



PROVINCE OF THE EASTERN CAPE  
IPHONDO LEMPUMA KOLONI  
PROVINSIE OOS-KAAP

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## GENERAL NOTICES

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### No. 218

#### NELSON MANDELA BAY MUNICIPALITY

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)

#### ERF 1775, DESPATCH (7 MINNIE STREET) (CF47/01775) (02130135) (MJ)

Notice is given in terms of section 3 (6) of the above Act that the undermentioned application has been received and is open to inspection at Room 4178, Fourth Floor, Office for Housing and Local Government: Eastern Cape, Tyamzashe Building, Civic Square, Bisho, and at the office of the Nelson Mandela Bay Municipality, 76 Cuyler Street, Uitenhage.

Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, PO Box 116, Port Elizabeth, 6000, on or before 20 July 2009, quoting the above Act and the objector's erf number.

*Applicant:* **WS Conradie and Conradie.**

*Nature of application:* Removal of title conditions applicable to Erf 1775, Despatch, to permit the property to be subdivided.

*Ref:* 199—17 June 2009.

**J. G. RICHARDS, Municipal Manager**

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#### NELSON MANDELABAAI MUNISIPALITEIT

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)

#### ERF 1775, DESPATCH (MINNIESTRAAT 7) (CF47/01775) (02130135) (MJ)

Kennis word gegee kragtens artikel 3 (6) van bogemelde Wet dat onderstaande aansoek ontvang is en ter insae lê by Kamer 4178, Vierde Verdieping, Kantoor vir Behuising en Plaaslike Regering: Oos-Kaap, Tyamzashe-gebou, Civic Square, Bisho, en in die kantoor van die Nelson Mandelabaai Munisipaliteit, Cuylerstraat 76, Uitenhage.

Enige besware, volledig gemotiveer, moet nie later as 20 Julie 2009, skriftelik by die Munisipale Bestuurder, Posbus 116, Port Elizabeth, 6000, ingedien word, met vermelding van bogenoemde Wet en die beswaarmaker se ernommer.

*Aansoeker:* **WS Conradie en Conradie.**

*Aard van aansoek:* Die opheffing van die titelvoorwaardes van toepassing op Erf 1775, Despatch ten einde die eiendom te onderverdeel.

*Verw:* 199—17 Julie 2009.

**J. G. RICHARDS, Munisipale Bestuurder**

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### No. 219

#### BUFFALO CITY MUNICIPALITY

LAND USE PLANNING ORDINANCE No. 15 OF 1985, REZONING I.T.O. SECTION 17 (2);  
SUBDIVISION I.T.O SECTION 24 (2) (a)

#### REMOVAL OF RESTRICTIONS ACT 1967 (ACT 84 OF 1967)

It is hereby notified in terms of the above-mentioned Act/Ordinance that the undermentioned application(s) has been received and is open to inspection at Room 4145, 4th Floor, Department of Housing and Local Government and Traditional Affairs, Eastern Cape, Regional Office, Tyamzashe Building, Civic Square, Bisho and at the Town-planning Enquiry Counter, First Floor, City Engineering Centre, 26 Oxford Street, East London on weekdays from 08:00 to 13:00.

Any objections, with full reasons therefor, must be lodged in writing with the Acting Municipal Manager, P.O. Box 134, East London, not later than 20 July 2009, quoting the above Act and the objector's erf number.

*Nature of application:*

1. Removal of title conditions 4 (a), (b) and (c) applicable to Erf 4 Beacon Bay, in order to rezone and subdivide the property.

2. Rezoning of the erf from Residential Zone 3B to Business Zone 4 Purposes.

3. Subdivision of the site into 8 portions, and a private roadway.

*Applicants:* **L.V. and A.M. Livingstone.**

**A.P. MAGWENTSHU, Acting Municipal Manager**

**BUFFALOSTAD MUNISIPALITEIT**

GRONDGEBRUIKS ORDONNANSIE No. 15 VAN 1985, HERSONERING KRAGTENS ARTIKEL 17 (2),  
ONDERVERDELING KRAGTENS ARTIKEL 24 (2) (a)

**WET OP OPHEFFING VAN BEPERKINGS 1967 (WET 84 VAN 1967)**

Kragtens bostaande Ordonnansie/Wet word hiermee kennis gegee dat onderstaande aansoek/e ontvang is en ter insae lê by Kamer 4145, 4de Verdieping Departement Behuising, Plaaslike Regering en Tradisionele sake Oos-Kaap Streekkantoor, Tyamzashe gebou, Burgerplein, Bisho en by die navraetoonbank van die Stadsbeplanningstak, eerste verdieping, Stadsingenieursentrum, Oxfordstraat 26, Oos-Londen, op weksdae van 08:00 tot 13:00.

Enige besware, met volledige redes daarvoor, moet voor of op 20 Julie 2009, skriftelik by die Waarnemende Munisipale Bestuurder, Posbus 134, Oos-Londen, ingedien word met vermelding van bogenoemde Wet en die beswaarmaker se ernommer.

*Aard van aansoek:*

1. Opheffing van titelvoorwaardes 4 (a), (b) en (c) van toepassing op Erf 4, Beaconbaai, om die erf te hersoneer en onderverdeel.
2. Hersonering van die erf van Woondoeleindes 3B na Besigheidsdoeleindes 4.
3. Onderverdeling van die erf in 8 gedeeltes, en 'n private rympad.

*Aansoekers:* **L.V. & A.M. Livingstone.**

**A.P. MAGWENTSHU, Waarnemende Munisipale Bestuurder**

**No. 220****NELSON MANDELA BAY MUNICIPALITY**

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)

**ERF 705, NEWTON PARK (128 CAPE ROAD) (CF17/00705) (02130135) (LK)**

Notice is given in terms of section 3 (6) of the above Act that the undermentioned application has been received and is open to inspection at Room 4178, Fourth Floor, Office for Housing and Local Government: Eastern Cape, Tyamzashe Building, Civic Square, Bisho, and at the office of the Nelson Mandela Bay Municipality, Second Floor, Brister House, Govan Mbeki Avenue, Port Elizabeth.

Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, P.O. Box 116, Port Elizabeth, 6000, on or before 20 July 2009, quoting the above Act and the objector's erf number.

*Applicant:* **D Withuhn.**

*Nature of application:* Removal of title conditions applicable to Erf 705, Newton Park, to permit the property to be rezoned from Residential 1 to Business 2 purposes.

Ref. 194—11 June 2009

**J.G. RICHARDS, Municipal Manager**

**NELSON MANDELABAAI MUNISIPALITEIT**

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)

**ERF 705, NEWTON PARK (KAAPWEG 128) (CF17/00705) (02130135) (LK)**

Kennis word gegee kragtens artikel 3 (6) van bogemelde Wet dat onderstaande aansoek ontvang is en ter insae lê by Kamer 4178, Vierde Verdieping, Kantoor vir Behuising en Plaaslike Regering: Oos-Kaap, Tyamzashe-gebou, Civic Square, Bisho, en in die kantoor van die Nelson Mandelabaai Munisipaliteit, Tweede Verdieping, Brister House, Govan Mbekilaan, Port Elizabeth.

Enige besware, volledig gemotiveer, moet nie later nie as 20 Julie 2009, skriftelik by die Munisipale Bestuurder, Posbus 116, Port Elizabeth, 6000, ingedien word, met vermelding van bogenoemde Wet en die beswaarmaker se ernommer.

*Aansoeker:* **D Withuhn.**

*Aard van aansoek:* Die opheffing van die titelvoorwaardes van toepassing op Erf 705, Newtonpark ten einde die eiendom van Woondoeleindes 1 tot Besigheidsdoeleindes 2 te hersoneer.

Verw. 194—11 Junie 2009

**J G RICHARDS, Munisipale Bestuurder**

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**No. 221**

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT &amp; TRADITIONAL AFFAIRS

(EASTERN CAPE PROVINCE)

**BUFFALO CITY MUNICIPALITY**

REMOVAL OF RESTRICTIONS ACT, 1967

**ERF 11271, EAST LONDON**

Under section 2 (1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) as amended, and on application by the owner of Erf 11271, East London.

Condition(s) C (a) (b) in Deed(s) of Transfer No(s) T742 of 2007 is/are hereby removed.

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**No. 222**

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT &amp; TRADITIONAL AFFAIRS

(EASTERN CAPE PROVINCE)

**MUNICIPALITY**

REMOVAL OF RESTRICTIONS ACT, 1967

**ERF 20297, EAST LONDON**

Under section 2 (1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) as amended, and on application by the owner of Erf 20297, East London.

