

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

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

*(Registered at the post office as a newspaper) • (As 'n nuusblad by die poskantoor geregistreer)*  
*(Irejistiwee njengephaphandaba eposihhovisi)*

**Vol. 2**

**PIETERMARITZBURG,**

30 OCTOBER 2008  
30 OKTOBER 2008  
30 kuMFUMFU 2008

**No. 189**

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# IMPORTANT NOTICE

The  
**KwaZulu-Natal Provincial Gazette** Function  
will be transferred to the  
**Government Printer** in Pretoria  
as from 26 April 2007

**NEW PARTICULARS ARE AS FOLLOWS:**

**Physical address:**

Government Printing Works  
149 Bosman Street  
Pretoria

**Postal address:**

Private Bag X85  
Pretoria  
0001

**New contact persons:** Louise Fourie Tel.: (012) 334-4686  
Mrs H. Wolmarans Tel.: (012) 334-4591  
Awie van Zyl.: (012) 334-4523

**Fax number:** (012) 323-8805

**E-mail addresses:** Louise.Fourie@gpw.gov.za  
Hester.Wolmarans@gpw.gov.za

**Contact persons for subscribers:**

Mrs S. M. Milanzi Tel.: (012) 334-4734  
Mrs J. Wehmeyer Tel.: (012) 334-4753  
Fax.: (012) 323-9574

This phase-in period is to commence from **26 April 2007**, which is the closing date for all adverts to be received for the publication date of **3 May 2007**.

Subscribers and all other stakeholders are advised to send their advertisements directly to the **Government Printing Works**, one week (five working days) before the date of printing, which will be a Thursday.

**Payment:**

- (i) Departments/Municipalities: Notices must be accompanied by an order and official letterhead, including financial codes, contact person and address of Department.
- (ii) Private persons: Must pay in advance before printing.

**AWIE VAN ZYL**  
Advertising Manager

IT IS THE CLIENTS RESPONSIBILITY TO ENSURE THAT THE CORRECT AMOUNT IS PAID AT THE CASHIER OR DEPOSITED INTO THE GOVERNMENT PRINTING WORKS BANK ACCOUNT AND ALSO THAT THE REQUISITION/COVERING LETTER TOGETHER WITH THE ADVERTISEMENTS AND THE PROOF OF DEPOSIT REACHES THE GOVERNMENT PRINTING WORKS IN TIME FOR INSERTION IN THE PROVINCIAL GAZETTE.

**NO ADVERTISEMENTS WILL BE PLACED WITHOUT PRIOR PROOF OF PRE-PAYMENT.**

$\frac{1}{4}$  page **R 187.37**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

**A PRICE  
INCREASE OF  
8,5% WILL BE  
EFFECTIVE ON  
ALL TARIFFS  
FROM  
1 MAY 2008**

$\frac{1}{4}$  page **R 374.75**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

$\frac{1}{4}$  page **R 562.13**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

$\frac{1}{4}$  page **R 749.50**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt



REPUBLIC  
OF  
SOUTH AFRICA

## LIST OF FIXED TARIFF RATES AND CONDITIONS

FOR PUBLICATION OF LEGAL NOTICES  
IN THE *KwaZulu-Natal PROVINCE*  
*PROVINCIAL GAZETTE*

**COMMENCEMENT: 1 MAY 2007**

### CONDITIONS FOR PUBLICATION OF NOTICES

#### CLOSING TIMES FOR THE ACCEPTANCE OF NOTICES

1. (1) The *KwaZulu-Natal Provincial Gazette* is published every week on Thursday, and the closing time for the acceptance of notices which have to appear in the *KwaZulu-Natal Provincial Gazette* on any particular Thursday, is **15:00 one week prior to the publication date**. Should any Thursday coincide with a public holiday, the publication date remains unchanged. However, the closing date for acceptance of advertisements moves backwards accordingly, in order to allow for 5 working days prior to the publication date.
- (2) The date for the publication of an **Extraordinary KwaZulu-Natal Province Provincial Gazette** is negotiable.
2. (1) Notices received **after closing time** will be held over for publication in the next *KwaZulu-Natal Provincial Gazette*.
- (2) Amendments or changes in notices cannot be undertaken unless instructions are received **before 10:00 on Fridays**.
- (3) Notices for publication or amendments of original copy can not be accepted over the telephone and must be brought about by letter, by fax or by hand. The Government Printer will not be liable for any amendments done erroneously.
- (4) In the case of cancellations a refund of the cost of a notice will be considered only if the instruction to cancel has been received on or before the stipulated closing time as indicated in paragraph 2(2).

#### APPROVAL OF NOTICES (This only applies to Private Companies)

3. In the event where a cheque, submitted by an advertiser to the Government Printer as payment, is dishonoured, then the Government Printer reserves the right to refuse such client further access to the *KwaZulu-Natal Provincial Gazette* until any outstanding debts to the Government Printer is settled in full.

#### THE GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

4. The Government Printer will assume no liability in respect of—
  - (1) any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - (2) erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;

- (3) any editing, revision, omission, typographical errors, amendments to copies or errors resulting from faint or indistinct copy.

#### **LIABILITY OF ADVERTISER**

5. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

#### **COPY**

6. Notices must be typed on one side of the paper only and may not constitute part of any covering letter or document.
7. At the top of any copy, and set well apart from the notice, the following must be stated:

Where applicable

- (1) The heading under which the notice is to appear.
- (2) The cost of publication applicable to the notice, in accordance with the "Word Count Table".

#### **PAYMENT OF COST (This only applies to Private Companies)**

9. **With effect from 26 April 2007 no notice will be accepted for publication unless the cost of the insertion(s) is prepaid in CASH or by CHEQUE or POSTAL ORDERS. It can be arranged that money can be paid into the banking account of the Government Printer, in which case the deposit slip accompanies the advertisement before publication thereof.**
10. (1) The cost of a notice must be calculated by the advertiser in accordance with the word count table.  
  
(2) Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the **Advertising Section, Government Printing Works, Private Bag X85, Pretoria, 0001 [Fax: (012) 323-8805], before publication.**
11. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and the notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or by cheque or postal orders, or into the banking account.

12. *In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the Government Printing Works.*
13. The Government Printer reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the Word Count Table, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

#### **PROOF OF PUBLICATION**

14. **Copies of the *KwaZulu-Natal Provincial Gazette* which may be required as proof of publication, may be ordered from the Government Printer at the ruling price.** The Government Printer will assume no liability for any failure to post such *KwaZulu-Natal Provincial Gazette(s)* or for any delay in despatching it/them.

## **GOVERNMENT PRINTERS BANK ACCOUNT PARTICULARS**

Bank:	ABSA
	BOSMAN STREET
Account No.:	4057114016
Branch code:	632-005
Reference No.:	00000006
Fax No.:	(012) 323 8805

#### ***Enquiries:***

Mrs. L. Fourie	Tel.: (012) 334-4686
Mrs. H. Wolmarans	Tel.: (012) 334-4591
Mr. A. van Zyl	Tel.: (012) 334-4523

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

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The following notices are published for general information.

Onderstaande kennisgewings word vir algemene inligting gepubliseer.

DR K. B. MBANJWA  
Director-General

DR K. B. MBANJWA  
Direkteur-generaal

300 Langalibalele Street  
Pietermaritzburg  
30 October 2008

Langalibalelestraat 300  
Pietermaritzburg  
30 Oktober 2008

Izaziso ezilandelayo zikhishelwe ulwazi lukawonkewonke.

DKT. K. B. MBANJWA  
uMqondisi-Jikelele

300 Langalibalele Street  
Pietermaritzburg  
30 kuMfumu 2008

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**No. 211****30 October 2008****DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****REMOVAL OF RESTRICTIONS ACT, 1967: REMOVAL OF CONDITIONS OF TITLE**

In terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), I remove the restrictions set out in the Schedule.

**M. L. POVALL**, Manager: Development Administration

Date: 23 October 2008

**SCHEDULE**

The figures used in brackets have the following meanings:

- (1) = Street address, property description, registration division, municipality
- (2) = Deed, condition, file reference
- (3) = Scope of alteration or removal

(1) 13 Krantz Street, **Portion 4 of Erf 1034 Kingsburgh**, Registration Division ET, eThekweni Municipality

(2) T 05 33622, B.2., 2007/178

(3) Removal of a condition of title that restricts the use of the property to one dwelling house.

(1) 15 Krantz Street, **Portion 3 of Erf 1034 Kingsburgh**, Registration Division ET, eThekweni Municipality

(2) T 13940/97, B.2., 2007/997

(3) Removal of a condition of title that restricts the use of the property to one dwelling house.

(1) 100 Allen Street, **Erf 15450 Newcastle**, Registration Division HS, Newcastle Municipality

(2) T45498/2006, B.2., 2007/1681

(3) Removal of condition of title that prohibits the further subdivision of the property while it is a licensed premises as defined in section 1 of the National Gambling Act, 2004 (Act No. 7 of 2004), and the removal of the condition from the deed to be registered in respect of Portion 1 of Erf 15450 Newcastle when Erf 15450 Newcastle is subdivided. The condition will be carried forward in respect of the Remainder of Erf 15450 Newcastle.

(1) Corner Ilala Crescent and View Road, **Portion 1 of Erf 1388 Ramsgate**, Registration Division ET, Hibiscus Coast Municipality

(2) T 25450/07, C. (e) and D., 2008/270

(3) Removal of conditions of title that that imposes building lines and requires the submission of building plans

(1) 58 Inanda Road, **Portion 14 of the Farm Vivian No. 14180**, Registration Division FT, eThekweni Municipality

(2) T 18486/07, B.1. and E., 2008/219

(3) Removal of conditions of title that restricts the use of the property to residential purposes and to one dwelling house.

(1) 273 Dr Yusuf Dadoo Street and 59 Maud Lane, **Erven 3305 and 3306 Durban**, Registration FU, eThekweni Municipality

(2) T 14717/2008, 1.b).(2) and 2.2.b). 2008/466

(3) Removal of a condition of title that imposes a building line and prohibits buildings other than outbuildings, from facing a lane.

(1) Corner of Cactus Avenue and Erica Road, **Erf 15507 Newcastle**, Registration Division HS, Newcastle Municipality

(2) T039869/07, C2, 2008/484

(3) Removal of a condition of title that restricts the use of the property to one dwelling house.

(1) 33 The Walk, **Erf 145 (of 92) of the Farm Waterfall No. 978**, Registration FT, eThekweni Municipality

(2) T 6462/1981, B.2., 2008/496

(3) Removal of conditions of title that restricts the use of the property to one dwelling house.

(1) Humphries Street, **Erf 1300 Margate**, Registration Division ET, Hibiscus Coast Municipality

(2) T 05 33591, C.(c), 2008/587

(3) Removal of a condition of title that restricts the use of the property to one dwelling house.

#### DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

Advertisement No. 187

#### REMOVAL OF RESTRICTIONS ACT, 1967: INVITATION TO COMMENT

An application has been received by the Department of Local Government and Traditional Affairs for the removal and suspension of restrictions relating to land in terms of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), set out in the Schedule. Comments, which may be submitted by fax or mail, must be submitted to the persons mentioned in the Schedule by 5 December 2008. Please note that the Department may refuse to accept comments submitted after the closing date.

**M. L. POVALL**, Manager: Development Administration

Date: 23 October 2008

#### SCHEDULE

The figures used in brackets have the following meanings:

(1) = Street address, property description, registration division, municipality

(2) = Deed, condition, file reference

(3) = Scope of alteration or removal

(4) = Contact person

(5) = Contact details

(1) 7 Killamey Place, **Erf 140 KwaMbonambi**, Registration Division GU, Mbonambi Municipality

(2) T36571/2005, B (a) and B (b), 2007/1415

(3) Removal of conditions of title that restricts the use of the property to residential purposes and to one dwelling house.

(4) Mr. D. K. Chetty

(5) Private Bag X64, Ulundi, 3838, Tel: (035) 8742804, Fax: (035) 8742644, [deiond.chetty@kznlqta.gov.za](mailto:deiond.chetty@kznlqta.gov.za)

(1) Corner of Hoyer Drive and Darrel Crescent, **Erf 151 Crestholme**, Registration Division FT, eThekweni Municipality

(2) T 46273/07, B.3. 2008/887

- (3) Removal of condition of title that restricts the use of property to one dwelling house.
- (4) Mr S. Premchund
- (5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1824, Fax: (031) 204 1980, [sanjay.premchund@kznlqta.gov.za](mailto:sanjay.premchund@kznlqta.gov.za)
- (1) 124 Fairways, **Portion 8 of Erf 3104 and Erf 3103 Durban North**, Registration Division FU, eThekweni Municipality
- (2) T 5128/1992, D. and E., 2008/990
- (3) Removal of conditions of title in favour of Durban North Estates Limited that requires the consent of Durban North Estates Limited for a change of the use of the property, that restricts the use of the property to one dwelling house, that prohibits the subdivision of the property, that imposes building lines and that requires the submission of building plans to Durban North Estates Limited for its approval.
- (4) Mr. S. Premchund
- (5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1824, Fax: (031) 204 1980, [sanjay.premchund@kznlqta.gov.za](mailto:sanjay.premchund@kznlqta.gov.za)
- (1) 34 Beachway, **Erf 2600 Durban North**, Registration Division FU, eThekweni Municipality
- (2) T 19509/2000, C. and D., 2008/1026
- (3) Removal of conditions of title in favour of Durban North Estates Limited that requires the consent of Durban North Estates Limited for a change of the use of the property, that restricts the use of the property to one dwelling house, that prohibits the subdivision of the property, that imposes building lines and that requires the submission of building plans to Durban North Estates Limited for its approval.
- (4) Mr. S. Premchund
- (5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1824, Fax: (031) 204 1980, [sanjay.premchund@kznlqta.gov.za](mailto:sanjay.premchund@kznlqta.gov.za)
- (1) 22 Carnarvon Place, **Erf 2950 Durban North**, Registration Division FU, eThekweni Municipality
- (2) T 14658/1977, (c).(d)., 2008/1065
- (3) Removal of conditions of title in favour of Durban North Estates Limited that requires the consent of Durban North Estates Limited for a change of the use of the property, that prohibits subdivision, restricts the use of the land to one dwelling house, prohibits the use of the property for business purposes, restricts the use of certain types of building materials, prohibits the display of advertising signs on the property, imposes building lines, and requires the submission of building plans to Durban North Estates Limited for its approval.
- (4) Mrs A Murgatroyd
- (5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1919, Fax: (031) 204 1980, [audrey.murgatroyd@kznlqta.gov.za](mailto:audrey.murgatroyd@kznlqta.gov.za)
- (1) 53 Kensington Drive, Office 2 Kensington Square, **Erf 3764 Durban North**, Registration Division FU, eThekweni Municipality
- (2) T 51213/06, 2 (a) – 2 (e), 3 in its entirety, C. 2. and C. 3., 2008/1084
- (3) Removal of conditions of title in favour of Durban North Estates Limited that requires the consent of Durban North Estates Limited for a change of the use of the property, that restricts the use of the property to one dwelling house, that prohibits the subdivision of the property, that imposes building lines and that requires the submission of building plans to Durban North Estates Limited for its approval.
- (4) Mr. S. Premchund
- (5) Private Bag X 54310 Durban 4000, Tel: (031) 204 1824, Fax: (031) 204 1980, [sanjay.premchund@kznlqta.gov.za](mailto:sanjay.premchund@kznlqta.gov.za)

**Advertisement No. 188****LESS FORMAL TOWNSHIP ESTABLISHMENT ACT, 1991: INVITATION TO COMMENT ON ESTABLISHMENT OF LESS FORMAL SETTLEMENT ON PORTION OF THE FARM NTUZUMA NO. 17504 (PHASES 2 AND 3), ETHEKWINI MUNICIPALITY**

An application has been received by the Department of Local Government and Traditional Affairs in terms of section 2(2) of the Less. Formal Township Establishment Act, 1991 (Act No. 113 of 1991), for the establishment of a less formal settlement comprising of 1963 Special Residential erven, 2 Schools erven, 1 Pre-Primary School erf, 2 Crèche erven, 3 Place of Worship erven, 10 Mixed Use erven, and 1 Community Centre erf on the farm Ntuzuma No.17504 (Phases 2 and 3), Registration Division FT, eThekwini Municipality.

Comments may be submitted by mail, fax or email, and must be submitted to Mrs R.T. Mbata, Private Bag X 54310 Durban 4000, Tel: (031) 2041791, Fax: (031) 2041980 or email: [rejoice.mbatha@kznlgta.gov.za](mailto:rejoice.mbatha@kznlgta.gov.za), by 5 December 2008. The Department may refuse to accept comments submitted after the closing date.

**M. L. POVALL**, Manager: Development Administration

Date: 23 October 2008

File reference: 2008/399

**No. 211****30 kuMfumfu 2008****UMNYANGO WEZOHULUMENI BASEKHAYA NEZENDABUKO****UMTHETHO WOKUSUSWA KWEZITHIBELO, 1967: UKUSUSWA KWEZIMISO ZETAYITELA**

Ngokwesigaba 2(1) soMthetho wokuSuswa kweziThibelo, 1967 (uMthetho No. 84 ka 1967), ngisusa izithibelo ezibekwe oHlelweni.

**M. L. POVALL**, uMphathi wezokuPhathwa kweNtuthuko

Usuku: 23 Mfumfu 2008

**UHLELO**

Imininingwane esetshenzisiwe kubakaki inalezi zincazelo:

- (1) = Ikheli lomgwaqo, incazelo ngomhlaba, isigaba sokuBhaliswa, omasipala
- (2) = Itayitela, isimiso, inkomba yefayela
- (3) = Ubungako bokuzolungiswa nokuzosuswa

- (1) Ku-13 Krantz Street, **iNgxenye 4 yeSiza 1034 Kingsburgh**, isiGaba sokuBhaliswa ngu-ET, kuMasipala waseThekwini
- (2) T 05 33622, B.2., 2007/178
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.

- (1) Ku-15 Krantz Street, **iNgxenye 3 yeSiza 1034 Kingsburgh**, isiGaba sokuBhaliswa ngu-ET, kuMasipala waseThekwini
- (2) T 13940/97, B.2., 2007/997
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.

- (1) Ku-100 Allen Street, **iSiza 15450 Newcastle**, isiGaba sokuBhaliswa ngu-HS, kuMasipala waseNewcastle
- (2) T45498/2006, B.2., 2007/1681

- (3) Ukususwa kwesimiso setayitela esivimbela ukuqhubeka kokuhlukaniswa komhlaba uma kungumhlaba ovunyelwe ngengokuchazwe yisigaba 1 soMthetho wezokuGembula kaZwelonke, 2004 (uMthetho No.7 ka 2004), nokususwa kwesimiso somthetho ukuze ubhaliswe **ngokweNgxenywe 1 yeSiza 15450 Newcastle** uma iSiza 15450 Newcastle sihlukanisiwe. Isimiso siyodluliselwa **kwiNsalela yeSiza 15450 Newcastle**
- (1) Ekhoneni lika-Ilala Crescent no-View Road, **iNgxenywe 1 yeSiza 1388 Ramsgate**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast
- (2) T 25450/07, C. (e) kanye no D., 2008/270
- (3) Ukususwa kwezimiso zetayitela ezinquma imingcele yezakhiwo futhi ezidinga ukuba kuthunyelwe amapulani okwakha.
- (1) Ku -58 Inanda Road, **iNgxenywe 14 yePulazi i-Vivian No. 14180**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
- (2) T 18486/07, B.1. kanye no E., 2008/219
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nokwakha indlu eyodwa yokuhlala.
- (1) Ku-273 Dr Yusuf Dadoo Street kanye naku 59 Maud Lane, **Iziza 3305 no 3306 eThekwini**, isiGaba sokuBhaliswa ngu-FU, kuMasipala waseThekwini
- (2) T 14717/2008, 1.b).(2) kanye no 2.2.b). 2008/466
- (3) Ukususwa kwezimiso zetayitela ezinquma imingcele yezakhiwo nezenqabela izakhiwo okungesizona izakhiwo zangaphandle, ukuba zibhekane nomzila.
- (1) Ekhoneni lika-Cactus Avenue no-Erica Road, **iSiza 15507 Newcastle**, isiGaba sokuBhaliswa ngu-HS, kuMasipala wase-Newcastle
- (2) T039869/07, C2, 2008/484
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (1) Ku-33 The Walk, **iSiza 145 (sika 92) sePulazi i-Waterfall No. 978**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
- (2) T 6462/1981, B.2., 2008/496
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
- (1) Ku-Humphries Street, **iSiza 1300 Margate**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast
- (2) T 05 33591, C.(c), 2008/587
- (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.

#### UMNYANGO WEZOHLUMENI BASEKHAYA NEZENDABUKO

Isikhangiso No. 187

#### UMTHETHO WOKUSUSWA KWEZITHIBELO, 1967: ISIMEMO SEZIMVO

UMnyango wezoHulumeni baseKhaya nezeNdabuko usuwamukele izicelo zokususwa nokumiswa kwezithibelo eziphathelene nomhlaba ngokoMthetho wokuSuswa kweziThibelo, 1967 (uMthetho No. 84 ka 1967), ezibekwe oHlelweni.

Izimvo, ezingathunyelwa ngefeksi noma ngeposi, kumele zithunyelwe kubantu ababekwe oHlelweni mhla zi 5 KuZibandlela 2008.

Qaphela ukuthi uMnyango ungenqaba ukwamukela izimvo ezithunyelwe sekwedlule usuku lokuvala.

