

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. 3

PIETERMARITZBURG,

5 MARCH 2009
5 MAART 2009
5 kuNDASA 2009

No. 237

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IZIKHANGISO

Ezingxubevange (bheka uhlu oluseceleni, ekhasini 38)

IMPORTANT NOTICE

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

NEW PARTICULARS ARE AS FOLLOWS:

Physical address:

Government Printing Works
149 Bosman Street
Pretoria

Postal address:

Private Bag X85
Pretoria
0001

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

Fax number: (012) 323-8805

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

Contact persons for subscribers:

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

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

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

Payment:

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

AWIE VAN ZYL
Advertising Manager

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

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

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

Letter Type: Arial Size: 10

Line Spacing: At:

Exactly 11pt

**A PRICE
INCREASE OF
8,5% WILL BE
EFFECTIVE ON
ALL TARIFFS
FROM
1 MAY 2009**

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

Letter Type: Arial Size: 10

Line Spacing: At:

Exactly 11pt

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

Letter Type: Arial Size: 10

Line Spacing: At:

Exactly 11pt

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

Letter Type: Arial Size: 10

Line Spacing: At:

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

PROVINCIAL NOTICES—PROVINSIALE KENNISGEWINGS—IZAZISO ZESIFUNDAZWE

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
5 March 2009

Langalibalelestraat 300
Pietermaritzburg
5 Maart 2009

Izaziso ezilandelayo zikhishelwe ulwazi lukawonkewonke.

DKT. K. B. MBANJWA
uMqondisi-Jikelele

300 Langalibalele Street
Pietermaritzburg
5 kuNdasa 2009

No. 34

5 March 2009

MINISTRY OF FINANCE AND ECONOMIC DEVELOPMENT, KWAZULU-NATAL

NOTICE IN TERMS OF SECTION 10(4) OF THE KWAZULU-NATAL ITHALA DEVELOPMENT FINANCE CORPORATION ACT, 1999 (ACT NO. 2 OF 1999): NOTICE OF 3 (THREE) VACANCIES IN THE BOARD OF DIRECTORS OF THE KWAZULU-NATAL ITHALA DEVELOPMENT FINANCE CORPORATION LIMITED AND PUBLICATION OF INTENTION TO FILL SUCH VACANCIES IN TERMS OF SECTION 10(3) OF THE ACT

By virtue of the powers vested in me in terms of section 10(4) of the KwaZulu-Natal Ithala Development Finance Corporation Act, 1999 (Act No. 2 of 1999), I hereby declare that there are 3 (three) vacancies in the Board of Directors of the KwaZulu-Natal Ithala Development Finance Corporation Limited and that I indicate my intention of filling these vacancies in accordance with the provisions of section 10(3) of the Act.

To qualify for nomination, a person must be fit and proper and have knowledge, qualifications, or experience in matters relevant to the furtherance of the Corporation's objects. I specifically require individuals with experience in small and medium enterprises, organised business as well as in running state owned enterprises. The nominator is requested to submit a brief CV of the nominee as well as the nominator's motivation together with an acceptance letter signed by the nominee.

The closing date for the nominations is **27 March 2009 at 12h00**. All nominations should be addressed to the Office of the Head of Department, Johnny Makhathini House, 2nd Floor, 270 Jabu Ndlovu Street, Pietermaritzburg, 3201 or to Private Bag X 9152, Pietermaritzburg, 3200.

Given under my hand at Pietermaritzburg on this 9th day of February, Two Thousand and Nine.

Dr ZL MKHIZE, MPP

Member of Executive Council of the Province of Kwazulu-Natal
responsible for Finance and Economic Development

MINISTERIE VAN FINANSIES EN EKONOMIESE ONTWIKKELING, KWAZULU-NATAL**KENNISGEWING INGEVOLGE ARTIKEL 10(4) VAN DIE KWAZULU-NATAL ITHALA WET OP ONTWIKKELINGSFINANSIERINGKORPORASIE, 1999 (WET NO. 2 VAN 1999): KENNISGEWING VAN 3 (DRIE) VAKATURES OP DIE DIREKSIE VAN DIE KWAZULU-NATAL ITHALA ONTWIKKELINGSFINANSIERINGKORPORASIE BEPERK EN PUBLIKASIE VAN VOORNEME OM SODANIGE VAKATURES TE VUL INGEVOLGE ARTIKEL 10(3) VAN DIE WET**

Uit hoofde van die bevoegdheid aan my verleen ingevolge artikel 10(4) van die KwaZulu-Natal Ithala Wet op Ontwikkelingsfinansieringskorporasie, 1999 (Wet No. 2 van 1999), verklaar ek hiermee dat daar 3 (drie) vakatures op die Direksie van die KwaZulu-Natal Ithala Ontwikkelingsfinansieringskorporasie Beperk bestaan en dat ek van voorneme is om hierdie vakatures te vul ooreenkomstig die bepaling van artikel 10(3) van die Wet.

Ten einde vir benoeming te kwalifiseer, moet 'n persoon toepaslik en geskik wees en kennis, kwalifikasies of ervaring besit in aangeleenthede tersaaklik tot die bevordering van die korporasie se oogmerke. Ek vereis spesifiek individue met ondervinding in klein en medium ondernemings, georganiseerde besigheid, asook bedryf van ondernemings in staatsbesit. Die benoemer word versoek om 'n verkorte CV van die benoemer voor te lê, asook sy of haar motivering, tesame met 'n aanvaardingsbrief wat deur die benoemde geteken is.

Die sluitingsdatum vir benoemings is **27 Maart 2009 om 12:00**. Alle benoemings moet gerig word aan die Kantoor van die Departementshoof, 2de Vloer, Johnny Makhathini Huis, Jabu Ndlovu Straat 270, Pietermaritzburg 3201 of aan Privaatsak X9152, Pietermaritzburg 3200.

Gegee onder my hand te Pietermaritzburg op hierdie 9de dag van Februarie, Tweeduisend-en-nege.

Dr ZL MKHIZE, LPP

Lid van die Uitvoerende Raad van die provinsie Kwazulu-Natal
verantwoordelik vir Finansies en Ekonomiese Ontwikkeling

UMNYANGO WEZEZIMALI NOKUTHUTHUKISWA KOMNOTHO WAKWAZULU-NATALI**ISAZISO NGOKWESIGABA 10(4) SE-ITHALA DEVELOPMENT FINANCE CORPORATION ACT, 1999 (UMTHETHO NO. 2 KA 1999): ISAZISO SEZIKHALA EZINTATHU KWIBHODI YABAQONDISI YE-ITHALA DEVELOPMENT FINANCE CORPORATION LIMITED KANYE NOKUSHICILELWA KWENHLOSO YOKUGCWALISA LEZO ZIKHALA NGOKWESIGABA 10(3) SOMTHETHO**

Ngokwamandla engiwanikwe yisigaba 10(4) se-Ithala Development Finance Corporation Act, 1999 (uMthetho No. 2 ka 1999), ngalokhu ngimemezela ukuthi kunezikhala ezintathu kwiBhodi yabaQondisi ye-Ithala Development Finance Corporation Limited nokuthi ngihlose ukuzigcwalisa lezi zikhala ngokuhambisana nezinhlinzeko zesigaba 10(3) soMthetho.

Ukuze umuntu afaneleke ukuba kuphakanyiswe igama lakhe, kumele abe umuntu ofanelekile ukuqokelwa kuleso sikhundla, abe nolwazi, aqeqeshwe, noma abe nesipiliyoni esifanele ukuqhubekisela phambili izinhloso zeNhlango. Ngidinga abantu abanobuchule kwezamabhizinisi asafufusa nasesimeme, kwezamabhizinisi ahlelekile nakwezamabhizinisi okungawahulumeni. Umuntu ophakamisa igama lomunye kumele alethe incwadi echaza ngomlando womuntu (i-CV) ophakanyiswayo kanye nombhalo owesekayo kanye nencwadi esayinwe ophakanyiswayo.

Usuku lokugcina lokulethwa kweziphakamiso umhla **zingama-27 kuNdasa 2009 ngehora leshumi nambili (12h00)**. Zonke iziphakamiso kumele zithunyelwe kwiHhovisi leNhloko yoMnyango, Johnny Makhathini House, 2nd Floor, 270 Jabu Ndlovu Street, Pietermaritzburg noma Private Bag X 9152, Pietermaritzburg, 3200.

Sinikezwe ngaphansi kwesandla sami eMgungundlovu ngalolu suku lwesi-9 kuNhlolanja, oNyakeni weziNkulungwane eziMbili nesiShiyagalolunye.