Condition(s) B (b) in Deed(s) of Transfer No(s) T4215 of 2001 is/are hereby removed.

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**No. 223**

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT &amp; TRADITIONAL AFFAIRS

(EASTERN CAPE PROVINCE)

**BUFFALO CITY MUNICIPALITY**

REMOVAL OF RESTRICTIONS ACT, 1967

**ERF 134, BEACON BAY, EAST LONDON**

Under section 2 (1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) as amended, and on application by the owner of Erf 134, Beacon Bay, East London.

Condition(s) C4 (a) (b) (c) and (d) in Deed(s) of Transfer No(s) T4064 of 2007 is/are hereby removed.

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**No. 224**

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT &amp; TRADITIONAL AFFAIRS

(EASTERN CAPE PROVINCE)

**BUFFALO CITY MUNICIPALITY**

REMOVAL OF RESTRICTIONS ACT, 1967

**ERF 248, BEACON BAY, EAST LONDON**

Under section 2 (1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) as amended, and on application by the owner of Erf 248, Beacon Bay, East London.

Condition(s) C 3 (a) (b) and (d) in Deed(s) of Transfer No(s) T215 of 2006 is/are hereby removed.

**No. 225**

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT & TRADITIONAL AFFAIRS  
(EASTERN CAPE PROVINCE)

**NELSON MANDELA BAY MUNICIPALITY**  
REMOVAL OF RESTRICTIONS ACT, 1967

**ERF 516, DESPATCH**

Under section 2 (1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) as amended, and on application by the owner of Erf 516, Despatch.

Condition(s) G 5 (a) (b) (c) and (d) in Deed(s) of Transfer No(s) T104171 of 2007 is/are hereby removed.

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**No. 226**

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS  
(EASTERN CAPE PROVINCE)

**NELSON MANDELA BAY MUNICIPALITY**  
REMOVAL OF RESTRICTIONS ACT, 1967

**REMAINDER OF ERF 1422, DESPATCH**

Under section 2 (1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), as amended, and on application by the owner of Remainder of Erf 1422, Despatch Condition 6 (h) in Deed of Transfer No. T35180 of 2006 is hereby removed.

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**No. 227**

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS  
(EASTERN CAPE PROVINCE)

REMOVAL OF RESTRICTIONS ACT, 1967

**ERF 1990 DESPATCH**

Under section 2 (1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), as amended, and on application by the owner of Erf 1990, Despatch, Conditions G I(a) (b) (c) and (d), G II(e) in Deed of Transfer No. T104171 of 2007 is hereby removed.

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**No. 228**

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS  
(EASTERN CAPE PROVINCE)

**NELSON MANDELA BAY MUNICIPALITY**  
REMOVAL OF RESTRICTIONS ACT, 1967

**ERF 1641, DESPATCH**

Under section 2 (1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), as amended, and on application by the owner of Erf 1641, Despatch, Condition C(a) in Deed of Transfer No. T38168 of 2005 is hereby removed.

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**No. 229**

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS  
(EASTERN CAPE PROVINCE)

**NELSON MANDELA BAY MUNICIPALITY**  
REMOVAL OF RESTRICTIONS ACT, 1967

**ERF 484, UITENHAGE**

Under section 2 (1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), as amended, and on application by the owner of Erf 484, Uitenhage, Conditions B (2) (3) (4) and (5) in Deed of Transfer No. T39814 of 1997 is hereby removed.

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**No. 230****DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****(EASTERN CAPE PROVINCE)****NELSON MANDELA BAY MUNICIPALITY****REMOVAL OF RESTRICTIONS ACT, 1967****ERF 159, NEWTON PARK, PORT ELIZABETH**

Under section 2 (1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), as amended, and on application by the owner of Erf 159, Newton Park, Port Elizabeth, Condition C7 in Deed of Transfer No. T65038 of 1992 is hereby removed.

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**No. 231****DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****(EASTERN CAPE PROVINCE)****NELSON MANDELA BAY MUNICIPALITY****REMOVAL OF RESTRICTIONS ACT, 1967****ERVEN 48 & 83, COLLEEN GLEN, PORT ELIZABETH**

Under section 2 (1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), as amended, and on application by the owner of Erven 48 & 83 Colleen Glen, Port Elizabeth, Condition B4 (e) in Deed of Transfer No. T2902 of 2005 is hereby removed.

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**No. 232****DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****(EASTERN CAPE PROVINCE)****NELSON MANDELA BAY MUNICIPALITY****REMOVAL OF RESTRICTIONS ACT, 1967****ERF 648**

Under section 2 (1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), as amended, and on application by the owner of Erf 648, Westering, Port Elizabeth, Conditions B4 (a) (b) (c) (d) in Deed of Transfer No. T14813 of 2007 is hereby removed.

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**No. 233****NOTICE IN TERMS OF REGULATION 21(10) OF THE REGULATIONS UNDER THE DEVELOPMENT FACILITATION ACT, 67 OF 1995**

NOTICE is hereby given that **NPM PLANNING** cc acting on behalf of **LE RETAINER WALLS** cc **NO. 1990/00234/23** has lodged an application in terms of the Development Facilitation Act for the establishment of a land development area and minor subdivision on **PORTIONS 25, 26, 27 & REMAINDER OF PORTION 7 OF FARM 724, DIVISION OF EAST LONDON, EASTERN CAPE.**

The application consists of the following:

- Subdividing the existing 4 properties into 5 new portions and 4 remainders, thereby creating 8 estate plots, in addition to the applicants own property, therefore totalling 9 portions;
- The Estate to be named as the Kwelera River Country Estate;
- The establishment of a Homeowners Association;
- Creation of servitudes to provide Right of Way Access to selected portions/remainders of the estate,

The relevant plan(s), document(s) and information are available for inspection at Department of Local Government and Traditional Affairs, Room 4149, Fourth Floor, Tyamzashe Building, Phola Avenue, Bhisho, 5605 and at the offices of the land development applicant for a period of 21 days from 8 June 2009.

The application will be considered at a **Tribunal Hearing** to be held at the **2<sup>nd</sup> floor boardroom, Department of Local Government and Traditional Affairs, Tyamzashe building, Phola Avenue, Bhisho** on **29 September 2009 at 12h30** and the **Pre-Hearing** conference will be held at the **same venue** on **25 August 2009 at 12h30.**

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

1. You may within a period of 21 days from the date of the 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 state the name, address and contact number of the person or body making the objection or representation, the interest that such person or body has in the matter and the reason for the objection or representation.

Any written objection or representation must be delivered to the Designated Officer at the Department of Local Government and Traditional Affairs, Room 4149, Fourth Floor, Tyamzashe Building, Phola Avenue, BHISHO, 5605.

You may contact Mr M.M. Mona on Telephone No. **040 609 5465** or Fax No. **040 609 5525** if you have any queries concerning the application.



**NPM PLANNING**  
TOWN & REGIONAL PLANNERS

**LAND DEVELOPMENT AREA APPLICANT**

**NPM PLANNING – Town and Regional Planners**  
7 King Street  
Southernwood, East London  
Tel: 043-722 2935  
Fax: 086-509 3487  
E-mail: [el@npmplanning.co.za](mailto:el@npmplanning.co.za)

**ISAZISO SESICELO SOPHUHLISO MHLABA NGOKUBHEKISELELE KUMTHETHO WAMSHUMI AMATHANDATHU (67) KUMTHETHO WONYAKA KA 1995**

Isaziso siyanikezelwa ukuba inkampani yakwa **NPM PLANNING** cc emele inkampani i **LE RETAINER WALLS** cc **No. 1990/00234/23** bangenise isicelo sokuphuhlisa umhlaba ngoko Mmiselo wo Mthetho woququzelelo lophuhliso—mhlaba wonyaka ka 1995 kwakunye nokucandwa kwezi **IZAHLULO ZILANDELAYO: 25, 26, 27 KUNYE NENTSALELA YESAHLULO 7 SEFEMA ENGUNOMBOLO 724, EMONTI, KWI PHONDO LASE MPUMAKOLONI.**

Esi sicelo sime ngoluhlobo:

- Uhlulo lwezi zahlulo ezine zikhankanyiweyo apha ngesentla ukuze kuveliswe ezintlanu kunye neentsalela ezine, lonto iyakuvelisa iziza ezisibhozo ukwengeza kuleyo yomnikazi wefama, oku kuzawuvelisa izahlulo ezilithoba.
- Lendawo icetyelwa ukuphuhliswa iza kubizwa nge Kwelera River Country Estate.
- Ukusekwa kombutho wabanikazi bamakhaya wokubambisana.
- Ukwenziwa kwee Servitudes ukuze kuveliswe indlela evumelekileyo eya kwi zahlulo kunye neentsalela zalo mhlaba ucetyelwa ukuphuhliswa.

