



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

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

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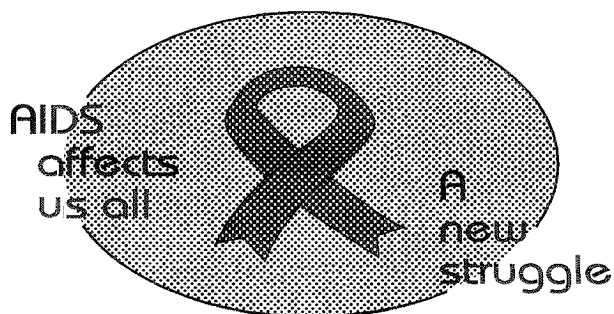
**Vol. 6**

**PIETERMARITZBURG,**

5 DECEMBER 2012  
5 DESEMBER 2012  
5 kuZIBANDLELA 2012

**No. 866**

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DEPARTMENT OF HEALTH

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


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**No. 146****5 December 2012****DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS****DEVELOPMENT FACILITATION ACT, 1995: ERF 1 AND ERF 2 BHOBHOYI (PORTIONS 1 AND 2 OF THE FARM MASINEGE NO. 17237), PHASE 1 BHOBHOYI, HIBISCUS COAST 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 155 Special Zone 13 (Residential 100 m<sup>2</sup>) erven, 543 Special Zone 14 (Residential 200 m<sup>2</sup>) erven, 8 Special Zone 15 (Mixed Residential) erven, 1 Health and Social Services 2 erf, 1 Health and Social Services 3 erf, 4 Education erven, 2 Administration erven, 6 Multi-use Retail 1 erven, 19 Public Open Space erven, 2 Active Open Space 1 erven, and 2 Public Car Park erven on Portions 1 and 2 of the farm Masinege No. 17237, Registration Division ET, Masinege Township development Phase 1, Hibiscus Coast Municipality, subject to the following conditions of establishment relating to land use management, the application of laws and the suspension of restrictive conditions and servitudes –

(a) the amendment of the Port Shepstone Town Planning Scheme by –

(i) the substitution for the definition of "Home Activity" of the following definition –

2.8.2 **"Home Activity"** means an activity or use, in conjunction with a dwelling or residential building, or structure erected on the site of an existing dwelling or residential building which –

(a) shall be limited to the owner of the property, who shall reside thereon, provided that the local authority may, in exceptional circumstances, and if it is satisfied that the primary use of the dwelling as a residence will in no way be prejudiced, permit the activity to be conducted by a person other than the owner;

(b) shall not involve work on more than four motor vehicles provided that the Council may, in exceptional circumstances and if it is satisfied that the primary use of the dwelling as a residence and the amenities of the neighbourhood will not be prejudiced, permit work to take place on more than four motor vehicles;

(c) shall not involve the parking of any vehicle, with a tare mass exceeding 2 000 kg, being parked on or adjacent to the site;

(d) shall not involve the regular congregation of more than five persons on the site nor the employment of more than three persons on the site;

(e) shall not involve any activity or work between the hours of 18h00 and 07h30, except with the specific approval of the local authority;

(f) shall not occupy a floor area greater than 10% of the total area of the site, which shall not exceed 50 m<sup>2</sup>, save with the consent of the local authority;

(g) shall not involve the erection of a sign larger than 600 mm by 450 mm, indicating the nature of the activity. Such sign shall be of a material and shall utilise a style and size of lettering which will complement the residential character of the dwelling and which shall be placed on the main wall of the building and shall be to the satisfaction of the local authority;

(h) shall not produce a noise level exceeding 7 db above the ambient noise level, measured at any point on the property boundary;

(i) shall not generate traffic sufficiently to warrant the provision of additional parking;

(j) shall not involve the quoting of any residential address in any advertisement of the activity;

(k) shall not involve any major storage of goods or items associated with the advertisement of the activity;

(l) shall, in the case of the establishment of a child minder playschool –

(i) generally, be operated by one person only, who shall reside on the property, although an assistant may be employed at the discretion of the local authority;

(ii) be limited to the accommodation and care of not more than twelve children, other than those of the applicant;

(iii) be limited to operate between the hours of 07h00 and 17h30; and

(iv) shall not include the sale of liquor or any alcoholic beverages.; and

(ii) the substitution for clause 10.2(i) of the following clause –

"(i) The side and rear spaces of lots and subdivisions in the various reservations and zones are depicted in Tables 1a, 1b and 1c and Table 4.";

- (iii) the insertion after Special Zone 12 of Table 4 of the special zones in Schedule 1; and
- (iv) the layout and zoning of the land development area in accordance with 97L02P06 dated February 2001; and
- (b) sections 11, 11*bis*, 12, 16-28, 35-39, 44, 45, 47 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 these conditions of establishment approval of application 2000/1382;
- (c) the provisions of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970), shall not apply to the land development area;
- (d) the provisions of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), and any other law that governs the erection of buildings within the land development area, shall continue to apply to the land development area;
- (e) the suspension of conditions 3.1, 3.2 and 3.3 from Deed of Transfer No. 16027/2000 pertaining to Portion 1 of Lot 4, Marburg Settlement No. 5127, that prohibits the subdivision of the land, that restricts the use of the land to a dwelling house and prohibits the use of the land for business purposes; and
- (f) the suspension of conditions 2.1 and 2.2 from Deed of Transfer No. 28473/98 pertaining to the Remainder of the farm Merlewood No. 14425, that restricts the use of the land to a dwelling house, residential purposes and agricultural purposes and prohibits the use of the land for business purposes or industrial purposes.

**MA DE LANGE**, Designated Officer

Date:

File reference: 2000/1382

**SCHEDULE 1**

<b>SPECIAL ZONE 13 (RESIDENTIAL (100 m<sup>2</sup>))</b>	
13.1 Erf Number(s)	Erven 26-29, 31-36, 38-44, 46-49, 52-55, 58-64, 74-76, 80-87, 89-93, 96-102, 104-108, 110-113, 124-126, 129-134, 136-141, 169-172, 175-179, 181-184, 186, 189-194, 196-200, 203-214, 243-250, 253-260, 650-655, 659-675
13.2 Permitted Uses	<ul style="list-style-type: none"> <li>• Single Family Dwelling</li> <li>• Outbuilding (Human Habitation)</li> <li>• Outbuilding (Non-Human Habitation)</li> <li>• Home activity</li> </ul>
13.3 Uses Permitted only with the Local Authority's Consent	<ul style="list-style-type: none"> <li>• Home Business</li> <li>• Bed and Breakfast</li> </ul>
13.4 Prohibited Uses	Buildings and land uses not mentioned in 13.2 or 13.3 of this table
13.5 Maximum Permitted FAR, Coverage, Height	0,70 : 60 : 2
13.6. Additional Controls	<ul style="list-style-type: none"> <li>• Minimum erf size: 100 m<sup>2</sup></li> <li>• Building line: 3 m</li> <li>• Side space: 0 m along both side boundaries of the erf</li> </ul>

<b>SPECIAL ZONE 14 (RESIDENTIAL (200 m<sup>2</sup>))</b>	
14.1. Erf Number(s)	Erven 4-18, 30, 45, 51, 70-71, 77, 79, 88, 94-95, 103, 114-123, 135, 142-150, 152-156, 158-168, 173-174, 180, 185, 187-188, 195, 201-202, 215-218, 223-242, 251-252, 262-293, 295-332, 334-339, 341-399, 401-403, 410-423, 425-544, 546-591, 593-641, 644-649, 656-658, 677-711, 713-744, 746-750
14.2. Permitted Uses	<ul style="list-style-type: none"> <li>• Single Family Dwelling</li> <li>• Outbuilding (Human Habitation)</li> <li>• Outbuilding (Non-Human Habitation)</li> <li>• Home activity</li> </ul>
14.3. Uses Permitted only with the Municipality's Consent	<ul style="list-style-type: none"> <li>• Home Business</li> <li>• Bed and Breakfast</li> </ul>
14.4. Prohibited uses	Buildings and land uses not mentioned in 14.2 or 14.3 of this table
14.5. Maximum Permitted FAR, Coverage, Height	0,50 : 50 : 2
14.6. Additional Controls	<ul style="list-style-type: none"> <li>• Minimum erf size: 200 m<sup>2</sup></li> <li>• Building Line: 3 m</li> <li>• Side: 2,0 m along one side boundary of the erf</li> </ul>