Dkt. ZL Mkhize, iLungu lePhalamende lesiFundazwe

iLungu loMkhandlu oPhethe wesiFundazwe saKwaZulu-Natali elibhekele ezeziMali nokuThuthukiswa koMnotho

No. 35**5 March 2009****KWAZULU-NATAL DEPARTMENT OF WORKS****KWAZULU-NATAL LAND ADMINISTRATION ACT, 2003 (ACT No. 3 OF 2003)****NOTICE IN TERMS OF SECTION 5(3) OF THE KWAZULU-NATAL LAND ADMINISTRATION ACT, 2003 (ACT NO. 3 OF 2003)**

In terms of section 5 of the KwaZulu-Natal Land Administration Act, 2003 (Act No. 3 of 2003), I **Lydia Johnson**, MEC for Public Works of the KwaZulu-Natal Provincial Government hereby give notice that I intend granting permission for the registration of a right of way servitude over the under mentioned Provincial State Land

1. Property description : Portion 16 (of 6) of the Farm Ixopo No. 3840
2. Street Address : Peter Hauff Drive
3. Extent : 3910m²
4. Title Deed : T 855/1987
5. Applicable conditions : N/A
6. Current Zoning : Health
7. Improvements : Hospital
8. Current Usage : Hospital

Written representations in regard to the said disposal can be made, within thirty (30) days of the publication of this notice to:-

The Head
Department of Public Works: KZN
Private Bag X9153
PIETERMARITZBURG
3200 or 3201

Telephonic Enquiries: Mrs R Asaram
033 – 897 1406

KWAZULU-NATAL DEPARTMENT OF PUBLIC WORKS**KWAZULU-NATAL LAND ADMINISTRATION ACT, 2003 (ACT No. 3 OF 2003)****NOTICE IN TERMS OF SECTION 5(3) OF THE KWAZULU-NATAL LAND ADMINISTRATION ACT, 2003 (ACT NO. 3 OF 2003)**

In terms of section 5 of the KwaZulu-Natal Land Administration Act, 2003 (Act No. 3 of 2003), I Lydia Johnson, Minister of Works of the KwaZulu-Natal Provincial Government hereby give notice that I intend letting the under mentioned Provincial State Land for the period of 5 years to Vodacom (Pty) Ltd at a market related rental of R 3 500.00 per month thereafter escalating at 11% per annum for the purpose of a cellular base station: In terms of section 5 of the K

1. Property description : A 70m² portion of Portion 577 (of 553) of the Farm Park Rynie 1666, Province of Kwazulu-Natal
2. Street Address : Cnr N2 and R612, Park Rynie
3. Extent : Portion of approximately 70m² in extent
4. Title Deed : 04 24036
5. Applicable conditions : There are no conditions which would have an adverse effect on the lease of the property.
6. Current Zoning : Government
7. Improvements : Vacant Land

Written representations in regard to the proposed letting can be made within thirty (30) days of the publication of this notice to the Head : Public Works at the address hereunder for my consideration.

Contact details

Head : Public Works
Private Bag X9041
PIETERMARITZBURG
3200

Telephonic Enquiries

Tel No: 033-355 5420
Fax No : 033-355 5686

GENERAL NOTICE

No. 12**5 March 2009****NOTICE CALLING FOR INSPECTION OF THE VALUATION ROLLS AND LODGING OF OBJECTIONS****Notice no 10/2009**

Notice is hereby given in terms of Section 49(1)(a)(i) of the Local Government Municipal Property Rates Act 2004 (Act no 6 of 2004) hereinafter referred to as the "Act" that the valuation roll for the financial years 1 July 2009 to 30 June 2013 is open for public inspection at the offices of the following Shared Service Municipalities:

- Abaqulusi Local Municipality at Vryheid
- eDumbe Local Municipality at Paulpietersburg
- Nongoma Local Municipality at Nongoma
- Ulundi Local Municipality at Ulundi
- uPhongolo Local Municipality at Pongola

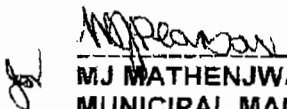
An invitation is hereby made in terms of Section 49(1) (a)(ii) of the Act that any owner of property or other person who desires should lodge an objection with the respective Municipal Manager in respect of any matter reflected in, or omitted from the valuation roll within **30 days** from the publication of this Notice.

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

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

The completed forms must be returned within the time period specified above to the respective municipal offices.

All enquiries must be directed at the office of the respective municipality.

**MJ MATHENJWA****MUNICIPAL MANAGER**

Lead Municipality on behalf of the Shared Service Municipalities

P O Box 57
VRYHEID 3100
Notice 10/2009

MUNICIPAL NOTICES

No. 4

5 March 2009

CITY OF uMHLATHUZE**PUBLIC NOTICE**

The uMhlathuze Municipality has, in terms of section 156(2) of the Constitution, 1996 (Act No 108 of 1996), read with section 11(3)(M) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000) made the following bylaws:

BEACH BY-LAWS**CHAPTER 1****INTERPRETATION****1. DEFINITIONS**

- "**area of jurisdiction of Council**" means the area defined by proclamation in the Official Gazette of the Province of Natal as the area in which the uMhlathuze Municipality has jurisdiction and includes the sea-shore situated within or adjoining the area of jurisdiction of the uMhlathuze Municipality and the sea adjoining such portion of the sea-shore, and stretches from the uMlalazi River Mouth at Port Dunford in the south, northwards to the border of Mzingazi Agricultural Village ;
- "**bin**" means an approved receptacle used for the temporary storage of waste in terms of these bylaws and which has a capacity of less than 1 cubic metre;
- "**bin liner**" means an approved loose plastic or other suitable material liner for use in the interior of a bin;
- "**city manager**" means a person appointed by the Council in that capacity or a person acting in that capacity and includes officials of the Council who, under such person's control, exercises any function, duty or authority in terms of these bylaws;
- "**container**" means an approved receptacle used for the temporary storage of waste in terms of these bylaws and which has a capacity of more than 1 cubic metre;
- "**council**" means the uMhlathuze Municipality or its successors-in-title, and includes the council of that municipality or its executive committee or any other body acting by virtue of any power delegated to it in terms of legislation, as well as any officer to whom the executive committee has delegated any powers and duties with regard to these bylaws;
- "**craft**" means any boat or other vessel which is not a surf-craft or wind surfer;
- "**damage to the environment**" means any pollution, degradation or harm to the environment whether visible or not;

- "**designated beach and swimming area**" means the beach and sea area stretching from the dredger pipeline up to and including the northern pier at Newark Beach, and from the dune line to the anti-shark measures in the sea;
- "**Director: Parks, Sport and Recreation**" means a person appointed by the Council in that capacity or a person acting in that capacity and includes officials of the council who, under such person's control, exercises any function, duty or authority in terms of these bylaws;
- "**dump**" means placing waste anywhere other than in an approved receptacle (bin or container) or a place designated by the council as a waste disposal facility or a waste handling facility;
- "**enforcement notice**" means a notice issued by the council and served upon a person who contravenes these bylaws;
- "**environment**" means the surroundings within which humans exist, made up of:-
 - (a) the land, water and atmosphere of the earth,
 - (b) micro-organisms, plant and animal life,
 - (c) any part or combination of (a) and (b) and the interrelationships among and between them, and
 - (d) the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being;
- "**environmental emergency**" means any unexpected or sudden occurrence that may cause or has caused serious harm to human health or damage to the environment, regardless of whether the potential for harm or damage is immediate or delayed;
- "**law enforcement officer**" means a law enforcement officer appointed by the council as a peace officer in terms of Section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977);
- "**lifesaver**" means any person employed or appointed in that capacity by the Council and includes any member of the Surf Life-Saving Association of South Africa or of any affiliated life-saving club or association of lifesavers;
- "**litter**" means any object or matter which is discarded by a person in any place except in an approved receptacle provided for that purpose by the Council, and "littering" shall have a corresponding meaning;
- "**notice**" means a clear and legible official notice drawn up by Council and displayed at every entrance to or at a conspicuous place. "Notice board" shall have a corresponding meaning;
- "**nuisance**" means any condition or conduct which is injurious or offensive to any person or which is dangerous to, or compromises the health or safety of any person, or which causes an annoyance or disturbance to any person, or to the residents of any area, or which constitutes a threat or a potential threat to the environment, or which causes harm or which may potentially harm or damage the environment;

- "**person**" means a natural or juristic person and includes a firm or any association of persons and also licensees;
- "**pollution**" means any change in the environment caused by:-
 - (a) substances; or
 - (b) noise, odours, dust or heat, emitted from any activity, including the storage or treatment of waste or substances, construction and the provision of services, whether engaged in by any person or an organ of the state,

where that change has an adverse effect on human health or well-being or on the composition, resilience and productivity of natural or managed ecosystems, or on material useful to people, or will have such an effect in the future;

- **"public amenity"** means:-
 - (a) any land, square, picnic site, public resort, recreation site, nature reserve, garden, park, hiking trail, or natural water source including any portion thereof and any facility or apparatus therein or thereon, but excluding any public road or street;
 - (b) any building, structure, hall, room or office including any part thereof and any facility or apparatus therein,

which is the property of, or is possessed, controlled or leased by the council and to which the general public has access, whether on payment of admission fees or not, and includes any public amenity contemplated in paragraphs (a) and (b) which is situated within the area of jurisdiction of Council, if it is lawfully controlled and managed in terms of an agreement by a person other than the Council;

- **"public place"** includes any public building, public road, overhead bridge, foot pavement, sidewalk, lane, square, open space, garden, park, enclosed place vested in the Council, recreation area, townland, and any road, place or thoroughfare however created which is in the undisturbed use of the public or which the public has the right to use or the right to access;
- **"public road"** means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which is commonly used by the public or any section thereof or to which the public or any section thereof has a right of access and includes:-
 - (a) the verge of any such road, street or thoroughfare;
 - (b) any bridge, ferry or drift traversed by any such road, street or thoroughfare; and
 - (c) any other work or object forming part of, connected with, or belonging to such road, street or thoroughfare;
- **"sea-shore"** means the water and the land between the low-water mark and the high-water mark;
- **"surf-craft"** means a device used for riding the surf which is designed to carry one or not more than two persons, and is propelled by the movement of the surf or the actions of the surf-rider or a combination of both without mechanical aid but does not include:-
 - (a) an inflatable device, or
 - (b) a device which is not more than two metres in length and is wholly constructed of a soft, pliable material;
- **"surf-riding"** means a recreational activity involving the use of a surf-craft and "surf-ride" has a corresponding meaning;
- **"wind-surfer"** means a rudderless device which is fitted with a sail or kite, is propelled on the surface of the sea by the action of the wind and is designed to carry one person and "wind-surfing" and "wind-surf" have a corresponding meaning;

Any word or expression defined in the Sea-Shore Act, 1935 (Act 21 of 1935) shall, when used in these regulations, have the meaning assigned thereto in that Act.

