

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

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

*(Registered at the post office as a newspaper) • (As 'n nuusblad by die poskantoor geregistreer)*  
*(Irejistiwee njengephephandaba eposihhovisi)*

**Vol. 2**

**PIETERMARITZBURG,**

25 DECEMBER 2008  
25 DESEMBER 2008  
25 kuZIBANDLELA 2008

**No. 213**

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*Ikhasi*

# 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  
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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

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

Letter Type: Arial Size: 10

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Exactly 11pt



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

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**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  
25 December 2008

Langalibalelestraat 300  
Pietermaritzburg  
25 Desember 2008

Izaziso ezilandelayo zikhishelwe ulwazi lukawonkewonke.

DKT. K. B. MBANJWA  
uMqondisi-Jikelele

300 Langalibalele Street  
Pietermaritzburg  
25 kuZibandlela 2008

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No. 252

25 December 2008

## DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

**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: 13 December 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) 39 Old Main Road, **Remainder of Portion 62 (of 23) of the farm Clifton No. 939**, Registration FT, eThekweni Municipality
- (2) T 52766/2001, D.1. and D.2., 2002/378
- (3) Removal of conditions of title that restrict the use of the property to residential purposes and restrict the use of the property to one dwelling house.
  
- (1) 37 Old Main Road, **Remainder of Portion 63 (of 23) of the farm Clifton No. 939**, Registration FT, eThekweni Municipality
- (2) T 25303/91, D.1. and D.2., 2003/787
- (3) Removal of conditions of title that restrict the use of the property to residential purposes and restrict the use of the property to one dwelling house.
  
- (1) 1 Mangrove Place, **Remainder of Portion 56 (a Portion of 54) of Erf 2 No. 1673**, Registration Division FU, KwaDukuza Municipality
- (2) T 4469/98, e) 1. and e) 2., 2007/137
- (3) Removal of conditions of title that restrict the use of the property to one dwelling house and prohibit the use of the property for business purposes.
  
- (1) **Erf 482 Port Edward**, Registration Division ET, Hibiscus Coast Municipality
- (2) T06 11940, b)(12), 2007/1660
- (3) Removal of condition of title that imposes building lines.
  
- (1) 19 Monteith Place, **Portion 1 of Erf 1658 Durban North**, Registration FU, eThekweni Municipality
- (2) T 63012/2001, 4.(a), 4.(b) and 5.(g) and T 25894/2007, 4.(a), 4.(b) and 5.(g), 2007/994

- (3) Removal of conditions of title that prohibit the subdivision of the property, restrict the use of property to one dwelling house, prohibit the leasing of the property and prohibit the creation of right-of way of servitudes
- (1) 14 Umzwilili Road, **Erf 162 Glenholme**, Registration Division FT, eThekwini Municipality
- (2) T05 15511, (c)4.; (c)5.and (c)6, 2008/108
- (3) Removal of conditions of title that prohibits the sale of liquor on the property; prohibits the use of the property for a restaurant and prohibits the use of the property for commercial purposes
- (1) **Erf 2431 Ramsgate**, Registration Division ET, Hibiscus Municipality
- (2) T29036/07 E.(b); E.(d); J.(a)2.; K.2. and K.11., 2008/434
- (3) Removal of conditions that restricts the use of the property to one dwelling house and removal of conditions of title that imposes building lines
- (1) 10 Dorwyn Road, **Erf 399 Southbroom**, Registration Division ET, Hibiscus Coast Municipality
- (2) T 06 20094 and T 05 30292, B. (c) and B.(d), 2008/506
- (3) Removal of conditions of title that restrict the use of the property to one dwelling house and prohibit the use of certain types of building material for the construction of buildings.
- (1) **Portion 131 (of 8) of the Farm Newtonwolds No 6371**, Registration Division ET, Umdoni Municipality
- (2) T06 45494, D.1. and E.2., 2008/517
- (3) Removal of conditions of title that restrict the use of the property to one dwelling house and prohibit the subdivision of the property.
- (1) Renaud Street, **Erf 1500 Queensburgh**, Registration FT, eThekwini Municipality
- (2) T 04 21424, B.a), 2008/672
- (3) Removal of condition of title that restricts the use of the property to one dwelling house.
- (1) 5 Garden Street, **Portion 5 of Erf 359 Verulam**, Registration FU, EThekwini Municipality
- (2) T 06 10403, C.2., 2008/698
- (3) Removal of condition of title that restricts the use of the property to one dwelling house.
- (1) Brackenhill Road, **Portion 84 (of 37) of the Farm Upper End of Langefontein No. 980**, Registration Division FT, eThekwini Municipality
- (2) T24917/03, D, 2008/700
- (3) Removal of conditions of title that prohibits subdivision of the property; restricts the use of the property to one dwelling house and prohibits the use of the property for trading and business purposes.
- (1) 63 Chelsea Drive, **Erf 1798 Durban North**, Registration Division FU, eThekwini Municipality
- (2) T027061/07, C.1-12, 2008/871
- (3) To remove conditions of title in favour of Durban North Estates that requires the consent of Durban North Estates Limited for a change of the use of the property, that restricts the use of property to one dwelling house, that restricts the use of

certain types of building material for the construction of buildings, that prohibits the subdivision of the property and that requires the submission of building plans to Durban North Estates Limited for its approval.

- (1) Corner Uvongo Drive and Alpine Way **Erf 1647 Uvongo**, Registration Division ET, Hibiscus Coast Municipality
  - (2) T04 50201, C.(a), C.(c) and C.(d), 2008/703
  - (3) Removal of conditions of title that restrict the use of the property to one dwelling house, prohibit the subdivision of the property and restricts the use of certain types of building materials for the construction of buildings.
- 
- (1) 9 Beldon Road, **Erf 2655 Queensburgh**, Registration FT, eThekweni Municipality
  - (2) T 6772/99, A.2., 2008/837
  - (3) Removal of a condition of title that restricts the use of the property to one dwelling house.
- 
- (1) 491 Musgrave Road, **Portion 1 of Erf 2181 Durban**, Registration Division FU, eThekweni Municipality
  - (2) T 04 49650, (2)(b), 2008/741
  - (3) Removal of condition of title that restricts the use of the property to two double storey houses.
- 
- (1) 72 Drakensberg Street, **Erf 774 Shallcross**, Registration Division FT, eThekweni Municipality
  - (2) T 14613/1976, A.6., 2008/937
  - (3) Removal of condition of title that restricts the use of certain types of building material for the construction of buildings.

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**No. 253****25 December 2008****LESS FORMAL TOWNSHIP ESTABLISHMENT ACT, 1991: ERF 1628 STUARTSTOWN (PORTION OF THE REMAINDER OF ERF 174 STUARTSTOWN), STUARTSTOWN, UBUHLEBEZWE MUNICIPALITY**

In terms of section 3(1)(b) and 6(a) of the Less Formal Township Establishment Act, 1991 (Act No. 113 of 1991) I —

- (a) designate Erf 1628 Stuartstown, Registration Division ET, as shown on Plan Number STUE8, dated October 2008, as a less formal settlement;
- (b) determine that the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949), is applicable to the less formal settlement, except for the provisions of sections 11, 11*bis*, 12, 16-27, 33, 35, 36 and 39 of the Ordinance which shall not apply to the less formal settlement for the purposes of the establishment thereof in accordance with the conditions of approval of application 2006/1187.

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

Date: 13 December 2008

File reference: 2006/1187

No. 254

25 December 2008

**DEVELOPMENT FACILITATION ACT, 1995: REMAINDER OF PORTION 1 OF THE FARM REPROACH NO. 4237, THE FARM REPROACH ANNEX NO. 12902, PORTION 2 OF THE FARM REQUEST NO. 2 NO. 9766 AND PORTION 3 OF THE FARM SCOTSTON NO. 4128, HIGHLANDS, OKHAHLAMBA MUNICIPALITY**

In terms of section 33(4) of the Development Facilitation Act, 1995, the Development Tribunal approved the development of 44 limited mixed use sites, 39 residential sites, 1 limited mixed use site for a recuperative health-centre, a 6 tent camp, a 7 hut cultural village, agricultural activities and recreational activities on Remainder of Portion 1 of the farm Reproach No. 4237, the farm Reproach Annex No.12902, Portion 2 of the farm Request No. 2 No. 9766 and Portion 3 of the farm Scotston No. 4128; Registration Division GS, Highlands, Okhahlamba 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 Site Development Plan No. 5B-LDA and Layout Plan 9 10159PA Prop Landuse Rev 03 dated 16 November 2006;
- (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 2005/352;
- (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 are applicable to the land development area.

**M. A. DE LANGE**, Designated Officer

Date: 17 December 2008

File reference: 2005/352

Schedule 1

**HIGHLANDS COUNTRY ESTATE LAND USE CONDITIONS**

**1. DEFINITIONS**

In these conditions, unless the context otherwise indicates —

**"agricultural building"** means a building used for the rearing of animals or cultivation of crops, but excludes a kennels;

**"agricultural land"** means arable, meadow or pasture land, market gardens, poultry farm, nursery garden and land used for the rearing animals;

**"basement"** is the lowest part of any building, which part is constructed with more than 50% of its volume below the lesser of either the mean finished ground level or the existing ground level immediately surrounding the building;

**"building"** is any structure or erection of an immovable nature including a tank, swimming pool or communication mast and any wall, retaining wall or close-boarded fence which is more than two metres in height at any point, but excludes an open fence, post, steps, pier, ramp, fountain, statue, fish-pond, pergola or other garden ornamentation;

**"building line"** is a line parallel to any boundary of a lot which is conterminous with a street or public right of way;

**"business premises"** means the use of a building or land for offices, showrooms, restaurants, laundrette or any other business or commercial purposes, excluding a shop, service station, industry, or scrap yard;

**"commercial workshop"** means a light industrial building wherein the primary purpose is the 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, has access and includes uses like watch repairer, shoe repairer, television repairer, electrician, or jobbing printer, but excludes a service station or a building related to the repair or fitment of motor vehicle parts;

**"coverage"** is the proportion of a lot covered by buildings, 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;

**"develop"** means to erect a building on land or to alter or extend a building;

**"dwelling house"** means a freestanding dwelling unit used as a dwelling for the accommodation of the inhabitants thereof together with such outbuildings as are ordinarily used therewith;

**"dwelling unit"** means a self-contained inter-leading group of rooms for the accommodation of the inhabitants thereof including not more than one kitchen;

**"floor area"** means 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;

**"floor area ratio"** is the ratio of the total floor area of the buildings on a lot to the lot area and is expressed as a decimal, e.g. a floor area ratio of 0,5 means that the area of the buildings is half the lot area. Any area used exclusively for the parking of motor vehicles, garages, carports, swimming pools, squash courts and tennis courts where they are for private use only must be excluded from consideration in any calculation of floor area ratio;

**"guesthouse"** means a dwelling house, dwelling unit or residential building with six or more bedrooms of which more than 50% are let out for reward, but excludes a hotel;

**"height"** means the height of a building or structure in storeys and 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;

