

**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 njengephephandaba eposihhovisi)*

Vol. 2

PIETERMARITZBURG,

6 NOVEMBER 2008
6 KULWEZI 2008

No. 191

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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

PROVINCIAL NOTICES—PROVINSIALE KENNISGEWINGS—IZAZISO ZESIFUNDAZWE

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
6 November 2008

Langalibalelestraat 300
Pietermaritzburg
6 November 2008

Izaziso ezilandelayo zikhishelwe ulwazi lukawonkewonke.

DKT. K. B. MBANJWA
uMqondisi-Jikelele

300 Langalibalele Street
Pietermaritzburg
6 kuLwezi 2008

No. 216

6 November 2008

KWAZULU-NATAL GAMBLING BOARD

NOTICE OF PUBLIC HEARING FOR APPLICATIONS RECEIVED FOR TYPE "A" SITE OPERATOR LICENCES – BATCH 14: DURBAN

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 applications for Type "A" Site Operator Licences will be held on Friday, 28 November 2008 at 09:00 at Protea Edward Hotel in Durban

ROUTE OPERATOR	SITE "A" OPERATOR APPLICANT	ADDRESS
Gold Circle KZN Slots (Pty) Ltd	1. Avika Gopal t/a T.S. Sports Tavern	164 Grove End Drive, Phoenix
	2. Central High Trading 56 cc t/a Champs Action Bar	594 South Coast Road, Clairwood
	3. Divakar Trading cc t/a Club Lotus	7 Egret Crescent, Lotus Park, Isipingo
	4. Pro Five Contractors t/a Dakota Beach Pub & Restaurant	39 Ernest Clookie Road, Isipingo Beach
Luck At It KZN (Pty) Ltd	1. Amanzimtoti Bowling Club	Corner Riverside and Picnic Lanes, Amanzimtoti
	2. Andre Frederick Potgieter t/a The Lounge Bar/ Nite Club	220 Stamfordhill Road, Morningside
	3. Doonside Bowling Club	3 Rockview Road, Amanzimtoti
	4. Krishna Naicker t/a Umkomaas Sports Bar & Cafe	Ashfield Centre, 99 Craigieburn Road, Umkomaas
	5. Natasha Naicker t/a Athenian Tavern	4 John Milne Street, Durban
	6. Tamasa Trading 316 cc t/a Oslo's	394 Frere Road, Glenwood
Thuo Gaming KZN (Pty) Ltd	1. Allan Gary Wiggil t/a Bongo's Cocktail Bar	Shop 6, 131 Nirvana Road, Bluff

	<ol style="list-style-type: none"> 2. Boardwalk Trading 1040 cc t/a Asoka Hotel 3. B.S. Sales Service cc t/a Chandler's Tavern 4. Hillary Bowling Club 5. Homefront Trading 375 cc t/a Nautical Mile 6. Mark Anthony Reeves t/a Buccaneers Tavern & Restaurant 7. Niresh Harilall t/a Rio's Tavern 8. Rapid Food cc t/a L'Espresso 9. Vill Inns Pub cc t/a Vill Inns Pub 10. Vishnu Shaun Govender t/a Q'Z Pool Bar 	<p>175 Dunkeld Road, Reservoir Hills</p> <p>27 Dunkirk Place, Umbilo</p> <p>48 Stella Road, Hillary</p> <p>Shop 5, 111 Kingsway Road, Warner Beach</p> <p>Shop 5, Ploughman's Manor, 127 Kingsway Road, Warner Beach</p> <p>Shop 6, 20 Oak Avenue, Kharwastan</p> <p>47 Marriot Road, Berea</p> <p>Shop 33, Glenwood Village, 397 Moore Road, Glenwood</p> <p>19B Marshall Drive, Mount Edgecombe</p>
Vukani Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Club 11 on the Point cc t/a Groove Nite Club 2. Jonathan Henry Dennyssen t/a The Sainted Three Bar 3. Palmview Tavern & Action Bar cc t/a Palmview Tavern & Action Bar 4. Pamesan Achary t/a Greencat Restaurant & Nite Club 5. Pathmanathan Kolandaivelu Pillay t/a Newlands Restaurant 6. Pathmanan Kolandaivelu Pillay t/a Briardale Tavern 6. Patrick Moodley t/a Pool City 	<p>11 Albert Terrace, Point Waterfront</p> <p>01 Strelitzia Avenue, Warner Beach</p> <p>345 Palmview Road, Phoenix</p> <p>45 Wick Street, Verulam</p> <p>784 Inanda Road, Newlands</p> <p>63-65 Skipdale Road, Newlands West</p> <p>Unit 15C, 166 Bluff Road, Bluff</p>

	7. Richard William Henry Dillner t/a Harbour Bar & Grill	Shop 1, Marbeg building, 166 Victoria Embankment, City Centre
	8. Right Price Property Development cc t/a Sabastians Restaurant	21 Harvey Street, Umkomaas
	10. V Bar(Pty)Ltd t/a V- Café	Shop 1, 28 Winston Churchill Drive, Pinetown

No. 216

6 November 2008

KWAZULU-NATAL DOBBELRAAD**OPENBARE VERHORE VIR DIE AANSOEK OM TIPE "A" PERSEELOPERATEURSLISENSIE
GROEP 14: DURBAN**

1. Ingevolge regulasie 22 van die regulasies gepubliseer kragtens die KwaZulu-Natal Dobbelwet, 1996 (Wet No. 10 van 1996), word hierby kennis gegee dat Openbare Verhore vir die volgende applikante vir Tipe "A" Perseeloperateurs lisensies gehou sal word om 09:00 op Vrydag 28 November 2008 te Protea Edward Hotel, Durban.

ROETE OPERATEUR	TIPE "A" OPERATEUR APPLIKANT	ADRES
Gold Circle KZN Slots (Pty) Ltd	1. Avika Gopal t/a T.S. Sports Tavern 2. Central High Trading 56 cc t/a Champs Action Bar 3. Divakar Trading cc t/a Club Lotus 4. Pro Five Contractors t/a Dakota Beach Pub & Restaurant	164 Grove End Drive, Phoenix 594 South Coast Road, Clairwood 7 Egret Crescent, Lotus Park, Isipingo 39 Ernest Clookie Road, Isipingo Beach

Luck At It KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Amanzimtoti Bowling Club 2. Andre Frederick Potgieter t/a The Lounge Bar/ Nite Club 3. Doonside Bowling Club 4. Umkomaas Sports Bar & Cafe 5. Natasha Naicker t/a Athenian Tavern 6. Tamasa Trading 316 cc t/a Oslo's 	<p>Corner Riverside and Picnic Lanes, Amanzimtoti</p> <p>220 Stamfordhill Road, Morningside</p> <p>3 Rockview Road, Amanzimtoti</p> <p>Ashfield Centre, 99 Craigieburn Road, Umkomaas</p> <p>4 John Milne Street, City Centre</p> <p>394 Frere Road, Glenwood</p>
Thuo Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Allan Gary Wiggil t/a Bongo's Cocktail Bar 2. Boardwalk Trading 1040 Cc t/a Asoka Hotel 3. B.S. Sales Service cc t/a Chandler's Tavern 4. Hillary Bowling Club 5. Homefront Trading 375 cc t/a Nautical Miles 6. Mark Anthony Reeves t/a Buccaneers Tavern & Restaurant 7. Niresh Harilall t/a Rio's Tavern 8. Rapid Food cc t/a L'espresso 9. Vill Inns Pub cc t/a Vill Inns Pub 10. Vishnu Shaun Govender t/a Q'z Pool Bar 	<p>Shop 6, 131 Nirvana Road, Bluff</p> <p>175 Dunkeld Road, Reservoir Hills</p> <p>27 Dunkirk Place, Umbilo</p> <p>48 Stella Road, Hillary</p> <p>Shop 5, 111 Kingsway Road, Warner Beach</p> <p>Shop 5, Ploughman's Manor, 127 Kingsway Road, Warner Beach</p> <p>Shop 6, 20 Oak Avenue, Kharwastan</p> <p>47 Marriot Road, Berea</p> <p>Shop 33, Glenwood Village, 397 Moore Road, Glenwood</p> <p>19B Marshall Drive, Mount Edgecombe</p>

