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OF  
KwaZulu-Natal

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Provinsiale Koerant  
VAN  
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Op Gesag Uitgegee  
(As 'n nuusblad by die poskantoor geregistreer)

IGaz  
YESIFUN  
saKwaZu

Ishicilelwe  
(Irejistiwe njengepheph)

No. 5405

ULWESINE, 27 JANUWARI

*Izaziso ezihunyushwe noma ezihlolwe uPhiko Lwemisebenzi yeziLimi zikhonjiswe ngaloluphawu †.*

No.

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No. 5405 THURSDAY, 27 JANUARY 2000

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**PROCLAMATION**

by the Minister of Traditional Affairs, Safety and Security and of Local Government

315(1)(ii)(a) of the Local Authorities Ordinance, 1974 (Ordinance No. 25 of 1974), read with section 16(2) of the Local Government Transition Act, No. 209 of 1993 and read with paragraph 16 of Schedule 2 to Proclamation No. 80, 1996 dated 25 June 1996, I hereby suspend from operation the provisions of section 175 of the said Ordinance in respect of immovable property referred to in paragraph 10(3) of the said Proclamation or is intended for use for residential purposes and in relation to rates payable in respect of such property for the financial year

councils from the provisions of subsection (11) of section 172 of the said Ordinance and subsection (11) of section 105 of the Powers Consolidated Ordinance, 1976 (Ordinance No. 18 of 1976);

councils from the provisions of section 171 of the said Ordinance No. 25 of 1974 and section 106A of the said Ordinance No. 18

shall be deemed to have come into effect on 30 June 1998 and shall operate until the provisions from which exemption is so granted come into effect.

at Pietermaritzburg, this 5th day of January Two Thousand.

INKOSI N. J. NGUBANE

Minister of Traditional Affairs, Safety and Security and of Local Government

27 Januarie 2000

**PROKLAMASIE**

van die Minister van Tradisionele Sake, Veiligheid en Sekuriteit en van Plaaslike Regering

315(1)(ii)(a) van die Ordonnansie op Plaaslike Owerhede, 1974 (Ordonnansie No. 25 van 1974), saamgelees met artikel 16(2) van die Plaaslike Regering, 1993 (Wet No. 209 van 1993), en saamgelees met paragraaf 16 van bylae 2 by Proklamasie No. 80 van 1996, en ten opsigte van die Noord-Sentrale en Suid-Sentrale Plaaslike Rade, en met betrekking tot vaste eiendom vermeld in voornoemde bylae, wat vir woondoeleindes gebruik word of na voorneme gebruik gaan word en ten opsigte van belasting wat op die boekjaar 1998/1999 betaalbaar is —

voornoemde rade vry van die bepalings van subartikel (11) van artikel 172 van voornoemde Ordonnansie en subartikel (11) van die Konsolideringsordonnansie op die Uitgebreide Bevoegdheide van Durban, 1976 (Ordonnansie No. 18 van 1976);

voornoemde rade vry van die bepalings van artikel 171 van voornoemde Ordonnansie No. 25 van 1974 en artikel 106A van voornoemde Ordonnansie No. 18 van 1976.

ord geag in werking te getree het op 30 Junie 1998 en is van toepassing totdat die bepalings waarvoor vrystelling aldus verleen is, in werking is.

te Pietermaritzburg, op hierdie 5de dag van Januarie Tweeduisend.

INKOSI N. J. NGUBANE

Minister van Tradisionele Sake, Veiligheid en Sekuriteit  
en van Plaaslike Regering

27 Januwari 2000

**ISIMEMEZELO**

esenziwe nguNgqongqoshe wezeNdabuko, ezokuPhepha nokuVikeleka kanye noHulumeni baseKhaya

isigaba 315(1)(ii)(a) se-Odinensi yoMaziphathe baseKhaya, 1974 (Ordinance No. 25 of 1974), sifundwa nesigaba 16(2) kweHulumeni baseKhaya, No. 209 ka 1993 futhi sifundwa nendima 16 yoHlelo 2 kwiSimemezelelo No. 80, 1996 samhlaka maqondana neMikhandlu yaseNyakatho eMaphakathi nowaseNingizimu eMaphakathi mayelana nempahla enokususwa okukhulunywe ngayo ngokukhulunywe ngalo olusetshenziselwe noma okuhloswe ukuba lusetshenziselwe izindawo zokuhlala futhi zinokukhokhwa maqondana naleyo mpahla ngonyaka wezimali ka 1998/1999 —

ndlu okukhulunywe ngayo kwizihlinzeko zesigatshana (11) sesigaba 172 se-Odinensi okukhulunywe ngayo kanye nesigaba 105 se-Durban Extended Powers Consolidated Ordinance, 1976 (Ordinance No. 18 of 1976);

ndlu okukhulunywe ngayo kwizihlinzeko zesigaba 171 se-Odinensi No. 25 ka 19974 okukhulunywe ngayo kanye nesigaba 106A ka 1976.

nathwa ngokuthi siqale ukusebenza mhlaka 30 Juni 1998 futhi siyosebenza kuze kube izihlinzeko zokukhishwa kwaso azisas-

eSandla sami eMgungundlovu, ngalolusuku lwesi-5 ku Januwari oNyakeni weziNkulungwane eziMbili.

INKOSI N. J. NGUBANE

uNgqongqoshe wezeNdabuko, ezokuPhepha nokuVikeleka kanye noHulumeni baseKhaya

27 January 2000

**PROCLAMATION**

by the Minister of Traditional Affairs, Safety and Security and of Local Government

vested in me by the provisions of section 315(1)(ii) of the Local Authorities Ordinance, 1974 (Ordinance No. 25 of 1974) read with section 16(2) of the Local Government Transition Act, 1993 (Act No. 209 of 1993), and in respect of the North Central and the South Central Local Authorities, I hereby suspend from operation the provisions of section 175 of the said Ordinance in relation to the transfer of immovable property by the said councils in their ownership and not within any township administered in terms of the provisions of the said Ordinance No. 293 of 1962 to purchasers of such property who qualify to benefit from the Extended Discount Benefit Scheme.

The provisions of this proclamation shall come into operation on the date of its publication and shall operate for a period ending on the date that the repeal of the aforesaid Ordinance takes effect.

Given under my Hand at Pietermaritzburg, this 20th day of December One thousand Nine hundred and Ninety-nine.

INKOSI N. J. NGUBANE  
Minister of Traditional Affairs, Safety and Security and of Local Government

No. 9, 2000

27 Januarie 2000

## PROKLAMASIE

van die Minister van Tradisionele Sake, Veiligheid en Sekuriteit en van Plaaslike Regering

**K**RAGTENS die bevoegdhede aan my verleen by die bepalings van artikel 315(1)(ii) van die Ordonnansie op Plaaslike Owerhede, 1974 (Ordonnansie No. 25 van 1974), saamgelees met artikel 16(2) van die Oorgangswet op Plaaslike Regering, 1993 (Wet No. 209 van 1993), en ten opsigte van die Noord-Sentrale en Suid-Sentrale Plaaslike Rade, soos omskryf in Proklamasie No. 80 van 1996, gedateer 25 Junie 1996, skort ek hierby die toepassing van die bepalings van artikel 175 van voornoemde Ordonnansie op met betrekking tot die oordrag van vaste eiendom deur voornoemde rade in hulle besit en wat nie binne enige dorp is wat ingevolge Proklamasie 239 van 1962 geadministreer word aan kopers van sodanige eiendom wat kwalifiseer om voordeel te verkry uit die Uitgebreide Kortingvoordeelskema nie.

Die bepalings van hierdie Proklamasie tree op die publikasiedatum daarvan in werking en is van toepassing vir 'n tydperk wat eindig op die datum waarop die herroeping van voornoemde Ordonnansie in werking tree.

Gegee onder my Hand te Pietermaritzburg, op hierdie 20ste dag van Desember Eenduisend negehonderd nege-en-negentig.

INKOSI N. J. NGUBANE  
Minister van Tradisionele Sake, Veiligheid en Sekuriteit van Plaaslike Regering

No. 9, 2000

27 Januarie 2000

## ISIMEMEZELO

esenziwe nguNgqongqoshe wezeNdabuko, ezokuPhepha nokuVikeleka kanye noHulumeni baseKhaya

**N**GAPHANSI kwamandla engiwanikwe yizihlinzeko zesigaba 315(ii) se-Odinensi yeziPhathimandla zaseKhaya, 1974 (Ordinance No. 25 of 1974) sifundwa nesigaba 16(2) soMthetho woGuquko woHulumeni baseKhaya, 1993 (uMthetho No. 209 ka 1993), namaqondana neMikhandlu yaseNyakatho emaPhakathi nowaseNingizimu emaPhakathi njengoba kuchazwe kwiSimemezelelo No. 80, 1996 samhlaka 25 Juni 1996, ngalokhu ngimisa ukusebenza kwezihlinzeko zesigaba 175 ze-Odinensi okukhulunywe ngayo maqondana nokudluliselwa kwempahla enokususwa yimikhandlu okukhulunywe ngayo ekubeni ngabanikazi kwayo hhayi kunoma yiliphi ilokishi eliphethwe ngokulandela iSimemezelelo No. 293 sika 1962 kubathengi baleyo mpahla abanelungelo lokuzuza kwi-Extended Discount Benefit Scheme.

Izihlinzeko zalesiSimemezelelo ziyiqala ukusebenza ngosuku lokushicilelwa kwaso futhi ziyosebenza ngesikhathi esiphela ngosuku lokuqala koku-chithwa kwe-Odinensi.

Kunikwe ngaphansi kweSandla sami eMgungundlovu, ngosuku lwama-20 ku Disemba oNyakeni wenkulungwane namakhulu ayisiShiyagalolunye namashumi ayisiShiyagalolunye nesishiyagalolunye.

INKOSI N. J. NGUBANE  
uNgqongqoshe wezeNdabuko, ezokuPhepha nokuVikeleka kanye noHulumeni baseKhaya

# PROVINCIAL NOTICES — PROVINSIALE KENNISGEWINGS — IZAZISO ZESIFUNDAZWE

THE following notices are published for general information.

Natalia  
Longmarket Street  
Pietermaritzburg  
27 January 2000

O.E.H.M. NXUMALO  
Director-General

ONDERSTAANDE kennisgewings word vir algemene inligting gepubliseer.

Natalia  
Langmarkstraat  
Pietermaritzburg  
27 Januarie 2000

O.E.H.M. NXUMALO  
Direkteur-generaal

IZAZISO ezilandelayo zikhishelwe ulwazi lwawonke uwonke.

Natalia  
Longmarket Street  
Pietermaritzburg  
27 Januware 2000

O.E.H.M. NXUMALO  
Umqondisi-Jikelele

No. 20, 2000

27 January 2000

## REMOVAL OF CONDITIONS OF TITLE

Makenete Benjamin Maduna, Director: Land Planning and Survey in the Department of Traditional and Local Government Affairs of the Provincial Administration of KwaZulu-Natal, acting under section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with Delegation 2 of Part VIII of Chapter B of the General Delegations of Authority of the Department of Traditional and Local Government Affairs of the said Provincial Administration issued by the Minister of Traditional Affairs, Safety and Security and Local Government of the Province of KwaZulu-Natal in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), hereby remove from Deed of Transfer No. T 33072/96 or any subsequent title deed pertaining to Rem of Erf 1731 Port Shepstone, situate in the Port Shepstone Local Council, Administrative District and Province of KwaZulu-Natal, the conditions of title lettered/numbered C.(b)2., D.1.1. and D.1.2.

Dated at Durban, this 29th day of December One thousand Nine hundred and Ninety-nine.

M. B. MADUNA  
Director:  
Land Planning and Survey  
Coastal Region  
PTB/R 102825

No. 21, 2000

27 January 2000

## REMOVAL OF CONDITIONS OF TITLE

Makenete Benjamin Maduna, Director: Land Planning and Survey in the Department of Traditional and Local Government Affairs of the Provincial Administration of KwaZulu-Natal, acting under section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with Delegation 2 of Part VIII of Chapter B of the General Delegations of Authority of the Department of Traditional and Local Government Affairs of the said Provincial Administration issued by the Minister of Traditional Affairs, Safety and Security and Local Government of the Province of KwaZulu-Natal in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), hereby remove from Deed of Transfer No. T 24725/99 or any subsequent title deed pertaining to Erf 2045 Ramsgate, situate in the Margate Local Council, Administrative District and Province of KwaZulu-Natal, the conditions of title lettered B.(a), B.(d), B.(e), B.(f) and B.(m).

Dated at Durban, this 29th day of December One thousand Nine hundred and Ninety-nine.

M. B. MADUNA  
Director:  
Land Planning and Survey  
Coastal Region  
PTB/R 103334

No. 20, 2000

27 Januarie 2000

## OPHEFFING VAN TITELVOORWAARDES

E.K. Makenete Benjamin Maduna, Direkteur: Grondbeplanning en Opmeting in die Departement van Tradisionele Sake en Plaaslike Regering van die Provinsiale Administrasie van KwaZulu-Natal, handelende kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid van die Departement van Tradisionele Sake en Plaaslike Regering van voornoemde Provinsiale Administrasie, uitgereik deur die Minister van Tradisionele Sake, Veiligheid en Sekuriteit en Plaaslike Regering van die provinsie KwaZulu-Natal ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet No. 8 van 1994), hef hierby ten opsigte van Transportakte No. T 33072/96 of enige daaropvolgende titelbewys met betrekking tot Rest van Erf 1731 Port Shepstone, geleë in die Port Shepstone Plaaslike Raad, administratiewe distrik en provinsie KwaZulu-Natal, die titelvoorwaardes geletter/genommer C.(b)2., D.1.1. en D.1.2. op.

Gedateer te Durban, op hede die 29ste dag van Desember Eenduizend Negehonderd nege-en-negentig.

M. B. MADUNA  
Direkteur:  
Grondbeplanning en Opmeting  
Kusstreek  
PTB/R 102825

No. 21, 2000

27 Januarie 2000

## OPHEFFING VAN TITELVOORWAARDES

E.K. Makenete Benjamin Maduna, Direkteur: Grondbeplanning en Opmeting in die Departement van Tradisionele Sake en Plaaslike Regering van die Provinsiale Administrasie van KwaZulu-Natal, handelende kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid van die Departement van Tradisionele Sake en Plaaslike Regering van voornoemde Provinsiale Administrasie, uitgereik deur die Minister van Tradisionele Sake, Veiligheid en Sekuriteit en Plaaslike Regering van die provinsie KwaZulu-Natal ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet No. 8 van 1994), hef hierby ten opsigte van Transportakte No. T 24725/1999 of enige daaropvolgende titelbewys met betrekking tot Erf 2045 Ramsgate, geleë in die Margate Plaaslike Raad, administratiewe distrik en provinsie KwaZulu-Natal, die titelvoorwaardes geletter B.(a), B.(d), B.(e), B.(f) en B.(m) op.

Gedateer te Durban, op hede die 29ste dag van Desember Eenduizend Negehonderd nege-en-negentig.

M. B. MADUNA  
Direkteur:  
Grondbeplanning en Opmeting  
Kusstreek  
PTB/R 103334



No. 22, 2000

27 January 2000

## REMOVAL OF CONDITIONS OF TITLE

**I** Makenete Benjamin Maduna, Director: Land Planning and Survey in the Department of Traditional and Local Government Affairs of the Provincial Administration of KwaZulu-Natal, acting under section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with Delegation 2 of Part VIII of Chapter B of the General Delegations of Authority of the Department of Traditional and Local Government Affairs of the said Provincial Administration issued by the Minister of Traditional Affairs, Safety and Security and Local Government of the Province of KwaZulu-Natal in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), hereby remove from Deed of Transfer No. T 1035/90 or any subsequent title deed pertaining to Remainder of Erf 166 Atholl Heights, situate in the Inner West City Council, Administrative District and Province of KwaZulu-Natal, the conditions of title lettered B.(a), B.(g) and B.(h).

Dated at Durban, this 29th day of December One thousand Nine hundred and Ninety-nine.

M. B. MADUNA  
Director:  
Land Planning and Survey  
Coastal Region  
PTB/R 103359

No. 23, 2000

27 January 2000

## REMOVAL OF CONDITIONS OF TITLE

**I** Makenete Benjamin Maduna, Director: Land Planning and Survey in the Department of Traditional and Local Government Affairs of the Provincial Administration of KwaZulu-Natal, acting under section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with Delegation 2 of Part VIII of Chapter B of the General Delegations of Authority of the Department of Traditional and Local Government Affairs of the said Provincial Administration issued by the Minister of Traditional Affairs, Safety and Security and Local Government of the Province of KwaZulu-Natal in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), hereby remove from Deed of Transfer No. T 2963/1971 or any subsequent title deed pertaining to Remainder of Erf 167 Atholl Heights Township, situate in the Inner West City Council, Administrative District and Province of KwaZulu-Natal, the conditions of title numbered/lettered 2.(a), 2.(f) and 2.(g).

Dated at Durban, this 29th day of December One thousand Nine hundred and Ninety-nine.

M. B. MADUNA  
Director:  
Land Planning and Survey  
Coastal Region  
PTB/R 103360

No. 24, 2000

27 January 2000

## REMOVAL OF CONDITION OF TITLE

**I** Makenete Benjamin Maduna, Director: Land Planning and Survey in the Department of Traditional and Local Government Affairs of the Provincial Administration of KwaZulu-Natal, acting under section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with Delegation 2 of Part VIII of Chapter B of the General Delegations of Authority of the Department of Traditional and Local Government Affairs of the said Provincial Administration issued by the Minister of Traditional Affairs, Safety and Security and Local Government of the Province of KwaZulu-Natal in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), hereby remove from Deed of Transfer No. T 6042/96 or any subsequent title deed pertaining to Erf 57 Ballito, situate in the Dolphin Coast Local Council, Administrative District and Province of KwaZulu-Natal, the condition of title lettered B.(a).

No. 22, 2000

## OPHEFFING VAN TITELVOORWAARDE

**E**K. Makenete Benjamin Maduna, Direkteur van Landelike en Plaaslike Oorleë in die Departement van Tradisionele Sake en Plaaslike Oorleë, handelend onder afdeling 2(1) van die Wet op die Verwydering van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met hoofstuk B van die Algemene Delegation van Oorleë van die Departement van Tradisionele Sake en Plaaslike Oorleë van die Provinsie KwaZulu-Natal ingevolge artikel 2 van die Delegation van Oorleë, hef hierby ten opsigte van Transportakte daaropvolgende titelbewys met betrekking tot Erf 166 Atholl Heights, geleë in die Binne-Westelike Stad, Administratiewe Distrik en Provinsie KwaZulu-Natal, die titelvoorwaarde B.(h) op.

Gedateer te Durban, op hede die Eenduisend Negehoenderd nege-en-negentig.

No. 23, 2000

## OPHEFFING VAN TITELVOORWAARDE

**E**K. Makenete Benjamin Maduna, Direkteur van Landelike en Plaaslike Oorleë in die Departement van Tradisionele Sake en Plaaslike Oorleë, handelend onder afdeling 2(1) van die Wet op die Verwydering van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met hoofstuk B van die Algemene Delegation van Oorleë van die Departement van Tradisionele Sake en Plaaslike Oorleë van die Provinsie KwaZulu-Natal ingevolge artikel 2 van die Delegation van Oorleë, hef hierby ten opsigte van Transportakte daaropvolgende titelbewys met betrekking tot Erf 167 Atholl Heights, geleë in die Binne-Westelike Stad, Administratiewe Distrik en Provinsie KwaZulu-Natal, die geletter 2.(a), 2.(f) en 2.(g) op.

Gedateer te Durban, op hede die Eenduisend Negehoenderd nege-en-negentig.

No. 24, 2000

## OPHEFFING VAN TITELVOORWAARDE

**E**K. Makenete Benjamin Maduna, Direkteur van Landelike en Plaaslike Oorleë in die Departement van Tradisionele Sake en Plaaslike Oorleë, handelend onder afdeling 2(1) van die Wet op die Verwydering van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met hoofstuk B van die Algemene Delegation van Oorleë van die Departement van Tradisionele Sake en Plaaslike Oorleë van die Provinsie KwaZulu-Natal ingevolge artikel 2 van die Delegation van Oorleë, hef hierby ten opsigte van Transportakte daaropvolgende titelbewys met betrekking tot Erf 57 Ballito, geleë in die Dolfynkus Plaaslike Raad, Administratiewe Distrik en Provinsie KwaZulu-Natal, die titelvoorwaarde geletter B.(a) op.

Gedateer te Durban, op hede die 29ste dag van Desember  
Eenduisend Negehonderd negen-en-negentig.