**"home business"** means the use of part of a residential building, dwelling house, dwelling unit or outbuildings by the resident thereof by a tailor, dressmaker, knitter, home baker or confectioner, typist, computer operator, photographer, manicurist, chiropractor, chiropodist, masseur or masseuse, hairdresser or barber, beautician, shoemaker, bookbinder, printer, sign writer, upholsterer, curtain maker, duplicator, engraver, etcher, leather worker, milliner, silkscreener,

caneworker, bookkeeper and potter or similar activities and includes a bed and breakfast establishment as long as not more than 50% of the bedrooms in the building are let out for bed and breakfast purposes;

**"Homeowners Association"** is the van Reenen Country Estate Homeowners Association;

**"industry"** means an activity on any premises amounting to the use of such premises as a factory as contemplated in terms of section 35 of the Machinery and Occupational Safety Act, 1983 (Act No. 6 of 1983);

**"institution"** means a building designed and used as a hospital, or nursing home, clinic or other similar institution, whether public or private;

**"lot"** is a registered subdivision of land;

**"lot area"** is the area of a lot, less the area of any servitude, to which the lot may be subject, but shall include any registered servitude for overhead or underground services;

**"municipality"** means the Okhahlamba Municipality;

**"outbuilding"** means a building used in conjunction with a residential building for the parking of motor vehicles, storeroom, staff quarters, staff ablution facilities, workroom or other similar use;

**"place of instruction"** means a building designed and used for educational purposes includes a crèche, library, museum and a gymnasium;

**"private recreational area"** means a sports ground, playing field or other open space of a club, firm, private person or other body and the buildings normally associated with recreation activities;

**"rear boundary"** means that boundary of a lot which is furthest from any street boundary, and which does not meet any street boundary;

**"recreational building"** means a clubhouse, gymnasium, squash court, pavilion, shelter, change room and any similar building used in conjunction with a sport. A clubhouse may include dining facilities, lounges and facilities for the sale of alcoholic beverages;

**"residential building"** means a building or portion of a building used for human habitation and outbuildings which are normally used therewith, including a block of flats, guesthouse, hotel, residential club or hostel, but excluding a dwelling house;

**"shop"** means a building or land used for any retail trade or business wherein the primary purpose is the selling of goods and appliances, and includes the sale of food and drink for consumption off the premises;

"**side boundary**" is any boundary of a lot which meets a street boundary and any other boundary and which is neither a street boundary nor a rear boundary.

"**social hall**" means a building designed for use for social gatherings, meetings and recreational purposes;

"**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 include a basement as defined;

"**tea garden**" means a building or portion of a building used primarily for the preparation and sale of light meals, confectionery and non alcoholic beverages and may include the sale of goods; and

"**zone**" is that portion of the Control area shown on the Land Use Zoning Map, by distinctive colouring or edging for the purpose of indicating the restrictions imposed by these controls on the use of land and buildings.

#### 1. USE OF LAND AND BUILDINGS

The purposes for which land and buildings may be used are tabled in Table A.

**TABLE A**

<b>USE ZONE</b>	<b>PERMITTED USES</b>
Special Residential zone	Agricultural land Agricultural Building Dwelling House Dwelling Unit Guesthouse Outbuilding Home Business Tea Garden
Limited Mixed Use zone	Agricultural land Agricultural Building Business Premises Commercial Workshop Dwelling House Dwelling Unit Guesthouse Home Business Institution [in respect of Portion 35 of Highlands only] Outbuilding Place of Instruction

	Residential Building [in respect of Erf 48 Highlands only] Shop [in respect of erven 11-15, 28 and 29 Highlands only] Tea Garden
Administration/ Communal Facility	Agricultural land Agricultural Building Recreational Building Private Recreational Area
Private Open Space	Private Recreational Area
Agriculture	Agricultural land Agricultural Building Dwelling House Place of Instruction Social Hall Recreational Building Private Recreational Area

2. **BUILDING RESTRICTIONS AND PARKING REQUIREMENTS**

Building restrictions and parking requirements are tabled in Table B.



TABLE B

USE ZONE	MINIMUM LOT SIZE	FAR	COVER - AGE %)	HEIGHT	BUILDING LINES	SIDE / REAR SPACE	PARKING REQUIREM ENTS	EXCEPTIONS
SPECIAL RESIDENTIAL	4000m <sup>2</sup>	,0875	8,75%	2	4,5 m	4,5 m	N/A	In determining the siting of any dwelling unit on a subdivision, cognisance must be taken of the likely visual impact from adjacent subdivisions, as determined in terms of any guidelines and rules as may be laid down by the Home Owners Association in this regard
LIMITED MIXED USE	600 m <sup>2</sup>	0.50	50%	2	2 m	2 m	1 per dwelling unit plus 1 visitors bay,  1 bay per 50 m <sup>2</sup> shop or business premises	The FAR for Portion 35 of Highlands and Erf 48 Highlands shall be 0.75
ADMINISTRATION/ COMMUNAL FACILITY	N/A	0.1	10%	1	N/A	N/A	N/A	N/A
PRIVATE OPEN SPACE	N/A	N/A	N/A	1	N/A	N/A	N/A	N/A
AGRICULTURE	N/A	0,1	10%	1	N/A	N/A	N/A	N/A

**No. 255****25 December 2008****DEVELOPMENT FACILITATION ACT, 1995: PORTIONS 444, 445 and 449 OF THE FARM ALLEMANS DRIFT NO. 950, UMNGENI MUNICIPALITY**

In terms of section 33(4) of the Development Facilitation Act, 1995, (Act no. 67 of 1995), the Development Tribunal approved the development of 110 Special Residential 1 erven, 2 road erven and 2 open space erven, on Portions 444, 445 and 449 of the farm Allemans Drift No.950, Rivergoose, Registration Division FT, uMngeni Municipality, subject to the following conditions of establishment relating to land use management, the application of laws and the suspension of restrictive conditions and servitudes—

- (a) the Howick Town Planning Scheme is extended to include the land development area;
- (b) the layout of the land development area shall be in accordance with Layout Plan No. 188D dated February 2006;
- (c) sections 11, 11*bis*, 12-28, 32, 35-38, 44, 45, 47 and 47*bis*B of Town Planning Ordinance, 1949 (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 2005/974;
- (d) the provisions of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970) do not apply to the land development area;
- (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 are applicable to the land development area;
- (f) the suspension of the following restrictive conditions and servitudes —
  - (i) conditions 3E 1-4, and 3F from Deed of Transfer T604/1990 of which creates servitudes, allows the deposit of material for the construction of roads, requires conditions to be carried forward when land is to be consolidated, and imposes a building line; and
  - (ii) conditions C4 (a-d) from Deed of Transfer T15228/1990 of which creates servitudes, allows the deposit of material for the construction of roads, requires conditions to be carried forward when land is to be consolidated.

**M. A. DE LANGE**, Designated Officer

Date: 17 December 2008

File reference: 2005/974

**DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**

Advertisement No. 191

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

An application has 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 6 February 2009. Please note that the Department may refuse to accept comments submitted after the closing date.

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

Date: 13 December 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) 80 Aster Road, Portion 220 (of 58) of the Farm Stockville No. 1382, Registration FT, eThekweni Municipality
  - (2) T 25532/96, C. (2), 2008/586
  - (3) Removal of condition of title that restricts the use of the property to one dwelling house.
  - (4) Mr S Premchund
  - (5) Private Bag X54310, Durban 4000, Tel: (031) 204 1824, Fax: (031) 204 1980, [Sanjay.Premchund@kznlgta.gov.za](mailto:Sanjay.Premchund@kznlgta.gov.za)
- 
- (1) Clevedon Road, Erf 730 Southbroom, Registration ET, Hibiscus Coast Municipality
  - (2) T 31565/97, C. (1) and C. (6), 2008/669
  - (3) Removal of conditions of title that restrict the use of the property to one dwelling house and prohibit the use of certain types of building material for the construction of buildings.
  - (4) Mr S Premchund
  - (5) Private Bag X54310, Durban 4000, Tel: (031) 204 1824, Fax: (031) 204 1980, [Sanjay.Premchund@kznlgta.gov.za](mailto:Sanjay.Premchund@kznlgta.gov.za)
- 
- (1) 40 Monteith Place, Erf 2731 Durban North, Registration FU, EtheKweni Municipality
  - (2) T 46978/2000, D. (i) – (vii), 2008/805
  - (3) To remove conditions of title in favour of Durban North Estates that requires the consent of Durban North Estates Limited for a change of the use of the property, that restricts the use of property to one dwelling house, that restricts the use of certain types of building material for the construction of buildings, that prohibits the subdivision of the property and that requires the submission of building plans to Durban North Estates Limited for its approval.
  - (4) Mr S Premchund
  - (5) Private Bag X54310, Durban 4000, Tel: (031) 204 1824, Fax: (031) 204 1980, [sanjay.premchund@kznlgta.gov.za](mailto:sanjay.premchund@kznlgta.gov.za)
- 
- (1) 520 Umhlangankulu Drive, **Erf 520 Southport**, Registration Division ET, Hibiscus Coast Municipality
  - (2) T9402/08, B.(b); B.(c); B.(k); B.(m); C.(1); C.(2) and C.(3), 2008/991
  - (3) Removal of conditions of title that restrict the use of the property to one dwelling house; prohibit the subdivision of the property, restrict the use of certain types of building materials for the construction of buildings, impose building lines and restricts the use of the property to residential purposes.
  - (4) Mr. A. Bhyrodoyal
  - (5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1778, Fax: (031) 204 1980, [ashok.bhyrodoyal@kznlgta.gov.za](mailto:ashok.bhyrodoyal@kznlgta.gov.za)