<b>SPECIAL ZONE 15 (MIXED RESIDENTIAL)</b>	
15.1 Erf Number(s)	Erven 56, 57, 65, 67, 68, 69, 72, 73
15.2 Permitted Uses	<ul style="list-style-type: none"> <li>• Single Family Dwelling</li> <li>• Outbuilding (Human Habitation)</li> <li>• Outbuilding (Non-Human Habitation)</li> <li>• Home activity</li> </ul>
15.3 Uses Permitted only with the Municipality's Consent	<ul style="list-style-type: none"> <li>• Home Business</li> <li>• Bed and Breakfast</li> </ul>
15.4. Prohibited Uses	Buildings and land uses not mentioned in 15.2 or 15.3 of this table
15.5 Maximum Permitted FAR, Coverage, Height	0,70 : 60 : 2
15.6 Additional Controls	<ul style="list-style-type: none"> <li>• Minimum erf size: 200 m<sup>2</sup></li> <li>• Building Line: 3 m</li> <li>• Side: 2,0 m along one side boundary of the erf</li> <li>• The erf shall have vehicular access to the 16 m taxi route within the Masinege township</li> </ul>

**No. 147****5 December 2012****DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS****DEVELOPMENT FACILITATION ACT, 1995: REMAINDER OF PORTION 18 OF LOT 69 NO. 917, REGISTRATION DIVISION FU, KNOWN AS BLUE GUM ESTATE, 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 Blue Gum Residential Estate consisting of 26 Equestrian Use erven, 6 Private Recreation Area erven, and 3 Private Road erven on Remainder of Portion 18 of Lot 69 No. 917, Registration Division FU KwaDukuza Municipality, subject to the following conditions of establishment relating to the land use management and application of laws –

(a) the amendment of the Umhlali Beach Scheme by –

(i) the insertion of special zone Blue Gum Estate as contemplated in Schedule 1;

(ii) the layout and zoning of the land development area in accordance with Layout Plan drawing No. 2638/4, dated 2 June 2011;

(b) sections 23(1), 40(1), 75(1)(b) and 75(1)(c) of the KwaZulu-Natal Planning Development Act (Act No. 6 of 2008), shall not apply to the land development area for the purpose of the development thereof in accordance with the conditions of approval of application 2009/155; and

(c) the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), and any other law that governs the erection of buildings within the land development area shall continue to apply to the land development area.

**MA DE LANGE**, Designated Officer

Date:

File reference: 2009/155

## SCHEDULE 1

## TABLE C

## USE ZONE – BLUE GUM ESTATE

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 en plantation) 8. Conservation Area 10. Dwelling House 24. Private Recreation Area Equestrian Use (unrestricted to Erf 496) Equestrian Use (restricted on Erven 490-495 and 497-515 to use limited keeping of horses and training facilities)	7. Commercial Workshop Community Centre 9. Crèche 11. Educational Building 16. Laundrette 20. Office Building 22. Place of Public Amusement 23. Place of Public Assembly 25. Public Office 26. Recreational Building 28. Restaurant 32. Shop (limited to 200 m <sup>2</sup> Gross Leasing Area (GLA) )	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**  
**BLUE GUM ESTATE**

USE ZONE	MAXIMUM PERMITTED		REMARKS ON CONDITIONS RELATING TO DEVELOPMENT
	F.A.R.	Coverage	
	0,35	30%	<p>Height in Storeys 2</p> <ol style="list-style-type: none"> <li>1. Development and land usage shall be substantially in accordance with the proposals depicted on Layout Plan 2638/4, amendments to this plan may be permitted at the discretion of the Development Tribunal or its successor-in-title.</li> <li>2. Accommodation for motor vehicles to be provided as per clause 6.5.</li> <li>3. 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.</li> <li>4. The minimum erf size shall be 10 000 m<sup>2</sup> (except for erven 503-506, which shall not be less than 2 500 m<sup>2</sup>).</li> <li>5. Building lines shall be 5 m. Side and rear spaces shall be 3 m. Relaxation of building lines, side spaces, rear spaces and height shall be at the discretion of the Home Owners' Association (H.O.A.) and the Local Municipality.</li> <li>6. A common architectural theme shall apply to all new buildings.</li> <li>7. 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.</li> <li>8. 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.</li> <li>9. 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.</li> <li>10. A non-habitable basement 50% below natural ground level shall not constitute a storey.</li> <li>11. Units stepping down slope may exceed two storeys at the discretion of the H.O.A. and Local Municipality.</li> <li>12. Removal of horse-related waste products to the satisfaction of the H.O.A., the Local Municipality and Department of Agriculture and Environmental Affairs (D.A.E.A.).</li> </ol>

No. 148

5 December 2012

## DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

**DEVELOPMENT FACILITATION ACT, 1995: PROPOSED PORTION 2 OF ERF 15449 NEWCASTLE, NEWCASTLE 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 a service station on proposed Portion 2 of Erf 15449 Newcastle, Registration Division HS, Newcastle Municipality, subject to the following conditions of establishment relating to land use management and the application of laws –

- (a) the amendment of the Newcastle scheme by –
  - (i) the substitution for the definition of "service station" of the following definition –
    - ""**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 workshop for minor repairs to motor vehicles; and
      - (d) ablution facilities for customers;"
    - (ii) the substitution for "Garage" zone in Table C of the zone in Schedule 1;
    - (iii) the substitution for "Garage" zone in Table D of the zone in Schedule 2;
    - (iv) the layout and zoning of proposed Portion 2 of Erf 15449 Newcastle in accordance with Site Layout Plan D39/L1, dated 22 February 2010;
  - (b) the granting of special consent in terms of section 67*bis* of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949), for a shop, subject to the following conditions –
    - (i) the shop may only be used for the sale of food, beverages, newspapers, magazines, toiletries, emergency spare parts for motor vehicles and other convenience goods; and
    - (ii) the shop may not exceed 300 m<sup>2</sup>; and
  - (c) sections 10(2), 23(1) and 75(1)(a) and (b) of the KwaZulu Natal Planning Development Act, 2008 (Act No. 6 of 2008), do not apply to the land development area for the purpose of the development thereof in accordance with the conditions of approval of application 2009/191; and
  - (d) the provisions of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), and any other law that governs the erection of buildings within the land development area are applicable to the land development area.

**MA DE LANGE**, Designated Officer

Date:

File reference: 2010/86

**SCHEDULE 1**

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
Garage	Dark purple border	Service Station	Panel Beating Workshop Shop Service Industrial Building	Buildings and other uses not included in column (3) and (4)

**SCHEDULE 2**

<b>ZONE</b>	<b>MAXIMUM PERMITTED FLOOR AREA RATIO COVERAGE BUILDING HEIGHT</b>	<b>ADDITIONAL PROVISIONS</b>	
Garage	0.40: no limit : 2	Portion 2 of Erf 15449 Newcastle shall be subjected to the following conditions – (a) A building line of 5 metres along the road that provides access to the service station from Memel Road and Main Road; and (b) The total floor area for buildings, excluding the canopy over the pump island, may not exceed 1 200 m <sup>2</sup> .	Dark purple border

## UMNYANGO WEZOKUBUSA NGOKUBAMBISANA NEZOMDABU

## UMTHETHO WOKULUNGISELELA INTUTHUKO, 1995: ISIZA 1 NESIZA 2 EBHOBHOYI (IZINGXENYE 1 NO 2 ZEPULAZI I-MASINEGE NO. 17237), E-PHASE 1 EBHOBHOYI, KUMASIPALA WASE-HIBISCUS COAST

