervlakte van enige advertensie wat op 'n venster of opening na buite of 'n gebou geverf word of daaraan vasgeheg word nie 10% van die grondvloervensteroppervlakte mag oorskry nie; en
- (iii) geen interne verligte advertensie binne 'n gebou vanaf die buitekant van die gebou sigbaar mag wees nie, tensy spesifiek gemagtig;
- (d) 'n buurtwag, plaaswag of soortgelyke skemas adverteer, en mag die naam, adres en telefoonnommer van 'n veiligheidsonderneming bevat wat gekontrakteer is om die perseel te beskerm waarop die teken vertoon word: Met dien verstande dat —
- (i) die grootte van die advertensie vir 'n buurtwag, plaaswag of soortgelyke skema nie 1,5 vierkante meter oorskry nie en die hoogte nie meer as drie meter bo die grond is nie, met die naam, adres en telefoonnommer van die veiligheidsonderneming wat nie 0,35 vierkante meter mag oorskry nie;
- (ii) in stedelike gebiede slegs een advertensie per straatfront vertoon mag word en die advertensie stewig op die gebou, grensmuur, heining of hek op die straatfront of binne die grense van die erf aangebring moet word; en
- (iii) slegs een advertensie toegelaat word op plase of landbouhoewes en die advertensie moet vertoon word by die kruising van 'n openbare pad en private toegangspad, of by die ingang van die eiendom, buite die padreserwe;
- (e) bedoel is om rigting te identifiseer of te verskaf na of 'n waarskuwing ten opsigte van wonings: Met dien verstande dat —
- (i) die advertensie net toegelaat word op die perseel waarna dit verwys, of op 'n grensmuur, heining of hek van die perseel;
- (ii) geen advertensie binne 'n padreserwe toegelaat word nie;
- (iii) plaas- of landbouhoewe-advertensies vertoon moet word langs die ingang van die toegang tot die woning, of aangebring word op die hek by die ingang tot die toegang;
- (iv) in die geval van 'n aantal plase of landbouhoewes wat 'n toegang of ingang deel, 'n kombinasie-advertensie by die ingang of toegang opgerig moet word, in welke geval die grootte van —
- (aa) die kombinasie-advertensie nie vier meter bokant grondoppervlakte mag oorskry nie; en
- (bb) elke advertensie nie een vierkante meter per plaas of landbouhoewe mag oorskry nie;
- (v) geen advertensie opgerig mag word waar 'n padverkeersteken vertoon word by die ingang of toegang tot die perseel nie;
- (vi) die advertensie nie geanimeer of verlig mag wees nie;
- (vii) die hoogste punt van enige vrystaande advertensie nie drie meter bokant die grondoppervlakte mag oorskry nie;
- (viii) waar die advertensie bedoel is om rigting, waarskuwings of kennisgewings aan te dui, moet die inhoud beperk word tot boodskappe soos "pasop vir die hond", "geen parkering nie", "maak toe die hek" en "geen ingang", en die totale oppervlakte van die advertensie vir elke perseel mag nie 0,5 vierkante meter per straatfront oorskry nie;
- (ix) waar die advertensie bedoel is om straatnommers te vertoon —
- (aa) slegs een advertensie wat straatnommers vertoon per straatfront vir elke perseel toegelaat word;
- (bb) die totale oppervlakte van die advertensie vir elke perseel nie 0,5 vierkante meter per straatfront mag oorskry nie; en
- (cc) die minimum lettergrootte 150 millimeter en die maksimum lettergrootte 350 millimeter moet wees;
- (x) waar die advertensie bedoel is om woonhuise te identifiseer —
- (aa) die inhoud van die advertensie beperk word tot die naam van, en die aard van die vernaamste aktiwiteit by die woonhuis, woonplek, plaas of landbouhoewe;
- (bb) in die geval van advertensies wat plase en landbouhoewes adverteer, die naam of logo van die borg van die advertensie toegelaat word maar mag dit nie meer as een derde van die totale oppervlakte van die advertensie beslaan nie;
- (cc) een advertensie per perseel toegelaat word met 'n maksimum oppervlakte van 1,5 vierkante meter per straatfront;
- (dd) waar 'n ondersteuningstruktuur verskaf word, kan die maksimum oppervlakte van die advertensie vermeerder word tot drie vierkante meter, voorts met dien verstande dat die advertensiepaneel of letters nie meer as 50% van die totale oppervlakte van die advertensie beslaan nie; en
- (ee) waar meer as een landbouhoewe dieselfde ingang of toegang deel, moet 'n kombinasie-advertensie verskaf word met 'n maksimum van een vierkante meter advertensie per plaas of landbouhoewe; of
- (f) op of aangeheg word aan selfaangedrewe voertuig wat normaalweg op land of water beweeg, met inbegrip van taxi's, busse, treine en afleweringvoertuie, maar uitgesluit vliegtuie: Met dien verstande dat —
- (i) 'n voertuig nie uitsluitlik vir advertensiedoeleindes gebruik mag word nie;
- (ii) die advertensie nie geanimeer is nie; en
- (iii) die advertensie nie verlig is nie, behalwe waar die advertensie intern verlig word en aandui dat 'n taxi te huur is.
- (14) Die eienaar van 'n advertensie is verantwoordelik vir instandhouding van 'n advertensie gemagtig ingevolge hierdie regulasie.
- (15) Die Minister kan, waar die eienaar van 'n advertensie in gebreke bly om 'n advertensie in stand te hou, die advertensie in stand hou en die eienaar van die advertensie is aanspreeklik vir alle instandhoudingskoste.
- (16) 'n Persoon mag nie 'n advertensie verander, verskuif of heroprig sonder om eers skriftelike magtiging van die Minister te bekom nie.
- (17) 'n Persoon wat 'n advertensie oprig of vertoon of van voorneme is om 'n advertensie op te rig of te vertoon op grond wat deur die Minister beheer word, moet —
- (a) 'n huurooreenkoms aangaan volgens bepalings en voorwaardes deur die Minister gespesifiseer; en
- (b) huur betaal volgens voorwaardes deur die Minister gespesifiseer in die huurooreenkoms aangegaan ingevolge hierdie regulasie.
- (18) Die Minister kan enige advertensie verwyder wat vertoon of opgerig is op grond wat onder die Minister se beheer is indien die persoon wat die advertensie vertoon of opgerig het —
- (a) in gebreke bly om 'n huurooreenkoms met die Minister aan te gaan;

(b) enige bepaling of voorwaarde ingevolge die magtiging verleen ingevolge subregulasie (7)(a) verbreek; of

(c) enige voorwaarde van 'n huurooreenkoms aangegaan ingevolge subregulasie (17)(a) verbreek.

(19) Indien 'n persoon of munisipaliteit 'n advertensie op of aanliggend aan 'n provinsiale pad in stryd met hierdie regulasie in stand hou of oprig, of andersins in gebreke bly om te voldoen aan enige bepaling van hierdie regulasie of enige voorwaarde deur die Minister opgelê, kan die Minister 'n waarskuwing uitreik waarin die persoon of munisipaliteit 'n gespesifiseerde tydperk vergun word om die oortreding of die versuim om aan die regulasie te voldoen, reg te stel.

(20) Waar 'n persoon of munisipaliteit in gebreke bly om aan die regstellingsbepalings van 'n waarskuwing uitgereik ingevolge subregulasie (19) te voldoen, is die persoon of munisipaliteit vir alle koste om die provinsiale pad tot sy oorspronklike toestand te herstel, met inbegrip van maar nie beperk nie tot die verwydering, sloping en beskikking oor alle materiaal wat met die advertensie op of aanliggend aan 'n provinsiale pad verband hou.

#### **Bydraes aan of deur 'n munisipaliteit, organisasie of individu om enige provinsiale pad te bou, herbou, herstel of in stand te hou**

**16.(1)** Die Minister moet 'n ooreenkoms aangaan vir 'n hydrae aan of deur 'n munisipaliteit, organisasie of individu om enige provinsiale pad te bou, te herbou, te verbeter, te herstel of in stand te hou, met dien verstande dat die Minister 'n beslissing maak betreffende die —

(a) behoefte aan enige bou, verbetering, herstel of instandhouding van die provinsiale pad;

(b) aard en omvang van die vereiste bou, herbou, verbetering, herstel of instandhouding van die provinsiale pad;

(c) koste van die bydrae vir die vereiste bou, herbou, verbetering, herstel of instandhouding van die provinsiale pad;

(d) munisipaliteit, organisasie of individu wat die geskikste is om die werk te onderneem en te voltooi wat ingevolge paragrawe (a) en (b) gespesifiseer is; en

(e) bydrae ingevolge artikel (c).

(2) Die Minister mag nie, in die afwesigheid van 'n ooreenkoms bedoel in subregulasie (1), enige bou, herbou, verbetering, herstel of instandhouding van enige provinsiale pad of enige bydrae aan 'n munisipaliteit, organisasie of individu magtig nie.

(3) Die Minister kan 'n ooreenkoms met 'n munisipaliteit, organisasie of individu aangaan ten einde 'n hydrae van die munisipaliteit, organisasie of individu te aanvaar vir 'n spesifieke projek om 'n provinsiale pad te bou, herbou, verbeter, herstel of in stand te hou.

#### **Indiening van aansoek**

**17.(1)** Waar daar van 'n persoon of munisipaliteit vereis word om 'n aansoek ingevolge hierdie regulasies in te dien, moet die persoon of munisipaliteit —

(a) die betrokke aansoekvorm by die plek of plekke kry deur die Minister aangewys;

(b) die voltooide en getekende aansoek indien op die wyse van tyd tot tyd deur die Minister voorgeskryf; en

(c) die vereiste gelde saam met die aansoek indien by die plek of plekke wat deur die Minister aangewys is.

(2) Die Minister moet 'n skriftelike erkenning verskaf van 'n aansoek deur 'n persoon of munisipaliteit ingevolge subregulasie (1) ingedien.

(3) Waar 'n aansoek nie geteken is nie of op die voorgeskrewe wyse voltooi is nie ingevolge subregulasie (1)(b), of die gelde nie betaal is ingevolge (1)(c) nie, kan die Minister —

(a) weier om die aansoek te oorweeg; en

(b) dit aan die aansoeker terugbesorg met 'n geskrewe verduideliking van die rede vir die weiering om die aansoek te oorweeg.

(4) 'n Aansoeker kan die aansoek terugtrek te eniger tyd voor 'n beslissing deur die Minister oor die aansoek geneem is.

(5) Die Minister kan weier om 'n aansoek ingedien ingevolge hierdie regulasies te oorweeg waar 'n persoon wetende 'n vals verklaring in die aansoek maak.

#### **Regulasies ter aanvulling van en nie ter vervanging van enige ander wet nie**

**18.** Hierdie regulasies is ter aanvulling tot en nie ter vervanging van enige ander wet nie.

#### **Geskilbeslegting**

**19.** 'n Persoon of munisipaliteit wat verontreg is deur 'n ministeriële besluit kan die Minister versoek om enige besluit ingevolge hierdie regulasies te hersien en te oorweeg deur 'n skriftelike voorlegging aan die Minister ingevolge artikel 43 van die Wet te doen.

#### **Delegasie en toewysing**

**20.(1)** Die Minister kan enige bevoegdheid, funksie of plig ingevolge hierdie regulasie skriftelik aan die departementshoof deleger of toewys.

(2) Die departementshoof kan, met die goedkeuring van die Minister, enige bevoegdheid, funksie of plig deur die Minister gedelegeer of toegewys ingevolge hierdie regulasies skriftelik aan 'n departementelebeampte deleger of toewys.

(3) 'n Delegasie of toewysing ingevolge subregulasie (1) of (2) —

(a) is onderhewig aan enige beperkings wat die Minister of die departementshoof mag oplê;

(b) kan aan 'n spesifieke individue of die houer van spesifieke pos in die departement wees; en

(c) onthef nie die Minister of departementshoof van die verantwoordelikheid rakende die uitoefening van die bevoegdheid, funksie of plig ingevolge hierdie regulasies nie.

(4) Die Minister kan, ingevolge 'n skriftelike ooreenkoms met die munisipaliteit, enige bevoegdheid, funksie of plig ingevolge hierdie regulasies aan die munisipaliteit deleger of toewys.

(5) Die Minister of departementshoof kan enige besluit deur 'n beampte weens 'n delegasie of toewysing, bevestig, wysig of terugtrek, behoudens enige regte wat gevestig is weens die delegasie of toewysing.

(6) 'n Delegasie ingevolge hierdie regulasies ontnem nie die Minister of die departementshoof van die reg om die gedelegeerde bevoegdheid, funksie of plig uit te oefen nie.

#### **Kort titel**

**21.** Hierdie regulasies heet die KwaZulu-Natal Regulasies betreffende Provinsiale Paaie, 2006.

## UMNYANGO WEZOKUTHUTHA

## IMITHETHONQUBO YEZEMIGWAQO YESIFUNDAZWE YAKWAZULU-NATALI

**N**GALOKU ngenza imithethonqubo equketwe oHlelweni olungezansi ngokwesigaba 44 soMthetho wezeMigwaqo yesiFundazwe waKwaZulu-Natali, 2001 (uMthetho No. 4 ka 2001), ukuze kulawulwe imigwaqo yesifundazwe.

Sinikezwe ngaphansi kwesandla sami eMgungundlovu ngalolu suku lwama-31 kuMfumfu. oNyakeni weziNkulungwane eziMbili nesiThupha.

**B. H. CELE**

iLungu loMkhandlu oPhethe esifundazweni saKwaZulu-Natali  
elibhekele ezokuthutha

## UHLELO

## Izincazelo

**1.** Kule Mithethonqubo, "uMthetho" kusho uMthetho wezeMigwaqo yesiFundazwe waKwaZulu-Natali, 2001 (uMthetho No. 4 ka 2001) kanti nanoma yiliphi igama noma isisho sinaleyo ncazelo esiyinikwe eMthethweni. ngaphandle uma ingqikithi isho okwehlukile —

"**isango**" kusho noma yiliphi isango elinezikhala, ugoqo noma yini eyakhiwe yavundla noma yancikana nomgwaqo wesifundazwe noma uthango oluwumngcele, okuhloswe ngalo ukulawula ukungena noma ukuphuma kwabantu, izilwane noma izithuthi;

"**umasipala**" kusho umasipala ohlongozwe esigabeni 155 soMthethosisekelo wakwiRiphabhulikhi yaseNingizimu Afrika, 1996, osungulwe ngaphansi kwezigaba 11 no 12 zoMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), ufundwa nezigaba 3, 4 no 5 zoMthetho wokuNqunywa kweziNhlalo zoMasipala, 2000 (uMthetho No. 7 ka 2000), kanti "**omasipala**" banencazelo cfanayo;

"**umuntu**" kusho umuntu uqobo noma umuntu ngokomthetho;

"**amanzi emvula**" kusho amanzi agelezayo ikakhulukazi adalwa yimvula noma yiqhwa;

"**isahlukaniso**" kusho ukwehlukana kabili noma ngaphezulu kwempahla engagudluki ebhalisiwe noma enokubhaliswa eHhovisi lokuBhalisa impahla yalolu hlobo njengezinhlaka ezizimele, kumbandakanya nokuhlanganiswa komhlaba; kanti

"**umgudu wamanzi**" kusho noma yisiphi isimo semvelo somhlaba esihambisa amanzi noma uhlaka olwakhelwe ukuhambisa amanzi.

## Ukumenyenzelwa kokuvulwa nokulwa kwemigwaqo yesifundazwe

**2.**(1) UNgqongqoshe kumele azindle ngalezi zimo ezilandelayo ekumemezeleni ukuvulwa, nokulwa, komgwaqo wesifundazwe —

(a) umsebenzi nokusetshenziswa komgwaqo wesifundazwe;

(b) indawo nesimo somgwaqo wesifundazwe;

(c) umgwaqo nokubhekela kokuphepha kwezokuthutha;

(d) umthelela wesimo sezenhlalo;

(e) ubufakazi bokuxhumana namaqembu athintekayo;

(f) lapho kufanele khona, ukukhuthazwa kwentuthuko yezomnotho kanye nokusimamisa intuthuko; kanye

(g) nanoma yikuphi okunye okufanele.

(2) UNgqongqoshe kumele anikeze ilungu lomphakathi, ngesicelo esibhaliwe amaqophelo nezidingo ezifakwe ngokwesicelo kanye nenkokhelo efanele, ngokwesicelo esibhaliwe, ukuze kulandele izimiso zenzololovo ezimisela ukwenza ukuhlola ngokwezimiso zendlela yomthethonqutshana ongunombolo (1).

(3) Izidingo zomgwaqo omkhulu kumele zibandakanye lokhu okulandelayo —

(a) ububanzi bomgwaqo obuncane ngamamitha angama-30 noma obungaphansi kwamamitha angama-30 lapho izivimbela zomhlaba ziwuvimbela umgwaqo ophelile ngobubanzi obungamamitha angama-30, kuhlinzekelwe ukuthi ukulungiswa komgwaqo kunokuqhubekela phambili; futhi

(b) kufanjiwana ngokuphelele nendlela yokukuhlola ngokwezimiso zomthethonqutshana (1).

(4) UNgqongqoshe kumele anikeze umgwaqo omkhulu ngamunye u-"P" oyisigalo kanye nenombolo ewuchazayo ngokwawo.

(5) Izidingo zomgwaqo wesifunda kumele zibandakanye lokhu okulandelayo —

(a) ububanzi bomgwaqo obuncane bawo bungamamitha angama-20, noma ngaphansi kwamamitha angama-20 lapho izimiso zomhlaba ziwuvimbela umgwaqo ongamamitha angama-20, kuhlinzekelwe ukuthi ukugcinwa komgwaqo wesigceme kungaqhutshekwa nakho; futhi

(b) kufanjiwana ngokuphelele nendlela yokuhlola ngokwezimiso zomthethonqutshana (1).

(6) UNgqongqoshe kumele anikeze isifunda ngasinye isigalo esingu-"D" nenombolo yaso esichazayo.

(7) Izidingo zomgwaqo wasekhaya kumele zibandakanye lokhu okulandelayo —

(a) ububanzi bomgwaqo okungamamitha ayi-10, ububanzi bungeqi emanitheni angama-20, lapho zingekho khona izivimbezelo kube ngobubanzi obuthe xaxa, kuhlinzekelwe ukuthi ukugcinwa komgwaqo wasekhaya kuyiqhubeka; futhi

(b) kufanjiwana ngokuphelele nendlela yokukuhlola ngokwezimiso zomthethonqutshana (1).

(8) UNgqongqoshe kumele anikeze umgwaqo wasekhaya ngamunye isigaba esingu-"L" nenombolo engowayo wodwa.

(9) UNgqongqoshe angakhomba umgwaqo noma umgwaqo ophakanyisiwe esiFundazweni ozomenyenzelwa ukuthi uzovulwa noma uzovalwa.

(10) Ngaphezu kwezinhlinzeko zesigatshana (9), umuntu noma umasipala ungakhomba umgwaqo okuzomenyenzelwa ukuthi uzovulwa noma uzovalwa nguNgqongqoshe futhi ethule isicelo esisayinwe ngokomthethonqubo 17(1) esicela ukumenyenzelwa kokuvulwa noma kokulwa komgwaqo.

(11) Uma uNgqongqoshe ngokomthethonqutshana (9) ebone kukhona isidingo, noma umuntu, noma umasipala ulethe isicelo ngokomthethonqutshana (10), sokumenyenzelwa kokuvulwa noma kokulwa komgwaqo wesifundazwe futhi lowo mgwaqo okhonjiwe noma umgwaqo ophakanyisiwe uhlangabezana nezidingo zendlela yokuhlunga echazwe kumthethonqutshana (1) —

(a) uNgqongqoshe kumele aithe isaziso ngenhloso yokumemezela ukuvulwa noma ukulwa komgwaqo wesifundazwe, kumbandakanywa ukuchazwa komgwaqo uqobo noma komgwaqo ophakanyisiwe, kumasipala lapho lowo mgwaqo okhonjiwe noma ophakanyisiwe ukhona;

(b) uma umasipala okukhona kuwo lowo mgwaqo okhonjiwe noma ophakanyisiwe uphikisana nesimemezelo sokuvulwa noma sokulwa kwalowo mgwaqo okhonjiwe noma ophakanyisiwe, lowo masipala othintekayo ungethula isiphakamiso sawo ngokubhaliwe isiqondise kuNgqongqoshe zingakedluli izinsuku ezingama-30 kusukela osukwini lwesaziso ngaleyo nhloso;

- (c) uma isiphakamiso esibhaliwe silethwa kuNgqongqoshe ngokwendima (b) uNgqongqoshe kumele axhumane nomasipala othintekayo mayelana nesimemezelo sokuvulwa noma sokuvalwa komgwaqo okhonjiwe noma komgwaqo ophakanyisiwe;
- (d) uma umasipala okukhonjwe noma okuphakanyiswe kuwo umgwaqo wehluleka ukuphendula zingakadluli izinsuku ezingama-30 emva kokuba kukhishwe isaziso ngale nhloso, uNgqongqoshe angathatha ngokuthi umasipala awuphikisani nesimemezelo sokuvulwa noma sokuvalwa komgwaqo wesifundazwe;
- (e) emva kokubonisana ngokwendima (c) nomasipala lapho kukhona khona umgwaqo okhonjiwe noma ophakanyisiwe, noma ukwehluleka kumasipala ukuphendula ngokwendima (d), uNgqongqoshe kuyomele ashicilele isaziso *kwiGazethi* ngenhloso yokumemezela ukuvulwa noma ukuvalwa umgwaqo wesifundazwe, akhiphe nencazelo yalowo mgwaqo okhonjiwe noma ophakanyisiwe;
- (f) uma umuntu enza isiphakamiso ngokubhaliwe, ezinsukwini ezingama-21 emva kokushicilelwa kwesaziso ngokwendima (e), kwesimemezelo sokuvulwa noma sokuvalwa komgwaqo wesifundazwe, uNgqongqoshe kumele aphendule lesi siphakamiso ngokubhaliwe ezinsukwini ezingama-30 ethole lesi siphakamiso;
- (g) emva kokudingidwa kwanoma yisiphi isiphakamiso esilethwe ngokwendima (f), uNgqongqoshe kumele anqume ukuthi ngesimemezelo sokuvulwa noma sokuvalwa komgwaqo wesifundazwe; futhi
- (h) uma kunesiphakamiso esibhaliwe ngokwendima (f) futhi uNgqongqoshe enquma ngokwendima (g) ukumemezela ukuvulwa noma ukuvalwa komgwaqo okhonjiwe noma ophakanyisiwe, uNgqongqoshe kumele, ezinsukwini ezingama-30 emva kokushicilelwa kwesaziso ngokwendima (e), uyoshicilele isaziso *kwiGazethi* sokumemezela ukuvulwa noma ukuvalwa komgwaqo wesifundazwe, nencazelo yalowo mgwaqo okhonjiwe noma ophakanyisiwe, kumbandakanya ubungako bomzila bomgwaqo.
- (12) Lapho umgwaqo noma umgwaqo ophakanyisiwe ungamenyenzelwanga nguNgqongqoshe ukuthi uzovulwa noma uzovalwa njengomgwaqo wesifundazwe eminyakeni emithathu kusukela osukwini lokuhlolwa ngokomthethonqutshana (1), umgwaqo noma umgwaqo ophakanyisiwe kumele uphinde uhlolwe ngaphambi kokumenyenzelwa kokuthi uzovulwa noma uzovalwa nguNgqongqoshe.
- (13) UNgqongqoshe kumele, uma isicelo esethuliwe ngokomthethonqutshana (10) sesigunyaziwe, aluleke umfakisicelo —
- (a) nganoma yimiphi imibandela yokumenyenzelwa kokuvulwa noma kokuvalwa komgwaqo wesifundazwe;
- (b) ngenombolo yomgwaqo omusha wesifundazwe; kanye
- (c) nanganoma yiliphi igunya ngokomthethonqutshana owengeziwe kodwa elingafakiwe esikhundleni sanoma iyiphi imvume noma igunya elidingwa yinoma yimuphi omunye umthetho.
- (14) UNgqongqoshe kumele, uma kunesicelo esilethwe ngokomthethonqutshana (10) singagunyazwanga, eluleke umfakisicelo ngencwadi —
- (a) ukuthi umgwaqo okhonjiwe noma ophakanyisiwe wehlulekile ukumelana nendlela yokuhlunga ngokomthethonqutshana (1) ngokwezinqanaba lomigwaqo wesifundazwe;
- (b) ngezizathu ezenze kwangahlangatshezwana nendlela yokuhlunga; kanye
- (c) nokuthi umgwaqo okhonjiwe noma ophakanyisiwe wahlolwa ngokwezimiso zomthethonqutshana (1) futhi ikhophi yokuhlolwa kwawo ingatholwa ngumfakisicelo uma enza isicelo esibhaliwe.
- (15) Uma umgwaqo wesifundazwe wehluleka ukuhlangabezana nezidingo zokuhlolwa ngokwezimiso zomthethonqutshana (1) uNgqongqoshe —
- (a) angaqalisa ukuvalwa komgwaqo wesifundazwe noma athathe noma yiziphi izinyathelo ezifanele mayelana nomgwaqo;
- (b) kumele, lapho uNgqongqoshe egunyaza ukuvalwa komgwaqo wesifundazwe ngokwendima (a), alandele inqubo yokuvulwa ngokomthethonqutshana (11); futhi
- (c) angathatha nanoma yiziphi ezinye izinyathelo ezifanele.

### Ukufinyelela emgwaqweni omkhulu noma nakweyesifunda

- 3.(1) UNgqongqoshe kumele asebenzise lindlela elandelayo ekunqumeni indlela entsha yokufinyelela, uguquko ekusetshenzisweni kwayo, ukulungiswa, noma ukuvalwa kwendlela yokufinyelela emgwaqweni omkhulu noma emgwaqweni wesifunda —
- (a) iqophelo, uhlobo lwendlela yokufinyelela kanye nezinga lomsebenzi elidingekayo ukufinyelela emgwaqweni omkhulu noma emgwaqweni wesifunda;
- (b) noma yiluphi uguquko lokusetshenziswa komhlaba noma kwesakhiwo, kumbandakanya kodwa kungacini nje ekusetshenzisweni noma emandleni okusetshenziswa kwendlela yokufinyelela kanye nohlobo kanye nobungakho bezithuthi ezisetshenziswayo;
- (c) noma yikuphi ukwehlukani noma ukuthuthukiswa komhlaba;
- (d) noma yiluphi uguquko lokusetshenziswa ngomngenela okhona;
- (e) indawo nomumo womngenela, kubhekwe nokuphepha komphakathi nezinye izimoto, ukuphepha emgwaqweni kanye nokuhamba kwezimoto;
- (f) inani lobungako bomngenela oseduze komhlaba othintekayo;
- (g) ukulawula kwemvula ehambisana nesiphepho;
- (h) umonakalo kwezemvelo;
- (i) lapho kufanele khona, ukukhuthazwa kokukhula komnotho kanye nentuthuko esimeme; kanye
- (j) nanoma yiliphi elinye iphuzu elibalulekile.
- (2) UNgqongqoshe kumele anikezele umphakathi, ngesicelo esibhaliwe nangenkokhelo yemali enqunyiwe, amaqophelo kanye nezidingo ezisetshenziswe ukuthatha isinqumo ngendlela yokuhlunga ngokomthethonqutshana (1).
- (3) UNgqongqoshe angabona isidingo sokwakha umngenela omusha, aguqule ukusetshenziswa, alungise noma avale umngenelo okhona emgwaqweni omkhulu noma emgwaqweni wesifunda.
- (4) Naphezu umthethonqutshana (3), umuntu noma umasipala kumele, kusukela osukwini lokuqala lokusebenza kwale mithethonqubo, ethule isicelo ngokomthethonqubo 17(1) esisayinwe ngumnikazi womhlaba okuhlongozwe kuwo noma yimuphi umngenela okhonjiwe, ecela igunya elibhalwe phansi kuNgqongqoshe uma ecabanga ukwenza noma yikuphi kwalokhu okulandelayo —
- (a) ukwakhiwa ngomngenela omusha emgwaqweni omkhulu noma emgwaqweni wesifunda;
- (b) noma yiluphi uguquko lokusetshenziswa komhlaba noma kwesakhiwo kodwa kungacini nje ekusetshenzisweni noma emandleni okusetshenziswa komngenela kanye nohlobo kanye nobungakho bezithuthi ezisetshenziswa emngeneleni;
- (c) ekuguquleni ukusetshenziswa komngenela okhona;
- (d) ukuklanywa kabusha, ukuthuthukiswa noma ukwelulwa kwentuthuko ekhona;
- (e) ukwehlukani komhlaba;
- (f) uma umnikazi womhlaba lapho kwakhiwa khona umngenela ecabanga ukushintsha, ukulungisa noma ukuvala umngenela; noma
- (g) uma umnikazi womhlaba lapho umngenela wawakhiwe khona phambilini ngaphambi kokuba lemithethonqubo iqale ukusebenza ayelulekwe ngokuthi umngenela kawuhambisani nale mithethonqubo.

(5) Uma uNgqongqoshe ngokomthethonqutshana (3) esebone khona isidingo somngenela omusha, uguquko ekusetshenzisweni, ukulungiswa noma ukuvalwa komngenela okhona, noma umuntu noma umasipala usulethe isicelo ngokomthethonqutshana (4) uNgqongqoshe kumele ahlole isidingo ngokwendlela yokuhlunga ebalulwe ngokomthethonqutshana (1).

(6) Uma —

(a) isicelo silethwe ngokwezimiso zomthethonqutshana (4) sihlangebezana nendlela yokuhlunga ngokomthethonqutshana (1), uNgqongqoshe kumele anikezele ngegunya elibhaliwe lomngenela omusha, uguquko ekusetshenzisweni, ukulungiswa noma ukuvalwa komngenela okhona: futhi

(b) umngenela omusha noma uguquko ekusetshenzisweni noma ukulungiswa komngenela okhona kungakhiwe noma umngenela okhona ungakavalwa ezinyangeni eziyi-18 kusukela osukwini lwegunya elibhaliwe ngokwendima (a) noma ngasekupheleni kwesikhathi segunya ngokomthethonqutshana (7)(b), noma ngabe yikuphi okuncane, noma umngenela unobungozi bezokuphepha, igunya elibhaliwe likaNgqongqoshe liyophelelwa yisikhathi emva kwalokho kumele kulethwe isicelo esisha.

(7) UNgqongqoshe kumele, lapho isicelo esilethwe ngokomthethonqutshana (4) sesigunyaziwe, eluleke umfakisicelo ngencwadi —

(a) nganoma yimiphi imibandela esemqoka ekwakhiweni komngenela omusha, uguquko ekusetshenzisweni, ukulungiswa noma ukuvalwa komngenela okhona;

(b) ngesikhathi sokusebenza kwegunya lesicelo, okuyisikhathi esingenakweqa ezinyangeni eziyi-18; kanye

(c) (i) nokuthi yinoma yiliphi igunya ngokwalo mthethonqubo lengezwe futhi alifakiwe esikhundleni sanoma iyiphi imvume noma igunya elidingwa yinoma yimuphi omunye umthetho; noma

(ii) ngokuchithwa komngenela ozovalwa ngokwegunya likaNgqongqoshe.

(8) UNgqongqoshe kumele, lapho isicelo esilethwe ngokomthethonqubo (4) singagunyaziwe, eluleke umfakisicelo ngencwadi —

(a) ukuthi isicelo asiphumelelanga ukuhlangabezana nendlela yokuhlunga ngokomthethonqutshana (1); kanye

(b) nangezizathu zokuthi yingani indlela yokuhlungalwa kungahlangatshezwananga nayo.

(9) Umuntu noma umasipala ugonyaze ngokomthethonqutshana (7) kumele, ngaphambi kokuthatha izinyathelo, wazise uNgqongqoshe ngencwadi ngokwakhiwa ngomngenela omusha ohlongozwayo noma ngoguquko ekusetshenzisweni noma ngokuvalwa komngenela.

(10) UNgqongqoshe kumele abhalise umngenela osanda kugunyazwa anikezele ngenombolo engafani nezinye yokubhaliswa kumnikazi wendawo lapho kukhona khona umngenela.

(11) Uma isicelo sokuguqula ukusebenza noma ukulungiswa komngenela okhona sehluleka ukuhlangabezana nendlela yokuhlunga echazwe ngokomthethonqutshana (1) noma umnikazi ehluleka ukugcina umngenela, uNgqongqoshe angachitha noma avale lowo mngenela okhona, izindleko zikhokhe wumnikazi njengoba kubeke uNgqongqoshe, kuvalwe umngenela bese kugcinwa umgwaqo omkhulu noma wesifunda ube sesimweni owawukusona kwasekuqaleni.

(12) Uma uNgqongqoshe, ngokomthethonqutshana (3), ebone isidingo sokwakhiwa komngenela omusha, noma uguquko ekusetshenzisweni noma eku-lungisweni komngenela okhona —

(a) uNgqongqoshe unomthwalo wokukhokha izindleko zokuqalisa; futhi

(b) umnikazi omhlaba wakhe uhlo-mula kulowo mngenela, unomthwalo wokugcina umngenela kanye nanoma yiziphi ezinye izindleko emva kokudedwa kokwakhiwa kokuqala.

(13) Umnikazi womhlaba ohlo-mula ngomngenela unomthwalo wazo zonke izindleko zokwakha, ukugcinwa kanye nanoma yiziphi ezinye izindleko zomngenela omusha noma uguquko ekusetshenzisweni noma eku-lungisweni komngenela okhona ogunyazwe ngokomthethonqutshana (7).

(14) Umuntu angasebenzisa umngenela omusha noma ukuguquka kokusetshenziswa noma ukulungiswa kwanoma yimuphi umngenela okhona lapho —

(a) uNgqongqoshe enikezele ngegunya lesikhashana ngencwadi lokusebenzisa umngenela osakhiwa, kumbandakanya nanoma yiziphi izimiso kanye nezimo ezimayelana nomngenela; noma.

(b) umnikazi ethole khona igunya elibhaliwe kuNgqongqoshe, igunya okumele lichaze ukuthi umngenela sewakhiwe ngendlela ehlongozwe nguNgqongqoshe, inombolo yokubhaliswa engafani nezinye yomngenela kanye nanoma yiziphi izimiso nemibandela emayelana nomngenela.

(15) Uma umnikazi womhlaba lapho kukhona khona umngenela ephula noma ehluleka ukuhambisana nanoma yisiphi izinhlinzeko zalo mthethonqubo, nanoma yimuphi umbandela ophakanyiswe nguNgqongqoshe, noma ehluleka ukuhlangabezana namaqophelo abekiwe, uNgqongqoshe angakhipha isexwayiso, enikeza umnikazi isikhathi esinqunyelwe ukuba alungise isiphambeko sakhe noma ukuhluleka kwakhe ukuhambisana nalo mthethonqubo.

(16) Uma umnikazi womhlaba ehluleka ukuhambisana nezihlinzeko zokulungisa zesexwayiso esikhishwe ngokwezimiso zomthethonqutshana (15) —

(a) umnikazi unomthwalo wazo zonke izindleko ezithwalwe nguNgqongqoshe eku-lungiseni umgwaqo wesifundazwe ewubuyisela esimweni sawo; futhi

(b) uNgqongqoshe angayalela ukuba umngenela uvalwe, izindleko zokuvalwa kwawo zithwalwe wumnimhlaba.

(17) UNgqongqoshe angalungisa noma yimuphi umonakalo odalwe wukuhluleka komniniwo ukugcina umngenela bese umnikazi eba nomthwalo woku-lungisa kanye nazo zonke izindleko ezimayelana nalokho.

(18) UNgqongqoshe angavala umngenela lapho umniniwo ehluleka khona ukuwugcina, bese umniniwo ethwala izindleko zokuvalwa komngenela.

(19) Umuntu angeke —

(a) akhe umngenela omusha noma alungise umngenela okhona, ngaphandle kokuhambisana nalo mthethonqubo;

(b) ehluleka ukugcina/ukunakekela umngenela ogunyazwe ngokomthethonqubo;

(c) ehluleka ukuhambisana nezihlinzeko zokulungisa zanoma yisiphi isexwayiso esikhishwe ngokomthethonqutshana (15);

(d) ehluleka ukuvala umngenela ngokomthethonqutshana; noma

(e) avale umngenela ngaphandle kokuhambisana nalo mthethonqubo.

### **Ilungelo lendlela yokuhamba umphakathi**

4.(1)(a) Irejista yelungelo lendlela yokuhamba umphakathi kumelwe ligcinwe nguMnyango noma umasipala eyigcinela uMnyango.

(b) UNgqongqoshe kumele angene esivumelwaneni nomasipala, sokugcina irejista yelungelo lendlela ehamba umphakathi ngokwendima (a).

(2) Umasipala obegcina irejista yelungelo lendlela ehamba umphakathi ngesikhathi sokuqala kokusebenza kwalo mthethonqubo kumele aqhubeke nokugcina irejista futhi ezinyangeni eziyi-18 zokuqala ukusebenza kwalo mthethonqubo, angene esivumelwaneni esihlongozwe kumthethonqutshana (1)(b).

(3) UNgqongqoshe noma umasipala, kungase kwenzeke, kumele afake indlela ehamba umphakathi ngayinye, kanye nomdwebo, kwirejista yezindlela ezihamba umphakathi efanele, futhi ahlinzekele indlela ehamba umphakathi ngenombolo yokubhaliswa, kumbandakanya umhlaba, incazelo yenxiwa nesitende.

(4) UNgqongqoshe noma umasipala, njengoba kungaba njalo, kumele abheke lendlela elandelayo, ekubhalisweni noma ekwesulweni kwendlela ehamba umphakathi —

- (a) ukuthi kungabe indlela ehamba umphakathi ekhona iwumgwaqo kamasipala yini;
- (b) ukuthi indlela ehamba umphakathi ekhona iyindlela efanele yini yokungena kanye nokuphuma emhlabeni;
- (c) ubude besikhathi leyo ndlela ehamba umphakathi isetshenziswa kanye nalokho ebisetshenziselwa khona phambilini;
- (d) nanoma yiluphi uguquko ukusetshenzisweni komhlaba noma kwesakhiwo okungenza kube nesidingo sendlela ehamba umphakathi;
- (e) nanoma yiluphi uguquko ekusetshenzisweni kwendlela ehamba umphakathi;
- (f) iqophelo, uhlobo kanye nezinga lomsebenzi odingekayo;
- (g) indawo, ukuma, kanye nokugqagqa kwendlela ehamba umphakathi ezobhaliswa uma iqhathaniswa nezinye izindlela ezihamba umphakathi;
- (h) indawo, ukuma, kanye nokugqagqa kwendlela yomphakathi ezosulwa uma iqhathaniswa nezinye izindlela ezihamba umphakathi;
- (i) ukubhekela ukuphepha emgwaqweni;
- (j) umonakalo emvelweni;
- (k) ubufakazi bokuxhumana nabathintekayo, kumbandakanya kodwa kungacini nje ekuxhumaneni nezinhlaka zomphakathi ezidingida izindaba zomgwaqo kanye nokuthuthwa komphakathi;
- (l) uma kunesidingo, ukukhuthazwa kokukhuliswa komnotho kanye nentuthuko esimeme; kanye
- (m) nanoma yiliphi elinye iphuzu elisemqoka.
- (5) UNgqongqoshe noma umasipala ngokwakhe angabona isidingo sokubhalisa noma sokwesula ilungelo lendlela yomphakathi.
- (6) Umuntu noma osengunyeni angafaka isicelo ngokomthethonqubo 17(1) esayinwe umnikazi wesiza salapho kukhona noma lapho kuhlongozwa khona ilungelo lomphakathi lendlela, sokucela uNgqongqoshe noma umasipala njengoba kungahle kudingeke, ukubhalisa noma ukwesula ilungelo lendlela yomphakathi.
- (7) Uma uNgqongqoshe noma umasipala, ngokomthethonqubo (5), ubona isidingo sokubhaliswa noma sokwesulwa kwendlela ehamba umphakathi noma umuntu noma umasipala usulethe isicelo ngokwezimiso zomthethonqutshana (6), uNgqongqoshe noma umasipala —
- (a) kumele uhlale isicelo ngokwendlela yokuhlunga indlela ehamba umphakathi ebalulwe kumthethonqutshana (4);
- (b) kumele ulethe isaziso senhloso yokubhalisa noma yokusula indlela ehamba umphakathi, kumbandakanya nencazelo yaleyo ndlela yomphakathi, kumnikazi womhlaba leyo ndlela ekuwona, kumasipala othintekayo kanye nakunoma ngubani othintekayo owaziwa nguNgqongqoshe noma ngumasipala;
- (c) kumele, uma umnikazi womhlaba lapho indlela ehamba umphakathi ikhona ekunqabela ukubhaliswa noma ukusulwa kwendlela ehamba umphakathi ezinsukwini ezingama-30 emva kokukhishwa kwesaziso ngale nhloso, udingide isiphakamiso futhi ubonisane nomnikazi, nomasipala kanye nanoma ubani othintekayo owaziwa nguNgqongqoshe noma umasipala ngokubhaliswa noma ngokusulwa kwendlela ehamba umphakathi;
- (d) kumele ukhangise indlela ehamba umphakathi emaphephandabeni asetshenziswa kakhulu kuleyo ndawo;
- (e) angathi, uma umnikazi wendawo umasipala othintekayo noma nabanye abathintekayo lapho kukhona khona indlela ehamba umphakathi ehluleka ukuphendula ezinsukwini ezingama-30 emva kokwethulwa kwesaziso senhloso esidingekayo ngokwendima (b) futhi ehluleka ukuphendula ezinsukwini ezingama-21 emva kokuphuma kwesikhangiso emaphephandabeni akuleyo ndawo ngokwendima (d), athathe ngokuthi akunasiphakamiso somnikazi womhlaba, sikamasipala nesanoma ngubani othintekayo ekubhalisweni noma ekusulweni kwendlela ehamba umphakathi; futhi
- (f) kumele uma kunesiphakamiso esibhaliwe emva kokuhambisana nendima (e) —
- (i) ubheke isiphakamiso esibhaliwe;
- (ii) ubonisane nomnikazi wendawo, umasipala othintekayo owaziyo kanye nanoma ngubani othintekayo owaziwa nguNgqongqoshe noma ngumasipala; futhi
- (iii) emva kokubonisana ngokwendinyana (ii), unqume ukuthi indlela yomphakathi ehlongozwayo kumele ibhaliswe yini noma indlela yomphakathi ehlongozwayo kudingeka ukuthi isulwe.
- (8) Uma uNgqongqoshe noma umasipala ethatha isinqumo sokubhalisa noma sokusula indlela ehamba umphakathi, uNgqongqoshe noma umasipala kumele —
- (a) ukubhalisa indlela ehamba umphakathi —
- (i) ubhale indlela ehamba umphakathi, kanye nesithombe esicacisa umzila/umgudu wendlela ehamba umphakathi ebhukwini lokubhalisela izindlela ezihamba umphakathi bese ehlinzeka ngenombolo yokubhaliswa, kumbandakanya nomhlaba, nencazelo yesiza, kwendlela ehamba umphakathi;
- (ii) uchaze ukuthi ngubani ozokwakha, ozonakekela kanye nozobiyela, uma ekhona, indlela ehamba umphakathi;
- (iii) achaze uhlobo, iqophelo, ububanzi kanye nokusetshenziswa kwendlela yomphakathi; futhi
- (iv) uma umfakisicelo elethe isicelo ngokwezimiso zomthethonqutshana (6) azise umfakisicelo ukuthi indlela ehamba umphakathi izobhaliswa nokuthi imali yokubhaliswa kumele ikhokhwe; noma
- (b) ukusula indlela ehamba umphakathi —
- (i) asule indlela ehamba umphakathi ekhonjiwe; futhi
- (ii) azise umfakisicelo ukuthi indlela ehamba umphakathi ekhonjiwe isisuliwe futhi anikeze nezizathu ngokubhaliwe ngesinqumo sakhe.
- (9) Igunya lokubhaliswa kwendlela ehamba umphakathi ngokwezimiso zomthethonqutshana (8)(a) uphela uma —
- (a) umfakisicelo ehluleka ukukhokha imali yokubhalisa; noma
- (b) uma indlela ehamba umphakathi ingakhiwe kuze kwedlule izinyanga eziyi-18 kusukela ngosuku okwakhishwa ngalo isaziso.
- (10) Uma indlela ehamba umphakathi idlulelwe yisikhathi ngokwezimiso zomthethonqutshana (9)(b) —
- (a) uNgqongqoshe noma umasipala kumele achithe leyo ndlela ehamba umphakathi; futhi
- (b) kwethulwe isicelo esisha futhi samukelwe ngokwezimiso zalo mthethonqubo ngaphambi kokwakhiwa kwendlela ehamba umphakathi.
- (11) UNgqongqoshe noma umasipala kumele, uma indlela ehamba umphakathi igunyazwe ngokwezimiso zalo mthethonqubo, eluleke umfakisicelo ngenwadi —
- (a) nganoma yimuphi umbandela ohambisana nokubhaliswa kwendlela ehamba umphakathi, kumbandakanya kodwa kungacini nje ngezidingo —
- (i) zokukhokha imali yokubhalisa edingekayo ukubhalisa indlela ehamba umphakathi;
- (ii) zokukhokha imali yokubhalisa edingekayo ukubhalisa indlela ehamba umphakathi ehovisini elibhalisa amatayitela; futhi
- (iii) zokwakhiwa, zokunakekelwa futhi lapho kunesidingo, zokubiyelwa kwendlela ehamba umphakathi.
- (b) ngenombolo okubhaliswe ngayo indlela ehamba umphakathi;



- (c) ukuthi igunya ngokwezimiso zalo mthethonqubo liyisengezo futhi alimele noma iyiphi imvume noma igunya elidingwa yinoma yimuphi omunye umthetho; futhi
- (d) ukuthi ngubani oyoba nomthwala wazo zonke izindleko zokunakekelwa kwendlela ehamba umphakathi egunyazwe ngokwalo mthethonqubo.
- (12) UNgqongqoshe noma umasipala kumele, uma isicelo esifakwe ngokomthethonqutshana (6) singagunyazwanga, eluleke umfakisicelo —
- (a) ngokuthi isicelo asiphumelelanga ukuhlangabezana nendlela yokuhlunga ngokomthethonqutshana (4); kanye
- (b) nangezizathu ezidale ukuthi kungahlangatshezwana nendlela yokuhlunga.
- (13) Umdwebo wanoma iyiphi indlela ehamba umphakathi ebhalisiwe kumele utholakale nokubhaliswa kwendlela ehamba umphakathi ehhovisi lakoMkhulu loMnyango kanye nasehhovisi lesifunda esincane esibhekele indlela ehamba umphakathi noma ehhovisi likamasipala othintekayo.
- (14) Umuntu angasebenzisa indlela ehamba umphakathi entsha uma uNgqongqoshe —
- (a) enikeze igunya lesikhashana ngencwadi lendlela ehamba umphakathi; noma
- (b) ebhalise indlela ehamba umphakathi.
- (15) UNgqongqoshe noma umasipala othintekayo ungakhipha isexwayiso, esinikeza umuntu ochazwe kumthethonqutshana (11)(a) isikhathi esinqunyiwe sokulungisa iphutha noma ukwehluleka ukuhambisana nalo mthethonqubo uma lowo muntu —
- (a) ephula noma ehluleka ukuhambisana nalo mthethonqubo; noma
- (b) ehluleka ukuhlangabezana nemibandela ebekwe nguNgqongqoshe noma umasipala othintekayo yokwakhiwa, yokunakekelwa noma yokubiyelwa kwendlela ehamba umphakathi.
- (16) Uma umuntu ochazwe kumthethonqutshana (11)(a) ehluleka ukuhambisana nezihlinzeko zokulungisa isexwayiso esikhishwe ngokwezimiso zomthethonqutshana (15) —
- (a) lowo muntu unomthwalo wokukhokha izindleko ezithwalwe nguNgqongqoshe noma ngumasipala othintekayo zokwakhiwa, zokunakekelwa noma zokubiyelwa kwendlela ehamba umphakathi; futhi
- (b) uNgqongqoshe noma umasipala othintekayo ungaphoqa ukuba indlela ehamba umphakathi ivalwe, lowo muntu athwale izindleko zokuvalwa kwendlela ehamba umphakathi.
- (17) Uma umuntu efisa ukunciphisa noma ukuguqula indlela ehamba umphakathi egunyaziwe, kumele enze isicelo kabusha ngokwezimiso zomthethonqubo (6) nganoma yiluphi uguquko endleleni ehamba umphakathi.
- (18) Uma uNgqongqoshe noma umasipala uthola ukuthi indlela ehamba umphakathi egunyaziwe iyasetshenziwa, uNgqongqoshe noma umasipala othintekayo ungahlola leyo ndlela ehamba umphakathi ngokwalo mthethonqubo bese eyibhalisa noma ahlele ukuba ivalwe.
- (19) Uma umuntu ochazwe kumthethonqubo (11)(d) ehluleka ukunakekela indlela ehamba umphakathi, uNgqongqoshe noma umasipala othintekayo —
- (a) ungavala indlela ehamba umphakathi, bese umuntu owehluleka ukunakekela indlela ehamba umphakathi ethwala izindleko zokuvalwa kwaleyo ndlela ehamba; noma
- (b) ungalungisa noma yimuphi umonakalo odaleke ngokwehluleka ukunakekela indlela ehamba umphakathi, umuntu owehluleke ukwenza lokho kuyomcle akhokhele uNgqongqoshe noma umasipala othintekayo zonke izindleko zokulungisa.
- (20) UNgqongqoshe noma umasipala othintekayo ungaphenya noma yimuphi umonakalo osendleleni ehamba umphakathi, kumbandakanya ukubiyelwa.
- (21) Umuntu otholakala edale umonakalo endleleni ehamba umphakathi, kumbandakanya ukubiyelwa kwayo, unomthwalo wokukhokha zonke izindleko.
- (22) Umuntu angeke —
- (a) akhe noma alungise indlela ehamba umphakathi ngaphandle kokuhambisana nalo mthethonqubo;
- (b) ahluleke ukunakekela indlela yomphakathi egunyazwe ngokwalo mthethonqubo;
- (c) ahluleke ukuhambisana nezihlinzeko zokulungiswa zesexwayiso esikhishwe ngokwalo mthethonqubo (15);
- (d) ahluleke ukuvala indlela ehamba umphakathi ngokwalo mthethonqubo; noma
- (e) avale indlela ehamba umphakathi ngaphandle kokulandela lo mthethonqubo.

