



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)
(Irejistiwee njengephephandaba eposihhovisi)*

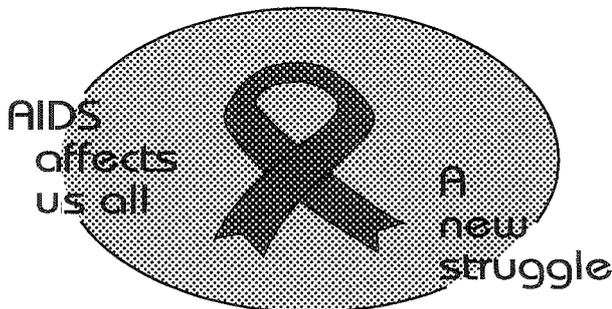
Vol. 5

PIETERMARITZBURG,

21 APRIL 2011
21 kuMBASA 2011

No. 575

We all have the power to prevent AIDS



**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

Prevention is the cure

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



IMPORTANT NOTICE

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

CONTENTS

<i>No.</i>		<i>Page</i>
PROVINCIAL NOTICES		
38	Less Formal Township Establishment Act, 1991: Designation of land for less formal settlement: Portion of Portion 3 of Erf 388, Portion of Remainder of Erf 388, etc., Zeekoe Vallei.....	3
39	do.: do.: Portion 12 of Erf 365, Tongaat, Burbreeze, Ethekwini Municipality	5
40	do.: do.: Portion of the farm Mtuzuma No. 17504 and Portions of Portions 57/5, 70/5, 71/5 of Rem of 72/5 and 79/5, etc.....	11
41	do.: do.: Proposed subdivision of Portion 7 of Farm 1247 and a Portion of Remainder of Farm 1092, Estcourt, Kwezi Hostels, Umtshezi Municipality	16
42	do.: do.: Farm Gugulethu No., 18351, Gugulethu.....	22
43	do.: do.: Portion of Portion 41, farm Franklin No. 122, Franklin Low Cost Housing, Greater Kokstad Municipality: Correction notice	27
44	Development Facilitation Act, 1995: Portion of the farm Amavuba No. 15861, Bonamanzi, Big 5 False Bay Municipality	27
45	do.: Portions 51 and 52 (of 45) and Remainder of Portion 45 of the farm Lot 72 No. 1526, KwaDukuza Municipality	28
46	do.: Portion 25 of the farm Lucas No. 2626, Wozani Ridge, Hibiscus Coast Municipality	31

<i>No.</i>		<i>Ikhasi</i>
IZAZISO ZESIFUNDAZWE		
38	Umthetho wokusungulwa kwamalokishi angahlelekile ngokuphelele, 1991: Ukwabiwa komhlaba wezakhiwo ezingahlelekile ngokuphelele; ingxenye yeNgxenye 3 yeSiza 388, ingxenye yensalela yeSiza 388, iNgxenye 3 yeSiza 389, iNgxenye 9 yeSiza 389, ingxenye yensalela yeSiza 389, ingxenye yensalela yeNgxenye 1 yeSiza 390, ingxenye yensalela yeNgxenye 4(yoku-1) yeSiza 390, iNgxenye 2 yeSiza 390, iNgxenye 6 (ye-4) yeSiza 390, iNgxenye 8 (yoku-1) yeSiza 390, ingxenye yensalela yeNgxenye 1 yeSiza 409, iNgxenye 2 yeSiza 409, iNgxenye 5 (yoku-1) yeSiza 409, iNgxenye 12 yeSiza 409 nengxenye yeNgxenye 13 yeSiza 409, yonke i-Zeekoe Vallei nengxenye yensalela yeSiza 104 nengxenye yensalela yeSiza 105 yezindawo zombili zase-Newlands, eyaziwa ngokuthi "I-KwaMashu Newlands Interface Project", kuMasipalawaseThekwini	32
39	do.: Ukwabiwa komhlaba wezakhiwo ezingahlelekile ngokuphelele; iNgxenye 12 yeSiza 365 oThongathi, E-Burbreeze, kuMasipala waseThekwini	34
40	do.: Ingxenye yepulazi iNtuzuma No. 17504 neZingxenye 57/5, 70/5, 71/5 Zensalela yama-72/5, No-79/5 nensalela yeNgxenye 247/50 ze-Piezang Rivier No. 804 ziZohlanganiswa kwakhiwe iSiza 2301 eNtuzuma, eNtuzuma D Phase 2 No 3 kuMasipala waseThekwini	40
41	do.: Ukwabiwa komhlaba wezakhiwo ezingahlelekile ngokuphelele; ukuhlukaniswa iziqephu okuhlongozwayo kweNgxenye 7 yePulazi 1247 nengxeneyensalela yePulazi 1092 Estcourt, E-Kwezi Hotels, kuMasipala waseMtshezi.....	46
42	do.: Ukabiwa komhlaba wokwakha izakhiwo ezingahlelekile ngokuphelele ePulazini iGugulethu No. 18351 (Ukuhlanganiswa kweNgxenye 1 nensalela yepulazi I-Groot Geluk No. 2 No. 6416, nepulazi I-Vogel Bek No. 10938 nepulazi I-Paddock No. 12728) eGugulethu, kuMasipala wasoKhahlamba	51
43	do.: Ukwethulwa kwezakhiwo ezingahlelekile ngokuphelele; ingxenye yeNgxenye 41 yePulazi No. 122, I-Franklin Low Cost Housing, kuMasipala wase Greater Kokstad: Isaziso	56
44	UMthetho wokulungiselela iNtuthuko, 1995: ngxenye yepulazi Amavuba No. 15861, eBonamanzi, kuMasipala wase-Big 5 False Bay.....	56
45	do.: Ingxenye 51 No. 52 (ka-45) nensalela yeNgxenye 34 yeSiza sePulazi 72 No. 1526 (iSiza 1588 E-Shakas Head-Imbonini Service Park Phase 2), kuMasipala waKwaDukuza	57
46	do.: Ingxenye 25 yepulazi i-Lucas No. 2626, E-Wozani Ridge, kuMasipala wase-Hibiscus Coast.....	60

PROVINCIAL NOTICES—IZAZISO ZESIFUNDAZWE

No. 38**21 April 2011****DEPARTMENT OF CO-OPERATIVE GOVERNMENT AND TRADITIONAL AFFAIRS**

LESS FORMAL TOWNSHIP ESTABLISHMENT ACT, 1991: DESIGNATION OF LAND FOR LESS FORMAL SETTLEMENT; PORTION OF PORTION 3 OF ERF 388, PORTION OF REMAINDER OF ERF 388, PORTION 3 OF ERF 389, PORTION 9 OF ERF 389, PORTION OF REMAINDER OF ERF 389, PORTION OF REMAINDER OF PORTION 1 OF ERF 390, PORTION OF REMAINDER OF PORTION 4(OF 1) OF ERF 390, PORTION 2 OF ERF 390, PORTION 6 (OF 4) OF ERF 390, PORTION 8 (OF 1) OF ERF 390, PORTION OF REMAINDER OF PORTION 1 OF ERF 409, PORTION 2 OF ERF 409, PORTION 5 (OF 1) OF ERF 409, PORTION 12 OF ERF 409 AND PORTION OF PORTION 13 OF ERF 409 ALL OF ZEEKOE VALLEI AND PORTION OF REMAINDER OF ERF 104 AND PORTION OF REMAINDER OF ERF 105 BOTH OF NEWLANDS, KNOWN AS "KWAMASHU NEWLANDS INTERFACE PROJECT", ETHEKWINI MUNICIPALITY

In terms of section 3(1)(b), (2)(a) and (6) (a) and (b) of the Less Formal Township Establishment Act, 1991 (Act No. 113 of 1991), I —

- (a) designate Proposed Portion of Portion 3 of Erf 388, Portion of Remainder of Erf 388, Portion 3 of Erf 389, Portion 9 of Erf 389, Portion of Remainder of Erf 389, Portion of Remainder of Portion 1 of Erf 390, Portion of Remainder of Portion 4(of 1) of Erf 390, Portion 2 Of Erf 390, Portion 6 (of 4) of Erf 390, Portion 8 (of 1) of Erf 390, Portion of Remainder of Portion 1 of Erf 409, Portion 2 of Erf 409, Portion 5 (of 1) of Erf 409, Portion 12 of Erf 409 and Portion of Portion 13 of Erf 409 all of Zeekoe Valleï and Portion of Remainder of Erf 104 and Portion of Remainder of Erf 105 both of Newlands as shown on Plan Number 1/001 dated March 2004, Registration Division FT, known As "Kwamashu Newlands Interface Project", eThekwini Municipality, as land for less formal settlement;
- (b) suspend the conditions listed in the Schedule to this notice;
- (c) declare that the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949), is applicable to the less formal settlement, except for sections 11, 11*bis*, 12, 16-27, 33, 35, 36 and 39 of the Ordinance which shall not apply to the establishment of the less formal settlement in accordance with the conditions of approval of application 2004/430; and
- (d) withdraw Notice No. 718 which was published in Provincial Gazette No. 6404, dated 12 May 2005.

ML POVALL, Manager: Development Administration

Date: 14 March 2011

File reference: 2004/430

SCHEDULE

- (1) = Property description
- (2) = Deed, condition
- (3) = Scope of suspension

(1) Sub 1173 (a Sub of 1 of Umtata) of the farm Zeekoe Vallei No.787

- (2) T1072/1978 and T 2587/1957, B., C., D
- (3) Suspension of conditions of title that creates aqueduct and rights of way servitudes

(1) Remainder of Portion 1 of Erf 409 Zeekoe Vallei

- (2) T52996/1999, 2.2.2., 3
- (3) Suspension of conditions of title that creates aqueduct and rights of way servitudes

(1) Sub C of Lot 13 of the farm Zeekoe Vallei No. 787

- (2) T7107/1979, B.(i), B.(ii), C.
- (3) Suspension of conditions of title that creates aqueduct and rights of way servitudes

(1) Remainder of Lot 13 of the farm Zeekoe Vallei No. 787

- (2) T7107/1979, B.(i), B.(ii), C.
- (3) Suspension of conditions of title that creates aqueduct and rights of way servitudes

(1) Remainder of Lot C of Lot 14 of the farm Zeekoe Vallei No. 787

- (2) T7107/1979, B., C.(i), C.(ii), D.
- (3) Suspension of conditions of title that creates aqueduct and rights of way servitudes

(1) Remainder of Sub 14 of Zeekoe Vallei No. 787

- (2) T7751/1982, B.
- (3) Suspension of condition of title that creates rights of way servitudes.

(1) Remainder of Lot C of Lot A of Lot 15 of the farm Zeekoe Vallei No. 787

- (2) T7107/1979, B., C.(i), C.(ii), D.
- (3) Suspension of conditions of title that creates aqueduct and rights of way servitudes

(1) Sub 1 of Lot C of Lot 14 Zeekoe Vallei

- (2) T9559/1982, B., C., D.
- (3) Suspension of conditions of title that creates aqueduct and rights of way servitudes

-
- (1) **Remainder of Erf 105 Newlands Township**
 - (2) T14803/1979, B.
 - (3) Suspension of condition of title that creates rights of way servitudes
-
- (1) **Sub 1170 (a Sub of C of A of 15) Zeekoe Vallei**
 - (2) T1072/1978 and T2587/57, B., C., D.
 - (3) Suspension of conditions of title that creates aqueduct and rights of way servitudes
-
- (1) **Sub 1178 (of 14) of the farm Zeekoe Vallei No.787**
 - (2) T1073/1978 and T2795/1961, Third: (b)
 - (3) Suspension of condition of title that creates rights of way servitudes
-
- (1) **Sub 12 (of 1) of Lot 409 Zeekoe Vallei**
 - (2) T17667/1993, 2.1, 2.2, 3.
 - (3) Suspension of conditions of title that creates aqueduct and rights of way servitudes
-
- (1) **Portion B of Lot 15 of the farm Zeekoe Vallei No. 787**
 - (2) T1073/1978 and T 2795/1961, Seventh: (b), (c), (d)
 - (3) Suspension of conditions of title that creates tramline and rights of way servitudes
-
- (1) **Sub 1174 (a Sub of Umtata) of the farm Zeekoe Vallei No. 787**
 - (2) T5962/1958, (B) 1.
 - (3) Suspension of condition of title that creates road servitudes
-

LESS FORMAL TOWNSHIP ESTABLISHMENT ACT, 1991: DESIGNATION OF LAND FOR LESS FORMAL SETTLEMENT; PORTION 12 OF ERF 365 TONGAAT, BURBREEZE, ETHEKWINI MUNICIPALITY

In terms of section 3(1)(b), (2)(a), (5)(h), (6) (a) and 4(1) of the Less Formal Township Establishment Act, 1991 (Act No. 113 of 1991) I designate Portion 12 of Erf 365 Tongaat, Registration Division FU, Burbreeze, eThekwini Municipality, as a less formal settlement subject to the following conditions of establishment relating to land use management, the application of laws and the suspension of conditions of title —

- (a) the less formal settlement must be laid out and developed in accordance with layout plan No. 2005/04d, dated 10 July 2009 (Erven 4921, 4925 and 4926 Tongaat do not form part of this less formal settlement even though they are reflected on the layout);
- (b) the conditions contemplated in Schedule 1 shall apply to the less formal settlement until a scheme is adopted for it in accordance with any law;

(c) section 211 and 212 of the Local Authorities Ordinance, 1974 (Ordinance No. 25 of 1974) relating to the closure of public places and public roads is suspended for the purposes of closing the following public places and public roads —

- (i) erven 4954, 4956, 4957 (public places); and
- (ii) Remainder of Portion 12 of Erf 365 (public road);

(d) the KwaZulu –Natal Planning and Development Act, 2008 (Act No.6 of 2008), is applicable to the less formal settlement, except for the provisions of sections 23(1), 40(1), 75(1)(b) and (c) of the Act which shall not apply to the establishment of the less formal settlement in accordance with the conditions of approval of application 2007/1409; and

(e) the conditions of title listed in the Schedule 2 are suspended.

ML POVALL, Manager: Development Administration

Date: 14 March 2011

File reference: 2007/1409

SCHEDULE 1

GENERAL DEFINITIONS

1. In this Schedule —

"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;

"gross floor area" means the area contained within the external walls of a building measured at each storey between the centre line of party walls and outside of external walls, including the area of balconies which shall be calculated from the overall dimensions of the balcony, but excluding the following —

- (a) covered open-sided pedestrian walkways located outside a building;
- (b) parking lots;
- (c) loading areas;
- (d) areas used for refuse storage;
- (e) basement diaphragm walls;
- (f) curtain wall or cladding systems;
- (g) ledges for air-conditioning units;
- (h) areas designed purely for the maintenance of equipment;
- (i) voids;

"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) a habitable room or rooms in a basement; and
- (d) every 3 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;

LAND USE DEFINITIONS

2. In this Schedule —

"**crèche**" means a building used the care of seven or more infants and young children during the day time absence of their parents or guardians;

"**dwelling douse**" means a free standing building that is used by a single family 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;

"**home activity**" means —

- (a) the practicing of an occupational activity in conjunction with a residence; or
- (b) running a shop that is less than 30m² in conjunction with a residence;

"**institution**" means a building or portion of a building used or designed for use as a charitable institute including the administration thereof, and a building designed for use as a hospital, homes for the aged or for mentally or physically retarded children, nursing home, sanatorium, clinic, convalescent home, orphanage or other building used as a public or private institution;

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

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

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

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

"**restaurant**" means a building which is used for the preparation of food and liquid refreshments for

consumption on the property;

"**shelter**" means a building which is used as a residence which does not comply with the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977);

"**shop**" means a building which is used for the sale of goods;

"**sports and recreation**" means a sport ground, playing field, golf course, athletic track, swimming pool, tennis court, squash court, park or other similar land use.