2. APPLICABILITY OF BY-LAWS

These Bylaws shall, save where the context otherwise requires, apply to the sea-shore and the sea under the jurisdiction of the Council.

CHAPTER 2

GENERAL

3. COMPLAINTS

Any person wishing to lodge a complaint concerning the conditions in or about the management of the beach, shall lodge the complaint in writing to the City Manager of the Council.

4. CONSENT NOTICE ORDER

Any written consent, notice or order issued by the Council in terms of these bylaws, shall be signed by the City Manager or his authorised representative or person acting in his/ her stead and shall be prima face evidence thereof.

5. INSTRUCTIONS OF MANAGER/ SUPERINTENDENT

Every person or bather using the recreation facility and public amenity, sea-shore or the sea shall obey the instructions of the manager/ superintendent or lifeguard or any other designated official or security officer on duty.

6. MAXIMUM NUMBER OF VISITORS

- (1) The Council may determine the maximum number of visitors who may be present at a specific time in or at a public amenity and recreation facility, provided that different numbers may so be determined for different public amenities.
- (2) The numbers contemplated in subsection (1) are made by Council by means of a notice.

7. ADMISSION TO AND SOJOURN IN A PUBLIC AMENITY

A public amenity is, subject to the provisions of these bylaws, open to the public during the times determined by the Council, provided that different times may be determined in respect of different public amenities and recreation facilities.

8. PROHIBITION OF BATHING WITHIN AREAS CONSIDERED UNSAFE

- (1) Bathing within any part of the sea may be prohibited by a lifesaver on duty, for so long as he may consider the condition of the sea unsafe.

- (2) Any permanent prohibition under this regulation shall be indicated by notice on the spot and any temporary prohibition by any other recognisable and intelligible marker at both ends of the prohibited area.

9. USERS

All users of public amenities and recreation facilities shall conduct themselves in a reasonable and decent manner at all times without interfering with other users.

CHAPTER 3

PROHIBITION ORDERS

10. PROHIBITED ACTIONS – GENERAL

- (1) No person shall:
- (a) commit any nuisance or offence relating to public health, indecent or offensive behaviour;
 - (b) deposit or discharge upon the sea-shore or in the sea or in any bathing pool, any offal, rubbish or anything liable to be a nuisance or a danger to health;
 - (c) whilst suffering from any infectious or contagious disease enter or remain on the sea-shore or in the sea or in any bathing pool;
 - (d) whilst upon the sea-shore or in the sea or any bathing pool:-
 - (i) use any obscene, offensive or indecent language; or
 - (ii) behave in an offensive, improper or disorderly manner; or
 - (iii) willfully or negligently perform any act which causes discomfort to other users of the sea-shore or the sea or any bathing pool, or is likely to cause a breach of the peace.
 - (e) enter any part of the sea where bathing may be prohibited either as a permanent or as a temporary measure on the grounds that it is unsafe;
 - (f) bathe or sun-bathe in the nude or clad indecently or bathe in any costume or attire or clothing that becomes transparent when wet or which type of costume is indecent;
 - (g) play any game or indulge in any activity which is likely to cause a nuisance, annoyance, injury or discomfort to other bathers, spectators or any person in the area;
 - (h) by word, conduct or demeanor, falsely pretend to be an official lifeguard or any authorised official on duty;

- (i) wear any uniform or part thereof or an insignia intended to be worn or used by an official lifeguard or authorised official;
 - (j) in any way resist, or try to resist, obstruct, delay or interfere with an official lifeguard or authorised official in the exercise or performance of his/her duties;
 - (k) unnecessarily call for help when help is not needed or pretend to be in need or raise a false alarm;
 - (l) willfully or negligently perform any act which may or intend to cause discomfort or likely to cause a breach of peace to any other user/s on or off the sea-shore or within the sea;
 - (m) bathe in or from any area in which bathing has been prohibited or enter or remain within such bathing area contrary to a reasonable instruction or prohibition by an authorised official or evidence by a notice to this effect;
 - (n) hang onto, sit upon or cause to sink any safety ropes provided for the protection of bathers or in any way interfere with such safety ropes or other appliances provided for the assistance of bathers in distress;
 - (o) mount, climb upon, sit upon, hang onto or in any way interferes with any shark preventive netting or appliance and/ or any poles, uprights, structures, frames, barriers, cables and winch or winches all being ancillaries to such shark preventive netting or appliances;
 - (p) use alcohol within the designated area;
 - (q) possess or use any firearm or traditional weapon within the designated area.
- (2) Any person who contravenes any of the above will be guilty of an offence.

11. ANIMALS AND THE SEA-SHORE

- (1) Any person shall be guilty of an offence who:-
- (i) causes or allows any animal belonging to him/her or in his/her charge to enter or remain upon the sea-shore or in the sea or in any bathing pool whereon or wherein by notice on the spot prohibits the presence of animals;

- (ii) causes or allows any horse, pony or other animal belonging to him/her or in his/her charge to enter or remain upon the sea-shore or in the sea within the area of jurisdiction, except with permission given in writing, and subject to such terms and conditions as approved by Council.
- (2) Any animal not under control or apparently not under the control of any person may, if found on the sea-shore or in the sea or in any bathing pool within the area of jurisdiction, may be impounded by any member, employee or servant of the Council and may be removed to the pound, there to be dealt with in accordance with the bylaws or regulations relating to the keeping of animals at such pound.

12. DAMAGES TO PROPERTY

Any person shall be guilty of an offence who interferes with, misuses or damages any building, closet, shelter, changing booth, or other amenity provided for the use of the public, or who disregards, or, in contravention of directions as to the use to which the same may be put, fails to observe the terms of notices.

13. INTERFERENCE WITH NOTICE BOARDS

Any person, other than a lifesaver or a person authorised to do so, who moves, defaces or otherwise interferes with any notice board, notice or marker erected, posted or placed on the sea-shore, shall be guilty of an offence.

14. PROHIBITION OF ENTERTAINMENT AND TRADE

Any person who for reward or gain, conducts an entertainment or business or trade of any sort on the sea-shore or in the sea, without the written permission given and on such terms and conditions as in each case may be deemed fit by the Council, shall be guilty of an offence.

15. VEHICLES ON THE SEA-SHORE

- (1) Any person shall be guilty of an offence who:-
 - (a) within the area of jurisdiction of Council introduces into or rides or drives any motor vehicle, animal-drawn vehicle or bicycle onto the sea-shore except in the circumstances mentioned in subsection (2) hereof;
 - (b) within an area which is under the jurisdiction of Council, rides or drives any motor vehicle, animal-drawn vehicle or bicycle or any animal on the sea-shore in such a way as to endanger, discomfort or inconvenience any other user of the sea-shore.

- (2) Subsection (1)(a) of this bylaw shall not apply in respect of any ambulance whilst lawfully in use as such, or in respect of any vehicle used in lieu of an ambulance in time of emergency, or in respect of any vehicle used within the area by any employee or servant of Council in the discharge of his/her duties or in respect of any vehicle, the driver of which carries with him/her the written permission thereto of the Council.

16. LIFE-SAVING DEVICES

- (1) Any person, other than a lifesaver or a member, employee or servant of the Council who, save in time of emergency, touches, handles or in any way makes use of or damages any life-line, lifebuoy, or any other life-saving appliance, installed or maintained upon the sea-shore or in the sea, shall be guilty of an offence.
- (2) Any person who impairs or impedes the operation of any life-saving appliance or device while it is in use on the sea-shore or in the sea shall be guilty of an offence.

17. CONTROL OF BOATS

- (1) Any person who launches, lands, beaches, keeps, lets or hires or otherwise uses any boat or craft or jet ski contrary to the places identified for the exclusive use thereof, shall be guilty of an offence unless such act is done in an emergency or in order to save life.
- (2) No launching, landing, beaching, keeping, letting or hiring of any boat, jet ski or craft may be undertaken in the designated area unless such act is done in an emergency or in order to save a life.

18. FIREARMS/TRADITIONAL WEAPONS

Any person who has a firearm/traditional weapon in his possession at the designated area or who discharges a firearm from the sea-shore or the sea shall be guilty of an offence. Provided that it shall not be an offence if a firearm is used:-

- (a) within the area of jurisdiction by a member, employee or servant of the Council or a lifesaver to kill or repel sharks;
- (b) in the vicinity of any bathing amenity, provided by any person on the sea-shore, by such person or his deputy to kill or repel sharks;
- (c) during competitions organised by lifesavers or during sport meetings on the sea-shore, for the firing of blank cartridges;
- (d) for the collection of specimens of marine life or birds or animals for scientific purposes;
- (e) to signal distress;

- (f) to ensure a safe and secure environment by members of the South African Police Services, or a security company appointed by Council solely for such purposes.

