



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)*

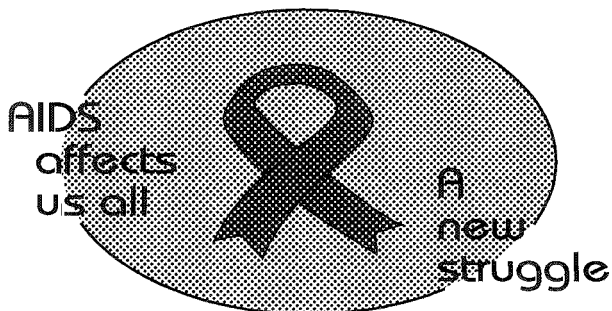
**Vol. 4**

**PIETERMARITZBURG,**

3 JUNE 2010  
3 JUNIE 2010  
3 kuNHLANGULANA 2010

**No. 436**

**We all have the power to prevent AIDS**



**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

**Prevention is the cure**

*N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes*



**IMPORTANT NOTICE**

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

**CONTENTS**

<i>No.</i>	<i>Page</i>
<b>PROVINCIAL NOTICES</b>	
74 KwaZulu-Natal Gambling Act (10/1996): KwaZulu-Natal Gambling Board: Application received for a licence as a supplier .....	9
75 Division of Revenue Act, 2010: Transfer of funds to municipalities .....	12
76 National Environmental Management: Protected Areas Act (57/2003): KwaZulu-Natal Nature Conservation Board: Consultation process with the intention to declare the Mbona Private Nature Reserve, Hawaan Forest Estate, Hilton College, Somkhanda Game Reserve and Gelijkwater Misbelt Nature Reserves .....	13
77 do.: do.: Consultation process with the intention to declare the Mpushini Protected Environment .	16
<b>MUNICIPAL NOTICES</b>	
37 Local Government: Municipal Systems Act (32/2000): Emnambithi/Ladysmith Municipality: Standing Orders for the Council and its Committees By-law .....	18
38 Emnambithi/Ladysmith Municipality: Assessment of general rates for the financial year 2010/2011 and final date of payment .....	42
39 do.: Estimates of consolidated operating and capital budgets—2010/2011 .....	45
40 do.: Amendment of tariff of charges: 2010/2011	46

**ADVERTISEMENTS**

Miscellaneous (see separate index, page 47)

**INHOUD**

<i>No.</i>	<i>Bladsy</i>
<b>PROVINSIALE KENNISGEWING</b>	
74 KwaZulu-Natal Dobbelwet, 1996: KwaZulu-Natal Dobbelraad: Aansoek ontvang vir die verkryging van 'n verskaffer lisensie deur Phambhili Print and Stationers BK .....	10

<i>No.</i>	<i>Ikhasi</i>
<b>IZAZISO ZESIFUNDAZWE</b>	
72 IBhodi yezokugembula yaKwaZulu-Natali: Isaziso ngesicelo esamukeliwe sokuthola ilungelo lokuhlomula ngokwezimali nokudlulisela ilayisense ye-Phambili Print & Stationers CC .....	11
76 IBhodi yezoKongiwa kweMvelo yaKwaZulu-Natali: Uhlolo lokubonisana ngenhloso yokumemezela isiQiwini saseMbona, amahlathi ase-Hawaan, i-Hilton College, isiQiwini saseSomkhanda kanye nesase-Gelijkwater Misbelt njengeziqiwini njengoba kuhlangozwe eMthethweni wokuPhathwa kweMvelo weziNdawo eziVikelwe ka 2003 (uMthetho No. 57 ka 2003) .....	14
77 IBhodi yezoKongiwa kweMvelo yaKwaZulu-Natali: Inhloso yokumemezela iMpushini njenge ndawo evikelekile ngokoMthetho wokuPhathwa kweMvelo weziNdawo eziVikelwe ka 2003 (uMthetho No. 57 ka 2003) .....	17

**IZIKHANGISO**

Ezingxubevange (bheka uhlu oluseceleni, ekhasini 47)

# 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 J. Wehmeyer Tel.: (012) 334-4734  
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 215.43**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

**A PRICE  
INCREASE OF  
14.97% WILL BE  
EFFECTIVE ON  
ALL TARIFFS  
FROM  
1 JUNE 2010**

$\frac{1}{4}$  page **R 430.87**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

$\frac{1}{4}$  page **R 646.31**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

$\frac{1}{4}$  page **R 861.74**

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 JUNE 2010**

### 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.

300 Langalibalele Street  
Pietermaritzburg  
3 June 2010

MR R. GOVENDER  
Acting Director-General

MNR. R. GOVENDER  
Waarnemende Direkteur-generaal

Langalibalelestraat 300  
Pietermaritzburg  
3 Junie 2010

Izaziso ezilandelayo zikhishelwe ulwazi lukawonkewonke.

300 Langalibalele Street  
Pietermaritzburg  
3 kuNhlangulana 2010

MNU. R. GOVENDER  
iBamba loMqondisi-Jikelele



No. 74

3 June 2010

**KWAZULU-NATAL GAMBLING BOARD****NOTICE OF AN APPLICATION RECEIVED IN TERMS OF SECTION 65 OF THE KWAZULU-NATAL GAMBLING ACT, 1996 (ACT NO 10 OF 1996) FOR A LICENCE AS A SUPPLIER****1. NOTICE OF APPLICATION RECEIVED**

Notice is hereby given in terms of Regulation 15, of the Regulations published under the KwaZulu-Natal Gambling Act, 1996 (Act No. 10 of 1996), of an application received from the Applicant mentioned below, for consent to acquire a licence as a Supplier, in terms of Section 65 of the KwaZulu-Natal Gambling Act, 10 of 1996.

<b>NAME</b>	<b>ADDRESS</b>
PHAMBILI PRINT & STATIONERS CC	12 POWYS ROAD, DURBAN, 4001

**2. PUBLIC INSPECTION OF APPLICATION**

The applications will, subject to any ruling by the Board to the contrary in accordance with the provisions of section 26(5) of the KwaZulu-Natal Gambling Act, 1996 (Act No. 10 of 1996), be open to public inspection at the offices of the Board at the address below for the period **03 June 2010 to 23 June 2010**.

Ground Floor (South Tower)  
Room G135  
Natalia Building  
330 Longmarket Street  
Pietermaritzburg  
3201

**3. INVITATION TO LODGE REPRESENTATIONS**

Interested persons are hereby invited to lodge any representations in respect of any or all of the applicants by no later than **16h00 on 23 June 2010**. Representations should be in writing and must contain at least the following information:

- (a) The name of the applicant to whom the representations relate.
- (b) The ground(s) on which representations are made.
- (c) The name, address and telephone number of the person submitting the representations.
- (d) An indication as to whether or not the person making the representations wishes to make oral representations when the Board hears the application.

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

Representations should be addressed to:  
**The Acting Chief Executive Officer,  
KwaZulu-Natal Gambling Board,  
Private Bag 9102,  
Pietermaritzburg, 3200,  
Or faxed to: (033) 342 7853**

No. 74

3 Junie 2010

**KWAZULU-NATAL DOBBELRAAD****KENNISGWEING VAN AANSOEK ONTVANG INGEVOLGE ARTIKEL 65 VAN DIE KWAZULU-NATAL DOBBELWET, 1996 (WET NO. 10 VAN 1996) EN REGULASIES, VIR DIE VERKRYGING VAN 'N VERSKAFFER LISENSIE DEUR PHAMBHILI PRINT & STATIONERS BK.****1. KENNISGEWING VAN AANSOEK ONTVANG**

Ingevolge regulasie 15 van die regulasies wat kragtens die KwaZulu-Natal Dobbelwet, 1996 (Wet No. 10 of 1996) gepubliseer is, word hierby kennis gegee van 'n aansoek wat van die volgende aansoeker, Phambili Print & Stationers BK, ontvang is vir 'n verskaffer lisensie, ingevolge artikel 65 van die KwaZulu-Natal Dobbelwet, 1996 (Wet No.50 van 1996) en regulasies.

NAAM	ADRES
PHAMBHILI PRINT & STATIONERS BK	12 POWYS PAD, DURBAN, 4001

**2. OPENBARE INSPEKSIE VAN AANSOEK**

Die aansoeke lê, behoudens enige teenstrydige reëling deur die raad in ooreenstemming met die bepalings van artikel 26(5) van die KwaZulu-Natal Dobbelwet, 1996 (Wet No. 10 van 1996), vir openbare inspeksie ter insae by die kantoor van die raad by die ondergemelde adres vir die tydperk **03 Junie 2010** tot **23 Junie 2010**.

Grondvloer (Suid Toring)  
Kamer G135  
Natalia Gebou  
Langmarkstraat 330  
Pietermaritzburg  
3201

**3. UITNODING OM VERTOË TE RIG**

Belanghebbende persone word hierby uitgenooi om enige vertoë ten opsigte van enige of al die aansoeker te rig teen nie later as 16:00 op **23 Junie 2010**. Vertoë moet skriftelik geskied en moet minstens die volgende inligting bevat:

- (a) Die naam van die aansoeker waarop die vertoë betrekking het.
- (b) Die grond(e) waarop die vertoë berus.
- (c) Die naam, adres en telefoonnommer van die persoon wat die vertoë rig.
- (d) 'n Aanduiding of die persoon wat die vertoë rig ook mondelikse vertoë wil rig, aldan nie, wanneer die raad die aansoek aanhoor.

Enige vertoë wat nie al die besonderhede bevat wat in paragraaf 3 vermeld word nie, sal geag word nie by die raad ingedien te wees nie en sal nie deur die raad oorweeg word nie.

Vertoë moet gerig word aan:  
**Die waarnemende Hoof- Uitvoerende Beamppte**  
**KwaZulu-Natal Dobbelaarad**  
**Private sak 9102**  
**Pietermaritzburg, 3200,**  
**of per faks gestuur word na: (033) 342-7853.**

No. 74

3 kuNhlanguvana 2010

## KWAZULU-NATAL GAMBLING BOARD

ISAZISO SESICELO ESISITHOLILE SOKUTHOLA ILUNGELO LOKUHLUMULA NGOKWEZIMALI  
NOKUDLULISELA ILAYISENSE SE PHAMBHILI PRINT & STATIONERS CC

1. Ngokomthethonqubo 15, weMithethonqubo eshicilelwe ngaphansi komthetho wezokuGembula waKwaZulu-Natali (uMthetho No. 10 ka 1996) ngalokhu lapha kunikezwa isaziso ngesicelo esisithole enkampanini yakwa Phambhili Print & Stationers CC selungelo lokuba umkhiqizi osemthetheweni.

IGAMA	IKHELI
PHAMBHILI PRINT & STATIONERS CC	12 POWYN ROAD, DURBAN, 4001

## 2. Ukuhlolwa kwesicelo ngumphakathi

Isicelo ngokweyame kunoma yikuphi ukuphatha kweBhodi okwehlukile ngokuhambisana nezihlinzeko zesigaba 26 (5) soMthetho wezokuGembula waKwaZulu Natali, 1996 (uMthetho No. 10 ka 1996), sivulelwe ukuhlolwa ngumphakathi emahhovisi eBhodi ekhelini elingenzansi kusukela ngomhla zinga **03 kuNhlanguvana 2010** kuya kumhla zinga **23 kuNhlanguvana 2010**.

Ground Floor (South Tower)  
Room G135  
Natalia Building  
330 Longmarket Street  
Pietermaritzburg  
3201

## 3 Isimemo sokubeka izimvo

Abantu abanentshiseko bayamenywa ukuba benze izethulo kungakadluli usuku lwe **23 kuNhlanguvana 2010** ngaphambi kwehora lesine ntambama. Izethulo kufanele zibhalwe phansi futhi kumele ziqukathe okungenani le mininingwane elandelayo:

- a) Igama lomfakisicelo izethulo eziqondene naye, Phambhili Print & Stationers cc
- b) Izizathu izethulo ezenziwa ngaphansi kwazo,
- c) Igama, ikheli kanye nezinombolo zocingo zomuntu oletha izethulo,
- d) Nokubalula ukuthi umuntu owenza izethulo ufisa ukwenza izethulo ngomlomo ngesikhathi iBhodi lilalele iscelo

Noma yiziphi izethulo ezingaqukethe yonke iminingwane okukhulunywa ngayo endimeni 3 ngenhla, zizothathwa ngokuthi azikaze zethulwe kwiBhodi futhi iBhodi angeke lizicubungule.

