

THE DIE  
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No. 6133 ULWESINE, 17 OKTHOBA 2002

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

No. Ikhasi

IZAZISO ZESIFUNDAZWE

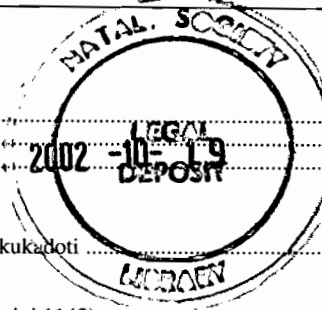
394 Isaziso sokumemezela indawo evikelekile ..... 1126  
 395 Isaziso sokumemezela indawo evikelekile ..... 1126  
 396 Isaziso sokumemezela indawo evikelekile ..... 1127

ISAZISO SIKAMASIPALA

47 UMasipala waseThekwini: Imithetho yedolobha ebhekele ukuthuthwa kukadoti ..... 1132

IMIKHANGISO

Ezingxubevange (bheka uhlu oluseceleni, ekhasini 1142)



No. 6133 THURSDAY, 17 OCTOBER 2002

*Notices which have been translated or checked by the Language Services Division are indicated by a †.*

No. Page

PROVINCIAL NOTICES

394 Notice of proclamation of a protected area ..... 1126  
 395 Notice of proclamation of a protected area ..... 1126  
 396 Notice of proclamation of a protected area ..... 1127  
 397 Regulations governing the Natal Joint Municipal Pension Fund (Retirement): Amendments ..... 1127  
 398 Regulations governing the KwaZulu-Natal Joint Municipal Provident Fund: Amendments ..... 1127  
 399 KwaZulu-Natal Gambling Board: Public hearing in respect of applications for Certificates of Suitability ..... 1128  
 400 KwaZulu-Natal Gambling Board: Notice of an application received in terms of section 50 of the KwaZulu-Natal Gambling Act, 1996 (Act No. 10 of 1996) ..... 1128  
 401 KwaZulu-Natal Procurement Office: Invitation and award of tenders ..... 1129  
 402 Department of Works: Pietermaritzburg Regional Office: Award of tenders ..... 1130  
 403 Department of Health: Invitation of tenders and postponement of a pre-tender specification meeting ..... 1131  
 404 Department of Agriculture and Environmental Affairs: Invitation to tender ..... 1131

MUNICIPAL NOTICE

47 Ethekwini Municipality: Refuse removal bylaws ..... 1132

ADVERTISEMENTS

Miscellaneous (see separate index, page 1142)

No. 6133 DONDERDAG, 17 OKTOBER 2002

*Kennisgewings wat deur die Afdeling Taaldiens vertaal of nagesien is, word met 'n † aangedui.*

No. Bladsy

PROVINSIALE KENNISGEWINGS

394 Kennisgewing van proklamasie van 'n beskermd gebied ... 1126  
 395 Kennisgewing van proklamasie van 'n beskermd gebied ... 1127  
 396 Kennisgewing van proklamasie van 'n beskermd gebied ... 1127

ADVERTENSIES

Diverse (kyk afsonderlike bladwyser, bladsy 1142)

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

**I**ZAZISO ezilandelayo zikhishelwe ulwazi lwawonkewonke.

R. K. SIZANI  
Umqondisi-Jikelele

Natalia  
Longmarket Street  
Pietermaritzburg  
17 Okthoba 2002

**T**HE following notices are published for general information.

R. K. SIZANI  
Director-General

Natalia  
Longmarket Street  
Pietermaritzburg  
17 October 2002

**O**NDERSTAANDE kennisgewings word vir algemene inligting gepubliseer.

R. K. SIZANI  
Direkteur-generaal

Natalia  
Langmarkstraat  
Pietermaritzburg  
17 Oktober 2002

**No. 394, 2002**

17 Okthoba 2002

**ISAZISO SOKUMEMEZELA INDAWO EVIKELEKILE**

**M**INA, Narend Singh, uNgqongqoshe wezoLimo nezeMvelo ngaphansi kwegunya nangokwamandla engiwanikwe yisigaba 3(2)(a) soMthetho wokuPhathwa koKongiwa kweMvelo, 1997 (uMthetho No. 9 ka 1997), ngalokhu ngimemezela i-Balele/Enlanzeni Valley Game Park Private Nature Reserve njengendawo evikelekile.

N. SINGH  
uNgqongqoshe wezoLimo nezeMvelo

**No. 394, 2002**

17 October 2002

**NOTICE OF PROCLAMATION OF A PROTECTED AREA**

**I** Narend Singh, Minister of Agriculture and Environmental Affairs under the authority and in terms of the powers conferred on me by section 3(2)(a) of the KwaZulu-Natal Nature Conservation Management Act, 1997 (Act No. 9 of 1997), do hereby proclaim the Balele/Enlanzeni Valley Game Park Private Nature Reserve a protected area.

N. SINGH  
Minister of Agriculture and Environmental Affairs

**No. 394, 2002**

17 Oktober 2002

**KENNISGEWING VAN PROKLAMASIE VAN 'N BESKERMDE GEBIED**

**E**K, Narend Singh, Minister van Landbou en Omgewingsake, proklameer hierby kragtens en ingevolge die bevoegdheid aan my verleen by artikel 3(2)(a) van die KwaZulu-Natal Wet op Natuurbewaringsbestuur, 1997 (Wet No. 9 van 1997), dat die Private Natuurresvaat Balele/Enhlanzeni-vallei Wildpark, 'n beskernde gebied is.

N. SINGH  
MINISTER VAN LANDBOU EN OMGEWINGSACE

**No. 395, 2002**

17 Okthoba 2002

**ISAZISO SOKUMEMEZELA INDAWO EVIKELEKILE**

**M**INA, Narend Singh, uNgqongqoshe wezoLimo nezeMvelo ngaphansi kwegunya nangokwamandla engiwanikwe yisigaba 3(2)(a) soMthetho wokuPhathwa koKongiwa kweMvelo, 1997 (uMthetho No. 9 ka 1997), ngalokhu ngimemezela i-Utrecht Town Park Private Nature Reserve njengendawo evikelekile.

N. SINGH  
uNgqongqoshe wezoLimo nezeMvelo

**No. 395, 2002**

17 October 2002

**NOTICE OF PROCLAMATION OF A PROTECTED AREA**

**I** Narend Singh, Minister of Agriculture and Environmental Affairs under the authority and in terms of the powers conferred on me by section 3(2)(a) of the KwaZulu-Natal Nature Conservation Management Act, 1997 (Act No. 9 of 1997), do hereby proclaim the Utrecht Town Park Private Nature Reserve a protected area.

N. SINGH  
Minister of Agriculture and Environmental Affairs

**No. 395, 2002**

17 Oktober 2002

**KENNISGEWING VAN PROKLAMASIE VAN 'N BESKERMDE GEBIED**

**E**K, Narend Singh, Minister van Landbou en Omgewingsake, proklameer hierby kragtens en ingevolge die bevoegdheid aan my verleen by artikel 3(2)(a) van die KwaZulu-Natal Wet op Natuurbewaringsbestuur, 1997 (Wet No. 9 van 1997), dat die Private Natuurreseervaat Utrecht Dorpspark, 'n beskermd gebied is.

N. SINGH  
MINISTER VAN LANDBOU EN OMGEWINGSAKE

**No. 396, 2002**

17 Oktoba 2002

**ISAZISO SOKUMEMEZELA INDAWO EVIKELEKILE**

**M**INA, Narend Singh, uNgqongqoshe wezoLimo nezeMvelo ngaphansi kwegunya nangokwamandla engiwanikwe yisigaba 3(2)(a) soMthetho wokuPhathwa koKongiwa kweMvelo, 1997 (uMthetho No. 9 ka 1997), ngalokhu ngimemezela i-Emlwane Game Park Private Nature Reserve njengendawo evikelekile.

N. SINGH  
uNgqongqoshe wezoLimo nezeMvelo

**No. 396, 2002**

17 October 2002

**NOTICE OF PROCLAMATION OF A PROTECTED AREA**

**I**Narend Singh, Minister of Agriculture and Environmental Affairs under the authority and in terms of the powers conferred on me by section 3(2)(a) of the KwaZulu-Natal Nature Conservation Management Act, 1997 (Act No. 9 of 1997), do hereby proclaim the Emlwane Game Park Private Nature Reserve a protected area.

N. SINGH  
Minister of Agriculture and Environmental Affairs

**No. 396, 2002**

17 Oktober 2002

**KENNISGEWING VAN PROKLAMASIE VAN 'N BESKERMDE GEBIED**

**E**K, Narend Singh, Minister van Landbou en Omgewingsake, proklameer hierby kragtens en ingevolge die bevoegdheid aan my verleen by artikel 3(2)(a) van die KwaZulu-Natal Wet op Natuurbewaringsbestuur, 1997 (Wet No. 9 van 1997), dat die Private Natuurreseervaat Emlwane Wildpark, 'n beskermd gebied is.

N. SINGH  
MINISTER VAN LANDBOU EN OMGEWINGSAKE

**No. 397, 2002**

17 October 2002

**REGULATIONS GOVERNING THE NATAL JOINT MUNICIPAL PENSION FUND (RETIREMENT): AMENDMENTS**

**T**HE Minister of Traditional Affairs, Safety and Security and of Local Government has in terms of regulation 7A of the Regulations Governing the Natal Joint Municipal Pension Fund (Retirement), published under Provincial Notice No. 180 on 13 March 1975, as amended, approved the amendments made by the General Committee of the said Funds to the Rules for the Management and Administration of the said Funds, published under Provincial Notice No. 273 dated 8 August 1996, as amended by Provincial Notice 230, 2002 dated 20 June 2002, as follows:

By the amendment of regulation 1 —

“by the amendment of the numbering of the definitions of “Municipal Manager” and “Municipal Structures Act” to read “(xviiB)” and “(xviiC)” respectively”

**No. 398, 2002**

17 October 2002

**REGULATIONS GOVERNING THE KWAZULU-NATAL JOINT MUNICIPAL PROVIDENT FUND: AMENDMENTS**

**T**HE Minister of Traditional Affairs, Safety and Security and of Local Government has in terms of regulation 6 of the Regulations Governing the KwaZulu-Natal Joint Municipal Provident Fund published under Provincial Notice No. 135 on 4 April 1996, as amended, approved the amendments made by the General Committee of the said Funds to the Rules for the Management and Administration of the said Funds, published under Provincial Notice No. 273 dated 8 August 1996, as amended by Provincial Notice 231, 2002 dated 20 June 2002, as follows:

1. By the amendment of regulation 12 —

by the withdrawal of the amendment to sub-regulation 7 as published in paragraph 3.3 of Provincial Notice No. 231 of 2002 on 20 June 2002

2. By the amendment of regulation 13 —

by the substitution for sub-regulation (3) of the following:

“(3) If a member elects to become a member of the Retirement Fund, the Superannuation Fund or the KwaZulu-Natal Municipal Pension Fund in terms of sub-regulation (1), an amount equal to his full benefit in the Fund at the date of transfer of membership, shall be transferred to the Retirement Fund, the Superannuation Fund or the KwaZulu-Natal Municipal Pension Fund, as the case may be.”

No. 399, 2002

17 October 2002

## KWAZULU-NATAL GAMBLING BOARD

## Public hearing in respect of applications for Certificates of Suitability

IN terms of Regulation 22 of the Regulations under the KwaZulu-Natal Gambling Act, 1996 (Act No. 10 of 1996), notice is hereby given that the public hearing for the following applications will be held on 18 October 2002 at the Durban Country Club, 101 Walter Gilbert Road, Durban commencing at 13:30:

## Application for Certificates of Suitability:

- Mandela Security Services(Pty) Ltd
- Extra Expertise (Pty) Ltd

No. 400, 2002

17 October 2002

## KWAZULU-NATAL GAMBLING BOARD

NOTICE OF AN APPLICATION RECEIVED IN TERMS OF SECTION 50 OF THE KWAZULU-NATAL GAMBLING ACT, 1996  
(ACT NO. 10 OF 1996)  
PHILIP MORRIS COMPANIES INC.

## Notice of application received

1. In terms of section 50 of the KwaZulu-Natal Gambling Act, 1996 (Act No. 10 of 1996), as amended, notice is hereby given of the application received from PHILIP MORRIS COMPANIES INC. for the acquisition by SAB PLC from Philip Morris Companies Inc. of 100% of the issued share capital of Miller Brewing Company. The following list contains the name of the company their address:

COMPANY	ADDRESS
Philip Morris Companies Inc.	120 Park Avenue New York NY 10017-5592

## Public inspection of application

2. The application will, subject to any ruling by the Board to the contrary in accordance with the provisions of section 26(5) of the KwaZulu-Natal Gambling Act, 1996 (Act No. 10 of 1996), be open to public inspection at the offices of the Board at the address below for the period 17 October 2002 to 7 November 2002 between 8:00 and 16:00.

Ground Floor (South Tower)  
Room G135  
Natalia Building  
330 Longmarket Street  
Pietermaritzburg

## Invitation to lodge representations

3. Interested persons are hereby invited to lodge any representations in respect of any or all of the applicants by no later than 16:00 on 7 November 2002 between 8:00 and 16:00. Representations should be in writing and must contain at least the following information:
- (a) The name of the applicant to whom the representations relate.
  - (b) The ground(s) on which representations are made.
  - (c) The name, addresses and telephone number of the person submitting the representations.
  - (d) An indication as to whether or not the person making the representations wishes to make oral representations when the Board hears the application.

Any representation that does not contain all of the information referred to in paragraph 3 above, will be deemed not to have been lodged with the Board and will not be considered by the Board.

Representations should be addressed to —  
The Acting Chief Executive Officer  
KwaZulu-Natal Gambling Board  
Private Bag 9102  
Pietermaritzburg  
3200

or faxed to: (033) 3427853

No. 401, 2001

17 October 2002

## KWAZULU-NATAL PROCUREMENT OFFICE

## 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. 033-8974219) 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.

SERVICE:	To evaluate the Performance Management Implementation Strategy
Tender number:	ZNT 151 P
Closing date:	2002-11-12
Closing Time:	11:00
Documents available from:	Procurement Administration, Treasury House (a.k.a. NBS Building), Ground Floor, 145 Commercial Road, (cnr Commercial Road and Church Street), Pietermaritzburg
Tender Enquiries:	Tel.: (033) 8974243, Tollfree.:0800201049, Fax: (033) 8974217 OR Procurement Administration, New Administration Building, cnr King Dinuzulu and Mangosuthu Highway, 1st Floor, Area No. 4, Ulundi Telephone Number: (035) 8743146, Fax: (035) 8743158 Ms T. B. Ngcobo/Mr Mncwango, Telephone Number: (035) 8742060 Mr C. Peters, Telephone Number: (033) 3952157, Fax: (033) 3940528
Enquiries:	Yes
Technical enquiries	2002-10-30
Compulsory tender briefing:	11:00
Date:	Truro House, 9th Floor, Durban
Time:	
Venue:	

**Award of tenders**

NB: The following contract awards are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.

SERVICE:	External repairs to Former Addington School: Durban
Tender number:	ZNT 2199 W
Contractor:	Rapid Builders & Contractors
SERVICE:	Hire of office accommodation for the Department of Agriculture: Ladysmith
Tender number:	ZNT 5170 W
Contractor:	Bulldog Richmond Trust

## DEPARTMENT OF WORKS

## PIETERMARITZBURG REGIONAL OFFICE

## Award of tenders

NB: The following contract awards are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.

SERVICE:	Security at Premier's Residence: Parkside: Pietermaritzburg
Tender number:	ZNT 1402 W
Contractor:	Senzangakona Security
SERVICE:	3 New classrooms and toilets at Esiwoyeni Primary School
Tender number:	ZNT 1458 W
Contractor:	Ndosi Builders & Associates
SERVICE:	2 New classrooms and toilets at Kwahlongwa Primary School
Tender number:	ZNT 1459 W
Contractor:	Ndosi Builders & Associates
SERVICE:	Embomvini Primary School: 2 New Classrooms and ablutions and attendance on electrification of the entire school
Tender number:	ZNT 1426 W
Contractor:	Telegenix Trading t/a Skosana Moya
SERVICE:	3 New classrooms and ablution block at Nobengela Primary School
Tender number:	ZNT 1467 W
Contractor:	Awenkosi Construction cc.
SERVICE:	3 New classrooms at Mambhongweni Primary School
Tender number:	ZNT 1429 W
Contractor:	Mondli Homes and Developers cc.
SERVICE:	Replacement of perimeter fence and gate at St Appollinaris Hospital: Centocow
Tender number:	ZNT 1415 W
Contractor:	Natal Gate and wire
SERVICE:	Kokstad Agricultural Research Station: Electrification of 21 houses including water pump station and hot water plumbing
Tender number:	ZNT 1505 W
Contractor:	South Rand Electricial

## DEPARTMENT OF HEALTH

## TENDERS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) 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.
- (ii) Tenders must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each tender.
- (iv) The envelope must be addressed to the Department of Health Subdirector Provisioning Administration together with the tender number and closing date.
- (v) The name and address of the tenderer must be endorsed on the back of the envelope.
- (vi) All Department of Health contract awards are subject to appeals being lodged (if any) and letters of acceptance being issued.
- (vii) Tender documents are available from the Department of Health, Sub-directorate: Provisioning Administration, 200 Mayors Walk, Pietermaritzburg, Telephone: (033) 3946519, Facsimile: (033) 3453026.