"**park**" means land kept in its natural state or formally developed as gardens for the purposes of preserving game, walking, riding, relaxation or ornamentation;

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

LAND USE

3. The following land uses are permitted in each use zone —

USE ZONE	PERMITTED USES
Commercial: Erven 10628 and 10629	office place of public worship restaurant shop
Community Facility: Erf 10430	crèche educational building institution office place of public assembly place of public worship private recreational area recreational building
Recreation: Erven 10618, 10395, 10444, 10540	private recreation area park recreational building sports and recreation
Residential: Erven 10313 – 10394, 10396 – 10429, 10431 – 10443, 10445 – 10539, 10541 – 10617, 10619 – 10624	crèche dwelling house home activity place of public worship shelter

SPACES AROUND BUILDINGS

4.(1) (All land uses within the less formal settlement are subject to a street front space of 5 metres, a side space of 2 metres and a rear space of 2 metres.

(2) No building may be erected within a street front space, side space or rear space.

(3) The eThekweni Municipality or any other organ of state may construct services within a street front, side or rear space.

BUILDING HEIGHT RESTRICTIONS

5. No building may be higher than 2 storeys.

COVERAGE

6. (1) A maximum permitted coverage of 80% apply to all land within the community facility use zone.

(2) A maximum permitted coverage of 60% apply to all land within the community facility use zone.

MINIMUM PROPERTY SIZE

7. The following minimum property sizes apply —

USE ZONE	MINIMUM PROPERTY SIZE
Commercial	120m ²
Community Facility	700m ²
Residential	120m ²

PARKING

8.(1) Four parking bays must be provided per 100m² gross floor area in the Community Facility use zone and the Commercial use zone, except for a place of public assembly.

(2) Two parking bays must be provided per 100m² gross floor area in the Commercial Zone for all land uses, except for a restaurant.

(3) Two parking bays must be provided per 100m² for a crèche.

(4) One parking bay must be provided for each 4 seats for a restaurant, a place of public assembly and a place of public worship.

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

HOME ACTIVITY

9.(1) A home activity may not –

- (a) involve the parking of any vehicle with a tare mass exceeding 2 Ton on the property or in the street;
- (b) exceed a floor area of 50m²;
- (c) produce a noise level exceeding 7db 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 playschool, the home activity is limited to the accommodation and care of not more than twelve children, other than the children of the home owner.

SCHEDULE 2

(1) = Street address, property description

(2) = Deed, condition

(3) = Scope of suspension

(1) Portion 12 of Erf 365 Tongaat

(2) Certificate of Registered Title T 9/92, B.

(3) Condition of title that creates a power transmission line servitude

(1) Erven 4954-4957 of Tongaat

(2) Deed of Transfer T 22488/07, B.

(3) Condition of title that creates a power transmission line servitude

(1) Erven 2266-2267, 2273, 2284-2291, 2298-2299, 2320-2321, 2350-2360, 2367-2369, 4894-4895, 4898-4899, 4901-4903, 4906-4915, 4922-4924, 4932-4933, 4943 of Tongaat

(2) Deed of Transfer T 26904/07, B. and C.

(3) Conditions of title that creates omnibus servitudes for services and that creates and a power transmission line servitude

No. 40**21 April 2011**

LESS FORMAL TOWNSHIP ESTABLISHMENT ACT, 1991: PORTION OF THE FARM NTUZUMA NO. 17504 AND PORTIONS OF PORTIONS 57/5, 70/5, 71/5 OF REM OF 72/5, AND 79/5 AND REMAINDER OF PORTION 50/5 AND PORTION 247/50 OF PIEZANG RIVIER NO. 805 TO BE CONSOLIDATED AND DESIGNATED ERF 2301 NTUZUMA, NTUZUMA D PHASE 2 AND 3, ETHEKWINI MUNICIPALITY

In terms of section 3(1)(b), (2)(a), 4(1) and (6) (a) of the Less Formal Township Establishment Act, 1991 (Act No. 113 of 1991) I designate a portion of the farm Ntuzuma No. 17504 and portions of Portions 57/5, 70/5, 71/5, Rem of 72/5 and 79/5 and Remainder of Portion 50/5 and Portion 247/50 of the farm Piezang Rivier No. 805, to be consolidated and designated Erf 2301 Ntuzuma D, Registration Division FU, Ntuzuma D Phase 2 and 3, eThekweni Municipality, as a less formal settlement, subject to the following conditions of establishment relating to land use management, the application of laws and the suspension of conditions of title —

- (a) the layout of the less formal settlement shall be in accordance with layout plan TA 351 /1.2, dated 12 August 2010;
- (b) the conditions contemplated in Schedule 1 shall apply to the land development area until a scheme is adopted for the less formal settlement in accordance with any law;
- (c) the KwaZulu-Natal Planning and Development Act, 2008 (Act No. 6 of 2008), is applicable to the less formal settlement, except for the provisions of sections 23(1), 40(1), 75(1)(b) and (c) of the Act which shall not apply to the establishment of the less formal settlement in accordance with the conditions of approval of application 2008/399; and
- (d) the conditions listed in the Schedule 2 are suspended.

M L POVALL, Manager: Development Administration

Date: 14 March 2011

File reference: 2008/399

SCHEDULE 1**GENERAL DEFINITIONS**

1. In this Schedule —

"**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;

"**gross floor area**" means the area contained within the external walls of a building measured at each storey between the centre line of party walls and outside of external walls, including the area of balconies which shall be calculated from the overall dimensions of the balcony, but excluding the following —

- (a) covered open-sided pedestrian walkways located outside a building;
- (b) parking lots;
- (c) loading areas;
- (d) areas used for refuse storage;
- (e) basement diaphragm walls;
- (f) curtain wall or cladding systems;
- (g) ledges for air-conditioning units;
- (h) areas designed purely for the maintenance of equipment;
- (i) voids;

"**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) a habitable room or rooms in a basement; and
- (d) every 3 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;

LAND USE DEFINITIONS

2. In this Schedule —

"**crèche**" means a building used the care of seven or more infants and young children during the day time absence of their parents or guardians;

"**dwelling douse**" means a free standing building that is used by a single family 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;

"home activity" means —

- (a) the practicing of an occupational activity in conjunction with a residence; or
- (b) running a shop that is less than 30m² in conjunction with a residence;

"institution" means a building or portion of a building used or designed for use as a charitable institute including the administration thereof, and a building designed for use as a hospital, homes for the aged or for mentally or physically retarded children, nursing home, sanatorium, clinic, convalescent home, orphanage or other building used as a public or private institution;

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

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

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

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

"shelter" means a building which is used as a residence which does not comply with the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977);

"sports and recreation" means a sport ground, playing field, golf course, athletic track, swimming pool, tennis court, squash court, park or other similar land use.

"park" means land kept in its natural state or formally developed as gardens for the purposes of preserving game, walking, riding, relaxation or ornamentation;

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

LAND USE

3. The following land uses are permitted in each use zone —

USE ZONE	PERMITTED USES
Community Facility:	crèche educational building institution office place of public assembly place of public worship private recreational area recreational building
Recreation:	private recreation area park recreational building sports and recreation
Residential:	crèche dwelling house home activity place of public worship shelter

SPACES AROUND BUILDINGS

4.(1) All land uses within the less formal settlement are subject to a street front space of 5 metres, a side space of 2 metres and a rear space of 2 metres.

(2) No building may be erected within a street front space, side space or rear space.

(3) The eThekweni Municipality or any other organ of state may construct services within a street front, side or rear space.

BUILDING HEIGHT RESTRICTIONS

5. No building may be higher than 2 storeys.

COVERAGE

6. (1) A maximum permitted coverage of 80% apply to all land within the community facility use zone.

(2) A maximum permitted coverage of 60% apply to all land within the community facility use zone.

MINIMUM PROPERTY SIZE

7. The following minimum property sizes apply —

USE ZONE	MINIMUM PROPERTY SIZE
Community Facility	700m ²
Residential	150m ²

PARKING

8.(1) Four parking bays must be provided per 100m² gross floor area in the Community Facility use zone, except for a place of public assembly.

(3) Two parking bays must be provided per 100m² for a crèche.

(4) One parking bay must be provided for each 4 seats for a public assembly and a place of public worship.

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

HOME ACTIVITY

9.(1) A home activity may not —

- (a) involve the parking of any vehicle with a tare mass exceeding 2 Ton on the property or in the street;
- (b) exceed a floor area of 50m²;
- (c) produce a noise level exceeding 7db 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 playschool, the home activity is limited to the accommodation and care of not more than twelve children, other than the children of the home owner.

SCHEDULE 2

- (1) = Street address, property description
- (2) = Deed, condition
- (3) = Scope of suspension

- (1) Portion 57 (of 5) of Piezang Rivier 805
- (2) T 6678/1978, B.
- (3) Suspension of condition of title that creates the right of way servitude

- (1) Portion 70 (of 5) of Piezang Rivier 805
- (2) T 5832/1952, (b).
- (3) Suspension of condition of title that creates the right of way servitude

- (1) Portion 79 (of 5) of Piezang Rivier 805
- (2) T 6501/1976, B
- (3) Suspension of condition of title that creates the right of way servitude

- (1) 385 (of 72) of Piezang Rivier 805
- (2) T 407/85, c
- (3) Suspension of condition of title that creates the right of way servitude

- (1) Remainder of the Farm 17504
- (2) T 26472/2002, B(i)
- (3) Suspension of condition of title that creates the right in favour of the owners of lots.

No. 41**21 April 2011**

LESS FORMAL TOWNSHIP ESTABLISHMENT ACT, 1991: DESIGNATION OF LAND FOR LESS FORMAL SETTLEMENT; PROPOSED SUBDIVISION OF PORTION 7 OF FARM 1247 AND A PORTION OF REMAINDER OF FARM 1092 ESTCOURT, KWEZI HOSTELS, UMTSHEZI MUNICIPALITY

In terms of section 3(1)(b), 3(2)(a), (6)(a) and 4(1)(b) of the Less Formal Township Establishment Act, 1991 (Act No. 113 of 1991) I designate proposed subdivision of Portion 7 of Farm 1247 and a Portion of Remainder of the Farm 1092 Estcourt, Kwezi Hostels, Umtshezi Municipality, as a less formal settlement, subject to the following conditions of establishment relating to land use management, the application of laws and the suspension of conditions of title —

- (a) the layout of the less formal settlement shall be in accordance with Layout 3.269.01.02 and 3.269.02.02, dated April 2009
- (b) the conditions contemplated in Schedule 1 shall apply to the less formal settlement until a scheme is adopted for the less formal settlement in terms of any law;

- (c) determine that the KwaZulu-Natal Planning and Development Act, 2008 (Act No. 6 of 2008) is applicable to the less formal settlement, except for the establishment of the less formal settlement in accordance with the conditions of approval of application 2002/996; and
- (d) the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) and any other law regulating the approval of building plans are applicable to the less formal settlement.

MA DE LANGE, Acting Deputy Manager: Development Administration

Date: 14 March 2011

File reference: 2008/1094

SCHEDULE 1

GENERAL DEFINITIONS

1. In this Schedule —

"**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;

"**floor area ratio**" means the ratio of the total floor area of a buildings on a property to the area of the property expressed as a decimal;

"**gross floor area**" means the area contained within the external walls of a building measured at each storey between the centre line of party walls and outside of external walls, including the area of balconies which shall be calculated from the overall dimensions of the balcony, but excluding the following —

- (a) covered open-sided pedestrian walkways located outside a building;
- (b) parking lots;
- (c) loading areas;
- (d) areas used for refuse storage;
- (e) basement diaphragm walls;
- (f) curtain wall or cladding systems;
- (g) ledges for air-conditioning units;
- (h) areas designed purely for the maintenance of equipment;
- (i) voids;

"**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) a habitable room or rooms in a basement; and
- (d) every 3 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.

LAND USE DEFINITIONS

2. In this Schedule —

"crèche" means a building used the care of seven or more infants and young children during the day time absence of their parents or guardians;

"block of flats" means a building consisting of residences for multiple households where the households on the ground floor may have direct access from outside the building but the residents on the remaining floors have to share access from within the building through stair cases or lifts;

"boarding house" means dwelling house where paying residents are provided with meals and accommodation;

"dwelling douse" means a free standing building that is 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;

"home activity" means —

- (a) the practicing of an occupational activity in conjunction with a residence; or
- (b) running a shop that is less than 30m² in conjunction with a residence;

"institution" means a building or portion of a building used or designed for use as a charitable institute including the administration thereof, and a building designed for use as a hospital, homes for the aged or for mentally or physically retarded children, nursing home, sanatorium, clinic, convalescent home, orphanage or other building used as a public or private institution;

"laundrette" means a building used for the purpose of washing and drying clothing and household fabrics of customers, where the machines may be operated by the customer;

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

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

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

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

"**restaurant**" means a building which is used for the preparation of food and liquid refreshments for consumption on the property;

"**shelter**" means a building which is used as a residence which does not comply with the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977);

"**shop**" means a building which is used for the sale of goods;

"**sports and recreation**" means a sport ground, playing field, golf course, athletic track, swimming pool, tennis court, squash court, park or other similar land use.

"**park**" means land kept in its natural state or formally developed as gardens for the purposes of preserving game, walking, riding, relaxation or ornamentation;

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

LAND USE

3. The following land uses are permitted in each use zone —

USE ZONE	PERMITTED USES
High Density Residential	block of flats boarding house crèche dwelling house home activity
Community Facility	crèche educational building institution office place of public assembly place of public worship private recreational area recreational building
Commercial	laundrette office restaurant shop
Recreation	private recreation area park recreational building sports and recreation

SPACES AROUND BUILDINGS

4.(1) Properties shall be subject to the following front, rear and side spaces —

USE ZONE	FRONT SPACE	SIDE SPACE	REAR SPACE
High Density Residential	7 metres	4 metres	4 metres
Community Facility	7 metres	2 metres	2 metres
Commercial	9 metres	2 metres	2 metres
Recreation	7 metres	2 metres	2 metres

(2) No building may be erected within a street front space, side space or rear space.

(3) The Umtshezi Municipality or any other organ of state may construct services within a street front, side or rear space.

BUILDING HEIGHT RESTRICTIONS

5. Properties shall be subject to the following maximum building heights —

USE ZONE	FRONT SPACE
High Density Residential	3 storeys
Community Facility	2 storeys
Commercial	2 storeys
Recreation	2 storeys

COVERAGE AND FAR

6. Properties shall be subject to the following maximum permitted coverage —

USE ZONE	COVERAGE	FAR
High Density Residential	60%	0,8
Community Facility	No limit	No limit
Commercial	35%	0,5
Recreation	No limit	0,2

PARKING

7.(1) Two parking bays must be provided for each household in the High Density Residential use zone.

(2) Four parking bays must be provided per 100m² gross floor area in the Community Facility use zone, except for a place of public assembly and a place of public worship.

(3) Four parking bays must be provided per 100m² gross floor area in the Commercial use zone, except for a restaurant.