Izethulo kufanelwe zithunyelwe kwi:

**Bamba lesiKhulu esiPhezulu esiphethe  
KwiBhodi yezokuGembula yakwaZulu Natali  
Private Bag 9102,  
Pietermaritzburg,  
3200**

**Noma zithunyelwe ngesikhahlamezi kule nombolo: 033-342 7853**

No. 75

3 June 2010

**PROVINCIAL GAZETTE  
TRANSFER OF FUNDS TO MUNICIPALITIES**

*The Provincial Treasury hereby publishes transfers to Municipalities in terms of section 29(2) of the Division of Revenue Act, 2010.*

**Vote 11: Local Government and Traditional Affairs**

<b>Information</b>	<b>Name:</b>	<b>Classification projects</b>
	<b>Name of Municipality</b>	<b>2009/10 Adjusted Allocation R'000</b>
<b>Purpose:</b> * To provide capital finance for the provision of water, sanitation and electricity services.	A KZN2000 eThekweni	
	<b>Total: Ugu Municipalities</b>	-
	B KZN211 Vulamehlo	
	B KZN212 Umdoni	
	B KZN213 Umzambe	
	B KZN214 uMuzwabantu	
	B KZN215 Ezinqolani	
	B KZN216 Hibiscus Coast	
	C DC21 Ugu District Municipality	
	<b>Total: uMgungundlovu Municipalities</b>	-
	B KZN221 uMshwathi	
	B KZN222 uMngeni	
	B KZN223 Mpolane	
	B KZN224 Impendle	
	B KZN225 Msunduzi	
	B KZN226 Mkhambathini	
	B KZN227 Richmond	
	C DC22 uMgungundlovu District Municipality	
	<b>Total: Uthukela Municipalities</b>	-
	B KZN232 Emnambithi/Ladysmith	
	B KZN233 Indaka	
	B KZN234 Umtshezi	
	B KZN235 Okhahlamba	
	B KZN236 Imbabazane	
	C DC23 Uthukela District Municipality	
	<b>Total: Umzinyathi Municipalities</b>	-
	B KZN241 Endumeni	
	B KZN242 Nqutu	
	B KZN244 Msinga	
	B KZN245 Umvoti	
	C DC24 Umzinyathi District Municipality	
	<b>Total: Amajuba Municipalities</b>	-
	B KZN252 Newcastle	
	B KZN253 uMdlangeni	
	B KZN254 Darnhauser	
	C DC25 Amajuba District Municipality	
	<b>Total: Zululand Municipalities</b>	-
	B KZN261 eDumbe	
	B KZN262 uPhongolo	
	B KZN263 Abequlusi	
	B KZN265 Nongoma	
	B KZN266 Ulundi	
	C DC26 Zululand District Municipality	
	<b>Total: Umkhanyakude Municipalities</b>	-
	B KZN271 Umhlabuyalingana	
	B KZN272 Jozini	
	B KZN273 The Big 5 False Bay	
	B KZN274 Hlabisa	
	B KZN275 Mthabuba	
	C DC27 Umkhanyakude District Municipality	
	<b>Total: uThungulu Municipalities</b>	-
	B KZN281 Umfolozi	
	B KZN282 uMhlatuze	
	B KZN283 Ntambanana	
	B KZN284 uMlalazi	
	B KZN285 Mthonjaneni	
	B KZN286 Nkandla	
	C DC28 uThungulu District Municipality	
	<b>Total: Ilembe Municipalities</b>	15,000
	B KZN291 Mandeni	
	B KZN292 KwaDukuza	
	B KZN293 Ndwedwe	
	B KZN294 Mephumulo	
	C DC29 Ilembe District Municipality	15,000
	<b>Total: Sisonke Municipalities</b>	-
	B KZN431 Ingwe	
	B KZN432 Kwa Sani	
	B KZN433 Greater Kokstad	
	B KZN434 Ubuhlabazwe	
	B KZN435 Umzimkulu	
	C DC43 Sisonke District Municipality	
	<b>Unallocated</b>	-
	<b>Total</b>	<b>15,000</b>
<b>Allocation Criteria</b> * Grants provided to Water services authorities in terms of criteria, which reflects provincial priorities determined by the Provincial Growth and Development Strategy.		
<b>Protected Life:</b> * 2010/11		
<b>MTEF Allocation:</b> R'000 2009/10 Adjusted allocation: 15,000		
<b>Payment schedule:</b> * Transfers are made in terms of the Division of Revenue Act, 2010. * Transfers are made on a once-off basis.		

No. 76

3 Junie 2010

## KWAZULU-NATAL NATURE CONSERVATION BOARD

**CONSULTATION PROCESS IN TERMS OF SECTION 33 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT, 2003 (ACT NO. 57 OF 2003): INTENTION TO DECLARE THE MBONA PRIVATE NATURE RESERVE, HAWAAN FOREST ESTATE, HILTON COLLEGE, SOMKHANDA GAME RESERVE AND GELIJKWATER MISBELT NATURE RESERVES**

Notice is hereby given by the Member of the Executive Council (MEC) for Agriculture, Environmental Affairs and Rural Development in KwaZulu-Natal, The Honourable Mrs L. Johnson, in terms of section 33(1) of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) of the intention to declare the: **Mbona Private Nature Reserve; Hawaan Forest Estate Nature Reserve; Hilton College Nature Reserve; Somkhanda Game Reserve; Gelijkwater Mistbelt Nature Reserve**; in terms of section 23 of the National Environmental Management: Protected Areas Act, 2003. These proposed nature reserves are located on the following properties:

**Mbona Private Nature Reserve:** the Farm Mbona No. 15756, held by Title Deed No. T2983/86, and found in SG diagram 703/1985 owned by Holbeck Estate (Pty) Ltd No 69 / 16650, measuring 324.47 hectares in extent; and Sub 6 (of 4) of the Farm Mbona No. 13856, held by Title Deed No. T11305/1979, and found in SG diagram 1806/1969 owned by Mbona Enterprises, measuring 353.8397 hectares in extent, situated in the uMshwati Local Municipality.

**Hawaan Forest Estate Nature Reserve:** Remainder of portion 417 of the farm Lot 31 No. 1560, held under Deed of Transfer No T42407/2003 and found in SG Diagram No. 1987/1968 owned by Hawaan Investments Pty Ltd, measuring 39.0552 hectares, located in the eThekweni Municipality.

**Hilton College Nature Reserve:** Portion 1 of the Farm Broedershoek No 793, found in SG diagram T972/879, measuring 200.4 hectares; Portion 2 of the Farm Ongegund No. 795, found in SG diagram T6/886, measuring 56.1857 hectares and Remainder of the Farm Ongegund No. 795, found in SG diagram G795/847, measuring 201.03 hectares owned by the Hiltonian Society and located in the Umngeni Municipality.

**Somkhanda Game Reserve:** the Farm Verwijderd No. 618, SG diagram VRY 346, measuring 1094.9077 hectares; Remainder of the Farm Misgund No. 611, SG diagram VRY 365, measuring 1593.5921 hectares; Portion 1 of the Farm Misgund No. 611, SG diagram 609/1978, measuring 1568.1173 hectares; Remainder of the Farm Welcome No. 229, SG diagram VRY 371, measuring 1644.7142 hectares; Portion 4 of the Farm Welcome No. 229, SG diagram 2755/1989, measuring 519 hectares; Portion 3 of the Farm Welcome No. 229, SG diagram 4162/1964, measuring 1001.0571 hectares; Portion 2 of the Farm Welcome No. 229, SG diagram 3395/1954, measuring 202.3425 hectares; Portion 1 of the Farm Welcome No. 229, SG diagram 2292/1935, measuring 56.1578 hectares; the Farm Bloemhof No. 649, SG diagram VRY 314, measuring 1221.1548 hectares; the Farm Paardenfontein No. 674, SG diagram VRY 353, measuring 1315.3276 hectares; owned by Emvokweni Community Trust located in the uPhongolo Municipality.

**Gelijkwater Mistbelt Nature Reserve:** Portion 7 of the Farm Gelijkwater No. 365, found in SG diagram 858/1990 owned by Mondi Limited, measuring 829,2321 hectares, located in the Ulundi Municipality.

The boundaries of these proposed nature reserves are as indicated on maps filed in the office of the Chief Executive Officer: KwaZulu-Natal Nature Conservation Board, Queen Elizabeth Park, Montrose, Pietermaritzburg.

Members of the public are hereby invited to submit written representation on or objections to the notice to the proposed declaration of the above-mentioned Nature Reserves, within 60 days of its publication in the provincial Government Gazette. Written submissions must be lodged with the Chief Executive Officer: KwaZulu-Natal Nature Conservation Board, P.O. Box 13053, Cascades, 3202.

No. 76

3 kuNhlanguvana 2010

## IBHODI LEZOKONGIWA KWEMVELO KWAZULU-NATALI

**UHLELO LOKUXHUMANA NGOKULAWULA KOMTHETHO KAZWELONKE WOKUPHATHWA KWEMVELO:  
IZINDAWO EZIVIKELWE NGOKOMTHETHO KA-2003 (UMTHETHO WAMA-57 KA-2003): INJONGO  
YOKUMEMEZELA U- MBONA PRIVATE NATURE RESERVE, HAWAAN FOREST ESTATE, HILTON  
COLLEGE, SOMKHANDA GAME RESERVE AND GELIJKWATER MISBELT  
NJENGEZIWI**

UNgqongqoshe wezoLimo nezeMvelo KwaZulu-Natali, umhlonishwa uNksz. L. Johnson, ukhipha isaziso, ngokulawula kwesigaba 33 (1) soMthetho Kazwelonke Wokuphathwa Kwemvelo: Izindawo Ezivikelwe, ngokoMthetho ka-2003 (UMthetho ongunombolo 57 ka-2003) ngenjongo yokumemezela i-Mbona Mbona Private Nature Reserve; Hawaan Forest Estate Nature Reserve; Hilton College Nature Reserve; Somkhanda Game Reserve; Gelijkwater Mistbelt Nature njengeziwi, ngokulawula kwesigaba 23 soMthetho Kazwelonke Wokuphathwa Kwemvelo: Izindawo Ezivikelwe, uMthetho ka-2003. Leziziqwi zisezindaweni ezibizwa ngokulandelayo :

**Mbona Private Nature Reserve:** i- Mbona No. 15756, etholakala kwi Title Deed No. T2983/86, etholakala kwi SG diagram 703/1985 ephethwe ngu Holbeck Estate (Pty) Ltd No 69 / 16650, ububanzi bendawo bungu 324.47 we pulazi; ka Sub 6 (of 4) yepulazi uMbona No. 13856, etholakala kwi Title Deed No. T11305/1979, etholakala kwi SG diagram 1806/1969 umnikazi wayo kuyi-Mbona Enterprises, ububanzi bungu 353.8397, etholakala kuMasipala wase Mshwathi.

**Hawaan Forest Estate Nature Reserve:** i-Hawaan eyinsalela ka 'Portion' 417 wePulazi i Lot 31 No.1560, umnikazi wayo kungu - Hawaan Investments Pty Ltd, etholakala kuMasipala waseThekwini .

**Hilton College:** ingxenye yepulazi elibizwa ngokuthi i-Broedershoek No 793, etholakala ku-SG diagram T972/879, engamahhakela angama-200.4, nengxenye yesibili yepulazi i-Ongegund No. 795, etholakala ku-SG diagram T6/886 engamahhakela angama-56.1857 kanye nensalela yepulazi i-Ongegund No. 795, etholakala ku-SG diagram G795/847, engamahhakela angama- 201.03 umnikazi kuyi-Hiltonian Society etholakala kuMasipala waseMngeni.

**Somkhanda Game Reserve:** Amapulazini abizwa ngokuthi: i-Vergelegen No. 17058, etholakala ku- SG diagram VRY 365, engamahhakela ayi- 1386.7924, i-Verwijderd No. 618, etholakala ku- SG diagram VRY 346, engamahhakela ayi- 1094.9077, insalela yepulazi i- Misgund No. 611, SG diagram VRY 365, engamahhakela ayi- 1593.5921, ingxenye yokuqala yepulazi i- Misgund No. 611, SG diagram 609/1978, engamahhakela ayi- 1568.1173, insalela yepulazi i- Welcome No. 229, SG diagram VRY 371, engamahhakela ayi- 1644.7142, ingxenye yesine yepulazi i-Welcome No. 229, SG diagram 2755/1989, engamahhakela angama 519, ingxenye yesithathu yepulazi i-Welcome No. 229, SG diagram 4162/1964, engamahhakela ayi-1001.0571, ingxenye yesibili yepulazi i- Welcome No. 229, SG diagram 3395/1954, engamahhakela angama 202.3425, ingxenye yokuqala yepulazi i-Welcome No. 229, SG diagram 2292/1935, engamahhakela angama 56.1578, i-Bloemhof No. 649, SG diagram VRY 314, engamahhakela ayi- 1221.1548, ipulazi i-Paardenfontein No. 674, SG diagram VRY 353, engamahhakela ayi-1315.3276, umnikazi walama pulazi i- Emvokweni Community Trust, etholakala kuMasipala wasoPhongolo.