Ngokwesigaba 33(4) soMthetho wokuLungiselela iNtuthuko, 1995, isiGungu seNtuthuko sigunyaze ukwakhiwa kweziNdawo eziKhethekile eziyi-155, iziza eziyi-13 (iziNdawo zokuHlala ezingama-100m<sup>2</sup>); iziNdawo eziKhethekile ezingama-543, iziza ezi-14 (iziNdawo zokuHlala ezingama-200m<sup>2</sup>); iziNdawo eziKhethekile eziyi-8, iziza eziyi-15 (iziNdawo zokuHlala ezixubile); isiza esi-1 sesakhiwo sezeMpilo nemiSebenzi yoMphakathi; isiza esi-1 sesakhiwo sezeMpilo nemiSebenzi yoMphakathi; iziza ezi-4 zeziKole; iziza ezi-2 zezakhiwo zeziPhathimandla; iziza eziyi-6 zezakhiwo zamaBhizinisi anhlobonhlobo; iziza eziyi-19 zeNdawo eVulekile yoMphakathi; iziza ezi-2 zeNdawo eVulekile yokuziVocavoca; kanye neziza ezi-2 zeNdawo yokuPaka yoMphakathi kwiNgxenywe 1 No. 2 yepulazi i-Masinege No. 17237, isiGaba sokuBhaliswa ngu-ET, endaweni eThuthukiswayo engu-Phase 1 elokishini lase-Masinege, kuMasipala wase-Hibiscus Coast, kuncike kule mibandela elandelayo yokwakha ephathelene nokuphathwa kokusetshenziswa komhlaba, ukusebenza kwemithetho nokumiswa kwemibandela ebekiwe yezindawo ezishiyelwe imisebenzi kamasipala –

(a) ukuchitshiyelwa koHlelo lokuHlelwa kweDolobha lase-Port Shepstone –

(i) ngokufaka esikhundleni sencazelo “Ibhizinisi eliqhutshelwa ekhaya” le ncazelo elandelayo –

“2.8.2 **Ibhizinisi eliqhutshelwa ekhaya**” kushiwo ukuqhuba ibhizinisi noma ukusebenzisa ngenhloso yebhizinisi indlu yokuhlala noma isakhiwo esakhelwe ukuhlala abantu, noma esinye isakhiwo esakhiwe egcekeni lomuzi noma esakhiweni esakhelwe ukuhlala abantu, okumele -

(a) kube ibhizinisi lomnikazi womuzi, okumele abe ngumuntu ohlala kulowo muzi, kuncike ekutheni amaziphathe wendawo, ezimweni ezithile, futhi uma wenelisekile ukuthi ukusetshenziswa kwendlu okusemthethweni njengendawo yokuhlala angeke kuphazamiseke, ungavumela ukuthi ibhizinisi liqhutshwe omunye umuntu ngale komnikazi wendlu;

(b) lingavumeli ukuba kukhandwe izimoto ezingaphezu kwezine kuncike ekutheni uMkhandlu, ezimweni ezithile futhi uma unelisekile ukuthi ukusetshenziswa kwendlu okusemthethweni njengendawo yokuhlala angeke kuphazamiseke futhi omakhelwane angeke baphazamiseke ungavumela ukuba kukhandwe izimoto ezingaphezu kwezine;

(c) lingavumeli ukuba kupakwe imoto enesisindo esingaphezu kwama-2000 kg esakhiweni noma maqondana nesakhiwo;

(d) lingavumeli ukuthi kuvame ukuhlangana kwabantu abangaphezu kwesihlanu esakhiweni noma kuqashwe abasebenzi abangaphezu kwabathathu endaweni yokusebenza;

(e) okungamele livumele ukuba kusetshenzwe phakathi kwehora le-18h00 nehora le-07h30, ngaphandle uma kutholakale imvume efanele kumaziphathe wendawo;

(f) lingadli indawo yephansi engaphezu kwama-10% yesakhiwo sonke okungamele yeqe kuma-50m<sup>2</sup> ngaphandle uma kutholakale imvume efanele kumaziphathe wendawo;

(g) lingabandakanyi ukubekwa kophawu olungaphezu kwama-600mm by 450mm ububanzi, oluveza uhlobo lwebhizinisi eliqhutshwayo. Lolo phawu kumele lwakhiwe futhi lubhalwe ngendlela nangohlobo lwamagama oluzohambisana nezinga lomuzi, futhi kumele lubekwe odongeni olungaphambili lwesakhiwo ngendlela ezokwenelisa amaziphathe wendawo;

(h) lingadali umsindo ongaphezu kwama-7bd ngaphezu komsindo ovumelekile, kusukela kunoma imuphi umngcele wesakhiwo;

(i) lingabi nesibalo sezimoto eziningi okungaze kudingekile ukuba kuhlinzekwe ezinye izindawo zokupaka;

(j) lingavumeli ukuba kufakwe ikheli lendawo kunoma isiphi isikhangiso somsebenzi oqhutshwayo;

(k) lingavumeli ukuba kugcinwe impahla eningi noma izinto ezisetshenziselwa ukukhangisa umsebenzi oqhutshwayo;

(l) uma kusungulwa inkulisa:

(i) iqhutshwe umuntu oyedwa kuphela, okumele kube ngumuntu ohlala esakhiweni, nakuba kungaqashwa omunye umuntu ozosiza ngokubona kukamaziphathe wendawo;

(ii) ibe nesibalo sezingane ezizogcinwa ezingeqile eshumini nambili, ngale kwalezo zomfakisicelo;

(iii) isebenze phakathi kwehora lesi-07h00 nehora lesi-17h30; futhi

(iv) ingabandakanyi ukudayiswa kotshwala nanoma iluphi uphuzo oludakayo.”;

- (ii) ngokufaka esikhundleni sesigaba somthetho 10.2(i) lesi sigaba somthetho esilandelayo –  
 "(i) izindawo ezisemaceleni nangemuva kwiziza kanye nokuklanywa kwezindawo ezihlukahlukene kukhonjisiwe kwiThebula 1a, 1b, no 1c nakwiThebula 4;
- (iii) ngokufakwa ngemuva kweNdawo eKhethekile 12 kwiThebula 4 izindawo ezikhethekile ezisoHlelweni 1;
- (iv) ngokuhlelwa nokuklanywa kwendawo okuthuthukiswa kuyo umhlaba ngokuhambisana nePulani 97L02P06 yangoNhlojanja 2001;
- (b) izigaba 11, 11*bis*, 12, 16 - 28, 35 - 39, 44, 45, 47, 47*bis* no 67 ze-Odinensi yokuHlelwa kwamaDolobha, 1949 (i-Odinensi No. 27 ka 1949) angeke zisebenze endaweni okuthuthukiswa kuyo umhlaba ngenhloso yalokho kuthuthukiswa ngokuhambisana nale mibandela yesicelo sokugunyazwa kokwakha 2000/1382;
- (c) izinhlinzeko zoMthetho wokuHlukaniswa iziQephu koMhlaba wezoLimo, 1970 (uMthetho No. 70 ka 1970) angeke zisebenze endaweni okuthuthukiswa kuyo umhlaba;
- (d) izinhlinzeko zoMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977), nanoma imuphi omunye umthetho olawula ukwakhiwa kwezakhiwo endaweni okuthuthukiswa kuyo umhlaba ziyoqhubeka nokusebenza endaweni okuthuthukiswa kuyo umhlaba;
- (e) kumiswa imibandela 3.1, 3.2 no 3.3 yeTayitela lokuDlulisela No. 16027/2000 ephathelene neNgxenye 1 yeSiza 4 endaweni yase-Marburg No. 5127 eyenqabela ukuhlukaniswa iziqephu komhlaba, evumela kuphela ukusetshenziswa komhlaba ukwakha indlu yokuhlala futhi eyenqabela ukusetshenziswa komhlaba ngezinhloso zebhizinisi; futhi
- (f) kumiswa imibandela 2.1 no 2.2 yeTayitela lokuDlulisela No. 28473/98 ephathelene neNsalela yePulazi i-Merlewood No. 14425, evumela ukusetshenziswa komhlaba ukwakha indlu yokuhlala, izinhloso zokuhlala nezinhloso zezolimo futhi eyenqabela ukusetshenziswa komhlaba ngezinhloso zebhizinisi noma imisebenzi yezimboni.

