



KWAZULU-NATAL PROVINCE  
KWAZULU-NATAL PROVINSIE  
ISIFUNDAZWE SAKWAZULU-NATALI

**Provincial Gazette • Provinsiale Koerant • Igazethi Yesifundazwe**

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*(Irejistiwee njengephephandaba eposihhovisi)*

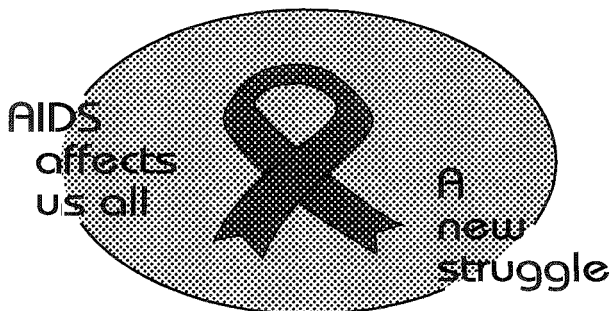
**Vol. 2**

**PIETERMARITZBURG,**

13 NOVEMBER 2008  
13 KULWEZI 2008

**No. 193**

**We all have the power to prevent AIDS**



**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

**Prevention is the cure**

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



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**IZIKHANGISO**

Ezingxubevange (bhaka uhlu oluseceleni, ekhasini 120)

# IMPORTANT NOTICE

The  
**KwaZulu-Natal Provincial Gazette** Function  
will be transferred to the  
**Government Printer** in Pretoria  
as from 26 April 2007

**NEW PARTICULARS ARE AS FOLLOWS:**

**Physical address:**

Government Printing Works  
149 Bosman Street  
Pretoria

**Postal address:**

Private Bag X85  
Pretoria  
0001

**New contact persons:** Louise Fourie Tel.: (012) 334-4686  
Mrs H. Wolmarans Tel.: (012) 334-4591  
Awie van Zyl.: (012) 334-4523

**Fax number:** (012) 323-8805

**E-mail addresses:** Louise.Fourie@gpw.gov.za  
Hester.Wolmarans@gpw.gov.za

**Contact persons for subscribers:**

Mrs S. M. Milanzi Tel.: (012) 334-4734  
Mrs J. Wehmeyer Tel.: (012) 334-4753  
Fax.: (012) 323-9574

This phase-in period is to commence from **26 April 2007**, which is the closing date for all adverts to be received for the publication date of **3 May 2007**.

Subscribers and all other stakeholders are advised to send their advertisements directly to the **Government Printing Works**, one week (five working days) before the date of printing, which will be a Thursday.

**Payment:**

- (i) Departments/Municipalities: Notices must be accompanied by an order and official letterhead, including financial codes, contact person and address of Department.
- (ii) Private persons: Must pay in advance before printing.

**AWIE VAN ZYL**  
Advertising Manager

IT IS THE CLIENTS RESPONSIBILITY TO ENSURE THAT THE CORRECT AMOUNT IS PAID AT THE CASHIER OR DEPOSITED INTO THE GOVERNMENT PRINTING WORKS BANK ACCOUNT AND ALSO THAT THE REQUISITION/COVERING LETTER TOGETHER WITH THE ADVERTISEMENTS AND THE PROOF OF DEPOSIT REACHES THE GOVERNMENT PRINTING WORKS IN TIME FOR INSERTION IN THE PROVINCIAL GAZETTE.

**NO ADVERTISEMENTS WILL BE PLACED WITHOUT PRIOR PROOF OF PRE-PAYMENT.**

$\frac{1}{4}$  page **R 187.37**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

**A PRICE  
INCREASE OF  
8,5% WILL BE  
EFFECTIVE ON  
ALL TARIFFS  
FROM  
1 MAY 2008**

$\frac{1}{4}$  page **R 374.75**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

$\frac{1}{4}$  page **R 562.13**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

$\frac{1}{4}$  page **R 749.50**

Letter Type: Arial Size: 10

Line Spacing: At:  
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REPUBLIC  
OF  
SOUTH AFRICA

## LIST OF FIXED TARIFF RATES AND CONDITIONS

FOR PUBLICATION OF LEGAL NOTICES  
IN THE *KwaZulu-Natal PROVINCE*  
*PROVINCIAL GAZETTE*

**COMMENCEMENT: 1 MAY 2007**

### CONDITIONS FOR PUBLICATION OF NOTICES

#### CLOSING TIMES FOR THE ACCEPTANCE OF NOTICES

1. (1) The *KwaZulu-Natal Provincial Gazette* is published every week on Thursday, and the closing time for the acceptance of notices which have to appear in the *KwaZulu-Natal Provincial Gazette* on any particular Thursday, is **15:00 one week prior to the publication date**. Should any Thursday coincide with a public holiday, the publication date remains unchanged. However, the closing date for acceptance of advertisements moves backwards accordingly, in order to allow for 5 working days prior to the publication date.
- (2) The date for the publication of an **Extraordinary** *KwaZulu-Natal Province Provincial Gazette* is negotiable.
2. (1) Notices received **after closing time** will be held over for publication in the next *KwaZulu-Natal Provincial Gazette*.
- (2) Amendments or changes in notices cannot be undertaken unless instructions are received **before 10:00 on Fridays**.
- (3) Notices for publication or amendments of original copy can not be accepted over the telephone and must be brought about by letter, by fax or by hand. The Government Printer will not be liable for any amendments done erroneously.
- (4) In the case of cancellations a refund of the cost of a notice will be considered only if the instruction to cancel has been received on or before the stipulated closing time as indicated in paragraph 2(2).

#### APPROVAL OF NOTICES (This only applies to Private Companies)

3. In the event where a cheque, submitted by an advertiser to the Government Printer as payment, is dishonoured, then the Government Printer reserves the right to refuse such client further access to the *KwaZulu-Natal Provincial Gazette* until any outstanding debts to the Government Printer is settled in full.

#### THE GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

4. The Government Printer will assume no liability in respect of—
  - (1) any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - (2) erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;

- (3) any editing, revision, omission, typographical errors, amendments to copies or errors resulting from faint or indistinct copy.

#### **LIABILITY OF ADVERTISER**

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

#### **COPY**

6. Notices must be typed on one side of the paper only and may not constitute part of any covering letter or document.

7. At the top of any copy, and set well apart from the notice, the following must be stated:

Where applicable

- (1) The heading under which the notice is to appear.  
(2) The cost of publication applicable to the notice, in accordance with the "Word Count Table".

#### **PAYMENT OF COST (This only applies to Private Companies)**

9. **With effect from 26 April 2007 no notice will be accepted for publication unless the cost of the insertion(s) is prepaid in CASH or by CHEQUE or POSTAL ORDERS. It can be arranged that money can be paid into the banking account of the Government Printer, in which case the deposit slip accompanies the advertisement before publication thereof.**
10. (1) The cost of a notice must be calculated by the advertiser in accordance with the word count table.  
(2) Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the **Advertising Section, Government Printing Works, Private Bag X85, Pretoria, 0001 [Fax: (012) 323-8805], before publication.**
11. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and the notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or by cheque or postal orders, or into the banking account.

12. *In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the Government Printing Works.*
13. The Government Printer reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the Word Count Table, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

#### **PROOF OF PUBLICATION**

14. **Copies of the *KwaZulu-Natal Provincial Gazette* which may be required as proof of publication, may be ordered from the Government Printer at the ruling price.** The Government Printer will assume no liability for any failure to post such *KwaZulu-Natal Provincial Gazette(s)* or for any delay in despatching it/them.

## **GOVERNMENT PRINTERS BANK ACCOUNT PARTICULARS**

Bank:	ABSA
	BOSMAN STREET
Account No.:	4057114016
Branch code:	632-005
Reference No.:	00000006
Fax No.:	(012) 323 8805

#### ***Enquiries:***

Mrs. L. Fourie	Tel.: (012) 334-4686
Mrs. H. Wolmarans	Tel.: (012) 334-4591
Mr. A. van Zyl	Tel.: (012) 334-4523

**PROVINCIAL NOTICES—PROVINSIALE KENNISGEWINGS—IZAZISO ZESIFUNDAZWE**

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The following notices are published for general information.

Onderstaande kennisgewings word vir algemene inligting gepubliseer.

DR K. B. MBANJWA  
Director-General

DR K. B. MBANJWA  
Direkteur-generaal

300 Langalibalele Street  
Pietermaritzburg  
13 November 2008

Langalibalelestraat 300  
Pietermaritzburg  
13 November 2008

Izaziso ezilandelayo zikhishelwe ulwazi lukawonkewonke.

DKT. K. B. MBANJWA  
uMqondisi-Jikelele

300 Langalibalele Street  
Pietermaritzburg  
13 kuLwezi 2008

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**No. 221****13 November 2008****DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****PROVINCIAL NOTICE****NOTICE IN TERMS OF SECTION 25(4) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: BY-ELECTION IN WARD 20 OF THE EMNAMBITHI MUNICIPALITY**

I, Michael Mabuyakhulu, Member of the KwaZulu-Natal Executive Council responsible for Local Government, Housing and Traditional Affairs, and after consultation with the Electoral Commission, hereby give notice under powers vested in me by section 25(4) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), that I have called a by-election in Ward 20 of the Emnambithi Municipality as a result of a vacancy that has occurred in the said Ward, and that I have set 10 December 2008 as the date for the said by-election.

Given under my hand at Durban this 21<sup>st</sup> day of October Two thousand and Eight.

**MR M. MABUYAKHULU, MPL**  
Member of the Executive Council of the Province of KwaZulu-Natal  
responsible for local government

**No. 221****13 November 2008****DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****KENNISGEWING INGEVOLGE ARTIKEL 25(4) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998: TUSSENVERKIESING IN WYK 20 VAN DIE EMNAMBITHI MUNISIPALITEIT**

Ek, Michael Mabuyakhulu, Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal verantwoordelik vir plaaslike regering, Behuising en Tradisionele Sake gee hierby kragtens die bevoegdheid aan my verleen by artikel 25(4) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), en na oorlegpleging met die Verkiesingskommissie, kennis dat ek 'n tussenverkiesing in Wyk 20 van die Emnambithi Munisipaliteit uitgeskryf het as gevolg van 'n vakature wat in die genoemde wyk ontstaan het, en stel 10 Desember 2008 vas as die datum vir die genoemde tussenverkiesing.

Gegee onder my hand te Durban op hierdie 21<sup>ste</sup> dag van Oktober, Tweeduisend-en-agt.

**MNR M MABUYAKHULU, LPW**  
Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal  
verantwoordelik vir plaaslike regering

**No. 221****13 kuLwezi 2008****UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO****ISAZISO NGOKWESIGABA 25(4) SOMTHETHO WEZINHLAKA ZOMASIPALA WOHULUMENI BASEKHAYA, 1998: UKHETHO ESIGCEMENI SESI-20 KUMASIPALA WASEMNAMBITHI**

Mina Michael Mabuyakhulu, iLungu loMkhandlu oPhethe KwaZulu-Natali elibhekele oHulumeni baseKhaya, ezeziNdlu kanye nezeNdabuko, ngemva kokubonisana noKhomishana woKhetho, ngalokhu ngikhipha isaziso ngaphansi kwamandla engiwanikwe yisigaba 25(4) soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), sokuthi ngibiza ukhetho esiGcemeni sesi-20 kuMasipala wasEmnambithi yesikhala esesivele kulesi siGceme okukhulunywe ngaso, nokuthi ngibeka umhla ziyi-10 kuZibandlela 2008 njengosuku lokhetho okukhulunywe ngalo.

Sinikezwe ngaphansi kwesandla sami eThekwini ngaloku suku-21kuMfumfu, oNyakeni weziNkulungwane eziMbili nesiShiyagalombili.

**MNUZ. M MABUYAKHULU**, iLungu lesiShayamthetho sesiFundazwe  
iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali  
elibhekele ohulumeni basekhaya

**No. 222****13 November 2008****DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****PROVINCIAL NOTICE****NOTICE IN TERMS OF SECTION 25(4) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: BY-ELECTION IN WARD 24 OF THE ULUNDI MUNICIPALITY**

I, Michael Mabuyakhulu, Member of the KwaZulu-Natal Executive Council responsible for Local Government, Housing and Traditional Affairs, and after consultation with the Electoral Commission, hereby give notice under powers vested in me by section 25(4) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), that I have called a by-election in Ward 24 of the Ulundi Municipality as a result of a vacancy that has occurred in the said Ward, and that I have set 10 December 2008 as the date for the said by-election.

Given under my hand at Durban this 21<sup>st</sup> day of October Two thousand and Eight.

**MR M. MABUYAKHULU, MPL**

**Member of the Executive Council of the Province of KwaZulu-Natal  
responsible for local government**

**No. 222****13 November 2008****DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****KENNISGEWING INGEVOLGE ARTIKEL 25(4) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998: TUSSENVERKIESING IN WYK 24 VAN DIE ULUNDI MUNISIPALITEIT**

Ek, Michael Mabuyakhulu, Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal verantwoordelik vir plaaslike regering, Behuising en Tradisionele Sake gee hierby kragtens die bevoegdheid aan my verleen by artikel 25(4) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), en na oorlegpleging met die Verkiesingskommissie, kennis dat ek 'n tussenverkiesing in Wyk 24 van die Ulundi Munisipaliteit uitgeskryf het as gevolg van 'n vakature wat in die genoemde wyk ontstaan het, en stel 10 Desember 2008 vas as die datum vir die genoemde tussenverkiesing.

Gegee onder my hand te Durban op hierdie 21<sup>ste</sup> dag van Oktober, Tweeduisend-en-agt.

**MNR M MABUYAKHULU, LPW**

**Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal  
verantwoordelik vir plaaslike regering**

**No. 222****13 kuLwezi 2008****UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO****ISAZISO NGOKWESIGABA 25(4) SOMTHETHO WEZINHLAKA ZOMASIPALA WOHULUMENI BASEKHAYA, 1998: UKHETHO ESIGCEMENI SESI-24 KUMASIPALA WASE ULUNDI**

Mina Michael Mabuyakhulu, iLungu loMkhandlu oPhethe KwaZulu-Natali elibhekele oHulumeni baseKhaya, ezeziNdlu kanye nezeNdabuko, ngemva kokubonisana noKhomishana woKhetho, ngalokhu ngikhipha isaziso ngaphansi kwamandla engiwanikwe yisigaba 25(4) soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), sokuthi ngibiza ukhetho esiGcemeni sesi-24 kuMasipala wase Ulundi ngenxa yesikhala esesivele kulesi siGceme okukhulunye ngaso, nokuthi ngibeka umhla ziyi-10 kuZibandlela 2008 njengosuku lokhetho okukhulunye ngalo.

Sinikezwe ngaphansi kwesandla sami eThekwini ngaloku suku-21kuMfumfu, oNyakeni weziNkulungwane eziMbili nesiShiyagalombili.

**MNUZ. M MABUYAKHULU**, iLungu lesiShayamthetho sesiFundazwe  
iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali  
elibhekele ohulumeni basekhaya

**No. 223****13 November 2008****DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****PROVINCIAL NOTICE****NOTICE IN TERMS OF SECTION 25(4) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: BY-ELECTION IN WARD 12 OF JOZINI MUNICIPALITY**

I, Michael Mabuyakhulu, Member of the KwaZulu-Natal Executive Council responsible for Local Government, Housing and Traditional Affairs, and after consultation with the Electoral Commission, hereby give notice under powers vested in me by section 25(4) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), that I have called a by-election in Ward 12 of the Jozini Municipality as a result of a vacancy that has occurred in the said Ward, and that I have set 10 December 2008 as the date for the said by-election.

Given under my hand at Durban this 21<sup>st</sup> day of October Two thousand and Eight.

**MR M. MABUYAKHULU, MPL**  
Member of the Executive Council of the Province of KwaZulu-Natal  
responsible for local government

**No. 223****13 November 2008****DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****KENNISGEWING INGEVOLGE ARTIKEL 25(4) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998: TUSSENVERKIESING IN WYK 12 VAN DIE JOZINI MUNISIPALITEIT**

Ek, Michael Mabuyakhulu, Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal verantwoordelik vir plaaslike regering, Behuising en Tradisionele Sake gee hierby kragtens die bevoegdheid aan my verleen by artikel 25(4) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), en na oorlegpleging met die Verkiesingskommissie, kennis dat ek 'n tussenverkiesing in Wyk 12 van die Jozini Munisipaliteit uitgeskryf het as gevolg van 'n vakature wat in die genoemde wyk ontstaan het, en stel 10 Desember 2008 vas as die datum vir die genoemde tussenverkiesing.

Gegee onder my hand te Durban op hierdie 21<sup>ste</sup> dag van Oktober, Tweeduisend-en-agt.

**MNR M MABUYAKHULU, LPW**  
Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal  
verantwoordelik vir plaaslike regering

**No. 223****13 kuLwezi 2008****UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO****ISAZISO NGOKWESIGABA 25(4) SOMTHETHO WEZINHLAKA ZOMASIPALA WOHULUMENI BASEKHAYA, 1998: UKHETHO ESIGCEMENI SESI-12 KUMASIPALA WASE JOZINI**

Mina Michael Mabuyakhulu, iLungu loMkhandlu oPhethe KwaZulu-Natali elibhekele oHulumeni baseKhaya, ezeziNdlu kanye nezeNdabuko, ngemva kokubonisana noKhomishana woKhetho, ngalokhu ngikhipha isaziso ngaphansi kwamandla engiwanikwe yisigaba 25(4) soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), sokuthi ngibiza ukhetho esiGcemeni sesi-12 kuMasipala wase Jozini ngenxa yesikhala esesivele kulesi siGceme okukhulunywe ngaso, nokuthi ngibeka umhla ziyi-10 KuZibandlela 2008 njengosuku lokhetho okukhulunywe ngalo.

Sinikezwe ngaphansi kwesandla sami eThekwini ngaloku suku-21kuMfumfu, oNyakeni weziNkulungwane eziMbili nesiShiyagalombili.

**MNUZ. M MABUYAKHULU**, iLungu lesiShayamthetho sesiFundazwe  
iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali  
elibhekele ohulumeni basekhaya

**No. 224****13 November 2008****DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****PROVINCIAL NOTICE****NOTICE IN TERMS OF SECTION 25(4) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: BY-ELECTION IN WARD 2 OF THE UMNGENI MUNICIPALITY**

I, Michael Mabuyakhulu, Member of the KwaZulu-Natal Executive Council responsible for Local Government, Housing and Traditional Affairs, and after consultation with the Electoral Commission, hereby give notice under powers vested in me by section 25(4) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), that I have called a by-election in Ward 2 of the uMngeni Municipality as a result of a vacancy that has occurred in the said Ward, and that I have set 10 December 2008 as the date for the said by-election.

Given under my hand at Durban this 21<sup>st</sup> day of October Two thousand and Eight.

**MR M. MABUYAKHULU, MPL**

Member of the Executive Council of the Province of KwaZulu-Natal  
responsible for local government

**No. 224****13 November 2008****DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****KENNISGEWING INGEVOLGE ARTIKEL 25(4) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998: TUSSENVERKIESING IN WYK 2 VAN DIE UMNGENI MUNISIPALITEIT**

Ek, Michael Mabuyakhulu, Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal verantwoordelik vir plaaslike regering, Behuising en Tradisionele Sake gee hierby kragtens die bevoegdheid aan my verleen by artikel 25(4) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), en na oorlegpleging met die Verkiesingskommissie, kennis dat ek 'n tussenverkiesing in Wyk 2 van die uMngeni Munisipaliteit uitgeskryf het as gevolg van 'n vakature wat in die genoemde wyk ontstaan het, en stel 10 Desember 2008 vas as die datum vir die genoemde tussenverkiesing.

Gegee onder my hand te Durban op hierdie 21<sup>ste</sup> dag van Oktober, Tweeduisend-en-agt.

**MNR M MABUYAKHULU, LPW**

Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal  
verantwoordelik vir plaaslike regering

**No. 224****13 kuLwezi 2008****UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO****ISAZISO NGOKWESIGABA 25(4) SOMTHETHO WEZINHLAKA ZOMASIPALA WOHULUMENI BASEKHAYA, 1998: UKHETHO ESIGCEMENI SESI-2 KUMASIPALA WASE UMNGENI**

Mina Michael Mabuyakhulu, iLungu loMkhandlu oPhethe KwaZulu-Natali elibhekele oHulumeni baseKhaya, ezeziNdlu kanye nezeNdabuko, ngemva kokubonisana noKhomishana woKhetho, ngalokhu ngikhipha isaziso ngaphansi kwamandla engiwanikwe yisigaba 25(4) soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), sokuthi ngibiza ukhetho esiGcemeni sesi-2 kuMasipala wase uMngeni ngenxa yesikhala esesivele kulesi siGceme okukhulunywe ngaso, nokuthi ngibeka umhla ziyi-10 kuZibandlela 2008 njengosuku lokhetho okukhulunywe ngalo.

Sinikezwe ngaphansi kwesandla sami eThekwini ngaloku suku-21kuMfumfu, oNyakeni weziNkulungwane eziMbili nesiShiyagalombili.

**MNUZ. M MABUYAKHULU**, iLungu lesiShayamthetho sesiFundazwe  
iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali  
elibhekele ohulumeni basekhaya

**No. 225****13 November 2008****DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****PROVINCIAL NOTICE****NOTICE IN TERMS OF SECTION 25(4) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: BY-ELECTION IN WARD 56 OF THE ETHEKWINI MUNICIPALITY**

I, Michael Mabuyakhulu, Member of the KwaZulu-Natal Executive Council responsible for Local Government, Housing and Traditional Affairs, and after consultation with the Electoral Commission, hereby give notice under powers vested in me by section 25(4) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), that I have called a by-election in Ward 56 of the Ethekwini Municipality as a result of a vacancy that has occurred in the said Ward, and that I have set 10 December 2008 as the date for the said by-election.

Given under my hand at Durban this 21<sup>st</sup> day of October Two thousand and Eight.

**MR M. MABUYAKHULU, MPL**  
Member of the Executive Council of the Province of KwaZulu-Natal  
responsible for local government

**No. 225****13 November 2008****DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****KENNISGEWING INGEVOLGE ARTIKEL 25(4) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998: TUSSENVERKIESING IN WYK 56 VAN DIE ETHEKWINI MUNISIPALITEIT**

Ek, Michael Mabuyakhulu, Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal verantwoordelik vir plaaslike regering, Behuising en Tradisionele Sake gee hierby kragtens die bevoegdheid aan my verleen by artikel 25(4) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), en na oorlegpleging met die Verkiesingskommissie, kennis dat ek 'n tussenverkiesing in Wyk 56 van die Ethekwini Munisipaliteit uitgeskryf het as gevolg van 'n vakature wat in die genoemde wyk ontstaan het, en stel 10 Desember 2008 vas as die datum vir die genoemde tussenverkiesing.

Gegee onder my hand te Durban op hierdie 21<sup>ste</sup> dag van Oktober, Tweeduisend-en-agt.

**MNR M MABUYAKHULU, LPW**  
Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal  
verantwoordelik vir plaaslike regering

**No. 225****13 kuLwezi 2008****UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO****ISAZISO NGOKWESIGABA 25(4) SOMTHETHO WEZINHLAKA ZOMASIPALA WOHULUMENI BASEKHAYA, 1998: UKHETHO ESIGCEMENI SESI-56 KUMASIPALA WASETHEKWINI**

Mina Michael Mabuyakhulu, iLungu loMkhandlu oPhethe KwaZulu-Natali elibhekele oHulumeni baseKhaya, ezeziNdlu kanye nezeNdabuko, ngemva kokubonisana noKhomishana woKhetho, ngalokhu ngikhipha isaziso ngaphansi kwamandla engiwanikwe yisigaba 25(4) soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), sokuthi ngibiza ukhetho esiGcemeni sesi-56 kuMasipala waseThekwini ngenxa yesikhala esesivele kulesi siGceme okukhulunywe ngaso, nokuthi ngibeka umhla ziyi-10 kuZibandlela 2008 njengosuku lokhetho okukhulunywe ngalo.

Sinikezwe ngaphansi kwesandla sami eThekwini ngaloku suku-21kuMfumfu, oNyakeni weziNkulungwane eziMbili nesiShiyagalombili.

**MNUZ. M MABUYAKHULU**, iLungu lesiShayamthetho sesiFundazwe  
iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali  
elibhekele ohulumeni basekhaya

No. 226

13 November 2008

## DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

## PROVINCIAL NOTICE

**NOTICE IN TERMS OF SECTION 25(4) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: BY-ELECTION IN WARD 10 OF THE MANDENI MUNICIPALITY**

I, Michael Mabuyakhulu, Member of the KwaZulu-Natal Executive Council responsible for Local Government, Housing and Traditional Affairs, and after consultation with the Electoral Commission, hereby give notice under powers vested in me by section 25(4) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), that I have called a by-election in Ward 10 of the Mandeni Municipality as a result of a vacancy that has occurred in the said Ward, and that I have set 10 December 2008 as the date for the said by-election.

Given under my hand at Durban this 21<sup>st</sup> day of October Two thousand and Eight.

**MR M. MABUYAKHULU, MPL**

Member of the Executive Council of the Province of KwaZulu-Natal  
responsible for local government

No. 226

13 November 2008

## DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

**KENNISGEWING INGEVOLGE ARTIKEL 25(4) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998: TUSSENVERKIESING IN WYK 10 VAN DIE MANDENI MUNISIPALITEIT**

Ek, Michael Mabuyakhulu, Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal verantwoordelik vir plaaslike regering, Behuising en Tradisionele Sake gee hierby kragtens die bevoegdheid aan my verleen by artikel 25(4) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), en na oorlegpleging met die Verkiesingskommissie, kennis dat ek 'n tussenverkiesing in Wyk 10 van die Mandeni Munisipaliteit uitgeskryf het as gevolg van 'n vakature wat in die genoemde wyk ontstaan het, en stel 10 Desember 2008 vas as die datum vir die genoemde tussenverkiesing.

Gegee onder my hand te Durban op hierdie 21<sup>ste</sup> dag van Oktober, Tweeduisend-en-agt.

**MNR M MABUYAKHULU, LPW**

Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal  
verantwoordelik vir plaaslike regering

No. 226

13 kuLwezi 2008

## UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

**ISAZISO NGOKWESIGABA 25(4) SOMTHETHO WEZINHLAKA ZOMASIPALA WOHULUMENI BASEKHAYA, 1998: UKHETHO ESIGCEMENI SESI-10 KUMASIPALA WASE MANDENI**

Mina Michael Mabuyakhulu, iLungu loMkhandlu oPhethe KwaZulu-Natali elibhekele oHulumeni baseKhaya, ezeziNdlu kanye nezeNdabuko, ngemva kokubonisana noKhomishana woKhetho, ngalokhu ngikhipha isaziso ngaphansi kwamandla engiwanikwe yisigaba 25(4) soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), sokuthi ngibiza ukhetho esiGcemeni sesi-10 kuMasipala wase Mandeni yesikhala esesivele kulesi siGceme okukhulunywe ngaso, nokuthi ngibeka umhla ziyi-10 kuZibandlela 2008 njengosuku lokhetho okukhulunywe ngalo.

Sinikezwe ngaphansi kwesandla sami eThekwini ngaloku suku-21 kuMfumfu, oNyakeni weziNkulungwane eziMbili nesiShiyagalombili.

**MNUZ. M MABUYAKHULU**, iLungu lesiShayamthetho sesiFundazwe  
iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali  
elibhekele ohulumeni basekhaya

**No. 227****13 November 2008****DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****TOWN PLANNING ORDINANCE, 1949: PRIVATE TOWNSHIP; ERVEN 243 – 255 LOT ABCDEFG, UMNGENI MUNICIPALITY**

In terms of section 23 of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949), Erven 243 – 255 Lot ABCDEFG, Registration Division FT, uMngeni Municipality, is declared an approved private township.

**M. L. POVALL**, Manager: Development Administration

Date: 4 November 2008

File reference: 2006/8

**No. 228****13 November 2008****REMOVAL OF RESTRICTIONS ACT, 1967: REMOVAL OF CONDITIONS OF TITLE**

In terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), I remove the restrictions set out in the Schedule.

**M. L. POVALL**, Manager: Development Administration

Date: 4 November 2008

**SCHEDULE**

The figures used in brackets have the following meanings:

- (1) = Street address, property description, registration division, municipality
- (2) = Deed, condition, file reference
- (3) = Scope of alteration or removal

(1) Bond Street, **Erf 649 Ramsgate**, Registration ET, Hibiscus Coast Municipality

(2) T 14091/05, 3. (i) (b), 2005/1267

(3) Removal of a condition of title that restricts the use of the property to one dwelling house.

(1) 19 Colin Street, **Erf 2236 Uvongo**, Registration Division ET, Hibiscus Coast Municipality

(2) T 37837/03, 3.(a), 2006/60

(3) Removal of conditions of title that restricts the use of property to one dwelling house, restricts the use of certain types of building material for the construction of buildings and imposes minimum value of a building.

(1) Corner of Albert; Benjamin; and Victoria Streets, **Erf 807 Richmond**, Registration Division FT, Richmond Municipality

(2) 06 58617, B.2. and C.2., 2006/713

(3) Removal of a condition of title that restrict the use of the property to one dwelling house.

(1) Goodwill Place, **Portion 5 of Erf 115 Camperdown**, Registration Division FT, Mkhambathini Municipality

(2) T 04 58801, D.1. and D.2., 2007/640

- (3) Removal of conditions of title that restrict the use of the property to residential purposes and to one dwelling house.
- (1) Ross Road, **Erf 184 Southbroom**, Registration Division ET, Hibiscus Coast Municipality  
(2) T 05 51053, C. (a) and C. (d), 2007/1124  
(3) Removal of conditions of title that prohibits the subdivision of the property and restricts the use of the property to business purposes.
- (1) 13 High Street, Remainder of Portion 1 of Erf 134 Tongaat, Registration Division FU, eThekwini Municipality  
(2) T 05 36354, B. 2, 2007/1655  
(3) Removal of condition of title that restricts the use of property to one dwelling house.
- (1) 105 Buckingham Road, **Erf 394 Kloof**, Registration Division FT, eThekwini Municipality  
(2) T 17318/1973, 2. (d), 2008/63  
(3) Removal of a condition of title that restricts the use of the property to one dwelling house.
- (1) 45 Hilltop Road, **Erf 299 Hillcrest Park**, Registration Division FT, eThekwini Municipality  
(2) T 57024/99, E.(c), 2008/97  
(3) Removal of a condition of title that restricts the use of the property to one dwelling house.
- (1) 10 Poole Place, **Erf 93 Malvern**, Registration Division FT, eThekwini Municipality  
(2) T 54378/03, (b) (iv), 2008/216  
(3) Removal of a condition of title that restricts the use of certain types of building material for the construction of buildings.
- (1) 1124 Albert Meyer Drive, **Erf 1124 Shelly Beach**, Registration Division ET, Hibiscus Coast Municipality  
(2) T 04 17101, C.(ii), 2008/220  
(3) Removal of a condition of title that restricts the use of the property to one dwelling house.
- (1) 70 School Road, **Portion 11 of Erf 93 Amanzimtoti**, Registration Division ET, eThekwini Municipality  
(2) T 06 57917, (A) 1. and (B) (b), 2008/223  
(3) Removal of a condition of title that prohibits the subdivision of the property and restricts the use of property to one dwelling house.
- (1) 3 Campbell Road, **Erf 448 Glenmore**, Registration Division ET, Hibiscus Coast Municipality  
(2) T 45807/2000, C. (e), 2008/439  
(3) Removal of a condition of title that imposes building lines.
- (1) 62 and 60 Inanda Road, **Portions 12 and 13 of the Farm Vivian No. 14180**, Registration Division FT, eThekwini Municipality  
(2) T 4902/87, 1.E. (1), 2.C.(1), 2008/507  
(3) Removal of a condition of title that restrict the use of the property to residential purposes.



- 
- (1) 131 Collier Avenue, **Erf 157 Umhlatuzana**, Registration FT, eThekweni Municipality
  - (2) T 9855/96, C.(a) and C. (c), 2008/520
  - (3) Removal of conditions of title that prohibits the subdivision of land and restricts the use of the property of one dwelling house.
- 
- (1) 17-25 Linda Crescent, **Remainder of Erf 2426 Queensburgh**, Registration FT, eThekweni Municipality
  - (2) T 18486/2000, B.2. 2008/570
  - (3) Removal of a condition of title that restricts the use of property to one dwelling house.
- 
- (1) Alexander Road, **Erf 32 Margate**, Registration Division ET, Hibiscus Coast Municipality
  - (2) T28879/94, B.3., 2008/588
  - (3) Removal of condition of title that restricts the use of the property to one dwelling house.
- 

**No. 229****13 November 2008****DEVELOPMENT FACILITATION ACT, 1995: ERF 181, BULWER, INGWE MUNICIPALITY**

In terms of section 33(4) of the Development Facilitation Act, 1995, the Development Tribunal approved the development of 315 residential sites, 2 commercial sites and 10 community facility sites on Erf 181 Bulwer, Registration Division FS, Ingwe Municipality, subject to the following conditions of establishment relating to land use management and application of laws—

- (a) the layout of the land development area shall be in accordance with Layout Plan No. TP100 dated June 2004;
- (b) the land use conditions contemplated in Schedule 1 shall apply to the land development area until a scheme is adopted for the land development area in terms of any law;
- (c) sections 11, 11*bis*, 12-28, 32 and 35-38 of Town Planning Ordinance No.27 of 1949, do not apply to the land development area for the purpose of the development thereof in accordance with the conditions of approval of application 2004/802;
- (d) the provisions of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970) do not apply to the land development area, and
- (e) the provisions of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), and any other law that governs the erection of buildings within the land development area shall not apply to existing buildings within the land development area but shall apply to subsequent alterations to the existing buildings and to the subsequent erection of any new buildings within the land development area.

**S. S. Anoop**, Designated Officer

Date: 4 November 2008

File reference: 2004/802

**SCHEDULE 1****LAND USE CONTROLS****DEFINITIONS**

1. In this Schedule, unless the context indicates otherwise –

“**Agricultural Land**” means arable, meadow or pasture land, market gardens, poultry farm, nursery garden and land used for the purpose of breeding or keeping domestic animals, poultry or bees and includes any buildings connected therewith, but excludes Agricultural Industry use and buildings, and buildings for the housing of cats and dogs;

“**Building**” includes a structure;

“**Business Purposes**” means the use of a building or land for offices, showrooms, restaurants or any other business or commercial purposes other than for a place of instruction, a shop, a public garage, an industry, a noxious industry, a builder's yard or a scrap yard;

“**Coverage**” means the area of a property covered by buildings measured over the external walls as seen vertically from above and expressed as a percentage of the area of the property;

“**Crèche**” means a building or portion thereof for the accommodation and care of more than 12 infants and young children during the daytime absence of their parents or guardians;

“**Dwelling unit**” means an interconnected suite of rooms, designed for human habitation that may contain a kitchen or scullery;

“**Floor area**” means the sum total of the areas covered by the building at the floor level of each storey;

“**Home Activity**” means an activity or use in conjunction with a dwelling or residential building, or a structure erected on the site of an existing dwelling or residential contemplated in item 4;

“**Industry**” means an industrial building in which the processes carried on or the machinery installed are such as can be carried on or installed in a Light Industrial Zone without causing nuisance to other properties within such zone or to the general public, or without detriment to the amenities of other use zones, by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust, grit, traffic generation, size or other causes.

“**Institution**” means a building designed or primarily used as a charitable institution, hospital, nursing home, sanatorium, clinic or any other institution, whether public or private;

“**Medical Consulting Room**” means a building used for the provision of health services but which does not provide overnight care or serve as a base for an ambulance service. A medical consulting room must be operated by a doctor, dentist, or similar health practitioner;

**“Municipality”** means Ingwe Municipality;

**“Municipal and Governmental Purposes”** means a building or land used for the provision of municipal or government functions, including the provision of safety, health, community, administrative or similar purposes;

**“Occupant”** in relation to any building, structure or land, includes any person occupying such building, structure or land or legally entitled to occupy it, or anybody having the charge or management thereof, and includes the agent of such a person who is absent from the area or whose whereabouts are unknown;

**“Owner”** in relation to a building or land, means —

- (a) the registered owner;
- (b) a person who administers the estate of any person mentioned in (a) above, whether as executor, administrator or guardian or in any other capacity; and
- (c) a person who receives payment from any occupant, or a person who would receive payment should the building or land be let, whether for his own account or as agent for any person who is entitled thereto;

**“Place of Instruction”** means land used or a building designed or primarily used as a school, technical college, lecture hall, institute or other educational centre, and includes a crèche, a convent or monastery, a public library, an art gallery, a museum and a gymnasium;

**“Place of Public Worship”** means a building designed for use or primarily used as a church, chapel, oratory, house of worship, synagogue, mosque or other place of public devotion, building for religious instruction, social interaction and recreation, but does not include a funeral chapel;

**“Property”** means any portion of land that is registered as a separate unit in a deeds registry;

**“Residential Building”** means a building designed or used primarily for human habitation and the uses permitted in terms of item 8, which may include one or more dwelling units;;

**“Shop”** means land used or a building designed or used primarily for the purposes of carrying on retail trade and the necessary accompanying storage and packaging, and includes any accompanying use on the same site that is incidental and subordinate to the conduct of the retail trade;

**“Social Hall”** means a building designed for use or used primarily for social assemblies, gatherings, meetings or recreational purposes;

**“Sports Ground”** means land and buildings used for playing sports and may include a clubhouse, pavilion, change rooms, gymnasium, squash courts or similar buildings;

**“Storey”** means the space in a building between one floor level and the following floor level or between one floor level and the ceiling or roof above.

**USE OF BUILDINGS AND LAND**

2. Buildings and land may be used in accordance with Layout Plan No. TP100, dated June 2004, read with the provisions of Table A.

**TABLE A: LAND USE**

<b>ZONE</b>	<b>USES PERMITTED WITHIN ZONE</b>	<b>USES PERMITTED WITHIN ZONE WITH CONSENT OF THE MUNICIPALITY</b>	<b>USES NOT PERMITTED WITHIN ZONE</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Residential	Residential Building Home Activity Agricultural Land	Institution, Medical Consulting Room, Place of Public Worship, Place of Instruction, Social Hall, Sports Ground	Uses not under column 2 or 3
Commercial	Business Purposes, Institution, Place of Instruction, Place of Public Worship, Residential Building, Shop, Social Hall, Sports Ground		Uses not listed under column 2 or 3
Community Facility	Crèche, Institution, Place of Instruction, Places of Public Worship, Social Halls, Sports Ground	Residential Building	Uses not listed under column 2 or 3
Administration	Municipal and Governmental Purposes	Residential Building	Uses not listed under column 2 or 3
Public Open Space	Sports Ground	Residential Building	Uses not listed under column 2 or 3

**HOME ACTIVITY**

3. (1) A home activity must —
- (a) be conducted by the owner of the property, who must reside on the property, unless the municipality gives permission in writing for the owner to reside elsewhere;
  - (b) in the case of the establishment of a child-minder or a playschool —
    - (i) be operated by one person only who must reside on the property, except with the written permission of the Municipality;
    - (ii) be limited to the accommodation and care of not more than 12 infants and young children during the daytime absence of their parents or guardians.

- (2) A home activity may not —
- (a) operate before 07h00 or after 17h30;
  - (b) involve work on more than four motor vehicles, except with the written permission of the Municipality;
  - (c) involve the parking of any vehicle with a tare mass exceeding 2 000kg, being parked on or adjacent to the site;
  - (d) involve the regular congregation of more than five persons on the site or the employment of more than three persons on the site;
  - (e) occupy a floor area greater than 10% of the total area of the site which shall not exceed 50m<sup>2</sup>, except with the written permission of the Municipality;
  - (f) involve the erection of a sign indicating the nature of the activity —
    - (i) that is larger than 600mm by 450mm;
    - (ii) that is of a material or style which does not complement the residential character of the dwelling; or
    - (iii) that obstructs traffic or the view from adjacent buildings or structures;
  - (g) produce a noise level exceeding 7db above the ambient noise level, measured at any point on the property boundary;
  - (h) generate traffic sufficient to require the provision of additional parking;
  - (i) involve the storage of goods or items associated with the activity on an adjacent erf; or
  - (j) include the sale of liquor or any alcoholic beverages.

#### CONSENT BY MUNICIPALITY FOR USE OF BUILDINGS AND LAND

4. (1) An application must be lodged with a Municipality for the use of buildings or land for the purposes listed in column 3 of Table A.
- (2) The application must be accompanied by —
- (a) the application form;
  - (b) written motivation by the applicant in support thereof;
  - (c) proof of registered ownership and a copy of the diagram;
  - (d) the written consent of the registered owner of that land, if the applicant is not the owner thereof; and
  - (e) any plans, diagrams, documents, information or fees that the municipality may require.
- (3) The Municipality must within 14 days of having received a complete application —
- (a) display a notice as contemplated in subitem (4) of a size at least 60cm by 42cm on the frontage of the erf, or at any other conspicuous and easily accessible place on the land concerned;
  - (b) serve a notice as contemplated in subitem (4) on all parties who in the opinion of the municipality may have an interest in the matter, including —
    - (i) the owners and occupiers of land adjacent to the erf;
    - (ii) the owners and occupiers of land within 100 metres of the boundary of the erf;
    - (iii) the municipal councillor of the ward in which erf is situated;
    - (iv) organs of state with jurisdiction in the matter; and
  - (c) give public notice of the proposed action in a newspaper which is distributed in the area concerned.
- (4) The notice contemplated in subitem (4) must —
- (a) identify the land to which the application relates, and if that land is an erf —

- (i) state the physical address of the erf, or, if the erf has no physical address, provide a locality map of the erf; and
  - (ii) give the property description of the erf;
  - (b) state the purpose of the application;
  - (c) state that a copy of the application and its accompanying documents will be open for inspection by interested members of the public during the hours and at the place mentioned in the notice;
  - (d) invite members of the public to cause written comments to be lodged with the contact person stated in the notice;
  - (e) state how the comments may be lodged;
  - (f) state the date by when the comments must be lodged; and
  - (g) state that a person's failure so to lodge or forward comments in response to the notice, disqualifies the person from further participating in the process.
- (5) The date stated in the notice for the lodging of comments may not be earlier than 28 days after the date on which the notice was served.
- (6) Prior to the approval of the application, the applicant may amend the application at any time after notice has been given –
- (a) at the applicant's own initiative; or
  - (b) at the request of the Municipality.
- (7) The Municipality must give notice of an amendment of an application to all persons who commented on the application.
- (8) A Municipality must again give public notice of the application, if the amendment affects the application materially.
- (9) The Municipality must decide on the application within 60 days of the closing date for representations.
- (10) The Municipality may approve or refuse an application for its consent to use buildings or land for the purposes listed in column 3 of Table A.
- (11) The Municipality may approve an application for its consent to use buildings or land for the purposes listed in column 3 of Table A subject to any conditions that it considers necessary.

#### **LAPSING OF CONSENT**

5. The Municipality's consent to use buildings or land for the purposes listed in column 3 of Table A lapses if the rights are not exercised within twenty-four months of the Municipality's approval, or if the rights have been exercised but the use permitted is interrupted for a continuous period of eighteen months.

#### **SIDE AND REAR SPACE**

6. (1) There must be at least two metres of space at the side of every building.
- (2) There must be at least two metres of space at the front and rear of every building.

- (3) Side and rear spaces are not required for walls, fences or the erection of temporary buildings for construction purposes.
- (4) The municipality may give permission in writing for a reduction of a side, front or rear space.
- (5) Permission for the reduction of a side, front or rear space is valid for the life of the building within the reduced space.

#### PROVISIONS OF PARKING

7. Parking must be provided in accordance with the provisions of Table B.

**TABLE B: PARKING**

USE	MINIMUM PARKING REQUIREMENTS
Residential	1 space per dwelling unit
Shops	4 spaces per 100m <sup>2</sup> of shopping floor area
Offices	2 spaces per 100m <sup>2</sup> of office floor area
Light Industry and business purposes	1 space per 100m <sup>2</sup> of floor area
Worship	1 space for every 10 seats
Crèche	1 space per teacher, plus 2 spaces for visitors

#### RESTRICTIONS ON HEIGHT OF BUILDINGS

8. (1) Buildings erected on erven zoned Residential may not exceed two storeys without the written permission of the Municipality.
- (2) Buildings erected on properties in use zones other than Residential may not exceed three storeys without the consent of the Municipality.
- (3) The number of storeys contemplated in this item include the storey at ground level but not basement storeys that are below ground level.

#### RESTRICTIONS ON COVERAGE OF BUILDINGS

9. Buildings may not exceed the coverage specified in Table C.

**TABLE C: COVERAGE**

USE ZONE	PERMISSIBLE COVERAGE
Residential	30%
Business	70%
Community Facility, including crèche and worship	70%
Municipal, Public Open Space and Agriculture	To be determined by the Municipality

**STORMWATER MANAGEMENT**

10. (1) If it is impracticable for storm water to be drained from higher lying properties direct to a public street, the owners of the lower-lying properties must permit the passage of storm water over their properties.
- (2) The owner of any higher-lying property from which storm water is discharged over lower-lying property is liable to pay a proportionate share of the cost of any pipeline or drain that the owner of a lower-lying property may find necessary to lay or construct for the purpose of conducting the water.

**NOTICE IN TERMS OF SECTION 16(1)(g) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 – INCLUSION OF KZNDMA22 INTO THE MPOFANA LOCAL MUNICIPALITY (KZN223)****[KZNDMA22]**

I, in my capacity as Member of the KwaZulu-Natal Executive Council responsible for local government, under powers vested in me by section 16(1)(g) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), and with effect from the date of the next municipal council elections, hereby –

- (a) include the entire area of KZNDMA22 into the Mpofana Local Municipality (KZN223) as contemplated in section 6(3)(b)(ii), read with section 17, of the Local Government: Municipal Structures Act, 1998; and
- (b) amend Provincial Notice No. 352 of 2000 published in the *Provincial Gazette* on 19 September 2000, to the extent necessary to give effect to the change in the boundary of the Mpofana Local Municipality (KZN223), as contemplated in Municipal Demarcation Board Notice No. 103, published in *Government Gazette* No. 108, dated 30 May 2008, and confirmed by the Independent Electoral Commission in Government Notice No. 155, published in *Government Gazette* No. 136, dated 1 July 2008.

Given under my hand at Pietermaritzburg this the 25<sup>th</sup> day of September Two thousand and Eight

**M. MABUYAKHULU, MPL**

**Member of the Executive Council of the Province of KwaZulu-Natal  
responsible for local government**

**NOTICE IN TERMS OF SECTION 16(1)(g) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 – INCLUSION OF KZNDMA23 INTO THE OKHAHLAMBA LOCAL MUNICIPALITY (KZN235) AND THE IMBABAZANE LOCAL MUNICIPALITY(KZN236)****[KZNDMA23]**

I, in my capacity as Member of the KwaZulu-Natal Executive Council responsible for local government, under powers vested in me by section 16(1)(g) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), and with effect from the date of the next municipal council elections, hereby –

- (a) include the respective areas of KZNDMA23 into the Okhahlamba Local Municipality (KZN235) and the Imbabazane Local Municipality (KZN236), as contemplated in section 6(3)(b)(ii), read with section 17, of the Local Government: Municipal Structures Act, 1998; and



(b) amend Provincial Notice No. 351 of 2000 published in the *Provincial Gazette* on 19 September 2000, to the extent necessary to give effect to the change in the boundary of the Okhahlamba Local Municipality (KZN235) and the Imbabazane Local Municipality (KZN236), as contemplated in Municipal Demarcation Board Notice No. 103, published in *Government Gazette* No. 108, dated 30 May 2008, and confirmed by the Independent Electoral Commission in Government Notice No. 156, published in *Government Gazette* No. 137, dated 1 July 2008.

