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GOVERNMENT NOTICES

DEPARTMENT OF WATER AFFAIRS AND FORESTRY

No. 995

4 June 1993

MHLATUZE RIVER GOVERNMENT WATER CONTROL AREA: DISTRICTS OF MTONJANENI, ESHOWE, LOWER UMFOLOZI AND MTUNZINI, NATAL: DETERMINATION IN TERMS OF SECTION 63 (2) OF THE WATER ACT, 1956 (ACT No. 54 OF 1956), OF THE MAXIMUM EXTENT OF LAND THAT MAY BE IRRIGATED

1. I, Jacob Albertus van Wyk, Minister of Water Affairs and Forestry, in terms of the powers vested in me by—

- (a) section 63 (1) (b) of the Water Act, 1956 (Act No. 54 of 1956), hereby make the provisions of section 63 of the said Act applicable to the Mhlathuze River Government Water Control Area;
- (b) section 63 (11A) of the said Act, hereby prohibit the construction, alteration or enlargement of any water work for the abstraction, diversion, impoundment or storage of water from the Mhlathuze River in the said Control Area, except on the authority of a permit issued by me, and subject to the conditions specified in such permit;
- (c) section 63 (2) (a), read with section 63 (2A), of the said Act, hereby determine that the maximum extent of land comprised in any piece of land in the said Control Area which may be irrigated with water from the Mhlathuze River shall

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN WATERWESE EN BOSBOU

No. 995

4 Junie 1993

MHLATUZERIVIER - STAATSWATERBEHEERGE - BIED: DISTRIKTE MTONJANENI, ESHOWE, LOWER UMFOLOZI EN MTUNZINI, NATAL: BEPALING KRAGTENS ARTIKEL 63 (2) VAN DIE WATERWET, 1956 (WET No. 54 VAN 1956), VAN DIE MAKSIMUM OMVANG VAN GROND WAT BESPROEI KAN WORD

1. Ek, Jacob Albertus van Wyk, Minister van Waterwese en Bosbou, kragtens die bevoegdheid my verleen by—

- (a) artikel 63 (1) (b) van die Waterwet, 1956 (Wet No. 54 van 1956), maak hierby die bepalings van artikel 63 van genoemde Wet op die Mhlathuzerivier-staatswaterbeheergebied van toepassing;
- (b) artikel 63 (11A) van genoemde Wet, plaas hierby 'n verbod op die oprigting, verandering of vergroting van 'n waterwerk vir die uitneem, uitkeer, opdamming of opgaring van water uit die Mhlathuzerivier in bogenoemde Beheergebied behalwe kragtens magtiging van 'n permit wat deur my uitgereik is en onderworpe aan die voorwaardes wat in sodanige permit vervat is;
- (c) artikel 63 (2) (a), gelees met artikel 63 (2A), van genoemde Wet, bepaal hierby dat die maksimum omvang van grond wat deel uitmaak van enige stuk grond in genoemde Beheergebied

be as follows, provided that such land can, in the opinion of the scheduling Board appointed by me in terms of section 64 (1) of the said Act, be irrigated beneficially without prejudice to any water work in the Control Area:

- (i) In respect of properties situated in the Nkweleni and Umfuli Irrigation Districts the allocations shall be those areas that appear on the first schedules of rateable areas compiled after the date hereof by the Irrigation Boards of the said Irrigation Districts in terms of section 88 of the said Act and approved by the Regional Director: Natal of the Department of Water Affairs and Forestry;
- (ii) in respect of properties situated in the Heatonville Irrigation District the allocations shall be those areas indicated in a proposed schedule of rateable areas compiled by the Department of Water Affairs and Forestry and the Heatonville Irrigation Board which is based on a preliminary schedule of rateable areas of the said Irrigation Board dated 10 November 1989;
- (iii) in respect of the remainder of properties in the Government Water Control Area, excluding those properties situated in the KwaZulu Area, the allocation shall be as follows:
The most advantageous of—
 - (aa) 20 ha per property as registered in the Deeds Office on the date of inclusion thereof in the said Government Water Control Area, plus 30% of the remainder of the irrigable potential within the limits of 60 metres above and 2 kilometres from the bank of the Mhlatuze River; or
 - (bb) that area which is already or may still be irrigated in accordance with permits issued before 8 April 1993 in terms of section 62 of the said Act;
- (d) section 63 (2) (b) of the said Act, hereby determine that the following maximum quantities of water, if available, may be supplied annually for the irrigation of each allotted hectare of land:
 - (i) *In the Nkweleni Irrigation District:* 12 600 m³ (which is equal to an application of 1 260 millimetres);
 - (ii) *in the Heatonville and Umfuli Irrigation Districts:* 11 800 m³ (which is equal to an application of 1 180 millimetres);

wat besproei kan word met water uit die Mhlatuzerivier, soos volg is, mits dit na die mening van die inlystingsraad deur my ingevolge artikel 64 (1) van genoemde Wet ingestel, voordelig besproei kan word sonder benadeling van enige waterwerke in die Beheergebied:

- (i) Ten opsigte van eiendomme geleë in die Nkweleni- en die Umfuli-besproeiingsdistrik is die toekennings die oppervlaktes wat verskyn in die eerste lys van belasbare oppervlaktes wat na datum hiervan saamgestel word deur die besproeiingsrade van genoemde besproeiingsdistrikte ingevolge artikel 88 van genoemde Wet en deur die Streekdirekteur van die Departement van Waterwese en Bosbou goedgekeur is;
- (ii) ten opsigte van eiendomme geleë in die Heatonville-besproeiingsdistrik is die toekennings die oppervlaktes wat verskyn in 'n voorgestelde lys van belasbare oppervlaktes saamgestel deur die Departement van Waterwese en Bosbou en die Heatonville-besproeiingsraad wat op 'n voorlopige lys van belasbare oppervlaktes van gemelde besproeiingsraad gedateer 10 November 1989 gebaseer is;
- (iii) ten opsigte van die res van die eiendomme in die Staatswaterbeheergebied, uitgesonderd dié eiendomme wat in die KwaZulu-gebied geleë is, is die toekennings soos volg:
Die voordeligste van—
 - (aa) 20 ha per eiendom soos geregistreer in die Akteskantoor op datum van insluiting daarvan by genoemde Staatswaterbeheergebied, plus 30% van die balans van die besproeibare potensiaal binne die perke van 60 meter bokant en 2 kilometer vanaf die oewer van die Mhlatuzerivier; of
 - (bb) die oppervlakte wat reeds besproei word of nog besproei kan word ingevolge permitte wat voor 8 April 1993 kragtens artikel 62 van genoemde Wet uitgereik is;
- (d) artikel 63 (2) (b) van genoemde Wet, bepaal hierby dat die volgende maksimum hoeveelhede water, indien dit beskikbaar is, jaarliks verskaf kan word vir die besproeiing van elke toegekende hektaar grond:
 - (i) *In die Nkweleni-besproeiingsdistrik:* 12 600 m³ (gelyk aan 'n toediening van 1 260 millimeter);
 - (ii) *in die Heatonville- en die Umfuli-besproeiingsdistrik:* 11 800 m³ (wat gelyk is aan 'n toediening van 1 180 millimeter);

- (iii) *in the remainder of the Control Area, excluding the KwaZulu area: 9 000 m³ (which is equal to an application of 900 millimetres).*

2. All permits issued in terms of section 62 of the said Act for the abstraction of water for irrigation purposes from the Mhlatuze River in the Government Water Control Area shall be replaced by this determination.

J. A. VAN WYK,

Minister of Water Affairs and Forestry.

- (iii) *in die res van die Beheergebied, uitgesonderd die KwaZulu-gebied: 9 000 m³ (wat gelyk is aan 'n toediening van 900 millimetres).*

2. Alle permitte wat ingevolge artikel 62 van genoemde Wet uitgereik is vir die onttrekking van water vir besproeiingsdoeleindes uit die Mhlatuzerivier in die Staatswaterbeheergebied, word deur hierdie bepaling vervang.

J. A. VAN WYK,

Minister van Waterwese en Bosbou.

No. 996

4 June 1993

MHLATUZE RIVER GOVERNMENT WATER CONTROL AREA: DISTRICTS OF MTONJANENI, ESHOWE, LOWER UMFOLOZI AND MTUNZINI, NATAL:

- (A) ABOLITION OF CONTROL IN TERMS OF SECTION 59 (1) (b) OF THE WATER ACT, 1956 (ACT No. 54 OF 1956)

(B) AMENDMENT OF BOUNDARIES

In respect of the Mhlatuze River Government Water Control Area established by Proclamation No. 125 of 24 June 1977, I, Jacob Albertus van Wyk, Minister of Water Affairs and Forestry, determine the following in terms of the powers vested in me by section 59 (1) of the Water Act, 1956 (Act No. 54 of 1956):