#### Ukulawulwa kwamanzi emvula enesiphepho kanye nemisele yamanzi emigaqweni yesiFundazwe

- 5.(1) UNgqongqoshe kumele abheke lendlela elandelayo kunoma yiziphi izinyathelo azithatha ngokwezigaba 12(1) noma 12(2)(a) no (b), zoMthetho —
- (a) noma yiluphi uguquko ekusetshenzisweni komhlaba noma ukunquma kwentaba emhlabeni oseduze komgwaqo wesifundazwe;
- (b) noma yikuphi ukwehlukiswa noma ukuthuthukiswa komhlaba,
- (c) noma yiziphi izakhiwo noma izindlu ezikulowo mhlaba;
- (d) ukuguguleka noma umonakalo ongenzeka emgwaqweni wesifundazwe;
- (e) ukwakhiwa kwanoma yisiphi isakhiwo esifana nedamu noma udonga lwedamu, lapho izinga lamanzi emfuleni, umfudlana noma umsele wamanzi uyodala ukuthikamezeka emgwaqweni wesifundazwe nanoma yiliphi ibhuloho, izibuko, umsele wokudonsa amanzi ngaphansi komgwaqo, ipayipi noma udonga lokuvimbela umgwaqo wesifundazwe;
- (f) umonakalo kwezemvelo; kanye
- (g) nanoma yiliphi elinye iphuzu elisemqoka elingadala umonakalo omkhulu emgwaqweni wesifundazwe.
- (2) UNgqongqoshe kumele anikeze ilungu lomphakathi ngesicelo esibhaliwe kanye nangokukhokha kwemali enqunyiwe, iqophelo nezidingo ezisetshenziwayo ukwenza isinqumo ngendlela yokuhlunga ngokomthethonqutshana (1).
- (3) Ngaphambi kokuthatha isinyathelo ngokwesigaba 12(1) soMthetho, umuntu noma umasipala kumele —
- (a) wethule isicelo ngencwadi njengoba kuhlinzekelwe kumthethonqubo (17)(1); futhi
- (b) wenze ukuba isicelo siphinde sisayinwe ngumnikazi wendawo.
- (4) Uma umuntu noma umasipala wethule isicelo ngokomthethonqutshana (3), uNgqongqoshe kumele ahlole isidingo ngokwendlela yokuhlunga echazwe ngokomthethonqutshana (1).
- (5) Uma —
- (a) isicelo esethuliwe ngokomthethonqutshana (3) sihlangabezana nendlela yokuhlunga ngokomthethonqutshana (1), uNgqongqoshe anganikezela ngegunya elibhaliwe; futhi
- (b) kungathathwa sinyathelo ezinyangeni eziyi-18 kusukela osukwini lokukhishwa kwegunya ngokwendima (a) noma ekupheleni kwesikhathi esigunyazwe kumthethonqutshana (6)(b), noma yikuphi okuncane, igunya likaNgqongqoshe elibhaliwe liyaphelwa yisikhathi bese kwethulwa isicelo esisha.

- (6) UNgqongqoshe kumele, uma kunesicelo esilethwe ngokomthethonqutshana (3) sigunyaziwe ngokomthethonqubo (5)(a), eluleke ofake isicelo ngenchwadi —
- nganoma yimiphi imibandela emayelana nokuvikelwa komgwaqo wesifundazwe emonakalweni wamanzi;
  - ngesikhathi sokusebenza kwegunya lesicelo ukuze kuthathwe izinyathelo zokuvikela umgwaqo wesifundazwe emonakalweni wamanzi, lesi isikhathi esingenakweqa ezinyangeni eziyi-18; kanye
  - nokuthi noma yiliphi igunya ngokwalo mthethonqubo liyisengezo futhi alibambeli noma iyiphi imvume noma igunya elidingwa yinoma yimuphi omunye umthetho.
- (7) UNgqongqoshe kumele, uma isicelo ebisilethwe ngokomthethonqutshana (3) singagunyazwanga, eluleke umfakisicelo ngenchwadi —
- ukuthi isicelo asiphumelelanga ukuhlangabezana nendlela yokuhlolwa ngokwezimiso zomthethonqutshana (1); kanye
  - nezizathu ezidale ukuthi kungahlangatshezwana nendlela yokuhlunga.
- (8) Umuntu noma umasipala ngokomthethonqutshana (5)(a) kumele, ngaphambi kokuthatha noma yisiphi isinyathelo, azise uNgqongqoshe ngenchwadi nganoma yikuphi ukwakha okuhlongozwayo ukuze —
- kweqiswe amanzi noma aholelwe ngaphansi komgwaqo wesifundazwe; noma
  - kukhushulwe noma kwehliswe izinga lamanzi kunoma yimuphi umfula, idamu, noma umsele wamanzi okungathikameza noma kubeke ebu-ngozi nanoma yimuphi umgwaqo wesifundazwe noma ibhuloho, izubuko, umsele wamanzi. nanoma iyiphi enye into eyingxenywe noma exhumene noma okungeyomgwaqo wesifundazwe.
- (9) Umnikazi womhlaba ondelene nomgwaqo wesifundazwe unomthwalo wazo zonke izindleko lapho kuthathwe isinyathelo —
- sokweqisa amanzi noma sokuwaholela ngaphansi komgwaqo wesifundazwe; noma
  - sokwenyusa noma sokwehlisa izinga lamanzi kunoma yimuphi umfula, idamu, izibuko, umsele wokudonsa amanzi nanoma yini eyingxenywe, noma exhumene noma okungeyomgwaqo wesifundazwe.
- (10) Uma umnikazi womhlaba oncikene nomgwaqo wesifundazwe ephula noma ehluleka ukuhambisana nanoma yiziphi izihlinzeko zalo mthethonqubo, nanoma yimiphi imibandela ekhishiwe uNgqongqoshe, noma ehluleka ukuhlangabezana namaqophelo amisiwe okuvikela umgwaqo wesifundazwe emonakalweni wamanzi, uNgqongqoshe angakhipha isexwayiso esinqumela umnikazi isikhathi esithile sokulungisa amaphutha akhe noma ukwehluleka kwakhe ukuhambisana nalo mthethonqubo.
- (11) Uma umnikazi womhlaba ehluleka ukuhambisana nezihlinzeko zokulungisa zesexwayiso esikhishwe ngokomthethonqutshana (10) —
- umnikazi womhlaba oncikene nomgwaqo wesifundazwe unomthwalo wokukhokha zonke izindleko uma ebenotwazi noma ebenesizathu sokwazi ukuthi ukwehluleka komnikazi ukuthatha izinyathelo kuyolimaza umgwaqo wesifundazwe noma ibhuloho, umsele odonsa amanzi, izibuko nanoma yini eyingxenywe noma exhumene noma okungeyomgwaqo wesifundazwe; futhi
  - uNgqongqoshe anganquma ukuthi umgwaqo wesifundazwe uvalwe okwesikhashana, umnikazi athwale zonke izindleko ezithwalwe nguNgqongqoshe ukulungisa noma yimuphi umonakalo owenziwe ukwehluleka komnikazi ukuvikela umgwaqo womphakathi emonakalweni wamanzi futhi abuyisele umgwaqo wesifundazwe esimweni esamukelekile.
- (12) Umuntu angeke —
- aholele amanzi ngaphezulu noma ngaphansi noma awawelise emgwaqweni wesifundazwe engalandelanga lo mthethonqubo;
  - aphakamise noma ehlise izinga lamanzi kunoma yimuphi umfula, idamu, noma umsele wamanzi ukuvimbela ukuthikamezeka kwanoma yiliphi ibhuloho, umsele wamanzi, izibuko nanoma yini enye into eyingxenywe noma exhumene noma okungeyomgwaqo wesifundazwe ngaphandle kokulandela lo mthethonqubo;
  - aphambukise umsele wamanzi, umfudlana noma umfula ngaphandle kokulandela lo mthethonqubo;
  - aphambukise umgudu wamanzi esiphepho ngaphansi kwanoma yimuphi umgwaqo wesifundazwe awayise emhlabeni ozimele ngaphandle kokulandela lo mthethonqubo;
  - ehluleka ukunakekela noma ukulawula noma yimuphi umgudu wamanzi esiphepho, umfudlana noma umfula noma aphambukise umsele wamanzi ukuvimbela amanzi ekulimazeni umgwaqo wesifundazwe; noma
  - ehluleka ukulandela izihlinzeko zokulungisa zesixwayiso esikhishwe ngokwezimiso zomthethonqutshana (10).

#### Izakhiwo ezincikene noma ezisemgwaqweni wesifundazwe

- 6.(1) UNgqongqoshe kumele abheke lendlela elandelayo ngaphambi kokuba anikezele ngemvume yokwakha, yokubeka, yokusungula noma yokugququla yinoma yisiphi isakhiwo, noma avumele ukwakhiwa, ukubekwa, ukusungulwa noma ukugququlwa kwanoma yisiphi isakhiwo, ngaphandle kokubiya okwenziwe nguMnyango ngokomthethonqutshana 7, phezu noma ngenhla noma ngezansi komgwaqo wesifundazwe ukuze sequele emgwaqweni wesifundazwe, noma endaweni engavunyelwe ukuba kwakhiwe kuyo endaweni engangamamitha ayi-15 ukusuka emgceleni womgwaqo omkhulu noma womgwaqo wesifunda —
- noma yiluphi uguquko endleleni yokusetshenziswa komhlaba noma kwesakhiwo;
  - noma yikuphi ukwehlukaniswa noma ukuthuthukiswa komhlaba;
  - ukusetshenziswa noma ukusetshenziswa okunokwenzeka kwesakhiwo, ukumiswa noma ukulungiswa ngaphezulu noma ngaphansi komhlaba, kumbandakanya kodwa kungacini nje ngemisebenzi yokusiza kanye nazo zonke izakhiwo eziphatelene nakho;
  - indawo kanye nokuma kwesakhiwo;
  - ukwakhiwa komgwaqo, ukunakekelwa kanye nokubhekela kokuphepha kwezimoto;
  - ukulawulwa kwemigudu yamanzi esiphepho emgwaqweni omkhulu kanye nasemgwaqweni wesifunda;
  - ubungazi kwezemvelo;
  - lapho kufanele, ukukhuliswa komnotho kanye nokugcinwa kwentuthuko; kanye
  - nanoma yiliphi elinye iphuzu elingadala umonakalo esidimeni somgwaqo wesifundazwe.
- (2) UNgqongqoshe kumele anikezele emphakathini ngokwesicelo esibhaliwe nasemva kokukhokha kwemali efanele, iqophelo kanye nezidingo ezisetsenziswayo ekuthatheni izinqumo ngokomthethonqutshana (1).
- (3) UNgqongqoshe angakhomba isidingo sokwakhiwa, ukubekwa, ukusungulwa noma sokugququlwa kwanoma yisiphi isakhiwo phezu, ngenhla noma ngaphansi komgwaqo wesifundazwe esingenelela emgwaqweni wesifundazwe, noma esakhiweni, endaweni enesivimbelo esingamamitha ayi-15 ukusuka emgceleni womgwaqo omkhulu noma wesifunda.
- (4) Umuntu noma umasipala ohlongoza noma yiziphi izinyathelo ezingezansi kumele athole igunya elibhaliwe kuNgqongqoshe, ulethe ifomu yesicelo ngokomthethonqubo 17(1) uma kuhlongozwe ezinye zale zinyathelo ezingezansi —
- ukumiswa, ukubekwa, ukusungulwa noma ukugququlwa kwonoma yisiphi isakhiwo emgwaqweni wesifundazwe esingenelela emgwaqweni wesifundazwe;

- (b) ukumiswa, ukubekwa, ukusungulwa noma ukuguqulwa kwanoma yisiphi isakhiwo endaweni engavunyelwe engamamitha ayi-15 ukusuka emngceleni womgwaqo omkhulu noma emgwaqweni wesifunda; noma
- (c) ukuthatha noma yisiphi isinyathelo esimayelana nesakhiwo esingaba nobungozi emgwaqweni wesifundazwe, noma sibe nomthelela ongemuhle emgwaqweni wesifundazwe.
- (5) Uma uNgqongqoshe ekhomba khona isidingo ngokwezimiso zomthethonqutshana (3) noma umuntu noma umasipala sethule isicelo ngokwezimiso zomthethonqutshana (4), uNgqongqoshe kumele ahlole isidingo sokuvikela umgwaqo wesifundazwe kumonakalo ngokwezimiso zendlela echazwe kumthethonqutshana (1) bese ethatha izinyathelo ezifanele.
- (6) Uma —
- (a) isicelo esilethwe ngokwezimiso zomthethonqutshana (4) siblangabezana nendlela yokuhlolwa ngokwezimiso zomthethonqutshana (1), uNgqongqoshe anganikezela ngengunya elibhaliwe lokumisa, lokubeka, lokusungula noma lokuuguqula isakhiwo esingenelela emgwaqweni wesifundazwe, noma singamamitha ayi-15 ukusuka emngceleni womgwaqo omkhulu noma emgwaqweni wesifunda; futhi
- (b) kungathathwa zinyathelo zingakadluli izinyanga eziyi-18 kusukela osukwini lwegunya elibhaliwe ngokwendima (a) noma ngasekupheleni kwe-sikhathi esigunyazwe wumthethonqutshana (7)(b), kuye ngokuthi yikuphi okuncane, igunya likaNgqongqoshe liyaphela bese kwethulwa isicelo esisha.
- (7) UNgqongqoshe kumele, lapho isicelo esilethwe ngokomthethonqutshana (4) sesigunyaziwe ngokwezimiso zomthethonqutshana (6)(a), eluleka ofake isicelo —
- (a) nganoma yimiphi imibandela efanele ukuvikela umonakalo emgwaqweni wesifundazwe;
- (b) ngesikhathi sokusebenza kwengunya lesicelo sokuthatha izinyathelo zokumisa, zokubeka, zokusungula noma zokuguqula isakhiwo endaweni, ngenhla noma ngezansi komgwaqo wesifundazwe, noma okungavunyelwe ukwakha kuyo emamitheni ayi-15 ukusuka emngceleni womgwaqo omkhulu noma emgwaqweni wesifunda, isikhathi esingenakwedlula ezinyangeni eziyi-18; kanye
- (c) nokuthi noma yiliphi igunya ngokwalo mthethonqubo eliyisengezo futhi ngeke limele nanoma iyiphi imvume noma igunya elidingwa yinoma imuphi omunye umthetho.
- (8) UNgqongqoshe kumele uma isicelo ebeselethwe ngokomthethonqutshana (4) singaphumelelanaga, eluleke umfakisicelo ngencwadi —
- (a) ukuthi isicelo asiphumelelanga ukuhlangabezana nendlela yokuhlolwa ngokomthethonqutshana (1);
- (b) nangezizathu ezidale ukuthi kungahlangatshezwana nendlela yokuhlunga; kanye
- (c) nokuthi isicelo sahlolwa ngokomthethonqutshana (1) nokuthi ikhophi yokuhlolwa angayithola umfakisicelo uma ebhala eyicela.
- (9) Umuntu noma umasipala ogunyazwe ngokomthethonqutshana (6)(a) kumele, ngaphambi kokuthatha izinyathelo, azise uNgqongqoshe ngencwadi ngokwakhiwa okuhlongozwayo eduze noma emgwaqweni wesifundazwe noma emamitheni ayi-15 ukusuka emngceleni womgwaqo omkhulu noma emgwaqweni wesifunda.
- (10) Uma isicelo sehluleka ukuhlangabezana nezidingo zendlela yokuhlunga ngokomthethonqutshana (1) futhi umuntu noma umasipala umise isakhiwo ngokuphikisana nalo mthethonqubo, uNgqongqoshe angasisusa isakhiwo noma asilungise ngokufanele noma asinakekele ukuze kuqinisekise ukuhlonipheka komgwaqo wesifundazwe.
- (11) Umuntu noma umasipala omise, obeke, osungule noma uguqule isakhiwo emhlabeni oncike emgwaqweni wesifundazwe, noma ongamamitha ayi-15 ukusuka emngceleni womgwaqo omkhulu noma emgwaqweni wesifunda, ngaphandle wegunya elibhalwe ngokomthethonqutshana (6)(a) unomthwalo wokukhokha izindleko zokubuyisela umgwaqo wesifundazwe esimweni esifanele.
- (12) Uma uNgqongqoshe, ngokomthethonqutshana (3), ebone isidingo, uNgqongqoshe unomthwalo wokukhokha izindleko zokuqalisa ukwakha, ukunakekela kanye nezinye izindleko ngaphandle kwalapho kunemvume yokungenela khona.
- (13) Umfakisicelo ophumelele ngokomthethonqutshana (6)(a), unomthwalo wokukhokha izindleko zokumisa, zokubeka, zokusungula noma zokuguqula noma yisiphi isakhiwo kanye nokunakekela noma ukuvumela ukumiswa, ukubekwa, ukusungulwa noma ukuguqulwa kwanoma yisiphi isakhiwo, ngenhla noma ngezansi komgwaqo wesifundazwe, noma endaweni ezingavunyelwe izakhiwo ezingamamitha ayi-15 ukusuka emngceleni womgwaqo omkhulu noma womgwaqo wesifunda.
- (14) Umuntu angasebenzisa isakhiwo, esingenhla noma esingezansi komgwaqo wesifundazwe, noma esisendaweni ezingavunyelwe izakhiwo ezingamamitha ayi-15 ukusuka emngceleni womgwaqo omkhulu noma womgwaqo wesifunda lapho uNgqongqoshe enikezele khona —
- (a) igunya lesikhashana ngokomthethonqubo (6)(a) lokusetshenziswa kwesakhiwo; noma
- (b) igunya elibhaliwe eligcwalisa ukulandwa kwamaqophelo obunjiniyela obuchazwa zikhathi zonke nguNgqongqoshe ukuqinisekisa ukuhlonipheka komgwaqo wesifundazwe.
- (15) Uma umuntu noma umasipala umisa, ubeka, usungula noma uguqula isakhiwo noma uvumela ukumiswa, ukubekwa, ukusungulwa noma ukuguqulwa kwesakhiwo ngenhla noma ngezansi komgwaqo womphakathi, noma endaweni ezingavunyelwe izakhiwo ezingamamitha ayi-15 ukusuka emngceleni womgwaqo omkhulu noma womgwaqo wesifunda, ngokuphikisana nalo mthethonqubo, noma ehtuleka ukulandela nanoma yimuphi umhlinzeko walo mthethonqubo nanoma yimiphi eminye imibandela ebekwe nguNgqongqoshe, uNgqongqoshe angakhipha isexwayiso enika lowo muntu noma umasipala isikhathi esithile sokulungisa iphutha lakhe noma likamasipala lokwehluleka ukulandela lo mthethonqubo.
- (16) Uma umuntu noma umasipala uhluleka ukulandela izihlinzeko zokulungisa zesexwayiso esikhishwe ngokomthethonqutshana (15), lowo muntu noma umasipala kumele ukhokhe izindleko zokubuyisela umgwaqo wesifundazwe esimweni, kumbandakanya kodwa kungacini nje ngokususwa, ngokudilizwa kanye nokuchithwa kwayo yonke impahla eqondene nesakhiwo.
- (17) Umuntu noma umasipala obheke isakhiwo esingagunyaziwe esingenhla noma esingezansi komgwaqo womphakathi esingenelele emgwaqweni wesifundazwe, noma endaweni ezingavunyelwe izakhiwo ezingamamitha ayi-15 ukusuka emgwaqweni omkhulu noma wesifunda, kumele enze isicelo ngokwezimiso zomthethonqutshana (4) zingakadluli izinsuku ezingama-30 kusukela ngosuku aziswe ngalo ukuthi isakhiwo kasihambisani nendlela yokuhlunga esungulwe ngokwalo mthethonqubo.
- (18) Uma umuntu noma umasipala uhluleka ukuthola igunya lesakhiwo ngokwezimiso zomthethonqutshana 6(a) noma (14), lowo muntu noma umasipala kumele ususe noma wakhe lesa sakhiwo engxenywe.
- (19) Uma umuntu noma umasipala uhluleka ukususwa noma ukwakha isakhiwo engxenywe, ngokomthethonqutshana (18), —
- (a) uNgqongqoshe angasisusa isakhiwo noma asakhe engxenywe; futhi
- (b) umuntu noma umasipala kumele ikhokhe zonke izindleko ezithwale nguNgqongqoshe —
- (i) esusa noma akha isakhiwo engxenywe; futhi
- (ii) ebuyisela umgwaqo wesifundazwe esimweni sawo.
- (20) UNgqongqoshe angabona isidingo sokususa noma sokumisa isakhiwo engxenywe esisusa eduze komgwaqo wesifundazwe kanti futhi angasisusa noma asakhe isakhiwo engxenywe.
- (21) Umuntu noma umasipala uhlongoza ukususwa noma ukwakhiwa engxenywe kwesakhiwo kumele enze isicelo ngokwezimiso zomthethonqutshana (4).

- (22) Umuntu noma umasipala othola igunya lokususa noma lokwakha isakhiwo engxenye unomthwalo wazo zonke izindleko zokususa noma ukwakha isakhiwo engxenye kanye nowokubuyisela umgwaqo wesifundazwe esimweni sawo.
- (23) UNgqongqoshe angalungisa noma yimuphi umonakalo edalwe ukwehluleka komuntu noma umasipala ukunakekela isakhiwo bese lowo muntu noma umasipala ube nomthwalo wezindleko zokulungisa nezindleko ezihambisana nalokho.
- (24) UNgqongqoshe angasusa noma amise engxenye isakhiwo esinganakekelwe ngokwezimiso zomthethonqutshana (13) bese uNgqongqoshe efuna zonke izindleko zokususa noma zokumiswa engxenye kwesakhiwo.
- (25) Umuntu angeke —
- amise, abeke, asungule noma aguqule isakhiwo esimile ngenhla noma ngezansi komgwaqo wesifundazwe ongenelela emgwaqweni wesifundazwe noma endaweni ezingavumeli izakhiwo ezingamamitha ayi-15 ukusuka emngceleni womgwaqo omkhulu noma emgwaqweni wesifunda ngandle kokulandela lomthethonqubo;
  - ehluleka ukulandela izihlinzeko zokulungisa zesixwayiso esikhishwe ngokomthethonqutshana (15); noma
  - chluleka ukususa isakhiwo ngokwemithethonqutshana (16) no (18).

#### Ukubiyelwa kwemigwaqo yesifundazwe

- 7.(1) UNgqongqoshe angabiya ngocingo eduze komgwaqo wesifundazwe noma ngokubona kukaNgqongqoshe, angasiza umuntu noma umasipala nge-mali yokubiya noma yokulungisa ucingo.
- (2) UNgqongqoshe kumele abheke lendlela elandelayo ekugunyazeni ukumiswa, ukushintshwa noma yokususwa kocingo eduze komgwaqo wesifundazwe —
- ukuklanywa komgcele wendawo esemgwaqweni wesifundazwe;
  - ukulawula ukungena emgwaqweni wesifundazwe;
  - ukuvimbela ukuthi izilwane zingangeni emgwaqweni wesifundazwe;
  - ukuvimbela ukungenelela emgwaqweni wesifundazwe;
  - ukubhekela ukuphepha komgwaqo kanye nezimoto;
  - nanoma yiliphi elinye iphuzu elisemqoka elingaba nomthelela omubi emgwaqweni wesifundazwe; futhi
  - kuncike ebukhoneni bezimali zokubiya ezabiwe yisiShayanthetho sesiFundazwe saKwaZulu-Natali.
- (3) UNgqongqoshe kumele anikezele ilungu lomphakathi isicelo esibhaliwe esiya kuNgqongqoshe nokukhokha kwemali enqunyiwe ngeqophelo kanye nezidingo ezisetsheziwe ukuthatha isinqumo ngendlela yokuhlunga ngokomthethonqutshana (2).
- (4) UNgqongqoshe kungathi ngendlela yokuhlunga echazwe kumthethonqutshana (2), akhomba isidingo —
- sokufaka ucingo eduze komgcele onezigaba ezingabiyelwe zomgwaqo wesifundazwe; noma
  - afake, anakekele noma ashintshe ucingo emngceleni wendawo yomgwaqo ongumgwaqo wesifundazwe; noma
  - asuse ucingo eduze komgcele womgwaqo wesifundazwe.
- (5) Uma edinga umnikelo ngokwesigaba 14(3) soMthetho, umuntu noma umasipala, kumbandakanya kodwa kungacini nje ngomnikazi womhlaba oseeduze komgwaqo wesifundazwe, kumele ethule isicelo sokufakwa, sokushintshwa noma sokususwa kocingo eduze komgwaqo wesifundazwe.
- (6) Isicelo esilethwe ngokomthethonqutshana (5) kumele sisayindwe ngumnikazi womhlaba oseeduze komgwaqo wesifundazwe.
- (7) Uma uNgqongqoshe ngokomthethonqutshana (4) esebone isidingo sokufaka ucingo, sokushintsha noma sokususa ucingo emngceleni womgwaqo wesifundazwe, noma umuntu noma umasipala, kumbandakanya kodwa kungacini nje ngomnikazi, eselethe isicelo ngokomthethonqutshana (5). uNgqongqoshe kumele ahlale isidingo sokufaka, sokushintsha noma sokususa ucingo ngokwezimiso zomthethonqutshana (2).
- (8) Uma —
- isicelo esilethwe ngokomthethonqutshana (5) zihlangabezana nezindlela zokuhlola ngokomthethonqutshana (2), uNgqongqoshe anganikezela ngegunya elibhaliwe lokufaka, lokushintsha noma lokususa ucingo olugudle umgcele womgwaqo wesifundazwe; futhi
  - uma kungathathwanga zinyathelo ezinyangeni eziyi-18 kusukela ngosuku okukhishwe ngalo igunya elibhaliwe ngokwezimiso zesigaba (a) noma ngasekupheleni kwesikhathi segunya elugnyazwe umtheshwana (9)(c), noma yikuphi okuncane, igunya likaNgqongqoshe elibhaliwe liyophela bese kwethulwa isicelo esisha.
- (9) UNgqongqoshe kumele, lapho isicelo esithuliwe ngokwezimiso zomthethonqutshana (5) sagunyazwa, ngokwezimiso zomthethonqutshana (8)(a), eluleke ofake isicelo ngencwadi —
- nganoma yimiphi imibandela esemqoka, embandakanya kepha ingacini ngemibandela echaza —
    - ukuthi yisiphi isigaba womgwaqo wesifundazwe okumele sibiywe noma singabiywa;
    - ukuthi umnikazi womhlaba oseeduze komgwaqo wesifundazwe unomthwalo wazo zonke izindleko ezimayelana nokumiswa kanye nokususwa kocingo;
    - ukuthi esikhundleni sokubiya omaka bomgwaqo bangamiswa emngceleni womgwaqo nguNgqongqoshe futhi kakumele basuswe; futhi
    - umnikazi oseeduzane axolele uNgqongqoshe kunoma yimuphi umonakalo wanoma yiluphi uhlobo ongavela ngakuyelwa, ukwehluleka ukubiyela, ukwehluleka ukunakekela ucingo noma ukususwa kocingo emhlabeni oseeduze nomgwaqo wesifundazwe;
  - nokuthi umninimhlaba oseeduze kumele alandele loMthetho;
  - ngesikhathi sokubenza kwegunya lesicelo sokumisa, ukushintsha noma ukususa ucingo eduze komgcele womgwaqo wesifundazwe, isikhathi okungamele seqe ezinyange eziyi-18; kanye
  - nokuthi noma yiliphi igunya ngokwezimiso zalo Mthetho liyisengezo alimeli noma iyiphi imvume noma igunya elidingwa yinoma yimuphi omunye umthetho
- (10) UNgqongqoshe kumele, lapho isicelo esilethwe ngokwezimiso zomthethonqutshana (5) sagunyazwa, eluleke ofake isicelo ngencwadi —
- ukuthi isicelo asiphumelelanga ukuhlangabezana nezidingo zendlela yokuhlola ngokwezimiso zomthethonqutshana (2); futhi
  - nangezizathu zokuthi yingani indlela yokuhlola kungahlangatshwananga nayo.
- (11) Umuntu noma umasipala eligunyazwe ngokwezimiso zomthethonqutshana (8) —
- kumele ngaphambi kokuthathwa kwezinyathelo, azise uNgqongqoshe ngencwadi ngokumiswa noma ukususwa noma ukubuyiselwa kabusha kocingo okuhlongozwayo.
- (12) Uma isicelo sihluleka ukuhlangabezana nezidingo ngokwezimiso zomthethonqutshana (2) futhi umuntu noma umasipala ebeke, walungisa kabusha noma wasusa ucingo ngokuphambana nalo Mthetho, uNgqongqoshe angabeka, alungise kabusha ucingo bese enza noma yikuphi ukulungisa noma ukunakekela okudingekayo ukuqinisekisa ukuhlonipheka komgwaqo, bese kuthi umuntu noma umasipala ethwale izindleko zokubuyisela umgwaqo wesifundazwe esimeni sawo.

(13) Lapho uNgqongqoshe ngokwezimiso zomthethonqutshana (4) ekhombwe isidingo sokumisa, sokushintsha noma sokususa uringo emngceleni womgwaqo wesifundazwe noma phakathi kwendawo yomgwaqo wesifundazwe, uNgqongqoshe unomthwalo wokukhokha izindleko zokumiswa, ukushintshwa noma zokususwa kocingo.

(14) Lapho isicelo sigunyazwe ngezimiso zomthethonqutshana (8)(a), umnikazi womhlaba oseduze komgwaqo wesifundazwe unomthwalo wazo zonke izindleko zokumiswa, ukuguqulwa noma zokususwa kocingo.

(15) Umnikazi womhlaba oseduze komgwaqo wesifundazwe unomthwalo wazo zonke izindleko zokunakekelwa kocingo oluseduze nomgwaqo wesifundazwe.

(16) UNgqongqoshe kungathi ngokwakhe emva kokuthola isaziso esibhaliwe kumnikazi womhlaba oseduze komgwaqo wesifundazwe, alungise umonakalo odaleke ocingweni zingakadluli izinsuku ezinhlanu zekhalenda zomonakalo bese efuna inkokhelo kulowo muntu othintekayo.

(17) Uma umnikazi womhlaba oseduze komgwaqo wesifundazwe ehluleka ukwenza isaziso somonakalo ocingweni olugudle umhlaba womnikazi ngokwezimiso zomthethonqutshana (16), noma uma uNgqongqoshe enqaba ukulungisa uringo, umnikazi womhlaba oseduze unomthwalo wokulungisa uringo.

(18) Umnikazi womhlaba oseduze komgwaqo omkhulu angethula isicelo esibhaliwe somnikela wokumisa, ukunakekela noma ukushintsha uringo emngceleni womgwaqo omkhulu ngendlela ehlelwa nsuku zonke nguNgqongqoshe, omnikelo ongagunyazwa ngesinqumo sikaNgqongqoshe.

(19) Umnikazi womhlaba oncikene nomgwaqo wesifundazwe othola umnikelo ngokwezimiso zomtheshwana (18) kumele amise, anakekele noma ashintshe uringo ngokulandela izikalalo namaqophelo, amandakanya isidingo sezindleko eziklanywe nguNgqongqoshe.

(20) Lapho umnikazi womhlaba oseduze komgwaqo wesifundazwe edingwa wumthetho ukuba ashintshe uringo olugudle umgwaqo wesifundazwe, uNgqongqoshe kungathi ngokubona kwakhe futhi ebukhoni bemithombo yemali anikele ezindlekweni zokushintshwa kocingo ngezinga eligunyazwe nguNgqongqoshe.

(21) Umnikazi womhlaba oseduze komgwaqo wesifundazwe kumele elulekwe ngencwadi lapho uringo lungenelela emgwaqweni ogudle umgwaqo wesifundazwe futhi uringo kumele lususwe bese lumiswa ngesikhathi esichazwe nguNgqongqoshe futhi umnikazi uyoba nomthwalo wazo zonke izindleko ezivele ngokugudluzwa kocingo olusemngceleni ochazwe nguNgqongqoshe.

(22) Lapho umninimhlaba oseduze komgwaqo wesifundazwe ehluleka ukususa noma ukuvuselela uringo ngokwezimiso zomthethonqutshana (21) uNgqongqoshe ongasusa noma avuselele uringo bese efuna izindleko kumninimhlaba.

(23) UNgqongqoshe onomthwalo wokugudluzwa noma ukushintsha uringo olugudle umgwaqo lapho uringo obelukhona luphazanyiswe ukuqondiswa noma ukwakhiwa komgwaqo wesifundazwe.

(24) Umuntu angeke —

(a) amise, ashintshe noma asuse uringo olumile noma olugudle umgwaqo wesifundazwe ngaphandle kokuqale athole igunya elibhaliwe kuNgqongqoshe;

(b) amise, ashintshe noma asuse uringo oluseduze noma olusemgwaqweni wesifundazwe ngaphandle kokulandela izikalalo ezihlinzekelwe nguNgqongqoshe;

(c) amise uringo olungelele emgwaqweni wesifundazwe; noma

(d) enqabe ukususa noma ukumisa uringo ngokwezimiso zomthethonqutshana (21).

#### **Amasango agudle noma angaphesheya komgwaqo wesifundazwe**

8.(1) UNgqongqoshe kumele acubungule lokhu okulandelayo ekugunyazeni ukwakhiwa kwesango eligudle umgwaqo wesifundazwe, —

(a) impilo yomphakathi noma ukulawula izifo zezilwane;

(b) ukulawulwa kwemingcele yamazwe;

(c) ukongiwa kwemvelo, kumbandakanya kodwa kungacini nje ngokulawula kokuhamba kwezinyamazane endaweni eseduzane nomphakathi noma isiqhu sezinyamazane ezisimele;

(d) ukulawulwa kwemfuyo, kumbandakanya kepha kungacini nje ngokulawulwa kokuhamba kwemfuyo eduze komgwaqo wesifundazwe;

(e) ukuhamba kwezimoto emgwaqweni wesifundazwe noma emgwaqweni wesifundazwe oseduzane;

(f) ukucabangela ukuphepha kwezimoto nabantu; kanye

(g) nanoma yiliphi elinye iphuzu elibalulekile elingaba nomthelela ongemuhle emgwaqweni wesifundazwe.

(2) UNgqongqoshe kumele anikezele ilungu lomphakathi uma ethola isicelo esibhaliwe nasemuva kwenkokhelo engunyiwe, iqophelo kanye nezidingo ezisetshezisiwe ukuthatha isinqumo ngokwezimiso zendlela ekumtheshwana (1).

(3) UNgqongqoshe ngokwezimiso zendlela echazwe kumtheshwana (1), kumele akhombwe isidingo sokumisa, sokushintsha, uma sokususa isango elugudle umgwaqo wesifundazwe.

(4) Ngokunganaki umtheshwana (3) umuntu noma isiphathimandla esineguya kumele sethule isicelo esihlinzekelwe yizimiso zomthetho 18(1) ukumisa, ukushintsha noma ukususa isango eligudle umgwaqo wesifundazwe.

(5) Lapho uNgqongqoshe ngokwezimiso zomthethonqutshana (3) ekhombwe khona isidingo sokumisa, sokushintsha noma sokususa isango noma umuntu noma umasipala, owethule isicelo ngokwezimiso zomthethonqutshana (4), uNgqongqoshe kumele ahlole isidingo sokumisa, ukushintsha noma sokususa kwesango ngokwezimiso zomthethonqutshana (1).

(6) Lapho —

(a) isicelo esilethwe ngokwezimiso zomthethonqutshana (4) sihlangebezana nendlela yokuhlola ngokwezimiso zomthethonqutshana (1), uNgqongqoshe anganikezela ngegunya elibhaliwe lokumisa, lokushintsha noma lukususa isango;

(b) izinyathelo zingathathwanga zingakadluli izinyanga eziyi-18 kusukela osukwini legunya elibhaliwe ngokwezimiso zesigaba (a) noma ekupheleni kwesikhathi esigunyazwe kumtheshwana (7)(b), noma ngabe yikuphi okuncane, igunya likaNgqongqoshe elibhaliwe liyaphela bese kwethulwa isicelo esisha.

(7) UNgqongqoshe kumele, lapho isicelo esilethwe ngokwezimiso zomthethonqutshana (4) esigunyawe ngokwezimiso zomthethonqutshana (6)(a), eluleke ofake isicelo —

(a) nganoma yimiphi imibandela efanele ekugunyazeni ukumiswa, ukushintshwa noma ukususa kwesango kumbandakanya kepha kungacini nje —

(i) ngeqophelo lobungako besango;

(ii) ngokumiswa kwesango;

(iii) ngesidingo umuntu noma isiphathimandla esinomthwalo ukwakhiwa kwesango kumele akhombwe izindleko eziphelele zanoma yikuphi ukukhanyiswa kwesango okuhleliwe; futhi

(iv) ngesidingo umuntu noma isiphathimandla esinomthwalo ukwakhiwa kwesango kumele sikhokhe izindleko eziphelele zokufakwa kanye nokunakekelwa kwesango; futhi

- (v) ngomuntu noma isiphathimandla esinomthwalo wokwakha isango siphokile ukususa isango ngezindleko zaso uma isango lingasenukungiseka futhi seluyisithiyo esingadingeki ekhambeni kwezimoto;
- (b) ngesikhathi sokusebenza kwegunya lesicelo sokumisa, ukushintsha noma ukususa isango, isikhathi esingena kweqa ezinyangen eziyi-18; kanye
- (c) nokuthi noma yiliphi igunya ngokwezimiso zalo Mthetho liyisengezo futhi ngeke limele noma iyiphi imvume noma igunya elidingwa yinoma yimuphi omunye umthetho.
- (8) UNgqongqoshe kumele lapho isicelo sethuliwe ngokwezimiso zomthethonqutshana (4) sangagunyazwa, eluleke ofake isicelo ngencwadi —
- (a) ukuthi isicelo asiphumelelanga uluhlangabezana nezindlela zokuhlolwa ngokwezimiso zomthethonqutshana (1); kanye
- (b) nezizathu zokungahlangabezani nendlela yokuhlolwa.
- (9) Umuntu noma isiphathimandla esigunyazwe ngokwezimiso zomthethonqutshana (6)(a) kumele ngaphambi kokuthatha izinyathelo, kumele azise kuNgqongqoshe ngencwadi ngokufakwa, ngokushintsha noma ngokususwa kwesango okuhlongoziwe.
- (10) Uma isicelo sohluleka ukuhlangabezana nezidingo zokuhlolwa ngokwezimiso zomthethonqutshana (1) futhi umuntu noma umasipala emisa, eshintsha noma esusa isango ngokuphambene nalo Mthetho, uNgqongqoshe angalisusa isango bese elungisa noma yimuphi umonakalo odingekayo noma ukunakekela ukuqinisekisa ukuhlonipheka komgwaqo wesifundazwe, bese kuthi umuntu noma isiphathimandla esinomthwalo omise isango abe nomthwalo wezindleko zokulungisa umgwaqo wesifundazwe ubuyele esimweni esifanele.
- (11) Lapho uNgqongqoshe ngokwezimiso zomthethonqutshana (3) ekhombela khona isidingo sokumisa noma sokushintsha isango eligudle umgwaqo wesifundazwe, uNgqongqoshe unomthwalo wazo zonke izindleko.
- (12) Lapho uNgqongqoshe enquma ukuthi isango liphazamisa ukuhamba kwezimoto noma liphazamisa ukuphepha, uNgqongqoshe angatshela umuntu owakha isango ukuthi alisuse noma alinciphise, uma ehluleka linokususwa noma lishintshwe uNgqongqoshe, bese umuntu owakha isanga eba nomthwalo wazozonke izindleko zokulisusa, ukulishintsha noma zokulungisa kabusha komgwaqo wesifundazwe.
- (13) Umuntu anakakukhiya noma avimbele ukusetshenziswa kwesango elakhiwe emgwaqweni womphakathi.
- (14) Umuntu angeke —
- (a) amisa isango elisengwaqeni wesifundazwe ngaphandle ngokuthola kokuthola imvume kuNgqongqoshe kuqala;
- (b) amise isango emgwaqweni wesifundazwe ngaphandle kokulandela izilinganiso ezihlinzekelwe uNgqongqoshe;
- (c) angehluleke ukunakekela isango;
- (d) enganqabe ukususa isango ngokuphambana nomtheshwana (12); noma
- (e) avale isango ngokuphambana nomtheshwana (13).

#### **Ukulahla izimoto, imishini noma izingxenye, noma ukushiya imfucuzwa phakathi nemingcele yomgwaqo wesifundazwe kanye nomgwaqo**

- 9.(1) Umuntu angeke ngaphandle kwegunya elibhaliwe likaNgqongqoshe ngokwezimiso somtheshwana (2) —
- (a) ashiye imoto endaweni efanayo phakathi komgcele womgwaqo wesifundazwe izinsuku zekhalenda eziyisikhombisa zilandelana.
- (b) ngobudedengu noma ngenhloso achithe noma avumele ukuba kuchithwe uphethilolo noma olunye uketshezi lokubasa, amafutha, uwoyela wemoto nanoma yiluphi uketshezi oluvuthayo noma into enyanyekayo, amalahle noma enye imfucuzwa yaluhlobo luni eceleni komgwaqo wesifundazwe;
- (c) ashiye imoto, umshini onoma ingxenye, noma ashiye imfucuzwa phakathi komgcele wesifundazwe; noma
- (d) enqabe ukususa imoto, umshini, ingxenye noma imfucuzwa phakathi komgcele womgwaqo wesifundazwe lapho elulekwe ukuba enze njalalo uNgqongqoshe.
- (2) UNgqongqoshe —
- (a) kumele acubungule isicelo esilethwe ngokwezimiso zomthethonqutshana (1) futhi eluleke ofake isicelo zingakeluli izinsuku ezimbili zokusebenza ethole isicelo ukuthi isicelo sibe yimpumelelo; noma
- (b) angasusa imoto elahliwe, umshini noma ingxenye noma imfucuzwa emgwaqweni wesifundazwe noma eduze komgwaqo wesifundazwe, futhi
- (c) uNgqongqoshe ngokunganaki umtheshwana (2)(a) angasusa imoto, umshini noma ingxenye, noma imfucuzwa, ngaphandle kokuchitha isikhathi uma inobungozi.
- (3) UNgqongqoshe akanawo umthwalo wanoma yiziphi izindleko lapho umuntu eshiye khona imoto, umshini noma ingxenye, noma imfucuzwa yamahlamvu, phakathi nomgcele womgwaqo wesifundazwe.
- (4) Umuntu olaxaza imoto, umshini noma ingxenye noma eshiya imfucuzwa phakathi komgcele womgwaqo wesifundazwe unomthwalo wokukhokha izindleko zokususa imoto, umshini ingxenye noma enye imfucuzwa.

#### **Ukudayisa endaweni eseduze nomgwaqo wesifundazwe**

- 10.(1) UNgqongqoshe kumele acubungule lendlela elandelayo ekunqumeni ngesicelo somuntu sokuba ahwebe eduze komgwaqo omkhulu noma komgwaqo wesifunda —
- (a) ukuthi indawo elungiselwe ukuhweba esicelweni —
- (i) ukubeka noma iyiphi impahla, imoto emile, noma enye into esetshenziselwa ukudayisa phakathi nendawo yomgwaqo wesifundazwe noma engamamitha ayi-15 ukusuka endaweni engumgcele womgwaqo omkhulu noma umgwaqo wesifunda;
- (ii) iklanyelwe noma yalungiselwa leyonhloso yumasipala;
- (iii) ime noma iseduze komgwaqo omkhulu noma wesifunda endaweni eyidolobha;
- (iv) ingaphakathi kwamamitha ayi-180 nalabo kuvela khona ujangantshi nanoma kuliphi uphawu lomgwaqo, noma emamitheni angama-500 empambanamgwaqo;
- (v) ingaphazamisa umgenela, impambanamgwaqo ungena noma ephuma emgwaqweni omkhulu noma wesifunda noma ukubonakala kwabasebenzi bomgwaqo;
- (vi) ingenza umkhawulo endaweni yokupaka noma yokukhweza impahla noma kwezinye izindawo ezihamba izimoto;
- (vii) ingasitha noma yini eluphawu lokuphepha emgwaqweni; noma
- (viii) ingaba nobungozi bokuphepha noma ifake noma imuphi umuntu, kumbandakanya kepha kungacini ngokuphepha komgwaqo okungaba nomthelela omubi emgwaqweni omkhulu noma emgwaqweni wesifunda;
- (b) amandla obunjalo bendawo nengozi yezempilo, kumbandakanya kodwa kungakhawulelwe ekulahlweni kwemfucumfucu;
- (c) lapho kufanele khona, ukugququzela ukukhula komnotho nenqubekela phambili; kanye
- (d) nonoma yiliphi iphuzu elihambisana, kumbandakanya kodwa kungakhawulelwe ekubhekeleni ukuphepha emgwaqweni, okungaba nomthelela emgwaqweni omkhulu noma emgwaqweni wesifunda.