- (1) 13 Wapenaar Road, Erf 127 Merrivale, Registration Division FT, uMngeni Municipality
  - (2) T5870/2008, B(b) and B(d), 2008/1008
  - (3) Removal of conditions of title that restrict the use of the property to one dwelling house and that impose building lines.
  - (4) Ms P. Pillay
  - (5) Private Bag X9018 Pietermaritzburg 3200, Tel: (033) 355 6519, Fax: (033) 355 6537, [pamela.pillay@kznlgta.gov.za](mailto:pamela.pillay@kznlgta.gov.za)
- 
- (1) 55 Maryland Avenue, **Erf 200 Glenashley**, Registration Division FU, eThekweni Municipality
  - (2) T 61564/02, B.(c), B.(d), B.(e), and B.(f), 2008/1039
  - (3) Removal of conditions of title that restrict the use of the property to one dwelling house, restricts the use of certain types of building material for the construction of buildings and imposes building lines.
  - (4) Ms. M. Chetty
  - (5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1711, Fax: (031) 204 1980, [margie.chetty@kznlgta.gov.za](mailto:margie.chetty@kznlgta.gov.za)
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- (1) 418 Sir Francis Drake Ave, **Erf 416 Palm Beach**, Registration Division ET, Hibiscus Coast Municipality
  - (2) T05 21841, B.(b); B.(c)(i) and B.(c)(ii), 2008/1151
  - (3) Removal of conditions of title that restrict the use of the property to one dwelling house, restrict the use of certain types of building materials for the construction of buildings and require building plan approval.
  - (4) Mr. A. Bhyrodoyal
  - (5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1778, Fax: (031) 204 1980, [ashok.bhyrodoyal@kznlgta.gov.za](mailto:ashok.bhyrodoyal@kznlgta.gov.za)
- 
- (1) Lark Road, **Erf 23 Duffs Road**, Registration Division FT, eThekweni Municipality
  - (2) T20393/88, (b)(3), 2008/1229
  - (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@kznlgta.gov.za](mailto:ashok.bhyrodoyal@kznlgta.gov.za)
- 
- (1) 96 Ethelbert Road, **Erf 1020 Queensburgh**, Registration Division FT, eThekweni Municipality
  - (2) T05 26750, 3.B., 2008/1259
  - (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@kznlgta.gov.za](mailto:ashok.bhyrodoyal@kznlgta.gov.za)
- 
- (1) 11 Sir Arthur Road, **Portion 6 of Erf 671 Durban**, Registration Division FU, eThekweni Municipality
  - (2) T 17368/03, B.2. and C., 2008/1285
  - (3) Removal of conditions of title that prohibits buildings from facing a lane and imposes building lines.
  - (4) Ms. M. Chetty
  - (5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1711, Fax: (031) 204 1980, [margie.chetty@kznlgta.gov.za](mailto:margie.chetty@kznlgta.gov.za)
- 
- (1) 21 – 56<sup>th</sup> Avenue, **Erf 250 Umhlatuzana**, Registration Division FT, eThekweni Municipality
  - (2) T 550/1963, (C)(c), 2008/1286
  - (3) Removal of a condition of title that restricts the use of the property to one dwelling house.
  - (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) 7 Garden Crescent, Portion 1 of Erf 132 The Wolds, Registration Division FT, eThekweni Municipality
- (2) T3531/98, B.4., 2008/1326
- (3) Removal of a condition of title that restricts the use of certain types of building material for the construction of buildings.
- (4) Mr G Mathentamo
- (5) Private Bag X54310, Durban 4000, Tel: (031) 204 1740, Fax: (031) 204 1980, [godfrey.mathentamo@kznlqta.gov.za](mailto:godfrey.mathentamo@kznlqta.gov.za)

**No. 252****25 kuZibandlela 2008****UMNYANGO WEZOHULUMENI BASEKHAYA NEZENDABUKO****UMTHETHO WOKUSUSWA KWEZITHIBELO, 1967: UKUSUSWA KWEZIMISO ZETAYITELA**

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

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

Usuku: 13 uZibandlela 2008

**UHLELO**

Imininingwane esetshenziwe kubakaki inalezi zincazelo:

- (1) = Ikheli lomgwaqo, incazelo ngomhlaba, isigaba sokubhaliswa, omasipala
- (2) = Itayitela, isimiso, inkomba yefayela
- (3) = Ubungako bokuzolungiswa nokuzosuswa
- (1) Ku 39 Old Main Road, **iNsalela yeNgxenywe 62 (ka 23) yepulazi i-Clifton No. 939**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
- (2) T 52766/2001, D.1. kanye no D.2., 2002/378
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala futhi ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (1) Ku 37 Old Main Road, , **iNsalela yeNgxenywe 63 (ka 23) yepulazi i-Clifton No. 939**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
- (2) T 25303/91, D.1. kanye no D.2., 2003/787
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (1) Ku 1 Mangrove Place, **iNsalela yeNgxenywe 56 (iNgxenywe ka 54) yeSiza 2 No. 1673**, isiGaba sokuBhaliswa ngu-FU, kuMasipala waKwaDukuza
- (2) T 4469/98, e) 1. kanye no e) 2., 2007/137

- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala nezenqabela ukusetshenziswa komhlaba ngezinhloso zebhizinisi.
- (1) Ku 19 Monteith Place, **iNgxenye 1 yeSiza 1658 Durban North**, isiGaba sokuBhaliswa ngu-FU, kuMasipala waseThekwini
- (2) T 63012/2001, 4.(a), 4.(b) no 5.(g) no T 25894/2007, 4.(a), 4.(b) no 5.(g), 2007/994
- (3) Ukususwa kwezimiso zetayitela ezenqabela ukuhlukaniswa isiqephu komhlaba, ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezenqabela ukuqashiswa komhlaba nezenqabela ukusetshenziswa okuthile komhlaba ngongesiye unikazi wawo.
- (1) **ISiza 482 e-Port Edward**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast
- (2) T06 11940, b)(12), 2007/1660
- (3) Ukususwa kwesimiso esibeka lapha okuzohamba khona imisele yokwakha.
- (1) Ku 14 Umzwilili Road, **iSiza 162 e-Glenholme**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
- (2) T05 15511, (c)4.; (c)5.and (c)6, 2008/108
- (3) Ukususwa kwezimiso zetayitela ezenqabela ukudayiswa kophuzo oludakayo emhlabeni, ezenqabela ukusetshenziswa komhlaba njengendawo yokudlela nezenqabela ukusetshenziswa komhlaba ngezinhloso zokudayisa.
- (1) **ISiza 2431 e-Ramsgate**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast
- (2) T29036/07 E.(b); E.(d); J.(a)2.; K.2. no K.11., 2008/434
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala nokususwa kwezimiso zetayitela ezinquma olayini bezakhiwo.
- (1) Ku 10 Dorwyn Road, **iSiza 399 e-Southbroom**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast
- (2) T 06 20094 no T 05 30292, B. (c) kanye no B.(d), 2008/506
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala nezenqabela ukusetshenziswa kohlobo oluthile lwempahla yokwakha ekwakhiweni kwezakhiwo.
- (1) **INgxenye 131 (ka 8) yePulazi i-Newtonwolds No 6371**, isiGaba sokuBhaliswa ngu-ET, kuMasipala waseMdoni
- (2) T06 45494, D.1. kanye no E.2., 2008/517
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala nezenqabela ukuhlukaniswa iziqephu komhlaba.
- (1) Ku-Renaud Street, **iSiza 1500 Queensburgh**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
- (2) T 04 21424, B.a), 2008/672
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (1) Ku 5 Garden Street, **iNgxenye 5 yeSiza 359 Verulam**, isiGaba sokuBhaliswa ngu-FU, kuMasipala waseThekwini
- (2) T 06 10403, C.2., 2008/698
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.

- (1) Ku-Brackenhill Road, **iNgxenye 84 (ka 37) yePulazi eIiPhezulu ekuGcineni kwe-Langefontein No. 980**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
  - (2) T24917/03, D, 2008/700
  - (3) Ukususwa kwezimiso zetayitela ezenqabela ukuhlukaniswa iziqephu komhlaba; ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala nezenqabela ukusetshenziswa komhlaba ngezinhloso zebhizinisi.
- 
- (1) Ekhoneni lika-Uvongo Drive no-Alpine Way **iSiza 1647 Uvongo**, isiGaba sokuBhaliswa ngu-ET, kuMasipala Hibiscus Coast
  - (2) T04 50201 , C.(a), C.(c) no C.(d), 2008/703
  - (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezenqabela ukuhlukaniswa iziqephu komhlaba kanye nezivumela ukusetshenziswa kwemphala ethile yokwakha ekhwakhiweni kwezakhiwo.
- 
- (1) Ku 63 Chelsea Drive, **iSiza 1798 e-Durban North**, isiGaba sokuBhaliswa ngu-FU, kuMasipala waseThekwini
  - (2) T027061/07, C. 1-12, 2008/871
  - (3) Ukususwa kwezimiso zetayitela ezivuna i-Durban North Estates ezifuna imvume ye-Durban North Estates Limited ukuze kushintshwe ukusetshenziswa komhlaba, ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezivumela ukusetshenziswa kohlobo oluthile lwempahla yokwakha ekhwakhiweni kwezakhiwo, ezenqabela ukuhlukaniswa iziqephu komhlaba nezifuna ukuba kuthunyelwe amapulani okwakha kwi-Durban North Estates Limited ukuze iwagunyaze.
- 
- (1) Ku 9 Beldon Road, **iSiza 2655 Queensburgh**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
  - (2) T 6772/99, A.2., 2008/837
  - (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- 
- (1) Ku 491 Musgrave Road, **iNgxenye 1 yeSiza 2181 Durban**, isiGaba zokuBhaliswa ngu-FT, kuMasipala waseThekwini y
  - (2) T 04 49650, (2)(b), 2008/741
  - (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha izindlu eziyizitezi ezimbili.
- 
- (1) Ku 72 Drakensberg Street, **iSiza 774 Shallcross**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
  - (2) T 14613/1976, A.6., 2008/937
  - (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa kohlobo oluthile lwempahla yokwakha ekhwakhiweni kwezakhiwo.

**No. 253****25 kuZibandlela 2008****UMTHETHO WOKUSUNGULWA KWAMALOKISHI ANGAHLELEKILE NGOKUPHELELE, 1991: ISIZA 1628 STUARTSTOWN (INGXENYE YENSALELA YESIZA 174 E-STUARTSTOWN), E-STUARTSTOWN, UMASIPALA WASEBUHLEBEZWE**

Ngokwesigaba 3(1)(b) no 6(a) soMthetho wokuSungulwa kwamaLokishi angaHlelekile ngokuPhelele, 1991 (uMthetho No. 113 ka 1991) 113 of 1991) —

- (a) ngiqoka iSiza 1628 e-Stuartstown, iziGaba sokuBhaliswa ngu-ET, njengoba sikhonjiswe kwiNombolo yePulani u-STUE8, yangenyanga kaMfumfu 2008, njengendawo yokuhlala engahlelekile ngokuphelele;
- (b) nginquma ukuthi i-Odinensi yokuHlelwa kweDolobha, 1949 (i-Odinensi No. 27 ka 1949), iyasebenza endaweni yokuhlala engahlelekile ngokuphelele, ngaphandle ngokwezinhlinzeko zezigaba 11, 11*bis*, 12, 16-27, 33, 35, 36 no 39 ze-Odinensi ezingeke zisebenze endaweni yokuhlala engahlelekile ngokuphelele ngezizathu zokusungulwa kwazo ngokuhambisana nezimiso zokugunyazwa wesicelo 2006/1187.

