



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

Provincial Gazette • Provinsiale Koerant • Igazethi Yesifundazwe

GAZETTE EXTRAORDINARY—BUITENGEWONE KOERANT—IGAZETHI EYISIPESHELI

(Registered at the post office as a newspaper) • (As 'n nuusblad by die poskantoor geregistreer)
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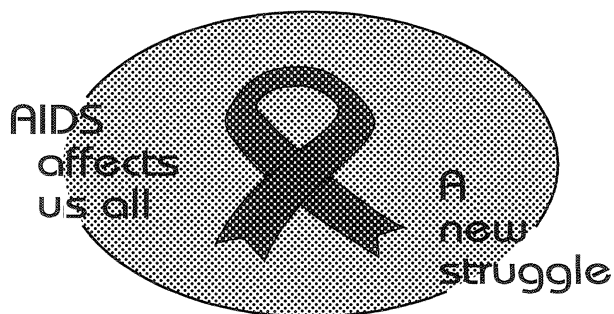
Vol. 6

PIETERMARITZBURG,

14 SEPTEMBER 2012
14 kuMANDULO 2012

No. 816

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DEPARTMENT OF HEALTH

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PROVINCIAL NOTICES—PROVINSIALE KENNISGEWINGS—IZAZISO SESIFUNDAZWE**DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS****No. 105****14 September 2012**

DEVELOPMENT FACILITATION ACT, 1995: REMAINDER OF PORTION 14, PORTION 21, REMAINDER OF PORTION 24, REMAINDER OF PORTION 26, REMAINDER OF PORTION 28, PORTION 29, REMAINDER OF PORTION 31, REMAINDER OF PORTION 33, PORTION 34, PORTION 37, REMAINDER OF PORTION 42, REMAINDER OF PORTION 43, REMAINDER OF PORTION 53, PORTION 102, PORTION 103 AND PORTION 144 (OF 143) OF THE FARM LOT 69 NO. 917 AND PORTION 572 (OF 22) OF THE FARM LOT 61 NO. 1521, SHEFFIELD MANOR, KWADUKUZA 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 187 Dwelling House (≥ 1000 m²) erven, 334 Dwelling House (≥ 2000 m²) erven, 1 Medium Density Housing – 5u/ha erf, 2 Medium Density Housing – 10 u/ha erven; 6 Medium Density Housing – 15u/ha erven; 30 Equestrian Use (Residential) erven, 3 Equestrian Use (Polo Complex) erven, 1 Community Centre erf, 1 Shop and Office Building erf, 25 Private Recreation Area/Conservation erven, 1 Reservoir erf and 7 Private Roads on the Remainder, Portion 14, Portion 21, Remainder of Portion 24, Remainder of Portion 26, Remainder of Portion 28, Portion 29, Remainder of Portion 31, Remainder of Portion 33, Portion 34, Portion 37, Remainder of Portion 42, Remainder of Portion 43, Remainder of Portion 53, Portion 102, Portion 103 and Portion 144 (of 143) of the farm Lot 69 No. 917 and Portion 572 (of 22) of the farm Lot 61 No. 1521, Sheffield Manor, KwaDukuza Municipality, subject to the following conditions of establishment relating to the land use management, application of laws and suspension restrictive conditions and servitudes –

(a) the Umhlali Beach Town Planning Scheme is amended by –

(i) the insertion of the following definitions –

"Community Centre" means a building or land used to service the needs of the residents within the estate and they include uses such as a tea room, restaurant, small retail outlet limited to 200m², estate management office, place of public assembly, private recreation area, recreational building and launderette;

"Equestrian Use" means the use of land or buildings for equestrian activities associated with the keeping of horses such as stables, barns, training facilities and veterinary services, etc. and may include residential development or administrative facilities linked to these uses;

(ii) the insertion of Special Zone Sheffield Manor contemplated in the Schedule to this notice;

(iii) the layout and zoning of the land development area in accordance with Layout Plan 2408/3, dated 13 June 2006;

(b) sections 11, 12, 16-27, 33, 35, 36, 39, 44, 45, 47*bis* and 67 of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949), shall not apply to the land development area for the purpose of the development thereof in accordance with the conditions of township establishment;

(c) the provisions of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) and any other law that governs the erection of buildings within the land development area shall apply to the land development area;

(d) the National Home Builders Registration Council Building Regulations shall apply to the land development area; and

(e) the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970), shall not apply to the land development area.

MA DE LANGE, Senior Manager: Development Administration

Date:

File reference: 2004/929

SCHEDULES
TABLE C
USE ZONE – SHEFFIELD MANOR

1 USE ZONE	2 REF. NO.	3 PURPOSE FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED	4 PURPOSE FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED WITH CONSENT OF COUNCIL ONLY	5 PURPOSE FOR WHICH BUILDINGS MAY NOT BE ERECTED OR USED OR LAND MAY NOT BE USED
		3. Agricultural land (limited to sugar cane farming) 7. Commercial Work shop (limited to erf 605) 8. Conservation Area Community Centre (erf 285) 9. Crèche (limited to erf 285) 10. Dwelling House Educational Building (limited to erf 285) Equestrian Centre (erven 602, 603 and 604) 16. Launderette (limited to erven 285 and 605) 18. Medium Density Housing 20. Office Building (limited to erf 605 and a maximum of 500m ² on erf 285) 22. Place of Public Amusement (limited to erven 285 and 605) 23. Place of Public Assembly (limited to erf 285) 24. Private Recreation Area Public Office (limited to erf 605) 26. Recreational Building (limited to erf 285) 27. Residential Building (hotel limited to 50 beds on erf 603) 28. Restaurant (limited to erven 285, 603 and 605) 32. Shop (limited to 200m ² GLA on erf 285 and 1500m ² GLA on erf 605)	Any other use not in column 3 or 5	1. Agricultural Building 2. Agricultural Industry 4. Betting Depot 5. Caravan Park 6. Chalet Development 12. Extractive Industry 13. Funeral Parlour 14. Garage 17. Light Industrial Building 19. Mobile Home 21. Parking Garage 29. Restricted Building 30. Service Industrial Building 31. Service Station 33. Special Industrial Building 34. Warehouse

**TABLE D
SHEFFIELD MANOR**

USE ZONE	MAXIMUM PERMITTED		REMARKS ON CONDITIONS RELATING TO DEVELOPMENT
	F.A.R.	Coverage	
	0,35	Coverage 30%	Height in Storeys 1 storey (no more than 5,5m above natural ground level measured at any point along the building). 2 storeys (no more than 8,5m above natural ground level measured at any point along the building).
			1. Development and land usage shall be substantially in accordance with the proposals depicted on Layout Plan 2408/3, dated 13 June 2006. Amendments to this plan may be permitted at the discretion of the local municipality. 2. Clause 5.2 does not apply. There is no minimum curtilage, erf size or other subdivisional control. Subdivisions shall be in accordance with plan no. 2408/3, dated 13 June 2006. The local municipality shall, at its discretion, approve the further subdivision of medium density housing sites. 3. Accommodation for motor vehicles to be provided as per clause 6.5. 4. Development shall be subject to the provisions of sewage disposal, storm water, water supply, refuse disposal system and of other essential services to the satisfaction of the local municipality. 5. The application of clause 4.7 shall apply with the exclusion of clauses (2), (3) and (6). The total number of units permitted shall be as depicted on Layout Plan 2408/3, dated 13 June 2006. A 10% variance in the number of units per erf may be permitted: Provided the total number of units approved on plan 2408/3, dated 13 June 2006, is not exceeded. 6. Building lines shall be 5m. Side and rear spaces shall be 3m. Relaxation of building lines, side spaces, rear spaces and height shall be at the discretion of the H.O.A. and the local municipality. 7. A common architectural theme shall apply to all new buildings. 8. A Home Owners' Association (H.O.A.) shall be formed and each land owner shall belong to the H.O.A. and abide by its rules. 9. Every erf shall have a Site Development Plan, Landscaping Plan and Building Plan prepared for it by the owner and approved by the Local Municipality prior to any construction or development on the erf provided that such plans have been recommended in writing for approval by the H.O.A. prior to submission to

				<p>the local municipality.</p> <p>10. F.A.R. and coverage controls shall apply to the bulk area of each erf and not individually to any mini-sub created within the bulk erf.</p> <p>11. The entire site shall be controlled and managed in terms of landscaping and conservation protocol, which shall be to the satisfaction of the local municipality.</p> <p>12. No individual flat, duplex flat, dwelling unit, maisonette, semi-detached house or terrace house shall exceed 500m² in floor area.</p> <p>13. A non-habitable basement 50% below natural ground level shall not constitute a storey.</p> <p>14. Units stepping down slope may exceed 2 storeys at the discretion of the H.O.A. and local municipality.</p> <p>15. Removal of horse-related waste products shall be to the satisfaction of the H.O.A. and the local municipality</p>
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UMNYANGO WEZOKUBUSA NGOKUBAMBISANA NEZOMDABU