IiPlani ezinxulumene noku, Amaxwebhu kunye neeNkcukacha zikulungele ukuhlolwa kwaye ziyafumaneka kwisebe lo Rhulumente wezamkhaya nemicimbi yamasiko nezithethe kwigumbi 4149 kumgangatho wesine kwisakhiwo i Tyamzashe, Phola Avenyu, e Bhisho, 5605 kwakunye nasezi ofisini zalowo ufake isicelo sokuphuhlisa umhlaba zingaphelanga iintsuku eziyi 21 ukususela ngomhla we 8 June 2009

Esi sicelo siya kuqwalaselwa kwi **Tribunal Hearing** eyakube ibanjelwe kumgangatho **wesibini, kwigumbi lokuchophela imicimbi, kwisebe lo Rhulumente wezamkhaya nemicimbi yamasiko nezithethe, kwisakhiwo i Tyamzashe, Phola Avenue, E Bhisho** ngonhla we **29** kwinyanga ka **Septemba** ku nyaka ka **2009** ngo **12h30** kuze kuthi ngomhla we **25** ku **Agasti** kunyaka ka **2009** ngo **12h30** kuphinde kwa kule ndawo inye, kubanjwe inkomfa yamalungiselelo e **Tribunal Hearing**.

Nawuphi umntu onomdla kwesi sicelo makaqwalasele oku:

1. Uganikezela ngesichaso esibhaliweyo okanye isihlomelo kwigosa elinyuliweyo zingaphelanga intsuku eziyi 21.
2. Ukuba isichaso sakho sithe saveza umba ofuna ukuqwalaselwa malunga nesi sicelo sokuphuhliswa kwalomhlaba, kuzakufunaka uvele wena isiqu okanye i gqwetha lakho phambi kwe gqiza lovavanyo ngalomhla uchaziweyo ngasentla.

Nayiphi inkcaso okanye isihlomelo esibhaliweyo masisiwe kwigosa elinyuliweyo kwisebe lo Rhulumente wezasekhaya nemicimbi yamasiko nezithethe kwi gumbi 4149, kumgangatho wesine, kwisakhiwo i Tyamzashe, Phola Avenyu, e Bhisho, 5605.

Ungatsalela umnxeba uMnu. M.M. Mona kule nombolo **040-609 5465** okanye umfekisele kule inombolo **040-609 5525** xa unemibuzo okanye ungaqondi malunga nesi sicelo.



**NPM PLANNING**  
TOWN & REGIONAL PLANNERS

**LAND DEVELOPMENT AREA APPLICANT**

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## LOCAL AUTHORITY NOTICES

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**No. 88**

### **KOUGA MUNICIPALITY (EC 108)**

#### **PROPERTY RATES BY-LAW**

The Municipal Manager of Kouga Municipality hereby, in term of Section 13(a) of the Local Government: Municipal Systems Act, 2000(Act 32 of 2000), publishes the Property Rates By-Law for Kouga Municipality, as approved by its Council, as set out hereunder.

#### **KOUGA MUNICIPALITY PROPERTY RATES BY-LAW**

### **1. DEFINITIONS (INTERPRETATION)**

1.1 In this by-law unless the context otherwise indicates:

1.1.1 "Act" means the Local Government: Municipal Property Rates Act No. 6 of 2004, as amended;

1.1.2 "Constitution" means the Constitution of the Republic of South Africa;

1.1.3 "Credit Control and Debt Collection By-Law and Policy" means the council's Credit Control and Debt Collection By-Law and Policy as required by Sections 96(b), 97 and 98 of the Local Government: Municipal Systems Act 32 of 2000;

1.1.4 "Municipality" means the Kouga Municipality;

1.1.5 "Rates policy" means a policy adopted by the municipal council in terms of this by-law;

1.1.6 "Rate" or "Rates" means a municipal rate on property as envisaged in Section 229 of the Constitution.

1.2 Any other words or expressions contained in this by-Law shall have their meanings as per the Municipal Property Rates Act No. 6 of 2004, as amended as well as those contained in the Property Rates Policy.

### **2. PREAMBLE**

2.1 The purpose of this by-law is to allow the municipality to promote local, social and economic development.

2.2 Section 229(1) of the Constitution authorises a municipality to impose rates on property and surcharges on fees for services provided by or on behalf of the municipality.

- 2.3 In terms of Section 3 of the Act, a municipal council must adopt a policy consistent with the Property Rates Act on the levying of rates on rateable property in the municipality.
- 2.4 In terms of Section 6(1) of the Act, a municipality must adopt by-laws to give effect to the implementation of its rates policy.
- 2.5 In terms of Section 6(2) of the Act, by-laws adopted in terms thereof may differentiate between different categories of properties and different categories of owners of properties liable for the payment of rates.

### **3. RATING OF PROPERTY**

- 3.1 Property will be rated according to market value of the land and improvements.
- 3.2 In terms of Section 2(3) of the Act, the power of the municipality to levy rates on property is subject to:
  - (a) section 229 and other applicable provisions of the Constitution.
  - (b) the provisions of the Act.
  - (c) the municipality's rates policy; and
  - (d) this by-law.

### **4. ADOPTION OF RATES POLICY**

The municipality shall adopt and implement a rates policy consistent with the Act and this by-law on the levying of rates on rateable property in the municipality.

### **5. CONTENTS OF RATES POLICY**

The Municipality's Rates policy shall, *inter alia*:

- 5.1 Apply to all rates levied by the council pursuant to the adoption of the annual budget of the municipality; and
- 5.2 Comply with the requirements for:
  - (a) the adoption and contents of a rates policy specified in Section 3 of the Property Rates Act; and
  - (b) the process of community participation specified in Section 4 of the Property Rates Act; and

(c) the annual review of a rates policy specified in Section 5 of the Property Rates Act; and

- 5.3 Specify any further principles, criteria and implementation measures consistent with the property rates for the levying of rates which the municipality may wish to adopt; and
- 5.4 Include such further enforcement mechanisms, if any, as the municipality may wish to impose in addition to those contained in the Credit Control and Debt Collection By-Law and Policy.

## **6 GENERAL PRINCIPLES**

- 6.1 Rates are levied in terms of a factor determined by the Council annually based on the market value of all rateable property contained in the municipality's valuation roll.
- 6.2 The rates policy provides criteria for the determination of categories of property and owners and for the purposes of levying different rates on categories of property and owners.
- 6.3 Different rates may be levied for different categories of rateable property.
- 6.4 Relief measures in respect of payment for rates will not be granted to any category of property or owners on an individual basis, other than by way of an exemption, rebate or reduction.
- 6.5 All ratepayers with similar properties will be treated the same.
- 6.6 The ability of a person to pay rates will be taken into account.
- 6.7 Provision will be made for the promotion of local social development and sustainable local government.
- 6.8 Rates will be based on the value of all rateable property and the amount required by the municipality to balance the operating budget.

## **7 CLASSIFICATION OF SERVICES AND EXPENDITURE**

- 7.1 The municipality manager or his/her nominee, subject to the guidelines provided by the National Treasury and Executive Mayor or Committee and principles contained in the rates policy, will classify services, categorise expenditure and create cost centres to prevent that property rates subsidise trading and economic services.
- 7.2 Trading and economic services will be ring fenced and financed from service charges while community and subsidised services will be financed from

profits on trading and economic services, regulatory fees and rates and rates related income.

## **8 CATEGORIES OF PROPERTIES AND OWNERS**

- 8.1 In terms of Section 3(3) of the Act, the municipality must determine the criteria for the determination of categories of property and owners for granting exemptions, reductions and rebates and criteria if it levies different rates for different categories of property.
- 8.2 In terms of sections 8(1) and 15(1) read in conjunction with Section 19 of the Act, the municipality may exempt a category of owner of property from rates or grant a rebate or reduction in the rates.
- 8.3 The criteria for categories of property and owners and the different categories of property and owners are reflected in the rates policy and adjusted annually, if required, during the budget process.