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

Usuku: 13 uZibandlela 2008

Inkomba yeFayela: 2006/1187

**No. 254****25 kuZibandlela 2008****UMTHETHO WOKUHLINZEKELWA KWENTUTHUKO, 1995: INSALELA YENGXENYE 1 YEPULAZI I-REPROACH NO.4237, YEPULAZI I-REPROACH ANNEX NO.12902, INGXENYE 2 YEPULAZI I-REQUEST NO.2 NO.9766 KANYE NENGXENYE 3 YEPULAZI I-SCOTSTON NO.4128, E-HIGHLANDS, KUMASIPALA WASOKHAHLAMBA**

Ngokwesigaba 33(4) soMthetho wokuHlinzekelwa kweNtuthuko, 1995 isiGungu sezeNtuthuko sigunyaze ukuthuthukiswa kweziza ezingama-44 ezizosetshenziselwa izinto ezixubile, iziza ezingama-39 zezindawo zokuhlala, isiz esi-1 sezinto ezixubile ezizosetshenziselwa isikhungo sezempilo, amatende amakhempu ayi-6, umuzi onezindlu ezi-7 zotshani zomdabu, imisebenzi yezolimo kanye nemisebenzi yokugcebeleka kwiNsalela yeNgxenye 1 yepulazi i-Reproach No.4237, iPulazi i-Reproach Annex No.12902, iNgxenye 2 yePulazi i-Request No.2 No.9766 kanye neNgxenye 3 yepulazi iScotston No.4128, isiGaba sokuBhaliswa ngu-GS, e-Highlands, kuMasipala wasoKhahlamba, kuncike kulezi zimiso ezilandelayo zokusungula ezincike ekuphathweni kokusetshenziswa komhlaba kanye nemithetho esebenzayo —

- (a) umumo wendawo ethuthukiswayo kumhlaba kuyohambisana noHlelo lokuThuthukiswa kweSiza No.5B-LDA kanye nePulani lokuHleleka koMhlaba 9 10159PA Prop Landuse Rev 03 yangomhla ziyi-16 kuLwezi 2006;
- (b) izimiso zokusetshenziswa komhlaba ezihlongozwe oHlelweni 1 ziyosebenza endaweni ethuthukiswayo kumhlaba kuze kube uhlelo lwendawo ethuthukiswayo kumhlaba luyemukelwa ngokwanoma yimuphi umthetho;
- (c) isigaba 11, 11*bis*, 12-28, 32 no 35-38 ze-Odinensi yokuHlelwa kweDolobha No.27 ka 1949, azisebenzi endaweni ethuthukiswayo kumhlaba ngokwenhloso yalokho kuthuthukiswa ngokuhambisana nezimiso zokugunyazwa kwesicelo 2005/352;
- (d) izinhlinzeko zoMthetho wokuHlukaniswa iziQephu koMhlaba wezoLimo, 1977 (uMthetho No. 103 ka 1977), azisebenzi endaweni ethuthukiswayo kumhlaba, futhi



(e) izinhlinzeko zoMthetho wamaZinga neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977), kanye nanoma yimuphi omunye umthetho olawula ukwakhiwa kwezakhiwo endaweni ethuthukiswayo kumhlaba iyasebenza endaweni ethuthukiswayo.

**M. A. DE LANGE**, isikhulu esiQokelwe

Usuku: 13 uZibandlela 2008

Iknomba yeFayela: 2005/352

## IZIMISO ZOKUSETSHENZISWA KOMHLABA ZE-HIGHLANDS COUNTRY ESTATE

### 1 IZINCAZELO

Kulezi zimo, ngaphandle uma indikimba isho okunye —

**"iSakhiwo sezoLimo"** kusho isakhiwo esisetshenziselwa ukufuya izilwane noma ukutshala izitshalo, kodwa kungabandakanyi indawo yokugcina izilwane;

**"uMhlaba wezoLimo"** kusho umhlaba ovundile, obekile noma wokutshala, izingadi zezitshalo, amapulazi ezinkukhu, izingadi zokutshala, nomhlaba osetshenziselwa ukuzalanisa izilwane;

**"iBhesimenti"** ingxenye esekugcineni phansi esakhiweni, esingxenye yaso yakhiwe iyisigamu esingaphezu kwama-50% ngaphansi komhlaba isisindo sayo singaphansi kwezinga elimaqondana nomhlaba lesakhiwo noma izinga eliphansi elizungeze isakhiwo;

**"isakhiwo"** yinoma yiluphi uhlaka noma isakhiwo esingagudluki kuhlangukha ithangi, idamu lokubhukuda, ipali lokuxhumana nanoma yiluphi udonga, udonga olubiyele noma uthango olungumncele olungamamitha amabili noma ngaphezulu kunoma iyiphi indawo, kodwa akubandakanyi uthango oluvulelekile, indawo, izitebhisi, ibala, ibhampu, umthombo, izithixo, idamu lofishi noma eminye imihlobiso yasengadini;

**"imiNgcele yeZakhiwo"** ngolayini abagudle noma yimuphi umngcele wesiza esakhelene nogwaqo noma nendawo yokuhamba umphakathi;

**"Izakhiwo zebhizinisi"** kusho ukusetshenziswa kwesakhiwo noma kwendawo njengamahhovisi, izindawo zemibukiso, izitolo zokudlela, amalondolo nanoma yiliphi elinye ibhizinisi noma izinhloso zokuthengisa ngaphandle kwesitolo isikhumulo sosizo imboni noma iyadi lokukhandisa izimoto;

**"Izakhiwo zezokudayisa"** kusho izakhiwo zezimboni ezincane lapho kuqhutshwa khona ukudayiswa kwezimpahla noma imisebenzi ethile yokudayisa ngabantu abangabakhandi bempahla nalapho kuqhutshwa khona imisebenzi ikakhulukazi ehambisana nesitolo noma ihhovisi lapho umphakathi, njengamakhosimende, ukwazi ukufinyelela futhi kubandakanya izindawo zokukhandisa amawashi, izicathulo, amathelevishini, umkhandli kagesi, noma amaphrinta esikhashana, kodwa okungabandakanyi igalaji likaphethilomu noma isakhiwo esiphathelene nokukhandisa noma nokushintsha izingxenye zezimoto;

**"ukwembozwa"** yingxenywe yesiza enezakhiwo, futhi ichazwa njengengxenywe yesiza njengoba ichaziwe. Ngakho-ke ama-25% ezakhiwo asho ukuthi ikota eyodwa engakwazi ukuba nezakhiwo;

**"ukuthuthukisa "** kusho ukwakhiwa kwezakhiwo emhlabeni noma ukushintshwa noma ukunwetshwa kwezakhiwo;

**"Indlu yokuHlala"** kusho isakhiwo esizimele sodwa sokuhlala esisetshenziselwa ukuba kuhlalwe kuso abahlali bakhona ngokuhambisana nezinye izakhiwo ezingaphandle njengoba nazo zisetshenziswa ngaleyo ndlela;

**"Isakhiwo sokuHlala"** kusho isakhiwo esizimele esihlanganise amaqoqo amagumbi okuhlala abahlali bakhona esinekhishi elilodwa kuphela;

**"amazinga esakhiwo"** kusho isibalo samazinga angaphansi kophahla esakhiwo ezingeni ngalinye, alinganisiwe kubandakanya ububanzi bodonga, amakheshi, izitebhisi, imihubhe kanye nezindawo zokungena;

**"Ibanga lesakhiwo"** yisilinganiso sesibalo sebanga lesakhiwo esizeni endaweni yesiza futhi sichazwa ngezibalo ezingamashumi , njengoba kulinganiswa ibanga lesakhiwo ngo-0,5 kusho ukuthi isilinganiso sebanga lesakhiwo siyingxenywe yesakhiwo. Noma iyiphi indawo esetshenziselwe ngokukhethekile ukupaka izimoto, amagalaji, amabala okupaka, izindawo zokubhukuda, amabala okudlala kanye namabala okudlala ithenisi lapho kusetshenziswa kuphela ngokwangasese kumele ingabandakanywa uma kubalwa ibanga lesakhiwo;

**"Indlu yezivakashi"** kusho indlu yokuhlala, isakhiwo sokuhlala noma isakhiwo somphakathi esinamagumbi okulala ayisithupha noma ngaphezulu futhi phakathi kwawo angaphezu kwama-50% asetshenziselwa inzuzo, kodwa kungabandakanyi ihhotela;

**"Ukuphakama"** kusho ukuphakama kwebhilidi noma isakhiwo ngokwezitezi futhi kuchazwa ngengezibalo, kuncike ekutheni lapho isitezi esiphansi sesakhiwo singaphezu kwamazinga amabili, lesa sakhiwo kumele sithathwe njengesakhiwe yizigaba ngokumayelana nezinga nesitezi ngasinye futhi ukuphakama kwaleso sakhiwo kumele kubalwe eceleni mayelama nengxenywe ngayinye njengokuthi leyo ngxenywe iyisakhiwo ngokwayo;

**"Ibhizinisi lasekhaya"** kusho ingxenywe yesakhiwo somphakathi, indlu yokuhlala, isakhiwo sokuhlala noma isakhiwo esingaphandle sezakhamuzi lapho utheyila, umakhi wezingubo, umthungi, umbhaki wasekhaya, umakhi wamaswidi, umbhali nomkhandi wamakhompyutha, othatha izithombe, umcwali, umelaphi, umbhucungi wezinyawo, umbucungi womzimba wesilisa noma wesifazane, umenzi wezinwele, umgundi, umcwali wobuhle, umkhandi wesicathulo, ohlanganisa izincwadi, ogaya imibhalo, obhala amasayini, olungisa ifenisha, owakha amakhethini, ogxoba amakhophi, umbumbi wezitsha, owenza imidwebo, osebenza ngesikhumba, umakhi wezigqoko zebesifazane, osebenza ngosilika, osebenza ngamakopi, ogcina imibhalo kanye nombumbi noma okunye okuthi makufane nakho futhi kubandakanya ukusungulwa kwendawo yokulala ekhokhelwayo inqobo nje uma ingadli amagumbi angaphezulu kuka-50% okulala esakhiwo;

**"Inhlango yabaNinimizi"** kusho i-van Reenen Country Estate Homeowners Association;

**"Imboni"** kusho imisebenzi eyenziwa kunoma yisiphi isakhiwo ehlanganisa ukusetshenziswa kwaleso sakhiwo njengefemu nejngoba kuhlangozwe ngokwesigaba 35 soMthetho wokuPhepha kokuSebenza nemiShini, 1983 (uMthetho No. 6 ka 1983);

**"Isikhungo"** kusho isakhiwo esakhelwe futhi esisetshenziswa njengesibhedlela, ikhaya lokunakekela, umtholampilo noma esinye isikhungo esiganayo, okungaba ngesikahulumeni noma esizimele;

**"Isiza"** ukuklanywa komhlaba okubhaliswe;

**"Indawo yesiza"** yindawo yesiza, engaphansi kwanoma iyiphi indawo ephethwe, lapho isiza, singahlanganisa indawo ebhaliswe yemisebenzi eyenziwa ngapgezu noma ngaphansi komhlaba;

**"UMasipala"** kusho uMasipala wasoKhahlamba;

**"Isakhiwo esingaphandle"** kusho isakhiwo esisetshenziswa ngokuhambisana nendawo yokuhlala sokupaka izimoto, indlu yokugcina impahla, indlu ehlala abasebenzi, indlu egcina impahla yabasebenzi, indlu yokusebenza noma esetshenziselwa okunjalo

**"Indawo yemiYalelo"** kusho isakhiwo esakhelwe futhi esisetshenziselwa izinhloso zokufunda okubandakanya inkulisa, umtapo, umnyuziyemu kanye nendawo yokujima;

**"Indawo yokuNgcebeleka yangasese"** kusho inkundla yezemidlalo, ibala lokudlala, nanoma iyiphi indawo evulelekile yeqembu, inhlangano noma umuntu othile noma esinye isigungu kanye nesakhiwo esihlangene nezinto zokungcebeleka;

**"Umngcele oqhelile"** kusho lowo mngcele oqhelile kunoma yimuphi umngcele womgwaqo, futhi ongahlangani nomngcele womgwaqo;

