



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

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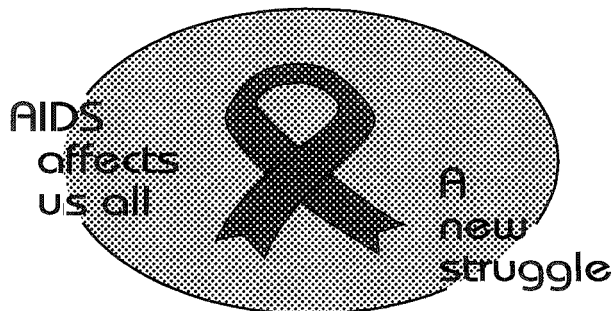
**Vol. 4**

**PIETERMARITZBURG,**

17 SEPTEMBER 2010  
17 kuMANDULO 2010

**No. 502**

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



**AIDS  
HELPLINE**

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DEPARTMENT OF HEALTH

**Prevention is the cure**

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**PROVINCIAL NOTICE**


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No. 159

17 September 2010

**uPHONGOLO MUNICIPALITY****KWAZULU-NATAL PLANNING AND DEVELOPMENT ACT, 2006: DELEGATIONS, uPHONGOLO MUNICIPALITY**

The uPhongolo Municipality adopted the delegations set out in the Schedule to this notice in terms of section 156(1) of the KwaZulu-Natal Planning and Development Act, 2008 (Act No. 6 of 2008).

**MRS FATIMA JARDIM**, Municipal Manager: uPhongolo Municipality

**KEY TO DELEGATIONS OF POWER**

DESCRIPTION	ABBREVIATION
Executive Committee of Uphongolo Municipal Council	EXCO
Municipal Manager	MM
Chief Financial Officer	CFO
Town Planner (Registered Planner)	TP
Manager Corporate Services	M: CS
Building Control Officer	BI
Traffic Officer	TO

**1. DEFINITIONS**

**Control measure:** A control measure is a condition of a delegation that is not contained in legislation.

**Note:** A note alerts the person to whom a power has been delegated to important information contained in the legislation. This includes: a reference to a related power, criteria that has to be considered when making a decision, and persons who need to be consulted before the power can be exercised.

**"registered planner"** means a person registered as a registered planner or a technical planner contemplated in section 13(4) of the Planning Profession Act, unless the South African Council for Planners has reserved the work to be performed by a registered planner in terms of this Act for a particular category of registered persons in terms of section 16(2) of the Planning Profession Act, in which case a registered planner shall mean that category of registered persons for which the work has been reserved.

## 2. PRINCIPLES

- (1) The document deals with delegations in respect of the following laws:
  - (a) The KwaZulu-Natal Planning and Development Act, 2008 (Act 6 of 2008)
  - (b) Section 67*bis* of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949)
  - (c) The Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970)
  - (d) The Land Survey Act, 1997 (Act No 8 of 1997)
  
- (2) The following actions have been delegated to EXCO:
  - (a) To apply to the Member of the Executive Council for an extension of the period in which to adopt a scheme or schemes for its whole area of jurisdiction
  - (b) To review schemes within six months after Council adopted an Integrated Development Plan for its elected term
  - (c) To initiate proposals on behalf of the Municipality
  - (d) To approve, with or without alterations, or to refuse the adoption or replacement of a scheme
  - (e) To approve, with or without alterations, or to refuse a proposal or an application
  - (f) To correct an error in the wording of the Municipality's decision on a proposal or an application
  - (g) To give an applicant a specified amount of time to complete a development
  - (h) To withdraw a notice giving an applicant a specified amount of time to complete a development
  - (i) To initiate the cancellation of the part of the approved layout plan for which the rights have not been fully exercised, and which has been cancelled in accordance with sections 37(3) and 49(1)
  - (j) To request the court to summarily enquire into and determine the monetary value of any advantage which a person may have gained as a result of an offence
  - (k) To issue and withdraw contravention notices
  - (l) To consider comments lodged in response to a contravention notice
  - (m) To issue a prohibition order
  - (n) To apply to the High Court for the issuing or withdrawal of an order restraining a person from continuing an illegal activity or for a demolition order
  - (o) To apply to the High Court for the withdrawal of an urgent prevention order
  - (p) To approve, with or without alterations, or to refuse subsequent applications for authorisation and impose civil penalties
  - (q) To carry out site inspections for enforcement purposes
  - (r) To apply to the Magistrate's Court for the issuing of a warrant of entry for enforcement purposes
  - (s) To authorise an application to court for the demolition, removal or alteration of buildings, structures or works, or for rehabilitation of land

- (t) To receive, administer and negotiate applications for compensation
  - (u) To consider applications for compensation
  - (v) To agree on the amount of compensation
  - (w) To lodge a responding memorandum
  - (x) To withdraw a responding memorandum
  - (y) To represent Council at a Kwazulu-Natal Planning and Development Appeal Tribunal site inspection
  - (z) To appoint legal counsel to represent Council during a Kwazulu-Natal Planning and Development Appeal Tribunal hearing
  - (aa) To enter into agency agreements for performance of functions
  - (bb) To amend proposals for council-owned land prior to approval by the Municipality
  - (cc) To reply to a person who submitted comments on an application
  - (dd)
  - (ee) To grant or refuse special consent applications
  - (ff) To enforce a condition subject to which land may be used, if the Minister of Agriculture is satisfied that the land is not to be used for agricultural purposes
  - (gg) To consent to the alteration, amendment, partial cancellation or total cancellation of a general plan
- (3) The following actions have been delegated to MM:
- (a) To compile and maintain an up-to-date version of the Scheme and make it available for inspection and copying at all reasonable times by any person
  - (b) To receive and administer applications
  - (c) To inform persons who have commented on a proposal or an application of Municipality's decision
  - (d) To provide upon request a copy of the reasons for the Municipality's decision on a proposal or an application and the conditions of approval
  - (e) To receive certified copies of the approved diagrams or general plan
  - (f) To lodge plans and documents with the Surveyor General's and Deeds Offices in cases where land is subdivided or consolidated, or where application is made for the alteration, suspension or deletion of restriction relating to land by the Municipality
  - (g) To administer the giving public notice of an application for the phasing or cancellation of an approved layout plan
  - (h) To issue and withdraw contravention notices
  - (i) To serve contravention notices on persons suspected of certain offences
  - (j) To consider comments lodged in response to a contravention notice
  - (k) To serve a prohibition order
  - (l) To display an order on site

- (m) To apply to the High Court for the issuing or withdrawal of an order restraining a person from continuing an illegal activity or for a demolition order
- (n) To serve a notice on the person on whom an urgent prevention order was served, if the order is withdrawn
- (o) To receive and administer subsequent applications for authorisation
- (p) To carry out site inspections for enforcement purposes
- (q) To issue a certificate stating that a person has been designated as a town planning inspector
- (r) To apply to the Magistrate's Court for the issuing of a warrant of entry for enforcement purposes
- (s) To receive, administer and negotiate applications for compensation
- (t) To lodge a responding memorandum
- (u) To withdraw a responding memorandum
- (v) To represent Council at a Kwazulu-Natal Planning and Development Appeal Tribunal site visit
- (w) To represent Council at a Kwazulu-Natal Planning and Development Appeal Tribunal hearing
- (x) To appoint legal counsel to represent Council during a Kwazulu-Natal Planning and Development Appeal Tribunal hearing
- (y) To decide the manner in which the Municipality must be notified of the decision of the Kwazulu-Natal Planning and Development Appeal Tribunal
- (z) To receive an affidavit from an applicant for the late lodging of an appeal
- (aa) To prepare a written notice of opposition to late lodging of appeal, including opposing affidavit
- (bb) To lodge with the registrar a written notice of opposition to late lodging of appeal, including opposing affidavit
- (cc) To receive notice of the ruling in relation to the late lodging of an appeal
- (dd) To prepare oral or written representation with regards to an order of costs or a penalty awarded in terms of section 132(2)
- (ee) To lodge written representation with regards to an order of costs or a penalty awarded in terms of section 132(2)
- (ff) Placing of notices in the Gazette
- (gg) To maintain access to information
- (hh) To serve and require documents
- (ii) To give public notice
- (jj) To agree with a person who has an interest in any specific matter to give notice on behalf of the Municipality and to request proof from that person that public notice has been given as required

- (kk) To convene and represent Council during a public meeting for the purpose of informing the public of a proposal or an application
  - (ll) To decide whether a site inspection is necessary
  - (mm) To represent Council during a site visit or public hearing
  - (nn) To decide whether a public hearing is necessary
  - (oo) To reply to a person who submitted comments on an application
  - (pp) To receive a request for the alteration, amendment, partial cancellation or total cancellation of a general plan
- (3) The preparation of oral or written representation with regards to an order of costs or a penalty awarded in terms of section 132(2) has been delegated to the CFO.
- (4) The following actions have been delegated to M: CS:
- (a) To compile and maintain an up-to-date version of the Scheme and make it available for inspection and copying at all reasonable times by any person
  - (b) To receive and administer applications
  - (c) To inform persons who have commented on a proposal or an application of Municipality's decision
  - (d) To provide upon request a copy of the reasons for the Municipality's decision on a proposal or an application and the conditions of approval
  - (e) To receive certified copies of the approved diagrams or general plan
  - (f) To lodge plans and documents with the Surveyor General's and Deeds Offices in cases where land is subdivided or consolidated, or where application is made for the alteration, suspension or deletion of restriction relating to land by the Municipality
  - (g) To administer the giving public notice of an application for the phasing or cancellation of an approved layout plan
  - (h) To issue and withdraw contravention notices
  - (i) To serve contravention notices on persons suspected of certain offences
  - (j) To consider comments lodged in response to a contravention notice
  - (k) To serve a prohibition order
  - (l) To display an order on site
  - (m) To serve a notice on the person on whom an urgent prevention order was served, if the order is withdrawn
  - (n) To receive and administer subsequent applications for authorisation
  - (o) To carry out site inspections for enforcement purposes
  - (p) To lodge a responding memorandum
  - (q) To withdraw a responding memorandum
  - (r) To represent Council at a Kwazulu-Natal Planning and Development Appeal Tribunal site visit

- (s) To represent Council at a Kwazulu-Natal Planning and Development Appeal Tribunal hearing
  - (t) To decide the manner in which the Municipality must be notified of the decision of the Kwazulu-Natal Planning and Development Appeal Tribunal
  - (u) To receive an affidavit from an applicant for the late lodging of an appeal
  - (v) To prepare a written notice of opposition to late lodging of appeal, including opposing affidavit
  - (w) To lodge with the registrar a written notice of opposition to late lodging of appeal, including opposing affidavit
  - (x) To receive notice of the ruling in relation to the late lodging of an appeal
  - (y) Placing of notices in the Gazette
  - (z) To maintain access to information
  - (aa) To serve and require documents
  - (bb) To give public notice
  - (cc) To agree with a person who has an interest in any specific matter to give notice on behalf of the Municipality and to request proof from that person that public notice has been given as required
  - (dd) To convene and represent Council during a public meeting for the purpose of informing the public of a proposal or an application
  - (ee) To decide whether a site inspection is necessary
  - (ff) To represent Council during a site visit or public hearing
  - (gg) To decide whether a public hearing is necessary
  - (hh) To reply to a person who submitted comments on an application
  - (ii) To receive a request for the alteration, amendment, partial cancellation or total cancellation of a general plan
- (5) The following actions have been delegated to TP:
- (a) To compile and maintain an up-to-date version of the Scheme and make it available for inspection and copying at all reasonable times by any person
  - (b) To receive and administer applications
  - (c) To evaluate and make recommendations on proposals or applications in terms of the Act, and to issue certificates confirming that the proposals or applications comply with the Act
  - (d) To inform persons who have commented on a proposal or an application of Municipality's decision
  - (e) To provide upon request a copy of the reasons for the Municipality's decision on a proposal or an application and the conditions of approval
  - (f) To issue certificates of compliance with conditions of approval
  - (g) To receive certified copies of the approved diagrams or general plan