M. B. MADUNA  
Direkteur:  
Grondbeplanning en Opmeting  
Kusstreek  
PTB/R 103385

No. 25, 2000

27 Januarie 2000

## OPHEFFING VAN TITELVOORWAARDES

**E**K. Makenete Benjamin, Direkteur: Grondbeplanning en Opmeting in die Departement van Tradisionele Sake en Plaaslike Regering van die Provinsiale Administrasie van KwaZulu-Natal, handelende kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid van die Departement van Tradisionele Sake en Plaaslike Regering van voornoemde Provinsiale Administrasie, uitgereik deur die Minister van Tradisionele Sake, Veiligheid en Sekuriteit en Plaaslike Regering van die provinsie KwaZulu-Natal ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet No. 8 van 1994), hef hierby ten opsigte van Transportakte No. T 27664/98 of enige daaropvolgende titelbewys met betrekking tot Erf 120 Monteseel, geleë in die Westelike Metropolitaanse Substruktuurraad, administratiewe distrik en provinsie KwaZulu-Natal, die titelvoorwaardes geletter B.(b), B.(c) en B.(d) op.

Gedateer te Durban, op hede die 29ste dag van Desember  
Eenduissend Negehonderd nege-en-negentig.

M. B. MADUNA  
Direkteur:  
Grondbeplanning en Opmeting  
Kusstreek  
PTB/R 103106

No. 26, 2000

27 January 2000

DEPARTMENT OF TRANSPORT  
TENDERS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE DEPARTMENT OF TRANSPORT  
KWAZULU-NATAL

1. Please note that tender requests can be made via facsimile (viz. 033-3558091) for all documents.
2. Tenders must be on the official tender/quotation form which shall be completed in all respects and all information must be supplied as stipulated in the tender document.
3. Tenders must be submitted in separate sealed envelopes.
4. Separate envelopes must be used for each tender invitation.
5. The address, tender number and closing date must be endorsed on the back of the envelope.
6. The name and address of the tenderer must be endorsed on the back of the envelope.
7. All Tender Board contract awards are subject to appeals being lodged (if any) and letters of acceptance being issued.

To obtain the following tender documents, contact the telephone and facsimile numbers stipulated.

PLEASE NOTE: THE TENDER BOX IS SITUATED IN THE FOYER OF THE DEPARTMENT OF TRANSPORT HEAD OFFICE AT 172 BURGER STREET, PIETERMARITZBURG

SERVICE:	Development of speed timing film for traffic camera office, Pinetown
Tender number:	ZNT 1230/99 T
Closing date:	24 February 2000
Time:	11:00
Documents available from:	Department of Transport Head Office, Room A-616, 6th Floor, 172 Burger Street, Pietermaritzburg
Contact person:	Telephone: 033 3558682, Fax Number: 033 3558091
Cost of document:	Miss B Shange
Period of contract:	Nil
Estimated value:	1 year
Compulsory site inspection:	R100 000,00
Time:	None
Date:	None
Venue:	None
Enquiries regarding tender:	Mrs J. Le Brasse (031) 7001520 ext. 214

SERVICE:	Cash in Transit services RTI Pinetown
Tender number:	ZNT 3041/99 T
Closing date:	24 February 2000
Time:	11:00
Documents available from:	Department of Transport Head Office, Room A-616, 6th Floor, 172 Burger Street, Pietermaritzburg
Contact person:	Telephone: 031 3558091, Fax Number: 031 3558091
Contract period:	Mrs N. Rasmussen
Compulsory site inspection:	2 years
Time:	None
Date:	None
Venue:	None
Enquiries regarding tender:	Mrs H. van Rooyen 033 3423939

#### Award of Tenders

SERVICE:	Use of Courier service for ISS forms to Pretoria
Tender number:	ZNT 3017/99
	Cancelled

SERVICE:	Purchase of firearms
Tender number:	ZNT 3018 T
	Cancelled

SERVICE:	Standard alcometer high speed and accurate Alco meter
Tender number:	ZNT 3205/99 T
	Cancelled

SERVICE:	For the straightening of damaged steel Guardrails
Tender number:	ZNT 2558/00 T
	Cancelled

SERVICE:	Cleaning services MLB Pinetown
Tender number:	ZNT 113/99 T
	B & G Maintenance

SERVICE:	Provision of Global Positioning system
Tender number:	ZNT 1229 T
	Optron

SERVICE:	Supply of "Rubber Bitumen" maintenance and Traffic calming products
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Tender number:	ZNT 2546/00 T Messrs A. J. Broom Road Products (Pty) Ltd
SERVICE:	Supply of Geotextiles
Tender number:	ZNT 2528/3/00 T Messrs Geotextiles Africa cc & Messrs Kaymac Industries Division
SERVICE:	The supply of Geotextiles
Tender number:	ZNT 2528/6/00 T Messrs Geotextiles Africa cc & Messrs Kaymac Industries Division
SERVICE:	The supply of Geotextiles
Tender number:	ZNT 2528/1/00 T Messrs Geotextiles Africa cc & Messrs Kaymac Industries Division
SERVICE:	Supply of Geotextiles
Tender number:	ZNT 2528/5/00 T Messrs Geotextiles Africa cc & Messrs Kaymac Industries Division
SERVICE:	Supply of Geotextiles
Tender number:	ZNT 2528/2/00 T Messrs Geotextiles Africa cc & Messrs Kaymac Industries Division
SERVICE:	Supply of Geotextiles
Tender number:	ZNT 2528/4/00 T Messrs Geotextiles Africa cc & Messrs Kaymac Industries Division

**No. 27, 2000**

27 January 2000

PROVINCE OF KWAZULU-NATAL  
TENDERS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE DEPARTMENT OF AGRICULTURE  
AND ENVIRONMENTAL AFFAIRS

**Award of tenders**

SUPPLY:	Dual Beam UV-visible Spectrophotometer
Tender number:	ZNT 3103 A
Contractor:	SMM Instrument
SUPPLY:	Supply and fit Berber Point carpet tiles
Tender number:	ZNT 3107 A
Contractor:	Leicester Floors

**No. 28, 2000**

27 January 2000

PROVINCE OF KWAZULU-NATAL  
DEPARTMENT OF WORKS  
HIRE OF RESIDENTIAL ACCOMMODATION

SERVICE:	Hire of a 4 bedroomed residential dwelling (D/G, bics, mes, pool, security system and gate house) for the Minister of Housing
Locality:	Durban North or Glenashley, La Lucia, Glen Anil or Umhlanga Rocks
Contract period:	2 years
Tender number:	ZNT 1175 W
Closing date:	25 February 2000
Time:	11:00
Documents available from:	Department of Works, 7th Floor, Room 722, 191 Prince Alfred Street, Pietermaritzburg
Contact persons:	Mr S. Kara or Mrs V. Harryparsad, Tel.: 033 3555582 or 033 3555414, Fax: 033 3555686



No. 29, 2000

27 January 2000

**KWAZULU-NATAL TENDER BOARD**  
**TENDERS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE**  
**PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

1. Please note that tender requests can be made via facsimile (viz. 033-3426737) for all documents available from the Procurement Administration Office: Pietermaritzburg as well as via e-mail. The e-mail address is as follows: **Internet: <zulug@finance.kzntl.gov.za>**
2. Tenders must be on the official tender form which shall be completed in all respects and all information must be supplied as stipulated in the tender document.
3. Tenders must be submitted in separate sealed envelopes.
4. Separate envelopes must be used for each tender invitation.
5. The address, tender number and closing date must be endorsed on the back of the envelope.
6. The name and address of the tenderer must be endorsed on the back of the envelope.
7. All Tender Board contract awards are subject to appeals being lodged (if any) and letters of acceptance being issued.

**SERVICE:**  
**Tender number:**  
**Closing date:**  
**Time:**  
**Documents available from:**

Cleaning service: Department of Transport Head Office  
 ZNT 1222/99 T  
 2000-02-23  
 11:00  
 Procurement Administration Office, 194 Longmarket Street, United Building,  
 4th Floor, Pietermaritzburg  
 Tel.: 033-3428191, Fax: 033-3426737  
 Gladys Zulu  
 OR

**Contact person:**

Department of Transport Head Office, Room A-616, 6th Floor,  
 172 Burger Street, Pietermaritzburg  
 Tel.: 033-3558929, Fax: 033-3558091  
 Mrs N. C. Rasmussen

**Contact person:**  
**Compulsory site inspection:**  
**Time:**  
**Date:**  
**Venue:**  
**Enquiries:**

10:00  
 2000-02-16  
 Department of Transport Head Office, 172 Burger Street, Pietermaritzburg  
 Norma Ford, Tel.: 033-3558627, Fax: 033-3558092

**SERVICE:**  
**Tender number:**  
**Closing date:**  
**Time:**  
**Documents available from:**

Security service: Karl Eggers Building - Pietermaritzburg  
 ZNT 1121 SW  
 2000-03-03  
 11:00  
 Procurement Administration Office: Ulundi, Ulundi Administrative Building,  
 1st Floor, Area No. 4, Ulundi  
 Tel.: 035-8743146, Fax: 035-8743158  
 Monica Shange

**Contact person:**

OR  
 Procurement Administration Office, 194 Longmarket Street, United Building,  
 4th Floor, Pietermaritzburg  
 Tel.: 033-3428191, Fax: 033-3426737  
 Gladys Zulu  
 Mrs N. Ramnarain, Tel.: 033-3456201

**Contact person:**  
**Enquiries:**  
**Compulsory site inspection:**  
**Time:**  
**Date:**  
**Venue:**  
**Contact person:**

10:00  
 2000-02-03  
 Karl Eggers Building, 158 Longmarket Street, Pietermaritzburg  
 Mrs N. Ramnarain, Tel.: 033-3456201

**SERVICE:**  
**Tender number:**  
**Closing date:**  
**Time:**  
**Documents available from:**

Pietermaritzburg — 228 Pietermaritz Street, major repairs and renovations  
 ZNT 4140 W  
 2000-03-03  
 11:00  
 Department of Works, 191 Prince Alfred Street, Pietermaritzburg  
 Tel.: 033-3555500, Fax: 033-3555682  
 Melani Swann  
 Mr B. Servant, Tel.: 033-3428551

**Contact person:**  
**Enquiries:**  
**Compulsory site inspection:**  
**Time:**  
**Date:**  
**Venue:**

10:00  
 2000-02-18  
 Entrance of the Department of Education Building, 228 Pietermaritz Street,  
 Pietermaritzburg  
 Mr B. Servant, Tel.: 033-3428551

**Contact person:**

**SERVICE:**  
**Tender number:**  
**Closing date:**  
**Time:**  
**Documents available from:**

Pietermaritzburg — Town Hill Hospital, installation of new water reticulation  
 pipework  
 ZNT 4107 W  
 2000-03-03  
 11:00  
 Department of Works Regional Office, 191 Prince Alfred Street,  
 Pietermaritzburg  
 Tel.: 033-3429911, Fax: 033-3423111  
 Sandra Lawson

**Contact person:**

- Enquiries: Mr C. Warburton, Tel.: 033-3946571  
*Compulsory site inspection:*  
Time: 10:00  
Date: 2000-02-10  
Venue: Entrance of Town Hill Hospital, (opposite Hyslop Road), Pietermaritzburg  
Contact person: Mr C. Warburton, Tel.: 033-3946571
- SUPPLY:**  
Tender number: Wheelchairs and buggies  
Closing date: ZNT 5888/2000 H  
Time: 2000-02-23  
Documents available from: 11:00  
Procurement Administration Office, 194 Longmarket Street, United Building,  
4th Floor, Pietermaritzburg  
Tel.: 033-3428191, Fax: 033-3426737  
Contact person: Gladys Zulu  
Or  
Procurement Administration Building, Ulundi, Ulundi Administrative Building,  
1st Floor, Area No. 2  
Anisha Ramlaul, Tel.: 031-4685200
- Enquiries: Anisha Ramlaul, Tel.: 031-4685200
- SUPPLY:**  
Tender number: Alcohol 96%  
Closing date: ZNT 5041/2000 H  
Time: 2000-02-23  
Documents available from: 11:00  
Procurement Administration Office, 194 Longmarket Street, United Building,  
4th Floor, Pietermaritzburg  
Tel.: 033-3428191, Fax: 033-3426737  
Contact person: Gladys Zulu  
Or  
Procurement Administration Building, Ulundi, Ulundi Administrative Building,  
1st Floor, Area No. 2  
Mr R. Johnston, Tel.: 031-4626146
- Enquiries: Mr R. Johnston, Tel.: 031-4626146
- Award of tender**
- \*NB: All Tender Board contract awards are subject to appeals being lodged (if any) and letters of acceptance being issued.
- SERVICE:**  
Tender number: Gardens and grounds maintenance  
Contractor: ZNT 2565/98 H  
Sizehago c.c.

**MUNICIPAL NOTICES — MUNISIPALE KENNISGEWINGS — ZAZISO ZIKAMASIPALA**

M.N. 7, 2000

27 January 2000

**UMTAMVUNA TRANSITIONAL LOCAL COUNCIL****PUBLIC HEALTH BYLAWS RELATING TO NUISANCES****DEFINITIONS****1. In these Bylaws, unless the context otherwise indicates —**

"Area" means the area of jurisdiction of the Umtamvuna Transitional Local Council;

"Authorised Health Officer" or "Health Officer" shall mean an Environmental Health Officer appointed for the purpose of administering these bylaws;

"Authorised Officer" means a duly Authorised Officer appointed by the Council, a Traffic Officer, a Peace Officer or a member of the South African Police Services;

"Burial" shall include cremation;

"Camp or camping" shall mean the occupation of land and/or use of temporary or movable structures for the purpose of human occupation or for the purpose of any trade or business and shall include the erection or the use of tents or the parking of caravans or other vehicles or intended for any of these purposes;

"Council" or "Town Council" means the Town Council of the Umtamvuna Transitional Local Council;

"Environmental Health Officer" delegated in terms of section 31(1) of Act 63 of 1977 by the Council also see "Authorised Health Officer"

"Food" shall include any article, whether solid or liquid intended for human consumption;

"House" or "dwelling" shall include part of a house, room, apartment or barrack;

"Land" shall include buildings and all other accessories of real or immovable property;

"National Building Regulations" means the National Building Regulations and Building Standards Act, No. 103 of 1997, as amended;

"Nuisance" means any condition, thing, act or omission which is offensive or injurious or which tends to prejudice the safety, good order, peace or health of the area or part thereof or the rights or reasonable comfort, convenience, peace or quiet of any neighbourhood within the area and includes any act, exhibition or publication or electronic media contrary to public decency or morals;

"Occupier" means and includes any person in actual occupation on any land or premises or having the charge or management thereof, without regard to the title under which he occupies it, and in case of premises subdivided and let to various lodgers or tenants, the person receiving the rent payable by lodgers or tenants, whether on his own account or a agent for any person entitled thereto or interested therein;

"Owner" in relation to any premises means —

- (a) the person in whose name the title to those premises is registered in terms of the Deeds Registries Act, No. 47 of 1937, as amended, and includes the holder of the stand licence;
- (b) the person in whose name the certificate of Sectional Title to those premises is registered in terms of the Sectional Titles Act, No. 95 of 1986 and in addition includes the owner (as defined in the said Act), the body corporate and the developer in relation to such premises;
- (c) if such person or holder is dead, insolvent, mentally disordered or defective, a minor, or under any legal disability, the person in whom the administration of the person's or holder's estate is vested, whether as executor, trustee, liquidator, guardian or in any other capacity whatsoever; or
- (d) if the premises are under lease, the registration whereof is in law necessary for the validity of such lease, the lessee;

When an owner as therein defined is absent from the Republic or his whereabouts are unknown, the expression "owner" includes an agent of such owner or any person receiving or entitled to receive rent in respect of the premises or any "unit" (as defined in the Sectional Titles Act No. 95 of 1986) of such premises;

"Premises" shall include any public place and any land privately owned, all buildings, rooms, tenements, sheds, huts or other structures or erections and also yards or land in connection therewith and shall also include any "unit" (as defined in the Sectional Titles Act, No. 95 of 1986) thereof;

"Privy" shall mean a building or privy having a portable receptacle or receptacles for containing and removing night-soil or human excrement, as distinct from water-closets;

"Public Place" means any public street or place, public places of entertainment, place of public gathering or place in the public eye;

"Public vehicle" shall include any motor car, cab, taxi, rickshaw, bus or other vehicle hired or let for the conveyance of passengers;

"Refuse" without somewhat limiting the ordinary meaning of the word, means any unused vehicle or machinery or part thereof or any scrap metal, builder's rubble, garden refuse, debris, garbage, tyres or any other discarded or abandoned article or object;

"Chief Executive/Town Clerk", "Medical Officer of Health" shall mean the persons from time to time holding the said appointments respectively for the Umtamvuna Transitional Local Council or acting in any such capacity;

"Trade" means, in the Bylaws relating to offensive trades, any trade, business, industry, occupation, works or manufacture mentioned in such Bylaws;

Words applying to any individual shall include persons, companies and corporations, and the masculine gender shall include females as well as males, and the singular number shall include the plural and vice versa.

**PROHIBITED TRADES ETC.****2. No person shall —**

- (a) carry on or conduct any trade, calling or manufacture in such a way or manner as to be a nuisance or likely to be injurious to public health;
- (b) keep any factory, workshop, workroom, workplace, store or shop in an insanitary or unclean condition, or not ventilated in such a manner as to render harmless, as far as practicable, any gases, vapours, dust or other impurities generated in the course of the work carried on therein;
- (c) use any bakehouse, store, shop or other place where articles of food or foodstuffs are prepared, manufactured, or stored for the purpose of sale, as a sleeping apartment; or keep, prepare, manufacture, or store in any sleeping apartment any article of food which is intended for sale;
- (d) use any bakehouse, store, shop or other place where articles of food or foodstuffs are prepared, manufactured or stored for the purpose of sale in an insanitary, or unclean condition, or allow or suffer any person to be employed in or about such bakehouse, store, shop or such other place, whose person or clothing is unclean;
- (e) keep any fowl, goat, sheep or pig in any sleeping or living apartment;