Given under my hand at Pietermaritzburg this the 25<sup>th</sup> day of September Two thousand and Eight

**M. MABUYAKHULU, MPL**

Member of the Executive Council of the Province of KwaZulu-Natal  
responsible for local government

**NOTICE IN TERMS OF SECTION 16(1)(g) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 – INCLUSION OF KZNDMA27 INTO THE UYAMHLABUYALINGANA LOCAL MUNICIPALITY (KZN271), THE JOZINI LOCAL MUNICIPALITY (KZN272), THE BIG FIVE FALSE BAY LOCAL MUNICIPALITY (KZN273), THE HLABISA LOCAL MUNICIPALITY (KZN274) AND THE MTUBATUBA LOCAL MUNICIPALITY (KZN275)**

**[KZNDMA27]**

I, in my capacity as Member of the KwaZulu-Natal Executive Council responsible for local government, under powers vested in me by section 16(1)(g) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), and with effect from the date of the next municipal council elections, hereby –

(a) include the respective areas of KZNDMA27 into the Uyamhlabuyalingana Local Municipality (KZN271), the Jozini Local Municipality (KZN272), The Big Five False Bay Local Municipality (KZN273), the Hlabisa Local Municipality (KZN274) and the Mtubatuba Local Municipality (KZN275), as contemplated in section 6(3)(B)(ii), read with section 17, of the Local Government: Municipal Structures Act, 1998; and

(b) amend Provincial Notice No. 347 of 2000 published in the *Provincial Gazette* on 19 September 2000, to the extent necessary to give effect to the change in the boundary of the Uyamhlabuyalingana Local Municipality (KZN271), the Jozini Local Municipality (KZN272), The Big Five False Bay Local Municipality (KZN273), the Hlabisa Local Municipality (KZN274) and the Mtubatuba Local Municipality (KZN275), as contemplated in Municipal Demarcation Board Notice No. 103, published in *Government Gazette* No. 108, dated 30 May 2008, and confirmed by the Independent Electoral Commission in Government Notice No. 157, published in *Government Gazette* No. 138, dated 1 July 2008.

Given under my hand at Pietermaritzburg this the 25<sup>th</sup> day of September Two thousand and Eight

**M. MABUYAKHULU, MPL**

Member of the Executive Council of the Province of KwaZulu-Natal  
responsible for local government

**NOTICE IN TERMS OF SECTION 16(1)(g) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 – INCLUSION OF KZNDMA43 INTO THE KWASANI LOCAL MUNICIPALITY (KZN432), WITHIN THE SISONKE DISTRICT MUNICIPALITY (DC43), AND THE IMPENDLE LOCAL MUNICIPALITY (KZN224), WITHIN THE UMGUNGUNDLOVU DISTRICT MUNICIPALITY (DC22)**

**[KZNDMA43]**

I, in my capacity as Member of the KwaZulu-Natal Executive Council responsible for local government, under powers vested in me by section 16(1)(g) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), and with effect from the date of the next municipal council elections, hereby –

(a) include the respective areas of KZNDMA43 into the KwaSani Local Municipality (KZN432), within the Sisonke District Municipality (DC43), and the Impendle Local Municipality (KZN224), within the Umgungundlovu District Municipality (DC22), as contemplated in section 6(3)(b)(ii), read with section 17, of the Local Government: Municipal Structures Act, 1998; and

(b) respectively amend Provincial Notice 344 of 2000, published in the *Provincial Gazette* on 19 September 2000, and Provincial Notice No. 352 of 2000, published in the *Provincial Gazette* on 1 December 2000, to the extent necessary to give effect to the change in the boundary of the KwaSani Local Municipality (KZN432), within the Sisonke District Municipality (DC43), and the Impendle Local Municipality (KZN224), within the Umgungundlovu District Municipality (DC22), as contemplated in Municipal Demarcation Board Notice No. 103, published in *Government Gazette* No. 108, dated 30 May 2008, and confirmed by the Independent Electoral Commission in Government Notice No. 158, published in *Government Gazette* No. 139, dated 1 July 2008.

Given under my hand at Pietermaritzburg this the 25<sup>th</sup> day of September Two thousand and Eight

**M. MABUYAKHULU, MPL**

Member of the Executive Council of the Province of KwaZulu-Natal  
responsible for local government

**DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**

**Advertisement No. 189**

**REMOVAL OF RESTRICTIONS ACT, 1967: INVITATION TO COMMENT**

Applications have been received by the Department of Local Government and Traditional Affairs for the removal and suspension of restrictions relating to land in terms of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), set out in the Schedule. Comments, which may be submitted by fax or mail, must be submitted to the persons mentioned in the Schedule by 4 January 2009. Please note that the Department may refuse to accept comments submitted after the closing date.

**M. L. POVALL**, Manager: Development Administration

Date: 4 November 2008

**SCHEDULE**

The figures used in brackets have the following meanings:

(1) = Street address, property description, registration division, municipality

- (2) = Deed, condition, file reference
- (3) = Scope of alteration or removal
- (4) = Contact person
- (5) = Contact details

- (1) 30 Smal Street, Erf 1319, Vryheid, Registration Division HT, Abaqulusi Municipality
- (2) T232067/1989, B1 and B2, 2007/649
- (3) Removal of conditions of title that restricts the use of the property to residential purposes and to one dwelling house.
- (4) Mr. D. K. Chetty
- (5) Private Bag X64, Ulundi, 3838, Tel 035 8742804, Fax 035 8742644, [dejond.chetty@kznigta.gov.za](mailto:dejond.chetty@kznigta.gov.za)

- (1) 102 Old Main Road, Erf 2, Empangeni, Registration Division GU, uMhlathuze Municipality
- (2) T36180/2006, B (b), C1, C2, C4, C5, and C7, 2007/1351
- (3) Removal of conditions of title that restrict the property to residential purposes use and to one dwelling house, imposes a minimum monetary value for buildings to be erected on the property, restrict the use of certain type of building materials for the construction of buildings, imposes duties on the owner of the property for sewage and storm water disposal, and prohibits the use of the property for the keeping of livestock.
- (4) Mr. D. K. Chetty
- (5) Private Bag X64, Ulundi, 3838, Tel 035 8742804 Fax 035 8742644, [dejond.chetty@kznigta.gov.za](mailto:dejond.chetty@kznigta.gov.za)

- (1) 25 Dunne Road, Erf 1100, Empangeni, Registration Division GU, uMhlathuze Municipality
- (2) T33552/2004, C.A(b), B1, B4, B5, and B7, 2007/1352
- (3) Removal of conditions of title that restrict the property to residential purposes and to one dwelling house, restrict the use of certain type of building materials for the construction of buildings, imposes duties on the owner of the property for sewage and storm water disposal, and prohibits the use of the property for the keeping of livestock.
- (4) Mr. D. K. Chetty
- (5) Private Bag X64, Ulundi, 3838, Tel 035 8742804 Fax 035 8742644, [dejond.chetty@kznigta.gov.za](mailto:dejond.chetty@kznigta.gov.za)

- (1) 100 Old Main Road, Erf 3 and 6 Empangeni, Registration Division GU, uMhlathuze Municipality
- (2) T36180/2006, B2, C1, C2, C4, and C6, 2007/1353
- (3) Removal of conditions of title that restrict the use of the property to residential purposes, imposes a minimum monetary value for buildings to be erected on the property, restrict use of certain types of building materials for the construction of buildings, imposes duties on the owner of the property for sewage and storm water disposal, and prohibits the use of the property for the keeping of livestock.
- (4) Mr. D. K. Chetty
- (5) Private Bag X 64, Ulundi, 3838, Tel: 035 8742804 Fax 035-8742644, [dejond.chetty@kznigta.gov.za](mailto:dejond.chetty@kznigta.gov.za)

- (1) 19 Hardekool, Arboretum, Erf 1025 Richards Bay, Registration Division GU, uMhlathuze Municipality
- (2) T20316/2001, B1 and B2, 2007/1413
- (3) Removal of conditions of title that restricts the use of the property to residential purposes and to one dwelling house.
- (4) Mr. D. K. Chetty
- (5) Private Bag X 64, Ulundi, 3838, Tel: 035 8742804, Fax 035-8742644, [dejond.chetty@kznigta.gov.za](mailto:dejond.chetty@kznigta.gov.za)

- (1) 2 Bauhinia Bend, Arboretum, Erf 739, Richards Bay, Registration Division GU, uMhlathuze Municipality
  - (2) T26444/2005, B1 and B2, 2007/1414
  - (3) Removal of conditions of title that restricts the use of the property to residential purposes and to one dwelling house.
  - (4) Mr. D. K. Chetty
  - (5) Private Bag X64, Ulundi, 3838, Tel 035 8742804, Fax 035 8742644, [dejond.chetty@kznlgta.gov.za](mailto:dejond.chetty@kznlgta.gov.za)
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- (1) 22 Arum Lily, Vledenvlei, Erf 3522 Richard Bay, Registration Division GU, uMhlathuze Municipality
  - (2) T25640/1993, B1 and B2, 2007/1422
  - (3) Removal of conditions of title that restricts the use of the property to residential purposes and to one dwelling house.
  - (4) Mr. D. K. Chetty
  - (5) Private Bag X64, Ulundi, 3838, Tel 035 8742804 Fax 035 874 2644, [Dejond.Chetty@kznlgta.gov.za](mailto:Dejond.Chetty@kznlgta.gov.za)
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- (1) 74 Bottlebrush Bend, Veldenvlei, Erf 3660, Richards Bay – GU uMhlathuze Municipality
  - (2) T45551/2007, B1 and B2, 2007/1423
  - (3) Removal of conditions of title that restricts the use of the property to residential purposes and to one dwelling house.
  - (4) Mr. D. K. Chetty
  - (5) Private Bag X64, Ulundi, 3838, Tel 035 8742804, Fax 035 8742644, [dejond.chetty@kznlgta.gov.za](mailto:dejond.chetty@kznlgta.gov.za)
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- (1) 16 Canterbury Bell, Veldenvlei, Erf 3688 Richards Bay, Registration Division GU, uMhlathuze Municipality
  - (2) T46957/2007, B1 and B2, 2007/1514
  - (3) Removal of conditions of title that restricts the use of the property to residential purposes and to one dwelling house.
  - (4) Mr. D. K. Chetty
  - (5) Private Bag X64, Ulundi, 3838, Tel: 035 8742804 Fax: 035 8742644, [dejond.chetty@kznlgta.gov.za](mailto:dejond.chetty@kznlgta.gov.za)
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- (1) 8 Appelblaar, Arboretum, Erf 698 Richards Bay, Registration Division GU, uMhlathuze Municipality
  - (2) T8285/2002, B1 and B2, 2007/1517
  - (3) Removal of conditions of title that restricts the use of the property to residential purposes and to one dwelling house.
  - (4) Mr. D. K. Chetty
  - (5) Private Bag X64, Ulundi, 3838, Tel: 0358742804 Fax: 035 8742644, [dejond.chetty@kznlgta.gov.za](mailto:dejond.chetty@kznlgta.gov.za)
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- (1) 21 Nondi Leap, Meerensee, Erf 2598, Richards Bay, Registration Division GU, uMhlathuze Municipality
  - (2) T54241/2006, B1 and B2, 2007/1540
  - (3) Removal of conditions of title that restricts the use of the property to residential purposes and to one dwelling house.
  - (4) Mr. D. K. Chetty
  - (5) Private Bag X64, Ulundi, 3838, Tel: 035 8742804 Fax 035 8742644, [dejond.chetty@kznlgta.gov.za](mailto:dejond.chetty@kznlgta.gov.za)
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- (1) 9 Lantern Reef, Meerensee, Erf 433, Richards Bay –GU uMhlathuze Municipality
  - (2) T40961/2004, B1 and B2, 2008/55
  - (3) Removal of conditions of title that restricts the use of the property to residential purposes and to one dwelling house.
  - (4) Mr. D. K. Chetty
  - (5) Private Bag X64, Ulundi, 3838, Tel 035 8742804, Fax 035 8742804, [dejond.chetty@kznlgta.gov.za](mailto:dejond.chetty@kznlgta.gov.za)
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- (1) 20 Suikerbossirkel, Erf 4137 Richards Bay, Registration Division GU, uMhlathuze Municipality

- (2) T52452/2001, B1 and B2, 2008/56
  - (3) Removal of conditions of title that restricts the use of the property to residential purposes and to one dwelling house.
  - (4) Mr. D. K. Chetty
  - (5) Private Bag X64, Ulundi, 3838, Tel: 035 8742804 Fax 035-8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
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- (1) 61 Haakdoringrug, Arboretum, Erf 1041 Richards Bay, Registration Division –GU, uMhlatuze Municipality
  - (2) T5433/2000, B1 and B2, 2008/57
  - (3) Removal of conditions of title that restricts the use of the property to residential purposes and to one dwelling house.
  - (4) Mr. D. K. Chetty
  - (5) Private Bag X64, Ulundi, 3838, Tel 035-8742804 Fax 035-8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
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- (1) Bowling Club Lane, **Erf 288 Underberg**, Registration FS, Kwa Sani Municipality
  - (2) T 25221/87, C. (a), (b), (c) and (d), 2008/60
  - (3) Removal of conditions of title that prohibits the subdivision of land and restricts the use of the property to one dwelling house.
  - (4) Mr S. Premchund
  - (5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1824, Fax: (031) 204 1980, [sanjay.premchund@kznlqta.gov.za](mailto:sanjay.premchund@kznlqta.gov.za)
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- (1) 86 Smal Street, Erf 259, Vryheid, Registration Division HT, Abaqulusi Municipality
  - (2) T35609/2005, B2, 2008/186
  - (3) Removal of a condition of title that restricts the property one dwelling house.
  - (4) Mr. D. K. Chetty
  - (5) Private Bag X64, Ulundi, 3838, Tel 035-8742804, Fax 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
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- (1) 100 Northway, **Erf 1418 Durban North**, Registration FU, Ethekewini Municipality
  - (2) T 20832/1984, C. and D., 2008/217
  - (3) Removal of conditions of title in favour of Durban North Estates Limited that requires the consent of Durban North Estates Limited for a change of the use of the property, that restricts the use of the property to one dwelling house, that prohibits the subdivision of the property, that imposes building lines and that require the submission of building plans to Durban North Estates Limited for its approval.
  - (4) Mr. S. Premchund
  - (5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1824, Fax: (031) 204 1980, [sanjay.premchund@kznlqta.gov.za](mailto:sanjay.premchund@kznlqta.gov.za)
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- (1) Corner Ilala Crescent and View Road, **Portion 1 of Erf 1388 Ramsgate**, Registration Division ET, Hibiscus Coast Municipality
  - (2) T 25450/07, C. (e) and D., 2008/270
  - (3) Removal of conditions of title that that imposes building lines and requires the submission of building plans
  - (4) Mr. G. Mathentamo
  - (5) Private Bag X54310 Durban 4000, Tel: (031) 204 1740, Fax: (031) 204 1980, [godferv.mathentamo@kznlqta.gov.za](mailto:godferv.mathentamo@kznlqta.gov.za)
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- (1) 66 Kingfisher, Erf 138 St. Lucia, Registration Division GV, Mtubatuba Municipality
  - (2) T6392/2007, A2, 2008/310
  - (3) Removal of a condition of title that restricts the property to one dwelling house.

- (4) Mr. D. K. Chetty  
(5) Private Bag X 64, Ulundi, 3838, Tel: 035 8742804 Fax 035 8732644, [deiond.chetty@kznlqta.gov.za](mailto:deiond.chetty@kznlqta.gov.za)
- (1) 14 Beachway, **Erf 2689 Durban North**, Registration Division FU, eThekwini Municipality  
(2) T 71764/02, C. (Paragraph 2 & 6) and D., 2008/571  
(3) Removal of conditions of title in favour of Durban North Estates Limited that requires the consent of Durban North Estates Limited for a change of the use of the property, that restricts the use of the property to one dwelling house, that prohibits the subdivision of the property, that imposes building lines and that require the submission of building plans to Durban North Estates Limited it for its approval.  
(4) Ms. R. Mbata  
(5) Private Bag X54310 Durban 4000, Tel: (031) 204 1791, Fax: (031) 204 1980, [rejoice.mbatha@kznlqta.gov.za](mailto:rejoice.mbatha@kznlqta.gov.za)
- (1) 27 Wedgewood Crescent, **Portion 22 of Erf 223 Durban North** Registration Division FT, eThekwini Municipality  
(2) T10172/93, (b), 2008/742  
(3) Removal of a condition of title that requires the consent of South African Mutual Property Development Corporation (Pty) Limited for change of land usage, imposes duties on the owner of the property for sewage and storm water drainage disposal and the approval of the building plans.  
(4) Mr. G. Mathentamo  
(5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1740, Fax: (031) 204 1980, [godfrey.mathentamo@kznlqta.gov.za](mailto:godfrey.mathentamo@kznlqta.gov.za)
- (1) 14 Mkhize Road, **Erf 8 Botha's Hill**, Registration Division FT, eThekwini Municipality  
(2) T6192/07, C.(b), 2008/809  
(3) Removal of a condition of title that restricts the use of the property to one dwelling house.  
(4) Mr. A. Bhyrodoyal  
(5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1778, Fax: (031) 204 1980, [ashok.bhyrodoyal@kznlqta.gov.za](mailto:ashok.bhyrodoyal@kznlqta.gov.za)
- (1) Corner Lynton Road and College Road, **Erf 675 Southbroom**, Registration ET, Hibiscus Coast Municipality  
(2) T 6451/2002, F. (a), F. (b) and F. (c), 2008/850  
(3) Removal of conditions of title that restricts the use of the property to residential purposes restricts the property to one dwelling house and restricts the use of certain types of building material for the construction of buildings.  
(4) Mr S Premchund  
(5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1824, Fax: (031) 204 1980, [Sanjay.Premchund@kznlqta.gov.za](mailto:Sanjay.Premchund@kznlqta.gov.za)
- (1) 37 Trevor Road, **Remainder of Erf 76 Erin-Go-Bragth**, Registration FT, eThekwini Municipality  
(2) T 26193/08, B. 1. (b), B. 2. (b) B. 2. (h) and C. 1, 2008/907  
(3) Removal of conditions of title that restricts the use of certain types of building material for the construction of buildings and restricts the use of the property to one dwelling house.  
(4) Ms. R. Mbata  
(5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1791, Fax: (031) 204 1980, [rejoice.mbatha@kznlqta.gov.za](mailto:rejoice.mbatha@kznlqta.gov.za)
- (1) 39 Everest Road, **Erf 88 Rosehill**, Registration Division FT, eThekwini Municipality  
(2) T 06 57393, D), 2008/953

(3) Removal of a condition of title that requires the consent of Suburban Lands (Proprietary) Limited for change of land use and prohibits the use of the property for business purposes.

(4) Mr. G. Mathentamo

(5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1740, Fax: (031) 204 1980, [godfrey.mathentamo@kznlqta.gov.za](mailto:godfrey.mathentamo@kznlqta.gov.za)

(1) **Erf 316 Pumula**, Registration Division ET, Hibiscus Coast Municipality

(2) T 06 31962, B. (c), B. (d) (on Page 3) B. (c), B. (d) (on Page 5), and D. , 2008/956

(3) Removal of condition of title that restricts the use of the property to one dwelling house, restricts the use of certain types of building material for the construction of buildings, prohibits the submission of building plans and prohibits a usufruct in favour of E. F. Dennis.

(4) Ms R. T. Mbata

(5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1740, Fax: (031) 204 1980, [rejoice.mbatha@kznlqta.gov.za](mailto:rejoice.mbatha@kznlqta.gov.za)

(1) 22 Broadway and 52 St Andrews Drive, **Erven 1986 and 1987 Durban North**, Registration Division FU, eThekweni Municipality

(2) T05 62121, 1.D.(i) – 1.D.(iii) and 2.D.(i) – 2.D.(iii), 2008/968

(3) Removal of conditions of title that requires plans to be submitted to Durban North Estates Limited and imposes building lines in favour of Durban North Estates Limited.

(4) Ms. M. Chetty

(5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1711, Fax: (031) 204 1980, [margie.chetty@kznlqta.gov.za](mailto:margie.chetty@kznlqta.gov.za)

(1) 9<sup>th</sup> Avenue Pumula, **Erf 108 Pumula**, Registration Division ET, Hibiscus Coast Municipality

(2) T 04 27747, 3.(d), 2008/987

(3) Removal of a condition of title that restricts the use of certain types of building materials for the construction of buildings and requires the approval of the building plans.

(4) Mr. G. Mathentamo

(5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1740, Fax: (031) 204 1980, [godfrey.mathentamo@kznlqta.gov.za](mailto:godfrey.mathentamo@kznlqta.gov.za)

(1) Salmon Drive, **Erf 1226 Leisure Bay**, Registration Division ET, Hibiscus Coast Municipality

(2) T 38244/03 , 2.(c), 2008/993

(3) Removal of a condition of title that restricts the use of certain types of building materials for the construction of buildings.

(4) Mr. G. Mathentamo

(5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1740, Fax: (031) 204 1980, [godfrey.mathentamo@kznlqta.gov.za](mailto:godfrey.mathentamo@kznlqta.gov.za)

(1) 28 Nelson Road, **Remainder of Erf 697 Amanzimtoti**, Registration Division ET, eThekweni Municipality

(2) T61733/07, (a) and (b), 2008/1036

(3) Removal of conditions of title that prohibits the subdivision of the property, restricts the use of the property to one dwelling house and prohibits the use of the property for business purposes.

(4) Mr. A. Bhyrodoyal

(5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1778, Fax: (031) 204 1980, [ashok.bhyrodoyal@kznlqta.gov.za](mailto:ashok.bhyrodoyal@kznlqta.gov.za)

(1) 14<sup>th</sup> Street Port Edward, **Erf 485 Port Edward**, Registration Division ET, Hibiscus Coast Municipality

(2) T 36029/95, (b)12., 2008/1040

- (3) Removal of a condition of title that imposes building lines.  
 (4) Mr. G. Mathentamo  
 (5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1740, Fax: (031) 204 1980, [godfrey.mathentamo@kznlgta.gov.za](mailto:godfrey.mathentamo@kznlgta.gov.za)
- (1) 34 Glenugie Road, Erf 1935 Pinetown, Registration Division FT, eThekweni Municipality  
 (2) T 64233/06, G.2., 2008/1064  
 (3) Removal of a condition of title that prohibits the use of the property for business purposes.  
 (4) Mr. G. Mathentamo  
 (5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1740, Fax: (031) 204 1980, [godfrey.mathentamo@kznlgta.gov.za](mailto:godfrey.mathentamo@kznlgta.gov.za)
- (1) 7 Killamey Place, Erf 140 KwaMbonambi, Registration Division GU, Mbonambi Municipality  
 (2) T36571/2005, B (a) and B (b), 2007/1415  
 (3) Removal of conditions of title that restricts the use of the property to residential purposes and to one dwelling house.  
 (4) Mr. D. K. Chetty  
 (5) Private Bag X64, Ulundi, 3838, Tel: (035) 8742804, Fax: (035) 8742644, [dejond.chetty@kznlgta.gov.za](mailto:dejond.chetty@kznlgta.gov.za)
- (1) Corner Ilala Crescent and View Road, Portion 1 of Erf 1388 Ramsgate, Registration Division ET, Hibiscus Coast Municipality  
 (2) T 25450/07, C. (e) and D., 2008/270  
 (3) Removal of conditions of title that **that imposes building lines and** requires the submission of building plans  
 (4) Mr. G. Mathentamo  
 (5) Private Bag X54310 Durban 4000, Tel: (031) 204 1740, Fax: (031) 204 1980, [godfrey.mathentamo@kznlgta.gov.za](mailto:godfrey.mathentamo@kznlgta.gov.za) ( <mailto:buyisile.simamane@kznlgta.gov.za> )

No. 227

13 kuLwezi 2008

**UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO**

**I-ODINENSI YOKUHLELWA KWAMADOLOBHA, 1949: AMALOKISHI AZIMELE; IZIZA 243-255,a ISIZA ABCDEFG, KUMASIPALA UMNGENI**

Ngokwesigaba 23 se-Odinensi yokuHlelwa kweDolobha, 1949 (i-Odinensi No. 27 ka 1949), Iziza 243 – 255 Isiza ABCDEFG, isiGaba sokuBhaliswa ngu-FT, kuMasipala uMngeni, zivunywa njengeLokishi elizimele.

**M. L. POVALL**, uMphathi: wezokuPhathwa kweNtuthuko

Usuku: zi4 kul wezi

iNkomba yeFayela: 2006/8



## No. 228

13 kuLwezi 2008

**UMTHETHO WOKUSUSWA KWEZITHIBELO, 1967: UKUSUSWA KWEZIMISO ZETAYITELA**

Ngokwesigaba 2(1) soMthetho wokuSuswa kweziThibelo, 1967 (uMthetho No. 84 ka 1967), Ngisusa izithibelo ezibekwe oHlelweni.

**M. L. POVALL**, uMphathi: wezokuPhathwa kweNtuthuko

Usuku: zi4 kuLwezi

**UHLELO**

Imininingwane esetshenziswe kubakaki inale ncazelo elandelayo:

- (1) = Ikhell lomgwaqo, incazelo ngomhlaba, ukwehlukaniswa kokubhaliswa, omasipala
- (2) = ItayiUcingo:a, isimiso, inkomba yefayela
- (3) = Ubukhulu obuzolungiswa noma obuzosuswa

(1) Ku Bond Street, **Isiza 649 e-Ramsgate**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast

(2) T 14091/05, 3. (i) (b), 2005/1267

(3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.

(1) Ku 19 Colin Street, **Isiza 2236 e-Uvongo**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast

(2) T 37837/03, 3.(a), 2006/60

(3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezivumela ukusetshenziswa kwezimpahla ezithile zokwakha izakhiwo nesibeka inani lemali yesakhiwo.

(1) Ekhoneni lika Albert; Benjamin; no-Victoria Streets, **Isiza 807 e-Richmond**, isiGaba sokuBhaliswa ngu-FT, kuMasipala Wase-Richmond

(2) 06 58617, B.2. kanye C.2., 2006/713

(3) Ukususwa kwesimiso kwetayiUcingo:a esivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.

(1) Ku Goodwill Place, **Ingxenywe 5 yeSiza 115 e-Camperdown**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseMkhambathini

(2) T 04 58801, D.1. kanye no D.2., 2007/640

(3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nokwakha indlu eyodwa yokuhlala.

(1) Ku Ross Road, **Isiza 184 e-Southbroom**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast

(2) T 05 51053, C. (a) kanye no C. (d), 2007/1124

(3) Ukususwa kwezimiso zetayitela ezivimbela ukwehlukaniswa iziqephu komhlaba nezivumela ukusetshenziswa komhlaba ngezinhloso zokuqhuba ibhizinisi.

(1) Ku 13 High Street, **Insalela yeNgxenywe 1 yeSiza 134 o-Tongaat**, isigaba sokuBhaliswa ngu-FU, kuMasipala waseThekwini

(2) T 05 36354, B. 2, 2007/1655

- (3) Ukususwa kwesimiso setayitela esivimbela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (1) Ku 105 Buckingham Road, **Isiza 394 e-Kloof**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini  
 (2) T 17318/1973, 2. (d), 2008/63  
 (3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (1) Ku 45 Hilltop Road, **Isiza 299 e-Hillcrest Park**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini  
 (2) T 57024/99, E.(c), 2008/97  
 (3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (1) Ku 10 Poole Place, **Isiza 93 e-Malvern**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini  
 (2) T 54378/03, (b) (iv), 2008/216  
 (3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa kwezimpahla ezithile zokwakha ukwakha izakhiwo.
- (1) Ku 1124 Albert Meyer Drive, **Isiza 1124 e-Shelly Beach**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast  
 (2) T 04 17101, C.(ii), 2008/220  
 (3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (1) Ku 70 School Road, **Ingxenywe 11 yeSiza 93 eManzimtoti**, isiGaba sokuBhaliswa ngu-ET, kuMasipala waseThekwini  
 (2) T 06 57917, (A) 1. kanye no (B) (b), 2008/223  
 (3) Ukususwa kwesimiso esivimbela ukwehlukaniwa iziqephu komhlaba nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (1) Ku 3 Campbell Road, **Isiza 448 e-Glenmore**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast  
 (2) T 45807/2000, C. (e), 2008/439  
 (3) Ukususwa kwesimiso setayitela esibeka lapho okuzohamba khona imisele yesakhiwo
- (1) Ku 62 kanye no 60 Inanda Road, **iziNgxenywe 12 kanye no 13 zePulazi i-Vivian No. 14180**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini  
 (2) T 4902/87, 1.E. (1), 2.C.(1), 2008/507  
 (3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala.
- (1) Ku 131 Collier Avenue, **Isiza 157 eMhlathuzana**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini  
 (2) T 9855/96, C.(a) kanye no C. (c), 2008/520  
 (3) Ukususwa kwesimiso setayitela ezivimbela ukwehlukaniwa komhlaba iziqephu nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (1) Ku 17-25 Linda Crescent, **Insalela yeSiza 2426 e-Queensburgh**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini  
 (2) T 18486/2000, B.2. 2008/570  
 (3) Ukususwa kwesimiso setayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (1) Ku Alexander Road, **Isiza 32 e-Margate**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast  
 (2) T28879/94, B.3., 2008/588  
 (3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.

**No. 229****13 kuLwezi 2008****UMTHETHO WAMALUNGISELO EZENTUTHUKO, 1995: ISIZA 181, E-BULWER, KUMASIPALA INGWE**

Ngokwesigaba 33(4) soMthetho wamaLungiselelo ezeNtuthuko, 1995, isiGungu sezeNtuthuko siyakuvuma ukuthuthukiswa kwezindawo zokuhlala ezingama-315, izindawo zamabhizinisi ezi-2 kanye nezindawo zomphakathi eziyi-10 esizeni 181 e-Bulwer, isiGaba sokuBhaliswa ngu-FS, kuMasipala Ingwe, kuncike kulezi zimiso ezilandelayo zokusungulwa kokuphathelene nokuphathwa kokusetshenziswa komhlaba nokufakwa kwemithetho —

- (a) ukuma kwendawo lapho okuthuthukiswa khona umhlaba kufanele kuhambisane noKuma kwePulani No. TP100 ka Nhlanguvana 2004;
- (b) izimiso zokusetshenziswa komhlaba ezihlongozwe kuHlelo 1 kufanele zifakwe kuhlelo lwendawo lapho okuthuthukiswa khona umhlaba kuze kube ziyavunywa endaweni lapho okuthuthukiswa khona umhlaba ngokwanoma yimuphi umthetho;
- (c) izigaba 11, 11*bis*, 12-28, 32 kulokhu kanye no 35-38 ze-Odinensi yokuHlelwa kweDolobha No.27 ka 1949, azingeni endaweni lapho okuthuthukiswa khona umhlaba ngalokho ngokuhambisana nezimiso zokuvunywa kokufakwa 2004/802;
- (d) izihlinzeko zokweHlukaniswa iziqephu zoMthetho woMhlaba wezoLimo, 1970 (uMthetho No. 70 ka 1970) azingeni endaweni lapho okuthuthukiswa khona umhlaba, kanye
- (e) izihlinzeko zeMithethonqubo yezaKhiwo zikaZwelonke noMthetho wamaZinga ezaKhiwo, 1977 (uMthetho No. 103 ka 1977), nanoma yimiphi eminye imithetho eyengamele ukwakhiwa kwezakhiwo endaweni lapho okuthuthukiswa khona umhlaba okungafanele ingene ezakhiweni ezikhona endaweni lapho okuthuthukiswa khona umhlaba kodwa okufanele zingene ekulungisweni okwenzekayo kwezakhiwo ezikhona nasekwakhiweni kwanoma yiziphi izakhiwo ezintsha endaweni lapho okuthuthukiswa khona umhlaba.

**S. S. Anoop**, isikhulu esiBekiwe

Usuku: zi-4 kuLwezi 2008

iNkomba yeFayela: 2004/802

## UHLELO 1

## UKULAWULWA KOKUSETSHENZISWA KOMHLABA

## IZINCAZELO

## 1. Kulolu Hlelo, ngaphandle uma ingqikithi isho okwehlukile –

**“uMhlabane wezolimo”** kushiwo umhlabane wokutshala, wamasimu noma amadlelo, izingadi zezimakethe, wokufuya izinkukhu, wokudayisa izitshalo nomhlaba osetshenziselwa izinhloso zokuzalanisa izilwane noma ukugcona izilwane zasekhaya, izinkukhu noma izinyosi kuhlanganisa noma yiziphi izakhiwo eziphathelele nakho, kepha akungeni ukusetshenziswa kwemboni yezolimo nezakhiwo, kanye nezakhiwo zezindlu zamakati nezinja;

**“Isakhiwo”** kubkanye noakanya isakhiwo;

**“Izinhloso zamaBhizinisi”** kushiwo ukusetshenziswa kwesakhiwo noma komhlaba ukwakha amahhovisi, izindlu zokukhangisa, isitolo esithengisa ukudla osekulungile noma nanoma yiliphi elinye ibhizinisi noma izinhloso zokuthola inzuzo ngaphandle kwendawo yokwakha, isitolo, igalaji, imboni, imboni ekhiqiza uketshezi olunobungozi, indawo lokucina izinto zokwakha noma indawo yezikrebha;

**“Uphansi”** kushiwo indawo ebhazwe izakhiwo kumhlaba esuka ezindongeni ezingaphakanye noma phezulu nangaphansi eziyingxenyeni yendawo yomhlaba;

**“Indawo yokucina izingane”** kushiwo isakhiwo noma ingxenyane yaso yokuhlala nenakekela izingane eziskanye noma kuzalwa ezingaphezulu kwezi-12 nezisencane emini ngesikhathi abazali bengekho noma ababheki;

**“Izindlu zokuhlala ezixhumene”** kushiwo izindlu ezixhumene noma amagumbi, akhelwe ukuhlala abantu abanekeke noma indawo yokugeza;

**“Iphansi”** kushiwo indawo yonke embazwe isakhiwo kwiphansi lesitezi ngasinye;

**“Imisebenzi yasekhaya”** kushiwo izinto ezenziwayo noma ezisetshenziselwa izindlu zokuhlala noma izakhiwo zokuhlala, noma isakhiwo esakhiwe endaweni esinezindlu zokuhlala noma izakhiwo ezihlongozwe kuhlamvu 4;

**“Imboni”** kushiwo ibhilidi lemboni lapho okuqhutshwa khona uumsebenzi noma okwakhelwa khona imishini noma imboni yokuPhakela uGesi engenakho ukuphazamisa ezinye izindawo noma emphakathini, noma ngaphandle kokulimaza imisebenzi yezinye izimboni, ngomsindo, ngokungqangqazela, ngephunga, ngomusi, ngentuthu, ngokungcola, ngomlotha, ngothuli, ngezinhlayiya zamantshe, ngokuminyana, ubukhulu noma ezinye izinto.

**“Isikhungo”** kushiwo isakhiwo esakhelwe noma esisetshenziswa njengekhaya labanhiwempu, isibhedlela, indawo yokunakekela abangenamandla okuzenzela, indawo yokucina abahaqwe izifo ezingalapheki, umtholampilo nonoma yisiphi esinye isikhungo, okanye nomphakathi noma esizimele;

**“Igumbi lokuhlola abagulayo”** kushiwo isakhiwo esisetshenziselwa ukuhlinzeka ngemisebenzi yezempilo kodwa sngasebenzi ebusuku noma elisetshenziswa abama-ambulensi. Igumbi lokuhlola abagulayo kufanele lisetshenziswe ngudokotela, udokotela wamazinyo, noma abacishe benze usebenzi ofana nowabo;

**“uMasipala”** kushiwo uMasipala Ingwe;

**“Izinhloso zikaMasipala noHulumeni”** kushiwo isakhiwo noma umhlaba osetshenziselwa ukwenza imisebenzi yomasipala nohulumeni, kubkanye noakanya ezokuphepha, ezempilo, umphakathi, izinhloso zokuphathwa noma ezifana nalezi;

**“Umhlali”** ngokuphathelene nanoma yiliphi ibhilidi, isakhiwo noma umhlaba, kubandakanya noma yimuphi umuntu ohlala kulelo bhilidi, isakhiwo noma umhlaba noma ngokomthetho onelungelo lokuhlala kuwona, noma ngubani ophethe noma abaphethe lokho, kubandakanya i-ejenti yalowo muntu ongekho endaweni noma ongaziwa ukuthi ukuphi;

**“Umnikazi”** ophathelani nesakhiwo noma umhlaba, kushiwo —

(a) umnikazi obhalisiwe;

(b) umuntu ophethe umhlaba wanoma yimuphi umuntu obalulwe ngenhla ku (a) okanye obhekele, ophethe noma umbeki noma okusiphi esinye isikhundla; kanye

(c) nomuntu okhokhelwa imali ngumhlali, noma umuntu ozothola inkokhelo uma ibhilidi noma umhlaba uqashisa, okanye yena uqobo noma i-ejenti yanoma yimuphi umuntu onelungelo;

**“Indawo yokwakha”** kushiwo umhlaba osetshenziswayo noma ibhilidi elakhelwe noma ikakhulu elisetshenziswa njengesikole, inkolishi lezobuchwephe, iholo lokufundela, isikhungo noma indawo yezemfundo, futhi kubandakanya inkulisa, indawo yamadela asesontweni lama-Rama noma umuzi wama-Roma, umtapowolwazi womphakathi, indawo yokucina imidwebo, isigcinamagugu kanye nendawo yokuzivocavoca;

**“Indawo yokukhonzela yomphakathi”** kushiwo isakhiwo esakhelwe ukusetshenziswa njengesonto, indlu encane yesonto, indawo yokwethulela umphakathi izinkulamo, indlu yokudumisa, amasinagogi, imoskho nezinye izindawo zokudumisa zomphakathi, isakhiwo sokufundisa ngezenkolo, sokubamba izingxoxo nomphakathi nezokungcebeleka, kodwa ayingeni eyokubamba izinkonzo zomungcwabo;

**“Umhlaba”** kushiwo noma yiphi ingxenye yomhlaba ebhalisiwe njengengxenye eseceleni kwirejista yamatayitela;

**“Ibhilidi lokuhlala”** kushiwo ibhilidi elakhelwe noma elisetshenziselwa ukuhlala abantu nokusebenza okuvunywe ngokohlamvu 8, eingaba nendlu yokuhlala eyodwa noma ngaphezulu;

**“Isitolo”** kushiwo umhlaba osetshenziselwa noma ibhilidi elakhelwe noma elisetshenziswa ngezinhloso zokuqhuba ezohwebo sinendawo yokucina impahla nokupakisha, futhi sibkanye noakanya konke okuhambisana nokusetshenziswa endaweni efana nayo noma okwenziwa kakhulu okanye kancane kwezohwebo;

**“Iholo lomphakathi”** kushiwo isakhiwo esakhiwelwe ukusetshenziselwa noma ukubamba imihlangano yomphakathi, izinkonzo noma ngezinhloso zikaqedisizungu;

“**Inkundla yezemidlalo**” kushiwo umhlaba noma amabhilidi asetshenziselwa ezemidlalo futhi angabkanye noakanya indlu yekilabhu, umpheme, amagumbi okushintsha izimpahla zokugqoka, indawo yokuzivocavoca, indawo yokudlala umdlo we-squash noma amabhilidi afana nalokhu;

“**Isitezi**” kushiwo indawo eyakhiwe yagibela phezu kwesinye isakhiwo nesinye noma esuka kwisilingi noma ophahleni olungaphezulu.

#### UKUSETSHENZISWA KWAMABHILIDI NOMHLABA

- Izakhiwo nomhlaba zingasetshenziswa ngokuhambisana nePulani yoKuma koMhlaba No. TP100, yangoNhlanguzana 2004, efyundwa nezihlinzeko zeThebula A.

#### ITHEBUL A: UKUSETSHENZISWA KOMHLABA

INDAWO	UKUSETSHENZISWA OKUVUMELEKILE ENDAWENI	UKUSETSHENZISWA OKUVUMELEKILE ENDAWENI NGOKWEMVUME KAMASIPALA	UKUSETSHENZISWA OKUNGAVUMELEKILE ENDAWENI
1	2	3	4
Yokuhlala	Ibhilidi lokuhlala Imisebenzi yasekhaya uMhlaba wezoLimo	Isikhungo, Igumbi lokuhlolwa ngudokotela, Indawo yokuKhonzela umphakathi, Indawo yokuFundisa, IHholo lomphakathi, Inkundla yezeMidlalo	Ukusetshenziswa okungekho ngaphansi kuhlu 2 noma 3
yeBhizinisi	Izinhloso zeBhizinisi, Isikhungo, Indawo yokuFundisa, Indawo yokuKhonzela umphakathi, Ibhilidi lokuHlala, Isitolo, IHholo lomphakathi, Inkundla yezeMidlalo		Ukusetshenziswa okungekho ngaphansi kuhlu 2 noma 3
Indawo yomphakathi	Inkulisa, Isikhungo, Indawo yokuFundisa, Indawo yokuKhonzela umphakathi, IHholo lomphakathi, Inkundla yezeMidlalo	Ibhilidi lokuhlala	Ukusetshenziswa okungekho ngaphansi kuhlu 2 noma 3
YezokuPhathwa	Umhlaba kaMasipala neziNhliso zikaHulumeni	Ibhilidi lokuhlala	Ukusetshenziswa okungekho ngaphansi kuhlu 2 noma 3

Indawo eVulekile yoMphakathi	Inkundla yezeMidlalo	Ibhilidi lokuhlala	Ukusetshenziswa okungekho ngaphansi kuhlu 2 noma 3
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**IMISEBENZI YASEKHAYA****3. (1) Umsebenzi wasekhaya kufanele —**

- (a) uqhutshwe ngumnikazi wendawo, okufanele ahlale kuyo, ngaphandle uma umasipala emnika imvume ebhalwe phansi umnikazi yokuthi ahlale kwenye indawo;
- (b) esimweni sokusungulwa kwendawo yokugada izingane noma inkulisa—
  - (i) ephathwa ngumuntu oyedwa okufanele ahlale kuyo, ngaphandle uma umasipala emnika imvume ebhalwe phansi umnikazi yokuthi ahlale kwenye indawo;
  - (ii) ilinganiselwe kwindawo nasekunakekelweni kwezingane eziskanye noa kuzalwa ezingeqile kweziyi-12 nezisencane ngesikhathi sasemini ngenkathi abazali bengexho noma ababheki.

**(2) Imisebenzi yasekhaya angeke —**

- (a) iqalwe ngaphambi kuka 07h00 noma ngemuva kuka 17h30;
- (b) ibandakanye ukusebenza kwezimoto ezine, ngaphakanye nole uma umasipala emnika imvume ebhalwe phansi;
- (c) ibandakanye ukupaka kwanoma yisiphi isithuthi esinesisindo esingeqi ku 2 000kg, epakwe noma eseduze nendawo;
- (d) ibandakanye uhlangana kwabantu abangaphezulu kwabahlau endaweni noma ukuqashwa kwabantu abangaphezulu kwabathathi endaweni;
- (e) ithathe iphansi elingaphezulu kuka 10% lendawo okungafanele yeqe ku 50m<sup>2</sup>, ngaphakanye nole uma umasipala emnika imvume ebhalwe phansi;
- (f) ibandakanye ukwakhiwa kwezimpawu ezikhombisa uhlobo lomsebenzi owenziwayo —
  - (i) ezinkulu kuno 600mm ngokuphindwe ngo 450mm;
  - (ii) ezakhiwe noma zaba uhlobo olungahambisani nabahlala kuleyo ndawo; noma
  - (iii) lezo eziphazamisa ukuhamba kwezimoto noma ukubonakala kwamabhilidi akhelene nabo noma izakhiwo;
- (g) yenze ukuba kube nomsindo oweqa izinga elingu-7db elivumelekile, noma nini esilinganisweni semingcele yesakhiwo;
- (h) ibe nezimoto eziningi ezenza ukuthi kuze kudingeke ukuba kongezwe indawo yokupaka;
- (i) ibandakanye ukugcinwa kwezimpahla noma izinto eziphathelene nezinto ezenziwa esizeni esingumakhelwane; noma
- (j) ibandakanye ukudayisa utshwala noma yiluphi uhlobo lotshwala.

**IMVUME KAMASIPALA YOKUSEBENZISA AMABHILIDI NOMHLABA****4. (1) Isicelo kufanele sifakwe kuMasipala sokusebenzisa amabhilidi noma umhlaba ngezinhloso ezibekwe ohlwini 3 kwiThebula A.****(2) Isicelo kufanele sihambisane —**

- (a) nefomu yokufaka isicelo;
- (b) incwadi yesincomo evela kumfakisicelo eyeseka isicelo;
- (c) ubufakazi bokubhaliswa komnikazi nekhophi yombonisomdwebo;
- (d) imvume ebhalwe phansi yomnikazi obhalisiwe walowo mhlaba, uma umfakisicelo enesiye umnikazi; kanye

- (e) nanoma yimaphi amapulani, imiboniso mdwebo, imiqulu, iniminingwane noma izimali umasipala ongazidinga.
- (3) Umasipala ngaphambi kwezinsuku eziyi-14 wemukele isicelo esigcwele —
- (a) ubeka isaziso njengalokhu kuhlongozwe kuhlamvana (4) okungenani esingu-42cm ubukhulu ngaphambi kwesiza, noma kuyiphi indawo esobala nokungeneka kalula kuyona kumhlaba othintekayo;
- (b) ukhiphe isaziso njengalokhu kuhlongozwe kuhlamvana (4) kuzo zonke izinhlangothi ngokubona kukamasipala ezingaba nentshisekelo kulolu daba, kubandakanya —
- (i) abanikazi noma abahlala kumhlaba owakhelene nesiza;
- (ii) abanikazi noma abahlala kumhlaba phakathi kwa-100 metres kusuka emngceleni wesiza;
- (iii) umkhandlu kamasipala wewadi isiza esikuso;
- (iv) izinhlaka zombuso ezinelungelo ngokusemthethweni kulolu daba; futhi
- (c) ukukhiphela umphakathi isaziso sesinyathelo esizothathwa kwiphephkanye noaba eliphuma kuleyo ndawo ethintekayo.
- (4) Isaziso esihlongozwe kuhlamvana (4) kufanele —
- (a) sikhombe umhlaba isicelo esiphathelelene nawo, futhi uma lowo mhlaba uyisiza—
- (i) sibhalwe ikheli lesiza, noma, uma isiza singenalo ikheli esikulo, sihlizenzeke ngebalazwe lapho isiza esikhona; futhi
- (ii) sinikeze incazelo egcwele ngesiza;
- (b) sibeke inhloso yesicelo;
- (c) sibeke ukuthi ikhophi yesicelo kanye neminingwane ehambisana naso izovulelwa ukuthi ihlole ngamalungu anentshisekelo omphakathi ngezikhathi ezibekiwe endaweni ekwisaziso;
- (d) simeme amalungu omphakathi ukuba afake uvo lwawo olubhaliwe kumuntu okuxhunyanwa naye obekwe kwisaziso;
- (e) sibeke ukuthi kufanele uwufake kanjani umbono wakho;
- (f) sibeke usuku okufanele umbono wethulwe ngalo; futhi
- (g) sibeke ukuthi umuntu owehluleka ukufaka noma ukuhambisa umbono wakhe wokuphendula isaziso, akafanelekile ukuba abe ngumuntu ozibandakanya ezintweni ezenziwayo.
- (5) Usuku olubekwe kwisaziso lokwethula umbono akufanele lube ngaphambi kwezinsuku ezingama-28 ngemuva kosuku isaziso esakhishwa ngalo.
- (6) Ngaphambi kokuvunywa kwesicelo, umfakisicelo angasichibiyela isicelo noma ngasiphi isikhathi uma esenikezwe isaziso —
- (a) ngohlelo lomfakisicelo; noma
- (b) ngesicelo sikaMasipala.
- (7) UMasipala kufanele ukhiphele bonke abantu abafake imibono yabo isaziso sokuchitshiyelwa kwesaziso.
- (8) UMasipala kufanele futhi ukhiphele umphakathi isaziso sesicelo, uma ukuchitshiyelwa kwaso kuphazamisa izinto ezihambisana nesicelo.
- (9) UMasipala kufanele unqume ngesicelo ngaphambi kwezinsuku ezingama-60 kuvalwe ukufaka izethulo.