19. CONTROL OF SURF-RIDING, KITE-SURFING AND WINDSURFING

- (1) No surf-kite and windsurfing is allowed within the designated swimming areas.
- (2) Surf-riding or wind and kite-surfing may be prohibited either temporarily or permanently by a lifesaver or official on duty within the designated areas on the grounds that it is unsafe or is likely to cause discomfort or injury to other users of the sea-shore or the sea or is a breach of the peace.
- (3) Any permanent prohibition shall be indicated by notice on the spot at both ends of the prohibited area and any temporary prohibition shall periodically be brought to the attention of the public by a public address system or by personal warning.
- (4) Any person who surf-rides or windsurfs in contravention of any prohibition contemplated by subsection (1) and (2) above shall be guilty of an offence.

20. CONTROL OF CAMPING ON THE SEA-SHORE

- (1) Camping is prohibited on any part of the sea-shore.
- (2) Any person who erects a tent or camps on the sea-shore without the written permission of Council, shall be guilty of an offence.

21. CONTROL OF ANGLERS

- (1) No person shall fish or angle in or from the seashore or any area at any time during which bathing, board-sailing or surf-riding is permitted or cast any line or net in or onto such area.
- (2) No person shall fish from any pier, groyne, stormwater outfall or dredger pipeline or have in his possession or control on any pier, groyne, stormwater outfall or dredger pipeline any fishing tackle or equipment or any other thing designed or intended for use for the purpose of fishing, including bait, unless fishing is permitted as indicated by a notice or sign displayed in this regard and except between the hours as may be specified in such notice or sign and in accordance with such directions or prohibitions as may be conveyed thereby.
- (3) No person shall while fishing or angling on the sea-shore, pier, or in the sea, throw, cast, or use or permit the use of fishing equipment, including any rod, net trap or other device or swing any line or gear in such a way or manner as to cause an obstruction or danger or annoyance or interference with the comfort of any other person.

- (4) No person shall place or leave any fishing bait, fish, fishing equipment, fishing hook/s or tackle or any other related waste material or debris behind and shall clear away and remove all bait, material and refuse on the sea shore or any other place used for the purpose of fishing before leaving the place and place it in a refuse receptacle provided for such purposes.
- (5) Any person failing to abide by or comply with the foregoing shall be guilty of an offence.

22. CONTROL OF FIRES

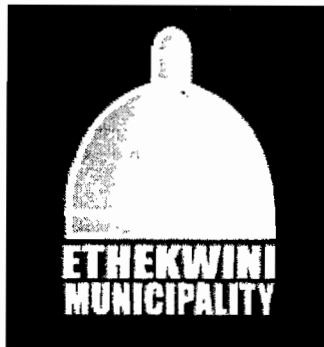
No person may make a fire on the sea-shore within the area of jurisdiction of the Council without obtaining prior written permission by Council permission, which permission shall be subjected to such terms and conditions as prescribed by Council.

23. PENALTIES

- (1) Any person contravening any provision of these bylaws or failing to comply therewith or failing to comply with the conditions of any notice served on him/her by Council in terms of these bylaws shall be guilty of an offence and liable, upon conviction, to a fine or imprisonment not exceeding a period of six months, or to both the fine and imprisonment.
- (2) In terms of Section 10 of the Sea-Shore Act of 1935, objects used to contravene any of these bylaws may be confiscated by the official on duty and returned to/ collected by the offender at the end of shift on the same day. Objects not collected will be kept in storage for a period of 21 days, after which it shall be sold or destroyed by Council.

No. 5

5 March 2009

**STATUTORY NOTICE NO. 2579****NOTICE OF EXPROPRIATION**

Issued by the eThekweni Municipality
in terms of Section 9(3) of the Housing Act, 1997 (Act No. 63 of 1997),
read with Sections 1, 6 to 15 and 18 to 23 of the Expropriation Act, 1975 (Act No. 63 of 1975).

TO: Estate Late Jabulani Johannes Hlengwa

AND TO: All other persons claiming any right to or interest in the land described in this Notice of Expropriation whether by virtue of registration or otherwise, and particularly any lessee, buyer or builder contemplated in Section 9(1)(d) of the Expropriation Act, 1975.

NOTICE is hereby given in terms of Section 7, read with Section 5(2) of the Expropriation Act No. 63 of 1975 (the Act) that the eThekweni Municipality (the Municipality), being unable to purchase the said land on reasonable terms through negotiation with the owners of the land and having obtained the permission of the member of the Executive Committee of the Province of KwaZulu-Natal responsible for housing matters in that province on 17 October 2008, hereby expropriates the land described hereunder under powers vested in it by Section 9(3) of the Housing Act No. 107 of 1997 (the Housing Act) and Section 5 of the Act, for public purposes, in particular for the purposes of a national housing programme as defined in Section 1 of the Housing Act.

The land being expropriated is the following:

Remainder of Portion 600 of the Farm Woody Glen No. 1247, Registration Division FT, Province of KwaZulu-Natal, measuring 18,6156 hectares, held under Title Deed No. T1516/1933.

PLEASE NOTE THE FOLLOWING:

- a. The date of expropriation shall be the date 14 days after the service of this Notice with effect from which date, where applicable, ownership of the said land will pass to the Municipality.
- b. The date upon which the Municipality will take possession of the said property shall be the date 14 days after the date of service of this Notice, or such other date as may be agreed upon between the

- Owner(s) and the Municipality in terms of Section 8(3) of the Act, or a date determined in terms of the provisions of Section 8(5) of the Act, as the case may be.
- c. Where land is expropriated, with effect from the date of possession of the land by the Municipality, but not before such date, the Owner(s) will be relieved of the obligation to take care of and maintain the land and to pay taxes and other charges thereon, and will no longer be entitled to the use of and any income from the land.
 - d. Where the property has been partially expropriated, at the request of the Owner(s) this notice shall be deemed to include the remainder of the property or part thereof in terms of Section 2 of the Act, provided that the Municipality is satisfied that such remainder has been rendered useless by the expropriation.
 - e. The costs of the survey required and the survey itself will be borne and undertaken by the Municipality.

In terms of section 10(1) of the Expropriation Act, 1975, read with section 25(3) of the Constitution of the Republic of South Africa, 1996, the Municipality hereby offers compensation to the Owners in the sum of R448 000 (Four Hundred and Forty Eight Thousand Rand) for the land hereby expropriated which compensation is determined in terms of section 12(1) of the Expropriation Act, 1975, read with section 25(3) of the Constitution of the Republic of South Africa Act, 1996, together with the sum of R27 400 in terms of section 12(2)(b) of the Expropriation Act.

PAYMENT of the compensation offered will be made in terms of section 11 of the Expropriation Act, 1975.

ATTENTION is drawn to the fact that if a lessee has a right by virtue of a lease contemplated in section 9(1)(d)(i) of the Act, in respect of the land expropriated of which the Municipality has no knowledge on the date of this Notice, the aforementioned offer of compensation may be withdrawn.

YOUR ATTENTION is directed to the provisions of Section 9(1) and 12, (in particular sub-sections 3(a)(ii) and (4) highlighted below) of the Act and in particular to the obligations which you must comply with under the said sections. For your convenience, the sections are reproduced here (please read Municipality where it states 'Minister' or 'State').

9. Duties of owner of property expropriated or which is to be used by State. –

(1) An owner whose property has been expropriated in terms of this Act, shall, within sixty days from the date of notice in question, deliver or cause to be delivered to the Minister a written statement indicating-

- (a) if any compensation was in the notice of expropriation offered for such property, whether or not he accepts that compensation and, if he does not accept it, the amount claimed by him as compensation and how much of that amount represents each of the respective amounts contemplated in section 12(1)(a)(i) and (ii) or (b) and full particulars as to how such amounts are made up;

- (b) if no such compensation was so offered, the amount claimed as compensation by him and how much of that amount represents each of the respective amounts contemplated in section 12(1)(a)(i) and (ii) or (b) and full particulars as to how such amounts are made up;
- (c) if the property expropriated is land and any amount is claimed in terms of paragraph (a) or (b), full particulars of all improvements thereon which, in the opinion of the owner, affect the value of such land;
- (d) if the property being expropriated is land-
 - (i) which prior to the date of notice was leased as a whole or in part by unregistered lease, the name and address of the lessee, and accompanied by the lease or a certified copy thereof, if it is in writing, or full particulars of the lease, if it is not in writing;
 - (ii) which, prior to the date of notice, was sold by the owner, the name and address of the buyer, and accompanied by the contract of purchase and sale or a certified copy thereof;
 - (iii) on which a building has been erected which is subject to a builder's lien by virtue of a written building contract, the name and address of the builder, and accompanied by the building contract or a certified copy thereof;
 - (iv)
- (e) indicate the address to or at which you desire that further documents in connection with the expropriation may be posted or delivered.

Provided that the Minister may at his discretion extend the said period of sixty days, and that, if the owner requests the Minister in writing within thirty days as from the date of notice to extend the said period of sixty days, the Minister shall extend such period by a further sixty days.