- (2) UNgqongqoshe kumele anikezele ilungu lomphakathi emva kokuthola isicelo esibhaliwe kanye nenkokhelo emisiwe, amaqophelo kanye nezidingo ezisetsenziwe ukukwenza isinqumo ngokwezimiso zendlela yomtheshwana (1).
- (3) UNgqongqoshe angakhomba isidingo sokuvumela ukudayisa endaweni noma emgwaqweni wesifundazwe.
- (4) Umuntu noma umasipala osevele edayisa noma ofisa ukudayisa eduzane komgwaqo wesifundazwe, kumele ethule isicelo, ngendlela ehlelwe ngokwezimiso zoMthetho 18(1), ecela igunya elibhaliwe kuNgqongqoshe futhi kumele ethule lesi sicelo zingakadluli izinsuku eziyi-10 zekhalenda ethole isaziso sokwenza njalo.
- (5) Lapho uNgqongqoshe ngokwezimiso zomthethonqutshana (3) ekhomba khona isidingo skudayisa eduze komgwaqo wesifundazwe, noma umuntu noma isiphathimadla esinomthwalo sethule isicelo sokudayisa emgwaqweni noma eduze komgwaqo omkhulu noma wesifunda ngokwezimiso zomthethonqutshana (4), uNgqongqoshe kumele ahlole isidingo athathe nezinyathelo ezifanele ngokwezimiso zendlela echaziwe ngokwezimiso zomthethonqutshana (1).
- (6) Lapho —
- (a) isicelo esethuliwe ngokwezimiso zomthethonqutshana (4) zihlangabezana nendlela yokuhlolwa ngokwezimiso zomthethonqutshana (1) uNgqongqoshe anganikezela ngegunya elibhaliwe kumuntu noma kwisiphathimadla esinomthwalo sokudayisa endaweni noma eduze komgwaqo omkhulu noma wesifunda; futhi
- (b) izinyathelo zingathathwanga zingakadluli izinyanga eziyi-18 kusukela osukwini lwegunya elibhaliwe ngokwezimiso zesigaba (a) noma ngasekupheleni kwesikhathi esigunyazwe kumtheshwana (7)(b), noma yikuphi okuncane, ukuqalisa ukudayisa emgwaqweni noma eduze komgwaqo omkhulu noma wesifunda, igunya elibhaliwe likaNgqongqoshe liyaphela bese kumelwe kwethulwe isicelo esisha.
- (7) UNgqongqoshe kumele, lapho kwethulwe khona isicelo ngokwezimiso zomthethonqutshana (4) saphinde sagunyazwa ngokwezimiso zomthethonqutshana (6)(a) eluleka ifake isicelo —
- (a) nganoma iyiphi imibandela esemqoka endleleni yokuhlolwa ngokwezimiso zomthethonqutshana (1) kumbandakanya kepha kungacini ezindabeni zokuphepha emgwaqweni nobungozi bemvelo, kumbandakanya ubungozi empilweni.
- (b) ngesikhathi sokusebenza kwegunya lesicelo sokudayisa eduze komgwaqo omkhulu noma wesifunda, okuyisikhathi engeke seqa ezinyangeni eziyi-18; kanye
- (c) nanokuthi konke okugunyazwa ngokwezimiso zale Mthetho kuyisingezo futhi ngeke kubambe noma iyiphi imvume noma igunya elidingwa yinoma yimuphi omunye umthetho.
- (8) UNgqongqoshe kumele uma isicelo esethule ngokwezimiso zomthethonqutshana (4) sangagunyazwa, eluleke afake isicelo:-
- (a) ngokuthi isicelo asiphumelelanga ukumelana nezindlela zokuhlolwa ngokwezimiso zomthethonqutshana (1);
- (b) nangezizathu ezenze indlela yokuhlola kwangamelaneka nayo; futhi
- (9) Uma isicelo sehluleka ukumelana nezidingo zokuhlolwa ngokwezimiso zomthethonqutshana (1) noma umuntu noma isiphathimadla esinomthwalo sidayisa emgwaqweni noma eduze nomgwaqo wesifundazwe. Noma umuntu noma umasipala sidayisa ngaphandle kwezimiso kanye nemibandela yegunya elinikezelwe ngokwezimiso zomthethonqutshana (6)(a) noma (7); UNgqongqoshe —
- (a) angasusa noma achithe noma iyiphi impahla noma umhlaba walowo muntu noma wesiphathimadla esinegunya esidayisa eduze komgwaqo omkhulu noma wesifunda; noma
- (b) asuse noma ayobeka engxenywe yesakhiwo lapho umuntu noma umasipala besidayisela khona impahla, umhlaba noma imisebenzi.
- (10) Umuntu noma umasipala sinomthwalo wezindleko zokususa noma ukuchithwa kwezimpahla, umhlaba noma imisebenzi ngokwezimiso zomthethonqutshana (9), kanye nezokubuyisela umgwaqo omkhulu noma wesifunda esimweni owawuyiso.
- (11) Ofake isicelo ngempumelelo ngokwezimiso zomthethonqutshana (6)(a) unomthwalo wazo zonke izindleko zokudayisa emgwaqweni noma eduze komgwaqo omkhulu noma wesifunda.
- (12) Ngokunganaki imvume uNgqongqoshe ayinikezela ngokwezimiso zomthethonqutshana (6)(a); ukuze umuntu adayise emgwaqweni noma eduze komgwaqo wesifundazwe. UNgqongqoshe kanomthwalo wanoma yiziphi izindleko, kumbandakanya kepha kungacini ngobudedengu noma izenzo zamabomu zomuntu odayisa emgwaqweni noma eduze komgwaqo omkhulu noma wesifunda.
- (13) Uma umuntu noma umasipala edayisa emgwaqweni noma eduze komgwaqo omkhulu noma wesifunda ephambana nalo Mthetho, noma ehluke ukulandela nanoma yiziphi izihlinzeko zale Mithetho, nanoma iyiphi imibandela ekhishwe uNgqongqoshe, uNgqongqoshe angakhipha isexwayiso, enikeza umuntu noma umasipala isikhathi esithile sokulungisa amaphutha noma ukwehluleka ukulandela lo Mthetho.
- (14) Lapho umuntu noma umasipala sehluleka ukulandela izihlinzeko zokulungisa zesexwayiso esikhishwe ngokwezimiso zomthethonqutshana (13), umuntu noma umasipala sinomthwalo wazo zonke izindleko zokubuyisela umgwaqo omkhulu noma wesifunda esimweni sawo, kumbandakanya kepha kungacini ngokususwa, ukubulalana kanye nokuchithwa kwayo yonke impahla emayelana nesakhiwo esisethenziselwa ukudayisa eduze komgwaqo omkhulu noma wesifunda.
- (15) Uma umuntu noma isiphathimadla esigunyaziwe ehluke ukuthola igunya lokudayisa emgwaqweni noma eduze komgwaqo omkhulu noma wesifunda ngokwezimiso zale Mithetho, lowo muntu noma isiphathimadla kumele siyeke ukudayisa.
- (16) Umuntu angeke —
- (a) ngaphandle kokuthola igunya elibhaliwe ngokwezimiso zalo Mthetho, adayise phakathi kwendawo yomgwaqo wesifundazwe, noma emamitheni ayi-15 ukusuka emngceleni womgwaqo omkhulu noma wesifunda;
- (b) adayise, anikezele, athuthele noma akhiqize izimpahla emgwaqweni wasekhaya lapho lezizenzo zingaphazamisa khona ukuphepha;
- (c) ehluke ukuhambisana nalo Mthetho noma umbandela obekwe nguNgqongqoshe ngokwezimiso zalo Mthetho;
- (d) ngaphandle kokuthola igunya elibhaliwe ngokwezimiso zalo Mthetho abeke noma iyiphi impahla, imoto emile noma enye into esetsenziselwa ukudayisa phakathi nomgwaqo omkhulu noma wesifunda; noma emamitheni ayi-15 ukusuka emngceleni womgwaqo omkhulu noma wesifunda;
- (e) avimbe umnganelo, impambano-mgwaqo noma ukubonakala kwabasebenzisa umgwaqo emgwaqweni omkhulu noma wesifunda;
- (f) anciphise ukufinyelela noma asebenzise izindawo zokupaka noma zokulayisha impahla noma ezinye izakhiwo, ngokushayela kuzo;
- (g) asithe noma yiluphi uphawu lokuphepha emgwaqweni; noma
- (h) abeke noma yimuphi umuntu kumbandakanya kepha kungacini ngabasebenzisi bomgwaqo nabahamba ngezinyawo engozini.

### Izinhlelo zentuthuko

11.(1) Isiphathimadla esinomthwalo siyadingeka ukuba simbandakanye uhlelo lwezokuthutha ohlelweni lwentuthuko edidiyele okumele lwethulwe ngokwezimiso zesigaba 19 soMthetho lapho uhlelo lwentuthuko, okumele lumbandakanye umdwebo —

- (a) uthinta ukufinyelela, noma ukugcwala kwezimoto emgwaqweni wesifundazwe; noma
- (b) ucabangela noma yikuphi ukwakha noma izakhiwo ezizokwakhiwa kumamitha angama-500 omgwaqo wesifundazwe.

(2) UNgqongqoshe angenqaba ukuvuma uhlelo lwentuthuko oludidiyele lapho lolo hlelo —

- (a) lungazange lwethulwe ngesikhathi umasipala;
  - (b) lwehluleka ukumbandakanya lonke ulwazi oludingekayo ukuze uNgqongqoshe ahlole umonakalo wohlelo lwentuthuko emgudwini womgwaqo wesifundazwe;
  - (c) lwephula amaqophelo omgudu womgwaqo wesifundazwe;
  - (d) uthinta kabi amaqophelo ezokuthutha kanye nokuphepha emgwaqweni;
  - (e) ethinta kabi ukufinyelela emgwaqweni wesifundazwe;
  - (f) ecabangela noma yikuphi ukwakhiwa noma isakhiwo esizokwakhiwa emamitheni angama-500 ukusuka emgwaqweni wesifundazwe;
  - (g) ecabangela noma iyiphi intuthuko kanye nokunakekelwa komgwaqo wesifundazwe engafakiwe kwibhajethi yentuthuko nokunakekelwa esiFundazweni;
  - (h) enobungozi kwimvelo; noma
  - (i) olungaphatha kabi umgudu womgwaqo wesifundazwe nganoma iyiphi enye indlela.
- (3) Umasipala esiqalisa uhlelo lwentuthuko —
- (a) ngaphandle, kokuthola imvume kaNgqongqoshe, noma eshayisana nemiyalelo kaNgqongqoshe, sinomthwalo wazononke izindleko ezenziwe nguNgqongqoshe njengomphumela wokulungisa noma omunye umsebenzi womgudu womgwaqo wesifundazwe.
  - (b) kushayisana nemiyalelo kaNgqongqoshe.

#### Isivimbelo ekuhlukanisweni komhlaba

12.(1) Umuntu noma umasipala odingekayo ukuze ethule isicelo sokuhlukanisa ngokwezimiso zesigaba 20(1) somthetho kumele enze lokho efomini elihloliwe ngokwezimiso zoMthetho 17 (1).

- (2) UNgqongqoshe angenqabe ukuvuma isicelo sokuhlukanisa lapho isicelo sokuhlukanisa —
- (a) singethulwanga ngesikhathi yumasipala;
  - (b) sihluleka ukumbandakanya lonke ulwazi oludingekayo ukusiza uNgqongqoshe ahlole ubungozi besicelo sokuhlukanisa emgudwini womgwaqo wesifundazwe;
  - (c) siphambana namaqophelo esakhiwo somgudu womgwaqo wesifundazwe;
  - (d) sicabangela noma iyiphi intuthuko nokunakekela okungekho kwibhajethi yokuthuthukiswa komgwaqo kanye nokunakekela esiFundazweni;
  - (e) sithinta kabi ezemvelo; noma
  - (f) lapho isicelo senhlukaniso sithinta kabi umgudu womgwaqo wesifundazwe nganoma iyiphi enye indlela.
- (3) Umasipala esiqhubeka nokuqalisa isicelo sokwehlukanisa —
- (a) ngaphandle kokwethula isicelo sokwehlukanisa;
  - (b) ngaphandle kokuthola igunya likaNgqongqoshe;
  - (c) sishayisana nemiyalelo kaNgqongqoshe sinomthwalo wazo zonke izindleko ezenziwe nguNgqongqoshe njengomphumela wokulungisa noma womunye umsebenzi emgudwini womgwaqo wesifundazwe.

#### Izinguquko ekusetshenzisweni komhlaba kanye neziphakamiso zentuthuko

13.(1) Umuntu noma umasipala okudingeka sethule isicelo sesiphakamiso sezinguquko ekusetshenzisweni komhlaba noma isicelo seziphakamiso zentuthuko ngokwezimiso zesigaba 21(1) somthetho siyokwenza lokho kwifomu ehlelelwe lokho ngokwezimiso zomthetho 17(1).

- (2) UNgqongqoshe angenqabe ukuvuma isiphakamiso sokusetshenziswa komhlaba kanye nentuthuko lapho leso siphakamiso sokusetshenziswa komhlaba —
- (a) singethulwanga ngesikhathi yileso siphathimandla esinomthwalo;
  - (b) sihluleka ukumbandakanya lonke ulwazi oludingekayo ukuze uNgqongqoshe akwazi ukuhlola ubungozi bokusebenza komhlaba kanye neziphakamiso zentuthuko emgudwini womgwaqo wesifundazwe;
  - (c) siphambana namaqophelo ezakhiwo zomgudu womgwaqo wesifundazwe;
  - (d) sithinta kabi amaqophelo okuphepha kanye nawezokuthutha;
  - (e) sithinta kabi imibandela yokufinyelela emgwaqweni wesifundazweni noma amandla akhona emgudwini womgwaqo wesifundazwe;
  - (f) sithinta kabi imvelo;
  - (g) sicabangela noma iyiphi intuthuko kanye nokunakekelwa okungekho kwibhajethi ebekelwe ukuthuthukiswa kanye nokunakekelwa kwemigwaqo esiFundazweni; noma
  - (h) sichaphazela kabi imigudu yomgwaqo wesifundazwe nganoma iyiphi enye indlela.
- (3) Isiphathimandla esinomthwalo esiqhubeka nokuqalisa nguquko ekusetshenzisweni komhlaba kanye nesiphakamiso sentuthuko —
- (a) ngaphandle kokwethula isiphakamiso soguquko ekusetshenzisweni komhlaba;
  - (b) ngaphandle kokuthola imvume kuNgqongqoshe; noma
  - (c) ngokushayisana nemiyalelo kaNgqongqoshe sinomthwalo wezindleko ezenziwe uNgqongqoshe njengomphumela wokulungisa kanye neminye imisebenzi yomgudu womgwaqo wesifundazwe.

#### Ukusungulwa, ukulawulwa kanye nokuphathwa kwezindawo zemfuyo zokuphumula

14.(1) UNgqongqoshe kumele acubungule lendlela elandelayo ekumenyenzelweni noma ekuchithweni kwezindawo zokuphumula imfuyo —

- (a) ukuhamba kwemfuyo emgwaqweni wesifundazwe noma emgwaqweni womphakathi kanye nesidingo sendawo yokuphumula imfuyo;
  - (b) noma yiliphi igunya lokusebenzisa umhlaba ngesivumelwano ngenhloso yokusungula umngeno, imisebenzi, idamu, izibuko noma ukufakwa kwamapayipi kanye nezindleko ezihambisana nalokho kufakwa kwamanzi endaweni yokuphumula;
  - (c) lapho izilwane zivamise ukudla khona eduze komgwaqo kudala ingozi yokuphepha emgwaqweni;
  - (d) noma indawo yokuphumula imfuyo isasetshenziswa;
  - (e) noma indawo yokuphumula imfuyo yenza ubungozi bokuphepha emgwaqweni; kanye
  - (f) ubukhona bemali ebekwe uHulumeni waKwaZulu-Natali ngaleyo nhloso.
- (2) Umuntu noma isiphathimandla esinomthwalo angethula isicelo kuNgqongqoshe sokumenyenzelwa noma sokuchithwa kwendawo yokuphumula imfuyo.



- (3) Lapho umuntu noma umasipala sethule isicelo sokumenyenzelwa kwendawo yokuphumula ngokwezimiso zomthethonqutshana (2), uNgqongqoshe emva kokubonisana noMasipala lapho isiphakamiso noma indawo yokuphumula ikhona, uyothola —
- umhlaba ngenhloso yokusungula indawo yokuphumula imfuyo; noma
  - nanoma yimuphi umhlaba osetshenziswa ngokwesivumelwano ngaphezu komhlaba oyindawo yokuphumula ngenhloso yokuqinisekisa ukutholakala kwamanzi anele endaweni yokuphumula.
- (4) UNgqongqoshe kumele amemezele indawo yokuphumula ngesaziso *kwiGazethi*, emhlabeni ochazwe kwisaziso.
- (5) Noma yisiphi isaziso esikhishwe ngokwezimiso zomthethonqutshana (4) nganoma yisiphi isikhathi uchitshiyelwe noma uchithwe nguNgqongqoshe ngesinye isaziso *kwiGazethi*.
- (6) UNgqongqoshe kumele anqume ubungako kanye nendawo yokuphumula eseduze komgwaqo wesifundazwe noma komgwaqo womphakathi.
- (7) UNgqongqoshe angabiyela noma iyiphi indawo yokuphumula okumele ikhonjiswe ngokucacile yibhodi lesaziso.
- (8) UNgqongqoshe kungathi ngokwakhe abiyele umhlaba wesivumelwano noma ingxenye yawo engatholakala emhlabeni ongesiyo indawo yokuphumula ngenhloso yokuqinisekisa ukutholakala kwamanzi anele endaweni yokuphumula.
- (9) Noma yimuphi umuntu, ekumenyenzelweni kwendawo yokuphumula ngokwezimiso zomthethonqutshana angasebenzisa lowomhlaba njengendawo yokuphumula imfuyo esuke ihanjiswa emgwaqweni womphakathi noma evamise ukudla kuleyo ndawo.
- (10) Lapho umuntu noma umasipala sethule isicelo sokuchithwa kwendawo yokuphula kwezimiso zomthethonqutshana (4), uNgqongqoshe emva kokubonisana nomasipala kanye nomhlaba okukhona kuwo indawo yokuphumula; angachitha indawo futhi —
- abuyisele ubunikazi bendawo yokuphumula kumnikaziyo ngokwezimiso kanye nemibandela abavumelene ngayo uNgqongqoshe nomnikazi wendawo; noma
  - uma kungekho sivumelwano phakathi kukaNgqongqoshe nomnikazi wendawo, uNgqongqoshe —
    - angahlanganisa umhlaba ngokufanele lapho kukhona indawo yokuphumula uma umnikazi womhlaba engasabafuni ubunikazi; noma
    - asebenzise umhlaba okukhona kuwo indawo yokuphumula nganoma iyiphi inhloso yomphakathi.

### Imithetho yokukhangisa

15.(1) Le ndlela elandelayo kumele icatshangwe uma kudingidwa isicelo sokuveza nokumiswa kwesikhangiso —

- kudingidwa ezokuphepha emgwaqweni;
  - ukuphawulwa noma ukuklanywa yumasipala noma umasipala, njengokufanele;
  - ukusebenza, ubungako, isimo kanye nohlobo lwesikhangiso esihlongozwayo;
  - indawo, ukuma kanye nokuhlelwa kwesikhangiso;
  - okuqukethwe isikhangiso, kumbandakanya kodwa kungcini ngobungako bamagama ubude nomyalezo imbala kanye namandla esikhangiso;
  - ukucabangela ezemvelo okungabandakanya okubonakalayo kanye nokwezenhlalo kanye nokuhlolwa komonakalo wemvelo ngungoti owaziwayo;
  - ukubonakala noma ukuzwela kwendawo,
  - ukukhuthazwa kokukhula komnotho kanye nentuthuko ebambekayo, kanye
  - nanoma yini engathinta umgudu womgwaqo wesifundazwe;
- (2) UNgqongqoshe kumele anikezele ilungu lomphakathi amaqophelo kanye nezidingo asetshenziswa ukuthatha izinqumo ngokwezimiso zomthethonqutshana (1), uma lenze isicelo esibhaliwe.
- (3) UNgqongqoshe angakhomaba isidingo sokungena esivumelwaneni sokuqashisa ngesikhangiso esisemgwaqweni noma eduze komgwaqo wesifundazwe.
- (4) Umuntu noma umasipala olengisa isikhangiso esingaphansi kolawulo lwalo Mthetho, othi ngosuku lokuqala ukusebenza kwale Mithetho wabe esethole igunya elibhaliwe nguNgqongqoshe lokukhangisa ngaphansi kwesigaba 32 soMthetho uyothathwa njengolandela loMthetho.
- (5) Umuntu noma umasipala oveza isikhangiso esingaphansi kolawulo lwale mithetho futhi ongazange athole igunya elibhaliwe nguNgqongqoshe noma ehlose ukumisa kanye nokuxhoma isikhangiso phezu noma phakathi kwamamitha angama-500 futhi kubonakala emgwaqweni omkhulu; noma
- komgwaqo omkhulu noma phakathi kwamamitha angama-500 futhi kubonakala emgwaqweni omkhulu; noma
  - emgwaqweni wesifunda noma wasekhaya lapho isikhangiso siyingozi nomasingadala khona ubungozi kwezokuphepha,
- kumele ethule isicelo esibhaliwe kuNgqongqoshe kwifomu ehlinzekelwe kumthetho 18 (1), okumele simbandakanye imvume ebhaliwe yomnikazi womhlaba esho ukuthi isikhangiso besikuphi noma sizokhangiswa kuphi.
- (6) Lapho uNgqongqoshe ngokwezimiso zomthethonqutshana (3) ekhombisa isidingo okungena esivumelwaneni sokuqasha isikhangiso, noma ukumuntu noma umasipala ethule khona isicelo ngokwezimiso zomthethonqutshana (5), uNgqongqoshe kumele ahlale isidingo bese ethatha izinyathelo ezifanele ngokwezimiso zendlela echazwe ngokwezimiso zomthethonqutshana (1).
- (7) Lapho isicelo esilethwe ngokwezimiso zomthethonqutshana (5) zihlangabezana nendlela yokuhlola ngokwezimiso zomthethonqutshana (1), uNgqongqoshe —
- anganikezela ngegunya elibhaliwe lokumisa isikhangiso kumuntu noma kwumasipala emgwaqweni noma eduze komgwaqo wesifundazwe;
  - achaze lakumiswe khona isikhangiso, kumbandakanya igunya lokumisa isikhangiso lapho kunesenqabelo sokwakha khona emgwaqweni wesifundazwe;
  - achaze ubungako kanye nokuqukethwe yisikhangiso;
  - achaze isivumelwano sokuqasha okuzongenwa kuso kanye nenani lemali ezokhokhelwa uNgqongqoshe ngesikhangiso;
  - aqinise ukuthi umnikazi wesikhangiso unomthwalo wokucela noma iyiphi imvume edingeka kumasipala;
  - aqinise ukuthi umnikazi wesikhangiso uyamxolela uNgqongqoshe kunoma yikuphi ukumangalelwa noma umonakalo, kumbandakanya izindleko zomthetho ezenzekile, njengomphumela wokumiswa kwesikhangiso noma ukwehluleka ukunakekela isikhangiso; kanye
  - nokungena esivumelwaneni sokuqasha nofake isicelo.
- (8) Lapho ofake isicelo ehluleka ukungena esivumelwaneni sokuqashwa ngokwezimiso zomthethonqutshana 6(d) no (g), noma uma isikhangiso si-ngaphanyekwa zingakedluli izinyanga eziyi-18 kusukela osukwini lwegunya elibhaliwe ngokwezimiso zomthethonqutshana (7)(a) noma ekupheleni kwesikhathi esigunyazwe kumtheshwana 9(b), nanoma yikuphi okuncane, igunya likaNgqongqoshe elibhaliwe liyophela bese kumele kwethulwe isicelo esisha.
- (9) Lapho isicelo esilethwe ngokwezimiso zomthethonqutshana (5) sesigunyaziwe ngokwezimiso zomthethonqutshana (7)(a), uNgqongqoshe kumele eluleke umfakisicelo —

- (a) noma yimuphi umbandela osemqoka endleleni yokuhlola ngokwezimiso zomthethonqutshana (1), kumbandakanya kepha kungacini ngokuphepha emgwaqweni kanye nezindaba ezithinta izimoto kanye nobungozi kwezemvelo;
- (b) ngesikhathi sokusebenza kwegunya lokuxhoma isikhangiso emgwaqo wesiFundazwe, okuyisikhathi esingenakweqa ezinyangeni eziyi-18; futhi
- (c) nokuthi noma yiliphi igunya ngokwezimiso zaloMthetho liyisengezo, futhi ngeke limele, noma iyiphi imvume yegunya engadingwa yinoma yimuphi omunye umthetho.
- (10) Isikhangiso esigunyazwe ngokwezimiso zaloMthetho kumele sibhaliswe nguNgqongqoshe, ngenombolo yaso sodwa, bese kuthi umnikazi wesikhangiso axhume inombolo yokubhalisa kwisikhangiso endaweni ebonakala ngokucacile kanye nangendlela enqunywe nguNgqongqoshe.
- (11) UNgqongqoshe kumele, lapho isicelo esilethwe ngokwezimiso zomthethonqutshana (5) singagunyazwanga, eluleke ofake isicelo ngencwadi —
- (a) ukuthi isicelo kasiphumelelanga ukuhlangabezana nendlela yokuhlola ngokwezimiso zomthethonqutshana (1);
- (b) nangezizathu ezenze kwangahlangatshezwana nendlela yokuhlola.
- (12) Uma umuntu noma umasipala emise isikhangiso —
- (a) esingagunyazwanga ehlulekile ukwethula isicelo ngesikhathi etshelwa yiloMthetho ukuba enze njalo;
- (b) esingagunyazwanga ngesikhathi kufakwa isicelo;
- (c) esingahambisani nezimiso kanye nemibandela yonoma iliphi igunya elinikezwa ngokomtheshwana (7)(a); noma
- (d) sihluleka ukuqhubeka nokuhlangabezana nendlela yokuhlola ngokwezimiso zomthethonqutshana (1),
- uNgqongqoshe angaphoqa ukususwa noma ukubhidliza isikhangiso noma ukususwa noma ukubhidlizwa kwesikhangiso bese umuntu noma umasipala sibe nomthwalo wezindleko zokususwa noma ukubhidlizwa kwesikhangiso kanye nokubuyiselwa komgwaqo wesifundazwe esimweni sawo.
- (13) Umuntu kakudingeki afake isicelo segunya lokugxumeka noma ukumisa isikhangiso emgwaqweni omkhulu, noma emamitheni angama-500 futhi abonakala emgwaqweni omkhulu lapho isikhangiso —
- (a) sebhodi labadayisa ngezindlu kanye nomhlaba: Kuhlizekelwe ukuba —
- (i) isikhangiso asiqukethe lwazi ngaphandle kwamagama athi “kuyadayiswa”, kuyaqashiswa, noma “sekudayisiwe” kanye negama, isiqubulo, ikheli kanye nenombolo yocingo yothengisayo noma oqashisayo;
- (ii) kungaxunyekwa isikhangiso esisodwa kuphela sokuqashiswa noma sokudayisa egcekeni ngalinye;
- (iii) ngabadayisi bezindlu nomhlaba ababili kuphela abangaxumeka izikhangiso zabo kanye kanye egcekeni elilodwa;
- (iv) ubungako besikhangiso kumele bungeqi kumamitha ayizikwele amabili egcekeni eliyizikwele zamamitha angu-0,65 esizeni ngasinye somuzi wokuhlala;
- (v) isikhangiso kumele sihlonywe kulowomuzi othintekayo, sihlonywe emngceleni wothango lomhlaba othintekayo, noma lugxunyekwe maphakathi nomngcele wamagceke; futhi
- (vi) isikhangiso kumele sisuswe zingakedluli izinsuku eziyi-14 zekhalenda emva kokuphethwa kwenkontileka yokudayisa noma yokuqashiswa lowo mhlaba othintekayo;
- (b) amemezele ukudayiswa kwezimpahla noma imfuyo emhlabeni noma emagcekeni angavamile ukusetshenziswa njengamagceke okudayisa: Kuhlizekelwe ukuthi —
- (i) kuvunyelwe isikhangiso esisodwa kuphela ngendali eyodwa;
- (ii) ubungako besikhangiso kumele bungeqi emamitheni ayizikwele ezimbili;
- (iii) isikhangiso kumele sihlonywe kuphela kumagceke noma emhlabeni lapho indali ekhangiswayo izokwenzelwa khona, noma ihlonywe emngceleni wocingo lomhlaba noma lwegceke;
- (iv) isikhangiso kakumele sikhanyiswe noma zihlotshiswe; futhi
- (v) isikhangiso kumele sisuswe zingakedluli izinsuku eziyisikhombisa zekhalenda emva kokuphethwa kwendali;
- (c) sipendwe noma sagxunyekwa okwesikhashana noma unomphelo esakhiweni esisetshenziselwa ukudayisa, ukungcebeleka, amahhovisi noma ngenhloso yezimboni, noma uphawu oluhlonywe phakathi esakhiweni, amamitha amabili kusuka efasiteleni noma entubeni ephumela ngaphandle, ukuze sibonakale ngaphandle: Kuhlizekelwe ukuthi —
- (i) isikhangiso singahlonywa kuphela emafasiteleni noma ezintubeni zesitesi sokuqala;
- (ii) ubungako bendawo yokukhangisa obupendiwe noma bahlonywa ezintubeni noma bahlonywa ezintubeni noma emafasiteleni kumele ingeqi kwama-10% wobungako befasitela elingezansi kwesitezi sokuqala; futhi
- (iii) akukho isikhangiso esikhanyiswe ngaphakathi endlini okumele sigqame ngaphandle kwesakhiwo, ngaphandle uma sigunyazwe ngokucacile;
- (d) isikhangisa onogada bemihlaba, onogada basemapulazini noma izugungu ezifana nalezo, futhi kumele ziqukathe igama, ikheli kanye nenombolo yocingo lwenkampani yonogada abanenkontileka yokubheka amagceke lapho uphawu luhlonywe khona: Kuhlizekelwe ukuthi —
- (i) ubungako besikhangiso sonogada bendawo, onogada basemapulazini noma izugungu ezifana nalezo azeqi emamitheni ayizikwele eziyi-1,5 nobude abeqi emamitheni amathathu ukusuka phansi, negama, ikheli kanye nenombolo yocingo lwenkampani yonogada ingeqi ezikweleni zamamitha angu-0,35;
- (ii) emadolobheni, isikhangiso esosodwa kuphela esingahlonywa phambi komgwaqo futhi isikhangiso kumele sikinatelwe obondeni lomngcele, lwesakhiwo, ocingweni noma esangweni phambi komgwaqo noma maphakathi nomngcele wenxiwa; futhi
- (iii) yisikhangiso esisodwa kuphela esivunyelwe emapulazini noma ezindaweni zezolimo futhi isikhangiso kumele sihlonywe empambanomagwaqo yomgwaqo womphakathi kanye nemigwaqo yekhethelelo noma ekungeneni kwesango lomuzi ngaphandle kwesakhiwo somgwaqo;
- (e) kuqondwe ngaso ukukhombisa noma ukuhlizeka ngendlela eya noma ngesexwayiso sezindawo zokuhlala kuhlizekelwe ukuthi —
- (i) isikhangiso sivunyelwe kuphela emagcekeni eziqondiswe kuwo, noma odongeni oluwumngcele, ucingo, isango lwamagceke;
- (ii) asikho isikhangiso esivunyelwe esiqhingini somgwaqo;
- (iii) izikhangiso zasemapulazini noma zasemapulazini amancane kumele zihlonywe eduze kwesango elingena endaweni yokuhlala, noma kumele zikinatelwe esangweni lomngcele;
- (iv) odabeni lwamaphoyisa ambalwa noma amapulazi amancane anesango noma umngcele owodwa, isikhangiso esihlangenyele kumele sihlonywe esangweni lomngcele, lapho ubungako —
- (aa) besikhangiso esihlonywe kumele bungeqi emamitheni amane ukusuka phansi; futhi
- (bb) isikhangiso ngasinye kumele singeqi emamitheni eyisikwele elilodwa epulazini noma epulazini elincane.
- (v) akukho isikhangiso esiyohlonywa lapho uphawu lomgwaqo luhlonywe esangweni noma emngceleni wegceke;
- (vi) isikhangiso asikhanyiswe noma asihlotshiswe;

- (vii) ubude obedlulele besikhagiso esizimele sodwa kakumele bedlule emamitheni amathathu kusuka phansi;
- (viii) lapho isikhagiso kuqondwe ngaso ukukhomba indlela, isexwayiso noma isaziso, okuqukethwe kumele kugcine emiyalezweni efuze "ubhasobhainja", "akupakwa", "vala isango", kanye no "akungenwa" futhi ubungako bendawo yesikhagiso segceke ngalinye kakumele beqe amamitha ayisikwele esingeqi ku-0,5 phambi komgwaqo ngamunye;
- (ix) lapho isikhagiso sihlonyelwe ukuveza isinombolo zomgwaqo —
- (aa) yisikhagiso esisodwa vo esiveza izinombolo zomgwaqo esivunyelwe phambi komgwaqo wegceke ngalinye;
- (bb) ubungako bendawo yesikhagiso egcekeni ngalinye kumele bungeqi emamitheni ayisikwele ayi-0,5 phambi komgwaqo ngamunye; futhi
- (cc) ubungako bamagama ombhalo bumele bube ngamamilitha angama-150 kuthi amagama amakhulu abengamamilimitha angama-350.
- (x) lapho isikhagiso soqonde ukuveza izindawo zokuhlala —
- (aa) okuqukethwe yisikhagiso kugcina ngegama kanye nohlobo lomsebenzi owenziwayo, kuleyo ndawo yokuhlala, epulazini kanye nasepulazini elincane;
- (bb) odabeni lwezikhagiso ezikhomba amapulazi namapulazi amancane; igama kanye nesiqubulo somxhasi wesikhagiso uvunyelwe kepha akanakuthatha indawo eyingxenywe eyodwa kwezintathu yesikhagiso esiphelele;
- (cc) kuvunyelwe isikhagiso esisodwa ngegceke elilodwa elinendawo engubukhulu obungamamitha ayisikwele ayi-1,5;
- (dd) lapho kunensika ehlinzekelwe khona, indawo yokukhangisa ingakhushulwa ibe ngamamitha ayisikwele amathathu, kuhlinzekelwe ukuthi uqwebeme lwesikhagiso noma umbalo kumele ungathathi ngaphezulu kwama-50% wendawo yokukhangisa; futhi
- (ee) lapho amapulazi noma amapulazi angaphezulu kwelilodwa enetuba noma umngenela owodwa, kumele kuhlinzekelwe ngesikhagiso esididiyele esinobukhulu obuyimitha eliyisikwele esisodwa sokukhangisa ipulazi noma ipulazi elincane ngalinye; noma
- (f) sibekwe noma sikanatlewe emotweni ezihambelayo evame ukuhamba emhlabeni noma emanzini, kumbandakanya amatekisi, amabhasi, izitimela kanye nezimoto zokuthutha kepha ngaphandle kwebhanoyi kuhlinzekelwe ukuthi —
- (i) imoto ngeke yasetshenziselwa inhloso yokukhangisa kuphela;
- (ii) isikhagiso asihlotshisiwe; futhi
- (iii) isikhagiso asikhonyisiwe ngaphandle uma isikhagiso sikhanyisiwe ngaphakathi futhi sikhomba ukuthi itekisi liyaqashisa.
- (14) Umnikazi wesikhagisi unomthwalo wokunakekela isikhagisi esigunyazwe ngaphansi kwalo Mthetho.
- (15) UNgqongqoshe, lapho umnikazi wesikhagiso ehluleka ukusinakekela, anganakekela isikhagiso bese umnikazi ethwala izindleko zokunakekelwa kwaso.
- (16) Umuntu akanakuguqula, asuse noma aphinde axhome isikhagiso ngaphandle kokuqala ngokuthola igunya elibhaliwe kuNgqongqoshe.
- (17) Umuntu oxhoma, aveze noma ohlose ukuxhoma isikhagiso emhlabeni olawulwa nguNgqongqoshe kumele —
- (a) enze isivumelwane sokuqasha ngokwezimiso kanye nemibandela echazwe nguNgqongqoshe; futhi
- (b) akhokhe intela ngokwezimiso kanye nemibandela echazwe nguNgqongqoshe esivumelwaneni sokuqasha esenziwe ngokwezimiso zalo Mthetho.
- (18) UNgqongqoshe angasusa noma yisiphi isikhagiso esixhonywe noma samiswa endaweni elawulwa nguNgqongqoshe uma umuntu omisa noma oxhoma isikhagiso —
- (a) ehluleka ukwenza isivumelwane sokuqasha noNgqongqoshe;
- (b) ephula noma yiziphi izimiso kanye nemibandela yegunya elinikezelwe ngokomtheshwana (7)(a); noma
- (c) ephula noma yiziphi izimiso kanye nemibandela yegunya elinikezelwe ngokomtheshwana (17)(a).
- (19) Uma umuntu noma umasipala sinakekela noma simisa isikhagiso emgwaqweni noma eduze komgwaqo wesifundazwe ngokwephula lo Mthetho noma mhlawumbe ehluleka ukulandela izihlinzeko zalo Mthetho nanoma ngabe yimuphi umbandela obekwe nguNgqongqoshe, uNgqongqoshe angakhipha isexwayiso enikeza lowo muntu noma umasipala isikhathi esinqunyiwe sokulungisa isiphambeko noma ukwehluleka ukulandela lo Mthetho.
- (20) Lapho umuntu noma umasipala sehleleka ukulandela izihlinzeko zokulungisa zesexwayiso esikhishwe ngokwezimiso zomthethonqutshana (19), lowo muntu noma umasipala sinomthwalo wazo zonke izindleko zokubuyiselwa umgwaqo wesifundazwe esimweni sawo, kumbandakanya kepha kungagcini ngokususwa, ukubhidlizwa kanye nokulahlwa kwayo yonke impahla emayelana nesikhagiso esisemgwaqweni noma eduze komgwaqo wesifundazwe.

**Iminikelo kamasipala noma eya kumasipala, inhlango noma kumuntu ozokwakha, ukwakha kabusha, ukwenza ngcono ukulungisa noma ukunakekela umgwaqo wesifundazwe**

16.(1) UNgqongqoshe kumele enze isivumelwane somnikelo oya kumasipala noma ozokwenziwa umasipala, inhlango noma ngumuntu ozokwakha, ukwakha kabusha, ukwenza ngcono, ukulungisa noma ukunakekela nanoma yimuphi umgwaqo wesifundazwe, kuhlinzekelwe ukuthi uNgqongqoshe wenza isinqumo mayelana —

- (a) nesidingo sanoma yikuphi ukwakha, ukwenza ngcono, ukulungisa noma ukunakekelwa komgwaqo wesifundazwe;
- (b) uhlobo kanye nobungako bokwakha, ukwakha kabusha, ukwenza ngcono, ukulungisa noma ukunakekelwa komgwaqo wesifundazwe
- (c) izindleko zomnikelo zalokho kwakha okudingekayo, ukwakha kabusha, ukwenza ngcono, ulungisa noma ukunakekela umgwaqo wesifundazwe;
- (d) umasipala, inhlango noma umuntu ofanele ukwenza aqede umsebenzi ochaziwe ngokwezimiso zesigaba (a) no (b); kanye
- (e) nomnikelo ngokwezimiso zesigaba (c).
- (2) UNgqongqoshe angeke, ngaphandle kwesivumelwane esihlongozwe ngokwezimiso zomthethonqutshana (1) agunyaze noma yikuphi ukwakhiwa, ukwakhiwa kabusha, ukwenziwa ngcono, ukulungisa noma ukunakekelwa kwanoma yimuphi umgwaqo wesifundazwe, nanoma yimuphi umnikelo kumasipala, inhlango noma umuntu.
- (3) UNgqongqoshe angenza isivumelwane nomasipala, inhlango noma umuntu sokwamukela umnikelo kamasipala, kwinhlangano noma kumuntu ngomsebenzi othile wokwakha, ukwakha kabusha, ukwenza ngcono, ukulungisa noma wokunakekela umgwaqo wesifundazwe.

**Ukwethulwa kwesicelo**

17.(1) Lapho umuntu noma umasipala kudingeka ukuba ethule isicelo ngokwezimiso zale Mithetho, lowo muntu noma umasipala kumele —

- (a) athole ifomu lesicelo elifanele endaweni noma endaweni emiswe nguNgqongqoshe;
- (b) ethule isicelo esigcwaliswe futhi sasayindwa ngendlela echazwa zikhathi zonke nguNgqongqoshe; futhi
- (c) ethule imali edingekayo kanye nesicelo endaweni noma ezindaweni ezikhonjwe nguNgqongqoshe.
- (2) UNgqongqoshe kumele ahlinzeke ukwamukelwa okubhaliwe kwesicelo esilethwe ngumuntu noma umasipala ngokwezimiso zomthethonqutshana (1).

(3) Lapho isicelo singasayindwanga noma sagcwaliswa ngendlela efanele ngokwezimiso zomthethonqutshana (1)(b), noma imali ingakhokhwanga ngokwezimiso zomthethonqutshana (1)(c), uNgqongqoshe —

(a) angenqaba ukudingida isicelo; futhi

(b) asibuyisele kumfakisicelo nencazelo echazayo isizathu esenze wenqaba ukudingida isicelo.

(4) Ofake isicelo angasihoxisa isicelo noma nini ngaphambi kokuba isicelo sidingidwe nguNgqongqoshe.

(5) UNgqongqoshe angenqaba ukudingida isicelo esilethwe ngokwezimiso zale Mithetho lapho umuntu enza khona isitatimende esingamanga ngama-bomu.

#### **IMithetho yokwengeza futhi engamele noma yimuphi omunye umthetho**

18. Le mithetho iyisengezo futhi ayimele noma yimuphi omunye umthetho.

#### **Ukuxazulula ingxabano**

19. Umuntu noma umasipala onesikhalazo mayelana nesinqumo sikaNgqongqoshe angacela uNgqongqoshe ukuba abuyekeze futhi acubungule noma yisiphi isinqumo ngokwezimiso zale mithetho ngokwenza isethulo esibhaliwe kuNgqongqoshe ngokwezimiso zesigaba 43 soMthetho.

#### **Ukujutshwa kanye nokugunyazwa**

20.(1) UNgqongqoshe angathi ngombalo, agunyaze noma adlulisele amandla, umthwalo noma umsebenzi ngokwezimiso zale mithetho eNhlokweni yoMnyango.

(2) INhloko yoMnyango, kungathi ngemvume kaNgqongqoshe, adlulisele amandla noma agunyaze umthwalo noma umsebenzi ngamandla kaNgqongqoshe ngokwezimiso zale mithetho ngokubhaliwe kwisiphathimandla soMnyango.

(3) Igunya noma ukudluliselwa kwamandla ngokwezimiso zomthethonqutshana (1) noma (2) —

(a) kunomkhawulo ongabekwa nguNgqongqoshe, iNhloko yoMnyango noma uMthetho;

(b) kungaqondiswa kumuntu othile, noma ophethe isikhundla esithize eMnyangweni; futhi

(c) kaliphuci uNgqongqoshe noma iNhloko yoMnyango umthwalo omayelana nokusetshenziswa kwamandla, nomthwalo noma umsebenzi ngokwezimiso zale mithethonqubo.

(4) UNgqongqoshe, ngokwezimiso zesivumelwano esibhaliwe nomasipala, angagunyaza noma edlulisele amandla, umthwalo noma umsebenzi ngokwezimiso zale mithethonqubo kumasipala.

(5) UNgqongqoshe noma iNhloko yoMnyango ingagcwalisa, iguqule noma ichithe noma yisiphi isinqumo esithathwe yisiphathimandla ngokwegunya noma ukwedluliselwa kwamandla ngokwezimiso zale mithethonqubo, kuhlinzekelwa noma yimaphi amalungelo angabe esetholakele kusukela ekugunyazweni noma ekwedluliselweni kwamandla.

(6) Ukwedluliselwa kwamandla ngokwezimiso zale mithethonqubo akuphici uNgqongqoshe noma iNhloko yoMnyango ilungelo lokusebenzisa amandla, umthwalo noma umsebenzi obusugunyaziwe.

#### **Isihloko esifingqiwe**

21. Le mithethonqubo ibizwa ngokuthi yiMithethonqubo yeMigwaqo yesiFundazwe yaKwaZulu-Natali, 2006.

**No. 2061, 2006**

23 November 2006

### **DEPARTMENT OF TRANSPORT**

#### **KWAZULU-NATAL PROVINCIAL ROADS REGULATIONS, 2006**

I hereby make the Regulations contained in the Schedule hereto in terms of section 44 of the KwaZulu-Natal Provincial Roads Act, 2001 (Act No. 4 of 2001), in order to regulate the provincial roads network.

Given under my hand at Pietermaritzburg on this 31st day of October, Two Thousand and Six.

**B. H. CELE**

Member of the Executive Council of the Province of KwaZulu-Natal  
responsible for transport

#### **SCHEDULE**

##### **Definitions**

1. In these Regulations, "the Act" means the KwaZulu-Natal Provincial Roads Act, 2001 (Act No. 4 of 2001), and any word or expression to which a meaning is assigned in the Act bears the meaning so assigned to it, and, unless the context otherwise indicates —

"**gate**" means any gate, grid gate, boom or similar structure constructed on, across or adjacent to a provincial road or boundary fence, which is intended to control the entry or exit of people, animals or vehicles;

"**municipality**" means a municipality contemplated in section 155 of the Constitution of the Republic of South Africa, 1996, and established by and under sections 11 and 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), read with sections 3, 4 and 5 of the KwaZulu-Natal Determination of Types of Municipality Act, 2000 (Act No. 7 of 2000), and "**municipalities**" has a corresponding meaning;

"**person**" means a natural or juristic person;

"**stormwater**" means surface water run-off specifically generated by rainfall or snow;

"**subdivision**" means the division of a registered immovable property into two or more portions which are or could be registered in a Deeds Registry as separate entities, and also includes any consolidation of land; and

"**watercourse**" means any natural land formation which conveys surface water or an artificial structure constructed for the purpose of conveying surface water.

##### **Declaration and de-declaration of provincial roads**

2.(1) The Minister must consider the following criteria in the declaration or de-declaration of a provincial road —

(a) the function or usage of the provincial road;

(b) the location and positioning of the provincial road;

(c) road and traffic safety considerations;

- (d) environmental impact;
  - (e) proof of consultation with affected parties;
  - (f) where relevant, promotion of economic growth and sustainable development; and
  - (g) any other relevant factor.
- (2) The Minister must make available to a member of the public, on written request and payment of the prescribed fee, the standards and requirements applied to make a determination in terms of the criteria in sub-regulation (1).
- (3) The requirements for a main road must include the following —
- (a) a road reserve width of a minimum of 30 metres or less than 30 metres where physical constraints prevent the full road reserve width of 30 metres; and
  - (b) substantial compliance with assessment criteria in terms of sub-regulation (1).
- (4) The Minister must give each main road a “P” prefix and a unique identification number.
- (5) The requirements for a district road must include the following —
- (a) a road reserve width of a minimum of 20 metres, or less than 20 metres where physical constraints prevent the full road reserve width of 20 metres; and
  - (b) substantial compliance with assessment criteria in terms of sub-regulation (1).
- (6) The Minister must give each district road a “D” prefix and a unique identification number.
- (7) The requirements for a local road must include the following —
- (a) a road reserve width of a minimum of 10 metres, with the width not exceeding 20 metres, where the absence of physical constraints facilitates a wider width; and
  - (b) substantial compliance with assessment criteria in terms of sub-regulation (1).
- (8) The Minister must give each local road an “L” prefix and a unique identification number.
- (9) The Minister may identify a road or proposed road within the Province to be declared or de-declared.
- (10) Notwithstanding sub-regulation (9), a person or municipality may identify a road or proposed road to be declared or de-declared by the Minister and submit a signed application in terms of regulation 17(1) requesting the declaration or de-declaration.
- (11) Where the Minister in terms of sub-regulation (9) has identified the need, or a person or municipality has submitted an application in terms of sub-regulation (10), for the declaration or de-declaration of a provincial road and the identified road or proposed road meets assessment criteria specified in sub-regulation (1) —
- (a) the Minister must submit a notice of intent to declare or de-declare a provincial road, including a physical description of the identified road or proposed road, to the municipality in which the identified road or proposed road is located;
  - (b) if the municipality in which the identified road or proposed road is located has an objection to the declaration or de-declaration of the identified road or proposed road, the relevant municipality may submit its objection in writing to the Minister within 30 calendar days of the date of the notice of intent;
  - (c) if a written objection is submitted to the Minister in terms of paragraph (b), the Minister must consult with the relevant municipality on the declaration or de-declaration of the identified road or proposed road;
  - (d) if the municipality in which the identified road or proposed road is located fails to respond within 30 calendar days of the date of the notice of intent, the Minister may assume that there is no objection by the municipality to the declaration or de-declaration of the provincial road;
  - (e) after consultation in terms of paragraph (c) with the municipality in which the identified road or proposed road is located, or the failure of a municipality to respond in terms of paragraph (d), the Minister must publish a notice in the *Gazette* of intent to declare or de-declare the provincial road, with a physical description of the identified road or proposed road;
  - (f) if a person objects in writing, within 21 calendar days of publication in terms of paragraph (e), to the declaration or de-declaration of a provincial road, the Minister must respond in writing to the objection within 30 calendar days of receipt of the objection;
  - (g) after consideration of any written objection submitted in terms of paragraph (f), the Minister must determine whether to declare or de-declare the provincial road; and
  - (h) if there is a written objection in terms of paragraph (f) and the Minister makes a determination in terms of paragraph (g) to declare or de-declare an identified road or proposed road, the Minister must, no earlier than 30 calendar days after publication of the notice of intent in terms of paragraph (e), publish a notice in the *Gazette* to declare or de-declare the provincial road, with a physical description of the identified road or proposed road, including the approximate route of the road.
- (12) Where a road or proposed road is not declared or de-declared a provincial road by the Minister within three years from the date of the assessment in terms of sub-regulation (1), the road or proposed road must be reassessed prior to being declared or de-declared by the Minister.
- (13) The Minister must, where an application submitted in terms of sub-regulation (10) has been authorised, advise the applicant —
- (a) of any conditions relevant to the declaration or de-declaration of a provincial road;
  - (b) of the number of the new provincial road; and
  - (c) that any authorisation in terms of this regulation is in addition to and not in substitution of any consent or authorisation required by any other law.
- (14) The Minister must, where an application submitted in terms of sub-regulation (10) has not been authorised, advise the applicant in writing —
- (a) that the identified road or proposed road failed to meet assessment criteria in terms of sub-regulation (1) for provincial road status;
  - (b) of the reasons why assessment criteria were not met; and
  - (c) that the identified road or proposed road was assessed in terms of sub-regulation (1) and a copy of the assessment is available to the applicant on written request.
- (15) If a provincial road fails to meet assessment requirements in terms of sub-regulation (1), the Minister —
- (a) may initiate de-declaration of the provincial road and take any other appropriate steps with regard to the road;
  - (b) must, where the Minister authorises de-declaration of the provincial road in terms of paragraph (a), follow the procedure for de-declaration in sub-regulation (11); and
  - (c) may take any other appropriate action.