**Gelijkwater Mistbelt Nature Reserve:** i-Gelijkwater No. 365, etholakala ku- SG diagram 858/1990, engamahhakela ayi- 829,2321, umnikazi waleli pulazi kunguMondi Limited, etholakala kuMasipala wasoLundi.

---

(Imingcele yalezizindawo injengoba ikhonjiswe ebalazweni elitholakala ehhovisi loMphathi Omkhulu: Ebhodini Lezokongiwa Kwemvelo KwaZulu-Natali, e-Queen Elizabeth Park, Montrose, eMgungundlovu).

Amalunga omphakathi ayamenywa ukuba alethe izethulo zawo ezibhalwe phansi mayelana nezaziso noma aphikisane nezaziso zalokhu kumenyezelwa okuhlongoziwe kweMbona Private Nature Reserve; iHawaan Forest Estate Nature Reserve; iHilton College Nature Reserve; iSomkhanda Game Reserve kanye neGelijkwater Mistbelt Nature njengeziqwi, zingakapheli izinsuku ezingama 60 zikhishiwe izaziso. Izethulo kufanele zithunyelwe kule mininingwane: Mphathi Omkhulu Womkhandlu: KwaZulu-Natal Nature Conservation Board, P.O. Box 13053, Cascades, 3202.

No. 77

3 June 2010

**KWAZULU-NATAL NATURE CONSERVATION BOARD****CONSULTATION PROCESS IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT, 2003 (ACT NO. 57 OF 2003): INTENTION TO DECLARE THE MPUSHINI PROTECTED ENVIRONMENT**

Notice is hereby given by the Member of the Executive Council (MEC) Agriculture, Environmental Affairs and Rural Development in KwaZulu-Natal, The Honourable Mrs L. Johnson, in terms of section 33(1) of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) of the intention to declare the Mpushini Protected Environment in terms of section 28 of the National Environmental Management: Protected Areas Act, 2003 on the properties being Portion 2 of the Farm Mpushini Number 14835; Portion 4 of the Farm Mpushini Number 1483; Portion 6 of the Farm Mpushini Number 14835; Portion 9 of the Farm Mpushini Number 14835; Portion 10 of the Farm Mpushini Number 14835; Portion 11 of the Farm Mpushini Number 14835; Portion 12 of the Farm Mpushini Number 14835; Portion 15 of the Farm Mpushini Number 14835; Portion 16 of the Farm Mpushini Number 14835; Portion 17 of the Farm Mpushini Number 14835; Portion 239 of the Farm Vaalkop and Dadelfontein Number 885; Remainder of Portion 309 of the Farm Vaalkop and Dadelfontein Number 885; Remainder Of Portion 233 of the Farm Vaalkop and Dadelfontein Number 885; Remainder of Portion 363 of the Farm Vaalkop and Dadelfontein Number 885; Portion 353 of the Farm Vaalkop and Dadelfontein Number 885; Portion 354 of the Farm Vaalkop and Dadelfontein Number 885; Remainder of Portion 355 of the Farm Vaalkop and Dadelfontein Number 885; Portion 368 of the Farm Vaalkop and Dadelfontein Number 885; Portion 78 of the Farm Vaalkop and Dadelfontein Number 885; RSH Partnership's Remainder of Portion 9 of the Farm Ockerts Kraal Number 1336 (Erf 433 Unit H); RSH Partnership's Remainder of Portion 9 of Ockerts Kraal 1336 (Erf 433 Unit I); Remainder of Portion 233 of the Farm Ockerts Kraal Number 1336 (Erf 419 Ashburton); Remainder of Portion 233 of the Farm Ockerts Kraal Number 1336 (Erf 436 Ashburton); Remainder of Portion 233 of the Farm Ockerts Kraal Number 1336 (Erf 433 Ashburton); Remainder of Portion 233 of the Farm Ockerts Kraal Number 1336 (Erf 445 Ashburton); Portion 78 of the Farm Uitvlugt Number 858 and Remainder of Portion 233 of the Farm Ockerts Kraal 1336 (Erf 451 Ashburton); located in the Msunduzi and Mkhambathini Municipalities (the boundaries of which are as indicated on a map filed in the office of the Chief Executive Officer: KwaZulu-Natal Nature Conservation Board, Queen Elizabeth Park, Montrose, Pietermaritzburg).

Members of the public are hereby invited to submit written representation on or objections to the notice of the proposed declaration of the Mpushini Protected Environment, within 60 days of its publication in the provincial Government Gazette. Written submissions must be lodged with the Chief Executive Officer: KwaZulu-Natal Nature Conservation Board, P.O. Box 13053, Cascades, 3202.



**No. 77****3 kuNhlanguvana 2010****IBHODI LEZOKONGIWA KWEMVELO KWAZULU-NATALI****UHLELO LOKUXHUMANA NGOKULAWULA KOMTHETHO KAZWELONKE WOKUPHATHWA KWEMVELO:  
IZINDAWO EZIVIKELWE NGOKOMTHETHO KA-2003 (UMTHETHO WAMA-57 KA-2003): INJONGO  
YOKUMEMEZELA I-MPUSHINI NJENGE NDAWO EVIKELEKILE**

UNgqongqoshe wezoLimo nezeMvelo nokuThuthukiswa koMphakathi waseMakhaya KwaZulu-Natali, umhlonishwa uMrs L. Johnson, ukhipha isaziso, ngokulawula kwesigaba 33 (1) soMthetho Kazwelonke Wokuphathwa Kwemvelo: Izindawo Ezivikelwe, ngokoMthetho ka-2003 (UMthetho ongunombolo 57 ka-2003) ngenjongo yokumemezela i-Mpushini njengeNdawo Evikelwe ngokulawula kwesigaba 28 soMthetho Kazwelonke Wokuphathwa Kwemvelo: Izindawo Ezivikelwe, uMthetho ka-2003, ezindaweni ezingo 'Portion' 2 wePulazi i Mpushini Namba 14835, 'Portion' 4 wePulazi i Mpushini Namba 14835, 'Portion' 6 wePulazi i Mpushini Namba 14835, 'Portion' 9 wePulazi i Mpushini Namba 14835, 'Portion' 10 wePulazi i Mpushini Namba 14835, 'Portion' 11 wePulazi i Mpushini Namba 14835, 'Portion' 12 wePulazi i Mpushini Namba 14835, 'Portion' 15 wePulazi i Mpushini Namba 14835, 'Portion' 16 wePulazi i Mpushini Namba 14835, 'Portion' 17 wePulazi i Mpushini Namba 14835, 'Portion' 239 wePulazi i Vaalkop and Dadelfontein Namba 885, insalela ka 'Portion' 309 wePulazi i Vaalkop and Dadelfontein Namba 885, insalela ka 'Portion' 233 wePulazi i Vaalkop and Dadelfontein Namba 885, insalela ka 'Portion' 363 wePulazi i Vaalkop and Dadelfontein Namba 885, insalela ka 'Portion' 353 wePulazi i Vaalkop and Dadelfontein Namba 885, insalela ka 'Portion' 354 wePulazi i Vaalkop and Dadelfontein Namba 885, insalela ka 'Portion' 368 wePulazi i Vaalkop and Dadelfontein Namba 885, 'Portion' 78 wePulazi i Vaalkop and Dadelfontein Namba 885, 'RSH Partnership's insalela ka 'Portion' 9 wePulazi i Ockerts Kraal Namba 1336 Erf 433 Unit H, 'RSH Partnership's insalela ka 'Portion' 9 wePulazi i Ockerts Kraal Namba 1336 Erf 433 Unit I, insalela ka 'Portion' 233 wePulazi i Ockerts Kraal Namba 1336 (Erf 419 Ashburton), insalela ka 'Portion' 233 wePulazi i Farm Ockerts Kraal Namba 1336 (Erf 436 Ashburton), insalela ka 'Portion' 233 wePulazi i Ockerts Kraal Namba 1336 (Erf 433 Ashburton), insalela ka 'Portion' 233 wePulazi i Ockerts Kraal Namba 1336 (Erf 445 Ashburton), 'Portion' 78 we Pulazi i Uitvlugt Namba 858 kanye nensalela ka 'Portion' 233 wePulazi i Ockerts Kraal Namba 1336 (Erf 451 Ashburton), ezitholakala koMasipala wase Msunduzi nowise Mkhambathini (imingcele yalo injengoba ikhonjiswe ebalazweni elitholakala ehhovisi loMphathi Omkhulu: Ebhodini Lezokongiwa Kwemvelo KwaZulu-Natali, e-Queen Elizabeth Park, Montrose, eMgungundlovu).

Amalunga omphakathi ayamenywa ukuba alethe izethulo zawo ezibhalwe phansi mayelana nesaziso noma aphikisane nesaziso salokhu kumenyezela okuhlongoziwe kwe-Mpushini njengendawo evikelwe, zingakapheli izinsuku ezingama 60 sikhishiwe isaziso. Izethulo kufanele zithunyelwe kule mininingwane: Mphathi Omkhulu Womkhandlu: KwaZulu-Natal Nature Conservation Board, P.O. Box 13053, Cascades, 3202.

---

**MUNICIPAL NOTICES**

---

**No. 37****3 June 2010**

The Emnambithi/Ladysmith Municipality, acting in terms of Section 13 of the Local Government Municipal Systems Act, No 32 of 2000 hereby publishes its Standing Orders for the Council and its Committees which will take effect at the publication date thereof.

NOTICE NUMBER 88/2010 DATED 27 MAY 2010.

NJ MDAKANE  
MUNICIPAL MANAGER

**BY-LAW ON STANDING ORDERS FOR THE COUNCIL AND ITS  
COMMITTEES**



***EMNAMBITHI/LADYSMITH***

***MUNICIPALITY***

***STANDING ORDERS***

***FOR THE***

***COUNCIL***

***AND ITS***

***COMMITTEES***

**EMNAMBITHI/LADYSMITH MUNICIPALITY  
STANDING ORDERS FOR THE COUNCIL AND ITS COMMITTEES**

**CHAPTER 1**

**DEFINITIONS**

1. In these bylaws, unless the context otherwise indicates –

- “Chairperson”** means the chairperson of the Council and any committee of the Council (refer also “Speaker”)
- “Council”** means the Emnambithi/Ladysmith Municipality;
- “Code of Conduct”** means the Code of Conduct for Councillors attached as Schedule 1 to the Local Government: Municipal Systems Act, 2000;
- “Committees of Council”** means Executive Committee, Portfolio Committees, Ward Committees and any other committee required to be formed by Council legislatively;
- “Executive Committee”** means an Executive Committee established in terms of Section 42 of the Local Government: Municipal Structures Act, 1998;
- “Mayor”** means the member of the Executive Committee elected by the Council as the Mayor and who shall also preside at meetings of the Executive Committee (Sections 48/49 of the Local Government: Municipal Structures Act, 1998).
- “Meeting”** means a meeting of the Council or any one of its Committees.
- “Member”** means a member of the Council;
- “Motion”** means a motion introduced in writing in terms of section 17 of these rules;
- “Municipal Manager”** is the Head of the Administration and also the accounting officer for the municipality appointed by the Council in terms of the provisions of section 82 of the Local Government: Structures Act, 1998;
- “Proposal”** means any proposal, with the exception of a motion, moved and seconded during a meeting;
- “Quorums and Decisions” –**
- (1) A majority of the members must be present at a meeting of the Council before a vote may be taken on any matter subject thereto that:
    - (a) All questions concerning matters mentioned in section 160(2) of the Constitution (i.e. functions which may not be delegated by Council viz: passing of by-laws, approval of budgets, imposition of rates and other taxes, levies and duties, and the raising of loans) are determined by a decision taken by Council with a supporting vote of a majority of the members.
    - (b) All other questions before Council are decided by a majority of the votes cast (subject to section 34 of the Local Government: Municipal Structures Act, 1998 – Dissolution of Municipal Councils).
  - (2) A majority of the members of the Executive Committee constitutes a quorum for a meeting and any question before the committee is decided if there is agreement among at least the majority of the members present at the meeting.
- “Speaker”** means the chairperson of the Council elected in terms of Section 36 of the Local Government: Municipal Structures Act, 1998;
- “the Ordinance”** means the Local Authorities Ordinance (Natal) No 25 of 1974;
- “the report of the Executive Committee”** means the report of the Executive Committee to the Council as contemplated in Section 44(4) of the Local

Government: Municipal Structures Act, 1998;  
**“Executive Manager - Governance & Transformation”** means an Executive Manager appointed in terms of Section 57 of the Local Government: Municipal Systems Act, 2000, and, any other word or expression shall have the meaning assigned thereto in the relevant legislation.