(4) One parking bay must be provided for every 4 seats for a restaurant, a place of public assembly and a place of public worship.

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

HOME ACTIVITY

8.(1) A home activity may not —

- (a) involve the parking of any vehicle with a tare mass exceeding 2 Ton on the property or in the street;
- (b) exceed a floor area of 50m²;
- (c) produce a noise level exceeding 7db 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 playschool, the home activity is limited to the accommodation and care of not more than twelve children, other than the children of the home owner.

No. 42**21 April 2011**

LESS FORMAL TOWNSHIP ESTABLISHMENT ACT, 1991: DESIGNATION OF LAND FOR LESS FORMAL SETTLEMENT; FARM GUGULETHU NO. 18351 (A CONSOLIDATION OF PORTION 1 AND REMAINDER OF THE FARM GROOT GELUK NO. 2 NO 6416, THE FARM VOGEL BEK NO. 10938 AND THE FARM PADDOCK NO. 12728), GUGULETHU, OKHAHLAMBA MUNICIPALITY

In terms of section 3(1)(b), and (6)(a) and 4(1) of the Less Formal Township Establishment Act, 1991 (Act No. 113 of 1991) I designate the proposed farm Gugulethu No. 18351 (a consolidation of Portion 1 of the farm Groot Geluk No. 2 No. 6416, the Remainder of the farm Groot Geluk No. 2 No. 6416, the farm Vogel Bek No. 10938 and the farm The Paddock No. 12728), excluding the parts of the farm that will continue to be used for agricultural purposes, Gugulethu, Okhahlamba Municipality, as a less formal settlement, subject to the following conditions of establishment relating to land use management and the application of laws —

- (a) the planning and development of the less formal settlement must be in accordance with Sivest Project Number 690 drawing Number 01, dated 18 February 2011;
- (b) the planning and development of the less formal settlement must comply with the Guidelines for Human Settlement Planning and Design published by the CSIR (2000);
- (c) the land use conditions contemplated in schedule 1 shall apply to the less formal settlement until a scheme is adopted for the less formal settlement in terms of any law;
- (d) the KwaZulu-Natal Planning and Development Act, 2008 (Act No. 6 of 2008) shall not apply to the establishment of the less formal settlement in accordance with the conditions of approval of application 2009/166, but shall apply to any further development within the less formal settlement; and
- (e) the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) and any other law regulating the approval of building plans shall be applicable to the less formal settlement;

MA DE LANGE, Acting Deputy Manager: Development Administration

Date: 14 March 2011

File reference: 2009/166

SCHEDULE 1**GENERAL DEFINITIONS**

1. In this Schedule –

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

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

"municipality" means the Okhahlamba Municipality;

"property" means any piece of land registered in the deeds registry, including an erf, a sectional title unit, a lot, a plot, a stand a farm and a portion of piece of land registered in the deeds registry;

"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;

"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;

"storey" means —

- (a) a room or rooms at ground level;
- (b) a room or rooms above another room or rooms;
- (c) a habitable room or rooms in a basement; and
- (d) every 3 metres of space between the finished floor and the ceiling of a room.

LAND USE DEFINITIONS

2. In this Schedule —

"crèche" means a building used the care of seven or more infants and young children during the day time absence of their parents or guardians;

"dwelling douse" means a free standing building that is used by a single family 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;

"**gross floor area**" means the area contained within the external walls of a building measured at each storey between the centre line of party walls and outside of external walls, including the area of balconies which shall be calculated from the overall dimensions of the balcony, but excluding the following —

- (a) covered open-sided pedestrian walkways located outside a building;
- (b) parking lots;
- (c) loading areas;
- (d) areas used for refuse storage;
- (e) basement diaphragm walls;
- (f) curtain wall or cladding systems;
- (g) ledges for air-conditioning units;
- (h) areas designed purely for the maintenance of equipment;
- (i) voids;

"**home activity**" means —

- (a) the practicing of an occupational activity in conjunction with a residence; or
- (b) running a shop that is less than 30m² in conjunction with a residence;

"**institution**" means a building or portion of a building used or designed for use as a charitable institute including the administration thereof, and a building designed for use as a hospital, homes for the aged or for mentally or physically retarded children, nursing home, sanatorium, clinic, convalescent home, orphanage or other building used as a public or private institution;

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

"**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 as a church, chapel, oratory, synagogue, mosque, temple or other place of public devotion.

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

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

"**restaurant**" means a building which is used for the preparation of food and liquid refreshments for consumption on the property;

"**shelter**" means a building which is used as a residence which does not comply with the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977);

"shop" means a building which is used for the sale of goods;

LAND USE

3. The following land uses are permitted in each use zone —

USE ZONE	PERMITTED USES
Community Facility	educational building institution office place of public assembly private recreational area recreational building
Crèche	crèche dwelling house
Residential	dwelling house home activity shelter
Commercial	office restaurant shop
Worship	dwelling house place of public worship

SPACES AROUND BUILDINGS

4.(1) All land uses within the less formal settlement are subject to a street front space of 5 metres, a side space of 2 metres and a rear space of 2 metres.

(2) No building may be erected within a street front space, side space or rear space.

(3) The Okhahlamba Municipality or any other organ of state may construct services within a street front, side or rear space.

BUILDING HEIGHT RESTRICTIONS

5. No building may be higher than 2 storeys.

PARKING

6.(1) Two parking bays must be provided per 100m² of gross floor area in the Community Facility Zone for all land uses, except for a place of public assembly.

(2) Two parking bays must be provided per 100m² of gross floor area in the Commercial Zone for all land uses, except for a restaurant.

(3) Two parking bays must be provided per 100m² for a crèche.

(4) One parking bay must be provided for each 4 seats for a restaurant, a place of public assembly and a place of public worship.

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

HOME ACTIVITY

7.(1) A home activity may not –

(a) involve the parking of any vehicle with a tare mass exceeding 2 Ton on the property or in the street;

(b) exceed a floor area of 50m²;

(c) produce a noise level exceeding 7db 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 playschool, the home activity is limited to the accommodation and care of not more than twelve children, other than the children of the home owner.

BUILDINGS THAT EXISTED PRIOR THE DECLARATION OF THE LESS FORMAL SETTLEMENT

8. A building must be regarded as lawful despite it encroaching into the front space, rear space or side space as specified in Table A, if the part of the building that is encroaching into the space existed prior to the declaration of the less formal settlement.

No. 43

21 April 2011

LESS FORMAL TOWNSHIP ESTABLISHMENT ACT, 1991: DESIGNATION OF LAND FOR LESS FORMAL SETTLEMENT; PORTION OF PORTION 41 OF THE FARM FRANKLIN NO. 122, FRANKLIN LOW COST HOUSING, GREATER KOKSTAD MUNICIPALITY: CORRECTION NOTICE

Provincial Notice No. 93 of 2010 that appeared in *Provincial Gazette* Number 461, dated 24 June 2010, is amended —

(a) by the substitution for the expression " plan KOK998 Franklin.Housing Dev, Map 6A, dated April 2010" of the expression "plan KOK998 Franklin.Housing Dev, Map 6A : Revision 2 dated Nov 10" in paragraph (a) of introductory paragraph the notice;

(b) by the insertion after the definition of "cemetery" in item 2 of Schedule 1 of the following definition —

"**conservation**" means land set aside for the purpose of conserving scenic beauty, indigenous flora, indigenous fauna, a topographical feature, a place of historic interest or a place of cultural interest;" ; and

(c) by the insertion after use zone "Cemetery" in table A of item 3 of Schedule 1 of the following use zone —

Conservation	Conservation
--------------	--------------

ML POVALL, Manager: Development Administration

Date: 14 March 2011

File reference: 2009/317

No. 44

21 April 2011

DEVELOPMENT FACILITATION ACT, 1995: PORTION OF THE FARM AMAVUBA NO. 15861, BONAMANZI, BIG 5 FALSE BAY MUNICIPALITY

In terms of section 33 (4) of the Development Facilitation Act, 1995, the Development Tribunal approved 60 residential units on a Portion of the farm Mavuba No. 15861, Bonamanzi, Big 5 False Bay Municipality, subject to the following conditions of establishment relating to land use management and the applicability of laws —

(a) in this notice —

(i) "**exclusive area**" means an exclusive area as defined in section 1 of the Sectional Titles Act, 1986 (Act No. 95 of 1966);

(ii) "**residential unit**" means a residence with one kitchen;

(b) the maximum area of land that may be covered by a residential unit, including a garage, deck, swimming pool or veranda associated with it is 450m²;

(c) the maximum area that may be reserved as an exclusive use area is 900m².

(d) all rooms must be at ground level and no room may be built above another room;

(e) conditions (a) to (d) shall apply until a scheme is adopted for the land development area in terms of any law;

(f) sections 11, 11bis, 12, 16 – 28, and 35 – 39 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 township establishment;

(g) the National Building Regulations and building Standards Act, 1977 (Act No. 103 of 1977), and any other law that governs the erection of buildings shall not apply to buildings within the land development that existed before 17 January 2008; and

(h) the National Building Regulations and building Standards Act, 1977 (Act No. 103 of 1977), and any other law that governs the erection of buildings shall apply to all new buildings and to alterations to buildings that existed on the property before 17 January 2008.

SS ANNOOP, Designated Officer

Date: 14 March 2011

File reference: 2007/410

No. 45

21 April 2011

DEVELOPMENT FACILITATION ACT, 1995: PORTIONS 51 AND 52 (OF 45) AND REMAINDER OF PORTION 45 OF THE FARM LOT 72 NO. 1526 (ERF 1588 SHAKAS HEAD – IMBONINI SERVICE PARK PHASE 2), 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 the Imbonini Phase 2 Service Park development consisting of 56 Services Park erven, 1 Community and Worship erf, 4 General Residential erven, 1 Limited Commercial erf, 2 Private Open Spaces, 2 Private Roads, 6 Municipal Roads, 2 Roads to be transferred to South African National Roads Agency (Pty) Ltd, 1 Road to be transferred to the Department of Transport KZN and 7 Conservation Areas on Portion 54 of the Farm Lot 72 No. 1526 being a consolidation of Portions 51 and 52 (of 45) and the Remainder of Portion 45 of the Farm Lot 72 No. 1526, Registration Division FU, Imbonini Service Park Phase 2, KwaDukuza Municipality, subject to the following conditions of establishment relating to land use management, the suspension of restrictive conditions of title and the applicability of laws—

- (a) the extension of the Umhlali Beach Town Planning Scheme to include the land development area;
- (b) the amendment of the Umhlali Beach Town Planning Scheme—
 - (i) by the substitution for Table C: Use Zone "Special Zone: Imbonini Services park" of the table in Schedule 1;
 - (iv) by the layout and zoning of the land development area in accordance with layout plan IMB013 – Rev 3, dated 13 January 2009;
- (c) the municipality's special consent shall be deemed to have been granted for a crèche on erven 1602, 1604, 1606 and 1607 Shakas Head;
- (d) the suspension of conditions A.2. (2.2), and B.2. (2.2) of Deed of Transfer No. T34626/2008 in respect of Portion 52 (of 45) of the Farm Lot 72 No. 1526 that restricts the use of the property to agricultural purposes;

(e) the suspension of conditions A.2. (2.2), and B.2. (2.2) of Deed of Transfer No. T34626/2008 in respect of the Remainder of Portion 45 of the Farm Lot 72 No. 1526 that restricts the use of the property to agricultural purposes;

(f) Sections 11, 11*bis*, 12, 16 – 28, 35 – 39, 44, 47, 47*bis*, 67 and 67*bis* of 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 condition of township establishment.

(g) The provision of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970), shall not apply to the land development area; and

(h) 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.

SS ANNOOP, Designated Officer

Date: 14 March 2011

File reference: 2008/1022

SCHEDULE 1

Explanatory note:

_____ Words underlined with a solid line indicate insertions

1	2	3	4	5
USE ZONE	COLOUR NOTATION ON SCHEME MAP	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED ONLY WITH SPECIAL CONSENT	PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED AND LAND MAY NOT BE USED
Special Zone: Imbonini Services Park	[Purple] <u>Pink/ Purple</u> <u>RGB</u> <u>224</u> <u>137</u> <u>250</u>	7. Commercial Workshop 16. Launderette 17. Light Industrial Building <u>[Except on erven 1609, 1610, 1611 and 1626 Shakas Head]</u> 20. Office Building 22. Place of Public Amusement 28. Restaurant 30. Service Industrial Building <u>[Except on erven 1609, 1610, 1611 and 1626 Shakas Head]</u> 34. Warehouse 36. Arts and Crafts Workshop 37. Motor Car Showroom 39. Wholesale Shop	9. Crèche 10. Dwelling House 11. Educational Building 13. Funeral Parlour 14. Garage 15. Institution 21. Parking Garage 23. Place of Public Assembly 24. Private Recreation Area 25. Public Office 26. Recreational Building 27. Residential Building 31. Service Station 32. Shop 38. Municipal Purposes	Building and land uses not included in Columns 3 and 4

No. 46

21 April 2011

DEVELOPMENT FACILITATION ACT, 1995: PORTION 25 OF THE FARM LUCAS NO. 2626, WOZANI RIDGE, HIBISCUS COAST MUNICIPALITY

In terms of section 33 (4) of the Development Facilitation Act, 1995, the Development Tribunal approved the development of 86 Special Residential 1 erven, 2 Administration erven, 7 Private Conservation Area erven and Private Road erven on Portion of the Farm Lucas No. 2626, Registration Division ET, Wozani Ridge, Hibiscus Coast Municipality, subject to the following conditions of establishment relating to land use management and the applicability of laws—

- (a) the extension of the Hibberdene Town Planning Scheme to include the land development area;
- (b) the amendment of the Hibberdene Town Planning Scheme
 - (i) by the insertion after item 6 of Table C: Lot Controls for Special Residential 1 of the following item —

"Despite the provisions of column 5, the coverage for Erf 1049 Hibberdene may not exceed 42%".
 - (ii) by the layout and zoning of the land development area in accordance with layout plan 09E01P04, dated August 2009;
- (c) the municipality's special consent shall be deemed to have been granted for the relaxation of the side spaces between erven 1062 and 1063 Hibberdene; between erven 1065 and 1130 Hibberdene; and between erven 1065 and 1129 Hibberdene to 1 metre on either side of the common boundary;
- (d) sections 11, 11*bis*, 12, 16 – 28, 35 – 39, 44, 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 township establishment; and
- (e) 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.

S S ANNOOP, Designated Officer

Date: 14 March 2011

File reference: 2009/510

No. 38

21 kuMbaso 2011

UMNYANGO WEZOKUBUSA NGOKUBAMBISANA NEZOMDABU

UMTHETHO WOKUSUNGULWA KWAMALOKISHI ANGAHLELEKILE NGOKUPHELELE, 1991: UKWABIWA KOMHLABA WEZAKHIWO EZINGAHLELEKILE NGOKUPHELELE; INGXYENYE YENGYENYE 3 YESIZA 388, INGXYENYE YENSALELA YESIZA 388, INGXYENYE 3 YESIZA 389, INGXYENYE 9 YESIZA 389, INGXYENYE YENSALELA YESIZA 389, INGXYENYE YENSALELA YENGYENYE 1 YESIZA 390, INGXYENYE YENSALELA YENGYENYE 4(YOKU-1) YESIZA 390, INGXYENYE 2 YESIZA 390, INGXYENYE 6 (YE-4) YESIZA 390, INGXYENYE 8 (YOKU-1) YESIZA 390, INGXYENYE YENSALELA YENGYENYE 1 YESIZA 409, INGXYENYE 2 YESIZA 409, INGXYENYE 5 (YOKU-1) YESIZA 409, INGXYENYE 12 YESIZA 409 NENGYENYE YENGYENYE 13 YESIZA 409, YONKE I-ZEEKOE VALLEI NENGYENYE YENSALELA YESIZA 104 NENGYENYE YENSALELA YESIZA 105 YEZINDAWO ZOMBILI ZASE-NEULANDS, EYAZIWA NGOKUTHI "I-KWAMASHU NEULANDS INTERFACE PROJECT", KUMASIPALA WASETHEKWINI.