**M. L. POVALL**, uMphathi wezokuPhathwa kweNtuthuko

Usuku: 23 Mfumfu 2008

#### UHLELO

Iminingwane esetshenziwe kubakaki inalezi zincazelo:

- (1) = Ikheli lomgwaqo, incazelo ngomhlaba, isigaba sokuBhaliswa, omasipala
  - (2) = Itayitela, isimiso, inkomba yefayela
  - (3) = Ubungako bokuzolungiswa nokuzosuswa
  - (4) = Okumele kuxhunanwe naye
  - (5) = Iminingwane yokuxhumana
- 
- (1) Ku-7 Killamey Place, iSiza 140 KwaMbonambi, isiGaba sokuBhaliswa ngu-GU, kuMasipala wakwaMbonambi
  - (2) T36571/2005, B (a) kanye no B (b), 2007/1415
  - (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala kanye nokwakha indlu eyodwa yokuhlala.
  - (4) Mnu. D. K. Chetty
  - (5) Private Bag X64, Ulundi, 3838, Ucingo: (035) 8742804, Ifeksi: (035) 8742644, [dejond.chetty@kznigta.gov.za](mailto:dejond.chetty@kznigta.gov.za)
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- (1) Ekhoneni lika-Hoyer Drive kanye no-Darrel Crescent, **iSiza 151 Cresthoime**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
  - (2) T 46273/07, B.3. 2008/887
  - (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.
  - (4) Mnu. S. Premchund
  - (5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1824, Ifeksi: (031) 204 1980, [sanjay.premchund@kznigta.gov.za](mailto:sanjay.premchund@kznigta.gov.za)
- 
- (1) Ku-124 Fairways, **iNgxenywe 8 yeSiza 3104 kanye neSiza 3103 Durban North**, isiGaba sokuBhaliswa ngu-FU, kuMasipala waseThekwini
  - (2) T 5128/1992, D. kanye no E., 2008/990
  - (3) Ukususwa kwezimiso zetayitela ezivuna i-Durban North Estates Limited ezidinga imvume ye-Durban North Estates Limited ukuze kuguqulwe ukusetshenziswa komhlaba, ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezenqabela ukuhlukaniswa iziqephu komhlaba, ezinquma imingcele yezakhiwo kanye nezidinga ukuba kuthunyelwe amapulani okwakha kwi-Durban North Estates Limited ukuze iwagunyaze.
  - (4) Mnu. S. Premchund
  - (5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1824, Ifeksi: (031) 204 1980, [sanjay.premchund@kznigta.gov.za](mailto:sanjay.premchund@kznigta.gov.za)
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- (1) Ku-34 Beachway, **iSiza 2600 Durban North**, isiGaba sokuBhaliswa ngu-FU, kuMasipala waseThekwini
  - (2) T 19509/2000, C. kanye no D., 2008/1026
  - (3) Ukususwa kwezimiso zetayitela ezivuna i-Durban North Estates Limited ezidinga imvume ye-Durban North Estates Limited ukuze kuguqulwe ukusetshenziswa komhlaba, ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezenqabela ukuhlukaniswa iziqephu komhlaba, ezinquma imingcele yezakhiwo kanye nezidinga ukuba kuthunyelwe amapulani okwakha kwi-Durban North Estates Limited ukuze iwagunyaze.

- (4) Mnu. S. Premchund  
 (5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1824, Ifeksi: (031) 204 1980, [sanjay.premchund@kznlqta.gov.za](mailto:sanjay.premchund@kznlqta.gov.za)

- (1) Ku-22 Carnarvon Place, **iSiza 2950 Durban North**, isiGaba sokuBhaliswa ngu-FU, kuMasipala waseThekwini  
 (2) T 14658/1977, (c).(d)., 2008/1065  
 (3) Ukususwa kwezimiso zetayitela ezivuna i-Durban North Estates Limited ezidinga imvume ye-Durban North Estates Limited ukuze kuguqulwe ukusetshenziswa komhlaba, ezenqabela ukuhlukaniswa iziqephu komhlaba, ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezenqabela ukusetshenziswa komhlaba ngezinhloso zebhizinisi, ezivumela ukusetshenziswa kwempahla ethile yokwakha, ezenqabela ukubekwa kwezikhangisi kulowo mhlaba, ezinquma imingcele yezakhiwo, nezifuna ukuba kuthunyelwe amapulani okwakha kwi-Durban North Estates Limited ukuze iwagunyaze.  
 (4) Nkk. A. Murgatroyd  
 (5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1919, Ifeksi: (031) 204 1980, [audrey.murgatroyd@kznlqta.gov.za](mailto:audrey.murgatroyd@kznlqta.gov.za)

- (1) Ku-53 Kensington Drive, Office 2 Kensington Square, **Erf 3764 Durban North**, Registration FU, eThekwini Municipality  
 (2) T 51213/06, 2 (a) – 2 (e), nakuwo wonke u-3, C. 2. kanye no C. 3., 2008/1084  
 (3) Ukususwa kwezimiso zetayitela ezivuna i-Durban North Estates Limited ezidinga imvume ye-Durban North Estates Limited ukuze kuguqulwe ukusetshenziswa komhlaba, ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, ezenqabela ukuhlukaniswa iziqephu komhlaba, ezinquma imingcele yezakhiwo kanye nezidinga ukuba kuthunyelwe amapulani okwakha kwi-Durban North Estates Limited ukuze iwagunyaze.  
 (4) Mnu. S. Premchund  
 (5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1824, Ifeksi: (031) 204 1980, [sanjay.premchund@kznlqta.gov.za](mailto:sanjay.premchund@kznlqta.gov.za)

#### Isikhangiso No. 188

#### **UMTHETHO WOKUSUNGULWA KWAMALOKISHI ANGAHLELEKILE NGOKUPHELELE, 1991: ISIMEMO SEZIMVO EKUSUNGULWENI KWELOKISHI ELINGAHLELEKILE NGOKUPHELELE ENGXENYENI YEPULAZI INTUZUMA NO. 17504 (IZIGABA 2 NO 3), KUMASIPALA WASETHEKWINI**

UMnyango wezoHulumeni baseKhaya nezeNdabuko usuwamukele izicelo ngokwesigaba 2(2), zokusungulwa kwelokishi elingahlelekile ngokuphelele elihlanganisa iziza zeziNdawo zokuHlala eziKhethekile ezingama-1963, iziza ezi-2 zeziKole, iziza ezi-2 zeziNkulisa, iziza zezindawo ezi-3 zokuDumisa, iziza ezi-10 ezisetshenziselwa izinto ezahlukene, kanye nesiza esi-1 sesikhungo soMphakathi epulazini iNtuzuma No.17504 (izigaba 2 no 3), isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini.

Izimvo zingathunyelwa ngeposi, ngefeksi noma nge-imeyili, futhi zingathunyelwa kuNkk R.T. Mbata, Private Bag X 54310 Durban 4000, Ucingo: (031) 2041791, Ifeksi: (031) 2041980 noma i-imeyili: [rejoice.mbatha@kznlqta.gov.za](mailto:rejoice.mbatha@kznlqta.gov.za), ngomhla zi 5 KuZibandlela.

UMnyango ungenqaba ukwemukela izimvo ezithunyelwe sekwedluie usuku lokuvala.

**M. L. POVALL**, uMphathi wezokuPhathwa kweNtuthuko

Usuku: 23 Mfumfu

Inkomba yefayela: 2008/399

No. 211

30 Oktober 2008

**DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDES**

Kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), hef ek die voorwaardes op soos in die bylae uiteengesit.

**M. L. POVALL**, Bestuurder: Ontwikkelingsadministrasie

Datum: 23 Oktober 2008

**BYLAE**

Die figure tussen hakies het die volgende betekenis:

- (1) = Straatadres, eiendomsbeskrywing, registrasie-afdeling, munisipaliteit
- (2) = Akte, voorwaarde, lêerverwysing
- (3) = Omvang van wysiging of opheffing

**BYLAE**

Die figure tussen hakies het die volgende betekenis:

- (1) = Straatadres, eiendomsbeskrywing, registrasie-afdeling, munisipaliteit
- (2) = Akte, voorwaarde, lêerverwysing
- (3) = Omvang van wysiging of opheffing

- (1) 13 Krantz Weg, **Gedeelte 4 van Erf 1034 Kingsburgh**, Registrasie-afdeling ET, eThekweni Munisipaliteit
- (2) T 05 33622, B.2., 2007/178
- (3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.

- (1) 15 Krantz Weg, **Gedeelte 3 van Erf 1034 Kingsburgh**, Registrasie-afdeling ET, eThekweni Munisipaliteit
- (2) T 13940/97, B.2., 2007/997
- (3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.

- (1) Allen Straat 100, **Erf 15450 Newcastle**, Registrasie-afdeling HS, Newcastle Munisipaliteit
- (2) T45498/2006, B.2., 2007/1681
- (3) Opheffing van titelvoorwaarde wat verdere onderverdeling van die eiendom verbied terwyl dit 'n gelisensieerde perseel is soos omskryf in artikel 1 van die Nasionale Dobbeltwet, 2004 (Wet No. 7 van 2004), en die opheffing van akte wat geregistreer moet word met betrekking tot **Gedeelte 1 van Erf 15450 Newcastle** wanneer Erf 15450 Newcastle onderverdeel word. Die voorwaarde sal oorgedra word met betrekking tot die **restant van Erf 15450 Newcastle**.

- (1) Hoek Ilala Singel en View Weg, **Gedeelte 1 of Erf 1388 Ramsgate**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit
- (2) T 25450/07, C. (e) and D., 2008/270
- (3) Opheffing van titelvoorwaarde wat boulyne op lê en die indiening van bouplanne vereis

- (1) 58 Inanda Weg, **Gedeelte 14 van die plaas Vivian No. 14180**, Registrasie-afdeling FT, eThekweni Munisipaliteit
- (2) T 18486/07, B.1. and E., 2008/219



- (3) Opheffing van titelvoorwaarde wat die gebruik van die eiendom tot woondoeleindes beperk en die oprigting van meer as een woning op die eiendom verbied.
- (1) 273 Dr Yusuf Dadoo Weg en 59 Maud Rylaan, **Erwe 3305 en 3306 Durban**, Registrasie-afdeling FU, eThekwini Munisipaliteit
- (2) T 14717/2008, 1.b).(2) and 2.2.b). 2008/466
- (3) Opheffing van h voorwaarde van titel wat h boulyn daarstel en wat verbied dat ander geboue behalwe buitegeboue, in die rigting van h steeg wys.
- (1) Hoek van Cactus Rylaan en Erica Weg, **Erf 15507 Newcastle**, Registrasie-afdeling HS, Newcastle Munisipaliteit
- (2) T039869/07, C2, 2008/484
- (3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.
- (1) 33 The Walk Weg, **Erf 145 (of 92) van die plaas Waterfall No. 978**, Registrasie-afdeling FT, eThekwini Munisipaliteit
- (2) T 6462/1981, B.2., 2008/496
- (3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.
- (1) Humphries Weg, **Erf 1300 Margate**, Registrasie-afdeling ET, Hibiskus Kus Munisipaliteit
- (2) T 05 33591, C.(c), 2008/587
- (3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.

## DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

**Advertensie No. 187**

### WET OP OPHEFFING VAN BEPERKINGS, 1967: UITNODIGING OM KOMMENTAAR TE LEWER

Aansoeke is ontvang deur die Departement van Plaaslike Regering en Tradisionele Sake vir die opheffing en opskorting van beperkings met betrekking tot grond ingevolge die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), soos in die meegaande bylae uiteengesit.

Kommentaar, wat per faks of e-pos ingedien kan word, moet teen 9 Oktober 2008 voorgelê word aan die persone vermeld in die bylae.

Let wel dat die Departement kan weier om kommentaar te aanvaar wat na die sluitingsdatum ingedien is 5 Desember 2008.

**M.L. POVALL**, Bestuurder: Ontwikkelingsadministrasie

Datum: 23 Oktober 2008

### BYLAE

Die figure tussen hakies het die volgende betekenis:

- (1) = Straatadres, eiendomsbeskrywing, registrasie-afdeling, munisipaliteit
- (2) = Akte, voorwaarde, lêerverwysing
- (3) = Omvang van toepassing
- (4) = Kontakpersoon

(5) = Kontakbesonderhede

- (1) 7 Killamey Place, Erf 140 KwaMbonambi, Registrasie-afdeling GU, Mbonambi Munisipaliteit
- (2) T36571/2005, B (a) and B (b), 2007/1415
- (3) Opheffing van titelvoorwaarde wat die gebruik van die eiendom tot woondoeleindes beperk en die oprigting van meer as een woning op die eiendom verbied.
- (4) Mnr. D. K. Chetty
- (5) Privaatsak X64, Ulundi, 3838, Tel: (035) 8742804, Fax: (035) 8742644, [deiond.chetty@kznlqta.gov.za](mailto:deiond.chetty@kznlqta.gov.za)

- (1) Hoek van Hoyer Weg and Darrel Singel, **Erf 151 Crestholme**, Registrasie-afdeling FT, eThekwini Munisipaliteit
- (2) T 46273/07, B.3. 2008/887
- (3) Opheffing van titelvoorwaarde wat die oprigting van meer as een woning op die eiendom verbied.
- (4) Mnr S. Premchund
- (5) Privaatsak X 54310 Durban 4000, Tel: (031) 204 1824, Fax: (031) 204 1980, [saniay.premchund@kznlqta.gov.za](mailto:saniay.premchund@kznlqta.gov.za)

- (1) 124 Fairways Rylaan, **Portion B of Erf 3104 and Erf 3103 Durban North**, Registrasie-afdeling FU, eThekwini Munisipaliteit
- (2) T 5128/1992, D. and E., 2008/990
- (3) Opheffing van titelvoorwaarde ten gunste van of Durban North Estates Beperk wat die toestemming van Durban North Estates Beperk vereis vir 'n verandering van grondgebruik van die eiendom, wat die oprigting van meer as een woning op die eiendom verbied, wat die onderverdeling van die eiendom verbied, wat boulyne oplê en wat die indiening van bouplanne by Durban North Estates Beperk vereis.
- (4) Mnr. S. Premchund
- (5) Privaatsak X 54310 Durban 4000, Tel: (031) 204 1824, Fax: (031) 204 1980, [saniay.premchund@kznlqta.gov.za](mailto:saniay.premchund@kznlqta.gov.za)

- (1) 34 Beachway Weg, **Erf 2600 Durban North**, Registrasie-afdeling FU, eThekwini Munisipaliteit
- (2) T 19509/2000, C. and D., 2008/1026
- (3) Opheffing van titelvoorwaarde ten gunste van of Durban North Estates Beperk wat die toestemming van Durban North Estates Beperk vereis vir 'n verandering van grondgebruik van die eiendom, wat die oprigting van meer as een woning op die eiendom verbied, wat die onderverdeling van die eiendom verbied, wat boulyne oplê en wat die indiening van bouplanne by Durban North Estates Beperk vereis.
- (4) Mnr. S. Premchund
- (5) Privaatsak X 54310 Durban 4000, Tel: (031) 204 1824, Fax: (031) 204 1980, [saniay.premchund@kznlqta.gov.za](mailto:saniay.premchund@kznlqta.gov.za)

- (1) 22 Carnarvon Place, **Erf 2950 Durban North**, Registrasie-afdeling FU, eThekwini Munisipaliteit
- (2) T 14658/1977, (c).(d)., 2008/1065
- (3) Opheffing van titelvoorwaarde ten gunste van of Durban North Estates Beperk wat die toestemming van Durban North Estates Beperk vereis vir 'n verandering van grondgebruik van die eiendom, wat die oprigting van meer as een woning op die eiendom verbied, wat die onderverdeling van die eiendom verbied, wat boulyne oplê en wat die indiening van bouplanne by Durban North Estates Beperk vereis.
- (4) Mev. A Murgatroyd
- (5) Privaatsak X 54310 Durban 4000, Tel: (031) 204 1919, Fax: (031) 204 1980, [audrey.murgatroyd@kznlqta.gov.za](mailto:audrey.murgatroyd@kznlqta.gov.za)

- (1) 53 Kensington Weg, Erf 3764 Durban North, Registrasie-afdeling FU, eThekwini Munisipaliteit
- (2) T 51213/06, 2 (a) – 2 (e), 3 in its entirety, C. 2. and C. 3., 2008/1084
- (3) Opheffing van titelvoorwaarde ten gunste van of Durban North Estates Beperk wat die toestemming van Durban North Estates Beperk vereis vir 'n verandering van grondgebruik van die eiendom, wat die oprigting van meer as een woning op die eiendom verbied, wat die onderverdeling van die eiendom verbied, wat boulyne oplê en wat die indiening van bouplanne by Durban North Estates Beperk vereis.
- (4) Mnr. S. Premchund
- (5) Privaatsak X 54310 Durban 4000, Tel: (031) 204 1824, Fax: (031) 204 1980, [sanjay.premchund@kznlgta.gov.za](mailto:sanjay.premchund@kznlgta.gov.za)

No. 188

**WET OP MINDER FORMELE DORPSTIGTING, 1991: UITNODIGING OM KOMMENTAAR TE LEWER OP STIGTING VAN MINDER FORMELE NEDERSETTING OP GEDEELTE VAN DIE PLAAS NTUZUMA NO. 17504 (FASES 2 EN 3), ETHEKWINI MUNISIPALITEIT**

'n Aansoek is ontvang deur die Departement van Plaaslike Regering en Tradisionele Sake kragtens artikel 2(2) van die Wet op Minder Formele Dorpstigting, 1991 (Wet No. 113 van 1991) vir die vestiging van 'n minder formele nedersetting op 'n gedeelte van die plaas Ntuzuma No. 17504, Registrasie-afdeling FT, EThekwini munisipaliteit, bestaande uit 1963 spesiale residensiële woonerwe, 2 skoolerwe, 1 pre-pimêre skool erf, 2 bewaarskoolerwe, 3 aanbiddingserwe, 10 gemengde gebruik erwe, en 1 gemeenskaps sentrum erf.

Kommentaar, wat per pos, faks of e-pos ingedien kan word, moet teen 5 Desember 2008 voorgelê word aan me RT Mbata, Privaatsak X54310, Durban 4000, Tel: (031) 2041791, Faks: (031) 2041980 of e-pos: [rejoice.mbata@kznlgta.gov.za](mailto:rejoice.mbata@kznlgta.gov.za).

Die Departement kan weier om kommentaar te aanvaar wat na die sluitingsdatum ingedien is.

**M. L. POVALL**, Bestuurder: Ontwikkelingsadministrasie

Lêerverwysing: 2006/399

Datum: 23 Oktober 2008

**No. 212****30 October 2008****DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****COMMENCEMENT OF THE KWAZULU-NATAL RATIONALISATION OF PLANNING AND DEVELOPMENT LAWS ACT, 2008**

In terms of section 54(a) of the KwaZulu-Natal Rationalisation of Planning and Development Laws Act, 2008 (Act No. 2 of 2008), I determine that the Act comes into operation on 1 November 2008.

**M. MABUYAKHULU**, MEC: Local Government, Housing and Traditional Affairs

Date: 17 October 2008

**No. 212****30 kuMfumfu 2008****UMNYANGO WEZOHULUMENI BASEKHAYA NEZENDABUKO****UKUQALISA KOKUSEBENZA KOMTHETHO WOKUHLELWA KABUSHA KWEMITHETHO YOKUHLELA NENTUTHUKO, 2008**

Ngokwesigaba 54(a) soMthetho wokuHlelwa kaBusha kweMithetho yokuHlela neNtuthuko waKwaZulu-Natali, 2008 (uMthetho No. 2 ka 2008), nginquma ukuthi uMthetho uyoqala ukusebenza mhla lu-1 kuLwezi 2008.

**M. MABUYAKHULU**

ILungu loMkhandlu oPhethe kwezoHulumeni baseKhaya, ezeziNdlu nezeNdabuko

Usuku: 17 uMfumfu 2008

**No. 212****30 Oktober 2008****DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****INWERKINGTREDING VAN DIE KWAZULU-NATAL WET OP DIE RASIONALISERING VAN BEPLANNINGS- EN ONTWIKKELINGSWETTE, 2008**

Ingevolge artikel 54(a) van die KwaZulu-Natal Wet op die Rasionalisering van Beplannings- en Ontwikkelingswette, 2008 (Wet No. 2 van 2008), bepaal ek hiermee dat die Wet op 1 November 2008 in werking tree.

**M. MABUYAKHULU**, LUR: Plaaslike Regering, Behuising en Tradisionele Sake

Datum: 17 Oktober 2008

No. 213

30 October 2008

**KWAZULU-NATAL GAMBLING BOARD****NOTICE OF PUBLIC HEARINGS FOR TYPE "A" SITE OPERATOR LICENCES – BATCH 13:  
MIDLANDS**

1. In terms of Regulation 22 of the Regulations published under the KwaZulu-Natal Gambling Act, 1996 (Act No. 10 of 1996), notice is hereby given that public hearings for the following applicants in respect of the applications for "A" Type Site Operator Licences will be held on Tuesday, 04 November 2008 at Royal Hotel, 140 Murchison Street in Ladysmith, commencing at 11:00.

<b>ROUTE OPERATOR</b>	<b>TYPE "A" OPERATOR APPLICANT</b>	<b>ADDRESS</b>
<b>GOLD CIRCLE KZN SLOTS (PTY) LTD</b>	1. Gold Circle (Pty) Ltd t/a Dundee Branch	35 Boundary Lane, Dundee
	2. Gold Circle (Pty) Ltd t/a Greytown Tab Agency	143 Voortrekker Street , Greytown
<b>LUCK AT IT (PTY) LTD</b>	1. Deon Louis Janse van Rensburg t/a Galaxy Sports Lounge	14 Frikkie Meyer Avenue , Barry Hertzog Park, Newcastle
	2. James Thembinkosi Khumalo t/a Doubleman Tavern	314 Woodstock Farm , Bergville
	3. Lord Allenby Shellhole Moth t/a Allenby Moth Club	29 Brewitt Road, Estcourt
	4. Newcastle Golf Club	9 FW Beyers Avenue, Newcastle
	5. Piquet Trading 4 cc t/a Crossways Pub & Restaurant	Corner Dennis Shepstone & Cedara Roads, Hilton, Pietermaritzburg
	6. Richard Lourens Esterhuizen t/a Bingelela Tavern	24 Karellandman Street, Glencoe
	7. Robindranath Mathapersadh t/a Sportsman Tavern	80A Biggar Street, Glencoe
	8. Sand Storm Trading 1 cc t/a Lalalapha	42 Karellandman Street, Glencoe
<b>THUO GAMING KZN (PTY) LTD</b>	1. Cathkin Park Sports Resorts cc t/a Monks Cowl Country Club	Sub 16 Heartsease Farm, Cathkin Park, Winterton

	<p>2. Gwandiah's Building &amp; Catering cc t/a Gwandiah's Restaurant</p> <p>3. Phumulani G. Nsele t/a Linda's Tavern</p> <p>4. Rajan Ramballie Ramsoomar t/a Fernwood Curry Bar</p> <p>5. Rajan Ramballie Ramsoomar t/a Nite Owl Tavern</p> <p>6. Sandesh S. Singh t/a Lone Star Restaurant</p> <p>7. Shakunthla Ticka t/a Kwashalaza Restaurant</p>	<p>152 Victoria Street, Estcourt</p> <p>St. Chad Phase 4B, Portion 1 of Lambardkop Settlement, Ezakheni, Ladysmith</p> <p>1 Bracken Place, Newcastle</p> <p>3 Ncandu Park, Klipriver Newcastle</p> <p>102 Biggar Street , Glencoe</p> <p>Main Road, Kranskop</p>
<b>VUKANI GAMING KZN (PTY) LTD</b>	<p>1. Alan Moodley t/a Grab-A-Bite</p> <p>2. Dhanabalan Mooiappa t/a Goodwill Cafe</p> <p>3. Ladysmith Motel cc t/a Ladysmith Motel</p> <p>4. Kimi Liquor Sales 194 cc t/a Glencoe Tavern</p> <p>5. Masham Harrynand Sooku t/a Impala Tavern</p> <p>6. Rafcoe Mechanical Services t/a Ladysmith Truckstop</p> <p>7. Sarikha Ranjith Madhau t/a Oasis Tavern</p> <p>8. S.O.O. Trading (Pty) Ltd t/a Cannon Restaurant</p> <p>9. Yasim Zafrullah Kadir t/a Washbank Hotel</p>	<p>Lot 398,85 Durban Street, Greytown</p> <p>13 Mckenzie Street, Dundee</p> <p>Lot 3134 Old Durban Road, Ladysmith</p> <p>91 Biggar Street, Glencoe</p> <p>126 Sargeant Street, Greytown</p> <p>10 Blue Bank Road, Ladysmith</p> <p>118 Hajee Jamal Street, Dundee</p> <p>96 Allen Street, Newcastle</p> <p>Lot 52/54 Station Road, Washbank</p>

No. 213

30 Oktober 2008

## KWAZULU-NATAL DOBBELRAAD

**OPENBARE VERHORE VIR DIE AANSOEK OM TIPE "A"  
PERSEELOPERATEURSLISENSIE – GROEP 13: MIDDELAND**

1. Ingevolge regulasie 22 van die regulasies onder die KwaZulu-Natal Dobbelwet, 1996 (Wet No. 10 van 1996), word hierby kennis gegee dat openbare verhore die volgende applikante vir Tipe "A" Perseeloperateurs gehou sal word om 11:00 op Dinsdag, 04 November 2008 by die Royal Hotel, 140 Murchison Straat, Ladysmith.