## **9 DIFFERENTIAL RATING**

- 9.1 The municipality may levy different rates for different categories of rateable property. The categories are determined according to:
- (a) the use of the property.
  - (b) permitted use of the property; or
  - (c) geographical area in which the property is situated.
- 9.2 Differential rating among the various property categories will be done by way of setting different cent amount in the Rand for each property category,
- and/or
- by way of reductions and rebates.
- 9.3 The municipality may differentiate between the following:
- (a) residential properties;
  - (b) industrial properties;
  - (c) business and commercial properties;
  - (d) farm properties used for:
    - i. agricultural purposes;

- ii. other business and commercial purposes;
  - iii. residential purposes; or
  - iv. purposes other than those specified in sub-paragraphs (i) to (iii);
- (e) farm properties not used for any purpose;
- (f) smallholdings used for:
- (i) agricultural purposes;
  - (ii) residential purposes;
  - (iii) industrial purposes;
  - (iv) business and commercial purposes; or
  - (v) purposes other than those specified in sub-paragraphs (i) to (iv);
- (g) state-owned properties;
- (h) municipal properties;
- (i) public service infrastructure;
- (j) privately owned towns serviced by the owner;
- (k) formal and informal settlements;
- (l) communal land as defined in Section 1 of the Communal Land Rights Act, 2004;
- (m) state trust land;
- (n) properties:
- i. acquired through the Provision of Land and Assistance Act 126 of 1993, or the Restitution of Land Rights Act 22 of 1994; or
  - ii. which is subject to the Communal Property Associations Act 28 of 1996;
- (o) protected areas;

- (p) properties on which national monuments are proclaimed;
- (q) properties owned by public benefit organisations and used for any specific public benefit activities listed in Part 1 of the Ninth Schedule to the Income Tax Act; or
- (r) properties used for multiple purposes, subject to Section 9 of this by-law.

## **10 PROPERTIES USED FOR MULTIPLE PURPOSES**

10.1 Rates on properties used for multiple purposes will be levied on properties used for:

- (a) a purpose corresponding with the permitted use of the property, if the permitted use of the property is regulated;
- (b) a purpose corresponding with the dominant use of the property; or
- (c) by apportioning the market value of a property to the different purposes for which the property is used; and
- (d) by applying the relevant factor in the Rand to the corresponding apportioned market value.

10.2 Where one component on average represents more than 60% of the property's actual use, such property will be rated as though it were used for that purpose only. This excludes the use of business premises for residential purposes.

## **11. LEVYING OF RATES ON PROPERTY IN SECTIONAL TITLE SCHEMES**

A rate on property, which is subject to a sectional title scheme, will be levied on the individual sectional title units in the scheme.

## **12. CRITERIA FOR EXEMPTIONS, REDUCTIONS AND REBATES**

12.1 Criteria for determining categories of owners of property for the purpose of granting exemptions, rebates and reductions in terms of Section 15(2) of the Act will be according to:

- (a) indigent status of the owner of a property;
- (b) sources of income of the owner of a property;
- (c) owners of property situated within an area affected by:
  - i. a disaster within the meaning of the Disaster Management Act, 2002 (Act No. 57 of 2002); or

- ii. any other serious adverse social or economic conditions;
- (d) owners of residential properties with a market value below a determined threshold; or
- (e) owners of agricultural properties who are *bona fide* farmers.

### 13. EXEMPTIONS

- 13.1 Over and above the exemptions provided for in Sections 16 and 17 of the Act, specific categories of property as indicated below are exempted from the payment of rates within the meaning of Section 15(1)(a) of the Act and 13(2) to 13(7) of this by-law:
- (a) residential;
  - (b) municipal properties;
  - (c) public service infra-structure;
  - (d) cemeteries and crematoriums;
  - (e) public benefit organisations.
- 13.2 Municipal properties are exempted from paying rates as it will increase the rates burden or service charges to property owners or consumers.
- 13.3 All residential properties with a market value of less than an amount determined by the Council annually are exempted from paying rates. The R15 000.00 impermissible rates contemplated in terms of Section 17(1)(h) of the Property Rates Act is included in the amount determined by the Council. This is an important part of the Council's indigent policy and is aimed primarily at alleviating poverty.
- 13.4 Cemeteries and crematoriums registered in the names of private persons and operated not for gain.
- 13.5 Public service infrastructure is exempted from paying rates as they provide essential services to the community.
- 13.6 Public benefit organisations as provided for in the Rates Policy may apply for the exemption of property rates subject to producing a tax exemption certificate issued by the South African Revenue Services (SARS) as contemplated in Part 1 of the Ninth Schedule of the Income Tax Act, 1962 (No. 58 of 1962).

13.7 Exemptions will be subject to the following conditions:

- (a) all applications must be addressed in writing to the municipality;
- (b) a SARS tax exemption certificate must be attached to all applications;
- (c) the municipal manager or his/her nominee must approve all applications;
- (d) applications must reach the municipality before the end of October preceding the start of the new municipal financial year for which relief is sought; and
- (e) the municipality retains the right to refuse exemptions if the details supplied in the application form were incomplete, incorrect or false.

## 14 REBATES

14.1 Categories of properties :

- (a) the municipality may grant rebates within the meaning of Section 15(1)(b) of the Act on the rates to the owners of the following categories of properties:
  - a. residential;
  - b. industrial;
  - c. business/commercial;
  - d. agricultural;
  - e. state-owned properties;
  - f. property below a prescribed valuation level.
- (b) The municipality may grant rebates to rateable enterprises that promote local, social and economic development in its area of jurisdiction, based on its Local, Social and Economic Development Policy.

14.2 Criteria for granting rebates will be as per the rates policy.

## 15 REDUCTIONS

15.1 Categories of property and owners:

- (a) a reduction in the municipal valuation as contemplated in Section 15(1)(b) of the Act will be granted where the value of a property is affected by:
  - i. a disaster within the meaning of the Disaster Management Act 57 of 2002; or
  - ii. any other serious adverse social or economic conditions.
- (b) The reduction will be in relation to the certificate issued for this purpose by the municipal valuer.
- (c) All categories of owners can apply for a reduction in the rates payable as described above.
- (d) Owners of the following categories of rateable property situated within the municipality may be granted a reduction within the meaning of Section 15(1)(b) of the Act on the rates payable in respect of their properties:
  - a. residential;
  - b. industrial;
  - c. business;
  - d. agricultural;
  - e. state-owned properties;
  - f. municipal properties;
  - g. public service infrastructure;
  - h. informal settlements;
  - i. properties:
    - (i) acquired through the Provision of Land Assistance Act, 1993, or the Restitution of Land Rights Act, 1994; or
    - (ii) which is subject to the Communal Property Associations Act, 1996;
  - j. protected areas;
  - k. national monuments;

- l. public benefit organisations (Part i of the Ninth Schedule to the Income Tax Act);
  - m. multiple purposes;
  - n. private towns serviced by the developers;
  - o. private towns serviced and maintained by the developers.
- 15.2 Criteria for granting reductions will be as per the rates policy.

## **16 RATES INCREASES**

- 16.1 The municipality will consider increasing rates annually during the budget process in terms of the guidelines issued by National Treasury from time to time.
- 16.2 Rate increases will be used to finance the increase in operating costs of community and subsidised services.
- 16.3 Relating to community and subsidised services the following annual adjustments will be made:
- (a) all salary and wage increases as agreed at the South African Local Government Bargaining Council; and
  - (b) an inflation adjustment for general expenditure, repairs and maintenance and contributions to statutory funds; and
  - (c) additional depreciation costs or interest and redemption on loans associated with the assets created during the previous financial year.
- 16.4 Extraordinary expenditure related to community services not foreseen during the previous budget period and approved by the council during a budget review process will be financed by an increase in property rates subject to the proviso in Section 28 (6) of the Municipal Finance Management Act No. 56 of 2003.
- 16.5 Affordability of rates to ratepayers.
- 16.6 All proposed increases in property rates will, prior to being approved, be communicated to the local community in terms of the municipality's policy on community participation.

**17 NOTIFICATION OF RATES**

- 17.1 The municipality will give notice of all rates approved at the annual budget meeting at least 30 days prior to the date that the rates become effective. Accounts delivered after the 30 days notice will be based on the new rates.
- 17.2 A notice stating the purpose of the municipality's resolution and the date on which the new rates become operational will be displayed by the municipality at places installed for that purpose.