Vukani Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Club 11 on the Point t/a Groove Nite Club 2. Jonathan Henry Dennyssen t/a The Sainted Three Bar 3. Palmview Tavern & Action Bar cc t/a Palmview Tavern Action Bar 4. Parnesan Achary t/a Greencat Restaurant & Nite Club 5. Pathmanathan Kolandaivelu Pillay t/a Newlands Restaurant 6. Pathmanan Kolandaivelu Pillay t/a Briardale Tavern 7. Patrick Moodley t/a Pool City 8. Richard William Henry Dillner t/a Harbour Bar & Grill 9. Right Price Property Development cc t/a Sabastians Restaurant 10. V Bar(Edms)Bpk t/a V-Café 	<p>11 Albert Terrace, Point Waterfront</p> <p>01 Strelitzia Avenue, Warner Beach</p> <p>345 Palmview Road, Phoenix</p> <p>45 Wick Street, Verulam</p> <p>784 Inanda Road, Newlands</p> <p>63-65 Skipdale Road, Newlands West</p> <p>Unit 15C, 166 Bluff Road, Bluff</p> <p>Shop 1, Marbeg Centre, 166 Victoria Embankment, City Centre</p> <p>21 Harvey Street, Umkomaas</p> <p>Shop 1, 28 Winston Churchill Drive, Pinetown</p>

No. 216

6 kuLwezi 2008

IBHODI YEZOKUGEMBULA YAKWAZULU-NATALI

ISAZISO SOMPHEKATHI SOKULALELWA KWEZICELO EZAMUKELIWE ZENDAWO ENGU "A" YOHLOBO LWAMALAYISENSI OKUQHUBA IMISHINI – UMTHAMO WESI-14: ISIYINGI SETHEKU

1. Ngokomthethonqubo 22 weMithethonqubo ngaphansi koMthetho wezokuGembula waKwaZulu-Natali, (uMthetho No. 10 of 1996), ngalokhu lapha kunikezwa isaziso sokuthi izinkundla zomphakathi zezicelo ezilandelayo zeNdawo engu "A" yohlobo lwamaLayisensi okuqhuba ibhizinisi lokugembula zizobanjwa ngoLwesihlanu zingu 28 kuLwezi 2008 ngo 09:00, kwindawo yokubambela imihlangano e Protea Hotela eThekwini.

UMUNTU OWENGAMELE IBHIZINISI LOKUGEMBULA KULEYO NDAWO	UHLOBO "A" LWEZICELO SOKUQHUBA IBHIZINISI LOKUGEMBULA	IKHELI
Gold Circle KZN Slots (Pty) Ltd	1. Avika Gopal t/a T.S. Sports Tavern 2. Central High Trading 56 cc t/a Champs Action Bar 3. Divakar Trading cc t/a Club Lotus 4. Pro Five Contractors t/a Dakota Beach Pub & Restaurant	164 Grove End Drive , Phoenix 594 South Coast Road, Clairwood 7 Egret Crescent, Lotus Park, Isipingo 39 Ernest Clookie Road, Isipingo Beach
Luck At It KZN (Pty) Ltd	1. Amanzimtoti Bowling Club 2. Andre Frederick Potgieter t/a The Lounge Bar/ Nite Club 3. Doonside Bowling Club 4. Krishna Naicker t/a Umkomaas Sports Bar & Cafe 5. Natasha Naicker t/a Athenian Tavern 6. Tamasa Trading 316 cc t/a Oslo's	Corner Riverside and Picnic Lanes, Amanzimtoti 220 Stamfordhill Road, Morningside 3 Rockview Road, Amanzimtoti Ashfield Centre, 99 Craigieburn Road, Umkomaas 4 John Milne Street, City Centre 394 Frere Road, Glenwood

Thuo Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Allan Gary Wiggil t/a Bongo's Cocktail Bar 2. Boardwalk Trading 1040 Cc t/a Asoka Hotel 3. B.S. Sales Service cc t/a Chandler's Tavern 4. Hillary Bowling Club 5. Homefront Trading 375 cc t/a Nautical Miles 6. Mark Anthony Reeves t/a Buccaneers Tavern & Restaurant 7. Niresh Harilall t/a Rio's Tavern 8. Rapid Food cc t/a L'espresso 9. Vill Inns Pub cc t/a Vill Inns Pub 10. Vishnu Shaun Govender t/a Q'z Pool Bar 	<p>Shop 6, 131 Nirvana Road, Bluff</p> <p>175 Dunkeld Road, Reservoir Hills</p> <p>27 Dunkirk Place, Umbilo</p> <p>48 Stella Road, Hillary</p> <p>Shop 5, 111 Kingsway Road, Warner Beach</p> <p>Shop 5, Ploughman's Manor, 127 Kingsway Road, Warner Beach</p> <p>Shop 6, 20 Oak Avenue, Kharwastan</p> <p>47 Marriot Road, Berea</p> <p>Shop 33, Glenwood Village, 397 Moore Road, Glenwood</p> <p>19B Marshall Drive, Mount Edgecombe</p>
Vukani Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Club 11 on the Point t/a Groove Nite Club 2. Jonathan Henry Dennyssen t/a The Sainted Three Bar 3. Palmview Tavern & Action Bar cc t/a Palmview Tavern & Action Bar 4. Parnesan Achary t/a Greencat Restaurant & Nite Club 5. Pathmanathan Kolandaivelu Pillay t/a Newlands Restaurant 6. Pathmanathan Kolandaivelu Pillay t/a 	<p>11 Albert Terrace, Point Waterfront</p> <p>01 Strelitzia Avenue, Warner Beach</p> <p>345 Palmview Road, Phoenix</p> <p>45 Wick Street, Verulam</p> <p>784 Inanda Road, Newlands</p> <p>63-65 Skipdale Road, Newlands West</p>

	Briardale Tavern	
	7. Patrick Moodley t/a Pool City	Unit 15C, 166 Bluff Road, Bluff
	8. Richard William Henry Dillner t/a Harbour Bar and Grill	Shop 1, Marbeg Centre, 166 Victoria Embankment, City Centre
	9. Right Price Property Development cc t/a Sabastians Restaurant	21 Harvey Street, Umkomaas
	10. V Bar(Edm)Bpk t/a V- Café	Shop 1, 28 Winston Churchill Drive, Pinetown

No. 217

6 November 2008

KWAZULU-NATAL GAMBLING BOARD**NOTICE OF PUBLIC HEARING FOR A SITE THAT APPLIED TO RELOCATE TO NEW PREMISES**

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 hearing for the following applicant in respect of the application for permission to relocate to the below mentioned Site "A" Type Operator Licensee will be held on Friday, 28 November 2008 at Protea Edward Hotel, 104 Marine Parade in Durban, commencing at 09:00. The details are set out below:

ROUTE OPERATOR	APPLICANT	OLD ADDRESS
THUO GAMING KZN (PTY) LTD	1. The Greyvenstein-Kotze CC t/a Amigo's Pub & Grill	Shop 9 – 11, Permanent Building, Uvongo
		NEW ADDRESS
		Lot 250, Shop 3A, Uvongo Village

No. 217

6 kuLwezi 2008

IBHODI YEZOKUGEMBULA YAKWAZULU-NATALI**ISAZISO NGOKULALELWA KWEZETHULO ZOMPHAKATHI NGOMUFAKI SICELO SOKUSHINTSHA INDAWO YOKUHWEBELA**

1. Ngokomthethonqubo 22 weMithethonqubo eshicilelwe ngaphansi komthetho wezokuGembula waKwaZulu-Natali, 1996 (uMthetho No. 10 of 1996) ngalokhu lapha kunikezelwa isaziso sokuthi izinkundla zomphakathi zesicelo esilandelayo maqondana nokushintsha indawo yokuhwebela zizobanjwa zi-28 kuLwezi 2008, eProtea Edward Hotela kunombolo-104 Marine Parade eThekwini kusukela ngehora lesishiyagalolunye (09:00). Ngenzansi igama lenkampani efake isicelo kanye nekheli layo:

ROUTE OPERATOR	UMFAKISICELO	IDILESI ELIDALA
I-THUO GAMING KZN (PTY) LTD	1. The Greyvenstein-Kotze CC t/a Amigo's Pub & Grill	Shop 9 – 11, Permanent Building, Uvongo
		IDILESI ELISHA

		Lot 250, Shop 3A, Uvongo Village
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No. 217

6 November 2008

KWAZULU-NATAL DOBBELRAAD

**OPENBARE VERHORE VIR DIE AANSOEKE OM TIPE "A"
PERSEELOPERATEURSLISENSIES**

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 vir die volgende applikant om verskuiwing van n' busigheid vir n' Tipe "A" Perseeloperateurs gehou sal word om 09:00 op Vrydag, 28 November 2008 by die Protea Edward Hotel, 104 Marine Parade, Durban.