- (f) keep any dead body or corpse in any room, building or other place as to be a nuisance or danger to health;
  - (g) bury or dispose of any dead body or carcass of part of a carcass in any unauthorised place or allow any carcass or any other dead matter or any decomposing or offensive material or thing, on his property, or in his charge or under his control, to be deposited or remain on this premises or elsewhere so as to be a nuisance;
  - (h) expose or exhibit or convey in public any object causing a nuisance or danger to health;
  - (i) leave behind any angling material or equipment including fishing lines, fishhooks, sinkers, bait, receptacles or packaging or any part of a fish;
  - (j) keep in a foul or improper manner any pool, ditch, gutter, water-course, privy, urinal, cesspool, drain, yard, gully, water-closet, sink, bath or swimming-pool;
  - (k) throw, deposit or drop or cause or permit to be thrown, deposited or dropped —
    - (i) any filth, rubbish, rubble, grass, garden cuttings or refuse in or on any public place;
    - (ii) any filth, rubbish, litter, rubble, grass, garden cuttings, glass, tins, paper, dead animals, waste or water or other refuse, whether liquid or solid, on or in any street, road or road verge, bridge, thoroughfare, open space, vacant stand or erf, occupied or unoccupied premises, spruit or water-course or to cause permit any such liquid to flow into such place;
  - (l) cause or allow any foul or polluted water or any foul liquid or matter to run or flow from any factory, sewer or other premises into any public or private street, road, stream, river or land or allow any such water, liquid or matter to run or flow into any land or premises so as to cause a nuisance;
  - (m) no person shall commit or cause to permit to be committed, either within or beyond the area of jurisdiction of the Council, any act tending to the pollution of any water;
  - (n) no person shall bathe or wash himself or any animal or article of clothing or any other article or thing in any public stream, pool or water trough or at any public hydrant or fountain or at any place which has not been set aside by the Council for any such purpose;
  - (o) no person shall wash any tools or utensils with the exception of motor vehicles, in any street or public place;
  - (p) commit a nuisance by depositing human excrement or urine in any improper or unauthorised place;
  - (q) foul or misuse any public latrine, privy, water-closet or urinal, or foul or misuse any latrine, urinal, water-closet or other convenience at any public building, theatre or public place of entertainment;
  - (r) deposit or store, on any vacant land or any premises within the Council's area of jurisdiction, whether such premises or land are fenced or not, any disused or derelict or scrap vehicle or machinery, or part thereof, or any second-hand building materials or any rubbish or refuse or any like thing;
  - (s) burn any rubbish or refuse or grass or set alight any grass or bush on any premises in the Municipality so as to create a danger or any noisome or offensive smell or any nuisance thereon;
  - (t) camp within the Council's area of jurisdiction except in a licensed camping/caravan park;
  - (u) keep any sanitary fittings, lighting and fire-extinguishing equipment that is not at all times in a proper working order;
  - (v) neglect to keep his premises neat and clean;
  - (w) allow the fence and/or wall surrounding his premises to become unsightly and fall into a bad state of repair;
  - (x) allow any item of clothing, household linen, bathing costumes or towels to be hung out of any window or from any balcony or part of a building so as to be visible from a public street or to be hung from or over any boundary wall or fence.
3. The owner of any premises shall ensure that all water-supply pipes, including flush and sparge pipes, and all cisterns, taps or other water fitting or apparatus on such premises are maintained in good repair, order and condition, and provided, where necessary, with a constant, uninterrupted and adequate supply of water, and shall whenever necessary, repair, renew or make good any such pipe, cistern, tap or other fitting or apparatus which becomes leaky, defective, broken, in disrepair or internally obstructed.
4. Any person being —
- (a) the occupier of any premises who shall keep such premises in such a state as to be a nuisance, or in a condition likely to be injurious to public health; or
  - (b) the occupier of any dwelling-house or dwelling-room who shall keep the walls, floors, ceilings, windows, or other internal part of such house or room or the furniture or clothing in such a condition as to be a nuisance, or likely to be injurious to public health; or
  - (c) the occupier of any dwelling-house or dwelling room, which house or room is infested with bugs or other vermin, who shall not promptly take all reasonable measures for the destruction and eradication from such house or room of such vermin,
- shall be deemed to have contravened this bylaw.
5. (i) No person shall, without the prior consent, in writing, of the Council use or permit to be used any megaphone, loudspeaker or other device for the reproduction or amplification of sound in or upon any public place for the purpose of making announcements, advertising or doing anything of a like nature.
- (ii) The Council may refuse to grant such consent if it has reasonable grounds for believing that the use of any such megaphone, loudspeaker or other device will or is likely to —
- (a) cause a nuisance;
  - (b) obstruct or interfere with vehicular or pedestrian traffic in any public place or endanger or cause annoyance or discomfort to persons using the same;
  - (c) be offensive to public morals or decency;
  - (d) result in public disturbance or riots or damage to property; or
  - (e) interfere with the amenities and conveniences of the public generally.
- (iii) The Council may withdraw its consent if it appears that any of the conditions mentioned in (ii) exist.
6. (i) The generation of noise vibration which arises from or is caused by the operation or use of equipment or machinery.
- (ii) Any person who shall keep on his premises any animal or bird which, by reason of continued barking, yelping, howling, crowing or making other noises, disturbs the public peace or is a source of nuisance to the neighbourhood after the expiration as a reasonable time to be stipulated in a notice signed by any Authorised Officer and served upon him, requiring him to abate such disturbance or nuisance, shall be guilty of an offence and liable, upon conviction, to the penalty prescribed for a breached of these bylaws. If any person shall be found guilty of a second contravention of this bylaw in respect of the same animal, it shall be competent for the Court which has found him guilty, in addition to imposing any other sentence, to order the destruction of the animal.
- (iii) The production of excessive noise by the striking of any object.
- (iv) No person shall disturb the public peace and reasonable comfort in or upon any premises by the production of any sound, or permit any sound



- to be produced including the letting off of fireworks or lighting of bonfires, which may unreasonably disturb the convenience, comfort, peace or silence of the public or by any other riotous, violent or unseemly behaviour.
- (v) quarrelling, shouting, screaming, swearing, collecting a crowd, fighting or challenging to fight, indulging in fliccinaucinihilipification, brandishing any weapon or any other riotous, violent or unseemly behaviour.
  - (vi) the production of any excessively bright or intermittent light.
  - (vii) the commission of any act or use any abusive or threatening language calculated or likely to cause a breach of the peace.
  - (viii) the discharge of any firearm, airgun, sling or catapult
7. (i) No person shall use any premises or cause or permit any premises to be used for the purpose of entertainment, recreation or other social activity or function whether public or private, in such a manner as to create or as is likely to create a nuisance by disturbing the peace of the neighbourhood or by interfering in any way with the rights or reasonable comfort of the inhabitants, and no person shall participate in or attend any entertainment, recreation, activity or function upon such premises while they are being so used.
  - (ii) Whenever any person is, in the opinion of an authorised officer committing a breach of subsection (i) he/she may direct such person to cease such act forthwith or may take such other steps as he/she deems necessary to abate or prevent the nuisance created.
  - (iii) Any person who fails to comply forthwith with a direction given in terms of subsection (ii) shall be guilty of an offence.
  - (iv) An authorised officer as referred to in subsection (ii) shall be entitled to enter any premises upon which he/she is of the opinion that a breach of subsection (i) is being committed.
  - (v) Any person who wilfully obstructs, resists or hinders an authorised officer referred to in subsection (ii) in the exercise of any power under this section shall be guilty of an offence.
  8. (i) A person commits an offence if in a public place or within sight of a public place, he or she —
    - (a) exposes his or her genitalia or anus: Provided that this subsection shall not apply to any person under the age of eight years of age;
    - (b) being a female over the age of eight years, exposes the areolas of her breasts, provided that this subsection shall not apply to —
      - (i) a mother engaged in breastfeeding an infant child; and
      - (ii) to any female in or upon what is commonly known as the Admiralty Reserve.
  9. No person shall be or appear in a public place in a state of drunkenness or intoxication or under the influence of any narcotic drug.
  10. No person shall make use of obscene, profane, foul or indecent language or song or write, print or draw any obscene or indecent words or figures in any public place or any premises within sight or hearing of any public place.
  11. No person shall loiter in any public place for the purpose of prostitution or solicit or importune any other person for such purpose.
  12. No person shall, in any public place, gamble with cards, dice, coin or any instrument of hazard.
  13. No person other than a person appointed by a duly registered Welfare Organisation and with the written consent of the Council, shall beg or solicit alms in any public place.
  14. Save for the purpose of loading and off-loading any vehicle, no person shall carry or convey any offensive substance, matter or thing or any article which may obstruct any traffic or pedestrian in any public place.
  15. No person shall allow any goods or other object or article, whether they be his own property or in his charge or custody, to be or remain in or on any public place so as to cause any obstruction to vehicles or pedestrians.
  16. Except in litter bins specifically designed for such purpose, no person shall discard any object, matter or thing, solid or liquid upon any public place, save for garden litter and then only by written pre-arrangement with Council.
  17. No person shall hold any auction sale in any street, sidewalk or public place or from any doorway, window or other opening of any premises abutting on any street or sidewalk.
  18. No person shall sit or lie upon any street or footpath, nor shall any person/s stand, walk, loiter or congregate or otherwise act in such manner as to obstruct the free flow of traffic along any street or footpath.
  19. No public meeting or gathering or procession of vehicles or pedestrians, other than those associated with weddings, funerals or military or police purposed shall be permitted in any street or sidewalk without the written consent of the Council.
  20. No person shall conduct, organise or promote any vehicular or pedestrian race, athletic contest or game or sporting activity in any street or sidewalk without the written consent of the Council.
  21. (i) No person being the owner or occupier of any immovable property shall permit any tree, branch, shrub or root to overhang or extend on to any street or sidewalk so as to cause any obstruction to pedestrians or vehicles or to the vision of the drivers thereof, nor permit any root to cause any damage to or obstruction on any street or sidewalk.
  - (ii) The owner or occupier of any such premises shall, upon receipt of a notice signed by an authorised officer instructing him to rectify the above conditions, comply with such notice within the time specified therein, and if such owner or occupier fails to comply with such notice within the time specified therein, the Council may take such steps as may be necessary to rectify any such condition and may recover the cost of executing such work from such owner or occupier.
  22. No person shall keep or deposit on any premises owned or occupied by him, or of which he is in charge, any matter or thing, solid or liquid or solid which is or is liable to become offensive or dangerous or injurious to health.
  23. (i) No person shall deposit or leave in any public place any matter or thing, liquid or solid which is or is liable to become a nuisance.
  - (ii) No person shall carry or convey, or cause or permit to be carried or conveyed, through or in any public place, any matter or thing, liquid or solid, which is or is liable to become a nuisance, unless such matter or thing is carried or conveyed in a receptacle approved by the Health Officer to prevent the creation of any nuisance.
  24. No person shall keep any dead body or corpse in any room, building or other structure or in any place other than a mortuary or other similar place appointed for the purpose without the written consent of the Council.
  25. No person shall fail to keep any premises owned or occupied by him clean and free from filth, glass, paper, rags, tins, bottles, derelict or old motor-vehicle bodies or parts, scrap metal, lumber and the like, and any vegetable growth in the nature of weeds and invasive growth which is unsightly or is likely to become a nuisance or injurious to health or a fire hazard or to cause annoyance to the inhabitants of the neighbourhood.
  26. No person shall cause or permit any any stream, pool, ditch, drain, gutter, watercourse, sink, bath, cistern, watercloset, earthcloset, privy, urinal, cesspool or ashpit on any land or premises owned or occupied by him or of which he is in charge to be or become so foul or in such a state or to be so situated or constructed as to be offensive or to be dangerous or injurious to health.
  27. No person shall repair any vehicle in or on any public place except for such emergency repairs that may be necessary to enable the vehicle to be moved after any breakdown.
  28. Where a beehive has become dangerous or a potential source of danger to persons, the Council may order that such a beehive be destroyed.

ly or corpse in any room, building or other place as to be a nuisance or danger to health;

any dead body or carcass of part of a carcass in any unauthorised place or allow any carcass or any other dead matter or any offensive material or thing, on his property, or in his charge or under his control, to be deposited or remain on this premises or be a nuisance;

or convey in public any object causing a nuisance or danger to health;

angling material or equipment including fishing lines, fishhooks, sinkers, bait, receptacles or packaging or any part of a fish;

improper manner any pool, ditch, gutter, water-course, privy, urinal, cesspool, drain, yard, gully, water-closet, sink, bath or

drop or cause or permit to be thrown, deposited or dropped —

bish, rubble, grass, garden cuttings or refuse in or on any public place;

bish, litter, rubble, grass, garden cuttings, glass, tins, paper, dead animals, waste or water or other refuse, whether liquid or in any street, road or road verge, bridge, thoroughfare, open space, vacant stand or erf, occupied or unoccupied premises, er-course or to cause permit any such liquid to flow into such place;

foul or polluted water or any foul liquid or matter to run or flow from any factory, sewer or other premises into any public ad, stream, river or land or allow any such water, liquid or matter to run or flow into any land or premises so as to cause a

mit or cause to permit to be committed, either within or beyond the area of jurisdiction of the Council, any act tending to y water;

he or wash himself or any animal or article of clothing or any other article or thing in any public stream, pool or water blic hydrant or fountain or at any place which has not been set aside by the Council for any such purpose;

h any tools or utensils with the exception of motor vehicles, in any street or public place;

by depositing human excrement or urine in any improper or unauthorised place;

public latrine, privy, water-closet or urinal, or foul or misuse any latrine, urinal, water-closet or other convenience at any are or public place of entertainment;

any vacant land or any premises within the Councils area of jurisdiction, whether such premises or land are fenced or not, ict or scrap vehicle or machinery, or part thereof, or any second-hand building materials or any rubbish or refuse or any

refuse or grass or set alight any grass or bush on any premises in the Municipality so as to create a danger or any noisome r any nuisance thereon;

uncil's area of jurisdiction except in a licensed camping/caravan park;

tings, lighting and fire-extinguishing equipment that is not at all times in a proper working order;

premises neat and clean;

or wall surrounding his premises to become unsightly and fall into a bad state of repair;

othing, household linen, bathing costumes or towels to be hung out of any window or from any balcony or part of a build-e from a public street or to be hung from or over any boundary wall or fence.

es shall ensure that all water-supply pipes, including flush and sparge pipes, and all cisterns, taps or other water fitting or es are maintained in good repair, order and condition, and provided, where necessary, with a constant, uninterrupted and and shall whenever necessary, repair, renew or make good any such pipe, cistern, tap or other fitting or apparatus which broken, in disrepair or internally obstructed.

premises who shall keep such premises in such a state as to be a nuisance, or in a condition likely to be injurious to public

welling-house or dwelling-room who shall keep the walls, floors, ceilings, windows, or other internal part of such house are or clothing in such a condition as to be a nuisance, or likely to be injurious to public health; or

welling-house or dwelling room, which house or room is infested with bugs or other vermin, who shall not promptly take es for the destruction and eradication from such house or room of such vermin,

ntervened this bylaw.

out the prior consent, in writing, of the Council use or permit to be used any megaphone, loudspeaker or other device for mplification of sound in or upon any public place for the purpose of making announcements, advertising or doing any-

use to grant such consent if it has reasonable grounds for believing that the use of any such megaphone, loudspeaker or s likely to —

;

ere with vehicular or pedestrian traffic in any public place or endanger or cause annoyance or discomfort to persons

public morals or decency;

Disturbance or riots or damage to property; or

e amenities and conveniences of the public generally.

hdraw its consent if it appears that any of the conditions mentioned in (ii) exist.

se vibration which arises from or is caused by the operation or use of equipment or machinery.

l keep on his premises any animal or bird which, by reason of continued barking, yelping, howling, crowing or making e public peace or is a source of nuisance to the neighbourhood after the expiration as a reasonable time to be stipulated any Authorised Officer and served upon him, requiring him to abate such disturbance or nuisance, shall be guilty of an on conviction, to the penalty prescribed for a breached of these bylaws. If any person shall be found guilty of a second y bylaw in respect of the same animal, it shall be competent for the Court which has found him guilty, in addition to entence, to order the destruction of the animal.

cessive noise by the striking of any object.

rb the public peace and reasonable comfort in or upon any premises by the production of any sound, or permit any sound

- to be produced including the letting off of fireworks or lighting of bonfires, which may unreasonably disturb or silence of the public or by any other riotous, violent or unseemly behaviour.
- (v) quarrelling, shouting, screaming, swearing, collecting a crowd, fighting or challenging to fight, indulging in dishonouring any weapon or any other riotous, violent or unseemly behaviour.
  - (vi) the production of any excessively bright or intermittent light.
  - (vii) the commission of any act or use any abusive or threatening language calculated or likely to cause a breach of the peace.
  - (viii) the discharge of any firearm, airgun, sling or catapult
7. (i) No person shall use any premises or cause or permit any premises to be used for the purpose of entertainment or function whether public or private, in such a manner as to create or as is likely to create a nuisance or disturbance in the neighbourhood or by interfering in any way with the rights or reasonable comfort of the inhabitants, and no person shall use any premises for entertainment, recreation, activity or function upon such premises while they are being so used.
  - (ii) Whenever any person is, in the opinion of an authorised officer committing a breach of subsection (i) he/she shall take such act forthwith or may take such other steps as he/she deems necessary to abate or prevent the nuisance.
  - (iii) Any person who fails to comply forthwith with a direction given in terms of subsection (ii) shall be guilty of an offence.
  - (iv) An authorised officer as referred to in subsection (ii) shall be entitled to enter any premises upon which a breach of subsection (i) is being committed.
  - (v) Any person who wilfully obstructs, resists or hinders an authorised officer referred to in subsection (ii) in the execution of his/her duties shall be guilty of an offence.
  8. (i) A person commits an offence if in a public place or within sight of a public place, he or she —
    - (a) exposes his or her genitalia or anus: Provided that this subsection shall not apply to any person under the age of 18 years;
    - (b) being a female over the age of eight years, exposes the areolas of her breasts, provided that this subsection shall not apply to —
      - (i) a mother engaged in breastfeeding an infant child; and
      - (ii) to any female in or upon what is commonly known as the Admiralty Reserve.
  9. No person shall be or appear in a public place in a state of drunkenness or intoxication or under the influence of any drug or substance.
  10. No person shall make use of obscene, profane, foul or indecent language or song or write, print or draw any obscene or profane matter in any public place or any premises within sight or hearing of any public place.
  11. No person shall loiter in any public place for the purpose of prostitution or solicit or importune any other person for the purpose of prostitution.
  12. No person shall, in any public place, gamble with cards, dice, coin or any instrument of hazard.
  13. No person other than a person appointed by a duly registered Welfare Organisation and with the written consent of the Council shall solicit alms in any public place.
  14. Save for the purpose of loading and off-loading any vehicle, no person shall carry or convey any offensive substance which may obstruct any traffic or pedestrian in any public place.
  15. No person shall allow any goods or other object or article, whether they be his own property or in his charge or under his control, to be deposited in any public place so as to cause any obstruction to vehicles or pedestrians.
  16. Except in litter bins specifically designed for such purpose, no person shall discard any object, matter or thing in any public place, save for garden litter and then only by written pre-arrangement with Council.
  17. No person shall hold any auction sale in any street, sidewalk or public place or from any doorway, window or other opening on any street or sidewalk.
  18. No person shall sit or lie upon any street or footpath, nor shall any person/s stand, walk, loiter or congregate or obstruct the free flow of traffic along any street or footpath.
  19. No public meeting or gathering or procession of vehicles or pedestrians, other than those associated with wedding or funeral, shall be permitted in any street or sidewalk without the written consent of the Council.
  20. No person shall conduct, organise or promote any vehicular or pedestrian race, athletic contest or game or sporting event in any public place without the written consent of the Council.
  21. (i) No person being the owner or occupier of any immovable property shall permit any tree, branch, shrub or root to overhang any street or sidewalk so as to cause any obstruction to pedestrians or vehicles or to the vision of the drivers of vehicles or to cause any damage to or obstruction on any street or sidewalk.
  - (ii) The owner or occupier of any such premises shall, upon receipt of a notice signed by an authorised officer requiring him/her to do so, comply with such notice within the time specified therein, and if such owner or occupier fails to do so within the time specified therein, the Council may take such steps as may be necessary to rectify any such condition by cutting such work from such owner or occupier.
  22. No person shall keep or deposit on any premises owned or occupied by him, or of which he is in charge, any matter which is or is liable to become offensive or dangerous or injurious to health.
  23. (i) No person shall deposit or leave in any public place any matter or thing, liquid or solid which is or is liable to become a nuisance, unless such matter or thing is carried or conveyed in a vehicle or container.
  - (ii) No person shall carry or convey, or cause or permit to be carried or conveyed, through or in any public place any solid, which is or is liable to become a nuisance, unless such matter or thing is carried or conveyed in a vehicle or container.
  24. No person shall keep any dead body or corpse in any room, building or other structure or in any place other than a place appointed for the purpose without the written consent of the Council.
  25. No person shall fail to keep any premises owned or occupied by him clean and free from filth, glass, paper, scrap metal, motor-vehicle bodies or parts, scrap metal, lumber and the like, and any vegetable growth in the nature of weeds or grass which is or is likely to become a nuisance or injurious to health or a fire hazard or to cause annoyance to the inhabitants of the neighbourhood.
  26. No person shall cause or permit any stream, pool, ditch, drain, gutter, watercourse, sink, bath, cistern, watercourse, cesspool or ashpit on any land or premises owned or occupied by him or of which he is in charge to be or become so situated or constructed as to be offensive or to be dangerous or injurious to health.
  27. No person shall repair any vehicle in or on any public place except for such emergency repairs that may be necessary after a breakdown.
  28. Where a beehive has become dangerous or a potential source of danger to persons, the Council may order that such beehive be removed.