(2)

(3) You are hereby requested, within sixty (60) days of the date of this notice, to -

- (a) deliver or cause to be delivered to the Municipality at the address stated hereunder the title deeds of the property hereby expropriated or, if such document is not in your possession or under your control, the name and address of the person in whose possession or under whose control it is;
- (b)

12. Basis on which compensation is to be determined. -

(1) The amount of compensation to be paid in terms of this Act to an owner in respect of property expropriated in terms of this Act, or in respect of the taking, in terms of this Act, of a right to use property, shall not, subject to the provisions of subsection (2), exceed-

- (a) in the case of any property other than a right, excepting a registered right to minerals, the aggregate of-

- (i) the amount which the property would have realized if sold on the date of Notice in the open market by a willing seller to a willing buyer, and
 - (ii) an amount to make good any actual financial loss caused by the expropriation; and
- (b) in the case of a right, excepting a registered right to minerals, an amount to make good any actual financial loss caused by the expropriation or the taking of the right: Provided that where the property expropriated is such nature that there is no open market therefor, compensation therefor may be determined-
- (aa) on the basis of the amount it would cost to replace the improvements on the property expropriated, having regard to the depreciation thereof for any reason, as determined on the date of notice; or
 - (bb) in any other suitable manner.
- (2) Notwithstanding anything to the contrary contained in this Act there shall be added to the total amount payable in accordance with subsection (1), an amount equal to –
- (a) ten per cent of such total amount, if it does not exceed R100 000; plus
 - (b) five per cent of the amount by which it exceeds R100 000, if it does not exceed R500 000; plus
 - (c) three per cent of the amount by which it exceeds R500 000, if it does not exceed R1 000 000; plus
 - (d) one per cent (but not amounting to more than R10 000) of the amount by which it exceeds R1 000 000.
- (3) (a) Interest at the standard interest rate determined in terms of section 26 (1) of the Exchequer Act, 1975 (Act No. 66 of 1975), shall, subject to the provision of subsection (4), be payable from the date on which the State takes possession of the property in question in terms of section 8 (3) or (5) on any outstanding (1): Provided that –
- (i) in a case contemplated in section 21 (4), in respect of the period calculated from the termination of thirty days from the date on which-
 - (aa) the property was so taken possession of, if prior to that date compensation for the property was offered or agreed upon; or
 - (bb) such compensation was offered or agreed upon, if after that date it was offered or agreed upon,
 to the date on which the dispute was settled or the doubt was resolved or the owner and the buyer or the mortgagee or the builder notified the Minister in terms of the said section 21 (4) as to the payment of the compensation money, the outstanding portion of the ar shall, for the purposes of the payment of interest, be c an outstanding amount; and

- (ii) if the owner fails to comply with the provision of section 9 within the appropriate period referred to in the said section, the amount so payable shall during the period of such failure and for the purpose of the payment of interest be deemed not to be an outstanding amount.
 - (b) Interest payable in terms of paragraph (a) shall be deemed to have been paid on the date on which the amount has been made available or posted to the owner concerned.
 - (c) Any deposit, payment or utilization of any amount in terms of section 11(1), 20 (2) or 21 (1) or (4) shall be deemed to be a payment to the owner, and no interest shall in terms of paragraph (a) be payable on any such amount as from the date on which it has been so deposited, paid or utilized.
- (4) If the owner of property which has been expropriated occupies or utilizes that property or any portion thereof, no interest shall, in respect of the period during which he so occupies or utilizes it, be paid in terms of subsection (3) on so much of the outstanding amount as, in the opinion of the Minister, relates to the property or utilized.
- (5) In determining the amount of compensation to be paid in terms of this Act, the following rules shall apply, namely –
- (a) no allowance shall be made for the fact that the property or the right to use property has been taken without the consent of the owner in question;
 - (b) the special suitability or usefulness of the property in question for the purpose for which it is required by the State, shall not be taken into account if it is unlikely that the property would have been purchased for that purpose on the open market or that the right to use the property for that purpose would have been so purchased;
 - (c) if the value of the property has been enhanced in consequence of the use thereof in a manner which is unlawful, such enhancement shall not be taken into account;
 - (d) improvements made after the date of notice on or to the property in question (except where they were necessary for the property maintenance of existing improvements or where they were necessary for the property maintenance of existing improvements or where they were undertaken in pursuance of obligations entered into before that date) shall not be taken into account;
 - (e) no allowance shall be made for any unregistered right in respect of any other property or for any indirect damage or anything done with the object of obtaining compensation therefor;
 - (f) any enhancement or depreciation, before or after the date of notice, in the value of the property in question, which may be due to the purpose for which or in connection with which the property is being expropriated or is to be used, or which is a consequent of any work or act which the State may carry out or perform or already has carried out or performed or intends to carry out or perform in connection with such purpose, shall not be taken into account;
 - (g)

- (h) Account shall also be taken of -
- (i) any benefit which will ensure to the person to be compensated from any works which the State has built or constructed or has undertaken to build or construct on behalf of such person to compensate him in whole or in part for any financial loss which he will suffer in consequence of the expropriation or, as the case may be, the taking of the right in question;
 - (ii) any benefit which will ensure to such person in consequence of the expropriation of the property or the use thereof for the purpose for which it was expropriated or, as the case may be, the right in question was taken;
 - (iii)
 - (iv) Any relevant quantity of water to which the person to be compensated is entitled or which is likely to be granted to him, in terms of the provisions of the Water Act, 1956(Act No. 54 of 1956), or any other law.
- (i)
 - (j)

COMMUNICATION with the Municipality in connection with any matter arising from or related to this Notice of Expropriation must be conducted with the Contact Person whose name is set out at the foot of this Notice and whose contact details are also set out there. Formal Notices required to be served on the Municipality must be delivered to the address provided in the Contact details at the foot of this Notice.

HEAD: HOUSING
ETHEKWINI MUNICIPALITY

Date: 23 January 2009

cc Registrar of Deeds
Private Bag X9028
PIETERMARITZBURG
3200

CONTACT PERSON: Ronell Visser (Mrs)

CONTACT DETAILS:

Physical Address: 90 Shepstone Road, New Germany
Postal Address: P O Box 49, Pinetown 3600
Telephone No: 031 – 3116516
Fax No.: 031 – 3116522
e-Mail address: visserr@durban.gov.za

No. 5

5 kuNdasa 2009



UMASIPALA WASETHEKWINI

ISAZISO NO. 2579

ISAZISO SOKUDLIWA NGOKOMTHETHO KOMHLABA

Sikhishwa uMasipala waseThekwini ngaphansi kweSigaba 9(3) somthetho i-Housing Act, 1997 (Umthetho No. 63 ka-1997), ufundwa neZigaba 1, 6 kuya ku-15 no-18 kuya ku-23 zomthetho i-Expropriation Act, 1975 (Umthetho No. 63 ka-1975).

SIYA: Kwizindlalifa zikaJabulani Johannes Hlengwa ongasekho

KANYE: Nakubo bonke abanye abantu abathi bananoma yimaphi amalungelo noma amagunya kulo mhlaba ochazwe kulesi saziso, ngenxa yokuba babhalisile noma ngenye indlela, futhi ikakhulukazi noma yisiphi isiqashi, umthengi noma umakhi ophathekayo ngokwemibandela yeSigaba 9(1)(d) somthetho i-Expropriation Act ka-1975.

ISAZISO Lesi yisaziso ngaphansi kweSigaba 7, sifundwa neSigaba 5(2) soMthetho i-Expropriation Act (umthetho No. 63 ka-1975) (uMthetho) sokuthi uMasipala waseThekwini (uMasipala), ngenxa yokuthi akakwazanga ukuthenga ngentengo efanele lo mhlaba ochazwe lapha ngokuxoxisana nabanikazi bawo futhi emva kokuthi esethole imvume kaNgqongqoshe ofanele weSifundazwe oqondene nezezindlu mhla ka 17 Okthoba 2008, ngalokhu uyawudla lo mhlaba ochazwe lapha ngenzansi ngegunya alinikwe yiSigaba 9(3) somthetho i-Housing Act no. 107 ka-1997 kanye neSigaba 5 soMthetho, ngenjongo yokuba kusizakale umphakathi ngaphansi kohlelo lukazwelonke lokwakhela umphakathi izindlu kanjengoba kuchaziwe eSigabeni 1 soMthetho.

Lo mhlaba odlwayo uchazwe kanje emabhukwini okubaliswe kuwona umhlaba:

Remainder of Portion 600 of the Farm Woody Glen No. 1247, Registration Division FT, eSifundazweni saKwaZulu-Natali, kanti ubukhulu bawo bungamahekthare angu-18,6156, kanti inombolo yetayitela lobunikazi bawo ngu: T1516/1933.

NIYANXUSWA UKUBA NIQAPHELE LOKHU:

- a. Usuku lokudla lo mhlaba wusuku lweshumi nane (14) emva kokukhishwa kwalesi saziso kanti kusukela ngalolo suku ubunikazi balo mlaba buzodlule la kuMasipala.
- b. Usuku uMasipala azothatha ngalo lo mhlaba oshiwo kuyokuba usuku olusezinsukwini eziyishumi nane (14) kusukela osukwini okukhishwe ngalo lesi saziso, noma-ke nje olunye usuku

okungavunyelwana ngalo phakathi komnikazi/kwabani-kazi noMasipala ngaphansi kweSigaba 8(3) soMthetho, noma ngosuku oluyonqunywa ngaphansi kwemibandela yeSigaba 8(5) soMthetho, ngokufanelekile.

- c. Lapho kudliwa umhlaba, kusukela ngosuku ubunikazi balowo mhlaba obuthathwa ngalo nguMasipala, kodwa hhayi ngaphambi kwalolu suku, umnikazi uyokhululwa kulezo zibopho zokuba awunakekele futhi awugcine usesimweni lowo mhlaba nokuwukhokhela intela kanye nezinye izimali ezibizwayo, futhi angeke esavunyelwa ukuwusebenzisa lo mhlaba futhi ngeke esaba namalungelo amali engeniswa yiwo.
- d. Lapho kudliwe ingxenye yomhlaba, ngokwesicelo somnikazi lesi saziso kuyothathwa ngokuthi sifaka nale ngxenye eseleyo yalowo mhlaba noma ingxenye yawo ngokwesigaba 2 soMthetho, inqobo nje uma uMasipala anelisekile ngokuthi le ngxenye eseleyo ayisenamsebenzi ngenxa yalokhu kudliwa ngokomthetho kwale enye ingxenye.
- e. Izindleko zanoma yikuphi ukudatshulwa komhlaba okudingekayo ziyothwalwa nguMasipala kanti nokudatshulwa uqobo lwakho kuyokwenziwa nguMasipala.