No. 105

14 KuMandulo 2012

UMTHETHO WOKULUNGISELELA INTUTHUKO, 1995: INSALELA, INGXYENYE 14, INGXYENYE 21, INSALELA YENGXYENYE 24, INSALELA YENGXYENYE 26, INSALELA YENGXYENYE 28, INGXYENYE 29, INSALELA YENGXYENYE 31, INSALELA YENGXYENYE 33, INGXYENYE 34, INGXYENYE 37, INSALELA YENGXYENYE 42, INSALELA YENGXYENYE 43, INSALELA YENGXYENYE 53, INGXYENYE 102, INGXYENYE 103 NENGXYENYE 144 (KA 143) YEPULAZI LOT 69 NO. 917 NENGXYENYE 572 (KA 22) YEPULAZI LOT 61 NO. 1521, E-SHEFFIELD MANOR, KUMASIPALA WAKWADUKUZA

Ngokwesigaba 33(4) soMthetho wokuLungiselela iNtuthuko, 1995, isiGungu seNtuthuko sigunyaze ukwakhiwa kweziNdlu zokuHlala eziyi-187 ezizeni ezilinganiselwa ku $\geq 1000\text{m}^2$, kweziNdlu zokuHlala ezingama-334 ezizeni ezilinganiselwa ku $\geq 2000\text{m}^2$, iziza, iNdawo yokuHlala eyiSitezi esingaPhakeme Kakhulu eyodwa – esizeni esingama- 5u/ha, iziNdawo zokuHlala eziyiZitezi ezingaPhakeme Kakhulu ezi-2 – esizeni esingama-10u/ha; iziNdawo zokuHlala eyiZitezi ezingaPhakeme Kakhulu eziyi-6 – esizeni esingama-15u/ha; iziza ezingama-30 zeziNdawo ezisetshenziselwa amaHhashi (Indawo yokuhlala), iziza ezi-3 zeNdawo ezisetshenziselwa amaHhashi (i-Polo Complex), isiza esisodwa isiza seNdawo yoMphakathi, nesiza esisodwa sesiTolo neSakhiwo samaHhovisi, iziza ezingama-25 zendawo ezizimele yokuNgcebeleka/yePaki, isiza esisodwa seDamu kanye neziza ezi-7 zeMigwaqo yangaPhakathi kwiNsalela, iNgxenywe 14, iNgxenywe 21, iNsalela yeNgxenywe 24, iNsalela yeNgxenywe 26, iNsalela yeNgxenywe 28, iNgxenywe 29, iNsalela yeNgxenywe 33, iNgxenywe 34, iNgxenywe 37, iNsalela yeNgxenywe 42, iNsalela yeNgxenywe 43, iNsalela yeNgxenywe 53, iNgxenywe 102, iNgxenywe 103 kanye neNgxenywe 144 (ka 143) yepulazi Lot 69 No. 917 neNgxenywe 572 (ka 22) yepulazi Lot 61 No. 1521, e-Sheffield Manor, kuMasipala waKwaDukuza, kuncike kule mibandela elandelayo yokusungulwa okuphathelene nokuphathwa nokusetshenziswa komhlaba, ukusebenza kwemithetho kanye nokumiswa kwemibandela yezimiso nendawo eshiyelwe imisebenzi kamasipala –

(a) uHlelo lokuHlelwa kweDolobha laseMhlali Beach luyachitshiyelwa –

(i) ngokufakwa kwalezi zincazelo ezilandelayo –

"**indawo yomphakathi**" kushiwo isakhiwo noma umhlaba osetshenziselwa ukufeza izidingo zabahlali ngaphakathi kuleyo ndawo futhi ibandakanya ukusetshenziswa njenge thilomu, isitolo sokudlela, indawo yokudayisa izinto ezincane evulekile elinganiselwa kuma- 200m², ihhovisi labaphathi bendawo, indawo yokunhlanganyela yomphakathi, indawo ezimele yezokungcebeleka, ibhilidi lezokungcebeleka kanye nelondolo;

"**indawo esetshenziselwa amahhashi**" kushiwo umhlaba noma izakhiwo ezisetshenziselwa ukugcina amahhashi, njengesitebele, izindlwana, izindawo zokuqeqesha kanye nemisebenzi yokwelapha izilwane, njalo njalo futhi ingabandakanya indawo eyakhiwayo yokuhlala noma izindawo zezokuphatha eziphathelene nalokho;

(ii) ngokufakwa kweNdawo eKhethekile e-Sheffield Manor ehlongozwe oHlelweni kulesi saziso;

(iii) ngokuhlelwa kanye nokuklanywa kwendawo okuzokwakhiwa kuyona ngokuhambisana noMdwebo wePulani 2408/3, yamhla ziyi-13 kuNhlangulana 2006;

(b) izigaba 11, 12, 16 – 27, 33, 35, 36, 39, 44, 45, 47*bis* no 67 ze-Odinensi yokuHlelwa kwamaDolobha, 1949 (i-Odinensi No. 27 ka 1949), ngeke zisebenze endaweni okuzokwakhiwa kuyona ngenhloso yalokho kwakha ngokuhambisana nale mibandela yokusungulwa kwamalokishi;

(c) izinhlizeko zoMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977), neminye imithetho elawula ukwakhiwa kwezakhiwo endaweni okuzokwakhiwa kuyona ziyosebenza kuleyo ndawo;

(d) iMithethonqubo yokuBhaliswa eMkhandlwini waBakhi kaZwelonke iyosebenza endaweni okuzokwakhiwa kuyona; futhi

(e) ukuHlukaniswa iziQephu koMhlaba wezoLimo, 1970 (uMthetho No. 70 ka 1970), angeke kusebenze endaweni okuzokwakhiwa kuyona.

MA DE LANGE, uMphathi oMkhulu wezokuPhathwa kweNtuthuko

Usuku: _____

Inkoma yefayela: 2004/929

**IZINHLELO
ITHEBHULA C
USE ZONE – SHEFFIELD MANOR**

1 USE ZONE	2 REF. NO.	3 PURPOSE FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED	4 PURPOSE FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED WITH CONSENT OF COUNCIL ONLY	5 PURPOSE FOR WHICH BUILDINGS MAY NOT BE ERECTED OR USED OR LAND MAY NOT BE USED
		3. Agricultural land (limited to sugar cane farming) 7. Commercial Workshop (limited to Erf 605) 8. Conservation Area Community Centre (Erf285) 9. Crèche (limited to Erf 285) 10. Dwelling House Educational Building (limited to erf 285) Equestrian Centre (erven 602,603 and 604) 16. Launderette (limited to erven 285 and 605) 18. Medium Density Housing 20. Office Building (limited to erf 605 and a maximum of 500m ² on erf 285) 22. Place of Public Amusement (limited to erven 285 and 605) 23. Place of Public Assembly (limited to Erf 285) 24. Private Recreation Area Public Office (limited to Erf 605) 26. Recreational Building (limited to Erf 285) 27. Residential Building (Hotel limited to 50 beds on Erf 603) 28. Restaurant (limited to erven 285, 603 and 605) 32. Shop (limited to 200m ² GLA on Erf 285 and 1500m ² GLA on Erf 605)	Any other use not in column 3 or 5	1. Agricultural Building 2. Agricultural Industry 4. Betting Depot 5. Caravan Park 6. Chalet Development 12. Extractive Industry 13. Funeral Parlour 14. Garage 17. Light Industrial Building 19. Mobile Home 21. Parking Garage 29. Restricted Building 30. Service Industrial Building 31. Service Station 33. Special Industrial Building 34. Warehouse

**ITHEBHULA D
SHEFFIELD MANOR**

USE ZONE	MAXIMUM PERMITTED		REMARKS ON CONDITIONS RELATING TO DEVELOPMENT
	F.A.R.	Coverage	
	0,35	30%	<p data-bbox="280 1158 316 1556">Height in Storeys</p> <ul style="list-style-type: none"> <li data-bbox="323 1158 475 1556">▪ 1 storey (no more than 5,5m above natural ground level measured at any point along the building) <li data-bbox="504 1158 655 1556">▪ 2 storeys (no more than 8,5m above natural ground level measured at any point along the building). <p data-bbox="323 264 1428 1158">1. Development and land usage shall be substantially in accordance with the proposals depicted on layout plan 2408/3 dated 13 June 2006, amendments to this plan may be permitted at the discretion of the Local Municipality.</p> <p data-bbox="448 264 600 1158">2. Clause 5.2 does not apply. There is no minimum curtilage or erf size or other subdivisional control. Subdivisions shall be in accordance with plan no. 2408/3 dated 13 June 2006. The Local Municipality shall at its discretion approve the further subdivision of medium density housing sites.</p> <p data-bbox="612 264 683 1158">3. Accommodation for motor vehicles to be provided as per clause 6.5</p> <p data-bbox="655 264 762 1158">4. Development shall be subject to the provisions of sewage disposal, stormwater, water supply, refuse disposal system and of other essential services to the satisfaction of the Local Municipality.</p> <p data-bbox="775 264 967 1158">5. The application of clause 4.7 shall apply with the exclusion of clauses (2), (3) and (6). The total number of units permitted shall be as depicted on layout plan 2408/3 dated 13 June 2006. A 10% variance in the number of units per erf may be permitted provided the total number of units approved on plan 2408/3 dated 13 June 2006 is not exceeded.</p> <p data-bbox="979 264 1131 1158">6. Building Lines shall be 5m Side and Rear spaces shall be 3m Relaxation of building lines, side spaces, rear spaces and height shall be at the discretion of the H.O.A. and the Local Municipality.</p> <p data-bbox="1144 264 1181 1158">7. A common Architectural theme shall apply to all new buildings.</p> <p data-bbox="1193 264 1264 1158">8. A Home Owners' Association (H.O.A.) shall be formed and each landowner shall belong to the H.O.A. and abide by its rules.</p> <p data-bbox="1275 264 1428 1158">9. Every erf shall have a Site Development Plan, Landscaping Plan and Building Plan prepared for it by the owner and approved by the Local Municipality prior to any construction or development on the erf provided that such plans have been recommended in writing for approval by the H.O.A. prior to submission</p>