**MA DE LANGE**, isiKhulu esiQokiwe

Usuku:

iNkomba yefayela: 2000/1382

## UHLELO 1

INDAWO EKHETHEKILE 13 (IZINDAWO ZOKUHLALA EZINGAMA-100m <sup>2</sup> )	
13.1 Izinombolo zeZiza	iZiza 26-29, 31-36, 38-44, 46-49, 52-55, 58-64, 74-76, 80-87, 89-93, 96-102, 104-108, 110-113, 124-126, 129-134, 136-141, 169-172, 175-179, 181-184, 186, 189-194, 196-200, 203-214, 243-250, 253-260, 650-655, 659-675
13.2 Ukusetshenziswa okugunyaziwe	<ul style="list-style-type: none"> <li>• Indlu yokuhlala umndeni owodwa</li> <li>• Isakhiwo esingaphandle (sokuHlala Abantu)</li> <li>• Isakhiwo esingaphandle (esingaHlali Abantu)</li> <li>• Ibhizinisi eliqhutshelwa ekhaya</li> </ul>
13.3 Ukusetshenziswa okugunyazwa uMaziphathe waseNdaweni kuphela	<ul style="list-style-type: none"> <li>• Ibhizinisi eliqhutshelwa ekhaya</li> <li>• Indawo eqashisayo yokulala nesidlo sasekuseni</li> </ul>
13.4 Ukusetshenziswa okwenqatshelwe	Izakhiwo kanye nokusetshenziswa komhlaba okungabaluliwe ku 13.2 noma ku 13.3 waleli thebula
13.5 Isilinganiso sobukhulu beNdawo eyiPhansi, ubuBanzi nokuPhakama:	0,70 : 60 : 2
13.6. Okunye okubalulekile	<ul style="list-style-type: none"> <li>• Ubuncane besiza: 100 m<sup>2</sup></li> <li>• Umngcele wokwakha: 3 m</li> <li>• Indawo eseceleni: 0m ezinhlangothini zombili zomngcele wesiza</li> </ul>

INDAWO EKHETHEKILE 14 (INDAWO YOKUHLALA 200m <sup>2</sup> )	
14.1. Izinombolo zeZiza	iZiza 4-18, 30, 45, 51, 70-71, 77, 79, 88, 94-95, 103, 114-123, 135, 142-150, 152-156, 158-168, 173-174, 180, 185, 187-188, 195, 201-202, 215-218, 223-242, 251-252, 262-293, 295-332, 334-339, 341-399, 401-403, 410-423, 425-544, 546-591, 593-641, 644-649, 656-658, 677-711, 713-744, 746-750
14.2. Ukusetshenziswa okugunyaziwe	<ul style="list-style-type: none"> <li>• Indlu yokuhlala umndeni owodwa</li> <li>• Isakhiwo esingaphandle (sokuHlala Abantu)</li> <li>• Isakhiwo esingaphandle (esingaHlali Abantu)</li> <li>• Ibhizinisi eliqhutshelwa ekhaya</li> </ul>
14.3. Ukusetshenziswa okugunyazwa uMasipala kuphela	<ul style="list-style-type: none"> <li>• Ibhizinisi eliqhutshelwa ekhaya</li> <li>• Indawo eqashisayo yokulala nesidlo sasekuseni</li> </ul>
14.4. Ukusetshenziswa okwenqatshelwe	Izakhiwo kanye nokusetshenziswa komhlaba okungabaluliwe ku 14.2 noma 14.3 waleli thebula.
14.5. Isilinganiso sobukhulu beNdawo eyiPhansi, ubuBanzi nokuPhakama:	0,50 : 50 : 2
14.6. Okunye okubalulekile	<ul style="list-style-type: none"> <li>• Ubuncane besiza : 200 m<sup>2</sup></li> <li>• Umngcele wokwakha: 3 m</li> <li>• Indawo eseceleni : 2,0m ezinhlangothini zombili zomngcele wesiza</li> </ul>

INDAWO EKHETHEKILE 15 (IZINDAWO ZOKUHLALA EZIXUBILE)	
15.1. Izinombolo zeZiza	iZiza 56, 57, 65, 67, 68, 69, 72, 73
15.2. Ukusetshenziswa okugunyaziwe	<ul style="list-style-type: none"> <li>• Indlu yokuhlala umndeni owodwa</li> <li>• Isakhiwo esingaphandle (sokuHlala Abantu)</li> <li>• Isakhiwo esingaphandle (esingahlali Abantu)</li> <li>• Ibhizinisi eliqhutshelwa ekhaya</li> </ul>
15.3. Ukusetshenziswa okugunyazwa uMasipala kuphela	<ul style="list-style-type: none"> <li>• Ibhizinisi eliqhutshelwa ekhaya</li> <li>• Indawo eqashisayo yokulala nesidlo sasekuseni</li> </ul>
15.4. Ukusetshenziswa okwenqatshelwe	Izakhiwo kanye nokusetshenziswa komhlaba okungabalulwe ku 15.2 noma 15.3 waleli thebula.
15.5. Isilinganiso sobukhulu beNdawo eyiPhansi, ubuBanzi nokuPhakama:	0,70 : 60 : 2
15.6. Okunye okubalulekile	<ul style="list-style-type: none"> <li>• Ubuncane besiza : 200 m<sup>2</sup></li> <li>• Umngcele wokwakha: 3 m</li> <li>• Indawo eseceleni : 2,0 m ezinhlangothini zombili zomngcele wesiza</li> <li>• Isiza kumele sibe nendlela yokungena izimoto emzileni wamatekisi ongama-16m ngaphakathi eLokishini laseMasinege</li> </ul>

No. 147

5 kuZibandlela 2012

## UMNYANGO WEZOKUBUSA NGOKUBAMBISANA NEZOMDABU

## UMTHETHO WOKULUNGISELELA INTUTHUKO, 1995: INSALELA YENGXENYE 18 YESIZA 69 NO. 917, ISIGABA SOKUBHALISWA NGU-FU, EYAZIWA NGE-BLUEGUM ESTATE, KUMASIPALA WAKWADUKUZA

Ngokwesigaba 33(2)(d) soMthetho wokuLungiselela iNtuthuko, 1995, isiGungu seNtuthuko sigunyaze ukwakhiwa kwe-Blue Gum Estate equkethe iziza ezinga-26 zenkundla yamahashi, iziza ezi-6 zeNdawo yezokuNgcebeleka eZimele, neziza ezi-3 zoMgwaqo wangaphakathi kwiNsalela yeNgxenye 18 yeSiza 69 No. 917, isiGaba sokuBhaliswa ngu-FU, kuMasipala waKwaDukuza, kuncike kule mibandela yokwakha ephathelene nokuphathwa kokusetshenziswa komhlaba kanye nokusebenza kwemithetho –

(a) ukuchitshiyelwa koHlelo lwase-Mhlali Beach –

(i) ngokuthi kufakwe indawo ekhethekile i-Blue Gum Estate njengoba kulongozwe oHlelweni 1;

(ii) ngokuhlelwa nokuklanywa kwendawo okuthuthukiswa kuyo umhlaba ngokuhambisana nePulani No. 2638/4, yamhla zi-2 kuNhlangulana 2011;

(b) izigaba 23(1), 40(1), 75(1)(b) no 75(1)(c) zoMthetho wokuHlela neNtuthuko waKwaZulu-Natali, 2008 (uMthetho No. 6 ka 2008) angeke zisebenze endaweni okuthuthukiswa kuyo umhlaba ngenhloso yalokho kuthuthukiswa ngokuhambisana nemibandela yokugunyazwa kwesicelo 2009/155; futhi

(c) izinhlinzeko zoMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977), neminye imithetho elawula ukwakhiwa kwezakhiwo endaweni okuthuthukiswa kuyo umhlaba ziyiqhubeka nokusebenza endaweni okuthuthukiswa kuyo umhlaba.