ROETE OPERATEUR	TIPE "A" OPERATEUR APPLIKANT	ADRES
<b>GOLD CIRCLE KZN SLOTS (PTY) LTD</b>	1. Gold Circle (Pty)Ltd t/a Gold Circle Racing & Gaming	35 Boundary Lane, Dundee
	2. Gold Circle (Pty)Ltd t/a Gold Circle Tab Agency	143 Voortrekker Street, Greytown
<b>LUCK AT IT (PTY) LTD</b>	1. Deon Louis Janse van Rensburg t/a Galaxy Sports Lounge	14 Frikkie Meyer Avenue, Barry Hertzog Park, Newcastle
	2. James Thembinkosi Khumalo t/a Doubleman Tavern	314 Woodstock Farm, Bergville
	3. Lord Allenby Shellhole Moth t/a Allenby Moth Club	29 Brewitt Road, Estcourt
	4. Newcastle Golf Club	9 FW Beyers Avenue, Barry Hertzog Park, Nwecastle
	5. Piquet Trading 4 cc t/a Crossways Pub & Restaurant	Corner Dennis Shepstone & Cedara Roads, Hilton, Pietermaritzburg
	6. Richard Lourens Esterhuizen t/a Bingelela Tavern	24 Karellandman Street, Glencoe
	7. Robindranath	42 Karellandman Street, Glencoe

	Mathapersadh t/a Sportsman Tavern	
	8. Sand Storm Trading 1 cc t/a Lalalapha	80A Biggar Street, Glencoe
<b>THUO GAMING KZN (PTY) LTD</b>	1. Cathkin Park Sports Resorts cc t/a Monks Cowl Country Club	Sub 16 Heartsease Farm, Cathkin Park, Winterton
	2. Gwandiah's Building & Catering cc t/a Gwandiah's Restaurant	152 Victoria Street, Estcourt
	3. Phumulani G. Nsele t/a Linda's Tavern	St. Chad phase 4B, Portion 1 of Lombardkop Settlement, Ezakheni, Ladysmith
	4. Rajan Ramballie Ramsoomar t/a Fernwood Curry Bar	1 Bracken Place, Newcastle
	5. Rajan Ramballie Ramsoomar t/a Nite Owl Tavern	3 Ncandu Park, Klipriver, Newcastle
	6. Sandesh Singh t/a Lone Star Restaurant	102 Biggar Street, Glencoe
	7. Shakunthia Ticka t/a Kwashalaza Restaurant	Main Road, Kranskop
<b>VUKANI GAMING KZN (PTY) LTD</b>	1. Alan Moodley t/a Grab-A-Bite	Lot 398, 85 Durban Street, Greytown
	2. Dhanabalan Mooiappa t/a Goodwill Café	13 Mckenzie Street, Dundee
	3. Ladysmith Motel cc t/a Ladysmith Motel	Lot 3134, Old Durban Road, Ladysmith
	4. Kimi Liquor Sales 194 cc t/a Glencoe Tavern	91 Biggar Street, Glencoe
	5. Masham Harrynand Sooku t/a Impala Tavern	126 Sargeant Street, Greytown
	6. Rafcoe Mechanical Services t/a Ladysmith Truckstop	10 Blue Bank Road, Ladysmith
	7. Sarikha Ranjith Madhau t/a Oasis Tavern	118 Hajee Jamal Street, Dundee



	8. S.O.O. Trading(Pty) Ltd t/a Cannon Restaurant	96 Allen Street, Newcastle
	9. Yasim Zafrullah Kadir t/a Washbank Hotel	Erf 52/54 Stasie Weg, Washbank

No. 213

30 kuMfumfu 2008

### IBHODI YEZOKUGEMBULA YAKWAZULU-NATALI

#### ISAZISO NGOKULALELWA KWEZETHULO ZOMPHAKATHI NGABAFAKI ZICELO LOHLOBO "A" LWAMALAYISENSI OKUQHUBA IMISHINI – UMTHAMO WE-13:MAPHAKATHI NESIFUNDAZWE

1. Ngokomthethonqubo 22 weMithethonqubo eshicilelwe ngaphansi komthetho wezokuGembula waKwaZulu-Natali, (uMthetho No. 10 of 1996) ngalokhu lapha kunikezelwa isaziso sokuthi izinkundla zomphakathi zezicelo ezilandelayo maqondana nohlobo "A" lwamaLayisensi okuqhuba ibhizinisi lokugembula zizobanjwa ngoLwesibili zi-04 kuLwezi 2008, eRoyal Hotel kunombolo-140 Murchison Street eMnambithi kusukela ngehora leshumi nanye (11:00).

ROUTE OPERATOR	TYPE "A" OPERATOR APPLICANT	ADDRESS
I-GOLD CIRCLE KZN SLOTS (PTY) LTD	1. Gold Circle (Pty) Ltd t/a Gold Circle Racing & Gaming	35 Boundary Lane, Dundee
	2. Gold Circle (Pty)Ltd t/a Gold Circle Tab Agency	143 Voortrekker Street, Greytown
I-LUCK AT IT (PTY) LTD	1. Deon Louis Janse van Rensburg t/a Galaxy Sports Lounge	14 Frikkie Meyer Avenue, Barry Hertzog Park, Newcastle
	2. James Thembinkosi Khumalo t/a Doubleman Tavern	314 Woodstock Farm, Bergville

	<ol style="list-style-type: none"> <li>3. Lord Allenby Shellhole Moth t/a Allenby Moth Club</li> <li>4. Newcastle Golf Club</li> <li>5. Piquet Trading 4 cc t/a Crossways Pub &amp; Restaurant</li> <li>6. Richard Lourens Esterhuizen t/a Bingelela Tavern</li> <li>7. Robindranath Mathapersadh t/a Sportsman Tavern</li> <li>8. Sand Storm Trading 1 cc t/a Lalalapha</li> </ol>	<p>29 Brewitt Road, Estcourt</p> <p>9 FW Beyers Avenue, Barry Hertzog Park, Nwecastle</p> <p>Corner Dennis Shepstone &amp; Cedara Roads, Hilton. Pietermaritzburg</p> <p>24 Karellandman Street, Glencoe</p> <p>80A Biggar Street, Glencoe</p> <p>42 Karellandman Street, Glencoe</p>
<b>I-THUO GAMING KZN(PTY) LTD</b>	<ol style="list-style-type: none"> <li>1. Cathkin Park Sports Resorts cc t/a Monks Cowl Country Club</li> <li>2. Gwandaih's Building &amp; Catering cc t/a Gwandaih's Restaurant</li> <li>3. Phumulani G. Nsele t/a Linda's Tavern</li> <li>4. Rajan Ramballie Ramsoomar t/a Fernwood Curry Bar</li> <li>5. Rajan Ramballie Ramsoomar t/a</li> <li>6. Sandesh T. Singh t/a Lone Star Restaurant</li> <li>7. Shakunthia Ticka t/a Kwashalaza Restaurant</li> </ol>	<p>Sub 16 Heartsease Farm, Cathkin Park, Winterton</p> <p>152 Victoria Street, Estcourt</p> <p>St Chad Phase 4B, Portion 1 of Lambardkop, Settlement, Ezakheni, Ladysmith</p> <p>1 Bracken Place, Newcastle</p> <p>3 Ncandu Park, Klipriver, Newcastle</p> <p>102 Biggar Street, Glencoe</p> <p>Main Road, Kranskop</p>
<b>I-VUKANI GAMING KZN (PTY) LTD</b>	<ol style="list-style-type: none"> <li>1. Alan Moodley t/a Grab- A Bite</li> <li>2. Dhanabalan Mooiappa t/a Goodwill Cafe</li> <li>3. Ladysmith Motel cc t/a</li> </ol>	<p>Lot 398, 85 Durban Street, Greytown</p> <p>13 Mckenzie Street, Dundee</p> <p>Lot 3134, Old Durban Road,</p>

	Ladysmith Motell	Ladysmith
4.	Kimi Liquor Sales 194 cc t/a Glencoe Tavern	91 Biggar Street, Glencoe
5.	Masham Harrynand Sooku t/a Impala Tavern	126 Sargeant Street, Greytown
6.	Rafcoe Mechanical Services t/a Ladysmith Truckstop	10 Blue Bank Road, Ladysmith
7.	Sarikha Ranjith Madhau t/a Oasis Tavern	118 Hajee Jamal Street, Dundee
8.	S.O.O. Trading (Pty) Ltd t/a Cannon Restaurant	96 Allen Street, Newcastle
9.	Yasim Zafrullah Kadir t/a Washbank Hotel	Isitende 52/54 Umgwaqo Station , Washbank

## KWAZULU- NATAL DEPARTMENT OF HOUSING

## KWAZULU-NATAL LAND ADMINISTRATION ACT, 2003 (ACT NO. 3 OF 2003)

## NOTICE IN TERMS OF SECTION 5(3) OF THE KWAZULU –NATAL LAND ADMINISTRATION ACT, 2003(ACT NO.3 OF 2003)

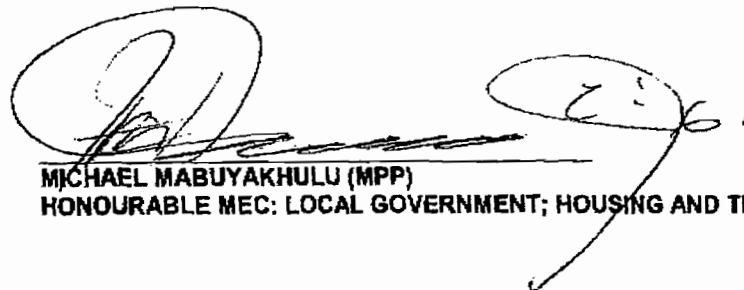
In terms of section 5 of the KwaZulu –Natal Land Administration Act, 2003 (Act No. 3 of 2003), I **MICHAEL MABUYAKHULU** (MPP) Minister of Local Government, Housing and Traditional Affairs for the KwaZulu –Natal Provincial Government, hereby give notice that I intend disposing through donation to the Ndodakusuka Municipality the under mentioned Provincial State Property.

PROPERTY DESCRIPTION	TITLE DEED NO.	SG No.	EXTENT in ha	Applicable conditions	Current Zoning	Current Usage
Annexe Reserve No. 8 No. 14264-FU	G 66/1959	696/1996	1249.8062	None	Residential	Housing

Written representation or submissions in regard to the said disposal can be made within thirty (30) days of publication of this notice to:-

The Head of the Department of Housing  
Private Bag X 9045  
**PIETERMARITZBURG**  
3200

Enquiries: C.A Robinson  
Tel: (031) 3365411  
Fax: (031) 3365145  
E-mail: [CLAUDE.ROBINSON@kznhousing.gov.za](mailto:CLAUDE.ROBINSON@kznhousing.gov.za)  
Tolaram House  
2 Aliwal Street  
DURBAN  
4000



**MICHAEL MABUYAKHULU (MPP)**  
HONOURABLE MEC: LOCAL GOVERNMENT; HOUSING AND TRADITIONAL AFFAIRS

29/06/2008  
DATE

## KWAZULU-NATAL DEPARTEMENT VAN BEHUISING

## KWAZULU-NATAL LAND ADMINISTRASIE WET,2003 (WET NR.3 VAN 2003)

## KENNISGEWING IN TERME VAN ARTIKEL 5(3) VAN DIE KWAZULU –NATAL LAND ADMINISTRASIE WET, 2003(WET NR.3 VAN 2003)

In terme van artikel 5 van die KwaZulu-Natal Land Administrasie Wet,2003 (Wet Nr. 3 van 2003), Ek **MICHAEL MABUYAKHULU** (LPP) Minister van Plaaslike Regering, Behuising en Tradisionele Sake vir die KwaZulu –Natal Provinsiale Regering, hiermee gee die kennisgewing dat ek is van plan om deur skenking te verwyder na die Ndodakusuka Munisipaliteit die onder vermeld Provinsiale Staats Besitting.

BESITTINGS BESKRYWING	TITEL VAN EIENDOM NR.	SG Nr.	OMVANG in ha	Toepaslike voorwaarde	Huidige Current Lugstreek	Huidige Behandeling
Bylae Reserve Nr. 8 No. 14264-FU	G 66/1959	598/1996	1249.8062	Geen	Woning	Behuising

Geskrywe verteenwoordiging of voorle oor betreffende na die genoemde beskikking kan binne dertig(30) dae van hierdie kennisgewing na:-

Die Hoof van die Departement van Verhuising  
 Privaat sak X 9045  
**PIETERMARITZBURG**  
 3200

Navrae: C.A Robinson  
 Tel: (031) 3365411  
 Faks: (031) 3365145  
 E-mail: [CLAUDE.ROBINSON@kznhuising.gov.za](mailto:CLAUDE.ROBINSON@kznhuising.gov.za)  
 Tolaram Huise  
 Aliwal Straat 2  
 DURBAN  
 4000



**MICHAEL MABUYAKHULU (LPP)**  
 EERVOL MEC:PLAASLIKE REGERING; VERHUISING EN TRADISIONELE SAK

**29/06/2008**  
 DATUM

## UMNYANGO WEZEZINDLU KWAZULU- NATALI

## UMTHETHO WOKUPHATHWA KWEZEMIHLABA KWAZULU-NATALI , WEZI-2003 (UMTHETHO NO. 3 WEZI- 2003)

## ISAZISO NGOKWESIGABA SESI-5(3) SOMTHETHO WOKUPHATHWA KWEZEMIHLABA KWAZULU-NATALI WEZI-2003 (UMTHETHO NO. 3 WEZI-2003)

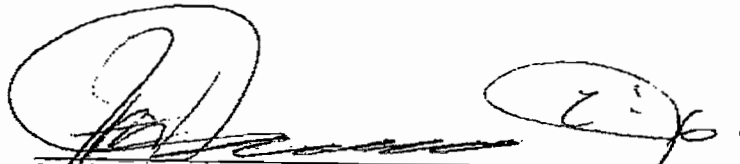
Ngokwesigaba sesi-5 soMthetho wokuPhathwa Kwezemihlaba KwaZulu-Natali, wezi-2003 (uMthetho No. 3 wezi-2003), mina **MICHAEL MABUYAKHULU** (Ilungu Lephalamende LesiFundazwe) uNgqongqoshe woHulumeni baseKhaya, ezeZindlu neziNdaba Zomdabu kuHulumeni wesiFundazwe saKwaZulu-Natali, ngikhipha Isaziso sokuthi ngihlela ukunikela kuMasipala waseNdonakusuka Impahla kaHulumeni wesiFundazwe ebalulwe ngezansi.

UKUCHAZWA KWEMPAHLA	INOMBOLO YETAYITELA	INOMBOLO ye- SG	UBUBANZI NGOKWAMA-hektare	Imibandela esebanzayo	Umhlabu ekuwo manje	Ukusetshenziswa kwayo manje
Annexe Reserve No. 8 No. 14264-FU	G 66/1959	598/1996	1249.8062	Ayikho	Indawo yokuhlala	Ezezindlu

Isethulo esibhaliwe noma iziphakamiso mayelana nalolu hlelo zingenziwa ezinsukwini ezingamashumi amathathu (30) kushicilelwe lesi saziyo ku:-

Inhloko yoMnyango wezeZindlu  
Isikhwama Seposi X 9045  
**PIETERMARITZBURG**  
3200

Imibuzo: C.A Robinson  
Ucingo: (031) 3365411  
Isihlanzi magama: (031) 3365145  
i-E-mail: [CLAUDE.ROBINSON@kznhousing.gov.za](mailto:CLAUDE.ROBINSON@kznhousing.gov.za)  
Tolaram House  
2 Aliwal Street  
DURBAN  
4000



**MICHAEL MABUYAKHULU (ILUNGU LEPHALAMENDE LESIFUNDAZWE)**  
UNGQONGQOSHE OHLONIPHEKILE: OHULUMENI BASEKHAYA; EZEZINDLU KANYE NEZINDABA ZOMDABU

29/06/2008  
USUKU

**No. 215****30 October 2008****NOTICE IN TERMS OF SECTION 9(1) OF THE KWAZULU-NATAL LAND ADMINISTRATION ACT, 2003  
(ACT NO. 3 OF 2003)**

KINDLY TAKE NOTICE that the Member of the Executive Council for Transport, Community Safety and Liaison of KwaZulu-Natal, herein after referred to as the MEC hereby gives notice in terms of section 9(1) of the KwaZulu-Natal Land Administration Act, 2003 (Act No. 3 of 2003) (hereinafter referred to as "the Act"), of his intention to expropriate the property described below, as contemplated in terms of the provisions of section 8 of the Act.

AND FURTHER TAKE NOTICE that the said property:

1. is fully described as a Portion 13 (of 12) of the Farm Lange Hoop No. 1032 measuring approximately 0,1704 ha, situated in the Administrative District of KwaZulu-Natal, and registered in the name of Robinson Harrison Sibiya by virtue of Deed of Transfer No. 1998/1998 dated 3 February 1998.
2. has the following rights: NIL
3. is currently zoned: AGRICULTURAL
4. in which the operations which are being carried on currently: NIL
5. consists of the following improvements: NIL

Written representations in regard to the proposed expropriation can be made, within thirty (30) days of the publication of this notice to the Head: Transport at the address hereunder for my consideration.

AND FURTHER TAKE NOTICE that if you are intending to claim compensation as a result of the expropriation: you are invited to enter into negotiations with the Member of the Executive Council in this regard.

AND FURTHER TAKE NOTICE that your attention is drawn to the provisions of section 9(5)(a) which provide that:

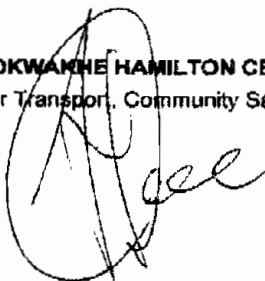
"Any expropriation referred to in subsection (4) takes effect immediately on a publication of the notice even though compensation payable in respect of such property has not been finally determined or paid"

**Contact details:**

Head: Transport	Telephone Enquiries:	<b>Ms S Ngubo</b>
Private Bag X9043	Tel No:	<b>033-355 8989</b>
PIETERMARITZBURG	Fax No:	<b>033-345 8673</b>
3200	File Ref.:	<b>P566/3/2/1</b>

Given under my hand at Pietermaritzburg on this      day of August, Two Thousand and Eight.

**BHEKOKWANHE HAMILTON CELE**  
MEC for Transport, Community Safety and Liaison



No. 215

30 Oktober 2008

**KENNISGEWING INGEVOLGE ARTIKEL 9(1) VAN DIE KWAZULU-NATAL GRONDADMINISTRASIEWET, 2003  
(WET NÓ. 3 VAN 2003)**

NEEM ASSEBLIEF KENNIS dat die lid van die Uitvoerende Raad vir vervoer, gemeenskapsveiligheid en skakeling van KwaZulu-Natal, hierna na verwys as die LUR, hiermee kennis gee ingevolge artikel 9(1) van die KwaZulu-Natal Grondadministrasiewet, 2003 (Wet No. 3 van 2003) (hierna na verwys as "Wet"), van sy voorneme om die eiendom soos hieronder beskryf, te onteien, soos bedoel ingevolge die bepalings van artikel 8 van die Wet.

EN NEEM VERDER KENNIS dat die vermelde eiendom:

1. ten volle beskryf word as gedeelte 13 (van 12) van die Plaas Lange Hoop No. 1032, wat ongeveer 0,1704 ha meet, geleë in die Administratiewe Distrik van KwaZulu-Natal, en geregistreef is in die naam van Robinson Harrison Sibiyá uit hoofde van Transportakte No. 1998/1998 gedateer 3 Februarie 1998.
2. die volgende regte het: GEEN
3. tans gesoneer is: LANDBOU
4. waarop die bedrywighede tans uitgevoer word: GEEN
5. die volgende verbeterings bevat: GEEN

Skriftelike versoë met betrekking tot die voorgenome onteiening kan binne dertig (30) dae na publikasie van hierdie kennisgewing gemaak word aan die Hoof: Vervoer by die onderstaande adres vir my oorweging.

EN NEEM VERDER KENNIS dat indien u van voorneme is om vergoeding te eis as gevolg van die onteiening, u uitgenooi word om in hierdie verband met die LUR in onderhandeling te tree:

EN NEEM VERDER KENNIS dat u aandag gevestig word op die bepalings van artikel 9(5)(a) wat bepaal dat enige onteiening vermeld in subartikel (4) onmiddellik in werking tree na publikasie van 'n kennisgewing selfs in die geval wanneer vergoeding betaalbaar met betrekking tot sodanige eiendom nie finaal bepaal of betaal is nie.