				<p>to the Local Municipality.</p> <p>10. F.A.R. and coverage controls shall apply to the bulk area of each erf and not individually to any mini-sub created within the bulk erf.</p> <p>11. The entire site shall be controlled and managed in terms of landscaping and conservation protocol, which shall be to the satisfaction of the Local Municipality.</p> <p>12. No individual flat, duplex flat, dwelling unit, maisonette, semi-detached house, or terrace house shall exceed 500m² in floor area.</p> <p>13. A non-habitable basement 50% below natural ground level shall not constitute a storey.</p> <p>14. Units stepping down slope may exceed 2 storeys at the discretion of the H.O.A. and Local Municipality.</p> <p>15. Removal of horse related waste products to the satisfaction of the H.O.A. and Local Municipality</p>
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DEPARTEMENT VAN KOÖPERATIEWE REGERING EN TRADISIONELE SAKE

No. 105

14 September 2012

WET OP ONTWIKKELINGSFASILITERING, 1995: RESTANT VAN GEDEELTE 14, GEDEELTE 21, RESTANT VAN GEDEELTE 24, RESTANT VAN GEDEELTE 26, RESTANT VAN GEDEELTE 28, GEDEELTE 29, RESTANT VAN GEDEELTE 31, RESTANT VAN GEDEELTE 33, GEDEELTE 34, GEDEELTE 37, RESTANT VAN GEDEELTE 42, RESTANT VAN GEDEELTE 43, RESTANT VAN GEDEELTE 53, GEDEELTE 102, GEDEELTE 103 EN GEDEELTE 144 (VAN 143) VAN DIE PLAAS PERSEEL 69 NO. 917, EN GEDEELTE 572 (VAN 22) VAN DIE PLAAS PERSEEL 61 NO. 1521, SHEFFIELD MANOR, KWADUKUZA MUNISIPALITEIT

Ingevolge artikel 33(4) van die Wet op Ontwikkelingsfasilitering, 1995 (Wet No. 67 van 1995), het die Ontwikkelingstribunaal die ontwikkeling van 187 Woonhuserwe ($\geq 1000 \text{ m}^2$), 334 Woonhuserwe ($\geq 2000 \text{ m}^2$), 1 Medium Digtheidsbehuisingserf – 5u/ha, 2 Medium Digtheidsbehuisingserwe – 10 u/ha; 6 Medium Digtheidsbehuisingserwe – 15u/ha; 30 Perderuitergebruikerwe (Residensieel), 3 Perderuitergebruikerwe (Polo-kompleks), 1 Gemeenskapsentrumerf, 1 Winkel- en Kantoorgebou-erf, 25 Privaat-ontspanningsarea-/Bewaringserwe, 1 Reservoir-erf en 7 Privaat paaie op die Restant, Gedeelte 14, Gedeelte 21, Restant van Gedeelte 24, Restant van Gedeelte 26, Restant van Gedeelte 28, Gedeelte 29, Restant van Gedeelte 31, Restant van Gedeelte 33, Gedeelte 34, Gedeelte 37, Restant van Gedeelte 42, Restant van Gedeelte 43, Restant van Gedeelte 53, Gedeelte 102, Gedeelte 103 en Gedeelte 144 (van 143) van die plaas Perseel 69 No. 917 en Gedeelte 572 (van 22) van die plaas Perseel 61 No. 1521, Sheffield Manor, KwaDukuza Munisipaliteit goedgekeur, behoudens die volgende stigtingsvoorwaardes vir grondgebruiksbestuur, toepassing van wette en opheffing van beperkingsvoorwaardes en serwitute –

(a) die Umhlali Strand Dorpsbeplanningskema word gewysig deur –

(i) die invoeging van die volgende omskrywings –

"Gemeenskapsentrum" beteken 'n gebou of grond wat gebruik word om te voorsien in die behoeftes van die inwoners binne die landgoed, ingesluit gebruike soos 'n teekamer, 'n restaurant, 'n kleinhandel-afsetgebied beperk tot 200 m^2 , kantoor vir landgoedbestuur, plek van openbare samekoms, 'n privaat-ontspanningsgebied, ontspanningsgebou en selfhelpwassery;

"Perderuitergebruik" beteken die gebruik van grond of geboue vir perderuiteraktiwiteit wat verband hou met die aanhou van perde soos stalle, skure, afrigtingsfasiliteite en veeartsenydienste, ens., en mag residensiële ontwikkeling of administratiewe fasiliteite gekoppel aan hierdie gebruike insluit;

(ii) die invoeging van Spesiale Sone Sheffield Manor bedoel in die Bylae tot hierdie kennisgewing;

(iii) die uitleg en sonering van die grondontwikkelingsgebied in ooreenstemming met Uitlegplan 2408/3, gedateer 13 Junie 2006;

(b) artikels 11, 12, 16-27, 33, 35, 36, 39, 44, 45, 47*bis* en 67 van die Dorpsbeplanningsordonnansie, 1949 (Ordonnansie No. 27 van 1949), sal nie van toepassing wees op die grondontwikkelingsgebied vir die doel van die ontwikkeling daarvan in ooreenstemming met die voorwaardes vir dorpstigting nie;

(c) die bepaling 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 beheer, sal van toepassing wees op die grondontwikkelingsgebied;

(d) die Bouregulasies van die Nasionale Huisbouersregistrasieraad sal van toepassing wees op die grondontwikkelingsgebied; en

(e) die Wet op die Onderverdeling van Landbougrond, 1970 (Wet No. 70 van 1970), sal nie van toepassing wees op die grondontwikkelingsgebied nie.

MA DE LANGE, Senior Bestuurder: Ontwikkelingsadministrasie

Datum:

Lêerverwysing: 2004/929

BYLAE
TABEL C
GEBRUIKSONE – SHEFFIELD MANOR

1 USE ZONE	2 REF. NO.	3 PURPOSE FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED	4 PURPOSE FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED WITH CONSENT OF COUNCIL ONLY	5 PURPOSE FOR WHICH BUILDINGS MAY NOT BE ERECTED OR USED OR LAND MAY NOT BE USED
		<p>3. Agricultural land (limited to sugar cane farming) 7. Commercial Work shop (limited to erf 605) 8. Conservation Area Community Centre (erf 285) 9. Crèche (limited to erf 285) 10. Dwelling House Educational Building (limited to erf 285) Equestrian Centre (erven 602, 603 and 604) 16. Laundrette (limited to erven 285 and 605) 18. Medium Density Housing 20. Office Building (limited to erf 605 and a maximum of 500m² on erf 285) 22. Place of Public Amusement (limited to erven 285 and 605) 23. Place of Public Assembly (limited to erf 285) 24. Private Recreation Area Public Office (limited to erf 605) 26. Recreational Building (limited to erf 285) 27. Residential Building (hotel limited to 50 beds on erf 603) 28. Restaurant (limited to erven 285, 603 and 605) 32. Shop (limited to 200m² GLA on erf 285 and 1500m² GLA on erf 605)</p>	<p>Any other use not in column 3 or 5</p>	<p>1. Agricultural Building 2. Agricultural Industry 4. Betting Depot 5. Caravan Park 6. Chalet Development 12. Extractive Industry 13. Funeral Parlour 14. Garage 17. Light Industrial Building 19. Mobile Home 21. Parking Garage 29. Restricted Building 30. Service Industrial Building 31. Service Station 33. Special Industrial Building 34. Warehouse</p>

TABEL D
SHEFFIELD MANOR

USE ZONE	MAXIMUM PERMITTED		REMARKS ON CONDITIONS RELATING TO DEVELOPMENT
	F.A.R.	Coverage	
	0,35	Coverage 30%	Height in Storeys 1 storey (no more than 5,5m above natural ground level measured at any point along the building). 2 storeys (no more than 8,5m above natural ground level measured at any point along the building).
			<ol style="list-style-type: none"> 1. Development and land usage shall be substantially in accordance with the proposals depicted on Layout Plan 2408/3, dated 13 June 2006. Amendments to this plan may be permitted at the discretion of the local municipality. 2. Clause 5.2 does not apply. There is no minimum curtilage, erf size or other subdivisional control. Subdivisions shall be in accordance with plan no. 2408/3, dated 13 June 2006. The local municipality shall, at its discretion, approve the further subdivision of medium density housing sites. 3. Accommodation for motor vehicles to be provided as per clause 6.5. 4. Development shall be subject to the provisions of sewage disposal, storm water, water supply, refuse disposal system and of other essential services to the satisfaction of the local municipality. 5. The application of clause 4.7 shall apply with the exclusion of clauses (2), (3) and (6). The total number of units permitted shall be as depicted on Layout Plan 2408/3, dated 13 June 2006. A 10% variance in the number of units per erf may be permitted: Provided the total number of units approved on plan 2408/3, dated 13 June 2006, is not exceeded. 6. Building lines shall be 5m. Side and rear spaces shall be 3m. Relaxation of building lines, side spaces, rear spaces and height shall be at the discretion of the H.O.A. and the local municipality. 7. A common architectural theme shall apply to all new buildings. 8. A Home Owners' Association (H.O.A.) shall be formed and each land owner shall belong to the H.O.A. and abide by its rules. 9. Every erf shall have a Site Development Plan, Landscaping Plan and Building Plan prepared for it by the owner and approved by the Local Municipality prior to any construction or development on the erf provided that such plans have been recommended in writing for approval by the H.O.A. prior to submission to

the local municipality.