## CHAPTER 2

### APPLICATION AND INTERPRETATION OF THE RULES AND ORDERS

#### 2. Application of these rules and orders

- (1) These rules and orders govern the proceedings of the Council and Committees of the Council which bind and must be complied with by:-
- (a) all Councillors;
  - (b) any member of the public while present in the precincts;
  - (c) any deputation addressing the Council or a Committee of the Council; and
  - (d) any Municipal Official of the Municipality.

#### 3. Interpretation of these rules and orders

- (1) Any interpretation of these rules and orders must be made having due regard to the supremacy of the Constitution, national, provincial and municipal legislation, the rule of law and the rules of natural justice.
- (2) The ruling of the Speaker or Chairperson with regard to the interpretation of these rules and orders at a meeting of the Council or Committee of the Council shall, subject to rules 3(5) and 3(6), be final and binding.
- (3) The interpretation and the ruling of the Speaker or Chairperson of any of these rules and orders must be recorded in the minutes of the Council or Committee meeting.
- (4) The Municipal Manager must keep a register of the rulings and legal opinions.
- (5) Any Councillor may request the Municipal Manager, in writing within five days from the ruling made in terms of rule 3(2), to obtain clarity on the interpretation and the ruling. The Municipal Manager must thereafter report to the Council or committee of the Council.
- (6) The Council or Committee of the Council may, after consideration of the report in terms of rule 3(5) confirm, amend or substitute the ruling of the Speaker or Chairperson subject to any rights which any third party may have accrued as a result of the ruling and all decisions effecting the rights of others must be in writing and reasons must be recorded of such decisions.
- (7) The Executive Manager Governance and Transformation may from time to time be required to assist the Speaker in the signing of Council documentation, e.g. Council notices and agendas, convening of Council meetings, etc., when the Speaker is not available or for some any other reason is unable to attend to or to perform the aforesaid.

## CHAPTER 3

### FREQUENCY, ADMISSION OF PUBLIC AND NOTICE OF MEETINGS

#### 4. Council meetings

- (1) The Council shall hold an ordinary meeting for the transaction of business not less than once in every three months.
- (2) The Speaker or Executive Manager Governance and Transformation must convene all meetings of Council in accordance with rule 4(1).

#### 5. Admission of public

- (1) Every meeting of Council and its Committees shall be open to the public:- provided that this

section shall not apply when it is reasonable to do so having regard to the nature of the business being transacted.

- (2) The Council or a Committee of the Council, may not for any reason whatsoever, exclude the public when considering, voting or noting any of the following matters:-
- (a) a draft by-law tabled in the Council;
  - (b) a budget tabled in the Council;
  - (c) the municipality's integrated development plan, or any amendment of the plan, or any amendment of the plan tabled in Council;
  - (d) the municipality's performance management system, or any amendment of the system, tabled for Council;
  - (e) the decision to enter into a service delivery agreement;
  - (f) any report on an award in terms of supply chain management policy;
  - (g) the disposal or acquisition of municipal asset, or any other matter prescribed by legislation.
- (3) The Municipal Manager must give notice to the public, in a manner determined by the Council, of the time, date and venue of every ordinary meeting of the Council or Committee of the Council and every special or urgent meeting of the Council or Committee of the Council, except when time constraints make this impossible.

## 6. NOTICE TO ATTEND ORDINARY COUNCIL MEETINGS

- (1) The Council shall hold an ordinary meeting for the transaction of business not less than once in every three months (at least quarterly), stating date, time and place of the meeting of the Council and accompanied by or containing the agenda of the proposed meeting which shall be served on every Councillor either personally or by leaving the same at his/her usual place of abode / business at least:-
- (a) 5 (five) calendar days before such meeting; and
  - (b) 2 (two) calendar days prior to a special meeting, except where time constraints makes this impossible.
- (2) The said meeting shall also be displayed on all public notice boards at the municipality and municipal offices in the urban areas and at the tribal courts in the rural areas. Such notice shall be signed by the Municipal Manager. The accidental omission to serve on any Councillor such notice as is referred to above, shall not affect the validity of any meeting.

## 7. SPECIAL MEETINGS

- (1) The Speaker may at any time and shall, upon request by a majority of the Councillors for the Municipality, call an extreme emergency meeting of the Council.
- (2) A special meeting must be held in compliance with rule 6(1)(b) and no later than four days from the date of receipt of a request.
- (3) A request for the calling of a special meeting, as contemplated in rule 7(1), shall,
- (a) be signed by no less than 50% plus one of all Councilors of the Municipality; and
  - (b) be accompanied by:-
    - (i) a duly signed notice of motion; and
    - (ii) a written statement by the Councillor signing the notice of motion giving reasons as to why the intended business of the special meeting is urgent and cannot wait for ordinary meeting of Council.
  - (c) if the Speaker fails to convene a meeting in terms of this rule, the Municipal Manager or Executive Manager Governance and transformation must convene such meeting.

## 8. SERVICE OF NOTICES AND AGENDA

- (1) Notice to attend a meeting or any other official communication from the Council, shall

be delivered to:-

(a) a physical address within the jurisdiction of the Municipality; or

(b) via an e-mail address; or

(c) (i) by a short message system (SMS); Provided that contact details shall be supplied by each Councillor to the Municipal Manager, in writing within 2 (two) days of a Councillors' election and, thereafter, whenever the Councillor wishes to change either address and at which address the Councillor shall accept as service address and receipt of any notice to attend a meeting and any other official communication from Council.

(ii) if an application for leave of absence is sent via e-mail or through an sms, the Councillor in question must submit a hard copy of the said written application of leave of absence within five days of sending an sms or e-mail, with the Executive Manager Governance and Transformation, for filing purposes.

(d) (i) if the agenda or a message is delivered or sent through an e-mail it will be regarded as delivered when the delivery report reads, that the message or agenda has been delivered, read, opened or displayed on the screen of the recipient.

(ii) in the case of an SMS the message will be regarded as delivered if the delivery report reads, that the message has been successfully sent.

- (2) All documentation relevant to any Council or Committee meeting must be given to all Councillors at least 72 (Seventy Two) hours before any ordinary Council or Committee meeting specifying the business proposed to be transacted thereat and signed by the Speaker or by the Executive Manger Governance and Transformation; tabled items shall be accepted by a majority vote of Councillors, on a 50% plus 1.
- (3) All Councillors must inform the Speaker or Executive Manager Governance and Transformation of any change of his/her contact details within 3 (three) days of such change.
- (4) A variance report must be provided to the Speaker on a regular basis regarding the monitoring of the delivery of all electronic documents and correspondence with the councillors and ward committee members. The councillors on the other hand must report to the Municipal manager if they experience any problems in receiving documents or any information from the municipality electronically.

#### 9. Non-receipt of notice

- (1) Accidental or otherwise omission to serve on any Councillor a notice to attend a meeting shall not affect the validity of any meeting or proceedings of Council or any of its Committees.
- (2) A Councillor may request an investigation regarding the non-receipt of a notice to attend a meeting.

## CHAPTER 4

### QUORUM

#### 10. Quorum

- (1) Notwithstanding that there may be vacancies, the quorum of a Council must be the 50% (fifty percent) plus 1 (one) of the total number of Councillors determined in accordance with the municipality's establishment notice, before a vote may be taken on a matter.
  - (a) Subject to a quorum, failure of any Councillor to vote shall not invalidate the proceedings of the Council meeting.
- (2) Notwithstanding that there may be vacancies, a majority of the number of Councillors appointed to a Committee of Council must be present at a meeting of the Committee before a vote may be taken on any matter.
  - (a) Subject to a quorum, the failure of any Councillor to vote shall not invalidate the

proceedings of the Committee meeting.

#### **11. Cancellation and Adjournment in the absence of a Quorum**

- (1) If at the expiry of 10 minutes after the time at which a meeting is due to commence, a quorum has not assembled, no meeting shall take place unless it is unanimously agreed by the members present to allow further time, not exceeding 5 minutes, in order to enable a quorum to assemble.
- (2) If during the discussion/while in session on an item at any meeting of Council or any of its Committees the attention of the Chairperson/Speaker is called to the number of Councillors present, he/she shall;
  - (a) count the Councillors present;
  - (b) if it found that there is no quorum, the Chairperson/Speaker must adjourn the meeting and allow an interval of 15 minutes for a quorum to become present, for a meeting to proceed;
- (c) if a quorum becomes present after the adjournment then the meeting must continue.
- (d) If no quorum becomes present after the adjournment, then the Chairperson/Speaker must forthwith adjourn the meeting.
- (3) When a meeting is adjourned as a result of no quorum, the meeting shall be reconvened within 14 days as a continuation meeting.
- (4) Business not disposed of at a meeting adjourned shall be dealt with at a continuation meeting convened by the Municipal Manager for this purpose: Provided that such business not dealt with and which originated from a Special Meeting convened at the request of members in terms of sections 29(1) (Council) and 50(1) (Executive Committee) of the Local Government: Municipal Structures Act, 1998, may be held over until the next ordinary meeting of the Council or the Executive Committee as the case may be.
- (5) If a Councillor or group of councillors leave any meeting in protest, the remainder of the Councillors shall constitute a quorum in order to carry on with the business of the meeting, provided that the remainder of Councillors then present in the meeting shall form a quorum in terms of rule 10(1) herein.

### **CHAPTER 5**

#### **ATTENDANCE**

##### **12. Attendance**

- (1) All Councillors must attend meetings on time and must remain in attendance at each meeting of Council or of a committee of which he / she is a member, except where:-
  - Leave of absence is granted in terms of rule 13; or
  - Councillor is absent with the permission of the Chairperson/Speaker.
- (2) Each and every Councillor attending any meeting of the Council or Committee of Council shall sign an attendance register provided for that purpose.
- (3) The attendance register shall be filed in the office of Executive Manager - Governance and Transformation.

##### **13. Leave of absence**

- (1) Leave of absence shall not be granted in such a manner that more than the number required for a quorum will at any one time be absent.
- (2) If a Councillor:-
  - (a) is unable to attend a meeting of which notice had been given; or

- (b) is unable to remain in attendance at a meeting; or
- (c) will arrive after the stipulated commencement time of a meeting, he or she shall, as soon as possible and prior to that meeting, lodge with the Executive Manager Governance and Transformation a written application for leave of absence from the whole or any part of the meeting concerned, which application must provide reasonable and bona fide reasons for the application and show good cause for the granting of the application.
- (3) The Executive Manager Governance and Transformation must as soon as possible inform the Speaker or Chairperson of the meeting concerned of any application for leave of absence received.
- (4) The Speaker or Chairperson of the meeting concerned must as soon as possible consider an application for leave of absence and either grant or reject the application with reasons and immediately inform the Executive Manager Governance and Transformation of his/her decision.
- (5) the Executive Manager must as soon as reasonably possible, inform a Councillor who has applied for leave of absence of the Speaker/Chairpersons decision.
- (6) A Councillor shall be deemed to be absent without leave from the meeting concerned where an application for leave of absence has not been granted and he/she:-
  - (1) Failed to attend a meeting; or
  - (2) Failed to remain in attendance at a meeting.
- (7) Where a Councillor fails to remain in attendance at a meeting:
  - (i) without being granted permission to do so; or
  - (ii) without obtaining permission from the Speaker/Chairperson to leave prior the close of meeting, the time of leaving must be recorded in the minutes of the meeting and that Councillor shall be deemed to have been absent without leave at the meeting;
- (8) Where a Councillor arrives late at the meeting, without obtaining permission to do so, the time of arrival and the reasons for the late attendance must be recorded in the minutes of the meeting and the Councillor may attend the meeting and sign the attendance register in terms of rule 12(2).
- (9) Leave of absence for two or more consecutive Council or Committee meetings must be sanctioned by the Council or relevant Committee.

#### **14. Non-attendance**

- (1) Where a Councillor has been absent without obtaining a leave from a meeting :- (he Rules Committee as contemplated in rule 43 or Speaker/Chairperson as the case may be, shall invite the Councillor to provide a formal explanation setting out the reasons for the Councillor's absenteeism from the meeting;
  - a) the Speaker/Chairperson shall consider the explanation and decide whether or not the Councillor's was absent with good cause, providing appropriate reasons for the decision;
  - b) the Councillor may appeal in writing to the Speaker's/Chairperson's decision within seven days of receipt of such decision.
  - c) The Council or Committee, as the case may be, shall:-
    - a) allow the Councillor concerned to make representations, oral or written, and
    - b) consider the Councillor's appeal together with any comments from the Speaker / Chairperson of the meeting concerned;
    - c) make a finding as to whether the councilor was absent with or without good cause.
- (2) Subject to compliance with the procedure set out in rule 13 above, a Councillor who is absent without good cause from the meeting, of which notice has been given, shall be liable to pay a fine equivalent to one weeks remuneration, which fine may be deducted from remuneration due to the Councillor concerned.
- (3) The Executive Manger Governance and Transformation shall keep records of all incidents



in respect of which the Councillors have been found to be absent or deemed to be absent without leave or without good cause and shall submit a written report to the Speaker/Chairperson when ever a Councillor is absent from three or more consecutive meetings which that Councillor was required to attend.