### Access to main roads and district roads

- 3.(1) The Minister must consider the following criteria in the determination of a new access, change in use, an upgrade, or a closure of an existing access to a main road or district road —

- (a) the standard, type of access and level of service required for access to a main road or district road;
- (b) any change of land or building use, including but not limited to the function or potential usage of the access and type and size of vehicles used on the access;
- (c) any subdivision or development of land;
- (d) any change of use of an existing access;
- (e) the location and positioning of the access, taking into account public and traffic safety, road safety risks and traffic flow;
- (f) the number of existing accesses in the immediate vicinity of the affected property;
- (g) stormwater control;
- (h) environmental impact;
- (i) where relevant, promotion of economic growth and sustainable development; and
- (j) any other relevant factor.
- (2) The Minister must make available to the public, on written request and payment of the prescribed fee, the standards and requirements applied to make a determination in terms of the criteria in sub-regulation (1).
- (3) The Minister may identify the need to construct a new access, change the use, upgrade or close an existing access to a main road or a district road.
- (4) Notwithstanding sub-regulation (3), a person or municipality must, from the date of this regulation coming into effect, submit an application in terms of regulation 17(1) signed by the owner of the land on which any proposed new access or identified access is located, requesting written authorisation from the Minister when any of the following activities is contemplated —
- (a) construction of a new access to a main or district road;
- (b) any change of land or building use, including but not limited to the function or potential usage of the access and type and size of vehicles used on the access;
- (c) change of an existing use of the access;
- (d) rezoning, development or extension of existing development;
- (e) subdivision of land;
- (f) where the owner of land on which an access has been constructed contemplates altering, upgrading or closing the access; or
- (g) where the owner of the land on which an access was constructed before this regulation came into effect has been advised that the access is not in compliance with this regulation.
- (5) Where the Minister in terms of sub-regulation (3) has identified the need for a new access, change in use, upgrade or closure of an existing access, or a person or municipality has submitted an application in terms of sub-regulation (4), the Minister must assess the need in terms of criteria specified in terms of sub-regulation (1).
- (6) Where —
- (a) an application submitted in terms of sub-regulation (4) meets assessment criteria in terms of sub-regulation (1), the Minister must grant written authorisation for the new access, change in use, upgrade or closure of an existing access; and
- (b) the new access or change in use or upgrade of an existing access is not constructed or the existing access is not closed within 18 months from the date of written authorisation in terms of paragraph (a) or at the end of the period authorised in sub-regulation (7)(b), whichever is less, or the access presents a safety hazard, the Minister's written authorisation lapses and a new application must be submitted.
- (7) The Minister must, where an application submitted in terms of sub-regulation (4) has been authorised, advise the applicant in writing —
- (a) of any conditions relevant to the construction of the new access, change in use, upgrade or closure of the existing access;
- (b) of the period of validity of the authorisation of the application, which period may not exceed 18 months; and
- (c) (i) that any authorisation in terms of this regulation is in addition to and not in substitution of any consent or authorisation required by any other law; or
- (ii) of the de-registration of the access which is to be closed in terms of the Minister's authorisation.
- (8) The Minister must, where an application submitted in terms of sub-regulation (4) has not been authorised, advise the applicant in writing —
- (a) that the application failed to meet assessment criteria in terms of sub-regulation (1); and
- (b) of the reasons why assessment criteria were not met.
- (9) The person or municipality authorised in terms of sub-regulation (7) must, prior to taking any action, notify the Minister in writing of the anticipated construction of the new access or change in use, upgrade or closure of the access.
- (10) The Minister must register a newly authorised access and issue a unique registration number to the owner of the land on which the access is located.
- (11) If an application for change in use of or upgrade to an existing access fails to meet assessment criteria specified in terms of sub-regulation (1) or the owner fails to maintain the access, the Minister may de-register and close the existing access, with the owner liable for the costs, as specified by the Minister, to close the access and restore the main or district road to its original condition.
- (12) Where the Minister has, in terms of sub-regulation (3), identified the need for the construction of a new access or the change of use or upgrading of an existing access —
- (a) the Minister is responsible for the initial construction costs; and
- (b) the owner whose property is served by the access, is responsible for maintenance of the access and any other costs after the initial construction is completed.
- (13) The owner whose property is served by the access is liable for all construction, maintenance and any other costs of a new access or change of use or upgrade of an existing access authorised in terms of sub-regulation (7).
- (14) A person may use a new access or change in use or upgrade of any existing access where —
- (a) the Minister has granted temporary written authorisation to use an access under construction, including any terms and conditions related to the access; or
- (b) the owner has obtained written authorisation from the Minister, which authorisation must state that the access has been constructed in the manner prescribed by the Minister, the unique registration number of the access and any terms and conditions related to the access.
- (15) If an owner of land on which an access is located contravenes or fails to comply with any provision of this regulation, or any condition imposed by the Minister, or fails to meet prescribed standards, the Minister may issue a warning, giving the owner a specified period of time within which to rectify the owner's contravention or failure to comply with this regulation.
- (16) Where the owner of land fails to comply with the rectification provisions of the warning issued in terms of sub-regulation (15), the —
- (a) owner is liable for all costs incurred by the Minister in restoring the provincial road to its original condition; and

- (b) Minister may order that the access be closed, with the owner liable for all costs associated with the closure of the access.
- (17) The Minister may repair any damage caused by the failure of an owner to maintain an access and the owner is liable for repairs and all costs related thereto.
- (18) The Minister may close an access where the owner fails to maintain the access, with the owner liable for all costs to close the access.
- (19) A person may not —
- (a) construct a new access, or upgrade an existing access, without complying with this regulation;
  - (b) fail to maintain an access authorised in terms of this regulation;
  - (c) fail to comply with the rectification provisions of any warning issued in terms of sub-regulation (15);
  - (d) fail to close an access in terms of this regulation; or
  - (e) close an access without complying with this regulation.

#### Public right of way

- 4.(1)(a) A register of public rights of way must be maintained by the Department or by a municipality on behalf of the Department.
- (b) The Minister must enter into an agreement with a municipality, for it to be authorised to maintain a register of public rights of way in terms of paragraph (a).
- (2) A municipality which has maintained a register of public rights of way at the time of the coming into effect of this regulation must continue to maintain the register and within 18 months of the coming into effect of this regulation, enter into an agreement as contemplated in sub-regulation (1)(b).
- (3) The Minister or a municipality, as the case may be, must enter each public right of way, together with a diagram, into the relevant public rights of way register and provide a registration number, including property, lot and erf description, for the public right of way.
- (4) The Minister or a municipality, as the case may be, must consider the following criteria in the registration or de-registration of a public right of way —
- (a) whether an existing public right of way is a municipal road;
  - (b) whether an existing public right of way constitutes a reasonable means of entering and exiting from land;
  - (c) the length of time a public right of way has been used and its existing or previous use;
  - (d) any change of land or building use which could create the need for a public right-of-way;
  - (e) any change of use of an existing public right of way;
  - (f) the standard, type and level of service required;
  - (g) the location, positioning and proximity of a proposed public right of way to be registered in relation to any other public right of way;
  - (h) the location, positioning and proximity of a public right of way to be de-registered in relation to any other public right of way;
  - (i) road and traffic safety considerations;
  - (j) environmental impact;
  - (k) proof of consultation with affected parties, including but not limited to consultation with community structures addressing road and public transportation issues;
  - (l) where relevant, promotion of economic growth and sustainable development; and
  - (m) any other relevant factor.
- (5) The Minister or a municipality may of his or her or its own accord identify the need to register or de-register a public right of way.
- (6) A person or municipality may submit an application in terms of regulation 17(1) signed by the owner of the land on which an existing or proposed public right of way is located, requesting the Minister or a municipality, as the case may be, to register or de-register a public right of way.
- (7) Where the Minister or a municipality, in terms of sub-regulation (5), has identified the need to register or de-register a public right of way or a person or municipality has submitted an application in terms of sub-regulation (6), the Minister or the municipality —
- (a) must assess the application in terms of the public right of way criteria specified in sub-regulation (4);
  - (b) must submit a notice of intent to register or de-register the public right of way, including a physical description of the public right of way, to the owner of the land on which the public right of way is located, the relevant municipality and any interested party known to the Minister or the municipality;
  - (c) must, if the owner of the land on which the public right of way is located objects to the registration or de-registration of the public right of way within 30 calendar days of the date of the notice of intent, consider the objection and consult with the owner, municipality and any interested party known to the Minister or the municipality on the registration or de-registration of the public right of way;
  - (d) must advertise the public right of way in local newspapers;
  - (e) may, if the owner of the land, relevant municipality or other interested party in which the public right of way is located fails to respond within 30 calendar days after submitting the notice of intent required in terms of paragraph (b) and fails to respond within 21 calendar days after advertising in local newspapers in terms of paragraph (d), assume that there is no objection by the owner of the land, municipality or other interested party to the registration or de-registration of the public right of way; and
  - (f) must where there is a written objection after compliance with paragraph (e) —
    - (i) consider the written objection;
    - (ii) consult with the owner of the land, relevant municipality and any interested party known to the Minister or the municipality; and
    - (iii) after consultation in terms of subparagraph (ii), determine whether the proposed public right of way should be registered or the identified public right of way should be de-registered.
- (8) If the Minister or a municipality makes a determination to register or de-register a public right of way, the Minister or the municipality must —
- (a) to register a public right of way —
    - (i) enter the public right of way, together with a diagram specifying the route of the public right of way, into the applicable public rights of way register and provide a registration number, including property, lot and erf description, for the public right of way;
    - (ii) state who will be responsible for construction, maintenance and fencing, if any, of the public right of way;
    - (iii) state the type, standard, width and usage of the public right of way; and
    - (iv) where an applicant has submitted an application in terms of sub-regulation (6), notify the applicant that the public right of way will be registered and that the registration fee must be paid; or
  - (b) to de-register a right of way —

- (i) de-register the identified public right of way; and
  - (ii) notify the applicant that the identified public right of way has been de-registered and give written reasons for the decision.
- (9) The authorisation for registration of a public right of way in terms of sub-regulation (8)(a) lapses if —
- (a) the applicant fails to pay the required registration fee; or
  - (b) the public right of way is not constructed within 18 months from the date of notification.
- (10) Where a public right of way lapses in terms of sub-regulation (9)(b) —
- (a) the Minister or a municipality must de-register the public right of way; and
  - (b) a new application must be submitted and approved in terms of this regulation prior to the construction of any public right of way.
- (11) The Minister or a municipality must, where a public right of way is authorised in terms of this regulation, advise the applicant in writing —
- (a) of any conditions relevant to the registration of the public right of way, including but not limited to requirements to —
    - (i) pay the required fee to register the public right of way;
    - (ii) pay the required registration fee to register the public right of way with the relevant deeds registry; and
    - (iii) construct, maintain and, where required, fence the public right of way;
  - (b) of the registration number of the public right of way;
  - (c) that any authorisation in terms of this regulation is in addition to and not in substitution of any consent or authorisation required by any other law; and
  - (d) as to who will be liable for all costs for and maintenance of a public right of way authorised in terms of this regulation.
- (12) The Minister or municipality must, where an application submitted in terms of sub-regulation (6) has not been authorised, advise the applicant —
- (a) that the application failed to meet assessment criteria in terms of sub-regulation (4); and
  - (b) of the reasons why assessment criteria were not met.
- (13) A diagram of any registered public right of way must be available with the registration of the public right of way in the Department's Head Office and the regional office responsible for the public right of way or in the offices of the relevant municipality.
- (14) A person may use a new public right of way where the Minister has —
- (a) granted temporary written authorisation for the public right of way; or
  - (b) registered the public right of way.
- (15) The Minister or the relevant municipality may issue a warning, giving the person specified in sub-regulation (11)(a) a specified period of time in which to rectify a contravention or failure to comply with this regulation where the person —
- (a) contravenes or fails to comply with any provision of this regulation; or
  - (b) fails to meet any condition imposed by the Minister or the relevant municipality for the construction, maintenance and fencing, if any, of a public right of way.
- (16) Where the person specified in sub-regulation (11)(a) fails to comply with the rectification provisions of the warning issued in terms of sub-regulation (15), the —
- (a) person is liable for all costs incurred by the Minister or the relevant municipality to construct, maintain or fence the public right of way; and
  - (b) Minister or the relevant municipality may order that the public right of way be closed, with the person liable for all costs incurred to close the public right of way.
- (17) If a person wishes to alter an authorised public right of way, he or she must reapply in terms of sub-regulation (6) for any change to the public right of way.
- (18) Where the Minister or a municipality learns that an unauthorised public right of way is in use, the Minister or relevant municipality may assess the public right of way in terms of this regulation and either register the public right of way or cause it to be closed.
- (19) Where a person specified in sub-regulation (11)(d) fails to maintain a public right of way, the Minister or relevant municipality may —
- (a) close the public right of way, with the person failing to maintain the public right of way responsible for all costs to close the public right of way; or
  - (b) repair any damage caused by the failure to maintain the public right of way, with the person failing to maintain the public right of way liable to the Minister or relevant municipality for all costs for repairs.
- (20) The Minister or relevant municipality may investigate any damage to a public right of way, including fencing, if any.
- (21) A person who is found to be responsible for damage to a public right of way, including fencing, if any, is liable for all costs for repairs.
- (22) A person may not —
- (a) construct or upgrade a public right of way without complying with this regulation;
  - (b) fail to maintain a public right of way authorised in terms of this regulation;
  - (c) fail to comply with the rectification provisions of the warning issued in terms of sub-regulation (15);
  - (d) fail to close a public right of way in terms of this regulation; or
  - (e) close a public right of way without complying with this regulation.

#### **Control of stormwater and watercourses on provincial roads**

- 5.(1) The Minister must consider the following criteria in any action in terms of sections 12(1) or 12(2)(a) and (b) of the Act —
- (a) any change in land use or land contouring on property adjacent to a provincial road;
  - (b) any subdivision or development of land;
  - (c) any building or structures on the land;
  - (d) the probability of flooding or damage to a provincial road;
  - (e) the construction of any structure such as a dam or weir, where the water level in a river, stream or watercourse will cause interference with a provincial road or any bridge, drift, culvert, pipe, or embankment of a provincial road;
  - (f) environmental impact; and
  - (g) any other relevant factor which would have an adverse impact on a provincial road.



- (2) The Minister must make available to a member of the public on written request and payment of the prescribed fee, the standard and requirements applied to make a determined in terms of the criteria in sub-regulation (1).
- (3) Prior to taking action in terms of section 12(1) of the Act, a person or municipality must —
- (a) submit a written application as prescribed in regulation 17(1); and
  - (b) have the application countersigned by the landowner.
- (4) Where a person or municipality has submitted an application in terms of sub-regulation (3), the Minister must assess the need in terms of criteria specified in terms of sub-regulation (1).
- (5) Where —
- (a) an application submitted in terms of sub-regulation (3) meets assessment criteria in terms of sub-regulation (1), the Minister may grant written authorisation; and
  - (b) action is not taken within 18 months from the date of written authorisation in terms of paragraph (a) or at the end of the period authorised in sub-regulation (6)(b), whichever is less, the Minister's written authorisation lapses and a new application must be submitted.
- (6) The Minister must, where an application submitted in terms of sub-regulation (3) has been authorised in terms of sub-regulation (5)(a), advise the applicant in writing —
- (a) of any conditions relevant to the protection of the provincial road from water damage;
  - (b) of the period of validity of the authorisation of the application to take action to protect the provincial road from water damage, which period may not exceed 18 months; and
  - (c) that any authorisation in terms of this regulation is in addition to and not in substitution of any consent or authorisation required by any other law.
- (7) The Minister must, where an application submitted in terms of sub-regulation (3) has not been authorised, advise the applicant in writing —
- (a) that the application failed to meet assessment criteria in terms of sub-regulation (1); and
  - (b) of the reasons why assessment criteria were not met.
- (8) A person or municipality authorised in terms of sub-regulation (5)(a) must, prior to taking any action, notify the Minister in writing of the anticipated construction to —
- (a) lead water over, under or across a provincial road; or
  - (b) raise or lower the level of water in any river, dam or watercourse that may interfere with or endanger any provincial road or any bridge, culvert, drift, or other thing forming part of, connected with or belonging to a provincial road.
- (9) The owner of land adjacent to a provincial road is liable for all costs where action is taken —
- (a) leads water over, under or across a provincial road; or
  - (b) raises or lower the level of water in any river, dam or watercourse to prevent interference with or endangerment of any provincial road or any bridge, culvert, drift, or other thing forming part of, connected with or belonging to a provincial road.
- (10) If an owner of land adjacent to a provincial road contravenes or fails to comply with any provision of this regulation, or any condition imposed by the Minister, or fails to meet prescribed standards for the protection of a provincial road from water damage, the Minister may issue a warning giving the owner a specified period of time in which to rectify the owner's contravention or failure to comply with this regulation.
- (11) Where the owner of land fails to comply with the rectification provisions of the warning issued in terms of sub-regulation (10), the —
- (a) owner of the land adjacent to a provincial road is liable for all costs where the owner knew or had reason to know that the owner's failure to take action would damage the provincial road or any bridge, culvert, drift or other thing forming part of, connected with or belonging to a provincial road; and
  - (b) Minister may order that the provincial road be closed temporarily, with the owner liable for all costs incurred by the Minister to rectify any damage caused by the owner's failure to protect the provincial road from water damage and restore the provincial road to an acceptable condition.
- (12) A person may not —
- (a) lead water over, under or across a provincial road without complying with this regulation;
  - (b) raise or lower the level of water in any river, dam or watercourse to prevent interference with or endangerment of any provincial road or any bridge, culvert, drift, or other thing forming part of, connected with or belonging to a provincial road without complying with this regulation;
  - (c) deviate any watercourse, stream or river without complying with this regulation;
  - (d) divert stormwater from or under any provincial road onto private property without complying with this regulation;
  - (e) fail to maintain or control any watercourse, stream or river or to divert stormwater to prevent water damage to a provincial road; or
  - (f) fail to comply with the rectification provisions of the warning issued in terms of sub-regulation (10).

#### **Structures adjacent to or on provincial roads**

6.(1) The Minister must consider the following criteria before granting permission to erect, lay, establish or alter any structure, or permit the erection, laying, establishment or alteration of any structure, excluding fencing erected by the Department in terms of regulation 7, on, over or below the surface of a provincial road so as to encroach on a provincial road, or in a building restriction area within 15 metres of the boundary of a main road or district road —

- (a) any change of land or building use;
  - (b) any subdivision or development of land;
  - (c) the function or potential usage of the structure, erection or improvement, aboveground or underground, including but not limited to utility services and all structures related thereto;
  - (d) the location and positioning of the structure;
  - (e) road construction, maintenance and traffic safety considerations;
  - (f) stormwater control onto the main road or district road;
  - (g) environmental impact;
  - (h) where relevant, promotion of economic growth and sustainable development; and
  - (i) any other relevant factor which would have an adverse impact on the integrity of a provincial road.
- (2) The Minister must make available to the public on written request and payment of the prescribed fee, the standard and requirements applied to make a determination in terms of the criteria in sub-regulation (1).

- (3) The Minister may identify a need to erect, lay, establish or alter any structure on, over or below the surface of a provincial road which encroaches on a provincial road, or in a building restriction area within 15 metres of the boundary of a main road or district road.
- (4) A person or municipality contemplating any of the actions hereunder must obtain written authority from the Minister, submitting an application form in terms of regulation 17(1) when any of the following activities is contemplated —
- erecting, laying, establishing or altering any structure on, over or below the surface of a provincial road which encroaches on a provincial road;
  - erecting, laying, establishing or altering any structure in a building restriction area within 15 metres of the boundary of a main road or district road; or
  - undertaking any activity with respect to a structure which may impact adversely on a provincial road, or have a direct effect on the integrity of a provincial road.
- (5) Where the Minister has identified a need in terms of sub-regulation (3) or a person or a municipality has submitted an application in terms of sub-regulation (4), the Minister must assess the need to protect the provincial road from damage in terms of criteria specified in sub-regulation (1) and take appropriate action.
- (6) Where —
- an application submitted in terms of sub-regulation (4) meets assessment criteria in terms of sub-regulation (1), the Minister may grant written authorisation to erect, lay, establish or alter any structure which encroaches on a provincial road, or is within 15 metres of the boundary of a main road or district road; and
  - action is not taken within 18 months from the date of written authorisation in terms of paragraph (a) or at the end of the period authorised in sub-regulation (7)(b), whichever is less, the Minister's written authorisation lapses and a new application must be submitted.
- (7) The Minister must, where an application submitted in terms of sub-regulation (4) has been authorised in terms of sub-regulation (6)(a), advise the applicant —
- of any conditions relevant to protect the provincial road from damage;
  - of the period of validity of the authorisation of the application to take action to erect, lay, establish or alter any structure on, over or below a provincial road, or in a building restriction area within 15 metres of the boundary of a main road or district road, which period may not exceed 18 months; and
  - that any authorisation in terms of this regulation is in addition to and not in substitution of any consent or authorisation required by any other law.
- (8) The Minister must, where an application submitted in terms of sub-regulation (4) has not been authorised, advise the applicant in writing —
- that the application failed to meet assessment criteria in terms of sub-regulation (1);
  - of the reasons why assessment criteria were not met; and
  - that the application was assessed in terms of sub-regulation (1) and a copy of the assessment is available to the applicant on written request.
- (9) A person or municipality authorised in terms of sub-regulation (6)(a) must, prior to taking any action, notify the Minister in writing of the anticipated construction of a structure adjacent to or on a provincial road, or within 15 metres of the boundary of a main road or district road.
- (10) If an application fails to meet assessment requirements in terms of sub-regulation (1) and a person or municipality has erected a structure in contravention of this regulation, the Minister may remove the structure or undertake any required repairs or maintenance to ensure the integrity of the provincial road.
- (11) A person or municipality who erects, lays, establishes or alters a structure on land adjacent to or on a provincial road or within 15 metres of the boundary of a main or district road, without prior written authorisation in terms of sub-regulation (6)(a), is liable for the cost of restoring the provincial road to its original condition.
- (12) Where the Minister has, in terms of sub-regulation (3), identified a need, the Minister is responsible for the initial construction costs, maintenance and any other costs, except where there is an encroachment agreement.
- (13) A successful applicant in terms of sub-regulation (6)(a) is liable for all costs to erect, lay, establish or alter any structure and maintain or permit the erection, laying, establishment or alteration of any structure on, over or below the surface of a provincial road, or in a building restriction area within 15 metres of the boundary of a main road or district road.
- (14) A person may use a structure on, over or below the surface of a provincial road, or in a building restriction area within 15 metres of the boundary of a main road or district road where the Minister has granted —
- temporary written authorisation in terms of sub-regulation (6)(a) for the use of the structure; or
  - written authorisation certifying compliance with engineering standards specified from time to time by the Minister to ensure the integrity of the provincial road.
- (15) If a person or municipality erects, lays, establishes or alters a structure or permits the erection, laying, establishment or alteration of a structure on, over or below the surface of a provincial road, or in a building restriction area within 15 metres of the boundary of a main road or district road, in contravention of this regulation, or otherwise fails to comply with any provision of this regulation or any condition imposed by the Minister, the Minister may issue a warning giving the person or municipality a specified period of time in which to rectify the person's or municipality's contravention or failure to comply with this regulation.
- (16) Where a person or municipality fails to comply with the rectification provisions of a warning issued in terms of sub-regulation (15), the person or municipality is liable for all costs of restoring the provincial road to its original condition, including but not limited to the removal, demolishing and disposal of all materials related to the structure.
- (17) A person or municipality responsible for an unauthorised structure on, over or below the surface of a provincial road which encroaches on a provincial road, or in a building restriction area within 15 metres of the boundary of a main road or district road, must apply in terms of sub-regulation (4) within 30 calendar days of being formally notified that the structure is not in compliance with criteria established in terms of this regulation.
- (18) If a person or municipality fails to obtain authorisation for a structure in terms of sub-regulation (6)(a) or (14), the person or municipality must remove or relocate the structure.
- (19) If a person or municipality fails to remove or relocate a structure in terms of sub-regulation (18), the —
- Minister may remove or relocate the structure; and
  - person or municipality is liable for all costs incurred by the Minister to —
    - remove or relocate the structure; and
    - restore the provincial road to its original condition.
- (20) The Minister may identify a need to remove or relocate a structure adjacent to or on a provincial road and may remove or relocate the structure.
- (21) A person or municipality contemplating the removal or relocation of a structure must apply in terms of sub-regulation (4).

- (22) A person or municipality which receives authorisation to remove or relocate a structure is liable for all costs to remove or relocate the structure and restore the provincial road to its original condition.
- (23) The Minister may repair any damage caused by the failure of a person or responsible authority to maintain a structure and the person or municipality is liable for repairs and all costs to restore the provincial road to its original condition.
- (24) The Minister may remove or relocate a structure which is not maintained in terms of sub-regulation (13) and the Minister may recover all costs for the removal or relocation of the structure.
- (25) A person may not —
- (a) erect, lay, establish or alter a structure on, over or below the surface of a provincial road which encroaches on a provincial road, or in a building restriction area within 15 metres of the boundary of a main road or district road, without complying with this regulation;
  - (b) fail to comply with the rectification provisions of a warning issued in terms of sub-regulation (15); or
  - (c) fail to remove a structure in terms of sub-regulation (16) or (18).

### Fencing on provincial roads

- 7.(1) The Minister may erect fencing adjacent to any provincial road or, in the Minister's sole discretion, financially assist a person or municipality with erecting or repairing fencing.
- (2) The Minister must consider the following criteria in authorising the erection, replacement or the removal of fencing adjacent to a provincial road —
- (a) demarcation of the boundary of a provincial road reserve;
  - (b) access control to a provincial road;
  - (c) preventing animals from entering a provincial road reserve;
  - (d) preventing encroachment on a provincial road;
  - (e) road and traffic safety considerations;
  - (f) any other relevant factor which would have an adverse impact on a provincial road; and
  - (g) subject to the availability of funds appropriated by the KwaZulu-Natal Provincial Legislature for fencing.
- (3) The Minister must make available to a member of the public on written request to the Minister and payment of the prescribed fee, the standard and requirements the applied to make a determination in terms of the criteria in sub-regulation (2).
- (4) The Minister may, in terms of criteria specified in sub-regulation (2), identify the need to —
- (a) erect a fence along the boundary of a road reserve of unfenced sections of a provincial road at the time of construction or completion of construction of the provincial road;
  - (b) erect, maintain or replace fences on the boundary of the road reserve of a provincial road; or
  - (c) remove a fence along the boundary of a provincial road.
- (5) When seeking a contribution in terms of section 14(3) of the Act, a person or municipality, including but not limited to the owner of property adjacent to a provincial road, must submit an application to erect, replace or remove fencing adjacent to a provincial road prior to taking any action.
- (6) An application submitted in terms of sub-regulation (5) must be signed by the owner of property adjacent to a provincial road.
- (7) Where the Minister in terms of sub-regulation (4) has identified the need to erect, replace or remove fencing along the boundary of a provincial road, or a person or municipality, including but not limited to the owner, has submitted an application in terms of sub-regulation (5), the Minister must assess the need to erect, replace or remove a fence in terms of sub-regulation (2).
- (8) Where —
- (a) an application submitted in terms of sub-regulation (5) meets assessment criteria in terms of sub-regulation (2), the Minister may grant written authorisation to erect, replace or remove the fence along the boundary of a provincial road; and
  - (b) if action is not taken within 18 months from the date of written authorisation in terms of paragraph (a) or at the end of the period authorised in sub-regulation (9)(c), whichever is less, the Minister's written authorisation lapses and a new application must be submitted.
- (9) The Minister must, where an application submitted in terms of sub-regulation (5) has been authorised in terms of sub-regulation (8)(a), advise the applicant in writing —
- (a) of any relevant conditions, including but not limited to conditions specifying —
    - (i) what section of the provincial road may or may not be fenced;
    - (ii) that the owner of property adjacent to the provincial road is responsible for all costs related to erecting or removing a fence;
    - (iii) that instead of fencing, road reserve markers may be erected on the boundary of the road reserve by the Minister and must not be removed; and
    - (iv) that the adjacent land owner indemnifies the Minister against any harm of whatsoever nature arising out of the fencing, failure to fence, failure to maintain a fence or removal of fencing on property adjacent to the provincial road;
  - (b) that the adjacent landowner must comply with this regulation;
  - (c) of the period of validity of the authorisation of the application to erect, replace or remove a fence along the boundary of a provincial road, which period may not exceed 18 months; and
  - (d) that any authorisation in terms of this regulation is in addition to and not in substitution of any consent or authorisation required by any other law.
- (10) The Minister must, where an application submitted in terms of sub-regulation (5) has not been authorised, advise the applicant in writing —
- (a) that the application failed to meet assessment criteria in terms of sub-regulation (2); and
  - (b) of the reasons why assessment criteria were not met.
- (11) A person or municipality authorised in terms of sub-regulation (8)(a) must, prior to taking any action, notify the Minister in writing of the anticipated erection, replacement or removal of fencing.
- (12) If an application fails to meet assessment requirements in terms of sub-regulation (2) and a person or municipality has erected, replaced or removed fencing in contravention of this regulation, the Minister may erect, replace or remove the fencing and undertake any required repairs or maintenance to ensure the integrity of the provincial road, with the person or municipality liable for the cost of restoring the provincial road to its original condition.
- (13) Where the Minister in terms of sub-regulation (4) has identified the need to erect, replace or remove fencing along the boundary of a provincial road or within a provincial road reserve, the Minister is responsible for all costs to erect, replace or remove the fencing.
- (14) Where an application has been authorised in terms of sub-regulation (8)(a), the owner of property adjacent to the provincial road is responsible for all costs to erect, replace or remove the fencing.

- (15) The owner of property adjacent to a provincial road is responsible for all costs to maintain fencing adjacent to the provincial road.
- (16) The Minister may, in his or her sole discretion and after receiving written notice from an owner of property adjacent to a provincial road, repair damage caused to the fence within five calendar days of the damage and claim the cost from the responsible party.
- (17) If the owner of property adjacent to a provincial road fails to give written notice of damage to fencing adjacent to the owner's property in terms of sub-regulation (16), or the Minister otherwise refuses to repair a fence, the adjacent owner of the property is responsible for the repair of the fence.
- (18) An owner of property adjacent to a main road may submit a written application for a contribution to erect, maintain or replace fencing on the boundary of the road reserve on a main road in the manner prescribed from time to time by the Minister, which contribution may be authorised at the sole discretion of the Minister.
- (19) An owner of property adjacent to a provincial road who obtains a contribution in terms of sub-regulation (18) must erect, maintain or replace the fencing pursuant to specifications and standards, including cost requirements, specified by the Minister.
- (20) Where an owner of property adjacent to a provincial road is required by law to replace a fence along a provincial road, the Minister may, in his or her sole discretion and subject to available financial resources, contribute towards the cost of materials for the replacement of the fence at a rate authorised by the Minister.
- (21) The owner of property adjacent to a provincial road must be advised in writing where a fence encroaches on the road reserve along a provincial road and the fence must be moved and re-erected within the time period specified by the Minister, with the owner liable for all costs incurred to relocate the fence to the boundary specified by the Minister.
- (22) Where an owner of land adjacent to a provincial road fails to move and re-erect a fence in terms of sub-regulation (21), the Minister may remove and re-erect the fence and claim the cost from the land owner.
- (23) The Minister is responsible for relocating or replacing fencing along the road reserve boundaries where existing fencing is affected by the alignment or construction of a provincial road.
- (24) A person may not —
- erect, replace or remove a fence adjacent to or on a provincial road without prior written authorisation from the Minister;
  - erect, replace or remove a fence adjacent to or on a provincial road without complying with specifications provided by the Minister;
  - erect a fence which encroaches on a provincial road; or
  - refuse to remove or re-erect a fence in terms of sub-regulation (21).

#### **Gates on or across provincial road**

- 8.(1) The Minister must consider the following criteria in authorising the construction of a gate on or across a provincial road —
- public health or animal disease control;
  - international border control;
  - nature conservation, including but not limited to controlling the movement of game in an area adjacent to a public or private game reserve;
  - stock control, including but not limited to controlling the movement of stock adjacent to a provincial road;
  - the flow of traffic on the provincial road or an adjacent provincial road;
  - road and traffic safety considerations; and
  - any other relevant factor which would have an impact on a provincial road.
- (2) The Minister must make available to a member of the public on written request to the Minister and payment of the prescribed fee, the standard and requirements applied to make a determination in terms of the criteria in sub-regulation (1).
- (3) The Minister may, in terms of criteria specified in sub-regulation (1), identify the need to erect, replace or remove a gate across a provincial road.
- (4) Notwithstanding sub-regulation (3), a person or municipality must submit an application prescribed in terms of regulation 17(1) to erect, replace or remove a gate across a provincial road.
- (5) Where the Minister in terms of sub-regulation (3) has identified the need to erect, replace or remove a gate or a person or municipality, has submitted an application in terms of sub-regulation (4), the Minister must assess the need to erect, replace or remove the gate in terms of sub-regulation (1).
- (6) Where —
- an application submitted in terms of sub-regulation (4) meets assessment criteria in terms of sub-regulation (1), the Minister may grant written authorisation to erect, replace or remove the gate; and
  - action is not taken within 18 months from the date of written authorisation in terms of paragraph (a) or at the end of the period authorised in sub-regulation (7)(b), whichever is less, the Minister's written authorisation lapses and a new application must be submitted.
- (7) The Minister must, where an application submitted in terms of sub-regulation (4) has been authorised in terms of sub-regulation (6)(a), advise the applicant —
- of any conditions relevant to the authorisation to erect, replace or remove the gate, including but not limited to —
    - standard specifications of the gate;
    - the positioning of the gate;
    - the requirement that the person or municipality responsible for the construction of the gate must pay the full cost of installation and maintenance of the gate;
    - the requirement that the person or municipality responsible for the construction of the gate must pay the full cost of any prescribed lighting for the gate; and
    - that the person or municipality constructing the gate is obligated to remove the gate at his or her own cost if the gate falls into disrepair or constitutes an unnecessary obstruction to the flow of traffic;
  - of the period of validity of the authorisation of the application to erect, replace or remove a gate, which period may not exceed 18 months; and
  - that any authorisation in terms of this regulation is in addition to and not in substitution of any consent or authorisation required by any other law.
- (8) The Minister must, where an application submitted in terms of sub-regulation (4) has not been authorised, advise the applicant in writing —
- that the application failed to meet assessment criteria in terms of sub-regulation (1); and
  - of the reasons why assessment criteria were not met.
- (9) A person or municipality authorised in terms of sub-regulation (6)(a) must, prior to taking any action, notify the Minister in writing of the anticipated erection, replacement or removal of a gate.

(10) If an application fails to meet assessment requirements in terms of sub-regulation (1) and a person or municipality has erected, replaced or removed a gate in contravention of this regulation, the Minister may remove the gate and undertake any required repairs or maintenance to ensure the integrity of the provincial road, with the person or municipality who erected the gate liable for the cost of restoring the provincial road to its original condition.

(11) Where the Minister in terms of sub-regulation (3) has identified the need to erect or replace a gate across a provincial road, the Minister is responsible for all costs.

(12) Where the Minister determines that a gate obstructs the flow of traffic or is a safety hazard, the Minister may instruct the person who constructed the gate to remove or alter the gate, failing which it may be removed or altered by the Minister, with the person who constructed the gate responsible for all costs for removal, alteration or restoration of the provincial road to its original condition.

(13) A person may not lock or otherwise restrict access to a gate which is erected across a public road.

(14) A person may not —

- (a) erect a gate across a provincial road without prior written authorisation from the Minister;
- (b) erect a gate across a provincial road without complying with specifications provided by the Minister;
- (c) fail to maintain a gate;
- (d) refuse to remove a gate in violation of sub-regulation (12); or
- (e) lock a gate in violation of sub-regulation (13).

#### **Abandoning vehicles, machines or parts, or leaving refuse within boundary of provincial road and road reserve**

9.(1) A person may not without submitting an application and obtaining prior written authorisation from the Minister in terms of sub-regulation (2) —

- (a) leave a vehicle in the same place within the boundary of a provincial road for a continuous period of more than seven calendar days;
- (b) negligently or wilfully deposit or cause or permit to be deposited any petrol or other liquid fuel, oil, grease or any other flammable or offensive matter, ashes or other refuse, of whatsoever nature, alongside or on a provincial road;
- (c) abandon a vehicle, machine or part, or leave refuse, within the boundary of a provincial road; or
- (d) refuse to remove a vehicle, machine, part or refuse within the boundary of a provincial road where instructed to do so by the Minister.

(2) The Minister —

- (a) must consider the application submitted in terms of sub-regulation (1) and advise the applicant within two working days of receiving the application whether the application is successful; or
- (b) may remove an abandoned vehicle, machine or part or refuse from a provincial road or adjacent to a provincial road; and
- (c) may notwithstanding sub-regulation (2)(a) remove without delay any vehicle, machine or part, or refuse which constitutes a danger.

(3) The Minister is not liable for any cost whatsoever where a person abandons a vehicle, machine or part, or leaves refuse, within the boundary of a provincial road.

(4) A person who abandons a vehicle, machine or part, or leaves refuse within the boundary of a provincial road is liable for all costs to remove the vehicle, machine, part or other refuse.

#### **Trading on or adjacent to provincial road**

10.(1) The Minister must consider the following criteria in the determination of an application for a person to trade on or adjacent to a main road or district road —

(a) whether the area designated for trade in the application —

- (i) is to place any property, stationary vehicle or other item utilised for trading purposes within the road reserve of the provincial road, or within 15 metres from the road reserve boundary of the main or district road;
- (ii) is zoned or demarcated for that purpose by a municipality;
- (iii) is on or alongside a main or district road in an urban area;
- (iv) is within 180 metres of a railway level crossing or any road traffic sign, or within 500 metres of an intersection;
- (v) would obstruct an access, intersection into or from a main or district road, or visibility of road traffic users;
- (vi) would limit access to, or utilise parking or loading bays or other facilities for, vehicular traffic;
- (vii) would obscure any road traffic safety feature; or
- (viii) would present a safety hazard or put any person, including but not limited to road users and pedestrians, in any danger;

(b) environmental impact and health hazards, including but not limited to disposal of refuse;

(c) where relevant, promotion of economic growth and sustainable development; and

(d) any other relevant factor, including but not limited to road traffic safety considerations, which could have an impact on a main road or district road.

(2) The Minister must make available to a member of the public on written request to the Minister and payment of the prescribed fee, the standard and requirements applied to make a determination in terms of the criteria in sub-regulation (1).

(3) The Minister may identify a need to permit trading on or adjacent to a provincial road.

(4) A person or municipality already trading or wishing to trade on or adjacent to a provincial road, must submit an application, in the format prescribed in terms of regulation 17(1), requesting written authorisation from the Minister and must submit the application within 10 calendar days of receiving official notification to do so.

(5) Where the Minister in terms of sub-regulation (3) has identified the need for trading on or adjacent to a provincial road, or a person or municipality has submitted an application to trade on or adjacent to a main or district road in terms of sub-regulation (4), the Minister must assess the need and take appropriate action in terms of criteria specified in terms of sub-regulation (1).

(6) Where —

(a) an application submitted in terms of sub-regulation (4) meets assessment criteria in terms of sub-regulation (1), the Minister may grant written authorisation for a person or municipality to trade on or adjacent to a main or district road; and

(b) action is not taken within 18 months from the date of written authorisation in terms of paragraph (a) or at the end of the period authorised in sub-regulation (7)(b), whichever is less, to initiate trade on or adjacent to a main or district road, the Minister's written authorisation lapses and a new application must be submitted.

(7) The Minister must, where an application submitted in terms of sub-regulation (4) has been authorised in terms of sub-regulation (6)(a), advise the applicant in writing —

- (a) of any conditions relevant to assessment criteria in terms of sub-regulation (1), including but not limited to road safety issues and environmental impact, including health hazards;
  - (b) of the period of validity of the authorisation of the application to trade on or adjacent to a main or district road, which period may not exceed 18 months; and
  - (c) that any authorisation in terms of this regulation is in addition to and not in substitution of any consent or authorisation required by any other law.
- (8) The Minister must, where an application submitted in terms of sub-regulation (4) has not been authorised, advise the applicant in writing —
- (a) that the application failed to meet assessment criteria in terms of sub-regulation (1);
  - (b) of the reasons why assessment criteria were not met; and
- (9) If an application fails to meet assessment requirements in terms of sub-regulation (1) and a person or municipality is trading on or adjacent to a provincial road, or a person or municipality is trading outside the terms and conditions of the authorisation granted in terms of sub-regulation (6)(a) or (7), the Minister may —
- (a) remove or dispose of any goods or property held by the person or municipality trading on or adjacent to a main or district road; or
  - (b) remove or relocate the structure where the person or municipality was selling goods, property or services.
- (10) The person or municipality is liable for the costs to remove or dispose of goods and property, remove or relocate the structure where the person or municipality was selling goods, property or services in terms of sub-regulation (9), and restore the main or district road to its original condition.
- (11) The successful applicant in terms of sub-regulation (6)(a) is liable for all costs to trade on or adjacent to a main or district road.
- (12) Irrespective of any approval the Minister grants in terms of sub-regulation (6)(a) for a person to trade on or adjacent to a main or district road, the Minister is not liable for any cost whatsoever, including but not limited to negligence or an intentional action, to or for a person trading on or adjacent to a main or district road.
- (13) If a person or municipality trades on or adjacent to a main or district road in contravention of this regulation, or otherwise fails to comply with any provision of this regulation or any condition imposed by the Minister, the Minister may issue a warning, giving the person or municipality a specified period of time in which to rectify the contravention or failure to comply with this regulation.
- (14) Where a person or municipality fails to comply with the rectification provisions of the warning issued in terms of sub-regulation (13), the person or municipality is liable for all costs of restoring the main or district road to its original condition, including but not limited to the removal, demolishing and disposal of all materials related to the structure used for trading on or adjacent to the main or district road.
- (15) If a person or municipality fails to obtain authorisation to trade on or adjacent to a main or district road in terms of this regulation, the person or municipality must cease trading.
- (16) A person may not —
- (a) without obtaining written authorisation in terms of this regulation, trade within the road reserve of the provincial road, or within 15 metres from the road reserve boundary of a main or district road;
  - (b) trade, offer, deliver or manufacture goods on a local road where these activities constitute a safety hazard;
  - (c) fail to comply with this regulation or a condition imposed by the Minister in terms of this regulation;
  - (d) without obtaining written authorisation in terms of this regulation, place any property, stationary vehicle or other item utilised for trading purposes within the road reserve of a main or district road, or within 15 metres from the road reserve boundary of the main or district road;
  - (e) obstruct an access, intersection or visibility of road users on a main or district road;
  - (f) limit access to, or utilise parking or loading bays or other facilities for, vehicular traffic;
  - (g) obscure any road traffic safety feature; or
  - (h) place any person, including but not limited to road users and pedestrians, in danger.

#### Development plans

**11.**(1) A municipality is required to include a transport plan in its integrated development plan which is to be submitted in terms of section 19 of the Act, where the development plan, which must include a diagram —

- (a) affects access to, or traffic volumes on a provincial road; or
  - (b) contemplates any construction or structures to be constructed within 500 metres of a provincial road.
- (2) The Minister may refuse to approve an integrated development plan where the plan —
- (a) has not been submitted timeously by a municipality;
  - (b) fails to include all information required to enable the Minister to assess the impact of the development plan on the provincial road network;
  - (c) is in contravention of provincial road network infrastructure standards;
  - (d) negatively affects road traffic and road safety standards;
  - (e) negatively affects access to a provincial road;
  - (f) contemplates any construction or structures to be constructed within 500 metres of a provincial road;
  - (g) contemplates any provincial road development and maintenance which is not within the budget allocated for road development and maintenance in the Province;
  - (h) negatively impacts the environment; or
  - (i) adversely affects the provincial road network in any other way.
- (3) A municipality which implements a development plan —
- (a) without having obtained Ministerial authority; or
  - (b) in conflict with Ministerial instructions,

is liable for all costs incurred by the Minister for all consequential remedial or other work to the provincial road network.

#### Restriction on subdivision of land

**12.**(1) A person or municipality required to submit a sub-divisional application in terms of section 20(1) of the Act must do so on the prescribed form in terms of regulation 17(1).

- (2) The Minister may refuse to approve a sub-divisional application where the sub-divisional application —

- (a) has not been submitted timeously by the municipality;
  - (b) fails to include all information required to enable the Minister to assess the impact of the sub-divisional application on the provincial road network;
  - (c) is in contravention of provincial road network infrastructure standards;
  - (d) contemplates any provincial road development and maintenance which is not within the budget allocated for road development and maintenance in the Province;
  - (e) negatively impacts the environment; or
  - (f) where the sub-divisional application adversely affects the provincial road network in any other way.
- (3) A municipality which proceeds to implement a sub-divisional application —
- (a) without submitting a sub-divisional application;
  - (b) without having obtained Ministerial authority; or
  - (c) in conflict with ministerial instructions,
- is liable for all costs incurred by the Minister for all consequential remedial or other work to the provincial road network.

#### **Land use changes and development proposals**

**13.**(1) A person or municipality required to submit a land use change or development proposal application in terms of section 21(f) of the Act must do so on the prescribed form in terms of regulation 17(1).

- (2) The Minister may refuse to approve a land use and development proposal where the land use and development proposal —
- (a) has not been submitted timeously by the municipality;
  - (b) fails to include all information required to enable the Minister to assess the impact of the land use and development proposal on the provincial road network;
  - (c) is in contravention of provincial road network infrastructure standards;
  - (d) negatively affects road traffic and road safety standards;
  - (e) negatively affects access conditions to a provincial road or the existing capacity of the provincial road network;
  - (f) negatively impacts the environment;
  - (g) contemplates any provincial road development and maintenance which is not within the budget allocated for road development and maintenance in the Province; or
  - (h) adversely affects the provincial road network in any other way.
- (3) A municipality which proceeds to implement a land use change and development proposal —
- (a) without submitting a land use change and development proposal;
  - (b) without having obtained Ministerial authority; or
  - (c) in conflict with ministerial instructions, is liable for all costs incurred by the Minister for all consequential remedial or other work to the provincial road network.

#### **Establishment, control and management of resting places for livestock**

- 14.**(1) The Minister must consider the following criteria in the declaration or de-declaration of a resting place for livestock —
- (a) the movement of livestock on a provincial road or public road and the need for a resting place for livestock;
  - (b) any servitude in or over property for the purpose of establishing an access, works, dam, weir or laying pipes and related costs to supply water to a resting place;
  - (c) where animals usually grazing within the vicinity of a road present a road safety hazard;
  - (d) whether the resting place for livestock is still in use;
  - (e) whether the resting place for livestock constitutes a road safety hazard; and
  - (f) the availability of funds appropriated by the KwaZulu-Natal Provincial Legislature for that purpose.
- (2) A person or municipality may submit an application to the Minister for the declaration or de-declaration of a resting place for livestock.
- (3) Where a person or municipality has submitted an application for the declaration of a resting place in terms of sub-regulation (2), the Minister may, after consultation with the municipality in which the proposed or existing resting place is located, acquire —
- (a) property for the purpose of establishing a resting place for livestock; or
  - (b) any servitude in or over property other than a resting place for the purpose of ensuring a reasonable supply of water to the resting place.
- (4) The Minister must declare a resting place by notice in the *Gazette*, on the property described in that notice.
- (5) Any notice issued in terms of sub-regulation (4) may, at any time, be amended or revoked by the Minister by further notice in the *Gazette*.
- (6) The Minister must determine the extent and location of a rest area adjacent to a provincial road or public road.
- (7) The Minister may fence any resting place, which must be clearly indicated by a notice board.
- (8) The Minister may, at his or her sole discretion, fence servitude, or part thereof which may be acquired on property other than a resting place, for the purpose of ensuring a reasonable supply of water to the resting place.
- (9) A person, after the declaration of a resting place in terms of sub-regulation (4), may use the property as a resting place for livestock which are being moved on a public road or which usually graze in that vicinity.
- (10) Where a person or municipality has submitted an application for the de-declaration of a resting place in terms of sub-regulation (4), the Minister may, after consultation with the municipality and the owner of the property on which the resting place is located, de-declare a resting place and —
- (a) re-vest ownership of the resting place in the owner upon such terms and conditions as may be agreed by the Minister and owner of the land; or
  - (b) if no agreement is reached between the Minister and owner of the property, the Minister may —
    - (i) appropriately alienate the property on which the resting place is located if the owner of the property does not wish to resume ownership; or
    - (ii) use the property on which the resting place is located for any other purpose in the public interest.