ROETE OPERATEUR	APPLIKANT	OUD ADRES
THUO GAMING KZN (PTY) LTD	1. The Greyvenstein-Kotze CC t/a Amigo's Pub & Grill	Shop 9 – 11, Permanent Building, Uvongo
		NUWE ADRES
		Lot 250, Shop 3A, Uvongo Village

No. 218

6 November 2008

**OFFICE OF THE PREMIER KWAZULU-NATAL
CHIEF DIRECTORATE: HUMAN RIGHTS**

**NOTICE CALLING FOR NOMINATIONS FOR APPOINTMENT
TO THE KWAZULU-NATAL YOUTH COMMISSION**

1. The KwaZulu-Natal Youth Commission Act, 2005 (Act No. 7 2005) (hereinafter referred to as "the Act"), establishes the KwaZulu-Natal Youth Commission and provides for the appointment of six full-time members to constitute the Commission. Due to the resignation of one member of the Commission, one (1) vacancy has arisen.
2. Acting in terms of sections 5(2) and 10(4) of the Act, the Premier invites nominations of a person to be recommended for appointment as a member of the KwaZulu-Natal Youth Commission for the unexpired portion of the term of office of the Commission.
3. To qualify for appointment, a person must -
 - (e) be a South African citizen resident in the Province;
 - (f) be between the age of 14 and 35;
 - (g) possess the necessary qualifications, knowledge, skill or experience required to perform the functions of the Commission;
 - (h) not be ineligible to remain in office in terms of paragraphs (a) to (l) of section 10(1) of the Act.
4. Commissioners are appointed until the date of the election of the Provincial Legislature immediately following the date of appointment at a remuneration determined by the Premier after consultation with the Member of the Executive Council of KwaZulu-Natal responsible for finance. Details of the remuneration and benefits presently payable to the Commissioners can be ascertained on enquiry from the Office of the Premier at the address given in this Notice.
5. The principal functions of the KwaZulu-Natal Youth Commission relate to the facilitation of the implementation of the National Youth Policy, the facilitation, monitoring and evaluation of the protection, promotion and fulfillment of the rights of the youth by the government, the promotion of the development of the youth, the promotion of a

uniform approach by provincial organs state in respect of youth matters, uniting the youth, the promotion of a spirit of patriotism among the youth, the education of the youth on their rights and assist them in accessing their rights.

6. Each nomination must be accompanied by the nominee's curriculum vitae; a certified copy of nominee's identity document; a statement from the nominee in which he or she consents to be nominated and confirms that he or she is a resident in the Province and is not ineligible to remain in office in terms of paragraphs (a) to (e) of section 10(1) of the Act; and within 30 days of being nominated, the nominee must submit to the Premier, in terms of section 6(1) of the Act, a written declaration -

- (a) of any direct or indirect interest, financially or otherwise, which -
 - (i) may constitute a conflict of interest in respect of his or her functions as a member of the Commission; or
 - (ii) could reasonably be expected to compromise the Commission in the performance of its functions; and
- (b) containing relevant information about any conviction -
 - (i) for a schedule 1 offence in terms of the Criminal Procedure Act, 1977 (Act No. 51 of 1977); and
 - (ii) for an offence of which dishonesty is an element.

7. Nominations must reach the Chief Director: Human Rights, Dr Nonhlanhla Mkhize by not later than 14 November 2007, at the following address:

*By hand: Dr Nonhlanhla Mkhize
Chief Director: Human Rights
Office of the Premier Building
Ground Floor, Room 26
300 Langalibalele Street
PIETERMARITZBURG

*By post: Dr Nonhlanhla Mkhize
Chief Director: Human Rights
Office of the Premier Building
Private Bag X9037
PIETERMARITZBURG
3200

*By fax: Dr Nonhlanhla Mkhize
Chief Director: Human Rights
Office of the Premier
Fax: (033) 394 4185

All enquiries regarding this matter may be directed to Dr Nonhlanhla Mkhize, by calling (033) 341 3547 or by e-mailing mkhizeno@premier.kzntl.gov.za

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J. S. NDEBELE
PREMIER OF KWAZULU-NATAL

No. 218

6 November 2008

**DEPARTEMENT VAN DIE PREMIER KWAZULU-NATAL
HOOFDIREKTORAAT: MENSEREGTE**

**KENNISGEWING VAN UITNODIGING OM LEDE TE BENOEM VIR AANSTELLING
OP DIE KWAZULU-NATAL JEUGKOMMISSIE**

1. Die KwaZulu-Natal Wet op Jeugkommissie, 2005 (Wet No. 7 van 2005) (hierna na verwys as "die Wet"), stel die KwaZulu-Natal Jeugkommissie in die lewe en maak voorsiening vir die aanstelling van ses voltydse lede op die Kommissie. Na die bedanking van een lid van die Kommissie, het een (1) vakature ontstaan.
2. Kragtens artikel 5(2) en 10(4) van die Wet, versoek die Premier die benoeming van 'n persoon om aanbeveel te word vir aanstelling as 'n lid van die KwaZulu-Natal Jeugkommissie vir die oorblywende gedeelte van die ampstermyn van die Kommissie.
3. Om te kwalifiseer vir aanstelling moet 'n persoon –
 - (a) 'n Suid-Afrikaanse burger en inwoner van die provinsie wees;
 - (b) tussen die ouderdom van 14 en 35 wees;
 - (c) die nodige kwalifikasies, kennis, vaardigheid of ondervinding besit wat vereis word om die Kommissie se funksies te verrig;
 - (d) nie onverkiesbaar wees om in die amp te bly ingevolge paragraaf (a) tot (f) van artikel 10(1) van die Wet nie.
4. Kommissarisse word aangestel tot die datum van die verkiesing van die Provinsiale Wetgewer onmiddellik na die datum van aanstelling teen besoldiging soos bepaal deur die Premier in oorleg met die lid van die Uitvoerende Raad van KwaZulu-Natal verantwoordelik vir finansies. Besonderhede van besoldiging en voordele betaalbaar aan Kommissarisse kan vasgestel word deur middel van navraag aan die Premierskantoor by die adres wat in hierdie kennisgewing gegee word.
5. Die primêre funksies van die KwaZulu-Natal Jeugkommissie hou verband met die fasilitering van die implementering van die Nasionale Jeugbeleid, die fasilitering, monitering en evaluasie van die beskerming, bevordering en vervulling van die regte van die jeug deur die regering, die bevordering van die ontwikkeling van die jeug, die

bevordering van 'n eenvormige benadering deur provinsiale staatsorgane ten opsigte van jeugaangeleenthede, vereniging van die jeug, die bevordering van 'n gees van patriotisme onder die jeug, die onderrigting van die jeug oor hul regte en ondersteuning aan hulle in die toegang tot hul regte.