- (h) To lodge plans and documents with the Surveyor General's and Deeds Offices in cases where land is subdivided or consolidated, or where application is made for the alteration, suspension or deletion of restriction relating to land by the Municipality
- (i) To administer the giving public notice of an application for the phasing or cancellation of an approved layout plan
- (j) To issue and withdraw contravention notices
- (k) To serve contravention notices on persons suspected of certain offences
- (l) To consider comments lodged in response to a contravention notice
- (m) To serve a prohibition order
- (n) To display an order on site
- (o) To serve urgent prevention orders issued by the High Court and to display orders on site
- (p) To serve a notice on the person on whom an urgent prevention order was served, if the order is withdrawn
- (q) To receive and administer subsequent applications for authorisation
- (r) To carry out site inspections for enforcement purposes
- (s) To lodge a responding memorandum
- (t) To withdraw a responding memorandum
- (u) To represent Council at a Kwazulu-Natal Planning and Development Appeal Tribunal site visit
- (v) To represent Council at a Kwazulu-Natal Planning and Development Appeal Tribunal hearing
- (w) To decide the manner in which the Municipality must be notified of the decision of the Kwazulu-Natal Planning and Development Appeal Tribunal
- (x) To receive an affidavit from an applicant for the late lodging of an appeal
- (y) To prepare a written notice of opposition to late lodging of appeal, including opposing affidavit
- (z) To lodge with the registrar a written notice of opposition to late lodging of appeal, including opposing affidavit
- (aa) To receive notice of the ruling in relation to the late lodging of an appeal
- (bb) To prepare oral or written representation with regards to an order of costs or a penalty awarded in terms of section 132(2)
- (cc) To maintain access to information
- (dd) To serve and require documents
- (ee) To give public notice
- (ff) To agree with a person who has an interest in any specific matter to give notice on behalf of the Municipality and to request proof from that person that public notice has been given as required
- (gg) To convene and represent Council during a public meeting for the purpose of informing the public of a proposal or an application

- (hh) To request an amendment of an application prior to approval
  - (ii) To decide whether a site inspection is necessary
  - (jj) To represent Council during a site visit or public hearing
  - (kk) To decide whether a public hearing is necessary
  - (ll) To reply to a person who submitted comments on an application
  - (mm) To advise the Minister of Agriculture on the subdivision of agricultural land, if the Minister of Agriculture is satisfied that the land is not to be used for agricultural purposes
  - (nn) To determine conditions subject to which land may be used, if the Minister of Agriculture is satisfied that the land is not to be used for agricultural purposes
  - (oo) To vary or withdraw a condition subject to which land may be used, if the Minister of Agriculture is satisfied that the land is not to be used for agricultural purposes
  - (pp) To receive a request for the alteration, amendment, partial cancellation or total cancellation of a general plan
  - (qq) To advise the Surveyor General that the provisions of the laws relating to the permanent closing of any public place or part thereof have been complied with
- (6) The following actions have been delegated to BI:
- (a) To issue and withdraw contravention notices
  - (b) To serve contravention notices on persons suspected of certain offences
  - (c) To serve a prohibition order
  - (d) To display an order on site
  - (e) To serve a notice on the person on whom an urgent prevention order was served, if the order is withdrawn
  - (f) To carry out site inspections for enforcement purposes
- (7) The following actions have been delegated to TO:
- (a) To serve contravention notices on persons suspected of certain offences
  - (b) To serve a prohibition order
  - (c) To display an order on site
  - (d) To serve a notice on the person on whom an urgent prevention order was served, if the order is withdrawn

**KWAZULU-NATAL PLANNING AND DEVELOPMENT ACT, 2008  
(ACT 6 OF 2008)**

**PART 1**

**JUNE 2010**

***Commencement dates:***

1 March 2009	Chapters 6, 10 and 11, item 15 of Schedule 2 and Schedule 5 of the Act and Chapters 1, 8, 9 and 12 and Schedule 1 of the Act in as far as it relates to the alteration, suspension and deletion of restrictions relating to land; the KwaZulu-Natal Planning and Development Appeal Tribunal and provincial planning and development norms and standards
1 May 2010	Remainder of the Act, except for section 89(3), 161(1), and the repeal of Chapter 1 of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949)
7 November 2010	Repeal of Chapter 1 of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949) relating to the KwaZulu-Natal Planning and Development Commission
To be announced	Section 89(3): civil penalty that must be paid before illegal development may be regularised  Section 161(1): Prohibition on applications for planning and development approval in terms of the Development Facilitation Act, 1995 (Act No. 67 of 1995)

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
1	<b>Section 4(2):</b> To apply to the Member of the Executive Council for an extension of the period in which to adopt a scheme or schemes for its whole area of jurisdiction.	<b>Note:</b> - Accompanied by a written motivation and an request specifying the amount of additional time required in terms of section 4(3)	EXCO
2	<b>Section 7:</b> To review schemes within six months after Council adopted an Integrated Development Plan for its elected term.		EXCO
3	<b>Section 8:</b> To compile and maintain an up-to-date version of the Scheme and make it available for inspection and copying at all reasonable times by any person		MM M: CS TP

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
4	Section 9(1), 22(1), 39(1), 51(1) and 61(1): To initiate proposals on behalf of the Municipality	<p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>- Proposals to: <ul style="list-style-type: none"> <li>• Adopt or replace a scheme</li> <li>• Amend a scheme</li> <li>• Subdivide and consolidate land</li> <li>• Develop land situated outside the area of a scheme</li> <li>• Phase or cancel an approved layout</li> <li>• Alter, suspend or delete a restriction relating to land</li> </ul> </li> <li>- The Municipality must be the land owner or act with the owner's consent in the case for the subdivision of land, the consolidation of land and the development of land situated outside the area of a scheme</li> <li>- Process in accordance with Part 2 of Schedule 1, except for the phasing or cancellation of an approved layout</li> <li>- Process for the phasing or cancellation of an approved layout in accordance with section 52</li> <li>- Provision for combined proposals in terms of section 10(4), 23(3), 40(2) and 62(3)</li> <li>- Right to amend a proposal after notice has been given thereof in terms of Schedule 1 item 17(1)</li> <li>- Right to amend scheme to avoid having to pay compensation in section 95(2)</li> </ul>	EXCO

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
5	<p><b>Sections 9(2), 22(2), 39(2), 51(2) and 61(2):</b> To receive and administer applications</p>	<p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>- Applications to: <ul style="list-style-type: none"> <li>• Amend a scheme</li> <li>• Subdivide and consolidate land</li> <li>• Develop land situated outside the area of a scheme</li> <li>• Phase or cancel an approved layout</li> <li>• Alter, suspend or delete a restriction relating to land</li> </ul> </li> <li>- Process in accordance with Part 1 of Schedule 1, except for the phasing or cancellation of an approved layout</li> <li>- Process for the phasing or cancellation of an approved layout in accordance with section 52</li> <li>- Status of legal successor-in-title in accordance with section 9(3)</li> <li>- Provision for combined proposals in terms of section 10(4), 23(3), 40(2) and 62(3)</li> </ul>	<p>MM M: CS TP</p>
6	<p><b>Sections 11, 24, 41, 53, and 63:</b> To evaluate and make recommendations on proposals or applications in terms of the Act, and to issue certificates confirming that the proposals or applications comply with the Act</p>	<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>- Matters relevant in determining the merits of proposals or applications are contained in sections 12, 25, 42, 54, and 64</li> </ul>	<p>TP</p>

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
7	<p><b>Section 13(1):</b> To approve, with or without alterations, or to refuse the <u>adoption</u> or <u>replacement</u> of a scheme</p>	<p><b>Control Measure:</b></p> <ul style="list-style-type: none"> <li>- Decision must be informed by a registered planner or on advice of a registered planner in accordance with section 11</li> <li>- Decision may not be in conflict with provincial planning and development norms and standards or the municipality's IDP as per section 13(2) and 13(3)</li> </ul> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>- Decision may not be delegated to an official or another municipality in terms of section 156(1)</li> <li>- Timeframes in accordance with items 12 and 21 of Schedule 1</li> <li>- Effective date of decision as per section 16</li> </ul>	<p>EXCO See notes</p>

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
8	<p><b>Section 13(1), 26(1), 43(1), 55(1) and 65(1):</b> To approve, with or without alterations, or to refuse a proposal or an application</p>	<p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>- Applications to: <ul style="list-style-type: none"> <li>• Amend a scheme</li> <li>• Subdivide and consolidate land</li> <li>• Develop land situated outside the area of a scheme</li> <li>• Phase or cancel an approved layout</li> <li>• Alter, suspend or delete a restriction relating to land</li> </ul> </li> <li>- Decision must be informed by advice of a registered planner in accordance with section 11, 24, 41, 53 and 63</li> <li>- Decision to: <ul style="list-style-type: none"> <li>• Amend a scheme</li> <li>• Subdivide and consolidate land</li> <li>• Develop land situated outside the area of a scheme</li> <li>• Alter, suspend or delete a restriction relating to land</li> </ul> <p>may not be in conflict with provincial planning and development norms and standards or the municipality's IDP as per section 13(2), 26(2), 43(2) and 65(2)</p> </li> <li>- Decision to: <ul style="list-style-type: none"> <li>• Subdivide and consolidate land</li> <li>• Alter, suspend or delete a restriction relating to land</li> </ul> <p>may not be in conflict with scheme as per section 26(2) and 65(2)</p> </li> <li>- Timeframes in accordance with items 12 and 21 of Schedule 1</li> <li>- EXCO may impose conditions in accordance with section 13(4), 26(3) and (4), 43(3) and (4), 55(2) and 65(3)</li> <li>- Reasons for decision must comply with section 13(5), 26(5), 43(5), 55(3) and 65(4)</li> <li>- Effective date of decision as per section 16, 29, 46, 58 and 68</li> <li>- Section 59 relating to the legal effect of approval of phasing or cancellation of approved layout plans (including transfer of land and ownership)</li> <li>- May not suspend or remove a mineral right registered against the title of any land in accordance with section 60(3)</li> </ul>	EXCO

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
9	<b>Section 13(6), 26(6), 43(6), 55(4), 65(5):</b> To correct an error in the wording of the Municipality's decision on a proposal or an application	<b>Note:</b> The correction may not constitute a change in its decision or an alteration, suspension or deletion of a condition of its approval	EXCO
10	<b>Section 14(1), 27(1), 44(1), 56(1), 66(1):</b> To inform persons who have commented on a proposal or an application of Municipality's decision	<b>Notes:</b> - Notices must comply with section 14(2)-(4), 27(2)-(4), 44(2)-(4), 56(2)-(4), 66(2)-(4) - Serving of notices must comply with section 158	MM M: CS TP
11	<b>Section 14(5), 27(5), 44(5), 56(5), 66(5):</b> To provide upon request a copy of the reasons for the Municipality's decision on a proposal or an application and the conditions of approval	<b>Notes:</b> - Notices must comply with section 14(2)-(4), 27(2)-(4), 44(2)-(4), 56(2)-(4), 66(2)-(4) - Serving of notices must comply with section 158	MM M: CS TP
	<b>Section 17:</b> To receive and administer an application for consent, approval or permission	<b>Control measure:</b> Not delegated.  Provisions of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949) for special consent remains in operation, until the Act is amended	NA
	<b>Sections 18:</b> To evaluate and make recommendations on proposals or applications for permission in terms of a scheme, and to issue certificates confirming that the proposals or applications comply with the Act	<b>Control measure:</b> Not delegated.  Provisions of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949) for special consent remains in operation, until the Act is amended	NA
	<b>Section 20:</b> To approve, with or without alterations, or to refuse proposals or applications for permission in terms of a scheme	<b>Control measure:</b> Not delegated.  Provisions of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949) for special consent remains in operation, until the Act is amended	NA
<b>Section 22(1):</b> See delegation 4			
<b>Section 22(2):</b> See delegation 5			



NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
<b>Section 26(1):</b> See delegation 8			
<b>Section 26(6):</b> See delegation 9			
<b>Section 27(1):</b> See delegation 10			
<b>Section 27(5):</b> See delegation 11			
12	<b>Sections 31(1), 31(3), 31(5), 34(2), 48(1), 48(3), and 48(5):</b> To issue certificates of compliance with conditions of approval	<b>Notes:</b> - Referring to conditions imposed in accordance with sections 26(4), 43(4) and 65(3); - Provisions of section 31(4) and 48(4) relating to occupation of a building/structure	TP
<b>Sections 31(3):</b> See delegation 12			
<b>Sections 31(5):</b> See delegation 12			
13	<b>Section 32(1)(b):</b> To receive certified copies of the approved diagrams or general plan		MM M: CS TPO
14	<b>Sections 33(1), 35 and 70:</b> To lodge plans and documents with the Surveyor General's and Deeds Offices in cases where land is subdivided or consolidated, or where application is made for the alteration, suspension or deletion of restriction relating to land by the Municipality	<b>Note:</b> - Section 33(2) and 37(2) relating to lapsing of approval.	MM M: CS TPO
<b>Section 34(2):</b> See delegation 12			
<b>Section 35:</b> See delegation 14			
15	<b>Section 37(3), 37(4), 49(1) and 49(2):</b> To give an applicant a specified amount of time to complete a development	<b>Notes:</b> - Section 37(5) and 49(3) relating to cancel the part of the approved layout plan for which the rights have not been fully exercised, and which has been cancelled - Notices must comply with section 37(3) or 49(1) - Serving of notices must comply with section 158	EXCO

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
16	<b>Section 37(4):</b> To withdraw a notice giving an applicant a specified amount of time to complete a development		EXCO
17	<b>Section 37(5) and 49(3):</b> To initiate the cancellation of the part of the approved layout plan for which the rights have not been fully exercised, and which has been cancelled in accordance with sections 37(3) and 49(1)		EXCO
<b>Section 39(1):</b> See delegation 4			
<b>Section 39(2):</b> See delegation 5			
<b>Section 43(1):</b> See delegation 8			
<b>Section 43(6):</b> See delegation 9			
<b>Section 44(1):</b> See delegation 10			
<b>Section 44(5):</b> See delegation 11			
<b>Section 48(1):</b> See delegation 12			
<b>Section 48(3):</b> See delegation 12			
<b>Section 48(5):</b> See delegation 12			
<b>Section 49(1):</b> See delegation 15			
<b>Section 49(2):</b> See delegation 16			
<b>Section 49(3):</b> See delegation 17			
<b>Section 51(1):</b> See delegation 4			
<b>Section 51(2):</b> See delegation 5			
18	<b>Section 52(2):</b> To administer the giving public notice of an application for the phasing or cancellation of an approved layout plan	<b>Note:</b> - Notice must comply with section 52(3)-(4)	MM M: CS TP
<b>Section 55(1):</b> See delegation 8			
<b>Section 55(4):</b> See delegation 9			
<b>Section 56(1):</b> See delegation 10			

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
	<b>Section 56(5):</b> See delegation 11		
	<b>Section 61(1):</b> See delegation 4		
	<b>Section 61(2):</b> See delegation 5		
	<b>Section 65(1):</b> See delegation 8		
	<b>Section 65(5):</b> See delegation 9		
	<b>Section 66(1):</b> See delegation 10		
	<b>Section 66(5):</b> See delegation 11		
	<b>Section 70:</b> See delegation 14		
	<b>Section 71(1):</b> To initiate an application for the permanent closure of municipal roads or public places	<b>Control measure:</b> Not delegated.  Provisions of the Local Authority's Ordinance, 1974 (Ordinance No. 25 of 1974) for the permanent closure of municipal roads and public places remains in force, until the Act is amended	NA
	<b>Section 71(2):</b> To receive and administer an application for the permanent closure of municipal roads or public places	<b>Control measure:</b> Not delegated.  Provisions of the Local Authority's Ordinance, 1974 (Ordinance No. 25 of 1974) for the permanent closure of municipal roads and public places remains in force, until the Act is amended	NA
	<b>Section 71(2)(e):</b> To approve, with or without alterations, or to refuse the permanent closure of municipal roads or public places	<b>Control measure:</b> Not delegated.  Provisions of the Local Authority's Ordinance, 1974 (Ordinance No. 25 of 1974) for the permanent closure of municipal roads and public places remains in force, until the Act is amended	NA
	<b>Sections 72:</b> To evaluate and make recommendations on proposals or applications for the permanent closure of municipal roads an public places, and to issue certificates confirming that the proposals or applications comply with the Act	<b>Control measure:</b> Not delegated.  Provisions of the Local Authority's Ordinance, 1974 (Ordinance No. 25 of 1974) for the permanent closure of municipal roads and public places remains in force, until the Act is amended	NA

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
19	<b>Section 76(1):</b> To request the court to summarily enquire into and determine the monetary value of any advantage which a person may have gained as a result of an offence		EXCO
20	<b>Section 79(1):</b> To issue and withdraw contravention notices	<b>Notes:</b> - Offences listed as per section 75(1), 77(1), 78(1), 90(7) and Schedule 1 item 10(6) - Contents of contravention notices as per section 79(2) and 80	EXCO MM M: CS TP BI
21	<b>Section 79(1):</b> To serve contravention notices on persons suspected of certain offences	<b>Note:</b> - Serving of notices must comply with section 158	MM M: CS TP BI TO
22	<b>Section 81(1):</b> To consider comments lodged in response to a contravention notice		EXCO MM M: CS TP BI
23	<b>Section 81(2):</b> To issue a prohibition order	<b>Notes:</b> - Offences listed as per section 75(1), 77(1), 78(1), 90(7) and Schedule 1 item 10(6) - Contents of prohibition orders as per section 81(2) and 82 - Consider section 81(3)-(5)	EXCO
24	<b>Section 81(2)(a):</b> To serve a prohibition order	<b>Note:</b> - Serving of orders must comply with section 158	M: CS MM TP BI TO
25	<b>Section 81(2)(b), 84(1), 84(2) and 94:</b> To apply to the High Court for the issuing or withdrawal of an order restraining a person from continuing an illegal activity or for a demolition order	<b>Notes:</b> - Consider section 84 - Consider section 98 - Notices must comply with section 85	EXCO MM

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
26	<b>Section 83 and 86:</b> To display order on site		MM M: CS TP BI TO
27	<b>Section 84(1):</b> To serve urgent prevention orders issued by the High Court and to display orders on site	<b>Note:</b> - Serving of orders must comply with section 158	MM M: CS TP BI TO
28	<b>Section 84(3):</b> To apply to the High Court for the withdrawal of an urgent prevention order		EXCO MM
29	<b>Section 84(4):</b> To serve a notice on the person on whom the urgent prevention order was served, if the order is withdrawn	<b>Note:</b> - Serving of notices must comply with section 158	MM M: CS TP BI TO
<b>Section 86:</b> See delegation 26			
30	<b>Section 89(2):</b> To receive and administer subsequent applications for authorisation	<b>Note:</b> - Purpose of a subsequent application in terms of section 89(1)	MM M:CS TP
31	<b>Section 89(3):</b> To approve, with or without alterations, or to refuse subsequent applications for authorisation and impose civil penalties	<b>Notes:</b> - Approvals must include conditions as set out in section 89(3) - EXCO may impose other conditions in accordance with 89(3)	EXCO
32	<b>Section 90(1):</b> To carry out site inspections for enforcement purposes	<b>Note:</b> - Inspector must adhere to sections 90(1)-(6) and section 92	EXCO MM M: CS TP BI
33	<b>Section 90(2):</b> To issue a certificate stating that a person has been designated as a town planning inspector		MM

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
34	<b>Section 91(1):</b> To apply to the Magistrate's Court for the issuing of a warrant of entry for enforcement purposes	<b>Note:</b> - Conditions listed in section 91(1) to (3)	EXCO MM
35	<b>Section 94:</b> To authorise an application to court for the demolition, removal or alteration of buildings, structures or works, or for rehabilitation of land		EXCO
36	<b>Section 95(1), 96(1), 97(1), and 98:</b> To receive, administer and negotiate applications for compensation	<b>Note:</b> Compensation arising from: arising from: • Adoption or implementation of provisions of schemes • Wrongful and intentional or negligent service of urgent prevention orders • Suspension or removal of restrictions	EXCO MM
37	<b>Section 95(1), 96(1), 97(1), and 98:</b> To consider applications for compensation	<b>Note:</b> Compensation arising from: arising from: • adoption or implementation of provisions of schemes • wrongful and intentional or negligent service of urgent prevention orders suspension or removal of restrictions	EXCO
<b>Section 96(1):</b> See delegations 36 and 37			
<b>Section 97(1):</b> See delegations 36 and 37			
<b>Section 98:</b> See delegations 36 and 37			
38	<b>Section 99(1):</b> To agree on the amount of compensation	<b>Note:</b> Compensation arising from: arising from: • Adoption or implementation of provisions of schemes • Wrongful and intentional or negligent service of urgent prevention orders • Suspension or removal of restrictions	EXCO

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
	<b>Section 113(2)(a):</b> To receive memoranda of appeals	<b>Note:</b> - In relation to appeals under section 15, section 28, section 45, section 57, section 67 - Act requires memorandum to be served on the Municipal Manager	MM See notes
39	<b>Section 114(1) and (3) and 116(2):</b> To lodge a responding memorandum	<b>Notes:</b> - Contents of a responding memorandum in accordance with section 114(2) - Responding memorandum must be served in accordance with section 114(3)	EXCO M: CS MM TP
40	<b>Section 116(2):</b> To withdraw a responding memorandum		EXCO M: CS MM TP
41	<b>Section 117(2):</b> To represent Council during a Kwazulu-Natal Planning and Development Appeal Tribunal site visit		EXCO MM M: CS TP
42	<b>Section 120:</b> To represent Council at a Kwazulu-Natal Planning and Development Appeal Tribunal hearing		MM M: CS TP
43	<b>Section 120(2)(a):</b> To appoint legal counsel to represent Council during a Kwazulu-Natal Planning and Development Appeal Tribunal hearing		EXCO MM
44	<b>Section 123:</b> To decide the manner in which the Municipality must be notified of the decision of the Kwazulu-Natal Planning and Development Appeal Tribunal		MM M: CS TP
45	<b>Section 125(2)(c)(i):</b> To receive an affidavit from an applicant for the late lodging of an appeal		MM
46	<b>Section 126:</b> To prepare a written notice of opposition to late lodging of appeal, including opposing affidavit		MM M: CS TP

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
47	<b>Section 126:</b> To lodge with the registrar a written notice of opposition to late lodging of appeal, including opposing affidavit		MM M: CS TP
48	<b>Section 129:</b> To receive notice of the ruling in relation to the late lodging of an appeal		MM M: CS TP
49	<b>Section 132(3):</b> To prepare oral or written representation with regards to an order of costs or a penalty awarded in terms of section 132(2)		MM CFO M: CS TP
50	<b>Section 132(3):</b> To lodge written representation with regards to an order of costs or a penalty awarded in terms of section 132(2)		MM
	<b>Section 156(1) and (8):</b> To delegate, amend or revoke any power conferred on the Municipality in terms of the Act to any official employed by it	<p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>- EXCO cannot delegate the power to delegate</li> <li>- EXCO may not delegate the responsibility to adopt or replace a scheme as contemplated in section 13</li> <li>- EXCO may impose conditions in accordance with section 156(2).</li> <li>- Delegation or amendment comes into effect upon the publication of a notice in the Gazette, or if a later date is stated, from that date in accordance with section 156(7)(c)</li> </ul>	EXCO See notes
51	<b>Section 156(7)(b) and 156(9):</b> Placing of notices in the Gazette		MM M: CS
	<b>Section 157(1):</b> To enter into agency agreements for performance of functions	<p><b>Control measure:</b> Power not delegated.</p> <p>EXCO will enter into agency agreements, if necessary.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>- After it has applied the criteria contemplated in section 78 of the Municipal Systems Act, 2000 (Act No. 32 of 2000)</li> </ul>	EXCO See control measure



NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
52	<b>Section 160:</b> To maintain access to information	<b>Notes:</b> Including: <ul style="list-style-type: none"> <li>• Proposals and applications</li> <li>• Comments on proposals and applications</li> <li>• Evaluation by registered planner</li> <li>• Certificate by registered planner that proposal or application complies with the Act</li> <li>• Decision on proposal or application</li> </ul>	MM M: CS TP
53	<b>Schedule 1 item 2(1)(a), 4(1), 9(1), 10(2), 11(2), 19(1), 20(4):</b> To serve and require documents	<b>Notes:</b> <ul style="list-style-type: none"> <li>- Serving of documents:               <ul style="list-style-type: none"> <li>• Request additional information</li> <li>• Notice application complete</li> <li>• Copies of comments on proposal or application to applicant</li> <li>• Notice of site inspection</li> <li>• Notice of hearing</li> </ul> </li> <li>- Serving of notices must comply with section 158</li> <li>- Calculation of number of days in accordance with section 159</li> <li>- Notice of a hearing must comply with Schedule 1 item 11(3) and 20(2) and 20(5)</li> </ul>	MM M: CS TP
<b>Schedule 1 item 4(1):</b> See delegation 53			
54	<b>Schedule 1 item 5(1), 6(1), 8(2) and (3), 14(1), 15(1) and 17(2) and 17(3):</b> To give public notice	<b>Notes:</b> <ul style="list-style-type: none"> <li>- Including:               <ul style="list-style-type: none"> <li>• Site notice</li> <li>• Personal notice</li> <li>• Newspaper notice</li> <li>• Obtaining proof of notice</li> <li>• Notice of amendment to proposal or application</li> </ul> </li> <li>- Notices must comply with Schedule 1 items 5(2)-(3), 6(1), 7(1), 14(2)-(3), 15(3), 16.</li> <li>- Public notice not required in cases listed in terms of section 10(3), 23(2), 62(2)</li> </ul>	MM M: CS TP
<b>Schedule 1 item 6(1):</b> See delegation 54			

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
55	<b>Schedule 1 item 6(2)-(3):</b> To agree with a person who has an interest in any specific matter to give notice on behalf of the Municipality and to request proof from that person that public notice has been given as required		MM M: CS TP
56	<b>Schedule 1 items 6(4) and 15(2):</b> To convene and represent Council during a public meeting for the purpose of informing the public of a proposal or an application		MM M: CS TP
57	<b>Schedule 1 item 8(1)(b):</b> To request an amendment of an application prior to approval		TP
<b>Schedule 1 item 8(2) and (3):</b> See delegation 54			
<b>Schedule 1 item 9(1):</b> See delegation 53			
58	<b>Schedule 1 item 10(1):</b> To decide whether a site inspection is necessary.		MM M: CS TP
59	<b>Schedule 1 item 10(1) and 11(4):</b> To represent Council during a site visit or public hearing	<b>Note:</b> - Conditions contained in section 10(3)-(5)	MM M: CS TP
<b>Schedule 1 item 10(2):</b> See delegation 53			
60	<b>Schedule 1 item 11(1) and 20(1):</b> To decide whether a public hearing is necessary.		MM M: CS TP
<b>Schedule 1 item 11(2):</b> See delegation 53			
<b>Schedule 1 item 14(1):</b> See delegation 54			
<b>Schedule 1 item 15(1):</b> See delegation 54			
<b>Schedule 1 items 15(2):</b> See delegation 56			
61	<b>Schedule 1 item 17(1):</b> To amend proposals for council-owned land prior to approval by the Municipality	<b>Note:</b> - Subject to Schedule 1 item 17(2)-(3)	EXCO
<b>Schedule 1 item 17(2):</b> See delegation 54			

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
	<b>Schedule 1 item 17(3):</b> See delegation 54		
62	<b>Schedule 1 item 18:</b> To reply to a person who submitted comments on an application		EXCO MM M: CS TP
	<b>Schedule 1 item 19(1):</b> See delegation 53 for notice of site inspection		
	<b>Schedule 1 item 19(1):</b> See delegation 58 for decision to conduct site inspection		
	<b>Schedule 1 item 20(1):</b> See delegation 60		
	<b>Schedule 1 item 20(4):</b> See delegation 53		

**TOWN PLANNING ORDINANCE, 1949**  
**(ORDINANCE NO. 27 OF 1949)**

**PART 2**

*Assigned provincial legislation*  
*Date of commencement: 1 August 1951*

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
1	<b>Section 67bis:</b> To grant or refuse special consent applications	EXCO must get recommendation from a registered planner	EXCO

## SUBDIVISION OF AGRICULTURAL LAND ACT (ACT NO. 70 OF 1970)

### PART 3

*National legislation*

*Date of commencement: 2 January 1971*

*Note: The provisions of the act have not been assigned to the  
province of KwaZulu-Natal*

NO	SCOPE	CONTROL MEASURE/ NOTE	LEVEL
1	<b>Section 4(2)(b):</b> To advise the Minister of Agriculture on the subdivision of agricultural land, if the Minister of Agriculture is satisfied that the land is not to be used for agricultural purposes	<b>Control measure:</b> Advice must be given by a registered planner or on advice of a registered planner.	TP
2	<b>Section 4(2)(b):</b> To determine conditions subject to which land may be used, if the Minister of Agriculture is satisfied that the land is not to be used for agricultural purposes	<b>Control measure:</b> Decision must be made by a registered planner or on advice of a registered planner.	TP
3	<b>Section 4(3):</b> To enforce a condition subject to which land may be used, if the Minister of Agriculture is satisfied that the land is not to be used for agricultural purposes.	<b>Note:</b> Condition imposed in terms of section 4(2)(b) of the Act.	EXCO
4	<b>Section 4(4):</b> To vary or withdraw a condition subject to which land may be used, if the Minister of Agriculture is satisfied that the land is not to be used for agricultural purposes	<b>Control measure:</b> Decision must be made by a registered planner or on advice of a registered planner.  <b>Note:</b> Condition imposed in terms of section 4(2)(b) of the Act.	TP

**LAND SURVEY ACT, 1997  
(ACT NO. 8 OF 1997)**

**PART 4**

*National legislation*

*Date of commencement: 11 April 1997*

NO	SCOPE	CONTROL MEASURE / NOTE	LEVEL
1	<b>Section 37(2):</b> To receive a request for the alteration, amendment, partial cancellation or total cancellation of a general plan	<b>Notes:</b> Read with section 37(3) of the Act.  *Delegation by the Premier.	MM M: CS TP
2	<b>Section 37(2):</b> To consent to the alteration, amendment, partial cancellation or total cancellation of a general plan	<b>Control measure:</b> Decision must be made by a registered planner or on advice of a registered planner.  <b>Notes:</b> The delegate may impose conditions.  Read with section 37(3) of the Act and section 30 of the KwaZulu-Natal Planning and Development Act, 2008 (Act No. 6 of 2008)  *Delegation by the Premier.	EXCO
3	<b>Section 37(2):</b> To advise the Surveyor General that the provisions of the laws relating to the permanent closing of any public place or part thereof have been complied with	<b>Notes:</b> In relation to the alteration, amendment, partial cancellation or total cancellation of a general plan.  Read with section 37(3) of the Act.  *Delegation by the Premier.	TP

## **LEGAL RULES GOVERNING THE DELEGATION OF POWERS (COMMON LAW)**

### **ANNEXURE A**

**JANUARY 2010**

***Based on L. Baxter, Administrative Law (1984), Y. Burns, Administrative Law Under The 1996 Constitution and M. Wiechers, Administrative Law (1985)***

1. A power that has been "assignment" is fully transferred. A functionary who assigned a power may not exercise the power that has been assigned. The functionary to whom a power has been assigned is fully responsible for the exercising thereof. "Assignment" of powers is sometimes also referred to as the decentralisation of powers.
2. A power that has been "delegated" is not fully transferred. A functionary who delegated a power (delegator/ delegans) may exercise the power himself or herself and remains fully responsible for the exercising thereof. However, once the functionary who the power have been delegated to (delegatee/ delegate) has exercised the power in relation to a particular case the delegator may no longer exercise the power in relation to that instance. "Delegation" of powers is sometimes also referred to as the deconcentration of powers.
3. A power is not conferred upon a government department generally. A power is conferred upon a functionary, for example, "the Administrator", "the MEC responsible for Local Government", "the Head of Department" or "the Development Tribunal".
4. A power that is conferred upon a functionary may as a rule only be exercised by that functionary. This is because there is a danger that if delegations are allowed the power may be exercised by a person who is not as qualified or as politically or otherwise responsible as the person who the legislature has in mind. The delegation of powers in the absence of express or implied authority in a law is considered to be the abdication of authority.

5. Powers delegated to a functionary may not be delegated further by that functionary. This does not prevent the functionary from obtaining the assistance of others in exercising the power or making the decision and obtaining the assistance of other with the implementation of the decision.
6. Where a discretionary power has been conferred upon an organ of state, the organ of state may not delegate that power unless expressly empowered to do so in a law. A statutory body may therefore not delegate its powers further. The Town Planning Ordinance, 1949, provides expressly for the further delegation of certain powers of the KZNPDC.
7. Abdication of powers can occur in three ways: Acting through unlawful delegation, acting under dictation from another person or body and failure to act.
8. A power may not be delegated to more than one functionary in the absence of an express provision in an empowering law.
9. Where the law provides for institutional separation it must be honoured. A functionary cannot monitor itself or make a recommendation to itself.
10. A functionary must be appointed properly and must meet all the prescribed requirements relating qualifications, experience, conditions of the delegation etc. An action taken by a functionary who has not been appointed properly or who did not meet all the requirements and conditions of the delegation is invalid.
11. Where an appointment is personal, like the appointment of a member of a statutory body or a designated officer, another person may not exercise the appointees powers.
12. Where several persons are appointed to exercise a power, for example a statutory body, they must act together as a body, unless the law expressly provides otherwise. The body may appoint a subcommittee to investigate certain facts but must exercise the discretionary power itself. The law often specifies a quorum of members who must be present when a decision is taken.
13. A statutory body cannot take over the powers of another functionary. Where the law empowers a designated officer to extend the time in which plans must be lodged with the Surveyor General the Development Tribunal cannot grant the extension of time.
14. The existence of an implied power to delegate depends on the following factors:
  - (a) the degree of devolution of the power;
  - (b) the importance of the original delegatee;



- (c) the complexity and extent of discretion;
  - (d) the impact of the power; and
  - (e) practical necessity.
15. A power may be delegated where a delegation is limited and the delegator retains full control over the final decision.
16. A power may be delegated where the delegation will ensure that the decision is taken by a better qualified or experienced functionary.
17. Powers which require little or no discretion are usually delegable (mechanical acts).
18. Powers which require significant discretion are usually not delegable, especially in the case of unguided discretions (no criteria in the law, no standards, no recommendation that must be considered etc).
19. Powers which may infringe on a persons rights are usually not delegable.

## MUNICIPAL NOTICES – MUNISIPALE KENNISGEWINGS

**No. 89****17 September 2010**

Die uPhongolo Munisipaliteit publiseer hiermee die gekonsolideerde koste tariewe (soos gewysig), welke wysigings op 1 Julie 2010 inwerking getree het, handelende ooreenkomstig ingevolge Artikel 74 en 75 van die Munisipale Stelsels Wetgewing (Wet No. 32 van 2000) saamgelees met Artikel 17, 22 en 24 van die Munisipale Finansiële Wetgewing (Wet No. 56 van 2003).