**MA DE LANGE**, isikhulu esiQokiwe

Usuku:

iNkomba yefayela: 2009/155

## UHLELO 1

## ITHEBULA C

## INDAWO ESETSHENZISWAYO - I-BLUE GUM ESTATE

1	2	3	4	5
INDAWO ESETSHENZISWAYO	INKOMBA YEFAYELA	INHLOSO YOKWAKHIWA KWESAKHIWO NOKUSETSHENZISWA KOMHLABA	INHLOSO YOKWAKHIWA KWESAKHIWO NOKUSETSHENZISWA KWASO NEZINHLOSO ESINGASETSHENZISELWA ZONA NGOKWEMVUME KUPHELA KAMASIPALA	INHLOSO ENGENZA UKUBA ISAKHIWO SINGAKHIWA NOMA SINGASETSHENZISWA NOMA UMHLABA UNGASETSHENZISWA
		<p>3. Umhlaba wezoLimo (obekelwe ukulima nokutshala umoba kuphela)</p> <p>8. Indawo yokoNgiwa kweMvelo</p> <p>10. Indlu yokuHlala</p> <p>24. Indawo yezokuNgebeleka ezimele Inkundla yamahhashi (kuze kufike eSizeni 496)</p> <p>Inkundla yamahhashi (phakathi kweziza 490-495 no 497-515 ezosetshenziselwa ukugcina amahhashi kanye nezindawo zokuwaqeqesha)</p>	<p>7. Izikhungo zoMphakathi sendawo yokuDayisa</p> <p>9. Inkulisa</p> <p>11. Isikole</p> <p>16. Ilondolo</p> <p>20. amahhovisi</p> <p>22. Indawo yokuziJabulisa yoMphakathi</p> <p>23. Indawo yokuHlanganyela yoMphakathi</p> <p>25. Ihovisi loMphakathi</p> <p>26. Isakhiwo sezokuNgebeleka</p> <p>28. Isitolo sokudlela</p> <p>32. Isitolo (esilinganiselwa kuphela 200 m<sup>2</sup> GLA)</p>	<p>1. Isakhiwo sezoLimo</p> <p>2. Imboni yezoLimo</p> <p>4. Indawo yokuBheja</p> <p>5. Indawo yokuPaka amaKharaveni</p> <p>6. Ukwakhiwa kwendlu yokuphumula</p> <p>12. Imboni yokumbiwayo</p> <p>13. Indawo yabaNgcwabi</p> <p>14. Igalaji</p> <p>17. Isakhiwo esincane sezimboni</p> <p>19. Izakhiwo zesikhashana</p> <p>21. Igalaji lokuPaka iziMoto</p> <p>29. Isakhiwo okungavumelekile ukuba kungene kuso noma yimuphi umuntu</p> <p>30. Isakhiwo sokuSevisa iziMoto</p> <p>31. Igalaji lokuThela uWoyela</p> <p>33. Isakhiwo esiKhethekile sezimboni</p> <p>34. Indawo yokugcina impahla</p>



## ITHEBULA D

## I-BLUE GUM ESTATE

INDAWO ESETSHENZISWAYO	UBUKHULU OBUVUMELEKILE			IZINCOMO NGENIBANDELA EPHATHELENE NENTUTHUKO
	INDAWO EYIPHANSI	UBUBANZI	UKUPHAKAMA NGOKWEZITEZ	
	0,35	30%	2	<ol style="list-style-type: none"> <li>1. Ukuthuthukiswa nokusetshenziswa komhlaba kumele kuhambisane nohlelo olukhonjiswe ohlelweni lwePulani 2638/4, ukuchitshiyelwa kwale pulani kungagunyazwa ngokubona kwesiGungu seNtuthuko noma yilowo omele sona.</li> <li>2. Indawo yezimoto iyohlizekwa ngokwesigaba somthetho 6.5</li> <li>3. Intuthuko kumele ihambisane nokuhlizekwa kwezitamukoko, imisele yamanzi emvula, ukuhlizekwa kwamanzi, uhlelo lokulahiwa kwemfucuzwa kwemfucuzwa kanye neminye imisebenzi engqala ngendlela egculisa uMasipala waseNdaweni.</li> <li>4. Ubuncane besiza kumele kube okungenani ngama-10 000 m<sup>2</sup> (ngaphandle kweziza 503-506 okumele zingabi ngaphansi kwama 2 500 m<sup>2</sup>).</li> <li>5. Imingcele yokwakha kumele ibe ngu-5 m. Indawo eseceleni nengemuva kumele ibe ngu-3 m. Imingcele yokwakha, izindawo eziseceleni, ezingemuva nokuphakama kumele kunqunywe i-H.O.A noMasipala wendawo ngokubona kwawo.</li> <li>6. Indlela ejwayelekile yokwakha izindlu yonjinyela bokwakha umele isetshenziswe kuzo zonke izakhiwo ezintsha.</li> <li>7. Inhlango yeBanikazi beMizi (i-H.O.A) kumele isungulwe futhi umnikazi ngamunye womhlaba kumele abe yilungu le-H.O.A. futhi alandele imithetho yayo.</li> <li>8. Zonke izeza kumele zibe nePulani yeNdawo okuzoKwakhiwa kuyo, iPulani yokuma kweNdawo kanye nePulani yeSakhiwo eyenziwe ngumnikazi womhlaba futhi yagunyazwa nguMasipala ngaphambi kokuthi ngaphambi kokuthi adlulisele kuMasipala weNdawo.</li> <li>9. Indawo yonke okuzoKwakhiwa kuyo kumele ilawulwe futhi iphathwe ngokwemigomo yendawo nokongwa kwemvelo, okumele umasipala wendawo aneliseke ngayo.</li> <li>10. Indawo engaphansi kwesakhiwo okungahlalwa kuyo engama-50% endawo yaphansi ejwayelekile ngeke yaba nesitezi.</li> <li>11. Izindlu ezixhumene ezakhiwe ngokushiyana zingaba ngaphezulu kwezitezi ezi-2 ngokwesinqumo se-H.O.A. nomasipala wendawo.</li> <li>12. Ukususwa kwemfucuzwa ephathelele namahashi kungenziwa ngendlela enelisa i-H.O.A, umasipala wendawo ne-DAEA.</li> </ol>

No. 148

5 kuZibandlela 2012

## UMNYANGO WEZOKUBUSA NGOKUBAMBISANA NEZOMDABU

## UMTHETHO WOKULUNGISELELA INTUTHUKO, 1995: INGXENYE 2 YESIZA NO. 15449, EHLONGOZWAYO E-NEWCASTLE, KUMASIPALA WASE-NEWCASTLE

Ngokwesigaba 33(4) soMthetho wokuLungiselela iNtuthuko, 1995, isiGungu seNtuthuko sigunyaze ukwakhiwa kwegalaji lokuthela uwoyela kwiNgxenye 2 yeSiza 15449, ehlongozwayo e-Newcastle, isiGaba sokuBhaliswa ngu-HS, kuMasipala wase-Newcastle, kuncike kule mibandela elandelayo yokwakha ephathelene nokuphathwa kokusetshenziswa komhlaba kanye nokusebenza kwemithetho –

(a) ukuchitshiyelwa koHlelo lwase-Newcastle –

(i) ngokuthi kufakwe esikhundleni sencazelo “igalaji lokuthela uwoyela” le ncazelo elandelayo –

“**Igalaji lokuthela uwoyela**” kushiwo isakhiwo esisetshenziswa njengegalaji lokuthela uwoyela wezimoto elibandakanya –

(a) ihhovisi labaphathi elisegalaji lokuthela uwoyela;

(b) indawo yokuwasha izimoto;

(c) indawo yokukhanda okungatheni emotweni; kanye

(d) nezindlu zangasese zamakhasimende;”;

(ii) ngokushintsha indawo “yeGalaji” kwiThebula C oHlelweni 1;

(iii) ngokushintsha indawo “yeGalaji” kwiThebula B oHlelweni 2;

(iv) ngokuhlelwa nokuklanywa kweNgxenye 2 ehlongozwayo yeSiza 15449 e-Newcastle ngokuhambisana nePulani yokuma kweNdawo D39/L1, yamhla zingama-22 kuNhlolanja 2010;

(b) ukugunyazwa kwemvume ekhethekile ngokwesigaba 67*bis* se-Odinensi yokuHlelwa kwamaDolobha, 1949 (i-Odinensi No. 27 ka 1949) yesitolo kuncike kule mibandela elandelayo –

(i) isitolo singasetshenziselwa kuphela ukudayisa ukudla, iziphuzo, amaphephandaba, amabhuku, izimonyo, okokukhanda izimoto okungatheni nezinye ezimpahla ezidingeka ngokushesha; futhi

(ii) isitolo angeke sibe ngaphezulu kwama-300 m<sup>2</sup>; futhi

(c) nezigaba 10(2), 23(1) no 75(1)(a) no (b) zoMthetho wokuHlela neNtuthuko waKwaZulu-Natali, 2008 (uMthetho No. 6 ka 2008) ngeke zisebenze endaweni okuthuthukiswa kuyo umhlaba ngenhloso yalokho kuthuthukiswa ngokuhambisana nemibandela yokuvunywa kwesicelo 2009/191; futhi

(d) izinhlinzeko zoMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977), neminye imithetho elawula ukwakhiwa kwezakhiwo endaweni okuthuthukiswa kuyo umhlaba ziyiqhubeka nokusetshenziswa endaweni okuthuthukiswa kuyo umhlaba.