#### **Advertising regulations**

**15.**(1) The following criteria must be taken into account in considering an application to display or erect an advertisement —

- (a) road and traffic safety considerations;
  - (b) zoning or demarcation by a municipality, as is applicable;
  - (c) function, size, nature and type of advertisement contemplated;
  - (d) location, positioning and orientation of the advertisement;
  - (e) visual content of the advertisement, including but not limited to letter sizes, length of messages, colours and impact;
  - (f) environmental considerations, which may include visual and social aspects and an environmental impact assessment by an accredited environmental consultant;
  - (g) visual or aesthetic sensitivity of the landscape;
  - (h) promotion of economic growth and sustainable development; and
  - (i) any other effect on the provincial road network.
- (2) The Minister must make available to a member of the public on written request and payment of the prescribed fee, the standards and requirements applied to make a determination in terms of sub-regulation (1).
- (3) The Minister may identify the need to enter into a lease for an advertisement on or adjacent to a provincial road.
- (4) A person or municipality displaying an advertisement falling within the scope of this regulation who, on the date of these regulations coming into effect, had previously obtained written authority from the Minister for an advertisement is deemed to be in compliance with this regulation.
- (5) A person or municipality who displays an advertisement falling within the scope of this regulation and has not obtained written authority from the Minister or intends to erect and display an advertisement on or adjacent to —
- (a) main road or within 500 metres of and visible from a main road; or
  - (b) district road or local road where the advertisement constitutes or would constitute a safety hazard,
- must submit a written application to the Minister in the form prescribed under regulation 17(1), which must include written approval from the owner of the property where the advertisement has been or is to be displayed.
- (6) Where the Minister in terms of sub-regulation (3) has identified the need to enter into a lease for an advertisement, or a person or municipality has submitted an application in terms of sub-regulation (5), the Minister must assess the need and take appropriate action in terms of the criteria specified in terms of sub-regulation (1).
- (7) Where an application submitted in terms of sub-regulation (5) meets assessment criteria in terms of sub-regulation (1), the Minister may —
- (a) grant written authorisation for a person or municipality to erect the advertisement on or adjacent to a provincial road;
  - (b) specify the location of the advertisement, including authorisation to erect the advertisement in the building restriction area on the provincial road;
  - (c) specify the size and content of the advertisement;
  - (d) specify the lease agreement to be entered into and the amount to be paid to the Minister for the advertisement;
  - (e) confirm that the owner of the advertisement is responsible for obtaining any required municipal approval;
  - (f) confirm that the owner of the advertisement indemnifies the Minister against any claims or damages, including legal costs incurred, as a result of the erection of the advertisement or failure to maintain the advertisement; and
  - (g) enter into a lease agreement with the applicant.
- (8) Where an applicant fails to enter into a lease agreement in terms of sub-regulation (7)(d) and (g), or an advertisement is not erected within 18 months from the date of written authorisation in terms of sub-regulation (7)(a) or at the end of the period authorised in sub-regulation 9(b), whichever is less, the Minister's written authorisation lapses and a new application must be submitted.
- (9) Where an application submitted in terms of sub-regulation (5) has been authorised in terms of sub-regulation (7)(a), the Minister must advise the applicant —
- (a) of any conditions relevant to assessment criteria in terms of sub-regulation (1), including but not limited to road safety and traffic issues and environmental impact;
  - (b) of the period of validity of the authorisation to erect an advertisement on or adjacent to a provincial road, which period may not exceed 18 months; and
  - (c) that any authorisation in terms of this regulation is in addition to, and not in substitution of, any consent or authorisation required by any other law.
- (10) An advertisement authorised in terms of this regulation must be registered by the Minister, with a unique registration number allocated, and the owner of the advertisement must display the registration number on the advertisement in a clearly visible position and in the manner prescribed by the Minister.
- (11) The Minister must, where an application submitted in terms of sub-regulation (5) has not been authorised, advise the applicant in writing —
- (a) that the application failed to meet assessment criteria in terms of sub-regulation (1);
  - (b) of the reasons why assessment criteria were not met.
- (12) If a person or municipality has erected an advertisement —
- (a) which has not been authorised or has failed to submit an application when obligated by this regulation or requested to do so;
  - (b) for which authority was not granted on application;
  - (c) which does not comply with the terms and conditions of any authorisation granted in terms of sub-regulation (7)(a); or
  - (d) fails to continue to meet the assessment criteria in terms of sub-regulation (1),
- the Minister may order the removal or demolition of the advertisement or remove or demolish the advertisement and the person or municipality which erected the advertisement is liable for all costs to remove or demolish the advertisement and restore the provincial road to its original condition.
- (13) A person does not have to apply for authorisation to display or erect an advertisement on a main road, or within 500 metres of and visible from a main road where an advertisement —
- (a) is an estate agent's board: Provided that —
    - (i) the advertisement contains no information other than the words "for sale", "to let", or "sold" and the name, logo, address and telephone number of the selling or letting agent;
    - (ii) only one advertisement per letting or selling agent may be erected on any erf;
    - (iii) a maximum of two letting or selling agents may display their advertisements simultaneously on the same erf;



- (iv) the size of the advertisement must not exceed two square metres for a commercial site or 0.65 square metres for a residential site;
  - (v) the advertisement must be fixed to the building concerned, attached to the boundary fence of the property concerned, or displayed within the boundary of the premises; and
  - (vi) the advertisement must be removed no later than 14 calendar days after the conclusion of a contract of sale or lease for the property concerned;
- (b) announces the sale of goods or livestock on land or premises not normally used for commercial premises: Provided that —
- (i) only one advertisement is permitted per sale;
  - (ii) the size of the advertisement must not exceed two square metres;
  - (iii) the advertisement must only be displayed on premises or property where the advertised sale is to take place, or be attached to the boundary fence of the property or premises;
  - (iv) the advertisement may not be illuminated or animated; and
  - (v) the advertisement must be removed no later than seven calendar days after the sale is completed;
- (c) is temporarily or permanently painted on or attached to the window glass of a building used for commercial, entertainment, office or industrial purposes, or any sign displayed inside a building, within two metres of a window or external opening, so as to be visible from the outside: Provided that —
- (i) the advertisement may only be displayed, on or in relation to, ground floor windows or openings;
  - (ii) the total area of any advertisement painted on or attached to the windows or external openings or a building must not exceed 10% of the total ground floor window area; and
  - (iii) no internally illuminated advertisement inside a building may be visible from outside the building, unless specifically authorised;
- (d) advertises neighbourhood watch, farm watch or similar schemes, and may contain the name, address and telephone number of a security company contracted to protect the premises on which the sign is displayed: Provided that —
- (i) the size of the advertisement for a neighbourhood watch, farm watch or similar schemes does not exceed 1,5 square metres and the height must not exceed three metres above the ground, with the name, address and telephone number of the security company not to exceed 0.35 square metres;
  - (ii) in urban areas, only one advertisement may be displayed per street frontage and the advertisement must be firmly affixed to the building, boundary wall, fence or gate on the street frontage or within the boundaries of the erf; and
  - (iii) only one advertisement is allowed on farms or agricultural holdings and the advertisement must be displayed at the intersection of a public road and private access road, or at the entrance to a property, outside the road reserve;
- (e) is intended to identify or provide direction to or warning of places of residence: Provided that —
- (i) the advertisement is only permitted on the premises to which they refer, or on a boundary wall, fence or gate of premises;
  - (ii) no advertisement is permitted inside a road reserve;
  - (iii) farm or smallholding advertisements must be displayed next to the entrance of the access to the residence, or must be affixed to the gate at the entrance to the access;
  - (iv) in the case of several farms or smallholding which share an access or entrance, a combination advertisement must be erected at the entrance or access, in which event the size of —
    - (aa) the combination advertisement must not exceed four metres above ground level; and
    - (bb) each advertisement must not exceed one square metre per farm or smallholding;
  - (v) no advertisement may be erected where a road traffic sign is displayed at the entrance or access to premises;
  - (vi) the advertisement is not animated or illuminated;
  - (vii) the highest point of any single free-standing advertisement must not exceed three metres above ground level;
  - (viii) where the advertisement is intended to give directions, warnings or notices, the content must be limited to messages such as “beware of the dog”, “no parking please”, “close the gate”, and “no entrance”, and the total area of the advertisement for each premises must not exceed 0,5 square metres per road frontage;
  - (ix) where the advertisement is intended to display street numbers —
    - (aa) only one advertisement displaying street numbers is permitted per road frontage for each premises;
    - (bb) the total area of the advertisement for each premises must not exceed 0,5 square metres per road frontage; and
    - (cc) the minimum letter size must be 150 millimetres and the maximum letter size must be 350 millimetres;
  - (x) where the advertisement is intended to identify places of residence —
    - (aa) the content of the advertisement is limited to the name of, and the nature of the main activity on, the residence, dwelling place, farm or smallholding;
    - (bb) in the case of advertisements identifying farms and smallholdings, the name or logo of the sponsor of the advertisement is permitted but may not occupy more than one-third of the total area of the advertisement;
    - (cc) one advertisement is allowed per premises with a maximum area of 1,5 square metres per road frontage;
    - (dd) where a supporting structure is provided, the maximum area of the advertisement may be increased to three square metres, provided that the advertising panel or lettering must not occupy more than 50% of the total area of the advertisement; and
    - (ee) where more than one farm or smallholding shares the same entrance or access, a combination advertisement must be provided with a maximum of one square metre of advertisement per farm or smallholding; or
- (f) is on or attached to a self-driven vehicle which normally moves on land or water, including taxis, buses, trains and delivery vehicles, but excluding aircraft: Provided that —
- (i) a vehicle may not be used for the sole purpose of advertising;
  - (ii) the advertisement is not animated; and
  - (iii) the advertisement is not illuminated, except where the advertisement is internally illuminated and indicates that a taxi is for hire.
- (14) The owner of an advertisement is responsible for maintenance of an advertisement authorised in terms of this regulation.
- (15) The Minister, where an owner of an advertisement fails to maintain an advertisement, may maintain the advertisement and the owner of the advertisement is liable for all maintenance costs.
- (16) A person must not alter, move or re-erect an advertisement without first obtaining written authorisation from the Minister.

- (17) A person who erects or displays or intends to erect or display an advertisement on land controlled by the Minister must —
- (a) enter into a lease agreement on terms and conditions specified by the Minister; and
  - (b) pay rent on terms and conditions specified by the Minister in the lease agreement entered into in terms of this regulation.
- (18) The Minister may remove any advertisement displayed or erected on land controlled by the Minister if the person who erects or displays the advertisement —
- (a) fails to enter into a lease agreement with the Minister;
  - (b) breaches any term or condition in terms of the authorisation granted in sub-regulation (7)(a); or
  - (c) breaches any condition of a lease entered into in terms of sub-regulation (17)(a).
- (19) If a person or municipality maintains or erects an advertisement on or adjacent to a provincial road in contravention of this regulation, or otherwise fails to comply with any provision of this regulation or any condition imposed by the Minister, the Minister may issue a warning, giving the person or municipality a specified period of time in which to rectify the contravention or failure to comply with this regulation.
- (20) Where a person or municipality fails to comply with the rectification provisions of a warning issued in terms of sub-regulation (19), the person or municipality is liable for all costs of restoring the provincial road to its original condition, including but not limited to the removal, demolishing and disposal of all materials related to the advertisement on or adjacent to a provincial road.

#### **Contributions to or by municipality, organisation or individual to construct, reconstruct, improve, repair or maintain provincial road**

- 16.(1) The Minister must enter into an agreement for a contribution to or by a municipality, organisation or individual to construct, reconstruct, improve, repair or maintain any provincial road, provided that the Minister makes a determination regarding the —
- (a) need for any required construction, improvement, repair or maintenance of the provincial road;
  - (b) nature and extent of the required construction, reconstruction, improvement, repair or maintenance of the provincial road;
  - (c) cost of the contribution for the required construction, reconstruction, improvement, repair or maintenance of the provincial road;
  - (d) municipality, organisation or individual best suited to undertake and complete the work specified in terms of paragraphs (a) and (b); and
  - (e) contribution in terms of paragraph (c).
- (2) The Minister may not, in the absence of an agreement contemplated in terms of sub-regulation (1), authorise any construction, reconstruction, improvement, repair or maintenance of any provincial road, or any contribution to a municipality, organisation or individual.
- (3) The Minister may enter into an agreement with a municipality, organisation or individual to accept a contribution from the municipality, organisation or individual for a specific project to construct, reconstruct, improve, repair or maintain a provincial road.

#### **Submission of applications**

- 17.(1) Where a person or municipality is required to submit an application in terms of these regulations, the person or municipality must —
- (a) obtain the relevant application form from the location or locations designated by the Minister;
  - (b) submit the completed and signed application in the manner prescribed from time to time by the Minister; and
  - (c) submit the required fee with the application at the location or locations designated by the Minister.
- (2) The Minister must provide a written acknowledgement of an application submitted by a person or municipality in terms of sub-regulation (1).
- (3) Where an application is not signed or completed in the prescribed format in terms of sub-regulation (1)(b), or a fee is not paid in terms of sub-regulation (1)(c), the Minister may —
- (a) refuse to consider the application; and
  - (b) return it to the applicant with a written explanation of the reason for his or her refusal to consider the application.
- (4) An applicant may withdraw an application at any time prior to a determination by the Minister of the application.
- (5) The Minister may refuse to consider an application submitted in terms of these regulations where a person knowingly makes a false statement in the application.

#### **Regulations in addition to and not in substitution of any other law**

18. These regulations are in addition to and not in substitution of any other law.

#### **Dispute resolution**

19. A person or municipality who is aggrieved by a Ministerial decision may ask the Minister to review and consider any decision in terms of these regulations by making a written submission to the Minister in terms of section 43 of the Act.

#### **Delegation and assignment**

- 20.(1) The Minister may, in writing, delegate or assign any power, function or duty in terms of these regulations to the Head of Department.
- (2) The Head of Department may, with the approval of the Minister, delegate or assign any power, function or duty delegated or assigned by the Minister in terms of these regulations in writing, to a Departmental official.
- (3) A delegation or assignment in terms of sub-regulation (1) or (2) —
- (a) is subject to any limitations the Minister, Head of Department or an Act may impose;
  - (b) may be to a specific individual or to the holder of a specific post in the Department; and
  - (c) does not divest the Minister or Head of Department of the responsibility concerning the exercise of a power, function or duty in terms of these regulations.
- (4) The Minister may, in terms of a written agreement with a municipality, delegate or assign any power, function or duty in terms of these regulations to the municipality.
- (5) The Minister or Head of Department may confirm, vary or revoke any decision taken by an official as a result of a delegation or assignment in terms of these regulations, subject to any rights which may have become vested as a consequence of the delegation or assignment.
- (6) A delegation in terms of these regulations does not deprive the Minister or the Head of Department of the right to exercise the delegated power function or duty.

#### **Short title**

21. These regulations are called the KwaZulu-Natal Provincial Roads Regulations, 2006.

No. 2062, 2006

23 November 2006

**DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967:  
OPHEFFING VAN TITELVOORWAARDE; ERF 1890 RESERVOIR HILLS, ETHEKWINI MUNISIPALITEIT**

**I**N my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Kusstreek Implementeringskantoor) in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid, uitgereik deur die KwaZulu-Natal lid van die Uitvoerende Raad verantwoordelik vir plaaslike regering en behuising ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhe, 1994 (Wet No. 8 van 1994), verwyder ek hiermee van Transportakte T 65058/2005, betreffende Erf 1890 Reservoir Hills, Registrasie Afdeling FT, in die eThekwini Munisipaliteit, provinsie van KwaZulu-Natal, voorwaarde (1)(b) wat die oprigting van meer as een woning op die eiendom beperk.

Gegee onder my hand te Durban op hierdie 13de dag van November, Tweeduisend-en-ses.

**T. A. BHENGU**

Bestuurder: Ontwikkelingsbeplanning

Kusstreek Implementeringskantoor

Lêerverwysing: 2005/882

No. 2062, 2006

23 kuLwezi 2006

**UMNYANGO WOHULUMENI BASEKHAYA KANYE NEZENDABUKO****ISAZISO NGOKWESIGABA (2)(1) SOMTHETHO WOKUSUSWA KWEZITHIBELO, 1967:  
UKUSUSWA KWESIMISO SETAYIYELA; ISIZA 1890 ESISE-RESERVOIR HILLS, KUMASIPALA WASETHEKWINI**

**E**SIKHUNDLENI sami njengoMphathi: wokuHlelwa kweNtuthuko (eHhovisi lokuQaliswa kweziNhlelo elingasoGwini) eMnyangweni wezeNdabuko kanye noHulumeni baseKhaya waKwaZulu-Natali, ngaphansi kwamandla engiwanikezwe yisigaba (2)(1) soMthetho wokuSuswa kweziThibelo, 1967 (uMthetho No. 84 ka 1967) sifundwa kanye nesidluliselo samandla 2 seNgxenywe VIII yeSahluko B seziDluliselo zaMandla eziVamile, esikhishwe yiLungu loMkhandlu oPhethe elibhekele ohulumeni basekhaya kanye nezezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla waKwaZulu-Natali, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngisusa encwadini esemthethweni yokuDluliselwa kweTayitela elingu-T 65058/2005, eliphathelene neSiza 1890 esise-Reservoir Hills, isiGaba sokuBhalisa ngu-FT, kuMasipala waseThekwini, esiFundazweni saKwaZulu-Natali, isimiso (1)(b) esiquma ukuthi kwakhiwe indlu yokuhlala kulowo mhlaba.

Sinikezwe ngaphansi kwesandla sami eThekwini ngalolu suku lwe-13 kuLwezi, oNyakeni weziNkulungwane eziMbili nesiThupha.

**T. A. BHENGU**

uMphathi: wokuHlelwa kweNtuthuko

eHhovisi lokuQaliswa kweziNhlelo elingasoGwini

Inkomba yefayela: 2005/882

No. 2062, 2006

23 November 2006

**DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967:  
REMOVAL OF CONDITION OF TITLE; ERF 1890 RESERVOIR HILLS, ETHEKWINI MUNICIPALITY**

**I**N my capacity as Manager: Development Planning (Coastal Implementation Office) in the KwaZulu-Natal Department of Local Government and Traditional Affairs, under powers vested in me by section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with delegation 2 of Part VIII of Chapter B of the General Delegations of Authority, issued by the KwaZulu-Natal Member of Executive Council responsible for local government and housing in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), I hereby remove from Deed of Transfer T 65058/2005, pertaining to Erf 1890 Reservoir Hills, Registration Division FT, in the eThekwini Municipality, Province of KwaZulu-Natal, condition (1)(b) that restricts the use of the property to one dwelling house.

Given under my hand at Durban this 13th day of November, Two Thousand and Six.

**T. A. BHENGU**

Manager: Development Planning

Coastal Implementation Office

File reference: 2005/882

No. 2063, 2006

23 November 2006

**DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967:  
OPHEFFING VAN TITELVOORWAARDE; ERF 275 GLENMORE, HIBISCUS COAST MUNISIPALITEIT**

**I**N my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Kusstreek Implementeringskantoor) in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid, uitgereik deur die KwaZulu-Natal lid van die Uitvoerende Raad verantwoordelik vir plaaslike regering en behuising ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhe, 1994 (Wet No. 8 van 1994), verwyder ek hiermee van Transportakte T 05 00157, betreffende Erf 275 Glenmore,

Registrasie Divisie ET, in die Hibiscus Coast Munisipaliteit, Provinsie van KwaZulu-Natal, voorwaarde C.(4) wat die gebruik van sekere tipes boumateriaal beperk en die indiening van bouplanne en spesifikasies vereis.

Gegee onder my hand te Durban op hierdie 21ste dag van Junie, Tweeduisend-en-ses.

**T. A. BHENGU**

Bestuurder: Ontwikkelingsbeplanning  
Kusstreek Implementeringskantoor  
Lêerverwysing: 2005/1920

**No. 2063, 2006**

23 kuLwezi 2006

**UMNYANGO WEZOHULUMENI BASEKHAYA KANYE NEZENDABUKO**

**ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEZITHIBELO, 1967:  
UKUSUSWA KWESIMISO SETAYITELA; ISIZA ESISE-275 GLENMORE, KUMASIPALA WASE-HIBISCUS COAST**

**E**SIKHUNDLENI sami njengoMphathi: wokuHlelwa kweNtuthuko (eHhovisi lokuQaliswa kweziNhlelo elingasoGwini) eMnyangweni wezeNdabuko kanye noHulumeni baseKhaya waKwaZulu-Natali, ngaphansi kwamandla engiwanikezwe yisigaba 2(1) soMthetho wokuSuswa kweziThibelo waKwaZulu-Natali, 1967 (uMthetho No. 84 ka 1967), sifundwa kanye nesidluliselo samandla 2 seNgxenywe VIII yeSahluko B seziDluliselo zaMandla eziVamile, ezikhishwe yiLungu loMkhandlu oPhethe elibhekele ohulumeni basekhaya kanye nezezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla waKwaZulu-Natali, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngisusa umshwana wokuDluliselwa kweTayitela elingu-T 05 00157, eliphathelene neSiza 275 esise-Glenmore, isiGaba sokuBhalisa ngu-ET, kuMasipala wase-Hibiscus Coast, esiFundazweni saKwaZulu-Natali, isimiso C.(4) esivimbela ukusetshenziswa kwezinhlobo ezithile zezimpahla zokwakha nesiphoqa ukulethwa kwamapulani okwakha.

Sinikezwe ngaphansi kweSandla sami eThekwini ngalolu suku lwama-21 kuNhlangulana, oNyakeni weziNkulungwane eziMbili nesiThupha.

**T. A. BHENGU**

uMphathi: wokuHlelwa kweNtuthuko  
eHhovisi lokuQaliswa kweziNhlelo elingasoGwini  
INkomba yefayela: 2005/1920

**No. 2063, 2006**

23 November 2006

**DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**

**NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967:  
REMOVAL OF CONDITION OF TITLE; ERF 275 GLENMORE, HIBISCUS COAST MUNICIPALITY**

**I**N my capacity as Manager: Development Planning (Coastal Implementation Office) in the KwaZulu-Natal Department of Local Government and Traditional Affairs, under powers vested in me by section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with delegation 2 of Part VIII of Chapter B of the General Delegations of Authority, issued by the KwaZulu-Natal Member of the Executive Council responsible for local government and housing in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), I hereby remove from Deed of Transfer T 05 00157, pertaining to Erf 275 Glenmore, Registration Division ET, in the Hibiscus Coast Municipality, Province of KwaZulu-Natal, condition C.(4) that restricts the use of certain types of building material and compels the submission of plans and specifications.

Given under my hand at Durban this 21st day of June, Two thousand and Six.

**T. A. BHENGU**

Manager: Development Planning  
Coastal Implementation Office  
File reference: 2005/1920

No. 2064, 2006

23 November 2006

## DEPARTMENT OF HEALTH

## AMAJUBA DISTRICT OFFICE

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Amajuba District Office, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Amajuba District Office, Procurement Department, 38 Voortrekker Street, Private Bag X6661, Newcastle, Telephone: (034) 3287000, Fax: (034) 3123122.
- (vii) For quotations exceeding R30 000,00 an original ZNT 30 (application for preference points) form must be submitted to the Amajuba District Office, an original Tax Clearance Certificate must also be submitted regardless of price.

SUPPLY:	1 x Finesse 1, System 230 v and Starter kit
Quotation number:	ZNQ 615/2006
Closing date:	2006-12-07
Closing time:	11:00
Contact person:	Mr M. M. Zwane, Telephone: (034) 3287024, Fax: (034) 3123122
Enquiries regarding specification:	Mr M. M. Zwane

No. 2065, 2006

23 November 2006

## DEPARTMENT OF HEALTH

## CEZA HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Ceza Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and a letter of acceptance being issued.
- (vi) Quotation documents are available from Ceza Hospital, Telephone: (035) 8320006, Fax: (035) 8320022.
- (vii) For quotations exceeding R30 000,00 an original ZNT 30 (application for preference points) form must be submitted to the Ceza Hospital, an original Tax Clearance Certificate must also be submitted regardless of price.

SERVICE:	Construction of Gateway Clinic wall
Quotation number:	ZNQ 401/2006-2007
Closing date:	2006-12-14
Closing time:	11:00
Compulsory site meeting:	Yes
Date:	2006-12-04
Time:	11:00
Contact person:	Mr K. B. Khumalo, Telephone: (035) 8320001/6
Contact person regarding specification:	Mr Jabu Mdluli, Telephone: (035) 8320001

No. 2066, 2006

23 November 2006

## DEPARTMENT OF TRANSPORT

BIDS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Please note that bid requests can be made via facsimile viz. (033) 3558091 for all documents.
- (ii) Bids must be on the official bid/quotation form which shall be completed in all respects and all information must be supplied as stipulated in the bid documents.
- (iii) Bids must be submitted in separate sealed envelopes.
- (iv) Separate envelopes must be used for each bid invitation.
- (v) The address, bid number and closing date must be endorsed on the back of the envelope.
- (vi) The name and address of the bidder must be endorsed on the back of the envelope.
- (vii) All bid contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.

- (viii) To obtain the bid documents, contact the telephone and facsimile numbers stipulated.
- (ix) Please note: the bid box is situated in the foyer of the Department of Transport, Head Office, 172 Burger Street, Pietermaritzburg.
- (x) Documents available from Department of Transport, Head Office, Bid Closing Section, B Block, 172 Burger Street, Pietermaritzburg.

**SUPPLY/SERVICE:** Steel guardrails and fittings (Crash Barriers)  
**Contract period:** 2 Years  
**Bid number:** ZNB 2505/06 T  
**Closing date:** 2006-12-20  
**Time:** 11:00  
**Contact person for documents:** Mr Ricardo Francis, Telephone: (033) 3558975  
**Enquiries regarding specification:** Mr Lionel Sydenham, Telephone: (033) 3558796

**SUPPLY:** Pre-fabricated rubber bitumen road maintenance and traffic calming products  
**Contract period:** 2 Years  
**Bid number:** ZNB 2546/06 T  
**Closing date:** 2006-12-20  
**Time:** 11:00  
**Contact person for documents:** Mr Ricardo Francis, Telephone: (033) 3558975  
**Enquiries regarding specification:** Mr Lionel Sydenham, Telephone: (033) 3558796

**SERVICE:** Hiring of helicopter  
**Contract period:** 2 Years  
**Bid number:** ZNB 3023/06 T  
**Closing date:** 2006-12-20  
**Time:** 11:00  
**Contact person for documents:** Mr Ricardo Francis, Telephone: (033) 3558975  
**Enquiries regarding specification:** Mrs Jenny Harry, Telephone: (033) 3550421

**SERVICE:** Printing and publication of Igalelo  
**Contract period:** 1 Year  
**Bid number:** ZNB 1284/06 T  
**Closing date:** 2006-12-20  
**Time:** 11:00  
**Compulsory site inspection:** Yes  
**Date:** 2006-12-07  
**Time:** 10:00  
**Venue:** Department of Transport McDonald Theatre  
**Contact person for documents:** Mr Ricardo Francis, Telephone: (033) 3558975  
**Enquiries regarding specification:** Mr Logan Maistry, Telephone: (033) 3558744

**SERVICE:** Printing and publication of Igalelo Newsletter  
**Contract period:** 1 Year  
**Bid number:** ZNB 1285/06 T  
**Closing date:** 2006-12-20  
**Time:** 11:00  
**Compulsory site inspection:** Yes  
**Date:** 2006-12-07  
**Time:** 10:00  
**Venue:** Department of Transport McDonald Theatre  
**Contact person for documents:** Mr Ricardo Francis, Telephone: (033) 3558975  
**Enquiries regarding specification:** Mr Logan Maistry, Telephone: (033) 3558744

**No. 2067, 2006**

23 November 2006

**DEPARTMENT OF HEALTH**

**UTHUNGULU DISTRICT OFFICE DC28**

**QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
 PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health: Uthungulu Health District DC28, 2 Loop Street, Empangeni Rail, Private Bag X20034, Empangeni 3880 together with the quotation number and closing date.
- (v) The name and address of the bidder must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and a letter of acceptance being issued.
- (vii) Quotations that are above R30, 000,00 (Thirty Thousand Rand) must be accompanied by ZNT 30 forms fully completed together with an original Tax Clearance Certificate.
- (viii) Quotation documents are available from Uthungulu Health District DC28, 2 Loop Street, Empangeni Rail 3880, 1st floor, Procurement Office, Telephone: (035) 7870631, Fax: (035) 7870646.

**SUPPLY:** Dental equipment:  
6 x Dental chairs including dental light, spittoon and dental units  
3 x Suction units  
4 x Large compressors  
1 x Autoclave

Quotation number: ZNQ 003 PG of 2006  
Closing date: 2006-11-29  
Time: 11:00  
Contact person: Mr L. G. Mabaso, Telephone: (035) 7870631  
Enquiries regarding specifications: Dr Daki, Telephone: (035) 9017103

**SUPPLY:** 5 x Villa X-ray units  
5 x Curing lights  
4 x Operator stools  
4 x Amalgamators  
4 x Manual dental developers

Quotation number: ZNQ 004 PG of 2006  
Closing date: 2006-11-29  
Time: 11:00  
Contact person: Mr L. G. Mabaso, Telephone: (035) 7870631  
Enquiries regarding specifications: Dr Daki, Telephone: (035) 9017103

**SUPPLY:** 4 x Turbine hand pieces  
4 x Straight hand pieces  
4 x Contra angle hand pieces  
4 x Air motor hand pieces  
4 x Ultrasonic scalers

Quotation number: ZNQ 005 PG of 2006  
Closing date: 2006-11-29  
Time: 11:00  
Contact person: Mr L. G. Mabaso, Telephone: (035) 7870631  
Enquiries regarding specifications: Dr Daki, Telephone: (035) 9017103

**No. 2068, 2006**

23 November 2006

DEPARTMENT OF HEALTHAMAJUBA DISTRICT OFFICEQUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Amajuba District Office, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Amajuba District Office, Procurement Department, 38 Voortrekker Street, Private Bag X6661, Newcastle, Telephone: (034) 3287000, Fax: (034) 3123122.
- (vii) For quotations exceeding R30 000,00 an original ZNT 30 (application for preference points) form must be submitted to the Amajuba District Office, an original Tax Clearance Certificate must also be submitted regardless of price.

**SUPPLY:** 1700 x Boxes of full-cream powdered milk (12 x 500g)

Quotation number: ZNQ 611/2006  
Closing date: 2006-12-07  
Closing time: 11:00  
Contact person: Mr M. M. Zwane, Telephone: (034) 3287024, Fax: (034) 3123122  
Enquiries regarding specification: Ms A. Lombard

**No. 2069, 2006**

23 November 2006

DEPARTMENT OF HEALTHST ANDREW'S HOSPITALQUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to St Andrew's Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.

- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from St Andrew's Hospital, Store Department, 14 Moodie Street, Harding, Telephone: (039) 4331955, Ext. 262, Fax: (039) 4332051.
- (vii) An original ZNT 30 (application for preference points) form and a valid original Tax Clearance Certificate must be submitted.

SERVICE:	Cleaning of windows for the entire hospital
Quotation number:	ZNQ 617/06
Closing date:	2006-12-15
Closing time:	11:00
Compulsory site meeting:	2006-12-05
Time:	11:00
Contact person:	Mr A. J. Shebi
Enquiries regarding specification:	Mr A. J. Shebi, Telephone: (039) 4331955

**No. 2070, 2006**

23 November 2006

DEPARTMENT OF WELFARE AND POPULATION DEVELOPMENT

NB: The following contract award is subject to appeals being timeously lodged (if any) and letters of acceptance being issued.

**Award of bid**

SERVICE:	Transaction Advisor: Public Private Partnerships Secure Care Centres
Bid number:	ZNB 2164/2006 SW
Contractor:	Pricewaterhouse Coopers

**No. 2071, 2006**

23 November 2006

DEPARTMENT OF HEALTH

UMGENI CARE AND REHABILITATION CENTRE

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to Umgeni Care and Rehabilitation Centre, Stores Department, for attention Mrs V. Grantham, reflecting the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and a letter of acceptance being issued.
- (vii) For quotations exceeding R30 000,00 an original ZNT 30 (application for preference points) form must be submitted as well as an original Tax Clearance Certificate (regardless of price).
- (viii) Quotation documents are available from Umgeni Care and Rehabilitation Centre, Stores Department, Old Main Road, Howick, Telephone: (033) 3306146, Ext. 223, Fax: (033) 3308637.

SERVICE:	Burial/cremation of indigent persons
Quotation number:	ZNQ 285/06
Closing date:	2006-12-08
Closing time:	11:00
Contact person:	Mrs V. Grantham
Enquiries regarding specification:	Mrs A. Bekker/Mrs V. Grantham

**No. 2072, 2006**

23 November 2006

DEPARTMENT OF HEALTH

THULASIZWE HOSPITAL

**Award of quotation**

SUPPLY:	Office furniture
Quotation number:	ZNQ 169/2006-2007
Contractor:	S'phiwo Modelling cc

**No. 2073, 2006**

23 November 2006

DEPARTMENT OF TRANSPORT

**Award of bids**

SERVICE:	Construction of bulk earthworks and drainage on Main Road P68-2, KM 4,5 to KM 7,5
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Bid number:	ZNT 373/A/P68-2/1092
Contractor:	Jambo Construction t/a James Construction
SERVICE:	Construction of bulk earthworks and cross drainage on P49 from KM 7.0 to KM 10.0
Bid number:	ZNT 373/A/49/1712
Contractor:	Nsele Bros
SERVICE:	Construction of OL 01173 Mpumlani Road
Bid number:	ZNT 373T/2/3/21/1269
Contractor:	Msom Construction
SERVICE:	Construction of the subbase and base layers from KM 25.6 to KM 31.3 on Main Road P230
Bid number:	ZNT 373T/A/P230/1279
Contractor:	Fynn's Construction
SERVICE:	Construction of layerworks and surfacing on P52-3 from KM 0.0 to KM 2.0
Bid number:	ZNT 373T/A/P52-3/1802
Contractor:	TBA Construction cc

**No. 2074, 2006**

23 November 2006

## DEPARTMENT OF HEALTH

## EDUMBE COMMUNITY HEALTH CENTRE

**Award of quotation**

SUPPLY/SERVICE:	Installation of gutters (Chromodec)
Quotation number:	ZNQ 039/06/07
Contractor:	Gutters International

**No. 2075, 2006**

23 November 2006

## DEPARTMENT OF HEALTH

## EAST GRIQUALAND AND USHER MEMORIAL HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, East Griqualand and Usher Memorial Hospital, Private Bag X506, Kokstad, 4700, together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All tender documents should be deposited into the tender box situated at the security gate before 11:00 on the closing date.
- (vii) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (viii) Quotation documents are available from the Department of Health, East Griqualand and Usher Memorial Hospital, corner of Elliot Street and the Avenue, Kokstad. Telephone: (039) 7978100, Facsimile: (039) 7978162

SUPPLY:	1 x Unit of ophthalmic microscopes, light, operating (mobile)
H.T.U. Specification number:	C.E. NO. 44 (Electronics)
Specification date:	2006-10-04
U.M.D.N.S. number:	12538
Quotation number:	ZNQ 3231/2006
Closing date:	2006-12-14
Closing time:	11:00
Contact person:	Mr P. B. Dweba/Mr N. I. Mdingi
Contact person regarding specification:	Mr P. B. Dweba/Mr N. I. Mdingi

SUPPLY:	1 x Unit ophthalmic slit lamp, stand, beam splitter chair with tonometer
H.T.U. Specification number:	C.E. No. M24 (Mechanical)
Specification date:	2006-09-12
Quotation number:	ZNQ 3232/2006
Closing date:	2006-12-14
Closing time:	11:00
Contact person:	Mr P. B. Dweba/Mr N. I. Mdingi
Contact person regarding specification:	Mr P. B. Dweba/Mr N. I. Mdingi

No. 2076, 2006

23 November 2006

## DEPARTMENT OF WORKS

## NORTH COAST REGION

## Award of bids

NB: All contracts awarded are subject to appeals being timeously lodged (if any, within 5 days) and letters of acceptance being issued

SERVICE:	General repairs, plastering, balustrades, gutters, down pipes and roofs at Vryheid High School
Bid number:	ZNT 7666 W
Contractor:	Siyaxhasana Construction
SERVICE:	Repairs and renovations at Dondotha Clinic: Lower Umfolozi
Bid number:	ZNT 7629 W
Contractor:	Magic Eye Trading 67cc
SERVICE:	Repairs and renovations at Sovane Clinic: Nongoma
Bid number:	ZNT 7185 W
Contractor:	Vryheid Truss City cc
SERVICE:	Construction of one (1) four-classrooms block, administration block and toilets, repairs and renovations at five (5) classroom-block at Mgangatho Primary School: Hlabisa
Bid number:	ZNT 6918 W
Contractor:	Masakhane Properties cc
SERVICE:	Construction of access road to mortuary at Ekhombe Hospital: Nkandla
Bid number:	ZNT 7624 W
Contractor:	Siyabundu Trading cc
SERVICE:	Installation of backwash discharge pipeline at Manguzi Water Works
Bid number:	ZNT 7621 W
Contractor:	East Coast Irrigation
SERVICE:	Rehabilitation of gravel access road to pump station at Kwabadala Old Age Home: Kwabadala
Bid number:	ZNT 7625 W
Contractor:	Muzokhona Construction
SERVICE:	Rehabilitation of gravel access road to pump station at Nkonjeni Hospital: Mahlabathini
Bid number:	ZNT 7620 W
Contractor:	Muzokhona Construction

No. 2077, 2006

23 November 2006

## DEPARTMENT OF HEALTH

## KING EDWARD VIII HOSPITAL

## Award of quotations

SERVICE:	Training: Supervisory Course for 40 people
Quotation number:	ZNQ LS 782 Gaz
Contractor:	Swan Support Services
SERVICE:	Training: Basic Computer Course for 40 people
Quotation number:	ZNQ LS 784 gaz
Contractor:	Icebo Technologies
SERVICE:	Training: Communication Skills Course for 40 people
Quotation number:	ZNQ LS 909 Gaz
Contractor:	Phumelela Consulting
SERVICE:	Training: Change Management Course for 40 people
Quotation number:	ZNQ LS 783 Gaz
Contractor:	Swan Support

No. 2078, 2006

23 November 2006

## DEPARTMENT OF WORKS

## SOUTHERN REGIONAL OFFICE

## Award of bid

SERVICE: Department of Works: Pietermaritzburg District Office: Three year ground maintenance contract  
 Bid number: ZNTM 00020 W  
 Contractor: Real Landscapes

No. 2079, 2006

23 November 2006

## DEPARTMENT OF WORKS

## SOUTHERN REGIONAL OFFICE

BIDS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Bids may only be submitted on the official tender form, which shall be completed in all respects, and all information must be supplied as stipulated in the bid documents.
- (ii) Requirements for sealing, addressing, delivery, opening and assessment of bids are stated in the bid data.
- (iii) Telegraphic, telephonic, telex, facsimile and late bids will not be accepted.
- (iv) Documents available from Department of Works, 191 Prince Alfred Street, Pietermaritzburg.
- (v) All bidders must be registered on the Provincial Suppliers Database and the CIDB.

SERVICE: Port Shepstone: Kwanbotho Clinic: Proposed new K2 Clinic  
 CIDB Grading: 6 GB  
 Bid number: ZNT 2097 W  
 Closing date: 2006-12-20  
 Closing time: 11:00  
 Contact person: Ms Gugu Ncanana, Telephone: (033) 3555500

SERVICE: Replacement of medium voltage switchgear at Addington Hospital in Durban  
 CIDB Grading: 4 EE or higher  
 Bid number: ZNTD 00051H  
 Closing date: 2006-12-20  
 Closing time: 11:00  
 Contact person: Ms Gugu Ncanana, Telephone: (033) 3555500  
*Compulsory site inspection:*  
 Date: 2006-12-06  
 Time: 10:00  
 Venue: Bidders to meet at the staff entrance of the Hospital in Gillespy Street, Durban  
 Technical queries: Mr J. Jeney, Telephone: (033) 3555511

## Award of bids

SERVICE: Nonkwenkane High School: Repairs and renovations  
 Bid number: ZNT 1897 W  
 Contractor: Kwambanjwa Carpentry and Construction Services

SERVICE: Construction of three new classrooms, repairs, renovations, new toilet block and site works at Holoma Primary School  
 Bid number: ZNT 1959 W  
 Contractor: Kwambanjwa Carpentry and Construction Services

SERVICE: New CUBP: Phase 9 Clinic and two houses at Mvutshini Clinic  
 Bid number: ZNT 2099 W  
 Contractor: JJS Construction

SERVICE: Repairs and renovations including extensions at Bhomela Clinic  
 Bid number: ZNT 2098 W  
 Contractor: Sharpe Building and Plumbers

SERVICE: Construction of five new classrooms and twelve new toilets at Impunga Secondary School  
 Bid number: ZNT 2136 W  
 Contractor: Siyazama Housing cc

**Cancellation of bid**

SERVICE: Repairs and renovations to school building including replacement of  
blown-off roofs  
Bid number: ZNT 1940 W

**No. 2080, 2006**

23 November 2006

**DEPARTMENT OF HEALTH****ADDINGTON HOSPITAL****Award of quotation**

SERVICE: Internal painting of M. O. P. D Clinic  
Quotation number: ZNQ 631 C  
Contractor: Bovelihle Trading Enterprise

**No. 2081, 2006**

23 November 2006

**DEPARTMENT OF HEALTH****MADADENI PROVINCIAL HOSPITAL****QUOTATIONS ARE INVITED FOR UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelopes must be addressed to Madadeni Provincial Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Departments of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotations documents are available from Madadeni Provincial Hospital, Stores Department, section five Madadeni Township, Telephone: (034) 3288006, Fax: (034) 3288222.
- (vii) For quotations exceeding R30 000.00 an original ZNT 30 (application for preference points) form must be submitted to Madadeni Provincial Hospital, an original Tax Clearance Certificate must be submitted regardless of price.

SUPPLY: Sterile surgical gloves, different sizes  
Quotation number: ZNQ 1511/06-07  
Closing date: 2006-12-08  
Closing time: 11:00  
Contact person: Mr J. J. Shongwe, Telephone: (034) 3288097  
Mr P. J. Jele, Telephone: (034) 3288006

SUPPLY: Non-sterile examination gloves, different sizes  
Quotation number: ZNQ 1512/06-07  
Closing date: 2006-12-08  
Closing time: 11:00  
Contact person: Mr J. J. Shongwe Telephone: (034) 3288097  
Mr P. J. Jele Telephone: (034) 3288006

**No. 2082, 2006**

23 November 2006

**DEPARTMENT OF HEALTH****KING GEORGE V HOSPITAL****Award of quotations**

SUPPLY: Micro air drill  
Quotation number: ZNQ 151 of 06/07  
Contractor: Flurovision (Pty) Ltd

SUPPLY: Air mattress  
Quotation number: ZNQ 152 of 06/07  
Contractor: Healthware cc

SUPPLY: Storz bronchoscope and accessories  
Quotation number: ZNQ 192 of 06/07  
Contractor: Marcus Medical (Pty) Ltd

SUPPLY: Wound care dressings  
 Quotation number: ZNQ 194 of 06/07  
 Contractor: Johnson & Johnson Medical, Coloplast SA

**No. 2083, 2006**

23 November 2006

## DEPARTMENT OF HEALTH

## UGU DISTRICT HEALTH OFFICE

**Award of quotations**

SERVICE: X11 Hampers of Seeds  
 Quotation number: ZNQ B131 of 2006/07  
 Contractor: Delta Blue Trading

SERVICE: Facilitation of Moderators Course  
 Quotation number: ZNQ G 29 of 2006/07  
 Contractor: Swan Support Services

**No. 2084, 2006**

23 November 2006

## DEPARTMENT OF HEALTH

## PORT SHEPSTONE PROVINCIAL HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
 PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes/faxed.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to Port Shepstone Provincial Hospital, reflecting the quotation number, closing date and time.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Please complete an original ZNT 30 document when submitting quotations above R30 000 (Thirty Thousand Rand) together with an original or certified copy of a Tax Clearance Certificate.
- (viii) No faxed quotations will be accepted, if quotes are faxed the confidentiality of the price is not guaranteed.
- (ix) Quotation documents are available from Port Shepstone Provincial Hospital, Stores Department, 7 Bazley Street, Port Shepstone, Telephone: (039) 6886000, Fax: (039) 6825948.

SUPPLY: 1 x Endoscopic washer and disinfecter, single basin  
 Specification number: PSH M01/0607  
 Specification date: 2006-11-01  
 Quotation number: ZNQ G20 of 2006/07  
 Closing date: 2006-12-07  
 Closing time: 11:00  
 Contact person: Mr S. Premnadu, Telephone: (039) 6886120

**No. 2085, 2006**

23 November 2006

## DEPARTMENT OF HEALTH

## MSELENI HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
 PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to Mseleni Hospital, for attention Procurement Office, reflecting the quotation number.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Please complete original ZNT 30 documents when submitting quotations above R30 000 (Thirty Thousand Rand) together with an original Tax Clearance Certificate.
- (viii) Quotation documents are available at Mseleni Hospital from the date of publication and on site inspection date.

SERVICE: Security services for two months at Mseleni Hospital  
 Quotation number: ZNQ H 337/06/07

Closing date:	2006-12-22
Closing time:	11:00
Site inspection date:	2006-12-07
Venue:	Mseleni Hospital (Recreation Hall)
Contact person:	Mandla Nxumalo
Enquiries regarding specification:	N. V. Msane

**No. 2086, 2006**

23 November 2006

## DEPARTMENT OF HEALTH

## ESTCOURT PROVINCIAL HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes/fax.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to Estcourt Hospital for the attention Bid Evaluation Committee reflecting the quotation number, closing date and time.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Please complete original ZNT 30 documents when submitting quotations above R30 000,00 (Thirty Thousand Rand) together with an original Tax Clearance Certificate.
- (viii) Quotation documents are available from Estcourt Hospital, Old Main Road, Telephone: (036) 3427075, Fax: (036) 3427115/6.

SUPPLY:	1 x Sigmoidoscopy/Endoscopy
Quotation number:	ZNQ EST 1 of 2006/07
Closing date:	2006-12-09
Time:	11:00
Contact person:	Mr K. Misrilal, Telephone: (036) 3427075
Enquiries regarding specification:	Mr K. Misrilal, Telephone: (036) 3427075

**No. 2087, 2006**

23 November 2006

## DEPARTMENT OF HEALTH

## KING EDWARD VIII HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health: King Edward VIII Hospital together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Department of Health: King Edward VIII Hospital, Stores Department, Private Bag X02, Congella, Telephone: (031) 3603448.