**Kontakbesonderhede:**

Hoof: Vervoer	Telefoniese navrae:	<b>Me S Ngubo</b>
Privaatsak X9043	Tel:	<b>033-3558973</b>
PIETERMARITZBURG	Faks:	<b>033-3558967</b>
3200	.Lêerverwysing:	<b>P566/3/2/1</b>

Gegee onder my hand te Pietermaritzburg op hierdie dag van Augustus, Tweeduisend-en-agt.

**BHEKOKWAKHE HAMILTON CELE**

Lid van die Uitvoerende Raad vir Vervoer, Gemeenskapsveiligheid en skakeling





No. 215

30 kuMfumfu 2008

**ISAZISO NGOKWESIGABA 9(1) SOMTHETHO WEZOKUPHATHWA KOMHLABA WAKWAZULU-NATALI, 2003  
(UMTHETHO NO. 3 KA 2003)**

UYAZISWA UKUTHI iLungu loMkhandlu oPhethe elibhekele ezokuThutha, ukuPhepha nokuXhunyaniswa koMphakathi KwaZulu-Natali, lapha njengoNgqongoshe ngalokhu likhipha isaziso ngokwesigaba 9(1) somthetho wezokuPhathwa koMhlaba waKwaZulu-Natali, 2003 (umthetho No. 3 ka 2003) (lapha kulokhu ngokubizwa "ngoMthetho"), ngenhloso yakhe yokudla umhlaba ochazwe ngenzansi, njengalokhu kuhlangezwe ngokwezihlinzeko zesigaba 8 somthetho.

FUTHI UYAZISWA ukuthi umhlaba oshiyoyo:

1. uchazwe ngokugcwele njengeNsalela yeNgxenywe 13 (kweyi-12) yePulazi i-Lange Hoop No. 1032 elilinganiselwa kumahhakele angu- 0,1704, endaweni yesiFunda sezokuPhatha saKwaZulu-Natali, futhi lbaliswe egameni lika Robinson Harrison Sibiya (Ngegunya lobunikazi) ngokwamandla eTayitela lokuDlulisela No. 1998/1998 lamhla zi-3 kuNhlotlanja 2005.
2. unalawa amalungelo alandelayo: Awekho
3. ungumhlaba oklanyelwe: ezoLimo
4. umsebenzi owenziwa kuwo njengamanje: Awukho
5. unalokhu kuthuthukiswa okulandelayo: Akukho

Iziphakamiso ezibhaliwe maqondana nokudliwa komhlaba ohlongozwayo zingenziwa ezinsukwini ezingamashumi amathathu (30) kushicilelwe lesi saziso kwiNhloko yoMnyango: wezokuThutha ekhelini elingenzansi ukuze izicubungule

FUTHI UYAZISWA ukuthi uma uhlose ukufuna isinxephezelo ngenxa yokudliwa komhlaba uyamenywa ukuthi uxoxisane noNgqongoshe maqondana nalokhu:

FUTHI UYAZISWA ukuthi okucubungulayo kuphuma ezihlinzekweni zesigaba 9(5)(a) ezihlinzeka ukuthi:

"Any expropriation referred to in subsection (4) takes effect immediately on a publication of the notice even though compensation payable in respect of such property has not been finally determined or paid"

**Imininingwane yokuxhumana:**

iNhloko yoMnyango: wezokuThutha  
Private Bag X9043  
PIETERMARITZBURG  
3200

**Imibuzo ngoCingo igondiswa ku:** Nkaz S Ngubo  
Ucingo: 033-355 8873  
Ifeksi: 033-345 8967  
Inkomba yeFayela.: P566/3/2/1

Sinikezwe ngaphansi kwesandla sami eThekwini ngalolu suku      kuNcwaba, oNyakeni weziNkulungwane eziMbili  
nesiShiyagalombili

**BHEKOKWAKHE HAMILTON CELE**

Ungqongoshe wezokuThutha, ukuPhepha nokuXhumanisa uMphakathi KwaZulu Natali

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**MUNICIPAL NOTICES—MUNISIPALE KENNISGEWINGS—IZAZISO ZIKAMASIPALA**

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**No. 38****30 October 2008****HIBISCUS COAST MUNICIPALITY****Adoption of new Rates Bylaws**

The Hibiscus Coast Municipal Council, acting under the authority of section 156(2) of the Constitution, 1996, read with section 11(3)(m) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), and section 6 of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), hereby publishes the following bylaws as adopted by the Council at its meeting held on 24 June 2008, which bylaws shall come into effect on the first day of the month following publication hereof.

SW MKHIZE  
MUNICIPAL MANAGER

**RATES BYLAWS****ARRANGEMENT OF SECTIONS***Section*

1. Definitions
2. Rates policy
3. Principles
4. Categories of property
5. Categories of owners of property
6. Properties used for multiple purposes
7. Differential rating
8. Exemptions
9. Rebates
10. Reductions
11. Property used for agricultural purposes

12. Process for granting exemptions, rebates and reductions
13. Rates increases
14. Short title
15. Commencement

## Definitions

1. In these by-laws, unless the context indicates otherwise –

“**agent**”, in relation to the owner of a property, means a person appointed by the owner of the property—

(a) to receive rental or other payments in respect of the property on behalf of the owner; or

(b) to make payments in respect of the property on behalf of the owner;

“**agricultural purpose**”, in relation to the use of a property, excludes the use of a property for the purpose of ecotourism or for the trading in or hunting of game;

“**annually**” means once every financial year;

“**category**” –

(a) in relation to property, means a category of property determined in terms of section 4 of these by-laws;

(b) in relation to owners of property, means a category of owners of property determined in terms of section 5 of these by-laws;

“**exemption**”, in relation to the payment of a rate, means an exemption granted in terms of section 8 of these by-laws;

“**land tenure right**” means an old order right or a new order right as defined in section 1 of the Communal Land Rights Act, 2004 (Act No. 11 of 2004);

“**multiple purposes**”, in relation to property, means the use of property for more than one purpose;

**“municipal council”** or **“council”** means a municipal council referred to in section 18 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

**“municipality”** means the Hibiscus Coast Municipality established in terms of section 155(6) of the Constitution, 1996, and established by and under section 11 and 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), read with sections 3, 4 and 5 of the KwaZulu-Natal Determination of Types of Municipality Act, 2000 (Act No. 7 of 2000).

**“owner”** –

- (a) in relation to property referred to in paragraph (a) of the definition of “property”, means a person in whose name ownership of the property is registered;
- (b) in relation to a right referred to in paragraph (b) of the definition of “property”, means a person in whose name the right is registered;
- (c) in relation to a land tenure right referred to in paragraph (c) of the definition of “property”, means a person in whose name the right is registered or to whom it was granted in terms of legislation, or
- (d) in relation to public service infrastructure referred to in paragraph (d) of the definition of “property”, means the organ of state which owns or controls that public service infrastructure as envisaged in the definition of “publicly controlled”,

provided that a person mentioned below may for the purposes of these By-laws be regarded by the municipality as the owner of the property in the following cases –

- (i) a trustee, in the case of a property in a trust excluding state trust land;
- (ii) an executor or administrator, in the case of property in a deceased estate;
- (iii) a trustee or liquidator, in the case of property in an insolvent estate or in liquidation;
- (iv) a judicial manager, in the case of property in the estate of a person under judicial management;
- (v) a curator, in the case of property in the estate of a person under curatorship;
- (vi) a usufructuary or other person in whose name a usufruct or other personal servitude is registered, in the case of property that is subject to a usufruct or other personal servitude;
- (vii) a lessee, in the case of a property that is registered in the name of the municipality and is leased by it; or
- (viii) a buyer, in the case of a property that was sold by a municipality and of which possession was given to the buyer pending registration of ownership in the name of the buyer;

**“permitted use”**, in relation to property, means the limited purposes for which the property may be used in terms of –

- (a) any restriction imposed by –
  - (i) a condition of title;
  - (ii) a provision of a town planning or land use scheme; or
  - (iii) any legislation applicable to any specific property or properties; or
- (b) any alleviation of any such restrictions;

**“property”** means –

- (a) immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person;
- (b) a right registered against immovable property in the name of a person, excluding a mortgage bond registered against the property;
- (c) a land tenure right registered in the name of a person or granted to a person in terms of legislation; or
- (d) public service infrastructure.

**“property register”** means a register of properties referred to in section 23 of the Act;

**“protected area”** means an area that is or has to be listed in the register referred to in section 10 of the National Environmental: Protected Areas Act, 2003 (Act No. 57 of 2003);

**“public benefits organization”** means an organization conducting specified public benefit activities as defined in the Act and registered in terms of the Income Tax Act, 1962 (Act No. 58 of 1962) for a tax reduction because of those activities;

**“publicly controlled”** means owned or otherwise under the control of an organ of state, including –

- (a) a public entity listed in the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) a municipality; or
- (c) a municipal entity as defined in the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

**“public service infrastructure”** means publicly controlled infrastructure of the following kinds:

- (a) national, provincial or other public roads on which goods, services or labour move across the municipal boundary;

- (b) water or sewer pipes, ducts or other conduits, dams, water supply reservoirs, water treatment plants or water pumps forming part of a water or sewer scheme serving the public;
- (c) power stations, power substations or power lines forming part of an electricity scheme serving the public;
- (d) gas or liquid fuel plants or refineries or pipelines for gas or liquid fuels, forming part of a scheme for transporting such fuels;
- (e) railway lines forming part of a national railway system;
- (f) communication towers, masts, exchanges or lines forming part of a communications system serving the public;
- (g) runways or aprons at national or provincial airports;
- (h) breakwaters, sea walls, channels, basins, quay walls, jetties, roads, railway or infrastructure used for the provision of water, lights, power, sewerage or similar services of ports, or navigational aids comprising lighthouses, radio navigation aids, buoys, beacons or any other device or system used to assist the safe and efficient navigation of vessels;
- (i) any other publicly controlled infrastructure as may be prescribed; or
- (j) rights of way, easements or servitudes in connection with infrastructure mention in paragraphs (a) to (i).

**“rate”** means a municipal rate on property envisaged in section 229(1)(a) of the Constitution, 1996;

**“rateable property”** means property on which a municipality may in terms of section 2 of the Act levy a rate, excluding property fully excluded from the levying of rates in terms of section 17 of the Act;

**“rebate”**, in relation to a rate payable on property, means a discount in the amount of the rate payable on the property granted in terms of section 9 of these by-laws;

**“reduction”**, in relation to a rate payable on property, means the lowering of the amount for which the property was valued and the rating of the property at that lower amount granted in terms of section 10 of these by-laws;

**“residential property”** means property included in a valuation roll in terms of section 48(2) (b) of the Act as residential;

**“sectional title scheme”** means a scheme as defined in section 1 of the Sectional Titles Act;

**“sectional title unit”** means a unit as defined in section 1 of the Sectional Titles Act

**“specified public benefit activity”** means an activity listed in item 1 (welfare and humanitarian), item 2 (health care) and item 4 (education and development) of Part 1 of the Ninth Schedule to the Income Tax Act, 1962 (Act No. 58 of 1962);

**“the Communal Land Rights Act”** means the Communal Land Rights Act, 2004 (Act No. 11 of 2004);

**“the Communal Property Associations Act”** means the Communal Property Associations Act, 1996 (Act No. 28 of 1996);

**“the Provision of Land and Assistance”** means the Provision of Land and Assistance Act, 1993 (Act No. 126 of 1993);

**“the Restitution of Land Rights Act”** means the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994);

**“the Sectional Titles Act”** means the Sectional Titles Act, 1986 (Act No. 95 of 1986);

**“the Act”** means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

**“vacant land”** means land on which no immovable improvements have been erected.

## **Rates Policy**

2.(1) The municipal council must, by resolution, adopt a policy on the levying of rates on rateable property in the municipality.

(2) The rates policy adopted by the municipal council in terms of section 2(1) must comply with the provisions of the Act.

(3) The municipality must levy rates in accordance with the Act; these by-laws; and the rates policy adopted by the municipal council in terms of section 2(1).

## **Principles**

3. The rates policy adopted by the municipal council must comply with the following principles –

(a) All ratepayers within a specific category, as determined by the municipal council from time-to-time, must be treated equitably.

- (b) A fair and transparent system of exemptions, rebates and reductions must be adopted and implemented by the municipality.
- (c) Relief measures in respect of the payment of rates may not be granted on an individual basis, other than by way of exemption, rebate or reduction.
- (d) Exemptions, rebates and reductions MAY be used to alleviate the rates burden on –
  - (i) the poor;
  - (ii) public benefit organizations; and
  - (iii) public service infrastructure.
- (e) Provision must be made for the promotion of local, social and economic development;

### **Categories of Property**

4.(1) For the purpose of levying different rates on different categories of property, the municipal council must –

- (a) determine different categories of property; or
- (b) provide criteria for determining different categories of property.

(2) The different categories of property determined by the municipal council in terms of section 4(1)(a); or the criteria for determining different categories of property provided by the municipal council in terms of section 4(1)(b) must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(3) The different categories of property determined by the municipal council in terms of section 4(1)(a) may include, but are not limited, to those set out below –

- (a) residential properties;
- (b) industrial properties;
- (c) commercial properties;
- (d) farm properties used for agricultural purposes;
- (e) farm properties used for commercial purposes;
- (f) farm properties used for residential purposes;
- (g) farm properties used for any other purpose;
- (h) farm properties not used for any purpose;
- (i) state-owned properties:
  - (i) state properties that provide local services;
  - (ii) state properties that provide district services;
  - (iii) state properties that provide metropolitan services;
  - (iv) state properties that provide provincial services; or
  - (v) state properties that provide national services;
- (j) municipal properties;
- (k) public service infrastructure;
- (l) privately owned towns;
- (m) formal and informal settlements;
- (n) communal land as defined in the Communal Land Rights Act;



- (o) state trust land;
- (p) property acquired in terms of the Provision of Land and Assistance Act;
- (q) property acquired in terms of the Restitution of Land Rights Act;
- (r) property subject to the Communal Property Associations Act;
- (s) protected areas;
- (t) national monuments;
- (u) property used for a specified public benefit activities
- (v) multiple-use properties;
- (w) vacant land;
- (x) special purposes

(4) The criteria for determining different categories of property provided by the municipal council in terms of section 4(1)(b) may include, but are not limited, to those set out below –

- (a) the actual use of the property;
- (b) the permitted use of the property;
- (c) the size of the property;
- (d) the geographical area in which the property is located; or

### **Categories of Owner**

5.(1) For the purpose of levying rates on different categories of property or for the purpose of granting exemptions, rebates or reductions, the municipal council must –

- (a) determine different categories of owners of property; or
- (b) provide criteria for determining different categories of owners of property.

(2) The different categories of owners of property determined by the municipal council or the criteria for determining different categories of owners of property provided by the municipal council must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(3) The different categories of owners of property determined by the municipal council in terms of section 5(1)(a) may include, but are not limited, to the following categories –

- (a) indigent owners;
- (b) owners dependent on pensions or social grants for their livelihood;
- (c) owners temporarily without an income;
- (d) owners of property situated within an area affected by a disaster or any other serious adverse social or economic condition;
- (e) owners of residential property whose market value is below the amount indicated in the municipality's rates policy before the first R15 000 mandatory exclusion;
- (f) owners of agricultural property who are *bona fide* farmers;

(4) The criteria for determining different categories of owners of property provided by the municipal council in terms of section 5(1)(b) may include, but are not limited to the following criteria –

- (a) income of the owner of the property;
- (b) source of income of the owner of the property;
- (c) occupation of the owner of the property;;
- (d) market value of the property;
- (e) use of the property;
- (f) disasters or any other serious adverse social or economic condition;

### **Multiple-use Properties**

6.(1) The municipal council must determine the criteria in terms of which multiple-use properties must be rated.

(2) The criteria determined by the municipal council in terms of section 6(1) must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(3) The criteria determined by the municipal council in terms of section 6(1) must be either –

- (a) the permitted use of the property;
- (b) the dominant use of the property; or
- (c) the multiple-uses of the property

(4) If the criterion set out in section 3(c) is adopted by the municipal council, the rates levied on multiple-use properties must be determined –

- (a) by apportioning the market value of such a property to the different purposes for which the property is used; and
- (b) by applying the relevant cent amount in the rand to the corresponding apportioned market value.

### **Differential Rating**

7.(1) Subject to and in conformity with the Act, the municipality may levy different rates on different categories of property.

(2) If the municipality chooses to levy different rates on different categories of property, it must exercise this power in accordance with the criteria determined by the municipal council in terms of section 3(3)(b)(i) of the Act.

(3) The criteria determined by the municipal council in terms of section 3(3)(b)(i) of the Act must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(4) The criteria which must be determined by the municipal council in terms of section 3(3)(b)(i) of the Act may include, but are not limited, to those set out below –

- (a) the nature of the property;
- (b) the sensitivity of the property to rating;
- (c) the extent to which the property has been developed;
- (d) the promotion of social and economic development;
- (e) the permitted use

(5) If the municipal council chooses to levy different rates on different categories of property, it must determine the method in terms of which different rates will be levied against different categories of property.

(6) The method determined by the municipal council in terms of section 7(5) must be based on one of the methods set out below –

- (a) setting a different cent amount in the Rand for each category of property;
- (b) granting rebates for different categories of property; or
- (c) granting reductions for different categories of property.

(7) The method determined by the municipal council in terms of section 7(5) and 7(6) must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

### **Exemptions**

8.(1) Subject to and in conformity with the Act, the municipality may exempt –

- (a) the owners of any specific category of property; and/or
  - (b) any specific category of owners of property,
- from the payment of rates.

(2) If the municipality chooses to exempt the owners of any specific category of property or any specific category of owners of property from the payment of rates, it must exercise this power in accordance with the criteria determined by the municipal council in terms of section 3(3)(b)(ii) of the Act.

(3) The criteria determined by the municipal council in terms of section 3(3)(b)(ii) of the Act must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(4) The criteria which must be determined by the municipal council in terms of section 3(3)(b)(ii) of the Act may include, but are not limited, to those set out below –

- (a) age of the owner of the property;

- (b) income of the owner of the property;
- (c) source of the income of the owner of the property;
- (d) economic, physical and social condition of the property;
- (e) public service infrastructure;
- (f) property used for specified public benefit activities;
- (g) market value of the property;

### **Rebates**

9.(1) Subject to and in conformity with the Act, the municipality may grant a rebate –

- (a) to the owners of any specific category of property; and/or
  - (b) to any specific category of owners of property,
- on the rate payable in respect of their properties.

(2) If the municipality chooses to grant a rebate to a specific category of property or to a specific category of owners of property from the payment of rates, it must exercise this power in accordance with the criteria determined by the municipal council in terms of section 3(3)(b)(iii) of the Act.

(3) The criteria determined by the municipal council in terms of section 3(3)(b)(iii) of the Act must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(4) The criteria which must be determined by the municipal council in terms of section 3(3)(b)(iii) of the Act may include, but are not limited, to those set out below –

- (a) age of the owner of the property;
- (b) physical health of the owner of the property;
- (c) nature of the property;
- (d) ownership of the property;
- (e) market value of the property;
- (f) property used for the following specified public benefit activities:
  - (i) welfare,
  - (ii) health care, or
  - (iii) education;
- (g) extent to which municipal services are provided to the property;
- (h) extent to which the property contributes to local, social and economic development;

### **Reductions**

10.(1) Subject to and in conformity with the Act, the municipality may grant a reduction:

- (a) to the owners of any specific category of property; and/or
- (b) to any specific category of owners of property, in the rate payable in respect of their properties.

(2) If the municipality chooses to grant a reduction to a specific category of property or to a specific category of owners of property from the payment of rates, it must exercise this power in accordance with the criteria determined by the municipal council in terms of section 3(3)(b)(iii) of the Act.

(3) The criteria determined by the municipal council in terms of section 3(3)(b)(iii) of the Act must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(4) The criteria which must be determined by the municipal council in terms of section 3(3)(b)(iii) of the Act may include, but are not limited, to those set out below –

- (a) fire;
- (b) floods;
- (c) lightning;
- (d) storms;
- (e) other artificial or natural disasters;

#### **Property used for agricultural purposes**

11. When considering the criteria to be applied in respect of any exemptions, rebates or reductions on properties used for agricultural purposes, the criteria listed below must be taken into account –

- (a) the extent of services provided by the municipality in respect of such properties;
- (b) the contribution of agriculture to the local economy;
- (c) the extent to which agriculture assists in meeting the service delivery and development obligations of the municipality; and
- (d) the contribution of agriculture to the social and economic welfare of farm workers.

#### **Process for granting exemptions, rebates and reductions**

12.(1) Applications for exemptions, rebates and reductions must be made in accordance with the procedures determined by the municipal council.

(2) The procedures determined by the municipal council in terms of section 12(1) must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(3) The municipality retains the right to refuse an application for an exemption, rebate or reduction if the details supplied in support of such an application are incomplete, incorrect or false.

### **Rates increases**

13.(1) Subject to and in conformity with the Act, the municipality may increase the rates it levies on property in the municipality.

(2) If the municipality chooses to increase the rates it levies on properties in the municipality, it must exercise this power in accordance with the criteria determined by the municipal council in terms of section 3(3)(b)(iv) of the Act.

(3) The criteria determined by the municipal council in terms of section 3(3)(b)(iv) of the Act must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(4) The criteria which must be determined by the municipal council in terms of section 3(3)(b)(iv) of the Act may include, but are not limited, to those set out below –

- (a) priorities of the municipality reflected in its Integrated Development Plan;
- (b) the revenue needs of the municipality;
- (c) the need for the management of rates shocks;
- (d) affordability of rates to ratepayers;

### **Short title**

14. These by-laws will be called the Hibiscus Coast Municipality Rates By-Laws, 2008

### **Commencement**

15. These by-laws come into force and effect on the first day of the month following promulgation in the KZN Provincial Gazette.