**"Isakhiwo sokuNgcebeleka"** kusho indlu yokuhlanganyela, ijimu, ibala lokubhukuda, umpheme, izindlu zokushintshela kanye nanoma yisiphi isakhiwo esifanayo esisetshenziselwa izinto eziphatelene nezemidlalo. Indlu yokuhlanganyela ingabandakanya izinsiza zokudla, izindlu zokuphola kanye nezinsiza zokudayisa isiphuzo ezidakayo;

**"Isakhiwo soMphakathi"** kusho isakhiwo noma ingxenye yesakhiwo esetshenziselwa ukuhlala abantu kanye nezakhiwo ezingaphandle ezisetshenziswa ngokufanayo, kuhlanganisa amafulethi, izindlu zezivakashi, amahhotela, amahositela nezindlu ezihlanganisiwe zokuhlala, kodwa kushiya ngaphandle indlu eyodwa yokuhlala;

**"Isitolo"** kusho isakhiwo noma umhlaba osetshenziselwa noma yikuphi ukudayisa noma ibhizinisi lapho inhlosongqangi kungukudayisa impahla nanye nezinsiza, futhi zingabandakanya ukudayiswa kokudla neziphuzo okungasetshenziswa ngaphandle kwaleso sakhiwo;

**"Umngcele oseceleni"** ngumngcele wesiza ohlangana nomngcele womgwaqo kanye annoma yimuphi omunye umngcele ongesiwona umngcele womgwaqo noma umngcele oqhelile emgwaqeni;

"Ihholo lomphakathi" kusho isakhiwo esakhelewe ukusetshenziselwa ukuhlngana komphakathi, imihlangano kanye nezinhloso zokungcebeleka;

"Isitezi" yigumbi noma iqeqeba lamagumbi kunoma yiliphi izinga lesakhiwo, kuhlnganisa noma yiliphi igumbi lapho izitezi zesakhiwo ziba mbili noma ngaphezulu, futhi kuyobandakanya izinga elingaphansi komhlaba njengoba lichaziwe;

"Ithilomu" kusho isakhiwo noma ingxenye yesakhiwo esetshenziselwa ukulungisa nokudayisa ukudla okulula, izidlo ezisashukela kanye neziphuzo ezinebo utshwala futhi kungabandakanya ukudayiswa kwezimpahla;

"UMklamo" kusho leyo nxenye yendawo eLawulayo ekhonjiswe kwiBalamdwebo lokuKlanywa kokusetshenziswa koMhlaba, ngemibala ehlukele noma ngokubhalwa kwenhloso ekhombisa okuvunyelwe ukubekiwe ngalezo zinkomba ekusetshenzisweni komhlaba kanye nezakhiwo.

#### 1. UKUSETSHENZISWA KOMHLABA KANYE NEZAKHIWO

Izinhloso okungasetshenziselwa zona umhlaba kanye nezakhiwo zikhinjiswe kwiTebhula A.

#### ITEBHULA A

UMHLABA OSETSHENZISWAYO	UKUSETSHENZISWA OKUVUNYEWWE
Indawo yokuHlala eyisiPesheli	Umhlaba wezoLimo Isakhiwo sezoLimo Indlu yokuHlala Isakhiwo sokuHlala Indlu yeziVakashi Indlu engaphandle Ibhizinisi lasekhaya Ithilomu
Umhlaba osetshenziselwa okuthile okuxubile	Umhlaba wezoLimo Isakhiwo sezoLimo Izakhiwo zamabhizinisi Izakhiwo zezohwebo Indlu yokuHlala Isakhiwo sokuHlala Indlu yeziVakashi Ibhizinisi lasekhaya Isikhungo [mayelana neNgxenye 35 ye-Highlands kuphela] Indlu engaphandle Indawo yenkontileka Isakhiwo soMphakathi [mayelana neSiza 48 e-Highlands]

		kuPhela] Isitolo [mayelana neziza 11-15, 28 and 29 e-Highlands kuphela] Ithilomu
Ukuphatha/ zomphakathi	izinhiinzeko	Umhlaba wezoLimo Isakhiwo sezoLimo Isakhiwo sezokungcebeleka Indawo yokungcebeleka yangasese
Indawo evulekile yangasese		Indawo yokungcebeleka yangasese
Ezolimo		Umhlaba wezoLimo Isakhiwo sezoLimo Indlu yokuhlala Indawo yenkontileka Ihholo loMphakathi Ezokungcebeleka Isakhiwo Indawo yokungcebeleka engasese

**2. IZITHIBELO ZOKWAKHA NEZIDINGO ZEZINDAWO ZOKUPAKA**

Izithibelo zokwakha kanye nezidingo zokupaka zikleliswe kwitebhula B.

ITEBHULA B

UKUSETSHENZISWA KOMHLABA	USAYIZI OMNCANE WESIZA	UKUQHE- LA	UKUBANZI (%)	UKUPHA- KAMA	OLAYINI BEZAKHI- WO	IZINHLA- NGOTHI/ INDAWO ESELE	INDAWO YOKUPA- KA	OKUNGAVUNYELWE
IZINDAWO ZOKUHLALA EZIYISIPESHELI	4000m <sup>2</sup>	,0875	8,75%	2	4,5 m	4,5 m	Ayikho	Ekunqumeni ukuma kwanoma iyiphi indlu yokuhlala ekuhlukanisweni, ukuqikelela kumele kube khona emtheleleni ongase ube khona ekuklanyweni okungafanele, njengoba kunqunwe ngokwemikhombandlela nemithetho njengoba inganqunywa ngabe-Home Owners Association nayelana nalokhu
UKUSETSHENZISWA OKUTHILE OKUXUBILE	600 m <sup>2</sup>	0.50	50%	2	2 m	2 m	1 indlu ngayinye yokuhlalaka nye nendawo e- 1 yezivakashi,  Kanye nendawo e- 1 ebangeni elingama-50 m <sup>2</sup> esitolo noma esakhiweni sebhizinisi	I-FAR yeNgxenye 35 kanye neSiza 48 e-Highlands ziyokuba 0.75

<b>UKUPHATHA/ IZINHLINZEKO ZOMPHAKATHI</b>	Awukho	0.1	10%	1	Abekho	Azikho	Ayikho	Akukho
<b>INDAWO EVULEKILE YANGASESE</b>	Awukho	Ayikho	N/A	1	Abekho	Azikho	Ayikho	Akukho
<b>EZOLIMO</b>	Awukho	0,1	10%	1	Abekho	Azikho	Ayikho	Akukho

**No. 255****25 kuZibandlela 2008****UMTHETHO WAMALUNGISELELO ENTUTHUKO, 1995: IZINGXENYE 444, 445 NO 449 ZEPULAZI I-ALLEMANS DRIFT NO. 950 KUMASIPALA WASEMNGENI**

Ngokwesigaba 33(4) soMthetho wamaLungiselelo eNtuthuko, 1995 (uMthetho No. 67 ka 1995), isiGungu seNtuthuko sigunyaze ukuthukiswa kweziza eyi-110 zezindawo zokuhlala ezikhethekile (Special Residential 1), iziza ezimbili zomgwaqo kanye neziza ezimbili zendawo evulekile, eziNgxenyeni 444, 445 no 449 zepulazi i-Allemans Drift No. 950, Rivergoose, isiGaba sokuBhaliswa ngu-FT kuMasipala waseMngeni, kuncike kule mibandela elandelayo yokusungula eziphatelene nokuphathwa kokusetshenziswa komhlaba, nokusebenza kwemithetho kanye nokuhoxiswa kwezimiso ezithibelayo nemibandela ethile yokusetshenziswa komhlaba -

- (a) uHlelo lokuHlelwa kweDolobha lase-Howick lwenabele ukuba lubandakanye indawo ethuthukiswayo;
- (b) ukuhleleka kwendawo ethuthukiswayo kuyohambisana nePulani loMdwebo No.188D langoNhloLANJA 2006;
- (c) izigaba 11, 11bis, 12-28, 32, 35-38, 44, 45, 47 no 47bisB ze-Odinensi yokuHlelwa kwamaDolobha, 1949 (i-Odinensi No. 27 ka 1949), azisebenzi endaweni ethuthukiswayo ngenxa yalokho kuthuthukiswa okumayelana nezimiso zokugunyazwa kwesicelo 2005/974;
- (d) izinhlinzeko zoMthetho wokuHlukaniswa iziQephu koMhlaba wezoLimo, 1977 (uMthetho No. 103 ka 1977), azisebenzi endaweni ethuthukiswayo;
- (e) izinhlinzeko zoMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977), nanoma yimuphi umthetho olawula ukwakhiwa kwezakhiwo endaweni ethuthukiswayo kuyasebenza endaweni ethuthukiswayo;
- (f) ukuhoxiswa kwalezi zimiso ezithibelayo nemibandela ethile yokusetshenziswa komhlaba -
  - (i) izimiso 3E 1-4, no 3F zeTayitela lokuDlulisela T604/1990 ezidala imibandela ethile yokusetshenziswa komhlaba, zivumela ukuba kulahlwe impahla yokwakha imigwaqo, zifuna ukuthi zidluliselwe uma umhlaba uhlanganiswa, futhi zinquma imingcele yezakhiwo; futhi
  - (ii) izimiso C4 (a-d) zeTayitela lokuDlulisela T15228/1990 ezidala imibandela ethile yokusetshenziswa komhlaba, zivumela ukuba kulahlwe impahla yokwakha imigwaqo, zifuna ukuba izimiso zidluliselwe lapho umhlaba uhlanganiswa.

**M. A. DE LANGE**, isikhulu esiQokiwe

Usuku: 17 uZibandlela 2008

Inkomba yefayela: 2005/974

**UMNYANGO WEZOHLUMENI BASEKHAYA**

Isikhangiso No. 191

**UMTHETHO WOKUSISWA KWEZITHIBELO, 1967: ISIMEMO SEZIMVO**

UMnyango wezoHulumeni baseKhaya nezeNdabuko usuwamukele izicelo zokusiswa nokumiswa kwezithibelo eziphatelene nomhlaba ngokoMthetho wokuSuswa kweziThibelo, 1967 (uMthetho No. 84 ka 1967), ezibekwe oHlelweni. Izimvo, ezingathunyelwa ngefeksi noma ngeposi, kumele zithunyelwe kubantu ababekwe oHlelweni mhla ziyi-6 uNhloLANJA 2009. Qaphela ukuthi uMnyango ungenqaba ukwamukela izimvo ezithunyelwe sekwedlule usuku lokuvula.