Ngokwesigaba 3(1)(b), (2)(a) no (6)(a) no (b) soMthetho wokuSungulwa kwamaLokishi angaHlelekile ngokuPhelele, 1991 (uMthetho No. 113 ka 1991), —

(a) ngaba iNgxenywe yeNgxenywe 3 yeSiza 388, iNgxenywe yeNsalela yeSiza 388, iNgxenywe 3 yeSiza 389, iNgxenywe 3 yeSiza 389, iNgxenywe 9 yeSiza 389, iNgxenywe yeNsalela yeSiza 389, iNgxenywe yeNsalela yeNgxenywe 1 yeSiza 390, iNgxenywe yeNsalela yeNgxenywe 4 (yoku-1) yeSiza 390, iNgxenywe 2 yeSiza 390, iNgxenywe 6 (ye-4) yeSiza 390, iNgxenywe 8 (yoku-1) yeSiza 390, iNgxenywe yeNsalela yeNgxenywe 1 yeSiza 409, iNgxenywe 2 yeSiza 409, iNgxenywe 5 (yoku-1) yeSiza 409, iNgxenywe 12 yeSiza 409 neNgxenywe yeNgxenywe 13 yeSiza 409, yonke i-Seekoe Vallei neNgxenywe yeNsalela yeSiza 104 neNgxenywe yeNsalela yeSiza 105 yezindawo zombili zase-Newlands njengoba kukhonjiswe kuMdwebho onguNombolo 1/001 wangenyanga kaNdasa 2004, isiGaba sokuBhaliswa ngu-FT, eyaziwa ngokuthi "i-Kwamashu Interface Project", kuMasipala waseThekwini, njengendawo yokwakha izakhiwo ezingahlelekile ngokuphelele;

(b) ngichitha yonke imibandela ebekwe oHlelweni olukulesi saziso;

(c) ngimemezela ukuthi i-Odinensi yokuHlelwa kwamaDolobha, 1949 (i-Odinensi No. 27 ka 1949), iyasebenza ezakhiweni ezingahlelekile ngokuphelele, ngaphandle wesigaba 11, 11bis, 12, 16-27, 33, 35, 36, no 39 ze-Odinensi ezingeke zisebenze ekusungulweni kwezakhiwo ezingahlelekile ngokuphelele ngokuhambisana nemibandela yokugunyazwa kwesicelo 2004/430; futhi

(d) ngihoxisa iSaziso No. 718 esashicilelwa kwiGazethi yesiFundazwe enguNombolo 6404, yamhla ziyi-12 kuNhlaba ka 2005.

ML POVALL, uMphathi wezokuPhathwa kweNtuthuko

Usuku: 14 uNdasa 2011

Inkomba yefayela: 2004/430

UHLELO

- (1) = Incazelo yomhlaba
 - (2) = Itayitela, umbandela
 - (3) = Okuzosuswa
-
- (1) **IsiQephu 1173 (isiQephu 1 eMtata) sepulazi i-Zeekoe Vallei No. 787**
 - (2) T1072/1978 no T 2587/1957, B., C., D
 - (3) Ukususwa kwemibandela yetayitela eyakha umzila onqamulayo nendawo eshiyelwe ukuhamba
-
- (1) **INsalela yeNgxenywe 1 yeSiza 409 e-Seekoe Vallei**
 - (2) T52996/1999, 2.2.2., 3
 - (3) Ukususwa kwemibandela yetayitela evumela umzila onqamulayo nendawo eshiyelwe ukuhamba
-
- (1) **IsiQephu C seSiza 13 sepulazi i-Zeekoe Vallei No. 787**
 - (2) T7107/1979, B.(i), B.(ii), C.
 - (3) Ukususwa kwemibandela yetayitela evumela umzila onqamulayo nendawo eshiyelwe ukuhamba
-
- (1) **INsalela yeSiza 13 yepulazi i-Zeekoe Vallei No. 787**
 - (2) T7107/1979, B.(i), B.(ii), C.
 - (3) Ukususwa kwemibandela yetayitela evumela umzila onqamulayo nendawo eshiyelwe ukuhamba
-
- (1) **INsalela yeSiza C seSiza 14 sepulazi i-Zeekoe Vallei No. 787**
 - (2) T7107/1979, B., C.(i), C.(ii), D.
 - (3) Ukususwa kwemibandela yetayitela evumela umzila onqamulayo nendawo eshiyelwe ukuhamba
-
- (1) **INsalela yesiQephu 14 se-Zeekoe Vallei No. 787**
 - (2) T7751/1982, B.
 - (3) Ukususwa kwemibandela yetayitela enquma indawo eshiyelwe ukuhamba.
-
- (1) **INsalela yeSiza C seSiza A seSiza 15 sepulazi i-Zeekoe Vallei No. 787**
 - (2) T7107/1979, B., C.(i), C.(ii), D.
 - (3) Ukususwa kwemibandela yetayitela evumela umzila onqamulayo nendawo eshiyelwe ukuhamba
-
- (1) **IsiQephu 1 seSiza C seSiza 14 e-Zeekoe Vallei**
 - (2) T9559/1982, B., C., D.
 - (3) Ukususwa kwemibandela yetayitela evumela umzila onqamulayo nendawo eshiyelwe ukuhamba
-
- (1) **INsalela yeSiza 105 e-Newlands Township**
 - (2) T14803/1979, B.
 - (3) Ukususwa kwemibandela yetayitela enquma indawo eshiyelwe ukuhamba
-
- (1) **IsiQephu 1170 (isiQephu C sika-A se-15) e-Zeekoe Vallei**

- (2) T1072/1978 no T2587/57, B., C., D.
- (3) Ukususwa kwemibandela yetayitela evumela umzila onqamulayo nendawo eshiyelwe ukuhamba
- (1) **IsiQephu 1178 (se-14) sepulazi i-Zeekoe Vallei No.787**
- (2) T1073/1978 no T2795/1961, yesiThathu: (b)
- (3) Ukumiswa kwemibandela yetayitela enquma indawo eshiyelqwe ukuhamba
- (1) **IsiQephu 12 (soku-1) seSiza 409 se-Zeekoe Vallei**
- (2) T17667/1993, 2.1, 2.2, 3.
- (3) Ukususwa kwemibandela yetayitela evumela umzila onqamulayo nendawo eshiyelwe ukuhamba
- (1) **INGxenywe B yeSiza 15 yepulazi i-Zeekoe Vallei No. 787**
- (2) T1073/1978 no T 2795/1961, yesiKhombisa: (b), (c), (d)
- (3) Ukususwa kwemibandela yetayitela evumela imizila yezomoto nendawo eshiyelwe ukuhamba
- (1) **IsiQephu 1174 (sesiQephu soMtata) sepulazi i-Zeekoe Vallei No. 787**
- (2) T5962/1958, (B) 1.
- (3) Ukususwa kwemibandela yetayitela enquma indawo eshiyelwe ukuhamba

No. 39**21 kuMbaso 2011**

UMTHETHO WOKUSUNGULWA KWAMALOKISHI ANGAHLELEKILE NGOKUPHELELE, 1991: UKWABIWA KOMHLABA WEZAKHIWO EZINGAHLELEKILE NGOKUPHELELE; INGXENYE 12 YESIZA 365 OTHONGATHI, E-BURBREEZE, KUMSIPALA WASETHEKWINI

Ngokwesigaba 3(1)(b), (2)(a), (5)(h), (6) (a) no 4(1) soMthetho wokuSungulwa kwamaLokishi angaHlelekile ngokuPhelele, 1991 (uMthetho No. 113 ka 191) ngaba iNgxenywe 12 yeSiza 365 oThongathi, isiGaba sokuBhaliswa u-FU, e-Burbreeze, kuMasipala waseThekwini, njengendawo yezakhiwo ezingahlelekile ngokuphelele kuncike kule mibandela elandelayo yokusungulwa okuphathelene nokuphathwa kokusetshenziswa komhlaba, ukusebenza komthetho nokumiswa kwemibandela yetayitela —

- (a) izakhiwo ezingahlelekile ngokuphelele kumele zihlelwe futhi zakhiwe ngokuhambisana nomdwebo wepulani No. 2005/04d, yamhla ziyi-10 kuNtulikazi ka 2009 (iZiza 4921, 925 no 4926 oThongathi aziyona ingxenywe yalezi zakhiwo ezingahlelekile ngokuphelele nakuba zivela kumdwebo);
- (b) imibandela ehlongozwe oHlelweni 1 iyosebenza ezakhiweni ezingahlelekile ngokuphelele kuze kube kwakhiwa uhlelo lwazo ngokuhambisana nanoma imuphi umthetho;
- (c) isigaba 211 no 212 se-Odinensi yoMaziphathe beziNdawo, 1974 (I-Odinensi No. 25 ka 1974) esiphathelene nokuvalwa kwalezi zindawo zomphakathi nemigwaqo yomphakathi elandelayo —
- (i) iziza 4954, 4956, 4957 (izindawo zomphakathi); kanye
- (ii) neNsalela yeNgxenywe 12 yeSiza 365 (umgwqo womphakathi);
- (d) uMthetho wokuHlela neNtuthuko waKwaZulu-Natali, 2008 (uMthetho No.6 ka 2008), uyasebenza ezakhiweni ezingahlelekile ngokuphelele, ngaphandle kwezinhlinzeko zezigaba 23(1), 40(1), 75(1)(b) no

- (c) zoMthetho ezingeke zisebenze ekusungulweni kwezakhiwo ezingahlelekile ngokuphelele ngokuhambisana nemibandela yokugunyazwa kwesicelo 2007/1409; futhi
- (e) imibandela yetayitela ekleliswe oHlelweni 2 iyachithwa.

ML POVALL, uMphathi wezokuPhathwa kweNtuthuko
 Usuku: 14 uNdasa 2011
 Inkomba yefayela: 2007/1409

UHLELO 1

IZINCAZELO EZEJWAYELEKILE

1. Kulolu Hlelo —

"**ububanzi**" kushiwo indawo edliwe isakhiwo elinganiswa ngengaphandle lezindonga uma uzibheka ngaphezulu futhi buchazwa njengendawo edliwe isakhiwo;

"**iphansi**" kushiwo indawo edliwe isakhiwo ebalwa isitezi ngasinye kukalwa ngengaphakathi lesakhiwo kusukela ezindongeni ezingaphandle, kubandakanya nezindawo ezingamabhalikhoni okumele zibalwe ngokwahlukahlukana kwawo, kodwa akubandakanyi lokhu okulandelayo —

- (a) imizila yabahamba ngezinyawo engaphandle kwesakhiwo kodwa enompheme;
- (b) izindawo zokupaka;
- (c) izindawo zokulayisha impahla;
- (d) izindawo ezisetshenziselwa ukugcina udoti;
- (e) izindonga ezakhe amagumbi angaphansi kwesakhiwo;
- (f) izindonga ezakhelwe ukuvikela isimo sezulu nalezo eziyimihlobiso;
- (g) izindawo zokubeka imishini yokushayisa umoya;
- (h) izindawo ezakhelwe ukulungisa impahla kuphela;
- (i) izindawo ezivulekile;

"**indawo engemuva**" kushiwo umugqa oqondele nomgcele wesiza ongahlangani nomgcele womgwaqo;

"**indawo eseceleni**" kushiwo umugqa oqondene nomgcele wesiza ohlangana nomgcele womgwaqo;

"**isitezi**" kushiwo —

- (a) igumbi noma amagumbi okuqala esakhiwo;
- (b) igumbi noma amagumbi akhiwe ngaphezu kwamagumbi okuqala esakhiwo;
- (c) igumbi noma amagumbi okungahlaleka kuwo angaphansi kwamagumbi okuqala esakhiwo; kanye
- (d) nendawo engamamitha ama-3 phakathi kwamagumbi aseqedliwe kanye nokhakhayi lwegumbi;

"**indawo engaphambili ngasemgwaqeni**" kushiwo umugqa ohambisana nanoma imuphi umngcele wesiza ogudla umgwaqo, indlela yomphakathi noma indawo eshiyelwe umgwaqo;

INCAZELO YOKUSETSHENZISWA KOMHLABA

2. Kulolu Hlelo —

"**inkulisa**" kushiwo isakhiwo esisetshenziselwa ukunakekela izingane ezineminyaka engaphansi kweyisikhombisa ngesikhathi sasemini uma abazali noma abagadi bazo bengekho;

"**indlu yokuhlala**" kushiwo indlu ezimele yodwa esetshenziswa umndeni owodwa ngenhloso yokuhlala kuyo;

"**isakhiwo sokufundela**" kushiwo isakhiwo esisetshenziswa njengesikole, ikolishi, inyuvesi, isikhungo sezobuchwepheshe, i-akhademi, ilabhorethri yocwaningo, ihholo lokufundisa, isikole sesonto, isakhiwo sokuthandaza, indawo yokujima, umtapo wolwazi womphakathi, indawo yemibukiso yezobuciko noma umnyuziyemu;

"**imisebenzi yasekhaya**" kushiwo —

- (a) ukwenziwa kwemisebenzi ephathelene nokuhlala kuleso sakhiwo; noma
- (b) ukuqhuba isitolo esingaphansi kwama-30m² esihlangene nendlu yokuhlala;

"**isikhungo**" kushiwo isakhiwo noma ingxenye yesakhiwo esetshenziswa njengesikhungo sokusisa umphakathi kubandakanya nokuphathwa kwaso, nesakhiwo esakhelwe ukusetshenziswa njengesibhedlela, njengekhaya labadala, noma labantu abakhubazekile ngokwengqondo noma lezingane ezikhubazekile emzimbeni, njengekhaya lokunakekela ababuthaka, njengomtholampilo, njengendawo yokucina abangenabani, njengendawo yezintandane noma esinye isikhungo esisetshenziswa njengesikhungo somphakathi noma esizimele;

"**ihhovisi**" kushiwo isakhiwo esisetshenziselwa ibhizinisi, ububhalane, imisebenzi yasehhovisi noma yokuphathwa kukahulumeni;

"**indawo yokuhlanganela umphakathi**" kushiwo isakhiwo noma umhlaba osetshenziselwa imihlangano yomphakathi, ukuhlanganela, ezenkolo noma ezokungcebeleka esakhiweni;

"**indawo ezimele yezokungcebeleka**" kushiwo inkundla yezemidlalo, indawo yemidlalo noma indawo evulekile yomuntu ozimele noma yesikhungo esithile;

"**isakhiwo sezokungcebeleka**" 'kushiwo isakhiwo esisetshenziswa mayelana nezemidlalo, kubandakanya isakhiwo semidlalo, indawo yokuzivoca, inkundla yetheni nompheme wezemidlalo;

"**isitolo sokudlela**" kushiwo isakhiwo esisetshenziselwa ukulungisa ukudla neziphuzo ukuze kudliwe kuso;

"**umpheme**" kushiwo isakhiwo esisetshenziswa njengendawo yokuhlala esingahambisani noMthetho

wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977);

"**isitolo**" kushiwo isakhiwo esisetshenziselwa ukudayisa izimpahla;

"**ezemidlalo nokungcebeleka**" kushiwo inkundla yezemidlalo, indawo yokudlala, inkundla yegalofu, inkundla yezokugijima, indawo yokubhukuda, inkundla yethenisi, inkundla yebhola lomphebezo, ipaki noma okunye okusetshenziswa kanjalo;

"**ipaki**" kushiwo indawo egcinwe injengoba injalo noma enezingadi ezakhiwe ngenhloso yemidlalo ethile, yokulula izinyawo, yokugibela amabhayisikili, yokuziphumulela noma yokuzithokozisa;

"**indawo yokudumisa yomphakathi**" kushiwo isakhiwo noma umhlaba osetshenziswa njengesonto, indawo yokukhonza, indawo yokuthandaza, isinagoge, isonto lamasulumane, ithembeli noma enye indawo yokudumisa yomphakathi.