No. 38

30 kuMfumfu 2008

**IMITHETHO YEDOLOBHA EQONDENE NOKUPHATHWA  
KWAMAKHASIMENDE, UKUQOQWA NOKUHLELELWA KWEZIKWELETU**

Lemithetho elandelayo iphasiswe umkhandlu-dolobha uHibiscus Coast ngokwesigaba 156(2) soMthethosisekelo ka 1996, sifundwa nesigaba 98 soMthetho ongamele ukuHlelwa koMasipala (umthetho 32 ka 2000):

**UKUHLELELWA KWEZIGABA**

**Isigaba**

1. Izincazelo
2. Izihlinzeko ezijwayelekile
3. Amandla omkhandlu okuqoqa izikwletu
4. Izivumelwano zokusebenza
5. Ukuqoqwa kwenhlawulo ngenxa yokungakhokhi ngendlela
6. Ukuklanywa kwentela
7. Ukuxegisa, ushwele nokuhlukanisa
8. Ukudluliswa kwemininingwane yabakweleta umkhandlu
9. Ukuchithwa kwemithetho yedolobha engamele ukuqoqwa kwezikwletu
10. Amacala
11. Isihloko esifishane
12. Ukuqala kokusebenza kwemithetho

## IZINCAZELO

Ngokwenhloso yalemithetho, ngaphandle kokuba ingqikithi iveza okuhlukile

“**Okuthize**” kuhlangukisa isakhiwo, amapayipi, uphampu, ugcingo lokwakha, izintambo zikagesi, izinsimbi, imishini, nanoma yikuphi okungenayo

“**UMkhandlu**” kusho umkhandlu kamasipala njengokuchazwe esigabeni - 157soMthethosisekelo

“**ukuhlelelwa kwezikweleti**” kusho zonke izinhlelo eziqondene nokuqoqwa kwezimali ezikweletwa abakhokhi bentela kanye nabasebenzisa imisebenzi kamasipala

“**Obhekelele abathengi**” kusho ukunakekela izidingo zabathengi ngokuvumelekile nangokwendlela yokwenza ngokucophelela ukugqugquzela kokukhokhwa, ngalokho-ke kunchipha izidingo zokuphoqa abantu

“**Ikhasimende**” kusho noma yimuphi umuntu kunoma iyiphi indawo lapho umkhandlu uvumile ukudlulisa noma eqinisekisa ukudlulisa imisebenzi, noma uma kungekho muntu ongumhlali kuleyo ndawo, kube ngumnikazi wendawo

“**Inkokhelo**” kusho isaziso esisemthethweni esinjengesitatimende kulowo nalowo mthengi ngenani elinqunyiwe okumele alikhokhe ngemisebenzi kamasipala, kuhlangukisa nayo yonke enye imali okungenzeka iyisikweletu esele kwi-akhawunti

“**Inzalo**” kuchaza inhlawulo elingana nenhlawulo ekhokhelwa imisebenzi nebalwa ngokwesinqumo esikhushwe umkhandlu ngazo zonke izikweletu ezisalele ngemuva

“**Imisebenzi kamasipala**” kusho leyo misebenzi, intela, kanye nentela evela kwi-akhawunti kamasipala ngemisebenzi eyenziwe umkhandlu engakakhokhelwa.

“**I-akhawunti kamasipala**” ingahlangukisa intela, nenhlawulo ngemisebenzi elandelayo kanye/noma izintela:

- a. Ukusetshenziswa kukagesi
- b. Indawo yokuhlala eqashisayo kanye nezimali ezikhokhwa njalo ngenyanga
- c. Izinkokhelo ezinhlobonhlobo
- d. Ukuthuthwa kukadoti
- e. Ukuthuthwa kwendle



- f. Intela kanye nenhlawulo ekhokhwa ngokwesilinganiso sendlu
- g. Inzalo kanye nezimali zokuqoqwa kwezikweletu
- h. Izimali zabameli nezinkantolo ngokwesigaba 3.2 kulemithetho yedolobha

“**Okweletayo**” kusho labo bantu abakweleta umkhandlu maqondana nentela kanye / noma inhlawulo ngomsebenzi isikhathi esingaphezu kwezinsuku ezingama-40 ( amashumi amane) kusukela osukwini lokukhokha.

“**Umhlali**” kusho nonoma yimuphi umuntu ohlala noma yikweyiphi indawo, kungabalulekile ukuthi uhlala kuleyo ndawo njengobani

“ **Umikazi wendawo**” kusho :

- a. Umuntu ngezikhathi thize ogunyazwe ngumthetho ukuba kuleyondawo
- b. Uma umuntu osemthethweni engasekho noma ehluleka ukukhokha, noma kunezihibe ezithile ezimvimbayo ngokomthetho, kuyoba yilowo ogama lakhe ligunyaziwe ngokomthetho ukuba abhekelele noma apha the leyondawo njengomphathi, umphathimafa obekiwe, umgcini mafa, ophethiswe inkantolo, oqokelwe ukukhokha izikweletu noma abanye abakhulumeli abasemthethweni.
- c. Esimweni lapho umkhandlu ungakwazi ukuthola lowo muntu, kuyoba yilowo muntu osethubeni lokuthola leyondawo noma isakhiwo esilapho
- d. Esimwemi sezindawo eziqashiswa iminyaka ewu-30 noma ngaphezulu, kuyoba umhlali waleyo ndawo;
- e. Maqondana ne:
  - (i) nomhlaba ochazwe ngokusikwa kwepulani, obhaliswe ngaphansi komthetho wokubhaliswa kwamatayitela (umthetho 95 ka-1986) futhi ngaphandle kokunciphisa okuchazwe ngenhla, umakhi noma amalunga omfelandawonye apethe leyo ndawo, noma
  - (ii) sigaba njengoba kuchaziwe kulowo mthetho , umuntu ogama lakhe libhalisiwe kuleso sigaba ngaphansi kwetayitela elenziwe futhi kuhlanganisa ngumuntu ongummeli wakhe oqokwe ngokomthetho yilowo muntu;
- f. Noma imuphi umuntu ovumelekile kuhlanganisa nakuba kungagcini kwi-:
  - (i) nkampani ebhaliswe ngokomthetho wezinkampani ka 1973 ( umthetho 61 ka 1973), inkampani eyi-trust, trust *mortis causa*, inkampani encane ebhaliswe ngokomthetho wezinkampani ezincane eziwumfelandawonye ka 1984 (umthetho 69 ka1984), inhlango e sebenza ngokuzinikela;

- (ii) nanoma imuphi uMnyango kaHulumeni
- (iii) nanoma yimuphi umkhandlu noma ibhodi elisungulwe kulandelwa imithetho evumelekile eNingizimu ne-Afrika;
- (iv) Nanoma iyiphi indlu yamanxusa okanye esinye isakhiwo sezizwe

“ **Izindawo**” kuhlangukisa nanoma imuphi umhlaba, onemingcele echazwe njengokudwetshwa kwayo kwi-:

- a. pulani elijwayelekile noma umdwebo obhaliswe ngokomthetho weZokuklanywa kweMihlaba, we- 9 ka-1927 noma ngokomthetho 47 ka-1937 wokubhaliswa kwemihlaba noma;
- b. pulani elibhaliswe ngokomthetho wamatayitela umthetho 95 ka-1986, ngendlu eyakhiwe endaweni engaphansi komkhandlu.

“**UMphathi weZezimali**” kusho umuntu oqashwe umkhandlu ukubheka ukuphathwa kwezezimali zomkhandlu kanye nokuqoqwa kwezikweleti kulabo abakweleta umkhandlu, phakathi kwezinye izinto.

## 2. IZIHLENGEKO EZIJWAYELEKILE

### 2.1 Izaziso kanye nemiqulu

- a. Isaziso noma umqulu okhiswe umkhandlu uyothathwa njengosemthethweni uma ukhishwe wasayindwa umsebenzi ogunyazwe umkhandlu;
- b. Uma isaziso sizodluliselwa kumuntu ngokwalemithetho yedolobha kumele lokho kwenziwe ngokuthi:
  - (i) ahanjiselwe isaziso kuyena noma kulowo muntu ommele nogunyaziwe ngokufanekileyo
  - (ii) kuhanjiswe isaziso kwikheli lakhe lokuhlala noma endaweni yomsebenzi, ishiywe kumuntu obonakalayo uuthi iminyaka yakhe yevile kweyishumi nesithupha futhi okucacile ukuthi uhlala okanye uqashwe khona;
- c. Uma eqoke ikheli lakhe elisemthethweni okuzothunyelwa khona isaziso, sithunyelwe khona;
- d. Ikheli lakhe elibhalisiwe noma ikheli elokugcina elaziwayo
- e. Uma kuyisigungu esiphethe isakhiw, sithunyelwe ehhovisini elibhalisiwe noma ezindaweni zamabhizinisi aleso sigungu

- f. Uma lowo msebenzi ochazwe kwindima (b) kuya ku (e) ungeke wenzeke, isaziso kuyomele sichonywe esichabheni sokungena ngaphakathi, okanye sibekwe endaweni esobala noma ebonakalayo.

## **2.2 UKUFAKAZELWA KWEMIQULU**

- a. Zonke izaziso, izigunyazo neminye imiqulu edinga ukufakazelwa ngokusemthethweni iyothathwa njengesemthethweni uma isayinwe umsebenzi ogunyaziswe umkhandlu ngokwesinqumo somkhandlu okanye somthetho-dolobha
- b. Ukudluliswa kwekhophi kuyothwathwa ngendlela efanayo nokudluliswa kwencwadi yokuqala

## **2.3 Ukukhokhwa kwesikweletu ngokuphelele**

- a. uMphathi weZezimali uyoba negunya lokwemukela izimali ezitholwa umasipala njengenkokhelo yemisebenzi ethile ehlinzekwa umasipala
- b. Uma inani elinqunyiwe lingakhokhiwwe ngokuphelele, kepha kukhokhwe elingaphansi kwalo, leyo mali ngeke yamukelwe njengenkokhelo ephelele, ngaphandle uma lokho kwamukelwe uMphathi weZezimali okanye umsebenzi ogunyazwe nguye;
- c. Okuchazwe kwindima 2.3 (a) ngenhla yikho okuyokwemukelwa nakuba kungenzeka ukuthi kwemukelwe inani elingaphansi njennkookhelo yokugcina;
- d. uMphathi weZezimali kanye nommele bayokwamukela leyo mali encane ngokubhala incwadi.

## **2.4 Imali yenzalo**

Ngokomthetho wokuphathwa kwezimali zikamasipala ngokwesigaba-64 (2), imali eseleyo elindelekile ukukhokhwa ngosuku lokugcina iyokwengezwa inzalo (umthetho 56 ka-2003) njengoba kuhlelelwe kwisabiwo-zimali sonyaka ngokuhambisana nesigaba -24 (2) (ii) somthetho.

## **2.5 Ubufakazi obuphathekayo**

Isitifiketi esiveza imali ekweletwa umasipala, nesisayinwe uMphathi kaMasipala okanye omunye umsebenzi ogunyazisiwe, siyokwemukelwa njengobufakazi obuphathekayo ngaleso sikweletu kunoma iyiphi inkantolo.

### **3. AMANDLA OMKHANDLU OKUQOQA IZIKWELETU**

#### **3.1 Isithembiso senkokhelo esingafezekiswa**

Lapho ibhange lingayifaki imali ukufezekisa isithembiso senkokhelo esenziwe, umkhandlu unelungelo lokwengeza izimali ezithize kwi-akhawunti yalowo muntu okweleta umkhandlu, ulandela imigomo ebekiwe.

#### **3.2 Izindleko zomthetho**

Zonke izindleko zomthetho, kuhlanganisa izimali ezichithelwe abameli nezindleko zikamasipala ziyofakwa kwi-akhawunti yalowo muntu onesikweletu.

#### **3.3 Izindleko zokukhumbuzisa abakweletayo izimali ezisalele**

Izindleko zokukhumbuzisa okweletayo ngesikweletu sakhe, okungahlanganisa ukumshayela ucingo, ukumthumela incwadi noma isikhahlamezi, kungenzeka zifakwe kwi-akhawunti yalowo muntu okweletayo kulandelwa imigomo yomkhandlu.

#### **3.4 Izindleko zokunqamula imisebenzi kamasipala**

Lapho noma omuphi umsebenzi owehlukeneyo njengomphumela wokungabikho ukuthobelana kwalokho ngomthetho wabathengi, umkhandlu kamele avumele inhlawulo ahpinde abuyise inkokhelo yomgomo wokuhlukana njengokunqunyise umkhandlu ngezikhathi zonke kubasebenzise bomssebenzi.

### **3.5 AMA- AKHAWUNTI**

Umasipala anga:

- a. Hlanganisa nanoma yimaphi amakhawunti ahlukene omuntu onecala lokukhokhela umasipala ;
- b. Thatha nanoma iyphi inkokhelo eyenziwe yilowo okweletayo ayifake kunoma iyphi yamanye ama akhawunti ache; futhi
- c. Angathatha nanoma iziphi izinyathelo ezichazwe kulemithetho yedolobha ukuqoqa izikweletu ezisalele.

### **4. ISIVUMELWANO SOKUSEBENZA**

- 4.1 Awukho msebenzi kagesi oyonikezelwa ngaphambi kokuthi umuntu afake isicelo ngefomu likamasipala elisemthethweni (imizi ejwayelekile namabhizinisi), bese ekhokha imali eyidiphozi, neyonqunywa umkhandlu.

4.2 Ukuphela kwesivumelwano somsebenzi kumele kuthunyelwe ngenchwadi yilowo onenhloso yokwenze njalo.

**5. UKUQOQWA KWENHLAWULO NGENXA YOKUNGAKHOKHI NGENDLELA**

**5.1 Umgomo oqondene nokuhlelwa nokuphathwa kwezikweletu**

Umkhandlu uyoba nomgomo obhalwe phansi oqondene nokuphathwa kanye nokuqoqwa kwezikweleti, ohlinzekela:

- a. Inqubo yokuhlelwa kwezikweletu;
- b. Inqubo yokuqoqwa kwezikweletu;
- c. Ukuhlinzekela abampofu, okuyohambisana nemigomo kamasipala yokubhekela abampofu, kanye nekahulumeni kuzwelonke
- d. Inzalo kwinhlawulo yokungakhokhi
- e. Ukwengezwa kwesikhathi sokukhokhelwa ama-akhawunti;
- f. Ukuphela komsebenzi noma ukumiswa komsebenzi uma sekuze kwadlula isikhathi kungakhokhiwe, kwangena nenye imali yenzalo ngaphezulu ;
- g. Ngenkathi unquma ngaloluhlelo, umkhandlu ungahlukanisa ngendlela obona kufanele phakathi kwezigaba zabantu, abathengi, abakweletayo, kanye nabanikazi.

**5.2 Amandla okunciphisa noma okunqamula ukudluliswa kwemisebenzi**

- a. Umkhandlu unganciphisa okanye unqamule ukudluliswa kwamandla kagesi, noma umise noma ngabe yimuphi umsebenzi kunoma iyiphi indawo uma ngabe ohlomula ngokusebenzisa lowo msebenzi:
  - (i) ehluleka ukukhokha ngokugcwele ngosuku olunqunyiweyo noma ohluleka ukwenza izinhlelo ezivumelekile zokukhokha lelo nani, ntela ayikweletayo;
  - (ii) ehluleka ukuhambisana nombandela onqunye umkhandlu;
  - (iii) evimbela ukudluliselwa kukagesi noma eminye imisebenzi komunye umuntu;
  - (iv) edlulisela umsebenzi kamasipala noma evuma ukuba kuqhutshekwe kudluliselwe imisebenzi kamasipala kumthengi ongavumelekile;
  - (v) obangela isimo ngokombono womkhandlu esiyingozi noma obangela ukwaphulwa kwemithetho;

- (vi) obekwe ngaphansi kwamandla enkantolo isikhashana , izikweletu zakhe ziphethwe umthetho noma owenza okuphathelene nalokho ngokomthetho i-Insolvency Act, umthetho no. 24 ka-1936;
  - (vii) uma umthetho unikeze igunya lokuba lowo muntu aphathelwe amandla ngokwesigaba 74 somthetho ongamele iziNkantolo zeziMantshi ka 1944 (umthetho 32 ka-1944);
- b. Umkhandlu uyobuye uxhume okanye ubuyisele umsebenzi esimweni esijwayelekile emva kokuba yonke imali ekweletwayo ikhokhwe ngokuphelele, kuhlanganisa nezimali eziyinkokhelo yokwenza lowo msebenzi wokuxhuma kabusha lowo msebenzi onqanyulwe, kanye nanoma iyiphi enye imali njengoba inqunywe kwinqubo-mgomo yomkhandlu eqondene nokuphathwa kwezikweletu.
- c. Umkhandlu uyoba nelungelo lokubamba noma ukuvala umsebenzi ngenxa yokungakhokhelwa kwemisebenzi ehlinzekwa umkandlu noma izintela ezithize, noma ngabe kukhona inkokhelo eyenziwe eqondene nemisebenzi ethize, futhi lelo lungelo uyophinde uligodle nakuba kungenzeka ukuthi umnini ndawo akusiye owangena kwisivumelwano nomkhandlu.

### 5.3 Amandla okungena kanye nokuhlola

- a. Umsebenzi omele umkhandlu ngokusemthethweni unelungelo lokungena abuye ahlole nanoma iyiphi indawo ngenhloso yokuqinisekisa ukugcinwa kwalemithetho yedolobha, okanye ngezinhloso zokuxhuma noma ukulungisa nanoma iyiphi into elimele, okanye ezonciphisa, ezovala noma ezonqamula nanoma imuphi umsebenzi.
- b. Uma umkhandlu ubona kubalulekile ukuba kwenziwe umsebenzi othize ngaphambi kokuba umsebenzi kamasipala afike ukuzokwenza umsebenzi ochazwe ngenhla, kungenzeka:
- (i) ubhalele umninindawo noma umhlali umyalele ukuba enze lowo msebenzi ngokwezindleko zakhe kungakapheli isikhathi esithile noma;
  - (ii) uma ngokombona wawo isimo siphuthuma, umkhandlu uwenze wona lowo msebenzi okanye uthumele ukuba wenziwe kepha ukhokhelwe umninindawo.
- c. Uma umsebenzi uchazwe ku (b) ngaphezulu wenziwa ngenhloso yokuhlola ukuthi lemithetho iphuliwe na, bese kuvela ukuthi akunjalo, izindleko zalowo msebenzi kanye nokubuyisela indawo esimweni sayo sakudala ziyothwalwa umkhandlu.

#### **5.4 Izinhlelo zokukhokha imali esele kanye nemali enqunyiwe ngokulandelana ngamancozuncozu**

- a. Umuntu okweletayo angangena esivumelwaneni esibhalwe phansi sagunyazwa umkhandlu ukuba akhokhele noma yiyiphi imali esele ngaphansi kwemibandela elandelayo:
  - (i) imali eshodayo, inhlawulo kanye nenzalo kungakhokhwa ngamancozuncozu nyangazonke ngokuhlelwa okufanele, kubuye kubhekwe nezimali ezizoqhubeka nokufakwa kuma-akhawunti njengenkohelo yemisebenzi esikhathini esizayo.
  - (ii) isivumelwano esibhalwe phansi kumelwe sisayindwe omkhulu ophethe ovunyelwe ngokufanele esikhundleni somkhandlu .
- b. Uma kwenzeka kuvela noma yimuphi umbango ngemali ekweletwa umnikazi wendawo ngenxa yezindleko zikamasipala, umnikazi wendawo akanganaki nokho lowo mbango aqhubeka nokukhokha ngokujwayelekile ngangokusho kwezibalo zesilinganiso ye-akhawunti kamasipala ngokuqala ezinyangeni ezintathu ngaphambi kokunyuswa umbango kanye nokuthathwa kwenzalo kuma-akhawunti kanye kanye nenguqukoyanjalo njalo kanye ngonyaka yamaphoyisa omgwagqo awomkhandlu.

#### **5.5 Ukubuyiselwa esimweni kwemisebenzi**

UMphathi weZezimali uyogunyaza ukuphinda kubuyiselwe esimweni imisebenzi kamasipala ngemuva kokwamukela inkokhelo kanye / noma ukuhlelwa kwendlela yokukhokha eseyenziwe njengokusho kwenqubo yokuhlelwa izikweleti zomkhandlu.

### **6. UKUKLANYWA KWENTELA**

#### **6.1 Inani elilindelwe ngentela eklanyiwe**

- a. Yonke inqubo yentela enqunye abanikazi bendawo ikhokhwa ngosuku olubekiwe njengokunqunyiwe womkhandlu
- b. Ukuhlanguka kwabanikazi bendawo akubambisene kanye nokuhluleka okumbalwa kokukhokhela intela enqunyiwe.
- c. ukunqunywa kwentela kuzonqunya ngokulingana kokukhokha nyangazonke njengokunqunyiwe umkhandlu noma kube ukukhokha kanye njalo ngonyaka , njengesivumelwano esibhalwe phansi.

- d. ukukhokhelwa kwentela okunqunyiwe akungabi nomehluko ukudlula usuku olunqunyiwe ngenhloso yokuphikisana nesinqumo sentengo elinganisiwe.

**6.2 Ukufakwa kwesicelo sokudla imali yerenti ngenxa yemali yama-rates engakhokhiwe**

Umkhandlu ungafaka isicelo enkantolo sokuhlenganisa noma iyiphi irenti ngendlela yokukhokheleka kwentela yendawo, ngokukhokhela ingxenye noma yonke imali esalele ngokwenqubo yentela uma usuku olunqunyiwe selweqile ezinyangeni ezintathu.

**6.3 Isibophezelo sabaqondisi bezinkampani ukukhokha inhlawulo yentela yezakhiwo**

Lapho inkampani yomfelandawonye noma amalunga omfelandawonye ngokomthetho wamatayitela ka1986, inesibophezelo sokukhokhelwa kwanoma iyiphi inhlawulo kumkhandlu, lesi sikweletu siyodluliselwa kubaqondisi baleyo nkampani, ndawonye noma umuntu ngamunye ngamunye.

**6.4 Ukukhokhwa kwentela ngempahla yomkhandlu ethengisiwe**

- a. Umthengi wendawo yomkhandlu unesibopho sokukhokhela intela enqunyiwe ngendawo ngonyaka wezimali athenge ngawo leyo ndawo.
- b. Uma kwenzeka umkhandlu uphinde uyidla leyo ndawo, nanoma iziphi izimali ezisalele kuyomele zikhokhwe umthengi.