(10) UMasipala ungasivuma noma usenqabe isicelo semvume yokusebenzisa amabhilidi noma umhlaba ngezinhloso ezibekwe ohlwini 3 kwiThebula A.

(11) UMasipala angavuma isicelo ngemvume yakhe sokuba kusetshenziswe amabhilidi noma umhlaba ngezinhloso ezibalulwe ohlwini 3 kwiThebula A ngokweyame kunoma yiziphi izimiso ezibonakala zidingekile.

#### UKUPHELA KWEMVUME

5. Imvume kaMasipala yokusebenzisa amabhilidi noma umhlaba ngezinhloso ezibekwe ohlwini 3 kwiThebula A iphelelwa yisikhathi uma amalungelo engasetshenziswa ezinyangeni ezingamashumi amabili nane uMasipala eyikhiphile, noma uma ilungelo lisetshenzisiwe ukusebenza okuvumelekile kuphazanyiswa yisikhathini esiqhubekayo sezinyanga eziyishumi nesishiyagalombili.

#### EMACELENI NEZINDAWO ZANGAPAMBILI NANGEMUVA

6. (1) Kufanele kube okungenani ngamamitha amathathu endawo esemaceleni kwebhilidi ngalinye.
- (2) Kufanele kube okungenani ngamamitha amabili endawo angaphambili nangemuva kuwo wonke amabhilidi.
- (3) Emaceleni nasezindaweni zangaphambili nangemuva akudingeki ukuba kube nezindonga, Ucingo: lokubiyela noma izakhiwo zesikhashana ngezinhloso zokwakha.
- (4) UMasipala ungakhipha imvume ebhaliwe yokudiliza emaceleni, ngaphambili noma ngemuva.
- (5) Imvume yokudiliza emaceleni, ngaphambili nangemuva iba ngunomphela kwisakhiwo ezindaweni ezicwecwece.

#### UKUHLINZEKWA KWENDAWO YOKUPAKA

7. Indawo yokupaka kufanele ihlinzekwe ngokuhambisana nezihlinzeko zeThebula B.

#### ITHEBULA B: INDAWO YOKUPAKA

UKUSEBENZA	ISILINGANISO ESIDINGEKE ENDAWENI YOKUPAKA
Indawo yokuHlala	Indawo e-1 yezindlu ezixhumene
Izitolo	Izindawo ezi-4 ezingu-100m <sup>2</sup> ngayinye yendawo yaphansi esitolo
Amahhovisi	Izindawo ezi-2 ezingu-100m <sup>2</sup> ngayinye yendawo yaphansi ehhovisi
Imboni kagesi nezinhloso zebhizinisi	Indawo e-1 engu-100m <sup>2</sup> ngayinye yephansi
Indawo yokuKhozela	Indawo e-1 yezihlalo zonke eziyishumi
Inkulisa	Indawo e-1 kathisha ngamunye, kanye nezi-2 zezivakashi

**UBUDE OBUVUMELEKILE BAMABHILIDI**

8. (1) Amabhilidi akhiwe ezizeni ezihlukanisiwe zokuhlala angeke abe ngaphezulu kwezitezi ezimbili ngaphndle kokuthola imvume kuMasipala.
- (2) Amabhilidi akhiwe kumhlaba osezindaweni ezisetshenziselwa okunye ngaphkanye nole kokuhlala angeke eke ezitezi ezintathu ngaphkanye nole kokuthola imvume kuMasipala.
- (3) Isibalo sezitezi esihlongozwe kulolu hlamvu sihlanganisa isitezi esiphansi kodwa hhavi indlu eyingaphansi lesitezi.

**UPHAHLA LWEZNDLU OLUVUMELEKILE KUMABHILIDI**

9. Uphahla lwamabhilidi angeke lweqe isilinganiso esibekwe kuThebula C.

**ITHEBULA C: UPHAHLA**

INDAWO ESETSHENZISWAYO EHLUKANISIWE	UPHAHLA OLUVUMELEKILE
Indawo yokuHlala	30%
Ibhizinisi	70%
Indawo yomphakathi, kubkanye noakanya inkulisa nendawo yokukhonzela	70%
kuMasipala, Indawo eVulekile yoMphakathi nezoLimo	Kuzonquma uMasipala

**UKUPHATHWA KWAMANZI ADALWA YIMVULA**

10. (1) Uma kungakwazeki ukuthi kumuncwe amanzi emvula ezindaweni eziphezulu emgwaqeni womphakathi, abanikazi bezindawo ezisenzansi kufanele bavumele ukuthi kube noNkszele wamanzi ohamba ezindaweni zabo.
- (2) Umnikazi wendawo ephhezulu amanzi avela kuye adedelwa ukuba adlule ezindaweni zalabo abaphansi kufanele akhokhe ingxenye yezindleko zamapayipi noma imisele leyo umnikazi wendawo ephansi angayibona idingekile noma ayibiza ngenhloso yokudlulisa amanzi.

**ISAZISO NGOKWESIGABA 16(1)(g) SOMTHETHO WEZINHLAKA ZOMASIPALA WEZOHULUMENI BASEKHAYA, 1998 – SOKUFAKWA KWE-KZNDMA22 KUMASIPALA WASEMPOFANA (KZN223)****[KZNDMA22]**

Esikhundleni sami njengeLungu loMkhandlu oPhethe elibhekele ohulumeni basekhaya, ngaphansi kwamandla engiwanikwe yisigaba 16(1)(g) soMthetho weziNhlaka zoMasipala WEZOHULUMENI baseKhaya, 1998 (uMthetho No. 117 ka 1998), futhi kusukela ngosuku lokhetho lomkhandlu kamasipala olulandelayo, ngalokhu –

- (a) ngifaka yonke indawo ka-KZNDMA22 kuMasipala waseMpofana (KZN223) njengoba kuhlongozwe esigabeni 6(3)(b)(ii), sifundwa nesigaba 17, soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998; futhi
- (b) ngichibiyela iSaziso sesiFundazwe No. 352 sika 2000 esashicilelwa *kwiGazethi yesiFundazwe* mhla ziyi-19 kuMandulo 2000, ngendlela edingekayo ukuqalisa uguquko emgceleni kaMasipala waseMpofana (KZN223), njengalokhu kuhlongozwe kwiSaziso No. 103 seBhodi yokuKlwanjwa kweMingcele kaMasipala, esashicilelwa *kwiGazethi kaHulumeni*

No. 108, mhla zingama-30 kuNhlaba 2008, futhi esiqinisekise yiKhomishana yoKhethe eziMele kwiSaziso sikaHulumeni No.155., esashicilelwa *kwiGazethi kaHulumeni* No. 136, yamhla lu-1 kuNtulikazi 2008.

Sinikezwe ngaphansi kwesandla sami eMgungundlovu ngalolu suku25 kuMandulo oNyakeni weziNkulungwane eziMbill nesiShiyagalombili.

**M. MABUYAKHULU, ILUNGU LESISHAYAMTHETHO SESIFUNDAZWE**  
iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali  
elibhekele ohulumeni basekhaya

**ISAZISO NGOKWESIGABA 16(1)(g) SOMTHETHO WEZINHLAKA ZOMASIPALA WOHULUMENI BASEKHAYA, 1998 – SOKUFAKWA KWE-KZNDMA23 KUMASIPALA WASOKHAHLAMBA (KZN235) KANYE NOMASIPALA WASEMBABAZANE (KZN236)**

**[KZNDMA23]**

Esikhundleni sami njengeLungu loMkhandlu oPhethe elibhekele ohulumeni basekhaya, ngaphansi kwamandla engiwanikwe yisigaba 16(1)(g) soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), futhi kusukela ngosuku lokhethe lomkhandlu kamasipala olulandelayo, ngalokhu –

- (a) ngifaka izindawo ezehiuke hlukene ze-KZNDMA23 kuMasipala wasoKhahlamba (KZN235) noMasipala waseMbabazane (KZN236), njengoba kuHlongozwe esigabeni 6(3)(b)(ii), sifundwa nesigaba 17, soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998; kanye
- (b) nokuchibiyela iSaziso sesiFundazwe No. 351 sika 2000 esashicilelwa *kwiGazethi yesiFundazwe* mhla ziyi-19 kuMandulo 2000, ngendlela edingekayo ukuqalisa uguquko emgceleni kaMasipala wasoKhahlamba (KZN235), njengalokhu kuHlongozwe kwiSaziso No. 103 seBhodi yokuKlwanywa kweMingcele kaMasipala, esashicilelwa *kwiGazethi kaHulumeni* No. 108, mhla zingama-30 kuNhlaba 2008, futhi esiqinisekise yiKhomishana yoKhethe eziMele kwiSaziso sikaHulumeni No. 156, esashicilelwa *kwiGazethi kaHulumeni* No. 137, yamhla lu-1 kuNtulikazi 2008.

Sinikezwe ngaphansi kwesandla sami eMgungundlovu ngalolu suku25 kuMandulo oNyakeni weziNkulungwane eziMbill nesiShiyagalombili

**M. MABUYAKHULU, ILUNGU LESISHAYAMTHETHO SESIFUNDAZWE**  
iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali  
elibhekele ohulumeni basekhaya

**ISAZISO NGOKWESIGABA 16(1)(g) SOMTHETHO WEZINHLAKA ZOMASIPALA WOHULUMENI BASEKHAYA, 1998 – SOKUFAKWA KWE-ZNDMA27 KUMASIPALA WAKWAYAMHLABUYALINGANA (KZN271), KUMASIPALA WASEJOZINI (KZN272), KUMASIPALA WASE-BIG FIVE FALSE BAY (KZN273), KUMASIPALA WAKWAHLABISA (KZN274) KANYE NOMASIPALA WASEMTUBATUBA (KZN275)**

**[KZNDMA27]**

Esikhundleni sami njengeLungu loMkhandlu oPhethe elibhekele ohulumeni basekhaya, ngaphansi kwamandla engiwanikwe yisigaba 16(1)(g) soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), futhi kusukela ngosuku lokhethe lomkhandlu kamasipala olulandelayo, ngalokhu –

(a) ngifaka izindawo ezehluke hlukeno ze-KZNDMA27 kuMasipala wakwaMhlabuyalingana (KZN271), kuMasipala waseJozini (KZN272), kuMasipala wase-Big Five False Bay (KZN273), kuMasipala wakwaHlabisa (KZN274), nakuMasipala waseMtubatuba (KZN275), njengoba kuhlangozwe esigabeni 6(3)(b)(ii), sifundwa nesigaba 17, soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998; kanye

(b) nokuchibiyela iSaziso sesiFundazwe No. 347 sika 2000 esashicilelwa *kwiGazethi yesiFundazwe* yamhla ziyi-19 kuMandulo 2000, ngendlela edingekayo ukuqalisa uguquko emngceleni kaMasipala wakwaMhlabuyalingana (KZN271), kuMasipala waseJozini (KZN272), kuMasipala wase-Big Five False Bay (KZN273), kuMasipala wakwaHlabisa (KZN274), nakuMasipala waseMtubatuba (KZN275), njengoba kuhlangozwe kwiSaziso No. 103 seBhodi yokuKwinywa kweMingcele kaMasipala, esashicilelwa *kwiGazethi kaHulumeni* No. 108, yamhla zingama-30 kuNhlaba 2008, futhi esiqinisekise yiKhomishana yoKhethe eziMele kwiSaziso sikaHulumeni No. 157, esashicilelwa *kwiGazethi kaHulumeni* No. 138, yamhla lu-1 kuNtulikazi 2008.

Sinikezwe ngaphansi kwesandla sami eMgungundlovu ngalolu suku25 kuMandulo oNyakeni weziNkulungwane eziMbili nesiShiyagalombili

**M. MABUYAKHULU, ILUNGU LESISHAYAMTHETHO SESIFUNDAZWE**

iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali  
elibekelele ohulumeni basekhaya

**ISAZISO NGOKWESIGABA 16(1)(g) SOMTHETHO WEZINHLAKA ZOMASIPALA WEZOHULUMENI BASEKHAYA, 1998 – SOKUFAKWA KWE-KZNDMA23 KUMASIPALA WASOKHAHLAMBA (KZN235) KANYE NOMASIPALA WASEMBABAZANE (KZN236)**

**[KZNDMA43]**

Esikhundleni sami njengeLungu loMkhandlu oPhethe elibekelele ohulumeni basekhaya, ngaphansi kwamandla engiwanikwe yisigaba 16(1)(g) soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), futhi kusukela ngosuku lokhethe lomkhandlu kamasipala olulandelayo, ngalokhu –

(a) ngifaka izindawo ezehluke hlukeno ze-KZNDMA43 kuMasipala waKwaSani (KZN432), kuMasipala wesiFunda saseSisonke (DC43), noMasipala waseMpendle (KZN224), phakathi kuMasipala wesiFunda saseMgungundlovu (DC22), njengoba kuhlangozwe esigabeni 6(3)(b)(ii), sifundwa nesigaba 17, soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998; kanye

(b) nokuchibiyela iSaziso sesiFundazwe No. 344 sika 2000 esashicilelwa *kwiGazethi yesiFundazwe* yamhla ziyi-19 kuMandulo 2000, nakwiSaziso sesiFundazwe No. 352, esashicilelwa *kwiGazethi yesiFundazwe* yamhla lu-1 kuZibandlela 2000, ngendlela edingekayo ukuqalisa uguquko emngceleni kaMasipala waKwaSani (KZN432), phakathi kuMasipala wesiFunda saseSisonke (DC43), noMasipala waseMpendle (KZN224), phakathi kuMasipala wesiFunda saseMgungundlovu (DC22), njengalokhu kuhlangozwe kwiSaziso No. 103 seBhodi yokuKwinywa kweMingcele kaMasipala, esashicilelwa *kwiGazethi kaHulumeni* No. 108, yamhla zingama-30 kuNhlaba 2008, futhi esiqinisekise yiKhomishana yoKhethe eziMele kwiSaziso sikaHulumeni No. 158, esashicilelwa *kwiGazethi kaHulumeni* No. 139, yamhla lu-1 kuNtulikazi 2008.

Sinikezwe ngaphansi kwesandla sami eMgungundlovu ngalolu suku25 kuMandulo oNyakeni wezinkulungwane eziMbili nesiShiyagalombili

**M MABUYAKHULU, ILUNGU LESISHAYAMTHETHO SESIFUNDAZWE**

iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali

**elibhekele ohulumeni basekhaya****UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO****Isikhangisi No. 189****UKUSUSWA KOMTHETHO WEZITHIBELO, 1967: ISIMEMO SEZIPHAKAMISO**

UMnyango woHulumeni baseKhaya nezeNdabuko wemukele izicelo zokususwa nokumiswa kwezithibelo eziphathelene nomhlaba ngokoMthetho wokuSuswa kweziThibelo, 1967 (uMthetho No. 84 ka 1967), ezibekwe kuHlelo.

Iziphakamiso, zingathunyelwa ngefeksi noma nge-imeyli, kufanele zithunyelwe kubantu ababalulwe kuHlelo mhla 4 Umasingana 2009. Sicela ukunazisa ukuthi uMnyango ungenqaba ukwemukela iziphakamiso ezithunyelwe ngemuva kosuku lokuvalela.

**M. L. POVALL**, uMphathi: wezokuPhathwa kweNtuthuko

Usuku: zi-4 Kul wezi 2008

**UHLELO**

Imininingwane esetshenziswe kubakaki inale ncazelo elandelayonoelayo:

- (1) = Ikheii lomgwaqo, incazelo ngomhlaba, ukwehlukaniswa kokubhaliswa, omasipala
- (2) = Itayitela, isimiso, inkomba yefayela
- (3) = Ubukhulu obuzolungiswa noma obuzosuswa
- (4) = Umuntu okuxhunanwa naye
- (5) = Imininingwane yokuxhumana

- (1) Ku 30 Smal Street, Isiza 1319, e-Vryheid, isiGaba sokuBhaliswa ngu-HT, kuMasipala waseBaqulusi
- (2) T232067/1989, B1 kanye no B2, 2007/649
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokwakha indlu eyodwa yokuhlala.
- (4) Mnu D K Chetty
- (5) Private Bag X64, Ulundi, 3838, Ucingo: 035 8742804, Ifeksi: 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)

- (1) Ku 102 Old Main Road, Isiza 2, Empangeni, isiGaba sokuBhaliswa ngu-GU, kuMasipala waseMhlatuze
- (2) T36180/2006, B (b), C1, C2, C4, C5, kanye no C7, 2007/1351
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokwakha indlu eyodwa yokuhlala, ezibeka inani lemali lezakhiwo ezizokwakhiwa kumhlaba, ezivumela ukusetshenziswa kwezimpahla ezithile zokwakha izakhiwo, ezibeka imisebenzi yomnikazi womhlaba yokuchitha amapayipi namanzi emvula, nezinqabela ukusetshenziswa komhlaba ukugcina imfuyo.
- (4) Mnu D K Chetty
- (5) Private Bag X64, Ulundi, 3838, Ucingo: 035 8742804 Ifeksi: 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)

- (1) Ku 25 Dunne Road, Isiza 1100, Empangeni, isiGaba sokuBhaliswa ngu-GU, kuMasipala waseMhlatuze
- (2) T33552/2004, C.A(b), B1, B4, B5, kanye no B7, 2007/1352

- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezivumela ukusetshenziswa kwezimpahla ezithile zokwakha izakhiwo, ezibeka imisebenzi yomnikazi womhlaba yokuchitha amapayipi namanzi emvula, nezingqabela ukusetshenziswa komhlaba ukugcina imfuyo.
- (4) Mnu D K Chetty
- (5) Private Bag X64, Ulundi, 3838, Ucingo: 035 8742804 Ifeksi: 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Ku 100 Old Main Road, Isiza 3 kanye no 6 Empangeni, isiGaba sokuBhaliswa ngu-GU, uMhlathuze Municipality
- (2) T36180/2006, B2, C1, C2, C4, kanye no C6, 2007/1353
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhlalo zokwakha indlu eyodwa yokuhlala, ezibeka inani lemali lezakhiwo ezizokwakhiwa kumhlaba, ezivumela ukusetshenziswa kwezimpahla ezithile zokwakha izakhiwo, ezibeka imisebenzi yomnikazi womhlaba yokuchitha amapayipi namanzi emvula, nezingqabela ukusetshenziswa komhlaba ukugcina imfuyo.
- (4) Mnu D K Chetty
- (5) Private Bag X 64, Ulundi, 3838, Ucingo: 035 8742804 Ifeksi: 035-8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Ku 19 Hardekool, Arboretum, Isiza 1025 e-Richards Bay, isiGaba sokuBhaliswa ngu-GU, kuMasipala waseMhlathuze
- (2) T20316/2001, B1 kanye no B2, 2007/1413
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (4) Mnu D K Chetty
- (5) Private Bag X 64, Ulundi, 3838, Ucingo: 035 8742804, Ifeksi: 035-8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Ku 2 Bauhinia Bend, Arboretum, Isiza 739, e-Richards Bay, isiGaba sokuBhaliswa ngu-GU, kuMasipala waseMhlathuze
- (2) T26444/2005, B1 kanye no B2, 2007/1414
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (4) Mnu D K Chetty
- (5) Private Bag X64, Ulundi, 3838, Ucingo: 035 8742804, Ifeksi: 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Ku 22 Arum Lily, Vledenvlei, Isiza 3522 e-Richard Bay, isiGaba sokuBhaliswa ngu-GU, kuMasipala waseMhlathuze
- (2) T25640/1993, B1 kanye no B2, 2007/1422
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (4) Mnu D K Chetty
- (5) Private Bag X64, Ulundi, 3838, Ucingo: 035 8742804, Ifeksi: 035 874 2644, [Dejond.Chetty@kznlqta.gov.za](mailto:Dejond.Chetty@kznlqta.gov.za)
- (1) Ku 74 Bottlebrush Bend, Vledenvlei, Isiza 3660, e-Richards Bay, isiGaba sokuBhaliswa ngu-GU, kuMasipala waseMhlathuze
- (2) T45551/2007, B1kanye no B2, 2007/1423
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (4) Mnu D K Chetty
- (5) Private Bag X64, Ulundi, 3838, Ucingo: 035 8742804, Ifeksi: 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Ku 16 Canterbury Bell, Vledenvlei, Isiza 3688 e-Richards Bay, isiGaba sokuBhaliswa ngu-GU, kuMasipala waseMhlathuze
- (2) T46957/2007, B1 kanye no B2, 2007/1514

- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (4) Mnu D K Chetty
- (5) Private Bag X64, Ulundi, 3838, Ucingo:: 035 8742804, Ifeksi:: 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Ku 8 Appelblaar, Arboretum, Isiza 698 e-Richards Bay, isiGaba sokuBhaliswa ngu-GU, kuMasipala waseMhlathuze
- (2) T8285/2002, B1 kanye no B2, 2007/1517
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (4) Mnu D K Chetty
- (5) Private Bag X64, Ulundi, 3838, Ucingo:: 0358742804, Ifeksi:: 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Ku 21 Nondi Leap, Meerensee, Isiza 2598, e-Richards Bay, isiGaba sokuBhaliswa ngu-GU, kuMasipala waseMhlathuze
- (2) T54241/2006, B1 kanye no B2, 2007/1540
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (4) Mnu D K Chetty
- (5) Private Bag X64, Ulundi, 3838, Ucingo:: 035 8742804 Ifeksi: 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Ku 9 Lantern Reef, Meerensee, Isiza 433, e-Richards Bay, isiGaba sokuBhaliswa ngu-GU, kuMasipala waseMhlathuze
- (2) T40961/2004, B1 kanye no B2, 2008/55
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (4) Mnu D K Chetty
- (5) Private Bag X64, Ulundi, 3838, Ucingo:: 035 8742804, Ifeksi: 035 8742804, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Ku 20 Suikerbossirkel, Isiza 4137 e-Richards Bay, isiGaba sokuBhaliswa ngu-GU, kuMasipala waseMhlathuze
- (2) T52452/2001, B1 kanye no B2, 2008/56
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (4) Mnu D K Chetty
- (5) Private Bag X64, Ulundi, 3838, Ucingo:: 035 8742804, Ifeksi: 035-8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Ku 61 Haakdoringrug, Arboretum, Isiza 1041 e-Richards Bay, isiGaba sokuBhaliswa ngu-GU, kuMasipala waseMhlathuze
- (2) T5433/2000, B1kanye no B2, 2008/57
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (4) Mnu D K Chetty
- (5) Private Bag X64, Ulundi, 3838, Ucingo: 035-8742804 Ifeksi: 035-8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Ku Bowling Club Lane, Isiza 288 e-Underberg, isiGaba sokuBhaliswa ngu-FS, kuMasipala waKwaSani
- (2) T 25221/87, C. (a), (b), (c) kanye no (d), 2008/60
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (4) Mnu S Premchund
- (5) Private Bag X 54310 Durban 4000, Ucingo:: (031) 204 1824, Ifeksi:: (031) 204 1980, [sanjay.premchund@kznlqta.gov.za](mailto:sanjay.premchund@kznlqta.gov.za)
- (1) Ku 86 Smal Street, Isiza 259, e-Vryheid, isiGaba sokuBhaliswa ngu-HT, kuMasipala waseBaqulusi
- (2) T35609/2005, B2, 2008/186
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.

- (4) Mnu D K Chetty  
(5) Private Bag X64, Ulundi, 3838, Ucingo: 035-8742804, Ifeksi: 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Ku 100 Northway, **Isiza 1418 e-Durban North**, isiGaba sokuBhaliswa ngu-FU, kuMasipala waseThekwini  
(2) T 20832/1984, C. kanye no D., 2008/217  
(3) Ukususwa kwezimiso zetayitela ezihambisana ne-Durban North Estates Limited ezidinga imvume ye-Durban North Estates Limited uma kushintshwa ukusetshenziswa komhlaba, ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezivimbela ukwehlukaniwa phakathi komhlaba, nezibeka lapho okuzohamba khona imisele yesakhiwo nesiGadingi ukuba kulethwe ipulani yesakhiwo ku-Durban North Estates Limited ukuze ivunywe.  
(4) Mnu S Premchund  
(5) Private Bag X 54310 Durban 4000, Ucingo:: (031) 204 1824, Ifeksi:: (031) 204 1980, [sanjay.premchund@kznlqta.gov.za](mailto:sanjay.premchund@kznlqta.gov.za)
- (1) Ekhoneni Iika Ijala Crescent kanye no View Road, **Ingxenywe 1 yeSiza 1388 e-Ramsgate**, isiGaba sokuBhaliswa ngu-ET, KuMasipala wase-Hibiscus Coast  
(2) T 25450/07, C. (e) kanye no D., 2008/270  
(3) Ukususwa kwezimiso zetayitela ezibeka lapho okuzohamba khona imisele yesakhiwo nesiGadingi ukulethwa kwepulani yesakhiwo  
(4) Mnu G. Mathentamo  
(5) Private Bag X54310 Durban 4000, Ucingo:: (031) 204 1740, Ifeksi:: (031) 204 1980, [godfery.mathentamo@kznlqta.gov.za](mailto:godfery.mathentamo@kznlqta.gov.za)
- (1) Ku 66 Kingfisher, Isiza 138 e-St. Lucia, isiGaba sokuBhaliswa ngu-GV, kuMasipala waseMtubatuba  
(2) T6392/2007, A2, 2008/310  
(3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.  
(4) Mnu D K Chetty  
(5) Private Bag X 64, Ulundi, 3838, Ucingo:: 035 8742804 Ifeksi: 035 8732644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Ku 14 Beachway, **Isiza 2689 e-Durban North**, isiGaba sokuBhaliswa ngu-FU, kuMasipala waseThekwini  
(2) T 71764/02, C. (Indima 2 kanye no 6) no D., 2008/571  
(3) Ukususwa kwezimiso zetayitela ezihambisana ne-Durban North Estates Limited ezidinga imvume ye-Durban North Estates Limited uma kushintshwa ukusetshenziswa komhlaba, ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezivimbela ukwehlukaniwa phakathi komhlaba, nezibeka lapho okuzohamba khona imisele yesakhiwo nesiGadingi ukuba kulethwe ipulani yesakhiwo ku-Durban North Estates Limited ukuze uyivume.  
(4) Nksz R. Mbata  
(5) Private Bag X54310 Durban 4000, Ucingo:: (031) 204 1791, Ifeksi:: (031) 204 1980, [rejoice.mbatha@kznlqta.gov.za](mailto:rejoice.mbatha@kznlqta.gov.za)
- (1) Ku 27 Wedgewood Crescent, **Ingxenywe 22 yeSiza 223 e-Durban North**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini  
(2) T10172/93, (b), 2008/742  
(3) Ukususwa kwesimiso setayitela esidinga imvume ye-South African Mutual Property Development Corporation (Pty) Limited ukuze kushintshwe ukusetshenziswa komhlaba, esibeka imisebenzi yomnikazi womhlaba wokumunca amapayipi namanzi emvula fnokuvuma amapulani ezakhiwo  
(4) Mnu G. Mathentamo



(5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1740, Ifeksi: (031) 204 1980, [godfrey.mathentamo@kznlgta.gov.za](mailto:godfrey.mathentamo@kznlgta.gov.za)

(1) Ku 14 Mkhize Road, **Isiza 8 e-Botha's Hill**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini

(2) T6192/07, C.(b), 2008/809

(3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.

(4) Mnu A. Bhyrodoyal

(5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1778, Ifeksi: (031) 204 1980, [ashok.bhyrodoyal@kznlgta.gov.za](mailto:ashok.bhyrodoyal@kznlgta.gov.za)

(1) Ekhoneni lika Lynton Road kanye no College Road, **Isiza 675 e-Southbroom**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast

(2) T 6451/2002, F. (a), F. (b) kanye no F. (c), 2008/850

(3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokwakha indlu eyodwa yokuhlala nesivumela ukusetshenziswa kwezimpahla ezithile zokwakha izakhiwo.

(4) Mnu S Premchund

(5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1824, Ifeksi: (031) 204 1980, [Sanjay.Premchund@kznlgta.gov.za](mailto:Sanjay.Premchund@kznlgta.gov.za)

(1) Ku 37 Trevor Road, **Insalela yeSiza 76 e-Erin-Go-Bragth**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini

(2) T 26193/08, B. 1. (b), B. 2. (b) B. 2. (h) kanye no C. 1, 2008/907

(3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa kwezimpahla ezithile zokwakha izakhiwo nezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.

(4) Nksz R. Mbata

(5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1791, Ifeksi: (031) 204 1980, [rejoice.mbatha@kznlgta.gov.za](mailto:rejoice.mbatha@kznlgta.gov.za)

(1) Ku 39 Everest Road, **Isiza 88 Rosehill**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini

(2) T 06 57393, D), 2008/953

(3) Ukususwa kwesimiso setayitela esidinga imvume ye-Suburban Lands (Proprietary) Limited ukushintsha ukusetshenziswa komhlaba nesinqabela ukusetshenziswa komhlaba ngezinhloso zebhizinisi.

(4) Mnu G. Mathentamo

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(1) **Isiza 316 e-Pumula**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast

(2) T 06 31962, B. (c), B. (d) (Ekhasini 3) B. (c), B. (d) (Ekhasini 5), kanye no D. , 2008/956

(3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, esivumela ukusetshenziswa kwezimpahla ezithile zokwakha izakhiwo, ezenqabela ukulethwa kwamapulani ezakhiwo nesinqabela ukusetshenziswa kwenzalo etholakalayo efeni lika E. F. Dennis

(4) Nksz R. T. Mbata

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(1) Ku 22 Broadway no 52 St Andrews Drive, **Iziza 1986 kanye no 1987 e-Durban North**, isiGaba sokuBhaliswa ngu-FU, kuMasipala waseThekwini

(2) T05 62121, 1.D.(i) – 1.D.(iii) kanye no 2.D.(i) – 2.D.(iii), 2008/968

(3) Ukususwa kwezimiso ezidinga amapulani ukuba alethwe e-Durban North Estates Limited nezibeka lapho okuzohamba khona imisele yesakhiwo ngokwe-Durban North Estates Limited.

- (4) Nksz M. Chetty  
(5) Private Bag X 54310 Durban 4000, Ucingo:: (031) 204 1711, Ifeksi:: (031) 204 1980, [margie.chetty@kznlgta.gov.za](mailto:margie.chetty@kznlgta.gov.za)
- (1) Ku 9<sup>th</sup> Avenue e-Pumula, **Isiza 108 e-Pumula**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast  
(2) T 04 27747, 3.(d), 2008/987  
(3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa kwezimpahla ezithile zokwakha izakhiwo nesidinga ukuvunywa kwamapulani ezakhiwo.  
(4) Mnu G. Mathentamo  
(5) Private Bag X 54310 Durban 4000, Ucingo:: (031) 204 1740, Ifeksi:: (031) 204 1980, [godfrey.mathentamo@kznlgta.gov.za](mailto:godfrey.mathentamo@kznlgta.gov.za)
- (1) Ku Salmon Drive, **Isiza 1226 e-Leisure Bay**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast  
(2) T 38244/03 , 2.(c), 2008/993  
(3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa kwezimpahla ezithile zokwakha izakhiwo  
(4) Mnu G. Mathentamo  
(5) Private Bag X 54310 Durban 4000, Ucingo:: (031) 204 1740, Ifeksi:: (031) 204 1980, [godfrey.mathentamo@kznlgta.gov.za](mailto:godfrey.mathentamo@kznlgta.gov.za)
- (1) Ku 28 Nelson Road, **Insalela yeSiza 697 eManzimtoti**, isiGaba sokuBhaliswa ngu-ET, kuMasipala waseThekwini  
(2) T61733/07, (a) kanye no (b), 2008/1036  
(3) Ukususwa kwesimiso zetayitela ezenqabela ukwehluakaniswa komhlaba, nezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala nesenqabela ukusetshenziswa komhlaba ngezinhloso zebhizinisi  
(4) Mnu A. Bhyrodoyal  
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- (1) Ku 14<sup>th</sup> Street Port Edward, **Isiza 485 e-Port Edward**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast  
(2) T 36029/95, (b)12., 2008/1040  
(3) Ukususwa kwesimiso esibeka lapho okuzohamba khona imisele yesakhiwo  
(4) Mnu G. Mathentamo  
(5) Private Bag X 54310 Durban 4000, Ucingo:: (031) 204 1740, Ifeksi:: (031) 204 1980, [godfrey.mathentamo@kznlgta.gov.za](mailto:godfrey.mathentamo@kznlgta.gov.za)
- (1) Ku 34 Glenugie Road, **Isiza 1935 e-Pinetown**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini  
(2) T 64233/06, G.2., 2008/1064  
(3) Ukususwa kwesimiso setayitela esenqabela ukusetshenziswa komhlaba ngezinhloso zebhizinisi  
(4) Mnu G. Mathentamo  
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- (1) Ku 7 Killamey Place, Isiza 140 KwaMbonambi, isiGaba sokuBhaliswa ngu-GU, kuMasipala waKwaMbonambi  
(2) T36571/2005, B (a) kanye no B (b), 2007/1415  
(3) Ukususwa kwesimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nokwakha indlu eyodwa yokuhlala.  
(4) Mnu D K Chetty  
(5) Private Bag X64, Ulundi, 3838, Ucingo:: (035) 8742804, Ifeksi:: (035) 8742644, [dejond.chetty@kznlgta.gov.za](mailto:dejond.chetty@kznlgta.gov.za)

- (1) Ekhoneni Ilala Crescent and View Road, ingxenye 1 yeSiza 1388 e-Ramsgate, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast
- (2) T 25450/07, C. (e) kanye no D., 2008/270
- (3) Ukususwa kwezimiso zetayiteka **ezibeka lapho okuzohamba khona imisele yesakhiwo** nesidinga ukulethwa kwamapulani ezakhiwo
- (4) Mnu G. Mathentamo
- (5) Private Bag X54310 Durban 4000, Ucingo: (031) 204 1740, Ifeksi:: (031) 204 1980, [godfery.mathentamo@kznlqta.gov.za](mailto:godfery.mathentamo@kznlqta.gov.za) ( <mailto:buvisile.simamane@kznlqta.gov.za> )

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**No. 227****13 November 2008****DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****DORPBEPLANNINGSORDONNANSIE, 1949: PRIVAATDORP; ERWE 243-255 PERSEEL ABCDEFG, UMNGENI MUNISIPALITEIT**

Kragtens artikel 23 van die Dorpbeplanningsordonnansie, 1949 (Ordonnansie No. 27 van 1949), verklaar ek erwe 243-255 Perseel ABCDEFG, Registrasie-afdeling FT, uMngeni munisipaliteit, 'n goedgekeurde privaatdorp.

**M. L. POVALL**, Bestuurder: Ontwikkelingsadministrasie

Datum: 4 November 2008

Lêerverwysing: 2006/8

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**No. 228****13 November 2008****WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDES**

Kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), hef ek die voorwaardes op soos in die bylae uiteengesit.

**M. L. POVALL**, Bestuurder: Ontwikkelingsadministrasie

Datum: 4 November 2008

**BYLAE**

Die figure tussen hakies het die volgende betekenis:

- (1) = Straatadres, eiendomsbeskrywing, registrasie-afdeling, munisipaliteit
  - (2) = Akte, voorwaarde, lêerverwysing
  - (3) = Omvang van wysiging of opheffing
- 
- (1) Bond Straat, **Erf 649 Ramsgate**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit
  - (2) T 14091/05, 3. (i) (b), 2005/1267
  - (3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.

- 
- (1) Colin Straat 19, **Erf 2236 Uvongo**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit  
(2) T 37837/03, 3.(a), 2006/60  
(3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied, die gebruik van boumateriaal beperk en minimum waarde van 'n gebou oplê.
- (1) Hoek van Albert, Benjamin, en Victoria Straat, **Erf 807 Richmond**, Registrasie-afdeling FT, Richmond Munisipaliteit  
(2) 06 58617, B.2. en C.2., 2006/713  
(3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.
- (1) Goodwill Place, **Gedeelte 5 van Erf 115 Camperdown**, Registrasie-afdeling FT, Mkhambathini Munisipaliteit  
(2) T 04 58801, D.1. en D.2., 2007/640  
(3) Opheffing van titelvoorwaardes wat gebruik van die eiendom tot woondoeleindes beperk en die oprigting van meer as een woning op die eiendom verbied.
- (1) Ross Weg, **Erf 184 Southbroom**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit  
(2) T 05 51053, C. (a) en C. (d), 2007/1124  
(3) Opheffing van titelvoorwaardes wat onderverdeling van die eiendom verbied en gebruik van die eiendom tot besigheidsdoeleindes beperk.
- (1) Hoë Straat 13, Restant van Gedeelte 1 van Erf 134 Tongaat, Registrasie-afdeling FU, eThekwini Munisipaliteit  
(2) T 05 36354, B. 2., 2007/1655  
(3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.
- (1) Buckingham Weg 105, **Erf 394 Kloof**, Registrasie-afdeling FT, eThekwini Munisipaliteit  
(2) T 17318/1973, 2. (d), 2008/63  
(3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.
- (1) Hilltop Weg 45, **Erf 299 Hillcrest Park**, Registrasie-afdeling FT, eThekwini Munisipaliteit  
(2) T 57024/99, E.(c), 2008/97  
(3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.
- (1) Poole Place 10, **Erf 93 Malvern**, Registrasie-afdeling FT, eThekwini Munisipaliteit  
(2) T 54378/03, (b) (iv), 2008/216  
(3) Opheffing van titelvoorwaarde wat die gebruik van boumateriaal beperk.
- (1) Albert Meyer Rylaan 1124, **Erf 1124 Shelly Beach**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit  
(2) T 04 17101, C.(ii), 2008/220  
(3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.
- (1) Skool Weg 70, **Gedeelte 11 van Erf 93 Amanzimtoti**, Registrasie-afdeling ET, eThekwini Munisipaliteit  
(2) T 06 57917, (A) 1. en (B) (b), 2008/223  
(3) Opheffing van titelvoorwaarde wat onderverdeling van die eiendom verbied en die oprigting van meer as een woning op die eiendom verbied.

- (1) Campbell Weg 3, **Erf 448 Glenmore**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit
  - (2) T 45807/2000, C. (e), 2008/439
  - (3) Opheffing van titelvoorwaarde wat boulyne oplê.
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- (1) Inanda Weg 62 en 60, **Gedeeltes 12 en 13 van die Plaas Vivian No. 14180**, Registrasie-afdeling FT, eThekwini Munisipaliteit
  - (2) T 4902/87, 1.E. (1), 2.C.(1), 2008/507
  - (3) Opheffing van titelvoorwaarde wat gebruik van die eiendom tot woondoeleindes beperk.
- 
- (1) Collier Laan 131, **Erf 157 Umhlathuzana**, Registrasie-afdeling FT, eThekwini Munisipaliteit
  - (2) T 9855/96, C.(a) en C. (c), 2008/520
  - (3) Opheffing van titelvoorwaardes wat die onderverdeling van grond verbied en die oprigting van meer as een woning op die eiendom verbied.
- 
- (1) Linda Singel 17-25, **Restant van Erf 2426 Queensburgh**, Registrasie-afdeling FT, eThekwini Munisipaliteit
  - (2) T 18486/2000, B.2. 2008/570
  - (3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.
- 
- (1) Alexander Weg, **Erf 32 Margate**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit
  - (2) T28879/94, B.3., 2008/588
  - (3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.

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**No. 229****13 November 2008****WET OP ONTWIKKELINGSFASILITERING, 1995: ERF 181, BULWER, INGWE MUNISIPALITEIT**

Kragtens artikel 33(4) van die Wet op Ontwikkelingsfasilitering, 1995, het die Ontwikkelingstribunaal goedkeuring verleen vir die ontwikkeling van 315 woonerwe, 2 kommersiële erwe en 10 gemeenskapsfasiliteitserwe op Erf 181 Bulwer, Registrasie-afdeling FS, Ingwe munisipaliteit, onderhewig aan die volgende stigtingsvoorwaardes wat verband hou met grondgebruiksbestuur, en die toepassing van wette —

- (a) die uitleg van die grondontwikkelingsgebied is in ooreenstemming met Uitlegplan No. TP100 gedateer Junie 2004;
- (b) die grondgebruiksvoorwaardes bedoel in bylae 1 is van toepassing op die grondontwikkelingsgebied tot sodanige tyd as wat 'n skema aanvaar is vir die grondontwikkelingsgebied ingevolge toepaslike wetgewing;
- (c) artikels 11, 11*bis*, 12-28, 32 en 35-38 van Dorpbeplanningsordonnansie No. 27 van 1949, is nie van toepassing op die grondontwikkelingsgebied vir die doel van ontwikkeling daarvan nie ooreenkomstig die voorwaardes vir goedkeuring van aansoek 2004/802;
- (d) die bepalings van die Wet op Onderverdeling van Landbougrond, 1970 (Wet No. 70 van 1970) is nie van toepassing op die grondontwikkelingsgebied nie; en
- (e) die bepalings van die Wet op Nasionale Bouregulasies en -standaarde, 1977 (Wet No. 103 van 1977), en enige ander wet wat die oprigting van geboue binne die grondontwikkelingsgebied bepaal, is nie van toepassing op bestaande geboue binne die grondontwikkelingsgebied nie, maar is van toepassing op daaropvolgende wysigings aan die bestaande geboue en op die oprigting van enige nuwe geboue binne die grondontwikkelingsgebied.

S. S. Anoop, Aangewese Beampte

Datum: 4 November 2008

Lêerverwysing: 2004/802

## BYLAE 1

### GRONDGEBRUIKKONTROLES

#### OMSKRYWINGS

1. In hierdie bylae, tensy uit die konteks anders blyk, beteken –

“**bedryf**” ’n industriële gebou waarin die prosesse uitgevoer of die masjinerie wat geïnstalleer is, sodanige is wat in ’n Ligte Industriële Sone uitgevoer of geïnstalleer kan word sonder om ’n hindernis vir ander eiendomme binne sodanige sone of vir die algemene publiek te veroorsaak, of sonder nadeel vir die aantreklikhede van ander gebruiksones, as gevolg van geraas, vibrasie, reuk, dampe, rook, roet, as, stof, gruis, verkeer, grootte of ander oorsake.

“**besigheidsdoeleindes**” gebruik van ’n gebou of grond vir kantore, vertoonlokale, restaurante, of enige ander besigheid of kommersiële doeleindes buiten vir ’n plek van onderrig, ’n winkel, ’n openbare motorhawe, ’n bedryf, ’n skadelike bedryf, ’n bouwerf of skrootwerf;

“**crèche**” ’n gebou of gedeelte daarvan vir die akkommodasie en versorging van meer as 12 babas en jong kinders gedurende die dagafwesigheid van hul ouers of voogde;

“**dekking**” die gebied van ’n eiendom bedek deur geboue wat oor die buitemure gemeet is soos vertikaal van bo gesien en uitgedruk as ’n persentasie van die gebied van die eiendom;

“**eienaar**” in verhouding tot ’n gebou of grond —

(a) die geregistreerde eienaar;

(b) ’n persoon wat die boedel van enige persoon genoem in (a) hierbo administreer, hetsy as eksekuteur, administrateur of voog of in enige ander hoedanigheid; en

(c) ’n persoon wat betaling ontvang van enige okkuperder, of ’n persoon wat betaling sal ontvang indien die gebou of grond verhuur word, hetsy vir sy eie rekening of as agent vir enige persoon wat daartoe geregtig is;

“**eiendom**” enige gedeelte grond wat in ’n aktekantoor as aparte eenheid geregistreer is;

“**gebou**” met inbegrip van ’n struktuur;

“**gemeenskapsaal**” ’n gebou wat ontwerp is vir gebruik of primêre gebruik vir gemeenskapsbyeenkomste, vergaderings of ontspanningsdoeleindes;

“**huisaktiwiteit**” ’n aktiwiteit of gebruik tesame met ’n woning of residensiële gebou, of ’n struktuur opgerig op die perseel van ’n bestaande woning of residensiële gebou bedoel in item 4;

**“instelling”** 'n gebou wat ontwerp is vir of primêr gebruik word as 'n liefdadigheidsinstelling, hospitaal, verpleeginrigting, sanatorium, kliniek of enige ander instelling, hetsy openbaar of privaat;

**“landbougrond”** bewerkbare, weiveld of weigrond, marktuine, pluimveeplaas, kwekery tuin en grond gebruik vir die doel om huisdiere, pluimvee of bye te teel of aan te hou, met inbegrip van enige geboue wat daarmee verband hou, maar uitsluitend landboubedryfgebruik en -geboue, en geboue vir huisvesting van katte en honde;

**“mediese spreekkamer”** 'n gebou gebruik vir die verskaffing van gesondheidsdienste, maar wat nie oornagsorg verskaf of dien as basis vir 'n ambulansdiens nie. 'n Mediese spreekkamer moet bedryf word deur 'n dokter, tandarts, of soortgelyke gesondheidspraktisyn;

**“munisipale en regeringsdoeleindes”** 'n gebou of grond gebruik vir die verskaffing van munisipale of regeringsfunksies, insluitend die verskaffing van veiligheids-, gesondheids-, gemeenskaps-, administratiewe of soortgelyke doeleindes;

**“munisipaliteit”** Ingwe munisipaliteit;

**“okkupeerder”** ten opsigte van enige gebou, struktuur of grond, met inbegrip van enige persoon wat sodanige gebou, struktuur of grond okkupeer of regtens daartoe geregtig om dit te okkupeer, of enigiemand wat die bevel of bestuur daarvan het, insluitend die agent van sodanige persoon wat in die gebied afwesig is of wie se verblyfplek onbekend is;

**“plek van onderrig”** grond wat gebruik word of 'n gebou wat ontwerp is of primêr gebruik word as 'n skool, tegniese kollege, lesingsaal, instelling of ander opvoedkundige sentrum, met inbegrip van 'n crèche, 'n klooster, 'n openbare biblioteek, 'n kunsgallery, 'n museum en 'n gimnasium;

**“plek van openbare aanbidding”** 'n gebou wat ontwerp is vir of primêr gebruik word as 'n kerk, kapel, bidkapel, huis van aanbidding, sinagoge, moskee of ander plek van openbare godsdienstbeoefening, gebou vir godsdienstonderdig, sosiale interaksie en ontspanning, maar sluit nie 'n begravniskapel in nie;

**“residensiële gebou”** 'n gebou wat ontwerp is of primêr gebruik word vir menslike bewoning en die toelaatbare gebruike ingevolge item 8, wat een of meer wooneenhede kan insluit;

**“sportgronde”** grond en geboue gebruik vir sportdoeleindes en kan 'n klubhuis, paviljoen, aantrekkamers, gimnasium, muurbalbane of soortgelyke geboue insluit;

**“verdieping”** die spasie in 'n gebou tussen een vloervlak en die volgende vloervlak of tussen een vloervlak en die plafon of dak daarbo;

**“vloeroppervlak”** die somtotaal van die gebiede wat gedek word deur die gebou op die vloervlak van elke verdieping;

**“winkel”** grond wat gebruik word of 'n gebou wat ontwerp is of primêr gebruik word vir die doeleindes om 'n kleinhandelsaak te bedryf en die nodige meegaande stoor en verpakking, met inbegrip van enige meegaande gebruik op dieselfde perseel wat bykomstig en onderhewig is aan die bedryf van die kleinhandelsaak;

“wooneenheid” ’n aaneenlopende stel kamers, ontwerp vir menslike bewoning wat ’n kombuis of opwasplek kan bevat.