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

Usuku: 13 uZibandlela 2008

#### UHLELO

Imininingwane esetshenzisiwe kubakaki inalezi zincazelo:

- (1) = Ikheli lomgwaqo, incazelo ngomhlaba. isigaba sokubhaliswa, omasipala
- (2) = Itayitela, isimiso, inkomba yefayela
- (3) = Ubungako bokuzolungiswa nokuzosuswa
- (4) = Okumele kuxhunyanwe naye
- (5) = Imininingwane yokuxhumana

- (1) Ku 80 Aster Road, **iNgxeny 220 (ka 58) yePulazi i-Stockville No. 1382**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
  - (2) T 25532/96, C. (2), 2008/586
  - (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-Clevedon Road, **iSiza 730 e-Southbroom**, isiGaba sokuBhaliswa ngu-ET, Kumasipala wase-Hibiscus Coast
  - (2) T 31565/97, C. (1) no C. (6), 2008/669
  - (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala nezenqabela ukusetshenziswa kohlobo oluthile lwempahla yokwakha ekwakhweni kwezakhiwo.
  - (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 40 Monteith Place, **iSiza 2731 e-Durban North**, isiGaba sokuBhaliswa ngu-FU, kuMasipala waseThekwini
  - (2) T 46978/2000, D. (i) – (vii), 2008/805
  - (3) Ukususwa kwezimiso zetayitela ezivuna i-Durban North Estates ezifuna imvume ye-Durban North Estates Limited ukuze kushintshwe ukusetshenziswa komhlaba, ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezivumela ukusetshenziswa kohlobo oluthile lwempahla yokwakha ekwakhweni kwezakhiwo, ezenqabela ukuhlukaniswa iziqephu komhlaba nezifuna ukuba kuthunyelwe amapulani okwakha kwi-Durban North Estates Limited ukuze iwagunyaze.
  - (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 520 Umhlangankulu Drive, **iSiza 520 Southport**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast
  - (2) T9402/08, B.(b); B.(c); B.(k); B.(m); C.(1); C.(2) kanye no C.(3), 2008/991

- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezenqabela ukuhlukaniswa iziqephu komhlaba, ezivumela ukusetshenziswa kohlobo oluthile lwempahla ekwakhiweni kwezakhiwo, ezinquma imingcele yezakhiwo nezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala.
  - (4) Mnu. A. Bhyrodoyal
  - (5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1778, Ifeksi: (031) 204 1980, [ashok.bhyrodoyal@kznlqta.gov.za](mailto:ashok.bhyrodoyal@kznlqta.gov.za)
- 
- (1) Ku 13 Wapenaar Road, **iSiza 127 Merrivale**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseMngeni
  - (2) T5870/2008, B(b) and B(d), 2008/1008
  - (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala nezinquma imingcele yokwakha.
  - (4) Nksz P. Pillay
  - (5) Private Bag X9018 Pietermaritzburg 3200, Ucingo: (033) 355 6519, Ifeksi: (033) 355 6537, [pamela.pillay@kznlqta.gov.za](mailto:pamela.pillay@kznlqta.gov.za).
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- (1) Ku 55 Maryland Avenue, **iSiza 200 Glenashley**, isiGaba sokuBhaliswa ngu-FU, kuMasipala waseThekwini
  - (2) T 61564/02, B.(c), B.(d), B.(e), kanye no B.(f), 2008/1039
  - (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezivumela ukusetshenziswa kohlobo oluthile lwempahla yokwakha ekwakhiweni kwezakhiwo nezinquma imingcele yokwakha.
  - (4) Nksz. M. Chetty
  - (5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1711, Ifeksi: (031) 204 1980, [marjie.chetty@kznlqta.gov.za](mailto:marjie.chetty@kznlqta.gov.za)
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- (1) Ku 418 Sir Francis Drake Ave, **iSiza 416 Palm Beach**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast
  - (2) T05 21841, B.(b); B.(c)(i) kanye no B.(c)(ii), 2008/1151
  - (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezivumela ukusetshenziswa kohlobo oluthile lwempahla yokwakha ekwakhiweni kwezakhiwo nezifuna ukuba kugunyazwe amapulani okwakha.
  - (4) Mnu. A. Bhyrodoyal
  - (5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1778, Ifeksi: (031) 204 1980, [ashok.bhyrodoyal@kznlqta.gov.za](mailto:ashok.bhyrodoyal@kznlqta.gov.za)
- 
- (1) Ku-Lark Road, **iSiza 23 Duffs Road**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
  - (2) T20393/88, (b)(3), 2008/1229
  - (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@kznlqta.gov.za](mailto:ashok.bhyrodoyal@kznlqta.gov.za)
- 
- (1) Ku 96 Ethelbert Road, **iSiza 1020 Queensburgh**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
  - (2) T05 26750, 3.B., 2008/1259
  - (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@kznlqta.gov.za](mailto:ashok.bhyrodoyal@kznlqta.gov.za)
- 
- (1) Ku 11 Sir Arthur Road, **iNgxenywe 6 yeSiza 671 Durban**, isiGaba sokuBhaliswa ngu-FU, kuMasipala waseThekwini

- (2) T 17368/03, B.2. kanye no C., 2008/1285
- (3) Ukususwa kwezimiso zetayitela ezenqabela ukufakwa kothango lokubiya nezinquma imingcele yezakhiwo.
- (4) Nksz. M. Chetty
- (5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1711, Ifeksi: (031) 204 1980, [marjie.chetty@kznlgta.gov.za](mailto:marjie.chetty@kznlgta.gov.za)
- (1) Ku 21 kuya ku 56 Avenue, **iSiza 250 Umhlatuzana**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini Municipality
- (2) T 550/1963, (C)(c), 2008/1286
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (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) Ku 7 Garden Crescent, **iNgxenye 1 yeSiza 132 e-The Wolds**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
- (2) T3531/98, B.4., 2008/1326
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa kohlobo oluthile lwempahla yokwakha ekwakhiweni kwezakhiwo.
- (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)

**No. 252****25 Desember 2008****DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****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: 13 Desember 2008

**BYLAE**

Die figure tussen hakies het die volgende betekenis:

- (1) = Straatadres, eiendomsbeskrywing, registrasie-afdeling, munisipaliteit
- (2) = Akte, voorwaarde, lêerverwysing
- (3) = Omvang van wysiging van opheffing

- (1) Ou Hoofweg 39, **Restant van Gedeelte 62 (van 23) van die plaas Clifton No. 939**, Registrasie-afdeling FT, eThekwini Munisipaliteit
- (2) T 52766/2001, D.1. en D.2., 2002/378

- (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.
- (1) Ou Hoofweg 37, **Restant van Gedeelte 63 (van 23) van die plaas Clifton No. 939**, Registrasie-afdeling FT, eThekwini Munisipaliteit
- (2) T 25303/91, D.1. en D.2., 2003/787
- (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.
- (1) Mangrove Place 1, **Restant van Gedeelte 56 (Gedeelte van 54) van Erf 2 No. 1673**, Registrasie-afdeling FU, KwaDukuza Munisipaliteit
- (2) T 4469/98, e) 1. en e) 2., 2007/137
- (3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en gebruik van die eiendom vir besigheidsdoeleindes verbied.
- (1) Monteith Place 19, **Gedeelte 1 van Erf 1658 Durban Noord**, Registrasie-afdeling FU, eThekwini Munisipaliteit
- (2) T 63012/2001, 4.(a), 4.(b) en 5.(g) en T 25894/2007, 4.(a), 4.(b) en 5.(g), 2007/994
- (3) Opheffing van titelvoorwaardes wat onderverdeling van die eiendom verbied, die oprigting van meer as een woning op die eiendom verbied, verhuring van die eiendom verbied en die skepping van reg van weg serwitute verbied.
- (1) **Erf 482 Port Edward**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit
- (2) T06 11940, (b)(12), 2007/1660
- (3) Opheffing van titelvoorwaarde wat boulyne neerlê.
- (1) Umzwilili Weg 14, **Erf 162 Glenholme**, Registrasie-afdeling FT, eThekwini Munisipaliteit
- (2) T05 15511, (c)4.; (c)5. en (c)6, 2008/108
- (3) Opheffing van titelvoorwaardes wat die verkoop van drank op die perseel verbied; die gebruik van die eiendom vir 'n restaurant verbied en die gebruik van die eiendom vir besigheidsdoeleindes verbied.
- (1) **Erf 2431 Ramsgate**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit
- (2) T29036/07 E.(b); E.(d); J.(a)2.; K.2. en K.11., 2008/434
- (3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en boulyne oplê.
- (1) Dorwyn Weg 10, **Erf 399 Southbroom**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit
- (2) T 06 20094 en T 05 30292, B. (c) en B.(d), 2008/506
- (3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en boumateriaal beperk.
- (1) **Gedeelte 131 (van 8) van die Plaas Newtonwolds No. 6371**, Registrasie-afdeling ET, Umdoni Munisipaliteit
- (2) T06 45494, D.1. en E.2., 2008/517

- (3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en onderverdeling van die eiendom verbied.
- (1) Renaud Straat, **Erf 1500 Queensburgh**, Registrasie-afdeling FT, eThekwini Munisipaliteit
- (2) T 04 21424, B.a), 2008/672
- (3) Opheffing van titelvoorwaarde die oprigting van meer as een woning op die eiendom verbied.
- (1) Garden Straat 5, **Gedeelte 5 van Erf 359 Verulam**, Registrasie-afdeling FU, eThekwini Munisipaliteit
- (2) T 06 10403, C.2., 2008/698
- (3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.
- (1) Brackenhill Weg, **Gedeelte 84 (van 37) van die Plaas Upper End van Langefontein No. 980**, Registrasie-afdeling FT, eThekwini Munisipaliteit
- (2) T24917/03, D, 2008/700
- (3) Opheffing van titelvoorwaardes wat onderverdeling van die eiendom verbied; die oprigting van meer as een woning op die eiendom verbied en die gebruik van die eiendom vir handel- en sakedoeleindes verbied.
- (1) Hoek van Uvongo Rylaan en Alpine Weg, **Erf 1647 Uvongo**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit
- (2) T04 50201, C.(a), C.(c) en C.(d), 2008/703
- (3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied, onderverdeling van die eiendom verbied en boumateriaal beperk.
- (1) Musgrave Weg 491, **Gedeelte 1 van Erf 2181 Durban**, Registrasie-afdeling FU, eThekwini Munisipaliteit
- (2) T 04 49650, (2)(b), 2008/741
- (3) Opheffing van titelvoorwaarde wat gebruik van die eiendom tot twee dubbelverdiepinghuise beperk.
- (1) Beldon Weg 9, **Erf 2655 Queensburgh**, Registrasie-afdeling FT, eThekwini Munisipaliteit
- (2) T 6772/99, A.2., 2008/837
- (3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.
- (1) Chelsea Rylaan 63, **Erf 1798 Durban Noord**, Registrasie-afdeling FU, eThekwini Munisipaliteit
- (2) T027061/07, C.1-12, 2008/871
- (3) Om titelvoorwaardes op te hef ten gunste van Durban North Estates wat die toestemming van Durban North Estates Limited vereis vir 'n verandering van die gebruik van die eiendom, wat die oprigting van meer as een woning op die eiendom verbied, boumateriaal beperk, onderverdeling van die eiendom verbied en voorlegging van bouplanne aan Durban North Estates Limited vir goedkeuring vereis.
- (1) Drakensberg Straat 72, **Erf 774 Shallcross**, Registrasie-afdeling FT, eThekwini Munisipaliteit
- (2) T 14613/1976, A.6., 2008/937
- (3) Opheffing van titelvoorwaarde wat boumateriaal beperk.