UKUSETSHENZISWA KOMHLABA

3. Lokhu usetshenziswa komhlaba okulandelayo ikhona okuguyaziswe endaweni ngayinye ebekiwe —

UMHLABA	UKUSETSHENZISWA OKUVUMELEKILE
Ukudayisa: Iziza 10628 no 10629	Amahhovisi Indawo yokudumisa Isitolo sokudla Isitolo
Isakhiwo somphakathi: Isiza 10430	Inkulisa Isakhiwo sokufunda Isikhungo Ihhovisi Indawo yokuhlanganela yomphakathi Indawo yokudumisa yomphakathi Indawo yokugcebeleka ezimele Isakhiwo sokungcebeleka
Ukungcebeleka: Iziza 10618, 10395, 10444, 10540	Indawo yokungcebeleka ezimele Ipaki Isakhiwo sezokungcebeleka Ezemidlalo nokungcebeleka
Ukuhlala: Iziza 10313 – 10394, 10396 – 10429, 10431 – 10443, 10445 – 10539, 10541 – 10617, 10619 – 10624	Inkulisa Indlu yokuhlala Imisebenzi yasekhaya Indawo yokudumisa yomphakathi UmpHEME

IZINDAWO EZIZUNGEZE IZAKHIWO

4.(1) Uma kwakhiwa emhlabeni wezakhiwo ezingahlelekile ngokuphelele kumele kushiye indawo engamamitha ayisi-5 ukusuka emgwaqeni, amamitha amabili eceleni namamitha amabili ngemuva.

(2) Akukho sakhiwo esingakhiwa endaweni eshiye ngaphambili, emaceleni noma ngemuva.

(3) UMasipala waseThekwini noma olunye uhloko lukahulumeni lungakha okuthile endaweni eshiye ngaphambili, emaceleni noma ngemuva.

IMIGOMO YOKUPHAKAMA KWEZAKHIWO

5. Akukho sakhiwo esiyoba ngaphezu kwezitezi ezimbili.

UBUBANZI

6. (1) Kuyosebenza isilinganiso esigunyaziwe sama-80% endawo engadliwa isakhiwo kuzo zonke izindawo ezihlinzekelwe umphakathi.

(2) Angeke kweqiwe kuma-60% obubanzi uma kwakhiwa kuzo zonke izindawo ezihlinzekiwe.

UBUNCANE OKUVUMELEKILE BEZAKHIWO

7. Kuyosetshenziswa lezi zilinganiso zobuncane bezakhiwo ezilandelayo —

UKUSETSHENZISWA	UBUNCANE BESAKHIWO
Ukudayisa	120m ²
Isakhiwo somphakathi	700m ²
Indlu yokuhlala	120m ²

IZINDAWO ZOKUPAKA

8.(1) Kumele kuhlinzekwe izindawo zokupaka ezine ebangeni elingama-100m² lendawo yengqalasizinda esetshenziswa umphakathi nasezakhiweni zokudayisa, ngaphandle kwasendaweni yokuhlanganela umphakathi.

(2) Kumele kuhlinzekwe izindawo zokupaka ezimbili ebangeni elingama-100m² endaweni esetshenziselwa noma ikuphi okuphathelene nezokudayisa, ngaphandle kwesitolo sokudlela.

(3) Kumele kuhlinzekwe izindawo zokupaka ezimbili ebangeni elingama-100m² kwinkulisa ngayinye.

(4) Kumele kuhlinzekwe indawo yokupaka eyodwa yezinhlobo ezine endaweni yokudlela, endaweni yokuhlanganela umphakathi nasendaweni yokudumisa.

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

IMISEBENZI YASEKHAYA

9.(1) Imisebenzi yasekhaya angeke –

- (a) ibandakanye indawo yokupaka enesisindo somthwalo esingaphezu kwamathani ama-2 ezakhiweni noma emgwaqeni;
- (b) yeqe endaweni engama-50m²;
- (c) ibange umsindo ongaphezu kwama-7db ngaphezu komsindo olingene, ukalwa kusukela kunoma imuphi ingcele wesakhiwo; noma
- (d) ibandakanye ukudayiswa kotshwala kwanoma iluphi uhlobo.

(2) Uma kunendawo yokukhanda izimoto, akumele izimoto ezikhandwa ngesikhathi esisodwa zeqe kwezimbili ngesikhathi.

(3) Uma kuyisikole sokugcina izingane emini, imisebenzi eyenziwayo igcina ekutheni kugcinwe izingane ezingeqile kweziyishumi nambili, zingakabalwa ezomnikazi wekhaya.

UHLELO 2

(1) = Ikheli lomgwaqo, incazelo yomhlaba

(2) = Itayitela, umbandela

(3) = Okuzosuswa

(1) INgxenye 12 yeSiza 365 oThongathi

(2) IsiTifiketi seTayitela eliBhalisiwe T9/92, B.

(3) Umbandela wetayitela owakha indawo esishiyelwe izigxobo zikagesi

(1) IZiza 4954-4957 oThongathi

(2) ITayitela lokuDlulisela T 22488/07, B.

(3) Umbandela wetayitela owakha indawo eshiyelwe isigxobo zikagesi

(1) IZiza 2266-2267, 2273, 2284-2291, 2298-2299, 2320-2321, 2350-2360, 2367-2369, 4894-4895, 4898-4899, 4901-4903, 4906-4915, 4922-4924, 4932-4933, 4943 oThongathi

(2) INkomba yeTayitela T 26904/07, B. no C.

(3) Imibandela yetayitela eshiya izindawo zemisebenzi kamasipala neyakha izindawo ezishiyelwe izigxobo zikagesi

No. 40

21 kuMbaso 2011

UMTHETHO WOKUSUNGULWA KWAMALOKISHI ANGAHLELEKILE NGOKUPHELELE, 1991: INGXYENYE YEPULAZI INTUZUMA NO. 17504 NEZINGXYENYE 57/5, 70/5, 71/5 ZENSALELA YAMA-72/5, NO-79/5 NENSALELA YENGYENYE 247/50 ZE-PIEZANG RIVIER NO. 804 ZIZOHLANGANISWA KWAKHIWE ISIZA 2301 ENTUZUMA, ENTUZUMA D PHASE 2 NO 3 KUMASIPALA WASETHEKWINI

Ngokwesigaba 3(1)(b), (2)(a), 4(1) no (6) soMthetho sokuSungulwa kwamaLokishi angaHlelekile, 1991 (uMthetho No. 113 ka 1991), ngaba ingxenywe yepulazi iNtuzuma No. 17504 nezingxenywe neziNgxenywe 57/5, 70/5, 71/5, neNsalela ye-72/5 no 79/5 nensalela yeNgxenywe 50/5 neNgxenywe 247/50 yepulazi i-Pizang Rivier No. 805, ezizohlanganiswa ziqanjwe ngeSiza 2301 eNtuzuma D, isiGaba sokuBhaliswa ng-FU, eNtuzuma D ku-Phase 2 no 3, kuMasipala waseThekwini, njengezakhiwo ezingahlelekile ngokuphelele, kuncike kwimibandela yokusungulwa okuphathelene nokuphathwa kokusetshenziswa komhlaba, ukusebenza kwemithetho nemibandela yetayitela —

- (a) ukwakhiwa kwezakhiwo ezingahlelekile ngokuphelele kumele kuhambisane noMdwebo wePulani TA 351/1.2, yamhla ziyi-12 kuNcwaba ka 2010;
- (b) imibandela ehlongozwe oHlelweni 1 kumele isebenze kumhlaba othuthukiswayo kuze kwakhiwe uhlelo lwezakhiwo ezingahlelekile ngokuphelele ngokuhambisana nanoma imuphi umthetho;
- (c) uMthetho wokuHlela neNtuthuko waKwaZulu-Natali, 208 (uMthetho No. 6 ka 2008), uyasebenza ezakhiweni ezingahlelekile ngokuphelele, ngaphandle kwezinhlinzeko zezigaba 23(1), 40(1), 75(1)(b) no (c) zoMthetho ezingeke zisebenze ekusungulweni kwezakhiwo ezingahlelekile ngokuphelele ngokuhambisana nemibandela yokugunyazwa kwesicelo 2008/39; futhi
- (d) imibandela ekleliswe oHlelweni 2 iyachithwa.

M L POVALL, uMphathi wezokuPhathwa kweNtuthuko

Usuku: 14 uNdasa 2011

Inkomba yefayela: 2008/399

UHLELO 1

IZINCAZELO EZEJWAYELEKILE

1. Kulolu Hlelo —

"ububanzi" kushiwo indawo edliwe isakhiwo elinganiswa ngengaphandle lezindonga uma uzibheka ngaphezulu futhi buchazwa njengendawo edliwe isakhiwo;

"iphansi" kushiwo indawo edliwe isakhiwo ebalwa isitezi ngasinye kukalwa ngengaphakathi lesakhiwo kusukela ezindongeni ezingaphandle, kubandakanya nezindawo ezingamabhalikhoni okumele zibalwe ngokwahlukahlukana kwawo, kodwa akubandakanyi lokhu okulandelayo —

- (a) imizila yabahamba ngezinyawo engaphandle kwesakhiwo kodwa enompheme;

- (b) izindawo zokupaka;
- (c) izindawo zokulayisha impahla;
- (d) izindawo ezisetshenziselwa ukugcina udoti;
- (e) izindonga ezakhe amagumbi angaphansi kwesakhiwo;
- (f) izindonga ezakhelwe ukuvikela isimo sezulu nalezo eziyimihlobiso;
- (g) izindawo zokubeka imishini yokushayisa umoya;
- (h) izindawo ezakhelwe ukulungisa impahla kuphela;
- (i) izindawo ezivulekile;

"indawo engemuva" kushiwo umugqa oqondele nomgcele wesiza ongahlangani nomgcele womgwaqo;

"indawo eseceleni" kushiwo umugqa oqondene nomgcele wesizo ohlangana nomgcele womgwaqo;

"isitezi" kushiwo —

- (a) igumbi noma amagumbi okuqala esakhiwo;
- (b) igumbi noma amagumbi akhiwe ngaphezu kwamagumbi okuqala esakhiwo;
- (c) igumbi noma amagumbi okungahlaleka kuwo angaphansi kwamagumbi okuqala esakhiwo; kanye
- (d) yonke indawo engamamitha ama-3 phakathi kwamagumbi aseqedliwe kanye nokhakhayi lwegumbi;

"indawo engaphambili ngasemgwaqeni" kushiwo umugqa ohambisana nanoma imuphi umngcele wesiza ogudla umgwaqo, indlela yomphakathi noma indawo eshiyelwe umgwaqo;

IZINCAZELO ZOKUSETSHENZISWA KOMHLABA

2. Kulolu Hlelo —

"inkulisa" kushiwo isakhiwo esisetshenziselwa ukunakekela izingane ezineminyaka engaphansi kweyisikhombisa ngesikhathi sasemini uma abazali noma abagadi bazo bengekho;

"indlu yokuhlala" kushiwo indlu ezimele yodwa esetshenziswa umndeni owodwa ngenhloso yokuhlala kuyo;

"isakhiwo sokufundela" kushiwo isakhiwo esisetshenziswa njengesikole, ikolishi, inyuvesi, isikhungo sezobuchwepheshe, i-akhademi, ilabhorethri yocwaningo, ihholo lokufundisa, isikole sesonto, isakhiwo sokuthandaza, indawo yokujima, umtapo wolwazi womphakathi, indawo yemibukiso yezobuciko noma umnyuziyemu;

"imisebenzi yasekhaya" kushiwo —

- (a) ukwenziwa kwemisebenzi ephathelene nokuhlala kuleso sakhiwo; noma
- (b) ukuqhuba isitolo ezingaphansi kwama-30m² esihlangene nendlu yokuhlala;

"isikhungo" kushiwo isakhiwo noma ingxenye yesakhiwo esetshenziswa njengesikhungo sokusisa umphakathi kubandakanya nokuphathwa kwaso, nesakhiwo esakhelwe ukusetshenziswa njengesibhedlela, njengekhaya labadala, noma labantu abakhubazekile ngokwengqondo noma lezingane ezikhubazekile emzimbeni, njengekhaya lokunakekela ababuthaka, njengomtholampilo, njengendawo yokugcina abangenabani, njengendawo yezintandane noma esinye isikhungo esisetshenziswa njengesikhungo somphakathi noma esizimele;

"ihhovisi" kushiwo isakhiwo esisetshenziselwa ibhizinisi, ububhalane, imisebenzi yasehhovisi noma yokuphathwa kukahulumeni;

"indawo yokuhlanganela umphakathi" kushiwo isakhiwo noma umhlaba osetshenziselwa imihlangano yomphakathi, ukuhlanganela, ezenkolo noma ezokungcebeleka esakhiweni;

"indawo ezimele yezokungcebeleka" kushiwo inkundla yezemidlalo, indawo yemidlalo noma indawo evulekile yomuntu ozimele noma yesikhungo;

"isakhiwo sezokungcebeleka" kushiwo isakhiwo esisetshenziswa mayelana nezemidlalo, kubandakanya isakhiwo semidlalo, indawo yokuzivoca, inkundla yethenisi nompheme wezemidlalo;

"umpheme" kushiwo isakhiwo esisetshenziselwa ukuhlala kodwa esingahambisani noMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977);

"ezemidlalo nokungcebeleka" kushiwo inkundla yezemidlalo, indawo yokudlala, inkundla yegalofu, inkundla yezokugijima, indawo yokubhukuda, inkundla yethenisi, inkundla yebhola lomphebezo, ipaki noma okunye ukusetshenziswa okunjalo;

"ipaki" kushiwo indawo egcinwe injengoba injalo noma inezingadi ezakhiwe ngenhloso yemidlalo ethile, yokulula izinyawo, yokugibela amabhayisikili, yokuziphumulela noma yokuzithokozisa;

"indawo yokudumisa yomphakathi" kushiwo isakhiwo noma umhlaba osetshenziswa njengesonto, indawo yokukhonza, indawo yokuthandaza, isinagogo, isonto lamasulumane, ithembeli noma enye indawo yokudumisa yomphakathi.