#### GEBRUIK VAN GEBOUE EN GROND

2. Geboue en grond kan gebruik word ooreenkomstig Uitlegplan No. TP100, gedateer Junie 2004, gelees met die bepalings van tabel A.

TABEL A: GRONDGEBRUIK

SONE	TOEGELATE GEBRUIKE BINNE SONE	TOEGELATE GEBRUIK BINNE SONE MET TOESTEMMING VAN DIE MUNISIPALITEIT	GEBRUIKE NIE TOEGELAAT BINNE SONE NIE
1	2	3	4
Residensieel	Residensiële gebou Huisaktiwiteit Landbougrond	Instelling, mediese sprekkamer, plek van aanbidding, plek van onderrig, gemeenskapsaal, sportgronde	Gebruike nie onder kolom 2 of 3 nie
Kommersieel	Besigheidsdoeleindes, instelling, plek van aanbidding, plek van onderrig, residensiële gebou, winkel, gemeenskapsaal, sportgronde		Gebruike nie onder kolom 2 of 3 nie
Gemeenskapsfasiliteit	Crèche, instelling, plekke van aanbidding, plekke van onderrig, gemeenskapsale, sportgronde	Residensiële gebou	Gebruike nie onder kolom 2 of 3 nie
Administrasie	Munisipale en regeringsdoeleindes	Residensiële gebou	Gebruike nie onder kolom 2 of 3 nie
Openbare Oop Ruimte	Sportgronde	Residensiële gebou	Gebruike nie onder kolom 2 of 3 nie

#### HUIS AKTIWITEIT

3. (1) ’n Huisaktiwiteit moet —
- uitgevoer word deur die eienaar van die eiendom, wat op die eiendom moet woon, tensy die munisipaliteit skriftelike toestemming gee dat die eienaar elders mag woon;
  - in die geval van die stigting van ’n bewaar- of speelskool —



- (i) bedryf word deur slegs een persoon wat op die eiendom moet woon, buiten met skriftelike toestemming deur die munisipaliteit;
  - (ii) beperk wees tot die akkommodasie en versorging van nie meer as 12 babas en jong kinders gedurende die dagafwesigheid van hul ouers of voogde.
- (2) 'n Huisaktiwiteit mag nie —
- (a) voor 07h00 of na 17h30 bedryf word nie;
  - (b) werk behels op meer as vier motorvoertuie nie, buiten met skriftelike toestemming deur die munisipaliteit;
  - (c) parkering van enige voertuig met 'n tarra massa wat 2 000 kg oorskry, op of aangrensend die perseel behels nie;
  - (d) die gereelde samekoms van meer as vyf persone op die perseel of die indiensneming van meer as drie persone op die perseel behels nie;
  - (e) 'n vloeroppervlak groter as 10% van die totale gebied van die perseel wat nie 50 m<sup>2</sup> oorskry nie, in beslag neem nie, buiten met skriftelike toestemming van die munisipaliteit;
  - (f) die oprigting van 'n teken wat die aard van die aktiwiteit aandui —
    - (i) wat groter is as 600 mm by 450 mm;
    - (ii) wat gemaak is van materiaal of 'n styl het wat nie die residensiële karakter van die woning komplementeer; of
    - (iii) wat verkeer of die uitsig van aangrensende geboue of strukture versper;
 behels nie
  - (g) 'n geraasvlak oorskry wat 7db bo die omringende geraasvlak is, gemeet op enige punt op die eiendomsgrens nie;
  - (h) verkeer genereer wat voldoende is om die verskaffing van bykomende parkering te vereis nie;
  - (i) die stoor van goedere of items wat met die aktiwiteit geassosieer word op 'n aangrensende erf behels nie; of
  - (j) die verkoop van drank of enige alkoholiese drankte behels nie.

#### TOESTEMMING DEUR MUNISIPALITEIT VIR GEBRUIK VAN GEBOUE EN GROND

4. (1) 'n Aansoek moet by 'n munisipaliteit ingedien word vir die gebruik van geboue of grond vir die doeleindes soos gelys in kolom 3 van tabel A.
- (2) Die aansoek moet vergesel gaan van –
- (a) die aansoekvorm;
  - (b) skriftelike motivering deur die applikant ter staving daarvan;
  - (c) bewys van geregistreerde eienaarship en 'n afskrif van die diagram;
  - (d) skriftelike toestemming van die geregistreerde eienaar van daardie grond, indien die applikant nie die eienaar daarvan is nie; en
  - (e) enige planne, diagramme, dokumente, inligting of fooie wat die munisipaliteit mag vereis.
- (3) Die munisipaliteit moet binne 14 dae na ontvangs van 'n voltooiende aansoek —
- (a) 'n kennisgewing vertoon soos bedoel in subitem (4) met die grootte van ten minste 60 cm by 42 cm aan die voorkant van die erf, of op enige ander opvallende en maklik toeganklike plek op die betrokke grond;
  - (b) 'n kennisgewing beteken soos bedoel in subitem (4) op alle partye wat na die munisipaliteit se mening 'n belang in die aangeleentheid mag hê, met inbegrip van –
    - (i) die eienaars en okkupeerders van grond aangrensend tot die erf;
    - (ii) die eienaars en okkupeerders van grond binne 100 m van die grens van die erf;
    - (iii) die munisipale raadslid van die wyk waarin die erf geleë is;

- (iv) staatsorgane met jurisdiksie in die aangeleentheid; en
  - (c) openbare kennis gee van die voorgestelde handeling in 'n koerant met sirkulasie in die betrokke gebied.
- (5) Die kennisgewing bedoel in subitem (4) moet —
- (a) die grond waarop die aansoek betrekking het, identifiseer, en indien daardie grond 'n erf is —
    - (i) die fisiese adres van die erf meld, of, indien die erf geen fisiese adres het nie, 'n liggingskaart van die erf voorsien; en
    - (ii) die eiendomsbeskrywing van die erf gee;
  - (b) die doel van die aansoek meld;
  - (c) meld dat 'n afskrif van die aansoek en meegaande dokumente beskikbaar sal wees vir inspeksie deur belanghebbende lede van die publiek gedurende die ure en op die plek soos genoem in die kennisgewing;
  - (d) lede van die publiek uitnoodi om skriftelike kommentaar by die kontakpersoon wat in die kennisgewing gemeld word, in te dien;
  - (e) meld hoe die kommentaar ingedien kan word;
  - (f) die datum waarop die kommentaar ingedien moet word, meld; en
  - (g) verklaar dat 'n persoon se versuim om kommentaar in te dien in reaksie op die kennisgewing, die persoon onbevoeg verklaar om verder aan die proses deel te neem.
- (6) Die datum vermeld in die kennisgewing vir die indien van kommentaar mag nie vroeër wees nie as 28 dae na die datum waarop die kennisgewing beteken is.
- (7) Voor goedkeuring van die aansoek, kan die applikant die aansoek te eniger tyd nadat kennis gegee is, wysig —
- (a) op die applikant se eie inisiatief; of
  - (b) op die munisipaliteit se versoek.
- (8) Die munisipaliteit moet kennis gee van wysiging van 'n aansoek aan alle persone wat kommentaar oor die aansoek gelewer het.
- (9) 'n Munisipaliteit moet weer openbare kennis van die aansoek gee, indien die wysiging die aansoek wesenlik raak.
- (10) Die munisipaliteit moet binne 60 dae na die sluitingsdatum vir vertoë oor die aansoek beslis.
- (11) Die munisipaliteit kan 'n aansoek om sy toestemming om geboue of grond te gebruik vir die doeleindes wat in kolom 3 van tabel A gemeld word, goed- of afkeur.
- (12) Die munisipaliteit kan 'n aansoek om sy toestemming om geboue of grond te gebruik vir die doeleindes wat in kolom 3 van tabel A gemeld word, goedkeur, onderhewig aan enig voorwaardes wat hy nodig ag.

#### **VERAL VAN TOESTEMMING**

5. Die munisipaliteit se toestemming om geboue of grond te gebruik vir die doeleindes soos gemeld in kolom 3 van tabel A verval indien die regte nie binne 24 maande na die munisipaliteit se goedkeuring uitgeoefen word nie, of indien die regte uitgeoefen is, maar die toegelate gebruik vir 'n aaneenlopende tydperk van 18 maande onderbreek word.

**KANT- EN AGTERRUIMTE**

6. (1) Daar moet ten minste twee meter ruimte aan die kant van elke gebou wees.
- (2) Daar moet ten minste twee meter ruimte aan die voor- en agterkant van elke gebou wees.
- (3) Kant- en agterruimtes word nie vereis vir mure, omheinings of die oprigting van tydelike geboue vir konstruksiedoeleindes nie.
- (4) Die munisipaliteit kan skriftelike toestemming gee vir 'n vermindering van 'n kant-, voor- of agterruimte.
- (5) Toestemming vir die vermindering van 'n kant-, voor- of agterruimte is geldig vir die lewe van 'n gebou binne die verminderde ruimte.

**BEPALINGS VIR PARKERING**

7. Parkering moet verskaf word ooreenkomstig die bepalings van tabel B.

**TABEL B: PARKERING**

<b>GEBRUIK</b>	<b>MINIMUM PARKERINGVEREISTES</b>
Residensieel	1 ruimte per dwelling unit
Winkels	4 ruimtes per 100 m <sup>2</sup> of inkopievloervlak
Kantore	2 ruimtes per 100 m <sup>2</sup> of kantoorvloervlak
Ligte industriële en besigheidsdoeleindes	1 ruimte per 100 m <sup>2</sup> of vloervlak
Aanbidding	1 ruimte vir elke 10 sitplekke
Crèche	1 ruimte per onderwyser, plus 2 ruimtes vir besoekers

**BEPERKINGS AANGAANDE HOOGTE VAN GEBOUE**

8. (1) Geboue opgerig op erwe gesoneer Residensieel mag nie twee verdiepings oorskry nie sonder die skriftelike toestemming van die munisipaliteit.
- (2) Geboue opgerig op eiendomme in gebruiksones buiten Residensieel mag nie drie verdiepings oorskry nie sonder die toestemming van die munisipaliteit nie.
- (3) Die aantal verdiepings bedoel in hierdie item sluit in die verdieping op grondvlak, maar nie grondvlakverdiepings wat onder grondvlak is nie.

**BEPERKINGS AANGAANDE DEKKING VAN GEBOUE**

9. Geboue mag nie die dekking gespesifiseer in tabel C oorskry nie.

**TABEL C: DEKKING**

GEBRUIKSONE	TOELAATBARE DEKKING
Residensieel	30%
Besigheid	70%
Gemeenskapsfasiliteit, met inbegrip van crèche en aanbidding	70%
Munisipale, openbare oop spasie en landbou	Moet deur munisipaliteit bepaal word.

**STORMWATERBESTUUR**

10. (1) Indien dit onprakties is dat stormwater uit hoërliggende eiendomme direk na 'n openbare straat gedreineer word, moet die eienaars van die laerliggende eiendomme die deurgang van stormwater oor hul eiendomme toelaat.
- (2) Die eenaar van enige hoërliggende eiendom waaroor stormwater oor laerliggende eiendom afgevoer word, is aanspreeklik vir die betaling van 'n eweredige deel van die koste van enige pyplyn of drein wat die eenaar van 'n laerliggende eiendom nodig mag vind om te lê of te bou vir die doel om die water te gelei.

**KENNISGEWING INGEVOLGE ARTIKEL 16(1)(g) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998 – INSLUITING VAN KZNDMA22 BY DIE MPOFANA PLAASLIKE MUNISIPALITEIT (KZN223)**

**[KZNDMA22]**

In my hoedanigheid as lid van die KwaZulu-Natal Uitvoerende Raad verantwoordelik vir plaaslike regering, kragtens die bevoegdheid aan my verleen deur artikel 16(1)(g) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), en met inwerkingtreding vanaf die datum van die volgende munisipale raad verkiesing –

- (a) sluit ek hiermee die hele gebied van KZNDMA22 by die Mpofana plaaslike munisipaliteit (KZN223) in soos bedoel in artikel 6(3)(b)(ii), gelees met artikel 17, van die Wet op Plaaslike Regering: Munisipale Strukture, 1998; en
- (b) wysig ek hiermee Provinsiale Kennisgewing No. 352 van 2000 gepubliseer in die *Provinsiale Koerant* op 19 September 2000, tot die omvang nodig om die verandering in die grens van die Mpofana plaaslike munisipaliteit (KZN223), in werking te stel soos bedoel in Munisipale Afbakeningskennisgewing No. 103, gepubliseer in *Staatskoerant* No. 108, gedateer 30 Mei 2008, en bekragtig deur die Onafhanklike Verkiesingskommissie in Staatskennisgewing No. 155, gepubliseer in *Staatskoerant* No. 136, gedateer 1 Julie 2008.

Gegee onder my hand te Pietermaritzburg op hierdie 25<sup>ste</sup> dag van September Tweeduisend-en-agt.

**M. MABUYAKHULU LPW**

Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal  
verantwoordelik vir plaaslike regering

**KENNISGEWING INGEVOLGE ARTIKEL 16(1)(g) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998 – INSLUITING VAN KZNDMA23 BY DIE OKHAHLAMBA PLAASLIKE MUNISIPALITEIT (KZN235) EN DIE IMBABAZANE PLAASLIKE MUNISIPALITEIT (KZN236)**

**[KZNDMA23]**

In my hoedanigheid as lid van die KwaZulu-Natal Uitvoerende Raad verantwoordelik vir plaaslike regering, kragtens die bevoegdheid aan my verleen deur artikel 16(1)(g) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), en met inwerkingtreding vanaf die datum van die volgende munisipale raad verkiesing –

(a) sluit ek hiermee die onderskeie gebiede van KZNDMA23 by die Okhahlamba plaaslike munisipaliteit (KZN235) en die Imbabazane plaaslike munisipaliteit (KZN236), in soos bedoel in artikel 6(3)(b)(ii), gelees met artikel 17, van die Wet op Plaaslike Regering: Munisipale Strukture, 1998; en

(b) wysig ek hiermee Provinsiale Kennisgewing No. 351 van 2000 gepubliseer in die *Provinsiale Koerant* op 19 September 2000, tot die omvang nodig om die verandering in die grens van die Okhahlamba plaaslike munisipaliteit (KZN235) en die Imbabazane plaaslike munisipaliteit (KZN236) in werking te stel, soos bedoel in Munisipale Afbakeningskennisgewing No. 103, gepubliseer in *Staatskoerant* No. 108, gedateer 30 Mei 2008, en bekragtig deur die Onafhanklike Verkiesingskommissie in Staatskennisgewing No. 156, gepubliseer in *Staatskoerant* No. 137, gedateer 1 Julie 2008.

Gegee onder my hand te Pietermaritzburg op hierdie 25ste dag van September Tweeuisend-en-agt.

**M. MABUYAKHULU LPW**

Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal  
verantwoordelik vir plaaslike regering

**KENNISGEWING INGEVOLGE ARTIKEL 16(1)(g) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998 – INSLUITING VAN KZNDMA27 BY DIE UMHLABUYALINGANA PLAASLIKE MUNISIPALITEIT (KZN271), DIE JOZINI PLAASLIKE MUNISIPALITEIT (KZN272), DIE BIG FIVE FALSBAAI PLAASLIKE MUNISIPALITEIT (KZN273), DIE HLABISA PLAASLIKE MUNISIPALITEIT (KZN274) EN DIE MTUBATUBA PLAASLIKE MUNISIPALITEIT (KZN275)**

**[KZNDMA27]**

In my hoedanigheid as lid van die KwaZulu-Natal Uitvoerende Raad verantwoordelik vir plaaslike regering, kragtens die bevoegdheid aan my verleen deur artikel 16(1)(g) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), en met inwerkingtreding vanaf die datum van die volgende munisipale raad verkiesing –

(a) sluit ek hiermee die onderskeie gebiede van KZNDMA27 by die Umhlabuyalingana plaaslike munisipaliteit (KZN271), die Jozini Plaaslike munisipaliteit (KZN272), die Big Five Falsbaai plaaslike munisipaliteit (KZN273), die Hlabisa plaaslike munisipaliteit (KZN274) en die Mtubatuba plaaslike munisipaliteit (KZN275), in soos bedoel in artikel 6(3)(b)(ii), gelees met artikel 17, van die Wet op Plaaslike Regering: Munisipale Strukture, 1998; en

(b) wysig ek hiermee Provinsiale Kennisgewing No. 347 van 2000 gepubliseer in die *Provinsiale Koerant* op 19 September 2000, tot die omvang nodig om die verandering in die grens van die Umhlabuyalingana plaaslike munisipaliteit (KZN271), die Jozini plaaslike munisipaliteit (KZN272), die Big Five Falsbaai plaaslike munisipaliteit (KZN273), die Hlabisa plaaslike munisipaliteit (KZN274) en die Mtubatuba plaaslike munisipaliteit (KZN275) in werking te stel, soos bedoel in Munisipale Afbakeningskennisgewing No. 103, gepubliseer in *Staatskoerant* No. 108, gedateer 30 Mei 2008, en bekragtig deur die Onafhanklike Verkiesingskommissie in Staatskennisgewing No. 157, gepubliseer in *Staatskoerant* No. 138, gedateer 1 Julie 2008.

Gegee onder my hand te Pietermaritzburg op hierdie 25<sup>ste</sup> dag van September Tweeduisend-en-agt.

**M. MABUYAKHULU LPW**

Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal  
verantwoordelik vir plaaslike regering

No. , 2008

**KENNISGEWING INGEVOLGE ARTIKEL 16(1)(g) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998 – INSLUITING VAN KZNDMA43 BY DIE KWASANI PLAASLIKE MUNISIPALITEIT (KZN432), BINNE DIE SISONKE DISTRIKSMUNISIPALITEIT (DC43), EN DIE IMPENDLE PLAASLIKE MUNISIPALITEIT (KZN224), BINNE DIE UMGUNGUNDLOVU DISTRIKSMUNISIPALITEIT (DC22)**

**[KZNDMA43]**

In my hoedanigheid as lid van die KwaZulu-Natal Uitvoerende Raad verantwoordelik vir plaaslike regering, kragtens die bevoegdheid aan my verleen deur artikel 16(1)(g) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), en met inwerkingtreding vanaf die datum van die volgende munisipale raad verkiesing –

(a) sluit ek hiermee die onderskeie gebiede van KZNDMA43 by die KwaSani plaaslike munisipaliteit (KZN432), binne die Sisonke distriksmunisipaliteit (DC43), en die Impendle plaaslike munisipaliteit (KZN224), binne die Umgungundlovu distriksmunisipaliteit (DC22), in soos bedoel in artikel 6(3)(b)(ii), gelees met artikel 17, van die Wet op Plaaslike Regering: Munisipale Strukture, 1998; en

(b) wysig ek hiermee onderskeidelik Provinsiale Kennisgewing 344 van 2000, gepubliseer in die *Provinsiale Koerant* op 19 September 2000, en Provinsiale Kennisgewing No. 352 van 2000, gepubliseer in die *Provinsiale Koerant* op 1 Desember 2000, tot die omvang nodig om die verandering in die grens van die KwaSani plaaslike munisipaliteit (KZN432), binne die Sisonke distriksmunisipaliteit (DC43), en die Impendle plaaslike munisipaliteit (KZN224), binne die Umgungundlovu distriksmunisipaliteit (DC22) in werking te stel, soos bedoel in Munisipale Afbakeningskennisgewing No. 103, gepubliseer in *Staatskoerant* No. 108, gedateer 30 Mei 2008, en bekragtig deur die Onafhanklike Verkiesingskommissie in Staatskennisgewing No. 158, gepubliseer in *Staatskoerant* No. 139, gedateer 1 Julie 2008.

Gegee onder my hand te Pietermaritzburg op hierdie 25<sup>ste</sup> dag van September Tweeduisend-en-agt.

**M. MABUYAKHULU LPW**

Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal  
verantwoordelik vir plaaslike regering

**DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****Advertensie No. 189****WET OP OPHEFFING VAN BEPERKINGS, 1967: UITNODIGING OM KOMMENTAAR TE LEWER**

Aansoeke is ontvang deur die Departement van Plaaslike Regering en Tradisionele Sake vir die opheffing van beperkings met betrekking tot grond ingevolge die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), soos in die meegaande bylae uiteengesit.

Kommentaar, wat per faks of e-pos ingedien kan word, moet teen 4 Januarie 2009 voorgelê word aan die persone vermeld in die bylae. Let wel dat die Departement kan weier om kommentaar te aanvaar wat na die sluitingsdatum ingedien is.

**ML POVALL**, Bestuurder: Ontwikkelingsadministrasie

Datum: 4 November 2008

**BYLAE**

Die figure tussen hakies het die volgende betekenis:

- (1) = Straatadres, eiendomsbeskrywing, registrasie-afdeling, munisipaliteit
- (2) = Akte, voorwaarde, lêerverwysing
- (3) = Omvang van toepassing
- (4) = Kontakpersoon
- (5) = Kontakbesonderhede

- (1) Smal Straat 30, Erf 1319, Vryheid, Registrasie-afdeling HT, Abaqulusi Munisipaliteit
- (2) T232067/1989, B1 en B2, 2007/649
- (3) Opheffing van titelvoorwaardes wat die gebruik van die eiendom tot woondoeleindes beperk en die oprigting van meer as een woning op die eiendom verbied.
- (4) Mnr DK Chetty
- (5) Privaatsak X64, Ulundi, 3838, Tel 035 8742804, Faks 035 8742644, [dejongd.chetty@kznlqta.gov.za](mailto:dejongd.chetty@kznlqta.gov.za)

- (1) Ou Hoofweg 102, Erf 2, Empangeni, Registrasie-afdeling GU, uMhlatuze Munisipaliteit
- (2) T36180/2006, B (b), C1, C2, C4, C5, en C7, 2007/1351
- (3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied, gebruik van die eiendom tot woondoeleindes beperk, 'n minimum geldwaarde oplê vir geboue wat op die eiendom opgerig moet word, die gebruik van boumateriaal beperk, pligte aan die eienaar van die eiendom oplê vir beskikking oor riool en stormwater en gebruik van die eiendom vir die aanhou van lewende hawe verbied.
- (4) Mnr DK Chetty
- (5) Privaatsak X64, Ulundi, 3838, Tel 035 8742804 Faks 035 8742644, [dejongd.chetty@kznlqta.gov.za](mailto:dejongd.chetty@kznlqta.gov.za)

- (1) Dunne Weg 25, Erf 1100, Empangeni, Registrasie-afdeling GU, uMhlatuze Munisipaliteit
- (2) T33552/2004, C.A(b), B1, B4, B5, en B7, 2007/1352
- (3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied, gebruik van die eiendom tot woondoeleindes beperk, die gebruik van boumateriaal beperk, pligte aan die eienaar van die eiendom oplê vir beskikking oor riool en stormwater en gebruik van die eiendom vir die aanhou van lewende hawe verbied.

- (4) Mnr DK Chetty  
(5) Privaatsak X64, Ulundi, 3838, Tel 035 8742804 Faks 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Ou Hoofweg 100, Erf 3 en 6 Empangeni, Registrasie-afdeling GU, uMhlatuze Munisipaliteit  
(2) T36180/2006, B2, C1, C2, C4, en C6, 2007/1353  
(3) Opheffing van titelvoorwaardes wat gebruik van die eiendom tot woondoeleindes beperk, 'n minimum geldwaarde oplê vir geboue wat op die eiendom opgerig moet word, die gebruik van boumateriaal beperk, pligte aan die eienaar van die eiendom oplê vir beskikking oor riool en stormwater en gebruik van die eiendom vir die aanhou van lewende hawe verbied.
- (4) Mnr DK Chetty  
(5) Privaatsak X64, Ulundi, 3838, Tel: 035 8742804 Faks 035-8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Hardekool 19, Arboretum, Erf 1025 Richardsbaai, Registrasie-afdeling GU, uMhlatuze Munisipaliteit  
(2) T20316/2001, B1 en B2, 2007/1413  
(3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en gebruik van die eiendom tot woondoeleindes beperk.
- (4) Mnr DK Chetty  
(5) Privaatsak X64, Ulundi, 3838, Tel: 035 8742804, Faks 035-8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Bauhinia Bend 2, Arboretum, Erf 739, Richardsbaai, Registrasie-afdeling GU, uMhlatuze Munisipaliteit  
(2) T26444/2005, B1 en B2, 2007/1414  
(3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en gebruik van die eiendom tot woondoeleindes beperk.
- (4) Mnr DK Chetty  
(5) Privaatsak X64, Ulundi, 3838, Tel 035 8742804, Faks 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Arum Lily 22, Vledenvlei, Erf 3522 Richardsbaai, Registrasie-afdeling GU, uMhlatuze Munisipaliteit  
(2) T25640/1993, B1 en B2, 2007/1422  
(3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en gebruik van die eiendom tot woondoeleindes beperk.
- (4) Mnr DK Chetty  
(5) Privaatsak X64, Ulundi, 3838, Tel 035 8742804 Faks 035 874 2644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Bottlebrush Bend 74, Veldenvlei, Erf 3660, Richardsbaai – GU uMhlatuze Munisipaliteit  
(2) T45551/2007, B1 and B2, 2007/1423  
(3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en gebruik van die eiendom tot woondoeleindes beperk.
- (4) Mnr DK Chetty  
(5) Privaatsak X64, Ulundi, 3838, Tel 035 8742804, Faks 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Canterbury Bell 16, Veldenvlei, Erf 3688 Richardsbaai, Registrasie-afdeling GU, uMhlatuze Munisipaliteit  
(2) T46957/2007, B1 en B2, 2007/1514  
(3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en gebruik van die



eiendom tot woondoeleindes beperk.

(4) Mnr DK Chetty

(5) Privaatsak X64, Ulundi, 3838, Tel: 035 8742804 Faks: 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)

(1) Appelblaar 8, Arboretum, Erf 698 Richardsbaai, Registrasie-afdeling GU, uMhlatuze Munisipaliteit

(2) T8285/2002, B1 en B2, 2007/1517

(3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en gebruik van die eiendom tot woondoeleindes beperk.

(4) Mnr DK Chetty

(5) Privaatsak X64, Ulundi, 3838, Tel: 0358742804 Faks: 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)

(1) Nondi Leap 21, Meerensee, Erf 2598, Richardsbaai, Registrasie-afdeling GU, uMhlatuze Munisipaliteit

(2) T54241/2006, B1 en B2, 2007/1540

(3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en gebruik van die eiendom tot woondoeleindes beperk.

(4) Mnr DK Chetty

(5) Privaatsak X64, Ulundi, 3838, Tel: 035 8742804 Faks 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)

(1) Lantern Reef 9, Meerensee, Erf 433, Richardsbaai – GU uMhlatuze Munisipaliteit

(2) T40961/2004, B1 en B2, 2008/55

(3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en gebruik van die eiendom tot woondoeleindes beperk.

(4) Mnr DK Chetty

(5) Privaatsak X64, Ulundi, 3838, Tel 035 8742804, Faks 035 8742804, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)

(1) Suikerbossirkel 20, Erf 4137 Richardsbaai, Registrasie-afdeling GU, uMhlatuze Munisipaliteit

(2) T52452/2001, B1 en B2, 2008/56

(3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en gebruik van die eiendom tot woondoeleindes beperk.

(4) Mnr DK Chetty

(5) Privaatsak X64, Ulundi, 3838, Tel: 035 8742804 Faks 035-8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)

(1) Haakdoringrug 61, Arboretum, Erf 1041 Richardsbaai, Registrasie-afdeling –GU, uMhlatuze Munisipaliteit

(2) T5433/2000, B1and B2, 2008/57

(3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en gebruik van die eiendom tot woondoeleindes beperk.

(4) Mnr DK Chetty

(5) Privaatsak X64, Ulundi, 3838, Tel 035-8742804 Faks 035-8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)

(1) Bowling Club Lane, Erf 288 Underberg, Registrasie-afdeling FS, Kwa Sani Munisipaliteit

(2) T 25221/87, C. (a), (b), (c) en (d), 2008/60

(3) Opheffing van titelvoorwaardes wat onderverdeling van grond verbied en die oprigting van meer as een woning op die eiendom verbied en gebruik van die eiendom tot woondoeleindes beperk.

- (4) Mnr S Premchund  
(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1824, Faks: (031) 204 1980, [sanjay.premchund@kznlqta.gov.za](mailto:sanjay.premchund@kznlqta.gov.za)
- (1) Smal Straat 86, Erf 259, Vryheid, Registrasie-afdeling HT, Abaqulusi Munisipaliteit  
(2) T35609/2005, B2, 2008/186  
(3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.  
(4) Mnr DK Chetty  
(5) Privaatsak X64, Ulundi, 3838, Tel 035-8742804, Faks 035 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Northway 100, **Erf 1418 Durban Noord**, Registrasie-afdeling FU, eThekwini Munisipaliteit  
(2) T 20832/1984, C. en D., 2008/217  
(3) Opheffing van titelvoorwaardes ten gunste van Durban North Estates Limited wat toestemming van Durban North Estates Limited vereis vir 'n verandering in die gebruik van die eiendom, wat die oprigting van meer as een woning op die eiendom verbied, onderverdeling van die eiendom verbied, boulyne oplê en voorlegging van bouplanne aan Durban North Estates Limited vereis vir goedkeuring.  
(4) Mnr S Premchund  
(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1824, Faks: (031) 204 1980, [sanjay.premchund@kznlqta.gov.za](mailto:sanjay.premchund@kznlqta.gov.za)
- (1) Hoek van Ilala Singel en View Weg, **Gedeelte 1 van Erf 1388 Ramsgate**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit  
(2) T 25450/07, C. (e) and D., 2008/270  
(3) Opheffing van titelvoorwaardes wat boulyne oplê en voorlegging van bouplanne vereis.  
(4) Mnr G Mathentamo  
(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1740, Faks: (031) 204 1980, [godfery.mathentamo@kznlqta.gov.za](mailto:godfery.mathentamo@kznlqta.gov.za)
- (1) Kingfisher 66, Erf 138 St. Lucia, Registrasie-afdeling GV, Mtubatuba Munisipaliteit  
(2) T6392/2007, A2, 2008/310  
(3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.  
(4) Mnr DK Chetty  
(5) Privaatsak X64, Ulundi, 3838, Tel: 035 8742804 Faks 035 8732644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)
- (1) Beachway 14, **Erf 2689 Durban Noord**, Registrasie-afdeling FU, eThekwini Munisipaliteit  
(2) T 71764/02, C. (Paragraaf 2 & 6) en D., 2008/571  
(3) Opheffing van titelvoorwaardes wat ten gunste van Durban North Estates Limited wat toestemming van Durban North Estates Limited vereis vir 'n verandering in gebruik van die eiendom, die oprigting van meer as een woning op die eiendom verbied, onderverdeling van die eiendom verbied, boulyne oplê en voorlegging van bouplanne aan Durban North Estates Limited vereis vir goedkeuring.  
(4) Me R Mbata  
(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1791, Faks: (031) 204 1980, [rejoice.mbatha@kznlqta.gov.za](mailto:rejoice.mbatha@kznlqta.gov.za)
- (1) Wedgewood Singel 27, **Gedeelte 22 van Erf 223 Durban Noord** Registrasie-afdeling FT, eThekwini Munisipaliteit  
(2) T10172/93, (b), 2008/742

(3) Opheffing van titelvoorwaarde wat toestemming van South African Mutual Property Development Corporation (Pty) Limited vereis vir verandering van grondgebruik, pligte aan die eienaar van die eiendom op lê vir riool en stormwater dreinerings en goedkeuring van bouplanne.

(4) Mnr G Mathentamo

(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1740, Faks: (031) 204 1980, [godfrey.mathentamo@kznlqta.gov.za](mailto:godfrey.mathentamo@kznlqta.gov.za)

(1) Mkhize Weg 14, **Erf 8 Botha's Hill**, Registrasie-afdeling FT, eThekweni Munisipaliteit

(2) T6192/07, C.(b), 2008/809

(3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.

(4) Mnr A Bhyrodoyal

(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1778, Faks: (031) 204 1980, [ashok.bhyrodoyal@kznlqta.gov.za](mailto:ashok.bhyrodoyal@kznlqta.gov.za)

(1) Hoek van Lynton Weg en College Weg, **Erf 675 Southbroom**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit

(2) T 6451/2002, F. (a), F. (b) en F. (c), 2008/850

(3) Opheffing van titelvoorwaardes wat gebruik van die eiendom tot woondoeleindes beperk, die oprigting van meer as een woning op die eiendom verbied en die gebruik van boumateriaal beperk.

(4) Mnr S Premchund

(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1824, Faks: (031) 204 1980, [Saniay.Premchund@kznlqta.gov.za](mailto:Saniay.Premchund@kznlqta.gov.za)

(1) Trevor Weg 37, **Restant van Erf 76 Erlin-Go-Bragth**, Registrasie-afdeling FT, eThekweni Munisipaliteit

(2) T 26193/08, B. 1. (b), B. 2. (b) B. 2. (h) en C. 1, 2008/907

(3) Opheffing van titelvoorwaardes wat die gebruik van boumateriaal beperk en die oprigting van meer as een woning op die eiendom verbied.

(4) Me R Mbata

(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1791, Faks: (031) 204 1980, [rejoice.mbatha@kznlqta.gov.za](mailto:rejoice.mbatha@kznlqta.gov.za)

(1) Everest Weg 39, **Erf 88 Rosehill**, Registrasie-afdeling FT, eThekweni Munisipaliteit

(2) T 06 57393, D), 2008/953

(3) Opheffing van titelvoorwaarde wat toestemming van Suburban Lands (Pty) Limited vereis vir verandering van grondgebruik en gebruik van die eiendom vir besigheidsdoeleindes verbied.

(4) Mnr G Mathentamo

(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1740, Faks: (031) 204 1980, [godfrey.mathentamo@kznlqta.gov.za](mailto:godfrey.mathentamo@kznlqta.gov.za)

(1) **Erf 316 Pumula**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit

(2) T 06 31962, B. (c), B. (d) (op bladsy 3) B. (c), B. (d) (op bladsy 5), en D. , 2008/956

(3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied, die gebruik van boumateriaal beperk, voorlegging van bouplanne verbied en vruggebruik ten gunste van E. F. Dennis verbied.

(4) Me RT Mbata

(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1740, Faks: (031) 204 1980, [rejoice.mbatha@kznlqta.gov.za](mailto:rejoice.mbatha@kznlqta.gov.za)

(1) Broadway 22 en St Andrews Rylaan 52, **Erwe 1986 en 1987 Durban Noord**, Registrasie-afdeling FU, eThekweni Munisipaliteit

(2) T05 62121, 1.D.(i) – 1.D.(iii) en 2.D.(i) – 2.D.(iii), 2008/968

(3) Opheffing van titelvoorwaardes wat vereis dat planne aan Durban North Estates Limited voorgelê word en boulyne oplê ten gunste van Durban North Estates Limited.

(4) Me M Chetty

(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1711, Faks: (031) 204 1980, [margie.chetty@kznlqta.gov.za](mailto:margie.chetty@kznlqta.gov.za)

(1) 9<sup>de</sup> Laan Pumula, **Erf 108 Pumula**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit

(2) T 04 27747, 3.(d), 2008/987

(3) Opheffing van titelvoorwaarde wat die gebruik van boumateriaal beperk en goedkeuring van bouplanne vereis.

(4) Mnr G Mathentamo

(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1740, Faks: (031) 204 1980, [godfrey.mathentamo@kznlqta.gov.za](mailto:godfrey.mathentamo@kznlqta.gov.za)

(1) Salmon Rylaan, **Erf 1226 Leisure Bay**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit

(2) T 38244/03, 2.(c), 2008/993

(3) Opheffing van titelvoorwaarde wat die gebruik van boumateriaal beperk.

(4) Mnr G Mathentamo

(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1740, Faks: (031) 204 1980, [godfrey.mathentamo@kznlqta.gov.za](mailto:godfrey.mathentamo@kznlqta.gov.za)

(1) Nelson Weg 28, **Restant van Erf 697 Amanzimtoti**, Registrasie-afdeling ET, eThekwini Munisipaliteit

(2) T61733/07, (a) en (b), 2008/1036

(3) Opheffing van titelvoorwaardes wat onderverdeling van die eiendom verbied, die oprigting van meer as een woning op die eiendom verbied en gebruik van die eiendom vir besigheidsdoeleindes verbied.

(4) Mnr A Bhyrodoyal

(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1778, Faks: (031) 204 1980, [ashok.bhyrodoyal@kznlqta.gov.za](mailto:ashok.bhyrodoyal@kznlqta.gov.za)

(1) 14de Straat Port Edward, **Erf 485 Port Edward**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit

(2) T 36029/95, (b)12., 2008/1040

(3) Opheffing van titelvoorwaarde wat boulyne oplê.

(4) Mnr G Mathentamo

(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1740, Faks: (031) 204 1980, [godfrey.mathentamo@kznlqta.gov.za](mailto:godfrey.mathentamo@kznlqta.gov.za)

(1) Glenugie Weg 34, **Erf 1935 Pinetown**, Registrasie-afdeling FT, eThekwini Munisipaliteit

(2) T 64233/06, G.2., 2008/1064

(3) Opheffing van titelvoorwaarde wat gebruik van die eiendom vir besigheidsdoeleindes verbied.

(4) Mnr G Mathentamo

(5) Privaatsak X54310 Durban 4000, Tel: (031) 204 1740, Faks: (031) 204 1980, [godfrey.mathentamo@kznlqta.gov.za](mailto:godfrey.mathentamo@kznlqta.gov.za)

(1) Killamey Place 7, Erf 140 KwaMbonambi, Registrasie-afdeling GU, Mbonambi Munisipaliteit

(2) T36571/2005, B (a) en B (b), 2007/1415

(3) Opheffing van titelvoorwaardes wat gebruik van die eiendom tot woondoeleindes beperk en die oprigting van meer as een woning op die eiendom verbied.

(4) Mnr DK Chetty

(5) Privaatsak X64, Ulundi, 3838, Tel: (035) 8742804, Faks: (035) 8742644, [dejond.chetty@kznlqta.gov.za](mailto:dejond.chetty@kznlqta.gov.za)

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- (1) Hoek van Ilala Singel en View Weg, Gedeelte 1 van Erf 1388 Ramsgate, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit
  - (2) T 25450/07, C. (e) en D., 2008/270
  - (3) Opheffing van titelvoorwaardes wat boulyne oplê en voorlegging van bouplanne vereis.
  - (4) Mnr G Mathentamo
  - (5) Privaatsak X54310, Durban 4000, Tel: (031) 204 1740, Faks: (031) 204 1980, [godfery.mathentamo@kznlqta.gov.za](mailto:godfery.mathentamo@kznlqta.gov.za)  
(<mailto:buyisile.simamane@kznlqta.gov.za>)

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**GENERAL NOTICES—ALGEMENE KENNISGEWINGS—ISAZISO SIKAWONKE-WONKE**

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No. 29

13 November 2008

**ENDUMENI MUNICIPALITY****PUBLIC NOTICE CALLING FOR INSPECTION OF  
SUPPLEMENTARY VALUATION ROLL No. 1 AND LODGING  
OF OBJECTIONS**

Notice is hereby given in terms of Section 49(1)(a)(i) of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), hereinafter referred to as the "Act", that the supplementary valuation roll for the financial year 2008/2009 is open for public inspection at the Municipal Offices, 64 Victoria Street, Dundee; the Municipal Offices, Biggar Street, Glencoe; the Municipal Offices, Market Square, Wasbank; all libraries within the area of jurisdiction of the Endumeni Municipality, as well as on the Municipality's website [www.endumeni.gov.za](http://www.endumeni.gov.za), from 14 November 2008 to 14 January 2009.

An invitation is hereby made in terms of section 49(1)(a)(ii) read with Section 78(2) of the Act that any owner of property, or other person who so desires, may lodge an objection with the Municipal Manager in respect of any matter reflected in, or omitted from, the supplementary valuation roll within the above-mentioned period.

Attention is specifically drawn to the fact that in terms of section 50 (2) of the Act an objection must be in relation to a specific individual property and not against the supplementary valuation roll as such.

The form for the lodging of an objection is obtainable at the aforementioned municipal offices.

The completed forms must be returned to the following address on or before the expiry date of the period afforded for public inspection as stated above:

The Municipal Manager  
Private Bag 2024  
Dundee  
3000

For enquiries please telephone 034 – 212 2121 extension 2218, or send an e-mail to [nicb@endumeni.gov.za](mailto:nicb@endumeni.gov.za).

D. B. CEBEKHULU  
MUNICIPAL MANAGER

Date: 10 November 2008

NOTICE No. 70/2008

No. 29

13 November 2008

**ENDUMENI MUNISIPALITEIT****OPENBARE KENNISGEWING MET BEROEP OP INSPEKSIE  
VAN AANVULLENDE WAARDASIELYS No. 1 EN INDIEN VAN  
BESWARE**

Kennis geskied hiermee ingevolge Artikel 49(1)(a)(i) van die Plaaslike Owerheids: Munisipale Eiendomsbelastingwet, 2004 (Wet No. 6 van 2004), hierna verwys as die “Wet”, dat die aanvullende waardasielys ten opsigte van die 2008/2009 finansiële jaar beskikbaar is vir openbare inspeksie by die Munisipale Kantore, Victoriastraat 64, Dundee; die Munisipale Kantore, Biggarstraat, Glencoe; die Munisipale Kantore, Markplein, Wasbank, alle biblioteke binne die regsgebied van die Endumeni Munisipaliteit, en op die Munisipaliteit se webwerf [www.endumeni.gov.za](http://www.endumeni.gov.za), vanaf 14 November 2008 tot 14 Januarie 2009.

‘n Beroep word hiermee, ingevolge artikel 49(1)(a)(ii) saamgelees met Artikel 78(2) van die Wet, gedoen op die eienaar van eiendom, of enige ander persoon wie daartoe wens, om binne die voormelde tydperk beswaar by die Munisipale Bestuurder aan te teken teen enige aangeleentheid wat daarin verskyn, of wat daaruit weggelaat is.

U aandag word daarop gevestig dat, ingevolge artikel 50(2) van die Wet, enige beswaar gerig moet wees tot ‘n spesifieke individuele eiendom en nie teen die aanvullende waardasielys as sulks nie.

Die nodige vorms vir die indien van besware sal verkrygbaar wees by die munisipale kantore soos hierbo vermeld.

Voltooides vorms moet voor of op die laaste datum vir openbare inspeksie soos hierbo genoem versend word na die volgende adres:

Die Munisipale Bestuurder  
Privaatsak 2024  
Dundee  
3000

Enige navrae kan gerig word aan telefoonnommer 034 – 212 2121 uitbreiding 2218, of per e-pos aan [nicb@endumeni.gov.za](mailto:nicb@endumeni.gov.za).

B. D. CEBEKHULU  
MUNISIPALE BESTUURDER

Datum: 10 November 2008

KENNISGEWING No.70 /2008

## UMASIPALA WASENDUMENI

### ISAZISO ESIMEMA UMPHAKATHI UKUBA UZOHLOLA UHLU ISICHIBIYELO SOHLU No. 1 LWEZILINGANISOMANANI NOKUFAKA ISICELO SOKUPHIKISA

Kwaziswa umphakathi ngokwesigaba 49(1)(a)(i) soMthetho woHulumeni Basemakhaya: uMthetho Wentela yoBuninimhlaba kaMasipala we-2004, (uMthetho ongunombolo 6 we-2004), obuye ubizwe ngokuthi uMthetho, ukuthi uhlu isichibiyelo sohlu lwezilinganisomanani lonyaka wezimali ye- 2008/2009 seluvulelekile ukuthi umphakathi uluhlale emahhovisi kamasipala ku 64 Victoria Street, Dundee; Biggar Street, Glencoe; Market Square, Wasbank; nakuyoyonke imitapoyezincwadi ekuMasipala Endumeni, kusukela 14 Novemba 2008 kuya 14 Januwari 2009, ngaphezu kwalokho noma loluhlu luyatholakala ekhelini lesizindalwazi elithi [www.endumeni.gov.za](http://www.endumeni.gov.za).

Kumenywa, ngokwesigaba 49(1)(a)(ii) sifundwa ngokuhlanganyela nesigaba 78(2) soMthetho, noma ngubani ongunnikazi womhlaba noma omunye nje-ke umuntu onesifiso sokuba afake isicelo sokuphikisa emenenjeni kamasipala nganoma yikuphi okusohlwini lwezilinganisomanani noma okusalile ohlwini esichibiyelweni sohlu lwezilinganisomanani phakathi kwesikhathi esibekwe ngenhla.

Umphakathi uyaxwayiswa ukuthi ngokwesigaba 50(2) soMthetho ukuphikisa kumele kuqondane ngqo nalowo mhlaba ofisa ukuphikisa ngawo kodwa kungabi ngesohlu esichibiyelweni sohlu lwezilinganisomanani.

Ifomu lokufaka isiphikiso sakho litholakala kulamakheli loMasipala abangenhla.

Amafomu asegcwalisiwe kumele abuyiselwe kuleli kheli elilandelayo ngomhlaka noma ngaphambi kokuphela kwesikhathi esishiwo ngenhla ukuze umphakathi uhlole`:

The Municipal Manager  
Private Bag 2024  
Dundee  
3000

Uma ufuna ukubuza sicela ushaye kule nombolo yocingo 034 – 212 2121 extension 2218, noma usebenzise leli kheli lombikombani (email) [nicb@endumeni.gov.za](mailto:nicb@endumeni.gov.za).

B. D. CEBEKHULU  
IMENENJA KAMASIPALA

Usuku: 10 Novemba 2008

ISAZISO ESINGUNOMBOLO 70/2008



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**MUNICIPAL NOTICES—MUNISIPALE KENNISGEWINGS—IZAZISO ZIKAMASIPALA**

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**No. 42****13 November 2008****HIBISCUS COAST MUNICIPALITY****Adoption of Rates Bylaws**

MN 161 of 2008

October 2008

The Hibiscus Coast Municipal Council, acting under the authority of section 156(2) of the Constitution, 1996, read with section 11(3)(m) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), and section 6 of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), hereby publishes the following bylaws as adopted by the Council at its meeting held on 24 June 2008, which bylaws shall come into effect on the first day of the month following publication hereof.

SW MKHIZE  
MUNICIPAL MANAGER

**RATES BYLAWS****ARRANGEMENT OF SECTIONS***Section*

1. Definitions
2. Rates policy
3. Principles
4. Categories of property
5. Categories of owners of property
6. Properties used for multiple purposes
7. Differential rating
8. Exemptions
9. Rebates
10. Reductions
11. Property used for agricultural purposes

12. Process for granting exemptions, rebates and reductions
13. Rates increases
14. Short title
15. Commencement

## Definitions

1. In these by-laws, unless the context indicates otherwise –

**“agent”**, in relation to the owner of a property, means a person appointed by the owner of the property—

(a) to receive rental or other payments in respect of the property on behalf of the owner; or

(b) to make payments in respect of the property on behalf of the owner;

**“agricultural purpose”**, in relation to the use of a property, excludes the use of a property for the purpose of ecotourism or for the trading in or hunting of game;

**“annually”** means once every financial year;

**“category”** –

(a) in relation to property, means a category of property determined in terms of section 4 of these by-laws;

(b) in relation to owners of property, means a category of owners of property determined in terms of section 5 of these by-laws;

**“exemption”**, in relation to the payment of a rate, means an exemption granted in terms of section 8 of these by-laws;

**“land tenure right”** means an old order right or a new order right as defined in section 1 of the Communal Land Rights Act, 2004 (Act No. 11 of 2004);

**“multiple purposes”**, in relation to property, means the use of property for more than one purpose;

**“municipal council” or “council”** means a municipal council referred to in section 18 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

**“municipality”** means the Hibiscus Coast Municipality established in terms of section 155(6) of the Constitution, 1996, and established by and under section 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).