- (a) Control in the said Government Water Control Area over the abstraction, utilisation, supply or distribution of public water for the purpose of section 59 (1) (b) of the said Act is hereby abolished with effect from the date hereof.
- (b) The boundaries of the said Government Water Control Area in the Lower Umfolozi District are hereby amended as follows:
- (i) The following properties shall be excluded for the purpose of section 59 (1) of the said Act:
- Lot 273, Empangeni 14129.
 - Lot 262, Empangeni 13375.
 - Spes Bona 11829.
 - Fatima 11785.
- (ii) The following properties shall be included for the purpose of section 59 (1) (a) of the said Act:
- Dube Ridge 15223.
 - Lot 290, Empangeni 13388.
 - Lot 291, Empangeni 13387.
 - Lot 292, Empangeni 13399.
 - Lot 244, Empangeni 10574.

No. 996

4 Junie 1993

MHLATUZERIVIER - STAATSWATERBEHEERGE - BIED: DISTRIKTE MTONJANENI, ESHOWE, LOWER UMFOLOZI EN MTUNZINI, NATAL:

- (A) OPHEFFING VAN BEHEER INGEVOLGE ARTIKEL 59 (1) (b) VAN DIE WATERWET, 1956 (WET No. 54 VAN 1956)

(B) WYSIGING VAN DIE GRENSE

Ten opsigte van die Mhlatuzerivier-staatswater-beheergebied soos ingestel by Proklamasie No. 125 van 24 Junie 1977, bepaal ek, Jacob Albertus van Wyk, Minister van Waterwese en Bosbou, die volgende kragtens die bevoegdheid my verleen by artikel 59 (1) van die Waterwet, 1956 (Wet No. 54 van 1956):

- (a) Beheer in genoemde Staatswaterbeheergebied oor die uitneem, aanwending, voorsiening of distribusie van openbare water vir doeleindes van artikel 59 (1) (b) van genoemde Wet word hierby met ingang van die datum hiervan opgehef.
- (b) Die grense van genoemde Staatswaterbeheergebied in die distrik Lower Umfolozi word hierby soos volg gewysig:
- (i) Die volgende eiendomme word uitgesluit vir doeleindes van artikel 59 (1) van genoemde Wet:
- Lot 273, Empangeni 14129.
 - Lot 262, Empangeni 13375.
 - Spes Bona 11829.
 - Fatima 11785.
- (ii) Die volgende eiendomme word ingesluit vir doeleindes van artikel 59 (1) (a) van genoemde Wet:
- Dube Ridge 15223.
 - Lot 290, Empangeni 13388.
 - Lot 291, Empangeni 13387.
 - Lot 292, Empangeni 13399.
 - Lot 244, Empangeni 10574.

Lot 277, Empangeni 12061.
 Lot 229, Empangeni 9983.
 Sub. B of Lot 231 Empangeni 12094.
 Arcadia 11079.
 Handley Cross 12187.
 Lynwood 11425.
 Hlangasa 10963.
 Bolarum 11571.
 Merchiston 12085.

J. A. VAN WYK,
 Minister of Water Affairs and Forestry.

Lot 277, Empangeni 12061.
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J. A. VAN WYK,
 Minister van Waterwese en Bosbou.

CONTENTS

No.		Page No.	Gazette No.
GOVERNMENT NOTICES			
Water Affairs and Forestry, Department of			
<i>Government Notices</i>			
995	Water Act (54/1956): Mhlathuze River Government Water Control Area: Districts of Mtonjaneni, Eshowe, Lower Umfolozi and Mtunzini, Natal: Determination of the maximum extent of land that may be irrigated.....	1	14863
996	do.: Mhlathuze River Government Water Control Area: Districts of Mtonjaneni, Eshowe, Lower Umfolozi and Mtunzini, Natal: (a) Abolition of control; (b) amendment of boundaries	3	14863

INHOUD

No.		Bladsy No.	Koerant No.
GOEWERMENTSKENNISGEWINGS			
Waterwese en Bosbou, Departement van			
<i>Goewermentskennisgewings</i>			
995	Waterwet (54/1956): Mhlathuzerivier-staatswaterbeheergebied: Distrikte Mtonjaneni, Eshowe, Lower Umfolozi en Mtunzini, Natal: Bepaling van die maksimum omvang van grond wat besproei kan word	1	14863
996	Mhlathuzerivier-staatswaterbeheergebied: Distrikte Mtonjaneni, Eshowe, Lower Umfolozi en Mtunzini, Natal: (a) Opheffing van beheer; (b) wysiging van die grense ..	3	14863