SUPPLY:	3 x Units of paper shredders
Quotation number:	ZNQ LS 977 gaz
Closing date:	2006-12-11
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448

SUPPLY:	50 x Mopping units complete
Quotation number:	ZNQ LS 978 gaz
Closing date:	2006-12-11
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448

SUPPLY:	Furniture for a mini-boardroom
Quotation number:	ZNQ LS 979 gaz
Closing date:	2006-12-11
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448

SUPPLY: 2 x Units of warmer – fluid cabinet type  
 Quotation number: ZNQ LS 980 gaz  
 Closing date: 2006-12-11  
 Time: 11:00  
 Contact person: Louise Steyn, Telephone: (031) 3603448  
 Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448

**Award of quotations**

SUPPLY: 1280 x Boxes of wound dressing 15 g  
 Quotation number: ZNQ LS 418 gaz  
 Contractor: Adcock Ingram

SUPPLY: 2 x Units of cluster workstation  
 Quotation number: ZNQ LS 510 gaz  
 Contractor: Thekwini Office

SUPPLY: 110 000 x Units of clear/yellow garbage bags  
 Quotation number: ZNQ LS 674 gaz  
 Contractor: KZN Industrial Chemicals

SUPPLY: 1 Unit of cardiocograph single  
 Quotation number: ZNQ LS 120 gaz  
 Contractor: Glenmed

**Cancellation of quotations**

SUPPLY: 4 x Units of paper shredders  
 Quotation number: ZNQ LS 445 gaz

SUPPLY: 120 x Units of dual lumen catheters 11.5/14.2fr  
 Quotation number: ZNQ LS 785 gaz

**No. 2088, 2006**

23 November 2006

**DEPARTMENT OF HEALTH****KING EDWARD VIII HOSPITAL****Award of quotations**

SUPPLY: Dental Chair (Examination/treatment) as per specification HTU CE S 86  
 Quotation number: ZNQ LS 681 Gaz  
 Contractor: Istrodent

SUPPLY: 1 500 x Units of FA 104 Arterial dialysis lines  
 1 500 x Units of FV 104 Arterial dialysis lines  
 432 x Units of F 7 Artificial dialysis lines  
 Quotation number: ZNQ LS 789 Gaz  
 Contractor: Fresenius Medical Care SA (Pty) Ltd

SUPPLY: 600 x Units of GFS 12 Artificial dialysers  
 1132 x Units of GFS 16 Artificial dialysers  
 Quotation number: ZNQ LS 788 Gaz  
 Contractor: Adcock Ingram Critical Care SA (Pty) Ltd

SUPPLY: Furniture for Medical Manager  
 Quotation number: ZNQ LS 630 Gaz  
 Contractor: Mavura Trading Enterprise

SUPPLY: 300 x boxes of disposable napkins, small  
 600 x boxes of disposable napkins, medium  
 600 x boxes of disposable napkins, large  
 Quotation number: ZNQ LS 803 Gaz  
 Contractor: Hygiene Medical

SUPPLY: 6000 x Units of syringes heparinised with needle, single use  
 Quotation number: ZNQ LS 663 Gaz  
 Contractor: South African Medical Developments

SUPPLY: Subcondylar ramus fixation set  
 Quotation number: ZNQ LS 509 Gaz  
 Contractor: Synthes (Pty) Ltd

No. 2089, 2006

23 November 2006

## DEPARTMENT OF HOUSING

## DIRECTORATE: SUPPLY CHAIN MANAGEMENT

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes/faxed.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Housing, for attention Mr Ngwenya, reflecting the quotation number.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.  
All Department of Housing contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being used.
- (vi) Please complete original ZNT 30 documents when submitting quotations above R30 000 (Thirty Thousand Rand) together with an original Tax Clearance Certificate.
- (vii) Quotation documents are available from Department of Housing, Supply Chain Management, Tolaram House, 5th Floor, Room 513, 2 Aliwal Street, Durban, Telephone: (031) 3365300, Fax: (031) 3365124.

## SUPPLY:

Cellular phones as follows:

3 x Sony Ericsson – W810i

27 x Samsung – D900

29 x Nokia – N71

69 x Nokia – N70

9 x Nokia – N80

5 x Nokia – E61

4 x Nokia – 9300i

Q 469/2006

2006-12-04

11:00

S. Ponnar, Telephone: (031) 3365154

R. Gaffoor, Telephone: (031) 3365155

L. B. Ngwane, Telephone: (031) 3365142

Quotation number:

Closing date:

Closing time:

Contact persons:

Enquiries regarding specifications:

No. 2090, 2006

23 November 2006

## DEPARTMENT OF HEALTH

## ST AIDAN'S MISSION REGIONAL HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to the Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and a letter of acceptance being issued.
- (v) Quotation documents are available from St Aidan's Mission Regional Hospital – Supply Chain Department, 33 Centenary Road, Durban.
- (vi) For quotations exceeding R30 000,00 an original ZNT 30 (application for preference points) forms must be submitted to St. Aidan's Mission Regional Hospital, an original Tax Clearance Certificate must also be submitted regardless of price.
- (vii) Samples must be available for each item.
- (viii) Quoting contractors at no given time should deviate from specifications.
- (ix) All items must be quoted for, incomplete quotation forms will be disqualified.

## SUPPLY:

1 x Industrial dishwasher as per specification

Quotation number:

ZNQ 12893 of 2006

Closing date:

2006-12-15

Closing time:

11:00

Enquiries regarding specification:

Jugdeesh Parasram, Telephone: (031) 3142245, Fax: (031) 3142223

## SUPPLY:

Stainless instruments and equipment for operating theatre as per specification

Quotation number:

ZNQ 12894 of 2006

Closing date:

2006-12-15

Closing time:

11:00

Enquiries regarding specification:

Jugdeesh Parasram, Telephone: (031) 3142245, Fax: (031) 3142223



**Cancellation of quotation**

SUPPLY: 28 x 12 Compartment staff lockers  
 Quotation number: ZNQ 12509 of 2006  
 NB: All items must be quoted for, incomplete quotes will be disqualified.

**No. 2091, 2006**

23 November 2006

**DEPARTMENT OF HEALTH****PRINCE MSHIYENI MEMORIAL HOSPITAL****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Prince Mshiyeni Memorial Hospital with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Department of Health, Prince Mshiyeni Memorial Hospital, Buying Section, Mangosuthu Highway, Unit "V" Umlazi, Telephone: (031) 9078163, Facsimile: (031) 9061391.

SUPPLY: 10 x Diagnostic sets, specification: H.T.U – C.E. number. 514 (surgical).  
 UMDNS: 12815  
 Quotation number: ZNQ 1952/2006  
 Closing date: 2006-12-04  
 Closing time: 11:00  
 Contact person: Mr M. A. Mngadi, Telephone: (031) 9078214  
 Enquiries regarding specification: Mr M. A. Mngadi, Telephone: (031) 9078214

SUPPLY: 20 x Haemoglobin meters, specification: H.T.U – C.E. number 57 (surgical)  
 Quotation number: ZNQ 1953/2006  
 Closing date: 2006-12-04  
 Closing time: 11:00  
 Contact person: Mr M. A. Mngadi, Telephone: (031) 9078214  
 Enquiries regarding specification: Mr M. A. Mngadi, Telephone: (031) 9078214

SUPPLY: 20 x Flowmeters, double oxygen  
 Specification: H.T.U. – C.E. No. A6 (Anaesthetics)  
 20 x Flowmeter, single oxygen  
 Specification: H.T.U. – C.E. No. A5 (Anaesthetics)  
 Quotation number: ZNQ 1954/2006  
 Closing date: 2006-12-04  
 Closing time: 11:00  
 Contact person: Mr M. A. Mngadi, Telephone: (031) 9078214  
 Enquiries regarding specification: Mr M. A. Mngadi, Telephone: (031) 9078214

SUPPLY: 10 x Oxygen gauges/regular – high pressure gas (pressure regulators all)  
 Specification: H.T.U – C.E. No. A44 (Anaesthetics)  
 Quotation number: ZNQ 1955/2006  
 Closing date: 2006-12-04  
 Closing time: 11:00  
 Contact person: Mr M. A. Mngadi, Telephone: (031) 9078214  
 Enquiries regarding specification: Mr M. A. Mngadi, Telephone: (031) 9078214

SUPPLY: 50 x Styler introducers, plastic type  
 Quotation number: ZNQ 1956/2006  
 Closing date: 2006-12-04  
 Closing time: 11:00  
 Contact person: Mr M. A. Mngadi, Telephone: (031) 9078214  
 Enquiries regarding specification: Mr M. A. Mngadi, Telephone: (031) 9078214

SUPPLY: 20 x Mcgills forceps for adults  
 10 x Young tongue seizing forceps  
 Quotation number: ZNQ 1957/2006  
 Closing date: 2006-12-04  
 Closing time: 11:00  
 Contact person: Mr M. A. Mngadi, Telephone: (031) 9078214  
 Enquiries regarding specification: Mr M. A. Mngadi, Telephone: (031) 9078214

**Award of quotations**

SERVICE: Upgrading of Ward D7 and D8  
 Quotation number: ZNQ 377/2006  
 Contractor: Simunye Plumbers

SUPPLY: NIBP Apparatus with stands oxygen  
 Quotation number: ZNQ 311/2006  
 Contractor: Palmed Medical

**No. 2092, 2006**

23 November 2006

**DEPARTMENT OF HEALTH****MOSVOLD HOSPITAL****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation documents.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Mosvold Hospital, Quotation Evaluation Committee, together with quotation number and closing date.
- (iv) The name and address of the contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Mosvold Hospital, Stores Department, Ingwavuma Main Road, Telephone: (035) 5910145, Ext. 155, Fax: (035) 5910039.

SERVICE: Exterior painting at Nurses Home Building at "B 19, B 20, B 21 and B 22"  
 Bid number: ZNQ 640/N/MNT/06/07  
 Closing date: 2006-12-11  
 Closing time: 11:00  
 Compulsory site inspection:  
 Date: 2006-12-01  
 Time: 11:00  
 Venue: Big Nursing Lounge  
 Contact person: Mr T. G. Khanyile, Telephone: (035) 5910145, Ext. 155

SERVICE: Exterior painting at Nurses Home Building at "B27 and B 28"  
 Bid number: ZNQ 641/N/MNT/06/07  
 Closing date: 2006-12-11  
 Closing time: 11:00  
 Compulsory site inspection:  
 Date: 2006-12-01  
 Time: 11:00  
 Venue: Big Nursing Lounge  
 Contact person: Mr T. G. Khanyile, Telephone: (035) 5910145, Ext. 155

SERVICE: Exterior painting at Nurses Home Building at "B 18 and B 48"  
 Bid number: ZNQ 162/N/MNT/06/07  
 Closing date: 2006-12-11  
 Closing time: 11:00  
 Compulsory site inspection:  
 Date: 2006-12-01  
 Time: 11:00  
 Venue: Big Nursing Lounge  
 Contact person: Mr T. G. Khanyile, Telephone: (035) 5910145, Ext. 155

**No. 2093, 2006**

23 November 2006

**DEPARTMENT OF HOUSING****TOLARAM HOUSE****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.

- (iv) The envelope must be addressed to the Department of Housing, Quotation Evaluation Committee, together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) Quotation documents are available from Department of Housing, Supply Chain Management, Toloram House, 5th Floor, Room 513, 2 Aliwal Street, Durban, Telephone: (031) 3365225, Fax: (031) 3365124.

**SUPPLY:**

Cellular phones:  
 3 x Sony Ericsson – W810i  
 27 x Samsung – D900  
 29 x Nokia – N71  
 69 x Nokia – N70  
 9 x Nokia – N80  
 5 x Nokia – E61  
 4 x Nokia – 9300i  
 Q469/2006  
 2006-12-04  
 11:00  
 S. Ponnann, Telephone: (031) 3365154  
 R. Gaffoor, Telephone: (031) 3365155  
 L. B. Ngwane, Telephone: (031) 3365142

Quotation number:  
 Closing date:  
 Closing time:  
 Contact persons:

**No. 2094, 2006**

23 November 2006

**DEPARTMENT OF HEALTH****CHARLES JOHNSON MEMORIAL HOSPITAL****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Charles Johnson Memorial Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and a letter of acceptance being issued.
- (vi) Quotation documents are available from Charles Johnson Memorial Hospital, Stores Department, 92 Hlubi Street, Nqutu, Telephone: (034) 2710234.
- (vii) For quotations exceeding R30 000,00 an original ZNT 30 (application for preference points) form must be submitted to the Charles Johnson Memorial Hospital, an original Tax Clearance Certificate must also be submitted regardless of price.

**SERVICE:**

Fumigation of pests at Charles Johnson Memorial Hospital  
 ZNQ 0628-2006/2007  
 2006-12-05  
 11:00  
 2006-11-30  
 10:00  
 Large Conference Room  
 Mrs Sheryl Ragubeer, Telephone: (034) 2711900

Quotation number:  
 Closing date:  
 Closing time:  
 Site inspection:  
 Time:  
 Venue:  
 Contact person:

**No. 2095, 2006**

23 November 2006

**DEPARTMENT OF HEALTH****MOSVOLD HOSPITAL****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Mosvold Hospital, Quotation Evaluation Committee, together with quotation number and closing date.
- (iv) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (v) Quotation documents are available from Mosvold Hospital, Stores Department, Ingwavuma Main Road, Telephone: (035) 5910145, Ext. 127, Fax: (035) 5910039.

SUPPLY:	50 x Office genuine leather sleigh visitor's arm chair, mid back, charcoal, solid oak arm. SABS approved, S.A. manufacturers, 1 year guarantee Weights 3 ZNQ 482/06/07/Sub-Campus
Quotation number:	2006-12-08
Closing date:	11:00
Closing time:	Miss B. Mkhwanazi, Telephone: (035) 5910145, Ext. 127
Contact person:	Miss B. Mkhwanazi, Telephone: (035) 5910145, Ext. 127
Enquiries regarding specification:	
SUPPLY:	(30 x 4) 120 x Pollyshell plastic chairs bonded together in fours with cushions on backrest and seat, covered with clear plastic Colour for cushions – cream. 1 year guarantee, S.A. manufacturers. Weights 3 ZNQ 486/06/07
Quotation number:	2006-12-08
Closing date:	11:00
Closing time:	Miss B. Mkhwanazi, Telephone: (035) 5910145, Ext. 127
Contact person:	Miss B. Mkhwanazi, Telephone: (035) 5910145, Ext. 127
Enquiries regarding specification:	
SUPPLY:	3 x 3 piece bedroom suites solid oak, including 152 cm headboard that fits queen bed, pedestals on either side provided ample storage space, dressing tables with long centre mirrors with two swivel side mirrors and the stylish stool which sits two people, cushioned for comfort ZNQ 487/06/07/Mbadl/Many
Quotation number:	2006-12-08
Closing date:	11:00
Closing time:	Miss B. Mkhwanazi, Telephone: (035) 5910145, Ext. 127
Contact person:	Miss B. Mkhwanazi, Telephone: (035) 5910145, Ext. 127
Enquiries regarding specification:	
SUPPLY:	4 x Electronic sphygmomanometer – NIDP monitor ZNQ 679/06/07/Tb/OPD/Male/Isol
Quotation number:	2006-12-08
Closing date:	11:00
Closing time:	Miss B. Mkhwanazi, Telephone: (035) 5910145, Ext. 127
Contact person:	Miss B. Mkhwanazi, Telephone: (035) 5910145, Ext. 127
Enquiries regarding specification:	
SUPPLY:	1 x Neonatal resuscitation trolley ZNQ 680/06/07/Shem
Quotation number:	2006-12-08
Closing date:	11:00
Closing time:	Miss B. Mkhwanazi, Telephone: (035) 5910145, Ext. 127
Contact person:	Miss B. Mkhwanazi, Telephone: (035) 5910145, Ext. 127
Enquiries regarding specification:	

No. 2096, 2006

23 November 2006

## DEPARTMENT OF HEALTH

## INFRASTRUCTURE DEVELOPMENT SUB-DIRECTORATE (REAL ESTATE)

BIDS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Bids must be on the official bid forms, which shall be completed in all respects, and all information must be supplied as stipulated in the bid document.
- (ii) Completed bid documents must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Infrastructure Development, for attention Mrs C. van Wyk, reflecting the bid number and placed in the bid box at the foyer of Infrastructure Development, 191 Peter Kerchhoff Street, Pietermaritzburg 3201.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Please complete original ZNT 30 documents when submitting bids.
- (vii) Bid documents are available from the Port Shepstone Hospital and Infrastructure Development at 191 Peter Kerchhoff Street, Pietermaritzburg, on the 5th Floor, Room 07, Medical Chambers Building, Telephone: (033) 3417056/7154.

SERVICE:	Letting of a tuck-shop facility at Port Shepstone Hospital
Bid number:	ZNB 174.06/07-H
Closing date:	2006-12-07
Time:	11:00
<i>Compulsory site meeting:</i>	
Date:	2006-11-28
Time:	10:30
Venue:	Port Shepstone Hospital, Corner of Connor and Bazley Street, Port Shepstone
Contact persons:	Candice van Wyk, Telephone: (033) 3417056 Donna Anthony, Telephone: (033) 3417154

## DEPARTMENT OF HEALTH

## CENTRAL SUPPLY CHAIN MANAGEMENT DIRECTORATE

## LOGISTICS MANAGEMENT

## Award of quotations

Reference No:	Description	Contractor:
ZNQ169/6/7	Bath towel	Lethimpucuko Trading
ZNQ116/6/7	Large disposable diapers for babies	Shosholozza Manufacturing Co-op
ZNQ272/6/7	X-large jersey (security)	Nasa Industrial Supplies
ZNQ234/6/7	Nylon, water-resistant mattress cover	Unitrade cc
ZNQ230/6/7	Two-piece boiler suits (112 cm)	Nasa Industrials
ZNQ236/6/7	Large short-sleeved shirts, mazarine blue	Celakuye Co-op
ZNQ238/6/7	Men's trousers (security)	Grand Uniforms cc
ZNQ226/6/7	Medium black boxer shorts	Iziko Umnyakazo Co-op
ZNQ227/6/7	Galvanized study stands	Oshlanga Enterprise
ZNQ273/6/7	X-large boxer shorts	Nasa Industrials
ZNQ271/6/7	Medium cap black	Metro Engineering
ZNQ241/6/7	Patroller jackets (102 cm)	Zanentokozo Trading Enterprise
ZNQ254/6/7	Lined disposable sheet	Celakuye Co-op
ZNQ253/6/7	Large white short-sleeved shirt	Metro Engineering
ZNQ252/6/7	Black socks	Nasa Industrial
ZNQ250/6/7	Navy combat trousers (87 cm)	Grand Uniforms
ZNQ249/6/7	Navy combat trousers (81 cm)	Grand Uniforms
ZNQ248/6/7	Navy combat trousers (76 cm)	Grand Uniforms
ZNQ247/6/7	Navy combat trousers (97 cm)	Grand Uniforms
ZNQ246/6/7	Navy combat trousers (102 cm)	Grand Uniforms
ZNQ231/6/7	White two-piece boiler suits (102 cm)	Nasa Industrial
ZNQ245/6/7	Maternity sanitary towels	Skhu-Chem Detergent
ZNQ225/6/7	Large boxer shorts black	Okwentuthane Co-op
ZNQ173/6/7	Blue two-piece boiler suits	Amagabhazi Constructors
ZNQ228/6/7	Rolls of kitchen paper towels	Thetheleza Co-op
ZNQ113/6/7	Large black boxer shorts	Vukawenze Co-op
ZNQ222/6/7	Disposable medical linen savers	Amancwane Co-op
ZNQ090/6/7	Doctor's caps	Ikhwezi HR Training
ZNQ089/6/7	Small padlocks (40 mm)	Ladysmith Mica
ZNQ087/6/7	Deodorant blocks (200 g)	Lethimpucuko Co-op
ZNQ085/6/7	Scouring powder (500 g)	Metro Engineering
ZNQ257/6/7	Large disposable diapers for babies	Savela Baby Nappy Co-op
ZNQ029/6/7	File covers, accounts folder	Sakhikusasa Trading
ZNQ235/6/7	Long-sleeved shirts, mazarine blue (42 cm)	Celakuye Co-op
ZNQ250/6/7	Buff envelope, 458 x 324 mm	Phendula Stationery
ZNQ258/6/7	A6 manifold book	Phendula Stationery
ZNQ162/6/7	Stainless steel table spoons	Amagabhazi Constructors
ZNQ232/6/7	Long-sleeved shirts (44 cm)	Celakuye Co-op
ZNQ244/6/7	Koki pens, assorted colours	Ocean Stationers
ZNQ249/6/7	1 kg bars of soap	Metro Engineering
ZNQ168/6/7	Aerosol, wood furniture polish	Amagabhazi Co-op
ZNQ256/6/7	Floor dressing, Polymer 25 l	Metro Engineering
ZNQ248/6/7	Concentrated black fluid	Geochem

ZNQ046/6/7	File cover subject	Pops Print
ZNQ045/6/7	X-ray index cards	Nu-Print
ZNQ044/6/7	Out-patient register books	Standard Printers
ZNQ043/6/7	Mortuary register books	True Art Printers
ZNQ041/6/7	File cover, house allowance	Nonto's General
ZNQ039/6/7	File covers, leave	Nonto's General
ZNQ025/6/7	Treatment and prescription cards	Pops Print
ZNQ032/6/7	History and progress notes forms	Nu-Print
ZNQ027/6/7	Nursing and process forms	Sebenzani Trading
ZNQ108/6/7	Ultrasound forms	Nu-Print
ZNQ024/6/7	X-ray request form sets	Standard Printers
ZNQ110/6/7	Requisition for repair book	Nu-Print
ZNQ243/6/7	Sticky tape dispenser	Ocean Stationers
ZNQ252/6/7	Stapler remover	Ocean Stationers
ZNQ257/6/7	Pens, sprit base blue	Ocean Stationers
ZNQ166/6/7	White photocopy paper	Ocean Stationers
ZNQ030/6/7	Pads, scribbling A5	Pops Print
ZNQ038/6/7	Clinic cards, pharmacy stock record	Art Stationers
ZNQ034/6/7	Outpatient carrier cards	Alert Stationers
ZNQ106/6/7	Tray control cards	Sebenzani Trading cc
ZNQ035/6/7	Family planning cards	Alert Stationers
ZNQ112/6/7	Repair request book	Standard Printers
ZNQ163/6/7	Disposable maternity pads	Amagabhazi Contractors
ZNQ256/6/7	Plastic tumbler	Oshlanga Enterprises
ZNQ254/6/7	Stainless steel milk jug	Thandanani Chemicals
ZNQ224/6/7	Brass padlock (40 mm)	Nasa Industrial Supplies
ZNQ223/6/7	Padlock (50 mm)	Nasa Industrial Supplies
ZNQ102/6/7	Notice discontinue books	Nu-Print
ZNQ111/6/7	Official receipt book	Standard Printers
ZNQ033/6/7	Application for registration/licensing forms	Velaphi Investments True Art
ZNQ022/6/7	X-ray day light marker cards	Standard Printers
ZNQ113/6/7	Requisition for psychotropic medicines book	Sebenzani Trading
ZNQ114/6/7	Patroller jacket	Injabulo Youth Co-op
ZNQ026/6/7	In-patient admission cards	Velaphi Investment True Art
ZNQ036/6/7	Movement control cards and files	Alert Stationers cc
ZNQ040/6/7	Covers record, Department of Health KZN	Kwipili Trading
ZNQ240/6/7	Paper towels (240 mm x 330 mm)	Bathethelele Co-op
ZNQ037/6/7	Ambulance returns book	Alert Stationers
ZNQ109/6/7	Requisition for schedule book	Ocean Top Investment
ZNQ167/6/7	Red carbolic soap	Oshlanga Enterprises
ZNQ020/6/7	Operation theatre record books	Nu-Print
ZNQ031/6/7	Ward stock books, plain equipment registers	Pops Print
ZNQ114/6/7	Stores receipt book	Standard Printers
ZNQ101/6/7	Statement of account books	Standard Printers
ZNQ107/6/7	Requisition for ward stock books	Alert Stationers
ZNQ021/6/7	Elective patient transfer book	Pops Print Stationers
ZNQ255/6/7	Mark Books, IQuire	Phendula Stationery
ZNQ086/6/7	Accident report pads	Velaphi True Art Printing
ZNQ028/6/7	File covers, leave	Standard Printers
ZNQ172/6/7	Disposable medical linen savers	Skhu Chem Detergent
ZNQ247/6/7	Polish glass 25 l	Boaz Trading
ZNQ242/6/7	Brush lavatory	Nasa Industrials

ZNQ246/6/7	Broom, bass (380 mm)	Nasa Industrials Suppliers
ZNQ245/6/7	Thin, red Koki pens	Lotus Stationers
ZNQ104/6/7	Submission pads	Sebenzani Trading
ZNQ105/6/7	Accident report pads	Nu-Print
ZNQ103/6/7	Reminder pads	Sebenzani Trading
ZNQ239/6/7	Men's trousers (92 cm)	Amahle Sewing Co-op
ZNQ119/6/7	Large, soft shrouds	Logan Medical
ZNQ242/6/7	White Kim Dri paper towels	Amancwane Multi-PurposCo-op
ZNQ164/6/7	Lined disposable sheet	Unitrade Medical
ZNQ112/6/7	Medical dressing towel	Q-Tique 27
ZNQ118/6/7	Medium shroud	Skhu Chem Detergent
ZNQ170/6/7	Patroller jacket (107 cm)	Injabulo Youth Co-op
ZNQ120/6/7	Small shrouds	Unitrade Medical
ZNQ117/6/7	Shrouds for toddlers	Logan Medical
ZNQ237/6/7	Patroller jacket (48 cm)	Zanentokozo Trading
ZNQ 445/6/7	Home-based care kit refills	Counterpoint Trading

#### Cancellation of quotations

SUPPLY: Quotation number:	Epaulettes ZNQ276/6/7
SUPPLY: Quotation number:	Large swat caps ZNQ277/6/7
SUPPLY: Quotation number:	White poplin shirts ZNQ270/6/7
SUPPLY: Quotation number:	Unlined raincoat ZNQ267/6/7
SUPPLY: Quotation number:	ABS signs ZNQ251/6/7
SUPPLY: Quotation number:	Sunlight liquid dishwashing 5 l ZNQ255/6/7
SUPPLY: Quotation number:	Long-sleeved shirts (39 cm) ZNQ269/6/7
SUPPLY: Quotation number:	Bonded leather belt (81 cm) ZNQ261/6/7
SUPPLY: Quotation number:	Bonded leather belt (92 cm) ZNQ266/6/7
SUPPLY: Quotation number:	Bonded leather belt (97 cm) ZNQ265/6/7
SUPPLY: Quotation number:	Bonded leather belt (107 cm) ZNQ263/6/7
SUPPLY: Quotation number:	Bonded leather belt (102 cm) ZNQ262/6/7
SUPPLY: Quotation number:	Bonded leather belt (112 cm) ZNQ260/6/7
SUPPLY: Quotation number:	Combat trousers (117 cm) ZNQ274/6/7
SUPPLY: Quotation number:	Facial tissue ZNQ253/6/7
SUPPLY: Quotation number:	Bonded leather belt (117 cm) ZNQ264/6/7

## DEPARTMENT OF HEALTH

## TAYLER BEQUEST HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelopes must be addressed to the Department of Health, Tayler Bequest Hospital, Private Bag X836, Matatiele, 4730, together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Department of Health, Tayler Bequest Hospital, Main Street, Matatiele, Telephone: (039) 7373107, Fax: (039) 7374865.
- (viii) NB: all quotations that are above R30 000,00 must fill in the ZNT 30 form.

SUPPLY: Battered fish  
 Quotation number: ZNQ 624/2006/2007  
 Period of contract: 3 months  
 Closing date: 2006-12-04  
 Closing time: 11:00  
 Contact person: Sonengaliphi or Nosimo, Telephone: (039) 7373107

SUPPLY: Full-cream milk  
 Quotation number: ZNQ 627/2006/2007  
 Period of contract: 3 months  
 Closing date: 2006-12-04  
 Closing time: 11:00  
 Contact person: Sonengaliphi or Nosimo, Telephone: (039) 7373107

SUPPLY: Golden Cloud cake flour (10 kg)  
 Quotation number: ZNQ 628/2006/2007  
 Period of contract: 3 months  
 Closing date: 2006-12-04  
 Closing time: 11:00  
 Contact person: Sonengaliphi or Nosimo, Telephone: (039) 7373107

SUPPLY: Black Cat peanut butter (20 kg)  
 Quotation number: ZNQ 629/2006/2007  
 Period of contract: 3 months  
 Closing date: 2006-12-04  
 Closing time: 11:00  
 Contact person: Sonengaliphi or Nosimo, Telephone: (039) 7373107

SUPPLY: Sunflower cooking oil (20 l)  
 Quotation number: ZNQ 630/2006/2007  
 Period of contract: 3 months  
 Closing date: 2006-12-04  
 Closing time: 11:00  
 Contact person: Sonengaliphi or Nosimo, Telephone: (039) 7373107

SUPPLY: Induna samp (10 kg)  
 Quotation number: ZNQ 631/2006/2007  
 Period of contract: 3 months  
 Closing date: 2006-12-04  
 Closing time: 11:00  
 Contact person: Sonengaliphi or Nosimo, Telephone: (039) 7373107

SUPPLY: Powder soup (25 kg)  
 Quotation number: ZNQ 633/2006/2007  
 Period of contract: 3 months  
 Closing date: 2006-12-04  
 Closing time: 11:00  
 Contact person: Sonengaliphi or Nosimo, Telephone: (039) 7373107



SUPPLY: Marine fine salt (1 kg)  
 Quotation number: ZNQ 636/2006/2007  
 Period of contract: 3 months  
 Closing date: 2006-12-04  
 Closing time: 11:00  
 Contact person: Sonengaliphi or Nosimo, Telephone: (039) 7373107

#### Award of quotations

SUPPLY: Extra large eggs, dozen  
 Quotation number: ZNQ 634/2006/2007  
 Contractor: Zazina Development Enterprise

SUPPLY: Mince meat  
 Quotation number: ZNQ 621/2006/2007  
 Contractor: Mega-Phase

SUPPLY: Local sugar beans (5 kg)  
 Quotation number: ZNQ 638/2006/2007  
 Contractor: Mega-Phase

SUPPLY: Tilting pan 380v/3n 5/5/5 kw  
 Quotation number: ZNQ 573/2006/2007  
 Contractor: Hotel Requisites

SUPPLY: Beef sausages  
 Quotation number: ZNQ 622/2006/2007  
 Contractor: Manandi Catering & Cleaning

SUPPLY: Unsliced brown bread, 750 g (freshly baked)  
 Quotation number: ZNQ 640/2006/2007  
 Contractor: Gwabe's Transport Services

SUPPLY: 1 kg Mabella  
 Quotation number: ZNQ 632/2006/2007  
 Contractor: Gaxa Trading

SUPPLY: South African viennas  
 Quotation number: ZNQ 639/2006/2007  
 Contractor: Gaxa Trading

SUPPLY: South African chicken  
 Quotation number: ZNQ 625/2006/2007  
 Contractor: Gaxa Trading

SUPPLY: 1kg Knorrox aromat  
 Quotation number: ZNQ 637/2006/2007  
 Contractor: Manandi Catering & Cleaning

SUPPLY: Assorted fruit juice (250 ml)  
 Quotation number: ZNQ 626/2006/2007  
 Contractor: Zazina Development Enterprise

SUPPLY: Cresta rice (10 kg)  
 Quotation number: ZNQ 635/2006/2007  
 Contractor: Manandi Catering & Cleaning

SUPPLY: Lockable medicine supply basket (dispensary basket hard plastic)  
 Quotation number: ZNQ 256/2006/2007  
 Contractor: Thandanani Chemicals

SUPPLY: Overbed table, variable height size 900 x 395 x 18 mm  
 Quotation number: ZNQ 395/2006/2007  
 Contractor: New Horizons Metals

SERVICE: Painting of external wall (hospital)  
 Quotation number: ZNQ 502/2006/2007  
 Contractor: Lumanyano Construction & Service

SUPPLY: Fluid warmer  
 Quotation number: ZNQ 488/2006/2007  
 Contractor: Gabler Medical

SUPPLY: Incubator isolette  
 Quotation number: ZNQ 527/2006/2007  
 Contractor: KwaDube Medical cc

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SUPPLY:	Elbow action medical mixer chrome plate 1/2 inch, pillar type with adjustable connections from 155 mm to 200 mm with swanneck swivel spout outlet (No. 44)
Quotation number:	ZNQ 503/2006/2007
Contractor:	Ladysmith Mica
SERVICE:	Painting of hospital roof and gutters
Quotation number:	ZNQ 501/2006/2007
Contractor:	Nobambo Construction
SUPPLY:	Agilent pt vital sign monitor with oxymeter, BP Monitoring and pulse 3 cuff – large, medium and small
Quotation number:	ZNQ 393/2006/2007
Contractor:	Palmed Medical & Surgical

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Navrae moet gerig word aan:

**Provinsiale Koerant van KwaZulu-Natal, Posbus 362,  
PIETERMARITZBURG 3200.**

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**DORPBEPLANNINGSKEMAS: WYSIGING/  
TOWN PLANNING SCHEMES: AMENDMENT**

**ABAQULUSI MUNISIPALITEIT  
Kennisgewing 70 /2006  
VOORGESTELDE WYSIGING VAN  
SKEMA WAT OPGESTEL WORD**

Kennis geskied hiermee kragtens die bepalings van Artikel 47bis (1)(a) van die Natalse Dorpsbeplanning Ordonansie, Nr. 27 van 1949, dat daar aansoek gedoen is by die AbaQulusi Munisipale Raad om sy Dorpsbeplanning Skema wat opgestel word te wysig deur die hersonering van Gedeelte 4 van Erf 13, Vryheid vanaf Spesial Woon 1 na Intermediere Woon 1.

Afskrifte van die voorgestelde wysiging en gepaardgaande dokumentasie is gedurende kantoor ure beskikbaar vir insae by die kantoor van die Munisipaliteit Bestuurder.

Enige persoon wat genoegsame belang by die voorgestelde wysiging het, kan skriftelike besware of voorstelle inhandig voor of op 20 Desember 2006.

**MJ MATHENJWA  
MUNISIPALE BESTUURDER  
D2—November 23, 2006.**

**ABAQULUSI MUNICIPALITY  
Notice 70 /2006  
PROPOSED AMENDMENT TO THE  
SCHEME IN COURSE OF PREPARATION**

Notice is hereby given in terms of section 47bis (1)(a) of the Town Planning Ordinance No. 27 of 1949, that there has been an application to the AbaQulusi Municipal Council to amend its Town Planning Scheme in the course of preparation by the rezoning of Portions 4 of Lot 13, Vryheid, from Special Residential 1 to Intermediate Residential 1.

A copy of the proposed amendment and relevant documents are open for inspection at the office of the Municipal Manager during office hours.

Any person having sufficient interest in the proposed amendment may lodge with the Municipal Manager written objections or representations before or on 20 December 2006.

**MJ MATHENJWA  
MUNICIPAL MANAGER  
D2—November 23, 2006.**

**ABAQULUSI MUNISIPALITEIT  
Kennisgewing 71/2006  
VOORGESTELDE WYSIGING VAN  
SKEMA WAT OPGESTEL WORD**

Kennis geskied hiermee kragtens die bepalings van Artikel 47bis (1)(a) van die Natalse Dorpsbeplanning Ordonansie, Nr. 27 van 1949, dat daar aansoek gedoen is by die AbaQulusi Munisipale Raad om sy Dorpsbeplanning Skema wat opgestel word te wysig deur die hersonering van Gedeelte 1 van Erf 513, Vryheid vanaf Spesial Woon 1 na Oorgansone: Bepeke Handel.

Afskrifte van die voorgestelde wysiging en gepaardgaande dokumentasie is gedurende kantoor ure beskikbaar vir insae by die kantoor van die Munisipaliteit Bestuurder.

Enige persoon wat genoegsame belang by die voorgestelde wysiging het, kan skriftelike besware of voorstelle inhandig voor of op 20 Desember 2006.

**MJ MATHENJWA  
MUNISIPALE BESTUURDER  
D3—November 23, 2006.**

**ABAQULUSI MUNICIPALITY  
Notice 71/2006  
PROPOSED AMENDMENT TO THE  
SCHEME IN COURSE OF PREPARATION**

Notice is hereby given in terms of section 47bis (1)(a) of the Town Planning Ordinance No. 27 of 1949, that there has been an application to the AbaQulusi Municipal Council to

amend its Town Planning Scheme in the course of preparation by the rezoning of Portions 1 of Lot 513, Vryheid, from Special Residential 1 to Transitional Zone : Limited Commercial.

A copy of the proposed amendment and relevant documents are open for inspection at the office of the Municipal Manager during office hours.

Any person having sufficient interest in the proposed amendment may lodge with the Municipal Manager written objections or representations before or on 20 December 2006.

**MJ MATHENJWA  
MUNICIPAL MANAGER  
D3—November 23, 2006.**

**ABAQULUSI MUNISIPALITEIT  
Kennisgewing 72/2006  
VOORGESTELDE WYSIGING VAN  
SKEMA WAT OPGESTEL WORD**

Kennis geskied hiermee kragtens die bepalings van Artikel 47bis (1)(a) van die Natalse Dorpsbeplanning Ordonansie, Nr. 27 van 1949, dat daar aansoek gedoen is by die AbaQulusi Munisipale Raad om sy Dorpsbeplanning Skema wat opgestel word te wysig deur die hersonering van Gedeelte 1 van Erf 354, Vryheid vanaf Spesial Woon 1 na Agemene Woon 2.

Afskrifte van die voorgestelde wysiging en gepaardgaande dokumentasie is gedurende kantoor ure beskikbaar vir insae by die kantoor van die Munisipaliteit Bestuurder.

Enige persoon wat genoegsame belang by die voorgestelde wysiging het, kan skriftelike besware of voorstelle inhandig voor of op 20 Desember 2006.

**MJ MATHENJWA  
MUNISIPALE BESTUURDER  
D4—November 23, 2006.**

**ABAQULUSI MUNICIPALITY**  
**Notice 72/2006**

**PROPOSED AMENDMENT TO THE**  
**SCHEME IN COURSE OF PREPARATION**

Notice is hereby given in terms of section 47bis (1)(a) of the Town Planning Ordinance No. 27 of 1949, that there has been an application to the Abaqulusi Municipal Council to amend its Town Planning Scheme in the course of preparation by the rezoning of Portions 1 of Lot 354, Vryheid, from Special Residential 1 to General Residential 2.

A copy of the proposed amendment and relevant documents are open for inspection at the office of the Municipal Manager during office hours.

Any person having sufficient interest in the proposed amendment may lodge with the Municipal Manager written objections or representations before or on 20 December 2006.

**MJ MATHENJWA**  
**MUNICIPAL MANAGER**  
D4—November 23, 2006.

**ETHEKWINI MUNICIPALITY**  
**PROPOSED AMENDMENT: UMGENI**  
**SOUTH AREA OF THE DURBAN**  
**TOWN PLANNING SCHEME IN THE**  
**COURSE OF PREPARATION**

Notice is hereby given that application has been made to the Council in terms of Section 47 bis B of the Town Planning Ordinance, 1949 (Ord. No. 27 of 1949) (as amended), for authority to amend the Umgeni South Area of the Durban Town Planning Scheme in the course of preparation:

Proposed: Portion 33 of Erf 45 Brickfield  
Street Address: 76 Silver Palm Road  
From: Special Residential 650m<sup>2</sup> Zone  
To: General Residential 1 Zone

Copies of the proposed amendment and the relevant plans are open for inspection at the Town Planning Office, 166 Old Fort Road, during office hours of 08h00 and 12h30.

Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the Head (Development Management and Planning) (Attention: Divisional Planner – Rezoning), P O Box 680, Durban, 4000, by no later than 15 December 2006.

**M. SUTCLIFFE,**  
Municipal Manager.

City Hall,  
West Street,  
Durban.

D5—November 23, 2006.

**UMASIPALA WASE- HIBISCUS COAST**  
**ISAZISO NO. 156 KU 2006**  
**ISIPHAKAMISO SOKUCHIBIYELA**  
**UHLELO LOKUHLELEKA KWEDOLOBHA**  
**I-PORT SHEPSTONE**

Umphakathi uyaziswa ngokomyalelo wesigaba B (1) somthetho wedolobha omayelana nokuhlelwa kweDolobha engunombolo 27 ka 1949 njengoba uchitshiyelwe, ukuthi kuyisifiso sikamasipala wase- Hibiscus Coast ukuba kukubungulwe ukuchibiyela uhlelo lokuhleleka kwedolobha iPort Shepstone ngokuhlelwa kabusha ukusetshenziswa kweziza ezilandelayo:

1. Ingxenywe 1 yesiza 39 e-Anerley esetshenziswa njengomuzi/iplazi, iguqulwe ibe indawo yokuhlala ejwayelekile;
2. Isiza 109 eNtwentweni esiyindawo yomphakathi engasebenzi, siguqulwe sibe indawo yokuhlala; kanye
3. Nengxenywe 24 kwisiza 36 eMarburg Settlement No 5428 okuyindawo yokuhlala, iguqulwe ibe indawo yezimbongi ezincane.

Abafisa ukuhlola lezichibiyelo ezicutshungulwayo bangathola ikhophi kumahhovisi kamasi-pala aku- Crescent Road eVungu ngezikhathi zokusebenza ezijwayelekile. Uma kukhona onentshisekelo yokuphikisa loluhlelo angabhala izikhazazo zakhe aziqondise kuMphathi

kaMasipala ku- P O Box 5 Port Shepstone 4240, noma azithumele ngesikhahlemezi kulenombolo: (039) 315 9220 ngakashayi u-16h00 ntambama mhlaka 18 kuZibandlela 2006.

**SW MKHIZE**  
**UMPHATHI- DOLOBHA**

10 Connor Street  
P.O. Box 5  
Port Shepstone  
4240

D6—kuLwezi 23, 2006.

**HIBISCUS COAST MUNICIPALITY**  
**NOTICE NO. 156 of 2006**

**PROPOSED AMENDMENTS TO THE PORT**  
**SHEPSTONE TOWN PLANNING SCHEME**  
**(IN COURSE OF PREPARATION)**

Notice is hereby given in terms of Section 47 bis B (1) of the Town Planning Ordinance No. 27 of 1949, as amended, that it is the intention of the Hibiscus Coast Municipality to consider amendments to Port Shepstone Town Planning Scheme (in course of preparation) by rezoning :-

1. Proposed Portion 1 of Erf 39 Anerley from Residential Estate/Small Holding to Residential 2;
2. Erf 109 Umtentweni from Public Open Space to Local Residential 1, and
3. Sub 24 of Lot 36 Marburg Settlement No. 5428 from Community Residential 2 to Low Impact Industrial 1.

A copy of the proposed amendments will be available for inspection at the Municipal Offices, Crescent Road, Uvongo during normal office hours and anyone with sufficient interest therein may lodge written objections or representations to the Municipal Manager, P O Box 5 Port Shepstone, 4240 (Fax No. 039-3159220) by not later than 18 December 2006 at 16h00.

**S W MKHIZE**  
**MUNICIPAL MANAGER**

Municipal Offices  
10 Connor Street  
P O Box 5  
Port Shepstone  
4240

D6—November 23, 2006.

**UMKHANDLU OMKHULU WETHEKU**  
**IHHOVISI LEZOKUPHATHA**  
**ENTSHONALANGA ENGAPHANDLE**  
**ISIPHAKAMISO**  
**NGEZICHIBIYELO : KUSOMQULU**  
**ODIDIYELWE WOKUHLELWA**  
**KWEDOLOBHA ENTSHONALANGA**  
**ENGAPHANDLE**

Isaziso ngokwesigaba 47 bis B somthetho wezokuhlelwa kwamadolobha (Town Planning Ordinance No. 27 of 1949) ngokuchitshiyelwa, niyaziswa esifakwe kuMkhandlu weTheku oseNtshonalanga engaphandle mayelana noguquko kumSomqulu wokuHlelwa kweDolobha, odidiyelwe waseNtshonalanga Engaphandle, esimayelana nokuhlelwa kabusha komhlaba (rezoning) ohlongozwayo ongunombolo 5291 Kloof, okunonobolo 74 Everton Road, eKloof, uguqulwa ekusebetshenzisweni njengendawo yokuhlala (Special Residential 3600) usentshenziswa njengendawo yokuhlala (Special Residential 1800) (to standardise the minimum lot size applicable across this property)

Imibhalo neminingwano iyatholakala ngezikhathi zomsebenzi emahhovisi omkhandlu ase Hillcrest.

Iziphakimiso nemibono ingathunyelwa ngaphambi komhlaka 15 kuZibandlela 2006.

**J.A FORBES**

Manager : Planning and Development  
Outer West Administrative Area  
P. O. Box 36  
Kloof  
3640  
22 Delamore Road  
Hillcrest

D7—kuLwezi 23, 2006.

**ETHEKWINI MUNICIPALITY**  
**OUTER WEST ADMINISTRATIVE AREA**  
**AMENDMENT TO THE**  
**CONSOLIDATED OUTER WEST TOWN**  
**PLANNING SCHEME**  
**IN THE COURSE OF PREPARATION**

Notice is hereby given that application has been made to the Council in terms of Section 47 bis B of the Town Planning Ordinance No. 27 of 1949 (as amended) for authority to amend the Consolidated Outer West Town Planning Scheme in the course of preparation by rezoning portion of Erf 5291 Kloof, 74 Everton Road, to Special Residential 1800m<sup>2</sup>, thereby standardising the minimum lot size applicable across this property.

Copies of the proposed amendment and the relevant plans and documents are open for inspection at the Civic Offices, 22 Delamore Road, Hillcrest.

Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the undersigned by 15 December 2006.

**J.A. Forbes**

Manager : Planning and Development  
Outer West Administrative Area  
P. O. Box 36  
Kloof  
3640  
22 Delamore Road  
Hillcrest

D7—November 23, 2006.

**UMKHANDLU OMKHULU WETHEKU**  
**IHHOVISI LEZOKUPHATHA**  
**ENTSHONALANGA ENGAPHANDLE**  
**ISIPHAKAMISO**  
**NGEZICHIBIYELO : KUSOMQULU**  
**ODIDIYELWE WOKUHLELWA**  
**KWEDOLOBHA ENTSHONALANGA**  
**ENGAPHANDLE**

Isaziso ngokwesigaba 47 bis B somthetho wezokuhlelwa kwamadolobha (Town Planning Ordinance No. 27 of 1949) ngokuchitshiyelwa, niyaziswa esifakwe kuMkhandlu weTheku oseNtshonalanga engaphandle mayelana noguquko kumSomqulu wokuHlelwa kweDolobha, odidiyelwe waseNtshonalanga Engaphandle, esimayelana nokuhlelwa kabusha komhlaba (rezoning) ohlongozwayo ongunombolo Rem of Erf 369 Albinia No. 957, okunonobolo 22 Old Main Road, e Hillcrest, uguqulwa ekusebetshenzisweni njengendawo yokuhlala usentshenziswa njengamaHhovisi (Suburban Office)

Imibhalo neminingwano iyatholakala ngezikhathi zomsebenzi emahhovisi omkhandlu ase Hillcrest.

Iziphakimiso nemibono ingathunyelwa ngaphambi komhlaka 15 kuZibandlela 2006.

**J.A FORBES**

Manager : Planning and Development  
Outer West Administrative Area  
P. O. Box 36  
Kloof  
3640  
22 Delamore Road  
Hillcrest

D8—kuLwezi 23, 2006.

**ETHEKWINI MUNICIPALITY**  
**OUTER WEST ADMINISTRATIVE AREA**  
**AMENDMENT TO THE**  
**CONSOLIDATED OUTER WEST TOWN**  
**PLANNING SCHEME**  
**IN THE COURSE OF PREPARATION**

Notice is hereby given that application has been made to the Council in terms of Section 47 bis B of the Town Planning Ordinance No. 27 of 1949 (as amended) for authority to amend the Consolidated Outer West Town Planning Scheme in the course of preparation by the rezoning of Rem of Erf 369 Albinia No.957, 22 Old Main Road, Hillcrest, from Special Residential to Suburban Office.

Copies of the proposed amendment and the

relevant plans and documents are open for inspection at the Civic Offices, 22 Delamore Road, Hillcrest.

Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the undersigned by 15 December 2006.

J.A. FORBES

Manager: Planning and Development  
Outer West Administrative Area  
P. O. Box 36  
Kloof  
3640  
22 Delamore Road  
Hillcrest

D8—November 23, 2006.

**ETHEKWINI MUNICIPALITY  
ISICHIBIYELO ESIHLONGOZWAYO :  
SOHLELO LWEDOLOBHA UMGENI  
SOUTH AREA OLUPHEZU  
KWAMALUNGISELELO**

Kukhishwa isaziso sokuthi kufakwe isicelo eMkhandlweni ngokwesigaba 47 sika B sikaSomqulu weMithetho wokuHlelwa kweDolobha sika 1949 (Ord. No. 27 ka 1949) (njengoba sichitshiyelwe) ukuthi imvume yokuchibiyela uhlelo lwedolobha lase **Umgeni South Area** of the Durban Town Planning Scheme oluphezu kwamalungiselelo ngokushintsha.

**hlongozwayo:** amending the controls applicable to Special Zone 80 : Shires Quarry to permit the subdivision of the consolidated site making up this zone, namely Erf 4848 Reservoir Hills

Iminingwane yalesichibiyelo esihlongozwayo kanye namapulanini afanele avulelekile ukhulolwa ehovisi le Town Planning eliku 166 Old Fort Road, ngezikhathi zokusebenza Thintana.