**“owner” –**

- (a) in relation to property referred to in paragraph (a) of the definition of “property”, means a person in whose name ownership of the property is registered;
- (b) in relation to a right referred to in paragraph (b) of the definition of “property”, means a person in whose name the right is registered;
- (c) in relation to a land tenure right referred to in paragraph (c) of the definition of “property”, means a person in whose name the right is registered or to whom it was granted in terms of legislation, or
- (d) in relation to public service infrastructure referred to in paragraph (d) of the definition of “property”, means the organ of state which owns or controls that public service infrastructure as envisaged in the definition of “publicly controlled”,

provided that a person mentioned below may for the purposes of these By-laws be regarded by the municipality as the owner of the property in the following cases –

- (i) a trustee, in the case of a property in a trust excluding state trust land;
- (ii) an executor or administrator, in the case of property in a deceased estate;
- (iii) a trustee or liquidator, in the case of property in an insolvent estate or in liquidation;
- (iv) a judicial manager, in the case of property in the estate of a person under judicial management;
- (v) a curator, in the case of property in the estate of a person under curatorship;
- (vi) a usufructuary or other person in whose name a usufruct or other personal servitude is registered, in the case of property that is subject to a usufruct or other personal servitude;
- (vii) a lessee, in the case of a property that is registered in the name of the municipality and is leased by it; or
- (viii) a buyer, in the case of a property that was sold by a municipality and of which possession was given to the buyer pending registration of ownership in the name of the buyer;

**“permitted use”**, in relation to property, means the limited purposes for which the property may be used in terms of –

- (a) any restriction imposed by –
  - (i) a condition of title;
  - (ii) a provision of a town planning or land use scheme; or
  - (iii) any legislation applicable to any specific property or properties; or
- (b) any alleviation of any such restrictions;

**“property”** means –

- (a) immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person;
- (b) a right registered against immovable property in the name of a person, excluding a mortgage bond registered against the property;
- (c) a land tenure right registered in the name of a person or granted to a person in terms of legislation; or
- (d) public service infrastructure.

**“property register”** means a register of properties referred to in section 23 of the Act;

**“protected area”** means an area that is or has to be listed in the register referred to in section 10 of the National Environmental: Protected Areas Act, 2003 (Act No. 57 of 2003);

**“public benefits organization”** means an organization conducting specified public benefit activities as defined in the Act and registered in terms of the Income Tax Act, 1962 (Act No. 58 of 1962) for a tax reduction because of those activities;

**“publicly controlled”** means owned or otherwise under the control of an organ of state, including –

- (a) a public entity listed in the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) a municipality; or
- (c) a municipal entity as defined in the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

**“public service infrastructure”** means publicly controlled infrastructure of the following kinds:

- (a) national, provincial or other public roads on which goods, services or labour move across the municipal boundary;

- (b) water or sewer pipes, ducts or other conduits, dams, water supply reservoirs, water treatment plants or water pumps forming part of a water or sewer scheme serving the public;
- (c) power stations, power substations or power lines forming part of an electricity scheme serving the public;
- (d) gas or liquid fuel plants or refineries or pipelines for gas or liquid fuels, forming part of a scheme for transporting such fuels;
- (e) railway lines forming part of a national railway system;
- (f) communication towers, masts, exchanges or lines forming part of a communications system serving the public;
- (g) runways or aprons at national or provincial airports;
- (h) breakwaters, sea walls, channels, basins, quay walls, jetties, roads, railway or infrastructure used for the provision of water, lights, power, sewerage or similar services of ports, or navigational aids comprising lighthouses, radio navigation aids, buoys, beacons or any other device or system used to assist the safe and efficient navigation of vessels;
- (i) any other publicly controlled infrastructure as may be prescribed; or
- (j) rights of way, easements or servitudes in connection with infrastructure mention in paragraphs (a) to (i).

“**rate**” means a municipal rate on property envisaged in section 229(1)(a) of the Constitution, 1996;

“**rateable property**” means property on which a municipality may in terms of section 2 of the Act levy a rate, excluding property fully excluded from the levying of rates in terms of section 17 of the Act;

“**rebate**”, in relation to a rate payable on property, means a discount in the amount of the rate payable on the property granted in terms of section 9 of these by-laws;

“**reduction**”, in relation to a rate payable on property, means the lowering of the amount for which the property was valued and the rating of the property at that lower amount granted in terms of section 10 of these by-laws;

“**residential property**” means property included in a valuation roll in terms of section 48(2) (b) of the Act as residential;

“**sectional title scheme**” means a scheme as defined in section 1 of the Sectional Titles Act;

“**sectional title unit**” means a unit as defined in section 1 of the Sectional Titles Act

“**specified public benefit activity**” means an activity listed in item 1 (welfare and humanitarian), item 2 (health care) and item 4 (education and development) of Part 1 of the Ninth Schedule to the Income Tax Act, 1962 (Act No. 58 of 1962);

“**the Communal Land Rights Act**” means the Communal Land Rights Act, 2004 (Act No. 11 of 2004);

“**the Communal Property Associations Act**” means the Communal Property Associations Act, 1996 (Act No. 28 of 1996);

“**the Provision of Land and Assistance**” means the Provision of Land and Assistance Act, 1993 (Act No. 126 of 1993);

“**the Restitution of Land Rights Act**” means the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994);

“**the Sectional Titles Act**” means the Sectional Titles Act, 1986 (Act No. 95 of 1986);

“**the Act**” means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

“**vacant land**” means land on which no immovable improvements have been erected.

## **Rates Policy**

2.(1) The municipal council must, by resolution, adopt a policy on the levying of rates on rateable property in the municipality.

(2) The rates policy adopted by the municipal council in terms of section 2(1) must comply with the provisions of the Act.

(3) The municipality must levy rates in accordance with the Act; these by-laws; and the rates policy adopted by the municipal council in terms of section 2(1).

## **Principles**

3. The rates policy adopted by the municipal council must comply with the following principles –

(a) All ratepayers within a specific category, as determined by the municipal council from time-to-time, must be treated equitably.

- (b) A fair and transparent system of exemptions, rebates and reductions must be adopted and implemented by the municipality.
- (c) Relief measures in respect of the payment of rates may not be granted on an individual basis, other than by way of exemption, rebate or reduction.
- (d) Exemptions, rebates and reductions MAY be used to alleviate the rates burden on –
  - (i) the poor;
  - (ii) public benefit organizations; and
  - (iii) public service infrastructure.
- (e) Provision must be made for the promotion of local, social and economic development;

### **Categories of Property**

4.(1) For the purpose of levying different rates on different categories of property, the municipal council must –

- (a) determine different categories of property; or
- (b) provide criteria for determining different categories of property.

(2) The different categories of property determined by the municipal council in terms of section 4(1)(a); or the criteria for determining different categories of property provided by the municipal council in terms of section 4(1)(b) must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(3) The different categories of property determined by the municipal council in terms of section 4(1)(a) may include, but are not limited, to those set out below –

- (a) residential properties;
- (b) industrial properties;
- (c) commercial properties;
- (d) farm properties used for agricultural purposes;
- (e) farm properties used for commercial purposes;
- (f) farm properties used for residential purposes;
- (g) farm properties used for any other purpose;
- (h) farm properties not used for any purpose;
- (i) state-owned properties:
  - (i) state properties that provide local services;
  - (ii) state properties that provide district services;
  - (iii) state properties that provide metropolitan services;
  - (iv) state properties that provide provincial services; or
  - (v) state properties that provide national services;
- (j) municipal properties;
- (k) public service infrastructure;
- (l) privately owned towns;
- (m) formal and informal settlements;
- (n) communal land as defined in the Communal Land Rights Act;

- (o) state trust land;
- (p) property acquired in terms of the Provision of Land and Assistance Act;
- (q) property acquired in terms of the Restitution of Land Rights Act;
- (r) property subject to the Communal Property Associations Act;
- (s) protected areas;
- (t) national monuments;
- (u) property used for a specified public benefit activities
- (v) multiple-use properties;
- (w) vacant land;
- (x) special purposes

(4) The criteria for determining different categories of property provided by the municipal council in terms of section 4(1)(b) may include, but are not limited, to those set out below –

- (a) the actual use of the property;
- (b) the permitted use of the property;
- (c) the size of the property;
- (d) the geographical area in which the property is located; or

### **Categories of Owner**

5.(1) For the purpose of levying rates on different categories of property or for the purpose of granting exemptions, rebates or reductions, the municipal council must –

- (a) determine different categories of owners of property; or
- (b) provide criteria for determining different categories of owners of property.

(2) The different categories of owners of property determined by the municipal council or the criteria for determining different categories of owners of property provided by the municipal council must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(3) The different categories of owners of property determined by the municipal council in terms of section 5(1)(a) may include, but are not limited, to the following categories –

- (a) indigent owners;
- (b) owners dependent on pensions or social grants for their livelihood;
- (c) owners temporarily without an income;
- (d) owners of property situated within an area affected by a disaster or any other serious adverse social or economic condition;
- (e) owners of residential property whose market value is below the amount indicated in the municipality's rates policy before the first R15 000 mandatory exclusion;
- (f) owners of agricultural property who are *bona fide* farmers;



(4) The criteria for determining different categories of owners of property provided by the municipal council in terms of section 5(1)(b) may include, but are not limited to the following criteria –

- (a) income of the owner of the property;
- (b) source of income of the owner of the property;
- (c) occupation of the owner of the property;;
- (d) market value of the property;
- (e) use of the property;
- (f) disasters or any other serious adverse social or economic condition;

### **Multiple-use Properties**

6.(1) The municipal council must determine the criteria in terms of which multiple-use properties must be rated.

(2) The criteria determined by the municipal council in terms of section 6(1) must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(3) The criteria determined by the municipal council in terms of section 6(1) must be either –

- (a) the permitted use of the property;
- (b) the dominant use of the property; or
- (c) the multiple-uses of the property

(4) If the criterion set out in section 3(c) is adopted by the municipal council, the rates levied on multiple-use properties must be determined –

- (a) by apportioning the market value of such a property to the different purposes for which the property is used; and
- (b) by applying the relevant cent amount in the rand to the corresponding apportioned market value.

### **Differential Rating**

7.(1) Subject to and in conformity with the Act, the municipality may levy different rates on different categories of property.

(2) If the municipality chooses to levy different rates on different categories of property, it must exercise this power in accordance with the criteria determined by the municipal council in terms of section 3(3)(b)(i) of the Act.

(3) The criteria determined by the municipal council in terms of section 3(3)(b)(i) of the Act must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(4) The criteria which must be determined by the municipal council in terms of section 3(3)(b)(i) of the Act may include, but are not limited, to those set out below –

- (a) the nature of the property;
- (b) the sensitivity of the property to rating;
- (c) the extent to which the property has been developed;
- (d) the promotion of social and economic development;
- (e) the permitted use

(5) If the municipal council chooses to levy different rates on different categories of property, it must determine the method in terms of which different rates will be levied against different categories of property.

(6) The method determined by the municipal council in terms of section 7(5) must be based on one of the methods set out below –

- (a) setting a different cent amount in the Rand for each category of property;
- (b) granting rebates for different categories of property; or
- (c) granting reductions for different categories of property.

(7) The method determined by the municipal council in terms of section 7(5) and 7(6) must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

### **Exemptions**

8.(1) Subject to and in conformity with the Act, the municipality may exempt –

- (a) the owners of any specific category of property; and/or
  - (b) any specific category of owners of property,
- from the payment of rates.

(2) If the municipality chooses to exempt the owners of any specific category of property or any specific category of owners of property from the payment of rates, it must exercise this power in accordance with the criteria determined by the municipal council in terms of section 3(3)(b)(ii) of the Act.

(3) The criteria determined by the municipal council in terms of section 3(3)(b)(ii) of the Act must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(4) The criteria which must be determined by the municipal council in terms of section 3(3)(b)(ii) of the Act may include, but are not limited, to those set out below –

- (a) age of the owner of the property;

- (b) income of the owner of the property;
- (c) source of the income of the owner of the property;
- (d) economic, physical and social condition of the property;
- (e) public service infrastructure;
- (f) property used for specified public benefit activities;
- (g) market value of the property;

### **Rebates**

9.(1) Subject to and in conformity with the Act, the municipality may grant a rebate –

- (a) to the owners of any specific category of property; and/or
  - (b) to any specific category of owners of property,
- on the rate payable in respect of their properties.

(2) If the municipality chooses to grant a rebate to a specific category of property or to a specific category of owners of property from the payment of rates, it must exercise this power in accordance with the criteria determined by the municipal council in terms of section 3(3)(b)(iii) of the Act.

(3) The criteria determined by the municipal council in terms of section 3(3)(b)(iii) of the Act must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(4) The criteria which must be determined by the municipal council in terms of section 3(3)(b)(iii) of the Act may include, but are not limited, to those set out below –

- (a) age of the owner of the property;
- (b) physical health of the owner of the property;
- (c) nature of the property;
- (d) ownership of the property;
- (e) market value of the property;
- (f) property used for the following specified public benefit activities:
  - (i) welfare,
  - (ii) health care, or
  - (iii) education;
- (g) extent to which municipal services are provided to the property;
- (h) extent to which the property contributes to local, social and economic development;

### **Reductions**

10.(1) Subject to and in conformity with the Act, the municipality may grant a reduction:

- (a) to the owners of any specific category of property; and/or
- (b) to any specific category of owners of property, in the rate payable in respect of their properties.

(2) If the municipality chooses to grant a reduction to a specific category of property or to a specific category of owners of property from the payment of rates, it must exercise this power in accordance with the criteria determined by the municipal council in terms of section 3(3)(b)(iii) of the Act.

(3) The criteria determined by the municipal council in terms of section 3(3)(b)(iii) of the Act must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(4) The criteria which must be determined by the municipal council in terms of section 3(3)(b)(iii) of the Act may include, but are not limited, to those set out below –

- (a) fire;
- (b) floods;
- (c) lightning;
- (d) storms;
- (e) other artificial or natural disasters;

#### **Property used for agricultural purposes**

11. When considering the criteria to be applied in respect of any exemptions, rebates or reductions on properties used for agricultural purposes, the criteria listed below must be taken into account –

- (a) the extent of services provided by the municipality in respect of such properties;
- (b) the contribution of agriculture to the local economy;
- (c) the extent to which agriculture assists in meeting the service delivery and development obligations of the municipality; and
- (d) the contribution of agriculture to the social and economic welfare of farm workers.

#### **Process for granting exemptions, rebates and reductions**

12.(1) Applications for exemptions, rebates and reductions must be made in accordance with the procedures determined by the municipal council.

(2) The procedures determined by the municipal council in terms of section 12(1) must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(3) The municipality retains the right to refuse an application for an exemption, rebate or reduction if the details supplied in support of such an application are incomplete, incorrect or false.

### **Rates increases**

13.(1) Subject to and in conformity with the Act, the municipality may increase the rates it levies on property in the municipality.

(2) If the municipality chooses to increase the rates it levies on properties in the municipality, it must exercise this power in accordance with the criteria determined by the municipal council in terms of section 3(3)(b)(iv) of the Act.

(3) The criteria determined by the municipal council in terms of section 3(3)(b)(iv) of the Act must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(4) The criteria which must be determined by the municipal council in terms of section 3(3)(b)(iv) of the Act may include, but are not limited, to those set out below –

- (a) priorities of the municipality reflected in its Integrated Development Plan;
- (b) the revenue needs of the municipality;
- (c) the need for the management of rates shocks;
- (d) affordability of rates to ratepayers;

### **Short title**

14. These by-laws will be called the Hibiscus Coast Municipality Rates By-Laws, 2008

### **Commencement**

15. These by-laws come into force and effect on the first day of the month following promulgation in the KZN Provincial Gazette.

No. 42

13 kuLwezi 2008

**IMITHETHO YEDOLOBHA EQONDENE NOKUPHATHWA**  
**KWAMAKHASIMENDE, UKUQOQWA NOKUHLELELWA KWEZIKWELETU**

Lemithetho elandelayo iphasiswe umkhandlu-dolobha uHibiscus Coast ngokwesigaba 156(2) soMthethosisekelo ka 1996, sifundwa nesigaba 98 soMthetho ongamele ukuhlelwa koMasipala (umthetho 32 ka 2000):

**UKUHLELWA KWEZIGABA**

**Isigaba**

1. Izincazelo
2. Izihlinzeko ezijwayelekile
3. Amandla omkhandlu okuqoqa izikwletu
4. Izivumelwano zokusebenza
5. Ukuqoqwa kwenhlawulo ngenxa yokungakhokhi ngendlela
6. Ukuklanywa kwentela
7. Ukuxegisa, ushwele nokuhlukanisa
8. Ukudluliswa kwemininingwane yabakweleta umkhandlu
9. Ukuchithwa kwemithetho yedolobha engamele ukuqoqwa kwezikweletu
10. Amacala
11. Isihloko esifishane
12. Ukuqala kokusebenza kwemithetho

## IZINCAZELO

Ngokwenhloso yalemithetho, ngaphandle kokuba ingqikithi iveza okuhlukile

**“Okuthize”** kuhlanganisa isakhiwo, amapayipi, uphampu, ugcingo lokwakha, izintambo zikagesi, izinsimbi, imishini, nanoma yikuphi okungenayo

**“UMkhandlu”** kusho umkhandlu kamasipala njengokuchazwe esigabeni - 157soMthethosisekelo

**“ukuhlelelwa kwezikweleti”** kusho zonke izinhlelo eziqondene nokuqoqwa kwezimali ezikweletwa abakhokhi bentela kanye nabasebenzisa imisebenzi kamasipala

**“Obhekelele abathengi”** kusho ukunakekela izidingo zabathengi ngokuvumelekile nangokwendlela yokwenza ngokucophelela ukugqugquzela kokukhokhwa, ngalokho-ke kunchipha izidingo zokuphoqa abantu

**“Ikhasimende”** kusho noma yimuphi umuntu kunoma iyiphi indawo lapho umkhandlu uvumile ukudlulisa noma eqinisekisa ukudlulisa imisebenzi, noma uma kungekho muntu ongumhlali kuleyo ndawo, kube ngumnikazi wendawo

**“Inkokhelo”** kusho isaziso esisemthethweni esinjengesitatimende kulowo nalowo mthengi ngenani elinqunyiwe okumele alikhokhe ngemisebenzi kamasipala, kuhlanganisa nayo yonke enye imali okungenzeka iyisikweletu esele kwi-akhawunti

**“Inzalo”** kuchaza inhlawulo elingana nenhlawulo ekhokhelwa imisebenzi nebalwa ngokwesinqumo esikhushwe umkhandlu ngazo zonke izikweletu ezisalele ngemuva

**“Imisebenzi kamasipala”** kusho leyo misebenzi, intela, kanye nentela evela kwi-akhawunti kamasipala ngemisebenzi eyenziwe umkhandlu engakakhokhelwa.

**“I-akhawunti kamasipala”** ingahlanganisa intela, nenhlawulo ngemisebenzi elandelayo kanye/noma izintela:

- a. Ukusetshenziswa kukagesi
- b. Indawo yokuhlala eqashisayo kanye nezimali ezikhokhwa njalo ngenyanga
- c. Izinkokhelo ezinhlobonhlobo
- d. Ukuthuthwa kukadoti
- e. Ukuthuthwa kwendle

- f. Intela kanye nenhlawulo ekhokhwa ngokwesilinganiso sendlu
- g. Inzalo kanye nezimali zokuqoqwa kwezikweletu
- h. Izimali zabameli nezinkantolo ngokwesigaba 3.2 kulemithetho yedolobha

**“Okweletayo”** kusho labo bantu abakweleta umkhandlu maqondana nentela kanye / noma inhlawulo ngomsebenzi isikhathi esingaphezu kwezinsuku ezingama-40 ( amashumi amane) kusukela osukwini lokukhokha.

**“Umhlali”** kusho nonoma yimuphi umuntu ohlala noma yikweyiphi indawo, kungabalulekile ukuthi uhlala kuleyo ndawo njengobani

**“ Umikazi wendawo”** kusho :

- a. Umuntu ngezikhathi thize ogunyazwe ngumthetho ukuba kuleyondawo
- b. Uma umuntu osemthethweni engasekho noma ehluleka ukukhokha, noma kunezihibe ezithile ezimvimbayo ngokomthetho, kuyoba yilowo ogama lakhe ligunyaziwe ngokomthetho ukuba abhekelele noma apha the leyondawo njengomphathi, umphathimafa obekiwe, umgcini mafa, ophethiswe inkantolo, oqokelwe ukukhokha izikweletu noma abanye abakhulumeli abasemthethweni.
- c. Esimweni lapho umkhandlu ungakwazi ukuthola lowo muntu, kuyoba yilowo muntu osethubeni lokuthola leyondawo noma isakhiwo esilapho
- d. Esimwemi sezindawo eziqashiswa iminyaka ewu-30 noma ngaphezulu, kuyoba umhlali waleyo ndawo;
- e. Maqondana ne:
  - (i) nomhlaba ochazwe ngokusikwa kwepulani, obhaliswe ngaphansi komthetho wokubhaliswa kwamatayitela (umthetho 95 ka-1986) futhi ngaphandle kokunciphisa okuchazwe ngenhla, umakhi noma amalunga omfelandawonye aphele leyo ndawo, noma
  - (ii) sigaba njengoba kuchaziwe kulowo mthetho , umuntu ogama lakhe libhalisiwe kuleso sigaba ngaphansi kwetayitela elenziwe futhi kuhlanganisa ngumuntu ongummeli wakhe oqokwe ngokomthetho yilowo muntu;
- f. Noma imuphi umuntu ovumelekile kuhlanganisa nakuba kungagcini kwi-:
  - (i) nkampani ebhaliswe ngokomthetho wezinkampani ka 1973 ( umthetho 61 ka 1973), inkampani eyi-trust, trust *mortis causa*, inkampani encane ebhaliswe ngokomthetho wezinkampani ezincane eziwumfelandawonye ka 1984 (umthetho 69 ka1984), inhlango e sebenza ngokuzinikela;



- (ii) nanoma imuphi uMnyango kaHulumeni
- (iii) nanoma yimuphi umkhandlu noma ibhodi elisungulwe kulandelwa imithetho evumelekile eNingizimu ne-Afrika;
- (iv) Nanoma iyiphi indlu yamanxusa okanye esinye isakhiwo sezizwe

“ **Izindawo**” kuhlenganisa nanoma imuphi umhlaba, onemingcele echazwe njengokudwetshwa kwayo kwi:-

- a. pulani elijwayelekile noma umdwebo obhaliswe ngokomthetho weZokuklanywa kweMihlaba, we- 9 ka-1927 noma ngokomthetho 47 ka-1937 wokubhaliswa kwemihlaba noma;
- b. pulani elibhaliswe ngokomthetho wamatayitela umthetho 95 ka-1986, ngendlu eyakhiwe endaweni engaphansi komkhandlu.

“**UMphathi weZezimali**” kusho umuntu oqashwe umkhandlu ukubheka ukuphathwa kwezezimali zomkhandlu kanye nokuqoqwa kwezikweleti kulabo abakweleta umkhandlu, phakathi kwezinye izinto.

## 2. IZIHLENGEKO EZIJWAYELEKILE

### 2.1 Izaziso kanye nemiqulu

- a. Isaziso noma umqulu okhiswe umkhandlu uyothathwa njengosemthethweni uma ukhishwe wasayindwa umsebenzi ogunyazwe umkhandlu;
- b. Uma isaziso sizodluliselwa kumuntu ngokwalemithetho yedolobha kumele lokho kwenziwe ngokuthi:
  - (i) ahanjiselwe isaziso kuyena noma kulowo muntu ommele nogunyaziwe ngokufanekileyo
  - (ii) kuhanjiselwe isaziso kwikheli lakhe lokuhlala noma endaweni yomsebenzi, ishiywe kumuntu obonakalayo uuthi iminyaka yakhe yevile kweyishumi nesithupha futhi okucacile ukuthi uhlala okanye uqashwe khona;
- c. Uma eqoke ikheli lakhe elisemthethweni okuzothunyelwa khona isaziso, sithunyelwe khona;
- d. Ikheli lakhe elibhalisiwe noma ikheli elokugcina elaziwayo
- e. Uma kuyisigungu esiphethe isakhiw, sithunyelwe ehhovisini elibhalisiwe noma ezindaweni zamabhizinisi aleso sigungu

- f. Uma lowo msebenzi ochazwe kwindima (b) kuya ku (e) ungeke wenzeke, isaziso kuyomele sichonywe esichabheni sokungena ngaphakathi, okanye sibekwe endaweni esobala noma ebonakalayo.

## 2.2 UKUFAKAZELWA KWEMIQULU

- a. Zonke izaziso, izigunyazo neminye imiqulu edinga ukufakazelwa ngokusemthethweni iyothathwa njengesemthethweni uma isayinwe umsebenzi ogunyaziswe umkhandlu ngokwesinqumo somkhandlu okanye somthetho-dolobha
- b. Ukudluliswa kwekhophi kuyothwathwa ngendlela efanayo nokudluliswa kwencwadi yokuqala

## 2.3 Ukukhokhwa kwesikweletu ngokuphelele

- a. uMphathi weZezimali uyoba negunya lokwemukela izimali ezitholwa umasipala njengenkohelo yemisebenzi ethile ehlinzekwa umasipala
- b. Uma inani elinqunyiwe lingakhokhiwe ngokuphelele, kepha kukhokhwe elingaphansi kwalo, leyo mali ngeke yamukelwe njengenkohelo ephelele, ngaphandle uma lokho kwamukelwe uMphathi weZezimali okanye umsebenzi ogunyazwe nguye;
- c. Okuchazwe kwindima 2.3 (a) ngenhla yikho okuyokwemukelwa nakuba kungenzeka ukuthi kwemukelwe inani elingaphansi njennkookhelo yokugcina;
- d. uMphathi weZezimali kanye nommele bayokwamukela leyo mali encane ngokubhala incwadi.

## 2.4 Imali yenzalo

Ngokomthetho wokuphathwa kwezimali zikamasipala ngokwesigaba-64 (2), imali eseleyo elindelekile ukukhokhwa ngosuku lokugcina iyokwengezwa inzalo (umthetho 56 ka-2003) njengoba kuhlelelwe kwisabiwo-zimali sonyaka ngokuhambisana nesigaba -24 (2) (ii) somthetho.

## 2.5 Ubufakazi obuphathekayo

Isitifiketi esiveza imali ekweletwa umasipala, nesisayinwe uMphathi kaMasipala okanye omunye umsebenzi ogunyazisiwe, siyokwemukelwa njengobufakazi obuphathekayo ngaleso sikweletu kunoma iyiphi inkantolo.

### **3. AMANDLA OMKHANDLU OKUQOQA IZIKWELETU**

#### **3.1 Isithembiso senkokhelo esingafezekiswa**

Lapho ibhange lingayifaki imali ukufezekisa isithembiso senkokhelo esenziwe, umkhandlu unelungelo lokwengeza izimali ezithize kwi-akhawunti yalowo muntu okweleta umkhandlu, ulandela imigomo ebekiwe.

#### **3.2 Izindleko zomthetho**

Zonke izindleko zomthetho, kuhlanganisa izimali ezichithelwe abameli nezindleko zikamasipala ziyofakwa kwi-akhawunti yalowo muntu onesikweletu.

#### **3.3 Izindleko zokukhumbuzisa abakweletayo izimali ezisalele**

Izindleko zokukhumbuzisa okweletayo ngesikweletu sakhe, okungahlanganisa ukumshayela ucingo, ukumthumela incwadi noma isikhahlamezi, kungenzeka zifakwe kwi-akhawunti yalowo muntu okweletayo kulandelwa imigomo yomkhandlu.

#### **3.4 Izindleko zokunqamula imisebenzi kamasipala**

Lapho noma omuphi umsebenzi owehlukeneyo njengomphumela wokungabikho ukuthobelana kwalokho ngomthetho wabathengi, umkhandlu kamele avumele inhlawulo ahpinde abuyise inkokhelo yomgomo wokuhlukana njengokunqunywe umkhandlu ngezikhathi zonke kubasebenzise bomsebenzi.

### **3.5 AMA- AKHAWUNTI**

Umasipala anga:

- a. Hlanganisa nanoma yimaphi amakhawunti ahlukene omuntu onecala lokukhokhela umasipala ;
- b. Thatha nanoma iyphi inkokhelo eyenziwe yilowo okweletayo ayifake kunoma iyphi yamanye ama akhawunti ache; futhi
- c. Angathatha nanoma iziphi izinyathelo ezichazwe kulemithetho yedolobha ukuqoqa izikweletu ezisalele.

### **4. ISIVUMELWANO SOKUSEBENZA**

- 4.1 Awukho msebenzi kagesi oyonikezelwa ngaphambi kokuthi umuntu afake isicelo ngefomu likamasipala elisemthethweni (imizi ejwayelekile namabhizinisi), bese ekhokha imali eyidiphozi, neyonqunywa umkhandlu.

4.2 Ukuphela kwesivumelwano somsebenzi kumele kuthunyelwe ngencwadi yilowo onenhloso yokwenze njalo.

## **5. UKUQOQWA KWENHLAWULO NGENXA YOKUNGAKHOKHI NGENDLELA**

### **5.1 Umgomo oqondene nokuhlelwa nokuphathwa kwezikweletu**

Umkhandlu uyoba nomgomo obhalwe phansi oqondene nokuphathwa kanye nokuqoqwa kwezikweletu, ohlinzekela:

- a. Inqubo yokuhlelwa kwezikweletu;
- b. Inqubo yokuqoqwa kwezikweletu;
- c. Ukuhlinzekela abampofu, okuyohambisana nemigomo kamasipala yokubhekela abampofu, kanye nekahulumeni kuzwelonke
- d. Inzalo kwinhlawulo yokungakhokhi
- e. Ukwengezwa kwesikhathi sokukhokhelwa ama-akhawunti;
- f. Ukuphela komsebenzi noma ukumiswa komsebenzi uma sekuze kwadlula isikhathi kungakhokhiwe, kwangena nenye imali yenzalo ngaphezulu ;
- g. Ngenkathi unquma ngaloluhlelo, umkhandlu ungahlukanisa ngendlela obona kufanele phakathi kwezigaba zabantu, abathengi, abakweletayo, kanye nabanikazi.

### **5.2 Amandla okunciphisa noma okunqamula ukudluliswa kwemisebenzi**

- a. Umkhandlu unganciphisa okanye unqamule ukudluliswa kwamandla kagesi, noma umise noma ngabe yimuphi umsebenzi kunoma iyiphi indawo uma ngabe ohlomula ngokusebenzisa lowo msebenzi:
  - (i) ehluleka ukukhokha ngokugcwele ngosuku olunqunyiweyo noma ohluleka ukwenza izinhlelo ezivumelekile zokukhokha lelo nani, ntela ayikweletayo;
  - (ii) ehluleka ukuhambisana nombandela onqunywe umkhandlu;
  - (iii) evimbela ukudluliselwa kukagesi noma eminye imisebenzi komunye umuntu;
  - (iv) edlulisela umsebenzi kamasipala noma evuma ukuba kuqhutshekwe kudluliselwe imisebenzi kamasipala kumthengi ongavumelekile;
  - (v) obangela isimo ngokombono womkhandlu esiyingozi noma obangela ukwaphulwa kwemithetho;

- (vi) obekwe ngaphansi kwamandla enkantolo isikhashana , izikweletu zakhe ziphethwe umthetho noma owenza okuphathelene nalokho ngokomthetho i-Insolvency Act, umthetho no. 24 ka-1936;
  - (vii) uma umthetho unikeze igunya lokuba lowo muntu aphaathelwe amandla ngokwesigaba 74 somthetho ongamele iziNkantolo zeziMantshi ka 1944 (umthetho 32 ka-1944);
- b. Umkhandlu uyobuye uxhume okanye ubuyisele umsebenzi esimweni esijwayelekile emva kokuba yonke imali ekweletwayo ikhokhwe ngokuphelele, kuhlanganisa nezimali eziyinkokhelo yokwenza lowo msebenzi wokuxhuma kabusha lowo msebenzi onqanyulwe, kanye nanoma iyiphi enye imali njengoba inqunywe kwinqubo-mgomo yomkhandlu eqondene nokuphathwa kwezikweletu.
- c. Umkhandlu uyoba nelungelo lokubamba noma ukuvala umsebenzi ngenxa yokungakhokhelwa kwemisebenzi ehlinzekwa umkandlu noma izintela ezithize, noma ngabe kukhona inkokhelo eyenziwe eqondene nemisebenzi ethize, futhi lelo lungelo uyophinde uligodle nakuba kungenzeka ukuthi umnini ndawo akusiye owangena kwisivumelwano nomkhandlu.

### **5.3 Amandla okungena kanye nokuhlola**

- a. Umsebenzi omele umkhandlu ngokusemthethweni unelungelo lokungena abuye ahlole nanoma iyiphi indawo ngenhloso yokuqinisekisa ukugcinwa kwalemithetho yedolobha, okanye ngezinhlalo zokuxhuma noma ukulungisa nanoma iyiphi into elimele, okanye ezonciphisa, ezovala noma ezonqamula nanoma imuphi umsebenzi.
- b. Uma umkhandlu ubona kubalulekile ukuba kwenziwe umsebenzi othize ngaphambi kokuba umsebenzi kamasipala afike ukuzokwenza umsebenzi ochazwe ngenhla, kungenzeka:
- (i) ubhalele umninindawo noma umhlali umyalele ukuba enze lowo msebenzi ngokwezindleko zakhe kungakapheli isikhathi esithile noma;
  - (ii) uma ngokombona wawo isimo siphuthuma, umkhandlu uwenze wona lowo msebenzi okanye uthumele ukuba wenziwe kepha ukhokhelwe umninindawo.
- c. Uma umsebenzi uchazwe ku (b) ngaphezulu wenziwa ngenhloso yokuhlola ukuthi lemithetho iphuliwe na, bese kuvela ukuthi akunjalo, izindleko zalowo msebenzi kanye nokubuyisela indawo esimweni sayo sakudala ziyothwalwa umkhandlu.

#### **5.4 Izinhlelo zokukhokha imali esele kanye nemali enqunyiwe ngokulandelana ngamancozuncozu**

- a. Umuntu okweletayo angangena esivumelwaneni esibhalwe phansi sagunyazwa umkhandlu ukuba akhokhele noma yiyiphi imali esele ngaphansi kwemibandela elandelayo:
  - (i) imali eshodayo, inhlawulo kanye nenzalo kungakhokhwa ngamancozuncozu nyangazonke ngokuhlelwa okufanele, kubuye kubhekwe nezimali ezizoqhubeka nokufakwa kuma-akhawunti njengenkohelo yemisebenzi esikhathini esizayo.
  - (ii) isivumelwano esibhalwe phansi kumelwe sisayindwe omkhulu ophethe ovunyelwe ngokufanele esikhundleni somkhandlu .
- b. Uma kwenzeka kuvela noma yimuphi umbango ngemali ekweletwa umnikazi wendawo ngenxa yezindleko zikamasipala, umnikazi wendawo akanganaki nokho lowo mbango aqhubeka nokukhokha ngokujwayelekile ngangokusho kwezibalo zesilinganiso ye-akhawunti kamasipala ngokuqala ezinyangeni ezintathu ngaphambi kokunyuswa umbango kanye nokuthathwa kwenzalo kuma-akhawunti kanye kanye nenguqukoyanjalo njalo kanye ngonyaka yamaphoyisa omgwagqo awomkhandlu.

#### **5.5 Ukubuyiselwa esimweni kwemisebenzi**

UMphathi weZezimali uyogunyaza ukuphinda kubuyiselwe esimweni imisebenzi kamasipala ngemuva kokwamukela inkokhelo kanye / noma ukuhlelwa kwendlela yokukhokha eseyenziwe njengokusho kwenqubo yokuhlelwa izikweleti zomkhandlu.

### **6. UKUKLANYWA KWENTELA**

#### **6.1 Inani elilindelwe ngentela eklanyiwe**

- a. Yonke inqubo yentela enqunye abanikazi bendawo ikhokhwa ngosuku olubekiwe njengokunqunyiwe womkhandlu
- b. Ukuhlangana kwabanikazi bendawo akubambisene kanye nokuhluleka okumbalwa kokukhokhela intela enqunyiwe.
- c. ukunqunywa kwentela kuzonqunya ngokulingana kokukhokha nyangazonke njengokunqunyiwe umkhandlu noma kube ukukhokha kanye njalo ngonyaka , njengesivumelwano esibhalwe phansi.

- d. ukukhokhelwa kwentela okunqunyiwe akungabi nomehluko ukudlula usuku olunqunyiwe ngenhloso yokuphikisana nesinqumo sentengo elinganisiwe.

**6.2 Ukufakwa kwesicelo sokudla imali yerenti ngenxa yemali yama-rates engakhokhiwe**

Umkhandlu ungafaka isicelo enkantolo sokuhlanganisa noma iyiphi irenti ngendlela yokukhokheleka kwentela yendawo, ngokukhokhela ingxenye noma yonke imali esalele ngokwenqubo yentela uma usuku olunqunyiwe selweqile ezinyangeni ezintathu.

**6.3 Isibophezelo sabaqondisi bezinkampani ukukhokha inhlawulo yentela yezakhiwo**

Lapho inkampani yomfelandawonye noma amalunga omfelandawonye ngokomthetho wamatayitela ka1986, inesibophezelo sokukhokhelwa kwanoma iyiphi inhlawulo kumkhandlu, leso sikweletu siyodluliselwa kubaqondisi baleyo nkampani, ndawonye noma umuntu ngamunye ngamunye.

**6.4 Ukukhokhwa kwentela ngempahla yomkhandlu ethengisiwe**

- a. Umthengi wendawo yomkhandlu unesibopho sokukhokhela intela enqunyiwe ngendawo ngonyaka wezimali athenge ngawo leyo ndawo.
- b. Uma kwenzeka umkhandlu uphinde uyidla leyo ndawo, nanoma iziphi izimali ezisalele kuyomele zikhokhwe umthengi.

**6.5 Ukumiswa kokubhaliswa kwendawo ngomnikazi omusha**

- a. Irejista yezinto noma okunye okubhalisiwe kumphakathi wempahla engenakususwa ongeke ukwazi ukubhaliselwa ekudlulisweni kwempahla kphela kokwenzelwa isitifiketi esimisiwe:
- (i) esikhishwe umasipala wakuleyo ndawo eyakhiwe futhi
  - (ii) esivumelana nalo lonke inani elinqunywe ekuhlanganeni kwemali enqunywe umsebenzi kamasipala ,imali enqanyulwe inhlawulo yentela eyelekiweyo yempahla kanye nezinye izintela zikamasipala ,inhlawulo kanye nezinye izidingo kumele zikhokhwe ngokuphelele
- b. esikhundleni sokudluliswa kwempahla engenakususwa , wumphathi obekiwe wefa lomuntu ongasekho ukulungisela lesi sigaba kumsuka wesigaba-89 somuntu owabhala i8fa ongasekho uthetho-1936 ( umthetho sisekelo-24 ka-1936)

- c. Inani elinqunyiwe lezindleko zomsebenzi kamasipala , imali enqunyelwe inhlawulo ephindiwe, intela yempahla kanye nezinye izintela zikamasipala izinhlawulo kanye nezinye izinto ezibanjwayo futhi nokujabulela ngothando ngaphezulu kwanoma eyiphi imali ebanjiwe ebhaliselwe esikhundleni sempahla

#### **6.6 Ukunqunywa kwentela ekhokhwa endaweni kamasipala**

- a. Umsebenzisi wendawo kamasipala ubhekelele ukukhokhela noma esiphisisinqumo esijwayelekile sokukhokhela intela yendawo ngobungako besikhathi sesivumelwano nomuntu oqashile njengokuba echishe eba umnikazi waleyondawo.
- b. Umphathi omkhulu wezimali angakhetha ukuhlanganisa isinqumo sentela ngokubhekelelwa kwendawo emalini esikhundleni sokuthi bayithumelele ngokwehlukana njengendada yabanikazi bendawo

#### **7. UKUXEGISA, USHWELE NOKUHLUKANISA**

- 7.1 Umkhandlu ungahlukanisa phakathi kwezinhlobo ezehlukene zezindawo , izinhlobo ezehlukene zabanikazi bendawo , abasebenzisi bezinto zokusebenza , abakweleti , intela imisebenzi ,izinga lomsebenzi kanye nokunye okuthile
- 7.2 Umkhandlu ungakhululeka noma uyekele ekubhaleni izidingo zokulungisela esibonisweni esithile futhi nakubanikazi abathile bendawo noma kumthengi, lokhu ngemithetho.
- 7.3 Noma yikuphi ukwahlukaniswa noma ukukhululwa akube ngaphansi kwesimiso esithile ongakwazi ukucabanga okufanele ukunquma uma kuwumbono wokuthi isicelo noma ukusebenza kwalokho kulungisela kulokho kolokho kokubonakala okumele kungabinasizathu

#### **8. UKUDLULISWA KWEMININGWANE YABAKWELETA UMKHANDLU**

Umkhandlu unelungelo lokudlulisela ulwazi ngalabo bantu abawukweletayo ezinhlanganweni ezisebenza ngalolo lwazi. Ulwazi oluyodluliswa ngaleyo ndlela luyohlukanisa imininingwane ekhona ngalowo muntu, kanti uma lowo muntu kuyinkampani, kudluliselelwe ulwazi olukhona ngabantu baphethe leyo nkampani.



## **9. UKUCHITHWA KWEMITHETHO YEDOLOBHA YOMKHANDLU ENGAMELE UKUQOQWA KWEZIKWELETU**

Nanoma imiphi imithetho-dolobha ebikhona engamele ukuqoqwa nokuphathwa kwezikweletu iyachithwa uma ngabe lokho ekhuluma ngakho kuvela nakulemithetho.; futhi leyo mithetho engachithiwe iyothathwa njengesemthethweni lapho ingashayisani nokuhlinzekwe kulemithetho yedolobha.

## **10. AMACALA**

### **10.1 Umuntu-:**

- a. Olulekayo ukkunika izidingo ezifunwa umphathi ngendlela yalemithetho
- b. Ovimbela noma ovimbela umphathi ekwenzeni umsebenzi noma ekwenzeni okungaphansi kwalokhu ngomthetho
- c. Ukusebenza noma ukungenelela kwezinto zokusebenza zomkhandlu noma ukuqedwa kokudluliswa komsebenzi

## **11. ISIHLOKO ESIFISHANE**

Lokhu ngomthetho kungabizwa ngokunakekelawa kwabathengi bese Hibiscus Coast Municipality, ukuhlelwa kokuthenga kanye nokuqoqwa kwezikweleti ngomthetho-2008

## **12. UKUQALA KOKUSEBENZA KWEMITHETHO**

Lemithetho iyosetshenziswa ngokusemthethweni kusukela mhlaka 01 Julayi 2008.

No. 43

13 November 2008

**HIBISCUS COAST MUNICIPALITY****Adoption of Credit Control and Debt Collection Bylaws**

MN 162 of 2008

October 2008

The Hibiscus Coast Municipal Council, acting under the authority of section 156(2) of the Constitution, 1996, read with section 11(3)(m) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), and section 6 of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), hereby publishes the following bylaws as adopted by the Council at its meeting held on 24 June 2008, which bylaws shall come into effect on the first day of the month following publication hereof.

SW MKHIZE  
MUNICIPAL MANAGER

**CREDIT CONTROL & DEBT COLLECTION BY-LAWS****ARRANGEMENT OF SECTIONS****Section**

- 1 Definitions
- 2 General provisions
- 3 Power of Council to recover costs
- 4 Service agreements
- 5 Arrears collection
- 6 Assessment rates
- 7 Relaxation, waiver and differentiation Reporting of defaulters
- 8 Repeal of Council's Credit Control By-laws
- 9 Offenses
- 10 Short title
- 11 Commencement

## 1. DEFINITIONS

For the purpose of these by-laws, unless the context indicates otherwise:

**“Apparatus”** includes a building, structure, pipe, pump, wire, cable, meter, machine or any fitting.

**“Council”** means a municipal council as referred to in section 157 of the Constitution.

**“Credit Control”** means all the functions relating to the collection of monies owed by ratepayers and users of municipal services.

**“Customer Management”** means the focusing on the client’s needs in a responsive and pro-active way to encourage payment, thereby limiting the need for enforcement.

**“Customer”** means any occupier of any premises to which the Council has agreed to supply or is actually supplying services, or if there is no occupier, then the owner of the premises.

**“Billing”** means proper formal notification (invoicing) on a statement to each customer of amounts levied for assessment rates and services and the net accumulated balance of the account.

**“Interest”** constitutes a levy equal to service levies and is calculated at a rate determined by the Council on all service levies in arrears.

**“Municipal Services”** those services, rates and taxes reflected on the municipal account for which payments is required by Council.

**“Municipal Account”** shall include levies or charges in respect of the following services and/or taxes:

- (a) Electricity consumption;
- (b) Housing rental and instalments;
- (c) Sundry charges;
- (d) Refuse removal;
- (e) Sewerage services;
- (f) Rates and taxes charged in relation to the value of the premises;
- (g) Interest and collection charges;
- (h) Legal fees in terms of paragraph 3.2 of these bylaws.

**“Defaulter”** means those persons owing the Council in respect of taxes and/or service charges for a period of more than 40 (forty) days from date of account.

**“Occupier”** means any a person who occupies any premises or part thereof, without regard to the title under which he or she occupies.

**“Owner”** means:

- (a) The person in whom from time to time is vested the legal title to premises;

- (b) In a case where the person in whom the legal title is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration of and control of such premises is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;
- (c) In any case where the Council is unable to determine the identity of such person, a person who is entitled to the benefit of such premises or a building thereon;
- (d) In the case of premises for which a lease of 30 years or more has been entered into, the lessee thereof;
- (e) In relation to:
  - (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act 1986 (Act 95 of 1986), and without restricting the above the developer or the body corporate in respect of the common property, or
  - (ii) a section as defined in such Act, the person in whose name such section is registered under a sectional title deed and includes the lawfully appointed agent of such a person;
- (f) Any legal person including but not limited to:
  - (i) a company registered in terms of the Companies Act, 1973 (Act 61 of 1973), Trust *inter vivos*, Trust *mortis causa*, a Closed Corporation registered in terms of the Closed Corporations Act, 1984 (Act 69 of 1984), a Voluntary Association;
  - (ii) any Department of State;
  - (iii) any Council or Board established in terms of any legislation applicable to the Republic of South Africa;
  - (iv) any Embassy or other foreign entity.

“**Premises**” includes any piece of land, the external surface boundaries of which are delineated on:

- (a) A general plan or diagram registered in terms of the Land Survey Act, 9 of 1927 or in terms of the Deeds Registry Act, 47 of 1937; or
- (b) A sectional plan registered in terms of the Sectional Titles Act, 95 of 1986, which is situated within the area of jurisdiction of the Council.

“**Chief Financial Officer**” means a person appointed by the Council to manage, *inter alia*, the Council’s financial administration and debt collection of the Council’s debtors.

## 2. GENERAL PROVISIONS

### 2.1 Notices and Documents

- (a) A notice or document issued by the Council in terms of these by-laws shall be deemed to be duly issued if it is signed by an officer authorized by the Council;
- (b) If a notice is to be served on a person in terms of these by-laws, such service shall be effected by:
  - (i) delivering the notice to him or her personally or to his or her duly authorized agent;
  - (ii) by delivering the notice at his or her residence or place of employment to a person apparently not less than sixteen years of age and apparently residing or employed there;

- (c) If he or she has nominated an address for legal purposes, by delivering the notice to such an address;
- (d) Registered or certified post addressed to his or her last known address;
- (e) In the event of a body corporate, by delivering it at the registered office or the business premises of such body corporate;
- (f) If service cannot be effected in terms of paragraphs (b) to (e) by affixing it to the principal door of entry to the premises, or placing it to a conspicuous place on the land to which it relates.