Closing time: 11:00  
Closing date: 2002-11-14

SERVICE: Gardens and grounds: Edendale Hospital  
Tender number: ZNT 2215/2002-H  
Closing date: 2002-11-14  
Closing time: 11:00  
Contact person: Mr A. Dennis, Telephone Number: (033) 3946519, Ext. 209  
Date of site inspection: 2002-10-31  
Time: 10:00  
Address: Administration Block, 4th Floor, Committee Room, Edendale  
Enquiries regarding specification: Mr M. T. Makhubu, Telephone Number: (033) 3954023

SERVICE: Gardens and grounds: Estcourt Hospital  
Tender number: ZNT 2240/2002-H

Closing date: 2002-11-14  
 Closing time: 11:00  
 Contact person: Mr A. Dennis, Telephone Number (033) 3946519, Ext. 209  
 Date of site inspection: 2002-11-01  
 Time: 10:00  
 Address: Estcourt Hospital  
 Inquiries regarding specification: Mr K. Misrilal, Telephone Number: (036) 3522100  
  
 SERVICE: Gardens and grounds: Addington Hospital  
 Tender number: ZNT 2005/2002-H  
 Closing date: 2002-11-15  
 Closing time: 11:00  
 Contact person: Mr A. Dennis, Telephone Number (033) 3946519, Ext. 209  
 Date of site inspection: 2002-11-04  
 Time: 10:00  
 Address: Addington Hospital, Nurses Home Entrance, Hospital Road  
 Inquiries regarding specification: Mr D. Dooran, Telephone Number: (031) 3272251

**Postponement of a pre-tender specification meeting**  
**ZNT 5735/2002-H: Disposable paper-related products for hospital use**

Prospective tenderers are hereby advised that the pre-tender specification meeting for the supply of disposable paper and related products for hospital use which was scheduled for Wednesday, 23 October 2002 has been postponed for Thursday, 24 October 2002 at 9:00, venue: Auditorium, 1st Floor, Natalia Building, Longmarket Street, Pietermaritzburg.

The necessary specifications can be collected from Mr Themba Mgwaba, Telephone Number: (033) 3946519, of the Department of Health, Sub-directorate: Provisioning Administration, 200 Mayor's Walk, Pietermaritzburg.

**No. 404, 2001**

17 October 2002

DEPARTMENT OF AGRICULTURE AND ENVIRONMENTAL AFFAIRS

**Invitation to tender**

SERVICE: Invitation to Professional Consultants/Consortia to submit project proposals to undertake the KwaZulu-Natal State of the Environment Report as required by the National Environmental Management Act  
 Tender number: ZNT 3200 A  
 Closing date: 2002-11-14  
 Closing time: 11:00  
 Contact person: Marita Thornhill, Telephone Number: (033) 3559436  
 Tender documents are available from: Cedara (Pietermaritzburg) and Ulundi  
 Contact persons: Mrs R. B. Radebe, Telephone Number: (033) 3559169  
 Miss L. Moodley, Telephone Number: (033) 3559228  
 Mrs G. N. Khumalo, Telephone Number: (035) 8743399

## ISAZISO SIKAMASIPALA — MUNICIPAL NOTICE — MUNISIPALE KENNISGEWING

No. 47, 2002

17 Oktoba 2002

No. 47, 2002

17 October 2002

## UMASIPALA WASETHEKWINI

IMITHETHO YEDOLOBHA EBHEKELE UKUTHUTHWA  
KUKADOTI

## IZINCAZELO

1. Ngokwale mithetho yedolobha ngaphandle uma okuqukethwe kukhomba okunye —

“amatherifu abizwayo” lapha kusho izimali ezibalulwe kwizibizo zamatharifu ezamukelwe ngesinqumo soMkhandlu izikhathi ngezikhathi;

“indawo yokulahla udoti” lapha kusho isiza sokulahla udoti esingesoMkhandlu noma esigunyazwe nguMasipala ukuba sise-shenziselwe le nhloso;

“iNhloko yoMnyango” lapha kusho umuntu oqokelwe lokho nguMkhandlu izikhathi ngezikhathi noma ogunyazwe ukuba abambe lesi sikhundla, kanye nanoma yisiphi isiphathimandla soMkhandlu esikhethwe yiwo ukuze senze yonke noma ingxenye yemisebenzi yeNhloko yoMnyango ngaphansi kwale mithetho yedolobha njengokwezinga lalokho kukhethwa;

“isakhiwo sokuhlala” kusho indawo okuhlalwa kuyo ngoba kuyikhaya, kodwa izakhiwo ezichazwe ngaphansi koMthetho waMahhotela, 1965 (uMthetho No. 70 ka 1965) azibandakanywa lapha;

“isiPhathimandla sezeMpilo seDolobha” kusho lowo okuthi isikhathi nesikhathi apha the lesi sikhundla ngokugcwele noma njengobambile eMkhandlweni futhi kubalwa lapha nalowo oyiphini lesiPhathimandla sezeMpilo seDolobha;

“isitsha sikadoti” lapha kusho isitsha esingewona umgqomo kadoti osemthethweni esingaba namasondo noma singabi nawo, esakhelwe ukugcina udoti okwesikhashana nokususa udoti esikhishwa nguMkhandlu ngokwesigaba 3(4) noma yinkontilaki egunyaziwe ngokwesigaba 2(3);

“udoti kamakhi” kusho ukungcola okudalwa yimisebenzi yokubhidliza, ukumba noma ukwakha emagcekeni;

“udoti okhethekile wasekhaya” kusho udoti ovela ekhaya ongeke ngenxa yesisindo, ukuma kwawo noma ubukhulu bawo ukwazi ukufakwa emgqonyeni noma kwikhonteyina;

“udoti oyingqaba” kusho udoti okungathi ngenxa yobukhulu noma isisindo noma ukuma kwawo, ukwakheka kwawo okwehlukile okwesikhashana ungagcineki kahle esitsheni sikadoti, kodwa ongabandakanyi udoti kamakhi noma udoti wasekhaya okhethekile;

“udoti wasekhaya” lapha kusho noma yimuphi udoti ovela endaweni ehlala abantu, nendle noma ubulongwe kwanoma yisiphi isilwane sasekhaya noma inyoni efuyiwe, kodwa akubandakanyi isihlabathi, inhlabathi, okuwuketshezi, udoti wasengadini noma isidumbu sanoma yisiphi isilwane noma udoti wasekhaya okhethekile;

“udoti wasengadini” lapha kusho udoti odalwa ukusebenza okwe-jwayelekile kwasengadini kunoma yimaphi amagceke, njengotshani obugundiwe, amahlamvu, izitshalo, izimbali, ukhula, okuphuhlwe ezihlahleni, othangweni nokunye okufana nalokho okungekukhulu;

“udoti wasezimbobonini” lapha kusho udoti oqinile odalwa ukusebenza ezimbobonini kodwa awubandakanyi udoti kamakhi, wezimboboni okhethekile nowezindawo zohwebo;

“udoti wasezimbobonini okhethekile” lapha kusho udoti, onoketshezi noma udaka, odalwa yimisebenzi yasezimbobonini okuthi ngenxa yeMithetho kaMasipala elawula ukuchithwa kukadoti osaluketshezi okungavumelekile ukuba ulahlwe ngokuwuchiitha emapiyipini kamasipala okuhambisa udoti ngaphandle kwemvume yalowo oyiNhloko yoMnyango, lapho leyo mvume yenqatshwe;

“udoti wezindawo zohwebo” lapha kusho udoti odaleka ngesikhathi kuqhutshwa ibhizinisi ngokoMthetho wamaLayisense kanye namabhizinisi iSaziso sesiFundazwe No. 97 sika 1985;

“umgqomo kadoti” kusho umgqomo ethobela imigomo yamazanga abekwe ngabakwa South African Bureau of Standards umgomo 493-1973: Imigqomo kadoti enguthayela noma u-1310-1980: Imigqomo kadoti eyakhiwe ngezinto ezingachazwa, phecelezi, polymeric materials, kokubili njengokuba kushicilelwe kwiSaziso kuWonkewonke No. 463 sika 9 Julayi 1982;

“umhlali” kubalwa noma yimuphi umuntu ohlala esakhiweni ngaphandle kokubheka itayitelaahlala ngaphansi kwalo kuleso sakhiwo, uma likhona;

## ETHEKWINI MUNICIPALITY

## REFUSE REMOVAL BYLAWS

## DEFINITIONS

1. For the purposes of these bylaws, unless the context otherwise indicates —

“builder’s refuse” means refuse generated by demolition, excavation or building activities on premises;

“bulky refuse” means refuse which cannot by virtue of its mass, shape, size or temporary extraordinary generation conveniently be stored in a refuse receptacle or container, but shall not include builder’s refuse or special domestic refuse;

“Head of Department” means the person appointed as such by the Council from time to time or authorised to act in that capacity, and any other officer of the Council nominated by it to discharge all or part of the functions of the Head of Department under these bylaws to the extent of such nomination;

“City Medical Officer of Health” means the person who from time to time holds the position as such either substantively or in an acting capacity from the Council and includes any Deputy City Medical Officer of Health;

“Council” means eThekweni Municipality;

“disposal facility” means a site for the disposal of refuse which is owned by the Council or has been approved for the purpose by the Municipality;

“domestic refuse” means refuse of a kind normally produced or generated on residential premises, and the manure or dung of any animal or bird kept as a domestic pet, but shall not include sand, earth, liquid matter, garden refuse or the carcass of any animal or special domestic refuse;

“garden refuse” means refuse which is generated as a result of normal gardening activities on any premises, such as grass cuttings, leaves, plants, flowers, weeds, clippings of trees, hedges or fences and other similar small and light matter;

“industrial refuse” means refuse in solid form which is generated as a result of activities carried on in a “factory” but shall not include builder’s refuse, special industrial refuse or trade refuse;

“occupier” includes any person in actual occupation of premises without regard to the title under which he occupies, if any;

“owner” means —

- (a) the person in whom from time to time is vested the legal title to premises;
- (b) in a case where the person in whom the legal title is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration and control of his property is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;
- (c) in any case where the Council is unable to determine the identity of such person, a person who is entitled to the benefit of the use of the premises or a building or buildings thereon;
- (d) in a case where such premises have been leased for a period of 30 years or longer, the lessee thereof;
- (e) in relation to —
  - (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act No. 95 of 1986), the developer or the body corporate in respect of the common property; or
  - (ii) a section as defined in such Act, the person in whose name such section is registered under a sectional title deed, and includes the lawfully appointed agent of such a person;

“refuse container” means a container other than a refuse receptacle and whether wheeled or otherwise, designed for the temporary storage and removal of refuse which is supplied by the Council in terms of section 3(4) or by a contractor approved in terms of section 2(3);

“refuse receptacle” means a receptacle which complies with either South African Bureau of Standards specification 493-1973: Steel refuse bins or 1310-1980: Refuse bins of polymeric materials, both



"uMkhandlu" kusho uMasipala waseThekwini; kanti

"umnikazi" kusho —

- (1) umuntu ngaleso sikhathi itayitela elisemthethweni lobunikazi besakhiwo okungelakhe;
- (2) uma kwenzeka ukuthi lowo muntu itayitela elisemthethweni lobunikazi besakhiwo okungelakhe ugajwe yizikweletu noma ufile, noma ukhubazeke ngandlelathize ngokomthetho, lowo muntu okunguye olawula leso sakhiwo okungaba ngumbheki, ngumphathi, umabi wamafa, umlawuli noma omunye nje ommeleyo ngokomthetho;
- (3) noma yinini lapho uMkhandlu wehluleka khona ukuthola ukuthi ungubani lowo muntu, kuyokuba yilowo muntu ogunyaziwe ukuba ukuba asebenzise leso sakhiwo noma lelo bhilidi noma lawo mabhilidi;
- (4) uma leso sakhiwo sesiqashwe iminyaka engama-30 noma ngaphezulu, lowo muntu kuyokuba yilowo osiqashile leso sakhiwo;
- (e) maqondana —
  - (i) nesiqephu somhlaba esiyingxenywe yomhlaba oklanyelwe amafulethi esibhaliswe ngaphansi koMthetho wamaTayitela eziGaba, 1986 (uMthetho No. 95 ka 1986), umthuthukisi walowo mhlaba noma ibhodi yabanikazi baleso sakhiwo;
  - (ii) nengxenywe njengoba ichazwe kulo Mthetho, umuntu okubhaliswe egameni lakhe leyo ngxenywe ngaphansi kwegunya letayitela lezigaba, futhi kubandakanya nalowo muntu okhonjwe ngokusemthethweni njengommeleli wakhe.

#### Ukuqoqwa nokuswa kukadoti

2. (1) Umhlali wanoma yisiphi isakhiwo okuphume kuso udoti noma esimweni lapho indawo ihlala abantu abangaphezu koyedwa, umnikazi waleyo ndawo, uyothobela le mithetho kamasipala ahlinzeke ngendawo yokucina udoti okwesikhashana uze uqoqwe noma ususwe lapho nguMkhandlu noma, ngokwezigatshana (2), (8) no (11), yinkontilaki egunyazwe ukususa udoti ngokwesigatshana (3), kanti ukwehluleka ukwenza lokho kungathathwa njengokwaphula le mithetho yedolobha.
- (2) Umsebenzi ohlinzekwa nguMkhandlu wokuqoqa kanye nokususa udoti uyosetshenziswa maqondana nezindawo okuphuma kuso udoti wasekhaya noma kokubili udoti wasekhaya kanye nowezindawo zohwebo futhi lowo msebenzi ungasetshenziswa maqondana nendawo okuphume kuyo udoti wendawo yohwebo kanye mowasezimbonini; ngaphansi kombandela wokuthi uMkhandlu angeke uphoqeleke ukuqoqa nokususa udoti wasezimbonini nokuthi iNhlolo yoMnyango ngesaziso esibhalwe phansi inganikeza umhlali imiyalelo emayelana nokulahlwa kwalowo doti.
- (3) Ngaphansi kwemibandela yesigatshana (2), udoti wendawo yohwebo kanye nowasezimbonini ungaqoqwa futhi ususwe emagekeni yinkontilaki egunyazwe ngencwadi ebhalwe yiNhlolo yoMnyango engahoxiswa yiyona futhi iNhlolo yoMnyango nganoma yisiphi isikhathi. Abafisa ukugunyazwa ukuba yizinkontilaki ezithutha udoti bangafaka izicelo zabo kuyona iNhlolo yoMnyango ngokugcwalisa ifomu egagulwe yiyo.
- (4) Ukugunyazwa okukhulunywa ngakho kwisigatshana (3) kungavunywa noma kwenqatshwe yiNhlolo yoMnyango ngokubona kwayo futhi kungabekelwa imibandela yiyo iNhlolo yoMnyango, engaba mayelana nesikhathi sokusebenza, uhlobo lukadoti okungasetshenzwa ngalo ngaphansi kwaleyo mvume, noma okunye iNhlolo yoMnyango enganquma ukukubeka.
- (5) Akukho muntu oyoqashwa njengenkontilaki noma oyosebenza njengenkontilaki ethutha udoti engagunyaziwe ngale ndlela okuchaza ngayo isigatshana (3) noma ukugunyazwa kwakhe osekuphelelwe yisikhathi noma okuhoxisiwe futhi akukho nkontilaki ethutha udoti eyophula noma yimuphi umbandela obekwe ngokwesigatshana (4).
- (6) Akukho muntu oyoqashwa njengenkontileka ethutha udoti umuntu ongagunyaziwe ngokwesigatshana (3).
- (7) Noma yimuphi umuntu ohlose ukusebenzisa inkontilaki egunyaziwe ukuba ithutha udoti uyokwazisa iNhlolo yoMnyango ngokuyibhalela incwadi eqondene nalokho ngokunjalo futhi uyokwazisa iNhlolo yoMnyango uma leyo nkontilaki isiyekisiwe umsebenzi.

as published by General Notice No. 463 of 9 July 1982;

"residential premises" means premises occupied for the purposes of human habitation, but excludes an accommodation establishment as defined in section 1 of the Hotels Act, 1965 (Act 70 of 1965);

"special domestic refuse" means refuse discarded from residential premises which cannot by virtue of its mass, shape or size be conveniently stored in a refuse receptacle or container;

"special industrial refuse" means refuse, consisting of a liquid or sludge, resulting from industrial operations which in terms of the Council's Sewerage Bylaws may not be discarded into a sewer without the consent of the Head of Department, which consent has been refused;

"tariff charge" means the appropriate charge as set out in the tariff of charges adopted by resolution of the Council from time to time;

"trade refuse" means refuse generated in the course of the conduct of a business in terms of the Licences and Business Acts. (Provincial Notice No. 97 of 1985)

#### Collection and removal of refuse

2. (1) The occupier of every premises upon which refuse is generated or, in the case of premises which are occupied by more than one person, the owner of such premises, shall in compliance with these bylaws make provisions for the temporary storage of such refuse and for its collection and removal therefrom, either by the Council or, subject to subsections (2), (8) and (11), by a refuse removal contractor approved in terms of subsection (3), and failure to do so shall be a contravention of these bylaws.
- (2) The service provided by the Council for the collection and removal of refuse shall be used in respect of premises on which domestic refuse or both domestic and trade refuse is generated and such service may be used in respect of premises on which trade refuse or industrial refuse is generated; provided that the Council shall not be obliged to collect and remove industrial refuse and the Head of Department may by written notice to the occupier of premises give directions as to its disposal.
- (3) Subject to the provisions of subsection (2), trade refuse and industrial refuse may be collected and removed from premises by a contractor approved in writing by the Head of Department for the purpose, which approval may be withdrawn by the Head of Department at any time. Application for approval as a refuse removal contractor shall be made to the Head of Department on the form prescribed by him.
- (4) Approval contemplated by subsection (3) may be granted or refused at the discretion of the Head of Department and shall be subject to such conditions, whether as to period of validity, the type of refuse which may be dealt with there under, or otherwise, as the Head of Department may impose.
- (5) No person shall hold himself out to be, or act as a refuse removal contractor who has not been approved as such in terms of subsection (3) or whose approval has expired or been withdrawn and no refuse removal contractor shall contravene any condition imposed in terms of subsection (4).
- (6) No person shall employ as a refuse removal contractor a person who has not been approved as such in terms of subsection (3).
- (7) A person who intends to engage the services of an approved refuse removal contractor shall notify the Head of Department in writing of that fact and shall likewise notify the Head of Department whenever such engagement is terminated.