**18 ENFORCEMENT OF THIS BY-LAW AND THE RATES POLICY**

The municipality's rates policy shall be enforced through the Credit Control and Debt Collection By-Law and Policy and any further enforcement mechanisms stipulated in the rates policy.

**19 OPERATIVE DATE**

This By-Law shall take effect on 1 July 2009.

**DR E M RANKWANA**

**MUNICIPAL MANAGER**

**FOR PUBLICATION 29 JUNE 2009**

**PROVINCIAL GAZETTE.**

**No. 89**

**KOUGA MUNICIPALITY (EC 108)**  
**PROMULGATION OF PROPERTY TAX RATES FOR THE**  
**2009/2010 FINANCIAL YEAR.**

Notice is given in terms of section 14(2) of the Local Government : Municipal Property Rates Act (Act no 6 of 2004) that the following property tax rates were approved by the Kouga Municipal Council on a Special Council Meeting held on 28 May 2009.

**PROPERTY RATES.****Property tax on all properties within the Kouga Municipal area.**

The tariff is applicable to all commercial, industrial and residential properties and applied to the total valuation : 0,35 c/R

**Property tax on all farm properties excluding residential buildings.**

The tariff applied to the total valuation : 0,0875 c/R

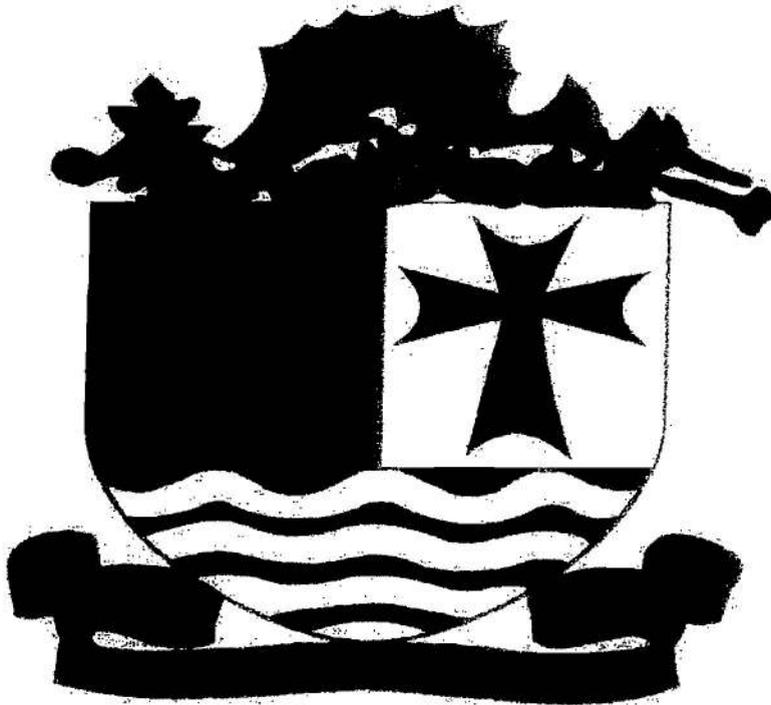
The tariff on property rates becomes effective on 1 July 2009.

**DR E M RANKWANA****MUNICIPAL MANAGER****FOR PUBLICATION 29 JUNE 2009****PROVINCIAL GAZETTE**

No. 90

# **PORT ST JOHNS**

## **MUNICIPALITY**



### **PROPERTY RATES BY LAW**

**PORT ST JOHNS MUNICIPALITY****PROPERTY RATES BY-LAW**

Whereas Section 6 of the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004) requires a municipality to adopt by-laws to give effect to the implementation of its rates policy.

Now therefore the Municipal council of Port St Johns Municipality approves and adopts the following rates by-law.

**1. Definitions**

For the purpose of these by-laws any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004) shall bear the same meaning in these by-laws and unless the context indicates otherwise:-

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

“municipality” means the municipal council for the municipal area of Port St Johns Municipality.

**2. Rating of property**

In terms of section 2(3) of the Act the power of the municipality to levy rates on property is subject to:-

- (a) Section 229 and other applicable provisions of the Constitution
- (b) The provisions of the Act
- (c) The municipality’s rates policy; and
- (d) This by-law

**3. General principles**

- (1) Rates are levied as an amount in the rand based on the market value of all rateable property contained in the municipality’s valuation roll
- (2) Criteria are provided for the determination of categories of property and owners and for the purpose of levying different rates on categories of property and owners.
- (3) Different rates will be levied for different categories of rateable property
- (4) Relief measures in respect of payment for rates will not be granted to any category of property or owners on an individual basis, other than by way of an exemption, rebate or reduction.
- (5) All ratepayers with similar properties will be treated the same.

- (6) **The ability of a person to pay rates will be taken into account.**
- (7) **Provision will be made for the promotion of local social development and sustainable local government.**
- (8) **Rates will be based on the value of all rateable property and the amount required by the municipality to balance the operating budget.**

**4. Classification of service and expenditure**

- (1) **The municipal manager or his/her nominee subject to the guidelines provided by the National Treasury and Mayor or Executive Committee and principles contained in the rates policy will classify services, categorize expenditure and create cost centers that would enable the municipality to cross subsidize its functions.**

**5. Categories of properties and owners**

- (1) **In terms of Section 3(3) of the Act the municipality must determine the criteria for the determination of categories of property and owners for granting exemptions, reductions and rebates and criteria if it levies different rates for different categories of property.**
- (2) **In terms of section 8(1) and 15(1) read in conjunction with section 19 of the Act the municipality may exempt a category of owner of property from rates or grant a rebate or reduction in the rates.**
- (3) **The criteria for categories of property and owners and the different categories of property and owners are reflected in the municipality's rates policy and adjusted annually, if required, during the budget process.**

**6. Properties used for multiple purposes**

**Rates on properties used for multiple purposes will be levied on properties used for:-**

- (a) **A purpose corresponding with the permitted use of the property, if the permitted use of the property is regulated;**
- (b) **A purpose corresponding with the dominant use of the property;**

**7. Differential rating**

- (1) **Criteria for differential rating on different categories of properties in terms of section 8(1) of the Act**
- (2) **Differential rating among the various property categories will be done by way of setting different cent amount in the rand for each property category as informed by the ratios stipulated in the Port St Johns Municipality rates policy.**

**8. Criteria for exemptions, reductions and rebates**

**Criteria for determining categories of owners of property for the purpose of granting exemptions, rebates and reductions in terms of section 15(2) of the Act will be according to:-**

- (a) Indigent status of the owner of a property**
- (b) Sources of income of the owner of a property**
- (c) Owners of property situated within an area affected by:-**
  - (i) A disaster within the meaning of the Disaster Management Act, 2002 (Act No. 57 of 2002); or**
  - (ii) Any other serious adverse social or economic conditions;**
- (d) Owners of residential properties with a market value below a determined threshold; or**
- (e) Owners of agricultural properties who are bona fide farmers**

**9. Exemptions**

- (1) Over and above the exemptions provided for in sections 16 and 17 of the Act specific categories of property as indicated in the table below are exempted from the payment of rates within the meaning of sections 15(1)(a) of the Act and 9(7) of this by-law.**

<b>Description of category of property</b>	<b>Criteria</b>
<b>Municipal Properties</b>	<b>9(2)</b>
<b>Cemeteries and crematoriums</b>	<b>9(3)</b>
<b>Community benefit organizations</b>	<b>9(4) and 9(5)</b>

- (2) Municipal properties are exempted from paying rates as it will increase the rates burden or service charges to property owners or consumers.**
- (3) Cemeteries and crematoriums registered in the name of private persons and operated not for gain.**
- (4) Properties owned by community benefit organizations located in the municipality for the benefit of people in the municipality.**
- (5) Exemptions will be subject to the following conditions:**
  - (a) All applications must be addressed in writing to the municipality;**
  - (b) A SARS tax exemptions certificate must be attached to all applications;**
  - (c) The municipal manager or his/her nominee must approve all applications;**
  - (d) Applications must reach the municipality before the end of October preceding the start of the new municipal financial year for which relief is sought; and**
  - (e) The municipality retains the right to refuse exemptions if the details supplied in the application form were incomplete, incorrect or false.**

**10. Rebates****(1) Categories of properties**

- (a) The municipality may grant rebates within the meaning of section 15(1)(b) of the Act on the rates to the owners of the following categories of properties and subject to the criteria and conditions contained in 10(1)(b) to 10(1)(f) of this by-law:-**