**MEV F JARDIM**  
MUNISIPALE BESTUURDER

uPHONGOLO MUNISIPALITEIT:

KOSTETARIEWE:

**A. BELASTING TARIEWE:**

Die volgende tarief soos aangedui in aanhangsel A is van toepassing op eiendom en verbeterings wat geleë is in die gebied van die Munisipaliteit vir die boekjaar van 1 Julie 2009 tot 30 Junie 2010 ingevolge Artikel 14 van die Plaaslike Munisipale Regerings Eiendomsbelasting Wetgewing No 6 van 2004. Sien tabel

Tariff Code	Tariff Description	Tariff Ratio	Proposed Tariff	Aimed Tariff
RES	Residential	1:1	R 0.009540	
MUN	Municipal Property		R Nil	
BUS	Business & Commercial	1:025	R 0.011925	
	Industrial Property	1:025	R 0.011925	
	Vacant Land	1:025	R 0.011925	
AGR	Agricultural Property	1:025	R 0.002385	
	2nd Year Phase - 50% thereof =		R 0.0011925	
BUS	State Owned Properties		R 0.011925	
PSI	Public Service Infrastructure (30% rebate)	1:025	R 0.0011925	
	Rebates on residential property value		R 60 000.00	
	Public Benefit Organization	1:025	R Nil	
	Rebates - Indigent Pensioners and disabled upon submission of application and supporting documents		20% rebate	
SPL	Special Non-Market Properties		R 0.011925	
	Creches registered as non-profit organizations and others		100% rebate	

- 'n Korting van 20% toegestaan word in gevalle waar die Geregistreerde eienaar 'n pensioenaris of ongeskikte persoon (met 'n maksimum jaarlikse inkomste van R26 400) is. Besonderhede kan van die Finansiële Bestuurder verkry word.
- Die bedrag vir eiendomsbelasting is op 1 Augustus 2010 verskuldig en moet betaal word op 'n maandelikse basis voor of op 30 Junie 2011.

Rente teen koers sal gehêf word op alle agterstallige bedrae en wanbetalers is onderhewig aan regsprosedure vir die invordering daarvan, met die verstande dat indien meer as ses maandelikse paaiemente agterstallig is, hy verantwoordelik gehou sal word vir die totale rekening ten opsigte van die boekjaar.

**AL DIE BOGENOEMDE TARIEWE MET BETREKKING TOT DIENSTE GELEWER IS ONDERWORPE AAN BELASTING OP TOEGEVOEGDE WAARDE SOOS VAN TYD TOT TYD**

**No. 89****17 September 2010**

The uPhongolo Municipality hereby publishes the consolidated tariffs of charges (as amended), which amendments come into operation as at 1 July 2010, in compliance to Sections 74 and 75 of the Municipal Systems Act (Act 32 of 2000) and Sections 17, 22 and 24 of the Municipal Financial Management Act (Act 56 of 2003).

**MRS F JARDIM**  
MUNICIPAL MANAGER

uPHONGOLO MUNICIPALITY

TARIFFS OF CHARGES:

**A. ASSESSMENT RATES:**

The following assessment rates as reflected in Annexure A are rateable for properties in the Municipal area for the financial year 1 July 2010 to 30 June 2011 in terms of Section 14 of the Local Government Municipal Property Rates Act No 6 of 2004. See Table Below

- A rebate of 20% will be granted where the registered owner is a pensioner or disabled person, (with a maximum annual income of R26 400). Particulars are obtainable from Financial Manager.
- The amount for rates is due on 1 August 2010 and to be payable monthly before 30 June 2011.

Interest will be payable on all arrear amounts and defaulters are liable to legal proceedings for the recovery thereof. When a person's account is more than six months overdue he will then be held responsible for the whole account in respect of the financial year.

**ALL THE ABOVEMENTIONED TARIFFS IN RESPECT OF SERVICES RENDERED ARE SUBJECT TO VALUE-ADDED TAX AS DETERMINED FROM TIME TO TIME.**

**No. 90****17 September 2010**

Die uPhongolo Munisipaliteit publiseer hiermee die gekonsolideerde koste tariewe (soos gewysig), welke wysigings op 1 Julie 2010 inwerking getree het, handelende ooreenkomstig ingevolge Artikel 74 en 75 van die Munisipale Stelsels Wetgewing (Wet No. 32 van 2000) saamgelees met Artikel 17, 22 en 24 van die Munisipale Finansiële Wetgewing (Wet No. 56 van 2003).

**MEV F JARDIM**  
**MUNISIPALE BESTUURDER**

**uPHONGOLO MUNISIPALITEIT:****KOSTETARIEWE:****A. TERAARDBESTELLINGSGELDE: (Aanpassing van 8%)**

1.	Ncotshane Begraafplaas:	
1.1	Per graf: inwoner van Munisipaliteit	R 522.00
	Kindergraf	R 136.00
1.2	Per graf: nie-inwoner	R 1 135.00
1.3	Maandelikse inkomste R0-R300.00	100% subsidie
	Maandelikse inkomste R0-R300.00	100%subsidie vir pensionaris
	(Bewys van inkomste en bewys van pensionaris kwalifikasie moet ingehandig word voor goedkeuring)	
	Maandelikse inkomste R301.00-R500.00	50% subsidie
	Maandelikse inkomste R501.00-R800.00	30% subsidie
	Maandelikse inkomste bo R800.00	0% subsidie
1.4	Armlastige begrafnis: Grafkoste soos voorgestelde Regulasies	
2.	Pongola Begraafplaas	
2.1	Kindergraf-per graf	R 283.00
2.2	Volwassenes-inwoners	R 1 135.00
2.3	Volwassenes-nie inwoners	R 1 364.00
2.4	Tweede teraardbestelling in dieselfde graf nie-inwoners	R 2 045.00
2.5	Tweede teraardbestelling in dieselfde graf inwoners	R 908.00
2.6	Saterdag en Sondag Pongola	R 3 409.00

**AL DIE BOGENOEMDE TARIEWE MET BETREKING TOT DIENSTE GELEWER IS ONDERWORPE AAN BELASTING OP TOEGEVOEGDE WAARDE SOOS VAN TYD TOT TYD**

**No. 90****17 September 2010**

The uPhongolo Municipality hereby publishes the consolidated tariffs of charges (as amended), which amendments come into operation as at 1 July 2010, in compliance to Sections 74 and 75 of the Municipal Systems Act (Act 32 of 2000) and Sections 17, 22 and 24 of the Municipal Financial Management Act (Act 56 of 2003).

**MRS F JARDIM**  
**MUNICIPAL MANAGER**

**uPHONGOLO MUNICIPALITY:****TARIFF OF CHARGES:****A. CEMETERY FEES: (Escalation of 8%)**

1.	Ncotshane Graveyard:	
1.1	Per grave: residents of the Municipality	R 522.00
	Child grave	R 136.00
1.2	Non-residents per grave	R 1 135.00
1.3	Indigent Burials:	
	Monthly income R0-R300.00	100% subsidy
	Monthly income R0-R300.00	100% subsidy for pensioners
	(Proof of income and proof of pensioner qualification to be submitted prior to approval)	
	Monthly income R301.00-R500.00	50% subsidy
	Monthly income R501.00-R800.00	30% subsidy
	Monthly income above R800.00	0% subsidy
1.4	Pauper Burials: Grave cost according to applicable legislation.	
2.	Pongola Graveyard:	
2.1	Child Burial - per grave	R 283.00
2.2	Per grave, residents	R 1 135.00
2.3	Non-residents per grave	R 1 364.00
2.4	Double grave-non residents	R 2 045.00
2.5	Double grave - residents	R 908.00
2.6	Saturday and Sundays Pongola	R 3 409.00

**ALL THE ABOVEMENTIONED TARIFFS IN RESPECT OF SERVICES RENDERED ARE SUBJECT TO VALUE-ADDED TAX AS DETERMINED FROM TIME TO TIME.**

## No. 91

17 September 2010

Die uPhongolo Munisipaliteit publiseer hiermee die gekonsolideerde koste tariewe (soos gewysig), welke wysigings op 1 Julie 2010 inwerking getree het, handelende ooreenkomstig ingevolge Artikel 74 en 75 van die Munisipale Stelsels Wetgewing (Wet No. 32 van 2000) saamgelees met Artikel 17, 22 en 24 van die Munisipale Finansiële Wetgewing (Wet No. 56 van 2003).

MEV F JARDIM  
MUNISIPALE BESTUURDER

UPHONGOLO MUNISIPALITEIT:KOSTETARIEWE - BELGRADE:A. DIENSTE HEFFING (Aanpassing van 8%)

1. Residensiële Huishoudings	R 102.00
2. Besighede	R 136.00
3. Staats en ander instansies	R 136.00

B. TERAARDBESTELLINGSGELDE:

1.1 Per graf/inwoner van Munisipaliteit	R 522.00
Kindergraf	R 136.00
1.2 Per graf-nie inwoner	R 1 250.00

C. GEBOUE HUUR

1. Tarief per m <sup>2</sup> soos goedgekeur van tyd tot tyd (jaarlikse verhoging van 10%)	R 5.50
--	--------

D. ALGEMENE KOSTE TARIEWE

## 1. Soos van toepassing afgekonding

E. <b>BELGRADE GEMEENSAP SAAL:</b> Vir die huur van die saal vir 24 uur of gedeelte daarvan Die bedrag sluit in: - R 200.00 terug betaalbare deposito - R 233.00 fooi	R 433.00
---	----------

En 'n Extra 20% vir die gebruik van die Kombuis.

Huur van stoele en tafels teen R 11.00 elk.

F. **BELGRADE MPCC**

Huur per vierkante meter van kantoor spasie teen R 81.00 per m<sup>2</sup>.

**AL DIE BOGENOEMDE TARIEWE MET BETREKING TOT DIENSTE GELEWER IS ONDERWORPE AAN BELASTING OP TOEGEVOEGDE WAARDE SOOS VAN TYD TOT TYD**

## No. 91

17 September 2010

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MRS F JARDIM  
MUNICIPAL MANAGER

UPHONGOLO MUNICIPALITY:TARIFF OF CHARGES – BELGRADE COMMUNITY:A. SERVICE CHARGE (Escalation of 8%)

1. Residential Dwellings	R 102.00
2. Businesses	R 136.00
3. Government & other Departments	R 136.00

B. CEMETERY FEES:

1.1 Per grave, residents of the Municipality	R 522.00
Child grave	R 136.00
1.2 Non-residents per grave	R 1 250.00

C. CLUSTER RENTAL

1. Rental per m <sup>2</sup> as approved from time to time (with annual escalation of 10%)	R 5.50
--	--------

D. GENERAL TARIFF CHARGES

## 1. Applicable as mentioned

E. <b>BELGRADE COMMUNITY HALL:</b> Rental of hall per 24 hours or part thereof The amount includes: - R 200.00 Refundable deposit - R 233.00 fee	R 433.00
--	----------

An Extra 20% for the use of the Kitchen

Hiring of chairs and tables at R 11.00 each.

F. **BELGRADE MPCC**

Rental per square meter of office space R 81.00 per m<sup>2</sup>

**ALL THE ABOVEMENTIONED TARIFFS IN RESPECT OF SERVICES RENDERED ARE SUBJECT TO VALUE-ADDED TAX AS DETERMINED FROM TIME TO TIME.**

**No. 92****17 September 2010**

Die uPhongolo Munisipaliteit publiseer hiermee die gekonsolideerde koste tariewe (soos gewysig), welke wysigings op 1 Julie 2010 inwerking getree het, handelende ooreenkomstig ingevolge Artikel 74 en 75 van die Munisipale Stelsels Wetgewing (Wet No. 32 van 2000) saamgelees met Artikel 17, 22 en 24 van die Munisipale Finansiële Wetgewing (Wet No. 56 van 2003).

**MEV F JARDIM**  
MUNISIPALE BESTUURDER

**uPHONGOLO MUNISIPALITEIT:****KOSTETARIEWE:****SAAL HUUR:** (Aanpassing van 8%)**A. PUBLIEKE VERGADERINGS:****RAADSAAL:**

- |    |               |            |
|----|---------------|------------|
| a) | Nie-politieke | R 255.00   |
| b) | Politieke     | R 1 250.00 |

**B. NCOTSHANE GEMEENSAP SAAL**

Vir die huur van die saal vir R 1 250.00

24 uur of gedeelte daarvan

Die bedrag sluit in:

- R 454.00 terugbetaalbare deposito
- R 795.00 fooi

En 'n Ekstra 20% vir die gebruik van die Kombuis.

Huur van stoele en tafels teen R 11.00 elk.