Noma yimuphi umuntu othintekayo ngalesi sichibiyelo esihlongozwayo anagathumela izikhazazo zakhe kumbe imibono yakhe ebhalwe phansi maqondana nalokhu ku Head (Development Management and Planning) (Attention: Divisional Planner – Rezoning) P. O. Box 680 Durban 4000, engakadluli ulwesihlanu mhla ka 15 kuZibandlela 2006.

M. Sutcliffe  
Municipal Manager

City Hall  
West Street  
DURBAN

D9—kuLwezi 23, 2006.

**ETHEKWINI MUNICIPALITY  
PROPOSED AMENDMENT : UMGENI  
SOUTH AREA OF THE DURBAN  
TOWN PLANNING SCHEME IN THE  
COURSE OF PREPARATION**

Notice is hereby given in terms of Section 47 bis of the Town Planning Ordinance No. 27 of 1949 (as amended) that the Council intends to amend the Durban Town Planning Regulations by

*amending the controls applicable to Special Zone 80 : Shires Quarry to permit the subdivision of the consolidated site making up this zone, namely Erf 4848 Reservoir Hills.*

Copies of the proposed amendment and the relevant plans and documents are open for inspection at the Town Planning Office, 166 Old Fort Road, during office hours. Consult your local office during the hours 08h00 – 12h30.

Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the Head (Development Management and Planning) (Attention: Divisional Planner – Rezoning) P. O. Box 680 Durban 4000, by no later than Friday 15 December 2006.

M. Sutcliffe  
Municipal Manager

City Hall  
West Street  
DURBAN

D9—November 23, 2006.

**ETHEKWINI MUNICIPALITY  
INNER WEST AREA OFFICE  
ISICHIBIYELO ESIHLONGOZWAYO:  
SOHLELO LWEDOLOBHA LASE  
PINETOWN OLUPHEZU  
KWAMALUNGISELELO**

Kukhishwa isaziso sokuthi kufakwe isicelo eMkhandlweni ngokwesigaba 47 sika B sikaSomqulu weMithetho wokuHlelwa kweDolobha, sika 1949 (Ord. No. 27 ka 1949) (njengoba sichitshiyelwe), ukuthi imvume yokuchibiyela uhlelo lwedolobha lase-Pinetown oluphezu kwamalungiselelo ngokushintsha;

Isiza: Erf 1704 Pinetown  
Inombolo yomgwaqo: 49 Glenugie Road  
Kusuka: Special Residential  
Kuya: Transition Zone (offices)

Ikhophi yalesichibiyelo esihlongozwayo sivulelekile ehovisini e Town Planning, 2 Club Lane, Pinetown ngezikhathi zokusebenza.

Noma ngubani othinteka ngokwenele kulesichibiyelo esihlongozwayo angafaka incwadi yokuphikisana naso noma azokwethula ukuphikisa kwakhe ku Director we-Planning ekhelinilizingazansi ngoLwesihlanu Ulwesihlanu 15 kuZibandlela 2006.

DR M O SUTCLIFFE,  
City Manager.

eThekwini Municipality,  
Inner West Area Office  
P.O. Box 244,  
Pinetown 3600.

D11—kuLwezi 23, 2006.

**ETHEKWINI MUNICIPALITY  
INNER WEST AREA OFFICE  
PROPOSED AMENDMENT: PINETOWN  
TOWN PLANNING SCHEME IN THE  
COURSE OF PREPARATION**

Notice is hereby given that application has been made to the Council in terms of section 47 bis B of the Town Planning Ordinance, 1949 (Ord. No. 27 of 1949) (as amended), for authority to amend the Pinetown Town Planning Scheme Clauses in the course of preparation for:

Rezoning of Erf 1704 Pinetown, located at 49 Glenugie Road, from Special Residential I to Transition Zone (offices)

Copies of the proposed amendment are open for inspection at the Town Planning Office, 2 Club Lane Pinetown, during office hours.

Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the Director: Planning at the address below, by Friday 15 December 2006.

DR M O SUTCLIFFE,  
City Manager.

eThekwini Municipality,  
Inner West Area Office  
P.O. Box 244,  
Pinetown 3600.

D11—November 23 2006.

**UMKHANDLU OMKHULU WETHEKU  
ENTSHONALANGA ENGAPHANDLE  
EHHOVISI LEZOKUPHATHA  
IZIPHAKAMISO NGEZICHIBIYELO  
KUSOMQULU WOKUHLELWA  
KWEDOLOBHA WASE HILLCREST  
OSACUTSHUNGULWAYO**

Isaziso ngokwesigaba 47 bis B somthetho wezokuhlelwa kwamadolobha (Town Planning Ordinance No. 27 of 1949), njengokuchitshiyelwa, niyaziswa ngesicelo esifakwe kuMkhandlu weTheku oseNtshonalanga engaphandle mayelana nokuquko kuSomqulu wokuHlelwa kweDolobha wase Hillcrest osacutshungulwayo.

Kumayelana Nokuguqula ukusetshenziswa (Rezoning) komhlaba ongunombolo 445 ka wePaluzi I Albinia (Portion 445 of 49 of the Farm Albinia No 957), osemgwaqeni ongunombolo 71 Old Main Road, Hillcrest, uzobe uguqulwa ukusetshenziswa kwawo njengendawo yezezindlu (Special Residential) ngokukaSomqulu wezokuHlelwa kweDolobha waseHillcrest, usuzosebenza njengendawo yamaHhovisi (Transitional Office), ngokhohlelo lwezintuthuko olwaziwa nge

Hillcrest/Gillits Activity Corridor, olungaphansi kukaSomqulu wokuHlelwa kweDolobha waseNtshonalanga. (General Commercial I))

Imibhalo neminingwane iyatholakala ngezikhathi zomsebenzi emahhovisi omkhandlu ase Hillcrest.

Iziphakamiso nemibono ingathunyelwa ngaphambi komhlaka 15 kuZibandlela 2006

J A FORBES,

Manager: Planning and Development.

Outer West Administrative Area,  
P O Box 36,  
Kloof 3640,  
22 Delamore Road,  
Hillcrest 3610.

D12—kuLwezi 23, 2006.

**ETHEKWINI MUNICIPALITY  
OUTER WEST ADMINISTRATIVE AREA  
AMENDMENT TO THE HILLCREST  
TOWN PLANNING SCHEME IN  
COURSE OF PREPARATION**

Notice is hereby given in terms of Section 47 bis B of the Town Planning Ordinance (No. 27 of 1949), as amended that an application has been lodged with Outer West Administrative Area to amend the Hillcrest Town Planning Scheme in course of preparation by rezoning Portion 445 (of 49) of the farm Albinia No. 957 and known as 71 Old Main Road, Hillcrest from Special Residential in terms of the Hillcrest Town Planning Scheme to Transitional Office in terms of the Hillcrest/Gillits Activity Corridor Local Development Plan as a component of Consolidated Outer West Town Planning Scheme.

The relevant documents are available for inspection during normal hours at the Civic Office, Hillcrest.

Interested persons may lodge written objections or representations with the undersigned by not later than the close of business on 15 December 2006.

J A FORBES,

Manager: Planning and Development.

Outer West Administrative Area  
P.O. Box 36,  
Kloof 3640,  
22 Delamore Road,  
Hillcrest 3610.

D12—November 23, 2006.

**ETHEKWINI MUNICIPALITY  
INNER WEST AREA OFFICE  
ISICHIBIYELO ESIHLONGOZWAYO:  
SOHLELO LWEDOLOBHA LASE  
WESTVILLE OLUPHEZU  
KWAMALUNGISELELO**

Kukhishwa isaziso sokuthi kufakwe isicelo eMkhandlweni ngokwesigaba 47 sika B sikaSomqulu weMithetho wokuHlelwa kweDolobha, sika 1949 (Ord. No. 27 ka 1949) (njengoba sichitshiyelwe), ukuthi imvume yokuchibiyela uhlelo lwedolobha lase-Westville oluphezu kwamalungiselelo ngokushintsha;

Isiza: Erven 867 & 952 Westville  
Inombolo yomgwaqo: 14 & 16 Monarch Road  
Kusuka: Special Residential

Kuya: Intermediate Residential 3  
Ikhophi yalesichibiyelo esihlongozwayo sivulelekile ehovisini e Town Planning, 2 Club Lane, Pinetown ngezikhathi zokusebenza.

Noma ngubani othinteka ngokwenele kulesichibiyelo esihlongozwayo angafaka incwadi yokuphikisana naso noma azokwethula ukuphikisa kwakhe ku Director we-Planning ekhelinilizingazansi ngoLwesihlanu 15 kuZibandlela 2006.

DR M O SUTCLIFFE,  
City Manager.

eThekwini Municipality,  
Inner West Area Office  
P.O. Box 244,  
Pinetown 3600.

D13—kuLwezi 23, 2006.

**ETHEKWINI MUNICIPALITY  
INNER WEST AREA OFFICE  
PROPOSED AMENDMENT: WESTVILLE  
TOWN PLANNING SCHEME IN THE  
COURSE OF PREPARATION**

Notice is hereby given that application has been made to the Council in terms of section 47 bis B of the Town Planning Ordinance, 1949 (Ord. No. 27 of 1949) (as amended), for authority to amend the Westville Town Planning Scheme Clauses in the course of preparation for: Rezoning of Erven 867 and 952 Westville, located at 14 & 16 Monarch Road, from Special Residential to Intermediate Residential 3.

Copies of the proposed amendment are open for inspection at the Town Planning Office, 2 Club Lane Pinetown, during office hours.

Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the Director: Planning at the address below, by Friday 15 December 2006.

**DR M O SUTCLIFFE,**  
City Manager.

eThekwini Municipality,  
Inner West Area Office  
P.O. Box 244,  
Pinetown 3600.

D13—November 23 2006.

**UMKHANDLU OMKHULU WETHEKU  
ENTSHONALANGA ENGAPHANDLE  
EHHOVISI LEZOKUPHATHA  
IZIPHAKAMISO NGEZICHIBIYELO  
KUSOMQULU WOKUHLELWA  
KWEDOLOBHA OSACUTSHUNGULWAYO**

Isaziso ngokwesigaba 47 bis B somthetho wezokuhlelwa kwamadolobha (Town Planning Ordinance No. 27 of 1949), njengokuchitshiyelwa, niyaziswa ngesicelo esifakwe kuMkhandlu weTheku oseNtshonalanga engaphandle mayelana noguquko kuSomqulu wokuHlelwa kweDolobha osacutshungulwayo.

Kumayelana Nokuguqula ukusetshenziswa (Rezoning) komhlaba ongunombolo 2 ka 594 Kloof (Portion 2 of erf 594 Kloof), osemgwaqeni ongunombolo 23 Wyebank Road, Kloof uzobe uguqulwa ukusetshenziswa kwawo njengendawo yezezindlu (SR 1800) ususebenza njengendawo yezezindlu (SR 750).

Imibhalo neminingwano iyatholakala ngezikhathi zomsebenzi emahhovisi omkhandlu ase Hillcrest.

Iziphakamiso nemibono ingathunyelwa ngaphambi komhlaka 15 kuZibandlela 2006

**J A FORBES,**

Manager: Planning and Development.

Outer West Administrative Area,  
P O Box 36,  
Kloof 3640,  
22 Delamore Road,  
Hillcrest 3610.

D14—kuLwezi 23, 2006.

**ETHEKWINI MUNICIPALITY  
OUTER WEST ADMINISTRATIVE AREA  
AMENDMENT TO THE CONSOLIDATED  
OUTER WEST TOWN PLANNING SCHEME  
IN COURSE OF PREPARATION**

Notice is hereby given in terms of Section 47 bis B of the Town Planning Ordinance (No. 27 of 1949), as amended that an application has been lodged with Outer West Administrative Area to amend the Consolidated Outer West Town Planning Scheme in course of preparation by rezoning Portion 2 of Erf 594 Kloof and known as 23 Wyebank Road, Kloof from Special Residential 1800 to Special Residential 750.

The relevant documents are available for inspection during normal hours at the Civic Office, Hillcrest.

Interested persons may lodge written objec-

tions or representations with the undersigned by not later than the close of business on 15 December 2006.

**J A FORBES,**

Manager: Planning and Development.

Outer West Administrative Area,  
P.O. Box 36,  
Kloof 3640,  
22 Delamore Road,  
Hillcrest 3610.

D14—November 23, 2006.

**UMSHWATHI MUNISIPALITEIT**

Kennisgewing Nr. 2006/07-22

**DALTON DORPBEPANNINGSKEMA**

Kennis geskied hiermee ingevolge Artikel 45 bis van Ordonnansie Nr 27 van 1949, soos gewysig, dat dit die voorneme van die uMshwathi Munisipaliteit is om die Dalton Dorpbepanningskema in die verloop van voorbereiding te wysig deur Restant van Ptn 29 van Erf 55 No 1796 van "Ligte Nywerheid" na "Gewone Besigheid" te hersoneer.

Besonderhede van die voorgestelde wysiging en Skemakaart is beskikbaar vir ondersoek gedurende normale kantoor ure by die kantore en die uMshwathi Munisipaliteit in New Hanover.

*Reel asseblief vir 'n afspraak deur (033) 502-0280 te skakel, indien verdere inligting benodig is*

Enige vertoë of besware deur pesone wat belang in die saak het, moet skriftelik aan die kantoor van die Munisipale Bestuurder, Privaat Sak X29, Wartburg 3233 op of voor die 15 Desember 2006 voorgele word.

Munisipale Bestuurder.

D15—November 23, 2006.

**UMSHWATHI MUNICIPALITY**

Notice No. 2006/07-22

**DALTON TOWN PLANNING SCHEME**

Notice is hereby given in terms of Section 47 bis of Ordinance 27 of 1949, as amended, that it is the intention of the uMshwathi Municipality to amend the Dalton Town Planning Scheme in the course of preparation by rezoning Ptn 29 of Erf 55 No. 1796 from "Light Industry" to "General Business".

Details of the proposed amendment and scheme map are available for inspection during normal office hours at the offices of the uMshwathi Municipality in New Hanover.

*Kindly phone (033) 502-0280 for an appointment, if additional information is required.*

Any representations or objections by persons who have an interest in the matter must be submitted, in writing, to the Municipal Manager, Private Bag X29, Wartburg 3233 on or before 15 December 2006.

Municipal Manager.

D15—November 23, 2006.

**UMKHANDLU OMKHULU WETHEKU  
ENTSHONALANGA ENGAPHANDLE  
EHHOVISI LEZOKUPHATHA  
IZIPHAKAMISO NGEZICHIBIYELO  
KUSOMQULU WOKUHLELWA  
KWEDOLOBHA OSACUTSHUNGULWAYO**

Isaziso ngokwesigaba 47 bis B somthetho wezokuhlelwa kwamadolobha (Town Planning Ordinance No. 27 of 1949), njengokuchitshiyelwa, niyaziswa ngesicelo esifakwe kuMkhandlu weTheku oseNtshonalanga engaphandle mayelana noguquko kuSomqulu wokuHlelwa kweDolobha osacutshungulwayo.

Kumayelana Nokuguqula ukusetshenziswa (Rezoning) komhlaba ongunombolo 1 ka 20 wePulazi 1 Vivian (Portion 1 of erf 20 of the Farm Vivian No 14180), osemgwaqeni ongunombolo 7/9 Link Road, Waterfall uzobe uguqulwa ukusetshenziswa kwawo njengendawo yezohwebo (General Commercial I) ususebenza njengendawo yokuthela upetroli (Petrol Filling Station).

Imibhalo neminingwano iyatholakala ngezikhathi zomsebenzi emahhovisi omkhandlu ase Hillcrest.

Iziphakamiso nemibono ingathunyelwa ngaphambi komhlaka 15 kuZibandlela 2006

**J A FORBES,**

Manager: Planning and Development.

Outer West Administrative Area,  
P O Box 36,  
Kloof 3640,  
22 Delamore Road,  
Hillcrest 3610.

D16—kuLwezi 23, 2006.

**ETHEKWINI MUNICIPALITY  
OUTER WEST ADMINISTRATIVE AREA  
AMENDMENT TO THE CONSOLIDATED  
OUTER WEST TOWN PLANNING SCHEME  
IN COURSE OF PREPARATION**

Notice is hereby given in terms of Section 47 bis B of the Town Planning Ordinance (No. 27 of 1949), as amended that an application has been lodged with the Outer West Administrative Area to amend the Consolidated Outer West Town Planning Scheme in course of preparation by rezoning proposed Portion 1 of Portion 20 of the farm Vivian No. 14180 and known as 7/9 Link Road, Waterfall from General Commercial 1 to Petrol Filling Station.

The relevant documents are available for inspection during normal hours at the Civic Office, Hillcrest.

Interested persons may lodge written objections or representations with the undersigned by not later than the close of business on 15 December 2006.

**J A FORBES,**

Manager: Planning and Development.

Outer West Administrative Area,  
P.O. Box 36,  
Kloof 3640,  
22 Delamore Road,  
Hillcrest 3610.

D16—November 23, 2006.

**UMKHANDLU OMKHULU WETHEKU  
ENTSHONALANGA ENGAPHANDLE  
EHHOVISI LEZOKUPHATHA  
IZIPHAKAMISO NGEZICHIBIYELO  
KUSOMQULU WOKUHLELWA  
KWEDOLOBHA OSACUTSHUNGULWAYO**

Isaziso ngokwesigaba 47 bis B somthetho wezokuhlelwa kwamadolobha (Town Planning Ordinance No. 27 of 1949), njengokuchitshiyelwa, niyaziswa ngesicelo esifakwe kuMkhandlu weTheku oseNtshonalanga engaphandle mayelana noguquko kuSomqulu wokuHlelwa kweDolobha osacutshungulwayo.

Kumayelana Nokuguqula ukusetshenziswa (Rezoning) komhlaba ongunombolo 236 ka 36 (Ptn 236 of 36) wePulazi 1 Albinia, No 957, osemgwaqeni oNgunombolo 35 Hospital Road, Hillcrest.

uzobe uguqulwa ukusetshenziswa kwawo njengendawo yomuzi owoodwa (Special Residential 1800) ngokukaSomqulu wezokuHlelwa kweDolobha waseHillcrest, usuzosebenza njengendawo yemizi eminingi endawonye (Intermediate Residential 2).

Imibhalo neminingwano iyatholakala ngezikhathi zomsebenzi emahhovisi omkhandlu ase Hillcrest.

Iziphakamiso nemibono ingathunyelwa ngaphambi komhlaka 15 kuZibandlela 2006

**J A FORBES,**

Manager: Planning and Development.

Outer West Administrative Area,  
P O Box 36,  
Kloof 3640,  
22 Delamore Road,  
Hillcrest 3610.

D17—kuLwezi 23, 2006.

**ETHEKWINI MUNICIPALITY  
OUTER WEST ADMINISTRATIVE AREA  
AMENDMENT TO THE CONSOLIDATED  
OUTER WEST TOWN PLANNING SCHEME  
IN COURSE OF PREPARATION**

Notice is hereby given in terms of Section 47 *bis* B of the Town Planning Ordinance (No. 27 of 1949), as amended that an application has been lodged with the Outer West Administrative Area to amend the Consolidated Outer West Town Planning Scheme in course of preparation by rezoning Portion 236 (of 36) of the farm Albinia No. 957 and known as 35 Hospital Road, Hillcrest from Special Residential 1800 to Intermediate Residential 2.

The relevant documents are available for inspection during normal hours at the Civic Office, Hillcrest.

Interested persons may lodge written objections or representations with the undersigned by not later than the close of business on 15 December 2006.

J A FORBES,

Manager: Planning and Development,  
Outer West Administrative Area,  
P.O. Box 36,  
Kloof 3640,  
22 Delamore Road,  
Hillcrest 3610.

D17—November 23, 2006.

**ETHEKWINI MUNICIPALITY  
NORTH**

**ISAZISO SOMPHAKATHI NO. 2006 - 21  
UKUCHIBIYELWA KOMQULU  
WEVERULAM TOWN PLANNING SCHEME  
IN THE COURSE OF PREPARATION**

Isaziso sesicelo sokuchitshiyelwa komqulu weVerulamTown Planning Scheme in course of preparation, ngokuka Section 47 *bis* B yeTown Planning Ordinance, 1949 (Ord. No. 27 of 1949) (njengoba yachitshiyelwa), kuRezonwa isiza esingunombolo 1027 Verulam, esiku 110 Oaklands Drive, Verulam, sisuka ku Special Residential 1 kuyiswa ku General Residential 2.

Usungafika ukuzobona amakhophi amapulani esichibiyelo esiphakanyisiwe emahhovisini akwamasipala eMhlanga kusukela ngehora lesishiyagalombili ekuseni kuya ligamenxe eleshumi nambili emini. Onombono noma izikhhalazo angathumela ngokubhalwe phansi ku 5 Lagoon Drive eMhlanga noma kumfakisicelo ngaphambi komhlaka 15 kuZibandlela 2006 ngaphambi kwehora leshumi nambili emini.

M O SUTCLIFFE  
CITY MANAGER

ETHEKWINI MUNICIPALITY  
BOX 680  
DURBAN 4000  
5 LAGOON DRIVE  
UMHLANGA  
4319

D18—kuLwezi 23, 2006.

**ETHEKWINI MUNICIPALITY  
NORTH**

**PUBLIC NOTICE NO. 2006-21  
PROPOSED AMENDMENT OF THE  
VERULAM TOWN PLANNING SCHEME IN  
THE COURSE OF PREPARATION**

Notice is hereby given that application has been made for authority to amend the Draft Scheme Clauses of the Verulam Town Planning Scheme in the course of preparation, in terms of Section 47 *bis* B of the Town Planning Ordinance, 1949 (Ord. No. 27 of 1949) (as amended), by the rezoning of Erf 1027 Verulam, situated at 110 Oaklands Drive, Verulam, from Special Residential 1 to General Residential 2.

Copies of the proposed amendment and the relevant plans and documents are open for inspection at the Umhlanga offices of the Town Planning Control Branch, between 08:00 and 12:30 weekdays. Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the undersigned at 5 Lagoon Drive,

Umhlanga, and the applicant before 12:00 on Friday, 15 December 2006.

M O SUTCLIFFE  
CITY MANAGER

ETHEKWINI MUNICIPALITY  
BOX 680  
DURBAN 40005 LAGOON DRIVE  
UMHLANGA  
4319

D18—November 23 2006.

**ETHEKWINI MUNICIPALITY  
NORTH**

**ISAZISO SOMPHAKATHI NO. 2006 - 22  
UKUCHIBIYELWA KOMQULU**

**WEVERULAM TOWN PLANNING SCHEME  
IN THE COURSE OF PREPARATION**

Isaziso sesicelo sokuchitshiyelwa komqulu weVerulamTown Planning Scheme in course of preparation, ngokuka Section 47 *bis* B yeTown Planning Ordinance, 1949 (Ord. No. 27 of 1949) (njengoba yachitshiyelwa), kuRezonwa isiza esingunombolo 1365 Verulam, esiku 46 Rosemary Drive, Verulam, sisuka ku Special Residential 1 kuyiswa ku General Residential 2.

Usungafika ukuzobona amakhophi amapulani esichibiyelo esiphakanyisiwe emahhovisini akwamasipala eMhlanga kusukela ngehora lesishiyagalombili ekuseni kuya ligamenxe eleshumi nambili emini. Onombono noma izikhhalazo angathumela ngokubhalwe phansi ku 5 Lagoon Drive eMhlanga noma kumfakisicelo ngaphambi komhlaka 15 kuZibandlela 2006 ngaphambi kwehora leshumi nambili emini.

M O SUTCLIFFE  
CITY MANAGER

ETHEKWINI MUNICIPALITY  
BOX 680  
DURBAN 4000  
5 LAGOON DRIVE  
UMHLANGA  
4319

D19—kuLwezi 23, 2006.

**ETHEKWINI MUNICIPALITY  
NORTH**

**PUBLIC NOTICE NO. 2006-22  
PROPOSED AMENDMENT OF THE  
VERULAM TOWN PLANNING SCHEME IN  
THE COURSE OF PREPARATION**

Notice is hereby given that application has been made for authority to amend the Draft Scheme Clauses of the Verulam Town Planning Scheme in the course of preparation, in terms of Section 47 *bis* B of the Town Planning Ordinance, 1949 (Ord. No. 27 of 1949) (as amended), by the rezoning of Erf 1365 Verulam, situated at 46 Rosemary Drive, Verulam, from Education to General Residential 2.

Copies of the proposed amendment and the relevant plans and documents are open for inspection at the Umhlanga offices of the Town Planning Control Branch, between 08:00 and 12:30 weekdays. Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the undersigned at 5 Lagoon Drive, Umhlanga, and the applicant before 12:00 on Friday, 15 December 2006.

M O SUTCLIFFE  
CITY MANAGER

ETHEKWINI MUNICIPALITY  
BOX 680  
DURBAN 40005 LAGOON DRIVE  
UMHLANGA  
4319

D19—November 23 2006.

**ETHEKWINI MUNICIPALITY  
NORTH**

**ISAZISO SOMPHAKATHI NO. 2006 - 23  
UKUCHIBIYELWA KOMQULU  
WEVERULAM TOWN PLANNING SCHEME  
IN THE COURSE OF PREPARATION**

Isaziso sesicelo sokuchitshiyelwa komqulu weVerulamTown Planning Scheme in course of preparation, ngokuka Section 47 *bis* B yeTown

Planning Ordinance, 1949 (Ord. No. 27 of 1949) (njengoba yachitshiyelwa), kuRezonwa u Sub 1693 of 49 Cottonlands No. 1575, sisuka ku Agriculture kuyiswa ku Limited Commercial.

Usungafika ukuzobona amakhophi amapulani esichibiyelo esiphakanyisiwe emahhovisini akwamasipala eMhlanga kusukela ngehora lesishiyagalombili ekuseni kuya ligamenxe eleshumi nambili emini. Onombono noma izikhhalazo angathumela ngokubhalwe phansi ku 5 Lagoon Drive eMhlanga noma kumfakisicelo ngaphambi komhlaka 15 kuZibandlela 2006 ngaphambi kwehora leshumi nambili emini.

M O SUTCLIFFE  
CITY MANAGER

ETHEKWINI MUNICIPALITY  
BOX 680  
DURBAN 4000  
5 LAGOON DRIVE  
UMHLANGA  
4319

D20—kuLwezi 23, 2006.

**ETHEKWINI MUNICIPALITY  
NORTH**

**PUBLIC NOTICE NO. 2006-23  
PROPOSED AMENDMENT OF THE  
VERULAM TOWN PLANNING SCHEME IN  
THE COURSE OF PREPARATION**

Notice is hereby given that application has been made for authority to amend the Draft Scheme Clauses of the Verulam Town Planning Scheme in the course of preparation, in terms of Section 47 *bis* B of the Town Planning Ordinance, 1949 (Ord. No. 27 of 1949) (as amended), by the rezoning of Sub 1693 of 49 of Cottonlands No. 1575, from Agriculture to Limited Commercial.

Copies of the proposed amendment and the relevant plans and documents are open for inspection at the Umhlanga offices of the Town Planning Control Branch, between 08:00 and 12:30 weekdays. Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the undersigned at 5 Lagoon Drive, Umhlanga, and the applicant before 12:00 on Friday, 15 December 2006.

M O SUTCLIFFE  
CITY MANAGER

ETHEKWINI MUNICIPALITY  
BOX 680  
DURBAN 40005 LAGOON DRIVE  
UMHLANGA  
4319

D20—November 23 2006.

**ETHEKWINI MUNICIPALITY - SOUTH  
NOTICE NO. 12/2006**

**PROPOSED AMENDMENT TO  
KINGSBURGH TOWN PLANNING SCHEME  
IN COURSE OF PREPARATION:**

Notice is hereby given in terms of Section 47 *bis* of Ordinance No. 27 of 1949, as amended, that application has been made to Council, for authority to amend the Kingsburgh Town Planning Scheme in course of preparation: by the rezoning of Erven 110 and 111 Kingsburgh (Elizabeth Avenue, Illovo Beach) from General Residential 1 purposes to General Residential 2 purposes:

Copies of the proposed amendment and the relevant plans are open for inspection at the Town Planning Offices, 2 Liberty Road, Illovo, during office hours. Consult your local office.

Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the Director, Development Planning and Management at the address below, by Friday, 15 December 2006.

M SUTCLIFFE  
MUNICIPAL MANAGER

eThekwini Municipality,  
P O Box 26,  
Amanzimtoti 4125.

D21—November 23 2006.

**UMKHANDLU OMKHULU WETHUKU  
ENTSHONALANGA ENGAPHANDLE  
EHHOVISI LEZOKUPHATHA  
IZIPHAKAMISO NGEZICHIBIYELO  
KUSOMQULU WOKUHLELWA  
KWEDOLOBHA WASE**

**HILLCREST OSACUTSHUNGULWAYO**

Isaziso ngokwesigaba 47 bis B somthetho wezokuhlelwa kwamadolobha (Town Planning Ordinance No.27 of 1949), njengokuchitshiyelwa, niyaziswa ngesicelo esifakwe kuMkhandlu weTheku oseNtshonalanga engaphandle mayelana noguquko kuSomqulu wokuHlelwa kweDolobha waseHillcrest osacutshungulwayo.

- Kumayelana Nokuguqula ukusetshenziswa (Rezoning) komhlaba ongunombolo 41 ka 6 (Ptn 41 of 6 kanye nonombolo 352 ka 4 (Ptn 352 of 41) wePulazi I Albinia No.957), oseMgwaqeni oNgunombolo 9 Delamore Road kanye nonombolo 10 Shongweni Road, Hillcrest.
- Uzobe uguqulwa ukusetshenziswa kwawo njengendawo yezindlu (Special Residential 1800) ngokukaSomqulu wokuhlelwa kweDolobha waseHillcrest, usuzosebenza njengendawo yemizi egagqene (Low Impact Residential : Distrit Two), ngokokuhlelo lwezentuthuko olwaziwa ngeHillcrest/Gillits Activity Corridor, olungaphansi kukaSomqulu wokuHlelwa kweDolobha waseNtshonalanga.

Imibhalo neminingwane iyatholakala ngezikhathi zomsebenzi emahhovisi omkhandlu ase Hillcrest

Iziphakamiso nemibono ingathunyelwa ngaphambi komhlaka 15 December 2006

**J A FORBES**

**MANAGER PLANNING & DEVELOPMENT**

Outer West Administrative Area

**P O Box 36**

Kloof

3640

22 Delamore Road

**Hillcrest**

3610

D22—kuLwezi 23, 2006.

**ETHEKWINI MUNICIPALITY  
OUTER WEST ADMINISTRATIVE AREA  
AMENDMENT TO THE HILLCREST TOWN  
PLANNING SCHEME  
IN COURSE OF PREPARATION**

Notice is hereby given in terms of Section 47 bis B of the Town Planning Ordinance (No.27 of 1949), as amended that an application has been lodged with the Outer West Administrative Area to amend the Hillcrest/Consolidated Outer West Town Planning Scheme in course of preparation by rezoning of

- 1 Portion 352 (of 41) of the farm Albinia No.957 and known as 10 Shongweni Road, Hillcrest.

2 Remainder of Portion 41 (of 6) of the farm Albinia No.957 and known as 9 Delamore Road, Hillcrest.

from Special Residential 1800 in terms of the Hillcrest Town Planning Scheme to Low Impact Residential : District Two in terms of the Hillcrest / Gillits Activity Corridor Local Development Plan, as a component of the Consolidated Outer West Town Planning Scheme.

The relevant documents are available for inspection during normal hours at the Civic Office, Hillcrest

Interested persons may lodge written objections or representations with the undersigned by not later than close of business on 15 December 2006.

**J. A. FORBES**

**MANAGER: PLANNING & DEVELOPMENT**

Outer West Administrative Area

P O Box 36

**KLOOF**

3640

22 Delamore Road

**HILLCREST**

3610

D22—November 23 2006.

**DORPE: WYSIGING EN OPHEFFING VAN BEPERKINGS  
TOWNSHIPS AMENDMENT AND REMOVAL OF RESTRICTIONS**

**DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS  
NOTICE NO. 632  
INVITATION FOR PUBLIC COMMENT  
APPLICATION FOR REMOVAL OF RESTRICTIONS RELATING TO LAND**

An application has been received for the removal of the following conditions from **Certificate of Consolidated Title T04 23947** pertaining to **Erf 5045 Dundee**, Endumeni Municipality —

- (a) **condition 3.(a)** in relation to the portion lettered CDEFGTr on Diagram S.G No. 331/1999 that prohibits the subdivision of the property;
- (b) **condition 3.(b)** in relation to the portion lettered CDEFGTr on Diagram S.G No. 331/1999 that restricts the use of the property for residential purposes;
- (c) **condition 3.(c)** in relation to the portion lettered CDEFGTr on Diagram S.G No. 331/1999 that restricts the use of the property to one dwelling house;
- (d) **condition 3.(d)** in relation to the portion lettered CDEFGTr on Diagram S.G No. 331/1999 that restricts the use of certain types of building materials; and
- (e) **condition C.1(a)** in relation to the portion lettered ABaDFGdbK on Diagram S.G No. 3411/1977 that restricts the use of certain types of building materials.

The application (**file reference: 2006/64**) is available for viewing on appointment at the office of Mrs B. M. Asaram, Development Planning (Inland Implementation Office), Southern Life Plaza, 271 Church Street, Pietermaritzburg (Telephone: 033-355 6538).

Anyone wishing to comment on the application may do so in writing by no later than **27 December 2006** to the Acting Deputy Manager: Development Planning (Inland Implementation Office), Private Bag X9018, Pietermaritzburg, 3200. Kindly include your postal address and contact telephone number in your correspondence.

G10—November 23, 2006.

**DIVERSE/MISCELLANEOUS**

**APPLICATION FOR PUBLIC ROAD  
CARRIER PERMITS OR  
OPERATING LICENCES**

Notice is hereby given in terms of section 14(1)(a) of the Road transportation Act, 1977 (Act 74 of 1977) and section 37 of the National Land Transport Transition Act, 2000 (Act 22 of 2000) of the particulars in respect of application for public road carrier permits and/or operating licences received by the KZN Public Transport Licensing Board, indicating: -

- (1) The application number;
- (2) The **name and identity number** of the applicant;
- (3) The **place where the applicant conducts his business** or wishes to conduct his business, as well as his **postal address**;
- (4) The nature of the application, that is whether it is an application for: -

- (4.1) the grant of a **new permit** or operating licence;
- (4.2) the grant of **additional authorisation**;
- (4.3) the **amendment of route**;
- (4.4) the **amendment of timetables**;
- (4.5) the **amendment of tariffs**;
- (4.6) the **renewal** of such permit or operating licence;
- (4.7) the **transfer** of such permit or operating licence;
- (4.8) the **change of the name, or particulars** of the holder;
- (4.9) the **replacement of vehicle**;
- (4.10) the **amendment of vehicle particulars, including increase in carrying capacity in excess of fifteen percent**;

- (4.11) an **additional vehicle with existing authorisation**;
- (4.12) the **refinement of routes** in terms of section 85(4)(f), (g) or (5) of Act 22 of 2000 in respect of legitimisation or converted permits issued in terms of sections 52 or 55
- (4.13) Act 4 of 1998, read with section 41 of Act 22 of 2000; or  
the **conversion** of permits to operating licences in terms of Part 16 of Act 22 of 2000.
- (5) The **number and type of vehicles**, including the **carrying capacity** or gross vehicle mass of the vehicles involved in the application;
- (6) The **type** of public transport service envisaged, as contemplated in section



1(1)(Lxiii) of Act 22 of 2000, with regard to the transportation of persons, personal effects, or both;

- (7) The points between, picking-up and setting down points and the route or routes along or the area or areas within which the road transportation is conducted or the proposed road transportation is to be conducted; and
- (8) The timetable and scale of charges in respect of scheduled services.

In terms of section 14(2) of Act 74 of 1977, read with regulation 4 of the Road Transportation Regulations, 1977 and section 37(1) of Act 22 of 2000, written representations in quadruplicate supporting or opposing these applications must within 21 (twenty-one) days from the date of this publication, be lodged by hand with, or dispatched by registered post to:

*The Secretary, KZN Public Transport Licensing Board, Private Bag X9135, PIETERMARIITZBURG. 3200.*

**OR**

*291 Pietermaritz Street, PIETERMARIITZBURG. 3201.*

A copy of such representations must be lodged by hand with, or dispatched by registered post to, the applicant at the advertised address in (3) above.

Full particulars in respect of each application are open to inspection at the Board's office.

**PINETOWN TAXI OWNERS ASSOCIATION**

**DETAILED ROUTE DESCRIPTION**

**VEHICLES 170**

**MEMBERS 80**

**PINETOWN – MPUMALANGA T/SHIP**

From Pinetown Hill Street Bus Rank turn right Hill Street then joining Anderson Road – turn left on the robot into Old Main Rd (M13), right M13 proceed to Kloof bus stop – dropping and picking up passengers – to Maytime bus stop dropping and picking up passengers – to Gillits bus stop dropping and picking up passengers – to eMberton bus stop dropping and picking up passengers – to Polo Pony bus stop dropping and picking up passengers join N3 – to Cliffdale bus stop dropping and picking up passengers – on the N3 at the Hammarsdale Interchange turn left P385 pass Wallers Garage bus stop dropping and picking up passengers – Hammarsdale (Webber) bus stop dropping and picking up passengers – crossed the bridge towards Mpumalanga T/Ship turn left to unit 6 (H) bus stop dropping and picking up passengers – to unit 3 (C) bus stop dropping and picking up passengers unit 4(D) bus stop dropping and picking up passengers – unit 1 (A) back to Mpumalanga taxi rank dropping and picking up passengers and return to Pinetown taxi rank with the same route.

**HILLCREST TO MPUMALANGA T/SHIP**

From Hillcrest taxi rank Inanda Road turn right Old Main Rd turn left into Kassier Road to M13 turn right M13 then N3 – Cliffdale bus stop dropping and picking up passengers – turn left in P385 at the Hammarsdale I/C and picking up passengers towards Wallers Garage dropping and picking up passengers – to Hammarsdale dropping and picking up passengers – to unit 6 (H) dropping and picking up passengers – to unit 3 (C) dropping and picking up passengers – to unit 4 (D) dropping and picking up passengers – to unit 2 (B) dropping and picking up passengers – to Georgeedale dropping and picking up passengers – to Mpumalanga taxi rank (kwaMcoyi) dropping and picking passengers back to Hillcrest with the same route dropping and picking up passengers.

**PINETOWN TAXI RANK TO HAMMARSDALE INDUSTRIAL AREA (WEBBER)**

From Pinetown Hill Street Bus Rank, right Hill Street then joining Anderson Road turn left to Old Main Rd M13 proceed and turn right to M13

pass Kloof dropping and picking up passengers – to Maytime dropping and picking up passengers – to Gillits dropping and picking up passengers – to Emberton dropping and picking up passengers – to Polo Pony dropping and picking up passengers – joining N3 Cliffdale bus stop dropping and picking up passengers – to Hammarsdale interchange, left P385 turn off bridge dropping and picking up passengers – to Wallers Garage dropping and picking up passengers turn left towards Hammarsdale industrial area dropping and picking up passengers – turn right to Hammarsdale shopping centre dropping and picking up passengers – turn right to uMlaba village dropping and picking up passengers – return back to Pinetown with the same route dropping and picking up passengers.

**PINETOWN TO ISIPHINGO**

From Pinetown Hill street bus rank right into Hill Street, right into Anderson Road, left into Old Main Road, left into M13, into the N3 up to N2. left exit 154 left Grimsby Road, pass Clairwood Hospital bus stop dropping passengers – take right M30/South Coast road, left Prince Mcwayzenid drive, left old South Coast road, left R102 dropping passengers – becoming Prospecton road – Toyota taxi stop dropping passengers – right Joyner road becoming Jeffels road, left Jeffels road, right Old Main road and rank at the intersection of Old Main road and Pardy road. Return trip – turn left to M35/old Main road, turn right R102 and left to N2 and take left to to N3 left to Spine Road – Pavilion Shopping Centre dropping passengers back to N3 and take left to M13, take right Eden Road, right M5/Stapleton road, M13/old Main road, turn right Escombe road, dropping passengers at Frame taxi bus stop, turn left take Shepstone road, turn right Crompton Street dropping passengers – turn right into old Main road, left Anderson road, left Stanfield Lane, right Hill Street bus rank.

**OR**

N3, right Richmond road left Westmead road, left to Emmause road, circle around Emmause road and return back on Westmead road, left Albert road, left Malcom road, right Circuit road, right Kyalam road, right Hill climb road, right Trafford road, left Gillits road, left Richmond road, becoming old main road, right Anderson road, left Stanfield Lane, right Hill Street bus rank.

**PINETOWN TO DURBAN CITY**

From Pinetown Hill Street Bus Rank, right Hill Street, joining Anderson Road, left Old Main road, turn left into M13 into N3 into Commercial Road – [or] – Old Dutch Road, Alice Street, right into Grey Street, left into West Street, left into Field Street, left into Pine Street taxi stop or proceed along Pine Street, into Russel Street, left into Leopold Street, left into Market Road and proceed to an approved taxi rank on Market Road.

**ALTERNATIVE**

From Pinetown bus rank joining Anderson Road left into King Road Sanlam Centre dropping and picking up passengers proceed to St Johns Checkers dropping and picking up passengers. Turn into M13 to Saunders road entire drop off and pick up passengers back to M13 up to N3 – and proceed to the city as described above.

**PINETOWN TO CHATSWORTH**

From Pinetown Hill Street bus rank then joining Anderson road turn right into M13 St Johns Avenue – turn left into M5 left into M34 right into M1 into Chatsworth circle and picking up and dropping passengers return back with RD no337 left into M1 right into M34, left to M5, left into Underwood road, right into Crompton Street, left into Railway Lane, to Moodey Street left to Hill Street.

**PINETOWN TO PHOENIX**

Starting point: From Pinetown Hill street bus rank turn right Hill street, joining Anderson road, right old main road opposite Town Hall dropping and picking up passengers, turn left at St. Johns

avenue/M19, turn left uMngeni service road, turn left iNanda Highway/M21 off load opposite the Newlands High School, becoming Mandela road off loading at kwaMashu taxi rank and proceed straight along Mandela road offload at Thembalihle station at uMandela road offloading at big trading joining Hunslet road, turn right Aberdare drive offloading at Spar Head Quarters and at Shell garage, right Aberdare drive. Take left at Phoenix Highway. At the corner of Northern drive and Phoenix Highway we pick up and offload, right at Parthenon street, turn left Pandora street left into Phoenix Plaza taxi rank off load and picking up passengers return back with the same route alternative route Hunslet road, we turn left M25/KwaMashu Highway, turn right to join N2 turn right into N3, take Spine Rd into Pavilion Shopping Centre off loading passengers back to N3, right Richmond Road. From Richmond Road route same as Isipingo and Umlazi NMR.

**PINETOWN TO SPRINGFIELD PARK**

Starting point: From Pinetown Hill Street Bus Rank, right Hill Street, joining Anderson Road, right Old Main Road opposite Town Hall dropping and picking up passengers, turn left at St. Johns Avenue/M19, turn left uMngeni Service Road, right iNanda Road, in corner of Sea Cow Lake and iNanda Road we drop off in Palmfield Road and iNanada. Take right North Coast Road, right uMngeni Road/M19, drop off along Umgeni Road at Alpine Road, at Royal Palm Avenue, along Umgeni Road at Thekwini College Bus Stop drop off Engen Garage Bus Stop we drop off in M19 and turn right Old Main Road, left Anderson Road, left Stanfield Lane, Hill Street Bus Rank.

**PINETOWN TO BUXFARM**

From Pinetown Hill Street Bus Rank, right Hill Street, joining Anderson Road, Old Main Road, right take M13 pass Kloof, Maytime, Gillits, Emberton, right Old Main Road, right iNanda Road, into Hillcrest Taxi Rank dropping off and picking up passengers back to iNanda Road, right Old Main Rd, turn left Kassier Road, right Cliffdale Road to Bux Farm, picking up passengers into Bux Farm and return back with the same route to Pinetown Taxi Rank.

**PINETOWN TO CAMPERDOWN**

From Pinetown Hill street bus rank, right Hill street, joining Anderson road, left old main road, right take M13, pass Kloof, Maytime, Gillits, Emberton, Polo Pony then join N3 pass Cliffdale, turn right P385 at Hammarsdale Interchange, left P245 joining R103 pass Caltex garage to Cato Ridge shopping centre dropping and picking up passengers – along R103/old main road to Camperdown taxi rank dropping and picking up passengers return back to Pinetown with the same route.

**PINETOWN TO UMLAZI MNR**

From Pinetown Hill street bus rank, right Hill street, joining Anderson road, left old main road, turn left to M13 and left to N3 up to Spaghetti Junction turn right to N2 southbound and turn left exit 152, right M30 Mangosuthu Highway, pass the Tuihuis Hostel to "V" section taxi stop dropping passengers – kwaMyandu station dropping passengers – executive Hotel dropping passengers – turn right Ngqwele road to uMlazi Railway station dropping passengers – turn around at the uMazi Railway station, back on Mangosuthu Highway and rank at Ndongeni taxi rank dropping and picking up passengers back to Pinetown with the same route.

**PINETOWN TO CHIEF LUTHULI HOSPITAL**

From Pinetown Hill Street bus rank turn right into Hill street then joining Anderson road on the robot M13 join N3 left join Spine road – proceed to Booth road – right into Bellaire road, right into Chief Albert Luthuli Hospital dropping and picking up passengers return back with Bellaire road picking up along this road turn left to Jan Smuts Avenue picking up passengers along this road same route as market return route.

### PINETOWN TO WESTMEAD INDUSTRIAL AREA

From Pinetown Hill Street rank to Anderson road turn left into old main road turn right into Gillits road proceed to all the factories in this area (drop off and pick up passengers) proceed to Westmead road left to Emmause road, circle around Emmause road and return back on Westmead road. Gillits road left Richmond road, becoming old main road right Anderson road left Stanfield lane right Hill street bus rank.

### PINETOWN TO DURBAN MARKET

From Pinetown Hill Street bus rank, right into Hill Street, joining Anderson Road, left into old main road, turn left into M13 joining N3 at Cowies hill.

: Left off N3 into Brickfield road, bus/taxi stop. Drop off & load

: Right back to N3 and left off N3 to tollgate drop off

: Continue to old Dutch road, and turn right to Market road drop off & pick up passengers at rank no 122

: Proceed to Berea road proceed along Jan Smuts Highway pick up & drop off passengers

: Proceed to 45th cuttings drop off & picking up passengers

: Proceed to M13 pick up & drop off passengers

: Proceed right to Cowies Hill pick up & drop off passengers

: Proceed into Old Main road pick up & drop off passengers

: Left into Anderson or Moodie Street to the rank

### ALTERNATIVE ROUTE

From Pinetown taxi rank, into Hill Street, joining Anderson road and right into Old Main road (pick up & drop off passengers)

: Proceed into Cowies Hill (pick up & drop off passengers)

: Proceed into M13 (pick up & drop off passengers)

: Proceed to 45th cutting (drop off & pick up passengers)

: Proceed into Jan Smuts Highway (pick up & drop passengers)

: Proceed into Berea road north – proceed to Old Dutch Road

: Turn right to Market road pick & drop passengers

: Return to Pinetown

### PINETOWN TO WESTVILLE PRISON

From Pinetown Hill Street taxi rank joining Anderson road left into Old Main road, left into M13, joining M3 at Cowies Hill left to join Spine road at Westville, right into Spine road (drop off at Pavilion) right towards Westville Prison (drop off & pick up at prison).

Return to Pinetown.

### OP.1291008.

(2) MATHONSI ZV ID NO 6505185387083.

(3) DISTRICT: PIETERMARITZBURG.

POSTAL ADDRESS: 35 CHURCH STREET.

PIETERMARITZBURG, 3201 C/O BEKIE'S

TRANSPORT CONSULTANTS 27 OAK

AVENUE, CIRCLE DRIVE, KLOOF, 3610.

(4) ADDITIONAL AUTHORITY REGA-

ZETTE, PERMIT NO. 1276007/1 FROM

MATHONSI ZV (15 X PASSENGERS, DIS-

TRICT: PIETERMARITZBURG). (5) 1 X 15

PASSENGERS. (6) THE CONVEYANCE OF

TAXI PASSENGERS. (7) AUTHORITY:

Permit No. 12760071

AS PER ANNEXURE "A" ATTACHED – PMB

LONG DIST TAXI ASSOCIATION.