- (4) Where the Speaker receives a report in terms of rule 14(3), the Speaker must submit a report to Council; and direct that the matter be investigated in accordance with item 14 of the Code of Conduct .

## CHAPTER 6

### ADJOURNMENT

#### 15. Adjourned meetings

Subject to rule 11(3), a Council or Committee meeting may, by majority vote, be adjourned to another day or hour but no later than 14 days after the original meeting.

#### 16. Continuation meeting

- (1) When a meeting is adjourned, notice of the continuation meeting shall be served in terms of rule 8.
- (2) No business shall be transacted at a continuation meeting except such as is specified in the notice of the meeting, which was adjourned.

## CHAPTER 7

### PROCEEDINGS

#### 17. Speaker and Chairpersons of meetings

- (1) At every meeting of the Council, the Speaker, or if he or she is absent, an acting Speaker, shall be the Chairperson and shall perform the duties stipulated in terms of section 37 of the Structures Act and must ensure that each Councillor when taking office is given a copy of these Rules and Orders and the Code of Conduct.
- (2) The Speaker and Chairperson of Council and Committee meetings:-
- (a) must maintain order during meetings;
  - (b) must ensure compliance in the Council with the Code of Conduct for Councillors;
  - (c) must ensure that meetings are conducted in accordance with these Standing Rules and Orders.
- (3) If the Speaker or Chairperson of the Council or Committee of the Council is absent or not available to perform the functions of Speaker or Chairperson, or during a vacancy, the Council or Committee under the direction of the Municipal Manager or his/her nominee must elect another Councillor to act as Speaker or Chairperson as the case may be.
- (4) No meeting of the Council or a Committee of the Council may commence or continue unless a Speaker or Chairperson presides at a meeting.

#### 18. Minutes

- (1) The proceedings of every Council meeting must be electronically recorded and retained in accordance with the Archives and Record Service of South Africa Act, 43 of 1996.
- (2) Written minutes of the proceedings of each council and committee meeting must be accurately recorded and retained in accordance with the Archives and Record Service of

South Africa Act, 43 of 1996.

- (3) The approved minutes of every meeting of a Council or Committee other than in-committee meetings must be available to the public.
- (4) Where the Municipal Manager is of the opinion that any resolution or proceeding of Council Committee meeting may be in contravention of any law or by-law, he or she must advise the Council or Committee accordingly and full details of such opinion must be recorded in the minutes.

#### **19. Order of business**

- (1) The order of business at every meeting of the Council or its Executive Committee or Committee of Council is as follows:
  - (a) notice of meeting;
  - (b) recording of members present (credentials) & applications for leave of absence;
  - (c) confirmation of minutes of previous meeting;
  - (d) announcements by the Chairperson;
  - (e) declarations of pecuniary or other interests;
  - (f) deputations;
  - (g) reports;
  - (h) notices of motion;
  - (i) questions of which notice has been given; and
  - (j) general matters of an urgent nature.
- (2) The Speaker or Chairperson may, in his discretion, at any stage bring forward any business that is on the agenda paper.

#### **20. Confirmation of minutes of previous meeting**

- (1) The minutes of every meeting shall be confirmed at the next ordinary meeting of that Council or Committee and shall be signed by the Speaker or Chairperson.
- (2) No motion or discussion shall be allowed upon the minutes of a previous meeting, other than relating to the accuracy of those minutes.

#### **21. Deputations**

- (1) A deputation wishing to address the Council or a Committee of Council shall submit a memorandum to the Municipal Manager in which is set out the representations it wishes to make.
- (2) A request by a deputation to address the Council or a Committee of the Council must be approved by the Speaker or relevant Chairperson.
- (3) The Municipal Manager shall submit the memorandum to the Council or a Committee of the Council, which may receive the deputation.
- (4) Any matter requiring consideration arising from a deputation, shall not be further considered by the Council or Committee until the deputation has withdrawn provided that questions of clarity may be permitted.
- (5) A member of the public, other than a deputation, who wishes to speak at a Council or Committee meeting, shall obtain the permission of the Speaker or Chairperson to do so, prior to the commencement of the meeting.

- (6) When speaking at a Council or Committee meeting, a member of the public and a deputation must comply with any directions or orders given by the Speaker or chairperson.
- (7) If a member of the public or a deputation conducts himself/herself in a disorderly and unruly manner at any time, the Speaker or Chairperson must direct that that member remove himself or be removed by a Peace Officer from the precincts.
- (8) Any member of the public or deputation who fails or refuses to comply with the Speaker's or Chairperson's directions in terms of rule 21(6) and rule 21(7) shall be guilty of an offence and liable for conviction to a fine or imprisonment for a period not exceeding one month or both such fine and such imprisonment.

## 22. Reports

- (1) Any report submitted to the Council or a Committee of the Council must, with the exception of a report accepted by the Speaker or Chairperson as a matter of urgency, be provided to Councillors in terms of rule 8.
- (2) The Speaker or Chairperson must allow debate in accordance with chapter 10 on any report submitted to the Council or a Committee of the Council, at the meeting at which that report is submitted and if the debate is incomplete or does not take place for any reason whatsoever, then the debate in respect of that report shall be held, at the next meeting.

## 23. Motions

- (1) No subject shall be brought before council or a Committee of Council by a Councillor except by way of notice of motion.
- (2) A notice of motion must –
  - (a) be in writing; and
  - (b) be signed by the Councillor submitting it and by another Councillor acting as seconder; and
  - (c) refer to one matter only.
- (3) A notice of motion shall be lodged with the Municipal Manager before 12 : 00, seven calendar days prior to the next meeting, failing which the notice will be considered at the next ensuing meeting.
- (4) The Municipal Manager must–
  - (a) date and number each notice of motion;
  - (b) enter each notice of motion lodged in a register, which shall be open to inspection by any Councillor and the public; and must
  - (c) enter each notice of motion on the agenda in the order received.
- (5) The Speaker or Chairperson shall–
  - (a) read out the number of every motion and the name of the mover and seconder;
  - (b) ascertain which motions are unopposed and these shall be passed without debate; and
  - (c) call the movers of the opposed motions in the order they appear on the agenda.
- (6) A Councillor submitting a motion shall move such motion and shall have the right of reply.
- (7) A motion shall lapse if the Councillor and seconder who submitted it is not present at the meeting when such motion is being debated.
- (8) A Councillor shall be allowed not more than three notices of motion on the same agenda.
- (9) The Speaker or Chairperson must not reject a motion received by him or her in terms of these rules.

## 24. Questions

- (1) A Councillor may put a question requiring a written reply from any political or municipal office bearer of the municipality concerning any matter related to the effective performance of the

municipality's functions and the exercise of its powers, provided that written notice of the question has been lodged with the Speaker or Chairperson and the Municipal Manager at least seven days prior to the Council or Committee meeting. The Municipal Manager must ensure that the Councillor receives a written reply from that political or municipal office bearer, at the Council or Committee meeting.

- (2) If after a question has been replied to, a Councillor is of the opinion that the reply is not clear and is ambiguous, he or she may, with the consent of the Speaker or Chairperson, request a follow up question.

#### **25. Supply of information to a Councillor**

- (1) No Councillor shall approach or communicate with any officer of the municipal administration concerning the business of the municipality other than when exercising his rights or liberties as an ordinary member of the public.
- (2) A Councillor may approach and communicate with the Municipal Manager or any head of department or any officer of the municipal administration specifically designated by the Municipal Manager or by the head of department concerned for this purpose, in order to obtain such information as he or her may reasonably require for the proper performance of his duties as a Councillor.

#### **26. General matters of an urgent nature**

- (1) General items of an urgent nature may be placed on an agenda by the Municipal Manager and any member of the Council with the prior consent of the Speaker or Chairperson, which consent shall not be unreasonably withheld.
- (2) Prior to adoption, Councillors must be afforded reasonable time to peruse and consider any report or official documents submitted to the Council.

#### **27. Interpretation**

If a majority of Councillors present so resolve, an interpreter may be used in meetings of the Council and Committees of the Council.

#### **28. In-committee**

- (1) Subject to rule 5, the Council or a Committee of Council may, at any time, resolve to proceed in-committee.
- (2) The public shall be excluded from any in-committee meetings.
- (3) The Municipal Manager or another official exempted from this rule by the Speaker or chairperson, shall not be excluded from any in-committee meeting.
- (4) All proceedings in-committee must be recorded in terms of rule 18(1) and 18(2) and shall be confidential.
- (5) Unauthorised disclosure of any confidential matter must be dealt with in terms of the Code of Conduct.

## CHAPTER 8

### VOTING

#### 29. Decisions by voting

- (1) A quorum must be present in order for a vote to be taken.
- (2) All questions concerning the following matters must be determined by a decision taken by the Council with a supporting vote of a majority of the number of Councillors determined in accordance with the municipality's establishment notice:-
  - (a) the passing of by-laws;
  - (b) the approval of budgets;
  - (c) the imposition of rates and other taxes, levies and duties;
  - (d) the raising of loans;
  - (e) the rescission of a council resolution; and
  - (f) any other matter prescribed by legislation.
- (3) All other questions before the council shall be decided by a majority of the votes cast by the Councillors present.
- (4) If on any matter there is an equality of votes, the Speaker or Chairperson may exercise a casting vote in addition to a deliberative vote as a Councillor, provided that a Speaker or Chairperson shall not exercise a casting vote during the election of any office bearer of council.

#### 30. Method of voting

- (1) Voting shall be by a show of hands unless the law prescribes otherwise, or the council or committee by resolution of a majority of the Councillors present resolves to proceed with a secret written ballot.
- (2) During the taking of a vote no Councillor may leave the Council Chamber or Committee room.
- (3) The Municipal Manager or his nominee, shall count the votes cast and shall record the result of voting, but the Speaker or Chairperson shall announce the result.
- (4) Only the number of councillors, and not the names of councillors voting for or against an item, is to be recorded in the minutes of that meeting.
- (5) A councillor may abstain from voting for or against an item/motion without leaving the meeting.

#### 31. Dissenting and abstention votes

Any councillor may request that his or her dissent, abstention or support be recorded in the minutes of that meeting as evidence of how he or she voted.

## CHAPTER 9

### REVOCATION OF COUNCIL AND COMMITTEE RESOLUTIONS

#### 32. Revocation of Council Resolutions

- (1) Approval to revoke or alter a resolution of Council may not be delegated to any person or Committee.
- (2) Prior notice of an intention to move a motion for the revocation or alteration of a Council resolution must be given.
- (3) Any revocation or alteration of a Council resolution must be made in terms of rule 29(2)(e).

#### 33. Revocation of Committee Resolutions

- (1) Approval to revoke or alter a resolution of a Committee of the Council may not be delegated to any person.
- (2) Prior notice of an intention to move a motion for the revocation or alteration of a resolution of a Committee of the Council must be given.
- (3) Any revocation or alteration of a resolution of a Committee of the Council must be approved by a majority of the number of the members of that Committee.

## CHAPTER 10

### DEBATE

#### 34. Opportunity to speak

- (1) A Councillor may only speak when so directed by the Speaker or Chairperson.
- (2) A Councillor may indicate a desire to speak by raising his hand and awaiting the direction of the Speaker or Chairperson, which direction must not be withheld.
- (3) Councillors and officials shall stand when speaking and shall direct their address to the Speaker or Chairperson.

#### 35. Relevance

Every speaker must restrict himself/herself strictly to the matter under consideration.

#### 36. Length of speeches

Other than the delivery of the mayoral report or the presentation of the estimates of income and expenditure, no speech shall exceed five minutes in length without the consent of the Speaker or Chairperson.

#### 37. Councillors to speak only once

A Councillor may not speak more than once on any motion or proposal unless permission to do so is granted by the Speaker or Chairperson provided that the mover of the motion may speak to the motion, shall have the right of reply and the reply shall be confined to answering previous speakers and shall not introduce any new matter into the debate.

#### 38. Precedence of the Speaker or Chairperson

Whenever the Speaker or Chairperson rises during a debate, any Councillor then speaking or offering to speak must seat himself/herself and the Councillor must be silent, so that the Speaker or Chairperson may be heard without interruption.

#### 39. Points of Order

- (1) Any Councillor may raise a point of order at any time by standing to draw the attention of the Speaker or Chairperson.
- (2) The point of order takes precedence over everything else in the meeting and the Speaker or Chairperson must grant immediate hearing to the Councillor raising the point of order and rule accordingly.
- (3) The ruling of the Speaker or Chairperson on a point of order shall be final and shall not be open to discussion.

**40. Explanation**

Any Councillor may speak in explanation, provided that such explanation is confined to some material part of the discussion, which may have been misunderstood.