**AL DIE BOGENOEMDE TARIEWE MET BETREKKING TOT DIENSTE GELEWER IS ONDERWORPE AAN BELASTING OP TOEGEVOEGDE WAARDE SOOS VAN TYD TOT TYD**

**No. 92****17 September 2010**

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**MRS F JARDIM**  
MUNICIPAL MANAGER

**uPHONGOLO MUNICIPALITY:****TARIFF OF CHARGES:****HALL HIRE:** (Escalation of 8%)**A. PUBLIC MEETINGS:****BOARDROOM:**

- |    |               |            |
|----|---------------|------------|
| a) | Non-political | R 255.00   |
| b) | Political     | R 1 250.00 |

**B. NCOTSHANE COMMUNITY HALL:**

Rental of hall per 24 hours or part thereof R 1 250.00

The amount includes:

- R 454.00 Refundable deposit
- R 795.00 fee

An Extra 20% for the use of the Kitchen

Hiring of chairs and tables at R 11.00 each.

**ALL THE ABOVEMENTIONED TARIFFS IN RESPECT OF SERVICES RENDERED ARE SUBJECT TO VALUE-ADDED TAX AS DETERMINED FROM TIME TO TIME.**

**No. 93****17 September 2010**

Die uPhongolo Munisipaliteit publiseer hiermee die gekonsolideerde koste tariewe (soos gewysig), welke wysigings op 1 Julie 2010 inwerking getree het, handelende ooreenkomstig ingevolge Artikel 74 en 75 van die Munisipale Stelsels Wetgewing (Wet No. 32 van 2000) saamgelees met Artikel 17, 22 en 24 van die Munisipale Finansiële Wetgewing (Wet No. 56 van 2003).

**MEV F JARDIM  
MUNISIPALE BESTUURDER**

**uPHONGOLO MUNISIPALITEIT:****KOSTETARIEWE:****A. BIBLIOTEEKVORDERINGS: (Aanpassing van 8%)**

1. Boetes:  
Per boek, per dag R 2.15
2. Beskadigde / verlore boeke - Waarde van die boek.

**AL DIE BOGENOEMDE TARIEWE MET BETREKKING TOT DIENSTE GELEWER IS ONDERWORPE AAN BELASTING OP TOEGEVOEGDE WAARDE SOOS VAN TYD TOT TYD**

**No. 93****17 September 2010**

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**MRS F JARDIM  
MUNICIPAL MANAGER**

**uPHONGOLO MUNICIPALITY:****TARIFF OF CHARGES:****A. LIBRARY CHARGES: (Escalation of 8%)**

1. Penalties:  
Per book, per day R 2.15
2. Damaged / loss of book - Value of the book.

**ALL THE ABOVEMENTIONED TARIFFS IN RESPECT OF SERVICES RENDERED ARE SUBJECT TO VALUE-ADDED TAX AS DETERMINED FROM TIME TO TIME.**

**No. 94****17 September 2010**

Die uPhongolo Munisipaliteit publiseer hiermee die gekonsolideerde koste tariewe (soos gewysig), welke wysigings op 1 Julie 2010 inwerking getree het, handelende ooreenkomstig ingevolge Artikel 74 en 75 van die Munisipale Stelsels Wetgewing (Wet No. 32 van 2000) saamgelees met Artikel 17, 22 en 24 van die Munisipale Finansiële Wetgewing (Wet No. 56 van 2003).

**MEV F JARDIM**  
**MUNISIPALE BESTUURDER**

**uPHONGOLO MUNISIPALITEIT:****KOSTETARIEWE:**

- A. VULLIS: (Aanpassing van 8%)**
1. Vullisverwyderingsdiens: die hoeveelheid houters onderworpe aan die goeddenke van die Gesondheids-inspekteur:
    - a) **HUISHOUDELIK EN DEPARTEMENTEEL:**
      - i) Per houer per maand:  
2 keer per week verwyder R 96.00
      - ii) Vir enige erf, standplaas, perseel of ander terrein of enige onderverdeling daarvan, met of sonder verbeterings, uitgesonderd erwe wat aan die Munisipaliteit behoort, word 'n basiese heffing van per maand of gedeelte van 'n maand per sodanige erf, standplaas, perseel of ander terrein of enige onderverdeling daarvan gehef. R 34.00
    - b) **BESIGHEID:**
      - i) Grootmaat Besighede  
Klein Besighede – hok R 300.00  
Meduim Besighede – hok R 700.00  
Large Besighede – hok R 1 200.00
      - Per houer per maand: daaglikse verwydering R 136.00
      - ii) Besighede by sentrale plek weeklikse verwydering R 1 200.00
    - c) Tuinvullis: huishoudelik. R 96.00  
per m<sup>2</sup> vrag of gedeelte daarvan
    - d) Besigheid verspilling R 170.00
    - e) Bourommel: **Kosprys + 10%**  
per m<sup>2</sup> vrag of gedeelte daarvan
    - f) Verpligte fooi vir die stoor van boumateriaal, tydens konstruksie, wat terug betaalbaar is met die uitreiking van die okkupasie sertifikaat. R 540.00
    - g) **ITSHELEJUBA**
      1. Maandlikse tarief van kontrakteur +10%  
jaarlikse aanpassing

**No. 94****17 September 2010**

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**MRS F JARDIM**  
**MUNICIPAL MANAGER**

**uPHONGOLO MUNICIPALITY:****TARIFFS OF CHARGES:**

- A. REFUSE: (Escalation of 8%)**
1. Refuse removal services, with the quantity of bins at the discretion of the Health Inspector.
    - a) **RESIDENTIAL AND DEPARTMENTAL:**
      - i) Per bin per month:  
removed twice per week R 96.00
      - ii) For any erf, stand lot or other area or any subdivision thereof with or without improvements, excluding erven belonging to the Municipality, a basic fee of per month or part thereof shall be levied per erf, stand, lot or other area or any Subdivision thereof. R 34.00
    - b) **BUSINESSES**
      - i) Bulk Businesses  
Small Business – cage R 300.00  
Meduim Business – cage R 700.00  
Large Business – cage R 1 200.00
      - ii) Per bin per month - removed daily R 136.00
      - ii) Businesses at central point: removed weekly R 1 200.00
    - c) Garden refuse: residential R 96.00  
per m<sup>2</sup> load or part thereof
    - d) Business waste removal R 170.00
    - e) Building Rubble: **Cost + 10%**  
per m<sup>2</sup> load or part thereof
    - f) Compulsory fee for Building Material stored on Road Reserve, during construction, which is refunded after issuing of the occupancy certificate R 540.00
    - g) **ITSHELEJUBA**
      1. Applicable removal cost of contractor  
+10% escalation

**h) PRIVAAT STORTING BY STORTINGSTERREIN**

Betaling vooruit en toon kwotansie by stortings  
terrein bestuur

1.	Bakkie vrag	R 28.00
2.	Bakkie & Sleepwa vrag	R 51.00
3.	8 Ton trok	R 56.00
4.	Trekker & Sleepwa eenheid vrag	R 56.00
5.	Per band soos gereël	R 28.00

**AL DIE BOGENOEMDE TARIWE MET BETREKKING TOT  
DIENSTE GELEWER IS ONDERWORPE AAN BELASTING OP  
TOEGEVOEGDE WAARDE SOOS VAN TYD TOT TYD**

**h) PRIVATE DUMPING AT LANDFILL SITE**

Payment in advance and proof to be submitted to  
landfill management

1.	LDV load	R 28.00
2.	LDV and trailer load	R 51.00
3.	8 Ton Truck	R 56.00
4.	Tractor & Trailer load	R 56.00
5.	Per tyre as approved	R 28.00

**ALL THE ABOVEMENTIONED TARIFFS IN RESPECT OF  
SERVICES RENDERED ARE SUBJECT TO VALUE-ADDED  
TAX AS DETERMINED FROM TIME TO TIME.**



**No. 95****17 September 2010**

Die uPhongolo Munisipaliteit publiseer hiermee die gekonsolideerde koste tariewe (soos gewysig), welke wysigings op 1 Julie 2010 inwerking getree het, handelende ooreenkomstig ingevolge Artikel 74 en 75 van die Munisipale Stelsels Wetgewing (Wet No. 32 van 2000) saamgelees met Artikel 17, 22 en 24 van die Munisipale Finansiële Wetgewing (Wet No. 56 van 2003).

**MEV F JARDIM**  
**MUNISIPALE BESTUURDER**

**uPHONGOLO MUNISIPALITEIT:****KOSTETARIEWE:****ELEKTRISITEIT:** (Aanpassing van 28.9%)**A. GROOTMAATVERBRUIKERS:**

1. Die volgende gelde is betaalbaar per maand of gedeelte daarvan:

a) Basiese heffing	R 433.27
b) Per KVA	R 85.07
c) Energieheffing per KVA	R 0.37

**B. KOMMERSIËLE & INDUSTRIËLE VERBRUIKERS:**

a) Basiese heffing	R 324.96
b) Vir die eerste 1000kWh per kWh	R 0.68
c) Per kWh daarna	R 0.68

**C. HUISHOUDELIKE VERBRUIKER:****Lae Verbruikers**

a) Basiese heffing	R 0
b) <400kWh per kWh	R 0.83

**Hoe Verbruikers**

a) Basiese heffing	
Verbeterde erf	R 151.64
Onverbeterde erf	R 80.15

**Verbeterde Erwe:**

b) Vir die eerste 1000kWh per kWh	R 0.64
c) Per kWh daarna	R 0.64

**D. DEPARTEMENTEEL**

a) Basiese heffing	R 151.64
b) Per kWh	R 0.64

**E. SPORT AKTIWITEITE**

a) Basiese heffing	R 151.64
b) Energie heffing per kWh	R 0.64

**F. VERBRUIKERS DEPOSITO**

Die Finansiële Bestuurder kan teen enige tyd wanneer daar bevind word dat die deposito of waarborg vir die toepassing van subartikel (1) ontoereikend is, van 'n verbruiker vereis dat hy die deposito of waarborg deur hom verskaf verhoog, in welke geval die verbruiker binne dertig dae nadat dit van hom vereis is, by die raad sodanige bekomende waarborg moet verskaf as wat die Finansiële Bestuurder vereis, by gebreke waaarvan die raad die toevoer kan staak.

Individuele verbruikers moet 'n deposito, gebaseer op 'n gemiddelde twee maandelikse verbruikers rekening, betaal.

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**MRS F JARDIM**  
**MUNICIPAL MANAGER**

**uPHONGOLO MUNICIPALITY:****TARIFFS OF CHARGES:****ELECTRICITY:** (Escalation of 28.9%)**A. BULK CONSUMERS:**

1. The following charges shall be payable per month or part thereof:

a) Basic charge	R 433.27
b) Per KVA	R 85.07
c) Per energy cost per KVA	R 0.37

**B. COMMERCIAL & INDUSTRIAL CONSUMERS: BUSINESS**

a) Fixed charge	R 324.96
b) Energy charge for the first 1000kWh per kWh	R 0.68
c) Thereafter per kWh	R 0.68

**C. DOMESTIC CONSUMERS: PRIVATE****Low Consumers**

a) Basic	R 0
b) Energy charge <400kWh per kWh	R 0.83

**High Consumers**

a) Basic charge	
Developed stand	R 151.64
Undeveloped stand	R 80.15

**Developed Stands:**

b) Energy charge for the first 1000kWh per kWh	R 0.64
c) Thereafter per kWh	R 0.64

**D. DEPARTMENTAL ACCOUNTS**

a) Basic	R 151.64
b) Per kWh	R 0.64

**E. SPORT ACTIVITIES**

a) Basic	R 151.64
b) Energy charge per kWh	R 0.64

**F. DEPOSITS**

The Financial Manager may at any time when the deposit or guarantee is found to be inadequate for the purpose of subsection (1), require a consumer to increase the deposit made or guarantee furnished by him, in which event the consumer shall, within thirty days after being so required, deposit with the council such additional sum or furnish such additional guarantee as the Financial Manager may require, failing which the council may discontinue the supply.

Individual consumers will pay a deposit based on a two months average of the consumer account.