- (8) Uma udoti ungaqoqwa futhi ususwe ngendlela egculisa iNhlolo yoMnyango kunoma iyiphi indawo udoti wakhona othuthwa yinkontlali egunyaziwe, iNhlolo yoMnyango ingakhipha isaziso esibhalwe phansi isibhekise kumnikazi noma umhlali wakuleyo ndawo simazise ukuthi kufanele amise umsebenzi waleyo nkontleka bese esebenzisa uMkhandlu ukuba uqoqe futhi ususe udoti endaweni yakhe kusukela ngosuku olubhalwe kuleso saziso.
- (9) Lapho umnikazi noma umhlali wakuleyo indawo esazise iNhlolo yoMnyango ngokwesigatshana (7), lowo mnikazi noma umhlali uyoqinisekisa ukuthi lowo doti uyaqoqwa futhi ususwa ngokwemibandela yale mithetho yedolobha ngesikhathi esifanele emva kokuba kuphume lowo doti.
- (10) Umuntu ogunyaziwe ngokwesigatshana (3) angeke avela asuse udoti nje ngaphandle kokuba umhlali noma umnikazi waleyo ndawo esazise iNhlolo yoMnyango ngokubhala phansi ukuthi usenze isivumelwano nalowo muntu sokususwa kukadoti kuleyo ndawo nokuthi uMkhandlu ungabe usaqhubeka nokuthutha udoti kuleyo ndawo.
- (11) Ngaphandle kokushaya indava noma yini kule mithetho kamasipala, umhlali wendawo ngokwakhe angasusa noma adale ukuba kususwe ngabasebenzi bakhe udoti wasezimbini odaleke lapho uye kolahlwa endaweni yokulahlwa udoti.
- (12) Uma kwenzeka kushintsha umuntu ohlala kuleyo ndawo noma kushintsha ubunikazi bendawo, lowo mhlali ndusha noma umnikazi omusha, lowo ofanele kubona, okunguyena ngokwesigatshana (1) okufanele athobele izidingo zaleso sigatshana, kuyofanele ukuba azise iNhlolo yoMnyango ngokuyibhalela phansi ngoshintsho oselukhona futhi ayinikeze yonke iminingwane engase iyidinge.
- (13) Umhlali noma umnikazi wendawo okufanele athobele izidingo zesigatshana (1) uyokwazisa iNhlolo yoMnyango ngokuyibhalela phansi nganoma yiluphi ushintsho olumayelana nohlobo lokusetshenziswa kwaleyo ndawo, noma nganoma yiluphi ushintsho olumayelana nohlobo, isisindo noma ubungako kukadoti ophuma lapho okungaphazamisa ukusebenza kwale mithetho yedolobha nganoma iyiphi indlela noma amatherifu anoma yimuphi umsebenzi ohlinzekwa nguMkhandlu kuleyo ndawo.
- (14) Umhlali noma umnikazi wendawo, kanjengokuba kungenzeka okufanele athobele izidingo zesigatshana (1) uyena okuyofanele akhokhele uMkhandlu amatherifu afanele anoma yimuphi umsebenzi ohlinzekwa yiwo maqondana nokuqoqwa nokususwa kukadoti ngokwezimiso zale mithetho yedolobha.
- (15) Lowo nalowo muntu ohlala esakhiweni esisha noma ohlala endaweni okuzoqala kuphume kuyo udoti wasekhaya noma wendawo yohwebo, noma lapho indawo ihlala abantu abangaphezu koyedwa, umnikazi waleso sakhiwo, ngaphambi kokuba kuqale kuphume lowo doti uyokwazisa uMkhandlu ngokuwubhalela —
- ukuthi isakhiwo sinabantu abahlala kuso; nokuthi
  - udoti wendawo yohwebo noma wasekhaya noma kokubili uzophuma yini kuleyo ndawo.
- (16) Noma ngubani ongathokozile ngesinqumo seNhlolo yoMnyango ngaphansi kwezigatshana (3) noma (4) zalesi sigaba angledlulisela udaba lwakhe eMkhandlwini noma ekomidini loMkhandlu elinikezwe lo msebenzi ngokusemthethweni futhi isinqumo salelo komidi singujuqu. (iSaziso sesiFundazwe No. 97 sika 1985)
- Imigqomo kadoti**
3. (1) Ngaphansi kwemibandela yesigatshana (4), lowo nalowo mhlali noma umnikazi okukhulunywe ngaye esigabeni 2(1) uyohlinzeka endaweni yakhe ngaleso sibalo semigqomo eyanele ukuze kugcinwe kuyona okwesikhashana wonke udoti, ngaphandle kukadoti wasengadini, owasekhaya okhethekile kanye nowasezimbini okhethekile wasendaweni yakhe kuze kube yisikhathi sokususwa kwawo ngokwale mithetho yedolobha.
- (2) Umnikazi noma umhlali okukhulunywe ngaye kwisigatshana (1) uyoqinisekisa ukuthi imigqomo ehlinzekwa nguye ngokwaleso sigatshana —
- igcinwa isesimweni esifanele sokuba isebenziseke nokuthi imigqomo engasekho kulesi simo iyahlalwa bese ethenga emisha esikhundleni saleyo; nokuthi
  - imigqomo leyo ibekwa endaweni efanele yokugcina udoti ngokomthetho kaMasipala wezokwakha.
- (8) The Head of Department may, if refuse is not being collected and removed to his satisfaction from any premises by an approved refuse removal contractor, by written notice to the owner or occupier of those premises require him to terminate the services of such contractor and to use the service provided by the Council for the collection and removal of refuse with effect from a date specified in such notice.
- (9) In the event of the occupier or owner of premises having notified the Head of Department in terms of subsection (7), such occupier or owner shall ensure that such refuse is collected and removed in terms of the provisions of these bylaws within a reasonable time after the generation thereof.
- (10) A person approved in terms of subsection (3) may not remove refuse from premises unless the occupier or owner of such premises has notified the Head of Department in writing that he has entered into a contract with such person for the removal of such refuse and that the Council should not provide a service to the premises for its removal.
- (11) Notwithstanding anything in these bylaws to the contrary, the occupier of premises may himself remove or cause to be removed by his employees industrial refuse generated thereon to a disposal site.
- (12) Whenever there is a change in the occupation or ownership of premises, the new occupier or owner, as the case may be, who will be liable, in terms of subsection (1), to comply with the requirements of that subsection, shall forthwith notify the Head of Department in writing of such change and furnish him with such particulars as he may require.
- (13) The occupier or owner of premises, as the case may be, who is liable to comply with the requirements of subsection (1) shall notify the Head of Department in writing of any change in the nature of the use to which such premises are put or any change in the nature, mass or volume of the refuse generated thereon which in any way affects the application of these bylaws or the tariffs for any service rendered by the Council in terms thereof.
- (14) The occupier or owner of premises, as the case may be, who is liable to comply with the requirements of subsection (1) shall be liable to the Council for the tariff charge for any service rendered by it in respect of the collection and removal of refuse in terms of these bylaws.
- (15) Every occupier of new premises or premises on which the generation of domestic or trade refuse is about to be commenced, or in the case of premises being occupied by more than one person, the owner of such premises shall, prior to the commencement of the generation of such refuse, notify the Council in writing —
- that the premises are being occupied; and
  - whether trade refuse or domestic refuse or both is or are to be generated on the premises.
- (16) Any person who is aggrieved by a decision of the Head of Department under subsection (3) or (4) of this section may appeal to the Council or the Committee of the Council to which this function has been lawfully delegated and the decision of the Council or such committee shall be final and binding (Provincial Notice No. 97 of 1985).
- Refuse receptacles**
3. (1) Subject to the provisions of subsection (4), every occupier or owner referred to in section 2(1) shall provide on his premises such number of refuse receptacles as is adequate for the purpose of the temporary storage of all refuse, other than garden, special domestic and special industrial refuse, as may be generated on his premises pending its removal in terms of these bylaws.
- (2) The occupier or owner referred to in subsection (1) shall ensure that refuse receptacles provided by him in terms of that subsection —
- are maintained in a sound and serviceable condition and that receptacles which are no longer capable of being so maintained are replaced by him; and
  - are kept on the appropriate refuse storage area provided in terms of Council's Building law.

- (3) Noma yinini lapho iNhlolo yoMnyango noma isiPhathimandla sezeMpilo seDolobha ebona ukuthi umuntu akayithobelanga imibandela yalesi sigaba angenza ukuba lowo muntu anikezwe isaziso esimayalela ukuba athonbe leyo mibandela singakapheli isikhathi esibhalwe kuleso saziso.
- (4) UMkhandlu, ngokunquma kwawo ungaziletha izitsha zikadoti kunoma iyiphi indawo, emva kokuba usubheke ukuthi ungakanani udoti ophuma kuleyo ndawo, ukufaneleka kwalowo doti ukuba ugcinwe kuleso sitsha kanye nokufinyelela kalula kwezimoto zoMkhandlu zokuthutha udoti endaweni okugcinwa kuyo udoti, ngokunjalo uma ubona ukuthi izitsha yizona ezifaneleke kangcono ukugcina nokusasa udoti kunaleyo migqomo ejwayelekile okukhulunywe ngayo kwisigatshana (1).
- (5) Akukho sitsha esikhishwe nguMkhandlu ngokwesigatshana (4) esiyosetshenziselwa enye inhloso ngaphandle kokugcina udoti wokuhweba, wasekhaya, owezimbini noma owasengadini futhi angeke kubaswe mlilo kulezo zitsha.
- (6) Imibandela yale mithetho yedolobha iyosebenza ngokufanayo nasezitsheeni zikadoti anamasondo akhishwa ngokwesigatshana (4) kube sengathi yimigqomo okukhulunywe ngayo kwisigatshana (1), ngaphansi kombandela wokuthi ayohlala eyimpahla yoMkhandlu futhi angaswa noma ashintshwe nganoma iyiphi isikhathi yiwo uMkhandlu. Uma kwenzeka esuselwa enye inhloso ngale kwaleyo eyisikhathana, kanjengokuba kungenzeka, umhlali noma umnikazi wendawo, uyothobela izidingo zesigatshana (1).
- (7) Umhlali noma umnikazi wendawo uyoqinisekisa ukugcinwa ngokuphephile kwanoma yiziphi izitsha zikadoti anikezwe indawo yakhe ngokwesigatshana (4) futhi uyokhokhela uMkhandlu uma zilahleka lezi zitsha noma zilimala ngaphandle uma lokho kudalwe ngabasebenzi boMkhandlu.

#### Izibopho zomnikazi noma umhlali

4. Bonke abahlali bendawo noma maqondana nendawo okuhlala kuyo abantu abangaphezu koyedwa, umnikazi waleyo ndawo, uyoqinisekisa ukuthi —
  - (a) wonke udoti wasekhaya noma wendawo yokuhweba ophuma endaweni yakhe ufakwa futhi ugcinwa emigqonyeni noma ezitsheeni zikadoti kuze kube wusuku olandwa ngalo nguMkhandlu noma yinkontilaki egunyazwe yiNhlolo yoMnyango ngokwesigaba 2(3) nokuthi lonke olunye uhlobo lukadoti, ngaphandle kowasengadini lufakwa ezitsheeni ezigunyazwe yiNhlolo yoMnyango ukuba zenze lowo msebenzi kuze kube yisikhathi ezisuswa ngalo ngokwale mithetho yedolobha ngaphansi kombandela wokuthi imibandela yalesi sigatshana angeke ivimbele umhlali, noma umnikazi kanjengokuba kungenzeka —
    - (i) ukuthola imvume ebhalwe phansi kuqala yeNhlolo yoMnyango, yokudayisa amakhalibhodi, amaphepha, izingilazi noma okunye okudayiswa kungudoti, ukuze kubuye kusetshenziswe kwakhiwe ngakho okunye noma, ngokuthola kuqala imvume ebhalwe phansi yisiPhathimandla sezeMpilo seDolobha, yokusebenza ukudla okumanzi ukuba kudliwe yizilwane; nokuthi
    - (ii) ukusebenzisa lowo doti wasekhaya kanjengokuba kufanelekile enze imvundiso, ngaphansi kokuthi lowo doti ugcinwa ngaphakathi kuleyo ndawo nokuthi kuthathwe zonke izinyathelo ezifanelekile zokugwema ukhazamisa kwawo noma ubungozi empilweni yabantu;
  - (b) akukho mlotha oshisayo nezingcezu zengilazi ezingaqiwe nanoma omunye udoti ongadala ingozi noma ulimaze imigqomo kadoti noma izitsha noma oplastiki badoti abakhishwa nguMkhandlu ngaphansi kwesigaba 6 noma okungalimaza abantu noma izimoto ezisetsenziselwa ukuthutha udoti ongafakwa emigqonyeni kadoti noma ezitsheeni zikadoti ngaphambi kokuba kuthathwe izinyathelo ezidingekile zokugwema lobo bungozi noma ukulimaza;
  - (c) akukho mpahla, okubandakanya uketshezi, ngesizathu sesisindo sayo noma ezinye izimo ezingenza ukuba lowo mgqomo kadoti noma uplastiki kadoti okhishwe nguMkhandlu ngaphansi kwesigaba 6 kube nzima kubasebenzi boMkhandlu ukuba bawuqkule noma bawuphathe oyofakwa lapho;
  - (d) yonke imigqomo kadoti kanye nezitsha ezinamasondo ezigcinwe kuleyo ndawo ayombozwa ngesivalo noma okunye kokumboza okuhambisana nakho ukuze kugwemeke ukuphazamisa kwabantu kanye nobungozi empilweni, ngesikhathi

- (3) Whenever the Head of Department or the City Medical Officer of Health is of the opinion that a person has not complied with the provision of this section he may cause a written notice to be served on such person calling upon him to comply with such provisions within a period specified in the notice.
- (4) The Council may at its sole discretion supply refuse containers to premises if, having regard to the quantity of refuse generated on the premises concerned, the suitability of such refuse for storage in such containers and the accessibility of the refuse storage area to the Council's refuse collection vehicles, it considers such containers more appropriate for the storage and removal of refuse than receptacles referred to in subsection (1).
- (5) No container supplied by the Council in terms of sub-section (4) may be used for any purpose other than the storage of trade, domestic industrial or garden refuse and no fire shall be lit in such container.
- (6) The provisions of these bylaws shall mutatis mutandis apply to wheeled refuse containers supplied in terms of subsection (4) as if they were receptacles referred to in subsection (1), provided that they shall remain the property of the Council and may at any time either be replaced or removed by it. In the event of their removal for a purpose other than one of a temporary nature, the occupier or owner of the premises concerned, as the case may be, shall forthwith comply with the requirements of sub-section (1).
- (7) The occupier or owner of premises shall be responsible for the safekeeping of any refuse containers supplied to his premises in terms of subsection (4) and shall be liable to the Council for the loss thereof or any damage thereto except such as has been caused by the Council's employees.

#### Duties of owner or occupier

4. Every occupier of premises, or in the case of premises being occupied by more than one person, the owner of such premises, shall ensure that —
  - (a) all the domestic or trade refuse generated on the premises is placed and kept in refuse receptacles or refuse containers for removal by the Council or by a refuse removal contractor approved by the Head of Department in terms of section 2(3) and that all other refuse, other than garden refuse, is placed and kept in containers approved by the Head of Department for the purpose until it is removed in terms of these bylaws; provided that the provisions of this subsection shall not prevent any occupier, or owner as the case may be —
    - (i) with the prior written consent of the Head of Department, from selling or otherwise disposing of corrugated cardboard, paper, glass or other material being an element of trade refuse, for recycling in a manufacturing process or, with the prior written consent of the City Medical Officer of Health, from using swill for animal consumption; and
    - (ii) from utilising such domestic refuse as may be suitable for making compost, provided that the refuse remains on the premises and all reasonable steps are taken to avoid a nuisance or health hazard;
  - (b) no hot ash, unwrapped glass fragments or other refuse which may cause damage to refuse receptacles or refuse containers or disposable plastic bags supplied by the Council under section 6 or which may cause injury to the persons or vehicles employed in removing the refuse from the premises is placed in refuse receptacles or refuse containers before he has taken such steps as may be necessary to avoid such damage or injury;
  - (c) no material, including any liquid, which by reason of its mass or other characteristics is likely to render such refuse receptacles or disposal plastic bags supplied by the Council under section 6 unreasonable difficult for the Council's employees to handle or carry, is placed therein;
  - (d) every refuse receptacle and wheeled refuse container on the premises is properly covered by means of the lid or other covering supplied therewith so as to prevent any nuisance or health hazard, save when refuse is being deposited therein or

udoti ufakwa noma ukhishwa lapho, nokuthi yonke imigqomo kanye nezitsha kufanele kugcinwe kusesimweni esihlanzekile; kanye

- (e) nokuthi wonke udoti okufanele ususwe uyochithwa endaweni yokulahlala udoti futhi onobuthi kanye nokunye okuyingozu kufanele unyangwe ngendlela efanelekile ngumuntu ogunyazwe yiNhlolo yoMnyango futhi ngendlela egculisa iNhlolo yoMnyango.

#### Ukuqoqwa nokususwa kukadoti

5. (1) INhlolo yoMnyango izikhathi ngezikhathi iyonquma usuku noma izinsuku okuyiqoqwa futhi kuthuthwe ngazo udoti nguMkhandlu ezindaweni ezahlukahlukene zedolobha ngokwale mithetho yedolobha.
- (2) Ngosuku noma ngezinsuku ezinqunywe ngokwesigatshana (1) endaweni ethile bonke abanikazi noma abahlali, kanjengokuba kungenzeka, bakuleyo ndawo enikezwe isitsha sikadoti esinamasondo ngokwesigaba 3(4) noma enikezwe amapulastiki okufaka udoti ngokwesigaba 6, ngaphandle uma beyalelwe iNhlolo yoMnyango ukuba benze okwahlukile kulokhu, bayobeka lesi sitsha noma lawo mapulastiki agcwele udoti ngaphakathi eduze nomngcele waleso sakhiwo futhi eduze nendawo ehamba abantu bezinyawo noma eduze nalapho kungena khona imoto elande udoti ngasemgwaqeni.
- (3) Ngaphandle kokuyishaya indiva imibandela yale mithetho yedolobha, umnikazi noma umhlali, kanjengokuba kungenzeka, wendawo okuphume kuyo udoti wezimboni noma wendawo okufuywe kuyo amahashi noma izinkomo ngenhloso yokuqhuba ibhizinisi noma yokuhweba, uma ebhalelwe yiNhlolo yoMnyango ukuba enze njalo ngokuthobela imiyalelo engase iyinike izikhathi ngezikhathi, angasusa lowo doti noma adale ukuba lowo doti ususwe uyolahlwa lapho kuchithwa khona udoti noma uyofakwa emshinini wokushisa udoti kanjengokubona kweNhlolo yoMnyango, noma ulahlwe ngenye indlela engagunyazwa yiNhlolo yoMnyango futhi nangaleyo ndlela engadingeka ukuze kugwenywe noma yikuphi ukuphazamiseka kwabantu noma ubungozi empilweni okungadalwa yilowo doti futhi uyothobela noma yisiphi isaziso anganikwa sona yisiPhathimandla sezeMpilo seDolobha ngokwesigaba 14, ngaphansi kombandela wokuthi iNhlolo yoMnyango ngesicelo esibhalwe phansi ngumnikazi noma umhlali ingavuma ukuqoqa nokususa udoti oqinile kuleyo ndawo emva kokubheka uhlobo kanye nobungako bawo.
- (4) Akukho mnikazi noma umhlali wakunoma iyiphi indawo, ngaphandle uma evunyelwe yiNhlolo yoMnyango ukwenza njalo ngokwemibandela elapha, oyofaka noma oyovumela ukuba kufakwe noma yimuphi udoti ngaphandle kukadoti wasekhaya emgqonyeni kadoti noma esitsheni sikadoti ethuthwa mahhala nguMkhandlu; kodwa uma kungukuthi lowo mnikazi wendawo noma lowo umhlali wenze amalungiselelo okuthi udoti ususwe nguMkhandlu emva kokuba uhloliwe ubungako bawo futhi wakhokha namatherifu, angavunyelwa yiNhlolo yoMnyango ngokubhalwe phansi ukuthi afake lelo nani elihloliwe emgqonyeni ohlinzekelwe ukufaka udoti wasekhaya.
- (5) Umnikazi noma umhlali walapho kuphuma, kugcinwa noma kunqwabelana khona udoti oyingqaba kanye nodoti ohlaphazekile wanoma yiluphi uhlobo, uma eyalelwe ukuba enze njalo ngokubhalelwa isaziso yiNhlolo yoMnyango uyowubopha lowo doti ngokuphephile noma enze ukuba uboshwe wenziwe amaqoqo ubukhulu bawo obunjengoba eyalelwe.