**6.5 Ukumiswa kokubhaliswa kwendawo ngomnikazi omusha**

- a. Irejista yezinto noma okunye okubhalisiwe kumphakathi wempahla engenakususwa ongeke ukwazi ukubhaliselwa ekudlulisweni kwempahla kphela kokwenzelwa isitifiketi esimisiwe:
- (i) esikhishwe umasipala wakuleyo ndawo eyakhiwe futhi
  - (ii) esivumelana nalo lonke inani elinqunywe ekuhlenganeni kwemali enqunywe umsebenzi kamasipala ,imali enqanyulwe inhlawulo yentela eyelekiweyo yempahla kanye nezinye izintela zikamasipala ,inhlawulo kanye nezinye izidingo kumele zikhokhwe ngokuphelele
- b. esikhundleni sokudluliswa kwempahla engenakususwa , wumphathi obekiwe wefa lomuntu ongasekho ukulungisela lesi sigaba kumsuka wesigaba-89 somuntu owabhala i8fa ongasekho uthetho-1936 ( umthetho sisekelo-24 ka-1936)



- c. Inani elinqunyiwe lezindleko zomsebenzi kamasipala , imali enqunyelwe inhlawulo ephindiwe, intela yempahla kanye nezinye izintela zikamasipala izinhlawulo kanye nezinye izinto ezibanjwayo futhi nokujabulela ngothando ngaphezulu kwanoma eyiphi imali ebanjiwe ebhaliselwe esikhundleni sempahla

## **6.6 Ukunqunywa kwentela ekhokhwa endaweni kamasipala**

- a. Umsebenzisi wendawo kamasipala ubhekelele ukukhokhela noma esiphi isinqumo esijwayelekile sokukhokhela intela yendawo ngobungako besikhathi sesivumelwano nomuntu oqashile njengokuba echishe eba umnikazi waleyondawo.
- b. Umphathi omkhulu wezimali angakhetha ukuhlunganisa isinqumo sentela ngokubhekelelwa kwendawo emalini esikhundleni sokuthi bayithumelele ngokwehlukana njengendada yabanikazi bendawo

## **7. UKUXEGISA, USHWELE NOKUHLUKANISA**

- 7.1 Umkhandlu ungahlukanisa phakathi kwezinhlobo ezehlukene zezindawo , izinhlobo ezehlukene zabanikazi bendawo , abasebenzisi bezinto zokusebenza , abakweleti , intela imisebenzi ,izinga lomsebenzi kanye nokunye okuthile
- 7.2 Umkhandlu ungakhululeka noma uyekele ekubhaleni izidingo zokulungisela esibonisweni esithile futhi nakubanikazi abathile bendawo noma kumthengi, lokhu ngemithetho.
- 7.3 Noma yikuphi ukwahlukaniswa noma ukukhululwa akube ngaphansi kwesimiso esithile ongakwazi ukucabanga okufanele ukunquma uma kuwumbono wokuthi isicelo noma ukusebenza kwalokho kulungisela kulokho kolokho kokubonakala okumele kungabinasizathu

## **8. UKUDLULISWA KWEMININGWANE YABAKWELETA UMKHANDLU**

Umkhandlu unelungelo lokudlulisela ulwazi ngalabo bantu abawukweletayo ezinhlanganweni ezisebenza ngalolo lwazi. Ulwazi oluyodluliswa ngaleyo ndlela luyohlunganisa iminingwane ekhona ngalowo muntu, kanti uma lowo muntu kuyinkampani, kudluliselelwe ulwazi olukhona ngabantu baphethe leyo nkampani.

## **9. UKUCHITHWA KWEMITHETHO YEDOLOBHA YOMKHANDLU ENGAMELE UKUQOQWA KWEZIKWELETU**

Nanoma imiphi imithetho-dolobha ebikhona engamele ukuqoqwa nokuphathwa kwezikweletu iyachithwa uma ngabe lokho ekhuluma ngakho kuvela nakulemithetho.; futhi leyo mithetho engachithiwe iyothathwa njengesemthethweni lapho ingashayisani nokuhlinzekwe kulemithetho yedolobha.

## **10. AMACALA**

### **10.1 Umuntu:-**

- a. Olulekayo ukunika izidingo ezifunwa umphathi ngendlela yalemithetho
- b. Ovimbela noma ovimbela umphathi ekwenzeni umsebenzi noma ekwenzeni okungaphansi kwalokhu ngomthetho
- c. Ukusebenza noma ukungenelela kwezinto zokusebenza zomkhandlu noma ukuqedwa kokudluliswa komsebenzi

## **11. ISIHLOKO ESIFISHANE**

Lokhu ngomthetho kungabizwa ngokunakekelawa kwabathengi bese Hibiscus Coast Municipality, ukuhlelwa kokuthenga kanye nokuqoqwa kwezikweletu ngomthetho-2008

## **12. UKUQALA KOKUSEBENZA KWEMITHETHO**

Lemithetho iyosetshenziswa ngokusemthethweni kusukela mhlaka 01 Julayi 2008.

**No. 38****30 October 2008****HIBISCUS COAST MUNICIPALITY****Adoption of new Credit Control and Debt Collection Bylaws**

The Hibiscus Coast Municipal Council, acting under the authority of section 156(2) of the Constitution, 1996, read with section 11(3)(m) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), and section 6 of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), hereby publishes the following bylaws as adopted by the Council at its meeting held on 24 June 2008, which bylaws shall come into effect on the first day of the month following publication hereof.

SW MKHIZE  
MUNICIPAL MANAGER

**CREDIT CONTROL & DEBT COLLECTION BY-LAWS****ARRANGEMENT OF SECTIONS****Section**

- |    |   |
|----|---|
| 1  | Definitions   |
| 2  | General provisions  |
| 3  | Power of Council to recover costs                             |
| 4  | Service agreements  |
| 5  | Arrears collection  |
| 6  | Assessment rates  |
| 7  | Relaxation, waiver and differentiationReporting of defaulters |
| 8  | Repeal of Council's Credit Control By-laws                    |
| 9  | Offenses  |
| 10 | Short title   |
| 11 | Commencement  |

## 1. DEFINITIONS

For the purpose of these by-laws, unless the context indicates otherwise:

“**Apparatus**” includes a building, structure, pipe, pump, wire, cable, meter, machine or any fitting.

“**Council**” means a municipal council as referred to in section 157 of the Constitution.

“**Credit Control**” means all the functions relating to the collection of monies owed by ratepayers and users of municipal services.

“**Customer Management**” means the focusing on the client’s needs in a responsive and pro-active way to encourage payment, thereby limiting the need for enforcement.

“**Customer**” means any occupier of any premises to which the Council has agreed to supply or is actually supplying services, or if there is no occupier, then the owner of the premises.

“**Billing**” means proper formal notification (invoicing) on a statement to each customer of amounts levied for assessment rates and services and the net accumulated balance of the account.

“**Interest**” constitutes a levy equal to service levies and is calculated at a rate determined by the Council on all service levies in arrears.

“**Municipal Services**” those services, rates and taxes reflected on the municipal account for which payments is required by Council.

“**Municipal Account**” shall include levies or charges in respect of the following services and/or taxes:

- (a) Electricity consumption;
- (b) Housing rental and instalments;
- (c) Sundry charges;
- (d) Refuse removal;
- (e) Sewerage services;
- (f) Rates and taxes charged in relation to the value of the premises;
- (g) Interest and collection charges;
- (h) Legal fees in terms of paragraph 3.2 of these bylaws.

“**Defaulter**” means those persons owing the Council in respect of taxes and/or service charges for a period of more than 40 (forty) days from date of account.

“**Occupier**” means any a person who occupies any premises or part thereof, without regard to the title under which he or she occupies.

“**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 of and control of such premises 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 such premises or a building thereon;
- (d) In the case of premises for which a lease of 30 years or more has been entered into, 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 95 of 1986), and without restricting the above 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;
- (f) Any legal person including but not limited to:
  - (i) a company registered in terms of the Companies Act, 1973 (Act 61 of 1973), Trust *inter vivos*, Trust *mortis causa*, a Closed Corporation registered in terms of the Closed Corporations Act, 1984 (Act 69 of 1984), a Voluntary Association;
  - (ii) any Department of State;
  - (iii) any Council or Board established in terms of any legislation applicable to the Republic of South Africa;
  - (iv) any Embassy or other foreign entity.

“**Premises**” includes any piece of land, the external surface boundaries of which are delineated on:

- (a) A general plan or diagram registered in terms of the Land Survey Act, 9 of 1927 or in terms of the Deeds Registry Act, 47 of 1937; or
- (b) A sectional plan registered in terms of the Sectional Titles Act, 95 of 1986, which is situated within the area of jurisdiction of the Council.

“**Chief Financial Officer**” means a person appointed by the Council to manage, *inter alia*, the Council’s financial administration and debt collection of the Council’s debtors.

## 2. GENERAL PROVISIONS

### 2.1 Notices and Documents

- (a) A notice or document issued by the Council in terms of these by-laws shall be deemed to be duly issued if it is signed by an officer authorized by the Council;
- (b) If a notice is to be served on a person in terms of these by-laws, such service shall be effected by:
  - (i) delivering the notice to him or her personally or to his or her duly authorized agent;
  - (ii) by delivering the notice at his or her residence or place of employment to a person apparently not less than sixteen years of age and apparently residing or employed there;

- (c) If he or she has nominated an address for legal purposes, by delivering the notice to such an address;
- (d) Registered or certified post addressed to his or her last known address;
- (e) In the event of a body corporate, by delivering it at the registered office or the business premises of such body corporate;
- (f) If service cannot be effected in terms of paragraphs (b) to (e) by affixing it to the principal door of entry to the premises, or placing it to a conspicuous place on the land to which it relates.

## **2.2 Authentication of documents**

- (a) Every order, notice of other document requiring authentication by the Council shall be sufficiently authenticated, if signed by the Municipal Manager or by a duly authorized officer of the Council, such authority being conferred by resolution of the Council or by a by-law or regulation;
- (b) Delivery of a copy shall be deemed to be delivery of the original.

## **2.3 Full and final settlement of an amount**

- (a) The Chief Financial Officer shall be at liberty to appropriate monies received in respect of any of its municipal services it deems fit;
- (b) Where the exact amount due and payable to the Council has not been paid in full, any lesser amount tendered to and accepted by any Council employee, except the Chief Financial Officer and/or his/her fully authorized delegate, shall not be deemed to be in final settlement of such an amount;
- (c) The provisions in 2.3(a) above shall prevail notwithstanding the fact that such lesser payment was tendered and/or accepted in full settlement;
- (d) The Chief Financial Officer and/or his/her delegate shall consent to the acceptance of such a lesser amount in writing.

## **2.4 Interest charges**

Interest on arrears outstanding after the due date, will be charged in accordance with Section 64 (2) of the Municipal Finance Management Act (Act 56 of 2003), as set in the Tariff of Charges as approved annually in the setting of the budget, in accordance with Section 24 (2) (c) (ii) of the Municipal Finance Management Act.

## **2.5 Prima facie evidence**

A certificate reflecting the amount due and payable to the Council, under the hand of the Municipal Manager, or suitably qualified person authorized by the Municipal Manager, shall upon mere production thereof be accepted by any court of law as prima facie evidence of the indebtedness.

### **3. POWER OF COUNCIL TO RECOVER COSTS**

#### **3.1 Dishonoured payments**

Where any payment made to the Council is later dishonoured by the bank, the Council may levy such costs and administration fees against an account of the defaulting debtor in terms of the Council's tariff provisions.

#### **3.2 Legal fees**

All legal costs, including attorney-and-own-client costs incurred in the recovery of amounts in arrears shall be levied against the arrears account of the debtor.

#### **3.3 Cost to remind debtors of arrears**

For any action taken in demanding payment from the debtor or reminding the debtor, by means of telephone, fax, email, letter or otherwise, that his/her payments are due, a penalty fee may be levied against the account of the debtor in terms of the Council's tariff provisions.

#### **3.4 Disconnection fees**

Where any service is disconnected as a result of non-compliance with these by-laws by the customer, the Council shall be entitled to levy and recover the standard disconnection fee as determined by the Council from time to time from the user of the services.

#### **3.5 Accounts**

A municipality may:

- (a) Consolidate any separate accounts of persons liable for payments to the municipality;
- (b) Credit any unspecified payment by such a person against any account of that person; and
- (c) Implement any of the debt collection and credit control measures provided for in these by-laws in relation to any arrears on any of the accounts of such a person.

### **4. SERVICE AGREEMENT**

4.1 No supply of electricity services shall be given unless and until application has been made and a service agreement, in the Council's prescribed form in the format or as close as possible to the format reflected in Schedules 1A (Household Consumers) and 1B (Business Consumers), has been entered into and a deposit as security equal to an amount and in the form of either cash or a bank guarantee as determined by the Council from time to time, has been paid in full.

4.2 Termination of the services agreement must be in writing to the other party of the intention to do so.

## **5. ARREARS COLLECTION**

### **5.1 Credit Control Policy**

The Council shall have a written policy on credit control and debt collection, which provides for:

- (a) Credit control procedures and mechanisms;
- (b) Debt collection procedures and mechanisms;
- (c) Provision for indigent debtors that is consistent with its rates and tariff policies and any national policy on indigents;
- (d) Interest on arrears;
- (e) Extensions of time for payment of accounts;
- (f) Termination of services or the restriction of the provision of services when payments are in arrears;
- (g) In determining its policy the Council may differentiate between categories of person, clients, debtors and owners, as it may deem appropriate.

### **5.2 Power to restrict or disconnect supply of services**

- (a) The Council may restrict or disconnect the supply of electricity, or discontinue any other service to any premises whenever a user of any service:
  - (i) fails to make full payment on the due date or fails to make acceptable arrangements for the repayment of any amount for services, rates, or taxes;
  - (ii) fails to comply with a condition of supply imposed by the Council;
  - (iii) obstructs the efficient supply of electricity, or any other municipal services to another customer;
  - (iv) supplies such municipal service to a customer who is not entitled thereto or permits such service to continue;
  - (v) causes a situation which in the opinion of the Council is dangerous or a contravention of relevant legislation;
  - (vi) is placed under provisional sequestration, liquidation or judicial management, or commits an act of insolvency in terms of the Insolvency Act no 24 of 1936;
  - (vii) if an administration order is granted in terms of section 74 of the Magistrates Court Act, 1944 (Act 32 of 1944) in respect of such user;
- (b) The Council shall reconnect and/or restore full levels of supply of any of the restricted or discontinued services only after the full amount outstanding amounts, including the costs of such disconnection and reconnection, if any, have been paid in full, or any other condition or conditions of the Council's Credit Control Policy, as it may deem fit, have been complied with.
- (c) The right to restrict, disconnect or terminate a service due to non-payment for any other service or assessment rate, shall be in respect of any service rendered by Council, and shall prevail, notwithstanding the fact that payment has been made in respect of any specific service, and shall also prevail notwithstanding the fact that the person who entered into agreement for supply of services with the Council and the owner, are different entities or persons, as the case may be.



### 5.3 Power of entry and inspection

- (a) A duly authorized representative of the Council may for any purpose related to the implementation or enforcement of these by-laws, at all reasonable times or in an emergency at any time, enter premises, request information and carry out such inspection and examination as he or she may deem necessary, and for purposes of installing or repairing any meter or service connection for reticulation, or to disconnect, stop or restrict the provision of any service.
- (b) If the Council considers it necessary that work be performed to enable an officer to perform a function referred to in (a) above properly and effectively, it may:
  - (i) by written notice require the owner or occupier of the premises, at his or her own expense, to do specified work within a specified period; or
  - (ii) if in its opinion the situation is a matter of urgency, without prior notice, do such work or cause it to be done at the expense of the owner.
- (c) If the work referred to in (b) above is carried out for the sole purpose of establishing whether a contravention of these by-laws has been committed and no such contravention has taken place, the Council shall bear the expense connected therewith together with that of restoring the premises to their former condition.

### 5.4 Arrangements to pay outstanding and due amount in consecutive installment

- (a) A debtor may enter into a written agreement with the Council to repay any outstanding and due amount to the Council under the following conditions:
  - (i) the outstanding balance, costs and any interest thereon shall be paid in regular and consecutive monthly installments within a reasonable period of time, also taking into consideration the billing of future rates and services;
  - (ii) the written agreement has to be signed on behalf of the Council by a duly authorized officer.
- (b) Should any dispute arise as to the amount owing by an owner in respect of municipal services, the owner shall notwithstanding such dispute proceed to make regular minimum payments based on the calculation of the average municipal account for the preceding three months prior to the arising of the dispute and taking into account interest as well as the annual amendments of tariffs of the Council.

### 5.5 Reconnection of services

The Chief Financial Officer shall authorize the reconnection of services or reinstatement of service delivery after satisfactory payment and/or arrangement for payment has been made according to the Council's Credit Control Policy.

## **6. ASSESSMENT RATES**

### **6.1 Amount due for assessment rates**

- (a) All assessment rates due by property owners are payable by the due date as determined by Council.
- (b) Joint owners of property shall be jointly and severally liable for payment of assessment rates.
- (c) Assessment rates will be levied in equal monthly installments, as determined by council, or in one annual payment, as per a written agreement.
- (d) Payment of assessment rates may not be deferred beyond the due date by reason of an objection to the valuation roll.

### **6.2 Claim on rental for assessment rates in arrears**

The Council may apply to Court for the attachment of any rent due in respect of rateable property, to cover in part or in full any amount outstanding in respect of assessment rates for a period longer than three months after the fixed date.

### **6.3 Liability of company directors for assessment rates**

Where a company, closed corporation or a body corporate in terms of the Sectional Titles Act, 1986 is responsible for the payment of any arrears amount to the Council, the liability of such entity shall be extended to the directors or members thereof jointly and severally, as the case may be.

### **6.4 Disposed of Council's property and payment of assessment rates**

- (a) The purchaser of Council property is liable for the payment of assessment rates on the property in respect of the financial year in which the purchaser becomes the new owner.
- (b) In the event that the Council repossesses the property, any outstanding and due amount in respect of assessment rates shall be recovered from the purchaser.

### **6.5 Restraint of transfer of property**

- (a) A registrar of deeds or other registration officer of immovable property may not register the transfer of property except on production of a prescribed certificate:
  - (i) issued by the municipality in which that property is situated; and
  - (ii) which certifies that all amounts due in connection with that property for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties have been fully paid.

- (b) In the case of the transfer of immovable property by a trustee of an insolvent estate, the provisions of this section are subject to section 89 of the Insolvency Act, 1936 (Act No. 24 of 1936).
- (c) An amount due for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties is a charge upon the property in connection with which the amount is owing and enjoys preference over any mortgage bond registered against the property.

#### **6.6 Assessment rates payable on municipal property**

- (a) The lessee of municipal property is responsible for payment of any general assessment rates payable on the property for the duration of the lease, as if he is the owner of such property.
- (b) The Chief Financial Officer may elect to include the assessment rates in respect of a property in the rent payable by the lessee, instead of billing it separately as in the case of owners of properties.

### **7. RELAXATION, WAIVER AND DIFFERENTIATION**

- 7.1 The Council may differentiate between different categories of properties, different categories of owners, users of services, customers, debtors, taxes, services, service standards and other matters.
- 7.2 The Council may, in a specific instance and for a particular owner or customer, relax or waive in writing the requirements of a provision of these by-laws.
- 7.3 Any such differentiation or relaxation shall be upon such conditions as it may deem fit to impose if it is of the opinion that the application or operation of that provision in that instance would be unreasonable.

### **8. REPORTING OF DEFAULTERS**

The Council may in its discretion through a duly delegated officer report such persons that owe the Council monies to bodies that collate and retain such information. The information that would be included in such a report shall be the available personal information of the defaulter, or in the event of a legal person, the available statutory details, including information pertaining to the responsible officers of such legal person.

### **9. REPEAL OF COUNCIL CREDIT CONTROL BY-LAWS**

The provisions of any by-law relating to the credit control and debt collection by the Council, are hereby repealed insofar as they relate to matters provided for in these by-laws; provided that such provisions shall be deemed not to have been repealed in respect of any such by-law which has not been repealed and which is not repugnant to these by-laws on the basis as determined by the relevant by-laws.

**10. OFFENCES**

## 10.1 A person who:

- (a) Fails to give the access required by an officer in terms of these by-laws;
- (b) Obstructs or hinders an officer in the exercise of his or her powers or performance of functions or duties under these by-laws;
- (c) Uses or interferes with Council equipment or consumption of services supplied.

**11. SHORT TITLE**

These by-laws shall be called Hibiscus Coast Municipality Customer Care, Credit Control and Debt Collection By-Laws 2008

**12. COMMENCEMENT**

These by-laws come into effect on the first day of the month following publication hereof.

**IMITHETHO YEDOLOBHA EQONDENE NOKUPHATHWA  
KWAMAKHASIMENDE, UKUQOQWA NOKUHLELELWA KWEZIKWELETU**

Lemithetho elandelayo iphasiswe umkhandlu-dolobha uHibiscus Coast ngokwesigaba 156(2) soMthethosisekelo ka 1996, sifundwa nesigaba 98 soMthetho ongamele ukuhlelwa koMasipala (umthetho 32 ka 2000):

**UKUHLELWA KWEZIGABA**

**Isigaba**

1. Izincazelo
2. Izihlinzeko ezijwayelekile
3. Amandla omkhandlu okuqoqa izikwletu
4. Izivumelwano zokusebenza
5. Ukuqoqwa kwenhlawulo ngenxa yokungakhokhi ngendlela
6. Ukuklanywa kwentela
7. Ukuxegisa, ushwele nokuhlukanisa
8. Ukudluliswa kwemininingwane yabakweleta umkhandlu
9. Ukuchithwa kwemithetho yedolobha engamele ukuqoqwa kwezikwletu
10. Amacala
11. Isihloko esifishane
12. Ukuqala kokusebenza kwemithetho

## IZINCAZELO

Ngokwenhloso yalemithetho, ngaphandle kokuba ingqikithi iveza okuhlukile

“**Okuthize**” kuhlangukisa isakhiwo, amapayipi, uphampu, ugcingo lokwakha, izintambo zikagesi, izinsimbi, imishini, nanoma yikuphi okungenayo

“**UMkhandlu**” kusho umkhandlu kamasipala njengokuchazwe esigabeni - 157soMthethosisekelo

“**ukuhlelelwa kwezikweletu**” kusho zonke izinhlelo eziqondene nokuqoqwa kwezimali ezikweletwa abakhokhi bentela kanye nabasebenzisa imisebenzi kamasipala

“**Obhekelele abathengi**” kusho ukunakekela izidingo zabathengi ngokuvumelekile nangokwendlela yokwenza ngokucophelela ukugququzela kokukhokhwa, ngalokho-ke kunchipha izidingo zokuphoqa abantu

“**Ikhasimende**” kusho noma yimuphi umuntu kunoma iyiphi indawo lapho umkhandlu uvumile ukudlulisa noma eqinisekisa ukudlulisa imisebenzi, noma uma kungekho muntu ongumhlali kuleyo ndawo, kube ngumnikazi wendawo

“**Inkokhelo**” kusho isaziso esisemthethweni esinjengesitatimende kulowo nalowo mthengi ngenani elinqunyiwe okumele alikhokhe ngemisebenzi kamasipala, kuhlangukisa nayo yonke enye imali okungenzeka iyisikweletu esele kwi-akhawunti

“**Inzalo**” kuchaza inhlawulo elingana nenhlawulo ekhokhelwa imisebenzi nebalwa ngokwesinqumo esikhushwe umkhandlu ngazo zonke izikweletu ezisalele ngemuva

“**Imisebenzi kamasipala**” kusho leyo misebenzi, intela, kanye nentela evela kwi-akhawunti kamasipala ngemisebenzi eyenziwe umkhandlu engakakhokhelwa.