UKUSETSHENZISWA KOMHLABA

3. Lokhu kusetshenziswa komhlaba okulandelayo ikhona okugunyaziwe endaweni ngayinye ezosetshenziswa—

INDAWO EZOSETSHENZISWA	UKUSETSHENZISWA OKUGUNYAZIWE
Isakhiwo soMPhakathi:	Inkulisa Isakhiwo sezemfundo Isikhungo Ihhovisi Indawo yokuhlanganela umphakathi Indawo yokudumisa yomphakathi Indawo yokungcebeleka ezimele Izakhiwo zokungcebeleka
Ezokungcebeleka:	Indawo ezimele yezokungcebeleka Ipaki Isakhiwo sezokungcebeleka Ezemidlalo nokuNgcebeleka
Indawo yokuhlala:	Inkulisa Indlu yokuhlala Imisebenzi yasekhaya Indawo yokudumisa yomphakathi UmpHEME

IZINDAWO EZIZUNGEZE IZAKHIWO

4.(1) Uma kwakhiwa emhlabeni wezakhiwo ezingahlelekile kumele kushiye indawo engamamitha ayisi-5 ukusuka emgwaqeni, amamitha amabili eceleni namamitha amabili ngemuva.

(2) Akukho sakhiwo esingakhiwa endaweni eshiye ngaphambili, emaceleni noma ngemuva.

(3) UMasipala waseThekwini noma olunye uhloko lukahulumeni lungakha okuthile endaweni eshiyiwe ngaphambili, emaceleni noma ngemuva.

IMIGOMO YOKUPHAKAMA KWEZAKHIWO

5. Akukho sakhiwo esiyoba ngaphezu kwezitezi ezimbili.

UBUBANZI

6. (1) Kuyosebenza isilinganiso esigunyaziwe sama-80% endawo engadliwa isakhiwo kuzo zonke izindawo ezihlinzekelwe umphakathi.

(2) Angeke kweqiwe kuma-60% obubanzi uma kwakhiwa kuzo zonke izindawo ezihlinzekiwe.

UBUNCANE OKUVUMELEKILE BEZAKHIWO

7. Kusebenza lezi zilinganiso zobuncane bezakhiwo ezilandelayo —

UKUSETSHENZISWA	UBUNCANE BESAKHIWO
Isakhiwo soMphakathi	700m ²
Indawo yokuhlala	150m ²

INDAWO YOKUPAKA

8.(1) Kumele kuhlinzekwe izindawo zokupaka ezine ebangeni elingama-100m² esakhiweni soMphakathi nasezakhiweni zokudayisa, ngaphandle kwasendaweni yokuhlanganela umphakathi.

(2) Kumele kuhlinzekwe izindawo zokupaka ezimbili ebangeni elingama-100m² endaweni esetshenziselwa noma ikuphi okuphathelene nezokudayisa, ngaphandle kwesitolo sokudlela.

(3) Kumele kuhlinzekwe izindawo zokupaka ezimbili ebangeni elingama-100m² kwinkulisa ngayinye.

(4) Kumele kuhlinzekwe indawo yokupaka eyodwa yezinhlobo ezine endaweni yokudlela, endaweni yokuhlanganela umphakathi nasendaweni yokudumisa.

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

IMISEBENZI YASEKHAYA

9.(1) Imisebenzi yasekhaya angeke –

(a) ibandakanye indawo yokupaka enesisindo somthwalo esingaphezu kwamathani ama-2 ezakhiweni noma emgwaqeni;

(b) yeqe endaweni engama-50m²;

(c) ibange umsindo ongaphezu kwama-7db ngaphezu komsindo olingene, ukalwa kusukela kunoma imuphi ingcele wesakhiwo; noma

(d) ibandakanye ukudayiswa kotshwala kwanoma iluphi uhlobo.

(2) Uma kunendawo yokukhanda izimoto, akumele izimoto ezikhandwa ngesikhathi esisodwa zeqe kwezimbili ngesikhathi.

(3) Uma kuyisikole sokugcina izingane emini, imisebenzi eyenziwayo igcina ekutheni kugcinwe izingane ezingeqile kweziyishumi nambili, zingakabalwa ezomnikazi wekhaya.

UHLELO 2

(1) = Ikheli lomgwaqo, incazelo yomhlaba

(2) = Itayitela, umbandela

(3) = Okuzosuswa

(1) INgxenye 57 (yesi-5) ye-Piezang Rivier 805

(2) T 6678/1978, B.

(3) Ukumiswa kwemibandela yetayitela evumela indawo eshiyelwe ukuhamba

(1) INgxenye 70 (yesi-5) ye-Piezang Rivier 805

(2) T 5832/1952, (b).

(3) Ukumiswa kwemibandela yetayitela evumela indawo eshiyelwe ukuhamba

(1) INgxenye 79 (yesi-5) ye-Piezang Rivier 805

(2) T 6501/1976, B

(3) Ukumiswa kwemibandela yetayitela evumela indawo eshiyelwe ukuhamba

(1) 385 (yama-72) ye-Piezang Rivier 805

(2) T 407/85, c

(3) Ukumiswa kwemibandela yetayitela evumela indawo eshiyelwe ukuhamba

(1) INsalela yePulazi 17504

(2) T 26472/2002, B(i)

(3) Ukumiswa kwemibandela enikeza ilungelo elivuna umnikazi wesiza

No. 41

21 kuMbaso 2011

UMTHETHO WOKUSUNGULWA KWAMALOKISHI ANGAHLELEKILE NGOKUPHELELE, 1991: UKWABIWA KOMHLABA WEZAKHIWO EZINGAHLELEKILE NGOKUPHELELE; UKUHLUKANISWA IZIQEPHU OKUHLONGOZWAYO KWENGXENYE 7 YEPULAZI 1247 NENGXENYE YENSALELA YEPULAZI 1092 ESTCOURT, E-KWEZI HOTELS, KUMASIPALA WASEMITSHEZI

Ngokwesigaba 3(1)(b), 3(2)(a), (6)(a) no 4(1)(b) soMthetho wokuSungulwa kwamaLokishi angaHlelekile ngokuPhelele, 1991 (uMthetho No. 113 ka 1991), ngaba iziqephu zeNgxenye 7 yePulazi 1247 neNgxenye yeNsalela yePulazi 1092 e-Estcourt, eKwezi Hotels, kuMasipala waseMitshezi, njengezakhiwo ezingahlelekile ngokuphelele, kuncike kule mibandela ephathelene nokuphathwa kokusetshenziswa komhlaba, ekusebenzeni kwemithetho nasekuchithweni kwemibandela yetayitela —

- (a) ukuhlelwa kwezakhiwo ezingahlelekile ngokuphelele kumele kuhambisane noMdwebo 3.269.01.02 no 3.269.02.02, wangoMbaso ka 2009;
- (b) imibandela ehlongozwe oHlelweni 1 iyosebenza ezakhiweni ezingahlelekile ngokuphelele kuze kube kwakhiwa uhlelo lwezakhiwo ezingahlelekile ngokuphelele ngokwanoma imuphi umthetho;
- (c) ukunquma ukuthi uMthetho wezokuHlela neNtuthuko waKwaZulu-Natali, 2008 (uMthetho No. 6 ka 2008) uyasebenza ezakhiweni ezingahlelekile ngokuphelele, ngaphandle kokusungulwa kwezakhiwo ezingahlelekile ngokuphelele ngokuhambisana nemibandela yokugunyazwa kwesicelo; kanye
- (d) noMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977) nanoma imuphi omunye umthetho olawula ukugunyazwa kwamapulani okwakha ezakhiwo ezingahlelekile ngokuphelele.

MA DE LANGE, iBamba loMphathi wezokuPhathwa kweNtuthuko

Usuku: 14 uNdasa 2011

Inkomba yefayela: 2008/1094

UHLELO 1

IZINCAZELO EZIJWAYELEKILE

1. Kulolu Hlelo —

"ububanzi" kushiwo indawo edliwe isakhiwo elinganiswa ngengaphandle lezindonga uma uzibheka ngaphezulu futhi buchazwa njengendawo edliwe isakhiwo;

"isilinganiso sephansi" kusho isilinganiso sayo yonke indawo eyiphansi yesakhiwo endaweni yesakhiwo ethathwa elinganiswa ngomhlaba wokwakha;

"iphansi" kushiwo indawo edliwe isakhiwo ebalwa isitezi ngasinye kukalwa ngengaphakathi lesakhiwo kusukela ezindongeni ezingaphandle, kubandakanya nezindawo ezingamabhalikhoni okumele zibalwe ngokwahlukahlukana kwawo, kodwa akubandakanyi lokhu okulandelayo —

- (a) imizila yabahamba ngezinyawo engaphandle kwesakhiwo kodwa enomphele;
- (b) izindawo zokupaka;
- (c) izindawo zokulayisha impahla;
- (d) izindawo ezisetshenziselwa ukugcina udoti;
- (e) izindonga ezakhe amagumbi angaphansi kwesakhiwo;
- (f) izindonga ezakhelwe ukuvikela isimo sezulu nalezo eziyimihlobiso;
- (g) izindawo zokubeka imishini yokushayisa umoya;
- (h) izindawo ezakhelwe ukulungisa impahla kuphela;
- (i) izindawo ezivulekile;

"indawo engemuva" kushiwo umugqa oqondele nomgcele wesiza ongahlangani nomgcele womgwaqo;

"indawo eseceleni" kushiwo umugqa oqondene nomgcele wesizo ohlangana nomgcele womgwaqo;

"isitezi" kushiwo —

- (a) igumbi noma amagumbi okuqala esakhiwo;
- (b) igumbi noma amagumbi akhiwe ngaphezu kwamagumbi okuqala esakhiwo;
- (c) igumbi noma amagumbi okungahlaleka kuwo angaphansi kwamagumbi okuqala esakhiwo; kanye
- (d) yonke indawo engamamitha ama-3 phakathi kwamagumbi aseqediwe kanye nokhakhayi lwegumbi;

"indawo engaphambili ngasemgwaqeni" kushiwo umugqa ohambisana nanoma imuphi umngcele wesiza ogudla umgwaqo, indlela yomphakathi noma indawo eshiyelwe umgwaqo;

INCAZELO YOKUSETSHENZISWA KOMHLABA

2. Kulolu Hlelo —

"inkulisa" kushiwo isakhiwo esisetshenziselwa ukunakekela izingane ezineminyaka engaphansi kweyisikhombisa ngesikhathi sasemini uma abazali noma abagadi bazo bengekho;

"amafulethi" kushiwo isakhiwo esinesindlu zokuhlala imindeni eminingi lapho abahlala esitezi sokuqala benendlela yabo yokuphuma esakhiweni kodwa abahlala ezitezi ezingaphezulu benendlela eyodwa yokuphuma esakhiweni okungaba izitebhisi noma ikheshi;

"indlu yokubhoda" kushiwo indlu yokuhlala eqashisayo lapho abaqashe khona behlinzekwa ngokudla nendawo yokuhlala;

"indlu yokuhlala" kushiwo indlu ezimele yodwa esetshenziswa umndeni owodwa ngenhloso yokuhlala kuyo;

"isakhiwo sokufundela" kushiwo isakhiwo esisetshenziswa njengesikole, ikolishi, inyuvesi, isikhungo sezobuchwepheshe, i-akhademi, ilabhorethri yocwaningo, ihholo lokufundisa, isikole sesonto, isakhiwo sokuthandaza, indawo yokujima, umtapo wolwazi womphakathi, indawo yemibukiso yezobuciko noma umnyuziyemu;

"imisebenzi yasekhaya" kushiwo —

- (a) ukwenziwa kwemisebenzi ephathelene nokuhlala kuleso sakhiwo; noma
- (b) ukuqhuba isitolo esingaphansi kwama-30m² esihlangene nendlu yokuhlala;

"isikhungo" kushiwo isakhiwo noma ingxenye yesakhiwo esetshenziswa njengesikhungo sokusisa umphakathi kubandakanya nokuphathwa kwaso, nesakhiwo esakhelwe ukusetshenziswa njengesibhedlela, njengekhaya labadala, noma labantu abakhubazekile ngokwengqondo noma lezingane ezikhubazekile emzimbeni, njengekhaya lokunakekela ababuthaka, njengomtholampilo, njengendawo yokugcina abangenabani, njengendawo yezintandane noma esinye isikhungo esisetshenziswa njengesikhungo somphakathi noma esizimele;

"ilondolo" kushiwo isakhiwo esisetshenziselwa imisebenzi yokuwasha nokomisa izingubo nezinye izindwangu zamakhasimende ezisetshenziswa ezindlini;

"ihhovisi" kushiwo isakhiwo esisetshenziselwa ibhizinisi, ububhalane, imisebenzi yasehhovisi noma yokuphathwa kukahulumeni;

"indawo yokuhlanganela umphakathi" kushiwo isakhiwo noma umhlaba osetshenziselwa imihlangano yomphakathi, ukuhlanganela, ezenkolo noma ezokungcebeleka esakhiweni;

"indawo ezimele yezokungcebeleka" kushiwo inkundla yezemidlalo, indawo yemidlalo noma indawo evulekile yomuntu ozimele noma yesikhungo;

"isakhiwo sezokungcebeleka" kushiwo isakhiwo esisetshenziswa mayelana nezemidlalo, kubandakanya isakhiwo semidlalo, indawo yokuzivoca, inkundla yethenisi nompheme wezemidlalo;

"isitolo sokudlela" kushiwo isakhiwo esisetshenziselwa ukulungisa ukudla neziphuzo ukuze kudliwe kusona isakhiwo;

"umpheme" kushiwo isakhiwo esisetshenziswa njengendawo yokuhlala esingahambisani noMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977);

"isitolo" kushiwo isakhiwo esisetshenziselwa ukudayisa izimpahla;

"ezemidlalo nokungcebeleka" kushiwo inkundla yezemidlalo, indawo yokudlala, inkundla yegalofu, inkundla yezokugijima, indawo yokubhukuda, inkundla yethenisi, inkundla yebhola lomphebezo, ipaki noma okunye ukusetshenziswa okunjalo;

"ipaki" kushiwo indawo egcinwe injengoba injalo noma inezingadi ezakhiwe ngenhloso yemidlalo ethile, yokulula izinyawo, yokugibela amabhayisikili, yokuziphumulela noma yokuzithokozisa;

"indawo yokudumisa yomphakathi" kushiwo isakhiwo noma umhlaba osetshenziswa njengesonto, indawo yokukhonza, indawo yokuthandaza, isinagoge, isonto lamasulumane, ithembeli noma enye indawo yokudumisa yomphakathi.

UKUSETSHENZISWA KOMHLABA

3. Lokhu kusetshenziswa komhlaba okulandelayo kugunyaziwe endaweni ngayinye —

INDAWO EZOSETSHENZISWA	UKUSETSHENZISWA OKUGUNYAZIWE
Indawo yokuhlala eyisidlidi	Amabhilidi amafulethi Indlu yokubhoda Inkulisa Indlu yokuhlala Imisebenzi yasekhaya
Isakhiwo soMphakathi	Inkulisa Isakhiwo sezemfundo Isikhungo Ihhovisi Indawo yokuhlanganela umphakathi Indawo yokudumisa yomphakathi Indawo yokungcebeleka ezimele Isakhiwo sokungcebeleka
Amabhizinisi	Ilondolo Ihhovisi Isitolo sokudlela Isitolo
Ukungcebeleka	Indawo yokungcebeleka ezimele Ipaki Isakhiwo sokungcebeleka Ezemidlalo nokungcebeleka

INDAWO EZUNGEZE IZAKHIWO

4.(1) Izakhiwo kumele zibe nale ndawo elandelayo ngaphambili, eceleni nangemuva —

UKUSETSHENZISWA	INDAWO ENGAPHAMBILI	INDAWO ESECELENI	INDAWO ENGEMUVA
Indawo yokuhlala eyisidlidi	7 wamamitha	4 wamamitha	4 wamamitha
Isakhiwo somphakathi	7 wamamitha	2 wamamitha	2 wamamitha
Izitolo	9 wamamitha	2 wamamitha	2 wamamitha
Ezokungcebeleka	7 wamamitha	2 wamamitha	2 wamamitha

(2) Akukho sakhiwo esiyokwakhiwa endaweni eshiyiwe ngaphambili, emaceleni noma ngemuva.