**G. NUWE VERBRUIKERS**

a) Heffings kostes R 541.59

**H. HERAANSLUITINGSKOSTE:**

- a) Vir die heraansluiting van die Elektrisiteit nadat dit weens betaal versuim afgesluit is:
- |                 |            |
|-----------------|------------|
| Lae verbruikers | R 541.59   |
| Hoë verbruiker  | R 541.59   |
| Besighede       | R 1 083.17 |
| Grootmaat       | R 1 083.17 |
- b) Indien stroombreker foutief is aan verbruikers kant, verbruiker 'n heffing betaal van:
- |                 |            |
|-----------------|------------|
| Lae verbruikers | R 1 083.17 |
| Hoë verbruiker  | R 1 083.17 |
| Besighede       | R 1 733.07 |
| Grootmaat       | R 1 733.07 |

**I. NUWE AANSLUITINGS BY NETWERK**

- a) Deposito R 7 582.21  
b) Alle kostes + 10%

**J. METERLESINGS**

- a) Her lesing op versoek van verbruiker R 324.96  
b) Finale lesing R 216.63

**K. INSPEKSIE KOSTES**

- Nuwe installasie
- a) Huishoudelik R 1 083.17  
b) Besighede R 2 226.73

**AL DIE BOGENOEMDE TARIEWE MET BETREKKING TOT DIENSTE GELEWER IS ONDERWORPE AAN BELASTING OP TOEGEVOEGDE WAARDE SOOS VAN TYD TOT TYD**

**G. NEW CONSUMERS**

a) Charge R 541.59

**H. RECONNECTION CHARGES:**

- a) For the reconnection of the electricity supply after the supply has been discontinued for Non-payment:
- |                |            |
|----------------|------------|
| Low consumers  | R 541.59   |
| High consumers | R 541.59   |
| Businesses     | R 1 083.17 |
| Bulk consumer  | R 1 083.17 |
- b) If Municipal Electrician is called out, and fault lies with consumer:
- |                |            |
|----------------|------------|
| Low consumers  | R 1 083.17 |
| High consumers | R 1 083.17 |
| Businesses     | R 1 733.07 |
| Bulk consumer  | R 1 733.07 |

**I. NEW CONSUMERS TO NETWORK**

- a) Deposit R 7 582.21  
b) All cost + 10% handling charge

**J. METER READINGS**

- a) Rereading on request R 324.96  
b) Final reading R 216.63

**K. INSPECTION CHARGES**

- New installation
- a) Residential R 1 083.17  
b) Businesses R 2 226.73

**ALL THE ABOVEMENTIONED TARIFFS IN RESPECT OF SERVICES RENDERED ARE SUBJECT TO VALUE-ADDED TAX AS DETERMINED FROM TIME TO TIME.**

## No. 96

17 September 2010

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MEV F JARDIM  
MUNISIPALE BESTUURDER

uPHONGOLO MUNISIPALITEIT:KOSTETARIEWE: WYSIGINGS:

## A. ALGEMEEN (Aanpassing van 8%)

Die volgende gelde is betaalbaar aan die Raad ten opsigte van dienste en items hieronder aangedui.

- |     |   |                     |
|-----|---|---------------------|
| 1.  | Verordeninge  |                     |
| a)  | Uittreksel uit verordeninge, per bladsy of daarvan  | gedeelte<br>R 16.00 |
| b)  | Soekgelde vir inligting, na goedkeuring   | R 34.00             |
| 2.  | Sertifikate   |                     |
| a)  | Belastingklaringsertifikaat   | R 91.00             |
| b)  | Waardasiesertifikaat  | R 114.00            |
| c)  | Smous Permitte  | R 114.00            |
| d)  | Afskrif van 'n verbruikersrekening  | R 23.00             |
| 3.  | Erwe:   |                     |
| a)  | Skoonmaak van erwe van indringerplante en wat ingevolge gesondheids- en brandregulasies 'n ergenis veroorsaak, per erf : <b>KOSTE + 10%</b> |                     |
| 4.  | Afskrif van notules:  |                     |
| a)  | Afskrif/uittreksels uit notules en/of verhoor, per Bladsy of gedeelte daarvan   | R 23.00             |
| 5.  | Fotokopieë  |                     |
|     | Per kopie A4  | R 3.25              |
|     | Per kopie A3  | R 4.30              |
|     | Faksimile: versend (per bladsy)   | R 8.65              |
|     | Ontvang (per bladsy)  | R 4.30              |
| 6.  | Verhandelbare stuk, gedishonoreer: boete: <b>KOSTE + 10%</b>  |                     |
| 7.  | Dorpsplanne - per eksemplaar koste plus 15%   |                     |
| 8.  | Vullis, behalwe die soos vervat in die Vullisverwyderingsverordeninge:  |                     |
| a)  | Dooie diere:  |                     |
|     | Klein (Hond, kat, pluimvee)   | R 56.00             |
|     | Groot (Perd, bees)  | R 170.00            |
| 9.  | Waardasielys, per afskrif   | R 568.00            |
| 10. | Kieserslys, per afskrif   | R 454.00            |

## No. 96

17 September 2010

The uPhongolo Municipality hereby publishes the consolidated tariffs of charges (as amended), which amendments come into operation as at 1 July 2010, in compliance to Sections 74 and 75 of the Municipal Systems Act (Act 32 of 2000) and Sections 17, 22 and 24 of the Municipal Financial Management Act (Act 56 of 2003).

MRS F JARDIM  
MUNICIPAL MANAGER

uPHONGOLO MUNICIPALITY:TARIFFS OF CHARGES: AMENDMENTS:

## A. GENERAL: (Escalation of 8%)

The following fees shall be paid to the Council for the services and items listed below:

- |     |   |          |
|-----|---|----------|
| 1.  | Bylaws  |          |
| a)  | Extract from bylaws, per page or part thereof   | R 16.00  |
| b)  | Searching fees for information, after approval  | R 34.00  |
| 2.  | Certificates  |          |
| a)  | Rates clearance certificate   | R 91.00  |
| b)  | Valuation certificate   | R 114.00 |
| c)  | Hawkers permit  | R 114.00 |
| d)  | Copy of consumer account  | R 23.00  |
| 3.  | Land:   |          |
| a)  | Clearance of properties of notorious weeds and/or causing nuisances in terms of health or fire regulations, per property: <b>COST + 10%</b> |          |
| 4.  | Copy of minutes/agendas/hearings  |          |
| a)  | Copy of minutes - per page or part thereof  | R 23.00  |
| 5.  | Photocopying:   |          |
|     | Per Copy A4   | R 3.25   |
|     | Per copy A3   | R 4.30   |
|     | Facsimiles: Sent per page   | R 8.65   |
|     | Received per page   | R 4.30   |
| 6.  | Dishonoured/negotiable instrument: penalty: <b>COST + 10%</b>   |          |
| 7.  | Township plans - per copy cost plus 15%   |          |
| 8.  | Refuse, other than that included in the Refuse Removal By-Laws:   |          |
| a)  | Dead animals:   |          |
|     | Small (Dog, cat, poultry)   | R 56.00  |
|     | Large (equine, bovine)  | R 170.00 |
| 9.  | Valuation roll - per copy   | R 568.00 |
| 10. | Voters roll - per copy  | R 454.00 |

**C. ADVERTENSIEBORDE**

a)	Administrasie fooi, saam gelees met die nasionale bouregulasies	
	Vaste advertensieborde	R 170.00
	Plakate en ander per plasing	R 114.00
	Geregistreerde politieke partye	
	Deposito	R 1 136.00
b)	Koste struktuur	
	Veranda pale, per paal	R 11.00
	Borde op ander pale per bord (maksimum van 1m x 0.5m)	R 28.00 pm
	Advertensie met straatnaam	R 23.00 pm
	Neon verligte advertensies	R 852.00
	Ander advertensie borde	R 795.00
	Advertensie borde van 6m	R 1 136.00
	Eiendoms agente en besighede op sypaadjies (per bord)	R 23.00 pm
	Sypaadjie Oorskryding per 500m	
	En maksimum 2m breed	R 56.00 pm
	Plakaat advertensies (per bord)	R 23.00 pm
	Geregistreerde politieke borde en baniere (per bord)	R 23.00 pm
	Kitsbank advertensies op sypaadjie	R 114.00
c)	Boete heffing (per oortreding)	R 568.00

Indien die advertensieborde op Munisipale eiendom geplaas is word dit as huur van grond beskou en dit is maandeliks betaalbaar. Indien op eie eiendom is die heffing jaarliks.

**D. BRANDBESTRYDINGSDIENSTE:**

1.	Brandbestrydingsdienste buite die regsgebied	
a)	Uitroepgeld	R 1 136.00
b)	Vir elke uur of gedeelte daarvan	R 397.00
2.	Brandbestrydingsdienste binne die regsgebied	
a)	Uitroepgeld	R 397.00
b)	Vir elke uur of gedeelte daarvan	R 170.00
3.	Wegruiming van water met die gebruik van 'n pomp.	
a)	Vir die eerste uur of gedeelte daarvan	R 170.00
b)	Daarna vir elke kwartier	R 56.00
4.	Brandblusmiddels en toerusting	
	Waar 'n skuimmiddel, droë ys (Vaste CO <sup>2</sup> ) of enige ander blusmiddel as water gebruik word, met inbegrip van die beskadiging van toerusting, word die koste bereken volgens die heersende pryse plus 15%.	
5.	By die toepassing van die gelde betaalbaar ingevolge items 1 & 2 word die tye bereken vandat die brandweer die bergingsterrein verlaat totdat dit daarheen terugkeer.	
6.	Algemeen	
	Inspeksie en uitreiking vir lisensie vir die aanhouding van vlambare vloeistowwe ooreenkomstig die wetgewing.	R 300.00
	(Betaalbaar Januarie van elke jaar of pro-rata by goedkeuring van lisensie)	

**C. ADVERTISING BOARDS**

a)	Admin fee; legislation of National Building regulations	
	Application fee	R 170.00
	Posters and other upon placement	R 114.00
	Registered Political party deposit	R 1 136.00
b)	Charges	
	Veranda poles, per pole	R 11.00
	Advertising boards on poles	R 28.00 pm
	Street names	R 23.00 pm
	Neon light advertisements	R 852.00
	Other	R 795.00
	Billboards	R 1 136.00
	Estate agents and business boards on sidewalks per board	R 23.00 pm
	Canopy encroachments on sidewalks	
	Per 500m long, maximum 2m wide	R 56.00 pm
	Poster advertisement (per poster)	R 23.00 pm
	Registered Political party posters and banners (per poster)	R 23.00 pm
	Advertisements of ATMs	R 114.00
c)	Penalty per offence	R 568.00

Where the advertising board is placed on Municipal property it will be treated as rental of space and is payable monthly. If placed on own property the charge is an annual fee.

**D. FIRE-FIGHTING SERVICES**

1.	Fire-fighting services outside jurisdiction area:	
a)	Call-out charge	R 1 136.00
b)	Per hour or part thereof	R 397.00
2.	Fire-fighting services within jurisdiction area	
a)	Call-out charge	R 397.00
b)	Per hour or part thereof	R 170.00
3.	Removing of water in respect of the use of a pump.	
a)	For the first hour/part thereof	R 170.00
b)	Thereafter, for each quarter of a hour	R 56.00
4.	Fire-extinguishing media & equipment	
	Where foam compound, dry powder, dry ice (Solid CO <sup>2</sup> ) or any other extinguishing medium other than water is used, including damage to equipment, the charges shall be determined according to current prices applicable plus 15%.	
5.	For the purpose of the charges payable in terms of items 1 & 2, the time shall be calculated from the time the vehicle leaves the Fire Station until its return thereto.	
6.	General	
	Flammable liquid inspection and issuing of licence according to applicable legislation	R 300.00
	(Payable during January of each year or alternatively pro-rata with the date of issuing of licence)	

**E. DORPSBEPLANNING:**

1. Aansoek om verslapping van boulyn kragtens Klousules van die dorpsbeplanningskema (advertensiekoste uitgesluit) R 1 136.00
2. Aansoekgelde vir goedkeuring van onderverdelingsplanne - Skema koste + 10%.
3. Hersoneringsaansoek kragtens artikel 47 *bis* (7) van Ordonnansie 27 van 1947, vir elke sodanige aansoek - Skema koste + 10%
4. Aansoek om selfonderhoudende eenheid ("granny flat") - Skema koste + 10 %
5. Aansoek om spesiale toestemming kragtens artikel 67 *bis* van Ordonnansie 27 van 1949, vir elke sodanige aansoek (advertensiekoste uitgesluit) - Skema koste + 10%
6. Aansoek om wysiging van die dorpsbeplanningskema (advertensiekoste uitgesluit) - Skema koste + 10%
7. Advertensiekoste van alle dorpsbeplannings-advertensies - Skema koste + 10 %.