#### Ukukhishwa kwezikhwama zepulasitiki zokufaka udoti

6. (1) Ngaphandle uma kukhona isitsha esesikhishwe nguMkhandlu ngokwesigaba 3(4), uMkhandlu ngezindleko zawo uyonikeza umnikazi wendawo noma umhlali walapho kuphuma khona udoti wasekhaya izikhwama zepulasitiki ezimbili ngeviki zokufaka udoti ngokwesigaba 3(1).
- (2) Njalo uma uMkhandlu uzoqoqa udoti ngokwale mithetho kamasipala, uMkhandlu uyokhipha izikhwama zepulasitiki ezintsha ezimbili uma kuthathwe izikhwama ezimbili ezigcwele.
- (3) Akukho mnikazi wendawo noma umhlali onikezwe isikhwama zepulasitiki esisodwa noma ngaphezulu ngokwalesi sigaba oyofaka noma adale kumbe avumele ukuba kufakwe noma yimuphi udoti emgqonyeni kadoti ngaphandle kokuba ufakwe kulezo zikhwama zikadoti eziyipulasitiki.

discharged therefrom, and that every receptacle or container is kept in a clean and hygienic condition; and

- (e) all refuse which is to be removed to a disposal site and has toxic or other harmful properties is suitably treated by a person approved by the Head of Department and to the Head of Department satisfaction.

#### Collection and removal of refuse

5. (1) The Head of Department shall from time to time determine the day or days upon which refuse which is to be removed by the Council in terms of these bylaws will be collected in the various areas of the City.
- (2) On the day or days which have been determined in terms of subsection (1) for a particular area every owner or occupier, as the case may be, of premises within that area to whom a wheeled refuse container has been supplied in terms of section 3(4) or to whom disposable plastic bags have been supplied in terms of section 6 shall, unless otherwise directed by the Head of Department, place such container or any bag or bags containing refuse immediately inside the boundary of the premises and adjacent either to the pedestrian or the vehicular access to the premises from a street.
- (3) Notwithstanding the provisions of these bylaws, the owner or occupier, as the case may be, of premises on which industrial refuse is generated or of premises used for keeping equine or bovine animals for the purpose of business or trade shall when required by the Head of Department in writing to do so and in accordance with such directions as he may give from time to time, remove such refuse or cause the same to be removed either to a disposal facility or to an incinerator at the discretion of the Head of Department or to be disposed of in such other manner as may be approved by the Head of Department and in any event as often as may be necessary to prevent any nuisance or danger to health arising therefrom and shall also comply with any notice to remove such refuse which may be served upon him under the hand of the City Medical Officer of Health in terms of section 14; provided that the Head of Department may on written application by the owner or occupier agree to collect and remove solid refuse from such premises having regard to the nature and quantities thereof.
- (4) No owner or occupier, as the case may be, of any premises shall, unless permitted to do so by the Head of Department in terms of the proviso hereto, deposit or allow to be deposited any refuse other than domestic refuse in any refuse receptacle or container the contents of which are removable free of charge by the Council; provided however, that where any such owner or occupier has made arrangements for the removal by the Council of an assessment quantity of any such other refuse on payment of the tariff charge, he may be permitted by the Head of Department in writing to deposit such assessed quantity of other refuse in the receptacle provided for the reception of domestic refuse.
- (5) The owner or occupier of any premises on which bulky and loose refuse of any kind is produced, kept, or accumulated shall, when required thereto under notice in writing from the Head of Department, tie up securely or cause to be tied up securely such refuse into bales or bundles of convenient size.

#### Supply of disposable plastic bags

6. (1) Except when a refuse container has been supplied in terms of section 3(4), the Council shall at its own cost provide the owner or occupier, as the case may be, of premises upon which domestic refuse is generated with two disposable plastic bags per week provided in terms of section 3(1).
- (2) On each occasion that refuse is collected by the Council in terms of these bylaws, the Council will supply two new disposable plastic bags per week for the full disposable plastic bags which is removed.
- (3) No owner or occupier to whom one or more disposable plastic bags have been supplied in terms of this section shall deposit or cause or permit to be deposited any refuse in a refuse receptacle except in such bags.

**kufinyelela esakhiweni**

- (1) Umnikazi noma umhlali wendawo uMkhandlu oyihlinzekela ngomsebenzi wokuthutha udoti uyohlinzekela uMkhandlu ngendawo efanelekile yokufinyelela lapho ngenhloso yokuzoqoka nokuthutha udoti futhi uyoqinisekisa ukuthi akukho lutho oluphazamisayo, lukhathaze noma luvimbele uMkhandlu kanye nabasebenzi bawo ngesikhathi benza umsebenzi wabo.
- (2) Uma ngokubona kweNhlolo yoMnyango ukuqoqwa nokuthuthwa kukadoti kunoma iyiphi indawo kungenzeka ukuba kugcine kulimaze leyo ndawo noma impahla yoMkhandlu, noma kulimaze umqoqi kadoti noma omunye umuntu, angabeka njengombandela wokuthuthwa kukadoti isidingo sokuthi umnikazi abhale phansi incwadi ewuhlangulayo uMkhandlu ekuthwaleni noma yiliphi icala noma eku-fakelweni noma yisiphi isibizo esiqondene nokulimala okungase kwenzeka lapho.

**kunqwabelana kukadoti**

Lapho noma yimuphi udoti unqwabelana endaweni ngendlela ephazamisayo ngendlela engase idale ukuphazamiseka, uMkhandlu ungawusisa ngokushesha lowo doti bese umnikazi noma umhlali walapho kube nguyena okhokhela amatherifu okuqoqwa kwalowo doti okhethekile.

**kuqoqwa kanye nokulahlwa kukadoti wasengadini owasendlini kanye noyinqwaba**

- (1) Umhlali noma, maqondana nendawo ehlala abantu abangaphezu koyedwa, umnikazi wendawo okuphume kuyo udoti wasengadini, wasendlini noma oyoqinisekisa ukuthi lowo doti ulahlwa kanjengokuyalela kwalesi sigaba ngesikhathi esifanele emva kokuphuma kwalowo doti; ngaphansi kombandela wokuthi udoti wasengadini ungagcinwa kuleyo ndawo ukuba wenze umquba.
- (2) Noma yimuphi umuntu angaziqoqela futhi azilahlele udoti wakhe wasengadini, wasendlini kanye noyinqwaba.
- (3) Udoti wasengadini, wasendlini kanye noyinqwaba, emva kokuba usuqoqiwe kuleyo ndawo ophume kuyo, uyolahlwa endaweni ekhonjwe nguMkhandlu ukuba kube yiyona ndawo okulahlwa kuyo udoti ekhokhelwa amatherifu afanele; ngaphansi kombandela wokuthi umnikazi noma umhlali wakuleyo ndawo okuphume kuyo udoti wasengadini angazithuthela ngemoto lowo doti isisindo sawo esingekho ngaphezu kwethani elilodwa awulahle kuleyo ndawo yokulahlwa udoti mahhala.
- (4) Ngokucela komnikazi noma umhlali wakuleyo ndawo uMkhandlu ungaqoqa udoti wasengadini, wasendlini kanye noyinqwaba ngokubiza itherifu efanele, inqobo nje uma uMkhandlu ungakwazi ukwenza njalo ngempahla yawo yokuqoqwa udoti.

**Udoti kamakhi**

- (1) Umnikazi wendawo okuphume kuyo udoti kamakhi kanye nomuntu owenza umsebenzi odale ukuba kuphume lo doti bayoqinisekisa ukuthi —
  - (a) lowo doti uyolahlwa njengokuyalela kwesigaba 11 ngesikhathi esifanele emva kokuphuma kwawo; futhi
  - (b) kuze kube yileso sikhathi lapho udoti kamakhi ulahlwa njengokuyalela kwesigaba 11 kanye nangaphansi kwemibandela yesigaba 37 semithetho yedolobha eqondene nezokwakha, lowo doti kanye nezitsha ohleli kuwo, kugcinwa kuleyo ndawo ophume kuyo.
- (2) Udoti kamakhi ungasuswa ngumakhi uqobo ngoma yinkontileka evunye iNhlolo yoMnyango ngokwesigaba 2(3).

**Ukulahlwa kokadoti womakhi**

- (1) Ngaphansi kwemibandela yesigatshana (2) salapha wonke udoti kamakhi uyolahlwa ezindaweni zokulahlwa udoti zoMkhandlu futhi umuntu olahla udoti nguyena oyokhokha amatherifu alokho.
- (2) Udoti kamakhi, ngemvume yeNhlolo yoMnyango ebhalwe phansi, ungalahlwa kwenye indawo ngaphandle kwasezindaweni zokulahlwa udoti zoMkhandlu ngenhloso yokulungisa noma yokugcwalisa indawo.
- (3) Noma iyiphi imvume enikezwe ngokwesigatshana (2) iyosebenza ngaphansi kwaleyo mibandela iNhlolo yoMnyango eyoyibona idingekile; ngaphansi kombandela wokuthi ngesikhathi inikeza noma yenqaba ukuniza imvume noma ngesikhathi ebeka imibandela yemvume iNhlolo yoMnyango iyobheka —

**Access to premises**

- (1) The occupier or owner of premises to which the council provides a refuse removal service, as the case may be, shall grant the council convenient access to the premises for the purpose of collecting and removing refuse and shall ensure that nothing obstructs, frustrates or hinders the Council and its employees in the carrying out of its service.
- (2) If in the opinion of the Head of Department the collection or removal of refuse from any premises is likely to result in damage to the premises or the Council's property, or injury to the refuse collectors or any other person, it may as a condition of rendering a refuse collection service in respect of the premises, require the owner or occupier to indemnify it in writing in respect of any such damage or injury to any claims arising therefrom.

**Accumulation of refuse**

8. Where any refuse accumulates on premises so as to constitute a nuisance or so as to render it likely that a nuisance will be created thereby, the Council may make a special removal of such refuse and the owner or occupier shall be liable in respect of such special removal to pay the tariff charge therefor.

**Removal and disposal of garden, special domestic and bulky refuse**

- (1) The occupier or, in the case of premises occupied by more than one person, the owner of premises on which garden, special domestic or bulky refuse is generated shall ensure that such refuse is disposed of in terms of this section within a reasonable time after the generation thereof; provided that garden refuse may be retained on the premises for the making of compost.
- (2) Any person may remove and dispose of his own garden, special domestic and bulky refuse.
- (3) Garden, special domestic and bulky refuse shall, once it has been removed from the premises on which it was generated, be deposited on a site designated by the Council as a disposal facility for such refuse against payment of the tariff charge; provided that the owner or any occupier of the premises on which garden refuse was generated may deposit such refuse by means of a vehicle not exceeding one ton pay load capacity at such a site free of charge.
- (4) At the request of the owner or any occupier of premises the Council may at the tariff charge remove garden, special domestic and bulky refuse from premises, provided that the Council is able to do so with its refuse removal equipment.

**Responsibility for builder's refuse**

- (1) The owner of premises on which builder's refuse is generated and the person engaged in the activity which caused such refuse to be generated shall ensure that —
  - (a) such refuse is disposed of in terms of section 11 within a reasonable time after the generation thereof; and
  - (b) until such time as builder's refuse is disposed of in terms of section 11 and subject to the provisions of section 37 of the Council's Building Bylaws, such refuse together with the containers used for the storing or removal thereof, is kept on the premises on which it was generated.
- (2) Builder's refuse may be removed by the builder himself or by a contractor approved by the Head of Department in terms of section 2(3).

**Disposal of builder's refuse**

- (1) Subject to the provisions of subsection (2) hereof all builder's refuse shall be deposited at the Council's disposal sites and the person depositing the refuse shall be liable to pay the tariff charge therefor.
- (2) Builder's refuse may, with the written consent of the Head of Department, be deposited at a place other than the Council's disposal sites for the purpose of reclamation of land.
- (3) Any consent given in terms of subsection (2) shall be subject to such conditions as the Head of Department may deem necessary; provided that in giving or refusing his consent or in laying down conditions the Head of Department shall have regard to —

- (a) ukuphepha komphakathi;
- (b) indawo leyo okuhlongozwa ukuba kulahlwe kuyo;
- (c) ukufaneleka kwendawo kanye namapayipi okuhambisa amanzi alapho;
- (d) indlela kanye nezikhathi okulindeleke ukuba kulahlwe ngazo udoti kuleyo ndawo;
- (e) ukuhleleka kwendawo;
- (f) ukulawuleka kwezintuli; kanye
- (g) nokunye okubalulekile kulokhu.

#### Udoti olungele ukusetshenziswa

12. Ngale kwanoma yini ekulo mqule wemithetho yedolobha, akukho mali eyokhokhwa maqondana nokulahlwa kunoma iyiphi indawo yokulahlwa udoti ovunywe yiNhlolo yoMnyango njengalowo ongasetshenziselwa ukumboza ingaphezulu, ukugandaya umgwaqo noma enye inhloso ehambisana naleyo ndawo.

#### Amandla esiphathimandla sezeMpilo seDolobha okufuna ukuba udoti uphathwe ngendlela thize ekhethekile

13. (1) Uma isiPhathimandla sezeMpilo seDolobha sibona ukuthi, ukuze kugwenywe ingozi empilweni noma isicefe esingavela, izinyathelo ezikhethekile zokuqoqwa, zokugcinwa okwesikhashana noma zokulahlwa kwanoma yimuphi udoti kufanele zithathwe, noma ukuthi lowo doti kufanele unyangwe ngendlela ekhethekile ukuze unganuki noma ukuze ungabi yingozi empilweni kufanele akhiphe isaziso esibhalwe phansi asibhekise kumhlali wakunoma iyiphi indawo noma uma kuyindawo okungakhiwe lutho kuyo, asibhekise kumnikazi wayo, ukuba enze noma yikuphi kulezi zinyathelo ezigagulwe ngenhla kanjengokuba engabeka kuleso saziso futhi ngaleso sikhathi esifanele ayosigagula.
- (2) Umnikazi noma umhlali wakunoma iyiphi indawo ekutholeni leso saziso esisayinwe yisiPhathimandla sezeMpilo seDolobha —
- (a) uyosusa noma yimuphi udoti okungenzeka ukuba unuke noma ube yingozi empilweni kuleyo ndawo bese ewulahlwa ngendlela ebekwe kuleso saziso; noma
  - (b) uma evunyelwa yimibandela yaleso saziso uyonyanga noma yimuphi udoti okuleyo ndawo ngendlela ezowenza ukuba ungabi yingozi futhi unganuki ukuze kugwemeke ukugcwala kwezimpukane, omiyane, amagundane kanye nezinye izilwanyana ezingafuneki kuleyo ndawo.
- (3) Noma yimuphi umnikazi noma umhlali owenqabayayo ukuthatha izinyathelo eziyisipesheli ezibalulwe esazisweni asinikwe ngaphansi kwalesi sigaba noma owehlulekayo ukuthobela lokho ngesikhathi esigagulwe esazisweni uyolahlwa yicala futhi isiPhathimandla sezeMpilo seDolobha singadala ukuba lezi zinyathelo zithathwe bese izindleko zazo zibizwa kulowo muntu owayethunyelwe isaziso.

#### Ukuhanjiswa ngomgwaqo kukadoti noma okunye okungathandeki

14. (1) Noma yimuphi umuntu oqoqa noma othutha noma yimuphi udoti noma okunye okungathandeki noma udoti kamakhi uyokwenza lokho ngokusebenzisa imoto eyakhiwe ngendlela efanelekile evalekile futhi awuthutha ngendlela ezogwema ukuphazamiseka okungadalwa yilokho kuthutha noma ezogwema ukuphuma kukadoti ophakathi; ngaphansi kombandela wokuthi awukho udoti oyohanjiswa kunoma iyiphi indawo egudle umgwaqo noma indawo yomphakathi ukuze kufinyeleleke endaweni yokucina udoti ekwenye indawo elapho kuleso sakhiwo ngaphandle kwesakhiwo ipulani yaso noma amapulani aso aphasiswa ngokwemithetho yedolobha yezokwakha ngaphambi kokuphazamiseka kwalo mqule wemithetho yedolobha ekhomba ukuthi indlela ongafinyelela ngayo kuphela kuleyo ndawo yokucina udoti igudle umgwaqo noma indawo yomphakathi.
- (2) IsiPhathimandla sezeMpilo seDolobha singakhiphela isaziso esibhalwe phansi noma yimuphi umuntu esibekela imigomo noma esigagula izindlela okufanele zisetshenziswe nezikhathi lowo doti ongathuthwa ngazo kunoma yimuphi umgwaqo noma eduze kwanoma yimuphi umgwaqo noma indawo yomphakathi uma ebona ukuthi ukuthuthwa kwalowo doti kungenzeka kudale ukuphazamiseka komphakathi. Noma yimuphi umuntu owehlulekayo ukuthobela imibandela yesigatshana (1) salesi sigaba noma isaziso asinikwe ngaphansi kwalesi sigatshana uyolahlwa yicala.