6. Elke benoeming moet vergesel wees van die benoemde se *curriculum vitae*; 'n gesertifiseerde afskrif van die benoemde persoon se identiteitsdokument; 'n verklaring van die benoemde persoon waarin hy of sy toestemming verleen om benoem te word en waarin bevestig word dat hy of sy in die provinsie woonagtig is en nie onverkiesbaar is om in die amp te bly ingevolge paragraaf (a) tot (e) van artikel 10(1) van die Wet nie; en binne 30 dae na benoeming, moet die benoemde persoon 'n skriftelike verklaring aan die Premier voorlê ingevolge artikel 6(1) van die Wet –

(a) van enige direkte of indirekte belang, finansieel of andersins, wat –

(i) 'n botsing van belange ten opsigte van sy of haar funksies as 'n lid van die Kommissie kan veroorsaak; of

(ii) redelikerwys verwag kan word om die Kommissie te kompromitteer in die verrigting van sy funksies; en

(b) wat tersaaklike inligting bevat oor enige veroordeling –

(i) vir 'n skedule 1-oortreding ingevolge die Strafproseswet, 1977 (Wet No. 51 van 1977); en

(ii) vir 'n oortreding waarvan oneerlikheid 'n element is.

7. Benoemings moet die Hoofdirekteur: Menseregte, Dr Nonhlanhla Mkhize, bereik nie later as 14 November 2008 en by die volgende adres:

*Per hand: Dr Nonhlanhla Mkhize
Hoofdirekteur: Menseregte
Grondvloer, Kamer 26
Premierskantoor
Langalibalelestraat 300
PIETERMARITZBURG

*Per pos: Dr Nonhlanhla Mkhize
Hoofdirekteur: Menseregte

Privaatsak X9037
PIETERMARITZBURG
3200

*Per faks: Dr Nonhlanhla Mkhize
Hoofdirekteur: Menseregte
Premierskantoor
Faks: (033) 394 4185

Enige navrae in die verband kan gerig word aan Dr Nonhlanhla Mkhize per telefoon
(033) 341 3547 of e-pos: mkhizeno@premier.kzntl.gov.za.

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J. S. NDEBELE
PREMIER VAN KWAZULU-NATAL

**IHHOVISI LIKANDUNANKULU
UPHIKO LOMQONDISI OMKHULU: LWAMALUNGELO ESINTU**

**ISAZISO ESIMEMA UKUBA KUPHAKANYISWE AMAGAMA ABANTU
ABAZOQOKELWA KWIKHOMISHANA YENTSHA YAKWAZULU-NATALI**

1. UMthetho weKhomishana yeNtsha waKwaZulu-Natali, 2005 (uMthetho No. 7 ka 2005) (emva kwalokhu ozobizwa “ngoMthetho”), usungula iKhomishana yeNtsha yaKwaZulu-Natali futhi uhlinzekela ukuqokwa kwamalungu ayisithupha asebenza ngokugcwele azoba yingxenywe yeKhomishana. Ngenxa yokusula kwelungu elilodwa leKhomishana, sekuvele isikhala esisodwa (1).

2. Ngokulandela izigaba 5(2) no 10(4) zoMthetho, uNdunankulu umema iziphakamiso zomuntu okuzonconywa ukuba aqokelwe ukuba ilungu leKhomishana yeNtsha yaKwaZulu-Natali ingxenywe yesikhathi esesisele ngaphambi kokuphela kwesikhathi sokuba sesikhundleni kweKhomishana.

3. Ukuze umuntu afaneleke ukuba aqokwe kumele –

- (a) abe yisakhamuzi saseNingizimu Afrika esihlala esiFundazweni;
- (b) abe neminyaka ephakathi kweyi-14 nengama-35;
- (c) abe nemfundo efanele, ulwazi, ikhono kanye nesipiliyoni okudingekayo ukwenza imisebenzi yeKhomishana;
- (d) angabi ngumuntu ongeke akwazi ukuba sesikhundleni ngokwezindima (a) kuya endimeni (l) zesigaba 10(1) soMthetho.

4. OKhomishana baqokwa kuze kube usuku lokukhethwa kwesiShayamthetho sesiFundazwe, kungakapholi maseko emva kosuku lokuqokwa, banikezwa iholo elinqunywe nguNdunankulu emva kokubonisana neLungu loMkhandlu oPhethe waKwaZulu-Natali elibhekele ezezimali. Imininingwane yemiholo kanye nemihlomulo okumanje kukhokhelwa oKhomishana kungaqinisekiswa ngokubuza eHhovisi likaNdunankulu ekhelini elinikezwe kuLesi Saziso.

5. Imisebenzi enqala yeKhomishana yeNtsha yaKwaZulu-Natali iphathelele nokusiza ekuqalisweni kweNqubomgomo yeNtsha kaZwelonke, ukuqinisekiswa, ukuqashwa kanye nokuhlolwa kokuvikelwa, ukukhuthazwa kanye nokugcwaliswa kwamalungelo entsha nguhulumeni, ukukhuthazwa kokuthuthukiswa kwentsha, ukukhuthazwa kwendlela eyodwa yokusebenza yezinhla zikaHulumeni ngokuqondene nezindaba zentsha, ukuhlanganisa intsha, ukukhuthazwa komoya wokuziqhenya ngaleli lizwe entsheni, ukufundiswa kwentsha ngamalungelo ayo kanye nokuyisiza ukuba iwathole.

6. Yileso naleso siphakamiso kumele sihambisane nencwadi enomlando omfushane womuntu oqokwayo; ikhophi eqinisekisiwe kamazisi walowo muntu oqokwayo; isitatimende esivela kuyena lapho esho khona ukuthi uyavuma ukuthi aqokwe futhi eqinisekisa ukuthi uyisakhamuzi esihlala esiFundazweni nokuthi akukho okumvimbayo ukuthi abe sesikhundleni ngokwendima (a) kuya endimeni (e) zesigaba 10(1) soMthetho; futhi ezinsukwini ezingama-30 emva kokuphakanyiswa, ophakanyisiwe kumele alethe kuNdunankulu, ngokwesigaba 6(1) soMthetho, isitatimende esibhaliwe esidalula -

(a) noma yikuphi ukuhlomula kwakhe ngokwezezimali nangokunye -

(i) okungaba nokushayisana kwamaqhaza emisebenzini wakhe njengelungu leKhomishana; noma

(ii) okungafaka iKhomishana enkingeni ekwenzeni imisebenzi yayo; futhi

(b) esiqukethe ulwazi oludigekayo mayelana nanoma yikuphi -

(i) ukuboshelwa icala elisoHlelweni 1 loMthetho wokuQulwa kwamaCala obuGebengu, 1997 (uMthetho No. 7 ka-1997); kanye

(ii) necala eliphathelene nokungethembeki.

7. Iziphakamiso kumele zifinyelelele kuMqondisi oMkhulu: woPhiko lwamaLungelo eSintu, uDkt. Nonhlanhla Mkhize ungakadluli umhla zingu 14 kuLwezi 2007, kula makheli alandelayo:

*Mathupha:

Dkt. Nonhlanhla Mkhize

IHhovisi likaNdunankulu

UMqondisi oMkhulu: woPhiko lwamaLungelo eSintu

Ground Floor, Room 26

300 Langalibalele Street

PIETERMARITZBURG

*Ngeposi: Dkt. Nonhlanhla Mkhize
IHhovisi likaNdunankulu
UMqondisi oMkhulu: woPhiko lwamaLungelo eSintu
Private Bag X9037
PIETERMARITZBURG
3200

*Ngefeksi: Dkt. Nonhlanhla Mkhize
UMqondisi oMkhulu: woPhiko lwamaLungelo eSintu
IHhovisi likaNdunankulu
Inombolo yefeksi: (033) 394 4185

Noma yimiphi imibuzo eqondene nalolu daba ingaqondiswa kuDkt. Nonhlanhla Mkhize,
ngocingo kule nombolo: (033) 341 3547 noma nge-imeyili ethi:
mkhizeno@premier.kzntl.gov.za

J. S. NDEBELE

UNDUNANKULU WAKWAZULU-NATALI

No. 219

6 November 2008

DEPARTMENT OF PUBLIC WORKS
MIDLANDS REGION



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

In terms of the Section 5 of the KwaZulu- Natal Land Administration Act, 2003 (Act No. 3 of 2003), I Lydia Johnson Member, Member of the Executive Council for Public Works of the KwaZulu-Natal Provincial Government hereby give notice that I intend disposing of the under mentioned Provincial State Land by Donation to the Majuba Further & Training College.