Ngokwesigaba 10(1) soMthetho i-Expropriation Act, 1975, sifundwa nesigaba 25(3) soMthethosisekelo wezwe laseNingizimu-Afrika, 1996, uMasipala uthi uzonikeza abanikazi isinxephezelo esingu-R448 000 (amarandi ayizinkulungwane ezingamakhulu amane namashumi amane nesishiyagalombili) ngalo mhlaba odliwayo kanti lesi sinxephezelo sinqunywe ngokwesigaba 12(1) somthetho i-Expropriation Act, 1975, sifundwa nesigaba 25(3) soMthethosisekelo wezwe laseNingizimu-Afrika, 1996, kanye nesamba sika-R27 400 ngaphansi kwesigaba 12(2)(b) somthetho i-Expropriation Act.

UKUKHOKHWA kwalesi sinxephezelo kwenziwa ngaphansi kwesigaba 11 somthetho i-Expropriation Act, 1975.

KUFANELE KUQASHELWE ukuthi uma isiqashi sinelungelo ngenxa yesivumelwano sokuqashiselana okukhulunywe ngaso esigabeni 9(1)(d)(i) soMthetho, kulo mhlaba odliwayo uMasipala angazi lutho ngaso ngesikhathi sokukhishwa kwalesi saziso, lesi sinxephezelo uMasipala athi uzosikhokha singahoxiswa.

QAPHELA isigaba 9(1) no-12, (ikakhulu izigatshana 3(a)(ii) no-(4) ezibalulwe lapha ngenzansi) zoMthetho, ikakhulu izibopho onazo ngaphansi kwalo Mthetho. Lezi zigaba ziyaphindwa lapha ngenzansi (lapho kuthi khona 'uNgqongqoshe' noma 'uHulumeni' kufanele ngokuthi 'uMasipala').

9. Izibopho zomnikazi womhlaba odliwayo noma ozosetshenziswa nguHulumeni. –

(1) Umnikazi umhlaba wakhe odliwe ngokulawula koMthetho, kuyothi, zingakapheli izinsuku ezingu 60 kusukela osukwini okuphume ngalo lesi saziso, athumele noma enze ukuba kuthunyelwe kuNgqongqoshe isitatimende esibhaliwe esikhombisa -

- (a) ukuthi esazisweni sokudliwa komhlaba kwaba khona yini isinxephezelo okwathiwa uzosinikwa ngalowo mhlaba, noma ngabe uyasamukela lesi sinxephezelo noma cha, uma esamukela, lesi samba esibizwa uyena njengesinxephezelo nokuthi yingxenye engakanani yaleso samba

- emaqondana nalezi zamba okukhulunywa ngazo ezigabeni 12(1)(a)(i) no-(ii) noma (b) neminingwane ephelele yokuthi zakheke kaknjani lezo zamba;
- (b) uma kungekho sinxephezelo okuthiwe uzonikwa sona, imali ayibizayo njengesinxephezelo nokuthi ingakanani kuleso samba imali eyileyo ebalulwe eSigabeni 12(1)(a)(i) no (ii) noma (b) kanye neminingwane ephelele yokuthi le mali ibalwe kanjani;
- (c) uma okudliwa ngokomthetho kungumhlaba futhi kubizwa noma yisiphi isamba sibizwa njengokulawula kwesigatshana (a) noma (b), iminingwane ephelele ephathelene nokwakhiwe kulo mhlaba/nokulungiswa okwenziwe kuwo, ngokubona komnikazi, okunomthelela enanini lalowo mhlaba;
- (d) uma okudliwa ngokomthetho kungumhlaba-
- (i) okwathi ngaphambi kosuku lwesaziso wawuqashisiwe, wona wonke noma ingxenye yawo, ngesivumelwano esingabhalisiwe, igama nekheli lesiqashi, bese lokhu kuphelezela yisivumelwano noma ikhophi yaso eqinisekisiwe, uma sibhalwe phansi, noma iminingwane ephelele yesivumelwano, uma singabhalwe phansi;
- (ii) okwathi ngaphambi kosuku lwesaziso, wadayiswa ngumninwano, igama nekheli lomthengi, liphelezela yisivumelwano sokuthengiselana noma ikhophi yaso eqinisekisiwe;
- (iii) okwakhiwe kuwo ibhili elingaphansi kwesibambiso sikamakhi kuze kukhokhwe imali akweletwa yona ngaphansi kwesivumelwano sokwakha esibhalwe phansi, igama nekheli likamakhi futhi lokhu kuphelezela yisivumelwano sokwakha noma yikhophi yaso eqinisekisiwe;
- (iv)
- (e) ikheli lalapho umnikazi afisa ukuba ezinye izincwadi eziphathelene nokudliwa komhlaba ziposelwe, zihanjisiwe noma zithunyelwe khona.

Kweyame ekuthini uNgqongqoshe ngokubona kwakhe angasengeza lesi sikhathi esishiwo esiyizinsuku ezingamashumi ayisithupha, nokuthi futhi uma umnikazi embhalela uNgqongqoshe emcela zingakapheli izinsuku ezingamashumi amathathu kusukela osukwini lokuphuma kwesaziso, ukuba uNgqongqoshe aselule lesi sikhathi esesishiwo esiyinsuku ezingamashumi ayisithupha, uNgqongqoshe uyoselula lesi sikhathi ngokwengeza ezinye izinsuku ezingamashumi ayisithupha.

(2)

(3) Uyanxuswa ukuba zithi zingakapheli izinsuku ezingamashumi ayisithupha kusukela osukwini lwalesi saziso -

- (a) ulethe noma udale ukuba kulethwe kuMasipala, kuleli kheli elishiwo ngenzansi amatayitela obunikazi alo mhlaba odliwa nguMasipala, noma uma lawo matayitela obunikazi engekho kuwena noma engekho ngaphansi kolawulo lwakho, ulethe igama nekheli lomuntu akuyena lamatayitela;
- (b)

12. Isisekelo okuklanyelwa phezu kwaso isinxephezelo –

- (1) Isinxephezelo esizokhokhelwa umnikazi ngaphansi kwalo Mthetho ngomhlaba odliwe ngaphansi kwalo Mthetho, noma ngokuthathwa kwelungelo lokusebenzisa umhlaba ngeke, ngaphansi kwemibandela yesigatshana (2) salo Mthetho, seqe -

- (a) maqondana nanoma yimuphi umhlaba ngaphandle kwelungelo, okungelona ilungelo lokumbiwa phansi-
- (i) isamba lowo mhlaba obungadayiswa ngaso uma ubudayiswa emakethe evulekile ngokuvumelana komthengi nomdayisi ngosuku lwesaziso, kanye
- (ii) nemali yokubhekela noma yikuphi ukulahlekelwa kwangempela okudalwe ukudliwa kwalowo mhlaba; kanti

maqondana nelungelo, ngaphandle kwelokumbiwa phansi elibhalisiwe, isamba sokubhekela ukulahlekelwa kwangempela ngokwezimali okudalwe ukuthathwa kwalelo lungelo: Ngaphansi kombandela wokuthi lapho umhlaba odliwe owohlobo olungedayiswe emakethe evulekile, isinxephezelo singanqunywa -

- (aa) ngokwesilinganiso sesamba sezindleko zokwakha kabusha izakhiwo ezikulowo mhlaba odliwayo, kube kbhekwe nokwehla kwenani lazo ngenxa yanoma yisiphi isizathu kanjengoba kunqunyiwe ngosuku lwesaziso sokudliwa kwalowo mhlaba; noma
- (bb) nganoma iyiphi enye indlela efanele.
- (2) Yize noma kungathiwani kwesinye isigaba salo Mthetho, kepha esambeni esiphelele sesinxephezelo esiyokhokhwa ngaphansi kwesigatshana (1) kuyokwengezwa imali –
- (a) engamaphesenti ayishumi aleso samba sesisonke, uma singeqi ku-R100 000; kanye
- (b) namaphesenti amahlanu aleso samba eyeqa ngaso ku-R100 000, uma singeqi ku-R500 000; kanye
- (c) namaphesenti amathathu aleso samba eyeqa ngaso ku-R500 000, uma singeqi ku-R1 000 000; kanye
- (d) nephesenti elilodwa (kodwa kungeqi ku-R10 000) laleso samba eyeqa ngaso ku-R1 000 000.
- (3) (a) Inzalo eklanywe ngokulawula kweSigaba 26(1) sika-Exchequer and Audit Act, 1975 (uMthetho 66 ka 1975), ngaphansi kwemibandela yesigatshana (4), iyokhokhwa kusukela ngosuku uMasipala athatha ngalo ubunikazi bendawo leyo ngokulawula kweSigaba 8(3) noma (5) kunoma iyiphi ingxenye esilele yesamba sesinxephezelo okumele sikhokhwe ngokwesigatshana (1): Kweyame ekuthini –
- (i) maqondana nalokhu okukhulunywa ngakho esigabeni 21(4), maqondana nesikhathi esibalwa kusukela ekupheleni kwezinsuku ezingamashumi amathathu kusukela osukwini-