- (a) the safety of the public;
- (b) the environment of the proposed disposal site;
- (c) the suitability of the area including the drainage thereof;
- (d) the expected manner and times of depositing of refuse at the site;
- (e) the levelling of the site;
- (f) the control of dust; and
- (g) other relevant factors.

#### Refuse suitable for use

12. Notwithstanding anything contained in these bylaws, no charge shall be payable in respect of the depositing at a disposal site of refuse approved of by the Head of Department as being suitable for top cover, road surfacing or other purposes connected with such site.

#### Powers of the City Medical Officer of Health to require refuse to be specially dealt with

13. (1) If the City Medical Officer of Health is of the opinion that, in order to avoid any health hazard or nuisance arising, special measures for the collection, temporary storage or disposal of any refuse should be adopted or that such refuse should be specially treated to render the same inoffensive or non-injurious to health he must serve written notice on the occupier of any premises or in the case of vacant land, the owner thereof, to carry out any of the aforesaid measures as he may stipulate in his notice and within such time as he may stipulate.
- (2) The owner or occupier of any premises shall, on being served with a notice to that effect signed by the City Medical Officer of Health —
- (a) either remove any refuse which is likely to be offensive or injurious to health from such premises and dispose thereof in such a manner as may be stipulated in such notice; or
  - (b) when permitted by the terms of such notice treat any refuse on such premises so as to render it innocuous and inoffensive and so as to prevent infestation thereof by flies, mosquitoes, rats and other vermin.
- (3) Any owner or occupier who refuses to carry out the measures specified in a notice given under this section or who fails to comply therewith within the time specified in the notice shall be guilty of an offence and the City Medical Officer of Health may arrange for such measures to be carried out at the expense of the person on whom the notice was served.

#### Removal of refuse or offensive matter along the street

14. (1) Any person removing or conveying any refuse or other offensive matter or any builder's refuse shall remove the same by means of a properly constructed and enclosed vehicle and in such manner as will prevent any nuisance arising from such conveyance or the escape of the contents therefrom; provided that no refuse shall be conveyed from any premises along a street or public place in order to gain access to a refuse storage area located elsewhere on the same premises except in the case of premises in respect of which the plan or plans approved in terms of the Building Bylaws prior to the date of promulgation of these bylaws reveals that the only possible means of gaining access to the said refuse storage area is along a street or public place.
- (2) The City Medical Officer of Health may serve a written notice upon any person restricting or stipulating the means to be adopted and specifying the times during which refuse may be conveyed through or along any street or public place if he is of the opinion that the conveyance of such refuse is likely to be objectionable or give rise to nuisance. Any person who fails to comply with the requirements of subsection (1) of this section or with any notice given under this subsection shall be guilty of an offence.

**saziso esiqondene nokukhipha udoti okhethekile**

5. (1) Umuntu ohlala endaweni okukhishwa kuyo udoti okhethekile wasezimbonini uyokwazisa iNhlolo yoMnyango ngokubhala phansi ngokwakheka kwalowo doti, ubungako bawo, ukuthi ugcinwa kanjani, nokuthi uyosuswa kanjani, nini, ubani, futhi ulahlwe kuyiphi indawo.
- (2) Uma iNhlolo yoMnyango iyalela ukuba kwenziwe lokho, lesi saziso okukhulunywe ngaso kwisigatshana (1) kumele sifakazelwe yisitifiketi socwaningo olwenziwe ngumuntu ongusokhemisi oagodile wezezimboni.
- (3) Kweyame emibandeleni yesigaba 192 se-Odinensi yoMaziphathe baseKhaya, 1974 (i-Odinensi No. 25 ka 1974), noma yimuphi umsebenzi woMkhandlu kanye nanoma yimuphi omunye umuntu ogunyazwe yiNhlolo yoMnyango angangena kunoma iyiphi indawo ngesikhathi esamukelekile ngenjongo yokuthola ukuthi udoti okhethekile wasezimbonini uyakhishwa yini kuleyo ndawo futhi angathatha amasampula futhi ahlole noma yimuphi udoti otholakale kuleyo ndawo ukuze athole ukwakheka kwawo.
- (4) Emva kokwazisa iNhlolo yoMnyango ngokwesigatshana (1), umuntu ogagulwe kulesi sigatshana uyokwazisa iNhlolo yoMnyango ngokubhala phansi ngenoma yiluphi ushintsho ekwakheni kanye nobungako bukadoti okhethekile wasezimbonini oyovela emva kwalokho.

**Ukugcinwa kukadoti okhethekile wasezimbonini**

6. (1) Umuntu okukhulunywe ngaye esigabeni 15(1) uyoqinisekisa ukuthi udoti okhethekile okhishwe endaweni yakhe ugcinwa lapho njengokuyalela kwesigatshana (2) uze ususwe kuleyo ndawo njengokuyalela kwesigaba 17.
- (2) Udoti okhethekile wasezimbonini uyogcinwa kuleyo ndawo ngendlela eyokwenza ukuba ungaphazamisi futhi ungayingcolisi indawo.
- (3) Uma udoti okhethekile wasezimbonini ungagcinwa ngokwesigatshana (2) kule ndawo ophume kuyo iNhlolo yoMnyango ngokubhala phansi ingayalela lo muntu okukhulunywe ngaye kwisigaba 15(1) noma, uma kuwumhlaba okungakhiwe lutho kuwo, umnikazi wawo ukuba asuse lowo doti ngesikhathi esifanelekile futhi, uma emva kwalokho lowo doti ungasuswa ngaleso sikhathi esibekiwe, uMkhandlu ngokwawo noma ngokuthumela inkontileka ungasuswa lowo doti bese ubiza izindleko zalokho kulowo muntu noma umnikazi, lowo ofanelekile.

**Ukususwa kukadoti okhethekile wasezimbonini**

7. (1) Akukho muntu oyosusa udoti okhethekile wasezimbonini endaweni ophume kuyo ngaphandle noma ngokuthola imvume ebhalwe phansi yeNhlolo yoMnyango.
- (2) INhlolo yoMnyango inganikeza imvume yayo ngokwesigatshana (1), ngaphansi kwemibandela engayibona ifanelekile. Ngesikhathi ibeka imibandela iNhlolo yoMnyango iyobheka —
  - (a) ukwakheka kukadoti okhethekile wasezimbonini;
  - (b) ukulungela lowo msebenzi kwemoto nesitsha esizosetshenziswa; kanye
  - (c) nendawo okuzolahlwa kuyo lowo doti.
- (3) INhlolo yoMnyango angeke inikeze imvume yayo ngokwesigatshana (1) ngaphandle uma igculisekile ukuthi umuntu ofaka isicelo saleyo mvume uzokwazi ukusebenza futhi unayo nempahla yokususa lowo doti okhethekile wasezimbonini futhi uzoyithobela imibandela ebekwe yiNhlolo yoMnyango.
- (4) Umuntu okukhulunywe ngaye kwisigatshana 15(1) uyokwazisa iNhlolo yoMnyango, ngezikhathi ezinyonqunywa yiNhlolo yoMnyango zokususwa kukadoti okhethekile wasezimbonini, umuntu ozowususa, usuku ozosuswa ngalo, kanye nenani nokwakheka kukadoti okhethekile wasezimbonini ozobe ususwa.

**Udoti owuketshezi**

8. Kweyame kunoma yimiphi imiyalelo engakhishwa ngaphansi kwesigaba 5(3), akukho muntu oyodiliva noma achithele noma achithe kunoma iyiphi indawo yokulahlwa udoti noma yimuphi udoti owuketshezi noma adale ukuba kwenzeka lokho, ngaphandle kokuthola kuqala imvume ebhalwe phansi yeNhlolo yoMnyango futhi lokhu akwenze ngokuthobela leyo mibandela engayibeka.
9. Akukho muntu oyodiliva noma achithe endaweni yokulahlwa udoti yaMasipala lo doti owuketshezi olandelayo —

**Notification of generation of special industrial refuse**

15. (1) The occupier of premises on which special industrial refuse is generated shall inform the Head of Department in writing of the composition thereof, the quantity generated, how it is stored, and how and when and by whom and to which place, it will be removed.
- (2) If so required by the Head of Department the notification referred to in subsection (1) shall be substantiated by an analysis certified by a duly qualified industrial chemist.
- (3) Subject to the provisions of section 192 of the Local Authorities Ordinance, 1974 (Ordinance No. 25 of 1974), any officer or servant of the Council and any other person duly authorised by the Head of Department may enter premises at any reasonable time to ascertain whether special industrial refuse is generated on such premises and may take samples and test any refuse found on the premises to ascertain its composition.
- (4) Having notified the Head of Department in terms of subsection (1), the person mentioned in that subsection shall notify the Head of Department in writing of any change in the composition and quantity of the special industrial refuse occurring thereafter.

**Storing of special industrial refuse**

16. (1) The person referred to in section 15(1) shall ensure that the special industrial refuse generated on the premises is kept and stored thereon in terms of subsection (2) until it is removed from the premises in terms of section 17.
- (2) Special industrial refuse stored on premises shall be stored in such a manner that it cannot become a nuisance or pollute the environment.
- (3) If special industrial refuse is not stored in terms of subsection (2) on the premises on which it was generated the Head of Department may in writing order the person referred to in section 15(1) or, in the case of vacant land, the owner thereof to remove such refuse within a reasonable time and, if thereafter such refuse is not removed within such time, the Council may by itself or through a contractor remove it at the expense of such person or the owner, as the case may be.

**Removal of special industrial refuse**

17. (1) No person shall remove special industrial refuse from the premises on which it was generated without or otherwise than in terms of, the written consent of the Head of Department.
- (2) The Head of Department may give his consent in terms of subsection (1), subject to such conditions as he may deem fit. In laying down conditions the Head of Department shall have regard to —
  - (a) the composition of the special industrial refuse;
  - (b) the suitability of the vehicle and container to be used; and
  - (c) the place where the refuse will be deposited.
- (3) The Head of Department shall not give his consent in terms of subsection (1) unless he is satisfied that the person applying for such consent is competent and has the equipment to remove the special industrial refuse and to comply with the conditions laid down by the Head of Department.
- (4) The person referred to in section 15(1) shall inform the Head of Department, at such intervals as the Head of Department may stipulate, of the removal of special industrial refuse, the identity of the remover, the date of such removal, and the quantity and the composition of the special industrial refuse removed.

**Liquid waste**

18. Subject to any directions that may be given under section 5(3), no person shall deliver to or discharge at a disposal site any liquid refuse or cause the same to be done, except with the prior written permission of the Head of Department and in accordance with such conditions as may be imposed by him.
19. No person shall deliver to or discharge at a municipal disposal site the following liquid refuse —

- (a) udoti owokhelekayo, okusho udoti ongokheleka uma uhlangana nelangabi;
- (b) udoti onokubola;
- (c) udoti onamakhemikhali angalimaza indawo okulahlwa kuyo; kanye
- (d) nodoti ongaba yingozi noma ongaphazamisa abantu uma uhamba wodwa noma uhlangene nomunye.
20. Noma yiziphi izindleko njengokuba zinqunywe nguMgcini-mafa weDolobha uMkhandlu ongangena kuzo ulungisa amaphutha noma ukuqeda umonakalo odalwe ngukuchithwa kukadoti owuketshezi endaweni yokulahlwa udoti okwephula imibandela yalo mqulu wemithetho yedolobha noma imibandela ebekwe ngesikhathi kukhishwa imvume ngaphansi kwesigaba 18 kanye nanoma yisiphi isamba sezindleko zezinyathelo zomthetho uMkhandlu ongene kuzona nanoma yiziphi ezinye izindleko uMkhandlu ozithwalile ngenxa yanoma yiziphi izibizo ezivele ngenxa yaleso senzo ziyothwalwa futhi zibizwe kumnikazi walowo doti.

#### Ukuziphatha endaweni yokulahlwa udoti

21. (1) Wonke umuntu oyongena endaweni yokulahlwa udoti elawulwa nguMasipala ngenhloso yokulahlwa udoti —
- (a) uyongena kuleso sikhungo ngentuba yokungena egunyaziwe;
- (b) uyokhipha udoti ukuze ukalwe ngendlela efanelekile yisiphathimandla soMkhandlu esifanele kuleso siza;
- (c) uyonikeza leso siphathimandla yonke imininingwane edingekayo maqondana nokwakheka kwalowo doti;
- (d) uyothobela yonke imiyalelo anikezwe yona maqondana nokufinyelela endaweni yokulahlwa udoti, indawo kanye nendlela okufanele kulahlwe ngayo lowo doti; futhi
- (e) uyonikeza leso siphathimandla yonke imininingwane eqondene nomuntu okufanele akhokhele amatharifu okulahlwa kukadoti ukuze kuthunyelwe i-akhawunti kuyena, ngaphansi kokuthi imibandela yezindima (b), (c) no (e) ngenhla angeke isebenze maqondana nomuntu ngokwesigaba 9(3) ongene kuleyo ndawo yokulahlwa udoti ngenhloso yokulahlwa udoti wasengadini.
- (2) Akukho muntu ovumelekile ukuletha uphuzo oludakayo endaweni yokulahlwa udoti elawulwa nguMasipala.
- (3) Akukho muntu ovumelekile ukungena endaweni yokulahlwa udoti elawulwa nguMkhandlu ngenye inhloso ngale kwaleyo yokulahlwa udoti ngokwale mithetho yedolobha futhi ngalezo zikhathi kuphela ezinyonywa nguMkhandlu izikhathi ngezikhathi.
- (4) Akukho muntu ovumelekile ukudala noma avumele imoto eshayelwa nguye ukuba ihlale endaweni yokulahlwa udoti ngaphezu kwesikhathi esidingekile ukulahlwa udoti futhi uma nganoma yisiphi isizathu imoto yehluleka ukuzihambela kuleyo ndawo lowo muntu oyishayela leyo moto uyothatha izinyathelo ezisheshayo zokugwema ukuphazamisa kwemoto kuleyo ndawo kanye nezokuyisusa kuleyo ndawo, okudlula lapho isiphathimandla soMkhandlu esiphethe kuleyo ndawo singathatha lezo zinyathelo noma sidale ukuba zithathwe, lezo zinyathelo ngezindleko zomnikazi wemoto futhi uMkhandlu noma umsebenzi wawo angeke abhekane nezindleko noma ukulahlekelwa kumbe ukulinyalelwa umnikazi wemoto ayongena kuzo ngenxa yokuthathwa kwalezo zinyathelo.

#### Ubunikazi bukadoti

22. Wonke udoti osuswe nguMkhandlu kanye nawo wonke udoti osendaweni yokulahlwa udoti elawulwa nguMkhandlu uyokuba yimpahla yoMkhandlu futhi akukho umuntu ongagunyaziwe nguMkhandlu ukwenza njalo oyosusa noma aphazamise okulapho.

#### Amacala nezinhlawulo

23. (1) Noma yimuphi umuntu —
- (a) owephula noma owehluleka ukuthobela noma yimiphi imibandela yalo mqulu wemithetho yedolobha; noma
- (b) owephula noma owehluleka ukuthobela noma yimiphi imibandela abekelwe yona ngesikhathi kuvunywa noma yisiphi isicelo sakhe, enikwa noma iyiphi imvume, exegiselwa, ethanjiselwa noma enikwa igunya ngokwezihlinzeko zalo mqulu wemithetho yedolobha; noma
- (c) ohluleka ukuthobela imibandela yanoma yisiphi isaziso anikwe sona ngokwale mithetho yedolobha, uyolahlwa yicala futhi akhokhiswe inhlawulo noma anikwe

- (a) inflammable refuse, i.e. refuse which will ignite when exposed to a naked flame;
- (b) putrescible refuse;
- (c) refuse which will chemically attack the disposal facilities; and
- (d) refuse which separately or in admixture with other refuse will create a health hazard or a nuisance.

20. Any costs as determined by the City Treasurer which may be incurred by the Council in remedying damage or in abating any nuisance caused by the discharge of liquid refuse at a disposal site in contravention of the provision of these bylaws or any condition imposed upon the grant of permission under section 18 and the amount of any legal liability or costs incurred by the Council in respect of any claim arising from any such nuisance shall be borne by and be recoverable from the owner of such refuse.

#### Conduct at disposal site

21. (1) Every person who, for the purpose of disposing of refuse enters a disposal facility controlled by the Council, shall —
- (a) enter the disposal facility at an authorised access point indicated as such;
- (b) present the refuse for weighing in the manner required by the Council's official having authority at such site;
- (c) give to such official all the particulars required in regard to the composition of the refuse;
- (d) follow all instructions given to him in regard to access to the actual disposal point, the place where and the manner in which the refuse should be deposited; and
- (e) provide the said official with full information as to the person who is liable to pay the tariff charge for the refuse deposited to enable an account to be rendered to him, provided that the provisions of paragraphs (b), (c) and (e) above shall not apply to a person who, in terms of section 9(3), has entered a disposal site for the purpose of disposing of garden refuse.
- (2) No person shall bring any intoxicating liquor onto a disposal site controlled by the Council.
- (3) No person shall enter a disposal site controlled by the Council for any purpose other than the disposal of refuse in terms of these bylaws and then only at such times and between such hours as the Council may from time to time determine.
- (4) No person shall cause or allow a vehicle in his charge to remain at a disposal site for longer than is necessary for the discharge of refuse and if for any reason a vehicle becomes incapable of leaving the site under its own power the person having charge of that vehicle shall take immediate steps to prevent any obstruction on the site by the vehicle and to remove it from the site, failing which the Council's official having authority at the site may take such steps or cause them to be taken at the cost of the owner of the vehicle and neither the Council nor any employee of the Council shall incur liability to the owner for any loss or damage which may be suffered by him as a result of such action.

#### Ownership of refuse

22. All refuse removed by the Council and all refuse on disposal sites controlled by the Council shall be the property of the Council and no person who is not duly authorised by the Council to do so shall remove or interfere therewith.

#### Offences and penalties

23. (1) Any person who —
- (a) contravenes or fails to comply with any provision of these bylaws; or
- (b) contravenes or fails to comply with any conditions imposed upon the granting of any application, consent, approval, concession, relaxation, permit or authority in terms of these bylaws; or
- (c) fails to comply with the terms of any notice served upon or given to him in terms of these bylaws, shall be guilty of an offence and liable for a fine or imprison-



isigwebo sokudonsa ejele isikhathi esingekwe seqe ezinyangeni eziyisithupha noma agwetshwe kokubili, inhlawulo kanye nesigwebo sokudonsa ejele.