**Description of category of property**

- (a) Special Residential**
- (b) General Residential**
- (c) Industrial/Mining**
- (d) Agricultural Land for Farming**
- (e) Agricultural Land for Eco tourism**
- (f) Agricultural Land for Trading**
- (g) Businesses**
- (h) Government Property**
- (i) Public Service Infrastructure**

**(b) The following rebates will apply:-**

- (i) 10% rebate, if there are no municipal roads next to the property.**
- (ii) 10% rebate, if there is no municipal refuse removal services.**
- (iii) 50% rebate, for all senior citizens (Residential properties only).**

**(2) Categories of owners**

- (a) The following categories of owners of rateable properties may be granted a rebate on rates within the municipality within the meaning of section 15(1)(b) of the Act:-**

<b>Description of Category of Owners</b>	<b>Criteria</b>
<b>Indigent &amp; Unemployed Persons</b>	<b>10(2)(b)</b>

- (b) **Criteria for granting rebates to category of owners**
- i. **Indigent and unemployed Persons Rate Rebate**  
To qualify for the rebate a property owner must:
- a. **Occupy the property as his/her normal residence;**
  - b. **Be at least 60 years of age or in receipt of a disability pension from the Department of Welfare and Social Development;**
  - c. **Be in receipt of a total monthly income from all sources (including income of spouses of owner: not exceeding R1 100;- N.B. Link to Indigent Policy.**
  - d. **Not be the owner of more than one property; and**
  - e. **Provided that where the owner is unable to occupy the property due to no fault of his/her own, the spouse or minor children may satisfy the occupancy requirement.**
- ii. **Property owners must apply on a prescribed application form for a rebate as determined by the municipality.**
- iii. **Applications must be accompanied by:-**
- a. **A certified copy of the identity document or any other proof of the owners age which is acceptable to the municipality;**
  - b. **Sufficient proof of income of the owner and his/her spouse;**
  - c. **An affidavit from the owner;**
  - d. **If the owner is a disabled person proof of a disability pension payable by the state must be supplied; and**
  - e. **If the owner has retired at an earlier stage for medical reasons proof thereof must be submitted.**
- iv. **These applications must reach the municipality before the end of October preceding the start of the new municipal financial year for which relief is sought.**
- v. **The municipality retains the right to refuse rebates if the details supplied in the application forms are incomplete, incorrect or false.**
11. **Reductions**
- (1) **Categories of property and owners**
- (a) **A reduction in the municipal valuation as contemplated in section 15(1)(b) of the Act will be granted where the value of a property is affected by:-**
- i. **A disaster within the meaning of the Disaster Management Act, 2002 (Act No. 57 of 2002); or**
  - ii. **Any other serious adverse social or economic conditions.**

- (b) The reduction will be in relation to the certificate issued for this purpose by the municipal valuer.
- (c) All categories of owners can apply for a reduction in the rates payable as described above.
- (d) Owners of the following categories of rateable property situated within the municipality may be granted a reductions within the meaning of section 15(1) (b) of the Act on the rates payable in respect of their properties and subject to the conditions contained in 11(1)(e) of this by-law:-

Description of category of property
(i) Special Residential
(ii) General Residential
(iii) Industrial/Mining
(iv) Agricultural Land for Farming
(v) Agricultural Land for Eco Tourism
(vi) Agricultural Land for Trading
(vii) Businesses
(viii) Government Property
(ix) Public Services Infrastructure

(e) Criteria for granting reductions

- i. A reductions in the municipal valuation as contemplated in sections 15(1)(b) of the Act will be granted where the value of a property is affected by fire damage, demolition of floods.
- ii. The reduction will be in relation to the certificate issued for this purpose by the municipal valuer.

12. Rates increases

- (1) The municipality will consider increasing rates annually during the budget process in terms of the guidelines issued by National Treasury from time to time.
- (2) Rates increase will be used to finance the increase in operating costs in municipal functions.
- (3) Affordability of rates to ratepayers.
- (4) All increases in property rates will be communicated to the local community through the community participation process.

13. Notification of rates

- (1) The municipality will give notice of all rates approved at the annual budget meeting at least 30 days prior to the date that the rates become

**effective. Accounts delivered after the 30 days notice will be based on the new rates.**

- (2) A notice stating the purport of the municipality's resolution and the date on which the new rates become operational will be displayed by the municipality at places installed for that purpose.**

#### **14. Payment of rates**

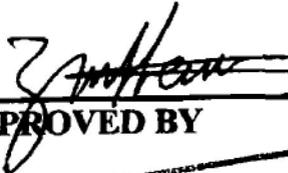
- (1) Ratepayers may choose between paying rates annually in one installment on or before 30 September or in twelve equal installments on or before the seventh day of the month following on the month in which it becomes payable.**
- (2) If the owner of property that is subject to rates, notify the municipal manager of his/her nominee not later than 31 May in any financial year, or such later date in such financial year as may be determined by the municipal manager or his/her nominee that he/she wishes to pay all rates in respect of such property in installments, such owner shall be entitled to pay all rates in the subsequent financial year and each subsequent financial year in twelve installments until such notice is withdrawn by him/her in a similar manner.**
- (3) Interest on arrears rates, whether payable on or before 30 September or in equal monthly installments, shall be calculated in accordance with the provisions of the credit control, debt collection and indigent policy of the municipality.**
- (4) If a property owner who is responsible for the payment of property rates in terms of this policy, fails to pay such rate in the prescribed manner, it will be recovered from him/her in accordance with the provisions of the Credit Control, Debt Collection and Indigent Policy of the Municipality.**
- (5) Arrears rates shall be recovered from tenants, occupiers and agents of the owner, in terms of section 28 and 29 of the Act.**
- (6) Where the rates levied on a particular property have been incorrectly determined, whether because of an error or omission on the part of the municipality or false information provided by the property owner concerned or a contravention of the permitted use to which the property concerned may be put, the rates payable shall be appropriately adjusted for the period extending from the date on which the error or omission is detected back to the date on which rates were first levied in terms of the current valuation roll.**
- (7) In addition, where the error occurred because of false information provided by the property owner or as a result of a contravention of the permitted use of the property concerned, interest on the unpaid portion of the adjusted rates payable shall be levied at the maximum rate permitted by prevailing legislation.**

#### **15. Short title**

**This by-law is the rates by-law of the Port St Johns Municipality**

**16. Commencement**

**This by-law comes into force and effect on 1 July 2009.**

  
\_\_\_\_\_  
**APPROVED BY**

**Z.M. HEWU**  
**MUNICIPAL MANAGER**  
**PORT ST. JOHNS MUNICIPALITY**  
**DATE 28/09/2009**

No. 91



**BUFFALO CITY MUNICIPALITY**  
**RATES BY -LAW**

**1. PREAMBLE**

- 1) Section 229 (1) of the Constitution authorizes a municipality to impose rates on property and surcharges on fees for services provided by or on behalf of the municipality.
- 2) In terms of section 3 of the Property Rates Act, a municipal council must adopt a policy consistent with the Property Rates act on the levying of rates on rateable property in the municipality.
- 3) In terms of section 6(1) of the Property Rates Act, must adopt by-laws to give effect to the implementation of its rates policy.
- 4) In terms of section 6(2) of the Property Rates Act, by laws-adopted in terms of section 6(2) may differentiate between categories of properties; and different categories of owners of properties liable for the payment rates.

**2. INTERPRETATION**

In this By-Law, the English text prevails in the event of any conflict with the Afrikaans or Xhosa texts, and, unless the context otherwise indicates-

“Municipality” means Buffalo City Municipality;

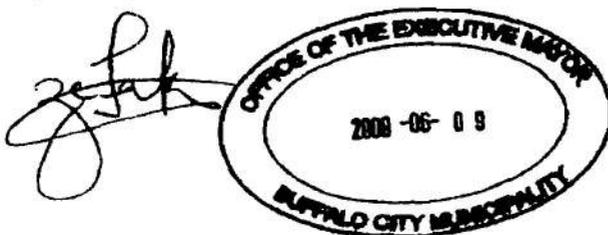
“Rates policy” means a rates policy adopted by Buffalo City Municipality in terms of this By-Law;

“Constitution” means the Constitution of the Republic of South Africa;

“Credit Control and Debt Collection By-Law and Policy” means ’s Credit Control and Debt Collection By-Law and Policy as required by sections 96(b), 97 and 98 of the Systems Act.