## **2.2 Authentication of documents**

- (a) Every order, notice of other document requiring authentication by the Council shall be sufficiently authenticated, if signed by the Municipal Manager or by a duly authorized officer of the Council, such authority being conferred by resolution of the Council or by a by-law or regulation;
- (b) Delivery of a copy shall be deemed to be delivery of the original.

## **2.3 Full and final settlement of an amount**

- (a) The Chief Financial Officer shall be at liberty to appropriate monies received in respect of any of its municipal services it deems fit;
- (b) Where the exact amount due and payable to the Council has not been paid in full, any lesser amount tendered to and accepted by any Council employee, except the Chief Financial Officer and/or his/her fully authorized delegate, shall not be deemed to be in final settlement of such an amount;
- (c) The provisions in 2.3(a) above shall prevail notwithstanding the fact that such lesser payment was tendered and/or accepted in full settlement;
- (d) The Chief Financial Officer and/or his/her delegate shall consent to the acceptance of such a lesser amount in writing.

## **2.4 Interest charges**

Interest on arrears outstanding after the due date, will be charged in accordance with Section 64 (2) of the Municipal Finance Management Act (Act 56 of 2003), as set in the Tariff of Charges as approved annually in the setting of the budget, in accordance with Section 24 (2) (c) (ii) of the Municipal Finance Management Act.

## **2.5 Prima facie evidence**

A certificate reflecting the amount due and payable to the Council, under the hand of the Municipal Manager, or suitably qualified person authorized by the Municipal Manager, shall upon mere production thereof be accepted by any court of law as prima facie evidence of the indebtedness.

### **3. POWER OF COUNCIL TO RECOVER COSTS**

#### **3.1 Dishonoured payments**

Where any payment made to the Council is later dishonoured by the bank, the Council may levy such costs and administration fees against an account of the defaulting debtor in terms of the Council's tariff provisions.

#### **3.2 Legal fees**

All legal costs, including attorney-and-own-client costs incurred in the recovery of amounts in arrears shall be levied against the arrears account of the debtor.

#### **3.3 Cost to remind debtors of arrears**

For any action taken in demanding payment from the debtor or reminding the debtor, by means of telephone, fax, email, letter or otherwise, that his/her payments are due, a penalty fee may be levied against the account of the debtor in terms of the Council's tariff provisions.

#### **3.4 Disconnection fees**

Where any service is disconnected as a result of non-compliance with these by-laws by the customer, the Council shall be entitled to levy and recover the standard disconnection fee as determined by the Council from time to time from the user of the services.

#### **3.5 Accounts**

A municipality may:

- (a) Consolidate any separate accounts of persons liable for payments to the municipality;
- (b) Credit any unspecified payment by such a person against any account of that person; and
- (c) Implement any of the debt collection and credit control measures provided for in these by-laws in relation to any arrears on any of the accounts of such a person.

### **4. SERVICE AGREEMENT**

4.1 No supply of electricity services shall be given unless and until application has been made and a service agreement, in the Council's prescribed form in the format or as close as possible to the format reflected in Schedules 1A (Household Consumers) and 1B (Business Consumers), has been entered into and a deposit as security equal to an amount and in the form of either cash or a bank guarantee as determined by the Council from time to time, has been paid in full.

4.2 Termination of the services agreement must be in writing to the other party of the intention to do so.

## **5. ARREARS COLLECTION**

### **5.1 Credit Control Policy**

The Council shall have a written policy on credit control and debt collection, which provides for:

- (a) Credit control procedures and mechanisms;
- (b) Debt collection procedures and mechanisms;
- (c) Provision for indigent debtors that is consistent with its rates and tariff policies and any national policy on indigents;
- (d) Interest on arrears;
- (e) Extensions of time for payment of accounts;
- (f) Termination of services or the restriction of the provision of services when payments are in arrears;
- (g) In determining its policy the Council may differentiate between categories of person, clients, debtors and owners, as it may deem appropriate.

### **5.2 Power to restrict or disconnect supply of services**

- (a) The Council may restrict or disconnect the supply of electricity, or discontinue any other service to any premises whenever a user of any service:
  - (i) fails to make full payment on the due date or fails to make acceptable arrangements for the repayment of any amount for services, rates, or taxes;
  - (ii) fails to comply with a condition of supply imposed by the Council;
  - (iii) obstructs the efficient supply of electricity, or any other municipal services to another customer;
  - (iv) supplies such municipal service to a customer who is not entitled thereto or permits such service to continue;
  - (v) causes a situation which in the opinion of the Council is dangerous or a contravention of relevant legislation;
  - (vi) is placed under provisional sequestration, liquidation or judicial management, or commits an act of insolvency in terms of the Insolvency Act no 24 of 1936;
  - (vii) if an administration order is granted in terms of section 74 of the Magistrates Court Act, 1944 (Act 32 of 1944) in respect of such user;
- (b) The Council shall reconnect and/or restore full levels of supply of any of the restricted or discontinued services only after the full amount outstanding amounts, including the costs of such disconnection and reconnection, if any, have been paid in full, or any other condition or conditions of the Council's Credit Control Policy, as it may deem fit, have been complied with.
- (c) The right to restrict, disconnect or terminate a service due to non-payment for any other service or assessment rate, shall be in respect of any service rendered by Council, and shall prevail, notwithstanding the fact that payment has been made in respect of any specific service, and shall also prevail notwithstanding the fact that the person who entered into agreement for supply of services with the Council and the owner, are different entities or persons, as the case may be.

### **5.3 Power of entry and inspection**

- (a) A duly authorized representative of the Council may for any purpose related to the implementation or enforcement of these by-laws, at all reasonable times or in an emergency at any time, enter premises, request information and carry out such inspection and examination as he or she may deem necessary, and for purposes of installing or repairing any meter or service connection for reticulation, or to disconnect, stop or restrict the provision of any service.
- (b) If the Council considers it necessary that work be performed to enable an officer to perform a function referred to in (a) above properly and effectively, it may:
  - (i) by written notice require the owner or occupier of the premises, at his or her own expense, to do specified work within a specified period; or
  - (ii) if in its opinion the situation is a matter of urgency, without prior notice, do such work or cause it to be done at the expense of the owner.
- (c) If the work referred to in (b) above is carried out for the sole purpose of establishing whether a contravention of these by-laws has been committed and no such contravention has taken place, the Council shall bear the expense connected therewith together with that of restoring the premises to their former condition.

### **5.4 Arrangements to pay outstanding and due amount in consecutive installment**

- (a) A debtor may enter into a written agreement with the Council to repay any outstanding and due amount to the Council under the following conditions:
  - (i) the outstanding balance, costs and any interest thereon shall be paid in regular and consecutive monthly installments within a reasonable period of time, also taking into consideration the billing of future rates and services;
  - (ii) the written agreement has to be signed on behalf of the Council by a duly authorized officer.
- (b) Should any dispute arise as to the amount owing by an owner in respect of municipal services, the owner shall notwithstanding such dispute proceed to make regular minimum payments based on the calculation of the average municipal account for the preceding three months prior to the arising of the dispute and taking into account interest as well as the annual amendments of tariffs of the Council.

### **5.5 Reconnection of services**

The Chief Financial Officer shall authorize the reconnection of services or reinstatement of service delivery after satisfactory payment and/or arrangement for payment has been made according to the Council's Credit Control Policy.



## **6. ASSESSMENT RATES**

### **6.1 Amount due for assessment rates**

- (a) All assessment rates due by property owners are payable by the due date as determined by Council.
- (b) Joint owners of property shall be jointly and severally liable for payment of assessment rates.
- (c) Assessment rates will be levied in equal monthly installments, as determined by council, or in one annual payment, as per a written agreement.
- (d) Payment of assessment rates may not be deferred beyond the due date by reason of an objection to the valuation roll.

### **6.2 Claim on rental for assessment rates in arrears**

The Council may apply to Court for the attachment of any rent due in respect of rateable property, to cover in part or in full any amount outstanding in respect of assessment rates for a period longer than three months after the fixed date.

### **6.3 Liability of company directors for assessment rates**

Where a company, closed corporation or a body corporate in terms of the Sectional Titles Act, 1986 is responsible for the payment of any arrears amount to the Council, the liability of such entity shall be extended to the directors or members thereof jointly and severally, as the case may be.

### **6.4 Disposed of Council's property and payment of assessment rates**

- (a) The purchaser of Council property is liable for the payment of assessment rates on the property in respect of the financial year in which the purchaser becomes the new owner.
- (b) In the event that the Council repossesses the property, any outstanding and due amount in respect of assessment rates shall be recovered from the purchaser.

### **6.5 Restraint of transfer of property**

- (a) A registrar of deeds or other registration officer of immovable property may not register the transfer of property except on production of a prescribed certificate:
  - (i) issued by the municipality in which that property is situated; and
  - (ii) which certifies that all amounts due in connection with that property for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties have been fully paid.

- (b) In the case of the transfer of immovable property by a trustee of an insolvent estate, the provisions of this section are subject to section 89 of the Insolvency Act, 1936 (Act No. 24 of 1936).
- (c) An amount due for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties is a charge upon the property in connection with which the amount is owing and enjoys preference over any mortgage bond registered against the property.

#### **6.6 Assessment rates payable on municipal property**

- (a) The lessee of municipal property is responsible for payment of any general assessment rates payable on the property for the duration of the lease, as if he is the owner of such property.
- (b) The Chief Financial Officer may elect to include the assessment rates in respect of a property in the rent payable by the lessee, instead of billing it separately as in the case of owners of properties.

### **7. RELAXATION, WAIVER AND DIFFERENTIATION**

- 7.1 The Council may differentiate between different categories of properties, different categories of owners, users of services, customers, debtors, taxes, services, service standards and other matters.
- 7.2 The Council may, in a specific instance and for a particular owner or customer, relax or waive in writing the requirements of a provision of these by-laws.
- 7.3 Any such differentiation or relaxation shall be upon such conditions as it may deem fit to impose if it is of the opinion that the application or operation of that provision in that instance would be unreasonable.

### **8. REPORTING OF DEFAULTERS**

The Council may in its discretion through a duly delegated officer report such persons that owe the Council monies to bodies that collate and retain such information. The information that would be included in such a report shall be the available personal information of the defaulter, or in the event of a legal person, the available statutory details, including information pertaining to the responsible officers of such legal person.

### **9. REPEAL OF COUNCIL CREDIT CONTROL BY-LAWS**

The provisions of any by-law relating to the credit control and debt collection by the Council, are hereby repealed insofar as they relate to matters provided for in these by-laws; provided that such provisions shall be deemed not to have been repealed in respect of any such by-law which has not been repealed and which is not repugnant to these by-laws on the basis as determined by the relevant by-laws.

**10. OFFENCES****10.1 A person who:**

- (a) Fails to give the access required by an officer in terms of these by-laws;
- (b) Obstructs or hinders an officer in the exercise of his or her powers or performance of functions or duties under these by-laws;
- (c) Uses or interferes with Council equipment or consumption of services supplied.

**11. SHORT TITLE**

These by-laws shall be called Hibiscus Coast Municipality Customer Care, Credit Control and Debt Collection By-Laws 2008

**12. COMMENCEMENT**

These by-laws come into effect on the first day of the month following publication hereof.

No. 43

13 kuLwezi 2008

**IMITHETHO YEDOLOBHA EQONDENE NOKUPHATHWA  
KWAMAKHASIMENDE, UKUQOQWA NOKUHLELELWA KWEZIKWELETU**

Lemithetho elandelayo iphasiswe umkhandlu-dolobha uHibiscus Coast ngokwesigaba 156(2) soMthethosisekelo ka 1996, sifundwa nesigaba 98 soMthetho ongamele ukuhlelwa koMasipala (umthetho 32 ka 2000):

**UKUHLELWA KWEZIGABA**

**Isigaba**

1. Izincazelo
2. Izihlinzeko ezijwayelekile
3. Amandla omkhandlu okuqoqa izikwletu
4. Izivumelwano zokusebenza
5. Ukuqoqwa kwenhlawulo ngenxa yokungakhokhi ngendlela
6. Ukuklanywa kwentela
7. Ukuxegisa, ushwele nokuhlukanisa
8. Ukudluliswa kwemininingwane yabakweleta umkhandlu
9. Ukuchithwa kwemithetho yedolobha engamele ukuqoqwa kwezikwletu
10. Amacala
11. Isihloko esifishane
12. Ukuqala kokusebenza kwemithetho

## IZINCAZELO

Ngokwenhloso yalemithetho, ngaphandle kokuba ingqikithi iveza okuhlukile

**“Okuthize”** kuhlenganisa isakhiwo, amapayipi, uphampu, ugcingo lokwakha, izintambo zikagesi, izinsimbi, imishini, nanoma yikuphi okungenayo

**“UMkhandlu”** kusho umkhandlu kamasipala njengokuchazwe esigabeni - 157soMthethosisekelo

**“ukuhlelelwa kwezikweletu”** kusho zonke izinhlelo eziqondene nokuqoqwa kwezimali ezikweletwa abakhokhi bentela kanye nabasebenzisa imisebenzi kamasipala

**“Obhekelele abathengi”** kusho ukunakekela izidingo zabathengi ngokuvumelekile nangokwendlela yokwenza ngokucophelela ukugqugquzela kokukhokhwa, ngalokho-ke kunchipha izidingo zokuphoqa abantu

**“Ikhazimende”** kusho noma yimuphi umuntu kunoma iyiphi indawo lapho umkhandlu uvumile ukudlulisa noma eqinisekisa ukudlulisa imisebenzi, noma uma kungekho muntu ongumhlali kuleyo ndawo, kube ngumnikazi wendawo

**“Inkokhelo”** kusho isaziso esisemthethweni esinjengesitatimende kulowo nalowo mthengi ngenani elinqunyiwe okumele alikhokhe ngemisebenzi kamasipala, kuhlenganisa nayo yonke enye imali okungenzeka iyisikweletu esele kwi-akhawunti

**“Inzalo”** kuchaza inhlawulo elingana nenhlawulo ekhokhelwa imisebenzi nebalwa ngokwesinqumo esikhushwe umkhandlu ngazo zonke izikweletu ezisalele ngemuva

**“Imisebenzi kamasipala”** kusho leyo misebenzi, intela, kanye nentela evela kwi-akhawunti kamasipala ngemisebenzi eyenziwe umkhandlu engakakhokhelwa.

**“I-akhawunti kamasipala”** ingahlenganisa intela, nenhlawulo ngemisebenzi elandelayo kanye/noma izintela:

- a. Ukusetshenziswa kukagesi
- b. Indawo yokuhlala eqashisayo kanye nezimali ezikhokhwa njalo ngenyanga
- c. Izinkokhelo ezinhlobonhlobo
- d. Ukuthuthwa kukadoti
- e. Ukuthuthwa kwendle
- f. Intela kanye nenhlawulo ekhokhwa ngokwesilinganiso sendlu
- g. Inzalo kanye nezimali zokuqoqwa kwezikweletu
- h. Izimali zabameli nezinkantolo ngokwesigaba 3.2 kulemithetho yedolobha

“**Okweletayo**” kusho labo bantu abakweleta umkhandlu maqondana nentela kanye / noma inhlawulo ngomsebenzi isikhathi esingaphezu kwezinsuku ezingama-40 ( amashumi amane) kusukela osukwini lokukhokha.

“**Umhlali**” kusho nonoma yimuphi umuntu ohlala noma yikweyiphi indawo, kungabalulekile ukuthi uhlala kuleyo ndawo njengobani

“ **Umikazi wendawo**” kusho :

- a. Umuntu ngezikhathi thize ogunyazwe ngumthetho ukuba kuleyondawo
- b. Uma umuntu osemthethweni engasekho noma ehluleka ukukhokha, noma kunezihibe ezithile ezimvimbayo ngokomthetho, kuyoba yilowo ogama lakhe ligunyaziwe ngokomthetho ukuba abhekelele noma apha the leyondawo njengomphathi, umphathimafa obekiwe, umgcini mafa, ophethiswe inkantolo, oqokelwe ukukhokha izikweletu noma abanye abakhulumeli abasemthethweni.
- c. Esimweni lapho umkhandlu ungakwazi ukuthola lowo muntu, kuyoba yilowo muntu osethubeni lokuthola leyondawo noma isakhiwo esilapho
- d. Esimwemi sezindawo eziqashiswa iminyaka ewu-30 noma ngaphezulu, kuyoba umhlali waleyo ndawo;
- e. Maqondana ne:
  - (i) nomhlaba ochazwe ngokusikwa kwepulani, obhaliswe ngaphansi komthetho wokubhaliswa kwamatayitela (umthetho 95 ka-1986) futhi ngaphandle kokunciphisa okuchazwe ngenhla, umakhi noma amalunga omfelandawonye aphele leyo ndawo, noma
  - (ii) sigaba njengoba kuchaziwe kulowo mthetho , umuntu ogama lakhe libhalisiwwe kuleso sigaba ngaphansi kwetayitela elenziwe futhi kuhlanganisa ngumuntu ongummeli wakhe oqokwe ngokomthetho yilowo muntu;
- f. Noma imuphi umuntu ovumelekile kuhlanganisa nakuba kungagcini kwi-:
  - (i) nkampani ebhaliswe ngokomthetho wezinkampani ka 1973 ( umthetho 61 ka 1973), inkampani eyi-trust, trust *mortis causa*, inkampani encane ebhaliswe ngokomthetho wezinkampani ezincane eziwumfelandawonye ka 1984 (umthetho 69 ka1984), inhlango esebenza ngokuzinikela;
  - (ii) nanoma imuphi uMnyango kaHulumeni
  - (iii) nanoma yimuphi umkhandlu noma ibhodi elisungulwe kulandelwa imithetho evumelekile eNingizimu ne-Afrika;

(iv) Nanoma iyiphi indlu yamanxusa okanye esinye isakhiwo sezizwe

“**Izindawo**” kuhlangerisa nanoma imuphi umhlaba, onemingcele echazwe njengokudwetshwa kwayo kwi-:

- a. pulani elijwayelekile noma umdwebo obhaliswe ngokomthetho weZokuklanywa kweMihlaba, we- 9 ka-1927 noma ngokomthetho 47 ka- 1937 wokubhaliswa kwemihlaba noma;
- b. pulani elibhaliswe ngokomthetho wamatayitela umthetho 95 ka-1986, ngendlu eyakhiwe endaweni engaphansi komkhandlu.

“**UMphathi weZezimali**” kusho umuntu oqashwe umkhandlu ukubheka ukuphathwa kwezezimali zomkhandlu kanye nokuqoqwa kwezikweletu kulabo abakweletu umkhandlu, phakathi kwezinye izinto.

## 2. IZIHLINZEKO EZIJWAYELEKILE

### 2.1 Izaziso kanye nemiqulu

- a. Isaziso noma umqulu okhiswe umkhandlu uyothathwa njengosemthethweni uma ukhishwe wasayindwa umsebenzi ogunyazwe umkhandlu;
- b. Uma isaziso sizodluliselwa kumuntu ngokwalemithetho yedolobha kumele lokho kwenziwe ngokuthi:
  - (i) ahanjiselwe isaziso kuyena noma kulowo muntu ommele nogunyaziwe ngokufanekileyo
  - (ii) kuhanjiswe isaziso kwikheli lakhe lokuhlala noma endaweni yomsebenzi, ishiywe kumuntu obonakalayo uuthi iminyaka yakhe yevile kweyishumi nesithupha futhi okucacile ukuthi uhlala okanye uqashwe khona;
- c. Uma eqoke ikheli lakhe elisemthethweni okuzothunyelwa khona isaziso, sithunyelwe khona;
- d. Ikheli lakhe elibhalisiwe noma ikheli elokugcina elaziwayo
- e. Uma kuyisigungu esiphethe isakhiw, sithunyelwe ehhovisini elibhalisiwe noma ezindaweni zamabhizinisi alesi sigungu
- f. Uma lowo msebenzi ochazwe kwindima (b) kuya ku (e) ungeke wenzeke, isaziso kuyomele sichonywe esichabheni sokungena ngaphakathi, okanye sibekwe endaweni esobala noma ebonakalayo.

### 2.2 UKUFAKAZELWA KWEMIQULU

- a. Zonke izaziso, izigunyazo neminye imiqulu edinga ukufakazelwa ngokusemthethweni iyothathwa njengesemthethweni uma isayinwe umsebenzi ogunyaziswe umkhandlu ngokwesinqumo somkhandlu okanye somthetho-dolobha

- b. Ukudluliswa kwekhophi kuyothwathwa ngendlela efanayo nokudluliswa kwencwadi yokuqala

### **2.3 Ukukhokhwa kwesikweletu ngokuphelele**

- a. uMphathi weZezimali uyoba negunya lokwemukela izimali ezitholwa umasipala njengenkohelo yemisebenzi ethile ehlinzekwa umasipala
- b. Uma inani elinqunyiwe lingakhokhiwe ngokuphelele, kepha kukhokhwe elingaphansi kwalo, leyo mali ngeke yamukelwe njengenkohelo ephelele, ngaphandle uma lokho kwamukelwe uMphathi weZezimali okanye umsebenzi ogunyazwe nguye;
- c. Okuchazwe kwindima 2.3 (a) ngenhla yikho okuyokwemukelwa nakuba kungenzeka ukuthi kwemukelwe inani elingaphansi njenkookhelo yokugcina;
- d. uMphathi weZezimali kanye nommele bayokwamukela leyo mali encane ngokubhala incwadi.

### **2.4 Imali yenzalo**

Ngokomthetho wokuphathwa kwezimali zikamasipala ngokwesigaba-64 (2), imali eseleyo elindelekile ukukhokhwa ngosuku lokugcina iyokwengezwa inzalo (umthetho 56 ka-2003) njengoba kuhlelelwe kwisabiwo-zimali sonyaka ngokuhambisana nesigaba -24 (2) (ii) somthetho.

### **2.5 Ubufakazi obuphathekayo**

Isitifiketi esiveza imali ekweletwa umasipala, nesisayinwe uMphathi kaMasipala okanye omunye umsebenzi ogunyazisiwe, siyokwemukelwa njengobufakazi obuphathekayo ngaleso sikweletu kunoma iyiphi inkantolo.

## **3. AMANDLA OMKHANDLU OKUQOQA IZIKWELETU**

### **3.1 Isithembiso senkokhelo esingafezekiswa**

Lapho ibhange lingayifaki imali ukufezekisa isithembiso senkokhelo esenziwe, umkhandlu unelungelo lokwengeza izimali ezithize kwi-akhawunti yalowo muntu okweleta umkhandlu, ulandela imigomo ebekiwe.

### **3.2 Izindleko zomthetho**



Zonke izindleko zomthetho, kuhlenganisa izimali ezichithelwe abameli nezindleko zikamasipala ziyofakwa kwi-akhawunti yalowo muntu onesikweletu.

### **3.3 Izindleko zokukhumbuzisa abakweletayo izimali ezisalele**

Izindleko zokukhumbuzisa okweletayo ngesikweletu sakhe, okungahlanganisa ukumshayela ucingo, ukumthumela incwadi noma isikhahlamezi, kungenzeka zifakwe kwi-akhawunti yalowo muntu okweletayo kulandelwa imigomo yomkhandlu.

### **3.4 Izindleko zokunqamula imisebenzi kamasipala**

Lapho noma omuphi umsebenzi owehlukeneyo njengomphumela wokungabikho ukuthobelana kwalokho ngomthetho wabathengi, umkhandlu kamele avumele inhlawulo ahpinde abuyise inkokhelo yomgomo wokuhlukana njengokunqunywe umkhandlu ngezikhathi zonke kubasebenzise bomsebenzi.

## **3.5 AMA- AKHAWUNTI**

Umasipala anga:

- a. Hlanganisa nanoma yimaphi amakhawunti ahlukene omuntu onecala lokukhokhela umasipala ;
- b. Thatha nanoma iyphi inkokhelo eyenziwe yilowo okweletayo ayifake kunoma iyiphi yamanye ama akhawunti ache; futhi
- c. Angathatha nanoma iziphi izinyathelo ezichazwe kulemithetho yedolobha ukuqoqa izikweletu ezisalele.

## **4. ISIVUMELWANO SOKUSEBENZA**

- 4.1 Awukho msebenzi kagesi oyonikezelwa ngaphambi kokuthi umuntu afake isicelo ngefomu likamasipala elisemthethweni (imizi ejwayelekile namabhizinisi), bese ekhokha imali eyidiphozi, neyonqunywa umkhandlu.
- 4.2 Ukuphela kwesivumelwano somsebenzi kumele kuthunyelwe ngencwadi yilowo onenhloso yokwenze njalo.

## **5. UKUQOQWA KWENHLAWULO NGENXA YOKUNGAKHOKHI NGENDLELA**

### **5.1 Umgomo oqondene nokuhlelwa nokuphathwa kwezikweletu**

Umkhandlu uyoba nomgomo obhalwe phansi oqondene nokuphathwa kanye nokuqoqwa kwezikweletu, ohlinzekela:

- a. Inqubo yokuhlelwa kwezikweletu;

- b. Inqubo yokuqoqwa kwezikweletu;
- c. Ukuhlinzekela abampofu, okuyohambisana nemigomo kamasipala yokubhekela abampofu, kanye nekahulumeni kuzwelonke
- d. Inzalo kwinhlawulo yokungakhokhi
- e. Ukwengezwa kwesikhathi sokukhokhelwa ama-akhawunti;
- f. Ukuphela komsebenzi noma ukumiswa komsebenzi uma sekuze kwadlula isikhathi kungakhokhiwe, kwangena nenye imali yenzalo ngaphezulu ;
- g. Ngenkathi unquma ngaloluhlelo, umkhandlu ungahlukanisa ngendlela obona kufanele phakathi kwezigaba zabantu, abathengi, abakweletayo, kanye nabanikazi.

## **5.2 Amandla okunciphisa noma okunqamula ukudluliswa kwemisebenzi**

- a. Umkhandlu unganciphisa okanye unqamule ukudluliswa kwamandla kagesi, noma umise noma ngabe yimuphi umsebenzi kunoma iyiphi indawo uma ngabe ohlomula ngokusebenzisa lowo msebenzi:
  - (i) ehluleka ukukhokha ngokugcwele ngosuku olunqunyiweyo noma ohluleka ukwenza izinhlelo ezivumelekile zokukhokha lelo nani, ntela ayikweletayo;
  - (ii) ehluleka ukuhambisana nombandela onqunywe umkhandlu;
  - (iii) evimbela ukudluliselwa kukagesi noma eminye imisebenzi komunye umuntu;
  - (iv) edlulisela umsebenzi kamasipala noma evuma ukuba kuqhutshekwe kudluliselwe imisebenzi kamasipala kumthengi ongavumelekile;
  - (v) obangela isimo ngokombono womkhandlu esiyingozi noma obangela ukwaphulwa kwemithetho;
  - (vi) obekwe ngaphansi kwamandla enkantolo isikhashana , izikweletu zakhe ziphethwe umthetho noma owenza okuphathelene nalokho ngokomthetho i-Insolvency Act, umthetho no. 24 ka-1936;
  - (vii) uma umthetho unikeze igunya lokuba lowo muntu aphantelwe amandla ngokwesigaba 74 somthetho ongamele iziNkantolo zeziMantshi ka 1944 (umthetho 32 ka-1944);
- b. Umkhandlu uyobuyele uxhume okanye ubuyisele umsebenzi esimweni esijwayelekile emva kokuba yonke imali ekweletwayo ikhokhwe ngokuphelele, kuhlanganisa nezimali eziyinkokhelo yokwenza lowo msebenzi wokuxhuma kabusha lowo msebenzi onqanyulwe, kanye nanoma iyiphi enye imali njengoba inqunywe kwinqubo-mgomo yomkhandlu eqondene nokuphathwa kwezikweletu.

- c. Umkhandlu uyoba nelungelo lokubamba noma ukuvala umsebenzi ngenxa yokungakhokhelwa kwemisebenzi ehlinzekwa umkhandlu noma izintela ezithize, noma ngabe kukhona inkokhelo eyenziwe eqondene nemisebenzi ethize, futhi lelo lungelo uyophinde uligodle nakuba kungenzeka ukuthi umnini ndawo akusiye owangena kwisivumelwano nomkhandlu.

### 5.3 Amandla okungena kanye nokuhlola

- a. Umsebenzi omele umkhandlu ngokusemthethweni unelungelo lokungena abuye ahlole nanoma iyiphi indawo ngenhloso yokuqinisekisa ukugcinwa kwalemithetho yedolobha, okanye ngezinhloso zokuxhuma noma ukulungisa nanoma iyiphi into elimele, okanye ezonciphisa, ezovala noma ezonqamula nanoma imuphi umsebenzi.
- b. Uma umkhandlu ubona kubalulekile ukuba kwenziwe umsebenzi othize ngaphambi kokuba umsebenzi kamasipala afike ukuzokwenza umsebenzi ochazwe ngenhla, kungenzeka:
- (i) ubhalele umninindawo noma umhlali umyalele ukuba enze lowo msebenzi ngokwezindleko zakhe kungakapheli isikhathi esithile noma;
  - (ii) uma ngokombona wawo isimo siphuthuma, umkhandlu uwenze wona lowo msebenzi okanye uthumele ukuba wenziwe kepha ukhokhelwe umninindawo.
- c. Uma umsebenzi uchazwe ku (b) ngaphezulu wenziwa ngenhloso yokuhlola ukuthi lemithetho iphuliwe na, bese kuvela ukuthi akunjalo, izindleko zalowo msebenzi kanye nokubuyisela indawo esimweni sayo sakudala ziyothwalwa umkhandlu.

### 5.4 Izinhlelo zokukhokha imali esele kanye nemali enqunyiwe ngokulandelana ngamancozuncozu

- a. Umuntu okweletayo angangena esivumelwaneni esibhalwe phansi sagunyazwa umkhandlu ukuba akhokhele noma yiyiphi imali esele ngaphansi kwemibandela elandelayo:
- (i) imali eshodayo, inhlawulo kanye nenzalo kungakhokhwa ngamancozuncozu nyangazonke ngokuhlelwa okufanele, kubuye kubhekwe nezimali ezizoqhubeka nokufakwa kuma-akhawunti njengenkokhelo yemisebenzi esikhathini esizayo.
  - (ii) isivumelwano esibhalwe phansi kumelwe sisayindwe omkhulu ophethe ovunyelwe ngokufanele esikhundleni somkhandlu .
- b. Uma kwenzeka kuvela noma yimuphi umbango ngemali ekwweletwa umnikazi wendawo ngenxa yezindleko zikamasipala, umnikazi wendawo akanganaki nokho lowo

mbango aqhubeke nokukhokha ngokujwayelekile ngangokusho kwezibalo zesilinganiso ye-akhawunti kamasipala ngokuqala ezinyangeni ezintathu ngaphambi kokunyuswa umbango kanye nokuthathwa kwenzalo kuma-akhawunti kanye kanye nenguqokoyanjalo njalo kanye ngonyaka yamaphoyisa omgwaggo awomkhandlu.

### **5.5 Ukubuyiselwa esimweni kwemisebenzi**

UMphathi weZezimali uyogunyaza ukuphinda kubuyiselwe esimweni imisebenzi kamasipala ngemuva kokwamukela inkokhelo kanye / noma ukuhlelwa kwendlela yokukhokha eseyenziwe njengokusho kwenqubo yokuhlelwa izikweleti zomkhandlu.

## **6. UKUKLANYWA KWENTELA**

### **6.1 Inani elilindelwe ngentela eklanyiwe**

- a. Yonke inqubo yentela enqunye abanikazi bendawo ikhokhwa ngosuku olubekiwe njengokunqunyiwe womkhandlu
- b. Ukuhlangana kwabanikazi bendawo akubambisene kanye nokuhluleka okumbalwa kokukhokhela intela enqunyiwe.
- c. ukunqunywa kwentela kuzonqunya ngokulingana kokukhokha nyangazonke njengokunqunyiwe umkhandlu noma kube ukukhokha kanye njalo ngonyaka , njengesivumelwano esibhalwe phansi.
- d. ukukhokhelwa kwentela okunqunyiwe akungabi nomehluko ukudlula usuku olunqunyiwe ngenhloso yokuphikisana nesinqumo sentengo elinganisiwe.

### **6.2 Ukufakwa kwesicelo sokudla imali yerenti ngenxa yemali yam-rates engakhokhiwe**

Umkhandlu ungafaka isicelo enkantolo sokuhlanganisa noma iyiphi irenti ngendlela yokukhokheleka kwentela yendawo, ngokukhokhela ingxenye noma yonke imali esalele ngokwenqubo yentela uma usuku olunqunyiwe selweqile ezinyangeni ezintathu.

### **6.3 Isibophezelo sabaqondisi bezinkampani ukukhokha inhlawulo yentela yezakhiwo**

Lapho inkampani yomfelandawonye noma amalunga omfelandawonye ngokomthetho wamatayitela ka1986, inesibophezelo sokukhokhelwa kwanoma iyiphi inhlawulo kumkhandlu, leso sikweletu siyodluliselwa kubaqondisi baleyo nkampani, ndawonye noma umuntu ngamunye ngamunye.

#### **6.4 Ukukhokhwa kwentela ngempahla yomkhandlu ethengisiwe**

- a. Umthengi wendawo yomkhandlu unesibopho sokukhokhela intela enqunyiwe ngendawo ngonyaka wezimali athenge ngawo leyo ndawo.
- b. Uma kwenzeka umkhandlu uphinde uyidla leyo ndawo, nanoma iziphi izimali ezisalele kuyomele zikhokhwe umthengi.

#### **6.5 Ukumiswa kokubhaliswa kwendawo ngomnikazi omusha**

- a. Irejista yezinto noma okunye okubhalisiwe kumphakathi wempahla engenakususwa ongeke ukwazi ukubhaliselwa ekudlulisweni kwempahla kphela kokwenzelwa isitifiketi esimisiwe:
  - (i) esikhishwe umasipala wakuleyo ndawo eyakhiwe futhi
  - (ii) esivumelana nalo lonke inani elinqunywe ekuhlanganeni kwemali enqunywe umsebenzi kamasipala ,imali enqanyulwe inhlawulo yentela eyelekiweyo yempahla kanye nezinye izintela zikamasipala ,inhlawulo kanye nezinye izidingo kumele zikhokhwe ngokuphelele
- b. esikhundleni sokudluliswa kwempahla engenakususwa , wumphathi obekiwe wefa lomuntu ongasekho ukulungisela lesi sigaba kumsuka wesigaba-89 somuntu owabhala i8fa ongasekho uthetho-1936 ( umthetho sisekkelo-24 ka-1936)
- c. Inani elinqunyiwe lezindleko zomsebenzi kamasipala , imali enqunyelwe inhlawulo ephindiwe, intela yempahla kanye nezinye izintela zikamasipala izinhlawulo kanye nezinye izinto ezibanjwayo futhi nokujabulela ngothando ngaphezulu kwanoma eyiphi imali ebanjiwe ebhaliselwe esikhundleni sempahla

#### **6.6 Ukunqunywa kwentela ekhokhwa endaweni kamasipala**

- a. Umsebenzisi wendawo kamasipala ubhekelele ukukhokhela noma esiphiisinqumo esijwayelekile sokukhokhela intela yendawo ngobungako besikhathi sesivumelwano nomuntu oqashile njengokuba echishe eba umnikazi waleyondawo.
- b. Umpathi omkhulu wezimali angakhetha ukuhlanganisa isinqumo sentela ngokubhekelelwa kwendawo emalini esikhundleni sokuthi bayithumelele ngokwehlukana njengendada yabanikazi bendawo

### **7. UKUXEGISA, USHWELE NOKUHLUKANISA**

- 7.1 Umkhandlu ungahlukanisa phakathi kwezinhlobo ezehlukene zezindawo , izinhlobo ezehlukene zabanikazi bendawo , abasebennzisi bezinto zokusebenza , abakweleti , intela imisebenzi ,izinga lomsebenzi kanye nokunye okuthile
- 7.2 Umkhandlu ungakhululeka noma uyekele ekubhaleni izidingo zokulungisela esibonisweni esithile futhi nakubanikazi abathile bendawo noma kumthengi, lokhu ngemithetho.
- 7.3 Noma yikuphi ukwahlukaniswa noma ukukhululwa akube ngaphansi kwesimiso esithile ongakwazi ukucabanga okufanele ukunquma uma kuwumbono wokuthi isicelo noma ukusebenza kwalokho kulungisela kulokho kolokho kokubonakala okumele kungabinasizathu

## **8. UKUDLULISWA KWEMININGWANE YABAKWELETA UMKHANDLU**

Umkhandlu unelungelo lokudlulisela ulwazi ngalabo bantu abawukweletayo ezinhlanganweni ezisebenza ngalolo lwazi. Ulwazi oluyodluliswa ngaleyo ndlela luyohlanganisa imininingwane ekhona ngalowo muntu, kanti uma lowo muntu kuyinkampani, kudluliselelwe ulwazi olukhona ngabantu baphethe leyo nkampani.

## **9. UKUCHITHWA KWEMITHETHO YEDOLOBHA YOMKHANDLU ENGAMELE UKUQOQWA KWEZIKWELETU**

Nanoma imiphi imithetho-dolobha ebikhona engamele ukuqoqwa nokuphathwa kwezikweletu iyachithwa uma ngabe lokho ekhuluma ngakho kuvela nakulemithetho.; futhi leyo mithetho engachithiwe iyothathwa njengesemthethweni lapho ingashayisani nokuhlinzekwe kulemithetho yedolobha.

## **10. AMACALA**

### **10.1 Umuntu-:**

- a. Olulekayo ukkunika izidingo ezifunwa umphathi ngendlela yalemithetho
- b. Ovimbela noma ovimbela umphathi ekwenzeni umsebenzi noma ekwenzeni okungaphansi kwalokhu ngomthetho
- c. Ukusebenza noma ukungenelela kwezinto zokusebenza zomkhandlu noma ukuqedwa kokudluliswa komsebenzi

## **11. ISIHLOKO ESIFISHANE**

Lokhu ngomthetho kungabizwa ngokunakekelawa kwabathengi bese Hibiscus Coast Municipality, ukuhlelwa kokuthenga kanye nokuqoqwa kwezikweleti ngomthetho-2008

**12. UKUQALA KOKUSEBENZA KWEMITHETHO**

Lemithetho iyosetshenziswa ngokusemthethweni kusukela mhlaka 01 Julayi 2008.

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**ADVERTISEMENTS—ADVERTENSIES—IZIKHANGISO**

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[Regulation 21(10) of the Development Facilitation Regulations in terms of the Development Facilitation Act, 1995]

INHLOSO PLANNING cc. (for and on behalf of Coinad Property and Investment (Pty) Ltd), P O Box 10264, Meerensee, 3901, has lodged an application for a land development area in terms of the Development Facilitation Act for the establishment of a land development area on proposed Portion 13 (of 1) of Erf 397, Richards Bay.

The land development applicant intends to establish a KFC Drive-Thru fast food outlet, as well as informal traders stalls, at the LAC commercial node within Meerensee. The development will consist of a KFC Drive-Thru building of 320m<sup>2</sup>, 6 informal traders buildings (jointly 216m<sup>2</sup>) catering for 22 informal traders and include sanitation facilities. A total of 23 on-site parking bays will be provided.

The relevant plan(s), document(s) and information are available for inspection at: Office No. 53, 1st Floor, Civic Centre, corner of Commercial Road and Turnbull Street, Empangeni: for a period of 21 days from 10 November 2008.

The application will be considered at a Tribunal hearing to be held at: Council Chamber, 1st Floor, Civic Centre, corner of Mark Strasse & East Central Arterial, Richards Bay on 13 February 2009 at 10h00 and the pre-hearing conference will be held at: Council Chamber, 1st Floor, Civic Centre, corner of Mark Strasse & East Central Arterial, Richards Bay on 9 December 2008 at 10h00.

You may attend an inspection in loco of the land development area which will be conducted by the Tribunal on 12 February 2009 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 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.

Any written objection or representation must be delivered to the designated officer: MS THOBILE MASHITA, at Office No. 53, 1st Floor, Civic Centre, corner of Commercial Road and Turnbull Street, Empangeni: for a period of 21 days from 10 November 2008.

And you may contact the designated officer if you have any queries on:

Telephone Number: 035 – 907 5660

Fax Number: 035 – 907 5444

E-mail: mashitat@richemp.org.za



[Regulasie 21(10) van die Regulasies op Grondfasilitering ingevolge die Wet op Ontwikkelingsfasilitering, 1995]

INHLOSO PLANNING bk. (namens Coinad Property and Investment (Pty) Ltd) Posbus 10264, Meerensee, 3901, het aansoek gedoen ingevolge die Wet op Ontwikkelingsfasilitering, 1995, vir die stigting van 'n grondontwikkelingsgebied op:

- i. Voorgestelde Gedeelte 13 (van 1) van Erf 397, Richardsbaai

Die ontwikkeling sal bekend staan as "Meerensee KFC Drive-Thru" en sal bestaan uit 320m<sup>2</sup> KFC Drive-Thru gebou en 6 informele markstalgeboue (gesamentlik 216m<sup>2</sup>) wat voorsiening maak vir 22 informele handelaars en sanitasiegeriewe. Die ontwikkeling is geleë in die Meerensee LAC kommersiële node. In totaal sal 23 parkeerruimtes op die perseel uitgelê word.

Die relevante planne, dokumente en inligting is beskikbaar vir inspeksie te Kantoor No. 53, 1ste Vloer, Burgersentrum, op die hoek van Commercial- en Turnbullstraat, Empangeni vir 'n periode van 21 dae vanaf 10 November 2008.

Die aansoek sal verhoor word tydens 'n Tribunaalverhoor wat gehou sal word te Raadsaal, 1st Vloer, Burgersentrum, op die hoek van Mark Strasse & East Central Arterial, Richardsbaai op 13 Februarie 2009 om 10h00 en die voor-verhoor samesprekings sal gehou word te Raadsaal, 1st Vloer, Burgersentrum, op die hoek van Mark Strasse & East Central Arterial, Richardsbaai op 9 Desember 2008 om 10h00.

Die Tribunaal sal 'n in loco inspeksie van die grondontwikkelingsgebied onderneem op die 12de Februarie 2009 om 14h00, wat u welkom is om by te woon.

Enige persoon wat 'n belang het by die aansoek moet asseblief kennis neem:

1. U mag binne 'n periode van 21 dae vanaf die eerste publikasie van hierdie kennisgewing, die aangewese beampte skriftelik van u besware of verhoë in kennis stel; en
2. Indien u kommentaar neerkom op 'n beswaar met betrekking tot enige aspek van die grondontwikkelingsaansoek, moet u persoonlik of deur 'n verteenwoordiger, voor die Tribunaal verskyn op die datum hierbo genoem.

Enige geskrewe beswaar of verhoë moet ingedien word by die aangewese beampte: ME THOBILE MASHITA, te Kantoor No. 53, 1ste Vloer, Burgersentrum, op die hoek van Commercial- en Turnbullstraat, Empangeni of Privaatsak X1004, Richardsbaai, 3900 en u mag in aanraking kom met die aangewese beampte indien u enige navrae het by:

Telefoon Nommer: 035 – 907 5660  
Faks Nommer: 035 – 901 5444  
E-mail: mashitat@richemp.org.za

**PUBLIC NOTICE**

[Regulation 21(10)(c) of the Development Facilitation Regulations in terms of the Development Facilitation Act, Act 67 of 1995]

Alrose Properties (Pty) Ltd, represented herein by Siyazama Consulting, has lodged an application for the establishment of a land development area to be known as Royal Palm Industrial Estate, over the property described as Rem of Portion 6, Rem of Portion 13, Rem of Portion 10 and a portion of Rem of Portion 19, all of the Farm Chaka's Kraal No. 865 in terms of Chapter V of the Development Facilitation Act, Act 67 of 1995.

The land development area will comprise 49 (forty nine) erven to be zoned for light industry, 1 (one) erf to be zoned for education and to be developed as a training centre, 6 (six) erven to be zoned as public open space, 3 (three) erven to be zoned special residential, roads and infrastructure.

The relevant plan(s), document(s) and information are available for inspection at KwaDukuza Municipality, 10 Leonora Drive Ballito.

**The application will be considered at a tribunal hearing to be held in the Ballito Council Chambers on 23 January 2009 at 10h00.**

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 **22 January 2009** at 14H00. A pre-hearing conference will be held in the Ballito Council Chambers on 26 November 2008 at 10H00. Any person having an interest in the application should please note:

1. You may within a period of 21 days from 27 October 2008, 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, Malcolm Moonsamy at:**

**KwaDukuza Municipality  
Corner Chief Albert Luthuli Street  
and Mahatma Ghandi Street  
Stanger**

or

**KwaDukuza Municipality  
P O Box 72  
Stanger  
4450**

You may contact the Designated Officer if you have any queries on telephone no. 032 – 9468000/8021 and fax no. 032 – 946 8067.

**GREENE LAND****Notice in terms of Regulation 21(10) of the Development Facilitation Regulations  
in terms of the Development Facilitation Act, 1995**

**ROY EDWARD BIGGS AND SHIRLEY JEAN BIGGS**, represented by Owen Murray Greene, P O Box 11. HILTON 3245, has lodged an application in terms of the Development Facilitation Act, 1995, for the establishment of a land development area in respect of the land known as; PORTION 4 OF THE FARM TWEEFONTEIN NO 239 , situate in the KOKSTAD Municipality and will consist of the following: new residential subdivisions: 44 new residential subdivisions; 1 residential subdivision for an existing residence; AND 1 subdivision for roads.

The relevant plans, documents and information are available for inspection at the Sisonke Municipality, 40 Main Street, Ixopo and the Kokstad Municipality, 75 Hope Street, Kokstad, as well as the Kokstad Library, for a period of 21 days from 13 November 2008 .

The application will be considered at a Tribunal hearing to be held at 10h00 on 10 March 2009 at the Mount Currie Inn, Kokstad and the pre-hearing conference will be held at 10:00 on 20 January 2009 at the same venue.

You may attend an inspection in loco of the land development area, which will be conducted by the Tribunal on 9 March 2009 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 pre-hearing conference, on the date mentioned above.

Any written objection or representation must be delivered to the designated officer, within the said period of 21 days. These objections must be in writing and addressed to the Designated Officer, at the following address, telephone number and fax number; Mrs Zanele Manyanga, Office of the Municipal Manager, 40 Main Street, Ixopo. Telephone 039 834 8770 or Fax 039 834 1700.

Dates of Notice: 13 November 2008 and 20 November 2008.

## GREENE LAND

### Umthetho 21(6) wemithetho yokuKhuthaza iNtuthuko ngokulandela uMthetho wokuKhuthaza iNtuthuko ka-1995

**ROY EDWARD BIGGS AND SHIRLEY JEAN BIGGS** umelwe u**OWEN MURRAY GREENE** ufake isicelo sendawo yomhlaba othuthukiswayo ngokulandela uMthetho wokuKhuthaza iNtuthuko ka-1995.

Isicelo simayelana nokuthuthukisa umhlaba olandelayo: PTN 4 OF THE FARM TWEEFONTEIN NO 239 ipulazi likhona KOKSTAD Municipality. Futhi siyobandakanya lokhu okulandelayo: kuzobe kunendawo yokuwakha –44 new residential subdivisions, 1 subdivision for an existing residence and 1 subdivision for roads.

Ipulani (amapulani), incwadi (izincwadi) neminingwane edingekayo ukuze ihlolwe itholakala: Sisonke Municipality; 40 Main Street, Ixopo and the Kokstad Municipality, 75 Hope Street, Kokstad e Library, Kokstad, isikhathi esiyizinsuku ezingamashumi amabili nanye kusukela 13 November 2008.

Izincwadi zingabekelwa futhi eqoqweni lamabuku eHluhluwe. Zohlala khona izinsuku eziwu 13, kuqala ngo 20 November 2008.

Isicelo siyocutshungulwa eNkundleni yokulalela izicelo eyohlala Mount Currie Inn, Kokstad mhla ka 10 March 2009 ngo 10:00 kanti umhlangano wokwendulela uyoba mhla ka 10h00 ngo 20 January 2009 kuleyo ndawo futhi.