- (2) Ukwehluleka ukuthobela noma yimiphi imibandela noma isaziso okukhulunywe ngaso kwisigatshana (1)(b) noma (c) ngenhla, kuyokuba wukuqhubeka nokwenza icala futhi umuntu ohluleka ukuthobela imibandela yaleso saziso uyokuba nelinye icala ngosuku ngalunye ahluleka ngalo ukuthobela leyo mibandela.

#### **Ukuchithwa**

24. Le mithetho yedolobha elandelayo kanye nazo zonke izichibiyelo zayo ngalokhu kuyachithwa:
- (a) Imithetho yedolobha eqondene nemisebenzi yokuhlaza yendawo eyayibizwa ngokuthi yi-Borough of New Germany (nezichibiyelo zayo) eyashicilelwa kwiGazethi No. 321 yango mhlaka 29 Agasti 1985.
- (b) Imithetho yedolobha eqondene nemisebenzi yokuhlaza yendawo eyayibizwa ngokuthi yi-Borough of Westville (nezichibiyelo zayo) eyashicilelwa kwiGazethi No. 26 ka 1992 yangomhlaka 27 Febhuwari 1992.
- (c) Imithetho yedolobha eqondene nemisebenzi yokuhlaza yendawo eyayibizwa ngokuthi yi-Borough of Queensburgh (nezichibiyelo zayo) eyashicilelwa kwiGazethi No. 136 ka 1980 yangomhlaka 27 Mashi 1980.
- (d) Imithetho yedolobha eqondene nemisebenzi emayelana nodoti yendawo eyayibizwa ngokuthi yi-Borough of Kloof (nezichibiyelo zayo) eyashicilelwa kwiGazethi No. 162 ka 1991 yangomhlaka 6 Juni 1991.
- (e) Imithetho yedolobha eqondene nemisebenzi emayelana nodoti yendawo eyayibizwa ngoMaziphathe waseKhaya wase-Ningizima (nezichibiyelo zayo) eyashicilelwa kwiGazethi yeMithetho yeDolobha yeMpilo No. 409 ka 1962 yango mhlaka 4 Okthoba 1962.
- (f) Imithetho yedolobha eqondene nemisebenzi emayelana nodoti yendawo eyayibizwa ngokuthi yi-Borough of Umhlanga (nezichibiyelo zayo) eyashicilelwa ngokwesigaba 268 se-Odinensi yoMaziphathe baseKhaya, 1974 (i-Odinensi No. 25 ka 1974).

ment for a period not exceeding six months or for both such fine and imprisonment.

- (2) Failure to comply with the terms of any conditions or notice referred to in subsection (1) (b) or (c) above shall constitute a continuing offence and a person failing to comply with the terms of such condition or notice shall be guilty of a separate offence for each day during which he fails to comply with such terms.

#### **Repeals**

24. The following bylaws and all amendments thereto are hereby repealed:
- (a) Bylaws relating to Cleansing Services thereto of the former Borough of New Germany (as amended) published in *Official Gazette* No. 321 dated 29 August 1985.
- (b) Bylaws relating to Cleansing Services thereto of the former Borough of Westville (as amended) published in *Official Gazette* No. 26 of 1992 dated 27 February 1992.
- (c) Bylaws relating to Cleansing Services thereto of the former Borough of Queensburgh (as amended) published in *Official Gazette* No. 136 of 1980 dated 27 March 1980.
- (d) Bylaws relating to Refuse Services thereto of the former Borough of Kloof (as amended) published in *Official Gazette* No. 162 of 1991 dated 6 June 1991.
- (e) Bylaws relating to Refuse Services thereto of the former South Local Authority (as amended) published in *Official Health Bylaw Gazette* No. 409 of 1962 dated 4 October 1962.
- (f) Bylaws relating to Refuse Services thereto of the former Borough of Umhlanga (as amended) published in terms of section 268 of the Local Authorities Ordinance, 1974 (Ordinance No. 25 of 1974).

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Town Planning Schemes: Amendment .....	1142
Miscellaneous .....	1143

**INHOUD**

Dorpbeplanningskemas: Wysiging .....	1142
Diverse .....	1143

**TOWN PLANNING SCHEMES: AMENDMENT/  
DORPBEPLANNINGSKEMAS: WYSIGING****CITY OF uMHLATUZE  
(RICHARDS BAY)**

Notice No. 159/2002

**AMENDMENT TO THE RICHARDS BAY  
TOWN PLANNING SCHEME: PROPOSED  
REZONING OF ERF J2295, ESIKHAWINI**

Notice is hereby given in terms of Section 47 bis (1)(a) of the Town Planning Ordinance, No. 27 of 1949, as amended that the Richards Bay Transitional Local Council intends considering an application for amending the provisions of the Richards Bay Town Planning Scheme in the course of preparation, by the rezoning of Erf J2295, Esikhawini, from "Undetermined" to "Civic 2".

Details of the proposed amendment together with the relevant documents are open for inspection by the public at Office C141, Civic Centre, Mark Strasse, Richards Bay, during office hours.

Written objections against or representations concerning the proposed amendment should reach the Chief Executive Officer at the above address or Private Bag X1004, Richards Bay, 3900 within 28 days from the date of this publication.

DR A.W. HEYNEKE,  
Chief Executive Officer.

Civic Offices,  
Private Bag X1004,  
Richards Bay 3900.

D1—October 17, 2002.

**uMHLATUZE STAD  
(RICHARDSBAAI)**

Kennisgewing No. 159/2002

**VOORGESTELDE WYSIGING VAN DIE****RICHARDSBAAI****DORPBEPLANNINGSKEMA IN WORDING:****HERSONERING VAN ERF J2295,  
ESIKHAWINI**

Kennis geskied hiermee ingevolge die bepalings van Artikel 47 bis (1)(a) van die Dorpbeplanningsordonnansie, No. 27 van 1949, soos gewysig, van die voorneme van die Richardsbaai Plaaslike Oorgangsraad om 'n aansoek te oorweeg om die Richardsbaai Dorpbeplanningskema in wording te wysig deur die hersonering van Erf J2295 Esikhawini, van "Onbepaald" na "Burgerlik 2".

Besonderhede van die voorgestelde wysiging met die toepaslike dokumente lê gedurende kantoorure vir die publiek ter insae te Kantoor C141, Burgersentrum, Mark Strasse, Richardsbaai.

Skriftelike besware teen of verhoë aangaande die voorgestelde wysiging moet die Hoof Uitvoerende Beampte by bogenoemde adres of Privaatsak X1004, Richardsbaai, 3900, binne 28 dae vanaf datum van hierdie publikasie bereik.

DR A.W. HEYNEKE,  
Hoof Uitvoerende Beampte.

Munisipale Kantore,  
Privaatsak X1004,  
Richardsbaai 3900.

D1—Oktober 17, 2002.

**UMDONI MUNICIPALITY**

Notice No. 45/2002

**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 Umdoni Municipality proposes to amend the Town Planning Scheme of former Scottburgh in the course of preparation in the following respect:

To rezone Erf 730 Scottburgh from General Residential 3 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 Umdoni Municipality, Scottburgh, during the 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, 1 November 2002.

RESHWANT BRIJAJ,  
Municipal Manager.

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

Tel: (039) 9761202  
Fax: (030) 9762194

D2—October 17, 2002.

**UMDONI MUNISIPALITEIT**

Kennisgewing No. 45/2002

**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 Umdoni Munisipaliteit is om die Dorpbeplanningskema van die voormalige Scottburgh ten opsigte van die volgende, te wysig:

Om Erf 730 Scottburgh van Algemene Woondoeleindes 3 tot Spesiale Woondoeleindes te hersoneer.

Afskrifte van die planne en ander dokumente wat verdere besonderhede van die bovermelde

ings verskaf, sal gedurende normale kantore by die kantore van die Raad, te ottburgh ter insae lê, en enigeen met noegsame belang by die voorgestelde wysigs kan skriftelike besware of vertoë in verband armee op die ondergetekende, nie later nie as ydag, 1 November 2002.

**RESHWANT BRIJRAJ,**  
Munisipale Bestuurder.

aslike Munisipale Kantore,  
ek van Airth en Williamson Strate,  
sbus 19,  
ottburgh 4180.

el: (039) 9761202  
ks: (030) 9762194

D2—Oktober 17, 2002.

**NEWCASTLE MUNICIPALITY**  
Notice No. 191/2002  
**TOWN PLANNING SCHEME**

Notice is hereby given in terms of section 47 s A(2)(a) of Ordinance No. 27 of 1949, as amended, that the Newcastle Municipality proposes to amend its Town Planning Scheme in the course of preparation as indicated in the schedule below.

A copy of the proposal together with plans are being open for inspection in the office of the Director: Town Planning situated at the western end of Hospital Street, Newcastle during office hours, Mondays to Fridays from 07:30 to 16:00. Any person who has a sufficient interest in the said proposal may lodge written representations or objections with the Director: Town Planning, on or before 8 November 2002.

**SCHEDULE**

The rezoning of erf 7/6/1037 Newcastle from

“Worship” to “Administration” as indicated on sketch plan W7/6/1037.

**D.M. SCHUTTE,**  
Municipal Manager.

Municipal Offices,  
Private Bag X6621,  
Newcastle 2940.

D3—Oktober 17, 2002.

**NEWCASTLE MUNISIPALITEIT**  
Kennisgewing No. 191/2002  
**STADSBEPLANNINGSKEMA**

Hierby word ooreenkomstig artikel 47 bis A(2)(a) van Ordonnansie No. 27 van 1949, soos gewysig, bekend gemaak dat die Newcastle Munisipaliteit voornemens is om sy Stadsbeplanningskema wat opgestel word te wysig soos uiteengesit in die ondergaande skedule.

In Afskrif van die voorstel tesame met die plan lê ter insae in die kantoor van die Direkteur: Stadsbeplanning, westelike einde van Hospitaalstraat, Newcastle gedurende kantoorure, Maandae tot Vrydae vanaf 7:30 tot 16:00, en enigeen met voldoende belang by vermelde voorstel mag skriftelike besware of vertoë in daardie verband, voor of op 8 November 2002 by die Direkteur: Stadsbeplanning indien.

**SKEDULE**

Die hersonering van erf 7/6/1037, Newcastle vanaf “Aanbidding” na “Administrasie” soos aangedui op sketsplan W7/6/1037.

**D.M. SCHUTTE,**  
Munisipale Bestuurder.

Munisipale Kantore,  
Privaatsak X6621,  
Newcastle 2940.

D3—Oktober 17, 2002.

**ETHEKWINI MUNICIPALITY**  
**CENTRAL OPERATIONAL ENTITY**  
**PROPOSED AMENDMENT: REM OF CITY (CDPP) AND BLUFF AREA'S OF THE TOWN PLANNING SCHEME IN THE COURSE OF PREPARATION**

Notice is hereby given that application has been made to the Council in terms of section 47 bis B of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949) (as amended), for authority to amend the Rem of City (CDPP) and Bluff Area's of the Town Planning Scheme in the course of preparation for rezoning:

Erf 12464 and 12473 both of Durban: 1745 Wentworth, West Street, Old Fort Road and Tara/Grays Inn Roads from General Business (Central Area), General Business 3 and General Shopping Zones to Special Zone: McDonald's.

Copies of the proposed amendment and the relevant plans are open for inspection at the Town Planning Office, 166 Old Fort Road, during office hours. Consult your local office.

Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the Executive Director (Development and Planning) (Attention: Divisional Planner – Rezoning), P.O. Box 680, Durban, 4000, by no later than Friday, 8 November 2002.

**M. SUTCLIFFE,**  
Municipal Manager.

City Hall,  
West Street,  
Durban.

D4—Oktober 17, 2002.

**MISCELLANEOUS/DIVERSE**

**NOTICE**

Mr A. Archary, in my capacity as Designated Officer of the KwaDukuza Municipality, appointed in terms of Section 1 of the Development Facilitation Act of 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, for the establishment of a land development area on Erven 5561, Erven 5590, and Erven 5595 Stanger, situate within the jurisdiction Stanger (KwaDukuza), with the following conditions of establishment.

**DEVELOPMENT TRIBUNAL**  
**KWAZULU-NATAL**

**DEVELOPMENT APPLICATION NUMBER: 002/391 by KwaDukuza Municipality heard on 10 September 2002.**

An application in terms of Chapter V Section 1(2) and Regulation 17 of the Development Facilitation Act (No. 67 of 1995) for the establishment of a land development area on Erven 5561, Erven 5590, and Erven 5595 Stanger, situate within the area of jurisdiction Stanger (KwaDukuza).

**TRIBUNAL JUDGEMENT**

**TRIBUNAL**

Mr R.A.F. Swart: Chairman  
Mr P.H.R. Hoffmann  
Mr B.L. Shabalala  
Mr F.G. Bosman  
Miss I. Thomson  
Mr S.B. Nene

**APPEARANCES**

Applicant: Mr S.J. Struwig  
Mr S. Wiggill  
Mr S. Bundy  
Designated Officer: Mr A. Archary  
Local Authority: Mr F. van der Merwe  
Mr S. Gumede

Dept of Housing:

V.P. Gumede  
R.F. Bhengu  
M.J.D. Ngcobo  
J.N. Matemane

Dept of Agric and Environ Affairs:

Ms S. Hlela

Interested Parties:

N. Mathonsi  
W. Matheninwa  
N. Zubane  
C. Shabane  
J. Leela  
D. Dhora  
S. Goudan

**SECTION A**

**GENERAL COMMENTS**

- This is an application for a land development area relating to a low cost housing development within the KwaDukuza Municipal area on land described Erven 5561, 5590 and 5595 of Stanger.
- The sizes of the subject properties total 8.1414 hectare and the total area to be covered by the development is 6,85 hectare.
- The land is owned by the KwaDukuza Municipality which is the applicant and the subject properties are registered under Deed of Transfer No. T16053/2002.
- The development site is situated in KwaDukuza adjoining Town View Road and is amongst small holdings in an area commonly known as Lot 14 and Happy Valley. The site is situated approximately 1,5km from the Stanger CBD and the applicant advises that the proposed township will be incorporated in the current Stanger Town Planning Scheme which is in the course of preparation.
- The subject properties are presently not used for agriculture purposes. Erven 5561 and 5561 have informal settlers residing on them and there are mixed use activities on the site and the applicant advises that the informal

settlers will be accommodated in the development. No informal settlement has taken place on Erf 5580.

- The applicant further advises that the area has been earmarked for upgrade for the lower socio economic status beneficiaries and that the KwaDukuza Municipality is currently negotiating the purchase of land across the Town View Road from the proposed project to house all of the informal settlers currently residing on the site as well as privately owned land nearby.
- It is proposed that the development which falls within the area known as Lot 14 will be known as Steve Biko.
- The locality of the site is in proximity of the industrial areas of KwaDukuza and other places of employment and it is anticipated that a substantial portion of the inhabitants will use the local combi/taxi system to their places of employment. There are a number of access points to the township which in terms of the application papers will contribute to the effective distribution of traffic which will be generated within the township.
- The proposed development involves the upgrading of an existing settlement and establishment of a township involving some 185 residential sites, a worship site, a commercial site and 5 open spaces. The average size of each erf is 285m<sup>2</sup> and the minimum permitted erf size will be 201m<sup>2</sup>.
- The applicant advises that certain of the existing occupiers of the land will have to be accommodated elsewhere during the construction of the township and the proposal is that they be accommodated on Erf 5576 Stanger which is adjacent to the site on the opposite side of the service road. The applicant has sought permission in terms of Chapter V Section 30 1(a)(b) of the DFA to enable this temporary resettlement.

11. The applicant advises that the housing demand in the greater KwaDukuza area has been the subject of a number of studies over the past ten years. The demands for housing in the Steve Biko area by way of on site house structure count has indicated a housing shortfall of approximately 656 homes, this coming from a survey which was done during the year 2001.
12. The proposed development site is subject to slopes but the geotech survey has indicated that the area is stable in its present conditions despite the slopes and appears to be capable of development as proposed subject to certain recommendations made being adhered to. The applicant claims that all the recommendations of the geotechnical experts have been accommodated within the detailed layout of the proposed township.
13. Access appears to be adequate, with an internal road service being proposed, although there is some ambivalence regarding the legal standing of the road known as Town View road in relation to the servitude affecting the property.
14. The applicant claims that there has been adequate public participation in regard to the application.
15. The applicant further contends that the Steve Biko development project will form part of the Integrated Development Plan for the area and the development itself has the support from the Department of Housing relating to the provision of funds for the units to be erected.
16. The applicant contends that the proposed development falls wholly within the purview of the Development Facilitation Act and the applicant has advanced a number of arguments to support this contention.
17. While there are no objections to the application per se neighbouring property owners have expressed concern relating to the effect on their properties of the development in regard to stormwater and other drainage from the township if and when it is developed. These concerns have been presented to the Tribunal by the representatives of the Happy Valley Community and by a Mr S. Goundan. The concerned owners have been represented at the pre-hearing and also at the site inspection in addition to the hearing itself. At the site inspection the Tribunal conducted a specific study of the properties concerned in order to enable it to give consideration to the possible effects the development would have on these properties and their surrounds.

#### Consideration by the Tribunal

18. The Tribunal having studied the application papers and having heard the evidence presented at the hearing voiced its concern in regard to the following issues:
  - a need for a certificate from the professional land surveyor relating to the legal standing on the Town View Road in the context of the servitudes attached to the property.
  - the absence of any formal evidence regarding the municipalities intention to settlement of some of the existing residents on the adjoining site opposite the service road.
  - Clarity in regard to the control of stormwater and its effect on neighbouring properties.
  - The need for a commitment relating to the channeling of stormwater from the property and the adherence to the geotechnical report relating *inter alia* to the existing sewer reticulation.
  - Services agreement to be completed including reference to solid waste.
  - The absence of any evidence from the

municipality relating to social amenities which would be available to the residents in the proposed development.