“Property Rates Act” means the Local Government: Municipal Property Rates Act, 6 of 2004,

“Rate” or “rates” means a municipal rate on property as envisaged in section 223 of the Constitution.



*A. Magwenzhu*  
A. MAGWENTSHU

### **3. ADOPTION AND IMPLEMENTATION OF RATES POLICY**

- 1) Buffalo City Municipality shall adopt and implement a rates policy consistent with the Property Rates Act on the levying of rates on rateable property in the municipality.
- 2) Buffalo City Municipality shall not be entitled to levy rates other than in terms of a valid rates policy.

### **4. CONTENTS OF RATES POLICY**

Buffalo City Municipality's rates policy shall, inter alia:

- 1) Apply to all rates levied by Buffalo City Municipality pursuant to the adoption of the Municipality's annual budget ;
- 2) Comply with the requirements :-
  - a) the adoption and contents of a rates policy specified in section 3 of the Property Rates Act ;
  - b) the process of community participation specified in section 4 of the Property Rates Act.
  - c) the annual review of a rates policy specified in section 5 of the Property Rates Act.
- 3) specify any further principles, criteria and implementation measures consistent with the Property Rates Act for the levying of rates which Buffalo City Municipality may wish to adopt ;
- 4) include such further enforcement mechanisms, if any, as Buffalo City Municipality may wish to impose in addition to those contained in the Credit Control and Debt Collection By-Law and Policy.

### **5. ENFORCEMENT OF RATES POLICY**

Buffalo City Municipality's rates policy shall be enforced through the Credit Control and Debt Collections By-Law and Policy and any further enforcement mechanisms stipulated in Buffalo City Municipality's rates policy.

### **6. OPERATIVE DATE**

This By-Law shall take effect on 1 July 2009.



**BUFFALO STAD MUNISIPALITEIT**  
**VERORDENING OP BELASTING**

**1. AANHEF**

- 1) Artikel 229(1) van die Grondwet magtig 'n munisipaliteit om bobelasting op gelde vir dienste deur of namens die munisipaliteit, op te lê.
- 2) Ingevolge artikel 3 van die Wet op Eiendomsbelasting moet 'n munisipale raad 'n beleid in ooreenstemming met artikel 3 van die Wet oop Eiendomsbelasting oor die heffing van belastings op belasbare eiendom in die munisipaliteit ann vaar.
- 3) Ingevolge artikel 6(1) van die Wet op Eiendomsbelasting moet 'n munisipaliteit verordeninge aanvaar om uitwerking te gee aan die inwerkingstelling van sy beleid oor belasting.
- 4) Ingevolge artikel 6(2) van die Wet op Eiendomsbelasting mag verordening wat ingevolge artikel 6(2) aanvaar is, tussen verskillende kategorieë eiendomme, en verskillende kategorieë eienaars van eiendomme wat aanspreeklik is vir die betaling van belasting, differensieer.

**2. UITLEG**

In hierdie Verordening geld die Engelse teks en in die geval van enige teenstrydigheid met die Afrikaanse of Xhosa tekste ;en;tensy die konteks anders aandui,beteken:

“**Belasting**” of “**Belastings**” `n munisipale belasting op eiendom soos beoog in die artikel 223 van die Grondwet ;

“**Grondwet**” die Grondwet van die Republiek van Suid Afrika.

“**Munisipaliteit**” die Buffalo Stad Munisipaliteit

“**Belastingbeleid**” `n belastingbeleid wat deur die Buffalo Stad Munisipaliteit ingevolge hierdie Verordening aanvaar is:

“**Verordening op en Beleid oor Kredietbeheer en Skuldinvordering**”die Munisipaliteit se Verordening op en Beleid oor Kredietbeheer en Skuldinvordering ingevolge artikels 96(b),97 en 98 van die Wet op Stelsels ;

“**Wet op Eiendomsbelasting**” die Wet op Plaaslike Regering: Munisipale Eiendomsbelasting No.6 van 2004.

**3. AANVAARDING EN INWERKINGSTELLING VAN DIE BELASTINGBELEID**

- 1) Buffalo Stad Munisipaliteit moet 'n belastingbeleid in ooreenstemming met die Wet op Eiendomsbelasting vir die heffing van belasting op belasbare eiendom in die munisipaliteit aanvaar en in werking stel.
- 2) Buffalo Stad Munisipaliteit is nie geregtig om belasting te hef behalwe ingevolge 'n geldige belastingbeleid nie.

**4. INHOUD VAN DIE BELASTINGBELEID**

Buffalo Stad Munisipaliteit se belastingbeleid moet, onder meer :

- 1) van toepassing wees op alle belasting wat deur Buffalo Stad Munisipaliteit gehef word nadat die Munisipaliteit se jaarlikse begroting aanvaar is;
- 2) voldoen aan aan die vereistes vir:-
  - a) die aanvaarding en inhoud van 'n belastingbeleid ingevolge artikel 3 van die Wet op Eiendomsbelasting ;
  - b) die proses van gemeenskapsdeelname ingevolge artikel 4 van die Wet op Eiendomsbelasting ;
  - c) die jaarlikse hersiening van 'n belastingbeleid ingevolge 5 van die Wet op Eiendomsbelasting ;
- 3) die spesifisering van enige verdere beginsels, maatstawe en maatreëls in ooreenstemming met die Wet op Eiendomsbelasting vir die heffing van belasting wat Buffalo Stad Munisipaliteit mag wens om te aanvaar.
- 4) die insluiting van sodanige verdere toepassingmeganismes, indien enige wat die Stad mag wens om op te lêbykommend tot daardie in die Verordening op en Beleid oor Kredietbeheer en Skuldinvordering vervat.

**5. TOEPASSING VAN DIE BELASTINGBELEID**

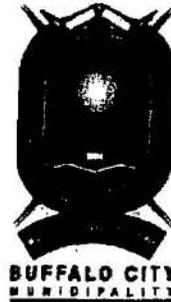
Buffalo Stad Munisipaliteit se belastingbeleid moet deur middel van die Verordening op en Beleid oor Kredietbeheer en Skuldinvordering en enige verdere toepassingsmeganismes ingevolge Buffalo Stad Munisipaliteit se belastingbeleid toegepas word.

**6. INGEBRUIKNEMINGSDATUM**

Hierdie Verordening tree op 01 Julie 2007 in werking.



A. MAGWENTSHI



**UMASIPALA WASE BUFFALO CITY**  
**UMTHETHO KAMASIPALA OLAWULA IRHAFU**

**1. IMBULAMBETHE**

- 1) ICandelo lama 229(1) loMgaqo --siseko ligunyazisa umasipala ukyba amisele irhafu yeePropati kunye neentlawulo ezongeziweyo kwimirhumo yeenkonzo ezinikezelwa ngumasipala okanye egameni lika masipala ;yaye
- 2) ngokwemigaqo yecandelo 3 lomthetho olawula iiRhafu zeePropati,ibhunga likamasipala kuyimfuneko ukuba lamkele umgaqo-nkqubo ovumelana nomthetho olawula iiRhafu zeePropati ngokuhlawulisa irhafu kwii prpoati ezimele ukurhafelwa kumasipala.
- 3) ngokwemigaqo yecandelo 6(1) loMthetho olawula iiRhafu zeePropati,umasipala kuyimfuneko ukuba amkele imithetho kamasipala ukuze kuqaliswe ukumiselwa komgaqo-nkqubo wawo olawula irhafu.
- 4) ngokwemigaqo yecandelo 6(2) loMthetho olawula iiRhafu zeePropati , imithetho kamasipala eyamkelwa ngokuthobela icandelo 6(2) ingohlula phakathi kweendidi ezohlukeneyo zeePropati,kunye neendidi ezohlukeneyo zabanini beepropati ezimele ukuhlawulelwa irhafu

**2. INTSINGISELO**

Kulo Mthetho ka Masipala, isicatshulwa sesiNgesi siso esiza kulawula kwimeko yakho nakuphi na ukungaboni ngasonye kwisicatshulwa se-Afrikaans okanye kwesesi Xhosa,yaye,ngaphandle kokuba umxholo ubonakalisa ngolunye uhlobo –

“Umasipala” ubhekisa ku Masipala wase Buffalo City

“umgaqo-nkqubo weSixeko olawula irhafu” kubhekiselwe kumgaqo-nkqubo werhafu owamkelwa nguMasipala waseBuffalo City ngokuthobela lo Mthetho.