(3) Umasipala waseMtshenzi nanoma iluphi olunye uhlaka lombuso olungakha okuthile endaweni engaphambili, esemaceleni noma engemuva kwisakhiwo.

IMIKHAWULO YOKUPHAKAMA KWESAKHIWO

5. Izakhiwo kumele zibe nale mikhawulo yokuphakama elandelayo —

UKUSETSHENZISWA KOMHLABA	UKUPHAKAMA
Indawo yokuhlala eyisidlidi	3 wezitezi
Isakhiwo somphakathi	2 wezitezi
Izitolo	2 wezitezi
Ezokungcebeleka	2 wezitezi

UBUBANZI NEZILINGANISO SEPHANSI

6. Izakhiwo kumele zibe nale mikhawulo yobubanzi elandelayo —

UKUSETSHENZISWA KOMHLABA	UBUBANZI	ISILINGANISO SEPHANSI
Indawo yokuhlala eyisidlidi	60%	0,8
Isakhiwo somphakathi	Akunamkhawulo	Akunamkhawulo
Izitolo	35%	0,5
Ezokungcebeleka	Akunamkhawulo	0,2

IZINDAWO ZOKUPAKA

7.(1) Kumele kuhlinzekwe izindawo zokupaka ezimbili esakhiweni ngasinye endaweni enezakhiwo zokuhlala eziyisidlidi.

(2) Kumele kuhlinzekwe izindawo zokupaka ezine endaweni enobubanzi obungama-100m² yezakhiwo zomphakathi, ngaphandle uma kuyindawo yokuhlanganela umphakathi noma kuyindawo yokudumisa.

(3) Kumele kuhlinzekwe izindawo ezine zokupaka endaweni enobubanzi obungama-100m² endaweni yokudayisa, ngaphandle umakuyisitolo sokudlela.

(4) Kumele kube nendawo yokupaka eyodwa yezihlalo ezine endaweni yokudlela, endaweni yokuhlanganela umphakathi kanye nasendaweni yokudumisa.

(5) Indawo yokupaka kumele ibe nokubanzi obungama-2,5m x 5m.

IMISEBENZI YASEKHAYA

9.(1) Imisebenzi yasekhaya angeke –

(a) ibandakanye indawo yokupaka okunesisindo somthwalo esingaphezu kwamathani ama-2 ezakhiweni noma emgwaqeni;

- (b) yeqe endaweni engama-50m²;
- (c) ibange umsindo ongaphezu kwama-7db ngaphezu komsindo olingene, ukalwa kusukela kunoma imuphi ingcele wesakhiwo; noma
- (d) ibandakanye ukudayiswa kotshwala kwanoma iluphi uhlobo.

(2) Uma kunendawo yokukhanda izimoto, akumele izimoto ezikhandwa ngesikhathi esisodwa zeqe kwezimbili ngesikhathi.

(3) Uma kuyisikole sokugcina izingane emini, imisebenzi eyenziwayo igcina ekutheni kugcinwe izingane ezingeqile kwezinyishumi nambili, zingakabalwa ezomnikazi wekhaya.

No. 42

21 kuMbaso 2011

UMTHETHO WOKUSUNGULWA KWAMALOKISHI ANGAHLELEKILE NGOKUPHELELE, 1991: UKABIWA KOMHLABA WOKWAKHA IZAKHIWO EZINGAHLELEKILE NGOKUPHELELE EPULAZINI IGUGULETHU NO. 18351 (UKUHLANGANISWA KWENGXENYE 1 NENSAELA YEPULAZI I-GROOT GELUK NO. 2 NO. 6416, IPULAZI I-VOGEL BEK NO. 10938 NEPULAZI I-PADDOCK NO. 12728) EGUGULETHU, KUMASIPALA WASOKHAHLAMBA

Ngokwesigaba 3(1)(b), no (6)(a) no 4(1) soMthetho wokuSungulwa kwamaLokishi angaHlelekile ngokuPhelele, 1991 (uMthetho No. 113 ka 1991) ngaba ipulazi iGugulethu No. 18351 (ukuhlanganiswa kweNgxenye 1 yepulazi i-Groot Geluk No. 2 No. 6416, ipulazi i-Vogel Bek No. 10938 nepulazi i-The Paddock No. 12728), ngaphandle kwezengxenye zepulazi ezizoqhubeka nokusetshenziselwa ezolimo, eGugulethu, kuMasipala wasoKhahlamba, njengezakhiwo ezingahlelekile ngokuphelele, kuncike kule mibandela elandelayo yokusungulwa okuphathelene nokuphathwa kokusetshenziswa komhlaba nokusebenza kwemithetho —

- (a) ukuhlelwa nokwakhiwa kwezakhiwo ezingahlelekile ngokuphelele kumele kuhambisane nomdwebo we-Sivest Project Number 690 onguNombolo 01, wamhla ziyi-18 kuNhlolanja ka 2011;
- (b) ukuhlelwa nokwakhiwa kwezakhiwo ezingahlelekile ngokuphelele kumele kuhambisane neMikhombandlela yokuHlelwa naMasu ezokuHlaliswa kwaBantu eyashicilelwa yi-CSIR (2000);
- (c) imibandela yokusetshenziswa komhlaba ehlongozwe ohlelweni 1 iyosebenza ekwakhiweni kwezakhiwo ezingahlelekile ngokuphelele kuze kwakhiwe uhlelo lwezakhiwo ezingahlelekile ngokuphelele ngokwanoma imuphi umthetho;
- (d) UMthetho wokuHlela neNtuthuko, 2008 (uMthetho No. 6 ka 2008) ngeke usebenze ekusungulweni kwezakhiwo ezingahlelekile ngokuphelele ngokuhambisana nemibandela yokugunyazwa kwesicelo 2009/166, kodwa iyosebenza kunoma ikuphi okunye ukuthuthukiswa okwenziwayo ezakhiweni ezingahlelekile ngokuphelele;

(e) uMthetho waMazinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977) nanoma imuphi omunye umthetho olawula ukugunyazwa kwamapulani okwakha uyosebenza ezakhiweni ezingahlelekile ngokuphelele;

MA DE LANGE, iBamba loMphathi wezokuPhathwa kweNtuthuko

Usuku: 14 uNdasa 2011

Inkomba yefayela: 2009/166

UHLELO 1

IZINCAZELO EZEJWAYELEKILE

1. Kulolu Hlelo –

"**isakhiwo**" kushiwo isakhiwo esinophahla esakhiwe endaweni ethile futhi kubandakanya ingxenye yaleso sakhiwo;

"**ingaphambili**" kushiwo ububanzi bomngcele wesiza obuhlangana nomngcele womgwaqo okhona oma ohlongozwayo;

"**umasipala**" kushiwo uMasipala wasoKhahlamba;

"**umhlaba**" kushiwo isiqephu sendawo esibhaliswe kumbhalisi wamatayitela, kubandakanya isiza, isiqephu sendawo ekwitayitela, isiqephu sesiza, isiqeshana sendawo, ipulazi elijwayelekile nengxenye yesiqephu somhlaba ebhaliswe kumbhalisi wamatayitela;

"**indawo engemuva**" kushiwo umugqa oqondele nomngcele wesiza ongahlangani nomngcele womgwaqo;

"**indawo eseceleni**" kushiwo umugqa oqondene nomngcele wesiza ohlangana nomngcele womgwaqo;

"**indawo engaphambili ngasemgwaqeni**" kushiwo umugqa ohambisana nanoma imuphi umngcele wesiza ogudla umgwaqo, indlela yomphakathi noma indawo eshiyelwe umgwaqo;

"**isitezi**" kushiwo —

(a) igumbi noma amagumbi okuqala esakhiwo;

(b) igumbi noma amagumbi akhiwe ngaphezu kwamagumbi okuqala esakhiwo;

(c) igumbi noma amagumbi okungahlaleka kuwo angaphansi kwamagumbi okuqala esakhiwo; kanye

(d) yonke indawo engamamitha ama-3 phakathi kwamagumbi aseqedliwe kanye nokhakhayi lwegumbi.

IZINCAZELO ZOKUSETSHENZISWA KOMHLABA

2. Kulolu Hlelo —

"**inkulisa**" kushiwo isakhiwo esisetshenziselwa ukunakekela izingane ezineminyaka engaphansi kweyisikhombisa ngesikhathi sasemini uma abazali noma abagadi bazo bengekho;

"**indlu yokuhlala**" kushiwo indlu ezimele yodwa esetshenziswa umndeni owodwa ngenhloso yokuhlala kuyo;

"**isakhiwo sokufundela**" kushiwo isakhiwo esisetshenziswa njengesikole, ikolishi, inyuvesi, isikhungo sezobuchwepheshe, i-akhademi, ilabhorethri yocwaningo, ihholo lokufundisa, isikole sesonto, isakhiwo sokuthandaza, indawo yokujima, umtapo wolwazi womphakathi, indawo yemibukiso yezobuciko noma umnyuziyemu;

"**iphansi**" kushiwo indawo edliwe isakhiwo ebalwa isitezi ngasinye kukalwa ngengaphakathi lesakhiwo kusukela ezindongeni ezingaphandle, kubandakanya nezindawo ezingamabhalikhoni okumele zibalwe ngokwahlukahlukana kwawo, kodwa akubandakanyi lokhu okulandelayo —

- (a) imizila yabahamba ngezinyawo engaphandle kwesakhiwo kodwa enompheme;
- (b) izindawo zokupaka;
- (c) izindawo zokulayisha impahla;
- (d) izindawo ezisetshenziselwa ukugcina udoti;
- (e) izindonga ezakhe amagumbi angaphansi kwesakhiwo;
- (f) izindonga ezakhelwe ukuvikela isimo sezulu nalezo eziyimihlobiso;
- (g) izindawo zokubeka imishini yokushayisa umoya;
- (h) izindawo ezakhelwe ukulungisa impahla kuphela;
- (i) izindawo ezivulekile;

"**imisebenzi yasekhaya**" kushiwo —

- (a) ukwenziwa kwemisebenzi ephathelene nokuhlala kuleso sakhiwo; noma
- (b) ukuqhuba isitolo esingaphansi kwama-30m² esihlangene nendlu yokuhlala;

"**isikhungo**" kushiwo isakhiwo noma ingxenye yesakhiwo esetshenziswa njengesikhungo sokusisa umphakathi kubandakanya nokuphathwa kwaso, nesakhiwo esakhelwe ukusetshenziswa njengesibhedlela, njengekhaya labadala, noma labantu abakhubazekile ngokwengqondo noma lezingane ezikhubazekile emzimbeni, njengekhaya lokunakekela ababuthaka, njengomtholampilo, njengendawo yokugcina abangenabani, njengendawo yezintandane noma esinye isikhungo esisetshenziswa njengesikhungo somphakathi noma esizimele;

"**ihhovisi**" kushiwo isakhiwo esisetshenziselwa ibhizinisi, ububhalane, imisebenzi yasehhovisi noma yokuphathwa kukahulumeni;

"indawo yokuhlanganela umphakathi" kushiwo isakhiwo noma umhlaba osetshenziselwa imihlangano yomphakathi, ukuhlanganela, ezenkolo noma ezokungcebeleka esakhiweni;

"indawo yokudumisa yomphakathi" kushiwo isakhiwo noma umhlaba osetshenziswa njengesonto, indawo yokukhonza, indawo yokuthandaza, isinagogo, isonto lamasulumane, ithembeli noma enye indawo yokudumisa yomphakathi;

"indawo ezimele yezokungcebeleka" kushiwo inkundla yezemidlalo, indawo yemidlalo noma indawo evulekile yomuntu ozimele noma yesikhungo;

"isakhiwo sezokungcebeleka" kushiwo isakhiwo esisetshenziswa mayelana nezemidlalo, kubandakanya isakhiwo semidlalo, indawo yokuzivoca, inkundla yethenisi nompheme wezemidlalo;

"isitolo sokudlela" kushiwo isakhiwo esisetshenziselwa ukulungisa ukudla neziphuzo ukuze kudliwe kusona isakhiwo;

"umpheme" kushiwo isakhiwo esisetshenziswa njengendawo yokuhlala esingahambisani noMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977);

"isitolo" kushiwo isakhiwo esisetshenziselwa ukudayisa izimpahla.

UKUSETSHENZISWA KOMHLABA

3. Lokhu kusetshenziswa komhlaba okulandelayo kugunyaziwe endaweni ngayinye —

INDAWO EZOSETSHENZISWA	UKUSETSHENZISWA OKUGUNYAZIWE
Isakhiwo somphakathi	Isakhiwo sokufunda Isikhungo Ihhovisi Indawo yokudumisa Indawo yokudumisa ezimele Isakhiwo sokungcebeleka
Inkulisa	Inkulisa Indlu yokuhlala
Indawo yokuhlala	Indlu yokuhlala Imisebenzi yasekhaya UmpHEME
Ukudayisa	Ihhovisi Isitolo sokudlela Isitolo
Indawo yokudumisa	Indlu yokuhlala

	Indawo yokuhlala
--	------------------

IZINDAWO EZIZUNGEZE IZAKHIWO

4.(1) Uma kwakhiwa emhlabeni wezakhiwo ezingahlelekile kumele kushiye indawo engamamitha ayisi-5 ukusuka emgwaqeni, amamitha amabili eceleni namamitha amabili ngemuva.

(2) Akukho sakhiwo esingakhiwa endaweni eshiye ngaphambili, emaceleni noma ngemuva.

(3) UMasipala waseThekwini noma olunye uhlaka lukahulumeni lungakha okuthile endaweni eshiye ngaphambili, emaceleni noma ngemuva.

UKUPHAKAMA KWEZAKHIWO

5. Asikho isakhiwo esiyoba ngaphezu kwezitezi ezimbili ukuphakama.

INDAWO YOKUPAKA

6.(1) Kumele kuhlinzekwe izindawo zokupaka ezimbili ebangeni elingama-100m² lendawo isiyonke yeSakhiwo soMphakathi esisetshenziselwa noma yini, ngaphandle kwendawo yokuhlanganela umphakathi.

(2) Kumele kuhlinzekwe izindawo ezimbili ebangeni elingama-100m² leNdawo yokuDayisela esetshenziselwa noma ikuphi ukudayisa ngaphandle kwesitolo sokudlela.

(3) Kumele kuhlinzekwe izindawo ezimbili ebangeni elingama-100m² lenkulisa.

(4) Kumele kuhlinzekwe indawo eyodwa yokupaka yezihlalo ezine esitolo sokudlela, endaweni yokuhlanganela umphakathi noma endaweni eyisonto lomphakathi.

(5) Indawo yokupaka kumele ibe yibanga elingama-2,5m x 5m.

