

**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. 3**

**PIETERMARITZBURG,**

11 JUNE 2009  
11 JUNIE 2009  
11 kuNHLANGULANA 2009

**No. 289**

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**ADVERTISEMENTS**

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**INHOUD***No.* *Bladsy***ADVERTENSIES**

Diverse (kyk afsonderlike bladwyser, bladsy 26)

*No.**Ikhasi***IZAZISO ZIKAMASIPALA**

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**IMIKHANGISO**

Ezingxubevange (bheka uhlu oluseceleni, ekhasini 26)

# 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 2009**

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

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

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

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

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

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt



REPUBLIC  
OF  
SOUTH AFRICA

## LIST OF FIXED TARIFF RATES AND CONDITIONS

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

**COMMENCEMENT: 1 MAY 2007**

### CONDITIONS FOR PUBLICATION OF NOTICES

#### CLOSING TIMES FOR THE ACCEPTANCE OF NOTICES

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

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

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

#### THE GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

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

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

#### **LIABILITY OF ADVERTISER**

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

#### **COPY**

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

Where applicable

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

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

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

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

#### **PROOF OF PUBLICATION**

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

## **GOVERNMENT PRINTERS BANK ACCOUNT PARTICULARS**

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

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

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

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


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The following notices are published for general information.

Onderstaande kennisgewings word vir algemene inligting gepubliseer.

DR K. B. MBANJWA  
Director-General

DR K. B. MBANJWA  
Direkteur-generaal

300 Langalibalele Street  
Pietermaritzburg  
11 June 2009

Langalibalelestraat 300  
Pietermaritzburg  
11 Junie 2009

Izaziso ezilandelayo zikhishelwe ulwazi lukawonkewonke.

DKT. K. B. MBANJWA  
uMqondisi-Jikelele

300 Langalibalele Street  
Pietermaritzburg  
11 kuNhlangulana 2009

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


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**No. 67**

**11 June 2009**

(Notice 59/2009)

**uMLALAZI MUNICIPALITY**

3 YEAR BUDGET: 2009–2012

Notice is hereby given in terms of section 21 of the Local Government: Municipal Systems Act, 32 of 2000, read together with section 22 of the Local Government: Municipal Finance Management Act, 56 of 2003, that the uMlalazi Municipality has finalized its three-year Capital and Operating Budget for 2009–2012 financial year.

**ASSESSMENT OF RATES: 2009/2010**

Notice is hereby given in terms of section 14 of the Local Government: Property Rates Act, 06 of 2004, that subject to the provisions of the Councils Rates Policy and Rates Bylaws the uMlalazi Municipality by resolution dated 27 May 2009 has determined the property valuation rate for the financial year ending 30 June 2010 at 1.27 cents in the rand for residential properties and mm-residential properties and 0.32 cent in the rand for agricultural and public service infrastructure. The final date for the payment of assessment rates for annual rate payments is 30 September 2009 and monthly ratepayers is 30 June 2010.

**AMENDMENT OF TARIFF OF CHARGES: 2009/2010**

Notice is hereby given that the Council of the uMlalazi Municipality in terms of section 75 (A) of the Local Government: Municipal Systems Act, 32 of 2000, at its meeting held on 27 May 2009, resolved to amend its miscellaneous tariff, refuse removal and electricity tariffs with effect from 1 July 2009.

The above-mentioned documents may be viewed on the Council's Website [www.umlalazi.org.za](http://www.umlalazi.org.za) and during normal office hours at the following venues:

1. Corporate Services Department, Civic Buildings, Hutchinson Street, Eshowe.
2. Mtunzini Civic Offices, Holy Hutchinson Street, Mtunzini.
3. Gingindlovu Civic Offices, Main Street, Gingindlovu.