MA DE LANGE, isiKhulu esiQokiwe

Usuku:

iNkomba yefayela: 2010/86

## UHLELO 1

Igalaji	Indawo eshiyiwe yotshani	Igalaji lokuthela uwoyela	Indawo yokukhanda izimoto Isitolo Isakhiwo sokwenza umsebenzi okhiqizwa iMboni	Izakhiwo nokunye ukusetshenziswa okungekho ohlwini (3) no (4)
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## UHLELO 2

INDAWO ESETSHENZISWAYO	UBUKHULU OBUVUMELEKILE BEPHANSI: UBUBANZI: UKUPHAKAMA KWESAKHIWO	OKUVUMELEKILE OKWENGEZIWE	
Igalaji	0.40: akunamkhawulo: 2	Ingxenye 2 yeSiza 15449 e-Newcastle kumele ibe nale mibandela elandelayo: (a) Umngcele wokwakha wamamitha ayi-5 ogudle umgwaqo ongenela egalaji lokuthela uwoyela kusuka ku-Memel Road no-Main Road. (b) Indawo yonke yephansi lezakhiwo, ngaphandle kompheme wamaphampu okuthela izimoto, angeke libe ngaphezu kwama-1200m <sup>2</sup> .	Indawo eshiyiwe yotshani

## DEPARTEMENT VAN KOÖPERATIEWE REGERING EN TRADISIONELE SAKE

**WET OP ONTWIKKELINGSFASILITERING, 1995: ERF 1 EN ERF 2 BHOBHOYI (GEDEELTES 1 EN 2 VAN DIE PLAAS MASINEGE NO. 17237), FASE 1 BHOBHOYI, HIBISKUSKUS MUNISIPALITEIT**

Ingevolge artikel 33(4) van die Wet op Ontwikkelingsfasilitering, 1995 (Wet No. 67 van 1995), het die Ontwikkelingstribunaal die ontwikkeling van 155 Spesiale Sone 13 (Residensieel 100 m<sup>2</sup>) erwe, 543 Spesiale Sone 14 (Residensieel 200 m<sup>2</sup>) erwe, 8 Spesiale Sone 15 (Gemengde Residensieel) erwe, 1 Gesondheids- en Maatskaplike Dienste 2 erf, 1 Gesondheids- en Maatskaplike Dienste 3 erf, 4 Opvoedkunde-erwe, 2 Administratiewe erwe, 6 Veelvoudige Kleinhandel 1 erwe, 19 Openbare Oopspasie erwe, 2 Aktiewe Oopspasie 1 erwe, en 2 Openbare Parkeerterreinerwe op Gedeeltes 1 en 2 van die plaas Masinege No. 17237, Registrasie-afdeling ET, Masinege Dorpsontwikkelingsfase 1, Hibuskus Munisipaliteit goedgekeur, behoudens die volgende stigtingsvoorwaardes betreffende grondgebruiksbestuur, die toepassing van wette en die opheffing van beperkingsvoorwaardes en serwitute –

(a) die wysiging van die Port Shepstone Dorpsbeplanningskema deur –

(i) die vervanging van die omskrywing van "Tuisaktiwiteit" met die volgende omskrywing –

2.8.2 "Tuisaktiwiteit" beteken 'n aktiwiteit of gebruik, tesame met 'n woning of residensiële gebou, of struktuur opgerig op die terrein van 'n bestaande woning of residensiële gebou wat –

(a) beperk sal wees tot die eienaar van die eiendom, wat daarop sal woon, met dien verstande dat die plaaslike owerheid, in buitengewone omstandighede, en indien hy tevrede is dat die primêre gebruik van die woonhuis as 'n woning op geen manier benadeel sal word nie, die aktiwiteit kan toelaat om daarop bedryf te word deur 'n persoon anders as die eienaar;

(b) nie arbeid aan meer as vier motors sal behels nie, met dien verstande dat die Raad, in buitengewone omstandighede en indien hy tevrede is dat die primêre gebruik van die woonhuis as 'n woning en die aantreklike voorkoms van die buurt op geen manier benadeel sal word nie, kan toelaat dat arbeid aan meer as vier motors plaasvind;

(c) nie die parkering van enige voertuig met 'n tarra massa wat 2 000 kg oorskry sal behels nie, en wat geparkeer is op, of langs, die perseel;

(d) nie die gereelde byeenkoms van meer as vyf persone op die perseel of die indiensneming van meer as drie persone op die perseel sal behels nie;

(e) nie enige aktiwiteit of arbeid tussen 18h00 en 07h30 sal behels nie, met uitsondering van die uitdruklike goedkeuring van die plaaslike owerheid;

(f) nie 'n vloeroppervlakte sal beslaan nie wat groter is as 10% van die totale gebied van die perseel, wat nie 50 m<sup>2</sup> sal oorskry nie, met uitsondering van die goedkeuring van die plaaslike owerheid;

(g) die oprigting sal behels van 'n reklamebord wat die aard van die aktiwiteit aandui en wat nie groter is as 600 mm by 450 mm nie. Sodanige teken sal bestaan uit 'n materiaal en sal van 'n styl en lettergrootte wees wat die residensiële karakter van die woning komplementeer, en wat op die hoofmuur van die gebou aangebring sal word, en tot die bevrediging van die plaaslike owerheid sal wees;

(h) nie 'n geraasvlak genereer wat 7 db bo die omringende geraasvlak, soos gemeet op enige punt van die eiendomsgrens, sal oorskry nie;

(i) nie voldoende verkeer genereer wat die voorsiening van addisionele parkering regverdig nie;

(j) nie die verstrekking van enige residensiële adres in enige advertensie van die aktiwiteit sal behels nie;

(k) nie enige grootskaalse berging van goedere of items wat verband hou met die advertensie van die aktiwiteit sal insluit nie;

(l) in die geval van die daarstelling van 'n kinderoppasser-speelskool –

(i) in die algemeen deur slegs een persoon, wat op die eiendom sal woon, bedryf sal word, alhoewel 'n assistent in diens geneem mag word met die diskresie van die plaaslike owerheid;

(ii) beperk sal word tot die akkommodasie en sorg van nie meer as twaalf kinders nie, met uitsondering van dié van die aansoeker;

(iii) beperk sal word om werksaam te wees tussen 07h00-17h30; en

- (iv) sal nie die verkoop van drank of enige alkoholiese drankies insluit nie.”; en
- (ii) die vervanging van klousule 10.2(i) met die volgende klousule –
- “(i) Die kant- en agterspases van persele en onderverdelings in die verskillende reservate en sones word beskryf in Tabela 1a, 1b en 1c en Tabel 4.”;
- (iii) die invoeging na Spesiale Sone 12 van Tabel 4 van die spesiale sones in Bylae 1; en
- (iv) die uitleg en sonering van die grondontwikkelingsgebied in ooreenstemming met 97L02P06 gedateer Februarie 2001; en
- (b) artikels 11, 11*bis*, 12, 16-28, 35–39, 44, 45, 47, 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 hierdie stigtingsvoorwaardes se goedkeuring van aansoek 2000/1382 nie;
- (c) die bepaling van die Wet op die Onderverdeling van Landbougrond, 1970 (Wet No. 70 van 1970), sal nie van toepassing wees op die grondontwikkelingsgebied nie;
- (d) 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 voortgaan om van toepassing te wees op die grondontwikkelingsgebied;
- (e) die opheffing van voorwaardes 3.1, 3.2 en 3.3 van Transportakte No. 16027/2000 wat betrekking het op Gedeelte 1 van Perseel 4 Marburg Nedersetting No. 5127, wat onderverdeling van die grond verbied, wat die gebruik van die grond beperk tot 'n woonhuis en die gebruik van die grond vir besigheidsdoeleindes verbied; en
- (f) die opheffing van voorwaardes 2.1 en 2.2 van Transportakte No. 28473/98 wat betrekking het op die Restant van die plaas Merlewood No. 14425, wat die gebruik van die grond beperk tot 'n woonhuis, woondoeleindes en landboudoeleindes en die gebruik van die grond vir besigheidsdoeleindes of nywerheidsdoeleindes verbied.