“**I-akhawunti kamasipala**” ingahlangukisa intela, nenhlawulo ngemisebenzi elandelayo kanye/noma izintela:

- a. Ukusetshenziswa kukagesi
- b. Indawo yokuhlala eqashisayo kanye nezimali ezikhokhwa njalo ngenyanga
- c. Izinkokhelo ezinhlobonhlobo
- d. Ukuthuthwa kukadoti
- e. Ukuthuthwa kwendle
- f. Intela kanye nenhlawulo ekhokhwa ngokwesilinganiso sendlu
- g. Inzalo kanye nezimali zokuqoqwa kwezikweletu
- h. Izimali zabameli nezinkantolo ngokwesigaba 3.2 kulemithetho yedolobha

**“Okweletayo”** kusho labo bantu abakweleta umkhandlu maqondana nentela kanye / noma inhlawulo ngomsebenzi isikhathi esingaphezu kwezinsuku ezingama-40 ( amashumi amane) kusukela osukwini lokukhokha.

**“Umhlali”** kusho nonoma yimuphi umuntu ohlala noma yikweyiphi indawo, kungabalulekile ukuthi uhlala kuleyo ndawo njengobani

**“ Umikazi wendawo”** kusho :

- a. Umuntu ngezikhathi thize ogunyazwe ngumthetho ukuba kuleyondawo
- b. Uma umuntu osemthethweni engasekho noma ehluleka ukukhokha, noma kunezihibe ezithile ezimvimbayo ngokomthetho, kuyoba yilowo ogama lakhe ligunyaziwe ngokomthetho ukuba abhekelele noma apha the leyondawo njengomphathi, umphathimafa obekiwe, umgcini mafa, ophethiswe inkantolo, oqokelwe ukukhokha izikweletu noma abanye abakhulumeli abasemthethweni.
- c. Esimweni lapho umkhandlu ungakwazi ukuthola lowo muntu, kuyoba yilowo muntu osethubeni lokuthola leyondawo noma isakhiwo esilapho
- d. Esimwemi sezindawo eziqashiswa iminyaka ewu-30 noma ngaphezulu, kuyoba umhlali waleyo ndawo;
- e. Maqondana ne:
  - (i) nomhlaba ochazwe ngokusikwa kwepulani, obhaliswe ngaphansi komthetho wokubhaliswa kwamatayitela (umthetho 95 ka-1986) futhi ngaphandle kokunciphisa okuchazwe ngenhla, umakhi noma amalunga omfelandawonye apethe leyo ndawo, noma
  - (ii) sigaba njengoba kuchaziwe kulowo mthetho , umuntu ogama lakhe libhalisiwe kuleso sigaba ngaphansi kwetayitela elenziwe futhi kuhlanganisa ngumuntu ongummeli wakhe oqokwe ngokomthetho yilowo muntu;
- f. Noma imuphi umuntu ovumelekile kuhlanganisa nakuba kungagcini kwi:-
  - (i) nkampani ebhaliswe ngokomthetho wezinkampani ka 1973 ( umthetho 61 ka 1973), inkampani eyi-trust, trust *mortis causa*, inkampani encane ebhaliswe ngokomthetho wezinkampani ezincane eziwumfelandawonye ka 1984 (umthetho 69 ka1984), inhlango esebenza ngokuzinikela;
  - (ii) nanoma imuphi uMnyango kaHulumeni
  - (iii) nanoma yimuphi umkhandlu noma ibhodi elisungulwe kulandelwa imithetho evumelekile eNingizimu ne-Afrika;

(iv) Nanoma iyiphi indlu yamanxusa okanye esinye isakhiwo sezizwe

“ **Izindawo**” kuhlenganisa nanoma imuphi umhlaba, onemingcele echazwe njengokudwetshwa kwayo kwi-:

- a. pulani elijwayelekile noma umdwebo obhaliswe ngokomthetho weZokuklanywa kweMihlaba, we- 9 ka-1927 noma ngokomthetho 47 ka- 1937 wokubhaliswa kwemihlaba noma;
- b. pulani elibhaliswe ngokomthetho wamatayitela umthetho 95 ka-1986, ngendlu eyakhiwe endaweni engaphansi komkhandlu.

“**UMphathi weZezimali**” kusho umuntu oqashwe umkhandlu ukubheka ukuphathwa kwezezimali zomkhandlu kanye nokuqoqwa kwezikweleti kulabo abakweleta umkhandlu, phakathi kwezinye izinto.

## 2. IZIHLINZEKO EZIJWAYELEKILE

### 2.1 Izaziso kanye nemiqulu

a Isaziso noma umqulu okhiswe umkhandlu uyothathwa njengosemthethweni uma ukhishwe wasayindwa umsebenzi ogunyazwe umkhandlu;

b Uma isaziso sizodluliselwa kumuntu ngokwalemithetho yedolobha kumele lokho kwenziwe ngokuthi:

- (i) ahanjiselwe isaziso kuyena noma kulowo muntu ommele nogunyaziwe ngokufanekileyo
- (ii) kuhanjiswe isaziso kwikheli lakhe lokuhlala noma endaweni yomsebenzi, ishiywe kumuntu obonakalayo uuthi iminyaka yakhe yevile kweyishumi nesithupha futhi okucacile ukuthi uhlala okanye uqashwe khona;

c. Uma eqoke ikheli lakhe elisemthethweni okuzothunyelwa khona isaziso, sithunyelwe khona;

d. Ikheli lakhe elibhalisiwe noma ikheli elokugcina elaziwayo

e. Uma kuyisigungu esiphethe isakhiw, sithunyelwe ehhovisini elibhalisiwe noma ezindaweni zamabhizinisi aleso sigungu

f. Uma lowo msebenzi ochazwe kwindima (b) kuya ku (e) ungeke wenzeke, isaziso kuyomele sichonywe esichabheni sokungena ngaphakathi, okanye sibekwe endaweni esobala noma ebonakalayo.

### 2.2 UKUFAKAZELWA KWEMIQULU

- a. Zonke izaziso, izigunyazo neminye imiqulu edinga ukufakazelwa ngokusemthethweni iyothathwa njengesemthethweni uma isayinwe umsebenzi ogunyaziswe umkhandlu ngokwesinqumo somkhandlu okanye somthetho-dolobha



- b. Ukudluliswa kwekhophi kuyothwathwa ngendlela efanayo nokudluliswa kwencwadi yokuqala

### **2.3 Ukukhokhwa kwesikweletu ngokuphelele**

- a. uMphathi weZezimali uyoba negunya lokwemukela izimali ezitholwa umasipala njengenkokhelo yemisebenzi ethile ehlinzekwa umasipala
- b. Uma inani elinqunyiwe lingakhokhiwwe ngokuphelele, kepha kukhokhwe elingaphansi kwalo, leyo mali ngeke yamukelwe njengenkokhelo ephelele, ngaphandle uma lokho kwamukelwe uMphathi weZezimali okanye umsebenzi ogunyazwe nguye;
- c. Okuchazwe kwindima 2.3 (a) ngenhla yikho okuyokwemukelwa nakuba kungenzeka ukuthi kwemukelwe inani elingaphansi njenkookhelo yokugcina;
- d. uMphathi weZezimali kanye nommele bayokwamukela leyo mali encane ngokubhala incwadi.

### **2.4 Imali yenzalo**

Ngokomthetho wokuphathwa kwezimali zikamasipala ngokwesigaba-64 (2), imali eseleyo elindelekile ukukhokhwa ngosuku lokugcina iyokwengezwa inzalo (umthetho 56 ka-2003) njengoba kuhlelelwe kwisabiwo-zimali sonyaka ngokuhambisana nesigaba -24 (2) (ii) somthetho.

### **2.5 Ubufakazi obuphathekayo**

Isitifiketi esiveza imali ekweletwa umasipala, nesisayinwe uMphathi kaMasipala okanye omunye umsebenzi ogunyazisiwe, siyokwemukelwa njengobufakazi obuphathekayo ngaleso sikweletu kunoma iyiphi inkantolo.

## **3. AMANDLA OMKHANDLU OKUQOQA IZIKWELETU**

### **3.1 Isithembiso senkokhelo esingafezekiswa**

Lapho ibhange lingayifaki imali ukufezekisa isithembiso senkokhelo esenziwe, umkhandlu unelungelo lokwengeza izimali ezithize kwi-akhawunti yalowo muntu okweleta umkhandlu, ulandela imigomo ebekiwe.

### **3.2 Izindleko zomthetho**

Zonke izindleko zomthetho, kuhlenganisa izimali ezichithelwe abameli nezindleko zikamasipala ziyofakwa kwi-akhawunti yalowo muntu onesikweletu.

### **3.3 Izindleko zokukhumbuzisa abakweletayo izimali ezisalele**

Izindleko zokukhumbuzisa okweletayo ngesikweletu sakhe, okungahlanganisa ukumshayela ucingo, ukumthumela incwadi noma isikhahlamezi, kungenzeka zifakwe kwi-akhawunti yalowo muntu okweletayo kulandelwa imigomo yomkhandlu.

### **3.4 Izindleko zokunqamula imisebenzi kamasipala**

Lapho noma omuphi umsebenzi owehlukeneyo njengomphumela wokungabikho ukuthobelana kwalokho ngomthetho wabathengi, umkhandlu kamele avumele inhlawulo ahpinde abuyise inkokhelo yomgomo wokuhlukana njengokunqunywe umkhandlu ngezikhathi zonke kubasebenzise bomsebenzi.

## **3.5 AMA- AKHAWUNTI**

Umasipala anga:

- a. Hlanganisa nanoma yimaphi amakhawunti ahlukene omuntu onecala lokukhokhela umasipala ;
- b. Thatha nanoma iyphi inkokhelo eyenziwe yilowo okweletayo ayifake kunoma iyphi yamanye ama akhawunti ache; futhi
- c. Angathatha nanoma iziphi izinyathelo ezichazwe kulemithetho yedolobha ukuqoqa izikweletu ezisalele.

## **4. ISIVUMELWANO SOKUSEBENZA**

- 4.1 Awukho msebenzi kagesi oyonikezelwa ngaphambi kokuthi umuntu afake isicelo ngefomu likamasipala elisemthethweni (imizi ejwayelekile namabhizinisi), bese ekhokha imali eyidiphozi, neyonqunywa umkhandlu.
- 4.2 Ukuphela kwesivumelwano somsebenzi kumele kuthunyelwe ngencwadi yilowo onenhloso yokwenze njalo.

## **5. UKUQOQWA KWENHLAWULO NGENXA YOKUNGAKHOKHI NGENDLELA**

### **5.1 Umgomo oqondene nokuhlelwa nokuphathwa kwezikweletu**

Umkhandlu uyoba nomgomo obhalwe phansi oqondene nokuphathwa kanye nokuqoqwa kwezikweletu, ohlinzekela:

- a. Inqubo yokuhlelwa kwezikweletu;

- b. Inqubo yokuqoqwa kwezikweletu;
- c. Ukuhlinzekela abampofu, okuyohambisana nemigomo kamasipala yokubhekela abampofu, kanye nekahulumeni kuzwelonke
- d. Inzalo kwihlawulo yokungakhokhi
- e. Ukwengezwa kwesikhathi sokukhokhelwa ama-akhawunti;
- f. Ukuphela komsebenzi noma ukumiswa komsebenzi uma sekuze kwadlula isikhathi kungakhokhiwe, kwangena nenywe imali yenzalo ngaphezulu ;
- g. Ngenkathi unquma ngaloluhlelo, umkhandlu ungahlukanisa ngendlela obona kufanele phakathi kwezigaba zabantu, abathengi, abakweletayo, kanye nabanikazi.

## **5.2 Amandla okunciphisa noma okunqamula ukudluliswa kwemisebenzi**

- a. Umkhandlu unganciphisa okanye unqamule ukudluliswa kwamandla kagesi, noma umise noma ngabe yimuphi umsebenzi kunoma iyiphi indawo uma ngabe ohlomula ngokusebenzisa lowo msebenzi:
  - (i) ehluleka ukukhokha ngokugcwele ngosuku olunqunywewo noma ohluleka ukwenza izinhlelo ezivumelekile zokukhokha lelo nani, ntela ayikweletayo;
  - (ii) ehluleka ukuhambisana nombandela onqunywe umkhandlu;
  - (iii) evimbela ukudluliselwa kukagesi noma eminye imisebenzi komunye umuntu;
  - (iv) edlulisela umsebenzi kamasipala noma evuma ukuba kuqhutshekwe kudluliselwe imisebenzi kamasipala kumthengi ongavumelekile;
  - (v) obangela isimo ngokombono womkhandlu esiyingozi noma obangela ukwaphulwa kwemithetho;
  - (vi) obekwe ngaphansi kwamandla enkantolo isikhashana , izikweletu zakhe ziphethwe umthetho noma owenza okuphathelene nalokho ngokomthetho i-Insolvency Act, umthetho no. 24 ka-1936;
  - (vii) uma umthetho unikeze igunya lokuba lowo muntu aphathelwe amandla ngokwesigaba 74 somthetho ongamele iziNkantolo zeziMantshi ka 1944 (umthetho 32 ka-1944);
- b. Umkhandlu uyobuyele uxhume okanye ubuyisele umsebenzi esimweni esijwayelekile emva kokuba yonke imali ekweletwayo ikhokhwe ngokuphelele, kuhlanganisa nezimali eziyinkokhelo yokwenza lowo msebenzi wokuxhuma kabusha lowo msebenzi onqanyulwe, kanye nanoma iyiphi enye imali njengoba inqunywe kwinqubo-mgomo yomkhandlu eqondene nokuphathwa kwezikweletu.

- c. Umkhandlu uyoba nelungelo lokubamba noma ukuvala umsebenzi ngenxa yokungakhokhelwa kwemisebenzi ehlinzekwa umkandlu noma izintela ezithize, noma ngabe kukhona inkokhelo eyenziwe eqondene nemisebenzi ethize, futhi lelo lungelo uyophinde uligodle nakuba kungenzeka ukuthi umnini ndawo akusiye owangena kwisivumelwano nomkhandlu.

### 5.3 Amandla okungena kanye nokuhlola

- a. Umsebenzi omele umkhandlu ngokusemthethweni unelungelo lokungena abuye ahlole nanoma iyiphi indawo ngenhloso yokuqinisekisa ukugcinwa kwalemithetho yedolobha, okanye ngezinhloso zokuxhuma noma ukulungisa nanoma iyiphi into elimele, okanye ezonciphisa, ezovalala noma ezonqamula nanoma imuphi umsebenzi.
- b. Uma umkhandlu ubona kubalulekile ukuba kwenziwe umsebenzi othize ngaphambi kokuba umsebenzi kamasipala afike ukuzokwenza umsebenzi ochazwe ngenhla, kungenzeka:
- (i) ubhalele umninindawo noma umhlali umyalele ukuba enze lowo msebenzi ngokwezindleko zakhe kungakapheli isikhathi esithile noma;
  - (ii) uma ngokombona wawo isimo siphuthuma, umkhandlu uwenze wona lowo msebenzi okanye uthumele ukuba wenziwe kepha ukhokhelwe umninindawo.
- c. Uma umsebenzi uchazwe ku (b) ngaphezulu wenziwa ngenhloso yokuhlola ukuthi lemithetho iphuliwe na, bese kuvela ukuthi akunjalo, izindleko zalowo msebenzi kanye nokubuyisela indawo esimweni sayo sakudala ziyothwalwa umkhandlu.

### 5.4 Izinhlelo zokukhokha imali esele kanye nemali enqunyiwe ngokulandelana ngamancozuncozu

- a. Umuntu okweletayo angangena esivumelwaneni esibhalwe phansi sagunyazwa umkhandlu ukuba akhokhele noma yiyiphi imali esele ngaphansi kwemibandela elandelayo:
- (i) imali eshodayo, inhlawulo kanye nenzalo kungakhokhwa ngamancozuncozu nyangazonke ngokuhlelwa okufanele, kubuye kubhekwe nezimali ezizoqhubeka nokufakwa kuma-akhawunti njengenkokhelo yemisebenzi esikhathini esizayo.
  - (ii) isivumelwano esibhalwe phansi kumelwe sisayindwe omkhulu ophethe ovunyelwe ngokufanele esikhundleni somkhandlu .
- b. Uma kwenzeka kuvela noma yimuphi umbango ngemali ekweletwa umnikazi wendawo ngenxa yezindleko zikamasipala, umnikazi wendawo akanganaki nokho lowo

mbango aqhubeke nokukhokha ngokujwayelekile ngangokusho kwezibalo zesilinganiso ye-akhawunti kamasipala ngokuqala ezinyangeni ezintathu ngaphambi kokunyuswa umbango kanye nokuthathwa kwenzalo kuma-akhawunti kanye kanye nenguqukoyanjalo njalo kanye ngonyaka yamaphoyisa omgwagqo awomkhandlu.

### **5.5 Ukubuyiselwa esimweni kwemisebenzi**

UMphathi weZezimali uyogunyaza ukuphinda kubuyiselwe esimweni imisebenzi kamasipala ngemuva kokwamukela inkokhelo kanye / noma ukuhlelwa kwendlela yokukhokha eseyenziwe njengokusho kwenqubo yokuhlelwa izikweleti zomkhandlu.

## **6. UKUKLANYWA KWENTELA**

### **6.1 Inani elilindelwe ngentela eklanyiwe**

- a. Yonke inqubo yentela enqunye abanikazi bendawo ikhokhwa ngosuku olubekiwe njengokunqunyiwe womkhandlu
- b. Ukuhlangana kwabanikazi bendawo akubambisene kanye nokuhluleka okumbalwa kokukhokhela intela enqunyiwe.
- c. ukunqunywa kwentela kuzonqunya ngokulingana kokukhokha nyangazonke njengokunqunyiwe umkhandlu noma kube ukukhokha kanye njalo ngonyaka , njengesivumelwano esibhalwe phansi.
- d. ukukhokhelwa kwentela okunqunyiwe akungabi nomehluko ukudlula usuku olunqunyiwe ngenhloso yokuphikisana nesinqumo sentengo elinganisiwe.

### **6.2 Ukufakwa kwesicelo sokudla imali yerenti ngenxa yemali yamara- rates engakhokhiwe**

Umkhandlu ungafaka isicelo enkantolo sokuhlenganisa noma iyiphi irenti ngendlela yokukhokheleka kwentela yendawo, ngokukhokhela ingxenye noma yonke imali esalele ngokwenqubo yentela uma usuku olunqunyiwe selweqile ezinyangeni ezintathu.

### **6.3 Isibophezelo sabaqondisi bezinkampani ukukhokha inhlawulo yentela yezakhiwo**

Lapho inkampani yomfelandawonye noma amalunga omfelandawonye ngokomthetho wamatayitela ka1986, inesibophezelo sokukhokhelwa kwanoma iyiphi inhlawulo kumkhandlu, leso sikweletu siyodluliselwa kubaqondisi baleyo nkampani, ndawonye noma umuntu ngamunye ngamunye.

#### 6.4 Ukukhokhwa kwentela ngempahla yomkhandlu ethengisiwe

- a. Umthengi wendawo yomkhandlu unesibopho sokukhokhela intela enqunyiwe ngendawo ngonyaka wezimali athenge ngawo leyo ndawo.
- b. Uma kwenzeka umkhandlu uphinde uyidla leyo ndawo, nanoma iziphi izimali ezisalele kuyomele zikhokhwe umthengi.

#### 6.5 Ukumiswa kokubhaliswa kwendawo ngomnikazi omusha

- a. Irejista yezinto noma okunye okubhalisiwe kumphakathi wempahla engenakususwa ongeke ukwazi ukubhaliselwa ekudlulisweni kwempahla kphela kokwenzelwa isitifiketi esimisiwe:
  - (i) esikhishwe umasipala wakuleyo ndawo eyakhiwe futhi
  - (ii) esivumelana nalo lonke inani elinqunywe ekuhlanganeni kwemali enqunywe umsebenzi kamasipala ,imali enqanyulwe inhlawulo yentela eyelekiweyo yempahla kanye nezinye izintela zikamasipala ,inhlawulo kanye nezinye izidingo kumele zikhokhwe ngokuphelele
- b. esikhundleni sokudluliswa kwempahla engenakususwa , wumphathi obekiwe wefa lomuntu ongasekho ukulungisela lesi sigaba kumsuka wesigaba-89 somuntu owabhala i8fa ongasekho uthetho-1936 ( umthetho sisekelo-24 ka-1936)
- c. Inani elinqunyiwe lezindleko zomsebenzi kamasipala , imali enqunyelwe inhlawulo ephindiwe, intela yempahla kanye nezinye izintela zikamasipala izinhlawulo kanye nezinye izinto ezibanjwayo futhi nokujabulela ngothando ngaphezulu kwanoma eyiphi imali ebanjiwe ebhaliselwe esikhundleni sempahla

#### 6.6 Ukunqunywa kwentela ekhokhwa endaweni kamasipala

- a. Umsebenzisi wendawo kamasipala ubhekelele ukukhokhela noma esiphi isinqumo esijwayelekile sokukhokhela intela yendawo ngobungako besikhathi sesivumelwano nomuntu oqashile njengokuba echishe eba umnikazi waleyondawo.
- b. Umphathi omkhulu wezimali angakhetha ukuhlanganisa isinqumo sentela ngokubhekelelwa kwendawo emalini esikhundleni sokuthi bayithumelele ngokwehlukana njengendada yabanikazi bendawo

## 7. UKUXEGISA, USHWELE NOKUHLUKANISA

- 7.1 Umkhandlu ungahlukanisa phakathi kwezinhlobo ezehlukene zezindawo, izinhlobo ezehlukene zabanikazi bendawo, abasebennzisi bezinto zokusebenza, abakweleti, intela imisebenzi, izinga lomsebenzi kanye nokunye okuthile
- 7.2 Umkhandlu ungakhululeka noma uyekele ekubhaleni izidingo zokulungisela esibonisweni esithile futhi nakubanikazi abathile bendawo noma kumthengi, lokhu ngemithetho.
- 7.3 Noma yikuphi ukwahlukaniswa noma ukukhululwa akube ngaphansi kwesimiso esithile ongakwazi ukucabanga okufanele ukunquma uma kuwumbono wokuthi isicelo noma ukusebenza kwalokho kulungisela kulokho kolokho kokubonakala okumele kungabinasizathu

## 8. UKUDLULISWA KWEMININGWANE YABAKWELETA UMKHANDLU

Umkhandlu unelungelo lokudlulisela ulwazi ngalabo bantu abawukweletayo ezinhlangothini ezisebenza ngalolo lwazi. Ulwazi oluyodluliswa ngaleyo ndlela luyohlukanisa iminingwane ekhona ngalowo muntu, kanti uma lowo muntu kuyinkampani, kudluliselelwe ulwazi olukhona ngabantu baphethe leyo nkampani.