**CHAPTER 11****CONDUCT****41. General conduct**

- (1) Councillors and officials must during any Council or Committee meeting—
- (a) conduct the business in the highest decorum and integrity that the occasion deserves;
  - (b) must, at all times adhere to the principles contained in the Code of Conduct and these Rules and Orders;
  - (c) must at all times adhere to the rule of law and the by-laws of the municipality;
  - (d) must be dressed appropriately for the dignity of the meeting, no political written clothing to be worn;
  - (e) must not use offensive or objectionable language; and
  - (f) must not use a cellular phone during, bring a firearm or any dangerous weapon into, a meeting of Council or any of its Committees.

**42. Misconduct**

- (1) The Speaker may order a Councillor to withdraw and apologise for any word, statement, opinion or gesture made by that Councillor.
- (2) If a Councillor or Councillors behave improperly during a meeting of council or any of its Committees, the Speaker shall direct the Councillor or Councillors to conduct himself/herself or themselves properly and, if speaking, to stop speaking and resume his seat or seats.
- (3) In the event of persistent disregard of the directions of the Speaker, the Speaker shall direct such Councillor or Councillors to retire from the meeting and remove himself/herself or themselves from the place of meeting until the item under discussion has been finalized.
- (4) In the event that any misconduct by a Councillor or Councillors prejudices the proceedings of the Council or Committee the Speaker or Chairperson must adjourn the meeting and any such misconduct by a Councillor or Councillors must be dealt with in terms of these Standing Rules and Orders and the Code of Conduct.
- (5) Any Councillor who refuses to leave a meeting of the Council or a Committee of the Council when directed to do so by the Speaker or Chairperson of a meeting in terms of any rule in these Rules and Orders, may be forcibly removed and shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding one month or to both such fine and such imprisonment.

## CHAPTER 12

### COMMITTEES

#### 43. Rules Committee

- (1) The Municipal Council may by resolution of a majority of Councillors establish a special Committee to be known as the Rules Committee to investigate and make findings on any alleged breaches of the Code of Conduct, including sanctions for non-attendance at meetings and to make recommendations regarding any other matter concerning the Rules and Orders.
- (2) The Rules Committee shall consist of the Speaker, the Mayor and one representative of each political party represented on the Council, such representative to be nominated from time to time by each political party.

#### 44. Own rules

- (1) Every Committee of the Council (established in terms of S 79(2)(f) Act 117 of 1998) shall determine its own procedures subject to any directions from Council and these Standing Rules and Orders.
- (2) Chapter 10 of these Rules and Orders may be relaxed by a Chairperson of a Committee to accommodate interactive and effective participation, provided that the Chairperson may, at his/her discretion, apply the provisions of any rule contained in chapter 10.

#### 45. The Chairperson

- (1) The Chairperson of a Committee shall—
  - (a) preside at every meeting of the Committee at which he or she is present; and
  - (b) be entitled to vote in the first instance and in the case of an equality of votes in addition to his deliberative vote, shall give a second or casting vote.
- (2) In his absence, the Acting or Deputy Chairperson shall have the same powers and rights of voting as those possessed by the Chairperson.

## CHAPTER 13

### PECUNIARY INTEREST

#### 46. Declaration of pecuniary interest

- (1) A Councillor must disclose to the Municipal Council, or to any Committee of which that Councillor is a member, any direct or indirect personal or private business interest that that Councillor, or any spouse, partner or business associate of that Councillor may have in any matter before the Council or Committee.
- (2) The Councillor making a declaration must withdraw from the proceedings of the Council or Committee unless the Council or Committee decides that the Councillor's direct or indirect interest in that matter is trivial or irrelevant.
- (3) A Councillor who, or whose spouse, partner, business associate or close family member, acquired or stands to acquire any direct benefit from a contract concluded with the municipality, must disclose full particulars of the benefit of which the Councillor is aware at the first meeting of the Council at which it is possible for the Councillor to make disclosure.
- (4) The disclosure of interests in terms of rule 46(1) and benefit in terms of rule 46(3) does not apply to an interest or benefit which a Councillor, or a spouse, partner, business associate or close family member, has or acquires in common with other residents of the municipality.



## CHAPTER 14

### BREACH AND SANCTIONS

#### 47. Breach

Any Councillor who fails or refuses to obey any of these Rules and Orders, or any resolution of Council, may be guilty of a breach of the Code of Conduct.

#### 48. Sanction

Where it is alleged that a Councillor has breached these rules, the Council must, in terms of Item 14 of the Code of Conduct, investigate the alleged breach and may impose a sanction.

## CHAPTER 15

### GENERAL PROVISIONS

#### 49. Suspension of a rule or order

- (1) In instances of urgency or where a Council considers that adherence to a rule would be unreasonable and would prejudice the operation of a meeting of the Council, then the Council may with the approval of the majority of the number of Councillors of the municipality and for the duration of that meeting, temporarily relax the provisions of a rule, provided that:
- (a) Such relaxation must not be in contravention of any national or provincial legislation or any by-law of the municipality;
  - (b) No rule may be relaxed when the removal of any political office bearer is before the Council.
  - (c) The suspension or relaxation of the rule relates to an item on the agenda for the meeting of the council or committee of the Council; and
  - (d) Rule 22 must not be suspended;
  - (e) the reasons for the suspension of the rule are recorded in the minutes of the meeting.

#### 50. Adoption as by-laws

These Rules and Orders must be adopted as a by-law of the Municipality.

#### 51. Repeal of existing by-laws

The Council's existing by-laws in respect of rRles and Orders are hereby repealed.

#### 52. Short title and commencement

These Standing Rules and Orders shall be called the .....Municipal Standing Rules and Orders, 200..., and shall come into operation on .....

## SCHEDULE 1

### 1. Definitions

Unless the context indicates otherwise-

**“Administrative decision”** means a decision that—

- (a) implements policy or legislation;
- (b) has a legal effect; and
- (c) constitutes a legally binding determination of rights;

**“Code of Conduct”** means the Code of Conduct for Councillors contained in Schedule 1 of the Act;

**“MEC”** means the KwaZulu-Natal Member of the Executive Council for local government, and any successor- in-title to the position; and **“the Act”** means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)

### LEGISLATIVE PROVISIONS

#### 2. Preamble to Schedule 1 to the Code of Conduct

The Preamble to the Code of Conduct provides as follows:

“Councillors are elected to represent local communities on Municipal Councils, to ensure that municipalities have structured mechanisms of accountability to local communities, and to meet the priority needs of communities by providing services equitably, effectively and sustainably within the means of the municipality. In fulfilling this role Councillors must be accountable to local communities and report back at least quarterly to constituencies on Council matters, including the performance of the municipality in terms of established indicators. In order to ensure that Councillors fulfill their obligations to their communities, and support the achievement by the municipality of its objectives set out in section 19 of the Municipal Structures Act, the following Code of Conduct is established.”

#### 3. Item 13 of the Code of Conduct

Item 13 of the Code of Conduct provides as follows:

##### *Duty of Chairpersons of Municipal Councils*

- (1) *If the Chairperson of a Municipal Council, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, the Chairperson must—*
  - (a) *authorise an investigation of the facts and circumstances of the alleged breach;*
  - (b) *give the Councillor a reasonable opportunity to reply in writing regarding the alleged breach; and*
  - (c) *report the matter to a meeting of the Municipal Council after paragraphs (a) and (b) have been complied with.*
- (2) *A report in terms of subitem (1) (c) is open to the public.*
- (3) *The Chairperson must report the outcome of the investigation to the MEC for local government in the province concerned.*
- (4) *The Chairperson must ensure that each Councillor when taking office is given a copy of this Code and that a copy of the Code is available in every room or place where the Council meets.”*

#### **4. Item 14 of the Code of Conduct**

Item 14 of the Code of Conduct provides as follows:

*"Breaches of Code.*

- (1) A Municipal Council may—
  - (a) investigate and make a finding on any alleged breach of a provision of this Code; or
  - (b) establish a Special Committee—
    - (i) to investigate and make a finding on any alleged breach of this Code; and
    - (ii) to make appropriate recommendations to the Council.
  
- (2) If the Council or a Special Committee finds that a Councillor has breached a provision of this Code, the Council may—
  - (a) issue a formal warning to the Councillor;
  - (b) reprimand the Councillor;
  - (c) request the MEC for local government in the province to suspend the Councillor for a period;
  - (d) fine the Councillor; and
  - (e) request the MEC to remove the Councillor from office.
  
- (3)
  - (a) Any Councillor who has been warned, reprimanded or fined in terms of paragraph (b) or (d) of subitem (2) may within 14 days of having been notified of the decision of Council appeal to the MEC for Local Government in writing setting out the reasons on which the appeal is based.
  - (b) A copy of the appeal must be provided to the Council.
  - (c) The Council may within 14 days of receipt of the appeal referred to in paragraph (b) make any representation pertaining to the appeal to the MEC for Local Government in writing.
  - (d) The MEC for Local Government may, after having considered the appeal, confirm, set aside or vary the decision of the Council and inform the Councillor and the Council of the outcome of the appeal.
  
- (4) The MEC for Local Government may appoint a person or a committee to investigate an alleged breach of a provision of this Code and to make a recommendation on whether the Councillor should be suspended or removed from office.
- (5) The Commissions Act, 1947 (Act No. 8 of 1947), or, where appropriate, applicable provincial legislation, may be applied to an investigation in terms of subitem (4).
- (6) If the MEC is of the opinion that the Councillor has breached a provision of this Code, and that such contravention warrants a suspension or removal from office, the MEC may—
  - (a) suspend the Councillor for a period and on conditions determined by the MEC; or
  - (b) remove the Councillor from office.
- (7) Any investigation in terms of this item must be in accordance with the Rules of natural justice.

#### **5. Application of Item 13 of the Code of Conduct**

- (1) The obligation of the Chairperson of the Municipal Council in terms of item 13(1)(a) of the Code of Conduct to authorise an investigation of the facts and circumstances of an alleged breach does not preclude that Chairperson from conducting the investigation personally.
- (2) When an investigation of an alleged breach has been completed, the Chairperson of the

Municipal Council must notify the Councillor in writing of the allegations against him or her and give the Councillor an opportunity to respond to the said allegations in writing.

- (3) The written notification must at least contain the following:
  - (a) the specific item or items alleged to have been breached;
  - (b) the time period for a written response; and
  - (c) the right to request any relevant documentation or information.
- (4) A period of 14 (fourteen) days is a reasonable period to allow for a response from the Councillor concerned.
- (5) The Chairperson of the Municipal Council must report the matter to the first meeting of the Municipal Council once an investigation has been authorised and a Councillor has been given an opportunity to respond to the allegations against him or her.
- (6) The outcome of the said investigation and the Council's decision on the matter must be reported to the MEC, which report, together with the Council's resolution on the matter, must be forwarded to the MEC within fourteen days of the Council's decision.

## 6. Application of Item 14 of the Code of Conduct

- (1) Should this Council decide to establish a **Special Committee** to investigate matters and make recommendations, the following must be taken into account when the **Special Committee** is constituted:
  - (a) the Committee must comprise, as far as possible, of fellow Councillors.
  - (b) the Committee must not be one of the Council's standing Committees;
  - (c) any person involved in the preliminary investigation must not be a member of the Committee;
  - (d) the Council must strive to have equitable political representation on the Committee; and
  - (e) the Committee itself must elect a Chairperson.
- (2) Prior to a hearing taking place the Councillor must be notified in writing of the intention to conduct a hearing.
- (3) The Councillor must be given at least 21 (twenty one) days' written notice of the hearing.
- (4) The notification to attend the hearing must contain, at least, the following:
  - (a) the alleged breach;
  - (b) the time, date and venue of the hearing;
  - (c) the Councillors rights; and
  - (d) the implications of a failure to attend the hearing.
- (5) A hearing must be conducted by the Special Committee.
- (6) Both parties must be given the opportunity to present their case.
- (7) The hearing must be open to the public.
- (8) The hearing must be recorded and such record must contain all particulars related to the hearing including-
  - (a) the names of the parties and their representatives;
  - (b) the names of the witnesses;
  - (c) the plea;
  - (d) the evidence led;

- (e) the finding; and
  - (f) any recommended sanction.
- (9) At the end of the hearing the Special Committee must consider all the evidence and make an appropriate finding and recommendation to Council.
  - (10) The Council must consider the finding and recommendation of the Special Committee and make a decision as to an appropriate sanction.
  - (11) The Council must consider any mitigating and extenuating circumstances prior to the imposition of a sanction.
  - (12) The Council should be consistent with regard to the sanction imposed for similar breaches.
  - (13) When deciding on a sanction, Council may consider sanctions imposed for similar breaches at other municipalities.
  - (14) The Council should endeavor to ensure that the sanction is proportionate to the breach.
  - (15) The Councillor must be notified in writing of the decision of the Council and the said notice must at least contain the following information-
    - (a) whether or not the Councillor has been found guilty of the alleged breach;
    - (b) the grounds on which such a finding was made;
    - (c) the sanction to be imposed; and
    - (d) the Councillor's right to appeal to the MEC.
  - (16) The Chairperson of the Municipal Council must notify the Councillor of the sanction imposed, if any, within seven days of the decision of the Council.