- (aa) lowo mhlaba owathathwa ngalo, uma ngaphambi kwalolo suku kwavunyelwana ngesinxephezelo; noma
- (bb) lesi sinxephezelo kwavunyelwana ngaso, uma emva kwalolo suku kwavunyelwana ngaso,
- kuya osukwini okwaxazululwa ngalo umbango noma ukungabaza okwaxazululwa ngalo noma umnikazi nomthengi noma umakhi wabikela uNgqongqoshe ngaphansi kweSigaba 21(4) ngokukhokhwa kwemali yesinxephezelo, ingxenye esasele okufanele ikhokhwe, ngezizathu zokubala inzalo, kuyothathwa ngokuthi akusona isamba esisakweletwa; futhi
- (ii) uma umnikazi ehluleka ukulandela izimiso zeSigaba 9 singakadluli lesi sikhathi esinqunyiwe okukhulunywa ngaso kulesi Sigaba esesishiwo, leyo mali okuyobe kumele ikhokhwe ngaleso sikhathi salokho kwehluleka futhi maqondana nokukhokhwa kwenzalo kuyothathwa ngokuthi akuyona imali engakhokhiwe edinga ukukhokhwa.
- (b) Inzalo okufanele ikhokhwe ngokwesigatshana (a) kuyothathwa ngokuthi ikhokhiwe ngosuku leyo mali eyokhishwa ngalo noma iposelwe kumnikazi.
- (b) Noma iyiphi idiphozi, inkokhelo noma ukusetshenziswa kwanoma isiphi isamba semali ngaphansi kwesigaba 11(1), 20 (2) noma 21 (1) noma (4) kuyothathwa ngokuthi yinkokhelo enikezwa umnikazi, kanti akukho nzallo ngaphansi kwesigatshana (a) okuyofanele ikhokhelwe leyo mali kusukela ngosuku ekhokhwe ngalo, efakwe ngalo ebhange noma esetshenziswe ngalo.
- (4) Uma umnikazi womhlaba odliwe ehlala noma esebenzisa lowo mhlaba noma ingxenye yawo, akukho nzalo, maqondana naleso sikhathi ahlala ngaso kulowo mhlaba noma asebenzisa ngaso lowo mhlaba, eyokhokhwa ngaphansi kwesigatshana (3) kuleyo mali esasele, ngokubona kukaNgqongqoshe emaqondana nalowo mhlaba osetshenziswayo.
- (5) Ekunqumeni isinxephezelo esizokhokhwa ngaphansi kwalo Mthetho, kuyosebenza le migomo elandelayo, –
- (a) angeke kubhekelelwe ukuthi umhlaba odliwe noma amalungelo okusebenzisa umhlaba kuthathwe ngaphandle kwemvume yomnikazi;
- (b) ukufaneleka kwalowo mhlaba noma kwaleso sakhiwo ukwenza umsebenzi uHulumeni adinga ukuwenza kusona ngeke kusetshenziswe ekubaleni isinxephezelo uma bekungelindeleke ukuba lesi sakhiwo sinthengelwe ukwenza lowo msebenzi emakethe evulekile noma ukuthi ilungelo lokusebenzisa lowo mhlaba usetshenziswa ngaleyo ndlela belingathengwa;
- (c) uma inani lalowo mhlaba lenyukile ngenxa yokusetshenziswa kwawo ngendlela engekho emthethweni, lokho kwenyuka kwenani kuyoshaywa indiva;
- (d) ukwakha okwenziwe okwenziwe emva kosuku lwalesi saziso (ngaphandle kwalapho kwakudingekile khona ukuze isakhiwo sigcinwe sisesimweni noma lapho kwenziwa ngenxa yezibopho ezenziwa ngaphansi kwalolo suku) ngeke kubalwe;

- (e) angeke abalwe amalungelo angabhalisiwe maqondana nomhlaba noma maqondana nanoma yimuphi umonakalo odaleke ngenjongo yokuthola isinxephezelo;
- (f) noma yikuphi ukwenyyuka noma ukwehla enanini lomhlaba okwenzeke emva noma ngaphambi kosuku lwesaziso, okudaleke ngenxa yezinjongo zokudliwa kwawo noma ukusetshenziswa okuhlongozwayo kwawo noma okudalwe yinoma yimuphi umsebenzi noma isenzo sikaHulumeni noma umsebenzi ahlose uukuwenza kulowo mhlaba, ngake kubalwe;
- (g)
- (h) Kuyobalwa -
- (i) noma yikuphi ukusizakala okuyotholwa umuntu onxeshezelayo nganoma yimuphi umsebenzi wokwakha owenziwa uHulumeni noma ukwakha okwenziwa uHulumeni ekwenzela lowo muntu ngenjongo yokumnxephezela ngokuphelele noma ingxenye ngokulahlekelwa kwakhe ngenxa yokudliwa komhlaba wakhe noma ukuthathwa kwaalungelo akhe okusebenzisa umhlaba/isakhiwo sakhe;
- (ii) noma yisiphi isibonelelo esitholwa umuntu ngenxa yokudliwa komhlaba wakhe noma ngokusetshenziswa kwawo ngenjongo owadlwa yona noma injongo owadlwa yona amalungelo okuwusebenzisa;
- (iii)
- (iv) Noma isilinganiso esingakanani samanzi lowo muntu onxeshezelayo anelungelo lawo ngaphansi noma asethubeni lokuba nelungelo lawo ngaphansi komthetho i-Water Act, 1956 (Umthetho No. 54 ka-1956), noma nanoma yimuphi omunye umthetho.
- (i)
- (j)

Umuntu okungaxhunyanwa naye kwaMasipala maqondana nalesi saziso yilowo igama lakhe neminingwane yakhe okubhalwe ekugcineni kwalesi saziso. Izaziso okudingeka ukuba zithunyelwe kuMasipala kufanele zihanjise kuleli kheli elisekugcineni kwalesi saziso.

**INHLOKO: HOUSING
UMASIPALA WASETHEKWINI**

Usuku: 27 February 2009

cc Registrar of Deeds
Private Bag X9028
PIETERMARITZBURG
3200

OKUNGAXHUNYANWA NAYE: Nkk. Ronell Visser

IMINININGWANE YOKUXHUMANA NAYE:

Ikheli lomgwaqo: 90 Shepstone Road, New Germany

Ikheli leposi: P O Box 49, Pinetown 3600

Ucingo: 031 – 3116516

Ifeksi: 031 – 3116522

e-mail: visserr@durban.gov.za

ADVERTISEMENTS—ADVERTENSIES—IZIKHANGISO

NOTICE OF LAND DEVELOPMENT AREA APPLICATION

Old Man Dreams (Pty)Ltd has lodged an application for a land development area in terms of the Development Facilitation Act, (Act 67 of 1995).

The Application is for the development of portions of the following land known as:

- The Drop Farm No. 14603 (214,1952 ha);
- Remainder of the Farm Twyfelhoek Farm No. 3339 (403,0875 ha);
- Portion 7 of 3 of the Farm Twyfelhoek Farm No. 3339 (192,6798 ha);
- Remainder of Portion 3 of the Farm Twyfelhoek Farm No. 3339 (178,9686 ha);
- Portion 5 (of 4) of the Farm Twyfelhoek Farm No. 3339 (Lamkraal) (13,7112 ha);
- Toegeken Farm No. 9739 (305,4746 ha);
- Remainder of Portion 2 of the Farm Twyfelhoek Farm No. 3339 (206,3899 ha);
- Remainder of Portion 4 (of 2) of the Farm Twyfelhoek Farm No. 3339 (192,6785 ha);
- Portion 1 of the Farm Twyfelhoek No. 3339 (242,8116 ha);

ALL OF WHICH ARE SITUATED IN REGISTRATION DIVISION HS, PROVINCE OF KWAZULU-NATAL

and of which the proposed development will consist of the following:

Seven small residential villages and one Guest House/Hotel on various portions of land within the proposed game resort of Raaswater Estate, of which the proposed villages cover in total 104 ha of the 1950 ha Estate providing in total 302 erven with predominantly residential use and a few commercial properties for the benefit of the Estate and the tenants within the Estate.

The application will be considered at a Development Tribunal Hearing to be held at the New Castle Inn (African Sky Hotel) corner Victoria and Allan Streets Newcastle on 29 May 2009 at 10h00, with a site inspection on 28 May 2009 at 14h00, and the Pre-hearing Conference will be held at New Castle Inn (African Sky Hotel) on 06 April 2009 at 10h00.

Any person having an interest in the application should please note that in terms of the Development Facilitation Act, Act 67 of 1995:

1. You may within 21 days from date of the first publication of this notice, provide the designated officer with written objection or representations: or
2. If your comments constituted to an objection to any aspect of the land development application, you or your representative must appear in person before the tribunal on the date mentioned above.

In terms of the Development Facilitation Act, 1995 this notice has the effect of a subpoena and failure to comply with this notice constitutes a criminal offence.

Any written objection or representation must be delivered to Mr. D.I. Scholtz, the DFA Designated Officer at the Amajuba District Municipality, Amajuba Building, D9356, Main Street, Section 1, Madadeni, Newcastle (Private Bag X6615, Newcastle 2940) and you may contact the designated officer if you have any queries on telephone 034 329 7258 and fax no.: 034 314 3785 or e-mail: ivans@amajuba.gov.za or Skype: [ivan.scholtz](https://www.skype.com/people/ivan.scholtz).

Old Man Dreams (Pty)Ltd het 'n aansoek vir grondontwikkeling ingedien ingevolge die Wet op Ontwikkelingsfasilitering. (Wet 67 of 1995).