29. Except with the prior written consent of the Chief Executive/Town Clerk no person shall on or on any public street, road (including any motor vehicle/s parked thereon), square, park, recreation ground, garden or enclosed open space either —
- stick any bills, poster, advertisements, placards or pamphlets; or
  - hand out or distribute in any manner any handbills or any other advertising materials to members of the public.
30. Should any person commit any nuisance in breach of any of these bylaws and continue in default after receiving a written notice signed by an authorised officer of the Council requiring him to abate such nuisance within a time to be specified in such notice, it shall be competent for the Council by any duly authorised officer or employee, to enter the premises upon which such nuisance exists and to take such steps as may be necessary to abate such nuisance at the cost of the person so offending. Any such thing or things so removed for destruction by an authorised officer of the Council, shall become the property of the Council without compensation of any kind being paid to the owner.
31. No person shall use or let, or permit to be used or let, for purposes of human habitation, any hut, tent, caravan, disused railway coach, tramcar or omnibus or any other temporary or movable structure, whether standing on wheels or otherwise, without the written consent of the Council and then only for such period and subject to such conditions as may be specified in such consent.
32. (i) The registered owner, driver or person in charge of a vehicle to which a theft prevention alarm device has been fitted, shall be guilty of an offence if the device emits any audible sound either continuously or intermittently for a period of more than five (5) minutes after it has been activated by any cause whatsoever, whether such vehicle is in a public place or upon private premises. The period of time shall be calculated based upon the emission of the first audible sound and ending five minutes thereafter, notwithstanding any interruption or delay in the emission of such sound without the intervention of the new cause: Provided that it shall be a good defence to a charge of contravening this sub-section for the accused to prove that an automatic cut-off mechanism fitted to such service had failed to operate.
- (ii) If a device referred to in section 21(i) has sounded over a period in excess of five minutes, the vehicle to which such device is fitted shall, if it is in a street or public place, be deemed to have been abandoned and may be removed by any member of the South Africa Police Services or by any person delegated by the Council and the provisions of subsection (2) to (8) of section 114 of the Road Traffic Act (or any amendment thereof) shall *mutatis mutandis* apply.
- (iii) The registered owner and/or the occupier of premises in which a burglar alarm device has been installed shall be guilty of an offence if such alarm continues to sound either continuously or intermittently for any period in excess of ten (10) minutes and such device shall be deemed to be sounding intermittently so long as any sound is emitted at any interval without the intervention of a new cause: Provided that it shall be a good defence to a charge of contravening this subsection for the accused to prove that an automatic cut-off mechanism fitted to such device had failed to operate.
- (iv) Whenever any burglar alarm system has been installed in any premises, the registered owner and/or the occupier shall, unless a mechanism referred to in the proviso to subsection 21(iii) has been fitted, either erect and maintain at the main entrance to the premises a notice specifying the name and telephone number of person who have access to the premises at all times for the purpose of de-activating the device or shall arrange for an automatic response to an alarm to operate at all times. Failure to comply with this subsection shall constitute a contravention of these bylaws.

#### MAINTENANCE OF CLEANLINESS

33. (i) (a) The occupier of any premises shall at all times maintain in a clean condition all parts thereof used exclusively by such occupier, including closets, passages, staircases, yards and drains used in connection with such premises.
- (b) Whenever any set of premises is occupied by a number of occupiers the owner of such premises shall at all times maintain in a clean condition all parts thereof used in common by such occupiers or any number of them, including closets, passages, staircases, yards and drains so used in common.
- (c) Whenever any premises are unoccupied or occupied by vagrants, squatters or other unauthorised persons the owner of such premises shall at all times maintain all parts thereof in a clean and tidy condition.
- (d) No owner of any premises shall permit such premises or any part thereof to be in an unhealthy or unhygienic state, unfit for human habitation or not in a clean state or in good repair, or likely to be injurious to the health of the persons occupying the premises.
- (e) No person shall fail to maintain all gutters and downpipes on any premises for which he is the owner or occupier, free from sagging and from obstructions such as mud, leaves and other substances so as to prevent the accumulation of water therein.
- (f) If any yard or open space in connection with any premises shall not be so formed, graded or paved as to allow to surface water being carried off into a sewer, drain or other proper receptacle, the Council may, by notice, require the owner of such premises so to form, grade or pave such yard or open space as aforesaid within the time to be specified in such notice.
- (g) Every yard and every approach thereto and every closet, latrine and urinal shall at all times be kept in a clean and tidy condition and the owner and occupier and every person in control of such yard or the approach thereto or of any closet, latrine or urinal shall be jointly and severally liable for the due observation of this subsection: Provided that, except in the case of premises occupied by a number of tenants where any portion of such premises is available for the common use of such tenants, the owner shall not be convicted of a breach of this subsection if he shall prove to the satisfaction of the court that he had no reasonable opportunity of ensuring that this sub-section was complied with.
- (h) Where the owner or occupier or person in control thereof, any closet, latrine, urinal, yard or approach thereto, has failed to comply with a notice from the Council calling upon him to cause such place to be cleansed, the Council may itself cause such place to be cleansed and may recover from any such owner, occupier or person in control thereof the amount of such expenses incurred by it in respect thereof and such person shall, on demand, refund such amount to the Council.
- (ii) The occupier or owner of premises shall, on being served with a notice signed by an authorised health officer, carry out such measures as may be specified therein for the clearing or tidying of the premises within the time specified in the notice.
- (iii) If the occupier or owner should refuse to carry out the measures specified in a notice under this bylaw or fails to do so within the time specified, the authorised health officer may arrange for such measures to be carried out and the costs incurred in so doing shall be recovered by the Council from the person on whom the notice is served at a charge in term of the Council's Tariff of Charges.

#### WATER SUPPLY

34. (a) Whenever, in the opinion of the Council, any premises are not provided with a permanent or sufficient supply of wholesome water for drinking or domestic purposes, it may cause notice to be served upon the owner thereof requiring him to take water from the authorised supplier of water and, for that purpose, to provide the necessary piping and fittings for connection to any pipeline of the authorised supplier of water situated within a reasonable distance from the premises.
- (b) In such notice the Council may prescribe the points upon the premises at which water supply should be available to the occupier thereof to constitute a sufficient supply in its opinion.
- (c) If the owner of the premises fails, within a period of one month from the date upon which such notice is served upon him, to comply therewith, he shall be guilty of an offence, and the Council shall arrange for the work required to be carried out and the costs incurred in so doing shall be recoverable by the Council from the owner at a charge in terms of the Council's Tariff of charges.



- (d) The owner of any premises shall ensure that such premises shall have a constant and adequate supply of piped, potable water reasonably available for the occupiers thereof.

#### MOSQUITOES, FLIES, RATS AND/OR VECTORS

35. (i) Every person who is the occupier or in charge of any premises or the owner of any vacant land in the area of jurisdiction of the Council shall take all possible precaution to prevent conditions favouring the multiplication and prevalence of, and shall take steps for the control of, rodents, mosquitoes, flies, fleas, bugs, cockroaches or other vermin or pests on such premises or vacant land.
- (ii) No person shall fail to maintain all gutters and downpipes on any premises for which he is the owner or occupier, free from sagging and from obstructions such as mud, leaves and other substances so as to prevent the accumulation of water therein.
- (iii) If the occupier or owner refuses to carry out the measures specified in a notice under this bylaw or fails to do so within the time specified, the authorised Health Officer may arrange for such measures to be carried out and the cost incurred in so doing shall be recoverable by the Council from the person upon whom the notice is served at a charge in terms of the Council's Tariff of Charges.

#### REMOVAL OF WEEDS, UNDERGROWTH AND BUSH

36. (a) The owner of any vacant land or premises and the owner or occupier of any occupied land or premises shall on being served with a notice to the effect signed by an authorised health officer, destroy or cut down and remove from such or premises, and within the time to be specified in the notice all rank grass or weeds (including noxious weeds) and the undergrowth and bush growing on such land or premises.
- (b) Any owner or occupier who fails to carry out or comply with the requirements of any notice as aforesaid shall be guilty of an offence.
- (c) If the owner or occupier fails to carry out the measures specified in a notice under this bylaw or fails to do so within the time specified, the authorised Health Officer may arrange for such measures to be carried out and the costs incurred in so doing shall be recoverable by the Council from the person on whom the notice is served at a charge in terms of the Council's Tariff of Charges.
- (d) The charges for the carrying out of such measures by the Council's area of jurisdiction, whether in terms of sub-bylaw (c) hereof or at the request of the owner or occupier, shall be the costs incurred in so doing as specified in the Council's Tariff of Charges: Provided that the clearing of plots is confined to the cutting down of weeds, grass, undergrowth and bush only.

37. No person shall burn any rubbish or refuse on any premises in the area of jurisdiction of the Council which results in the creation of any offensive smells or any smoke nuisance therefrom.

#### NUISANCE ARISING FROM DEFECTIVE PREMISES

38. The owner or any premises shall to the satisfaction of the Council —

- (a) maintain all buildings, hardened areas and stormwater drains in good order and condition;
- (b) maintain all sanitary fittings, waste pipes, soil pipes, drains, drainage connections and other drainage fittings and pipes, together with the necessary accessories, in good order and condition;
- (c) ensure that every room or other structure or accommodation used for human habitation or occupation is adequately lighted and ventilated in accordance with the requirements of the National Building Regulations;
- (d) ensure that every wall, door surface and ceiling, unless constructed of materials not intended to be painted, are painted at such intervals as will ensure that the area painted remains clean and in good state and repair.

Failure to comply with these bylaws shall be deemed to be a contravention.

39. No owner or occupier of any house or building shall permit or suffer the water from the roof or top of any such house or building, or any balcony, verandah, or portico belonging thereto, to be conveyed or to pass or fall to the ground on any street or public thoroughfare otherwise than by suitable eaves-troughing and down piping, and no owner or occupier of any such house or other building shall permit or suffer the water from the roof or top of any such house or building, or from any balcony, verandah, or portico belonging thereto, to fall upon or flow or pass over any public footpath or thoroughfare by proper and substantial pipes or other appliances, subject to the approval of the Designated Officer.

#### DWELLINGS

40. (i) This bylaw shall be additional and supplementary to all other bylaws, regulations and other law applicable within the Council's area of jurisdiction.
- (ii) In respect of any house or flat for which no copy of an approved plan exists in the records of the Council the following provisions shall apply:
- (a) All adjoining or separated structures on residential premises designed or used to accommodate employees or other persons shall be deemed to be flats and their occupation shall be regulated in terms of this bylaw.
- (b) No person shall use or permit to be used as a sleeping room or rooms any structures on any residential premises which adjoin or are separated from the main building and which are designed or used as a laundry, garage, storeroom, toolshed, workshop or laundry or any number of such uses.
- (iii) The provisions of this bylaw shall not apply in respect of the temporary occupation as sleeping accommodation of rooms other than kitchens, bathrooms, passages, staircases, landings or toilets: Provided that no charge is made or moneys are received for such occupation and that such occupation is for a period of not more than seven days.
41. Whenever the Council is satisfied upon a report of the Environmental Health Officer delegated in terms of section 31(1) of Act 63 of 1977 by the Council that any building, shop, workshop, warehouse, garage or office within the area used as a dwelling or for human habitation is in such a state or condition as to be a nuisance or likely to injurious or dangerous to the health of the inmates or to the public health, in consequence of —
- (a) any structural defect in the foundations, walls, floors, doors, windows, fanlights, sub-floor ventilation, ceilings or roof of such building; or
- (b) the absence or insufficiency of light or ventilation in such building or any part thereof or room therein; or
- (c) dampness in any foundation, wall or floor, or leaks in the roof of such building; or
- (d) the absence of insufficiency of eaves, guttering or of the provision for surface drainage of any yard, land or premises appertaining to such building; or
- (e) any defect, blockage or obstruction in any ditch, gutter or drain from carrying of surface or waste water from such premises or in any eaves or other roof guttering; or
- (f) the absence of a sufficient supply of wholesome water, or any defect in such supply; or
- (g) any dirty or verminous condition in such building.

The Council may cause a notice, signed by the Environmental Health Officer delegated in terms of section 31(1) of Act 63 of 1977 by the Council to be served on the owner in the case of any want or defect of a structural nature or in any other case on the occupier of such building specifying the nature of the state or condition in such building which constitutes a nuisance or is likely to be injurious or dangerous to health, and requiring the person so served within a time to be specified in the notice, to repair or remedy such condition and if the Council deems it advisable (but not otherwise), directing such person, in order that a recurrence of the condition may be prevented, to execute such works and performs such acts as may be specified in the notice before the stated date.

Any person served with such notice as aforesaid shall comply with the requirements contained in such notice within the time specified.

Whenever it is reported to Council by the Environmental Health Officer delegated in terms of section 31(1) of Act 63 of 1977 by the Council that any building or part thereof within the area is considered by him to be in such a neglected, dilapidated or deteriorated condition as to be dangerous or unfit for use, the Council may cause a notice to be served on the owner and the occupier, if any, of the building to show cause for the Council on a date specified in the said notice why an order should not be issued by the Council requiring the owner to do any one or more of the following things:

- (i) to close the building or part thereof to further use;
- (ii) to repair the building or part thereof or alternatively to demolish the same.

In the event of the owner or occupier, if any, failing to show sufficient cause as aforesaid the Council may, if it considers the building to be dangerous or unfit for use, cause an order to be issued on the owner to do any one or more of the things aforesaid within a time to be specified in such order.

Where an owner of a building fails to comply with an order issued in terms of paragraph (a) hereof within the time therein specified, the Council may itself cause the work thereby required, to be carried out and may recover the expenses thereby incurred from such owner, or as the case may be, occupier concerned.

#### SMOKE FROM FURNACES, CHIMNEYS ETC.

42. (i) (a) No occupier of business, industrial or manufacturing premises shall discharge or cause or permit to be discharged from such premises any smoke, gas, vapour, fumes, grit, dust or other final escapes except by means of a chimney or other opening which shall be raised to such height as the Council shall in each particular case direct, nor shall he discharge or cause or permit any such smoke, gas, vapour, fumes dirt, dust or other final escape to be discharged from any such chimney or other opening in any quantity or matter which may be offensive or injurious or dangerous to health.
- (b) Whenever any smoke, gas, vapour, fumes, grit, dust or other final escape is produced in any business, industrial or manufacturing premises in such a manner or quantity as to be offensive, injurious or dangerous to health when discharged from a chimney or other opening as provided for in paragraph (a), the occupier of the premises concerned shall, when required so to do by the Council, subject such substances to such treatment prior to discharge through such chimney or other opening as may be necessary to render them innocuous when so discharged.
- (ii) (a) No occupier of business, industrial or manufacturing premises shall discharge or cause or permit to be discharged from such premises any smoke, gas, vapour, fumes, grit, sawdust or other final escapes as to constitute a nuisance.
- (b) Whenever any smoke, gas, vapour, fumes, grit, dust, sawdust or other final escape is produced in any business, industrial or manufacturing premises, in such a manner or quantity as to constitute a nuisance when discharged from such premises, the occupier of the premises concerned shall, when required so to do in terms of a notice from Council, abate such nuisance within such time as the Council may allow in such notice.
- (c) In any case where a person fails to comply with an order made in terms of paragraph (b) the Council, having had regard to such representations any such person may wish to make as to probable expense and time which the adoption of the best practicable means will entail, shall order such person by notice in writing to comply with its order aforesaid by the adoption of the best practicable means, within such time as it considers reasonable.
- (d) Any person who fails to comply with the provisions of a notice issued in terms of paragraph (c) shall commit an offence, and shall continue to commit an offence every day thereafter that he persists in such failure, and shall be liable to the penalties provided in section 277(7)(a) of the Local Authorities Ordinance, 1974 (Ordinance No. 25 of 1974).
- (e) Any other meaning applied in law notwithstanding, the word *nuisance*, for the purpose of this bylaw, shall mean any discharge of smoke, gas, vapour, fumes, grit, dust, sawdust, or other final escapes which prejudice or tend to prejudice the reasonable physical comfort or convenience of any persons or persons resident in vicinity of the premises from which such discharge occurs.
- (f) The provisions of this bylaw shall apply in respect of every occupier of business, industrial or manufacturing premises from which smoke, gas, fumes, grit, dust, sawdust or other final escapes are being discharged in contravention of paragraph (a) at the date of promulgation thereof or at any time thereafter.
- (g) For the purpose of this bylaw *best practicable means* shall mean the provision, maintenance, effective care and operation of such appliances, and the adoption of any other methods, which having regard to local conditions and circumstances, the prevailing extent of technical knowledge and the cost likely to be involved, may be reasonably practicable and necessary for the abatement of a nuisance.

#### PREVENTION OF OVERCROWDING ETC. OF PERSONS IN HOUSES, FLATS HOLIDAY COTTAGES, OTHER ACCOMMODATION ESTABLISHMENTS, FACTORIES AND WORKSHOPS

##### PROVISIONS FOR PREVENTING OVERCROWDING

43. (i) No person shall let or assist or allow to be occupied any premises or part thereof so as to bring into existence or permit to continue conditions which will constitute a contravention of the following:
- (a) More than two persons living in a bedroom or sleeping room for each 6 m<sup>2</sup> of floor space therein or 14,4 m<sup>3</sup> of free air space therein.
  - (b) If owing to the structural or other condition of any house or to habits of persons residing therein, and notwithstanding the fact that it may comply with the requirements as set out in paragraph (a) above, the air in any such house is so impure as to be nuisance or likely to be injurious to the health of the occupants therein, any person who is the occupier of or in whose charge or control any such house may be shall upon receiving a notice signed by the authorised Health Office, cause the number of persons residing in such house to be reduced to such extent as shall be specified such notice.
- (ii) (a) The owner or occupier of a dwelling shall on the demand of an authorised health officer, furnish such authorised Health Office with a list of the names and ages of the persons occupying the dwelling at the date of demand.
- (b) Any owner or occupier who fails to comply with the provisions of paragraph (a) or who wilfully or negligently makes a false statement in any such list or omits the required particulars from such list, shall, for the purpose of bylaw 47(i) be deemed to have contravened a provision of these bylaws.

##### SLEEPING ROOMS, PREPARATION AND COOKING OF FOOD

44. (i) No person shall use a latrine, passage, staircase, hallway, kitchen parking, laundry, landing, bathroom, cupboard, outbuilding, garage, stable, tent, storeroom, lean-to shed, cellar or loft for sleeping in or cause or allow it to be used for that purpose unless its used for that purpose has been approved by Council, which approval shall not be granted if such use will amount to a contravention of the National Building Regulations.
- (ii) No residential premises or part thereof shall be occupied by such a number of persons that the sleeping accommodation is insufficient to allow for persons of opposite sexes over 10 years of age, other than a married couple or a couple living together as husband and wife, to be accommodated in separate rooms, separated from one another by brick walls or partitions, the construction of which is substantial and adequate in the opinion of the authorised Health Officer.



- (iii) All residential premises shall be provided with accommodation for the preparation and cooking of food, adequate for the use of, and readily accessible to, an occupier by whom any room or rooms such premises is or are occupied: Provided that separate accommodation shall, in respect of such occupier, be provided for the preparation and cooking of food should the authorised Officer so require.
- (iv) When any room is occupied by more than two persons for sleeping purposes, such room shall not be used for the storage, preparation or cooking of food.

#### 8.5 m<sup>3</sup> TO BE ALLOWED FOR EACH PERSON

45. There shall not be a greater number of persons employed in any factory, workshop or workroom than such factory, workshop or workroom contains space for on the calculation of 8,5 m<sup>3</sup> of air space or the nearest or the last whole number for each and every person.

Any person, the occupier of, or person carrying on any business or trade in any such factory, workshop or workroom in which a greater number of persons shall be or shall be employed than such factory, workshop or workroom contains space for on the aforesaid calculation, shall be deemed to have contravened this bylaw.

#### WINDOWS

46. (i) No owner of premises shall —

- (a) let, hire, occupy or cause or allow to be let, hired or occupied for human habitation any house, building, barrack, room or apartment unless there shall be in such house, building, barrack, room or apartment one or more windows of an area equal to at least one-tenth of the floor space of each room in such house, building, barrack, room or apartment and so constructed that one half at least of every such window can be opened at all times into external air; and
- (b) fail to ensure that at all times openings such as floors, windows or fanlights shall not be boarded up, built up or obstructed in any way as to interfere with the lighting, cross ventilation or access, as required by these regulations or the National Building Regulations.

- (ii) The owner of any premises shall ensure that windows which can be opened function at all times, that broken and cracked glass is replaced and that windows which are visible from the street or adjacent erven, are rendered private to residents by means of curtains, blinds or any other approved or acceptable method, but may not be painted.

#### VENTILATION

47. No owner of any premises shall —

- (a) let, hire, occupy, or cause to allow to be let, hired or occupied for human habitation any house, building, barrack, room or apartment unless there shall be provided adequate means of ventilation in addition to any window or chimney which may be in such house, building, barrack, room or apartment.
- (b) permit two adjoining rooms with intercommunication openings such as doors, windows or fanlights, to be occupied by more than one family, unless each room is provided independently of any other room, with light and ventilation in accordance with the National Building Regulations.

48. (i) No air-conditioning plant may discharge any hot or cold air, fumes or smoke into or onto a street, or arcade, or private place, or adjoining premises unless such plant is situated at a minimum height of 2 m measured from the ground level and the discharge therefrom discharges from the ground level and the discharge therefrom discharges at an angle of not less than 45 degrees measured from the horizontal level.
- (ii) All air-conditioning plants must be maintained in good order and repair.

#### BASEMENTS, ETC.

49. No person shall use or let or permit to be used or let for purposes of human habitation of occupation, any cellar, basement or underground room of any building or premises without the written consent of the Council.