**CHRIS GERBER**

Municipal Manager



No. 67

11 kuNhlangulana 2009

ISAZISO NAMBA 59/2009

**UMASIPALA WASEMLALAZI****ISABELO-MALI SEMINYAKA EMITHATHU : 2009 - 2012**

Kunikezwa isaziso lapha njengokulandisa kweSigaba 21 soMthetho 32 ka 2000 weziNhlelo zoMasipala koHulumeni baseKhaya, ofundwa ngokuhlanganyela nesiGaba 22 somthetho 56 ka 2003 wokuPhathwa kweziMali koHulumeni baseKhaya ukuthi uMasipala waseMlalazi usuluphothulile uHlelo lweSabelo-mali kanye nolwemali eSebenza nsuku zonke lonyaka wezimali ka 2009 – 2012.

**ISILINGANISO SEMALI YENTELA EKHOKHELWA IZINDLU NOMHLABA ( RATES ) : 2009/2010**

Kunikezwa isaziso lapha njengokulandisa kweSigaba 14 somthetho 06 ka 2004 oqondene nemali eyiNtela ekhokhelwa iZindlu noMhlaba (Rates) ngaphansi koHulumeni baseKhaya ukuthi (lokhu kuncike ezimisweni nasemigomweni yeNqubo-mgomo yesiGungu eqondene nemali eyiNtela ekhokhelwa izindlu nomhlaba) (Rates) nasemithethweni kaMasipala waseMlalazi eqondene nemali eyiNtela ekhokhelwa izindlu nomhlaba (Rates) okwenziwe ngesinqumo somhlaka 27 Meyi 2009, usuluqagulile uHla lwemali eyisilinganiso ekhokhelwa izindlu nomhlaba (Valuation Roll) lonyaka weZimali ophela mhlaka 30 Juni 2010 :

Lumi kanje: 1,27 cents kulelo nalelo Randi olikhokhayo ezindaweni zokuhlala  
0,32 cents kulelo nalelo Randi olikhokhayo ezindaweni ezinengqala-sizinda yeZolimo kanye naleyo eqondene neziDingo zoMphakathi. Usuku lokugcina lokukhokhwa kwemali eyisilinganiso sentela yezindlu nomhlaba ekhokhwa kanye ngonyaka (annual rate payments) ngumhlaka 30 Septhemba 2009 kanti olwentela ekhokhwa njalo ngenyanga ngumhlaka 30 June 2010.

**ISICHIBIYELO SOHLU LWENTELA EKHOKHWAYO : 2009 /2010**

Kunikezwa isaziso lapha ukuthi isiGungu sikaMasipala waseMlalazi njengokulandisa kweSigaba 75 (A) soMthetho 32 ka 2000 weziNhlelo zoMasipala koHulumeni baseKhaya, emhlanganweni owawumhlaka 27 Meyi 2009, sanquma ukuchibiyela Uhla lwamanani entela oluhlanganisa izinto ezehlukene, ukuqoqwa kukadoti, kanye nohla lwamanani entela kagesi, lamanani azoqala ukusebenza kusuka mhlaka 01 Julayi 2009.

Lemiqule ebhalwe ngasenhla ingabonwa kwi-Website yesiGungu kulelikheli: [www.umlalazi.org.za](http://www.umlalazi.org.za) nangezikhathi zokusebenza eziwayelekile kuleziziKhungo ezilandelayo:-

1. eMahovisi oMnyango oqondene neziDingo zamaBhizinisi, amaBhilidi kaMasipala, Hutchinson Street, Eshowe
2. eMahovisi omphakathi eMtunzini, Holy Hutchinson Street, Mtunzini.
3. eMahovisi omphakathi eGingindlovu, Main Street, Gingindlovu

**CHRIS GERBER**  
**IMENENJA KAMASIPALA**

No. 69

11 June 2009

## CITY OF uMHLATHUZE

## NOTICE IN TERMS OF SECTION 14 OF THE LOCAL GOVERNMENT MUNICIPAL PROPERTY RATES ACT NO. 6 OF 2004

Notice is hereby given in terms of Section 14 of the Local Government Municipal Property Rates Act No. 6 of 2004 that the uMhlathuze Local Municipality by a resolution passed by the Council with a supporting vote of a majority of its members on 28 May 2009 a resolution levying rates as follows:

1. in terms of Section 2(3) of the Local Government: Municipal Property Rates Act, the following property rates for the 2009/2010 financial year be approved:

PREDOMINANT USE	REFERENCE IN RATES POLICY	RATE RANDAGE	RATIO TO RESIDENTIAL TARIFF
<b>Residential Properties</b>	Clause 4.4.1	0,00468	1:1
<b>Business, Commercial and Industrial Properties and Mining</b>	Clause 4.4.2 and 4.4.3	0,00936	1:2
<b>Agricultural Properties</b>	Clause 4.4.4. and 2	0,00117	1:0,25
<b>Agricultural Properties (business)</b>	Clause 4.4.4.3 and 4 and 5	0,00936	1:2
<b>State Trust land</b>	Clause 4.4.5	0,00468	1:1
<b>State Owned Properties</b>	Clause 4.4.7.1	0,00468	1:1
<b>Public Service infrastructure</b>	Clause 4.4.6	0,00117	1:0,25
<b>Public Benefit Organisations</b>	Clause 7.2	0,00468	1:1

2. On application by the relevant ratepayers, the following rebates be applied, subject to the provisions contained in the Rates Policy:
- 2.1 Agricultural properties - 5%
- 2.2 Public Benefit Organisations - 100%
- 2.3 Sporting Bodies - 100%
3. In addition to the statutory R15 000 reduction in the valuation on residential properties, a further reduction of R85 000 of the valuation on all developed residential properties be made;
4. In addition to the reduction in recommendation 3 above and subject to the criteria set put in the Property Rates Policy and additional R100 000 reduction in the value of the primary residential property, belonging to a pensioner or social grantee be made.
5. In accordance with the implementation of the universal approach of the Indigent Policy, improved residential property valued at R100 000 or less will be exempted from refuse and sewerage charges. The following sliding scale be applied for charges on improved residential properties greater than R100 000 on the following basis:
- 5.1 Properties valued between R100 001 and R150 000 receive a rebate of 25% in respect of the sewerage and refuse charges;

5.2 Properties valued at R150 001 and higher will pay the normal tariff;

**A detailed copy of the resolution of levying rates on property is open for inspection on the public notice board at the office of the Director Corporate Services, 1<sup>st</sup> Floor, Municipal Offices: Corner of Lira Link & Mark Strasse, Richards Bay, all municipal satellite offices, libraries and on the website;- [www.richemp.org.za](http://www.richemp.org.za) for 30 days after the date of this notice.**

Civic Offices  
Private Bag X 1004  
**RICHARDS BAY**  
3900

**DR A W HEYNEKE**  
**MUNICIPAL MANAGER**

**MN92/2009 – 11 JUNE 2009**  
(DMS 575014)

No. 70

11 June 2009



## **PUBLIC NOTICE**

Notice of adoption of the final Rates Policy and the Rates By-laws

### **UTHUKELA DISTRICT MUNICIPALITY**

2009/2010 Financial Year

Notice is hereby given that the Uthukela District Municipal Council has in terms of Section 3 and 6 of the Local Government: Municipal Property Rates Act 6 of 2004 (Act No. 6 of 2004) read with Sections 75 and 75A of the Local Government: Municipal Systems Act 32 of 2000 (Act No. 32 of 2000) adopted its Rates Policy and Rates By-laws for the 2009/2010 financial year.