1. Property Description	Portion 1 of Erf 15323 Newcastle
2. Street Address	83 Allen Street Newcastle 2940
3. Extent	Subject to subdivision
4. Title Deed	T3103/94
5. Current Zoning	Education
6. Current Usage	Vacant Site
7. Improvements	None

Written representations in regard to the said disposal can be made, within thirty (30) days of the publication of this notice to:

Contact Details

Head: Public Works
Private Bag X9041
PIETERMARITZBURG
3200

Telephonic Enquiries: Mr. R. Mkhize
Tel. No. 036 638 2830
Fax No. 036 638 2899

No. 220

6 November 2008

KWAZULU-NATAL DEPARTMENT OF PUBLIC WORKS

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, **LYDIA JOHNSON**, MEC for Public Works of the KwaZulu-Natal Provincial Government hereby give notice that I intend disposing of the under mentioned Provincial State Property by way of public bid.

1. **Property description** : Erf H393 Esikhawini
2. **Street Address** : H393 Esikhawini Juba Street Esikhaleni
3. **Extent** : 0,1982 ha.
4. **Title Deed** : T52530\1999
5. **Applicable conditions** : To let the property to Zamani Disabled people's Organization .
6. **Current Zoning** : Administration
7. **Improvements** : none

Written representations in regard to the said letting can be made, **within thirty (30) days** of the publication of this notice to :

Contact Details

The Head: Works

Telephone Enquiries: Miss E.T.Mbesa

Private Bag X 42

Ulundi

3838

Tel No.: 035-8743369

Fax No.: 035-8742889

MRS LYDIA JOHNSON
MEMBER OF THE EXECUTIVE COUNCIL FOR PUBLIC WORKS
KWAZULU-NATAL PROVINCIAL GOVERNMENT

DATE

MUNICIPAL NOTICES—IZAZISO ZIKAMASIPALA

No. 40**6 November 2008****HIBISCUS COAST MUNICIPALITY****Adoption of Rates Bylaws**

MN 161 of 2008

October 2008

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. 40

6 kuLwezi 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):

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” kuhlanganisa 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 ukugqugquzela kokukhokhwa, ngalokho-ke kunchipha izidingo zokuphoqa abantu

“Ikhawunti kamasipala” 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, kuhlanganisa 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” ingahlanganisa 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 aphele leyo ndawo, noma
 - (ii) sigaba njengoba kuchaziwe kulowo mthetho , umuntu ogama lakhe libhalisiwwe 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**” 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. IZIHLELIZI 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) kuhanjiselwe 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 ehovisini elibhalisiwe noma ezindaweni zamabhezini alesi sigungu

- f. Uma lowo msebenzi ochazwe kwindima (b) kuya ku (e) ungeke wenzake, 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 lingakhokhiwe 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 isikhahlemezi, 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 kwezikweleti, 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 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 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 umkhandlu 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 ekwweletwa 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 yama-rates engakhokhiwe

Umkhandlu ungafaka isicelo enkantolo sokuhlanganisa 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 esiphiisinqumo 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 , 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 luyohlukanisa imininingwane 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 ukkunika 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. 41

6 November 2008

HIBISCUS COAST MUNICIPALITY**Adoption of Credit Control and Debt Collection Bylaws**

MN 162 of 2008

October 2008

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 differentiation Reporting of defaulters
- 8 Repeal of Council's Credit Control By-laws
- 9 Offences
- 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 instalment

- (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 ukugqugquzela kokukhokhwa, ngalokho-ke kunchipha izidingo zokuphoqa abantu

“Ikhazimende” 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 aphaathe 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 aphele leyo ndawo, noma
 - (ii) sigaba njengoba kuchaziwe kulowo mthetho , umuntu ogama lakhe libhalisiwe kuleso sigaba ngaphansi kwetayitela elenziwe futhi kuhlenganisa ngumuntu ongummeli wakhe oqokwe ngokomthetho yilowo muntu;
- f. Noma imuphi umuntu ovumelekile kuhlenganisa 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 lingakhokhiwe 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, 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 iyiphi 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 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 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 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 njengenkokhelo yemisebenzi esikhathini esizayo.
 - (ii) isivumelwano esibhalwe phansi kumelwe sisayindwe omkhulu ophethe ovunyelwe ngokufanele esikhundleni somkhandlu .
- b. Uma kwenzeka kuvela noma yimuphi umbango ngemali ekwweletwa 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 nenguqokoyanjalo 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 yamarates 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 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 enqanyulwe 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 esiphisisinqumo 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 zabarikazi 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 luyohlenganisa imininingwane 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 ukkunika 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 kwezikweleti ngomthetho-2008

12. UKUQALA KOKUSEBENZA KWEMITHETHO

Lemithetho iyosetshenziswa ngokusemthethweni kusukela mhlaka 01 Julayi 2008.

ADVERTISEMENTS—ADVERTENSIES—IZIKHANGISO

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

INHLOSO PLANNING cc. (for and on behalf of Coinad Property and Investment (Pty) Ltd), P O Box 10264, Meerensee, 3901, has lodged an application for a land development area in terms of the Development Facilitation Act for the establishment of a land development area on proposed Portion 13 (of 1) of Erf 397, Richards Bay.

The land development applicant intends to establish a KFC Drive-Thru fast food outlet, as well as informal traders stalls, at the LAC commercial node within Meerensee. The development will consist of a KFC Drive-Thru building of 320m², 6 informal traders buildings (jointly 216m²) catering for 22 informal traders and include sanitation facilities. A total of 23 on-site parking bays will be provided.

The relevant plan(s), document(s) and information are available for inspection at: Office No. 53, 1st Floor, Civic Centre, corner of Commercial Road and Turnbull Street, Empangeni: for a period of 21 days from 10 November 2008.

The application will be considered at a Tribunal hearing to be held at: Council Chamber, 1st Floor, Civic Centre, corner of Mark Strasse & East Central Arterial, Richards Bay on 13 February 2009 at 10h00 and the pre-hearing conference will be held at: Council Chamber, 1st Floor, Civic Centre, corner of Mark Strasse & East Central Arterial, Richards Bay on 9 December 2008 at 10h00.

You may attend an inspection in loco of the land development area which will be conducted by the Tribunal on 12 February 2009 at 14h00.

Any person having an interest in the application should please note:

1. You may within a period of 21 days from the date of first publication of this notice, provide the designated officer with your written objections or representations; and
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: MS THOBILE MASHITA, at Office No. 53, 1st Floor, Civic Centre, corner of Commercial Road and Turnbull Street, Empangeni: for a period of 21 days from 10 November 2008.

And you may contact the designated officer if you have any queries on:

Telephone Number: 035 – 907 5660
Fax Number: 035 – 907 5444
E-mail: mashitat@richemp.org.za

[Regulasie 21(10) van die Regulasies op Grondfasilitering ingevolge die Wet op Ontwikkelingsfasilitering, 1995]

INHLOSO PLANNING bk. (namens Coinad Property and Investment (Pty) Ltd) Posbus 10264, Meerensee, 3901, het aansoek gedoen ingevolge die Wet op Ontwikkelingsfasilitering, 1995, vir die stigting van 'n grondontwikkelingsgebied op:

- i. Voorgestelde Gedeelte 13 (van 1) van Erf 397, Richardsbaai

Die ontwikkeling sal bekend staan as “Meerensee KFC Drive-Thru” en sal bestaan uit 320m² KFC Drive-Thru gebou en 6 informele markstalgeboue (gesamentlik 216m²) wat voorsiening maak vir 22 informele handelaars en sanitasiegeriewe. Die ontwikkeling is geleë in die Meerensee LAC kommersiële node. In totaal sal 23 parkeerruimtes op die perseel uitgelê word.

Die relevante planne, dokumente en inligting is beskikbaar vir inspeksie te Kantoor No. 53, 1ste Vloer, Burgersentrum, op die hoek van Commercial- en Turnbullstraat, Empangeni vir 'n periode van 21 dae vanaf 10 November 2008.