**No. 253****25 Desember 2008****WET OP MINDER FORMELE DORPSTIGTING, 1991: ERF 1628 STUARTSTOWN (GEDEELTE VAN DIE RESTANT VAN ERF 174 STUARTSTOWN), STUARTSTOWN, UBUHLEBEZWE MUNISIPALITEIT**

Kragtens artikel 3(1)(b) en 6(A) van die Wet op Minder Formele Dorpstigting, 1991 (Wet No. 113 van 1991), —

- (a) wys ek Erf 1628 Stuartstown, Registrasie-afdeling ET, soos aangedui op Plan No. STUE8, gedateer Oktober 2008, aan as grond vir minder formele vestiging;
- (b) verklaar ek dat die Dorpsordonnansie, 1949 (Ordonnansie No. 27 van 1949) van toepassing is op die minder formele vestiging, buiten artikels 11, 11*bis*, 12, 16-27, 33, 35, 36 en 39 van die Ordonnansie wat nie toepassing is op die stigting van die minder formele vestiging nie ooreenkomstig die goedkeuringsvoorwaardes van aansoek 2006/1187.

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

Datum: 13 Desember 2008

Lêerverwysing: 2006/1187

**No. 254****25 Desember 2008****WET OP ONTWIKKELINGSFASILITERING, 1995: RESTANT VAN GEDEELTE 1 VAN DIE PLAAS REPROACH NO. 4237, DIE PLAAS REPROACH ANNEKS NO. 12902, GEDEELTE 2 VAN DIE PLAAS REQUEST NO. 2 NO. 9766 EN GEDEELTE 3 VAN DIE PLAAS SCOTSTON NO. 4128, HIGHLANDS, OKHAHLAMBA MUNISIPALITEIT**

Kragtens artikel 33(4) van die Wet op Ontwikkelingsfasilitering, 1995, het die Ontwikkelingstribunaal goedkeuring verleen vir die ontwikkeling van 44 beperkte gemengde gebruikserwe, 39 woonerwe, 1 beperkte gemengde gebruikserf vir herstel-gesondheidsentrum, 'n 6-tent kamp, 'n 7-hut kulturele dorpie, landbouaktiwiteit en ontspanningsaktiwiteit op restant van gedeelte 1 van die plaas Reproach No.4237, die plaas Reproach Anneks No.12902, Gedeelte 2 van die plaas Request No. 2 No. 9766 en gedeelte 3 van die plaas Scotston No. 4128, Registrasie-afdeling GS, Highlands, Okhahlamba 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 Perseelontwikkelingsplan No. 5B-LDA en Uitlegplan 9 10159PA Prop Grondgebruik Rev. 03 gedateer 16 November 2006;
- (b) die grondgebruiksvoorwaardes bedoel in bylae 1 is van toepassing op die grondontwikkelingsgebied totdat 'n skema aanvaar is vir die grondontwikkelingsgebied ingevolge toepaslike wetgewing;
- (c) artikels 11, 11*bis*, 12-28, 32 en 35-38 van Dorpsbeplanningsordonnansie No. 27 van 1949, is nie van toepassing op die grondontwikkelingsgebied vir die doel van ontwikkeling daarvan nie ooreenkomstig die goedkeuringsvoorwaardes van aansoek 2005/352;
- (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 Boustandaarde, 1977 (Wet No. 103 van 1977), en enige ander wet wat die oprigting van geboue binne die grondontwikkelingsgebied bepaal, is van toepassing op die grondontwikkelingsgebied.

**M. A. DE LANGE**, Aangewese Beampte

Datum: 17 Desember 2008

Lêerverwysing: 2005/352

Bylae 1

## HIGHLANDS COUNTRY ESTATE GRONDGEBRUIKSVORWAARDES

### OMSKRYWINGS

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

**"agterste grens"** daardie grens van 'n perseel wat die verste is van enige straatgrens, en wat geen straatgrens het nie;

**"bedryf"** 'n aktiwiteit op enige perseel wat uitloop op die gebruik van sodanige perseel as 'n fabriek soos bedoel ingevolge artikel 35 van Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet No. 6 van 1983);

**"besigheidsperseel"** die gebruik van 'n gebou of grond vir kantore, vertoonkamers, restaurante, wasserye of enige ander besigheids- of kommersiële doeleindes, uitsluitend 'n winkel, diensstasie, bedryf of skrootwerf;

**"boulyn"** is 'n lyn wat parallel loop met enige grens van 'n perseel wat aan 'n straat of openbare ryweg grens;

**"buitegebou"** 'n gebou wat gebruik word tesame met 'n residensiële gebou vir parkering van motorvoertuie, stoorkamer, personeelkwartiere, personeelabluisgeriewe, werkskamer of ander soortgelyke gebruik;

**"dekking"** is die gedeelte van 'n perseel wat deur geboue gedek word, en word uitgedruk as 'n persentasie van die perseelgebied soos omskryf. 25% dekking beteken dus slegs dat een kwart van die perseel deur geboue bedek is;

**"gastehuis"** 'n woonhuis, wooneenheid of residensiële gebou met ses of meer slaapkamers waarvan meer as 50% verhuur word vir 'n inkomste, maar uitsluitend 'n hotel;

**"gebou"** is enige vaste struktuur of gebou insluitend 'n tenk, swembad of kommunikasiemas en enige muur, stutmuur of digte omheining wat meer as twee meter hoog is op enige punt, maar uitsluitend 'n oop heining, stut, trappe, pier, oprybaan, fontein, standbeeld, visdam, preeel of ander tuinornamentasie;

**"gemeenskapsaal"** 'n gebou wat ontwerp is vir sosiale byeenkomste, vergaderings en ontspanningsdoeleindes;

**"hoogte"** die hoogte van 'n gebou of struktuur in verdiepings en word uitgedruk deur 'n nommer, met dien verstande dat waar die grondvloer van 'n gebou op meer as een vlak is, sodanige gebou beskou sal word as gevorm uit gedeeltes met

betrekking tot elke onderskeidelike vlak en die hoogte van sodanige gebou word apart bereken met betrekking tot elke gedeelte asof sodanige gedeelte 'n aparte gebou is;

**"huiseienaarsvereniging"** is die van Reenen Country Estate Huiseienaarsvereniging;

**"instelling"** 'n gebou wat ontwerp en gebruik word as 'n hospitaal, of verpleeginrigting, kliniek of ander soortgelyke instelling, hetsy publiek of privaat;

**"kelderverdieping"** die laagste deel van enige gebou, wat gebou is met 50% van sy volume onder grondvlak;

**"kommersiële werkwinkel"** 'n ligte industriële gebou waarin die primêre doel is om goedere of dienste in die kleinhandel te verkoop en waar die prosesse spesifiek bedryf word ooreenkomstig 'n winkel of kantoor waartoe die publiek, as kliënte, toegang het, en sluit in gebruike soos herstellers van horlosies, skoene, televisie, elektrisiëns of stukwerkdrukkers, maar uitsluitend 'n diensstasie of 'n gebou wat verband hou met die herstel of passing van motorvoertuigonderdele;

**"landbougebou"** 'n gebou wat gebruik word vir die teel van diere of bewerking van gewasse, maar uitsluitend 'n hondehawe;

**"landbougrond"** bewerkbare, weiveld of weigrond, marktuine, pluimveeplaas, kwekery tuin en grond gebruik vir die doel om diere te teel;

**"munisipaliteit"** die Okhahlamba munisipaliteit;

**"ontspanningsgebou"** 'n klubhuis, gimnasium, muurbalbaar, pawiljoen, skuiling, aantrekkamer en enige soortgelyke gebou wat gebruik word vir sportsoeleindes. 'n Klubhuis kan eefasiliteite, sitkamers en fasiliteite vir die verkoop van alkoholiese drankie insluit;

**"ontwikkel"** om 'n gebou op grond op te rig of om 'n gebou te verander of vergroot;

**"perseel"** is 'n geregistreerde onderverdeling van grond;

**"perseeloppervlak"** is die oppervlak van 'n perseel, minus die oppervlak van enige serwituut, waartoe die perseel onderhewig mag wees, maar insluitend enige geregistreerde serwituut vir bo- of ondergrondse dienste;

**"plek van onderrig"** 'n gebou wat ontwerp en gebruik word vir onderrigdoeleindes met inbegrip van 'n crèche, biblioteek, museum en 'n gimnasium;

**"privaat ontspanningsarea"** sportgronde, speelveld of ander oop spasie van 'n klub, firma, privaat persoon of ander liggaam en die geboue gewoonlik geassosieer met ontspanningsaktiwiteite;



**"residensiële gebou"** 'n gebou of gedeelte van 'n gebou wat gebruik word menslike bewoning en buitegeboue wat normaalweg daarmee saam gebruik word, met inbegrip van 'n blok woonstelle, gastehuis, hotel, residensiële klub of hostel, maar uitsluitend 'n woonhuis;

**"sone"** is daardie gedeelte van die kontrolegebied soos aangedui op die Grondgebruiksoneringskaart, deur opvallende kleur of omlining vir die doeleindes van aanduiding van die beperkings wat deur hierdie kontroles op die gebruik van grond en geboue opgelê word.

**"sygrens"** is enige grens van 'n perseel wat 'n straatgrens en enige ander grens het en wat nie 'n straatgrens of agterste grens is nie;

**"teetuin"** 'n gebou of gedeelte van 'n gebou wat hoofsaaklik gebruik word vir die voorbereiding en verkoop van ligte maaltye, soetgebak en nie-alkoholiese drankie en kan die verkoop van goedere insluit;

**"tuisbedryf"** die gebruik van 'n deel van 'n residensiële gebou, woonhuis, wooneenheid of buitegeboue deur die inwoner daarvan deur 'n kleremaker, rokmaakster, breier, tuisbakker of koekbakker, tikster, rekenaaroperateur, fotograaf, manikuris, chiropraktisyn, voetkundige, masseur of masseuse, haarkapper of barbier, skoonheidsdeskundige, skoemaker, boekbinder, drukker, sierskilder, stoffeerder, gordynmaker, duplikator, graveerder, etser, leerwerker, hoedemaker, sifdrukkunstenaar, rottangwerker, boekhouer en pottebakker of soortgelyke aktiwiteite en met inbegrip van 'n bed-en-ontbyt onderneming solank as wat nie meer nie as 50% van die kamers in die gebou uitverhuur word vir bed-en-ontbyt doeleindes;

**"verdieping"** 'n kamer of stel kamers op enige vlak, met inbegrip van enige kamer waarvan die vloer in een of meer vlakke verdeel is insluitend 'n kelderverdieping soos omskryf;

**"vloeroppervlak"** die somtotaal van die gebiede wat gedek word deur die gebou op die vloervlak van elke verdieping, gemeet oor en insluitend muurdikte, hysbakskagte, trappe, balkonne en toegangsgallerye;

**"vloeroppervlakverhouding"** is die verhouding van die totale vloeroppervlak van die geboue op 'n perseel tot die perseeloppervlak en word uitgedruk as 'n desimale, bv. 'n vloeroppervlakverhouding van 0,5 beteken dat die oppervlak van die geboue die helfte is van die perseeloppervlak. Enige oppervlak wat eksklusief gebruik word vir die parkering van motorvoertuie, motorhawens, motorafdakke, swembaddens, muurbalbane en tennisbane waar dit slegs vir privaatgebruik is, moet uitgesluit word by oorweging in enige berekening van vloeroppervlakverhouding;

**"winkel"** 'n gebou of grond wat gebruik word vir enige kleinhandelbedryf of sake waarin die primêre doel die verkoop van goedere en toestelle is, en sluit in die verkoop van kos en drank vir verbruik buite die perseel;

**"wooneenheid"** 'n selfstandige aaneenlopende stel kamers vir akkommodasie van die inwoners daarvan, met inbegrip van nie meer nie as een kombuis; en

**"woonhuis"** 'n vrystaande wooneenheid wat gebruik word as 'n woning vir akkommodasie van die inwoners daarvan saam met sodanige buitegeboue as wat gewoonlik daarmee gepaard gaan.