Uyaziswa ukuthi ungaba khona lapho kuhlolwa mathupha umhlaba othuthukiswayo okuyokwenziwa yiNkundla yokulalela mhla ka 9 March 2009 ngo 14:00.

Qaphela ukuthi ngokulandela uMthetho wokuKhuthaza iNtuthuko ka-1995:

1. Ezinsukwini ezingu-21 isaziso simenyazelwe, siganikezwa isiphasthi-mandla esiqokiwe umbono obhalwe phansi ukusekela isicelo, noma yimuphi omunye umbono ofisa ukuwuveza okungesona isikhalo, uma kuyisikhalo akudingeki ukuba ube khona enkundleni yokulalela izicelo; noma
2. Uma umbono wakho kuyisikhalo esiqondene nokuthile mayelana nesicelo sokuthuthukisa umhlaba, wena noma ummeli wakho kufanele abe khona mathupha enkundleni ngosuku olubhalwe ngenhla, noma yiluphi olunye usuku oyokwaziswa lona.

Uma kukhona imibuzo onayo thintana nesiphasthi-mandla esiqokiwe lapha: Mrs Zanele Manyanga, Office of the Municipal Manager, 40 Main Street, Ixopo ; inombolo yocingo : 039 8348770 , inombolo yefeksi: 039 8341700.

**Usuku lwesaziso:** 13 November 2008 and 20 November 2008

### NOTICE OF ESTABLISHMENT OF A LAND DEVELOPMENT AREA

PLANKONSULT has lodged an application in terms of the Development Facilitation Act, 1995 (Act 67 of 1995) for the establishment of a land development area on Erf 1779 Port Shepstone, Hibiscus Coast Municipality.

The development will consist of the following:

A township development consisting of 10 Medium Impact Industrial Erven, 14 Low Impact Industrial Zone 1 erven, 1 Undetermined Erf and 1 Private Road Erf.

The relevant plan(s), document(s) and information are available for inspection at Port Shepstone Library, Civic Centre, Reynolds Street in Port Shepstone, for a period of 21 days from 13 November 2008.

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 29 January 2009 at 14:00.

A Pre-hearing Conference has been scheduled for 5 December 2008 at 10:00 at Hibiscus Coast Council Chambers, corner of Connor Street and Reynold Street, Port Shepstone.

The application will be considered at a Tribunal Hearing to be held on 30 January 2009 at 10:00 at Hibiscus Coast Council Chambers, corner of Connor Street and Reynold Street, Port Shepstone.

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 (13 November 2008), 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 may but you are not obliged to 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 Department of Local Government and Traditional Affairs, and you may contact the Designated Officer at the following:

Designated Officer	:	Ms Rejoice Mbata
Address	:	Department of Local Government and Traditional Affairs Private Bag X54310 DURBAN 4000
Telephone Number	:	031 – 204 1791
Fax Number	:	031 – 204 1980

### KENNISGEWING VAN STIGTING VAN 'N GRONDONTWIKKELINGSGBIED

PLANKONSULT het 'n aansoek ingevolge die Wet op Ontwikkelingsfasilitering 1995 (Wet 67 van 1995) ingedien vir die stigting van 'n grondontwikkelingsgebied op Erf 1779 Port Shepstone, Hibiscus Coast Munisipaliteit.

Die ontwikkeling sal bestaan uit die volgende:

'n Ontwikkeling bestaande uit 10 Medium Impak Nywerheidsere, 14 Lae Impak Nywerheidsone 1 erwe, 1 Onbepaalde erf en 1 Privaat Pad Erf.

Die betrokke planne, dokumente en inligting is ter insae beskikbaar by die Port Shepstone Biblioteek, Stadsaal, Reynoldstraat, Port Shepstone vir 'n tydperk van 21 dae vanaf 13 November 2008.

Betrokkenes word hiermee in kennis gestel dat 'n ter plaatse inspeksie van die grondontwikkelingsgebied bygewoon mag word op 29 Januarie 2009 om 14:00.

'n Voorverhoor konferensie is geskeduleer vir 5 Desember 2008 om 10:00 te Hibiscus Coast Raadskamer, hoek van Connor- en Reynoldstraat, Port Shepstone.

Die aansoek sal oorweeg word tydens die sitting van die tribunaal wat gehou sal word om 10:00 op 30 Januarie 2009 te Hibiscus Coast Raadskamer, hoek van Connor- en Reynoldstraat, Port Shepstone.

Enige persoon wat 'n belang in die aansoek het moet daarop let dat:

1. Belanghebbendes mag die aangewese beampte van geskrewe besware of vertoë voorsien binne 'n tydperk van 21 dae vanaf die datum van die eerste publikasie van hierdie kennisgewing (13 November 2008); of
2. Indien enige kommentaar 'n beswaar teen enige aspek van die grondontwikkelingsaansoek daarstel, sodanige persoon of sy verteenwoordiger persoonlik voor die tribunaal kan verskyn op die datum hierbo vermeld, maar is nie verplig nie.

Enige geskrewe beswaar of vertoë moet by die aangewese beampte te Departement van Plaaslike Regering en Tradisionele Aangeleenthede afgelewer word en die aangewese beampte kan gekontak word by:

Aangewese beampte: Ms Rejoice Mbata

Adres: Departement van Plaaslike Regering en Tradisionele Aangeleenthede  
Privaatsak X54310  
DURBAN  
4000

Telefoonnommer: 031-204 1791  
Faksnommer: 031-204 1980

13-20

**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**

Udidi Project Development Company (Pty) Ltd acting on behalf of Transnet, has lodged an application in terms of the Development Facilitation Act for the establishment of a land development area on Portion of Erf 1097 Whispers Remainder and will consist of a multi-products pipeline pump station that will form part of the New Multi Products Pipeline from Durban to near Heidelberg in Gauteng.

The relevant plan(s) and information are available for inspection at the uMshwathi Municipality at Main Road, New Hanover for a period of 21 days from 7<sup>th</sup> November 2008.

A Pre-hearing Conference will be held in the Committee Room/Council Chamber, uMshwathi Municipality on 2<sup>nd</sup> December 2008 at 10h00.

All interested and affected parties are hereby informed that they may attend an inspection *in loco* at the land development area which will be conducted by the Tribunal on 2<sup>nd</sup> February 2009 at 14h00

The application will be considered at a tribunal hearing to be held in the Council Chamber, uMshwathi Municipality on 3<sup>rd</sup> February 2009 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 (7<sup>th</sup> November 2008), 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 may but you are not obliged to appear in person or through a representative before the Tribunal on the dates mentioned above, or on any other date of which you may be given notice.

Any written objection or representation must be delivered or posted to the Designated Officer, Mr. Ashley Hay, uMshwathi Municipality, Private Bag X29, Wartburg, 3233. The physical address is as follows: Main Road, New Hanover.

And you may contact the Designated Officer if you have any queries on telephone no. 033-502-0280, fax no. 033-502-0286.

**ISAZISO SOMUGOMO 21 (10) WE DEVELOPMENT FACILITATION REGULATIONS  
NGOKWEMIALELO YOMTHETHO WE DEVELOPMENT FACILITATION ACT  
UMTHETHO NOMBOLO 67 KA 1995**

Inkampani iUDIDI Project Development Company (Pty) Ltd, imele uTransnet, isifake isicelo ngokwemigomo yeDevelopment Facilitation Act mayelana nokuthuthukiswa komhlaba oyisiqeshana sendawo Erf 1097 Whispers Remainder, kanti lentuthuko izokuba iMulti-Products Pipeline Pump Station ezokuba yinxenye yeMulti-Products Pipeline entsha esuka eThekwini ize ifike ngaseHeidelberg Egoli (Gauteng).

Loluhlelo noma izinhlelo kanye nolwazi lutholakala emmahhovisi woMkhandlu uMshwathi ase Main Road, New Hanover esikhathini esiyizinsuku ezingu 21 kusukela kumhlaka 7 November 2008.

Inggungquthela yokulalelwa kwezicelo izokuba semkhadlwini uMshwathi Committee Room/Council Chamber, ngomhlaku 2 December 2008 ngo 10h00.

Bonke abuthintekayo nabanentshisekelo kulokhu bayoziswa ukuthi bahambele ukubukwa kwendawo ezothuthukiswa okuyokwenziwa yisigungu esithatha izinqumo ngomhlaka 2 February 2009 ngo 14h00

Lesicelo sizobhekisiswa kwi Tribunal ezokuba semkhadlwini uMshwathi Council Chamber, ngomhlaku 3<sup>rd</sup> February 2009 ngo 10h00.

Noma ngubani onentshisekelo ngalesicelo kumele azi lokhu:

1. Kumele ngezinsuku ezingu 21 kusukela ngosuku kukhishwa ngalo isaziso (07 November 2008) , wenze iziphakamiso noma izethulo zakho; noma
2. Uma ukuphawula kwakho kuphikisana nanoma isiphi isicelo sohlelo lokuthuthukiswa komhlaba, ungakwenza lokho kodwa awuphoqelekile ukuthi uvele siqu sakho kwi Tribunal ngosuku olunqunyiwe noma ngabe iluphi olunye usuku onganikezwa ngalo isaziso

Iziphakamiso zingathunyelwa noma zilethwe kuMr. Ashley Hay oyiDesignated Officer kulelikheli: uMshwathi Municipality, Private Bag X29, Wartburg, 3233, noma zilethwe mathupha kulendawo: Main Road, New Hanover.

Ungaxhumana nobhekele loludaba oyi Designated Officer kulenombolo: 033-502-0280, fax no. 033-502-0286.

**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**

Udidi Project Development Company (Pty) Ltd acting on behalf of Transnet, has lodged an application in terms of the Development Facilitation Act for the establishment of a land development area on the Remainder of Erf 84 Amanzimtoti, Wanda Cele (Old Main) Road and will consist of a multi-products pipeline pump station that will form part of the New Multi Products Pipeline from Durban to near Heidelberg in Gauteng.

The relevant plan(s) and information are available for inspection at the eThekweni Municipality's South Regional Office at 2 Liberty Street, Lower Illovu or at the Development Planning & City Engineers Building in KE Masinga (Old Fort) Road in Durban for a period of 21 days from 7<sup>th</sup> November 2008.

A Pre-hearing Conference will be held at Lords and Legends, 1600 Riverside Rd, Amanzimtoti on 1<sup>st</sup> December 2008 at 10h00.

All interested and affected parties are hereby informed that they may attend an inspection *in loco* at the land development area which will be conducted by the Tribunal on 26<sup>th</sup> January 2009 at 14h00

The application will be considered at a tribunal hearing to be held at Lords and Legends, 1600 Riverside Rd, Amanzimtoti on 27<sup>th</sup> January 2009 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 (7<sup>th</sup> November 2008), 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 may but you are not obliged to appear in person or through a representative before the Tribunal on the dates mentioned above, or on any other date of which you may be given notice.

Any written objection or representation must be delivered or posted to the Designated Officer, Mr. John Forbes, Environmental Management Department, eThekweni Municipality, PO Box 680, Durban, 4000. The physical address is as follows: Room 226, Environmental Management Department, Development Planning & City Engineers Building, 166 KE Masinga (Old Fort) Road, Durban, 4000

And you may contact the Designated Officer if you have any queries on telephone no. 031-311-7477, fax no. 031-311-7134 or email [forbesj@durban.gov.za](mailto:forbesj@durban.gov.za).



**ISAZISO SOMUGOMO 21 (10) WE DEVELOPMENT FACILITATION REGULATIONS  
NGOKWEMIALELO YOMTHETHO WE DEVELOPMENT FACILITATION ACT  
UMTHETHO NOMBOLO 67 KA 1995**

Inkampani iUDIDI Project Development Company (Pty) Ltd, imele uTransnet, isifake isicelo ngokwemigomo yeDevelopment Facilitation Act mayelana nokuthuthukiswa komhlaba oyisiqeshana sendawo Erf 84 Amanzimtoti, Wanda Cele (Old Main) Road, kanti lentuthuko izokuba iMulti-Products Pipeline Pump Station ezokuba yinxenye yeMulti-Products Pipeline entsha esuka eThekwini ize ifike ngaseHeidelberg Egoli (Gauteng).

Loluhlelo noma izinhlelo kanye nolwazi lutholakala kuMkhandlu eThekwini emmahhovisi ase South Region 2 Liberty Street, Lower Illovu noma ebhilidini leDevelopment Planning & City Engineers eliku KE Masinga (Old Fort) Road eThekwini esikhathini esiyizinsuku ezingu 21 kusukela kumhlaka 7 November 2008.

Ingqungquthela yokulalelwa kwezicelo izokuba se Lords and Legends, 1600 riverside Rd, Holiday Resort, Amanzimtoti ngomhlaku 1<sup>st</sup> December 2008 ngo 10h00.

Bonke abuthintekayo nabanentshisekelo kulokhu bayoziswa ukuthi bahambele ukubukwa kwendawo ezothuthukiswa okuyokwenziwa yisigungu esithatha izinqumo ngomhlaka 26<sup>th</sup> January 2009 ngo 14h00

Lesisicelo sizobhekisiswa kwi Tribunal ezokuba se Lords and Legends, 1600 Riverside Rd, Amanzimtoti ngomhlaku 27<sup>th</sup> January 2009 ngo 10h00.

Noma ngubani onentshisekelo ngalesisicelo kumele azi lokhu:

1. Kumele ngezinsuku ezingu 21 kusukela ngosuku kukhishwa ngalo isaziso (07 November 2008) , wenze iziphakamiso noma izethulo zakho; noma
2. Uma ukuphawula kwakho kuphikisana nanoma isiphi isicelo sohlelo lokuthuthukiswa komhlaba, ungakwenza lokho kodwa awuphoqelekile ukuthi uvele siqu sakho kwi Tribunal ngosuku olunqunyiwe noma ngabe iluphi olunye usuku onganikezwa ngalo isaziso

Iziphakamiso zingathunyelwa noma zilethwe ku Mr John Forbes oyiDesignated Officer kulelikheli: Environmental Management Department: eThekwini Municipality, Durban 4000. Noma ufike mathupha ku Room226, Environmental Management Department, Development Planning & City Engineers Building, eliku KE Masinga (Old Fort) Road, Durban, 4000

Ungaxhumana nobhekele loludaba oyi Designated Officer kulenombolo: 031-311-7477 noma ifax: ku 031-311-7134 noma iE-mail: forbesj@durban.gov.za.

**DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****DEVELOPMENT FACILITATION ACT, 1995: PORTION 4 (OF 3) OF THE FARM DUNBLANE NO. 3317.**

In terms of section 33(4) of the Development Facilitation Act, 1995, the Development Tribunal approved the development of 1 golf course erf, 2 service and infrastructure erven, 2 mixed use erven, 3 intermediate residential erven, 1 timeshare erf, 89 medium density housing erven, 69 golf estate erven, 1 lodge erf, 3 parking erven, 413 residential erven, 1 wellness centre erf, 2 sport amenity erven, 22 conservation amenity erven and 1 gatehouse erf on Portion 4 (of 3) of the Farm Dunblane No. 3317, Registration Division GS, Newcastle Municipality, subject to the following conditions of establishment relating to land use management and application of laws —

(a) the Newcastle Town Planning Scheme is amended-

(i) by the extension thereof to include the land development area, in accordance with plan DB 01-09 Rev 4, dated 10 September 2006;

(ii) by the layout of the land development area in accordance with plan DB 01-09 Rev 4 dated 10 September, 2006;

(iii) by the zoning of the land development area in accordance with plan NTPS-SZ17-DB dated April 2006;

(iv) by the addition under Table D : Development Controls of the Newcastle Town Planning Scheme of Special Zone 17 : Dunblane Resort as contemplated in Schedule 1;

(b) sections 11, 11*bis*, 11(2), 12, 16 -27, 33,35, 36,39, 44, 45, 47, 47 bis and 67(1) do not apply to the land development area for the purpose of the development thereof in accordance with the conditions of approval of application 2005/1927;

(c) the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970) is suspended; and

(d) the provisions of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), and any other law that governs the erection of buildings within the land development area are applicable to the land development area.

**L. F. RUSSELL**, Designated Officer

Date: 4 November 2008

File reference: 2005/1927

**DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****WET OP ONTWIKKELINGSFASILITERING, 1995: GEDEELTE 4 (VAN 3) VAN DIE PLAAS DUNBLANE NO. 3317**

Ingevolge artikel 33(4) van die Wet op Ontwikkelingsfasilitering, 1995, het die Ontwikkelingstribunaal die volgende goedgekeur: die ontwikkeling van 1 gholfbaanerf, 2 diens en infrastruktuur erwe, 2 gemengde gebruik erwe, 3 intermediêre residensiële erwe, 1 tyddeel erf, 89 medium digtheidbehuisingserwe, 69 gholflandgoed erwe, 1 baanwagtershuis erf, 3 parkeererwe, 413 residensiële erwe, 1 gesondheidsentrumerf, 2 sportaantreklikheids-erwe, 22 bewarings-erwe en 1 hekhuis erf op gedeelte 4 (van 3) van die Plaas Dunblane No. 3317, Registrasie-afdeling GS, Newcastle munisipaliteit, onderhewig aan die volgende stigtingsvoorwaardes met betrekking tot grondgebruik en toepassing van wette —

(a) die Newcastle Dorpsbeplanningskema word gewysig –

(i) deur die uitbreiding daarvan om die grondontwikkelingsgebied in te sluit, ooreenkomstig plan DB 01-09 Rev 4, gedateer 10 September 2006;

(ii) deur die uitleg van die grondontwikkelingsgebied ooreenkomstig plan DB 01-09 Rev 4 gedateer 10 September, 2006;

(iii) deur die sonering van die grondontwikkelingsgebied ooreenkomstig plan NTPS-SZ17-DB gedateer April 2006;

(iv) deur die byvoeging in tabel D: Ontwikkelingskontroles van die Newcastle Dorpsbeplanningskema van spesiale sone 17: Dunblane Oord soos bedoel in bylae 1;

(b) artikels 11, 11*bis*, 11(2), 12, 16 -27, 33,35, 36,39, 44, 45, 47, 47 *bis* en 67(1) is nie van toepassing op die grondontwikkelingsgebied vir die doel van ontwikkeling daarvan ooreenkomstig die goedkeuringsvoorwaardes van aansoek 2005/1927 nie;

(c) die Wet op die Onderverdeling van Landbougrond, 1970 (Wet No. 70 van 1970) word opgeskort; en

(d) die bepalings van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet No. 103 van 1977), en enige ander wet wat die oprigting van gebou binne die grondontwikkelingsgebied bepaal, is van toepassing op die grondontwikkelingsgebied.

**L. F. RUSSELL**, Aangewese Beampte

Datum: 4 November 2008

Lêerverwysing: 2005/1927

**UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO**

**UMTHETHO WOKULETHWA KWENTUTHUKO, 1995: INGXENYE 4 (KA 3) YEPULAZI I-DUNBLANE NO. 3317.**

Ngokwesigaba 33(4) soMthetho wokuLethwa kweNtuthuko, 1995, isiGungu seNtuthuko sikuvumile ukuthuthukiswa kwesiza esi-1 senkundla yegalofu, izinza ezi-2 zokusebenza nezezingqalasisinda, iziza ezi-2 ezisetshenziselwa izinto ezehlukahlukene, iziza ezi-3 zendawo yokuhlala ephakathi nendawo, isiza esi-1 somhlaba oqashisayo, iziza ezingama-89 zezakhiwo zikakhonkolo eziphakathi nendawo, iziza eziyi-9 zenkundla yegalofu, isiza esi-1 sendawo yokulala eqashisayo, iziza ezi-3 zendawo yokupaka, iziza ezingama-413 zendawo yokuhlala, isiza esi-1 sendawo yokuqwashisa, iziza ezi-2 zezindawo zemidlalo, iziza ezingama-22 zezindawo zokongiwa kwemvelo kanye nesiza esi-1 sendlu esesangweni yonogada kwingxenye 4 (ka 3) yePulazi i-Dunblane No. 3317, isiGaba sokuBhaliswa ngu-GS, kuMasipala wase-Newcastle, kuye ngokwale mibandela elandelayo yokusungulwa kokuqondene nokuphathwa kokusetshenziswa komhlaba kanye nokusebenza kwemithetho —

(a) UHlelo lokuHlelwa kweDolobha lase-Newcastle luchitshiyelwe —

- (i) ngokwengeza lokhu ukuze kufakwe kwindawo yomhlaba othuthukiswayo, ngokuhambisana nepulani DB 01-09 Rev 4, yamhla ziyi-10 kuMandulo 2006;
- (ii) ngokuhlelwa kwendawo yomhlaba othuthukiswayo ngokuhambisana nepulani DB 01-09 Rev 4 yamhla ziyi-10 kuMandulo 2006;
- (iii) ngokuklanywa kwendawo yomhlaba othuthukiswayo ngokuhambisana nepulani NTPS-SZ17-DB yango Mbasa 2006;
- (iv) ngokwengeza ngaphansi kweTebhula D : UkwuLawulwa kweNtuthuko yoHlelo lokuHlelwa kweDolobha lase-Newcastle yeNdawo eKhethekile 17 : iNdawo yokuPhola i-Dunblane njengalokhu kuHlongozwe kuHlelo 1;

(b) izigaba 11, 11*bis*, 11(2), 12, 16 -27, 33,35, 36,39, 44, 45, 47, 47 *bis* A kanye no 67(1) azingeni endaweni ethuthukiswayo kumhlaba ngenhloso yokuwuthuthukisa ngokuhambisana nezimiso zokuvunywa kwesicelo 2005/1927;

(c) ukweHlukaniswa iziqephu koMthetho woMhlaba wezoLimo, 1970 (uMthetho No. 70 ka 1970) kuyamiswa; kanye

(d) nezihlinzeko zoMthetho weMithethonqubo kaZwelonke yoKwakha namaZinga oKwakha, 1977 (uMthetho No. 103 ka 1977), neminye imithetho eyengamele ukwakhiwa kwezakhiwo kumhlaba othuthukiswayo iyasebenza ekuthuthukisweni komhlaba.

**L. F. RUSSELL**, isikhulu esiKhonjiwe

Usuku: zi-4 Kul wezi 2008

iNkomba yeFayela: 2005/1927

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## DUNBLANE PLANNING AND DEVELOPMENT POLICY GUIDE

### 1. PROPOSED DEVELOPMENT VISION

- 1.1. The realisation of Dunblane Eco-Resort is a lifelong and passionate dream of the applicant. These Planning and Development Clauses and Controls, therefore, provides the parameters within which the development of Dunblane will take place to ensure that the entire development will be sensitive to and integrated with the environment.
- 1.1. The vision for Dunblane is to provide a range of residential and resort accommodation and recreational facilities, focused on the Mountain, Archaeology, Fauna and unique Flora of this application area, and by doing so provide in a tourist experience and lifestyle unequalled in South Africa.

### 2. PROPOSED DEVELOPMENT

The development comprises of five components. The first component comprises of the resort complex, supported by an eco-friendly residential component that is aimed at providing opportunities for permanent as well as tourist accommodation all situate within the bigger eco- and game reserve comprising approximately 3000ha of pristine and indigenous natural reserve area. The third component comprises the establishment of the bigger Game and Eco-reserve area. The fourth component provides for a maintenance and service area, comprising of an indigenous nursery, stables, electricity sub-station and service installations, telecommunication service installations, service yard and maintenance area. The last component provides for a unique and exclusive mountain lodge development.

The resort component is situated in three distinct locations. The first is a Mixed Opportunity zone clustered around the main entrance to the Dunblane Development Area and comprises a hotel complex, Sport and Recreational and resort facilities, 18 Hole Designers Golf Course, Club-house, Guest Rooms, Boutique Shopping Node, Golf Driving Range, Restaurants and a unique Medium Density Residential Village. This first resort node will be within the bigger Dunblane Eco- and Game Resort, and will be accessible to the general public, residents and visitors, provided that the necessary entrance requirements are met and entrance fees are paid if and when required for access to or use of the various sport and recreational facilities.

The second is located in the remote westernmost corner of the development area, on the top of Donkeys' Pass, comprising of the Dunblane Mountain Lodge and related facilities.

The third component comprises the Wellness Centre, and is located north of and overlooks the Golf Course.

The resort furthermore makes provision for hiking trails with associated accommodation provisioning, 4X4 challenge route, horse trails and the annual Dunblane Eco-Challenge.

The residential component provides for a unique mix of permanent housing and tourist accommodation residential opportunities, comprising of Medium Density Housing Development Sites, a Medium Density Housing Village, Golf Course Village, and Low Impact Residential sites clustered together in small settlements comprising of four to 12 units per cluster. The fourth type comprises of unique golf cart accessible residential sites all situate in the western corner of the development area, clustered around the Dunblane Mountain Lodge. These sites provide a unique opportunity to be integrated with nature, and are only accessible by foot or golf cart.

In addition, and clustered into an overall natural landscaped theme and open space system, will be timeshare and holiday units, Hiker's bungalows all within the distinctive open space zones shown on the planning scheme map.

While the development is taking place in phases, dictated to by market and economic demands, the construction and occupation of the resort is in accordance with approved detailed site development layouts, Dunblane Architectural Code, Conservation-Amenity Environmental Management Plans and the provision of services.

### **3. DUNBLANE PLANNING SCHEME MAP**

The planning scheme map is divided into the following zones:

- 2.1.1 Dunblane Resort Village Zone;
- 2.1.2 Maintenance and Service Installation Use Zone;
- 2.1.3 Dunblane Residential Village Zone;
- 2.1.4 Roads;
- 2.1.5 Sport-Amenity Zone;
- 2.1.6 Conservation Amenity Zone;

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the uses permitted in each zone being in accordance with, and controlled, by these Scheme Clauses.

These Planning Scheme Clauses and Controls require that a detailed site development plan be prepared for each Resort Village and Medium Density Housing Development Site before construction and occupation are possible. A site Specific EMP shall be submitted to the relevant planning authority and the Dunblane Architectural and Design Review Committee (DAC), in respect of each Resort Village and Medium Density Housing Development site prior to any building work commencing on the site, thereby ensuring environmental accountability and sensitivity.

#### **4. DUNBLANE PLANNING SCHEME CLAUSES**

These Planning and Scheme Clauses have been divided into the following distinct parts:

- 4.1. **Part 1** : deals with definitions of those words/phrases used in the body of the clauses, defines the development area, establishes the effective date and who the planning authority is and links the clauses to the Approved Map.
- 4.2. **Part 2** : is a general section, setting out and drawing attention to the following:-
  - (a) That all roads are private roads, built by the developers and controlled by the Dunblane Property Owners Association.
  - (b) That no development may occur without the approval of the planning authority as advised by the Dunblane Design Review Committee / Dunblane Architects Committee, in terms of these scheme controls.
  - (c) That specific uses and activities are subject to extraordinary scheme controls and Property Owners Rules and control.
  - (d) That no development may occur within any area of the development, notwithstanding the zoning applicable, until a detailed site development plan for the specific development have been approved.
  - (e) That no development may occur within any area of the development until Environmental Conservation-Amenity Management Plans have been approved.
  - (f) That the development as a whole shall be controlled by the Dunblane Property Owners Association.
  - (g) Limiting development within the Conservation-Amenity zone and linking such to the aforementioned management plans; restricting advertisements and development in floodplains; and

establishing sub -divisional rights, inspection of the scheme and amendments to it.

- 4.3. **Part 3** : sets out the procedures that need to followed before development may occur.
- 4.4. **Part 4** : defines the parameters within the development may occur, such as building lines, side and rear spaces, building height, coverage, density the erection of boundary walls, fences and structures, the clearing and planting of vegetation and loading and parking accommodation.
- 4.5. Tables : Table A-C establish the precise limitations relating to developments and which provide the basis for application of these scheme controls. The tables are:-
- (a) **A** : definitions of the types of building and land uses applicable to each zone.
  - (b) **B** : stipulates those buildings and uses which may be freely permitted in each zone, those prohibited and those permitted by consent only of the planning authority.
  - (c) **C** : this table establishes the density, coverage and height limitations, where applicable.

## 5. COMMENT

It is necessary for the Newcastle Town Planning Scheme to be extended over the Land Development Area, and for these Dunblane Land Use Controls to be included into the Newcastle Town Planning Scheme as "Special Zone 17 – Dunblane Resort" .

These Scheme controls and clauses are aligned to the objectives as set out in the Drakensberg Development Policy Statements published by the KwaZulu-Natal Planning and Development Commission.

These planning scheme clauses will enable the said objectives to be achieved.



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## DUNBLANE PLANNING AND DEVELOPMENT POLICY GUIDE

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## 5. COMMENT

It is necessary for the Newcastle Town Planning Scheme to be extended over the Land Development Area, and for these Dunblane Land Use Controls to be included into the Newcastle Town Planning Scheme as "Special Zone 17 – Dunblane Resort" .

These Scheme controls and clauses are aligned to the objectives as set out in the Drakensberg Development Policy Statements published by the KwaZulu-Natal Planning and Development Commission.

These planning scheme clauses will enable the said objectives to be achieved.

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# **"SPECIAL ZONE 17 – DUNBLANE RESORT" PLANNING, DEVELOPMENT AND LAND USE CONTROLS**

## **LAND USE CLAUSES**

### **5.1. PART 1 : DEFINITIONS:**

#### **1.1 TITLE**

These clauses shall be known as the **Dunblane Planning, Development and Land Use Controls** in respect of "**Special Zone 17 – Dunblane Resort**" in the **Newcastle Town Planning Scheme**.

#### **1.2 DEFINITIONS:**

In these clauses, unless the context otherwise indicates, any word shall, when used in these Clauses, have the same meaning as is assigned to it in the Ordinance, otherwise it shall have the same meaning as is assigned to it in these definitions below, or those defined in Table A:

*The definitions have been divided into the following three types:*

- **GENERAL DEFINITIONS:**  
Definitions which have general applicability;
- **BUILDING DEVELOPMENT DEFINITIONS:**  
Definitions used to manage the development of buildings and land; and
- **LAND USE DEFINITIONS – REFER TO TABLE A**  
Definitions used to manage the use of land.

## GENERAL DEFINITIONS:

1.2.1 **Administrator:**

Administrator means the Premier of the Province of KwaZulu-Natal, acting upon the advice, and with the consent, of the Executive Committee of the said Province.

1.2.2 **Ambiance:**

The character or tone of an area, as determined by building scale and design, amount and type of activity, intensity of use, location and design of open space, and related factors that influence the perceived quality of the environment.

1.2.3 **Amenity:**

A natural or created feature or aspect that enhances a particular property, place or area from the perspective of its aesthetic quality, visual appeal, which makes it more attractive or satisfying.

1.2.4 **Appeal Tribunal:**

The Appeal Tribunal, or any of its divisions, established in terms of the KwaZulu-Natal Planning and Development Act, 1998 (Act No. 5 of 1998), The Development Facilitation Act, 1995 (Act No. 67 of 1995) or the Town Planning Ordinance No. 27 of 1949.

1.2.5 **Approval:**

The written approval of the relevant Local Authority, the Association or the Dunblane Architectural Committee.

1.2.6 **Area of Scheme:**

The area which lies within the inner edge of the boundary line coloured blue on the resolution map.

1.2.7 **Association:**

Means the Dunblane Estate Management Association (DEMA), a Section 21 'Not for Profit Association'.

1.2.8 **Authority:**

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Is the written authority given by the Newcastle Local Authority or its successors in Title established in terms of the Local Government: Municipal Systems Act No. 32 of 2000.

**1.2.9 Body Corporate:**

A controlling body for a sectional title scheme that is established on any lot in terms of the Sectional Titles Act, 1986 (Act No. 95 of 1986), as amended.

**1.2.10 Commission:**

Is the Development and Planning Commission established in terms of Section 2 of the Ordinance.

**1.2.11 Common land:**

Means that portion of a Medium Density Housing Site, or land held in the ownership of the Association, which is set aside for the use and enjoyment of all the occupants of the dwelling units on that site, or members of the Association respectively.

**1.2.12 Conservation:**

Protecting, using, and saving resources wisely, especially the biodiversity found in the area.

**1.2.13 Controlled Area:**

Any area where, for reasons of the topography, the unsuitability or instability of the soil or other like reasons, development or building may be prohibited, restricted, or permitted upon such conditions as may be specified having regard to the nature of the said area.

**1.2.14 Critical Area:**

An area with one or more of the following environmental characteristics:-

- steep slopes;
- flood plain;
- soils classified as having high water tables;
- soils classified as highly erodible, subject to erosion, or highly acidic;
- land incapable of meeting percolation requirements;
- land formerly used for landfill operations or hazardous industrial use;
- fault areas;

- stream corridors;
- mature stands of indigenous vegetation;
- aquifer recharge and discharge areas;
- wetlands and wetland transition areas; and
- habitats of endangered species.

1.2.15      **DAC**

Means the Dunblane Architectural and Design Review Committee

1.2.16      **Date of Adoption:**

Means the date upon which these Clauses was first adopted by the KwaZulu-Natal Development Tribunal; provided that where any provision of this scheme is subsequently varied by way of amendment or revision, the 'date of adoption' of any such varied provision shall be the date upon which it is adopted in terms of Section 47 *bis* (4) of the Ordinance.

1.2.17      **Days:**

Means calendar days.

1.2.18      **Development Tribunal:**

The Development Tribunal for the Province established under section 15 of the Development Facilitation Act, 1995 (Act No. 67 of 1995).

1.2.19      **Dunblane Architectural Committee:**

Means the Architectural Development, Design and Review Committee, as established by the Developer, for the purposes of scrutinising, and recommending, to the Association and Local Authority in respect of all applications required in terms of these clauses.

1.2.20      **Dunblane Property Owners Association**

A legal entity, the membership of which shall be exclusive to, and compulsory for, the freehold or registered leasehold owners of dwelling unit curtilages in a medium density housing scheme or any development where land owners are required to form an Owner's Association.

1.2.21      **Ecosystem:**

The relationship and interaction between humans, plants, animals and the nonliving environment.



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1.2.22 **Environment:**

The surroundings within which humans exist and includes:-

- the land, water and atmosphere of the earth;
- micro-organism, plant and animal life;
- any part or combination of the above, and the interrelations amongst and
- between them; and,
- the physical, chemical, aesthetic and cultural properties and conditions of
- the afore-going that influences human health and well being.

1.2.23 **Environmental Impact:**

A positive or negative environmental change caused by a human act.

1.2.24 **Environmental Management Plan:**

A plan referred to in section 24 of the National Environmental Management Act (Act No. 107 of 1998).

1.2.25 **Environmental Implementation Plan:**

A plan referred to in section 24 of the National Environmental Management Act (Act No. 107 of 1998).

1.2.26 **Erf (singular) Erven (Plural):**

Means a subdivision of land for which a Diagram or General Plan has been approved by the Surveyor General in terms of the Land Survey Act No. 9 of 1927, provided that more than one zoning may apply to an erf, lot, or site as defined and such resultant zoned portions shall not be considered as separately registered. An Erf is therefore:

- A piece of land registered in the Deeds Registry or other registration office as an erf, lot, site, plot or stand, or shown as a lot on a general plan of an approved township, and includes more than one lot if such lots are tied or consolidated;
- every defined portion of a piece of land laid out as a township, but not approved or recognized as such under any law;
- part of a lot;
- a farm portion or part thereof which is subject to a Planning Scheme:-

- Provided that where, as a provision of a Planning Scheme, a proposed road or a change in zoning divides a registered subdivision into two or more portions, the term "erf" shall apply to each portion as if they had been separately registered.

1.2.27 **Erf Area:**

The area of an erf, less the area of any public right-of-way, road servitude, new road or road widening, to which the lot may be subject, but shall include any registered servitude for overhead or underground services.

1.2.28 **Family:**

A group of individuals not necessarily related by blood, marriage, adoption, or guardianship, living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organisation and stability.

1.2.29 **In-stream Habitat:**

The physical structure of a watercourse and the associated vegetation and other biota in relation to the bed of the watercourse.

1.2.30 **Limited Development Area:**

An area declared as a limited development area in terms of section 23(1) of the Environmental Conservation Act (Act No. 73 of 1989).

1.2.31 **Local Authority:**

Means the Newcastle Local Municipality or its Successors in Title established in terms of the Local Government: Municipal Systems Act No. 32 of 2000.

1.2.32 **Lot:**

For the purposes of this Scheme shall be "Erf" or "Erven" as defined in Clause 1.2.26.

1.2.33 **Lot Area:**

For the purposes of this Scheme, "Lot Area" shall be "Erf Area" as defined in Clause 1.2.27.

1.2.34 **National Building Regulations:**

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The National Building Regulations made in terms of section 17 of the National Building Regulations and Building Standards Act.(Act No.103 of 1977), as amended.

1.2.35 **Natural Environment:**

Our physical surroundings, including plants and animals when they are unspoiled by human activities.

1.2.36 **Natural Features:**

Includes topographical, drainage, vegetation, and faunal features, such as different land forms, rivers and streams, waterfalls and pools, plants, and fauna.

1.2.37 **Ordinance:**

Is the Natal Town Planning Ordinance No. 27 of 1949 (as amended).

1.2.38 **Owners:**

The registered owner of the land which shall include the holder of a long term lease, or the holder of a land tenure right such as a permission to occupy certificate, deed of grant, leasehold or initial ownership.

1.2.39 **Pollution:**

Any change in the environment caused by substances, radio-active or other emissions, noise, odour, heat or dust emitted from any activity, including the storage or treatment of waste or other substances, construction, and the provision of services, whether engaged in by any person, organs of state, and where the change has an adverse effect on human health or well being or on the composition, resilience and productivity of natural or managed ecosystems, or on material useful to people, or will have such an effect in the future.

1.2.40 **Riparian Habitat:**

The physical structure and associated vegetation of the areas associated with a watercourse which are commonly characterised by alluvial soils, and which are inundated or flooded to an extent, and with a frequency, sufficient to support vegetation of species which have a composition and physical structure distinct from those of adjacent land areas.

1.2.41 **Soil Erosion:**

The loss of soil as the result of the action of the natural elements, e.g. water, wind, drought, and attrition, or from other inappropriate activities, e.g. agricultural or other use or development of the land that results in the washing away or loss of the soil.

1.2.42      **Spatial Development Framework:**

The spatial development framework required in terms of section 26(e) of the Municipal Systems Act.

1.2.43      **Scheme:**

Is the **Dunblane Planning, Development and Land Use Controls** in the course of preparation as amended from time to time.

1.2.44      **Scheme Map:**

Is the Zoning Map forming part of the Scheme as adopted by the KwaZulu-Natal Development Tribunal in terms of the Development Facilitation Act, and the Local Authority.

1.2.45      **Special Consent:**

Is the consent of the Local Authority where such consent relates to any application made in terms of Section 67 *bis* of the Ordinance.

1.2.46      **Site**

Means an area of land destined for building purposes and which is neither an erf, lot or dwelling unit curtilage (e.g. a building site).

1.2.47      **Special Landscapes**

Means landscapes that are selected for their natural beauty or value as reservoirs of bio-diversity, cultural, historical or geological features.

1.2.48      **Waste:**

Any by-product or residue, be it gaseous, liquid or solid, which is emitted in the course of loading, unloading, storage, manufacture and distribution of raw materials or products. Liquid waste includes domestic sewage, industrial effluent, and storm water run-off containing impurities.

1.2.49      **Wetlands:**

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Land which is transitional between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is periodically covered with shallow water, and which land in normal circumstances supports, or would support, vegetation, birdlife, etc. typically adapted to life in saturated soil.

1.2.50 **Zone:**

Is that portion of the area shown on the Scheme Map, by distinctive colouring or edging or in some other distinctive manner, for the purpose of indicating the restrictions imposed by this Planning and Development Controls on the erection and use of buildings or structures, or the use of land in relation to such defined areas.

### **BUILDING & DEVELOPMENT DEFINITIONS:**

[Note: Building shall include the 'Use of Land']

1.2.51 **Ancillary Use:**

A use incidental to, or customarily associated with, a specific use.

1.2.52 **Attic:**

That part of a building that is immediately below, and wholly or partly within the roof.

1.2.53 **Basement:**

Is the lowest part of any building, which part is constructed with more than 50% of its volume, whether enclosed or not, and functionally part thereof, below the natural ground level immediately surrounding the building on any erf, lot, site or dwelling unit curtilage.

1.2.54 **Boardwalks:**

Means footways made of boards or other suitable material constructed in such a way so as to permit the movement of persons through environmentally sensitive areas, with no or minimal disruption thereto, or effects thereon.

1.2.55 **Building:**

Is any structure or erection of an immovable nature for whatever purposes used including any tank, swimming pool, mast, aerial and any wall, retaining wall, staircase or close-boarded fence more than two metres in height at any point, but excluding any open fence, post, steps, pier, ornamentation, patio, deck, wooden boardwalk, pergola, garden ornamentation, or any temporary structures erected in connection with building operations.

1.2.56 **Building Line:**

Means lines on an erf, lot, site or dwelling unit curtilage defining an area between such lines and any erf, lot, site or dwelling unit curtilage boundaries and road / street within which no building may be erected. A line parallel to a street boundary, and the distance therefrom.

1.2.57 **Building Use:**

"Building Use", "Use of a building" and similar expressions, include the specific purpose for which buildings may be used as defined in the Planning Scheme and the erection of a building.

1.2.58 **Cabana / Time Share Unit**

Means holiday flats for the use of single families as temporary holiday accommodation.

1.2.59 **Camping Ground:**

Any lot on which tents, but excluding caravans, intended for temporary use by persons for dwelling or sleeping purposes, are erected or used or intended to be erected or used, and on which shall be provided adequate ablution and sanitary facilities, water points and approved refuse receptacles.

1.2.60 **Caretakers' Unit:**

A dwelling unit for the use of the caretaker or supervisor of the premises, and his family. The Floor Area of caretaker's unit may not exceed 80m<sup>2</sup> in extent.

1.2.61 **Car Parking Space:**

A demarcated space with the minimum dimensions of 24m<sup>2</sup> including manoeuvring space and 2.4m x 4.4m for the parking of a vehicle, excluding manoeuvring space.

1.2.62 **Chalet:**

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A dwelling unit used as a holiday dwelling, consisting of not more than three living rooms with or without en-suite sanitary convenience, a bathroom, shower and kitchen.

**1.2.63 Communications Tower:**

A structure on which an antenna or dish is installed for the transmission, broadcasting or receiving of radio, television, radar or microwaves, and similar types of devices.

**1.2.64 Composite Building:**

A building which is used simultaneously for two or more purposes recognised as uses in a Planning Scheme.

**1.2.65 Coverage:**

Is the proportion of an erf, lot, site, housing court or dwelling unit curtilage which may be covered by the roofed area of all buildings excluding wooden decks, wooden boardwalks, patio's, pergolas, swimming pools, tennis courts and bowling greens, and is expressed as a percentage of the lot area as defined. Thus 25% coverage means that only one quarter of the lot may be covered by buildings.

**1.2.66 Developable Area:**

The registered, surveyed area of a lot excluding those areas which are, rendered undevelopable by virtue of such factors as soil instability, liability to flooding, topographic inaccessibility, and/or slopes steeper than 1 in 3, and further excluding the area(s) occupied by any right-of-way, servitudes, road servitudes, new roads or road-widening.

**1.2.67 Develop land or Development:**

Means to erect a building on any land or to alter or extend any building or to develop or use such land for any use or purpose different for which it was being developed or used, as the case may be, at the date when the resolution to prepare a Scheme took effect.

**1.2.68 Development Footprint:**

Or "Footprint", means that surface area of an erf, lot, site or dwelling unit curtilage which may be prescribed by the Association and / or Dunblane Architectural Committee (DAC), defining the outer limits within which a building or buildings may be erected and the erf, lot, site or dwelling unit curtilage developed and only within which area

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the trees, shrubs and vegetation may be removed for construction purposes. Beyond such limits, no indigenous trees, shrubs and vegetation may be disturbed or removed – or only that vegetation as approved by the Association and / or DAC may be established.

1.2.69      **Duplex Flat:**

Means a dwelling unit in a building each such unit consisting of a lower floor and one upper floor connected by an internal staircase and having direct access to a private open area.

1.2.70      **Dwelling Unit Curtilage:**

Means a single defined area of land forming part of a Medium Density Housing Site comprising the land upon which a dwelling is erected or is intended to be erected together with such private open areas and other areas as are reserved for the exclusive use of the occupants of the dwelling unit.

1.2.71      **Erection of a Building:**

Means the construction of a new building or any structural alteration or additions to any building.

1.2.72      **Existing Building:**

Means a building lawfully erected before the date of adoption or a building erected in accordance with plans which were approved by the Local Authority prior to that date.

1.2.73      **Existing Use:**

Means in relation to any building or land, a continuous use of that building or land after the date of adoption for the purpose used prior to that date.

1.2.74      **Flat:**

A dwelling unit on one floor within a building containing one or more floors.

1.2.75      **Flea Market:**

An occasional or periodic market held in an open area, or structure, where groups of individual sellers offer goods for sale to the public.

1.2.76      **Flood Line:**



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The flood line referred to in the National Water Act, 1995 (Act No. 92 of 1995), as amended.

1.2.77 **Floor Area:**

Subject to the provisions of Part 3, the floor area of a building shall be taken as the sum of the **roofed areas** of the building at **each floor** level, measured over and including wall thicknesses, lift shafts, staircases, balconies and access galleries, excluding areas used exclusively for the parking, basement storage in residential buildings and dwelling houses, basement wine cellars, swimming pools, tennis courts and bowling greens.

1.2.78 **Floor Area Ratio:**

The ratio of the total floor area of the buildings on the lot (or a defined piece of land in the case where there are no cadastral boundaries), to the lot area (or site area, in the case of the latter) and which is expressed as a decimal. e.g. a Floor Area Ratio of 0.5 means that the floor area of the buildings on a particular lot is half the lot area.

1.2.79 **Frontage:**

The length of the boundary of a lot which fronts onto an existing or proposed road / street.

1.2.80 **Front Space:**

The space between the full height of a building facade and the street boundary.

1.2.81 **Gross Office Area:**

Is the sum of the floor area of the office space in a building including storage, corridors, liftshafts, staircases, kitchen and conveniences, and shall include wall thicknesses and basements used other than for parking purposes.

1.2.82 **Gross Shop Area:**

Is the sum of the floor areas of both the storage and retail areas of a shop and shall include wall thicknesses and basements used other than for parking purposes, but shall exclude public conveniences.

1.2.83 **Ground Floor:**

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The storey of a building or portion of a building on or nearest the mean natural ground level (measured across the fall of the property) immediately surrounding the building, provided it is not a basement.

1.2.84

**Guest House:**

A building, or group of buildings, under single management containing both rooms and dwelling units available for temporary rental to transient individuals or families.

1.2.85

**Hatchet Shaped Lot:**

A lot not meeting the minimum frontage requirements and where access to a public or private road is by a narrow, private right of way / access court / access strip or driveway.

1.2.86

**Hawking:**

The sale of goods and services from a place, primarily streets, open spaces and pavements, usually from either a fixed stall or at a fixed place.

1.2.87

**Height:**

Means the vertical distance of a building measured from the average existing natural ground grade (measured across the fall of the property) surrounding the building to the highest point of the building roof pitch. Height in storeys is expressed as a number, provided that where the ground floor of a building is on more than one level, such building shall be regarded as formed of portions in relation to each respective level and the height of such a building shall be calculated separately in respect of each portion as if such portion were a separate building.

1.2.88

**Holiday Accommodation Unit:**

A detached or attached habitable building, approved by the Dunblane Architectural Committee, Local Authority and used primarily for holiday occupancy, with or without en-suite sanitary convenience, bathroom, shower and kitchen, together with approved accessory structures to be used in conjunction therewith. A Holiday Accommodation unit may include a Cabana / Timeshare Unit, Flat, Duplex Flat, Maisonette, Terrace House, chalet or semi-detached house.