**F. BOUPLANGELDE:**

Die volgende gelde is betaalbaar wanneer bouplanne by die Raad ingedien word:

- |     |   |                      |
|-----|---|----------------------|
| 1.1 | Minimum heffing   | R 590.00             |
| 1.2 | Van 10 m <sup>2</sup> tot 999 m <sup>2</sup> per m <sup>2</sup> of gedeelte daarvan                       | R 13.00              |
| 1.3 | Van 1000 m <sup>2</sup> tot 4 999 m <sup>2</sup><br>Vir elke 10 m <sup>2</sup> daarna of gedeelte daarvan | R 1 477.00<br>R 8.00 |
| 1.4 | 5000 m <sup>2</sup> en meer<br>Vir elke 10 m <sup>2</sup> daarna of gedeelte daarvan                      | R 4 318.00<br>R 6.00 |
| 2.  | Vir kleiner bouwerk soos bepaal in die Nasionale Bouregulasie per sertifikaat                             | R 454.00             |
| 3.  | Planne wat verval het - 50% van bogenoemde gelde.   |                      |
| 4.  | Identifisering van eiendom grenspenne   | R 1 298.00           |

**AL DIE BOGENOEMDE TARIWE MET BETREKKING TOT DIENSTE GELEWER IS ONDERWORPE AAN BELASTING OP TOEGEVOEGDE WAARDE SOOS VAN TYD TOT TYD**

**E. TOWN PLANNING:**

1. Application of relaxing of building line in terms of Town Planning clauses (Advertising costs excluded) R 1 136.00
2. Application fee for approval of sub divisional plans - Town Planning Cost + 10%.
3. Rezoning applications in terms of 47 *biz* (7) of Ordinance 27 of 1949, for each such application - Town Planning Cost + 10%
4. Application for self-contained dwelling unit ("granny Flat") - Town Planning Cost + 10%.
5. Special consent application in terms of section 67 *biz* of Ordinance 27 of 1949, for each such application (advertising costs excluded) - Town Planning Cost + 10 %
6. Applications for amendments to Town Planning Scheme (advertising costs excluded) - Town Planning Cost + 10 %.
7. Advertising costs of all Town Planning Adverts - Town Planning cost + 10%.

**F. BUILDING PLAN FEES**

The following fees shall be payable when building plans are submitted to the Council:

- |     |   |                      |
|-----|---|----------------------|
| 1.1 | Minimum fee   | R 590.00             |
| 1.2 | From 10 m <sup>2</sup> up to 999 m <sup>2</sup> per 10 m <sup>2</sup> or part thereof                         | R 13.00              |
| 1.3 | From 1000 m <sup>2</sup> up to 4 999 m <sup>2</sup><br>For every 10 m <sup>2</sup> thereafter or part Thereof | R 1 477.00<br>R 8.00 |
| 1.4 | 5000 m <sup>2</sup> and more<br>for every 10 m <sup>2</sup> thereafter or part thereof                        | R 4 318.00<br>R 6.00 |
| 2.  | Minor building works according to the National Building Regulations per Certificate                           | R 454.00             |
| 3.  | Plans which have lapsed - 50 % of Fees Mentioned above.   |                      |
| 4.  | Identification of property boundary beacons   | R 1 298.00           |

**ALL THE ABOVEMENTIONED TARIFFS IN RESPECT OF SERVICES RENDERED ARE SUBJECT TO VALUE-ADDED TAX AS DETERMINED FROM TIME TO TIME.**

## No. 97

17 September 2010

Die uPhongolo Munisipaliteit publiseer hiermee die gekonsolideerde koste tariewe (soos gewysig), welke wysigings op 1 Julie 2010 inwerking getree het, handelende ooreenkomstig ingevolge Artikel 74 en 75 van die Munisipale Stelsels Wetgewing (Wet No. 32 van 2000) saamgelees met Artikel 17, 22 en 24 van die Munisipale Finansiële Wetgewing (Wet No. 56 van 2003).

MEV F JARDIM  
MUNISIPALE BESTUURDER

uPHONGOLO MUNISIPALITEIT:KOSTE TARIWE: SKUTTARIEF(Aanpassing van 8%)

1. Skutgelde
  - 1.1. Alle grootvee, elk R 23.00
  - 1.2. Alle Kleinvee, elk R 11.00
  - 1.3. Varke, elk R 16.00
2. Weiding-, Oppas- en Voergelde:
  - 2.1. Perde, muile, donkies, osse, koeie, of kalwers elk: Per dag of gedeelte van 'n dag R 11.00

Skape en bokke, elk: Per dag of gedeelte van 'n dag: R 5.40
- 2.3. Varke, elk: Per dag of gedeelte van 'n dag: R 11.00
3. Dryfgeld:
  - 3.1. Enige persoon wat vee na die skut aanjaag, is geregtig om dryfgeld teen R 2.00 per kilometer ten opsigte van enige aantal perde, muile, donkies, beeste, skape, bokke of varke te ontvang.
  - 3.2. Dryfgeld ingevolge subitem (1) is alleenlik aan een persoon betaalbaar. Geen dryfgeld word betaal vir die gedeelte van 'n afstand wat 28 kilometer oorskry nie, en geen vergoeding ten opsigte van die terugreis na sy huis word aan 'n persoon wat vee na die skut aanjaag, betaal nie. Indien aldus verlang, betaal die Skutmeester onmiddellik dryfgeld aan die persoon wat die vee skut.

**AL DIE BOGENOEMDE TARIWE MET BETREKKING TOT DIENSTE GELEWER IS ONDERWORPE AAN BELASTING OP TOEGEVOEGDE WAARDE SOOS VAN TYD TOT TYD**

## No. 97

17 September 2010

The uPhongolo Municipality hereby publishes the consolidated tariffs of charges (as amended), which amendments come into operation as at 1 July 2010, in compliance to Sections 74 and 75 of the Municipal Systems Act (Act 32 of 2000) and Sections 17, 22 and 24 of the Municipal Financial Management Act (Act 56 of 2003).

MRS F JARDIM  
MUNICIPAL MANAGER

uPHONGOLO MUNICIPALITY:TARIFFS OF CHARGES: POUND TARIFF(Escalation of 8%)

1. Pound Fees
  - 1.1. All large livestock, each: R 23.00
  - 1.2. All small livestock, each: R 11.00
  - 1.3. Pigs, each: R 16.00
2. Grazing-, Tending- and Feeding Fees:
  - 2.1. Horses, mules, donkeys, oxen, cows, or calves, each per day or part thereof R 11.00
  - 2.2. Sheep and goats each: Per day or part thereof R 5.40
  - 2.3. Pigs, each: Per day of part thereof R 11.00
3. Driving Fees:
 

Any person driving animals to the pound shall be entitled to receive driving fees at the rate of R 2.00 per kilometer in respect of any number of horses, mules, donkeys, cattle, sheep, goats or pigs.
- 3.2. Driving fees in terms of sub-item (1) shall be payable to one person only. No driving shall be paid for the part of the distance, which exceeds 28 kilometers, and no compensation in respect of the return journey to his home shall be paid to a person driving animals to the pound. If so desired, the Pound master shall immediately pay the driving fees to the person impounding the animals.

**ALL THE ABOVEMENTIONED TARIFFS IN RESPECT OF SERVICES RENDERED ARE SUBJECT TO VALUE-ADDED TAX AS DETERMINED FROM TIME TO TIME.**

**No. 98****17 September 2010**

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**MEV F JARDIM  
MUNISIPALE BESTUURDER**

**uPHONGOLO MUNISIPALITEIT:****KOSTE TARIWE: HANDELSBESIGHEID**

(Aanpassing van 8%)

1.	Handelslisensies	R 107.00
2.	Smouse:	
2.1	Inwoners	R 28.00
2.2	Nie-inwoners	R 56.00
2.3	Per geleentheid	R 250.00
2.4	Vlambare vloeistof lisensie	R 270.00
3.	Inspeksies	R 162.00

**AL DIE BOGENOEMDE TARIWE MET BETREKKING TOT DIENSTE GELEWER IS ONDERWORPE AAN BELASTING OP TOEGEVOEGDE WAARDE SOOS VAN TYD TOT TYD**

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**MRS F JARDIM  
MUNICIPAL MANAGER**

**uPHONGOLO MUNICIPALITY:****TARIFFS OF CHARGES: TRADE** (Escalation of 8%)

1.	Trading licences	R 107.00
2.	Hawkers:	
2.1	Residents	R 28.00
2.2	Non Residents	R 56.00
2.3	Occasional	R 250.00
2.4	Flammable liquid licences	R 270.00
3.	Inspections	R 162.00

**ALL THE ABOVEMENTIONED TARIFFS IN RESPECT OF SERVICES RENDERED ARE SUBJECT TO VALUE-ADDED TAX AS DETERMINED FROM TIME TO TIME.**

## No. 99

17 September 2010

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MEV F JARDIM  
MUNISIPALE BESTUURDER

uPHONGOLO MUNISIPALITEIT:KOSTE TARIWE: VliegVELD (Aanpassing van 8%)

1.	Landings fooi: Maksimum gesertifiseerde gewig van vliegtuig in kilogram tot en met:	
1.1	500 kg	R 23.00
1.2	1000 kg	R 39.00
1.3	1500 kg	R 45.00
1.4	2000 kg	R 56.00
1.5	2500 kg	R 68.00
1.6	3000 kg	R 74.00
1.7	4000 kg	R 102.00
1.8	5000 kg	R 124.00
1.9	6000 kg	R 152.00
1.10	7000 kg	R 182.00
1.11	8000 kg	R 204.00
1.12	9000 kg	R 227.00
1.13	10000 kg	R 283.00
1.14	12000 kg	R 295.00
2.	Parkering fooie: Maksimum gesertifiseerde gewig in kilogram van die vliegtuig to en met:	
2.1	2000 kg	R 23.00
2.2	3000 kg	R 34.00
2.3	4000 kg	R 45.00
2.4	5000 kg	R 56.00
2.5	10000kg	R 91.00
2.6	15000kg	R 124.00
3.	Grondhuur vir vliegtuigloods (per maand)	R 566.00

AL DIE BOGENOEMDE TARIWE MET BETREKKING TOT DIENSTE GELEWER IS ONDERWORPE AAN BELASTING OP TOEGEVOEGDE WAARDE SOOS VAN TYD TOT TYD

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MRS F JARDIM  
MUNICIPAL MANAGER

uPHONGOLO MUNICIPALITY:TARIFFS OF CHARGES: AERODROME (Escalation of 8%)

1.	Landing fees: Maximum certified mass in kg of the aircraft up to and including:	
1.1	500 kg	R 23.00
1.2	1000 kg	R 39.00
1.3	1500 kg	R 45.00
1.4	2000 kg	R 56.00
1.5	2500 kg	R 68.00
1.6	3000 kg	R 74.00
1.7	4000 kg	R 102.00
1.8	5000 kg	R 124.00
1.9	6000 kg	R 152.00
1.10	7000 kg	R 182.00
1.11	8000 kg	R 204.00
1.12	9000 kg	R 227.00
1.13	10000 kg	R 283.00
1.14	12000 kg	R 295.00
2.	Parking fees: Maximum certified mass in kilogram of the aircraft up to and including:	
2.1	2000 kg	R 23.00
2.2	3000 kg	R 34.00
2.3	4000 kg	R 45.00
2.4	5000 kg	R 56.00
2.5	10000kg	R 91.00
2.6	15000kg	R 124.00
3.	Property rent for hanger (per month)	R 566.00

ALL THE ABOVEMENTIONED TARIFFS IN RESPECT OF SERVICES RENDERED ARE SUBJECT TO VALUE-ADDED TAX AS DETERMINED FROM TIME TO TIME.