The Rates Policy and Rates By-laws are effective from 1 July 2009 and are available for inspection at the Uthukela District Municipal Office, Murchison Street, Ladysmith or on the Municipal Website [www.uthukeladm.co.za](http://www.uthukeladm.co.za)

**S.S.B. NKEHLI**

**MUNICIPAL MANAGER**

**76 MURCHISON STREET**

**LADYSMITH**

**3370**

No. 71

11 June 2009

**UTHUKELA DISTRICT MUNICIPALITY : RATES BY-LAWS**

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**RATES BY-LAWS**

**UTHUKELA DISTRICT MUNICIPALITY**

Adopted by the Uthukela District Municipality's Council  
on the 28th day of May 2009

## UTHUKELA DISTRICT MUNICIPALITY : RATES BY-LAWS

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### RATES BY-LAWS

Be it enacted by the Council of the Uthukela District Municipality, in terms 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), as follows:

#### 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. Process for granting exemptions, rebates and reductions
12. Short title
13. Commencement

#### **Definitions**

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

## UTHUKELA DISTRICT MUNICIPALITY : RATES BY-LAWS

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**“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. # 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 Uthukela District 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”,

## UTHUKELA DISTRICT MUNICIPALITY : RATES BY-LAWS

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;
- (ix) the holder of a right of extension in terms of the Sectional Titles Act, 1986, (ct No. 95 of 1986);

“**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;



## UTHUKELA DISTRICT MUNICIPALITY : RATES BY-LAWS

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“**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;

## UTHUKELA DISTRICT MUNICIPALITY : RATES BY-LAWS

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**“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) 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);

## UTHUKELA DISTRICT MUNICIPALITY : RATES BY-LAWS

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“**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 must 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; and
- (f) ...

### 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

## UTHUKELA DISTRICT MUNICIPALITY : RATES BY-LAWS

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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 –

Properties used for agricultural purposes

Commercial and business

Industrial

Residential

Municipal use

Public Service Infrastructure

State and Trust Land

Nature Reserve/National Park/Conservation

Properties acquired by a land reform beneficiary

Properties on which national monuments are proclaimed and used for such

Properties used for any specific public benefit activities listed in Part 1 of the Ninth Schedule to the Income Tax Act

Properties used for multiple purposes

Properties used for crèche purposes

Properties used for clinic purposes

Properties used for library purposes

Properties used for post office purposes

Properties used for police station purposes

Properties used for magistrates courts

Properties used for education purposes

Properties used for place of worship purposes

Properties used for sport facility purposes

Properties used for cemeteries

Properties used for racetrack

Properties used for quarry

## UTHUKELA DISTRICT MUNICIPALITY : RATES BY-LAWS

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Properties used for zoo and/or game reserve

Sectional Title properties

A Real Right of Extension registered in terms of a Sectional Titles Scheme

Rural Communal Land

(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
- (e) State Property held in Trust.

### Categories of Owners of Properties

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; or
- (g) ...

## UTHUKELA DISTRICT MUNICIPALITY : RATES BY-LAWS

(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; or
- (g) . . .

### **Properties used for Multiple Purposes**

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.

### **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,

## UTHUKELA DISTRICT MUNICIPALITY : RATES BY-LAWS

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).

### **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).

### **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).

## UTHUKELA DISTRICT MUNICIPALITY : RATES BY-LAWS

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### **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) or the credit control policy, or as specified by the Municipality from time to time.

(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 absent, incomplete, incorrect or false.

### **Short title**

**14.** These by-laws will be called the Uthukela District Municipality By-Laws, 2009

### **Commencement**

**15.** These by-laws come into force and effect on 1 July 2009.



## UTHUKELA DISTRICT MUNICIPALITY

No. 72

11 June 2009

## PUBLIC NOTICE

In accordance with the provisions of section 74 of the Local Government Municipal Systems Act, No. 32 of 2000, and section 3 of uThukela District Municipality Water Services By-laws, uThukela District Municipality's Council adopted the following municipal services tariffs at its meeting held on 28 May 2009 at the Council Chambers, Uthukela District Main Offices, 76 Murchison Street, Ladysmith, for implementation with effect from 1 July 2009 within its area of jurisdiction.