## 9. UKUCHITHWA KWEMITHETHO YEDOLOBHA YOMKHANDLU ENGAMELE UKUQOQWA KWEZIKWELETU

Nanoma imiphi imithetho-dolobha ebikhona engamele ukuqoqwa nokuphathwa kwezikweletu iyachithwa uma ngabe lokho ekhuluma ngakho kuvela nakulemithetho.; futhi leyo mithetho engachithiwe iyothathwa njengesemthethweni lapho ingashayisani nokuhlinzekwe kulemithetho yedolobha.

## 10. AMACALA

### 10.1 Umuntu-:

- Olulekayo ukunika izidingo ezifunwa umphathi ngendlela yalemithetho
- Ovimbela noma ovimbela umphathi ekwenzeni umsebenzi noma ekwenzeni okungaphansi kwalokhu ngomthetho
- Ukusebenza noma ukungenelela kwezinto zokusebenza zomkhandlu noma ukuqedwa kokudluliswa komsebenzi

**11. ISIHLOKO ESIFISHANE**

Lokhu ngomthetho kungabizwa ngokunakekelawa kwabathengi bese Hibiscus Coast Municipality, ukuhlelwa kokuthenga kanye nokuqoqwa kwezikweleti ngomthetho-2008

**12. UKUQALA KOKUSEBENZA KWEMITHETHO**

Lemithetho iyosetshenziswa ngokusemthethweni kusukela mhlaka 01 Julayi 2008.



**ADVERTISEMENTS—ADVERTENSIES—IZIKHANGISO****PUBLIC NOTICE**

[Regulation 21(10)(c) of the Development Facilitation Regulations in terms of the Development Facilitation Act, Act 67 of 1995]

Alrose Properties (Pty) Ltd, represented herein by Siyazama Consulting, has lodged an application for the establishment of a land development area to be known as Royal Palm Industrial Estate, over the property described as Rem of Portion 6, Rem of Portion 13, Rem of Portion 10 and a portion of Rem of Portion 19, all of the Farm Chaka's Kraal No. 865 in terms of Chapter V of the Development Facilitation Act, Act 67 of 1995.

The land development area will comprise 49 (forty nine) erven to be zoned for light industry, 1 (one) erf to be zoned for education and to be developed as a training centre, 6 (six) erven to be zoned as public open space, 3 (three) erven to be zoned special residential, roads and infrastructure.

The relevant plan(s), document(s) and information are available for inspection at KwaDukuza Municipality, 10 Leonora Drive Ballito.

**The application will be considered at a tribunal hearing to be held in the Ballito Council Chambers on 23 January 2008 at 10h00.**

All interested and affected parties are hereby informed that they may attend an *inspection in loco* of the land development area, which will be conducted by the Tribunal on 22 January 2008 at 14H00. A pre-hearing conference will be held in the Ballito Council Chambers on 26 November 2008 at 10H00. Any person having an interest in the application should please note:

1. You may within a period of 21 days from 27 October 2008, provide the Designated Officer with your written objections or representations; or
2. If your comments constitute an objection to any aspect of the land Development application, you must appear in person or through a Representative before the Tribunal on the date mentioned above.

**Any written objection or representation must be delivered to the Designated Officer, Malcolm Moonsamy at:**

**KwaDukuza Municipality  
Corner Chief Albert Luthuli Street  
and Mahatma Gandhi Street  
Stanger**

or

**KwaDukuza Municipality  
P O Box 72  
Stanger  
4450**

You may contact the Designated Officer if you have any queries on telephone no. 032 – 9468000/8021 and fax no. 032 – 946 8067.

## ISAZISO SOMPHAKATHI

Ngokomgomo 21(10)(c) wokukhuthaza intuthuko owaziwa ngokuthi (Development Facilitation Act, Act 67 of 1995)

Alrose Properties (Pty) Ltd, emelwe uSiyazama Consulting ifake isicelo sokusungula uhlelo lokuthuthukisa umhlaba ngokwemigomo ekusahluko somthetho wokukhuthaza intuthuko owaziwa ngokuthi (Development Facilitation Act, 67 of 1995)

Indawo ezothuthukiswa izokuba neziza ezingamashumi amane neshishagalolunye (49) zezindawo zokuhweba. Esisodwa (1) sezemfundo nesizothuthukiswa sibe isikhungo sokufundela amakhono, eziyisithupha (6) ezizokuba izindawo ezivulelekile, ezintathu (3) zezindawo zokuhlala zekhethelo, imigwaqo kanye nezinye izingqalasizinda. Amapulani kanye nezinye izincwadi ezinayo yonke imininingwane kuyatholakala ukuba kucutshungulwe kuMasipala wakwaDukuza ; 10 Leonara Drive Ballito.

Izicelo ziyocutshungulwa mhla zingu 23 kuMasingana ( January) 2009 ngehora leshumi ekuseni eBallito Council Chambers.

Bonke abathintekayo nalabo abanetshisekelo bayacelwa ukuba bahlanganyele kucwaningo lokuthuthukiswa kwezomhlaba oluyokuba mhla zingu 22 kuMasingana (January) 2009 ngehora lesibili ntambama, ehhovisi lesishayamthetho .Imkomfa yokulalela kabusha iyokuba eBallito Council Chambers mhla zingu 26 kuZibandlela ( November) 2008 ngehora leshumi ekuseni.

Wonke umuntu onentshisekelo ekufakeni isicelo komele aqaphele lokhu:

1. ngaphambi kwezinsuku ezingamashumi amabili nanye (21) kusuka osukwini lesikhangisi wazise olilungu lehhovisi ngokubhalwe phansi, uma unezwi lokuphikisa , imibono noma ukumelwa okanye izikhalo.
2. uma imibono yakho okanye ukuphawula kwakho kuphathelele nempikiswano noma engaba iluphi uhlobo ekufakweni kwezicelo zentuthuko, komele uzifikele wena mathupha noma umelwe ngaphambi kosuku olubekiwe.

Zonke izikhalo, imibono ephikisayo, noma ukumelwa okanye izikhalo ezibhalwe zingathunyelwa e Designated Officer, Malcom Moonsamy at:

**KwaDukuza Municipality**  
**Corner Chief Albert Luthuli Street**  
**and Mahatma Ghandi Street**  
**Stanger**

or

**KwaDukuza Municipality**  
**P O Box 72**  
**Stanger**  
**4450**

Uma unemibuzo ungathintana ne Designated Officer kulenimbolo yocingo u 032 9468000/8021 noma kwisikhahlamezi 032 9468067.

**ZIMBALI TOWN PLANNING SCHEME  
(IN COURSE OF PREPARATION)  
PROPOSED AMENDMENT**

Notice is hereby given in terms of Section 47 bis B of the Town Planning Ordinance, No. 27 of 1949, that the KwaDukuza Council intends to consider the following amendment to the Zimbali Town Planning Scheme:

The proposed rezoning of Erf 159, Zimbali from "Special Residential" to "Conservation" purposes.

Any person desiring to object to this proposal may do so by lodging a written notice setting out the grounds of his / her objection on or before 21 November 2008 with : The Municipal Manager, KwaDukuza Municipality, P.O. Box 72, Stanger, 4450.

Objectors must, in notifying the Municipal Manager, clarify that a copy of the notice has been served on the applicant at the address given below by registered or certified post or by hand. Any objection received after the prescribed date and / or where a copy has not been served on the applicant is not valid.

Plans and particulars relating to this application may be inspected during normal office hours Monday to Friday (excluding public holidays) at The Secretary : Development and Planning Section, KwaDukuza Municipality, 10 Leonora Drive, Ballito. The application will lie for inspection from the 31 October 2008

**Name and address of applicant**

Tongaat Hulett Development Pty (Ltd)  
Represented by  
AF Planning Consultants  
P.O. Box 234  
Ballito, 4420  
Suite 3, Siza Water Complex  
2 Ray's Place  
Tel :032-946 0151  
Fax : 032-946 0984

**Date of Publication of Advert : 30 October 2008.**

**UMASIPALA WA KWADUKUZA  
OLUNGUMHLAHLANDLELA WEDOLOBHA LASE – ZIMBALI  
ISICHIBIYELO ESIHLONGOZWAYO**

Lapha kukhishwa isaziso ngokwemigomo yoMthetho u-Section 47 bis B okuyiMthetho engumhlahlandlela yamadolobha oMasipala, onguNo. 27 ka 1949, njengokuchibiyelwa kwayo, ukuthi umkhandlu wakwaDukuza uhlongoza ukuchibiyela uhlelo olungumhlahlandlela wedolobha kubalulwa lapha ngezansi.

The proposed rezoning of Erf 159, Zimbali from "Special Residential" to "Conservation" purposes.

Bonke abafisa ukuphikisana nesicelo sokushintsha ukusetshenziswa kwendawo bangaletha imibono yabo phambi kuka 21 November 2008 kulelikheli elilandelayo with The Municipal Manager, KwaDukuza Municipality, P.O. Box 72, Stanger, 4450.

Abaphikisayo kumelobaszise umphakathi wakwa Masipala bachaze kabanzi ukuthi ikhophi yesaziso sinikwe kulowo ofake isicelo kuleli kheli elingenzansi ngeposi noma ngokuyinikezela ngesandla. Isikhalazo esifika sekudlule nogkuyinikezela ngesandla. Isiskhalazo esifika sekudlule usuko olubhaliwe / noma isikhalazo esingafrikanga kulowo osifakile isicelo ngekesibalwe.

Imidwebo ne mininingwane ehambisana nalesicelo ingabonakala kumahhovisi kaMasipala kusukela ngo msombuluko kuya kulwesihlanu (ngaphandle kwaMaholidi) kusukela ngo 08h00 ekuseni kuyaku 16h00 ntambama.

**Igama Nekheli Lalowo Ofaka Isicelo**

Tongaat Hulett Development (Pty) Ltd

Represented by

AF Planning Consultants

P.O. Box 234

Ballito, 4420

Suite 3, Siza Water Complex

2 Ray's Place

Tel :032-946 0151

Fax : 032-946 0984

**Date of Publication of Advert : 30 October 2008.**

**STANGER TOWN PLANNING SCHEME  
(IN COURSE OF PREPARATION)  
PROPOSED AMENDMENT**

Notice is hereby given in terms of Section 47 bis B of the Town Planning Ordinance, No. 27 of 1949, that the KwaDukuza Council intends to consider the following amendment to the Stanger Town Planning Scheme:

The proposed rezoning of proposed erven, situated within Extensions 33, 34 & 35, Stanger ("Dokterskop") from "Special Residential" to "Intermediate Residential" and "General Residential 2" purposes.

Any person desiring to object to this proposal may do so by lodging a written notice setting out the grounds of his / her objection on or before 21 November 2008 with : The Municipal Manager, KwaDukuza Municipality, P.O. Box 72, Stanger, 4450.

Objectors must, in notifying the Municipal Manager, clarify that a copy of the notice has been served on the applicant at the address given below by registered or certified post or by hand. Any objection received after the prescribed date and / or where a copy has not been served on the applicant is not valid.

Plans and particulars relating to this application may be inspected during normal office hours Monday to Friday (excluding public holidays) at The Secretary : Development and Planning Section, KwaDukuza Municipality, 10 Leonora Drive, Ballito. The application will lie for inspection from the 31 October 2008

**Name and address of applicant**

Zari Investments Pty (Ltd)  
Represented by  
AF Planning Consultants  
P.O. Box 234  
Ballito, 4420  
Suite 3, Siza Water Complex  
2 Ray's Place  
Tel :032-946 0151  
Fax : 032-946 0984

**Date of Publication of Advert : 30 October 2008.**

**UMASIPALA WA KWADUKUZA  
OLUNGUMHLAHLANDLELA WEDOLOBHA LASE – STANGER  
ISICHIBIYELO ESIHLONGOZWAYO**

Lapha kukhishwa isaziso ngokwemigomo yoMthetho u-Section 47 bis B okuyiMthetho engumhlahlandlela yamadolobha oMasipala, onguNo. 27 ka 1949, njengokuchibiyelwa kwayo, ukuthi umkhandlu wakwaDukuza uhlongoza ukuchibiyela uhlelo olungumhlahlandlela wedolobha kubalulwa lapha ngezansi.

The proposed rezoning of proposed erven, situated within Extensions 33, 34 & 35, Stanger (“Dokterskop”) from “Special Residential” to “Intermediate Residential” and “General Residential 2” purposes.

Bonke abafisa ukuphikisana nesicelo sokushintsha ukusetshenziswa kwendawo bangaletsa imibono yabo phambi kuka 21 November 2008 kulelikheli elilandelayo with The Municipal Manager, KwaDukuza Municipality, P.O. Box 72, Stanger, 4450.

Abaphikisayo kumelobaszise umphakathi wakwa Masipala bachaze kabanzi ukuthi ikhophi yesaziso sinikwe kulowo ofake isicelo kuleli kheli elingenzansi ngeposi noma ngokuyinikezela ngesandla. Isikhalazo esifika sekudlule nogkuyinikezela ngesandla. Isiskhalazo esifika sekudlule usuko olubhaliwe / noma isikhalazo esingafrikanga kulowo osifakile isicelo ngekesibalwe.

Imidwebo ne mininingwane ehambisana nalesicelo ingabonakala kumahhovisi kaMasipala kusukela ngo msombuluko kuya kulwesihlanu (ngaphandle kwaMaholidi) kusukela ngo 08h00 ekuseni kuyaku 16h00 ntambama.

**Igama Nekheli Lalowo Ofaka Isicelo**

Zari Investments (Pty) Ltd

Represented by

AF Planning Consultants

P.O. Box 234

Ballito, 4420

Suite 3, Siza Water Complex

2 Ray's Place

Tel :032-946 0151

Fax : 032-946 0984

**Date of Publication of Advert : 30 October 2008.**

**CITY OF UMHLATHUZE****AMENDMENT TO THE RICHARDS BAY TOWN PLANNING SCHEME IN  
COURSE OF PREPARATION: RICARDS BAY – GU**

Notice is herewith given in terms of Section 47 bis A.(1) of the Natal Town Planning Ordinance No. 27 of 1949 as amended, of the intention of the uMhlathuze Municipality to amend the provisions of Clause 3.2.3.2.2. of Schedule 4 ("Number of dwelling units per lot") of the Richards Bay Town Planning Scheme in course of preparation by the removal of the restriction of the maximum permissible floor area of additional dwelling units on Erven 7995 to 8251 Birdswood, Richards Bay. Successful conclusion of this procedure would assist the owners of Erven 7995 and 8251 Birdswood, to apply for Council's special consent to authorize second dwelling units larger than 80m<sup>2</sup> on their properties.

Details of the proposed amendment together with all the relevant documents are open for inspection by prior appointment with Mr M van Rooijen at 035 – 907 5414 (direct line) or 035 907 5428 (Departmental Switchboard) in office No D334, Civic Centre, 5 Mark Strasse Richards Bay, during office hours.

Written objections against or representations concerning the proposed amendment should reach the Chief Executive Officer within 21 days from date of advertisement at the following address:

**Civic Offices  
Private Bag X1004  
RICHARDS BAY  
3900**

**DR A W HEYNEKE  
MUNICIPAL MANAGER**

**MN 193/2008**

**STAD VAN uMHLATHUZE****WYSIGING AAN DIE RICHARDSBAAI STADSBEPLANNINGSKEMA IN WORDING: RICHARDSBAAI - GU**

Kennisgewing geskied hiermee ingevolge die bepalings van Artikel 47 bis A.(1) van die Dorpsbeplanningsordonnansie, Nr. 27 van 1949, soos gewysig, van die voorneme van die uMhlathuze Munisipaliteit om die Richardsbaai Stadsbeplanning Skema in wording te wysig deur die bepalings van Klousule 3.2.3.2.2. Skedule 4 ("Getal wooneenhede per erf") te wysig deur die beperking van die maksimum toelaatbare vloeroppervlakte van addisionele wooneenhede op Erwe 7995 tot 8251 Birdswood Richardsbaai te verwyder. Die suksesvolle afhandeling van hierdie prosedure sal die eienaars van Erwe 7995 tot 8251 Birdswood in staat stel om aansoek te doen vir die Raad se spesiale vergunning om tweede wooneenhede groter as 80m<sup>2</sup> op hulle erwe te magtig.

Besonderhede van die voorgestelde hersonering met die toepaslike dokumente lê gedurende kantoorure vir die publiek ter insae te Kantoor D334, Burgersentrum, Mark Strasse 5, Richardsbaai. (Afspraak met Mnr M van Rooijen – tel. 035-9075414 (direkte lyn) of tel. 035-9075428 (Departementele Skakelbord) in hierdie verband is noodsaaklik).

Skriftelike besware teen of verhoë aangaande die voorgestelde wysiging moet die Hoof Uitvoerende Beampte binne 21 dae van die datum van hierdie advertensie by die volgende adres bereik:

**Burgersentrum  
Privaatsak X 1004  
RICHARDSBAAI  
3900**

**DR A W HEYNEKE  
MUNISIPALE BESTUURDER**

**MN 193/2008**



**IDOLOBHA LASEMHLATHUZE****ISIPHAKAMISO SOKUCHIBIYELA KOMTHETHO WERICHARDS BAY TOWN PLANNING SCHEME IN COURSE OF PREPARATION**

Isaziso ngokomthetho ka section 47*bis* A. (1) we Town Planning Ordinance No. 27 of 1949 njengoba uchibiyelwe, iziphakamiso zomkandlu dolobha wase uMhlathuze zokuchibiyela umthetho we Richards Bay Town Planning Scheme in Course of Preparation, ngokusho kwesigatshana u 3.2.3.2.2 sikaShedula 4 (okhuluma ngenani lezindlu zokuhlala ezingakhiwa esizeni ngasinye) ngokususa umkhawulo wobubanzi bendlu yesibili kulezi ziza ezisuka ku 7995 kuya ku 8251 eBirdswood, Richards Bay

Ukuphethwa ngempumelelo kwalolu hlelo kosiza abanikazi baleziziza ezibalwe ngenhla ukuba bakwazi ukufaka izicelo ngokusemthethweni eMkhandlwini waseMhlathuze zokuba nendlu yesibili engaphezulu kuka 80m<sup>2</sup> (Amamitha angamashumi ayisishagalombili) isiza ngasinye.

Iminingwane egcwele ngalesi siphakamiso, ivulelekile kumphakathi ehhovisini u D334 ema hhovisini ka Masipala, 5 Mark Strasse, Richards Bay ngezikhathi zama hhovisi, (umphakathi ungathintana no Mnuz. M van Rooijen, ukuze nihlele isikhathi sokubonana kule nombolo yocingo ethi 035-9075414 noma Departmental Switchboard 035-9075428).

Uma kukhona abanezikhalo ngalesi siphakamiso, ababhalele uMphathi we dolobha kuleli-kheli elingezansi zingakapheli izinsuku ezingamashumi amabili nanye (21) siphumile lesi saziso ephepheni.

**uMhlathuze Municipality  
Civic Centre  
Private Bag X1004  
RICHARDS BAY  
3900**

**DR A W HEYNEKE  
CHIEF EXECUTIVE OFFICER**

**MN 193/2008**

**GREATER KOKSTAD MUNICIPALITY  
AMENDMENT OF THE KOKSTAD TOWN PLANNING SCHEME  
IN COURSE OF PREPARATION**

Notice is hereby given in terms of Section 47 *bis* B of the Town Planning Ordinance (No. 27 of 1949), as amended, that an application has been lodged with the Kokstad Municipality to amend the Town Planning Scheme in the course of preparation by rezoning portion of Erf 8878, Kokstad, from Special Residential 1 to General Commercial.

The relevant documents are available for inspection during normal office hours at the Municipal Offices, 84 Hope Street, Kokstad. Interested persons may lodge written objections or representations with the undersigned by not later than the close of business on Friday 21 November 2008.

**Municipal Manager  
Greater Kokstad Municipality**

Kokstad Municipality,  
P.O Box 8,  
Kokstad, 4700

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**GREATER KOKSTAD MUNICIPALITY  
UKUCHIBIYELWA KOMQULU  
KOKSTAD TOWN PLANNING SCHEME  
IN COURSE OF PREPARATION**

Isaziso sesicelo sokuchitshiyela kokqulu weKokstad Town Planning Scheme in course of preparation, ngokuka section 47bis B ye Town Planning Ordinance 1949 (Ord No.27 of 1949) (njengoba yachitshiyelwa), kuRezonwaisiza esingumombolo portion Erf 8878, Kokstad sisuka ku Special Residential 1 kuyiswa ku General Commercial.

Usungafika ukuzobona amakhopi amapulani esichibiyelo esiphakanyisiwe mahhavisini akwamasipala Kokstad kusukela ngehora lesishiyagalombili ekuseni kuya ligamenxe eleshumi nambili emini. Onombono noma izikhalazo angathumela ngokubhalwe phansi ku 84 Hope Street, Kokstad noma kumfakisicelo ngaphambi komhlaka 21 November 2008 ngaphambi kwehora leshumi nambili emini.

**Municipal Manager  
Greater Kokstad Municipality**

Kokstad Municipality,  
P.O Box 8,  
Kokstad, 4700

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