## **ADMINISTRATIVE JUSTICE**

### **7. Principles of Administrative Justice**

All administrative decisions of a municipality must comply with the provisions of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), and before taking an administrative decision that affects an individual, the municipality must do the following:

- (a) give adequate notice of the proposed administrative decision, by timeously informing the affected person of the decision it proposes taking;
- (b) allow the affected person a reasonable opportunity to make representations in writing;
- (c) give the affected person a clear statement of the administrative decision;
- (d) give the affected person an opportunity to present and dispute information and arguments, by personally debating the decision with the decision-making body within the Council;
- (e) inform the affected person of their right to representation;
- (f) inform the affected person that they have a right to ask for reasons for the decision taken; and
- (g) advise the affected person of any internal appeal procedures available to him or her and inform the person of their right to appeal to a court of law.

### **8. Rules and principles of natural justice**

- (1) The rules of natural justice are common law rules applicable to all administrative and quasi-

judicial enquiries and hearings, focusing primarily on procedural protection, in that they require a fair procedure to be followed.

- (2) The two basic principles that are fundamental to the rules of natural justice, are the following:
- (a) The affected individual must be given the opportunity to state his or her case before the intended prejudicial action is taken, which is referred to as the *audi alteram partem* rule, and this implies that—
    - (i) sufficient and timeous notice of the intended action must be given;
    - (ii) reasonable time must be given to prepare a defence;
    - (iii) the affected individual must be given a proper opportunity to be heard; and
    - (iv) the charge, including any potentially prejudicial fact and consideration, must be communicated to the individual concerned, to allow for rebuttal thereof.
  - (b) The investigation and the hearing must be conducted with impartiality, which is referred to as the *nemo iudex in sua causa* principle, so as to ensure the absence of bias or interest, whether pecuniary or personal, on the part of the decision maker.

**SCHEDULE 2****Infringements and civil fines**

<b>Column 1 Infringement</b>	<b>Column 2 Maximum Civil Fine</b>
(1) Not attending a meeting which the Councillor concerned was required to attend.	2 weeks salary
(2) Failure to remain in attendance at a meeting which the Councillor concerned was required to attend.	2 weeks salary
(3) Failure to withdraw from the proceedings of the Municipal Council or a Committee when a matter in which the Councillor concerned or any spouse, partner or business associate of that Councillor may have any direct or indirect personal or private business interest is considered by the Council or Committee; unless the Municipal Council or the Committee concerned decided that the direct or indirect interest in the matter is trivial or irrelevant.	1 month's salary
(4) Failure to disclose full particulars of the benefit of which the Councillor is aware at the first meeting of the Municipal Council at which it is possible for the Councillor to make the disclosure, where his or her spouse, partner, business associate or close family member, has acquired or stood to acquire any direct benefit from a contract concluded with the Municipality.	1 month's salary
(5) Without the prior consent of the Municipal Council, being a party to or beneficiary under a contract for the provision of goods, works or services to the Municipality.	3 weeks salary
(6) Without the prior consent of the Municipal Council, being a party to or beneficiary under a contract involving the performance of any work otherwise than as a Councillor for the Municipality.	3 week's salary
(7) Requesting, soliciting or accepting any reward, gift or favour for voting or not voting in a particular manner on any matter before the Municipal Council or before a Committee of which that Councillor is a member.	5 month's salary
(8) Requesting, soliciting or accepting any reward, gift or favour for persuading the Municipality in regard to the exercise of any power, function or duty.	5 month's salary
(9) Requesting, soliciting or accepting any reward, gift or favour for making a representation to the Municipality.	5 month's salary
(10) Requesting, soliciting or accepting any reward, gift or favour for disclosing privileged or confidential information.	5 month's salary
(11) Interfering in the management or administration of the Municipal Administration unless mandated by resolution of the Municipal Council.	3 month's salary
(12) Using the position or privileges of a Councillor for private gain or to improperly benefit another person.	5 month's salary
(13) Using privileged or confidential information obtained as a Councillor for private gain or to improperly benefit another person.	5 month's salary
(14) Without the permission of the Municipal Council or of the Committee concerned disclosing any privileged or confidential information of the Municipality in any whatsoever.	6 weeks salary

(15) Giving or purporting to give any instruction to any employee of the Municipality except when authorised to do so by resolution of the Municipal Council.	3 weeks salary
(16) Obstructing or attempting to obstruct the implementation of any decision of the Municipal Council or a Committee by an employee of the Municipality.	6 weeks salary
(17) Encouraging, soliciting or participating in any conduct which would cause or contribute to maladministration in the Municipality.	3 weeks salary
(18) Using, taking, acquiring or benefiting from or taking advantage of any property or asset owned, controlled, or managed by the Municipality to which the Councillor concerned has no right.	6 weeks salary
(19) Assaulting any person on municipal premises or on municipal business.	3 months salary
(20) Stealing any property from municipal premises.	5 months salary
(21) Malicious injury to municipal property.	3 weeks salary
(22) Being under the influence of alcohol or intoxicating drugs or partaking of alcohol or intoxicating drugs in any meeting of the Council or Committee of the Council.	2 weeks salary
(23) Failing to fall silent when the Presiding Officer speaks or rises during a meeting.	2 weeks salary
(24) Failing to obey any ruling, order or directive of the Presiding Officer at any meeting of the Council or any Committee of the Council.	2 weeks salary
(25) Failing to leave the Chamber or Committee Room when ordered to do so by the Presiding Officer	2 weeks salary
(26) Failure by a Councillor to declare to the Municipal Manager in writing his/her financial interests in terms of section 7 of Schedule 1 of the Systems Act, 2000 (Act No 32 of 2000).	2 weeks salary

### SCHEDULE 3

#### Clarification: A point of order (Section 39)

**Definition:** It is in fact an appeal to the chairman for his ruling on a matter concerning the conduct of a meeting. The chairman's decision is final and in any event he has a discretion to accept the point of order or not.

**Clarification:**

1. A point of order is a question raised with a view of calling attention to any departure from the prescribed modes of proceeding in debates.
2. A Councillor whether he has spoken on the matter under discussion or not, may rise to a point of order or in explanation.
3. Such explanation shall be confined to some material part of the discussion which may have been misunderstood.
4. A Councillor so rising shall be entitled to be heard forthwith.
5. He must state the point clearly and confine himself strictly to the matter under discussion.
6. The ruling of the chairman on a point of order, or on the admissibility of a personal explanation shall be final and not open to discussion.
7. If a member challenges the ruling of the chairman on any point of order, the chairman shall direct him to conduct himself properly and to discontinue his speech and resume his seat.



**Summary:**

1. A point of order can be put at any time during a meeting.
2. A point of order can be put regarding :-
  - (a) bad language;
  - (b) a standing rule not complied with;
  - © an amendment rule not complied with;
  - (d) an amendment that is *ultra vires*;
  - (e) a matter pertaining to the good order; or
  - (f) an explanation required.
3. A point of order must be phrased as a question.

**SCHEDULE 4****Privileges and immunities**

- (1) Provincial legislation in terms of section 161 of the Constitution must provide at least -
- (a) that Councillors have freedom of speech in a Municipal Council and in its committees, subject to the relevant Council's rules and orders as envisaged in section 160(6) of the Constitution; and
  - (b) that Councillors are not liable to civil or criminal proceedings, arrest, imprisonment or damages for -
    - (i) anything that they have said in produced before or submitted to the Council or any of its committees; or
    - (ii) anything revealed as a result of anything that they have said in, produced before or submitted to the Council or any of its committees.
- (2) Until provincial legislation contemplated in subsection (1) has been enacted, the privileges referred to in paragraphs (a) and (b) of subsection (1) will apply to all municipal Councils in the province concerned.

**EMNAMBITHI/LADYSMITH MUNICIPALITY****ASSESSMENT OF GENERAL RATES FOR THE FINANCIAL YEAR 2010/2011 AND FINAL DATE OF PAYMENT**

Notice is hereby given in terms of Section 14 of the Local Government Municipal Property Rates Act No 6 of 2004, that rates payable on rateable property within the areas of jurisdiction of the Emnambithi/Ladysmith Municipality, by a resolution passed by Council with a supporting vote of a majority of its members on 13 May 2010, for the financial year ending 30 June 2011, have been assessed as set out hereunder:

1.

<b>Category</b>	<b>Tariff</b>	<b>Exemption</b>	<b>Phasing in</b>	<b>Impermissible per property R</b>	<b>Rebate</b>
Residential	0.0117	No	No	15 000	No
Industrial /Commercial/ Business/ Mining	0.029	No	No	15 000	No
Agricultural	0.0029	No	Yes	15 000	No
Public Service Infrastructure	0.0117	No	Yes	30% of valuation	No
Vacant Land	0.0486	No	No	0	No
Rural Residential	0	Yes			No
Game Hunting/Eco Tourism	0.0117	No	Yes	15 000	No
Municipal Domestic	0	Yes			No
State	0.0216	No	No	15 000	No
Land Reform Beneficiaries with Tenure </>10 years		Yes			No
Public Benefit/Non Profit Organisations	0.0029	Yes			No
Religious		Yes			No
Industrial Estate with an estate and serviced by Agent	0.0163	No	No	15 000	No
Industrial Estate with an estate and serviced by owner via Agent	0.0163	No	No	15 000	No

Ingonyama Trust		Yes			No
Public Open Space		Yes			No
Municipal Vacant Land		Yes			No

## 2. Date of Payment

The rates shall be payable in eleven monthly instalments (which shall as far as possible be equal). The first instalment shall be due and payable on 31 August 2010 and subsequent instalments on the last working day of each month and every successive month thereafter. Furthermore 30 June 2011 is determined as the final date for the payment of the last instalment. Any portion of any instalment that remains unpaid after every monthly due date shall be subject to the raising of penalties and collection charges.

## 3. Pensioners

On written request annually, a reduction of 20% on property rates will be granted to persons who own and occupy that property and can prove to the satisfaction of the Acting Executive Manager Finance (CFO) that they comply with the following requirements:

- 3.1 The applicant must be a ratepayer of 60 years or older and must receive a pension from a registered pension or provident fund and be a bona fide pensioner (as stipulated in terms of Section 151 (10) 170 (1) of the Local Authorities Ordinance, 1974).
- 3.2 The applicant must be the owner and occupier of the residential property in question and the property must be registered in his/her name (Body Corporates are not included).
- 3.3 The total household income of the applicant must not exceed R7 500 per month. The applicant must declare all sources of income in his/her application form.
- 3.4 The applicant must provide a sworn affidavit stating:
  - 3.4.1 The declared income is the sole source of income to the pensioner.
  - 3.4.2 His/her income does not exceed R7 500 per month.
  - 3.4.3 He/she permanently occupies the residential property.
- 3.5 A new application must be made for each financial year.
- 3.6 This relief will not be applicable should any pensioner receive any donation of property for 5 years with effect from 1 July 2010.
- 3.7 All applicants will be subjected to a credit bureau check.

## 4. Disabled Persons

On written request annually, a reduction of 20% on property rates will be granted to persons who own and occupy that property and can prove to the satisfaction of the Acting Executive Manager Finance (CFO) that they comply with the following requirements:

- 4.1 The applicant must be a ratepayer and must receive a disability grant from the National Government.
- 4.2 The applicant must be the owner and occupier of the residential property in question and the property must be registered in his/her name (Body Corporates are not included).
- 4.3 The total household income of the applicant must not exceed R7 500 per month. The applicant must declare all sources of income in his/her application form.
- 4.4 The applicant must provide a sworn affidavit stating:
  - 4.4.1. The declared income is the sole source of income to the disabled person.
  - 4.4.2. His/her income does not exceed R7 500 per month.
  - 4.4.3. He/she permanently occupies the residential property.
- 4.5 A new application must be made for each financial year.
- 4.6 All applicants will be subjected to a credit bureau check.

## 5. Medically Boarded Persons

On written request annually, a reduction of 10% on property rates will be granted to persons who own and occupy that property and can prove to the satisfaction of the Acting Executive Manager Finance (CFO) that they comply with the following requirements:

- 5.1 The applicant must be a ratepayer.
- 5.2 The applicant must be the owner and occupier of the residential property in question and the property must be registered in his/her name (Body Corporates are not included)
- 5.2 The total household income of the applicant must not exceed R7 500 per month. The applicant must declare all sources of income in his/her application form.
- 5.3 The applicant must provide a sworn affidavit stating:
  - 5.3.1 The declared income is the sole source of income to the medically boarded person.
  - 5.3.2 His/her income does not exceed R7 500 per month.
  - 5.3.3 He/she permanently occupies the residential property.
- 5.4 A new application must be made for each financial year.
- 5.5 All applicants will be subjected to a credit bureau check.