IMISEBENZI YASEKHAYA

7.(1) Imisebenzi yasekhaya angeke –

(a) ibandakanye indawo yokupaka enesisindo somthwalo esingaphezu kwamathani ama-2 ezakhiweni noma emgwaqeni;

(b) yeqe endaweni engama-50m²;

(c) ibange umsindo ongaphezu kwama-7db ngaphezu komsindo olingene, ukalwa kusukela kunoma imuphi ingcele wesakhiwo; noma

(d) ibandakanye ukudayiswa kotshwala kwanoma iluphi uhlobo.

(2) Uma kunendawo yokukhanda izimoto, akumele izimoto ezikhandwa ngesikhathi esisodwa zeqe kwezimbili ngesikhathi.

(3) Uma kuyisikole sokugcina izingane emini, imisebenzi eyenziwayo igcina ekutheni kugcinwe izingane ezingeqile kweziyishumi nambili, zingakabalwa ezomnikazi wekhaya.

IZAKHIWO EBEZIVELE ZIKHONA NGAPHAMBI KOKWETHULWA KWEZAKHIWO EZINGAHLELEKILE NGOKUPHELELE

8. Isakhiwo singathathwa njengesisemthethweni ngisho simi endaweni eshiyiwe ngaphambili, emaceleni noma ngemuva uma ngabe ingxenye yaleso sakhiwo ibivele ikhona ngaphambi kokwethulwa kwezakhiwo ezingahlelekile.

No. 43

21 kuMbaso 2011

UMTHETHO WOKUSUNGULWA KWAMALOKISHI ANGAHLELEKILE NGOKUPHELELE, 1991: UKWETHULWA KWEZAKHIWO EZINGAHLELEKILE NGOKUPHELELE; INGXENYE YENGXENYE 41 YEPULAZI NO. 122, I-FRANKLIN LOW COST HOUSING, KUMASIPALA WASE-GREATER KOKSTAD: ISAZISO

ISaziso sesiFundazwe No. 93 sika 2010 esivela kwiGazethi yesiFundazwe enguNombolo 461, yamhla ziyi-24 kuNhlolanja 2010, siyachitshiyelwa —

(a) ngokuthi kufakwe esikhundleni segama "ipulani KOK 998 Franklin Housing Dev, Map 6A yangenyanga kaMbaso 2010" igama "ipulani KOK998 Franklin Housing Dev, Map 6A: Ukubuyekezwa kwangenyanga kaLwezi ka 2010" endimeni (a) yendima eyisingeniso esazisweni;

(b) ngokuthi kufakwe ngemuva kwencazelo "yamathuna" esihlokweni 2 soHlelo 1 le ncazelo elandelayo —

"ukongiwa" kushiwo umhlaba oshiyelwe izinhloso zokonga ubuhle bemvelo, izimbali zakuleli, izitshalo eziyimihlobiso, izindawo ezingumlando nezindawo zezamasiko,"; kanye

(c) nokuthi kufakwe ngemuva ukusetshenziswa komhlaba "Amathuna" kwitebhula A lwesihloko 3 soHlelo 1 lokhu kusetshenziswa komhlaba okulandelayo —

Ukongiwa	Ukongiwa
----------	----------

ML POVALL, uMphathi wezokuPhathwa kweNtuthuko

Usuku: 14 uNdasa 2011

Inkomba yefayela: 2009/317

No. 44

21 kuMbaso 2011

UMTHETHO WOKULUNGISELELA INTUTHUKO, 1995: INGXENYE YEPULAZI AMAVUBA NO. 15861, EBONAMANZI, KUMASIPALA WASE-BIG 5 FALSE BAY

Ngokwesigaba 33(4) soMthetho wokuLungiselela iNtuthuko, 1995, isiGungu seNtuthuko sesihunyaze izindlu zokuhlala ezingama 60 eNgxenyeni yepulazi iMavuba No. 15861, eBonamanzi, kuMasipala wase-Big 5

False Bay, kuncike kule mibandela yokusungulwa okuphatelene nokuphathwa nokusetshenziswa komhlaba nokusebenza —

(a) kulesi saziso —

(i) "indawo ekhethekile" kushiwo indawo ekhethekile njengoba ichazwe esigabeni 1 soMthetho wamaTayitela, 1986 (uMthetho No. 95 ka 1986);

(ii) "indlu yokuhlala" kushiwo indlu yokuhlala enekhishi elilodwa;

(b) ububanzi bendawo obungadliwa indlu yokuhlala kubandakanya igalaji, iyadi, uphuli yokubhukuda novelandi ingama-450m²;

(c) ububanzi bendawo engashiywa njengendawo ekhethekile ngama-900m².

(d) wonke amagumbi kumele abe ezingeni elilodwa, akukho gumbi eliyokwakhiwa phezu kwelinye;

(e) imibandela (a) kuya ku (d) iyosebenza kuze kwakhiwe uhlelo lokuthuthukiswa komhlaba lwaleyo ndawo ngokwanoma imuphi umthetho;

(f) isigaba 11, 11bis, 12, 16 – 28, no 35 – 39 ze-Odinensi yokuHlelwa kwamaDolobha, 1949 (i-Odinensi No. 27 ka 1949), ngeke zisebenze endaweni okuthuthukiswa kuyo umhlaba ngenhloso yalokho kuthuthukisa ngokuhambisana nale mibandela yokusungulwa kwamaokishi;

(g) UMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977), nanoma imuphi omunye umthetho olawula ukwakhiwa kwezakhiwo angeke isebenze ekuthuthukisweni obekuvele kukhona ngaphambi komhla ziyi-17 kuMasingana ka 2008; futhi

(h) UMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977), nanoma imuphi omunye umthetho olawula ukwakhiwa kwezakhiwo iyosebenza ezakhiweni ezintsha nasekulungisweni kwezakhiwo ezakhiwe ngaphambi komhla ziyi-17 kuMasingana ka 2008.

SS ANNOOP, Isikhulu esiQokiwe

Usuku: 14 uNdasa 2011

Inkomba yefayela: 2007/410

No. 45

21 kuMbaso 2011

UMTHETHO WOKULUNGISELELA INTUTHUKO, 1995: INGXYENYE 51 NO 52 (KA-45) NENSALELA YENGXYENYE 45 YESIZA SEPULAZI 72 NO. 1526 (ISIZA 1588 E-SHAKAS HEAD – IMBONINI SERVICE PARK PHASE 2), KUMASIPALA WAKWADUKUZA

Ngokwesigaba 33(4) soMthetho wokuLungiselela iNtuthuko, 1995 (uMthetho No. 67 ka 1995), isiGungu seNtuthuko sigunyaze ukuthuthukiswa kwe-Imbonini Phase 2 Service Park development eneziza ezingama-56 ze-Services Park, isiza esi-1 soMphakathi nokuDumisa, iziza zokuhlala ezijwayelekile ezi-4, isiza esi-1 sendawo yokudayisa, iziza ezi-2 zeNdawo eVulekile ezimele, imigwaqo emi-2 yangasese, imigwaqo eyi-6 kaMasipala, imigwaqo emi-2 ezodluliselwa kwi-South African National Roads Agency (Pty) Ltd, umgwaqo o-1 ozodluliselwa eMnyangweni wezokuThutha wase-KZN nezindawo eziyi-7 zoKongiwa kweMvelo eNgxyenyeni 45 yeSiza sePulazi No. 1526 esiyinhlenganisela neziNgxyenye 51 no 52 (zama-4) zeNsalela yeNgxyenye 45 yeSiza sePulazi No. 1526, isiGaba sokuBhaliswa ngu-FU, e-Mbonini Service Park Phase 2,

kuMasipala waKwaDukuza, kuncike kule mibandela yokusungulwa okuphathelele nokuphathwa kokusetshenziswa komhlaba, ukususwa kwemibandela yetayitela ebophezelayo nokusebenza kwemithetho

- (a) ukunwetshwa koHlelo lokuHlelwa kweDolobha laseMhlali Beach ukuze libandakanye indawo ethuthukiswayo;
- (b) ukuchitshiyelwa koHlelo lokuHlelwa kweDolobha laseMhlali Beach —
 - (i) ngokuguqulwa kweTebhula C: Ukusetshenziswa komhlaba “ Indawo eKhethekile: Imbonini Services park” kwitebhula elisoHlelweni 1;
 - (iv) ngokuhlelwa nokuklanywa kwendawo ezothuthukiswa ngokuhambisana nomdwebo wepulani IMB013 – Rev 3, wamhla ziyi-13 kuMasingana 2009;
- (c) imvume ekhethekile kamasipala kumele kuthathwe ngokuthi ikhishiwe ukuze kwakhiwe inkulisa ezizeni 1602, 1604, 1606 no 1607 e-Shakas Head;
- (d) ukumiswa kwemibandela A.2. (2.2), no B.2. (2.2) yeTayitela lokuDlulisela No. T34626/2008 mayelana neNgxenye 52 (yama-45) yeSiza sePulazi No. 1526 evumela kuphela ukusetshenziswa komhlaba ngezinhloso zezolimo;
- (e) ukumiswa kwemibandela A.2. (2.2), no B.2. (2.2) yeTayitela lokuDlulisela No. T34626/2008 mayelana neNsalela yeNgxenye 45 yeSiza sePulazi 72 No. 1526 evumela kuphela ukusetshenziswa komhlaba ngezinhloso zezolimo;
- (f) izigaba 11, 11*bis*, 12, 16 – 28, 35 – 39, 44, 47, 47*bis*, 67 no 67*bis* ze-Odinensi yokuHlelwa kwamaDolobha, 1949 (i-Odinensi No. 27 ka 1949, angeke zisebenze endaweni ethuthukiswayo ngenhloso yalokho kuthuthukisa ngokuhambisana nale mibandela yokusungulwa kwamalokishi;
- (g) izinhlinzeko zoMthetho wokuHlukaniswa iziQephu koMhlaba wezoLimo, 1970 (uMthetho No. 70 ka 1970), engeke zisebenze emhlabeni othuthukiswayo; futhi
- (h) UMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977), nanoma imuphi omunye umthetho olawula ukwakhiwa kwezakhiwo endaweni ethuthukiswayo uyoqhubeka nokusebenza endaweni ethuthukiswayo.

SS ANNOOP, isiKhulu esQokiwe

Usuku: 14 uNdasa 2011

Inkomba yeFayela: 2008/1022

UHLELO 1

Ukuchazwa kwamagama:

_____ Amagama adwetshelwe ngomugqa ohlangene akhombisa okufakiwe emthethweni okhona

1	2	3	4	5
UKUSETSHENZISWA	UMBALA	IZINHLOSO ZOKWAKHA	IZINHLOSO	IZINHLOSO
	OKHOMBISAYO	IZAKHIWO NEZINTO	ZOKWAKHA	ZOKWAKHA
	KWIMEPHU	ONGASETSHENZISELWA	NOKUSETSHENZISWA	NOKUSETSHENZISWA
	YOHLELO	ZONA UMHLABA	KWEZAKHIWO	KWEZAKHIWO
			NOMHLABA	NOMHLABA ONGEKE
			ONGASETSHENZISWA	USETSHENZISWE
			NGEMVUME	
			EKHETHEKILE	
			KUPHELA	
Indawo eKhethekile:	[OKUPHEPHU]	7. Indawo yokuDayisela	9. Inkulisa	Izakhiwo
eMbonini Services	<u>OPhinki/</u>	16. Ilondolo	10. Indlu yokuhlala	nokusetshenziswa
Park	<u>noSasibhakabhaka</u>	17. Izakhiwo zezimboni	11. Isikole	komhlaba okungabaliwe
	<u>RGB</u>	eziNcane	13. Amakhaza	ohlwini 3 no 4
	<u>224</u>	<u>[Ngaphandle kweziza</u>	14. Igalaji	
	<u>137</u>	<u>1609, 1610, 1611 no</u>	15. Isikhungo	
	<u>250</u>	<u>1626 e-Shakas Head]</u>	21. Igalaji lokupaka	
		20. Amahhovisi	23. Indawo	
		22. Indawo yomphakathi	yokuhlanganela	
		28. Isitolo sokudlela	umphakathi	
		30. Izakhiwo eziyindawo	24. Indawo ezimele	
		yosizo	yokungcebeleka	
		<u>[Ngaphandle kweziza</u>	25. Ihhovisi loMphakathi	
		<u>1609, 1610, 1611 no</u>	26. Isakhiwo	
		<u>1626 e-Shakas Head]</u>	sokungcebeleka	
		34. Indlu yokucgina	27. Izindlu zokuhlala	
		impahla	31. Isikhungo sosizo	
		36. Indawo yezobuciko	32. Isitolo	
		nemisebenzi yezandla	38. Indawo kaMasipala	
		37. Indawo yokukhangisa		
		imoto		
		39. Isitolo esiyiwuliseli		

No. 46

21 kuMbaso 2011

UMTHETHO WOKULUNGISELELA INTUTHUKO, 1995: INGXENYE 25 YEPULAZI I-LUCAS NO. 2626, E-WOZANI RIDGE, KUMASIPALA WASE-HIBISCUS COAST

Ngokwesigaba 33(4) soMthetho wokuLungiselela iNtuthuko, 1995, isiGungu seNtuthuko sesigunyaze ukuthuthukiswa kweziza ezingama-86 zezindlu zokuhlala, iziza ezimbili zamahhovisi ezokuphatha, iziza eziyi-7 zeNdawo yoKongiwa kweMvelo ezimele nesiza somgwaqo ozimele eNgxenyeni yePulazi i-Lucas No. 2626, isiGaba sokuBhaliswa ngu-ET, e-Wozani Ridge, kuMasipala wase-Hibiscus Coast, kuncike kule mibandela elandelayo yokusungulwa okuphathelene nokuphathwa kokusetshenziswa komhlaba nokusebenza kwemithetho —

- (a) ukwelulwa koHlelo lokuHlelwa kweDolobha lase-Hibberdene ukuze libandakanye indawo ethuthukiswayo;
- (b) ukuchitshiyelwa koHlelo lokuHlelwa kweDolobha lase-Hibberdene
 - (i) ngokuthi kufakwe isihloko 6 seTebhula C: Lot Controls for S
 - (ii) ngokuhlelwa nokuklanywa komhlaba ozothuthukiswa ngokuhambisana nomdwebo wepulani 09E01P04, wangenyanga kaNcwaba 2009;
- (c) imvume ekhethekile kamasipala kumele kuthathwe ngokuthi ikhishiwe ukuze kwelulwe izindawo ezisemaceleni phakathi kweziza 1062 no 1063 e-Hibberdene; phakathi kweziza 1065 no 1130 e-Hibberdene; naphakathi kweziza 1065 no 1129 e-Hibberdene ngemitha elilodwa kuzo zombili izinhlangothi zomngcele omdala;
- (d) izigaba 11, 11*bis*, 12, 16 – 28, 35 – 39, 44, 47, 47*bis* no 67 ze-Odinensi yokuHlelwa kwamaDolobha, 1949 (i-Odinensi No. 27 ka 1949), angeke zisebenze endaweni ethuthukiswayo ngenhloso yalokho kuthuthukiswa ngokuhambisana nemibandela yokusungulwa kwamalokishi; futhi
- (e) uMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977), neminye imithetho elawula ukwakhiwa kwezakhiwo endaweni ethuthukiswayo iyoqhubeka nokusebenza endaweni ethuthukiswayo.

S S ANNOOP, Isikhulu esiQokiwe

Usuku: 14 uNdasa 2011

Inkomba yefayela: 2009/510