- The absence of a Record of Decision from the Department of Agriculture and Environmental Affairs. In this regard the Tribunal has heard the evidence from the Department relating to difficulties being experienced and the Tribunal has given an instruction that this Record of Decision be made available before it can deliberate adequately in respect of the evidence before it relating to the application.
19. The Tribunal panel duly met to deliberate on 26 September 2002 and received documentation which satisfied most of the concerns reflected in the preceding paragraph hereof the notable omission being the Record of Decision from the Department of Agriculture and Environmental Affairs although a letter was produced stating that this would be forthcoming within the following 24 or 48 hours.
  20. **The Tribunal expresses its deep concern over the apparent inability of the Department of Agriculture and Environmental Affairs to provide its Record of Decision timeously. Such tardiness on the part of the Department has the effect of hampering the functions of this Tribunal in carrying out its duties as a means towards facility orderly development in the Province. The Tribunal expresses the hope that these delays will be avoided in the future and has enjoined the Department to provide its Record of Decision in this instance forthwith.**
  21. The Tribunal having deliberated at length on all the issues concerned concluded unanimously that the application be approved subject to the conditions which will be more fully set out in Section B of this judgment which follows.

#### SECTION B

The application in terms of Chapter V Section 31(2) and Regulation 17 of the Development Facilitation Act (No. 67 of 1995) for the establishment of a land development area on Erven 5561, Erven 5580, and Erven 5595 Stanger, situate within the area of jurisdiction of Stanger (KwaDukuza), is hereby approved subject to the following conditions.

#### SPECIAL CONDITIONS

1. The issue of a Record of Decision by the Department of Agriculture and Environmental Affairs and the inclusion of such conditions to be reflected therein as further conditions of approval relating to the proposed development.
2. The municipality is granted an exemption in terms of Section 30 1(a)(b) in relation to the urgent settlement of families on Erf 5576 Stanger during the proposed development. Such exemption to be effective only for a period of 12 months from the date of this judgement or until an application is brought in terms of the Development Facilitation Act for the establishment of a land development area on the property concerned, whichever date is the earlier.
3. The servitude relating to the discharge of stormwater over Erf 5562 and 5563 Stanger and through the property shall be not less than 5m in width and surveyed in terms of the Land Survey Act and registered against the properties in favour of the Municipality and it shall be the responsibility of the Municipality to provide such stormwater drainage and to sustain its effectiveness.
4. The zoning of the units shall be as applicable to "residential 4" and the controls applicable to such a zone will operate.

#### CONDITIONS OF ESTABLISHMENT

##### 1. Designation

The name of the settlement shall be STEVE

BIKO which name is to be confirmed by the Surveyor-General.

The layout indicated on Plan No. C/2227.01 shall be known as STEVE BIKO.

##### 2. Layout of settlement

The settlement shall be laid out and numbered as shown on Plan No. C/2227.01, which is hereby approved. Prior to the approval of the General Plan contemplated in condition 3 hereof; the General Plan may be amended with the approval of the Designated Officer. Upon the approval of the General Plan the General Plan may be amended or cancelled in terms of Section 37 of the Land Survey Act, 1997 (No. 8 of 1997). The following special conditions shall be applicable to the layout:

- 2.1 All road servitudes in the township are to be laid out on the ground not less than the widths as shown on the said plan. Except for splays forming part of turning devices, all corners formed at the junctions of roads and at the bends in the road having angles of less than 120 degrees, are to be splayed approximately symmetrically for road purposes.
  - 2.2 The erven set aside for residential purposes are each to be not less than 80m<sup>2</sup> in extent exclusive of the area of any access strip in a panhandle shaped erf.
  - 2.3 The erf set aside for administrative purposes are to be not less than 1000m<sup>2</sup> in extent.
  - 2.4 The street frontage of each erf set aside for residential purposes is to be not less than 6.0 metres in length except where a erf is irregular in shape or occurs on a bend in a road or on the turning space of a cul-de-sac or similar type of planning device where the frontage is to be not less than 3 metres in length.
  - 2.5 Access strips serving panhandle erven are to be not less than 3 metres in width and are to be included wholly within and form part of the erf that they serve.
  - 2.6 The side boundary lines of erven, which are back to back, should, where possible, be arranged in the same straight lines to allow for through drainage without staggering the lines of drainage.
  - 2.7 Any specific servitude that is required for any purpose by the local Authority of the relevant service authority is to be surveyed in accordance with the survey regulations and shown on the General Plan of the township with the specified width, for the purpose of defining such servitude.
  - 2.8 Where there is a conflict between the layout plan and Conditions of Establishment the conditions shall apply.
3. **Lodging of General Plan**  
A General Plan for STEVE BIKO shall be lodged with the Surveyor-General for approval.
  4. **Opening of Township Register and Consolidation**  
A print of the approved General Plan shall be lodged with the Registrar of Deeds, together with a copy of these conditions, the Title Deed under which the land is held.  
Prior to the opening of the Township Register:  
A Certificate of Consolidated Title is to be taken out in respect of the following:  
ERVEN 5561; 5580 AND 5595 OF STANGER  
Which shall be designated erf 8530 Stanger

Reg. Div. FU and further be subdivided into erven numbered to 8531-8720 Stanger.

#### Extension of the Stanger Town Planning Scheme

On approval of the general plan the township will be incorporated in the Town Planning Scheme of the Local Authority. The controls in the Scheme in the course of preparation will apply.

#### Provision of Services

Prior to the transfer of any erf the following conditions shall be complied with to the satisfaction of the Local Authority or the relevant service authority. Written proof of compliance from the authority concerned is required in respect of each condition and shall be lodged with the Registrar of Deeds. Written proof from the authority concerned will be required in respect of conditions 6.1-6.6 listed hereunder.

##### 1. Water Supply

A minimum supply of potable water is to be provided at intervals of 1 kiosk per 25 erven.

##### 2. Sewage Disposal

An efficient and sanitary system for the disposal of sewage is to be provided for each erf to be registered to the satisfaction of the Local Authority.

##### 3. Roads

Internal roads are to be designed and built to Red Book standards, 3,5m wide gravel roads are to be provided. On inclines steeper than 1:10 the roads will be blacktopped. All roads in the township shall be constructed to the satisfaction of the municipal engineer and the said roads will be maintained in good order and repair until taken over by the Local Authority, his agent or the responsible authority.

##### 4. Storm Water

Such facilities as are necessary for the control and disposal of storm water in the township shall be constructed to the satisfaction of the Local Authority.

##### 5. Electricity

Internal reticulation is to be provided to Red Book standards using pre-paid meters.

##### 6. Sundry Services

The Municipality shall ensure that suitable arrangements are made for the provision and conduct of the removal and disposal of refuse.

#### Building Standards

The following Building Regulations will apply in respect of the development:

Low Cost housing: Annexure H: Technical Specification for top structures.

DOH (Department of Housing KZN).

KwaDukuza municipality: Building Bylaws. National Building Regulations.

#### Reservation of erven

Prior to the transfer of any erven, the following erven shall be transferred to the Local Authority, free of cost, for the purposes indicated, but without mention in the Title Deed of the specific purposes for which any erf may be reserved namely:

- Civic: erf 8646
- Limited Commercial: erf 8555
- Public Open Space: erven 8716-8720

#### Exemption from Legislation

Exemption from the following provisions of the KwaZulu-Natal Planning Ordinance No. 27 of 1949 and the Subdivision of Agricultural Land Act No. 70 of 70.

Section 11 *bis*: Need and Desirability application

Section 11(2): Development application

Section 45: Extension of the Town Planning Scheme

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

Section 67(1) Special consent application

Chapter 111: Establishment of Private Townships

Act 70 of 70: Subdivision of Agricultural Land

Act 21 of 1940: Advertising on Roads and Ribbon Development Act  
Removal of Restrictions Act  
Removal of Restrictive Conditions

#### 10. Environmental Conservation

The development shall comply fully with the conditions of approval from the Department of Agriculture and Environmental Affairs reference no. EIA/2738 dated 4 October 2002.

#### 11. Geo-physical Conditions

The development shall comply fully with the recommendation as contained in the Geotech report and such adherence shall be certified by a professional engineer in the employ of the Municipality.

#### CONDITIONS OF TITLE

##### Omnibus servitude for services

The land shall be subject to a servitude for the provision of storm water drainage, water supply, sewerage, electricity, gas and/or fuel supply, telecommunications, radio and television services, over or under the land, along any boundary thereof, other than a road frontage and within a distance of 1.5 metres from such boundary. Reasonable access shall be provided to such servitude at all times for the purpose of installation, maintenance, removal or extension of such services. The owner of the land shall without compensation be obliged to allow the servicing of any other land or street to be conveyed along such servitude; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights, he shall have the right of appeal to the Minister of Traditional Affairs, Safety and Security and of Local Government whose decision shall be final. Maintenance shall include cutting, trimming or otherwise dealing with vegetation so as to prevent interference with any service. The local authority or any other body shall exercise the right conferred by this condition or person legally authorised to provide such services for the benefit of the inhabitants of the townships.

#### SECTION C

##### REASONS FOR JUDGMENT

1. The proposed development appears to conform fully with the principles and objectives laid down in the Development Facilitation Act in that provides for much needed low cost housing within the jurisdiction and control of a municipality and within the scope of the regional planning for the area concerned.

1. The development is supported by the Department of Housing which will provide the funds for the upgrading and development as proposed.

2. The applicant is the local municipality and consequently bulk services will be fully provided for in respect of the proposed development.

3. The reasonable concerns neighbouring affected parties have been catered for in the conditions imposed by the Tribunal on the municipality relating to the control of stormwater.

4. The upgrading of the existing informal settlement is necessary and the beneficiaries in the township will come from existing occu-

piers who operate within an area adjacent to employment opportunities in the Kwa-Dukuza area.

5. There were no objections *per se* to the proposed development.

MR R.A.F. SWART

CHAIRMAN

DEVELOPMENT TRIBUNAL

H5—October 17, 2002.

#### APPLICATION FOR PUBLIC ROAD CARRIER PERMITS

Particulars in respect of application for public road carrier permits (as submitted to the respective Local Road Transportation Boards) indicating, firstly the reference number, and then: —

- (a) the name of the applicant;
- (b) the place where the applicant conducts his business or wishes to conduct his business, as well as his postal address;
- (c) the nature of the application, that is whether it is an application for: —
  - (C1) the grant of such permit;
  - (C2) the grant of additional authorisation;
  - (C3) the amendment of route;
  - (C4) the amendment of timetable;
  - (C5) the amendment of tariffs;
  - (C6) the renewal of such permit;
  - (C7) the transfer of such permit;
  - (C8) the change of the name of the undertaking concerned;
  - (C9) the replacement of vehicle;
  - (C10) the amendment of vehicle particulars; or
  - (C11) an additional vehicle with existing authorisation; as well as, in the case of an application contemplated in (C6) or (C7);

- (d) the number and type of vehicles, including the carrying capacity or gross vehicle mass of the vehicles involved in the application;
- (e) the nature of the road transportation or proposed road transportation, that is whether it involves persons or goods, or both;
- (f) the class or classes of goods that are conveyed or are to be conveyed; and
- (g) the points between or the route or routes along or the area or areas within which the road transportation is conducted or the proposed road transportation is to be conducted;

Where any of (a) to (g) are applicable, are published below in terms of section 14 (1) of the Road Transportation Act, 1977 (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 this advertised address (See (b)) in single copy.

Address to which representations must be directed to:

The Secretary  
Local Road Transportation Board  
Private Bag X54307  
Durban  
4000

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

#### OP.1367589.

- (2) ROHANLAL P – ID No 6409245055089.
- (3) District: LOWER TUGELA. Postal address: PO BOX 3795, STANGER, 4450 c/o VERONICA SINGH & ASSOCIATES PO BOX 499, STANGER, 4450.
- (4) NEW APPLICATION.
- (5) 1 x 12 passengers.
- (6) The conveyance of other.
- (7) Authority: EMPLOYEES SOLELY ON BEHALF OF BELL EQUIPMENT CO. S.A. (PTY)

LTD. FINANCE AND THEIR PERSONAL EFFECTS:

FROM 15 BYRNE ROAD, TOWNVIEW, STANGER, TURN LEFT INTO COURT ROAD, TURN RIGHT INTO FYNN ROAD, TURN RIGHT INTO TOWNVIEW DRIVE, TURN LEFT INTO MERCURY ROAD, TURN RIGHT INTO PLUTO ROAD AND TURN RIGHT INTO MERCURY ROAD, TURN LEFT INTO VENUS DRIVE, TURN RIGHT INTO MARS DRIVE, TURN LEFT INTO GLENHILLS DRIVE, TURN RIGHT INTO TOWNVIEW DRIVE, TURN RIGHT INTO SECOND STREET, GO ACROSS INTO EDGAR CHARLTON CRESCENT, GO ACROSS INTO JACKSON STREET, THEN TURN LEFT INTO KING SHAKA STREET, TURN RIGHT INTO CASSIM PLACE AND JOIN TASNEEM STREET, TURN RIGHT INTO PADIYAT STREET, TURN LEFT INTO COLENBRANDER STREET, AT STOP STREET TURN RIGHT INTO R74, TAKE REYNOLD STREET OFF-RAMP AND TURN INTO REYNOLD STREET, TURN LEFT INTO MAHATMA GHANDHI STREET, TURN RIGHT INTO LINDLEY STREET, TURN LEFT INTO KING SHAKA STREET, TURN RIGHT INTO R74 STANGER, TURN LEFT INTO R102 GINGINDLOVO/ EMPANGENI, TURN LEFT INTO DARNALL MAIN ROAD AND TURN AT SECOND TRAFFIC CIRCLE AND RETURN TO DARNALL MAIN ROAD, JOIN ZINKWAZI BEACH ROAD, TAKE OFF-RAMP TO N2 TOLL TO BELL EQUIPMENT CO. S.A. (PTY) LTD. FINANCE, 13-19 CARBONODE CELL ROAD, ALTON, RICHARDS BAY AND RETURN.

DEPART: 05H10  
RETURN: 18H00

**OP.1367713.**

- (2) SHEZI MS - ID No 4803315292089.
- (3) District: LOWER UMFOLOZI. Postal address: P O BOX 2187, EMPANGENI, 3880.
- (4) NEW APPLICATION.
- (5) 1 x 15 passengers.
- (6) The conveyance of taxi passengers.
- (7) Authority:
  - (1) FROM NGWELEZANE TAXI RANK, NGWELEZANE "B" SECTION, SITUATED WITHIN THE MAGISTERIAL DISTRICT OF LOWER UMFOLOZI TO EMPANGENI "B" TAXI RANK, TANNER ROAD, VIA EMPANGENI RAIL AND RETURN TO NGWELEZANE TAXI RANK.
  - (2) FROM NGWELEZANE TAXI RANK, NGWELEZANE "B" SECTION TO RICHARDS BAY BUSINESS CENTRE TAXI RANK AND RETURN TO NGWELEZANE TAXI RANK.

**OP.1367717.**

- (2) ARUPPANG - ID No 6106015218083.
- (3) District: INANDA. Postal address: 6 QUINLEN PLACE, NORTHCROFT, PHOENIX, 4068.
- (4) NEW APPLICATION (LATE RENEWAL).
- (5) 1 x 15 passengers.
- (6) The conveyance of taxi passengers.
- (7) Authority: AS PER ASSOCIATION ROUTES.

**OP.1367718.**

- (2) ZONDO TM - ID No 4801285311087. Postal address: E 639 UMLAZI TOWNSHIP, P O UMLAZI, 4031.
- (4) TRANSFER OF PERMIT Permit No. 361081/3 from ZULU TA (15 x passengers, district: UMLAZI).
- (7) Authority as in last mentioned permit(s).

**OP.1367719.**

- (2) GOVENDER R - ID No 4611090046087.

Postal address: 23 SHARI DRIVE, EVEREST HEIGHTS, VERULAM, 4340.

- (4) TRANSFER OF PERMIT Permit No. 356425/1 from GOVENDER M (15 x passengers, district: INANDA)
- Permit No. 358075/1 from GOVENDER M (15 x passengers, district: INANDA)
- Permit No. 358074/1 from GOVENDER M (15 x passengers, district: INANDA)
- Permit No. 359176/1 from GOVENDER M (14 x passengers, district: INANDA).
- (7) Authority as in last mentioned permit(s).

**OP.1367724.**

- (2) KHAN MS - ID No 6503265211083.
- (3) District: DURBAN. Postal address: 10 SHOLAPUR PLACE, MEREBANK, DURBAN, 4052.
- (4) NEW APPLICATION.
- (5) 1 x 5 passengers.
- (6) The conveyance of taxi passengers.
- (7) Authority: FROM RANK NO.11 SITUATED WITHIN THE MAGISTERIAL DISTRICT OF DURBAN TO POINTS WITHIN A RADIUS OF 50 (FIFTY) KILOMETRES THEREFROM AND RETURN TO RANK NO.11.

**OP.1367744.**

- (2) PILLAY P - ID No 5310155126087.
- (3) District: TARKA. Postal address: 21 CREST ROAD, WATSONIA, TONGAAT, 4400 c/o RAMSON ROMILL & CO 9/32nd AVENUE, UMHLATUZANA TOWNSHIP, CHATSWORTH, 4092.
- (4) NEW APPLICATION.
- (5) 1 x 15 passengers.
- (6) The conveyance of other.
- (7) Authority:

EMPLOYEES EXCLUSIVELY ON BEHALF OF BELL EQUIPMENT CO. S.A. (PTY) LTD, ALTON, RICHARDS BAY AND THEIR PERSONAL EFFECTS:

FORWARD TRIP: DEPART - 04H45 FROM 21 CREST ROAD, WATSONIA, TONGAAT GOING TO BELVEDERE, BUFFELSDALE, R102 PROCEEDING NORTH TO SHAKASKRAAL, TURN RIGHT INTO CHALLOTTEDALE INTERSECTION AND PROCEED TOWARDS THE TOLL ROAD, N2 NORTH, HEADING NORTH TOWARDS RICHARDS BAY. TAKE RICHARDS BAY/EMPANGENI OFF-RAMP, TURN RIGHT AND GO ONTO JOHN ROSS HIGHWAY, TURN LEFT INTO ALTON ROAD AND FINAL STOP AT BELL EQUIPMENT CO., S.A. (PTY) LTD., 13-19 CARBONADE CELL ROAD, ALTON, RICHARDS BAY.