10. F.A.R. and coverage controls shall apply to the bulk area of each erf and not individually to any mini-sub created within the bulk erf.

11. The entire site shall be controlled and managed in terms of landscaping and conservation protocol, which shall be to the satisfaction of the local municipality.

12. No individual flat, duplex flat, dwelling unit, maisonette, semi-detached house or terrace house shall exceed 500m² in floor area.

13. A non-habitable basement 50% below natural ground level shall not constitute a storey.

14. Units stepping down slope may exceed 2 storeys at the discretion of the H.O.A. and local municipality.

15. Removal of horse-related waste products shall be to the satisfaction of the H.O.A. and the local municipality

DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

No. 106

14 September 2012

UPGRADING OF LAND TENURE RIGHTS ACT, 1991: THE FARM UMVOTI LOCATION NO. 4667, PORTION 3 OF MAPUMULO MISSION NO. 8311 AND PORTION 3 OF UMPAMULA MISSION RESERVE NO. 8308, MPHUMULO VILLAGE, MAPHUMULO MUNICIPALITY

In terms of sections 12 and 15(1) of the Upgrading of Land Tenure Rights Act, 1991 (Act No. 112 of 1991), I declare the farm Umvoti Location No. 4667, Portion 3 of Mapumulo Mission No. 8311 and Portion 3 of Umpamula Mission Reserve No. 8308, Mphumulo Village, Maphumulo Municipality, a formalised township subject to the following conditions of land use –

- (a) the township must be laid out in accordance with Drawing No. 6041.01, dated July 2004; and
- (b) the conditions of land use contemplated in the Schedule shall apply to the township until a scheme is adopted for it in accordance with any law.

MA DE LANGE, Senior Manager: Development Administration

Date:

File Reference: 2005/98

SCHEDULE**CONDITIONS OF LAND USE FOR MAPHUMULO VILLAGE****Definitions**

1. In these conditions, unless the context indicates otherwise –

"**building**" means a structure with a roof that is permanently fixed to the land and includes a part of a building;

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

"**existing building**" means a building that was lawfully erected before the date of this notice;

"**existing use**" means the continued use of land for a purpose that it was lawfully used for prior to the date of this notice;

"**frontage**" means the length of the boundary of an erf which is coincident with the boundary of an existing or proposed street;

"**property**" means a subdivision of land or a leasehold site that has been approved by the Surveyor General in terms of the Land Survey Act, 1997 (Act No. 8 of 1997), including an erf, a sectional title unit, a farm or a portion of a farm (including a lot or a remainder);

"**rear space**" means a line parallel to a boundary of an erf which does not meet a street boundary;

"**side space**" means a line parallel to a boundary of an erf that meets a street boundary;

"**storey**" means –

- (a) a room or rooms at ground level;
- (b) a room or rooms above another room or rooms;
- (c) an inhabitable room or rooms in a basement; and
- (d) every three metres of space between the finished floor and the ceiling of a room;

"**street front space**" means a line parallel to any boundary of an erf which is contiguous with a street, public right of way or road reservation;

"**Use Zone**" means an area of land that is subject to the conditions of land use contained in this Schedule.

Interpretation of Use of Land and Buildings

2. In these conditions, unless the context indicates otherwise –

"**agriculture**" means the use of land for the keeping of game, animal husbandry, planting and harvesting of grain, vegetables, fruit, cotton and flowers;

"**ancillary residential unit**" means a second dwelling house that –

- (a) is not larger than 80m²;
- (b) is architecturally compatible in both style and finishing with the main dwelling house; and
- (c) may be attached to the main dwelling house;

"**attached housing**" means residences which –

- (a) are each occupied by a single household;
- (b) share at least one common wall, which is not fenced with another residence; and
- (c) have direct access from outside the building;

"**caretaker's residence**" means a building that is used by a caretaker of a property and the caretaker's household as a residence;

"**communications tower**" means a structure on which an antenna or dish is installed for the transmission, broadcasting or receiving of radio, television, radar or micro waves and similar types of devices;

"**day care centre**" means a building used for the care of children during the day time in the absence of their parents or guardians;

"**dwelling house (single)**" means a single freestanding building that is used by a single household as a residence;

"**dwelling houses**" means freestanding buildings on the same property that are each used by a single household as a residence;

"**educational building**" means a building used as a school, college, university, technical institute, academy, research laboratory, lecture hall, convent, monastery, gymnasium, public library, art gallery or a museum;

"**funeral parlour**" means a building or land used for the purpose of funeral management and includes a shop intended for public reception and for the sale and display of commodities associated with burials;

"**hawking**" means the sale of goods and services from a public place, primarily streets and pavements;

"home activity" means –

- (a) practising of an occupational activity in conjunction with a residence; or
- (b) running a shop in conjunction with a residence;

"informal trading area" means an area within which any small scale economic activity is permitted: Provided that each operator occupies a defined space. Provided further that, notwithstanding anything stated to the contrary in these clauses, no specific provision shall apply to such area, unless considered necessary and so specified by the municipality;

"institution" means a building used as a hospital, clinic, nursing home, sanatorium or home for the medical care of sick or injured persons or the care and accommodation of aged, mentally handicapped or physically handicapped persons or children in the care of a charitable institution;

"office" means a building used for business, clerical, professional and government administration services;

"open space" means land designed for use by the public for parks, play grounds, sport and recreation facilities and any building designed primarily for use in connection with these activities;

"parking lot" means a building or land that is dedicated for the purpose of the parking of vehicles;

"pedestrian lane" means land used by the public for the passage of pedestrians;

"place of public assembly" means a building or land used for social meetings, gatherings, religious purposes or indoor recreation;

"place of public worship" means a building or land used for a church, chapel, oratory, synagogue, mosque, temple or other place of public devotion;

"play ground" means land used for children's play, including equipment like swings, slides and jungle gyms;

"private recreation area" means a sport ground, playing field or other open space that is owned by a private person or an institution;

"public recreation area" means a sport ground, playing field or other open space that is owned by an organ of state;

"recreational building" means a building used in conjunction with a sport, including a club house, gymnasium, squash court and a pavilion;

"restaurant" means a building which is used for the preparation and consumption of food on premises;

"road" means land used by the public for the passage of vehicles and pedestrians;

"service industry" means a light industrial building catering primarily for the local customers and includes a builder's yard and allied trades, laundry, bakery, dairy depot, dry-cleaning and similar types of uses;

"service station" means a building used for the refuelling of motor vehicles which may include –

- (a) an office for the administration of the service station;
- (b) a car wash;
- (c) a work shop for minor repairs to motor vehicles; and
- (d) ablution facilities for customers;

"**shop**" means a building or land used for the sale of goods and provision of retail services like a hairdresser, internet café, laundrette, ticket agency, video-hire and work shop for the repair of household appliances, computers, cell phones and shoes;

"**sport field**" means land used for playing a game like football, rugby, cricket, hockey or basket ball;

"**tavern**" means a building licensed for the consumption of liquor on the premises and includes a pub or a bar;

"**telecommunication mast**" means a mast that is used to support an antenna that is used for the transmission and receipt of radio telecommunication signals;

LAND USE

3.(1) The following land uses are permitted in each land use zone –

RESIDENTIAL	<i>LAND USE ZONE</i>	<i>PERMITTED USES</i>
	Residential: Single Dwelling House	Ancillary residential unit Day care centre Dwelling house (single) Home activity
	Residential: Cluster Housing	Attached housing Dwelling house (single) Dwelling houses
MIXED USE	<i>LAND USE ZONE</i>	<i>PERMITTED USES</i>
	Mixed use	Caretaker's residence Day care centre Educational building Institution Office Place of public assembly Place of public worship Private recreational area Recreational building Restaurant Shop Tavern

EDUCATION, SOCIAL WELFARE AND COMMUNITY FACILITY	<i>LAND USE ZONE</i>	<i>PERMITTED USES</i>
	Community Facility	Caretaker's residence Day care centre Educational building Institution Office Place of public assembly Place of public worship Private recreational area Recreational building
	Education	Caretaker's residence Day care centre Educational building Office Play ground Sport field
EMERGENCY SERVICES, POLICE, DEFENCE AND CORRECTIONAL SERVICES	<i>LAND USE ZONE</i>	<i>PERMITTED USES</i>
	Correctional Facility	Caretaker's residence Office Prison Sports field
AGRICULTURE	<i>LAND USE ZONE</i>	<i>PERMITTED USES</i>
	Agriculture	Agriculture Dwelling house
CONSERVATION AND RECREATION	<i>LAND USE ZONE</i>	<i>PERMITTED USES</i>
	Open Space	Agricultural land Conservation Play ground Sports field
	Park	Play ground Recreational building Sports field
INFRASTRUCTURE	<i>LAND USE ZONE</i>	<i>PERMITTED USES</i>
	Parking lot	Hawking Parking lot
	Pedestrian lane	Pedestrian lane
	Road	Road

(2) A telecommunication mast may be erected in any land use zone.