1.2.89

**Kiosk:**

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A building or structure used for any retail trade or business wherein the primary purpose is the selling of goods and appliances by retail, and includes a building or structure used for the sale of light refreshments.

1.2.90      **Loading Space**

A demarcated area where vehicles shall be parked while loading or unloading goods.

1.2.91      **Maisonette (or Pair of Maisonettes):**

A building designed or constructed or adapted to contain two self-contained dwelling units, separated horizontally and with individual access.

1.2.92      **Medium Density Housing Site:**

Means a defined area of land upon which medium density housing is established or is proposed to be established; which may be transferred in freehold or registered leasehold title; and which comprises dwelling unit curtilages and common land.

1.2.93      **Multi-Use Development:**

The development of a structure(s) with two or more different land uses, such as, but not limited, to a combination of residential, office, retail, and public services in a single or physically integrated group of structures.

1.2.94      **Outbuilding:**

Means a building ordinarily used in conjunction with a dwelling unit(s), and used for garaging of motor vehicles, storeroom, external toilet, workroom and other such similar uses.

1.2.95      **Rear Boundary:**

Means that boundary of an erf, lot, site or dwelling unit curtilage which is furthest from any street or access and which does not meet any street or access.

1.2.96      **Rear Space:**

The space between the full height of a building facade and the rear boundary.

1.2.97      **Road Boundary:**

That portion of a boundary of a lot which abuts on, and is coincident with, the boundary of a road or Right of Way Servitude.

1.2.98      **Semi-detached House:**

Means a building of one or more storeys, other than a dwelling house, comprising 2 dwelling units contained in one building, both on the ground floor and each provided with a separate entrance.

1.2.99      **Setback Line:**

A prescribed boundary (buffer zone) along an area, including but not limited to a hazardous area (e.g., the fire break) indicating the limit of development activity.

1.2.100     **Side Boundary:**

Is any boundary of an erf, lot, site or dwelling unit curtilage which is neither a frontage nor rear boundary.

1.2.101     **Side Space:**

The space between a side boundary of a lot and the elevation for the full height of a building facing the side boundary.

1.2.102     **Storey:**

Is a room or set of rooms at any level, including any room, the floor of which is split into two or more levels, and shall have the following implications:

1.2.102.1    A Basement shall not count as a storey;

1.2.102.2    The floors of a building, whether used for residential purposes or not shall not count as a storey provided such an area or areas constitutes a Basement;

1.2.102.3    a pitched roof capable of containing a habitable room and any other type or style of roof which is capable of, or contains, or supports any rooms, structures or features over and above those mentioned in Clause 1.2.91(6) below and which the Local

Authority, as advised by the Dunblane Architectural Committee, considers to be habitable shall not count as a storey – provided that the total height of the building, measured from natural ground level to roof pitch, shall not exceed 9 meters;

1.2.102.4 notwithstanding Clause 1.2.1011(3), in the case of “Dunblane Resort Village 1, Dunblane Resort Village 2 and Dunblane Resort Village 6”, a pitched roof capable of containing a habitable room and any other type or style of roof which is capable of, or contains, or supports any rooms, structures or features over and above those mentioned in Clause 1.2.101(6) below and which the Local Authority, as advised by the Dunblane Architectural Committee, considers to be habitable shall not count as a storey;

1.2.102.5 a storey shall not be higher than 4,5 metres between the finished floor and ceiling levels. If a storey is higher than this, each 4,5 metres or part thereof shall count as a storey; and

1.2.102.6 with the exception of liftrooms, mechanical and service structures, masts or aerials, staircases and pitched roofs, other than those defined in Clause 1.2.91(1) above, any structures or architectural features situated on the roof of a building and greater than 2,0 metres in height shall constitute a storey.

1.2.103 **Substantially Commenced:**

The casting of concrete foundations or footings, or the demolition of existing buildings and the clearing of the lot, and the preparation of plans and working drawings, and the submission of such plans and working drawings for approval, or other similar and substantial action which the Local Authority may deem sufficient.

1.2.104 **Tea Garden:**

A building, or portion of a building or land used primarily for the preparation, sale and consumption of light meals, confectionery, and non-alcoholic beverages, but shall preclude any use as defined under Shop.

1.2.105 **Temporary Use:**

A use established for a specified period of time which is to be determined and placed in writing by the Municipality, and is not to exceed a period of 18 months.

1.2.106 **Terrace House:**

Means a dwelling unit in a building comprising 3 or more dwelling units, each having a separate entrance on the ground floor with direct access to a private open area or areas.

**1.2.107 Utility Area:**

Means the outdoor private area adjacent to or associated with the kitchen side of a dwelling unit, medium density housing unit, or any other residential related unit, the screening of which shall be to the satisfaction of the Dunblane Architectural Committee and Local Authority, and which may include patios, decks, verandas and drying areas.

**1.3. SCHEME AREA**

The area to which this Scheme applies consists of the area of land shown on the Scheme Map and which lies within the inner edge of the line coloured blue on the Resolution Maps approved by the KwaZulu-Natal Tribunal in terms of Section 44 of the Ordinance.

**1.4 EFFECTIVE DATE**

The effective date is the date of adoption of the scheme by the Local Authority in respect of the the area described in Tribunal Judgement /2006.

**1.5 PLANNING AUTHORITY**

The Newcastle Local Municipality, hereinafter referred to as the Local Authority, shall be the authority responsible for enforcing and carrying into effect the provisions of these Land Use Controls and Planning Clauses.

**1.6 SCHEME MAP**

The Scheme Map comprises Drawing No. NTPS SZ17 DB /2006.

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## **PART 2 : GENERAL**

### **1. ROADS**

All roads within the Scheme Area shall be private roads, vesting in the Dunblane Property Owners Association, who shall retain responsibility for their regular maintenance. The use of all roads shall be in terms of the Memoranda and Articles of Association of the Association and respective Homeowner's Associations and Bodies Corporate.

No common right, as envisaged in the definition of Public Place in Section 1 of the Ordinance, shall be conferred upon the public or the inhabitants of the area within the Scheme in relation to such roads.

Save with the consent of the Association, as advised by the Dunblane Architectural Committee, no person shall execute works, or make excavations, or deposit waste or spill on the area of the said private roads, or otherwise use such land so as to destroy, diminish or impair its use for the purpose for which they are created.

The nature and appearance of any road signs, road name boards and ornamental structures, as well as the preservation or cultivation of trees, vegetation and the natural environment shall be to the satisfaction of the Association, as advised by the Dunblane Architects Committee, and in accordance with the Conservation-Amenity Management Plan and with the relevant provisions of the Articles of Association of the Association and any rules, guidelines, codes or regulations made therein from time to time.

### **2. BUILDING RESTRICTIONS AND THE USE OF LAND**

The types of Building and land Uses are defined in **Table A**. The extent and location of the various zones are set out on the current adopted Scheme map.

### **3. ERECTION AND USE OF BUILDINGS AND USE OF LAND**

The purposes for which:

2.3.1 Buildings may be erected and used or land may be used only with the written authority of the Local Authority;

2.3.2 Buildings may be erected and used or land may be used only with the Special Consent of the local Authority; and

2.3.3 Buildings may not be erected and used and land may not be used;

are set out in **Table B**.

#### 4. APPLICATIONS

- 2.4.1 For the purposes of administering the provisions of these Clauses, there shall be established a BUILDING AND DEVELOPMENT DESIGN AND REVIEW COMMITTEE / DUNBLANE ARCHITECTS COMMITTEE (DAC). This Committee shall comprise such representation from the Association and Local Authority and / or their duly appointed officials and professional advisors as may be agreed from time to time. In the event of there being any dispute between the said Association and Local Authority as to the membership of the said Committee, such membership shall be determined by mediation.
- 2.4.2 In considering any application in terms of these Clauses, the Local Authority and DAC shall take into account the provisions of any rules, guidelines, codes and / or regulations issued by the Association from time to time in relation to building, development and land use matters. Such rules, guidelines, codes and / or regulations, and any subsequent amendments thereto, shall be referred by the Association to the Local Authority for its consideration and endorsement.

#### 5. DESIGN AND EXTERNAL APPEARANCE OF BUILDINGS

- 2.5.1 The character, design and external appearance of buildings, including the material used in their construction, shall be in accordance with the Architectural Guidelines and –Language which is attached hereto as **Annex A**, and is subject to the approval of the Local Authority, and no building may be erected without the approval of the Local Authority, as advised by the Dunblane Architectural Committee.

#### 6. CONSERVATION- AMENITY ZONE

- 1) Within this zone, land and water is set aside to protect and enhance the quality of the natural environment, but may be used by the residents for formal and informal recreational purposes including such uses as picnicking, sunbathing, horse-riding, and swimming.
- 2) The design and sighting of any building, structure or land use shall take into account any existing indigenous vegetation and no such vegetation shall be removed or damaged without the authority of the Local Authority in accordance, as advised by the Association, and the DAC, and it shall be in accordance with the Environmental Management Plans.
- 3) Maintenance of roads and fire breaks shall be permitted in accordance with the said Conservation-Amenity Zone Management Plan.



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## **7. CONSERVATION-AMENITY ZONE MANAGEMENT PLAN/S**

- 1) Prior to commencement of development of any erf, lot, site or dwelling unit curtilage in any zone, whether in part or whole, the Association shall lodge with the Local Authority, and the Department of Environmental Affairs, for its approval, a statement setting out the principles on which the Conservation - Amenity Zone will be maintained and managed, identifying conservation areas in which the cutting, felling and clearing of trees and natural vegetation shall be prohibited, without the prior approval of the Local Authority, as advised by the Association and the DAC.
- 2) Should the action required in terms of Clause 2.11.1 not be carried out in compliance with the said management plan, the Local Authority or the Department of Environmental Affairs may cause such work to be undertaken so as to remedy the situation and may recover the expenses thereby incurred by it from the said Association.

## **8. ESTABLISHMENT AND MEMBERSHIP OF A MANAGEMENT ASSOCIATION**

2.12.1 Prior to commencement of any development, there shall be established an Association, in terms of Section 60 (1) and Regulation 18 of the Companies Act, 1973, the duty of which shall be to exercise such aspects of the management and control of Dunblane which do not constitute the statutory function of the Local Authority in terms of this Scheme, the Ordinance or any other applicable Act, Ordinance or Law.

2.12.2 Membership of the Association shall be obligatory for, and limited to, an owner, (registered as such in the KwaZulu - Natal Deeds Registry) of a unit, erf, lot, site or dwelling unit curtilage; all Bodies Corporate; and the Developer, including its successors and assigns.

## **9. FLOODLINE**

No habitable portion of buildings intended for residential purposes may be erected below the 100 year floodline, defined in terms of the Water Act No. 54 of 1956.

## **10. INSPECTION OF THE SCHEME**

The Local Authority, shall keep a register, of all applications and decisions taken in terms of the Scheme shall be kept in accordance with the requirements of Section 67 *quin* of the Ordinance and shall allow any person to inspect such register, registers or the Scheme at any reasonable time.

## **11. SITE DEVELOPMENT PLAN**

Notwithstanding any other provisions in these Clauses, the Owner shall not develop any lot, erf, site or dwelling unit curtilage, whether in part or in whole, within the

area of this Scheme, without the prior approval by the DAC and the Local Authority of a Building Plan and in the case of each Resort Village and Medium Density Housing Development Site, a Site Development Plan for such property.

Attached to the application for approval of a Site Development Plan (SDP), shall be:-

- 11.1. A layout plan in outline, showing proposed buildings, roads, access points and private open areas.
- 11.2. A layout plan showing the:-
  - 11.2.1. position, dimensions and materials to be used in the construction of all roads, drive-ways, parking areas, squares and pedestrian access ways, if any;
  - 11.2.2. boundaries of all dwelling unit cartilages, private open areas and common open spaces;
  - 11.2.3. the position, nature, extent and levels of all proposed and existing buildings on the site and the adjoining sites;
  - 11.2.4. the proposed landscaping of the site;
  - 11.2.5. the proposed position and nature of recreation facilities, if any; and
  - 11.2.6. the position and extent of all utility areas.
- 11.3. a set of sketch drawings prepared by an architect at a scale of 1:100 showing the plans, sections and elevation of each type of structure within the proposed development and particulars of the materials and colours to be used for the exterior wall finishes and roof or roofs; together with both front and rear elevations of each typical group of dwelling units at a scale of 1:100 or 1:200;
- 11.4. A table indicating the total area of the site, total number of dwelling units, total floor area, total number of car parking spaces provided for visitors and for residents, the extent of usable common land, the dwelling unit curtilage and utility areas;
- 11.5. Any other documents that the DAC and the Local Authority may require.

### **PART 3 : CONTROLS**

#### **3.1 BUILDING LINES**

Where a building line is prescribed, no building, other than boundary or screen walls or fences or temporary structures erected in connection with building operations, may be erected between the building line and the boundary of any private road area.

#### **3.2 SIDE AND REAR SPACE**

Where a side and rear space is prescribed, no building, other than boundary or screen walls or fences or temporary structures erected in connection with building operations, may be erected within the side and rear space.

### 3.3 HEIGHT OF BUILDINGS

No building/s shall be erected so as to exceed the height for that zone specified in Table B.

### 3.4 FLOOR AREA AND COVERAGE

On any erf, lot, site or dwelling unit curtilage, no building, dwelling house or unit may be erected so as to exceed the floor area and coverage as specified in Table B.

### 3.5 ZONE DENSITY

Buildings shall only be erected in each zone as to comply with the density specified in Table B.

### 3.6 CLEARING OF INDIGENOUS VEGETATION, PLANTING AND LANDSCAPING

No indigenous trees, shrubs or vegetation shall be removed from any erf, lot, site or dwelling unit curtilage, other than within the determined Development Footprint.

The planting of vegetation on, and landscaping of, any erf, lot, site or dwelling unit curtilage and along any boundary thereof, shall be prescribed by and to the satisfaction of, the Association and / or DAC and in terms of the Articles of Association and any rules, guidelines, codes and / or regulations issued by the Association from time to time.

### 3.7 LOADING, OFF - LOADING AND PARKING ACCOMMODATION

An application for approval of development shall include proposals for the provision of hardened or paved loading, off - loading and parking spaces in accordance with the minima set out in the following table:

TYPE OF DEVELOPMENT	LOADING SPACE	PARKING SPACE
1. Residential Use	-	1 per dwelling and 1 visitors space for every 2 dwelling units.
2. Commercial	1 per 500m <sup>2</sup> of gross floor area of part thereof	3 per 100m <sup>2</sup> gross shop floor area or part thereof
3. Office	-	1 per 65m <sup>2</sup> gross office area or part thereof.
4. Hotel / Lodge / Club-House	1 per Hotel / Lodge / Club House	1 per bedroom / suite plus convenient parking for a minimum of 20 cars.
5. Sport Amenity Zone	-	Convenient parking for a minimum of 15 cars.

For the purpose of calculating these provisions the minimum dimensions shall be:

- loading space 8m x 3m with a minimum height of 3m;
- parking space 5m x 2,5m; and
- adequate additional space shall be provided for safe access lanes and turning circles,

to the satisfaction of the DAC, and the Local Authority.

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**TABLE A****TYPES OF BUILDING AND LAND USE**

(Note : "Building" shall *mutatis mutandis* include use of land)

**1. AGRICULTURAL BUILDINGS AND LAND:**

A building used in connection with, or which would ordinarily be incidental to, or reasonably necessary in connection with the use of the site of that building as agricultural land, and may include an ancillary dwelling, grazing, forestry, Cropping which is the use of land for producing harvestable products, planted, grown, and cultivated in the soil, and which may including irrigated cropping, an Indigenous Garden Nursery which is land used for the purpose of growing, displaying and selling of plants and items incidental thereto, and includes the erection of buildings and structures ordinarily used therewith, and Horticulture associated with the nursery.

**2. AMENITY AREA:**

Land reserved for the protection of places of scenic beauty, natural vegetation, rivers and other topographical features, fauna and flora, places of historical interest and the like, but which may with the permission of the owner be used by the public for passive recreation.

**3. ARTS AND CRAFTS WORKSHOP:**

Means a building wherein the primary purpose is the production and selling of goods or services by retail and where the processes are operated specifically in conjunction with a shop or office to which the public, as customers, have access and includes such uses as, *inter alia*, hawking, fine arts and graphic arts, design, weaving, pottery, leatherwork studios, creative fashion designing, and may include a printer, but excludes a garage or service station. The processes carried on and the machinery installed shall be such that they will not cause nuisance to other properties in the relevant zone, and without detriment to the amenities of other use zones.

**4. BED AND BREAKFAST FACILITY:**

Means a dwelling unit in which not more than 50% of the bedrooms are provided for overnight guests for compensation, on a daily or weekly basis, with or without meals.

**5. CHILD MINDING FACILITY:**

A building, or portion of a building, which is used for the daytime care of children. This term includes crèches, nursery schools, pre-schools, day care centres for individuals, and other similar uses, but excludes public education facilities or any facility offering care to individuals for a full 24 hour period.

**6. CONSERVANCY:**

A group of individual farms or similar contiguous land parcels which, through their owners' initiative, are combined together for the protection and preservation of the natural bio-diversity of the eco-systems in that area. In this regard, a Biosphere shall mean a designated area created to integrate the natural environment and surrounding communities by the conservation and protection of the diversity and integrity of biotic communities, plants and animals within their natural eco-systems, and to demonstrate the value for conservation. A Conservancy may include a Camping Ground and Listed Buildings, which means any building, structure or place of architectural, historic or artistic interest which is listed in the Planning Scheme, and is indicated on the relevant scheme maps.

**7. CONFERENCE CENTRE:**

A building, or group of buildings, including associated land, used for conferences, gatherings, indoor recreation, exhibition hall, related catering facilities, and such other uses considered by the Local Authority to be ancillary to, or reasonably necessary for, the use of the building as a conference centre.

**8. CONVENIENCE SHOP:**

A building, or portion of a building, restricted to the sale of convenience goods such as bread and confectionery, dairy products, fresh produce, beverages, canned foods, magazines and newspapers, and may include a farm stall – i.e. A building used for retailing of fresh farm produce produced on site, including home made items.

**9. DWELLING HOUSE:**

A building constructed, used, or adapted to be used, as a dwelling unit to accommodate a family and which includes a kitchen, outbuildings and accessories as are ordinarily used therewith.

**10. DWELLING UNIT:**

A self-contained inter-leading group of rooms, including a kitchen, designed and used only as the accommodation for and housing of one household, and anything appurtenant, accessory and of a nature customarily incidental thereto, but does not include an ancillary unit.

**11. GENERAL GAME RESERVES:**

Game reserves providing a wide, but not necessarily complete spectrum of big game, and may not contain certain of the large and/or dangerous species, which occur in Major Game Reserves.

**12. HOLIDAY RESORT:**

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A combination of holiday resort facilities, including a camping ground, chalet development in association with a resort or public picnic place together with such entertainment facilities, service rooms, ablution and sanitary facilities as are ordinarily used therewith, all under the supervision of a resident supervisor or caretaker, and may include a Spa, Guest House, Care Taker's Unit, Holiday Accommodation Unit and Bed and Breakfast facilities. Helicopter landing pad may be permitted subject to Aviation Authority being obtained.

**13. HOTEL:**

A facility offering transient lodging accommodation to the general public, and providing additional services, such as restaurants, meeting rooms, entertainment, recreational facilities, and in respect of which a hotel liquor licence has been, or is intended to be, issued under the Liquor Act, 1989 (Act No. 27 of 1989), as amended, but excludes any off-sales facility.

**14. INSTITUTION:**

Means a building or portion of a building to be used for the accommodation of non-permanent clients of a health spa and may be operated in conjunction with a medical clinic. This may include ancillary buildings for food service, spa facilities, health care, personnel, caretaker, recreational facilities, therapy facilities and administration.

**15. LAUNDRETTE:**

A building used for the purpose of washing and drying clothing and household fabrics, where the machines used are electrically operated and quiet running, and of the type which process each customer's articles individually, and which may be operated by the customer. The washing media used shall be of a type that shall not cause harmful effluent to be discharged into the sewerage system.

**16. MEDIUM DENSITY HOUSING:**

A group of two or more dwelling units, together with such outbuildings as are ordinarily ancillary thereto, with each dwelling unit having access to common land, the whole development having been designed as a harmonious entity. Such development may include duplex flats, semi-detached houses, terrace houses, maisonettes, simplexes or dwelling houses.

**17. NATURE RESERVE:**

Areas in which human activities are very limited and where the natural environment is protected from man-made changes, but may include a camping ground.

**18. OFFICE, GENERAL:**

A building used for business, professional, medical or administrative offices but excluding a banking hall and the direct selling or storage or display of any goods or commodity whether or not the holding of a general dealers trade licence is required, and may include an office for security business services.

**19. PLACE OF ASSEMBLY:**

A building or land, used for social meetings, gatherings, religious purposes, library, art gallery or indoor recreation, and may include an Exhibition Centre, which means any building used, or constructed or designed or adapted to be used, for the display of goods or for public entertainment, a flea market and may include offices for the administration of such centre and other uses considered to be ancillary to, or reasonably necessary for, the use of the building as an exhibition centre.

**20. PRIVATE OPEN AREA:**

Means a usable area, exclusive of utility areas, common land, driveways and parking areas, which is open to the sky and which is adjacent to and has direct access from a dwelling unit on a medium density housing site, such private open area being reserved for the exclusive use of the occupants of the associated dwelling unit, but may include covered open areas (patios) and verandas.

**21. RESIDENTIAL BUILDING:**

A building, or portion of a building, other than a dwelling house, chalet, duplex flat, semi-detached house, terrace house, maisonette or hotel, used for human habitation, together with such outbuildings as are ordinarily used therewith, and includes a block of flats, cabanas or residential club and ancillary utility areas.

**22. RECREATIONAL BUILDING:**

A golf course, clubhouse, gymnasium, squash court, pavilion, change room and any similar building used in conjunction with a sport. A clubhouse may include dining facilities and lounges and boutique specialist shopping.

**23. RESTAURANT:**

A building, or portion of a building, designed for use, or used primarily for the preparation of food and liquid refreshments for consumption on the premises and may include a fast food outlet, kiosk and tea garden for consumption off the premises.

**24. RETIREMENT VILLAGE:**

A medium density housing development intended for the accommodation or settlement substantially of persons upon their retirement, and in which facilities may



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be provided for a frail care centre and place of communal activity. The village may include an office building, medical consulting rooms, laundrette, shop and dining room, which in each case shall be restricted as required by the Dunblane Estate Management Association, Local Authority and be for the sole use of occupants and guests.

**25. SPECIAL LANDSCAPES**

Means landscapes that are selected for their natural beauty or value as reservoirs of bio-diversity, cultural, historical or geological features.

**26. TRAILS:**

A beaten path or track extending through areas deemed to be of conservation value or ecologically sensitive, and may be used for the purpose of guided or educational tours.

**27. USABLE COMMON OPEN SPACE:**

Means that usable portion of the common land which is not occupied by vehicular road carriageway, parking areas and communal facilities of a non- recreational nature, but includes walkways, hiking trails and hiking huts, structures intended for recreational use and a children's playing area or areas.

**28. UTILITIES FACILITY:**

Land or buildings used for the accommodation and maintenance of plant, equipment, materials and horticultural requisites; and shall include buildings related to the supply of utility services such as water reservoir, waterworks, sewage treatment plant, electrical sub-station, telephone exchange, communications tower and such other utilities as may be necessary for health, communication and sanitation.

TABLE B : USE ZONES

1 USE ZONE SUBDIVISION	2 COLOUR NOTATION ON SCHEME MAP	3 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED	4 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED ONLY WITH SPECIAL CONSENT	5 PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED AND LAND MAY NOT BE USED
<p><b>"Special Zone 17"</b></p> <p><b>Land Uses Permitted:-</b></p> <p><i>Dunblane Resort Village 1</i></p> <p><i>[Hotel and clubhouse mixed use zone]</i></p>	Light Blue	<p>3. Arts and Crafts Workshop</p> <p>5. Child Minding facility</p> <p>7. Conference Centre</p> <p>8. Convenience Shop</p> <p>12. Holiday Resort</p> <p>13. Hotel</p> <p>15. Launderette</p> <p>18. Office General (restricted to providing a service to Dunblane Development Company and the community)</p> <p>19. Place of Assembly</p> <p>20. Private Open Area</p> <p>21. Residential Building</p> <p>22. Recreational Building</p> <p>23. Restaurant</p> <p>25. Special Landscapes</p> <p>27. Useable common open space</p>	28. Utilities Facility	Buildings and Land uses not included in Columns 3 and 4

1 USE ZONE SUBDIVISION	2 COLOUR NOTATION ON SCHEME MAP	3 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED	4 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED ONLY WITH SPECIAL CONSENT	5 PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED AND LAND MAY NOT BE USED
<p><b>"Special Zone 17"</b> <b>Land Uses Permitted:-</b>  <i>Dunblane Resort Village 2</i>  <i>[Timeshare Village]</i></p>	Purple	<p>2. Amenity Area 16. Medium Density Housing 18. Office General – limited to administration of the Timeshare residential building 20. Private Open Area 21. Residential Building 25. Special Landscapes</p>	24. Retirement Village	Buildings and Land uses not included in Columns 3 and 4
<p><b>"Special Zone 17"</b> <b>Land Uses Permitted:-</b>  <i>Dunblane Resort Village 3</i>  <i>[Team Village]</i></p>	Beige	<p>2. Amenity Area 9. Dwelling House 10. Dwelling Unit 25. Special Landscapes</p>	12. Holiday Resort restricted to a Bed and Breakfast Facility only	Buildings and Land uses not included in Columns 3 and 4

<p><b>"Special Zone 17"</b> <b>Land Uses Permitted:-</b> <i>Dunblane Resort Village 4 [Medium Density Housing]</i></p>	<p>Orange</p>	<p>2. Amenity Area 9. Dwelling House 16. Medium Density Housing 20. Private Open Area 25. Special Landscape</p>	<p>12. Holiday Resort restricted to a Bed and Breakfast Facility only 24. Retirement Village</p>	<p>Buildings and Land uses not included in Columns 3 and 4</p>
<p><b>"Special Zone 17"</b> <b>Land Uses Permitted:-</b> <i>Dunblane Resort Village 5 [Golf Estate]</i></p>	<p>Light yellow</p>	<p>2. Amenity Area 9. Dwelling House 25. Special Landscapes</p>	<p>12. Holiday Resort restricted to a Bed and Breakfast Facility only</p>	<p>Buildings and Land uses not included in Columns 3 and 4</p>
<p><b>"Special Zone 17"</b> <b>Land Uses Permitted:-</b> <i>Dunblane Resort Village 6 [Lodge]</i></p>	<p>Burgundy</p>	<p>2. Amenity Area 12. Holiday Resort 18. Office General – restricted to an office for administration of the lodge 22. Recreational Building restricted to a club-house only 23. Restaurant 25. Special Landscapes 26. Trails 27. Usable Common Open Space</p>	<p>7. Conference Centre 13. Hotel</p>	<p>Buildings and Land uses not included in Columns 3 and 4</p>

1 USE ZONE SUBDIVISION	2 COLOUR NOTATION ON SCHEME MAP	3 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED	4 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED ONLY WITH SPECIAL CONSENT	5 PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED AND LAND MAY NOT BE USED
<b>"Special Zone 17"</b>  <b>Land Uses Permitted:-</b>  <i>Dunblane Resort Village 7 [Lodge Units]</i>	Red	2. Amenity Area 9. Dwelling house 25. Special Landscapes		Buildings and Land uses not included in Columns 3 and 4
<b>"Special Zone 17"</b>  <b>Land Uses Permitted:-</b>  <i>Dunblane Resort Village 8 [Wellness centre]</i>	Light green	2. Amenity Area 14. Institution – may include residential building and Medium Density Housing for patrons of centre only 18. Office General – restricted to an office for administering the affairs of the Wellness Centre. 23. Restaurant restricted to patrons of the centre only 25. Special Landscapes 27. Usable Common Open Space	28. Utilities facility 24. Retirement Village	Buildings and Land uses not included in Columns 3 and 4

1	2	3	4	5
USE ZONE SUBDIVISION	COLOUR NOTATION ON SCHEME MAP	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED ONLY WITH SPECIAL CONSENT	PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED AND LAND MAY NOT BE USED
"Special Zone 17" Land Uses Permitted:- <i>Activity Zone [Golf Course]</i>	Lime Green	2. Amenity Area 22. Recreational land – restricted to Golf Course only 25. Special Landscapes	-	Buildings and Land uses not included in Columns 3 and 4
"Special Zone 17" Land Uses Permitted:- <i>Infrastructure and Services</i>	Brown	1. Agricultural Buildings and Land 2. Amenity Area 25. Special Landscapes 28. Utilities Facility	-	Buildings and Land uses not included in Columns 3 and 4
"Special Zone 17" Land Uses Permitted:- <i>Parking Resort Village 7</i>	White with a P	1. Parking of motor vehicles only under light weight structures	-	Buildings and Land uses not included in Columns 3 and 4

1 USE ZONE SUBDIVISION	2 COLOUR NOTATION ON SCHEME MAP	3 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED	4 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED ONLY WITH SPECIAL CONSENT	5 PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED AND LAND MAY NOT BE USED
<p><b>"Special Zone 17"</b> <b>Land Uses Permitted:-</b> <i>Conservation Amenity</i></p>	<p>Dark Green</p>	<p>2. Amenity Area 6. Conservancy 11. General Game Reserve 12. Holiday Resort restricted to camping ground and picnic place 17. Nature Reserve 25. Special Landscapes 26. Trails 27. Usable Common Open Space</p>	<p>28. Utilities Facility</p>	<p>Buildings and Land uses not included in Columns 3 and 4</p>

1	2	3	4	5
USE ZONE SUBDIVISION "Special Zone 17"	COLOUR NOTATION ON SCHEME MAP	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED ONLY WITH SPECIAL CONSENT	PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED AND LAND MAY NOT BE USED
Dunblane Residential Village 1 [800 m <sup>2</sup> sites]	Dark Yellow	2. Amenity Area 9. Dwelling House 25. Special Landscapes	12. Holiday Resort restricted to Bed and Breakfast facility only	Buildings and Land uses not included in Columns 3 and 4
Dunblane Residential Village 2 [1000 m <sup>2</sup> sites]	Yellow	2. Amenity Area 9. Dwelling House 25. Special Landscapes	12. Holiday Resort restricted to Bed and Breakfast facility only	Buildings and Land uses not included in Columns 3 and 4



**TABLE C : DENSITY, COVERAGE AND HEIGHT**

AREA/ZONE "Special Zone 17"	MAXIMUM DENSITY PER SITE HECTARE	MAXIMUM PERCENTAGE COVERAGE PER SITE	HEIGHT RESTRICTION	BUILDING LINES AND SIDE AND REAR SPACE
<b>Dunblane Resort Village 1</b> [Hotel and clubhouse mixed use zone]	0.5 FAR	30	3 Storeys	Building Line 7 m Side and Rear space 4.5 m
<b>Dunblane Resort Village 2</b> [Timeshare Village]	0.35 FAR	35	2 Storeys	Building Line with outer boundary 7 m All other Side and Rear space 4.5 m
<b>Dunblane Resort Village 3</b> [Team Village]	0.8 FAR	50	2 Storeys	Building Line 3 m Side and Rear space 1.5 m
<b>Dunblane Resort Village 4</b> [Medium Density Housing]	25 Units per Hectare rounded off to the nearest whole number	35	2 Storeys	Building Line 7 m Side and Rear space 4.5 m
<b>Dunblane Resort Village 5</b> [Golf Estate]	0.40 FAR	40	2 Storeys	Building Line 4.5 m Side and Rear space 3 m

<b>Dunblane Resort Village 6</b> [Lodge]	0.25 F.A.R.	25	2 Storeys	Building Line 10 m Side and Rear space 10 m
<b>Dunblane Resort Village 7</b> [Lodge Units]	0.50 F.A.R.	50	2 Storeys	Building Line 2 m Side and Rear space 2 m All buildings that are to be built on land steeper than 1:4 shall be on stilts and drainage provision shall be specifically made to the satisfaction of the local authority. No disturbance of the natural landscape in the form of "cut and fill" may occur on sites steeper than 1:4
<b>Dunblane Resort Village 8</b> [Wellness centre]	0.5 FAR	30	2 Storeys	Building Line 7 m Side and Rear space 4.5 m
<b>Activity Zone</b> [Golf Course]	-	-	-	-
<b>Infrastructure and Services</b>	As per services plan	25	1 Storeys	-
<b>Parking Resort Village 7</b>	Parking bays at a ratio of one bay per Dunblane Resort Village 7 unit	25	1 Storeys	Only light weight covered parking bays may be provided

Conservation Amenity	As per Environmental Management Plan produced	As per EMP Footprint	1 Storey	An EMP shall be prepared before any buildings or structures or Camping areas area demarcated and developed
<p><b>Dunblane Residential Village 1</b> [800 m<sup>2</sup> sites]</p>	<p>0.5 FAR</p>	<p>40</p>	<p>2 Storeys</p>	<p>Building Line 4.5 m Side and Rear space 2 m All buildings that are to be built on land steeper than 1:4 shall be on stilts and drainage provision shall be specifically made to the satisfaction of the local authority. No disturbance of the natural landscape in the form of "cut and fill" may occur on sites steeper than 1:4</p>
<p><b>Dunblane Residential Village 2</b> [1000 m<sup>2</sup> sites]</p>	<p>0.4 FAR</p>	<p>40</p>	<p>2 Storeys</p>	<p>Building Line 4.5 m Side and Rear space 2 m All buildings that are to be built on land steeper than 1:4 shall be on stilts and drainage provision shall be specifically made to the satisfaction of the local authority. No disturbance of the natural landscape in the form of "cut and fill" may occur on sites steeper than 1:4</p>

DUNBLANE PLANNING, DEVELOPMENT AND LAND USE CONTROLS

## ETHEKWINI MUNICIPALITY

### PROPOSED AMENDMENT: CHATSWORTH 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 **CHATSWORTH** Area of the Durban Town Planning Scheme in the course of preparation for rezoning :- under.

Property description : **Erf 138, Durban**  
Street Address: : **65 Collier Avenue**  
From: : **Special Residential 650m<sup>2</sup>**  
To: : **Special Residential 400M<sup>2</sup>**

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. Consult your local office.

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, 12 December **2008**

M. Sutcliffe  
Municipal Manager

City Hall  
West Street  
DURBAN

**04 November 2008**

## ETHEKWINI MUNICIPALITY

ISICHIBIYELO ESIHLONGOZWAYO: SOHLELO LWEDOLOBHA **CHATSWORTH** AREA  
OLUPHEZU KWAMALUNGISELELO.

Kukhishwa isaziso sokuthi kufakwe isicelo eMkhandlwini ngokwesiGaba 47 sika B sikaSomqulu weMithetho wokuHlelwa kweDolobha, sika 1949 (Ord. No. 27 ka 1949) (njengoba sichitshiyelwe), ukuthi imvumea yokuchibiyela uhlelo lwedolobha lase **CHATSWORTH** Area of the Durban Town Planning Scheme oluphezu kwamalungiselelo ngokushintsha.

**Isiza:** Erf 138, Durban  
**Inombolo yomgwaqo:** 65 Collier Avenue  
**Kusuka:** Special Residential 650M<sup>2</sup>  
**Kuya:** Special Residential 400M<sup>2</sup>

Imininingwane yalesichibiyelo esihlongozwayo kanye namapulani afanele avulekile ukuhlolwa ehovisi le Town Planning eliku 166 Old Fort, ngezikhathi zokusebenza Thintana.

Noma yimuphi umuntu othintekayo ngalesi sichibiyelo esihlongozwayo angathumela izikhalazo 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 **12 December 2008**

M. Sutcliffe  
Municipal Manager

City Hall  
West Street  
DURBAN

**04 November 2008**

**ETHEKWINI MUNICIPALITY  
INNER WEST AREA OFFICE**

P O Box 244 Pinetown 3600 Tel : 3116427 Fax : 7018863

**APPLICATION FOR REZONING : SITE NOTICE**

**PROPOSED AMANDEMENT : 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 in the course of preparation for rezoning,

(Cadastral Description/Erf No.) **PROPOSED PTN 1 OF ERF 146 PADFIELD PARK**

(Street Address) **109 PADFIELD ROAD, PINETOWN**

(from) **PUBLIC OPEN SPACE**

(to) **SPECIAL RESIDENTIAL 1**

Copies of the proposed amendment are open for inspection at the Town Planning Office, 2 Club Lane, Pinetown, weekdays between the hours of 08h00 and 12h30.

Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the Regional Co-ordinator : Land Use Management, Inner West Region, at the address below, by Friday 5 December 2008.

**Dr M SUTCLIFFE**  
City Manager

eThekwini Municipality – Inner West Region  
P O Box 244  
Pinetown  
3600

**DATE OF DISPLAY ON SITE : 13 NOVEMBER 2008**

**ETHEKWINI MUNICIPALITY****INNER WEST AREA OFFICE**

**ISICHIBIYELO ESIHLONGOZWAYO: SOHLELO LWEDOLOBHA LASE PINETOWN OLUPHEZU KWAMALUNGISELELO.**

Kukhishwa isaziso sokuthi kufakwe isicelo eMkhandlwini 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	<b>PROPOSED PORTION 1 OF ERF 146 PADFIELD PARK</b>
Inombolo yomgwaqo	<b>109 PADFIELD ROAD, PINETOWN</b>
Kusuka	<b>PUBLIC OPEN SPACE</b>
Kuya	<b>SPECIAL RESIDENTIAL 1</b>

Amakhophi okuhlelwa kokuchasisa okuhlongozwayo avulelekile ukubonwa umphakathi ehhovisi le- Town Planning, e-Phayindane, kumgwaqo 2 Club lane.

Noma ubani ongagcizelekanga noma ongahambisani nokuhlongozwayo ungabhala ukunganeliseki kwakhe nezizathu mese ekunikezela ku-kumxhumanisi wesigceme (Regional Co-ordinator) wokulawula ukusebenza komhlaba, wesigceme sasemaphakathi nentshona kwi address engezansi, ngoLwesihlanu 5 DECEMBER 2008.

Dr M SUTCLIFFE  
City Manager

eThekwini Municipality – Inner West Region  
P O Box 244  
Pinetown  
3600

## ETHEKWINI MUNICIPALITY

### INNER WEST REGION

#### 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 in the course of preparation for :

Rezoning of Portion 1 of Erf 117 and Erf 120 Pinetown, located at 31-33 Tracy Watts Road, from Special Residential I to Transition Zone

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 Regional Co-ordinator : Land Use Management, Inner West Region, at the address below, by Friday 05 December 2008.

Dr M SUTCLIFFE  
City Manager

eThekwini Municipality – Inner West Region  
P O Box 244  
Pinetown  
3600



**ETHEKWINI MUNICIPALITY****INNER WEST REGION**

ISICHIBIYELO ESIHLONGOZWAYO: SOHLELO LWEDOLOBHA LASE PINETOWN OLUPHEZU KWAMALUNGISELELO.

Kukhishwa isaziso sokuthi kufakwe isicelo eMkhandlwini 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 Portion 1 of Erf 117 and Erf 120 Pinetown

Inombolo yomgwaqo 31-33 Tracy Watts Road

Kusuka Special Residential I

Kuya Transition Zone

Amakhophi okuhlelwa kokuchasisa okuhlongozwayo avulelekile ukubonwa umphakathi ehhovisi le – Town Planning, e-Phayindane , kumgwaqo 2 Club lane.

Noma ubani ongagcizelekanga noma ongahambisani nokuhlongozwayo ungabhala ukunganeliseki kwakhe nezizathu mese ekunikezela ku-kumxhumanisi wesigceme (Regional Co-ordinator) wokulawula ukusebenza komhlaba ,wesigceme sasemaphakathi nentshona kwi address engezansi, ngoLwesihlanu \_\_\_  
05 December \_\_\_ 2008.

Dr M SUTCLIFFE  
City Manager

eThekwini Municipality – Inner West Region  
P O Box 244  
Pinetown  
3600

**HIBISCUS COAST MUNICIPALITY****NOTICE NO. 160/2008****PROPOSED AMENDMENT TO THE MARGATE TOWN PLANNING SCHEME (IN  
COURSE OF PREPARATION)**

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

- i. a "Special Zone" to include the following uses: "Dwelling House", "Recreational Building", "Conference Room" and "Club House" into the Margate Town Planning Scheme, in course of preparation ( Special Zone Number to be confirmed by KZN Provincial Planning and Development Commission) and by the rezoning of:
  1. Erf 49 Margate Extension 3 from "Agriculture" to "Special Zone (Sports and Recreation Centre)" (Special Zone Number to be confirmed by KZN Provincial Planning and Development Commission)
  2. Erf 718 Shelly Beach from "Special Residential 1" to "Limited Commercial"

A copy of the proposed amendment 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 039-3159220) by not later than 18 December 2008 at 16:00.

**SW MKHIZE  
MUNICIPAL MANAGER**

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

UMASIPALA IHIBISCUS COAST  
ISAZISO SOMPHAKATHI SIKA 0160/2008

ISIPHAKAMISO SOKUCHIBIYELA KOHLELO LOKUHLELA KABUSHA  
KWEDOLOBHA IMARGATE (PHANTSI KOHLALUTYO  
KABUSHA)

Isaziso sikhishwa ngokomyalelo wesigaba 47 bis B(1) womthetho wedolobha omayelana nokuhlelwa kwedolobha ongunombolo 27 ka 1949 njengokuchibiyelwa kwawo. Kuyinhloso kamasipala iHibiscus Coast ukucubungula iziphakamiso ezimayelana nohlelo lokuhlela kabusha kwedolobha IMargate ngokuthi kusungulwe okulandelayo

- i. indawo eyaziwa nge "Special Zone" ezosetshenzisewa ukwakha umuzi nendawo yokungcebeleka, indawo yezophicothokanye nedlu yokonaba eMargate (izinombolo zezitifiketi zokwakha ezisazophuma kwiKhomishani yesiFundazwe ephethe ezokuHlela ), kanye nokuhlela kabusha.
1. ISiza 49 eMargate Extension 3 isuswa ekubeni Indawo yokuLima(Agriculture) iba yindawo ekhethekileyo (Special Zone). (Inkundla Ezoqeqesho nokwenaba) (izinombolo zezitifiketi zokwakha ezisazophuma kwiKhomishani yesiFundazwe ephethe ezokuHlela)
2. Isiza 718 eShelly Beach isuswa ekubeni Indawo yokuhlala yokuqala ( Special Residential 1) isiba yindawo yokushishina (Limited Commercial).

Ikhophi yesiphakamiso sesichibiyelo iyotholakala kulabo abafuna ukuyihlola emahovisi kamasipala akuCrescent Road eUvongo ngezikhathi zomsebenzi. Unoma ubani onentshisekelo angabhala aphikise noma abeke umbono wakhe aqondise kumphathi kamasipala kwa P.O. BOX 5 Port Shepstone noma asebenzis isikhahlamezi kulenombolo (039-3156239) ngaphambi komhlaka 18 December 2008 Ngo-16h00 ntambama.

SW MKHIZE  
UMPHATHI KAMASIPALA

Hibiscus Coast Municipality  
10 Connor Street  
P.O.Box 5  
Port Shepstone  
4240

**DEVELOPMENT PLANNING, ENVIRONMENT AND MANAGEMENT  
PROPOSED AMENDMENT OF THE CONSOLIDATED OUTER WEST TOWN  
PLANNING SCHEME IN COURSE OF PREPARATION**

Notice is hereby given in terms of Section 47 *bisA* (2) of the Town Planning Ordinance No 27 of 1949, as amended, that the eThekweni Municipality is proposing the amendment of the Consolidated Outer West Town Planning Scheme-in-the-course-of preparation in following Council's earlier approval in principle on the 06 December 2007, of the rezoning of certain sites adjacent to or in environmentally sensitive areas in the Winston Park, St Helier, Stockville Valley and Southern Kloof escarpment areas (Phase 1) and flanking the Springside and Ipithi Nature Reserves generally from Special Residential 1800 zone to split zonings of Special Residential 3600 and Conservation Reserve (the latter to be re-designated Conservation Zone).

This serves as the FINAL notice, which is a repeat of the notices lodged on the 11 April 2008 and the 30 May 2008 for the above-mentioned proposal. All the Greater detail of the proposed amendments and relevant plans are open for inspection at the Land Use Management Branch at 22 Delamore Road, Hillcrest, during office hours.

It is important to note the representations and objections already lodged will be considered, and there would be no need to lodge further representations and objections.

Any other person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the undersigned by not later than the close of business on Friday 05 December 2008.

**R. MOODLEY  
REGIONAL CO-ORDINATOR LAND USE MANAGEMENT BRANCH:  
DEVELOPMENT PLANNING, ENVIRONMENT AND MANAGEMENT  
HILLCREST AREA OFFICE**

Hillcrest Area Office  
P.O.Box 36  
**Kloof**  
3640

22 Delamore Road  
**Hillcrest**  
3610

**UMKHANDLU OMKHULU WETHEKU**

**EMAHHOVISI ASENTSHONALANGA ENGAPHANDLE  
ISAZISO NGESICHIBIYELO KUMTHETHO WEZOKUHLELA KWEDOLOBHA  
OSACUTSHUNGULWAYO**

Isaziso nokwesigaba 47 *bisA* (2) se- Town Planning Ordinance No 27 of 1949, as amended, uMkhandlu weTheku uhlongoza ukuguqula i-Consolidated Outer West Town Planning Scheme-in-the-course-of preparation ngokulandela isinqumo esathathwa uMkhandlu ngomhlaka 06 December 2007, sokuthi kushintshwe imihlaba (rezoning) ethile eseduzane nendawo yezemvelo (environmentally sensitive areas) izobe ishintshwa ukuba indawo yokuhlala eyisilinganiso esingu 1800 (SR1800) kodwa izobe isisentshenziswa ngezindlela ezimbili okuyi indawo yokuhlala eyisilinganiso esingu 3600 (SR 3600) kanjalo nanjengendawo yezokongiwa kwezemvelo (Conservation Reserve) ezoqanjwa kabusha ibe, (Conservation Zone) kwizindawo ezise Winston Park kanye ne St Helier lezo ezizungeze i Springside kanye ne Ipithi Reserve kanjalo futhi nalezo ezikuStockville Valley nase Kloof Escarpment (Phase 1).

Lesi isaziso SOKUGCINA, esiyimpinda yezaziso ezathunyelwa ngomhlaka 11 April 2008 no 30 May 2008 mayelana nesaziso esingenhla. Imininingwane ngezinguquko ezihlongozwayo iyatholakala emaHhovisi e- Land Use Management Branch ku-22 Delamore Road, Hillcrest, ngezikhathi zokusebenza.

Kubalulekile ukuqaphela ukuthi labo aseba letho izimvo zabo asikho isidingo sokuthi baphinde bazilethe.

Noma ubani onesifiso sokudlulisa uvo lwakhe wamukelekile ukukwenza lokho na lowo obalulwe ngenzansi, lungakashayi uLwesiHlanu lomhlaka 05 December 2008.

**R. MOODLEY  
REGIONAL CO-ORDINATOR LAND USE MANAGEMENT BRANCH:  
DEVELOPMENT PLANNING, ENVIRONMENT AND MANAGEMENT  
HILLCREST AREA OFFICE**

Hillcrest Area Office  
P.O.Box 36  
Kloof  
3640

22 Delamore Road  
Hillcrest  
3610

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0001 PRETORIA

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Entrance in Proes Street

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Tel: (012) 401 9700

E-mail: [infodesk@nlsa.ac.za](mailto:infodesk@nlsa.ac.za)



land affairs

Department:  
Land Affairs  
REPUBLIC OF SOUTH AFRICA

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Tel: (021) 658 4300

Email: [cdsm@sls.wcape.gov.za](mailto:cdsm@sls.wcape.gov.za)