#### TOILET AND CESSPOOLS

50. (i) The owner of any property or premises within the area shall provide proper and adequate sanitary fitments complying with the provisions of the National Building Regulations and Building Standards Act, No. 103 of 1977, with proper drains to dispose of all discharge from these sanitary fitments, either by connecting these drains to the Council's sewers wherever such sewer are available, or alternatively if sewers are not available, by means of septic tanks and french drains or conservancy tanks; provided that this shall not apply to any chemical toilet which the Health Officer may authorise to be used on any premises as a temporary convenience and for such a specified time only.

Every toilet shall be —

- (a) constructed in such a manner as provided for in the National Building Regulations and Building Standards Act, No. 103 of 1977;
- (b) in such a position as will be proper for the purpose of decency, and for avoiding unsightliness or nuisance therefrom.
- (ii) During the erection of any building or operations involving extensive alterations to any existing building, the contractor or employer shall provide on the site adequate water-closet accommodation and if considered necessary by the Medical Officer of Health, or Health Officer, showers and urinals for the use of the persons engaged in such building operations, and shall remove any such water-closets, urinals and showers on completion of the operation.
- (iii) No person shall construct a cesspool or allow a cesspool to be on his premises.
- (iv) Every owner or occupier of premises shall make such necessary water-closet provision as shall be requisite for the proper accommodation of the persons residing or being employed on or using such premises, and shall also maintain every such water-closet in a proper condition or repair.

#### ABLUTION FACILITIES

51. (i) The owner of any premises shall ensure that such premises are provided with one or more shower(s) and one or more water-closet(s) or alternative approved facilities, each suitably placed in a separate compartment readily accessible to all occupiers of the premises and fitted with approved waste pipes in accordance with the National Building Regulations: Provided that a bath fitted with an approved waste pipe in accordance with the National Building Regulations may be substituted for each shower.
- (iii) The owner of any accommodation establishment shall ensure that such establishment has separate ablution facilities for each sex and equipped with —
- (a) one bath of shower;
  - (b) one hand wash-basin; and
  - (c) one water-closet,
- in accordance with the National Building Regulations.
- (iv) Every bathroom, shower compartment and water-closet shall be clearly designed for the sex which it is intended: Provided that where a series of two or more bathrooms, shower compartments or water-closets have been installed on the premises, the entrance to each series shall bear such designation.

## HOUSE UNFIT FOR HABITATION

## NOTICE TO OWNERS

52. (i) Where a notice, in the form hereunto appended, or to the like effect, signed by the Chief Executive/Town Clerk, Medical Officer of Health or Health Officer or any other authorised official has been duly served upon the owner of a building or part of a building, by which notice such shall be informed that it has been represented to the Town Council that such building, or part of a building, is unfit for human habitation, and that, unless on or before such day as shall be specified in such notice, such owner by a statement in writing under his hand, or under the hand of his agent and addressed and duly served upon the Chief Executive/Town Clerk, Medical Officer of Health or Health Officer, or any other authorised officer shall in the opinion of the Town Council show sufficient cause why such building or part of a building shall not be declared unfit for human habitation, or unless, on such day and at such time and place as shall be specified in such notice, such owner personally or by his agent shall attend before the Council, and, in the opinion of the Council, show sufficient cause why such building or part of a building shall not be declared unfit for human habitation, the Council may declare such building or part of a building unfit for human habitation and direct that such building or part of a building shall be closed, and prohibit the use for human habitation of such building or part of a building until the same shall have been rendered fit for human habitation and authority given by the Council, in writing, for such building or part of a building to be again used for human habitation.
- (ii) Where such owner disregards any notice as aforesaid served by the Council, or fails to show sufficient cause to such Council, why such building or part of building shall not be declared unfit for human habitation, the Council may declare that such building or part of a building is unfit for human habitation direct that such building or part of a building shall be closed and the use thereof for human habitation prohibited until such building or part of a building shall have been rendered fit for human habitation and authority given by the Council, in writing, for such building or part of a building to be used again for human habitation.
- (iii) Any person who inhabits or continue to inhabit or cause or suffers to be inhabited such building or part of a building after having been served with a notice of such declaration of unfitness by the Council, shall be liable to be prosecuted for contravening this bylaw.

## FORM OF NOTICE

(in terms of bylaw 47 of the Public Health Bylaws Relating to Nuisances)

Umtamvuna TLC  
Private Bag X5  
PORT EDWARD  
4295

To

Whereas by a statement in writing under the hand of ..... Medical Officer of Health Environmental Health Officer delegated in terms of Section 31(1) of Act 63 of 1977 by the Council of which statement a copy is hereunto annexed, it has been certified to the Council that a certain building or part of a building situate at ..... within the area of jurisdiction of the Umtamvuna Transitional Local Council is unfit for human habitation:

And whereas it has been shown to the said Council that you are the owner of such building:

Now, I ....., Chief Executive/Town Clerk do hereby give you notice that, unless on or before the ..... day of ..... 98..... by a statement in writing under your hand or under the hand of an agent duly authorised by you in that behalf, and addressed to and duly served upon or delivered to the said Council, you shall show to the Said Council sufficient cause why such building or part of a building shall not be declared unfit for human habitation;

Or unless you shall attend personally or by an agent duly authorised in that behalf before the said Council ..... on the ..... day of ..... 19 ..... at o'clock in the ..... noon, and shall then and there show to the said Council sufficient cause why such building or part of a building shall not be declared unfit for human habitation;

The said Council may declare that such building or part of a building is unfit for human habitation, and direct that such building or part of a building shall be closed and the use thereof for human habitation prohibited, until such building or part of a building shall have been rendered fit for human habitation and authority given by the Council, in writing, for such building or part of a building to be used again for human habitation.

Witness my Hand this ..... day of ..... 19.....

.....  
Chief Executive/Town Clerk

## SWIMMING POOLS

53. (i) No owner or occupier of premises shall cause or permit any swimming pool owned or occupied by him to be used by the public generally; nor shall he permit such pool to be used for purposes of gain or otherwise, either alone or directly or indirectly in conjunction with any form of business or other activity
- (ii) No swimming pool shall be used —
- unless there is installed, and maintained in proper working order, a water-purification plant which would satisfy the requirements of the Medical Officer of Health or the Environmental Health Officer delegated in terms of section 31(1) of Act 63 of 1977 by the Council;
  - unless the water contains free or available chlorine in amounts in excess of 0,2 parts per million and not in excess of 0,5 parts per million;
  - if faecal *coli* is found in a 100 ml sample of water taken at a point nearest to that at which the water leaves the bath for the purpose of being filtered.
- (iii) Every owner or occupier as aforesaid shall ensure that in addition to meeting the requirements of paragraphs (b) and (c) of bylaw (ii), the water in the swimming pool is preserved in a clean condition and is changed if necessary in order to maintain such condition.
- (iv) The Medical Officer of Health/Environmental Health Officer delegated in terms of section 31(1) of Act 63 of 1977 by the Council or a health officer may enter any premises upon which he has reason to believe a swimming pool referred to in bylaw (ii) exists and made such examination and enquiry and conduct such tests in respect thereof as he may deem necessary in order to determine whether the provisions of this bylaws are being observed.
- (v) Every owner or occupier shall ensure that no waste matter from a swimming pool is discharged in such a manner as to cause a nuisance to the public, any person or the environment.

## OFFENCES AND PENALTIES

54. Any person who contravenes any provisions of these bylaws shall be guilty of an offence and liable, upon conviction to: a fine not exceeding Five Thousand Rands (R5 000,00); or in the case of a continuing offence to a fine not exceeding R100,00 per day for each day upon which the contravention continues: Provided that no such fine shall, in any prosecution, exceed Five Thousand Rands (R5 000,00); or imprisonment for a period not exceeding six (6) months, or to both such fine and imprisonment.



**SERVICE OF NOTICE, ORDER OR OTHER DOCUMENT**

Any person who fails to give or refuse access to any official of the Council, or its agent duly authorised by these bylaws of the Council to enter upon and inspect any land, dwelling or premises if he requests entrance on any land or premises, or obstructs or hinders such official in the execution of his duties under these bylaws, or who fails or refuses to give information that he may lawfully be required to give to such official, or who gives to such official false or misleading information knowing it to be false or misleading, or who prevents the owner or any of his servants or workmen or any other person from entering upon any land, dwelling or premises for the purpose of complying with any notice served under these bylaws or from complying with any notice served under these bylaws, shall be guilty of an offence under these bylaws.

Where any notice, order or other document is under these bylaws required to be served —

- (a) on any person, it shall be deemed to be duly and sufficiently served if it is sent by registered post to that person at his last known address, or fit if it is left thereat with him personally or with some adult inmate thereof;
- (b) on an owner or occupier of any land or premises and the address of such owner or occupier is unknown, it shall be deemed to be duly and sufficiently served if it is posted up in some conspicuous place on such land or premises.

**REPEAL OF STANDARD BYLAWS**

The Standard Bylaws relating to Nuisance adopted by Council on 26 March 1996 are hereby repealed.

M.N. 8, 2000

27 January 2000

**UMTAMVUNA/PORT EDWARD****TRANSITIONAL LOCAL COUNCIL**

**T**HE Umtamvuna/Port Edward Transitional Local Council, acting under the authority of section 266 of the Local Authorities Ordinance (Ordinance No. 25 of 1974 as amended), has made the following bylaws which shall come into operation on the date of promulgation thereof.

**Public Health****A — DWELLINGS**

1. (1) No person who is the owner or occupier of any dwelling or room shall permit such dwelling or room to be so overcrowded as to constitute or be injurious to health.
- (2) If, owing to structural or other conditions, or to the habits, or state of health of persons residing therein and notwithstanding that the requirement of subsection (1) hereof as to air space and floor space are complied with the air in any dwelling shall be in the opinion of the Medical Officer of Health/Environmental Health Officer, so impure as to be a nuisance or likely to be injurious to the health of the occupants, the owner, occupier, or person in charge or control of such dwelling shall, upon being served with a notice signed by the Medical Officer of Health/Environmental Health Officer requiring him so to do, cause the number of persons residing in such dwelling to be reduced to such extent and within such time as shall be specified in such notice.
2. No person shall occupy, or let, or permit to be let for human occupation, any dwelling —
  - (a) in which any living or sleeping room has a floor area of less than 9 m<sup>2</sup> and unless such floor is constructed of wood, tiles or concrete or other impervious material which will permit thorough cleansing and is not less than 150 mm above the surface of the ground immediately outside such room and unless, in the case of a boarded floor, there is a clear space of at least 230 mm between every part of such floor and the ground beneath it with provision for sufficient through ventilation by means of air bricks or the like under such floor;
  - (b) in which the height of every living or sleeping room is not at least 2.40 metres from the floor to the lowest part of the ceiling or roof;
  - (c) in which every living or sleeping room is not sufficiently lighted by a window or windows of a total area of at least one-twelfth of the floor space of the room and so constructed that at least one-half thereof can at all times be opened to the external air;
  - (d) in which every living or sleeping room is not provided, in addition to windows, with two or more ventilating openings, each having an unobstructed sectional area of at least 650 cm<sup>2</sup> and so arranged as to secure through or cross ventilation;
  - (e) which is not constructed in conformity with the requirements of the National Building Regulations;
  - (f) which does not comply with the House Drainage Bylaws of the Council;
  - (g) which, if within the water supply area of the Council and not otherwise provided with a permanent and sufficient supply of wholesome water for drinking and domestic purposes, is not connected to the water supply mains in accordance with the Water Supply Bylaws of the Council or the Bylaws of the UGU Regional Council;
  - (h) which is of such construction, or in such a state, or so situated, or so dirty, or so verminous or so kept as to be injurious or dangerous to health or liable to favour the spread of any infectious disease;
  - (i) in which there is any appreciable dampness in any foundation, wall or floor or any serious leaks in the roof.
3. No person shall use, or let, or permit to be let for use, as a dwelling or for human habitation any building not erected for such purpose, unless and until such building shall have been altered and made suitable for such purpose in accordance with plans approved by the Council under the National Building Regulations.
4. No person shall use, or let, or permit to be used or let, for purposes of human habitation or occupation, any cellar, basement or underground room in any building or premises without the written consent of the Council, and then only for such period as may be specified in such consent: Provided that such consent may be granted only if such cellar, basement or underground room is provided with the following:
  - (a) At least one external side which shall be entirely above the level of the adjoining street or ground.
  - (b) No building, wall or earth within 3 metres of its external side or projecting above a line drawn at an angle of 45 degrees from the intersection of the floor and the inside face of the wall.
  - (c) A window or windows in such external side, and sufficient and satisfactory cross ventilation, all as elsewhere provided in these bylaws for habitable rooms.
  - (d) A height from floor to ceiling of not less than 3 metres throughout.
  - (e) The necessary appurtenant sanitary disposal facilities.

In ascertaining the level of the adjacent street or ground for the purposes of this bylaw, no regard shall be had to the level of any area or sunken yard of less than 3 metres in width adjoining such cellar, vault or room.
5. No person, or party of persons, shall camp within the Councils area or use a caravan, or other temporary or movable structure, whether standing on wheels or otherwise, on any premises or vacant land other than a licenced caravan park or licenced tent camp.
6. The Council may cause a notice, signed by the Medical Officer of Health/Environmental Health Officer, to be served on the owner or occupier of such building specifying the nature of the state or condition in such building which constitutes a nuisance or is likely to be injurious or dangerous to

health, and requiring the person so served within a time to be specified in the notice, to repair or remedy such condition, and, if the Council shall deem it advisable (but not otherwise), directing such person, in order that a recurrence of the condition may be prevented, to execute such works and perform such acts as may be specified in the notice before the stated date.

Any person served with any such notice as aforesaid shall comply with the requirements contained in such notice within the time specified.

## B — REMOVAL OF RUBBISH AND REFUSE

### 1. DEFINITIONS

1.1 For the purpose of these bylaws, the following words shall have the meanings set out hereunder, except as otherwise expressly provided, or unless such meanings are inconsistent with the context:

"Approved" means having obtained the prior approval of Council;

"Council" or "Local Council" means the Umtamvuna/Port Edward Transitional Local Council or its successors in title and includes a committee, sub-contractors/s or official of the Council to whom it has delegated or contracted for that duty, function or power;

"Dwelling" in addition to its ordinary meaning shall include any vehicle, vessel or boat, capable of human habitation;

"Levy" or "Charge" means the contribution for the purpose of defraying the cost of the removal of all refuse. The type of contribution and the intervals at which it shall be payable shall be calculated and approved by the Council in the Tariff of Charges;

"Medical Officer of Health/Environmental health Officer" means any person registered as such under Section 32 of the Medical, Dental and Supplementary Health Services Professional Act, 1974 or any amendments thereto;

"Owner" in relation to any premises, dwelling, vehicle, vessel or boat means —

- (a) the person in whose name the certificate of title to such premises is registered, and; or
- (b) in the event of such person being deceased, insolvent or under any legal disability, the person in whom the administration of such first person's estate is vested whether as executor, guardian, curator or in any other capacity; or
- (c) if the premises are leased and registration in the Deeds Registry is a prerequisite for the validity of such lease, the Lessee; or
- (d) where the title of premises is registered in the name of a juristic person, the secretary or manager, or any director or member, or any member of the Managing Body or House Owner's Association, Trustee of any Trust of such juristic person;
- (e) the owner or occupier of such vehicle, vessel or boat.

"Occupier" means the person who resides in or on any premises or property and has control over such premises or property;

"Ordinance" means the Local Authorities Ordinance, 1974 (Ordinance 25 of 1974) (as Amended);

"Premises" or "Property" means any dwelling, structure used or intended to be used for human habitation, factory, workshop, shop or any building or structure of any kind for whatsoever purpose used with its appurtenant outbuildings, or any building or buildings divided into separate flats or apartments or shops or offices, or building complex of shops, offices or flats/apartments;

"Prescribe" or "prescribed" means prescribed by the Council by resolution;

"Refuse" definitions shall be as follows:

"Bulky Refuse" means any material too large to be handled in refuse disposal receptacles or plastic bags and includes domestic appliances, furniture and tree cuttings, but excludes Industrial Refuse, Commercial Refuse, Special Refuse, Garden Refuse and Household and Domestic Refuse;

"Commercial Refuse" shall mean refuse similar in composition to domestic refuse and generated in offices, banks, retail shops or supermarkets, hotels, garages and filling stations, but excludes Special Refuse, Garden Refuse and Household and Domestic Refuse;

"Household and Domestic Refuse" means general household waste produced on or in any residential premises, and include kitchen waste, paper packing materials, smaller household items, broken crockery, glass, ashes, cinders, food refuse, rags, floor sweepings and animal droppings, provided such animal or birds shall be kept for private use as a domestic pet, but shall not include any manure or droppings or dung of any animal or bird kept for profit, or the carcasses of any animal;

"Garden Refuse" means light-weight garden refuse and includes grass cuttings, weeds, hedge trimmings and plants, but excluded Bulky Refuse;

"Industrial Refuse" means —

- (a) material arising from use in packing, receiving, despatch and shipping in any type of industry; and
- (b) refuse peculiar to any industry or activity, and includes all raw materials used in and residues resulting from the process of such industry or business, but excludes Special Refuse, Commercial Refuse and Bulky Refuse;

"Special Refuse" means any refuse requiring special handling, treatment and/or disposal procedures and includes abattoir waste, minerals, oils, sludges, sand, stone, excavated soils, builders' rubble, hazardous or radio-active waste, medical waste and any other matter so categorised by the Medical Officer of Health/Environmental Health Officer;

"Refuse receptacle" shall mean a receptacle for household domestic use constructed of metal or plastic including an approved plastic bag or approved domestic retention area;

1.2 For the purpose of these bylaws, any reference to the male gender shall *ipso facto* include the female gender and *vica versa*.

### 2. REFUSE REMOVAL SERVICES

2.1 The Council may arrange for the removal of all or any refuse from all premises situated within its area of jurisdiction at a fee or levy stipulated in the Tariff of Charges, except those premises which —

- (a) are, in the Council's opinion and after duly motivated written application by the owner cannot be adequately serviced by any refuse removal service provided by the Council; or
- (b) are zoned agriculture and are used purely for such purpose.

### 3. BUILDING WITH MORE THAN ONE BUSINESS, SHOP, DWELLING ETC

In cases where more than one trade, business or occupation is carried on in one building, or where a building is divided into separate flats or suites of apartments, occupied by separate families, the owner or occupier of each such trade or business and the owner or occupier of each separate flat or suite of apartments shall be deemed to be an occupier and shall provide and maintain sufficient refuse removal receptacles in respect of each such trade or business, flat or suite of apartments.

### 4. PROVISION AND MAINTENANCE OF REFUSE RECEPTACLES ETC

(a) Every owner or occupier of premises within the area of jurisdiction of the Council shall provide and shall maintain in clean condition and in

good repair, on such premises or property, a sufficient number of refuse receptacles and shall cause all household and domestic refuse accumulated on such premises to be deposited therein. In the case of unoccupied premises or property on which the provision of a refuse receptacle is considered necessary by the Medical Officer of Health/Environmental Health Officer, such receptacle shall be provided and maintained by the owner.

- (b) Every occupier or owner shall cause every such receptacle to be continuously covered, save when refuse is being deposited in or removed therefrom.

**5. ACCUMULATION OF LARGE AMOUNTS OF REFUSE**

In the event of the Medical Officer of Health/Environmental Health Officer being satisfied that the accumulation of household domestic refuse on any premises is too large to be dealt with by the normal removal service of the Council, the owner or occupier of such premises shall, if so required by notice in writing, signed by the Medical Officer of Health/Environmental Health Officer, provide and maintain one or more extra receptacles, or arrange for more frequent removals of the contents of such extra refuse receptacles or extra removals at such fees, tariffs or charges contained in the Tariff of Charges.

**6. REFUSE DEPOSITS**

- (a) No person shall deposit or permit to be deposited into any refuse receptacle any Industrial, Special, Bulky, Commercial or any other refuse other than Household or Domestic refuse.
- (b) Every owner or occupier of premises within the Council shall deposit or cause to be deposited all solid refuse, other than Household or Domestic refuse, produced or accumulated on such premises, in containers of a capacity of not more than 112 litres each, approved by the Council and shall arrange upon payment of the charges provided for in the Tariff of Charges for such removals, for the removal and disposal by the Council of such refuse as often as may be necessary to prevent any undue accumulation of such refuse or any nuisances arising therefrom and also as often as he shall be required to dispose of such refuse by a notice to that effect from the Medical Officer of Health/Environmental Health Officer.