HOME ACTIVITY

4.(1) A home activity may not –

- (a) involve the parking of any vehicle with a tar mass exceeding 2 ton on the property or in the street;
- (b) exceed a floor area of 50m²;
- (c) produce a noise level exceeding 7 decibels above the ambient noise level, measured at any point on the property boundary; or
- (d) involve the sale of liquor or any alcoholic beverages.

(2) In the case of a motor vehicle repair shop, the maximum number of motor vehicles that are repaired at the same time may not exceed two motor vehicles.

(3) In the case of a play school, the home activity is limited to the accommodation and care of not more than 12 children, other than the children of the home owner

PARKING

5.(1) Two parking bays must be provided per 100m² of gross floor area in the Mixed Use zone for all land uses, except for a place of public assembly, place of public worship or restaurant.

(2) One parking bay must be provided for each four seats for a place of public assembly, place of public worship or a restaurant.

(3) A parking bay shall be a level area of 2,5m x 5m.

COVERAGE, SPACES AROUND BUILDINGS AND MINIMUM ERF SIZE

6. The following coverage, spaces around buildings and minimum erf size apply to each land use zone –

Land Use Zone	Coverage (%)	Height (storeys)	Street Front Space (m)	Rear Space (m)	Side Space (m)	Minimum Erf Size (m²)
Residential: Single Dwelling House	35%	2	5m	1.5m	2	300m ²
Residential: Cluster Housing	50%	3	7m		3	1800m ² (parent property)
Mixed Use	80%	2	0m	1m	2	500m ²
Community Facility	80%	3	7m	4.5m	3	1000m ²
Education	80%	3	7m	4.5m	3	1000m ²
Agriculture	NA	NA	NA	NA	NA	1ha

UMNYANGO WEZOKUBUSA NGOKUBAMBISANA

No. 106

14 KuMandulo 2012

UMTHETHO WOKUPHUCULWA KWAMALUNGELO OBUNIKAZI BOMHLABA, 1991: IPULAZI UMVOTI LOCATION NO. 4667, INGXENYE 3 YAKWAMAPHUMULO MISSION NO. 8311 NENGXENYE 3 YASEMPAMULA MISSION RESERVE NO. 8308, EMPHUMULO VILLAGE, KUMASIPALA WAKWAMAPHUMULO

Ngokwesigaba 12 no 15(1) soMthetho wokuPhuculwa kwamaLungelo oBunikazi boMhlaba, 1991 (uMthetho No. 112 ka 1991), ngimemezela ipulazi uMvoti Location No. 4667, iNgxenye 3 yakwaMaphumulo Mission No. 8311 neNgxenye 3 yaseMpawula Mission Reserve No. 8308, eMphumulo Village, kuMasipala wakwaMaphumulo, njengelokishi elihlelekile kuncike kule mibandela yokusetshenziswa komhlaba —

(a) ukuma kwelokishi kumele kuhambisane noMdwebo No. 6041.01, ka Ntulikazi 2004; futhi

(b) imibandela yokusetshenziswa komhlaba ehlongozwe oHlelweni kumele isetshenziswe endaweni yelokishi kuze kube kwakhiwe uhlelo lwalo oluhambisana neminye imithetho.

MA DE LANGE, uMphathi oPhezulu wezokuPhathwa kweNtuthuko

Usuku: _____

iNkomba yefayela: 2005/98

UHLELO

IMIBANDELA YOKUSETSHENZISWA KOMHLABA WAKWAMAPHUMULO VILLAGE

Izincazelo

1. Kule mibandela, ngaphandle uma ingqikithi isho okwehlukile –

“**isakhiwo**” kushiwo isakhiwo esinophahla futhi esingenakususwa kulowo mhlaba esimi kuwo kubandakanya nezingxenye zaleso sakhiwo;

“**ububanzi**” kushiwo indawo edliwe yisakhiwo ikalwa ngengaphandle lezidonga uma zibhekwa ngaphezulu futhi bubalwa ngamaphesenti endawo yonke yesakhiwo;

“**isakhiwo esesivele sikhona**” kushiwo isakhiwo esakhiwe ngokusemthethweni ngaphambi kokukhishwa kwalesi saziso;

“**umhlaba ovele usetshenziselwa kona**” kushiwo ukusetshenziswa komhlaba okuqhubekayo ngenhloso yokuwusebenzisa ngokusemthethweni ngaphambi kokukhishwa kwalesi saziso;

“**ingaphambili**” kushiwo ubude bomngcele wesiza ongaphambili esizeni oncikene nomngcele womngwaqo okhona noma ohlongozwayo;

"**umhlaba**" kushiwo nanoma yisiphi isiqephu somhlaba esibhaliswe kuSaveya Jikelele, ngokoMthetho wokuSaveywa koMhlaba, 1997 (uMthetho No. 8 ka 1997), kubandakanya isiza, ipulazi noma ingxenye yepulazi (kubandakanya isiza noma insalela);

"**indawo engemuva**" kushiwo indawo eqondene nomngcele wesiza engahlangani nomngcele ongasemgwaqeni;

"**indawo eseceleni**" kushiwo indawo eqondene nomngcele wesiza ehlangana nomngcele ongasemgwaqeni;

"**isitezi**" kushiwo –

- (a) igumbi noma amagumbi asesitezi sokuqala sesakhiwo;
- (b) igumbi noma amagumbi akhiwe ngaphezu kwelinye igumbi noma kwamagumbi esakhiwo;
- (c) igumbi noma amagumbi okuhlalekayo kuwona akhiwe ngaphansi kwesakhiwo; kanye
- (d) nayo yonke indawo engamamitha ama-3 ephakathi kwephansi nophahla lwesakhiwo;

"**indawo ebheke emgwaqeni**" kushiwo indawo eqondene nomngcele wesiza nanoma yimuphi umngcele wesiza ongasemgwaqeni, indawo yokuhamba umphakathi noma indawo eshiyelwe ukwakha umgwaqo;

"**indawo esetshenziselwa okuthile**" kushiwo umhlaba ongasetshenziswa ngaphansi kwemigomo ethile yokusetshenziswa komhlaba equkethwe kulolu Hlelo.

Ukahunyushwa kokusetshenziswa komhlaba

2. Kule mibandela, ngaphandle uma ingqikithi isho okwehlukile –

"**umhlaba wezolimo**" kushiwo ukusetshenziswa komhlaba ngenhloso yokugcina izilwane zokudlala imidlalo, izilwane ezisetshenziselwa ezolimo, yokutshala nokuvuna umbila, izitshalo, izithelo, ukotini kanye nezimbali;

"**indlu engaphandle kwendlu enkulu**" kushiwo indlu yokuhlala yesibili -

- (a) ubukhulu bayo obungeqile kuma-80m²;
- (b) enepulani efanayo neyendlu enkulu yokuhlala ngokuma nokwakheka; futhi
- (c) exhumene nendlu enkulu yokuhlala;

"**izindlu ezixhumene**" kushiwo izindawo zokuhlala –

- (a) ezisetshenziswa imindeni eminingi;
- (b) ezihlanganiswa okungenani udonga olulodwa, ezingabiyelwe; futhi
- (c) ezinendlela yokungenela ngqo esakhiweni;

"**indlu yokuhlala unogada**" kushiwo isakhiwo esisetshenziswa unogada oqaphe leyo ndawo kanye nendlu kanogada esetshenziswa njengendlu yokuhlala;

"**isakhiwo esinegumbi eliphezulu lezokuxhumana**" kushiwo isakhiwo esiqukethe ubuxhakaxhaka bezingcingo namaswishi noma esinendishi esisetshenziselwa ezokuxhumana, ezokusakaza noma ukuxhumana ngo-ova, ngomabonakude, ngemishini edonsa umsindo noma amagagasi ezomoya nokunye okufana nalokho;

"**inkulisa**" kushiwo isakhiwo esisetshenziselwa ukunakekela izingane ngezikhathi zasemini uma abazali nababheki bazo besemsebenzini;