Die aansoek is vir die grondontwikkeling van gedeeltes van die volgende plase, waar die plase bekend staan as:

- The Drop Plaas No. 14603 (214,1952 ha);
- Restant van die Plaas Twyfelhoek Plaas No. 3339 (403,0875 ha);
- Gedeelte 7 van 3 van die Plaas Twyfelhoek Plaas No. 3339 (192,6798 ha);
- Restant van Gedeelte 3 van die Plaas Twyfelhoek Plaas No. 3339 (178,9686 ha);
- Gedeelte 5 (van 4) van die Plaas Twyfelhoek Farm No. 3339 (Lamkraal) (13,7112 ha);
- Toegeken Plaas No. 9739 (305,4746 ha);
- Restant van Gedeelte 2 van die Plaas Twyfelhoek Plaas No. 3339 (206,3899 ha);
- Restant van Gedeelte 4 (van 2) van die Plaas Twyfelhoek Plaas No. 3339 (192,6785 ha);
- Gedeelte 1 van die Plaas Twyfelhoek No. 3339 (242,8116 ha);

ALMAL GELEË IN REGISTRASIE AFDELING HS, PROVINSIE VAN KWAZULU-NATAL

en met die voorgestelde grondontwikkeling wat die volgende behels.

Sewe klein residensiële nedersettings en een Gastehuis/Hotel op verskeie gedeeltes van die grond geleë binne die voorgestelde wildspaa van Raaswater Landgoed. Die voorgestelde nedersettings beslaan 'n totale grondopervlakte van 104 ha van die 1950 ha Landgoed, en skep in total 302 erwe met oorwegend residensiële grondgebruik en 'n paar kommersiële eiendome tot die voordeel van die Landgoed en die inwoners van die Landgoed.

Die aansoek sal oorweeg word tydens 'n Ontwikkelingstribunaalverhoor wat gehou sal word te New Castle Inn (African Sky Hotel) hoek van Victoriastraat en Allanstraat Newcastle op 29 Mei 2009 om 10h00, met 'n terreininspeksie op 28 Mei 2009 om 14h00, en die voorverhoorsamespreking sal gehou word te New Castle Inn (African Sky Hotel) op 06 April 2009 om 10h00.

Enige persoon wat belang het by die aansoek moet asseblief kennis neem dat ingevolge die Wet op Ontwikkelingsfasilitering, Wet 67 van 1995:

1. U mag binne 21 dae vanaf eerste publikasie van hierdie kennisgewing, die aangewese beampte skriftelik van u besware of veroë in kennis stel. of
2. Indien u kommentaar neerkom op 'n beswaar met betrekking tot enige aspek van die grondontwikkelingsaansoek, moet u persoonlik, voor die Tribunaal verskyn of verteenwoordig word, op die datum hierbo vermeld.

Ingevolge die Wet op Ontwikkelingsfasilitering, 1995, dien hierdie kennisgewing effektiw as 'n subpoena wat, indien nakoming versuim word, dien as 'n kriminele oortreding in gevolg die Wet.

Enige geskrewe beswaar of veroë moet ingedien word by Mnr. D.I. Scholtz, die DFA Designated Officer te Amajuba Distrik Munisipaliteit, Amajuba Gebou, D9356, Hoofstraat, Section 1, Madadeni, Newcastle (Private Bag X6615, Newcastle 2940) en met enige navraag mag u die aangewese beampte kontak, telefonies by 034 329 7258 en fax no.: 034 314 3785 of e-mail: ivans@amajuba.gov.za of Skype: [ivan.scholtz](https://www.skype.com/people/ivan.scholtz).

CITY OF uMHLATHUZE**AMENDMENT TO THE RICHARDS BAY TOWN PLANNING SCHEME IN COURSE OF PREPARATION: PROPOSED REZONING OF PORTION OF ERF 392 (BETWEEN NO. 10 & 12 GRUNTER GULLY), MEERENSEE FROM "PUBLIC OPEN SPACE" TO "SPECIAL RESIDENTIAL 1"**

Notice is hereby given in terms of Section 47 bis A. (1) of the Natal Town Planning Ordinance, No. 27 of 1949, as amended that the uMhlathuze Municipality is about to consider an application received for the rezoning of Portion of Erf 392 Meerensee from "Public Open Space" to "Special Residential 1".

Details of the proposed amendment together with all the relevant documents are open for inspection by prior appointment with Ms I Thomson at 035 – 907 5411 (direct line) or 035 907 5428 (Departmental Switchboard) in office No D334, Civic Centre, 5 Mark Strasse Richards Bay, during office hours.

Written objections against or representations concerning the proposed amendment should reach the Municipal Manager within 21 days from the date of advertisement, at the following address:

**Civic Offices
Private Bag X1004
RICHARDS BAY
3900**

**DR A W HEYNEKE
MUNICIPAL MANAGER**

MN 24/2009

.....

STAD VAN uMHLATHUZE**VOORGESTELDE WYSIGING VAN DIE RICHARDSBAAI DORPSBEPLANNING SKEMA IN WORDING: HERSONERING VAN GEDEELTE VAN ERF 392 (TUSSEN NO. 10 & 12 GRUNTER GULLY), MEERENSEE VANAF "OPENBARE OOP RUIMTE" NA "SPESIALE WOON 1"**

Kennis geskied hiermee ingevolge die bepalings van Artikel 47 bis A.(1) van die Natal Dorpsbeplanningsordonnansie, No. 27 van 1949, soos gewysig, dat die Raad 'n aansoek staan te oorweeg wat ontvang is vir die hersonering van 'n Gedeelte van Erf 392 Meerensee vanaf "Openbare Oop Ruimte" na "Spesiale Woon 1".

Besonderhede van die voorgestelde hersonering met die toepaslike dokumente lê gedurende kantoorure vir die publiek ter insae te Kantoor D334, Burgersentrum, Mark Strasse 5, Richardsbaai. (Afspraak met Mej. I Thomson – tel. 035-9075411 (direkte lyn) of tel. 035-9075428 (Departementele Skakelbord) in hierdie verband is noodsaaklik).

Skriftelike besware teen of vertoë aangaande die voorgestelde wysiging moet die Stadsbestuurder binne 21 dae van die advertensie, by die volgende adres bereik:

**uMhlathuze Munisipaliteit
Burgersentrum
Privaatsak X 1004
RICHARDSBAAI
3900**

**DR A W HEYNEKE
STADSBESTUURDER**

MN 24/2009

KWADUKUZA MUNICIPALITY
STANGER TOWN PLANNING SCHEME (IN COURSE OF PREPARATION)

PROPOSED AMENDMENT

Notice is hereby given in terms of Section 47 bis B of the Town Planning Ordinance No. 27 of 1949 that the KwaDukuza Municipality intends to consider an amendment to the Stanger Town Planning Scheme (in course of preparation) on:

Remainder of Lot 878, Court Road, Stanger

By: Rezoning from “Special Residential 1” to “General Residential 2”

Any person desiring to object to this proposal may do so by lodging a written notice setting out the grounds of his objection on or before **27th March 2009** with The Municipal Manager, Kwa Dukuza Municipality, P.O Box 72, Stanger, 4450

Objectors must, in notifying the Municipal Manager, clarify that a copy of the notice has been served on the applicant at the address given below by registered or certified post or by hand. Any objection received after the prescribed date and / or where a copy has not been served on the applicant is not valid.

Plans and particulars relating to this application may be inspected during normal office hours Monday to Friday (excluding public holidays) at the Development Planning Section, Kwa Dukuza Municipality, 14 Chief Albert Luthuli Street, Kwa Dukuza. The application will lie for inspection for 21 days from **6th March 2009**.

NAME AND ADDRESS OF APPLICANT

A & RD MISRA

P.O BOX

KWA DUKUZA

4450

**UMASIPALA WA KWADUKUZA
UMHLAHLADLELA
WEDOLOBHA LASE – STANGER
ISICHIBIYELO ESIHLONGOZWAYO**

Lapha kukhishwa isaziso ngokwemigomo yoMthetho u-Section 47 *bis* B okuyiMthetho engumhlahandlele yamadolobha oMasipala, onguNo. 27ka 1949, njengokuchibiyela uhlelo olungumhlahandlele wedolobha kubalulwa lapha ngezansi;

Remainder of Lot 878, Court Road, Stanger

By: Rezoning from “Special Residential 1” to “General Residential 2”

Bonke abafisa ukuphikisana nesicelo sokushintsha ukusetshenziswa kwendawo bangaletsa imibono yabo ngaphambi kokuthi kushaye umhlaka kuku **27th March 2009**. Kulekikheli elilandelayo the Municipal Manager, KwaDukuza Municipality, P.O Box 72, Stanger, 4450.

Apaphikisayo kumele bazise umpati wakwa Masipala bachaze kabanzi ukuthi ikhophi yesaziso sinikwe kulowo ofake isicelo kuleli elingenzansi ngeposi noma ngokuyinikezela ngesandla. Isiskhalazo esifika sekudlule usuku olubhaliwe/noma isiskhalazo esingafikanga kulowo osikakile isicelo ngekesibalwe.

Imidwebo ne mininingwane ehambisana nalesicelo ingabonakala kumahhovisi kamasipala kusukela ngo 08H00 ekuseni kuyaku 16H00 ntambama

IGAMA NEKHELI LALOWO OFAKA ISICELO:

A & RD MISRA

P.O BOX

KWA DUKUZA

4450