**7. REFUSE, RECEPTACLE, RETENTION AREA**

In every premises in which more than one trade, business occupation, offices, flats or suites, accommodation establishment or recreational facility, the owner of such premises shall provide an approved refuse retention area, constructed in accordance with the requirements of the Medical Officer of Health/Environmental Health Officer and shall cause any refuse generated on such premises to be sorted therein, pending removal thereof on payment of the charges prescribed therefor in the Tariff of Charges.

**8. STORAGE OF REFUSE PENDING REMOVAL**

- (a) Pending the removal of any refuse, every owner or occupier of any premises shall take the necessary precautions to prevent littering of the surrounding properties caused by vagrants, animals or birds.
- (b) All plastic bags including standard plastic disposal bags used for the storage of refuse shall be securely tied in order to minimise breakage.
- (c) Except to facilitate the removal of refuse, no person, other than an authorised refuse remover, shall interfere with or remove from any premises any refuse pending removal thereof.

**9. PROHIBITION OF LIQUID REFUSE DISPOSAL**

- (a) No person shall at any time or under any circumstances deposit or cause or permit to be deposited any waste liquid or liquid matter of any kind in any refuse receptacle or container.
- (b) No person shall cause or permit any waste water, slops or any foul or liquid matter of any kind to run or flow from any premises of which he is the owner or occupier into any street or on to any land.
- (c) Every owner or occupier of any premises in the area of jurisdiction of the Council shall, where waterborne sewage is available, provided for all such liquid matter with the exception of liquids falling under the definition of Special Refuse, to run into the Council's sewers or duly approved Conservancy Tanks or duly approved French Drains.
- (d) Where waterborne sewerage disposal is not available, every owner or occupier of any premises in the area of jurisdiction of the Council shall be provided and maintained in clean condition and in good repair a sufficient number of receptacles of a pattern and capacity approved by the Council for the reception of such liquid matter and shall cause all such liquid matter accumulated on such premises to be deposited therein and arrange with the Council for the removal thereof on payment of the charges prescribed therefor in the Tariff of Charges.

**10. LOOSE OR BULKY REFUSE**

The owner or occupier of any premises in or on which loose and bulky refuse of any kind shall produced or accumulated and the removal of which is required, shall tie up such refuse securely, or cause it to be tied up securely, into bales or bundles of a size convenient for one man to carry, or shall deposit such refuse in such receptacles as the Council may determine and direct, and shall arrange, upon payment of the charges provided for in the Tariff of Charges for the removal of such refuse.

**11. INTERFERENCE**

No unauthorised person shall at any time interfere with, uncover or remove any refuse receptacle or container which has been placed in or upon any street for the purpose of removal of its contents, or after such removal.

**12. ANIMAL CARCASSES ETC**

No person shall at any time deposit the carcase of any dead animal in any refuse receptacle or container, and in the event of any animal dying or being found dead on any premises, the owner or occupier of such premises shall arrange forthwith with the Council for the removal and disposal of the carcase of such animal upon payment of the charges provided in the Tariff of Charges for such removal and disposal.

**13. DELEGATION**

Whenever any power, duty or function is imposed by the Council it may delegate or assign in writing any such power, duty or function to any person in its employ or to whom it has sub-contracted, subject to such conditions as the Council may deem necessary.

**14. ACCESS TO PREMISES BY MEDICAL OFFICER OF HEALTH**

The Medical Officer of Health/Environmental Health Officer or duly authorised officer or servant of the Council shall be entitled at any time between the hours of 7:00 a.m. and 7:00 p.m. (07h00 and 19h00) to enter upon any premises for the purpose of inspecting any refuse receptacle or container on such premises, and no person shall refuse access to, or interfere with, or obstruct any such official or servant in the exercise of his duty under this Bylaw, or any servant of the Council when engaged in the removal of any refuse.

**15. CHARGES**

15.1 The Council shall be entitled from time to time to make a charge in accordance with the Tariff of Charges for any refuse removal services performed by it within the area of the Council and the owner of such premises or property shall be liable to effect payment of such charges. In the case of any vehicle, boat or vessel, the owner and occupier of such vehicle, vessel or boat shall be jointly and severally liable for the payment of such charges.

15.2 In addition to such charges, the Council may from time to time and on an annual basis determine an annual or monthly levy to be paid by the



owner of any premises or property situated within its area of jurisdiction regardless of whether or not any refuse removal services are actually utilized by such owner or whether or not the premises are occupied.

15.3 In determining such levy, the Council may in its absolute discretion and upon good cause being shown —

- (i) by written application by any owner or occupier; or
- (ii) *meru moto*;
  - (A) exempt either partially or wholly and for such period it may determine, any dwelling, premises or property from the payment of any levy referred to in Clause 15.2 of these bylaws; or
  - (B) in its absolute discretion withdraw any such exemption which may have been granted in terms of subsection 15.3 (a) hereof.

## 16. GENERAL OFFENCES AND PENALTIES

16.1 Any person who —

- 16.1.1 contravenes or fails to comply with any provision of these bylaws;
- 16.1.2 ignores, disregard or disobeys any notice, sign or making displayed or erected for the purpose of these bylaws;
- 16.1.3 contravenes or fails to comply with any approval or condition granted or imposed in terms of these bylaws;
- 16.1.4 for the purpose of these bylaws makes a false statement knowing it to be false in a material particular or deliberately furnishes false or misleading information to an authorised official or officer; or
- 16.1.5 threatens resists, interferes with or obstructs an authorised officer or employee of the Council in the performance of his power, duties or functions under these bylaws,

shall be guilty of an offence and on conviction be liable to a fine of not more than five hundred rand (500-00) or imprisonment for a period not exceeding three months, or both such fine and imprisonment.

## 17. REPEAL OF STANDARD BYLAWS

The standard bylaws relating to the Removal of Refuse and Rubbish adopted by Council on are hereby repealed.

## C — SANITARY CONVENIENCES AND DISPOSAL OF SEWAGE

### 1. DEFINITIONS

1.1 For the purpose of these bylaws, the following words shall have the meaning set out hereunder, except as otherwise expressly provided, or unless such meanings are inconsistent with the context:

"Approved" means having obtained the prior approval of Council;

"Council" or "Local Council" means the Umtamvuna/Port Edward Transitional Local Council or its successors in title and includes a committee, sub-contractors/s or official of the Council to whom it has delegated or contracted for that duty, function or power;

"Dwelling" in addition to its ordinary meaning shall include any vehicle, vessel or boat, capable of human habitation; "Medical Officer of Health/Environmental Health Officer" means any person registered as such under section 32 of the Medical, Dental and Supplementary Health Services Professional Act, 1974 or any amendments thereto;

"Owner" in relation to any premises, dwelling, vehicle, vessel or boat means —

- (a) the person in whose name the certificate of title to such premises is registered, and; or
- (b) in the event of such person being deceased, insolvent or under any legal disability, the person in whom the administration of such first person's estate is vested whether as executor, guardian, curator or in any other capacity; or
- (c) if the premises are leased and registration in the Deeds Registry is a prerequisite for the validity of such lease, the Lessee; or
- (d) where the title of premises is registered in the name of a juristic person, the secretary or manager, or any director or member, or any member of the Managing Body or House Owner's Association, Trustee of any Trust of such juristic person;
- (e) the owner or occupier of such vehicle, vessel or boat;

"Occupier" means the person who resides in or on any premises or property and has control over such premises or property;

"Ordinance" means the Local Authorities Ordinance, 1974 (Ordinance 25 of 1974) (as Amended);

"Premises" or "Property" means any dwelling, structure used or intended to be used for human habitation, factory, workshop, shop or any building or structure of any kind for whatsoever purpose used with its appurtenant outbuildings, or any building or buildings divided into separate flats of apartments or shops or offices, or building complex of shops, offices or flats/apartments;

"Prescribe" or "prescribed" means prescribed by the Council by resolution.

1.2 For the purpose of these bylaws, any reference to the male gender shall *ipso facto* include the female gender and vice versa.

### 2. PROVISION OF WATER CLOSETS

Every person who is the owner of any premises in the Council's area of jurisdiction, shall provide to the satisfaction and in the discretion of Council suitable water closets, sufficient in number for the use of the persons resident or employed in or frequenting such premises.

### 3. SEPARATE WATER CLOSET FACILITIES

In every premises which is divided into separate flats or suites of apartments occupied by separate families, the owner of such premises shall provide separate closet accommodation for the person/s resident in each such flat or suite of apartments.

### 4. PROVISION OF WATER CLOSETS IN BUSINESS PREMISES

In every premises in which more than one trade, business or occupation is carried on, the owner of such premises shall, in the discretion of the Council either provide separate Water Closet accommodation for persons employed in each such trade, business or occupation, or provide communal facilities to the satisfaction of Council.

### 5. PROVISION OF SANITARY CONVENIENCES FOR TRAVELLING SHOWS

The proprietor of every circus or travelling show or event visiting and/or performing in the Council's area of jurisdiction shall make suitable provisions, to the satisfaction of the Council, for sanitary conveniences for the use of his/her/their staff, employees, performers and spectators during the period of such visit and for disposal of the excreta of any animal used in connection with such circus or travelling show.

### 6. DISPOSAL OF EFFLUENT FROM VESSELS/BOATS

No occupier of any vessel or boat shall cause or allow any effluent or sewage to be discharged into any river, stream, or dam and shall make prior written arrangements with Council for the removal of such effluent or sewage.



**7. METHODS OF SEWAGE DISPOSAL**

The Council shall approve for any premises within its area of jurisdiction, the following methods of sewage disposal —

- (i) waterborne sewage;
- (ii) conservancy tank;
- (iii) every owner of occupied premises within the area of jurisdiction of the Council shall provide for such premises to be connected to a water-borne sewerage reticulation system where such system is in operation.

**8. CONSERVANCY TANKS**

Every owner or occupier of premises in which sewerage is collected in a Conservancy Tank, shall —

- (i) ensure that at no time such conservancy tank overflows;
- (ii) make arrangements with Council for the collection of any sewage contained in the said conservancy tank in the prescribed method;
- (iii) pre-pay according to the Tariff of Charges prescribed from time to time by Council, the cost of removal of any effluent contained in the said Conservancy Tank.

**9. VACANT PREMISES**

In the area of jurisdiction of Council in which a water-borne sewerage reticulation system is in operation the owner of any vacant premises shall pay to Council an availability charge on an annual basis prescribed from time to time by Council.

**10. TEMPORARY FACILITIES**

No person shall, without the written consent of the Council, for temporary purposes erect or use any form of toilet other than a duly approved chemical toilet or toilets.

**11. NOTICES**

- (i) The Council may cause a notice, signed by the Medical Officer of Health/Environmental Health Officer, to be served on the owner or occupier of any premises if the Medical Officer of Health/Environmental Health Officer is satisfied that there is not sufficient closet or urinal accommodation in such premises for the number of persons resident or employed therein, or that any closet or urinal is defective in any matter or thing provided by these bylaws, or is not in proper working order, or is in a condition which is offensive, injurious or dangerous to health; and require the owner of such premises to provide such additional accommodation or remedy such defect or condition as may be specified in such notice.

- (ii) Any person served with any notice as aforesaid shall comply with the requirements contained in such notice within the time specified therein.

**12. URINAL ACCOMMODATION**

The Medical Officer of Health/Environmental Officer may, if he considers that the number of male persons resident or employed in any premises, warrants it, require the owner of such premises, by notice in writing, to provide sufficient urinal accommodation on such premises, and any person so required shall provide such accommodation within a time to be specified in such notice.

**13. STATE OF CLOSET OR URINAL ACCOMMODATION**

The occupier or owner of any premises shall at all times keep any closet or urinal on such premises in a clean and sanitary condition.

**14. DELEGATION**

Whenever any power, duty or function is imposed by the Council it may delegate or assign in writing any such power, duty or function to any person in its employ or to whom it has sub-contracted, subject to such conditions as the Council may deem necessary.

**15. ACCESS TO PREMISES BY MEDICAL OFFICER OF HEALTH/ENVIRONMENTAL HEALTH OFFICER**

The Medical Officer of Health/Environmental Health Officer or duly authorised officer or servant of the Council shall be entitled at any time between the hours of 7:00 a.m. and 7:00 p.m. (07h00 and 19h00) to enter upon any premises for the purpose of inspecting any dwelling or room and no person shall refuse access to, or interfere with, or obstruct any such official or servant in the exercise of his duty under these bylaws, or any servant of the Council when engaged in his/her duties as such.

**16. GENERAL OFFENCES AND PENALTIES**

Any person who —

- (i) contravenes or fails to comply with any provisions of these bylaws;
- (ii) contravenes or fails to comply with any notice given or condition imposed in terms of these bylaws;
- (iii) for the purpose of these bylaws makes a false statement knowing it to be false in a material particular or deliberately furnishes false or misleading information to an authorised official or officer; or
- (iv) threatens, resists, interferes with or obstructs an authorised officer or employee of the Council in the performance of his powers, duties or functions under these bylaws,

shall be guilty of an offence and on conviction be liable to a fine of not more than five hundred rand (R500-00) or imprisonment for a period not exceeding three months, or both such fine and imprisonment.

**REPEAL OF STANDARD BYLAWS**

The standard bylaws relating to Public Health are hereby repealed.

**REPEAL OF STANDARD BYLAWS**

The standard bylaws relating to Public Health adopted by Council on 26 March 1996 are hereby repealed.

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The Provincial Gazette of KwaZulu-Natal, PO Box 362,  
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Navrae moet gerig word aan:

Provinsiale Koerant van KwaZulu-Natal, Posbus 362,  
PIETERMARITZBURG 3200.

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**TOWN PLANNING SCHEMES: AMENDMENT/  
DORPBEPLANNINGSKEMAS: WYSIGING****SCOTTBURGH/UMZINTO NORTH  
TRANSITIONAL LOCAL COUNCIL**

Notice No. 2/2000

**PROPOSED AMENDMENT TO THE TOWN  
PLANNING SCHEME IN THE COURSE OF  
PREPARATION**

Notice is hereby given in terms of Section 47 bis (1) of the Town Planning Ordinance No. 27 of 1949 that the Scottburgh/Umzinto North Transitional Local Council proposes to amend the Town Planning Scheme of the former Umzinto in the course of preparation in the following respect:

To rezone proposed portions 14 and 15 of Erf 146 Umzinto from Agriculture to Special Residential.

Copies of the plan and other documents giving further details of the proposed amendments may be inspected at the offices of the Transitional Local Council, Scottburgh, during office hours and any person having sufficient interest in the proposed amendment may lodge with the undersigned, written objections or representations relating thereto not later than Friday, 18 February 2000.

S. A. RODE,  
Chief Executive Officer.

Council Offices,  
Cnr Airth & Williamson Streets,  
P.O. Box 19,  
Scottburgh 4180.

D1—January 27, 2000.

**SCOTTBURGH/UMZINTO-NOORD  
PLAASLIKE OORGANGSRAAD**

Kennisgewing No. 2/2000

**VOORGESTELDE WYSIGINGS AAN DIE  
DORPBEPLANNINGSKEMA IN WORDING**

Kennis geskied hiermee ingevolge Artikel 47 bis (1) van die Ordonnansie op Dorpbeplanning

1949 (Ordonnansie 27 van 1949), dat dit die voorneme van die Scottburgh/Umzinto-Noord Plaaslike Oorgangsraad is om die Dorpbeplanningskema van Scottburgh ten opsigte van die volgende, te wysig:

Om voorgestelde gedeeltes 14 en 15 van Erf 146 Umzinto van Landbou tot Spesiale Woondoeleindes te hersoneer.

Afskrifte van die planne en ander dokumente wat verdere detail van die bovermelde wysigings verskaf, kan gedurende normale kantoorure geïnspekteer word by die kantore van die Plaaslike Oorgangsraad, Scottburgh, en enige persoon met voldoende belang by die voorgestelde wysigings mag skriftelik besware of vertoe daartoe indien by die ondergetekende en nie later as Vrydag, 18 Februarie 2000.

S. A. RODE,

Hoof-Uitvoerende Beamppte.

Plaaslike Oorgangsraad Kantore, "H/v Airth & Williamson Straat, Posbus 19, Scottburgh 4180.

D1—Januarie 27, 2000.

**LADYSMITH/EMNAMBITHI LOCAL  
COUNCIL**

Notice No. 5/2000

**LADYSMITH/EMNAMBITHI TOWN  
PLANNING SCHEME: AMENDMENT**

Notice is hereby given of the intention of the Ladysmith/Emnambithi Local Council to amend the Ladysmith Town Planning Scheme by the rezoning of Erf 12156 Ladysmith (Caravan Park) from "Special Zone 14" and "Public Open Space" to "Limited Commercial III" in terms of Section 47 bis (1)(a) of the Town Planning Ordinance (No. 27 of 1949 as amended) as per plan T423.

A copy of the proposed amendment as per

plan T423 and documentation are lying for inspection between 07:30 and 12:30 and from 13:30 to 16:00 Mondays to Fridays at the office of the Town Secretary, Room 219, Lister Clarence Building, Murchison Street, Ladysmith for a period of 5 weeks commencing on 28 January 2000.

Any person having sufficient interest herein may lodge written objections or representations relating hereto with the undersigned not later than 3 March 2000.

Enquiries in this regard may be directed to Mrs L. Kehrhaan at telephone (036) 6372231 Ext. 307.

D.J. VERMEULEN,  
Chief Executive/Town Clerk.  
D3—January 27, 2000.

**LADYSMITH/EMNAMBITHI PLAASLIKE  
RAAD**

Kennisgewing No. 5/2000

**LADYSMITH DORPBEPLANNINGSKEMA:  
WYSIGING**

Kennis geskied hiermee ingevolge Artikel 47 bis (1)(a) van die Dorpbeplanningsordonnansie (No. 27 van 1949 soos gewysig) dat die Ladysmith/Emnambithi Plaaslike Raad van voorneme is om die Dorpbeplanningskema te wysig deur Erf 12156 Ladysmith (Karavaan Park) van "Spesiale Sone 14 en Publieke Ruimtes" tot "Beperkte Handel III" te hersoneer.

'n Afskrif van die voorgestelde wysiging soos per plan T423 en dokumentasie lê ter insae beskikbaar by die kantore van die Stadsekretaris, Lister Clarence-gebou, Kamer 219, Murchison Straat, Ladysmith gedurende kantoorure tussen 07:30 en 12:30 en vanaf 13:30 tot 16:00, Maandae tot Vrydae, vir 'n periode van 5 weke, vanaf 28 Januarie 2000.



Enige persoon met voldoende belang kan skriftelik besware of vertoë voor of op 3 Maart 2000 by die ondergetekende indien.

Navrae in hierdie verband kan gerig word aan Mev L. Kehrhaan by telefoon (036) 6372231 uitbreiding 207 of by bovermelde kantoor.

D.J. VERMEULEN,  
Uitvoerende Hoof/Stadsklerk,  
D3—Januarie 27, 2000.

**NORTH CENTRAL AND SOUTH CENTRAL  
LOCAL COUNCILS  
ADMINISTRATIVE ENTITY OF THE CITY  
OF DURBAN  
TOWN PLANNING SCHEME IN COURSE OF  
PREPARATION: MEREWENT AREA:  
PROPOSED REZONING OF LAND AT  
RAWALPINDI ROAD FROM PUBLIC OPEN  
SPACE RESERVATION AND SPECIAL  
RESIDENTIAL 180M<sup>2</sup> ZONE TO CEMETERY  
ZONE**

Notice is hereby given in terms of Section 47 bis A of Town Planning Ordinance 27 of 1949, as amended, of the North Central and South Central Local Councils' intention to rezone land at Rawalpindi Road from Public Open Space Reservation and Special Residential 180m<sup>2</sup> Zone to Cemetery Zone.

The properties which are currently reserved for public open space purposes are in Council ownership and the Director: Cemeteries has indicated that the site is required for cemetery purposes.

The site is overgrown and is surplus to the D'MOSS and open space requirements for the area. It is therefore proposed to rezone the land from Public Open Space Reservation to Cemetery Zone.

The motivation for the proposal, together with the relevant plans, will lie for inspection between 08:00 and 12:15 and from 13:30 to 16:00, Mondays to Fridays, at the Development Management Department, Development and Planning Unit, Ground Floor, 166 Old Fort Road, Durban, for a period of three weeks commencing on 28 January 2000.

Any person having sufficient interest in the proposed amendment may lodge with the Executive Director (Development and Planning) (Attention: Divisional Planner — Rezoning), P.O. Box 680, Durban 4000, written objections or representation relating thereto by no later than Monday, 21 February 2000.

S. SITHOLE,  
Chief Executive Officer/Town Clerk,  
Town Clerk's Office,  
9th Floor, Embassy Building,  
Cnr Smith/Alwal Streets,  
Durban.