Die aansoek sal verhoor word tydens 'n Tribunaalverhoor wat gehou sal word te Raadsaal, 1st Vloer, Burgersentrum, op die hoek van Mark Strasse & East Central Arterial, Richardsbaai op 13 Februarie 2009 om 10h00 en die voor-verhoor samesprekings sal gehou word te Raadsaal, 1st Vloer, Burgersentrum, op die hoek van Mark Strasse & East Central Arterial, Richardsbaai op 9 Desember 2008 om 10h00.

Die Tribunaal sal 'n in loco inspeksie van die grondontwikkelingsgebied onderneem op die 12de Februarie 2009 om 14h00, wat u welkom is om by te woon.

Enige persoon wat 'n belang het by die aansoek moet asseblief kennis neem:

1. U mag binne 'n periode van 21 dae vanaf die eerste publikasie van hierdie kennisgewing, die aangewese beampte skriftelik van u besware of verdoë in kennis stel; en
2. Indien u kommentaar neerkom op 'n beswaar met betrekking tot enige aspek van die grondontwikkelingsaansoek, moet u persoonlik of deur 'n verteenwoordige, voor die Tribunaal verskyn op die datum hierbo genoem.

Enige geskrewe beswaar of verdoë moet ingedien word by die aangewese beampte: ME THOBILE MASHITA, te Kantoor No. 53, 1ste Vloer, Burgersentrum, op die hoek van Commercial- en Turnbullstraat, Empangeni of Privaatsak X1004, Richardsbaai, 3900 en u mag in aanraking kom met die aangewese beampte indien u enige navrae het by:

Telefoon Nommer: 035 – 907 5660

Faks Nommer: 035 – 901 5444

E-mail: mashitat@richemp.org.za

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 2009 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 2009 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 Ghandi 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.

**PUBLIC NOTICE IN TERMS OF REGULATION 21(10) OF THE DEVELOPMENT
FACILITATION REGULATIONS IN TERMS OF THE DEVELOPMENT FACILITATION
ACT, 1995, ACT NO. 67 OF 1995**

Udidi Project Development Company (Pty) Ltd acting on behalf of Transnet, has lodged an application in terms of the Development Facilitation Act for the establishment of a land development area on Portion of Erf 1097 Whispers Remainder and will consist of a multi-products pipeline pump station that will form part of the New Multi Products Pipeline from Durban to near Heidelberg in Gauteng.

The relevant plan(s) and information are available for inspection at the uMshwathi Municipality at Main Road, New Hanover for a period of 21 days from 7th November 2008.

A Pre-hearing Conference will be held in the Committee Room/Council Chamber, uMshwathi Municipality on 2nd December 2008 at 10h00.

All interested and affected parties are hereby informed that they may attend an inspection *in loco* at the land development area which will be conducted by the Tribunal on 2nd February 2009 at 14h00

The application will be considered at a tribunal hearing to be held in the Council Chamber, uMshwathi Municipality on 3rd February 2009 at 10h00.

Any person having an interest in the application should please note:

1. You may within a period of 21 days from the date of the first publication of this notice (7th November 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 may but you are not obliged to appear in person or through a representative before the Tribunal on the dates mentioned above, or on any other date of which you may be given notice.

Any written objection or representation must be delivered or posted to the Designated Officer, Mr. Ashley Hay, uMshwathi Municipality, Private Bag X29, Wartburg, 3233. The physical address is as follows: Main Road, New Hanover.

And you may contact the Designated Officer if you have any queries on telephone no. 033-502-0280, fax no. 033-502-0286.

**ISAZISO SOMUGOMO 21 (10) WE DEVELOPMENT FACILITATION REGULATIONS
NGOKWEMIYALELO YOMTHETHO WE DEVELOPMENT FACILITATION ACT
UMTHETHO NOMBOLO 67 KA 1995**

Inkampani iUDIDI Project Development Company (Pty) Ltd, imele uTransnet, isifake isicelo ngokwemigomo yeDevelopment Facilitation Act mayelana nokuthuthukiswa komhlaba oyisiqeshana sendawo Erf 1097 Whispers Remainder, kanti lentuthuko izokuba iMulti-Products Pipeline Pump Station ezokuba yinxenye yeMulti-Products Pipeline entsha esuka eThekwini ize ifike ngaseHeidelberg Egoli (Gauteng).

Luluhlelo noma izinhlelo kanye nolwazi lutholakala emmahhovisi woMkhandlu uMshwathi ase Main Road, New Hanover esikhathini esiyizinsuku ezingu 21 kusukela kumhlaka 7 November 2008.

Inggungquthela yokulalelwa kwezicelo izokuba semkhadlwini uMshwathi Committee Room/Council Chamber, ngomhlaku 2 December 2008 ngo 10h00.

Bonke abuthintekayo nabanentshisekelo kulokhu bayoziswa ukuthi bahambele ukubukwa kwendawo ezothuthukiswa okuyokwenziwa yisigungu esithatha izinqumo ngomhlaka 2 February 2009 ngo 14h00

Lesisicelo sizobhekiswa kwi Tribunal ezokuba semkhadlwini uMshwathi Council Chamber, ngomhlaku 3rd February 2009 ngo 10h00.

Noma ngubani onentshisekelo ngalesisicelo kumele azi lokhu:

1. Kumele ngezinsuku ezingu 21 kusukela ngosuku kukhishwa ngalo isaziso (07 November 2008) , wenze iziphakamiso noma izethulo zakho; noma
2. Uma ukuphawula kwakho kuphikisana nanoma isiphi isicelo sohlelo lokuthuthukiswa komhlaba, ungakwenza lokho kodwa awuphoqelekile ukuthi uvele siqu sakho kwi Tribunal ngosuku olunqunyiwe noma ngabe iluphi olunye usuku onganikezwa ngalo isaziso

Iziphakamiso zingathunyelwa noma zilethwe kuMr. Ashley Hay oyiDesignated Officer kulelikheli: uMshwathi Municipality, Private Bag X29, Wartburg, 3233, noma zilethwe mathupha kulendawo: Main Road, New Hanover.

Ungaxhumana nobhekele loludaba oyi Designated Officer kulenombolo: 033-502-0280, fax no. 033-502-0286.

PUBLIC NOTICE IN TERMS OF REGULATION 21(10) OF THE DEVELOPMENT FACILITATION REGULATIONS IN TERMS OF THE DEVELOPMENT FACILITATION ACT, 1995, ACT NO. 67 OF 1995

Udidi Project Development Company (Pty) Ltd acting on behalf of Transnet, has lodged an application in terms of the Development Facilitation Act for the establishment of a land development area on the Remainder of Erf 84 Amanzimtoti, Wanda Cele (Old Main) Road and will consist of a multi-products pipeline pump station that will form part of the New Multi Products Pipeline from Durban to near Heidelberg in Gauteng.

The relevant plan(s) and information are available for inspection at the eThekweni Municipality's South Regional Office at 2 Liberty Street, Lower Illovo or at the Development Planning & City Engineers Building in KE Masinga (Old Fort) Road in Durban for a period of 21 days from 7th November 2008.

A Pre-hearing Conference will be held at Lords and Legends, 1600 Riverside Rd, Amanzimtoti on 1st December 2008 at 10h00.

All interested and affected parties are hereby informed that they may attend an inspection *in loco* at the land development area which will be conducted by the Tribunal on 26th January 2009 at 14h00

The application will be considered at a tribunal hearing to be held at Lords and Legends, 1600 Riverside Rd, Amanzimtoti on 27th January 2009 at 10h00.

Any person having an interest in the application should please note:

1. You may within a period of 21 days from the date of the first publication of this notice (7th November 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 may but you are not obliged to appear in person or through a representative before the Tribunal on the dates mentioned above, or on any other date of which you may be given notice.

Any written objection or representation must be delivered or posted to the Designated Officer, Mr. John Forbes, Environmental Management Department, eThekweni Municipality, PO Box 680, Durban, 4000. The physical address is as follows: Room 226, Environmental Management Department, Development Planning & City Engineers Building, 166 KE Masinga (Old Fort) Road, Durban, 4000

And you may contact the Designated Officer if you have any queries on telephone no. 031-311-7477, fax no. 031-311-7134 or email forbesj@durban.gov.za.