"Indlu yokuhlala (eyakhiwe yama yodwa)" kushiwo isakhiwo esime sodwa esisetshenziswa umndeni owodwa njengendawo yokuhlala;

"izindlu zokuhlala" kushiwo izakhiwo ezakhiwe ndawonye ezisetshenziswa imindeni ehlukeni njengezindawo zokuhlala;

"isakhiwo sokufundela" kushiwo isakhiwo esisetshenziswa njengesikole, ikolishi, inyuvesi, isikhungo sezobuchwepheshe, isikhungo sokufunda, ilabhorethri yezocwaningo, ihholo lokufundela, isigodlo sezindela, isigodlo sofata, indawo yokuzivocavoca, umtapowolwazi womphakathi, indawo yemibukiso yobuciko noma isigcinamagugu;

"indawo yabangcwabi" kushiwo isakhiwo noma umhlaba osetshenziswa ngenhloso yokuphatha ezemingcwabo kubandakanya nesitolo okuhloswe ngaso ukwamukela umphakathi kanye nokudayisa nokukhangisa impahla ehambisana nokungcwaba;

"ukudayisela eceleni komgwaqo" kushiwo ukudayisela izimpahla kanye nokusebenza endaweni yomphakathi, emigwaqeni emincane kanye nasonqenqemeni lomgwaqo

"ibhizinisi eliqhutshelwa ekhaya" kushiwo —

- (a) ukusebenzela ekhaya endlini yokuhlala; noma
- (b) ukuqhuba ibhizinisi elixhumene nendlu yokuhlala;

"indawo yokudayisela engahlelekile ngokuphelele" kushiwo indawo yokuqhuba ibhizinisi elincane, kuncike ekutheni umuntu ngamunye odayisayo unendawo yakhe. Kuncike futhi ekutheni, ngale kokubalulwe kwezinye izigaba zomthetho, azikho izinhlinzeko eziyosetshenziswa kuleyo ndawo, ngaphandle uma kunesidingo futhi kusho uMasipala;

"isikhungo" kushiwo isakhiwo esisetshenziswa njengesibhedlela, umtholampilo, ikhaya labadala, indlu yokuphumula iziguli noma ikhaya lokunakekela abagulayo noma abalimele noma lokuhlala nokunakekela abadala, abagula ngengqondo noma abakhubazekile, noma izingane ezinakekelwa esikhungweni sabanakekela abangenabani;

"ihhovisi" kushiwo isakhiwo esisetshenziselwa ukuqhuba ibhizinisi, imisebenzi yongoti kanye namahhovisi kahulumeni;

"indawo evulekile" kushiwo umhlaba ohlelelwe ukusetshenziselwa ukwakhela umphakathi amapaki, indawo yokudlala, izindawo zokudlala nokungcebeleka nanoma yisiphi isakhiwo esihlelwe ukusetshenziselwa nezi zinto;

"indawo yokupaka" kushiwo isakhiwo noma umhlaba okuhloswe ukuba usetshenziselwe ukupaka izimoto;

indlela yabahamba ngezinyawo" kushiwo indawo esetshenziswa umphakathi njengendawo yabahamba ngezinyawo;

"indawo yokuhlanganyela yomphakathi" kushiwo isakhiwo noma indawo esetshenziselwa imihlangano yomphakathi, ukuhlanganyela, ezenkolo nezokungcebeleka;

"indawo yokudumisa yomphakathi" kushiwo isakhiwo noma indawo esetshenziswa njengesonto, indawo yokukhonza, isinagoge, ithempeli lamaSulumani, ithempeli noma enye indawo yokudumisa yomphakathi;

"indawo yokudlala" kushiwo umhlaba osetshenziselwa ukudlala izingane kubandakanya impahla enjengojwiji, imishushuluzo nezinto zokudlala ezakhiwe ngezingodo;

"**indawo yokungcebeleka ezimele**" kushiwo inkundla yezemidlalo, amabala okudlala noma enye indawo evulekile okungeyomuntu noma okungeyesikhungo esizimele;

"**indawo yokungcebeleka yomphakathi**" kushiwo inkundla yezemidlalo, amabala okudlala noma enye indawo evulekile elawulwa uhlaka lukahulumeni;

"**isakhiwo sezokungcebeleka**" kushiwo isakhiwo esisetshenziselwa izinto ezihlobene nezemidlalo, kubandakanya indawo yokuzijabulisa, indawo yokuzivocavoca, inkundla yebhola lomphebezo kanye nendawo yokuhlala izethameli;

"**indawo yokudla**" kushiwo isakhiwo esidayisa ukudla osekulungele ukudliwa neziphuzo ezidlelwa kuleso sakhiwo;

"**umgwaqo**" kushiwo indawo esetshenziswa umphakathi ehamba izimoto nabantu abahamba ngezinyawo;

"**indawo yokusebenzela**" kushiwo indawo eyisakhiwo esincane esisetshenziselwa umsebenzi wokudayisela amakhasimende asendaweni, futhi ibandakanya indawo yezimpahla zokwakha nezohwebo, ilondolo, ibhikawozi, indawo ekhiqiza imikhiqizo yobisi kanye nezinto ezicishe zifane nalezo;

"**igalaji lokuthela izimoto**" kushiwo isakhiwo esisetshenziswa njengegalaji lokuthela izimoto ezincane esibandakanya

- (a) ihhovisi lezokuphatha elisegalaji lokuthela izimoto;
- (b) indawo yokuwasha izimoto;
- (c) indawo yokukhanda izinto ezincane emotweni; kanye
- (d) nezindlu zangasese zamakhasimende;

"**isitolo**" kushiwo isakhiwo noma indawo esetshenziselwa ukudayisa izimpahla nokuhlinzeka ngemisebenzi ekhokhelwayo njengendawo yokuzicwala, ongasebenzisa kuyo ikhompuyutha, indawo yokuhlaza izingubo, indawo yokuthenga amathikithi, indawo yokuqasha amavidiyo nesakhiwo sokukhanda izinto zasendlini, amakhompuyutha, omakhalekhukhwini kanye nezicathulo;

"**inkundla yezemidlalo**" kushiwo umhlaba osetshenziselwa ukudlala imidlalo enjengebhola likanobhutshuzwayo, ibhola lombhoxo, ikhilikithi, ihokhi noma ibhola lomnqakiswa;

"**ithaveni**" kushiwo isakhiwo esinelayisensi yokudayisela utshwala kuleyo ndawo futhi ibandakanya iphabhu noma ibha;

"**umbhoshongo wezokuxhumana**" kushiwo umbhoshongo oqukethe ubuxhakaxhaka bezintambo zokuxhumana ngezomoya.

UKUSETSHENZISWA KOMHLABA**2. Lokhu kusetshenziswa komhlaba okulandelayo ikhona okuvumelekile kulezi zindawo eziklanywe –**

INDAWO YOKUHLALA	ONGASETSHENZISELWA KHONA	OKUVUMELEKILE
	Indawo yokuhlala: Indlu yokuhlala eyakhiwe yama yodwa	Indlu engaphandle kwendlu enkulu Inkulisa Indlu yokuhlala eyakhiwe yama yodwa Ibhizinisi eliqhutshelwa ekhaya
	Indawo yokuhlala: Izindlu eziningi	Izindlu ezixhumene Indlu yokuhlala (eyakhiwe yama yodwa) Indlu yokuhlala
UKUSETSHENZISWA OKUXUBILE	ONGASETSHENZISELWA KHONA	OKUVUMELEKILE
	Ukusetshenziswa okuxubile	Indlu kanogada Inkulisa Isakhiwo sokufundela Isikhungo Ihhovisi Indawo yokuhlanganyela yomphakathi Indawo yokudumisa yomphakathi Isitolo sokudlela Isitolo Ithaveni

INDAWO YEZEMFUNDO, YEZENHLALAKAHLE KANYE NENDAWO YOMPHAKATHI	ONGASETSHENZISELWA KHONA	OKUVUMELEKILE
	Indawo yoMphakathi	Indlu kanogada Inkulisa Isakhiwo sokufundela Isikhungo Ihhovisi Indawo yokuhlanganyela yomphakathi Indawo yokudumisa yomphakathi Isakhiwo sezokungcebeleka
	Ezemfundo	Indlu kanogada Inkulisa Isakhiwo sokufunda Ihhovisi Indawo yokudlala Inkundla yezemidlalo
IMISEBENZI YEZIMO EZIPHUTHUMAYO, AMAPHOYISA, EZOKUVIKELA KANYE NEZOKUHLUNYELELISWA KWEZIMILO	ONGASETSHENZISELWA KHONA	OKUVUMELEKILE
	Indawo yokuhlunyeleliswa kwezimilo	Indlu kanogada Ihhovisi Ijele Inkundla yezemidlalo
EZOLIMO	ONGASETSHENZISELWA KHONA	OKUVUMELEKILE
	Ezolimo	Ezolimo Indlu yokuhlala
	ONGASETSHENZISELWA KHONA	OKUVUMELEKILE
	Indawo evulekile	Umhlaba wezolimo Ezokongiwa Indawo yokudlala Inkundla yezemidlalo
	Ipaki	Indawo yokudlala Isakhiwo sezokungcebeleka Inkundla yezemidlalo
INGQALASIZINDA	ONGASETSHENZISELWA KHONA	OKUVUMELEKILE
	Indawo yokupaka	Ukudayisela eceleni komgwaqo Indawo yokupaka
	Indawo yabahamba ngezinyawo	Indawo yabahamba ngezinyawo
	Umgwaqo	Umgwaqo

(2) Umbhoshongo wezokuxhumana ungafakwa kunanoma yimuphi umhlaba osetshenziswayo.