Description	Tariff
1. Tariff for accessibility to water (basic charge occupied and unoccupied .....	R40,00/month
2. Tariff for accessibility to sewerage system (basic charge occupied and unoccupied .....	R51,00/month
3. Water tariff for high pressure water use (un-metered) .....	R78,00/month
4. Sewer tariff for restricted usage (un-metered) .....	R51,00/month
5. Servicing sewer conservancy tanks/pits (small) .....	R90,00/service
Servicing sewer conservancy tanks/pits (large) .....	R193,00/service
Discharge of sewage to waste water works by private sewer tankers .....	R0,06/litre
<b>Integrated Step Tariff (Domestic Use)</b>	
6. Water tariff for water usage up to 6 kℓ .....	Free/Indigent
Water tariff for water usage 1 to 30 kℓ .....	R5,83 kℓ
Water tariff for water usage 31 kℓ to 100 kℓ .....	R6,71 kℓ
Water tariff for water usage 101 kℓ to 999 kℓ .....	R7,70 kℓ
<b>Integrated Step Tariff (Industrial Use)</b>	
7. Water tariff for water usage up to 1 000 kℓ .....	R5,83 kℓ
Water tariff for water usage 1 001 kℓ and above .....	R3,08 kℓ
8. Bulk potable water supply to IDC Estate .....	R3,08 kℓ
Bulk Raw water supply .....	R1,87 kℓ
9. Emergency Services Connection (excluding emergency services) .....	R12,10 kℓ
10. All connections, repairs and work required from Council Domestic .....	Cost + 10%
11. All connections, repairs and work required from Council other services actual cost +10% .....	Cost +10%
12. Trade Effluent .....	Charge(c/kℓ)= 43c+([COD/1000] x 94 c) (COD-Chemical Oxygen Demand)
13. Account Deposits .....	Every default adjustment of R100,00 to a maximum as per following: Residential Max R1 500,00 Business Max R5 000,00 New consumers: Residential = R 800,00 Business = R1 900,00
14. Scrutiny of building plans .....	R253,00/plan
15. Clearing of grass overgrowth .....	Actual cost + 12%
16. Request Water Tankering (funerals—if not indigent) .....	5000ℓ—R275,00/load
17. Requested Water Tankering (other events) .....	5000ℓ—R440,00/load
18. Developer's Capital Contribution—Water .....	R5 000,00
19. Developer's Capital Contribution—Sanitation .....	R5 500,00
20. Reconnection fee—Working hours .....	R66,00
After hours, Saturdays/Sundays/Public Holidays .....	R165,00
21. Clearance certificates .....	R250,00
22. Flat rate services (where applicable) .....	R30,00 per household
<b>• Property Rates for District Managed Area</b>	
23. Agriculture .....	0,003
24. Nature Conservation .....	0,006
25. Commercial .....	0,020
Rebate on Commercial Properties .....	30%

• The above tariffs exclude VAT

**S.S.B. NKEHLI, Municipal Manager**

76 Murchison Street, Ladysmith

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**ADVERTISEMENTS—ADVERTENSIES—IZIKHANGISO**


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**DFA APPLICATION**
**Regulation 21(10) of the Development Facilitation Regulations in terms of the Development Facilitation Act, 1995**

Sirius Holdings (Pty) Ltd has lodged an application in terms of the Development Facilitation Act, 1995, for a development on Erf 18, 19, 21 and 31 New England, Msunduzi Municipality. The development will consist of 1276 apartment units, 233 single residential units, a school, worship sites, civic and social sites, roads and open spaces. The relevant plans, documents and information are available for inspection at the Municipal Library and at the offices of the Designated Officer for a period of 21 days from 4 June 2009.

The application will be considered at a Tribunal hearing to be held at the City Royal Hotel, Pietermaritzburg on 12 August 2009 at 10h00 and the prehearing conference will be held at the City Royal Hotel, Pietermaritzburg on 26 June 2009 at 10h00. You may attend an inspection in loco of the land development area which will be conducted by the Tribunal on 11 August 2009 at 14h00.