**ISAZISO SOMUGOMO 21 (10) WE DEVELOPMENT FACILITATION REGULATIONS
NGOKWEMIALELO YOMTHETHO WE DEVELOPMENT FACILITATION ACT
UMTHETHO NOMBOLO 67 KA 1995**

Inkampani iUDIDI Project Development Company (Pty) Ltd, imele uTransnet, isifake isicelo ngokwemigomo yeDevelopment Facilitation Act mayelana nokuthuthukiswa komhlaba oyisiqeshana sendawo Erf 84 Amanzimtoti, Wanda Cele (Old Main) Road, kanti lentuthuko izokuba iMulti-Products Pipeline Pump Station ezokuba yinxenye yeMulti-Products Pipeline entsha esuka eThekwini ize ifike ngaseHeidelberg Egoli (Gauteng).

Loluhelelo noma izinhlelo kanye nolwazi lutholakala kuMkhandlu eThekwini emmahhovisi ase South Region 2 Liberty Street, Lower Illovu noma ebholidini leDevelopment Planning & City Engineers eliku KE Masinga (Old Fort) Road eThekwini esikhathini esiyizinsuku ezingu 21 kusukela kumhlaka 7 November 2008.

Ingqungquthela yokulalelwa kwezicelo izokuba se Lords and Legends, 1600 riverside Rd, Holiday Resort, Amanzimtoti ngomhlaku 1st December 2008 ngo 10h00.

Bonke abuthintekayo nabanentshisekelo kulokhu bayoziswa ukuthi bahambele ukubukwa kwendawo ezothuthukiswa okuyokwenziwa yisigungu esithatha izinqumo ngomhlaka 26th January 2009 ngo 14h00

Lesisicelo sizobhekiswa kwi Tribunal ezokuba se Lords and Legends, 1600 Riverside Rd, Amanzimtoti ngomhlaku 27th January 2009 ngo 10h00.

Noma ngubani onentshisekelo ngalesisicelo kumele azi lokhu:

1. Kumele ngezinsuku ezingu 21 kusukela ngosuku kukhishwa ngalo isaziso (07 November 2008) , wenze iziphakamiso noma izethulo zakho; noma
2. Uma ukuphawula kwakho kuphikisana nanoma isiphi isicelo sohlelo lokuthuthukiswa komhlaba, ungakwenza lokho kodwa awuphoqelekile ukuthi uvele siqu sakho kwi Tribunal ngosuku olunqunyiwe noma ngabe iluphi olunye usuku onganikezwa ngalo isaziso

Iziphakamiso zingathunyelwa noma zilethwe ku Mr John Forbes oyiDesignated Officer kulelikheli: Environmental Management Department: eThekwini Municipality, Durban 4000. Noma ufike mathupha ku Room226, Environmental Management Department, Development Planning & City Engineers Building, eliku KE Masinga (Old Fort) Road, Durban, 4000

Ungaxhumana nobhekele loludaba oyi Designated Officer kulenombolo: 031-311-7477 noma ifax: ku 031-311-7134 noma iE-mail: forbesj@durban.gov.za.

ETHEKWINI MUNICIPALITY**NORTH****PUBLIC NOTICE****PROPOSED AMENDMENT TO THE UMHLANGA TOWN PLANNING
SCHEME NO. 3 IN THE COURSE OF PREPARATION**

Notice is hereby given that application has been made for authority to amend the Umhlanga Town Planning Scheme No. 3 in the course of preparation, in terms of Section 47bis B of the Town Planning Ordinance, 1949 (Ord. No. 27 of 1949) (as amended), by the rezoning of Portion 139 of Lot La Lucia No. 15634 from Undetermined to Office Park 3 and Portion 1 of Erf 2824 & Portion 2 of Erf 2824 from Office Park 3 to Road.

Copies of the proposed amendment and the relevant plans and documents are open for inspection at the Umhlanga Office of the Town Planning Control Branch, between the hours of 08:00 and 12:30 weekdays. Any person having sufficient interest in the proposed amendment may lodge written objections or representation relating thereto with the undersigned at 5 Lagoon, Umhlanga, and the applicant before 12h30 on Friday, 28 November 2008.

M O SUTCLIFFE
CITY MANAGER:
ETHEKWINI MUNICIPALITY

BOX 680
DURBAN
4000

5 LAGOON DRIVE
UMHLANGA
4319

UMKHANDLU WETHEKU**ENYAKATHO****ISAZISO SOMPHAKATHI****ISICHIBIYELO ESIHLONGOZWAYO KWISIKIMU SOKUHLELWA KWAMADOLOBHA
SASEMHLANGA ESINGUNOMBOLO 3 ESISENZIWA**

Lapha kukhishwa isaziso ngesicelo sokuchibiyela iSikimu Sokuhlelwa kwamaDolobha saseMhlanga esingunombolo 3 esisenziwa, njengokwemigomo yesiGaba sama-47bis B soMhlahlandlela wamaDolobha oMasipala ka1949 ongu Nombolo 27, njengokuchibiyelwa kwawo [Section 47bis A of the Town Planning Ordinance, 1949 (Ord. No. 27 of 1949)(as amended)], njengoba kubaluliwe: rezoning of Portion 139 of Lot La Lucia No. 15634 from Undetermined to Office Park 3 and Portion 1 of Erf 2824 & Portion 2 of Erf 2824 from Office Park 3 to Road.

Amakhophi ezincwadi ezineminingwane yezichibiyelo ezihlongozwayo kanye nama pulani kuvulelekile ukubonwa kuma hhovisi akwa Masipala aseMhlanga, eMnyangweni wezokuHlelwa kwaMadolobha (Town Planning Control Branch) ngezinsuku zomsebenzi phakathi kwehora lesishiyagalombili ekuseni nehora leshumi nambili emini. Onentshisekelo kulesichibiyelo esihlongozwayo makathumele isicelo sakhe njengoba kulotshiwe ngezansi ku 5 Lagoon Drive, Umhlanga, kanye nakulowo ofake isicelo sokuchibiyela lingakashayi ihora leshumi nambili emini ngoIwesiHlanu womhla ziyi- 28 kuLwezi 2008.

M O SUTCLIFFE
UMPHATHI DOLOBHA:
ETHEKWINI MUNICIPALITY

BOX 680
DURBAN
4000

5 LAGOON DRIVE
UMHLANGA
4319

HIBISCUS COAST MUNICIPALITY

NOTICE NO. 160/2008

PROPOSED AMENDMENT TO THE MARGATE TOWN PLANNING SCHEME (IN
COURSE OF PREPARATION)

Notice is hereby given in terms of Section 47 *bis* B (1) of the Town Planning Ordinance, 1949 (Ordinance no. 27 of 1949), as amended, that it is the intention of the Hibiscus Coast Municipality to consider amendments to the Margate Town Planning Scheme (in course of preparation) by the introduction of:

- i. a "Special Zone" to include the following uses: "Dwelling House", "Recreational Building", "Conference Room" and "Club House" into the Margate Town Planning Scheme, in course of preparation (Special Zone Number to be confirmed by KZN Provincial Planning and Development Commission) and by the rezoning of:
 1. Erf 49 Margate Extension 3 from "Agriculture" to "Special Zone (Sports and Recreation Centre)" (Special Zone Number to be confirmed by KZN Provincial Planning and Development Commission)
 2. Erf 718 Shelly Beach from "Special Residential 1" to "Limited Commercial"

A copy of the proposed amendment will be available for inspection at the Municipal Offices, Crescent Road, Uvongo, during normal office hours and anyone with sufficient interest therein may lodge written objections or representations to the Municipal Manager, P.O. Box 5, Port Shepstone, 4240 (Fax 039-3159220) by not later than 18 December 2008 at 16:00.