1. **GEBRUIK VAN GROND EN GEBOUE**

Die doeleindes waarvoor grond en geboue gebruik mag word, word in tabel A aangedui.

**TABEL A**

<b>Gebruiksone</b>	<b>TOEGELATE GEBRUIKE</b>
Spesiale residensiële sone	Landbougrond Landbougebou Woonhuis Wooneenheid Gastehuis Buitegebou Tuisbedryf Teetuin
Beperkte gemengdegebruik-sone	Landbougrond Landbougebou Sakeperseel Kommersiële werkwinkel Woonhuis Wooneenheid Gastehuis Tuisbedryf Instelling [slegs met betrekking tot gedeelte 35 van Highlands] Buitegebou Plek van onderrig Residensiële gebou [slegs met betrekking tot Erf 48 Highlands] Winkel [slegs met betrekking tot erwe 11-15, 28 en 29 Highlands] Teetuin
Administrasie/Gemeenskapsfasiliteit	Landbougrond Landbougebou Ontspanningsgebou Privaat Ontspanningsarea

Privaat Oop spasie	Privaat Ontspanningsarea
Landbou	Landbougrond Landbougebou Woonhuis Plek van onderrig Gemeenskapsaal Ontspanning Gebou Privaat Ontspanningsarea

## 2. **GEOUBEPERKINGS EN PARKEERVEISTES**

Geboubeperkings en parkeervereistes word in tabel B aangedui.

TABEL B

GEBRUIKSONE	MINIMUM PERSEEL- GROOTTE	FAR	DEKKING %	HOOGTE	GEBOU- LYNE	SY-/ AGTER- SPASIE	PARKEER- VEREISTES	UITSONDERINGS
SPESIAAL RESIDENSIEEL	4000 m <sup>2</sup>	,0875	8,75%	2	4,5 m	4,5 m	n.v.t.	By bepaling van die plasing van enige wooneenheid op 'n onderverdeling, moet kennis geneem word van die waarskynlike visuele impak vanaf aangrensende onderverdelings, soos bepaal ingevolge enige riglyne en reëls as wat deur die huiseienaarsvereniging neergelê is in dié verband.
BEPERKTE GEMENGDE GEBRUIK	600 m <sup>2</sup>	0.50	50%	2	2 m	2 m	1 per wooneen- heid plus 1 besoeker- spasie,  1 spasie per 50 m <sup>2</sup> winkel of sakeperseel	Die FAR vir gedeelte 35 van Highlands en Erf 48 Highlands is 0.75.
ADMINISTRASIE/ GEMEENSKAPS- FASILITEIT	n.v.t.	0.1	10%	1	n.v.t.	n.v.t.	n.v.t.	n.v.t.
PRIVAAT OOP SPASIE	n.v.t.	n.v.t.	n.v.t.	1	n.v.t.	n.v.t.	n.v.t.	n.v.t.
LANDBOU	n.v.t.	0,1	10%	1	n.v.t.	n.v.t.	n.v.t.	n.v.t.

**No. 255****25 Desember 2008****WET OP ONTWIKKELINGSFASILITERING, 1995: GEDEELTES 444, 445 EN 449 VAN DIE PLAAS ALLEMANSDRIFT NO. 950, UMNGENI MUNISIPALITEIT**

Kragtens artikel 33(4) van die Wet op Ontwikkelingsfasilitering, 1995, het die Ontwikkelingstribunaal goedkeuring verleen vir die ontwikkeling van 110 spesiale residensiële 1 erwe, 2 paderwe en 2 oopspasie erwe, op gedeeltes 444, 445 en 449 van die plaas Allemansdrift No. 950, Rivergoose, Registrasie-afdeling FT, uMngeni munisipaliteit, onderhewig aan die volgende stigtingsvoorwaardes wat verband hou met grondgebruiksbestuur, die toepassing van wette en die opskorting van beperkende voorwaardes en serwitute —

- (a) die Howick Dorpsbeplanningskema word uitgebrei om die grondontwikkelingsgebied in te sluit;
- (b) die uitleg van die grondontwikkelingsgebied is in ooreenstemming met Uitlegplan No. 188D gedateer Februarie 2006;
- (c) artikels 11, 11*bis*, 12-28, 32, 35-38, 44, 45, 47 en 47*bis* van Dorpsbeplanningsordonnansie No. 27 van 1949, is nie van toepassing op die grondontwikkelingsgebied vir die doel van ontwikkeling daarvan nie ooreenkomstig die goedkeuringsvoorwaardes van aansoek 2005/974;
- (d) die bepalings van die Wet op Onderverdeling van Landbougrond, 1970 (Wet No. 70 van 1970) is nie van toepassing op die grondontwikkelingsgebied nie;
- (e) die bepalings van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet No. 103 van 1977), en enige ander wet wat die oprigting van geboue binne die grondontwikkelingsgebied bepaal, is van toepassing op die grondontwikkelingsgebied;
- (f) die opskorting van die volgende beperkende voorwaardes en serwitute —
  - (i) voorwaardes 3E 1-4, en 3F van titelvoorwaarde T604/1990 wat serwitute skep, die neerlê van materiaal vir die bou van paaie toelaat, vereis dat voorwaardes oorgedra word wanneer grond gekonsolideer word, en 'n boulyn oplê; en
  - (ii) voorwaardes C4 (a-d) van titelvoorwaarde T15228/1990 wat serwitute skep, die neerlê van materiaal vir die bou van paaie toelaat, vereis dat voorwaardes oorgedra word wanneer grond gekonsolideer word.

**M. A. DE LANGE**, Aangewese Beampte

Datum: 17 Desember 2008

Lêerverwysing: 2005/974

**DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****Advertensie No. 191****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 6 Februarie 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.

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

Datum: 13 Desember 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) Aster Weg 80, Gedeelte 220 (van 58) van die Plaas Stockville No. 1382, Registrasie-afdeling FT, eThekwini Munisipaliteit
- (2) T 25532/96, C. (2), 2008/586
- (3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.
- (4) Mnr S Premchund
- (5) Privaatsak X54310, Durban 4000, Tel: (031) 204 1824, Faks: (031) 204 1980, [sanjay.premchund@kznlgta.gov.za](mailto:sanjay.premchund@kznlgta.gov.za)

- (1) Clevedon Weg, **Erf 730 Southbroom**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit
- (2) T 31565/97, C. (1) en C. (6), 2008/669
- (3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied en boumateriaal beperk.
- (4) Mnr S Premchund
- (5) Privaatsak X54310, Durban 4000, Tel: (031) 204 1824, Faks: (031) 204 1980, [sanjay.premchund@kznlgta.gov.za](mailto:sanjay.premchund@kznlgta.gov.za)

- (1) Monteith Place 40, **Erf 2731 Durban Noord**, Registrasie-afdeling FU, Ethekwini Munisipaliteit
- (2) T 46978/2000, D. (i) – (vii), 2008/805
- (3) Om titelvoorwaardes op te hef ten gunste van Durban North Estates wat die toestemming van Durban North Estates Limited vereis vir 'n verandering van die gebruik van die eiendom, wat die oprigting van meer as een woning op die eiendom verbied, boumateriaal beperk, onderverdeling van die eiendom verbied en voorlegging van bouplanne aan Durban North Estates Limited vir goedkeuring vereis.
- (4) Mnr S Premchund
- (5) Privaatsak X54310, Durban 4000, Tel: (031) 204 1824, Faks: (031) 204 1980, [sanjay.premchund@kznlgta.gov.za](mailto:sanjay.premchund@kznlgta.gov.za)

- (1) Umhlangankulu Rylaan 520, **Erf 520 Southport**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit
- (2) T9402/08, B.(b); B.(c); B.(k); B.(m); C.(1); C.(2) en.(3), 2008/991
- (3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied; onderverdeling van die eiendom verbied, boumateriaal beperk, boulyne oplê en wat die gebruik van die eiendom tot woondoeleindes beperk .
- (4) Mnr A Bhyrodoyal
- (5) Privaatsak X54310, Durban 4000, Tel: (031) 204 1778, Faks: (031) 204 1980, [ashok.bhyrodoyal@kznlgta.gov.za](mailto:ashok.bhyrodoyal@kznlgta.gov.za)

- (1) Wapenaar Weg 13, Erf 127 Merrivale, Registrasie-afdeling FT, uMngeni Munisipaliteit
- (2) T5870/2008, B(b ) en B(d), 2008/1008
- (3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied en boulyne oplê.
- (4) Me P Pillay
- (5) Privaatsak X9018, Pietermaritzburg 3200, Tel: (033) 355 6519, Faks: (033) 355 6537, [pamela.pillay@kznlgta.gov.za](mailto:pamela.pillay@kznlgta.gov.za)

- (1) Maryland Laan 55, **Erf 200 Glenashley**, Registrasie-afdeling FU, eThekwini Munisipaliteit
- (2) T 61564/02, B.(c), B.(d), B.(e), en B.(f), 2008/1039

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

(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) Sir Francis Drake Laan 418, **Erf 416 Palm Beach**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit

(2) T05 21841, B.(b); B.(c)(i) en B.(c)(ii), 2008/1151

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

(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) Lark Weg, **Erf 23 Duffs Weg**, Registrasie-afdeling FT, eThekwini Munisipaliteit

(2) T20393/88, (b)(3), 2008/1229

(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) Ethelbert Weg 96, **Erf 1020 Queensburgh**, Registrasie-afdeling FT, eThekwini Munisipaliteit

(2) T05 26750, 3.B., 2008/1259

(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) Sir Arthur Weg 11, **Gedeelte 6 van Erf 671 Durban**, Registrasie-afdeling FU, eThekwini Munisipaliteit

(2) T 17368/03, B.2. en C., 2008/1285

(3) Opheffing van titelvoorwaardes wat verbied dat geboue uitkyk op 'n laan en boulyne oplê.

(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) 21ste-56de Laan, **Erf 250 Umhlatuzana**, Registrasie-afdeling FT, eThekwini Munisipaliteit

(2) T 550/1963, (C)(c), 2008/1286

(3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom 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) Garden Singel 7, **Gedeelte 1 van Erf 132 The Wolds**, Registrasie-afdeling FT, eThekwini Munisipaliteit

(2) T3531/98, B.4., 2008/1326

(3) Opheffing van titelvoorwaarde wat 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)

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