RETURN TRIP: RETURN - 18H30 LEAVE BELL EQUIPMENT CO. S.A. (PTY) LTD. AT 16H15, TURN INTO ALTON, THEN TURN RIGHT INTO JOHN ROSS HIGHWAY AND TAKING THE STANGER ONRAMP, TRAVEL SOUTH, PASSING STANGER AND TAKING THE GROUVILLE OFF-RAMP, GOING TO SHAKASKRAAL AND COMING BACK TO BUFFELSDALE AND BELVEDERE, RETURNING TO 21 CREST ROAD, WATSONIA, TONGAAT.

**OP.1367812.**

- (2) NUNDCOOMAR R - ID No 6609115101083.
- (3) District: LOWER TUGELA. Postal address: PO BOX 3372, STANGER, 4450 c/o VERONICA SINGH & ASSOCIATES PO BOX 499, STANGER, 4450.
- (4) NEW APPLICATION.
- (5) 1 x 14 passengers.
- (6) The conveyance of other.
- (7) Authority: PERSONS AND THEIR PERSONAL EFFECTS WHO ARE EMPLOYED IN RICHARDS BAY:

FROM 37 MERCURY LINK, GLENHILLS, STANGER, LEFT INTO TOWNVIEW ROAD, LEFT INTO PATTERSON ROAD, RIGHT INTO COLENBRANDER STREET, RIGHT ONTO R74, PROCEED TO ROBOTS, TURN RIGHT INTO KING SHAKA ROAD, TURN LEFT INTO DAWNSIDE GARAGE (WHICH IS SITUATED ON KING SHAKA ROAD). FROM DAWNSIDE GARAGE, GET BACK ONTO KING SHAKA ROAD, TURN LEFT TO GET BACK ONTO THE R74 TAKE THE ON-RAMP ONTO THE N2 TOLL, TURN RIGHT AT THE EMPANGENI/RICHARDS BAY TURN OFF JOIN THE R34 IN RICHARDS BAY TURN LEFT AT MONDI INTERSECTION, WESTERN ARTERIAL, LEFT INTO ALUMINA ALEE TO BELL EQUIPMENT CO. S.A. (PTY) LTD, 13-19 CARBONODE CELL ROAD, ALTON LEFT AT DOLLAR DRIVE, INTO BULLION BOULEVARD PASSING TWO SETS OF ROBOTS, ENTERING THE JOHN ROSS HIGHWAY, AT THE ALTON ROBOTS TURN LEFT ENTERING GELEIERGANG, GO DIRECTLY ACROSS THE THREE-WAY STOP STREET AND TAKE A THIRD LEFT INTO MATRYSHOEK, TURN LEFT INTO UMHLATUZE MUNICIPALITY TRANSPORT SERVICES AND RETURN.

DEPART: 05H00  
RETURN: 18H00

**OP.1367814.**

- (2) NAIR Y - ID No 64051551239085.
- (3) District: LOWER TUGELA. Postal address: P O BOX 1554, STANGER, 4450 c/o VERONICA SINGH & ASSOCIATES PO BOX 499, STANGER, 4450.
- (4) NEW APPLICATION.
- (5) 1 x 15 passengers.
- (6) The conveyance of other.
- (7) Authority: EMPLOYEES SOLELY ON BEHALF OF BELL EQUIPMENT CO. S.A. (PTY) LTD. FINANCE AND THEIR PERSONAL EFFECTS:

FROM CHOTA ROAD, STANGER HEIGHTS, STANGER, LEFT AT INTERSECTION OF KING SHAKA ROAD AND PATTERSON STREET, TURN LEFT INTO COLENBRANDER ROAD UNTIL REACHING R74, TURN LEFT INTO SCHOOL ROAD, PROCEED TO CLOVER ROAD, FOLLOW THE SAME ROUTE BACK JOINING R74, TURN LEFT INTO MANOR DRIVE, PROCEED TO FREESIA STREET, FOLLOW SAME ROUTE BACK INTO MANOR DRIVE AND PROCEED TO WINDY HEIGHTS RIGHT INTO STOCK ROAD, LEFT INTO MIMOSA PLACE, FOLLOW THE SAME ROUTE BACK TURNING RIGHT INTO MANOR DRIVE AND THEN LEFT INTO LARKSPUR STREET. AT THE INTERSECTION OF LARKSPUR STREET AND GERANIUM STREET TURN RIGHT INTO GERANIUM STREET TO MEET MANOR DRIVE AND CONTINUE LEFT TO MEET THE R74, TURN LEFT ONTO THE R74 AND PROCEED TO MEET AND TURN LEFT ONTO THE N2, CONTINUE ON THE N2 UNTIL THE EMPANGENI/RICHARDS BAY OFF-RAMP, TURN RIGHT JOINING THE R34 INTO RICHARDS BAY TURN LEFT INTO ALTON AND ALUMINA ALLEE, TURN INTO BELL EQUIPMENT CO. S.A. (PTY) LTD FINANCE, 13-19 CARBONADE CELL ROAD, ALTON, RICHARDS BAY AND RETURN.

DEPART: 05H10  
RETURN: 17H45

**OP.1367815.**

- (2) SINGH RD - ID No 7101135054087.

3) District: LOWER TUGELA. Postal address: P O BOX 497, STANGER, 4450 c/o VERONICA SINGH & ASSOCIATES PO BOX 499, STANGER, 4450.

4) NEW APPLICATION.

5) 1 x 10 passengers.

6) The conveyance of other.

7) Authority: EMPLOYEES SOLELY ON BEHALF OF BELL EQUIPMENT CO. S.A. (PTY) LTD. FINANCE AND THEIR PERSONAL EFFECTS:

FROM 58 CLOVER ROAD, STANGER, TURN RIGHT INTO SCHOOL ROAD, RIGHT ONTO R74 AND PROCEED UNTIL THE FIRST SET OF ROBOTS, TURN RIGHT INTO MANOR DRIVE, TURN RIGHT INTO ASTER ROAD, BACK ONTO MANOR DRIVE VIA THE SAME ROUTE THEN TURN LEFT INTO EBRAHIM DRIVE AT THE INTERSECTION OF EBRAHIM DRIVE AND ANISHA STREET MAKE A U-TURN AND TRAVEL BACK DOWN EBRAHIM DRIVE AND THE SAME ROUTE TO MANOR DRIVE WHERE YOU TURN LEFT INTO BILKIS STREET AND AT THE T-, JUNCTION TURN RIGHT INTO NORTH STREET, TURN RIGHT INTO RIDGE STREET, TURN RIGHT INTO DWYER STREET, LEFT INTO YONUNS STREET, STRAIGHT INTO HILL CRESCENT TURN RIGHT INTO HIBISCUS, TURN RIGHT INTO ELIZABETH STREET, PROCEED ONTO THE ON-RAMP OF R74, TAKE ON-RAMP ONTO N2 TOLL, PROCEED AND TAKE THE ZINKWAZI OFF-RAMP, PROCEED ONTO THE ON-RAMP OF N2 TOLL TO BELL EQUIPMENT CO. S.A. (PTY) LTD. FINANCE, 13-19 CARBONADE CELL ROAD, ALTON, RICHARDS BAY AND RETURN.

DEPART: 05H00

RETURN: 17H30

**OP.1367816.**

1) PILLAY KN - ID No 4512275407088.

2) District: LOWER TUGELA. Postal address: PO BOX 499, STANGER, 4450 c/o VERONICA SINGH & ASSOCIATES PO BOX 499, STANGER, 4450.

3) NEW APPLICATION.

4) 1 x 11 passengers.

5) The conveyance of other.

6) Authority: EMPLOYEES SOLELY ON BEHALF OF BELL EQUIPMENT CO. S.A. (PTY) LTD. FINANCE AND THEIR PERSONAL EFFECTS:

FROM 4 WARREN ROAD, STANGER VIA GERANIUM ROAD, VIOLET STREET, DAFFODIL ROAD, MANOR DRIVE, FARID STREET, N2, DIRECT TO BELL EQUIPMENT CO. S.A. (PTY) LTD. FINANCE, 13-19 CARBONADE CELL ROAD, ALTON, RICHARDS BAY AND

RETURN.

DEPART: 05H20

RETURN: 17H25

**OP.1367817.**

1) REDDY J - ID No 7111015244088.

2) District: LOWER TUGELA. Postal address: PO BOX 167, DARNALL, STANGER, 4450 c/o VERONICA SINGH & ASSOCIATES PO BOX 499, STANGER, 4450.

3) NEW APPLICATION.

4) 1 x 11 passengers.

5) The conveyance of other.

6) Authority: EMPLOYEES SOLELY ON BEHALF OF BELL EQUIPMENT CO. S.A. (PTY) LTD. FINANCE AND THEIR PERSONAL EFFECTS:

FROM VALLEY VIEW, INDIAN VILLAGE, STANGER, TURN LEFT INTO WARREN ROAD, LEFT INTO GERANI-

UM ROAD, RIGHT INTO MANOR DRIVE, LEFT INTO LAKSPUR ROAD, RIGHT INTO CANNA ROAD, TURN BACK AT END OF CANNA INTO CANNA ROAD, LEFT INTO LAKSPUR ROAD, RIGHT INTO MANOR DRIVE, LEFT ONTO R74, RIGHT INTO COLEBRANDER ROAD, RIGHT INTO RADIYAT ROAD, LEFT INTO TASNEEM ROAD, TURN BACK AT END OF TASNEEM ROAD, TURN LEFT INTO GREY RIDGE DRIVE, TURN RIGHT INTO EVEREST ROAD PROCEEDING INTO TUUP ROAD, RIGHT INTO SCHOOL ROAD, TURN RIGHT ONTO R74, TURN LEFT ONTO N2 TOLL ROAD PROCEEDING TO RICHARDS BAY, TURN LEFT INTO RICHARDS BAY OFF-RAMP, RIGHT INTO R34 (JOHN ROSS HIGHWAY), LEFT INTO GELEIERGANG ROAD, RIGHT INTO ALUMINA ALEE, LEFT INTO CARBONODE CELL ROAD, LEFT INTO PARKADE OF BELL EQUIPMENT CO. S.A. (PTY) LTD. FINANCE, 13-19 CARBONODE CELL ROAD, ALTON, RICHARDS BAY AND RETURN.

DAYSHIFT: DEPART - 05H00 RETURN - 18H00

NIGHTSHIFT: DEPART - 14H00 RETURN - 04H30

**OP.1368019.**

1) CELE BN - ID No 5006265226086.

2) District: DURBAN. Postal address: P O BOX 1142, NEW GERMANY, 3620 c/o CLERMONT & KWA DABEKA TAXI OWN. ASS. P O BOX 1032, NEW GERMANY, 3620.

3) NEW APPLICATION (LATE RENEWAL).

4) 1 x 15 passengers.

5) The conveyance of taxi passengers.

6) Authority: BETWEEN CLERMONT EXTENSION, CLERMONT TOWNSHIP AND PINE-TOWN.

**OP.1368024.**

1) NGUBANE MM - ID No 6206185814081.

2) District: PINETOWN. Postal address: P O BOX 622, KWADABEKA, 3612 c/o CLERMONT & KWA DABEKA TAXI OWN. ASS. P O BOX 1032, NEW GERMANY, 3620.

3) CHANGE OF SURNAME FROM MCHUNU

4) Permit No. 362129/2 from NGUBANE MM (15 x passengers, district: PINETOWN).

5) 1 x 15 passengers.

6) The conveyance of taxi passengers.

7) Authority: Permit No. 362129/2 AS PER ASSOCIATION ROUTES.

**OP.1368200.**

1) GUNAS M - ID No 5808195185088.

2) District: INANDA. Postal address: 33 WAYSIDE CRESCENT, UNIT 20, PHOENIX, 4068.

3) NEW APPLICATION.

4) 1 x 11 passengers.

5) The conveyance of other.

6) Authority: PERSONS AND THEIR PERSONAL EFFECTS EMPLOYED IN PROSPECTION AND ISIPINGO:

FROM 33 WAYSIDE CRESCENT, UNIT 20, PHOENIX TO PRE ARRANGED PICK UP POINTS IN PHOENIX, VIA MANDELA ROAD, RIGHT ONTO N2, TAKE OFFRAMP AT AIRPORT TO PROSPECTION AND ISIPINGO AND RETURN.

DEPART: 05H45

RETURN: 17H45

**OP.1368201.**

1) NAIDOO N - ID No 6905055181089.

2) District: INANDA. Postal address: 31

ANTELOPE PLACE, MOUNTVIEW, VERULAM, 4340.

3) NEW APPLICATION.

4) 1 x 15 passengers.

5) The conveyance of other.

6) Authority: PERSONS WHO ARE EMPLOYED IN THE DURBAN CBD AND THEIR PERSONAL EFFECTS:

FROM 151 MARULA CIRCLE, TRENANCE PARK, VERULAM VIA INANDA ROAD, R102, M4, RIGHT INTO ARGYLE, LEFT INTO STAMFORD HILL ROAD, FIRST AVENUE, SOLDIERS WAY, LEFT INTO COMMERCIAL ROAD, RIGHT INTO PRINCE ALFRED STREET, LEFT INTO WEST STREET, RIGHT INTO PARKING AT 100 SMITH STREET, DURBAN AND RETURN.

DEPART: 06H20

RETURN: 18H20

**OP.1368206.**

1) SEWRAMP P - ID No 6607165174083.

2) District: DURBAN. Postal address: 33 ROSEGREN CLOSE, UNIT 2, PHOENIX, 4068.

3) NEW APPLICATION.

4) 1 x 15 passengers.

5) The conveyance of other.

6) Authority: PERSONS AND THEIR PERSONAL EFFECTS EMPLOYED IN THE DURBAN CBD:

FROM 104 WESTVIEW ROAD, EFFINGHAM HEIGHTS, DURBAN VIA REDHILL, AVOCA ROAD, NORTH COAST ROAD, MNR AVENUE TO SMITH STREET, DURBAN AND RETURN.

DEPART: 06H30

RETURN: 18H00

**OP.1368412.**

1) PIENAAR CL - ID No 6007075217082. Postal address: PO BOX 11313, MARIANHILL, 3601.

2) TRANSFER OF PERMIT

3) Permit No. 359041/0 from WILLIAMS E (15 x passengers, district: PINETOWN).

4) Authority as in last mentioned permit(s).

**OP.1368415.**

1) PIENAAR CL - ID No 6007075217082. Postal address: PO BOX 11313, MARIANHILL, 3601.

2) TRANSFER OF PERMIT

3) Permit No. 357559/1 from WILLIAMS E (15 x passengers, district: PINETOWN).

4) Authority as in last mentioned permit(s).

**OP.1368426.**

1) BODHA RK - ID No 6511275183085.

2) District: INANDA. Postal address: P O BOX 25351, TRENANCE PARK, VERULAM, 4340.

3) NEW APPLICATION.

4) 1 x 15 passengers.

5) The conveyance of other.

6) Authority: PERSONS AND THEIR PERSONAL EFFECTS, EMPLOYED WITHIN THE DURBAN CBD:

FROM 78 TANGERINE STREET, TRENANCE PARK, VERULAM TO PRE ARRANGED PICK UP POINTS WITHIN VERULAM VIA UMDLOTI BEACH ROAD, M4 UMHLANGA, M4 DURBAN, PRINCE ALFRED STREET, RIGHT INTO SMITH, LEFT INTO BAY PASSAGE, LEFT INTO VICTORIA EMBANKMENT, LEFT INTO GILIGAN ROAD, THROUGH ROY ROAD, LEFT INTO SMITH STREET, LEFT INTO CATO STREET, RIGHT INTO GARAGE AT 21 CATO STREET, DURBAN AND RETURN.

DEPART: 06H30

RETURN: 17H50

**OP.1258601.**

(2) MNGQITHI NB – ID No 5407220770087.  
Postal address: P.O. BOX 952, KOKSTAD, 4700.

## (4) TRANSFER OF PERMIT

Permit No. 255377/1 from MKHONDE HM (15 x passengers, district: MOUNT CURRIE).

(7) Authority as in last mentioned permit(s).

**OP.1258853.**

(2) MBONGWE BL – ID No 6907275582088.  
Postal address: B408 MPUMALANGA TOWNSHIP, HAMMARSDALE, 3700.

## (4) TRANSFER OF PERMIT

Permit No. 250596/2 from MBONGWE JM (15 x passengers, district: CAMPER-DOWN).

(7) Authority as in last mentioned permit(s).

**OP.1258908.**

(2) NDEBELE JI – ID No 4606060626082.  
Postal address: BOX 180, WASBANK, 2920.

## (4) TRANSFER OF PERMIT

Permit No. 255334/2 from NDEBELE FE (15 x passengers, district: DUNDEE).

(7) Authority as in last mentioned permit(s).

**OP.1259014.**

(2) MHLUNGU H – ID No 6010205834081.  
Postal address: 3214 SECTION 3, MADADENI, 2951.

## (4) TRANSFER OF PERMIT

Permit No. 253598/4 from XABA NE (15 x passengers, district: NEWCASTLE).

(7) Authority as in last mentioned permit(s).

**OP.1259015.**

(2) RADEBE VR – ID No 4301016329086.  
Postal address: P/BAG 1614, BERGVILLE, 3350.

## (4) TRANSFER OF PERMIT

Permit No. 253787/1 from HLONGWANE NN (15 x passengers, district: BERGVILLE).

(7) Authority as in last mentioned permit(s).

**OP.1259016.**

(2) MADONDO F – ID No 4804080454086.  
Postal address: P O BOX 793, EST-COURT, 3310.

## (4) TRANSFER OF PERMIT

Permit No. 250565/0 from MADONDO SS (15 x passengers, district: ESTCOURT).

(7) Authority as in last mentioned permit(s).

**OP.1259018.**

(2) HLONGWANE MB – ID No 5507125269083.

(3) District: UNDERBERG. Postal address: BOX 611, EDENDALE, 3217 c/o HLOPE A. BOX 78, EDENDALE, 3217.

## (4) NEW APPLICATION.

(5) 1 x 15 passengers.

(6) The conveyance of taxi passengers.

(7) Authority:

AS PER ASSOCIATION ROUTES.

**OP.1259020.**

(2) DUBE SD – ID No 5008065333088. Postal address: MOTORVIA, BOX 258, PINE-TOWN, 3600.

## (4) TRANSFER OF PERMIT

Permit No. 254052/1 from GWALA ME (15 x passengers, district: CAMPER-DOWN).

(7) Authority as in last mentioned permit(s).

H6—October 17, 2002.