## 6. Child Headed Household

On written request annually, a reduction of 100% on property rates will be granted to persons who own and occupy that property and can prove to the satisfaction of the Acting Executive Manager Finance (CFO) that they comply with the following requirements:

- 6.1 Property shall be classified as a " child headed household" if the minors in the household have been investigated by a social worker from the Department of Social Welfare and declared as such.
- 6.2 The terminally ill parent, the child or deceased estate of the parent as aforesaid must be the owner of the property.
- 6.3 The application must be accompanied by:-
  - i) Confirmation from the Department of Social Welfare that the above criteria have been met and that the property is a child headed household.
  - ii) If the parent is deceased:-
    - A copy of the letter of executorship or administration of the deceased estate;
    - A copy of the liquidation and distribution account showing transfer of the property to the minors;
    - The death certificate of the parent;
  - iii) If the parents are terminally ill, a certified copy of the medical report confirming his status;  
and
  - v) Birth certificates of minors residing on the property.
  - iv) The minors must reside permanently on the property;
- 6.4 Applications must be renewed annually by the Department of Social Welfare.

A detailed copy of the resolution on the levying of rates on property is open for inspection at the Office of the Acting Executive Manager Finance (CFO), all municipal satellite offices and libraries for a period of 30 days ending 30 June 2011.

NOTICE NUMBER 84/2010 DATED 26 MAY 2010.

NJ MDAKANE  
MUNICIPAL MANAGER

No. 39

3 June 2010

**EMNAMBITHI / LADYSMITH MUNICIPALITY****ESTIMATES OF CONSOLIDATED OPERATING AND CAPITAL BUDGETS – 2010/2011**

An abstract of the Estimates of Income and Expenditure for the financial year ending 30 June 2011 is hereby published in accordance with the Section 17(a) and 22(a)(1) of the Municipal Finance Management Act, Act No. 56 of 2003. This represents the objectives identified in the Integrated Development Framework (IDF) and as prioritized by community participation, approved by Council and is open for inspection.

**1. OPERATING ESTIMATES**

The Estimates of Income and Expenditure for the Operating Budget for the financial year ending 30 June 2011 was approved by Council as follows:

	<b>EXPENDITURE</b>	<b>INCOME</b>	<b>SURPLUS</b>
	R	R	R
Rates & General Services	256 183 505	252 133 400	(4 050 105)
Electricity	194 180 429	196 736 520	2 556 091
Refuse	<u>26 447 725</u>	<u>27 941 739</u>	<u>1 494 014</u>
	476 811 659	476 811 659	0

**2. CAPITAL ESTIMATES**

The Capital Estimates for the financial year ending 30 June 2011 provides for the total expenditure of R 68 358 917 , which includes grant financing of R51 518 000.

The estimates will be open for inspection at the Municipal Offices, Lister Clarence Municipal Building at Room 109 Murchison Street; Ladysmith Main Library Murchison Street; Ezakheni Section C Municipal Office, and Colenso Municipal Office during office hours for a period of seven days from the date of publication hereof.

NOTICE NUMBER 85/2010 DATED 26 MAY 2010.

NJ MDAKANE  
MUNICIPAL MANAGER

No. 40

3 June 2010

**EMNAMBITHI / LADYSMITH MUNICIPALITY****AMENDMENT OF TARIFF OF CHARGES: 2010/2011**

In terms of the provisions of Section 75 A of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000) notice is hereby given that the Local Council at its meeting held on 13 May 2010 resolved to amend the following Tariff of Charges with effect from 1 July 2010:

- Tariff 1 (Licensing and Control of Dogs)
- Tariff 2 (Nuisance)
- Tariff 3 (Refuse)
- Tariff 7 (Advertising Signs)
- Tariff 10 (Electricity)
- Tariff 11 (Building)
- Tariff 14 (Licensing of businesses)
- Tariff 16 (Motor Vehicle and Vehicle)
- Tariff 19 (Pound)
- Tariff 20 (Fire Brigade)
- Tariff 21 (Cemetery)
- Tariff 22 (Community Venues)
- Tariff 23 (Parks, Sports grounds)
- Tariff 26 (Swimming Bath)
- Tariff 28 (Public Participation)
- Tariff 30 (Road Traffic)
- Tariff 32 (Aerodrome)
- Tariff 34 (Parking Meters)
- Tariff 37 (Public Libraries)
- Tariff 42 (Caravan park)
- Tariff 44 (Serving of summons)
- Tariff 45 (Miscellaneous)
- Tariff 46 (Town Planning)

1. This notice will be first displayed on 1 June 2010.
2. A detailed copy of the resolution on the levying of tariffs is open for inspection at the Office of the Acting Executive Manager Finance (CFO), all municipal satellite offices and libraries for a period of 30 days ending 30 June 2010.

NOTICE NUMBER 86/2010 DATED 26 MAY 2010

NJ MDAKANE  
MUNICIPAL MANAGER

---

**ADVERTISEMENTS—ADVERTENSIES—IZIKHANGISO**

---

**NOTICE OF LAND DEVELOPMENT AREA APPLICATION:**  
**LOCH SLOY FORMALISATION & SUBSIDISED HOUSING DEVELOPMENT**

Begin Africa Services (Pty) Ltd, on behalf of the applicant CHS Developments cc, has lodged an application for a land development area in terms of the Development Facilitation Act, 1995 (DFA) for the establishment of a land development area on a portion of the remainder of the Farm Craig No 15988, Division FS, Imbabazane Municipality.

The proposed development will consist of the following:

- 591x Residential Erven
- 10 x Public Open Space Erven
- 1 x Cemetery
- 1 x Education Erf
- 1 x Recreation Erf
- 3 x Business Erven
- 3 x Community Facility Erven
- Public Roads

The relevant plan(s), document(s) and information are available for inspection at the Imbabazane Municipal Offices during business hours for a period of 21 days from the 4<sup>th</sup> of June 2010.

The application will be considered at a Tribunal hearing to be held at the uThukela District Office in Ladysmith (76 Murchison Street, Ladysmith) on the 3<sup>rd</sup> of August 2010 at 10:00am. A pre-hearing for the application has been scheduled, at the same venue as the hearing, for the 23<sup>rd</sup> of June 2010 at 10:00am. 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 Registrar on the 2<sup>nd</sup> of August at 14:00pm.

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

1. 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
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 at the uThukela District Municipality, and you may contact the Designated Officer at the following:

Designated Officer: Mr. N.Z. Khuzwayo  
Address: PO Box 116  
Ladysmith  
3370  
Telephone number: 036-638 2400  
Cell number: 082 880 7003  
Fax Number: 086 529 8937

**ISAZISO NGESICELO SOKUTHUTHUKISWA KWENDAWO:**  
**LOCH SLOY FORMALISATION & SUBSIDISED HOUSING DEVELOPMENT**

Inkampani yakwa-Bigen Africa Servises (Pty) Ltd, egameni lalowo ofaka isicelo owaziwa ngokuthi i-CHS Developments cc, isifake isicelo sendawo ezothuthukiswa njengokulandisa koMthetho ka 1995 wokuDidiyelwa kweNtuthuko (DFA), ukuba kuhlonzwe indawo ezothuthukiswa eyinsalela of the Farm Craig namba 15988, ingxenywe FS, kuMasipala wase Imbabazane.

Intuthuko ehlongozwayo imbandakaya lokhu okulandelayo:

- 591x Indawo yezindlu zokuhlala
- 10 x Indawo yomphakathi evulelekile
- 1 x Indawo yamathuna
- 1 x Indawo yolwazi
- 1 x Indawo yokunethezeka
- 3 x Indawo yamabhizinisi
- 3 x Indawo yezinsiza zomphakathi
- Imigwaqo yomphakathi

Umdwebo / Imidwebo ephathelene nalokhu, imiqulu kanye neminingwane kuyatholakala ukuba kuhlolwe emahhovisi kamasipala Imbabazane ngezikhathi zokusebenza, esikhathini esiyizinsuku ezingamashumi amabili nanye (21) kusuka mhlaka 4 June 2010.

Izicelo siyocutshungulwa emhlanganweni wekomidi elilalela izicelo ozobanjelwa e uThukela District Municipality (76 Murchison Street, Ladysmith), mhlaka 3 August 2010 ngo 10:30 ekuseni. Umhlangano owendulela ukulalelwa kwesicelo usuhlelelwe umhlaka 23 June endaweni efanayo naleyo okulalelelwa kuyo izikhalo. Wonke amaqembu anogqozi noma athintekayo mayelana naloludaba ayaziswa ukuthi angawethamela umhlangano wokuhlolwa kwendawo ezothuthukiswa esizeni, oyokwenganyelwa yilowo oyisikhulu esingumabhalane wekomidi elilalela izikhalo mhlaka 2 August 2010 at 14:00.

Umuntu ofisa ukufaka isicelo makaqaphelise lokhu:

1. Kungenzeka esikhathini esiyizinsuku esingamashumi amabili naye kusukela ngosuku okukhishwe ngalo isaziso ukuthi unikese loyo oqokiwe ukuphikisa noma izethulo ezibhaliwe phansi noma
2. Uma ukuphawula kwakho kumayelana nanoma yini ethintana nokuphikisa isicelo sokuthuthukiswa kwendawo kufanele uze wena qobo noma uthumele ozokumela phambi kwekomidi ngosuku olubhalwe ngenhla.

Zonke izikhalo noma izethulo ezibhalwe phansi kufanele zithunyelwe kulowo okhethiwe ngaphansi kukaMasipala uThukela, kanti ungaxhumana nalowo oyisiKhulu esiKhethiwe kulelikheli:

Isikhulu esikhethiwe: Mnu N.Z. Khuzwayo

Ikheli: uMasipala uThukela  
 PO Box 116  
 Ladysmith  
 3370

Inombolo yocingo: 036 – 638 2400

Inombolo Cell: 082 880 7003

Inombolo Fax: 086 529 8937





**Umuziwabantu Municipality**  
**Private Bag X1023 Harding 4680**  
**Tel: 039 433 1205 Fax: 039 433 1208**

06 MAY 2010

**UMASIPALA UMUZIWABANTU WAZISA UMPHAKATHI  
 NGESIPHAKAMISO SOKUCHIBIYELA NGOKWENQUBO YOKUHLELWA  
 KWEDOLOBHA.**

Umphakathi uyaziswa ngokomyalelo wesigaba B (1) somthetho wedolobha omayelana nokuhlelwa kwedolobha ongunombolo 27 of 1949 ngesicelo esenziwe kumhlangano womkhandlu kamasipala ngokuchibiyela kokuhlelwa kabusha kwalezi zinombolo:

- Nombolo 204 edolobheni laseHarding esetshenziswe njengendawo yokuhlala eyakhela imizi (General Residential), iguqulwe ibe yindawo yokuhweba (General Commercial).
- Nombolo 2419 edolobheni laseHarding esetshenziswe njengendawo yokuhlala eyakhela imizi (General Residential), iguqulwe ibe yindawo yokuhweba lezemfundo (Limited Commercial to Education).
- Nombolo 421 edolobheni laseHarding esetshenziswe njengendawo yokuhlala eyakhela imizi (Special Residential), iguqulwe ibe yindawo yezemfundo (Education).

Uma kukhona othintekayo ngaloluhleloefuna ukuphakamisa noma akhalaze, angabhala athumele ku Private Bag X 1023, Harding, 4680 noma azithumele ngesikhahlamenzi: 039 433 1208 engakashayi umhlaka 24 June 2010 lingekashayi ihora 16:30.

  
**MR M. K. GUZOWSKI**  
**MANAGER: TECHNICAL SERVICES**



**uMuziwabantu Municipality**

**Private Bag X1023 Harding 4680**

**Tel 039 4331205 Fax: 039 4331208**

---

**UMUZIWABANTU MUNICIPALITY**

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

Notice is hereby given in terms of Section 47 bis B OF ORDINANCE 27 of 1949 as amended. That application has been made to the municipal council to amend the Harding Town Planning Scheme in course of preparation; by rezoning the following lots:-

- ERF 204 Harding from General Residential to General Commercial
- ERF 2419 Harding from Special Residential and Limited Commercial to Education
- ERF 421 Harding from Special Residential to Education

Copies of the proposed amendments and relevant particulars are open for inspection at Councils Technical Offices 7 Holman St Harding during normal office hours.

Any person having sufficient interest therein may lodge written objections/representations to: Private bag X1023 Harding 4680 or fax to 039 433 1208 by no later than 16:30 24 June 2010

M K GUZOWSKI  
Manager Technical Services