IBHIZINISI ELIQHUTSHELWA EKHAYA

4.(1) Ibhizinisi eliqhutshelwa ekhaya angeke –

- (a) libandakanye ukupakwa kwanoma yiphi imoto enesisindo somthwalo esingaphezulu kwamathani ama-2 kulowo mhlaba noma emgwaqeni;
- (b) ibe ngaphezulu kwendawo eyiphansi engama-50m²
- (c) idale umsindo ongaphezu kwama-7db ngaphezu komsindo ovumelekile, kukalwa kusukwa kunoma iyiphi indawo yomngcele; noma
- (d) kubandakanye ukudayiswa kotshwala noma uphuzo oludakayo.

IZINDAWO ZOKUPAKA

5.(1) Kumele kuhlinzekwe izindawo ezimbili zokupaka endaweni engama-100m² eyabelwe ukusetshenziselwa izinto ezinhlobonhlobo, ngaphandle kwendawo yokuhlanganyela umphakathi, kwendawo yokudumisa nendawo yokudlela.

(2) Kumele kuhlinzekwe indawo yokupaka eyodwa ezihlalweni ngazinye endaweni yokuhlanganyela umphakathi, endaweni yokudumisa yomphakathi noma endaweni yokudlela.

(3) Indawo yokupaka kumele ibe yindawo engama-2,5m x 5m.

UBUBANZI, IZINDAWO EZIZUNGEZE ISAKHIWO

6. Lobu bubanzi, izindawo ezizungeze isakhiwo kanye nobungako besiza obulandelayo busebenza kukho konke okusetshenziswayo emhlabeni ngamunye -

setshenziselwa khona	Ububanzi	Isibalo sezitezi	Indawo engashiywa othangweni olungaphambili ngasemgwaqeni	Amamitha angashiywa endawo engemuva	Amamitha angashiywa endawo esemaceleni	Ubungako besiza
Indawo yokuhlala: Indlu yokuhlala ezimele yodwa	35%	2	5m	1.5m	2	300m ²
Indawo yokuhlala: Izindlu eziningi	50%	3	7m		3	1800m ² (indawo yokuhlala abazali)
UkuSetshenziswa okuXubile	80%	2	0m	1m	2	500m ²
Indawo	80%	3	7m	4.5m	3	1000 m ²

yoMphakathi						
Ezemfundo	80%	3	7m	4.5m	3	1000 m ²
Ezolimo	Akukho	Akukho	Akukho	Akukho	Akukho	Ihektha eli-1

No. 106

14 September 2012

DEPARTEMENT VAN KOÖPERATIEWE REGERING EN TRADISIONELE SAKE

WET OP DIE OPGRADERING VAN GRONDBESITREGTE, 1991: DIE PLAAS UMVOTI LOKASIE NO. 4667, GEDEELTE 3 VAN MAPUMULO SENDING NO. 8311 EN GEDEELTE 3 VAN UMPAMULA SENDING RESERVAAT NO. 8308, MPHUMULO DORP, MAPHUMULO MUNISIPALITEIT

Ingevolge artikels 12 en 15(1) van die Wet op die Opgradering van Grondbesitregte, 1991 (Wet No. 112 van 1991), verklaar ek die plaas Umvoti Lokasie No. 4667, Gedeelte 3 van Mapumulo Sending No. 8311 en Gedeelte 3 van Umpamula Sending Reservaat No. 8308, Mphumulo Dorp, Maphumulo Munisipaliteit, as 'n geformaliseerde dorp onderhewig aan die volgende grondgebruiksvoorwaardes –

- (a) die dorp moet uitgelê word in ooreenstemming met Tekening No. 6041.01, gedateer Julie 2004; en
- (b) die grondgebruiksvoorwaardes bedoel in die Bylae sal van toepassing wees op die dorp totdat 'n skema daarvoor aangeneem is in ooreenstemming met enige wet.

MA DE LANGE, Senior Bestuurder: Ontwikkelingsadministrasie

Datum:

Lêerverwysing: 2005/98

BYLAE

GRONDGEBRUIKSVOORWAARDES VIR MAPHUMULO DORP

Omskywings

1. In hierdie voorwaardes, tensy uit die samehang anders blyk te wees, beteken –

“**agterspasie**” ’n lyn parallel met ’n grens van ’n erf wat nie ’n straatgrens raak nie;

“**bestaande gebou**” ’n gebou wat wettiglik opgerig is voor die datum van hierdie kennisgewing;

“**bestaande gebruik**” die voortgesette gebruik van grond vir ’n doel waarvoor dit wettiglik gebruik was voor die datum van hierdie kennisgewing;

“**dekking**” die eiendomsgebied gedek deur geboue wat gemeet is oor die eksterne mure soos vertikaal van bo af gesien en uitgedruk as ’n persentasie van die eiendomsgebiedgebied;

“**eiendom**” ’n onderverdeling van grond of ’n huurperseel wat deur die Landmeter-Generaal goedgekeur is ingevolge die Opmetingswet, 1997 (Wet No. 8 van 1997), insluitend ’n erf, ’n deeltiteleenheid, ’n plaas of ’n gedeelte van ’n plaas (insluitend ’n perseel of ’n restant);

“**gebou**” ’n struktuur met ’n dak wat permanent aan die grond geheg is, insluitend ’n gedeelte van ’n gebou;

“**Gebruiksone**” ’n grondgebied wat onderhewig is aan die grondgebruiksvoorwaardes vervat in hierdie Bylae;

“**straatvoorspasia**” ’n lyn parallel met enige grenslyn van ’n erf wat aangrensend is tot ’n straat, publieke reg van weg of pad-reserwering;

“**sypasie**” ’n lyn parallel met die grens van die erf wat aan die straatgrens raak;

“**verdieping**” –

- (a) ’n kamer of kamers op grondvlak;
- (b) ’n kamer of kamers bo ’n ander kamer of ander kamers;
- (c) ’n bewoonbare kamer of kamers in ’n kelder; en
- (d) elke drie meter van spasia tussen die voltooide vloer en die plafon van ’n kamer; en

“**voorkant**” die lengte van die grenslyn van ’n erf wat saamval met die grenslyn van ’n bestaande of voorgenome straat.

Interpretasie van Gebruik van Grond en Geboue

2. In hierdie voorwaardes, tensy uit die samehang anders blyk, beteken –

“**aangehegte behuising**” wonings wat –

- (a) elk bewoon word deur ’n enkel-huishouding;
- (b) ten minste een gemeenskaplike muur deel, wat nie tesame met ’n ander woning omhein is nie; en
- (c) direkte buite-toegang tot die gebou het;

“**begravnisonderneming**” ’n gebou of grond wat gebruik word vir die doel van bestuur van begrafnis, insluitend ’n winkel wat bedoel is vir ontvangs van die publiek en die verkoop en vertoon van verbruikersgoedere wat met begrafnis verband hou;

“**bykomstige residensiële eenheid**” ’n tweede woonhuis wat –

- (a) nie groter as 80m² is nie;
- (b) argitektonies versoenbaar is met die hoofwoonhuis, beide in styl en afwerking; en
- (c) tot die hoofwoonhuis aangeheg mag word;

“**dagsorgsentrum**” ’n gebou wat gebruik word vir die versorging van kinders gedurende die dag in die afwesigheid van hul ouers of voogde;

“**diensbedryf**” ’n ligte nywerheidsgebou wat hoofsaaklik dienste verskaf aan plaaslike klante, insluitend ’n bouerswerf en verwante bedrywe, wassery, bakkerij, suiwel-depot, droogskoonmaker en soortgelyke gebruike;

“**diensstasie**” ’n gebou wat gebruik word vir die voorsiening van brandstof vir motorvoertuie wat mag insluit –

- (a) ’n kantoor vir die administrasie van die diensstasie;
- (b) ’n karwassery;
- (c) ’n werkwinkel vir geringe herstelwerk aan motorvoertuie, en

(d) ablusiefasiliteite vir klante;

"informele handeldryfgebied" 'n gebied waarbinne enige kleinskaalse ekonomiese aktiwiteit toegelaat word: Met dien verstande dat elke ondernemer 'n gespesifiseerde ruimte okkupeer. Met dien verstande verder dat, ondanks enigiets tot die teendeel verklaar in hierdie klousules, geen spesifieke bepaling van toepassing is op welke gebied nie, tensy dit nodig geag word en so deur die munisipaliteit gespesifiseer word;