### PIETERMARITZBURG LONG DISTANCE TAXI ASSOCIATION

**Number of Vehicles: 150**

**Number of Members: 49**

**ADDITIONAL AUTHORITIES:**

**ROUTE: 1**

#### From Pietermaritzburg to Howick:

From Dorpspruit Taxi Rank turn left into Church Street and turn left again and join N3 Freeway Harrismith Direction. Proceed along and turn left into R617 Underberg then right into Zeederberg Road becoming Main Road in Howick. Proceed and then turn left into Morling Street then right into the Howick Taxi Rank.

#### Alternative Route:

Along N3 Freeway pass the turn R617 Underberg and proceed along towards Midmar Dam. Turn left into R103 Midmar then right into R103 Howick and proceed towards the left in order to join Main Road then turn left into Morling Street and right into the Howick Taxi Rank.

#### Reverse Route:

From Howick Taxi Rank turn right and proceed along Harvard Street then turn right into Main Road and continue along backwards using the same forward route back to the starting point.

**ROUTE: 2**

#### From Pietermaritzburg to Bhamshela via Dalton:

From Dorpspruit Taxi Rank turn left into Church Street and proceed along Old Greytown Road becoming New Greytown (Bhambatha) Road. Turn right into R33 continue driving then right again into R614 Wartburg becoming Noodsberg Road in Wartburg. Drop off passengers in Wartburg and after passing Wartburg follow R614 Fawn Leas. Continue along R614 then for purposes of setting down passengers stop at Dalton. Then proceed along R614 Tongaat which is marked Road Number P25/2 and pass Appelsbosch. Continue along Road Number P25/2 then turn left and park in the Taxi Rank at Bhamshela.

#### Reverse Route:

From Bhamshela Taxi Rank turn right into Road Number P25/2 continue along backwards using R614 following the same route back to the starting point.

**ROUTE: 3**

#### From Pietermaritzburg to Dundee via Wasbank:

From Church Street Terminal Rank No. 1 turn right into Church Street, right into Pine Street and right again into Berg Street then right into East Street and left into Church Street. Turn left towards N3 Freeway Harrismith direction. Continue along N3 Freeway and turn left into R103 Colenso towards Ladysmith. On arrival in Ladysmith drive along Short Street, then join Lyell Street which leads to Crawshaw Street becoming N11 Newcastle direction. Turn right into R602 Glencoe and proceed along then turn right towards Wasbank to drop off passengers then drive along the same route and join R102 towards Dundee. Turn right into Karel Landman Street and proceed on into Victoria Street in Dundee. Then turn left into Dundee Taxi Rank.

#### Reverse Route:

From Dundee Taxi Rank drive into Smith Street and turn left along the same street then left again into Victoria Street pass robots and join Karl Landman Street. Proceed straight into R602 Ladysmith then drive backwards using the same forward route in reverse. On arrival in Pietermaritzburg Church Street turn right to East Street and left into Pietermaritz Street then left into

Pine Street and then turn right into Rank No. 1 Church Street Terminal.

**ROUTE: 4**

#### From Pietermaritzburg to Dundee via Tugela Ferry and Pomeroy:

From Church Street Terminal Rank No. 1 turn right into Church Street, right into Pine Street and right again into Berg Street then right into East Street and left into Church Street and proceed along Old Greytown Road becoming New Greytown (Bhambatha) Road. Turn right into R33 Greytown direction. Proceed along R33 then drive towards Greytown and on arrival in Greytown R33 becomes Shepston Road then turn right into Durban Road. Proceed along and leave town, and turn left into R33 Dundee direction the road then becomes marked as Road Number P6/3. Drop off passengers at Keat's Drift, Tugela Ferry and Pomeroy. Continue along R33 Dundee and on arrival at Dundee R33 becomes Commercial Street. Join Wilson Street and turn right into Victoria Street then turn left into Dundee Taxi Rank.

#### Reverse Route:

From Dundee Taxi Rank proceed along but on the rank and turn right into Smith Street then right again into Victoria Street then left into Wilson Street becoming Commercial Street. Then drive out of town using R33 Greytown Direction then follow the same forward route in reverse. On arrival in Church Street in Pietermaritzburg turn right into East Street, left into Pietermaritz Street and drive straight up. Then turn left into Pine Street and right into Rank No. 1 Church Street Terminal.

**ROUTE: 5**

#### From Pietermaritzburg to Mandini Taxi Rank:

From Symons Centre Taxi Terminal turn left into Pietermaritz and left into Commercial Road/Chief Albert Luthuli Road becoming Durban Road/Alan Paton Avenue and proceed straight into N3 Freeway. After passing Westville turn left at E.B. Cloete Junction and join N2 Freeway continue along N2 Freeway then turn left at Mandini off-ramp and drive along Road Number 258 and on arrival at Mandini at the first robots turn right into Road No. P459 and turn left and drive straight into Mandini Taxi Rank.

#### Reverse Route:

From Mandini Taxi Rank turn right into Road No. P458 and then left into Road No. 258 proceed along and turn right into N2 Freeway South then continue along using the same forward route back to the starting point.

#### NOTE:

**All passengers will be picked up and dropped off in areas designated for such purposes by Transport Authorities and Local Municipalities respectively.**

**No pick up of passengers will be effected in areas which do not fall within the jurisdiction of uMsunduzi Municipality save as per written agreement with a Local Long Distance Taxi Association.**

**PMB Long Distance Taxi Association is committed and prepared to conclude an operational agreement with Local Long Distance Taxi Associations in all the destination points.**

**As soon as these operational agreements are put in place, PMB Long Distance Taxi Association in partnership with a Local Long Distance Taxi Association is prepared to liaise with Local Municipalities for purposes of acquiring an authorised rank stand.**

### OP.1291033.

(2) QWABE EP ID NO 4408185454080.

(3) DISTRICT: PIETERMARITZBURG.

POSTAL ADDRESS: 1 SLIPPER PLACE, CINDERELLA PARK, PMBURG, 3201 C/O BEKIE'S TRANSPORT CONSULTANTS 27 OAK AVENUE, CIRCLE DRIVE, KLOOF, 3610. (4) ADDITIONAL AUTH - REGAZETTE, PERMIT NO. 252353/5 FROM QWABE EP (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG) (4) ADDITIONAL AUTH - REGAZETTE, PERMIT NO. 253774/2 FROM QWABE EP (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG) (4) ADDITIONAL AUTH - REGAZETTE, PERMIT NO. 1253358/2 FROM QWABE EP (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (5) 3 X 15 PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY:

Permit No. 252353/5

ADDITIONAL AUTHORITY:

SAME AS ANNEXURE "A" ON APPLICATION 1291008 - PMB LONG DISTANCE TAXI ASSOCIATION.

Permit No. 253774/2

ADDITIONAL AUTHORITY:

SAME AS ANNEXURE "A" ON APPLICATION 1291008 - PMB LONG DIST TAXI ASSOCIATION.

Permit No. 1253358/2

ADDITIONAL AUTHORITY:

SAME AS ANNEXURE "A" ON APPLICATION 1291008 - PMB LONG DIST TAXI ASSOCIATION.

**OP.1291042.**

(2) ZUMA PT ID NO 6712135464083. (3) DISTRICT: PIETERMARITZBURG. POSTAL ADDRESS: 341 CHURCH STREET, CENTRAL PIETERMARITZBURG, 3201 C/O BEKIE'S TRANSPORT CONSULTANTS 27 OAK AVENUE, CIRCLE DRIVE, KLOOF, 3610. (4) ADDITIONAL AUTH - REGAZETTE, PERMIT NO. 1261641/1 FROM ZUMA PT (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG) (4) ADDITIONAL AUTH - REGAZETTE, PERMIT NO. 1262911/1 FROM ZUMA PT (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (5) 2 X 15 PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY:

Permit No. 1261641/1

ADDITIONAL AUTHORITY:

SAME AS ANNEXURE "A" ON APPLICATION 1291008 - PMB LONG DIST TAXI ASSOCIATION.

Permit No. 1262911/1

ADDITIONAL AUTHORITY:

SAME AS ANNEXURE "A" ON APPLICATION 1291008 - PMB LONG DIST TAXI ASSOCIATION.

**OP.1291047.**

(2) MKHIZE DP ID NO 5305225649084. (3) DISTRICT: PIETERMARITZBURG. POSTAL ADDRESS: P. O. BOX 8820, CUMBERWOOD, 3230 C/O BEKIE'S TRANSPORT CONSULTANTS 27 OAK AVENUE, CIRCLE DRIVE, KLOOF, 3610. (4) ADD AUTH - REGAZETTE, PERMIT NO. 1262817/1 FROM MKHIZE DP (14 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (5) 1 X 15 PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY:

Permit No. 1262817/1

ADDITIONAL AUTHORITY:

SAME AS ANNEXURE "A" ON APPLICATION 1291008 - PMB LONG DIST TAXI ASSOCIATION.

**OP.1291052.**

(2) NDAWONDE MM ID NO 6101285694089. (3) DISTRICT: PIETERMARITZBURG. POSTAL ADDRESS: 45 PALMER ROAD, RICHMOND CRESCENT, PIETERMARITZBURG, 3201 C/O BEKIE'S TRANSPORT CONSULTANTS 27 OAK AVENUE, CIRCLE DRIVE, KLOOF, 3610. (4) ADD AUTHORITY - REGAZETTE, PERMIT NO. 1261643/2 FROM NDAWONDE MM (14 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (5) 1 X 15 PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY:

Permit No. 1261643/2

ADDITIONAL AUTHORITY:

SAME AS ANNEXURE "A" ON APPLICATION 1291008 - PMB LONG DISTANCE TAXI ASSOCIATION.

**OP.1291555.**

(2) NZAMA A ID NO 3107135106086. (3) DISTRICT: PIETERMARITZBURG. POSTAL ADDRESS: BOX 196, EDENDALE, 4505 C/O BEKIE'S TRANSPORT CONSULTANTS 27 OAK AVENUE, CIRCLE DRIVE, KLOOF, 3610. (4) ADDITIONAL AUTHORITY REGAZETTE, PERMIT NO. 250414/4 FROM NZAMA A (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG) (4) ADDITIONAL AUTHORITY REGAZETTE, PERMIT NO. 255139/4 FROM NZAMA A (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (5) 2 X 15 PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY:

Permit No. 250414/4

ADDITIONAL AUTHORITY:

SAME AS ANNEXURE "A" ON APPLICATION 1291008 - PMB LONG DIST TAXI ASSOCIATION.

Permit No. 255139/4

ADDITIONAL AUTHORITY:

SAME AS ANNEXURE "A" ON APPLICATION 1291008 - PMB LONG DIST TAXI ASSOCIATION.

**OP.1299915.**

(2) KHAN AK ID NO 6609075105082. POSTAL ADDRESS: 9 BENGAL ROAD, LADYSMITH, KWAZULU, 3370. (4) TRANSFER OF PERMIT, PERMIT NO. 1280047/1 FROM PACHKOWDIE RS (80 X PASSENGERS, DISTRICT: PIETERMARITZBURG), PERMIT NO. 1280052/1 FROM PACHKOWDIE RS (80 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1317887.**

(2) NXUMALO NV ID NO 5409100378080. POSTAL ADDRESS: P O BOX 535, IMPENDLE, 3227. (4) TRANSFER OF PERMIT, PERMIT NO. 1255851/0 FROM NXUMALO MG (15 X PASSENGERS, DISTRICT: MPENDLE). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1318486.**

(2) DLANGISA DP ID NO 6701100241089. POSTAL ADDRESS: P O BOX 825, PORT SHEPSTONE, 4240. (4) TRANSFER OF PERMIT, PERMIT NO. 1263175/0 FROM DLANGISA MA (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1318520.**

(2) PHUNGULA S ID NO 7103105332089. POSTAL ADDRESS: P O BOX 68, PLESSISLAER, 3216. (4) TRANSFER OF PERMIT, PERMIT NO. 1255079/1 FROM MNGADI ST (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1318718.**

(2) MASIKANE KC ID NO 4806045557085. POSTAL ADDRESS: P O BOX 75619, MPOLWENI MISSION, 3225. (4) TRANSFER OF PERMIT, PERMIT NO. 251624/0 FROM MASIKANE BHP (13 X PASSENGERS, DISTRICT: NEW HANOVER). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1318889.**

(2) MVELASE NP ID NO 6204220394086. POSTAL ADDRESS: P O BOX 1014, ESTCOURT, 3310. (4) TRANSFER OF PERMIT, PERMIT NO. 252392/2 FROM MVELASE SG (15 X PASSENGERS, DISTRICT: RADIUS), PERMIT NO. 1251660/1 FROM MVELASE SG (15 X PASSENGERS, DISTRICT: ESTCOURT), PERMIT NO. 1255156/2 FROM MVELASE SG (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1318892.**

(2) MADLALA ND ID NO 5605120261087.

POSTAL ADDRESS: P O BOX 807, EZA-KHENI, LADYSMITH, 3381. (4) TRANSFER OF PERMIT, PERMIT NO. 253976/0 FROM MADLALA ZB (15 X PASSENGERS, DISTRICT: KLIP RIVER), PERMIT NO. 257872/4 FROM MADLALA ZB (15 X PASSENGERS, DISTRICT: LADYSMITH (CAPE)). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1318896.**

(2) MTAMBO GJ ID NO 7012040630087. POSTAL ADDRESS: PO BOX 78010, OSIZWENI, 2952. (4) TRANSFER OF PERMIT, PERMIT NO. 1252641/1 FROM MTAMBO BGN (15 X PASSENGERS, DISTRICT: NEWCASTLE). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1318959**

(2) MAJOLA BP ID NO 6006195467080. POSTAL ADDRESS: PO BOX 199, HOWICK, 3290. (4) TRANSFER OF PERMIT, PERMIT NO. 256690/0 FROM BHENGU ST (15 X PASSENGERS, DISTRICT: LIONS RIVER). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1318967.**

(2) SIBISI SB ID NO 5606040769084. POSTAL ADDRESS: PO BOX 37, DALTON, 3236. (4) TRANSFER OF PERMIT, PERMIT NO. 1275191/0 FROM SIBISI MA (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1318976.**

(2) MCHUNU BN ID NO 8210235792089. POSTAL ADDRESS: P.O. BOX 2402, TUGELY FERRY, 3010. (4) TRANSFER OF PERMIT, PERMIT NO. 1255355/1 FROM MCHUNU B (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1319009.**

(2) MKHIZE ANZ ID NO 5004235357081. POSTAL ADDRESS: BOX 75, ELANDSKOP, 4542. (4) TRANSFER OF PERMIT, PERMIT NO. 1250536/3 FROM NGCOBO M (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1319042.**

(2) NDLOVU JJ ID NO 7405285427088. POSTAL ADDRESS: 67 ALERTON ROAD, NORTHERN PARK, PIETERMARITZBURG, 3201. (4) TRANSFER OF PERMIT, PERMIT NO. 252505/1 FROM NDLOVU SD (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1319095.**

(2) MABASO TG ID NO 7303038388089. POSTAL ADDRESS: P O BOX 397, BERGVILLE, 3350. (4) TRANSFER OF PERMIT, PERMIT NO. 255689/0 FROM MABASO A (13 X PASSENGERS, DISTRICT: BERGVILLE). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1319181.**

(2) DLAMINI M ID NO 7507125749082. POSTAL ADDRESS: PO BOX 541, SIKHOSANA, SOBANTU, PMBURG. (4) TRANSFER OF PERMIT, PERMIT NO. 1251589/2 FROM CEBEKHULU NB (12 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1319213.**

(2) SHABALALA E ID NO 3402030407089. POSTAL ADDRESS: B 583 UNIT 2B, MPUMALANGA T/SHIP, HAMMARSDALE, 3701. (4) TRANSFER OF PERMIT, PERMIT NO. 257402/3 FROM SHABALALA TP (15 X PASSENGERS, DISTRICT: CAMPERDOWN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1319382.**

(2) SINDANE NB ID NO 4210035228080. POSTAL ADDRESS: P O BOX 129, RICH-

MOND, 3780. (4) TRANSFER OF PERMIT, PERMIT NO. 256698/0 FROM MTUNGWA M (14 X PASSENGERS, DISTRICT: RICHMOND (NATAL)). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1319781.**

(2) MDLALOSE TA ID NO 4205100277087. POSTAL ADDRESS: PO BOX 2952, ESIKHAWINI, 3887. (4) TRANSFER OF PERMIT, PERMIT NO. 1267691/0 FROM MDLALOSE TA (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1319816.**

(2) MDLALOSE M ID NO 5101255273089. POSTAL ADDRESS: P O BOX 231, MELMOTH, 3835. (4) TRANSFER OF PERMIT, PERMIT NO. 1274852/1 FROM MCHUNU T (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1319877.**

(2) ZONDO EB ID NO 4507120512082. POSTAL ADDRESS: P O BOX 1563, NONGOMA, 3950. (4) TRANSFER OF PERMIT, PERMIT NO. 255264/0 FROM ZONDO ZN (16 X PASSENGERS, DISTRICT: NONGOMA). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1319886.**

(2) LUTCHMAN MB ID NO 6109025183081. POSTAL ADDRESS: 910 FORBES STREET, LADYSMITH, 3370. (4) TRANSFER OF PERMIT, PERMIT NO. 254600/2 FROM LUTCHMAN SB (15 X PASSENGERS, DISTRICT: KLIP RIVER). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1321144.**

(2) MJWRA JP ID NO 7305155382084. POSTAL ADDRESS: P O BOX 457, RICHMOND, 3780. (4) TRANSFER OF PERMIT, PERMIT NO. 1280971/0 FROM HARGREAVES P (11 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1321244.**

(2) NAIDOO L ID NO 6403160157087. POSTAL ADDRESS: P O BOX 416, LUXMI, PMBURG, 3207. (4) TRANSFER OF PERMIT. (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1321322.**

(2) ZONDO LS ID NO 7012225322088. POSTAL ADDRESS: P.O. BOX 2059, HILTON, 3245. (4) TRANSFER OF PERMIT, PERMIT NO. 1255414/1 FROM MJWARA MS (13 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1321340.**

(2) DLAMINI RN ID NO 6407165430084. POSTAL ADDRESS: P O BOX 794, VRYHEID, 3100. (4) TRANSFER OF PERMIT, PERMIT NO. 1256220/1 FROM ZULU SJ (14 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1321346.**

(2) DLAMINI RN ID NO 6407165430084. POSTAL ADDRESS: P O BOX 794, VRYHEID, 3100. (4) TRANSFER OF PERMIT, PERMIT NO. 1256221/1 FROM ZULU SJ (14 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1321375.**

(2) QWABE JT ID NO 6703275293085. POSTAL ADDRESS: 10 ADAMTAS STREET, VAN RIEBIEK PARK, LADYSMITH, 3370. (4) TRANSFER OF PERMIT, PERMIT NO. 255390/1 FROM QWABE B (12 X PASSENGERS, DISTRICT: KLIP RIVER). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1321658.**

(2) ZUMA TC ID NO 7206205533082. POSTAL ADDRESS: STAND B1019 UNIT,

MPHUMALANGA TOWNSHIP, HAMMARSDALE, 3700. (4) TRANSFER OF PERMIT, PERMIT NO. 256752/2 FROM ZUMA M (15 X PASSENGERS, DISTRICT: CAMPERDOWN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1321992.**

(2) ZIBANI B ID NO 7410125485080. POSTAL ADDRESS: P O BOX 54000, MTHINZINI, 3865. (4) TRANSFER OF PERMIT, PERMIT NO. 1266928/0 FROM ZIBANE M (15 X PASSENGERS, DISTRICT: LOWER UMFOLOZI). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1322289.**

(2) MHLONGO TC ID NO 3802070337080. POSTAL ADDRESS: P O BOX 453, EDENDALE, 3217. (4) TRANSFER OF PERMIT, PERMIT NO. 255902/8 FROM MHLONGO FM (15 X PASSENGERS, DISTRICT: ESTCOURT). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1322933.**

(2) MBONA TP ID NO 6905055863082. POSTAL ADDRESS: MADLALA PRIMARY SCHOOL, PO BOX 40891, ELANDSKOP, 3201. (4) TRANSFER OF PERMIT, PERMIT NO. 254966/0 FROM NGCOBO SJV (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1323101.**

(2) ZONDI AM ID NO 6810285817082. POSTAL ADDRESS: P O BOX 901, RICHMOND, 3780. (4) TRANSFER OF PERMIT, PERMIT NO. 255251/1 FROM MNTUNGWA MB (8 X PASSENGERS, DISTRICT: RICHMOND (NATAL)). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1323122.**

(2) THABETHE MA ID NO 5002025954083. POSTAL ADDRESS: PO BOX 430, HAMMARSDALE, 3700. (4) TRANSFER OF PERMIT, PERMIT NO. 252657/0 FROM DLAMINI Z (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1323318.**

(2) KHANYILE MG ID NO 6710235607080. POSTAL ADDRESS: A892 MPUMALANGA, HAMMARSDALE, 3700. (4) TRANSFER OF PERMIT, PERMIT NO. 254296/1 FROM KHANYILE GJ (15 X PASSENGERS, DISTRICT: CAMPERDOWN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1323320.**

(2) MHLOPHE NA ID NO 6012310628085. POSTAL ADDRESS: PO BOX 85225, IMPENDLE, 3227. (4) TRANSFER OF PERMIT, PERMIT NO. 251614/1 FROM KHENA DM (15 X PASSENGERS, DISTRICT: BERGVILLE). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1323434.**

(2) DUBE NN ID NO 5801130653088. POSTAL ADDRESS: PO BOX 1828, EMPANGENI, 3880. (4) TRANSFER OF PERMIT, PERMIT NO. 1266183/0 FROM DUBE QS (14 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1323534.**

(2) GOOLAM SN ID NO 7501010510089. POSTAL ADDRESS: 16 ECHO ROAD, PMBURG, 3210. (4) TRANSFER OF PERMIT, PERMIT NO. 1254260/0 FROM WILLIAMS J (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1323918.**

(2) GAMEDE MP ID NO 8703185417087. POSTAL ADDRESS: P O BOX 2082, LADYSMITH, 3370. (4) TRANSFER OF PERMIT, PERMIT NO. 250556/1 FROM ROSENBERG

ER (15 X PASSENGERS, DISTRICT: KLIP RIVER). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1326846.**

(2) SOOKHDEO R ID NO 7502275227088. POSTAL ADDRESS: ROAD 718 NO. 4 MONTFORD, CHATSWORTH, 4092. (4) TRANSFER OF PERMIT, PERMIT NO. 1267607/1 FROM SOOKHDEO D (15 X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 1267708/0 FROM SOOKHDEO D (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1327658.**

(2) ZULU SJ ID NO 7006076006089. POSTAL ADDRESS: P O BOX 2119, VRYHEID, 3100. (4) TRANSFER OF PERMIT, PERMIT 1255207/1 FROM ZULU CL (13 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1328024.**

(2) SHABALALA BR ID NO 7701225438080. POSTAL ADDRESS: PO BOX 32, HAMMARSDALE, 3700. (4) TRANSFER OF PERMIT, PERMIT NO. 250985/2 FROM SIBISI PN (15 X PASSENGERS, DISTRICT: CAMPERDOWN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1328058.**

(2) HLATSHWAYO CP ID NO 5407140417082. POSTAL ADDRESS: P O BOX 50700, OSIZWENI, 2952. (4) TRANSFER OF PERMIT, PERMIT NO. 255678/1 FROM ZWANE SM (15 X PASSENGERS, DISTRICT: UTRECHT). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1328061.**

(2) MTHEMBU PI ID NO 5311035692082. POSTAL ADDRESS: PO 35082, SANKOTSHE, HAMMARSDALE, 3700. (4) TRANSFER OF PERMIT, PERMIT NO. 1270953/0 FROM MKHIZE BO (13 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1328062.**

(2) MZULWINI TT ID NO 6104145752089. POSTAL ADDRESS: PO BOX 3, UMLAAS ROAD, 3730. (4) TRANSFER OF PERMIT, PERMIT NO. 1256405/1 FROM MKHIZE BA (8 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1328186.**

(2) MSEZANE JR ID NO 5604190555080. POSTAL ADDRESS: PO BOX 7297, ULUNDI, 3838. (4) TRANSFER OF PERMIT, PERMIT NO. 258259/4 FROM MSEZANE AM (15 X PASSENGERS, DISTRICT: MAHLABATINI). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1328988.**

(2) TSHABALALA ET ID NO 4804060599082. POSTAL ADDRESS: P O BOX 430, HAMMARSDALE, 3700. (4) TRANSFER OF PERMIT, PERMIT NO. 252875/3 FROM SHABALALA JM (15 X PASSENGERS, DISTRICT: NEWCASTLE). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1328989.**

(2) KHOZA BE ID NO 6812035632084. POSTAL ADDRESS: B1017 MPUMALANGA, HAMMARSDALE, 3700. (4) TRANSFER OF PERMIT, PERMIT NO. 252192/0 FORM MCHUNU T (15 X PASSENGERS, DISTRICT: CAMPERDOWN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1329864.**

(2) BELE B ID NO 6708070744083. POSTAL ADDRESS: THOKOZA WOMENS HOSTEL ROOM 78, 306 GREY STREET, DURBAN, 4001. (4) TRANSFER OF PERMIT, PERMIT NO. 1259653/1 FROM BELE JC (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1330008.**

(2) MNGADI JX ID NO 6501305698087. POSTAL ADDRESS: PO BOX 1215, MTU-BATUBA, 3935. (4) TRANSFER OF PERMIT, PERMIT NO. 1257327/0 FROM DLAMINI NK (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331282.**

(2) MTHEMBU NR ID NO 8703135589084. POSTAL ADDRESS: PO BOX 3280, MANDINI, 4490. (4) TRANSFER OF PERMIT, PERMIT NO. 1261866/2 FROM MTHEMBU R (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331329.**

(2) NGCOBO MT ID NO 6407100286088. POSTAL ADDRESS: P O BOX 85, PAULPIETERSBURG, 3180. (4) TRANSFER OF PERMIT, PERMIT NO. 253561/0 FROM NGCOBO AM (12 X PASSENGERS, DISTRICT: PAULPIETERSBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331337.**

(2) GOVENDER S ID NO 6003310126089. POSTAL ADDRESS: 123 GANGES ROAD, BELFORT, P M BURG, 3201. (4) TRANSFER OF PERMIT, PERMIT NO. 255026/3 FROM NAICKER RG (12 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331342.**

(2) MASENGEMU MB ID NO 6201235377080. POSTAL ADDRESS: P.O. BOX 5211, EZAKHENI, 3381. (4) TRANSFER OF PERMIT, PERMIT NO. 256850/3 FROM THUSI N (15 X PASSENGERS, DISTRICT: KLIP RIVER). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331358.**

(2) NDWANDWE EN ID NO 4001110405085. POSTAL ADDRESS: P O BOX 1851, NONGOMA, 3950. (4) TRANSFER OF PERMIT, PERMIT NO. 253938/1 FROM NDWANDWE BO (15 X PASSENGERS, DISTRICT: NONGOMA). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331362.**

(2) MATHE ES ID NO 6107075914082. POSTAL ADDRESS: PO BOX 547, NONGOMA, 3950. (4) TRANSFER OF PERMIT, PERMIT NO. 251985/4 FROM MATHE SM (15 X PASSENGERS, DISTRICT: NONGOMA). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331473.**

(2) ZWANE BN ID NO 5702105372086. POSTAL ADDRESS: D 31 MPUMALANGA, P.O. HAMMARSDALE, 3700. (4) TRANSFER OF PERMIT, PERMIT NO. 255776/3 FROM TSHAPA M (15 X PASSENGERS, DISTRICT: CAMPERDOWN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331489.**

(2) DUMA KE ID NO 5004150338082. POSTAL ADDRESS: P.O. BOX 116, THORNVILLE, 3760. (4) TRANSFER OF PERMIT, PERMIT NO. 259465/3 FROM DUMA MA (13 X PASSENGERS, DISTRICT: PIETERMARITZBURG), PERMIT NO. 257544/2 FROM DUMA MA (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331497.**

(2) MBHELE V ID NO 7809155726083. POSTAL ADDRESS: P O BOX 397, BERGVILLE, 3350. (4) TRANSFER OF PERMIT, PERMIT NO. 1275158/0 FROM MAVUNDLA MN (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331520.**

(2) NTSHANGASE ND ID NO 5709100943084. POSTAL ADDRESS: P O BOX 8089, CUMBERWOOD, 3235. (4) TRANSFER OF PER-

MIT, PERMIT NO. 1252967/1 FROM NTSHANGASE MS (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331526.**

(2) NGCOBO SS ID NO 6705055489080. POSTAL ADDRESS: BOX 423, PLESSISLAER, 4503. (4) TRANSFER OF PERMIT, PERMIT NO. 1252445/1 FROM NGCOBO BJ (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331533.**

(2) HLONGWANE TA ID NO 6002205823081. POSTAL ADDRESS: P O BOX 397, BERGVILLE, 3350. (4) TRANSFER OF PERMIT, PERMIT NO. 252697/1 FROM HLONGWANA TA (14 X PASSENGERS, DISTRICT: BERGVILLE). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331540.**

(2) GUMEDE MI ID NO 8009305643085. POSTAL ADDRESS: PO BOX 430, HAMMARSDALE, 3700. (4) TRANSFER OF PERMIT, PERMIT NO. 250084/3 FROM MTETWA F (15 X PASSENGERS, DISTRICT: CAMPERDOWN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331548.**

(2) MLAMBO GS ID NO 6802275444084. POSTAL ADDRESS: PO BOX 9980, VRYHEID, 3100. (4) TRANSFER OF PERMIT, PERMIT NO. 254217/6 FROM ZULU SJ (15 X PASSENGERS, DISTRICT: VRYHEID). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331564.**

(2) NDABA MT ID NO 7006090309089. POSTAL ADDRESS: 3168 CELE AVE, LAMONTVILLE, DURBAN, 4027. (4) TRANSFER OF PERMIT, PERMIT NO. 1260088/1 FROM NDABA M (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG), PERMIT NO. 1269486/0 FROM NDABA M (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331565.**

(2) DLAMINI MP ID NO 7410106269081. POSTAL ADDRESS: P O BOX 139, CRAMMOND, 3220. (4) TRANSFER OF PERMIT, PERMIT NO. 1252575/2 FROM LUTHULI ED (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331569.**

(2) KUNENE NB ID NO 6407170671086. POSTAL ADDRESS: P O BOX 51434, OSIZWENI, 2952. (4) TRANSFER OF PERMIT, PERMIT NO. 258518/1 FROM KUNENE DN (15 X PASSENGERS, DISTRICT: DANNAUSER). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331596.**

(2) MDUBA DF ID NO 6708145202083. POSTAL ADDRESS: P O BOX 397, BERGVILLE, 3350. (4) TRANSFER OF PERMIT, PERMIT NO. 251744/2 FROM NTUMBA KL (14 X PASSENGERS, DISTRICT: BERGVILLE). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331597.**

(2) NHLEBELA SJ ID NO 6601021022081. POSTAL ADDRESS: P O BOX 15629, NONGOMA, 3950. (4) TRANSFER OF PERMIT, PERMIT NO. 1251427/1 FROM NHLEBELA MI (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331598.**

(2) SOKHELA FJ ID NO 5904035476082. POSTAL ADDRESS: P O BOX 7119, ESIKHWINI, 3887. (4) TRANSFER OF PERMIT, PERMIT NO. 1267073/0 FROM FAKAZI TM (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331600.**

(2) NDLOVU DI ID NO 6712290530082. POSTAL ADDRESS: F 412 UMLAZI T/SHIP, PO UMLAZI, 4031. (4) TRANSFER OF PERMIT, PERMIT NO. 1256859/0 FROM NDLOVU ZW (14 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331601.**

(2) MKHWANAZI G ID NO 4307095445081. POSTAL ADDRESS: A 431 UMLAZI TOWNSHIP, PO UMLAZI, 4031. (4) TRANSFER OF PERMIT, PERMIT NO. 1270119/0 FROM HLENGWA H (12 X PASSENGERS, DISTRICT: UMBUMBULU). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331602.**

(2) KHESWA RN ID NO 5708060905083. POSTAL ADDRESS: PO BOX 36022, NTOKOZWENI, 4066. (4) TRANSFER OF PERMIT, PERMIT NO. 1260290/0 FROM KHESWA MP (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331604.**

(2) KHESWA TP ID NO 7507150411087. POSTAL ADDRESS: E 984 UMLAZI, PO UMLAZI, 4031. (4) TRANSFER OF PERMIT, PERMIT NO. 1256733/1 FROM KHESWA MP (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331605.**

(2) SIMA ED ID NO 6808055502082. POSTAL ADDRESS: BB 353 UMLAZI, PO NTOKOZWENI, 4066. (4) TRANSFER OF PERMIT, PERMIT NO. 1276212/1 FROM SIMA BC (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331669.**

(2) KHOZA KT ID NO 4912205530084. POSTAL ADDRESS: PO BOX 35402, HIBERDEN, 4220. (4) TRANSFER OF PERMIT, PERMIT NO. 1274291/0 FROM MTHIMKHULU SM (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331674.**

(2) MKHIZE VN ID NO 4411160316084. POSTAL ADDRESS: 966 VUMA STREET, SOBANTU VILLAGE, 3210. (4) TRANSFER OF PERMIT, PERMIT NO. 258679/3 FROM MKHIZE BS (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331688.**

(2) MTHEMBU TI ID NO 4807020481085. POSTAL ADDRESS: P O BOX 4, STEADVILLE, 3373. (4) TRANSFER OF PERMIT, PERMIT NO. 250098/1 FROM MAVUNDLA L (15 X PASSENGERS, DISTRICT: KLIP RIVER). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331689.**

(2) VILAKAZI TL ID NO 6412075480088. POSTAL ADDRESS: P O BOX 50007, OSIZWENI, 2952. (4) TRANSFER OF PERMIT, PERMIT NO. 252049/0 FROM THUSI VM (15 X PASSENGERS, DISTRICT: NEWCASTLE). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331730.**

(2) MOLEFE KJ ID NO 4508010392080. POSTAL ADDRESS: BOX 425, EZAKHENI, 3381. (4) TRANSFER OF PERMIT, PERMIT NO. 256491/5 FROM LEKOKOTLA MJ (15 X PASSENGERS, DISTRICT: KLIP RIVER), PERMIT NO. 253551/2 FROM LEKOKOTLA MJ (15 X PASSENGERS, DISTRICT: KLIP RIVER). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

**OP.1331767.**

(2) ZIBANE HP ID NO 5205030295083. POSTAL ADDRESS: PO BOX 23632, KWADLENGEZWA, 3886. (4) TRANSFER OF PERMIT, PERMIT NO. 1263313/1 FROM DUBE TI

(14 X PASSENGERS, DISTRICT: PIETER-MARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

H1—November 23, 2006.

#### NOTICE OF LAND DEVELOPMENT AREA APPLICATION

DYNASTY INVESTMENTS (PTY) LTD ufake isicelo ngokulandela uMthetho wokuKhuthaza iNtuthuko mayelana nokumiswa kwendawo yokuthuthukiswa Portion 87 (of 2) of The Farm Stocklands and Outlands No. 878.

Ukuthuthukisa kubabandakanya lokhu okulandelayo izindlu ezingamashumi amane eziminyene kancane endaweni esazohlelelwa ukwakhiwa yokuhlala.

Amapulani, izincwadi neminingwane edingekayo ukuze ihlolwe itholakala uMngeni Municipality Offices ekhomeni lemigwaqo uSomme no Dicks, Howick mhla ka on 16 kuNhlolanja 2007 ngo 10:00 kanti umhlangano wokwendulela uyoba Council Chambers, uMngeni Municipal Offices, Howick mhla ka 13 kuZibandlela 2006 ngo 12:00.

Ungaba khona kuhlolwa mathupa indawo ethuthukiswayo okuyokwenziwa yiNkundla yokulalela izicelo mhla ka 15 kuNhlolanja 2007 ngo 14:00.

Yimona yimuphi umuntu onentshisekelo mayelana nesicelo kumele aqaphele lokhu:

1. Ezinsukwini ezingu-21 lesi sazizo sokuqala simenyezwe, unganikeza isiphathi-mandla esiqokiwe isikhalo noma umbono wakho obhalwe phansi; noma
2. Uma umbono wakho kuyisikhalo esiqondene nokuthile mayelana nesicelo sokuthuthukisa umhlaba, kumele ube khona mathupha noma umelwe ummeli eNkundleni ngosuku olubalulwe ngenhla.

Noma yisiphi isikhalo noma umbono obhalwe phansi kumele uthunyelwe kwisiphathi-mandla esiqokiwe Mr S. Simpson, uMngeni Municipality, Dick Street, Howick (P.O. Box 5, Howick, 3290) futhi unganintana nesiphathi-mandla lapha (T) 033 239 9211 (F) 033 239 9213. Email – planning@umngeni.co.za

H2—kuLwezi 16, 23, 2006.

#### NOTICE OF LAND DEVELOPMENT AREA APPLICATION

Dynasty Investments (Pty) Limited has lodged an application in terms of the Development Facilitation Act, 1995, for the zoning and development of a land development area for 40 medium density housing units on Portion 87 (of 2) of The Farm Stocklands and Outlands No. 878.

The development will consist of 40 medium density housing units on land to be zoned Intermediate Residential.

The relevant plans, documents and information are available for inspection at the uMngeni Municipality offices at the corner of Somme and Dicks Street, Howick, for a period of 21 days from 16 November 2006.

The application will be considered at a Tribunal hearing to be held at the uMngeni Municipality Council Chambers at the corner of Somme and Dicks Streets, Howick on 16 February 2007 at 10:00 and the prehearing conference will be held at uMngeni Municipality Council Chambers, corner of Somme and Dicks Streets, Howick on 13 December 2006 at 12:00.

All interested and affected parties are hereby informed that they may attend an inspection *in loco* of the land development area, which will be conducted by the Tribunal on 15 February 2007 at 14:00.

Any person having an interest in the application should please note:

1. You may within 21 (twenty-one) days from

the date of the first publication of this notice (16 November 2006), provide the Designated Officer with your written objections or representations; or

2. If your comments constitute an objection to any aspect of the land development application, you must appear in person, or through a representative, before the tribunal on the date mentioned above.

Any written objection or representation must be delivered to the Designated Officer at the uMngeni Municipal offices at the Corner of Somme and Dicks Streets, Howick and you may contact the Designated Officer, Mr Stephen Simpson, if you have any queries, at the following:

uMngeni Municipality,  
Cnr Somme and Dicks Streets,  
P.O. Box 5,  
Howick 3290.  
Telephone Number: (033) 239 9211  
Fax Number: (033) 239 9213  
Email: planning@umngeni.co.za

H2—November 16, 23, 2006.

#### DFA APPLICATION

Umthetho 21(10) wemithetho yokuKhuthaza iNtuthuko ngokulandela

uMthethowokuKhuthaza iNtuthuko ka-1995

Pathen Estate (Pty) Ltd ufake isicelo ngokulandela uMthetho wokuKhuthaza iNtuthuko mayelana nokumiswa kwendawo yokuthuthukiswa Portion 25 (of 8) of the farm Rosetta No. 2983

Ukuthuthukisa kubabandakanya lokhu okulandelayo 11 new residential subdivisions of approximately 2000m<sup>2</sup>. Amapulani, izincwadi neminingwane edingekayo ukuze ihlolwe itholakala 12 Leonards Road, Hilton isikhathi esiyizinsuku ezingama-21 kusukela 16 November 2006.

Isicelo siyocutshungulwa eNkundleni yokulalela izicelo eyohlala Mooi River Country Club, Mooi River mhla ka 9 February 2007 ngo 10h00 kanti umhlangano wokwendulela uyoba Mooi River Country Club, mhla ka 13 December 2006 ngo 10h00.

Ungaba khona lapho kuhlolwa mathupha indawo ethuthukiswayo okuyokwenziwa yiNkundla yokulalela izicelo mhla ka 8 February 2007 ngo 14h00.

Yimona yimuphi umuntu onentshisekelo mayelana nesicelo kumele aqaphele lokhu:

1. Ezinsukwini ezingu-21 lesi sazizo sokuqala simenyezwe, unganikeza isiphathi-mandla esiqokiwe isikhalo noma umbono wakho obhalwe phansi; noma
2. Uma umbono wakho kuyisikhalo esiqondene nokuthile mayelana nesicelo sokuthuthukisa umhlaba, kumele ube khona mathupha noma umelwe ummeli eNkundleni ngosuku olubalulwe ngenhla.

Noma yisiphi isikhalo noma umbono obhalwe phansi kumele uthunyelwe kwisiphathi-mandla esiqokiwe Mrs S Makhathini, Umgungundlovu District, 242 Langalibalele Street, Pietermaritzburg futhi unganintana nesiphathi-mandla lapha (T) 033 8976758 (F) 033 3945561.

H10—kuLwezi 16, 23, 2006.

#### DFA APPLICATION

Regulation 21(10) of the Development Facilitation Regulations in terms of the Development Facilitation Act, 1995

Pathen Estate (Pty) Ltd has lodged an application in terms of the Development Facilitation Act, 1995, for the establishment of a land development area on Portion 25 (of 8) of the farm Rosetta No.2983.

The development will consist of 11 new residential subdivisions of approximately 2000m<sup>2</sup> each. The relevant plans, documents and information are available for inspection at 12 Leonards Road, Hilton (T) 033 3433821, for a period of 21 days from 16 November 2006.

The application will be considered at a Tribunal

hearing to be held at the Mooi River Country Club, Mooi River on 9 February 2007 at 10h00 and the prehearing conference will be held at Mooi River Country Club, on 13 December 2006 at 10h00.

You may attend an inspection *in loco* of the land development area which will be conducted by the Tribunal on 8 February 2007 at 14h00.

Any person having an interest in the application should please note:

1. You may within a period of 21 days from the date of the first publication of this notice, provide the designated officer with your written objections or representations; or
2. If your comments constitute an objection to any aspect of the land development application, you must appear in person or through a representative before the Tribunal at the prehearing conference, on the date mentioned above.

Any written objection or representation must be delivered to the designated officer, Mrs S Makhathini, Umgungundlovu District, 242 Langalibalele Street, Pietermaritzburg and you may contact the designated officer if you have any queries at the following: (T) 033 8976758 (F) 033 3945561.

H10—November 16, 23, 2006.

#### ISAZISO SOMPHAKATHI SOMTHETHO 21(10) WEMITHETHO YOKUKHUTHAZA INTUTHUKO NGOKULANDELA UMTHETHO WOKUKHUTHAZA INTUTHUKO KA 1995, UMTHETHO 67 KA 1995

U-BCP Engineers (Pty) Ltd, emele amalunga eFalls Downe cc njengomthuthukisi nomnini ndawo osemthethweni, ufake isicelo ngomthetho wokukhuthaza intuthuko yokuphakamisa neyokuthuthukiswa kwendawo eyisigaba 2 sefarm i-Stocklands neOatlands No. 878 Reg Div FT, eduze nomgwaqo uKarkloof oxhumana noMngeni Valley Nature Reserve maphakathi noMkhandlu waseMngeni, KwaZulu Natali:

Intuthuko ihlanganisa isiphasiso nesiphakamiso sendawo yokuhlala kanye nesiqwi sokongiwa kwemvelo ezokwaziwa njengeFalls Downe Residential Estate and Nature Reserve futhi izoba nalokhu okulandelayo:

- izindawo zokuhlala eziyizigaba ezingu 40, ezisukela kusayizi ongu-1106m<sup>2</sup> kuya ku-3750m<sup>2</sup> ezindaweni ezingamalunga amane okuhlala
- indawo yokungebeleka, neyokuphumula ezohlanganisa indawo yokudlela, indawo yodla ngomhlalaphansi noma inkantini, indawo yokwenza imicimbi, nezindawo ezingu-6 ezakhiwe ngohlobo lamaSwiss (chalets), nezindawo zomphakathi zokuhlala
- izibophezile zihlangane nazozonke izidingo ezixhumene naloluthuthukiso
- zonke zisendaweni efakwe isiphakamiso ezokwaziwa njengesiqwi sokongiwa kwezemvelo.

Amapulani, izincwadi kanye neminingwane edingekayo ukuze ihlolwe, ayatholakala emahobvisi oMkhandlu wesifunda saseMngeni, eHowick esikhathini esiyizinsuku ezingu-21 kusukela mhla ka 17 November 2006.

Isicelo siyocutshungulwa eNkundleni yokulalela izicelo eyohlala kwiKamelu lamaKhanzela yoMkhandlu waseMngeni, ekhomeni lomgwaqo uDicks noSomme, eHowick mhla ka 2 March 2007 ngo 09h00 kanti umhlangano wokwendulela uyoba kuMkhandlu waseMngeni kwiKamelu lamaKhanzela ekhomeni lomgwaqo uDicks noSomme, eHowick mhla ka 16 January 2007 ngo 10h00.

Yimona yimuphi umuntu onentshisekelo mayelana nesicelo kumele aqaphele lokhu:

1. Kumele ezinsukwini ezingu-21 kusukela osukwini lokuqala simenyezwe isaziso, unikeze isiphathimandla esiqokiwe isikhalo noma umbono wakho obhalwe phansi; noma
2. Uma umbono wakho unesikhalo phakathi esiqondene nokuthile mayelana nesicelo

sokuthukiswa kwendawo, kumele uzi-fikele mathupha noma uthumele ozokumela ngaphambi kwenkundla ngosuku olubaluliwe ngenhla.

Bonke abanentshisekelo nabathintekayo bayaziswa ukuthi bavumelekile ukuba khona ekuhlolweni okuzobakhona kokuthukiswa kwendawo okuzokwenziwa yinkundla mhlaka 1 March 2007 ngo 14h00.

Noma yisiphi isikhalo esibhaliwe noma isiboniso kumele sithunyelwe kwisiphathimandla esiqokile soMkhandlu waseMngeni, P.O. Box 5, Howick, 3290 futhi ungathintana nesiphathimandla uma unemibuzo kulenombolo yocingo 033-239 9211, nenombolo yesikhahlamezi mazwi 033-239 9213 noma kwimeyili: [planning@umngeni.co.za](mailto:planning@umngeni.co.za)

H11—kuLwezi 16, 23, 2006.

**PUBLIC NOTICE IN TERMS OF  
REGULATION 21(10) OF THE  
DEVELOPMENT FACILITATION  
REGULATIONS IN TERMS OF THE  
DEVELOPMENT FACILITATION  
ACT, 1995, ACT NO. 67 OF 1995**

BCP Engineers (Pty) Ltd, acting on behalf of the members of Falls Downe cc, as registered land owner and developer, has lodged an application in terms of the Development Facilitation Act for the establishment of a land development area on

Portion 2 of the farm Stocklands and Oatlands No. 878 Reg Div FT situated near the Karkloof Road and adjoining the Umgeni Valley Nature Reserve, within the uMngeni Municipality, KwaZulu-Natal.

The development comprises the approval and establishment of a proposed residential estate and private nature reserve to be known as the Falls Downe Residential Estate and Private Nature Reserve and includes:

- 40 residential subdivisions, ranging in size from 1106m<sup>2</sup> to 3750 m<sup>2</sup> in 4 residential nodes or clusters;
- a tourism and recreation facility comprising a restaurant, a lounge/pub, a functions/conference room, 6 self-catering chalets and public ablution facilities;
- together with supporting facilities and amenities and associated infrastructure;
- all situated within a proposed to be proclaimed private nature reserve.

The relevant plans, documents and information are available for inspection at the offices of uMngeni Municipality, Howick, for a period of 21 days from 17 November 2006.

The application will be considered at a Tribunal hearing to be held at the Council Chamber, uMngeni Municipality, corner of Dicks and Somme Streets, Howick, on 02 March 2007 at 09h00, and the pre-hearing conference will be

held at the uMngeni Municipality Council Chamber, corner of Dick and Somme Streets, Howick on 16 January 2007, at 10h00.

Any person having an interest in the application should please note:

1. You may within a period of 21 days from the date of the first publication of this notice, provide the Designated Officer with your written objections or representations; and
2. If your comments constitute an objection to any aspect of the land development application, you must appear in person or through a representative before the Tribunal on the date mentioned above.

All interested and affected parties are hereby informed that they may attend an inspection in loco of the land development area which will be conducted by the Tribunal on 1 March 2007 at 1400.

Any written objection or representation must be delivered to the Designated Officer at uMngeni Municipality, P O Box 5, Howick, 3290 and you may contact the Designated Officer if you have any queries on telephone no. 033 - 239 9211, fax no. 033 - 239 9213 and email: [planning@umngeni.co.za](mailto:planning@umngeni.co.za).

H11—November 16, 23, 2006