D4—Januarie 27, 2000.

**NOORD-SENTRALE EN SUID-SENTRALE  
PLAASLIKE RADE  
ADMINISTRATIEWE ENTITEIT VAN DIE  
STAD DURBAN  
VOORLOPIGE DORPBEPLANNINGSKEMA:  
GEBIED MEREWENT: VOORGESTELDE  
HERSONERING VAN 'N STUK GROND TE  
RAWALPINDI WEG VAN RESERVERING AS  
OPENBARE OOP RUIMTE EN SPESIALE  
180M<sup>2</sup> WOONSONE TOT  
BEGRAAFPLAASSONE**

Kennis geskied hiermee ingevolge Artikel 47 bis A van Dorpbeplanningsordonnansie 27 van 1949 (soos gewysig) dat die Noord-Sentrale en Suid-Sentrale Plaaslike Rade voornemens is om 'n stuk grond te Rawalpindiweg van reservering as openbare oop ruimte en spesiale 180m<sup>2</sup>-woonsone tot begraafplaassone te hersoneer.

Die eiendomme, wat tans vir die doeleindes van 'n openbare oop ruimte uitgehou word, behoort aan die Rade en die Direkteur: Begraafplase het te kenne gegee dat die perseel vir begraafplaasdoeleindes benodig word.

Die perseel is dig begroei en word nie meer vir die gebied se D'MOSS-vereistes of as 'n oop ruimte benodig nie. Daar word dus voorgestel dat die stuk grond van reservering as openbare oop ruimte tot begraafplaassone hersoneer word.

Die motivering betreffende die voorstel, asook

die betrokke planne, sal tussen 08:00 en 12:15 en van 13:30 tot 16:00, Maandae tot Vrydae, vanaf 28 Januarie 2000 vir 'n tydperk van drie weke by die Departement Ontwikkelingsbeheer, Ontwikkeling-en-Beplanningseenheid, Grondverdieping, Old Fortweg 166, Durban, ter insae lê.

Enigeen wat voldoende belang by die voorgestelde wysiging het, kan skriftelike besware of vertoë in verband daarmee by die Uitvoerende Direkteur (Ontwikkeling en Beplanning) (Aandag: Afdelingsbeplanner — Hersonerings), Posbus 680, Durban 4000, indien sodat dit haar nie later nie as Maandag, 21 Februarie 2000, bereik.

S. SITHOLE,  
Hoof Uitvoerende Beampte/Stadsklerk,  
Kantoor van die Stadsklerk,  
9de Verdieping, Embassy,  
H/v Smith-/Aliwalstraat,  
Durban.

D4—Januarie 27, 2000.

**NORTH CENTRAL AND SOUTH CENTRAL  
LOCAL COUNCILS  
ADMINISTRATIVE ENTITY OF THE CITY  
OF DURBAN  
TOWN PLANNING SCHEME IN COURSE OF  
PREPARATION: CHATSWORTH AREA:  
PROPOSED REZONING OF LAND AT  
MARBLE ARCH AVENUE FROM PLACE  
OF WORSHIP ZONE TO SPECIAL  
RESIDENTIAL 180M<sup>2</sup> ZONE**

Notice is hereby given in terms of Section 47 bis A of Town Planning Ordinance 27 of 1949, as amended, of the North Central and South Central Local Councils' intention to rezone land at Marble Arch Avenue from Place of Worship Zone to Special Residential 180m<sup>2</sup> Zone.

As the site has remained undeveloped for a long period of time, it is proposed to rezone the land Special Residential which is the most appropriate zone.

The motivation for the proposal, together with the relevant plans, will lie for inspection between 08:00 and 12:15 and from 13:30 to 16:00, Mondays to Fridays, at the Development Management Department, Development and Planning Unit, Ground Floor, 166 Old Fort Road, Durban, for a period of three weeks commencing on 28 January 2000.

Any person having sufficient interest in the proposed amendment may lodge with the Executive Director (Development and Planning) (Attention: Divisional Planner — Rezoning), P.O. Box 680, Durban 4000, written objections or representation relating thereto by no later than Monday, 21 February 2000.

S. SITHOLE,  
Chief Executive Officer/Town Clerk,  
Town Clerk's Office,  
9th Floor, Embassy Building,  
Cnr Smith/Alwal Streets,  
Durban.

D5—Januarie 27, 2000.

**NOORD-SENTRALE EN SUID-SENTRALE  
PLAASLIKE RADE  
ADMINISTRATIEWE ENTITEIT VAN DIE  
STAD DURBAN  
VOORLOPIGE DORPBEPLANNINGSKEMA:  
GEBIED CHATSWORTH: VOORGESTELDE  
HERSONERING VAN 'N STUK GROND TE  
MARBLE ARCHLAAN VAN PLEK VIR  
GODSDIENSBEOEFENING TOT SPESIALE  
180M<sup>2</sup> WOONSONE**

Kennis geskied hiermee ingevolge Artikel 47 bis A van Dorpbeplanningsordonnansie 27 van 1949 (soos gewysig) dat die Noord-Sentrale en Suid-Sentrale Plaaslike Rade voornemens is om 'n stuk grond te Marble Archlaan van plek vir godsdiensbeoefening tot spesiale 180m<sup>2</sup>-woonsone te hersoneer.

Vanweë die feit dat die perseel vir 'n lang tydperk onontwikkel gebly het, word daar voorgestel dat die stuk grond tot spesiale woonsone, nl. die mees geskikte gebruiksone, hersoneer word.

Die motivering betreffende die voorstel, asook die betrokke planne, sal tussen 08:00 en 12:15 en van 13:30 tot 16:00, Maandae tot Vrydae, vanaf

28 Januarie 2000 vir 'n tydperk van drie weke by die Departement Ontwikkelingsbeheer, Ontwikkeling-en-Beplanningseenheid, Grondverdieping, Old Fortweg 166, Durban, ter insae lê.

Enigeen wat voldoende belang by die voorgestelde wysiging het, kan skriftelike besware of vertoë in verband daarmee by die Uitvoerende Direkteur (Ontwikkeling en Beplanning) (Aandag: Afdelingsbeplanner — Hersonerings), Posbus 680, Durban 4000, indien sodat dit haar nie later nie as Maandag, 21 Februarie 2000, bereik.

S. SITHOLE,  
Hoof Uitvoerende Beampte/Stadsklerk,  
Kantoor van die Stadsklerk,  
9de Verdieping, Embassy,  
H/v Smith-/Aliwalstraat,  
Durban.

D5—Januarie 27, 2000.

**NORTH CENTRAL AND SOUTH CENTRAL  
LOCAL COUNCILS  
ADMINISTRATIVE ENTITY OF THE CITY  
OF DURBAN  
TOWN PLANNING SCHEME IN COURSE OF  
PREPARATION: DURBAN NORTH AREA:  
PROPOSED REZONING OF LAND AT 18/20  
GROSVENOR CRESCENT FROM SPECIAL  
RESIDENTIAL 1800M<sup>2</sup> ZONE TO  
EDUCATIONAL 1 ZONE**

Notice is hereby given that an application has been received in terms of Section 47 bis B of Town Planning Ordinance 27 of 1949, as amended, from Celeste A. Stretch on behalf of the registered owners to rezone land at 18/20 Grosvenor Crescent from Special Residential 1800m<sup>2</sup> Zone to Educational 1 Zone.

The owners propose to rezone these portions of the two erven which accommodate tennis courts for educational purposes to enable the said portions to be consolidated with the adjacent school property.

The motivation for the proposal, together with the relevant plans, will lie for inspection between 08:00 and 12:15 and from 13:30 to 16:00, Mondays to Fridays, at the Development Management Department, Development and Planning Unit, Ground Floor, 166 Old Fort Road, Durban, for a period of three weeks commencing on 28 January 2000.

Any person having sufficient interest in the proposed amendment may lodge with the Executive Director (Development and Planning) (Attention: Divisional Planner — Rezoning), P.O. Box 680, Durban 4000, written objections or representation relating thereto by no later than Monday, 21 February 2000.

S. SITHOLE,  
Chief Executive Officer/Town Clerk,  
Town Clerk's Office,  
9th Floor, Embassy Building,  
Cnr Smith/Alwal Streets,  
Durban.

D6—Januarie 27, 2000.

**NOORD-SENTRALE EN SUID-SENTRALE  
PLAASLIKE RADE  
ADMINISTRATIEWE ENTITEIT VAN DIE  
STAD DURBAN  
VOORLOPIGE DORPBEPLANNINGSKEMA:  
GEBIED DURBAN-NOORD:  
VOORGESTELDE HERSONERING VAN 'N  
STUK GROND TE GROSVENORSINGEL  
18/20 VAN SPESIALE 1800M<sup>2</sup>-WOONSONE  
TOT OPVOEDKUNDIGE SONE 1**

Kennis geskied hiermee dat 'n aansoek ingevolge Artikel 47 bis B van Dorpbeplanningsordonnansie 27 van 1949 (soos gewysig) van Celeste A. Stretch namens die geregistreerde eienaars ontvang is om 'n stuk grond te Grosvenorsingel 18/20 van spesiale 1800m<sup>2</sup>-woonsone tot opvoedkundige sone 1 te hersoneer.

Die eienaars is voornemens om die gedeeltes van die twee erwe wat tennisbane bevat, vir opvoedkundige doeleindes te hersoneer sodat genoemde gedeeltes met die aanliggende skoolleiedom gekonsolideer kan word.

Die motivering ten opsigte van die voorstel, tesame met die betrokke planne, sal tussen 08:00

en 12:15 en van 13:30 tot 16:00, Maandag tot Vrydag, vanaf 28 Januarie 2000 vir 'n tydperk van drie weke by die Departement Ontwikkelingsbeheer, Ontwikkeling-en-Beplanningseenheid, Grondverdieping, Old Fortweg 166, Durban, ter insae lê.

Enigeen wat voldoende belang by die voorgestelde wysiging het, kan skriftelike besware of vertoe in verband daarmee by die Uitvoerende Direkteur (Ontwikkeling en Beplanning) (Aandag: Afdelingsbeplanner — Hersonerings), Posbus 680, Durban 4000, indien sodat dit haar nie later nie as Maandag, 21 Februarie 2000, bereik.

S. SITHOLE,

Hoof Uitvoerende Beampte/Stadsklerk.

Kantoor van die Stadsklerk,  
9de Verdieping, Embassy,  
H/v Smith-/Aliwalstraat,  
Durban.

D6—Januarie 27, 2000.

#### NORTH LOCAL COUNCIL

Notice No. 8/2000

#### PROPOSED AMENDMENT TO THE VERULAM TOWN PLANNING SCHEME IN THE COURSE OF PREPARATION

Notice is hereby given that application has been made to the Council for authority to amend the draft scheme Clauses of the Verulam Town Planning Scheme in the course of preparation, in terms of section 47 *bis* B of the Town Planning Ordinance, 1949 (Ord. No. 27 of 1949) (as amended), by rezoning Erf 505 Verulam, situate at 80 Trevannan Road, from Service Industry to Special Residential 2.

Copies of the proposed amendment and the relevant plans and documents are open for inspection at the Verulam and Umhlanga offices of the Town Planning Unit. Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the undersigned and the applicant before 12:00 on 17 February 2000.

J.E. DAVID,

Chief Executive Officer.

Private Bag X4,  
Umhlanga 4320.

D7—January 27, 2000.

#### NOORD PLAASLIKERAAD Kennissgewing No. 8/2000 VOORGESTELDE WYSIGINGS: VOORLOPIGE DORPBEPLANNINGSKEMA VERULAM

Kennis geskied hiermee dat aansoek by die Raad gedoen is vir toestemming om die konsesiemaklousules van die Verulam Voorlopige Dorpbeplanningskema kragtens artikel 47 *bis* B van die Dorpbeplanningsordonnansie, 1949 (Ord. Nr 27 van 1949) (soos gewysig), soos volg: die hersonerings van Erf 505 Verulam — 80 Trevannan Straat, van Bedienings Nywerheid tot Spesiale Woongebied 2.

Afskrifte van die voorgestelde wysiging en die betrokke planne en dokumente is ter insae by die kantore van die Verulam en Umhlanga Dorpbeplanningsafdeling. Enige persoon met voldoende belang by die voorgestelde wysiging kan geskrewe besware of vertoe in verband daarmee by die ondergetekende voor 12:00 op 17 Februarie 2000 in dien.

J.E. DAVID,

UITVOERENDE HOOF.

Privaatsak X4,  
Umhlanga 4320.

D7—Januarie 27, 2000.

#### BOROUGH OF DOLPHIN COAST NOTICE NO. 04/2000 (PORT) ZIMBALI TOWN PLANNING SCHEME (IN COURSE OF PREPARATION) PROPOSED AMENDMENT:

Notice is hereby given in terms of Section 47 *bis* of the (Natal) Town Planning Ordinance No. 27 of 1949 (as amended), that the Borough of Dolphin Coast intends to consider the following amendment to the (Port) Zimbali Town Planning Scheme (in course of preparation):

1. Proposed rezoning of Lots 146 and 147 Zimbali Coastal Forest Estate from "Area/Zone 4: Residential" to "Special Area/Zone 4(A): Residential" purpose.

Documentation and plans relating to the proposed amendment will be open for inspection during normal office hours at the Umhlali offices, 1 Basil Hulett Drive (corner of Ocean Drive and Mdoni Road), Salt Rock for a period of 21 days and any person with sufficient interest

therein may lodge written objections or representations relating thereto with the undersigned not later than 11 February 2000.

Dated at Ballito on this 21st day of January 2000.

A. FERGUSON,

Chief Executive/Town Clerk.

Borough of Dolphin Coast,  
10 Leonora Drive Ext.,  
P.O. Box 5,  
Ballito,  
4420

D9—January 20, 27, 2000.

#### DOLFYNKUS MUNISIPALITEIT kennissgewing No. 04/2000 (PORT) ZIMBALI DORPBEPLANNINGSKEMA (IN PROSES VAN OPSTELLING); VOORGESTELDE WYSING

Kennis word hiermee gegee, ingevolge Artikel 47 *bis* van die (Natal) Dorpbeplanning Ordinasie No. 27 van 1949, soos gewysig, dat die Dolfynkus Munisipaliteit van voorneme is om die volgende wysiging ten opsigte van die (Port) Zimbali Dorpbeplanningskema (wat in proses van opstelling is) te oorweeg:

1. Voorgestelde hersonerings van Erwe 146 en 147 Zimbali Coastal Forest Estate vanaf "Area/Sone 4: Residensieel" tot "Spesiale Area Sone 4(A): Residensieel" doeleindes.

Dokumentasie en planne wat betrekking het op die voorgestelde wysiging sal gedurende normale kantoorure by die Umhlali kantore, Basil Hulett Rylaan No. 1 (hoek van Oceanrylaan en Mdoniweg), Salt Rock vir 'n periode van 21 dae ter insae wees, en enige persoon met voldoende belang kan skriftelike besware of vertoe voor of op 11 Februarie 2000 by die ondergetekende indien.

Gedateer te Ballito op hierdie 21de dag van Januarie 2000.

A. FERGUSON,

Uitvoerende Hoof/Stadsklerk.

Munisipale Kantore,  
Leonarylaan Uit 10,  
Posbus 5,  
Ballito,  
4420

D9—Januarie 20, 27, 2000.

### MISCELLANEOUS/DIVERSE

#### UMTAMVUNA/PORT EDWARD TRANSITIONAL LOCAL COUNCIL Notice No. 4/2000

I, A.J. Visser, in my capacity as Designated Officer of Umtamvuna/Port Edward Transitional Local Council, appointed in terms of Section 1 of the Development Facilitation Act, 1995 (Act 67 of 1995), and as required in terms of Section 33(4) of the Development Facilitation Act, 1995, hereby advise of the approval of a Land Development Area in terms of the Development Facilitation Act, in respect of Erf 1094 Port Edward with the following conditions of establishment:

#### SPECIAL CONDITIONS IMPOSED

The Tribunal is prepared to approve the application for land development on Lot 1094 Port Edward subject to the modifications outlined hereunder and its approval shall be strictly conditional upon the modifications being effected:

- Units 1, 2 and 3 as depicted on the plan are to be eliminated and no development is to be permitted on the north side of the estuary.
- On the south side of the estuary between the existing cause way and the beach zone a 15 m setback from the high water mark or retaining wall (where such wall exists) is to be observed and this area is to be zoned for private conservation.
- The maximum number of units to be erected on the site is to be limited to 110.

To elaborate on the general conditions out-

lined in the proceeding paragraph the Tribunal believes that if the development is to be proceeded with the fears regarding the close proximity to the waterline are valid and need to be met as are the fears in regard to the density of the development in its existing form. The Tribunal is conscious of the fact that its recommendations deviate from the decisions made by the Departments of Agriculture and Environmental Affairs but it is of the opinion that the Department Record of Decision was based on a number of points notably 8.2 and 8.6 which are not valid. A number of objections to the development as envisaged were raised at the hearing which pointed to the inaccuracy of some of the considerations in the record of decision of the Department. It is the opinion of the Tribunal that the recommendations which the Tribunal has made are based on the following principles namely the need to ensure the rehabilitation and functioning of the estuary and also the need to guard against the risk of development in low lying areas.

In the circumstances the application is granted subject to conditions referred to above and the further conditions which follow.

#### D. Sewerage

The Tribunal was disturbed by reports, which were confirmed by the applicant at the hearing, that consideration was given to an alternative system of "on site" sewerage disposal,

in place of the system of pumping sewerage through to the Port Edward sewerage disposal unit as was envisaged in the appendix paper and which was one of the "plus" factors applauded by the Department of Agriculture and Environmental Affairs.

The Tribunal is not prepared to entertain approval of the proposed alternative system and approval of the Land Development Application is strictly conditional upon the original proposal for sewerage disposal via the Port Edward sewage works being rigidly adhered to.

#### E. Environmental Management Plan

It is a further condition of the approval of this application that the applicant take immediate steps to prepare an Environmental Management Plan for the Development site and its development proposals related thereto. The plan will need to be approved by the Department of Agriculture and Environmental Affairs in conjunction with an Environmental Management Committee which the Tribunal requires to be established by the applicant by not later than 30 January 2000 for the purpose of overseeing the implementation of the proposed development.

In this regard the Tribunal requires the Environmental Management Committee to be comprised, *inter alia* of the following:

- The applicant.
- Representative of the Local Authority.



- A representative of the Town and Regional Planning Commission
- A representative of the KZN Nature Conservation Service
- A representative of the Department of Agriculture and Environmental Affairs.

It should be the function of such Committee to oversee the implementation of the Management plan in strict accord with the conditions laid down in this judgement.

#### F. Service Agreement

A further condition imposed by this Tribunal is that a Service Agreement be prepared and entered into between the applicant and the Local Authority relating to the proposed services on the development site, and that such Service Agreement be submitted to this Tribunal within 3 months of the date of the judgements for approval in terms of Section 40 of the Development Facilitation Act.

#### G. Road Services

The Road R61 is to be upgraded to a Type B2 road intersection in consultation with and subject to the approval of, the KZN Department of Roads.

**FURTHER CONDITIONS OF ESTABLISHMENT AS REQUIRED BY THE APPLICANT SUBJECT TO MODIFICATION IMPOSED BY THE TRIBUNAL.**

#### 1. SUBDIVISION OF ERF 1094 PORT EDWARD

In addition to existing Conditions of Title the following further Conditions are imposed. The subdivision of Erf 1094 Port Edward into Portion 1 and a Remainder subject to the following conditions of establishment for the minor subdivision:

##### (1) Lodging Diagrams

The owner shall lodge diagrams relating to the proposed subdivisions with the Surveyor General for approval. The township will not be approved until the diagrams are approved.

##### (2) Lodging in Deeds Office

When the first registration is sought, a copy of these conditions of establishment, the certificates contemplated by conditions 3, 4, 5, 6 and 12 hereof and a print of the relevant plan are to be lodged with the Registrar of Deeds.

##### (3) Water Supply

A certificate furnished by the relevant water supply authority to the effect that; a supply of potable water has been provided to with the normal connection distance of the boundary of each subdivision to be registered, shall be lodged with the Registrar of Deeds.

##### (4) Sewage Disposal

A certificate furnished by the Local Authority to the effect that, an efficient and sanitary system for the disposal of sewage and wastewater which will result from the occupation of each subdivision has been provided for each subdivision to be registered, shall be lodged with the Registrar of Deeds.