**MA DE LANGE**, Aangewese Beampte

Datum:

Lêerverwysing: 2000/1382

## BYLAE 1

<b>SPESIALE SONE 13 (RESIDENSIEEL (100 m<sup>2</sup>))</b>	
13.1 Erfnommer(s)	Erwe 26-29, 31-36, 38-44, 46-49, 52-55, 58-64, 74-76, 80-87, 89-93, 96-102, 104-108, 110-113, 124-126, 129-134, 136-141, 169-172, 175-179, 181-184, 186, 189-194, 196-200, 203-214, 243-250, 253-260, 650-655, 659-675
13.2 Toegelate Gebruike	<ul style="list-style-type: none"> <li>• Enkel-familie Woonhuis</li> <li>• Buitegebou (Menslike Bewoning)</li> <li>• Buitegebou (Nie-Menslike Bewoning)</li> <li>• Tuisaktiwiteit</li> </ul>
13.3 Gebruike Toegelaat slegs met Munisipaliteit se toestemming	<ul style="list-style-type: none"> <li>• Tuisnywerheid</li> <li>• Bed-en-ontbyt</li> </ul>
13.4 Verbode gebruike	Geboue en grondgebruike nie genoem in 13.2 or 13.3 van hierdie tabel nie
13.5 Maksimum Toegelate Vloeroppervlakverhouding, Dekking, Hoogte:	0,70 : 60 : 2
13.6. Bykomende Beheer	<ul style="list-style-type: none"> <li>• Minimum erfgröotte: 100 m<sup>2</sup></li> <li>• Boulyn: 3 m</li> <li>• Kantspasie: 0 m langs beide kantgrense van die erf</li> </ul>

<b>SPESIALE SONE 14 (RESIDENSIEEL (200 m<sup>2</sup>))</b>	
14.1. Erfnommer(s)	Erwe 4-18, 30, 45, 51, 70-71, 77, 79, 88, 94-95, 103, 114-123, 135, 142-150, 152-156, 158-168, 173-174, 180, 185, 187-188, 195, 201-202, 215-218, 223-242, 251-252, 262-293, 295-332, 334-339, 341-399, 401-403, 410-423, 425-544, 546-591, 593-641, 644-649, 656-658, 677-711, 713-744, 746-750
14.2 Toegelate Gebruike	<ul style="list-style-type: none"> <li>• Enkel-familie Woonhuis</li> <li>• Buitegebou (Menslike Bewoning)</li> <li>• Buitegebou (Nie-Menslike Bewoning)</li> <li>• Tuisaktiwiteit</li> </ul>
14.3 Gebruike Toegelaat slegs met Munisipaliteit se toestemming	<ul style="list-style-type: none"> <li>• Tuisnywerheid</li> <li>• Bed-en-ontbyt</li> </ul>
14.4 Verbode gebruike	Geboue en grondgebruike nie genoem in 14.2 or 14.3 van hierdie tabel nie
14.5 Maksimum Toegelate Vloeroppervlakverhouding, Dekking, Hoogte	0,50 : 50 : 2
14.6. Bykomende Beheer	<ul style="list-style-type: none"> <li>• Minimum erfgröotte: 200 m<sup>2</sup></li> <li>• Boulyn: 3 m</li> <li>• Kantspasie: 2,0 m langs een kantgrens van die erf</li> </ul>

<b>SPESIALE SONE 15 (GEMENGDE RESIDENSIEEL)</b>	
15.1 Erfnommer(s)	Erwe 56, 57, 65, 67, 68, 69, 72, 73
15.2 Toegelate Gebruike	<ul style="list-style-type: none"> <li>• Enkel-familie Woonhuis</li> <li>• Buitegebou (Menslike Bewoning)</li> <li>• Buitegebou (Nie-Menslike Bewoning)</li> <li>• Tuisaktiwiteit</li> </ul>
15.3 Gebruike toegelaat slegs met Munisipaliteit se toestemming	<ul style="list-style-type: none"> <li>• Tuisnywerheid</li> <li>• Bed-en-ontbyt</li> </ul>
15.4 Verbode gebruike	Geboue en grondgebruike nie genoem in 15.2 or 15.3 van hierdie tabel nie
15.5 Maksimum Toegelate Vloeroppervlakverhouding, Dekking, Hoogte:	0,70 : 60 : 2
15.6. Bykomende Beheer	<ul style="list-style-type: none"> <li>• Minimum erfgrötte: 200 m<sup>2</sup></li> <li>• Boulyn: 3 m</li> <li>• Kant: 2,0 m langs een kantgrens van die erf</li> <li>• Die erf sal voertuigverkeertoegang tot die 16 m taxi-roete binne Masinege dorp hê</li> </ul>

**DEPARTEMENT VAN KOÖPERATIEWE REGERING EN TRADISIONELE SAKE****WET OP ONTWIKKELINGSFASILITERING, 1995: RESTANT VAN GEDEELTE 18 VAN PERSEEL 69 NO. 917, REGISTRASIE-AFDELING FU, BEKEND AS BLUE GUM LANDGOED, KWADUKUZA MUNISIPALITEIT**

Ingevolge artikel 33(4) van die Wet op Ontwikkelingsfasilitering, 1995 (Wet No. 67 van 1995), het die Ontwikkelingstribunaal die ontwikkeling van Blue Gum Residensiële Landgoed bestaande uit 26 Perderuitergebruikerwe, 6 Privaat Ontspanningsgebied erwe, en 3 Privaatpad erwe op Restant van Gedeelte 18 van Perseel 69 No. 917, Registrasie-afdeling FU KwaDukuza Munisipaliteit goedgekeur, behoudens die volgende stigtingsvoorwaardes met betrekking tot grondgebruikbestuur en toepassing van wette –

(a) die Umhlali Strandskema word gewysig deur –

(i) die invoeging van spesiale sone Blue Gum Landgoed, soos bedoel in Bylae 1;

(ii) die uitleg en sonering van die grondontwikkelingsgebied in ooreenstemming met Uitlegplan tekening No. 2638/4, gedateer 2 Junie 2011;

(b) artikels 23(1), 40(1), 75(1)(b) en 75(1)(c) van die KwaZulu-Natal Wet op Beplanning en Ontwikkeling (Wet No. 6 van 2008), sal nie van toepassing wees nie op die grondontwikkelingsgebied vir die doel van die ontwikkeling daarvan in ooreenstemming met die goedkeuringsvoorwaardes van aansoek 2009/155; en

(c) 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 voortgaan om van toepassing op die grondontwikkelingsgebied.

**MA DE LANGE**, Aangewese Beampte

Datum:

Lêerverwysing: 2009/155



## BYLAE 1

## TABEL C

## GEBRUIKSONE – BLUE GUM LANDGOED

1 GEBRUIK- SONE	2 VERWYSINGS- NOMMER	3 DOEL WAARVOOR GEBOUW OPGERIG EN GEBRUIK MAG WORD EN GROND GEBRUIK MAG WORD	4 DOEL WAARVOOR GEBOUW OPGERIG EN GEBRUIK MAG WORD EN GROND GEBRUIK MAG WORD SLEGS MET TOESTEMMING RAAD	5 DOEL WAARVOOR GEBOUW NIE OPGERIG OF GEBRUIK MAG WORD NIE OF GROND NIE GEBRUIK MAG WORD NIE
		<p>3. Landbougrond (beperk tot suikerrietboerdery en plantasie)</p> <p>8. Bewaringsgebied</p> <p>10. Woonhuis</p> <p>24. Privaat Ontspanningsgebied</p> <p>Perderuitergebruik (onbeperk vir Erf 496)</p> <p>Perderuitergebruik (beperk op Erwe 490-495 en 497-515 vir gebruik van beperkte aanhou van perde en afrigtings-fasiliteite)</p>	<p>7. Kommerisiële Werkwinkel</p> <p>Gemeenskapsentrum</p> <p>9. Kleuterskool</p> <p>11. Opvoedkundige gebou</p> <p>16. Kitswassery</p> <p>20. Kantoorgebou</p> <p>22. Plek van Openbare Vermaaklikheid</p> <p>23. Plek van Openbare Byeenkoms</p> <p>25. Openbare Kantoor</p> <p>26. Ontspanningsgebou</p> <p>28. Restaurant</p> <p>32. Winkel (beperk tot 200 m<sup>2</sup> Totale Verhuurbare Oppervlakte)</p>	<p>1. Landbougebou</p> <p>2. Landboumywerheid</p> <p>4. Wedderydepot</p> <p>5. Karavaanpark</p> <p>6. Chaletontwikkeling</p> <p>12. Ekstraktiewe bedryf</p> <p>13. Begrafnisonderneming</p> <p>14. Motorhawe</p> <p>17. Ligte Nywerheidsgebou</p> <p>19. Mobiele Woning</p> <p>21. Parkeergarage</p> <p>29. Beperkte gebou</p> <p>30. Diensbedryfsgebou</p> <p>31. Diensstasie</p> <p>33. Spesiale Nywerheidsgebou</p> <p>34. Pakhuus</p>

TABEL D  
BLUE GUM LANDGOED

GEBRUIKSONE	MAKSIMUM TOEGELAAT		OPMERKINGS OOR VOORWAARDES MET BETREKKING TOT ONTWIKKELING
	Vloeroppervlak -verhouding	Dekking	
	0,35	30%	2
			<p>1. Ontwikkeling en grondgebruik sal beduidend in ooreenstemming wees met die voorstelle weergegee op Uitlegplan 2638/4, wysigings aan hierdie plan kan toegelaat word met die diskresie van die Ontwikkelingstribunaal of sy regsopvolger in titel.</p> <p>2. Akkommodasie vir motorvoertuie sal voorsien word soos per klousule 6.5.</p> <p>3. Ontwikkeling sal onderhewig wees aan die bepalinge vir rioolverwydering, stormwater, watervoorsiening, vullisverwyderingstelsel en van ander noodsaaklike dienste tot die bevrediging van die Plaaslike Munisipaliteit.</p> <p>4. Die minimum erfgrootte sal 10 000 m<sup>2</sup> wees (behalwe vir erwe 503-506 wat nie minder as 2 500 m<sup>2</sup> sal wees nie).</p> <p>5. Boulyne sal 5 m wees.</p> <p>Kant- en agterspases sal 3 m wees.</p> <p>Verslapping van boulyne, kantspases, agterspases en hoogte sal wees met die diskresie van die Huiiseienaarsvereniging en die Plaaslike Munisipaliteit.</p> <p>6. 'n Gemeenskaplike argitektoniese tema sal van toepassing wees op alle nuwe geboue.</p> <p>7. 'n Huiiseienaarsvereniging sal daargestel word en elke grondeienaar sal aan die Huiiseienaarsvereniging behoort en sy reëls nakom.</p> <p>8. Elke erf sal beskik oor 'n Perseelontwikkelingsplan, Landkapsplan en Bouplan, voorberei vir die erf deur die eienaar, en goedgekeur deur die Plaaslike Munisipaliteit voor enige konstruksie of ontwikkeling op die erf begin. Met dien verstande dat sodanige planne skriftelik aanbeveel word vir vooraf goedkeuring deur die Huiiseienaarsvereniging voor voorlegging aan die Plaaslike Munisipaliteit.</p> <p>9. Die hele terrein sal beheer en bestuur word kragtens die landskaps- en bewaringsprotokol, wat tot die bevrediging van die Plaaslike Munisipaliteit sal wees.</p> <p>10. 'n Nie-bewoonbare kelder 50% laer as die natuurlike grondvlak sal nie as 'n verdieping beskou word nie.</p> <p>11. Eenhede met 'n afstaphelling mag twee verdiepings oorskry met die diskresie van die Huiiseienaarsvereniging en Plaaslike Munisipaliteit.</p> <p>12. Verwydering van perd-verwante afvalprodukte moet uitgevoer word op sodanige wyse dat dit die Huiiseienaarsvereniging, die Plaaslike Munisipaliteit en Departement van Landbou en Omgewingsake tevrede stel.</p>

No. 148

5 Desember 2012

## DEPARTEMENT VAN KOÖPERATIEWE REGERING EN TRADISIONELE SAKE

**WET OP ONTWIKKELINGSFASILITERING, 1995: VOORGESTELDE GEDEELTE 2 VAN ERF 15449 NEWCASTLE, NEWCASTLE MUNISIPALITEIT**

Ingevolge artikel 33(4) van die Wet op Ontwikkelingsfasilitering, 1995 (Wet No. 67 van 1995), het die Ontwikkelingstribunaal die ontwikkeling van 'n diensstasie op voorgestelde Gedeelte 2 van Erf 15499 Newcastle, Registrasie-afdeling HS, Newcastle Munisipaliteit goedgekeur, behoudens die volgende stigtingsvoorwaardes met betrekking tot grondgebruiksbestuur en die toepassing van wette –

- (a) die Newcastle skema word gewysig deur –
  - (i) die vervanging van die omskrywing van "diensstasie" met die volgende omskrywing –
    - ""**Diensstasie**" beketen 'n gebou wat gebruik word vir motorvoertuig-brandstofinname wat kan insluit –
      - (a) 'n kantoor vir die administrasie van die diensstasie;
      - (b) 'n motorwassery;
      - (c) 'n werkwinkel vir geringe herstelwerk aan motorvoertuie; en
      - (d) ablusiegeriewe vir klante;"
    - (ii) die vervanging van "Garage" sone in Tabel C van die sone in Bylae 1;
    - (iii) die vervanging van "Garage" sone in Tabel D van die sone in Bylae 2;
    - (iv) die uitleg en sonering van voorgestelde Gedeelte 2 van Erf 15449 Newcastle in ooreenstemming met Terrein-uitlegplan D39/L1, gedateer 22 Februarie 2010;
- (b) die toestaan van spesiale toestemming ingevolge artikel 67*bis* van die Ordonnansie op Dorpsbeplanning, 1949 (Ordonnansie No. 27 van 1949), vir 'n winkel behoudens die volgende voorwaardes –
  - (i) die winkel mag slegs gebruik word vir die verkoop van voedsel, drinkgoed, koerante, tydskrifte, toiletware, nood-motorvoertuigonderdele en ander geriefsartikels; en
  - (ii) die winkel mag nie 300 m<sup>2</sup> oorskry nie; en
- (c) artikels 10(2), 23(1) en 75(1)(a) en (b) van die KwaZulu-Natal Wet op Beplanning en Ontwikkeling, 2008 (Wet No. 6 van 2008), is nie van toepassing nie op die grondontwikkelingsgebied vir die doel van die ontwikkeling daarvan in ooreenstemming met die goedkeuringsvoorwaardes van aansoek 2009/191; en
- (d) die bepalings van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet No. 103 van 1977), en enige ander wet wat die oprigting van geboue binne die grondontwikkelingsgebied beheer, is van toepassing op die grondontwikkelingsgebied.

**MA DE LANGE**, Aangewese Beampte

Datum:

Lêerverwysing: 2010/86

## BYLAE 1

1	2	3	3	4
Garage	Donkerpers raam	Diensstasie	Duikklopper-werkswinkel Winkel Diensbedryfsgebou	Geboue en ander gebruike nie ingesluit in kolomme (3) en (4) nie

## BYLAE 2

SONE	MAKSIMUM TOEGELATE VLOEROPPERVLAKVERHOUDING DEKKING GEBOU HOOGTE	BYKOMENDE BEPALINGS	
Garage	0.40: geen beperking : 2	Gedeelte 2 van Erf 15449 Newcastle sal onderhewig wees aan die volgende voorwaardes – (a) 'n Boulyn van 5 meter langs die pad wat toegang verskaf aan die diensstasie vanaf Memelweg en Hoofweg; en (b) Die totale vloeroppervlakte vir geboue, uitgesluit die dak oor die pompstasie, mag nie 1 200 m <sup>2</sup> oorskry nie.	Donkerpers raam