Any person having an interest in the application should please note: You may within a period of 21 days from the date of the first publication of this notice, provide the designated officer with your written objections or representations; or 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 at the prehearing conference, on the date mentioned above. Any written objection or representation must be delivered to the designated officer Mr W.F Cooper, Private Bag X321, Pietermaritzburg, 3200 or Compen Building, 2<sup>nd</sup> Floor, 257 Church Street, Pietermaritzburg 3201, and you may contact the designated officer if you have any queries at the following : (T) 033 3922785 (F) 033 3428753

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**DFA APPLICATION**
**[Umthetho 21(10) wemithetho yokuKhuthaza iNtuthuko ngokulandela uMthetho wokuKhuthaza iNtuthuko ka-1995]**

Sirius Holdings (Pty) Ltd ufake isicelo ngokulandela uMthetho wokuKhuthaza iNtuthuko mayelana nokumiswa kwendawo yokuthuthukiswa Erf 18, 19, 21 and 31 New England, Msunduzi Municipality. Ukuthuthukisa kubabandakanya lokhu okulandelayo: 1276 apartment units, 233 single residential units, a school, worship sites, civic and social sites, roads and open spaces. Ipulani (amapulani), incwadi (izincwadi) neminingwane edingekayo ukuze ihlolwe itholakala: Municipal library/ offices of the Designated Officer, isikhathi esiyizinsuku ezingama-21 kusukela 4 June 2009.

Isicelo siyocutshungulwa eNkundleni yokulalela izicelo eyohlala the City Royal Hotel, Pietermaritzburg mhla ka 12 August 2009 ngo 10h00 kanti umhlangano wokwendulela uyoba the City Royal Hotel, Pietermaritzburg mhla ka 26 June 2009 ngo 10h00. Ungaba khona lapho kuhlolwa mathupha indawo ethuthukiswayo okuyokwenziwa yiNkundla yokulalela izicelo mhla ka 11 August 2009 ngo 14h00

Yinoma yimuphi umuntu onentshisekelo mayelana nesicelo kumele aqaphele lokhu: Ezinsukwini ezingu-21 lesi sazizo sokuqala simenyezwe, unganikeza isiphathi-mandla esiqokiwe isikhalo noma umbono wakho obhalwe phansi; noma uma umbono wakho kuyisikhalo esiqondene nokuthile mayelana nesicelo sokuthuthukisa umhlaba, kumele ube khona mathupha noma umelwe ummeli eNkundleni ngosuku olubalulwe ngenhla. Noma yisiphi isikhalo noma umbono obhalwe phansi kumele uthunyelwe kwisiphathi-mandla esiqokiwe Mr W.F Cooper, Private Bag X321, Pietermaritzburg, 3200 or Compen Building, 2<sup>nd</sup> Floor, 257 Church Street, Pietermaritzburg 3201, futhi ungathintana nesiphathi-mandla lapha (T) 033 3922785 (F) 033 3428753

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**OKHAHLAMBA****LOCAL MUNICIPALITY/UMKHANDLU WENDAWO**

Notice is hereby given in terms of section 47 bis (1)(A) of the Town-planning Ordinance, No. 27 of 1949, as amended, that it is the intention of the Okhahlamba Local Municipality to consider an application for the amendment of Clause 5.11.6(a)(i) of the Cathkin Park Town Planning Scheme. A copy of the proposed amendment and documents are lying for inspection at Cathkin Park Offices (along the Main Road R600), Winterton Library and Bergville Municipal Offices (10 Broadway Street).

Any person having sufficient interest therein may lodge written objections or representations relating thereto with the Acting Municipal Manager, Okhahlamba Municipality, P.O. Box 71, Bergville, 3350, by not later than the 03rd July 2009.

Any party who fails to lodge written objections or representations in response to this notice by the aforesaid date shall be precluded from further participation in the process with regard to the application.

**MR J.N. MADONDO, Acting Municipal Manager**

PO Box 71, Bergville, 3350. Tel. (036) 448-1076. Fax (036) 448-2472. (KZ 235)

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