##### (5) Electricity

A certificate furnished by the relevant supplier of electricity to the effect that, an efficient supply of electricity has been provided to within the normal connection distance of the boundary of each subdivision to be registered, shall be lodged with the Registrar of Deeds.

##### (6) Stormwater

A certificate to be furnished by the local authority that such facilities as are necessary for the control and disposal of stormwater from each of the subdivisions is constructed.

##### (7) Sundry Services

The owner shall make arrangements to the satisfaction of the local authority for the provision and conduct of the removal and disposal of refuse.

##### (8) Compliance with Conditions 3 to 6

The owner shall act on the advice of a professional engineer in respect of any work done in compliance with conditions 3 to 6 as set out above.

For the purpose of these conditions a "professional engineers" shall mean:

A person who is registered as a professional engineer in terms of Act No. 81 of 1968 and who possesses cognate experience in the particular branch of engineering applicable to the service under consideration.

#### (9) Right of Appeal

In the event of any dispute arising between the owner and the local authority, or any other servicing authority, regarding compliance with the Conditions 3 to 6 above, the owner shall have the right of appeal to the Minister whose decision shall be final.

#### (10) Environmental Requirements

The owner's attention is drawn to the following environmental requirements:

(10.1) An Environmental Management Plan shall be submitted to the Local Authority and KwaZulu-Natal Department of Environmental Affairs and Agriculture for their approval prior to any development or construction taking place on Portion 1 or the Remainder of Erf 1094 Port Edward.

#### (11) Amendment of the Town Planning Scheme

The Port Edward Town Planning Scheme shall be extended over the respective subdivisions and the Town Planning Scheme shall be amended as necessary to reflect the zoning for the respective subdivisions as indicated in the Land Development Application approved by the Development Tribunal of KwaZulu-Natal in terms of Section 31 of the Development Facilitation Act (Act No. 67 of 1995).

#### (12) Servitudes

A certificate furnished by the local authority or relevant service authority, in respect of conditions 3 of 5 hereof, to the effect that all specific servitudes required by them, have been provided and depicted on the diagrams relating to the proposed subdivisions shall be lodged with the Registrar of Deeds.

#### (13) Layout Plan

These conditions are applicable to the subdivision of Erf 1094 Port Edward as depicted on the revised Layout Plan to be submitted.

#### 2. Extension of the Port Edward Town Planning Scheme

The Port Edward town planning scheme is to be extended to incorporate Erf 1094 Port Edward.

#### 3. Zoning of Proposed Portion 1 of Erf 1094 Port Edward

Proposed portion 1 of Erf 1094 Port Edward is to be zoned Holiday Resort Complex zone.

#### 4. Zoning of Proposed Remainder of Erf 1094 Port Edward

Proposed Remainder of Erf 1094 Port Edward is to be zoned in part Holiday Resort Complex zone (7,33 ha) and in part Private Conservation Area Zone (8,63 ha) as depicted on the attached zoning plan.

#### 5. Amendment to the Port Edward Planning Scheme

The applicant will be responsible to produce two copies of an amendment to the Town Planning Scheme map at the same scale for the property of Lot 1094 Port Edward, one copy for the Port Edward/Umtamvuna Local Authority and one copy for the Provincial Planners at Mayville (7 Buro Crescent).

#### 5.1 Table D (of the Port Edward Town Planning Scheme to be amended to provide for).

Additional control to be included. No building will be permitted within the 15 km Private Conservation Area as per revised Layout Plan to be submitted.

#### 5.2 The Port Edward town planning scheme in the course of preparation is to be amended by the adoption of a private

conservation area zone with the following development controls.

- Purpose for which buildings may be erected and used and land may be used: Private Conservation Area.
- Purpose for which buildings may be erected and used and land may be used only with the special consent of Council:

Agricultural Land, Dwelling House, Tea Garden, Educational Building (restricted to the undertaking of education of a conservation nature).

- Minimum Lot Size: No restriction.
- Maximum permitted FAR, Coverage and Height: 0.1 : 10 : 1.

- Additional Controls: The purpose of the zone is to protect areas of conservation significance, which are in private ownership.

- Nothing is to be disturbed, removed or altered without Local Council and Department of Agriculture and Environmental Affairs approval.

- An Environmental Management Plan shall be prepared and overseen by the Environmental Management Committee.

- A conservation servitude or appropriate notarial deed to be registered to enable conservation in perpetuity.

#### 5.3 The Port Edward Town Planning Scheme in the course of preparation is to be amended by the adoption of Table D Development Controls for "Holiday Resort Complex Zone" on the Rem of Erf 1094 Port Edward as follows:

##### 1. Table C: Use Zones

As Per existing Table C Use Zones for Holiday Resort Complex in the Port Edward Town Planning Scheme.

##### 2. Table D: Density

Maximum permitted F.A.R., Coverage and Height: 0.2 : 20 : 2.

##### Additional Controls:

1. Minimum lot area as per clause 5.2(1)(v).
2. Accommodation for motor vehicles to be provided on the lot as per Clause 6.4.
3. Subject to the Conditions of Establishment for the Land Development Area.
4. Subject to the conditions imposed by the Development Tribunal.

#### 6. Development of Proposed Rem of Erf 1094 Port Edward

The development of 110 residential units on the proposed Remainder of Erf 1094 Port Edward is to be undertaken in respect of the provisions of the Port Edward town planning scheme regulations.

#### 7. Development of Proposed Portion 1 of Erf 1094 Port Edward

- (i) The existing hotel development comprising 19 hotel suites is authorised as an existing use in a Holiday Resort Complex Zone.

- (ii) Building plans in respect of the partially completed extensions are to be submitted to the Port Edward Local Authority for approval within one month from the date of this decision.

#### 8. Environmental Management Plan

An Environmental Management Plan shall be submitted to the Umtamvuna/Port Edward Local Council and the KwaZulu-Natal Department of Agriculture and Environmental Affairs and the Environmental Management Committee for their approval prior to any development or construction taking place on Portion 1 and the Remainder of Erf 1094 Port Edward.

#### 9. Provisions of Services

Services are to be provided in accordance with conditions 3 to 5 of the conditions of establishment for the subdivision of Erf 1094 Port Edward and the Port Edward town planning scheme regulations in respect of a Holiday Resort Complex Zone.

#### 10. Exemption from Legislation

Exemption from the following provisions of the KwaZulu-Natal Town Planning Ordinance No. 27 of 1949.

Section 11 *bis*; Need and Desirability Application.

Section 11(2); Development Application.

Section 44; Extension of the Town Planning Scheme.

Section 47 *bis*; Rezoning of land and amendment to the Town Planning Scheme.

Section 67 *bis*; Special Consent Application.

Chapter III; Establishment of Private Townships.

Exemption from the Subdivision of Agricultural Land Act No. 70 of 1970.

#### 11. Additional Conditions

The afore going approval being subject to the following additional conditions:

(1) The conditions of approval as imposed by the Department of Agriculture and Environmental Affairs in its record of decision dated 8 September 1999, as detailed hereunder:

- The mouth of the Inhlankhulu estuary may not be interfered with or breached except with the prior consent of the KwaZulu-Natal Nature Conservation Service and presence of the local authority.
- The style of the extensions to the Estuary hotel shall be consistent with that of the existing buildings.
- The causeway across the Inhlankhulu River shall be replaced by a free span bridge within four years of this authorisation, granted by the Department of Agriculture and Environmental Affairs prior to construction work beginning.
- The wall along the southern bank of the estuary shall be removed and the rubble disposed of in an appropriate recognised landfill.
- A management plan for the wreck of the *San Joao* shall be prepared in association with the Institute for Cultural Resource Management and Amafa KwaZulu-Natal, with inputs from the Umtamvuna Port Edward Local Council.
- A policy of progressive reinstatement shall be implemented for construction work associated with the development.
- An environmental management plan shall be prepared for the construction period covering at least the following:
  - Prohibited areas or activities for construction personnel and equipment.
  - Site offices for construction.
  - Storage areas of construction materials.
  - Construction of jetties.
  - Rehabilitation landscape works.
- An environmental management plan for the operation phase of the development shall be prepared which covers at least the following:
  - Grounds maintenance.
  - Rehabilitation of estuarine fringe vegetation.
  - Management of Conservation areas.
  - Management of the grove of royal palms and graves.
  - Infrastructure maintenance.
- The construction phase environmental management plan shall be submitted to this Department of Agriculture and Environmental Affairs for approval within three months of this authorisation or such other extensions to this period as may be granted by the Department.
- The operation phase environmental management plan shall be submitted to the Department of Agriculture and Environmental Affairs for approval

within six months of this authorisation.

- The finish of the housing units shall be approved by the Umtamvuna Port Edward Local Council and Environmental Management Committee.
  - The provisions of the National Environmental Management Act, 1998, under section 28 (Duty of Care) shall be adhered to at all times.
- (2) The conditions as imposed by the Umtamvuna/Port Edward Transitional Local Council as detailed hereunder:
1. The payment of the requisite sewerage and water contributions;
  2. Building plans in respect of any and all development being timeously submitted to Council in the normal manner, prior to the commencement of construction;
  3. That the sharing of any costs relating to the provision of bulk infrastructure be negotiated between Council and the applicant prior to the approval of any building plans;
  4. The concluding of a legal agreement between the applicant and the Council dealing with any possible breaches of the conditions of this environmental permit and/or the required environmental management plans;
  5. The adoption by Council of the Town Planning Scheme controls and zonings as detailed in the application, provided that Port Edward Local Council reserves the right to effect minor modifications to the site layout plan, and provided further that the number of medium density units which may be permitted in respect of the proposed Remainder of Erf 1094 shall be restricted to a maximum of 110 units.
- (3) The conditions imposed by the Department of Water Affairs and Forestry as detailed hereunder:
1. Any new development is situated outside the 1:50 year floodline of any water body. The 1:100 floodline of the proposed development is determined and kept as reference.
  2. Compliance with sections of the National Water Act No. 36 of 1998 (as amended), as well the relevant sections of the Environmental Conservation Act.
  3. The method of management and disposal of sewage, refuse and any other waste material should be undertaken in such a way so as not to cause any health hazard or water pollution.

A. J. VISSER,  
Chief Executive/Town Clerk.

Civic Centre,  
Fisherman's Drive,  
Leisure Crest,  
Private Bag X5,  
Port Edward 4295.

H2—January 27, 2000.

#### APPLICATIONS FOR PUBLIC ROAD CARRIER PERMIT/S

Particulars in respect of applications for Public Road Carrier Permit/s (as submitted to the Local Road Transportation Boards or the National Transport Commission) indicating, firstly the reference number then:

- (2) the name of the applicant;
- (3) the place where applicant conducts his business or wishes to conduct his business, as well as his postal address;
- (4) the nature of the application/s, that is whether it is an application/s for:
  - (C1) the grant of such permit/s,
  - (C2) the grant of additional authorisation,
  - (C3) the amendment of a route/s,
  - (C4) the amendment of a timetable/s,
  - (C5) the amendment of tariffs,
  - (C6) the renewal of such permit/s,

- (C7) the transfer of such permit/s,
- (C8) the change of name of the undertaking concerned,
- (C9) the replacement of a vehicle/s,
- (C10) an additional vehicle with existing authorization; — as well as, in the case of an application contemplated in C6 or C7,

- (C12) the number of permit/s concerned.
- (5) the number and type of vehicles, including the carrying capacity or gross vehicle mass of the vehicles involved in the application;
- (6) the nature of the road transportation or proposed road transportation, that is whether it involves persons or goods, or both; and the class or classes of goods that are conveyed or are to be conveyed; and;
- (7) the points between or the route or routes along or the area or areas within which the road transportation is to be conducted.

Where any of (2) to (7) are applicable, are published below in terms of section 14 (1) of the Road Transportation Act (Act 74 of 1977).

In terms of regulation 4 of the Road Transportation Regulations, 1977 written representations supporting or opposing these applications must within 21 (twenty-one) days from the date of this publication, be lodged by hand with or dispatched by registered post to, the Local Road Transportation Board concerned in quadruplicate, and lodged by hand with, or dispatched by registered post to, the applicant at his advertised address (See (3)) in single copy.

Address to which representations must be directed:

The Secretary  
Local Road Transportation Board  
Private Bag X54307  
Durban  
4000  
and the respective applicant.

Full particulars in respect of each application are open to inspection at the Local Road Transportation Board's office.

#### OP.1356032

- (2) Chakuwa P. — I.D. No. 6007225205086
- (3) District: Durban Postal address: 57 Marula Circle, Trenance Park, Verulam, 4340
- (4) New application
- (5) 1 x 14 passengers
- (6) The conveyance of own employees
- (7) Authority:  
From 57 Marula Circle Trenance Park Verulam turn left into Cottonwood Drive Trenance Park to Durban via M4 and return.

#### OP.1356053

- (2) Tongaland Tours C.C. — I.D. No. 972011423
- (3) District: Highveld Ridge Postal address: P.O. Box 273, Hluhluwe, 3960
- (4) New application
- (5) 6 x 10 passengers
- (6) The conveyance of tourists
- (7) Authority:  
Hluhluwe — All Game Reserves and Nature Conservation Area in KwaZulu-Natal.

#### OP.1356056

- (2) St Lucia Experience C.C. — I.D. No. 976673123
- (3) District: Highveld Ridge Postal address: P.O. Box 130, St Lucia, 3936
- (4) Additional vehicle
- (5) 2 x 10 passengers
- (6) The conveyance of tourists
- (7) Authority:  
Within a radius of 100 (one hundred) kilometres from St. Lucia and Hluhluwe Game Reserve.

#### OP.1356067

- (2) Christie A. — I.D. No. 6902040267081
- (3) District: Durban Postal address: P.O. Box 25058, Seaview, Durban, 4073
- (4) New application
- (5) 1 x 4 passengers
- (6) The conveyance of taxi passengers
- (7) Authority:  
From Bluff Pick & Pay Centre, 201 Tara



Road Bluff Durban to points within a radius of 50 (fifty) kilometres therefrom and return.

**OP.1356068**

- (2) Christie A. – I.D. No. 6902040267081
- (3) District: Durban Postal address: P.O. Box 25058, Seaview, Durban, 4073
- (4) New application
- (5) 1 x 4 passengers
- (6) The conveyance of taxi passengers
- (7) Authority:  
From Bluff Pick & Pay Centre, 201 Tara Road Bluff Durban to points within a 50 (fifty) kilometres therefrom and return.

**OP.1356069**

- (2) Sokhulu S. – I.D. No. 6304175838085
- (3) District: Durban Postal address: A.898 Umlazi Township, P.O. Ntokozweni, 4066
- (4) New application
- (5) 4 x 5 passengers
- (6) The conveyance of taxi passengers
- (7) Authority:  
From Umlazi V Section to points within a radius of 50 (fifty) kilometres and return.

**OP.1356070**

- (2) Naidoo S.V. – I.D. No. 3910205119081
- (3) District: Durban Postal address: P.O. Box 65636, Reservoir Hills, 4090
- (4) New application (Late Renewal)
- (5) 1 x 4 passengers
- (6) The conveyance of taxi passengers
- (7) Authority:  
From 8 Smith Street, Durban situated within the Magisterial District of Durban to points within the Province of KwaZulu-Natal and return to 8 Smith Street, Durban.

**OP.1356071**

- (2) Naidoo S.V. – I.D. No. 3910205119081
- (3) District: Durban Postal address: P.O. Box 65636, Reservoir Hills, 4090
- (4) New application (Late Renewal)
- (5) 1 x 4 passengers
- (6) The conveyance of taxi passengers
- (7) Authority:  
From 8 Smith Street, Durban situated within the Magisterial District Durban to points within the Province of KwaZulu-Natal and return to 8 Smith Street, Durban.

**OP.1356072**

- (2) Ngwenya S.I. – I.D. No. 6410315673082
- (3) District: Lower Tugela Postal address: Mushane Store, Private Bag 10647, Stanger, 4450
- (4) New application
- (5) 1 x 80 passengers
- (6) The conveyance of persons on a particular bus route
- (7) Authority: As per Annexure.

**Persons and their personal effects:****Inwards:**

From Dube's Store Road 1531, Qwabe Reserve, situated within the Magisterial District of KwaMaphumulo (near Umvoti Bridge) to Stanger Bus Rank along Road 1531 passing KwaQwabe Clinic, Mushane Store, Mushane School via Phenyane to the Train Post at intersection of D1531 and R74 continue to Stanger along R74 turn right into Collin Brander Street turn right again into Patterson Street turn left into Mahatma Gandhi and join Road Street and turn right into Cato Street and turn left into Balcomb Street into Stanger Bus Rank.

**Outwards:**

From Stanger Bus Rank at Balcomb Street, left into Clare Road and turn right into King Shaka and turn left into R74 and return to Dube's Stores as per forward in reverse.

**OP.1356073**

- (2) Mtshali M.P. – I.D. No. 5810035805081
- (3) District: Mtunzini Postal address: P.O. Box 1345, Esikhawini, 3887
- (4) New application (Late Renewal)
- (5) 1 x 15 passengers
- (6) The conveyance of taxi passengers
- (7) Authority:  
Between Esikhawini Taxi Rank, Esikhawini situated within the Magisterial District of Mtunzini and Richards Bay C.B.D. Taxi Rank via Empangeni Lot 63 Taxi Rank.

**OP.1356076**

- (2) Khan M.S. – I.D. No. 6503265211083
- (3) District: Durban Postal address: 20 Sholapur Place, Merebank, Durban, 4052
- (4) New application (Late Renewal)
- (5) 1 x 5 passengers
- (6) The conveyance of taxi passengers
- (7) Authority:  
From New Durban Railway Station Taxi Rank situated within the Magisterial District of Durban to points within a radius of 50 (fifty) kilometres therefrom and return to New Durban Railway Station Taxi Rank.

**OP.1356077**

- (2) Maken N.P. – I.D. No. 7105110148087
- (3) District: Durban Postal address: P.O. Box 48259, Qualbert, 4078
- (4) New application (Late Renewal)
- (5) 1 x 5 passengers
- (6) The conveyance of taxi passengers
- (7) Authority:  
From Rank 89, Smith Street, Durban to points within a radius of 50 (fifty) kilometres therefrom and return to Rank 89 Smith Street, Durban.

**OP.1356078**

- (2) Xaba T.N. – I.D. No. 5212155518083

- (3) District: Umbumbulu Postal address: 120 KwaMakhutha Township, P.O. Amanzimtoti, 4125
- (4) New application (Late Renewal)
- (5) 1 x 15 passengers
- (6) The conveyance of taxi passengers
- (7) Authority:  
From KwaMakhutha Taxi Rank situated in KwaMakhutha Township within the Magisterial District of Umbumbulu to points within a radius of 50 (fifty) kilometres therefrom and return to KwaMakhutha Taxi Rank.

**OP.1356082**

- (2) Ngwenya T.A. – I.D. No. 5302245503086
- (3) Postal address: J939 Umlazi Township, P.O. Umlazi, 4031
- (4) Transfer of permit  
Permit No. 361168/0 from Vilakazi S.J.
- (5) 1 x 15 passengers, District: Umlazi
- (7) Authority as in last mentioned permit(s).

**OP.1356083**

- (2) Lutchman W. – I.D. No. 5902165167083
- (3) Postal address: P.O. Box 27, Lotus Park, Isipingo, 4111
- (4) Transfer of permit  
Permit No. 361451/5 from Bharath S.
- (5) 1 x 15 passengers, District: Chatsworth
- (7) Authority as in last mentioned permit(s).

**OP.1356084**

- (2) Malinga T.P.R. – I.D. No. 6212290731087
- (3) Postal address: 583 North Road, Clermont, 3602
- (4) Transfer of permit  
Permit No. 360061/2 from Malinga M.G.
- (5) 1 x 15 passengers, District: Pinetown
- (7) Authority as in last mentioned permit(s).

**OP.1356088**

- (2) Bekwa M.S. – I.D. No. 4307295450089
- (3) District: Pinetown Postal address: P.O. Box 582, New Germany, 3602  
c/o Clermont & KwaDabeka Taxi Owners' Association, P.O. Box 1032, New Germany, 3620
- (4) New application (Late Renewal)
- (5) 1 x 16 passengers
- (6) The conveyance of taxi passengers
- (7) Authority:  
Between KwaDabeka Section "C" and "D" Taxi Rank and Pinetown.

**OP.1356089**

- (2) Mahlangu M. – I.D. No. 7511045397089
- (3) Postal address: D106, Umlazi Township, Umlazi, 4031
- (4) Transfer of permit  
Permit No. 371916/6 from Madondo M.P.
- (5) 1 x 16 passengers, District: Umlazi
- (7) Authority as in last mentioned permit(s).

H8—January 27, 2000.