"instelling" 'n gebou gebruik as hospitaal, kliniek, verpleeginrigting, sanatorium of tehuis vir die mediese versorging van siek of beseerde persone, of die versorging en akkommodasie van bejaardes, geestesgestremde, of fisies gestremde, persone, of kinders in die sorg van 'n liefdadigheidsinstansie;

"kantien" 'n gebou gelisensieer vir die verbruik van drank op die perseel, ingesluit 'n drinkplek of 'n kroeg;

"kantoor" 'n gebou gebruik vir besigheids-, klerikale-, professionele- en staatsadministrasiedienste;

"kommunikasietoring" 'n struktuur waarop 'n antenna of skottel geïnstalleer is vir die transmissie, uitsaai of ontvangs van radio, televisie, radar of mikrogolwe, en soortgelyke toesteltipes;

"landbou" die grondgebruik vir die aanhou van wild, veeteelt, plant en oes van graan, groente, vrugte, katoen en blomme;

"ontspanningsgebou" 'n gebou aangewend tesame met 'n sport, ingesluit 'n klubhuis, gimnasium, muurbalbaan en pawiljoen;

"oop spatie" grond toegewys vir gebruik deur die publiek vir parke, speelgronde, sport- en ontspanningsgeriewe en enige gebou wat hoofsaaklik ontwerp is vir gebruik wat verband hou met hierdie aktiwiteite;

"openbare ontspanningsgebied" 'n sportgrond, speelveld of enige ander oop spatie waarvan 'n staatsorgaan die eienaar is;

"opsigterswoning" 'n gebou wat gebruik word deur 'n opsigter van 'n eiendom en die opsigter se huishouding as 'n woning;

"opvoedkundige gebou" 'n gebou gebruik as 'n skool, kollege, universiteit, tegniese instituut, akademie, navorsingslaboratorium, lesingsaal, klooster, monnike klooster, gimnasium, openbare biblioteek, kunsgallery of museum;

"pad" grond gebruik deur die publiek vir die deurgang van voertuie en voetgangers;

"parkeerarea" gebou of grond wat toegewys is vir die doel van parkering van motorvoertuie;

"plek van openbare aanbidding" 'n gebou of grond gebruik vir 'n kerk, kapel, gebedskamer, sinagoge, moskee, tempel of enige ander plek van openbare toewyding;

"plek van openbare samekoms" 'n gebou of grond gebruik vir sosiale vergaderings, byeenkomste, godsdiensdoeleindes of binnenshuise ontspanning;

"privaatontspanningsgebied" 'n sportgrond, speelveld of enige ander oop spatie waarvan 'n privaat persoon of 'n instelling die eienaar is;

"restourant" 'n gebou gebruik vir die voorbereiding en verbruik van kos en drinkgoed vir verbruik op die perseel;

"smousery" die verkoop van goedere en dienste vanaf 'n openbare plek, hoofsaaklik strate en sypaadjies;

"sportveld" grond wat gebruik word vir die speel van 'n spel soos sokker, rugby, krieket, hokkie of basketbal;

"telekommunikasiemas" 'n mas wat gebruik word om 'n antenna te ondersteun wat gebruik word vir die transmissie en ontvangs van radio-telekommunikasie seine;

"tuisaktiwiteit" –

- (a) die beoefening van 'n beroepsaktiwiteit aanvoegend tot 'n woning; of
- (b) die bedryf van 'n winkel aanvoegend tot 'n woning;

"voetgangerslaan" grond gebruik deur die publiek vir die deurgang van voetgangers; en

"winkel" 'n gebou of grond wat gebruik word vir die verkoop van goedere en die verskaffing van kleinhandeldienste soos 'n haarkapper, internetkafee, selfhelpwassery, kaartjie-agentskap, video-huur en 'n werkwinkel vir die herstel van huishoudelike toestelle, rekenaars, selfone en skoene.

"woonhuise" vrystaande geboue op dieselfde eiendom wat elk gebruik word as 'n woning deur 'n enkel-huishouding;

"woonhuis (enkel)" 'n enkel vrystaande gebou wat deur 'n enkel-huishouding gebruik word as 'n woning;

GRONDGEBRUIK

3. (1) Die volgende grondgebruike word toegelaat in elke grondgebruiksone –

RESIDENSIEËL	<i>GRONDGEBRUIKSONE</i>	<i>TOEGELATE GEBRUIKE</i>
	Residensieel: Enkel-woonhuis	Bykomstige residensiële eenheid Dagsorgsentrum Woonhuis (enkel) Tuisaktiwiteit
	Residensieel: Klusterbehuising	Aangehegte behuising Woonhuis (enkel) Woonhuise
GEMENGDE GEBRUIK	<i>GRONDGEBRUIKSONE</i>	<i>TOEGELATE GEBRUIKE</i>
	Gemengde gebruik	Opsigterswoning Dagsorgsentrum Opvoedkundige gebou Instelling Kantoor Plek van openbare samekoms Plek van openbare aanbidding Privaat-ontspanningsgebied Onstpanningsgebou Restourant Winkel Kantien

ONDERWYS-, SOSIALE WELSYN- EN GEMEENSKAPSFASILITEIT	<i>GRONDGEBRUIKSONE</i>	<i>TOEGELATE GEBRUIKE</i>
	Gemeenskapsfasiliteit	Opsigterswoning Dagsorgsentrum Opvoedkundige gebou Instelling Kantoor Plek van openbare samekoms Plek van openbare aanbidding Privaat-ontspanningsgebied Ontspanningsgebou
	Opvoeding	Opsigterswoning Dagsorgsentrum Opvoedkundige gebou Kantoor Speelgrond Sportveld
NOODDIENSTE, POLISIE-, WEERMAG- EN KORREKTIEWE DIENSTE	<i>GRONDGEBRUIKSONE</i>	<i>TOEGELATE GEBRUIKE</i>
	Korrektiewe Fasiliteit	Opsigterswoning Kantoor Gevangenis Sportveld
LANDBOU	<i>GRONDGEBRUIKSONE</i>	<i>TOEGELATE GEBRUIKE</i>
	Landbou	Landbou Woonhuis
BEWARING EN ONTSPANNING	<i>GRONDGEBRUIKSONE</i>	<i>TOEGELATE GEBRUIKE</i>
	Oop Spasie	Landbougrond Bewaring Speelgrond Sportveld
	Park	Speelgrond Ontspanningsgebou Sportveld
INFRASTRUKTUUR	<i>GRONDGEBRUIKSONE</i>	<i>TOEGELATE GEBRUIKE</i>
	Parkeerarea	Smousery Parkeerarea
	Voetgangerslaan	Voetgangerslaan
	Pad	Pad

(2) 'n Telekommunikasiemas mag in enige grondgebruiksone opgerig word.

TUISAKTIWITEIT

4.(1) 'n Tuisaktiwiteit mag nie –

- (a) die parkering van 'n voertuig, met 'n tarra wat 2 ton oorskry, op die eiendom of in die straat behels nie;
- (b) 'n vloeroppervlakte van 50m² oorskry nie;
- (c) 'n geraasvlak van meer as 7 desibels bo die omringende geraasvlak, gemeet op enige punt van die eiendomsgrens, veroorsaak nie;

(d) die verkoop van drank of enige alkoholiese drankies behels nie.

(2) In die geval van 'n motorvoertuigherstellwinkel mag die maksimum getal motorvoertuie wat op dieselfde tyd herstel word nie meer as twee motorvoertuie oorskry nie.

(3) In die geval van 'n speelskool is die tuisaktiwiteit beperk tot die akkommodasie en versorging van nie meer as 12 kinders nie, uitgesluit die kinders van die huiseienaar.

PARKERING

5.(1) Twee parkeerplekke per 100m² van die totale vloeroppervlakte moet voorsien word in die Gemengde Gebruiksone vir alle grondgebruike, met die uitsondering van 'n plek van openbare samekoms, plek van openbare aanbidding of restaurant.

(2) Een parkeerplek moet voorsien word vir elke vier sitplekke vir 'n plek van openbare samekoms, plek van openbare aanbidding of 'n restaurant.

(3) 'n Parkeerplek sal 'n gelyke vlak van 2,5m x 5m wees.

DEKKING, SPASIES RONDOM GEBOU EN MINIMUM ERFGROOTTE

6. Die volgende dekking, spasies rondom geboue en minimum erfgröötte is van toepassing op elke grondgebruiksone –

Grondgebruiksone	Dekking (%)	Hoogte (verdiepings)	Straatvoor-spasie (m)	Agterspasie (m)	Sypasie (m)	Minimum Erfgröötte (m²)
Residensieel: Enkel- woonhuis	35%	2	5m	1.5m	2	300m ²
Residensieel: Kluster- behuising	50%	3	7m		3	1800m ² (hoof eiendom)
Gemengde Gebruik	80%	2	0m	1m	2	500m ²
Gemeenskapsfasiliteit	80%	3	7m	4.5m	3	1000m ²
Opvoeding	80%	3	7m	4.5m	3	1000m ²
Landbou	NVT	NVT	NVT	NVT	NVT	1ha