SW MKHIZE
MUNICIPAL MANAGER

Municipal Offices
10 Connor Street
P.O. Box 5
Port Shepstone
4240

UMASIPALA IHIBISCUS COAST
ISAZISO SOMPHAKATHI SIKA 0160/2008

ISIPHAKAMISO SOKUCHIBIYELA KOHLELO LOKUHLELA KABUSHA
KWEDOLOBHA IMARGATE (PHANTSI KOHLALUTYO
KABUSHA)

Isaziso sikhishwa ngokomyalelo wesigaba 47 bis B(1) womthetho wedolobha omayelana nokuhlelwa kwedolobha ongunombolo 27 ka 1949 njengokuchibiyelwa kwawo. Kuyinhloso kamasipala iHibiscus Coast ukucubungula iziphakamiso ezimayelana nohlelo lokuhlela kabusha kwedolobha IMargate ngokuthi kusungulwe okulandelayo

- i. indawo eyaziwa nge "Special Zone" ezosetshenzisewa ukwakha umuzi nendawo yokungcebeleka, indawo yezophicothokanye nedlu yokonaba eMargate (izinombolo zezitifiketi zokwakha ezisazophuma kwiKhomishani yesiFundazwe ephethe ezokuHlela), kanye nokuhlela kabusha.
1. ISiza 49 eMargate Extension 3 isuswa ekubeni Indawo yokuLima(Agriculture) iba yindawo ekhethekileyo (Special Zone). (Inkundla Ezoqeqesho nokwenaba) (izinombolo zezitifiketi zokwakha ezisazophuma kwiKhomishani yesiFundazwe ephethe ezokuHlela)
2. Isiza 718 eShelly Beach isuswa ekubeni Indawo yokuhlala yokuqala (Special Residential 1) isiba yindawo yokushishina (Limited Commercial).

Ikhophi yesiphakamiso sesichibiyelo iyotholakala kulabo abafuna ukuyihlola emahovisi kamasipala akuCrescent Road eUvongo ngezikhathi zomsebenzi. Unoma ubani onentshisekelo angabhala aphikise noma abeke umbono wakhe aqondise kumphathi kamasipala kwa P.O. BOX 5 Port Shepstone noma asebenzis isikhahlemezi kulenombolo (039-3156239) ngaphambi komhlaka 18 December 2008 Ngo-16h00 ntambama.

SW MKHIZE
UMPHATHI KAMASIPALA

Hibiscus Coast Municipality
10 Connor Street
P.O.Box 5
Port Shepstone
4240

ETHEKWINI MUNICIPALITY—SOUTH**NOTICE No. 001102008****PROPOSED AMENDMENT TO KINGBURGH TOWN-PLANNING SCHEME IN COURSE OF PREPARATION**

Notice is hereby given in terms of section 47 *bis* of Ordinance No. 27 of 1949, as amended, that application has been made to Council, for authority to amend the Kingsburgh Town-planning Scheme in course of preparation by the rezoning of Erf 2226, Kingsburgh, from Commercial 3 to General Residential 1.

Copies of the proposed amendment are open for inspection at the Town Planning Offices, 2 Liberty Road, Illovo, during office hours. Consult your local office.

Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the Head: Development Planning, Environment & Management at the address below, by Friday, 28th November 2008.

Ms S.T. MOONSAMMY, Head: Development Planning, Environment & Management

Ethekwini Municipality—South, PO Box 26, Amanzimtoti, 4125

Ethekwini Municipality—Umkhandlu Wasesngizimu

KWADUKUZA MUNICIPALITY**BALLITO TOWN-PLANNING SCHEME****IN COURSE OF PREPARATION: PROPOSED AMENDMENT**

Notice is hereby given that application has been made to the Kwadukuza Municipality for authority to amend the Ballito Town-planning Scheme in course of preparation in terms of section 47 *bis* b of the Town-planning Ordinance No. 27 of 1949 (as amended), by the rezoning of Portion 94, Compensation 868 – Registered Division FU to Special Zone Office Park.

Any person having objections to this application are hereby called upon to lodge their written objection together with the address where notice may be served in terms of section 47 *bis* (2) of the Town-planning Ordinance, No. 27 of 1949, as amended, with the Municipal Manager of the Kwadukuza Municipality by not later than 21 days after publication. The closing date for objections and/or comments is 21 November 2008.

Documents and plans relating to the proposed amendments will be open to inspection during normal office hours at the Kwadukuza Municipal offices, 10 Leonora Drive, Ballito.

Dated at Kwadukuza on this 31 October 2008.

Applicant: The Municipal Manager, P.O. Box 72, Stanger, 4450. Tel. (032) 437-5000; Struwig Mendes Assoc., PO Box 347, Stanger, 4450. Tel. (032) 552-3624. Fax (032) 551-2636.

KWADUKUZA MUNICIPALITY**BALLITO-DORPSAANGESKEMA****IN WORDING: VOORGESTELDE WYSIGING**

Kennis word hiermee gegee dat aansoek gedoen word by die Kwadukuza Munisipaliteit vir toestemming om die Ballito-dorpsbeplanningskema in wording, te wysig in terme van artikel 47 *bis* B van die Dorpsbeplanning Ordonnansie No. 27 van 1949 (soos gewysig), vir die hersonering van Gedeelte van 94 Compensation 868 – Registrasie Afdeling na Spesiale Sone Kantoorpark.

Dokumentasie en planne wat betrekking het op die voorgestelde aansoek kan gedurende normale kantoore by die Munisipale Kantoor Ballito inspekteer word.

Enige persoon wat genoegsame belang het by die voorgestelde wysiging word hiermee versoek om hulle skriftelike besware tesame met die gronde daarvoor of verbandhoudende verteenwoordiging daarvoor, nie later as 21 November 2008 by die Munisipale Bestuurder, Kwadukuza Munisipaliteit, 10 Leonora Drive, Ballito, in duplikaat in te dien nie.

Gedateer te Kwadukuza op 31 Oktober 2008.

Die Munisipale Bestuurder, Posbus 72, Stanger, 4450. Tel. (032) 437-5000; Struwig Mendes Assoc., Posbus 347, Stanger, 4450. Tel. (032) 552-3624. Faks (032) 551-2636.

CITY OF uMHLATHUZE**AMENDMENT TO THE RICHARDS BAY TOWN-PLANNING SCHEME****IN COURSE OF PREPARATION: RICHARDSBAY—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 Birdwood, Richards Bay. Successful conclusion of this procedure would assist the owners of Erven 7995 to 8251, Birdwood, to apply for Council's special consent to authorize second dwelling units larger than 80 m² 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 the date of advertisement at the following address: Civic Offices, Private Bag X1004, Richards Bay, 3900.

Dr A. W. HEYNEKE, Chief Executive Officer

Civic Offices, Private Bag X1004, Richards Bay, 3900

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STAD VAN uMHLATHUZE

WYSIGING AAN DIE RICHARDSBAAI-STADSBEPANNINGSKEMA IN WORDING: RICHARDSBAAI—GU

Kennisgewing geskied hiermee ingevolge die bepalings van artikel 47 bis A.(1) van die dorpsbeplanningsordonnansie, No. 27 van 1949, soos gewysig, van die voorneme van die uMhlathuze Munisipaliteit om die Richardsbaai-stadsbeplanningskema 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 Birdwood, Richardsbaai, te verwyder. Die suksesvolle afhandeling van hierdie prosedure sal die eienaars van Erwe 7995 tot 8251, Birdwood, in staat te stel om aansoek te doen vir die Raad se spesiale vergunning om tweede wooneenhede groter as 80 m² 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, Markstrasse 5, Richardsbaai. [Afspraak met mnr M. van Rooijen—Tel: (035) 907-5414 (direkte lyn) of Tel: (035) 907-5428 (departementele skakelbord) in hierdie verband is noodsaaklik].

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

Dr A. W. HEYNEKE, Munisipale Bestuurder

Burgersentrum, Privaatsak X1004, Richardsbaai, 3900

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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 eBirdwood, Richards Bay.

Ukuphethwa ngempumelelo kwalolu hlelo kosiza abanikazi baleziziza ezibalwe ngenhla ukuba bakwazi ukufaka izicelo ngokusemthethweni eMkhandlwini waseMhlathuze zokuba nendlu yesibili engaphezulu kuka 80 m² (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) 907-5414 noma Departmental Switchboard (035) 907-5428].

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

Dr A. W. HEYNEKE, Chief Executive Officer

uMhlathuze Municipality, Civic Centre, Private Bag X1004, Richards Bay, 3900

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