“UMgaqo-siseko” kubhekiselwe kumgaqo-siseko we Riphabliki yo Mzantsi Afrika;

“UMthetho ka Masipala noMgaqo-nkqubo onjengene nokuLawula kokunikezelwa kwa Matyala nokuQokelelwa kwaMatyala ” kubhekiselwe kuMthetho kaMasipala noMgaqo-nkqubo kaMasipala onjengene nokulawulwa kokunikezelwa kwaMatyala nokuQokelelwa kwaMatyala njengoko kuyimfuneko ngokwamacandelo 96(b),97 nelama -98 oMthetho olawula iinkqubo zikaMasipala.

“UMthetho olawula iRhafu yeePropati” kubhekiselwe kuMthetho kamasipala olawula iRhafu yee Propati, 6 ka 2004:kuRhulumente wengingqi.

“irhafu” okanye “iirhafu” kubhekiselwe kuMthetho kaMasipala yepropati njengoko kuchaziwe kwicandelo lama-229 loMgaqo-siseko .

### **3. UKWAMKELWA NOKUMISELWA KOMGAQO-NKQUBO OLAWULA IRHAFU**

- 1) UMasipala wase Buffalo City uza kwamkela yaye umisele umgaqo-nkqubo olawula irhafu ongqinelana noMthetho olawula iirhafu zeePropati ekuhlawulisweni kwerhafu kwiipropati ezimelwe ukuhlawulwa irhafu kuMasipala.
- 2) UMasipala wase Buffalo City akazuba nalungelo lokumisela iirhafu ngaphandle kokuthobela umgaqo-nkqubo osemthethweni olawula irhafu.

### **4. IZIQULATHO ZOMGAQO-NKQUBO OLAWULA IRHAFU**

UMgaqo-nkqubo kaMasipala wase Buffalo City olawula irhafu uza ,phakathi kwezinye izinto:

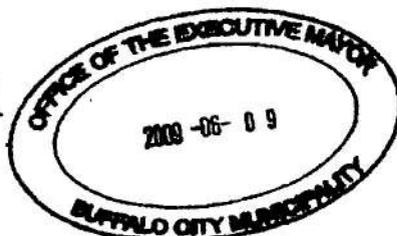
- 1) Kusebenza kuzo zonke iirhafu ezimiselwe iMasipala wase Buffalo City ngokungqinelana nokwamkelwa kohlathlo -lwabiwo - mali lonyaka kaMasipala;
- 2) Kuthobela iimfuno :-
  - a) Zokwamkelwa neziqulatho zomgaqo-nkqubo olawula irhafu ezichazwe kwicandelo le-3 loMthetho olawula iirhafu zeePropati;
  - b) Inkqubo yothatho-nxaxheba yoluntu echazwe kwicandelo le-4 loMthetho olawula iirhafu zeePropati.
  - c) Uphononongo lonyaka lomgaqo nkqubo olawula irhafu oluchazwe kwicandelo le-5 loMgaqo-nkqubo olawula iPropati.
- 3) kuchaza eminye imigaqo ,inkqubo namanyathelo okumiselwa angqinelana noMthetho olawula iirhafu zeePropati ngokuhlawulwa kwerhafu uMasipala waseBuffalo City anqwenela ukuyamkela;
- 4) kuquka ezinye iindlela zonyanzeliso-mthetho;ukuba Zikho,uMasipala anqwenela ukuzimisela ngaphezu kwezo ziqulethwe kuMthetho ka Masipala noMgaqo-nkqubo ojongene nokuLawulwa kokunikezelwa kwaMatyala nokuQokelelwa kwaMatyala.

### **5. UKUNYANZELISWA KOMGAQO-NKQUBO OLAWULA IRHAFU**

UMgaqo-nkqubo kaMasipala wase Buffalo City olawula iRhafu uza kunyanzeliswa kesetyenziswa uMthetho kaMasipala noMgaqo-nkqubo ojongene nokulawulwa kokunikezelwa kwamatyala nokuqokelelwa kwaMatyala nezinye iindlela zonyanzeliso-mthetho ezichazwe kumgaqo-nkqubo kaMasipala olawula irhafu.

### **6. UMHLA WOKUSEBENZA**

Lo Mthetho kamasipala uza kuqalisa ukusebenza ngomhla woku-1 Julayi 2009.



A. MAGWENTSHU

No. 92

**NDLAMBE LOCAL MUNICIPALITY****MUNICIPAL NOTICE IN TERMS OF THE MUNICIPAL PROPERTY RATES ACT 6 OF 2004****PUBLIC NOTICE CALLING FOR INSPECTION OF SUPPLEMENTARY VALUATION ROLL AND LODGING OF OBJECTIONS**

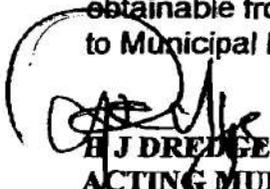
Notice is hereby given in terms of Section 49 (l) (a) (i) read together with Section 78 (1) and (2) of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), hereinafter referred to as the "Act", that the Ndlambe Local Municipality's Supplementary Valuation Roll for the period 1 July 2009 to 30 June 2013 will be open for public inspection at designated municipal venues from 1<sup>st</sup> June 2009 to 30<sup>th</sup> June 2009 between 8:00 to 16:00 during week days.

**Designated Municipal Venues :**

Finance Directorate, Campbell Street , Port Alfred  
Municipal Office, Otto du Plessis Street, Alexandria  
Municipal Office, Kenton Road , Kenton-on-Sea  
Municipal Office, Bathurst Road, Bathurst  
Municipal website [www.ndlambe.co.za](http://www.ndlambe.co.za)

An invitation is hereby made in terms of section 49(l)(a)(ii) read together with section 78(2) of the Act that any owner of property or other person who so desires should lodge an objection with the Municipal Manager in respect of any matter reflected in, or omitted from, the supplementary valuation roll within the above-mentioned period.

Attention is specifically drawn to the fact that in terms of section 50 (2) of the Act an objection must be in relation to a specific individual property and not against the supplementary valuation roll as such. The form for the lodging of an objection is obtainable from designated municipal venues. The completed forms must be returned to Municipal Manager at the following address.

  
**H J DREDGE**  
**ACTING MUNICIPAL MANAGER**  
Ndlambe Local Municipality

Tel. : 046-6241140

Fax : 046-6242727 E-mail : [abuys@ndlambe.gov.za](mailto:abuys@ndlambe.gov.za)

P.O. Box 13

Port Alfred

6170

**MUNICIPAL NOTICE NO.73/2009**  
**DATE 19th May 2009**



## UMASIPALA NDLAMBE

### ISAZISO SIKAMASIPALA NGOKUSEKELWE KWI MUNICIPAL PROPERTY RATES ACT 6 KA 2004

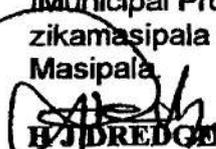
### ISIBHENGEZO KUBAHLALI MALUNGA NOKUHLOLWA KWAMAXABISO EZINDLU ETHUTYANA NOKUFAKWA KWEZIKHALAZO MALUNGA NOKO

Kubhengezwa izaziso esisekelwe kumacandelo 48(1)(a)(i) ezifundwa necandelo 78 (1),(2) yomthetho iMunicipal Property Rates Act 6 ka 2004 othi uxwebhu lokuxatyiswa kwezakhiwo kwethutyana ( ukusuka kwinyanga yeKhala July 2009 ukuyakutsho kwinyanga yeSilimela June 2013 luzokufumaneka kwindawo zikamasipala ezikhethweyo nakwi website ukuze uluntu lukwazi ukuluhlola. Oku kuzokwenzeka ukususela kusuku lwe 1<sup>st</sup> June 2009 ukuyakutsho kusuku lwe 30<sup>th</sup> June 2009 ukususela ngentsimbi ye -08:00 ukuya ga ngentsimbi ye – 16:00 ngamaxesha omsebenzi.

Indawo ekuya kubanjelwa kuzo zezi zilandelayo :  
 Icandelo Lezemali, Campbell Street , Port Alfred  
 I Ofisi Ka Masipala, Otto du Plessis Street, Alexandria  
 I Ofisi Ka Masipala, Kenton Road , Kenton-on-Sea  
 I Ofisi Ka Masipala, Bathurst Road, Bathurst  
[www.ndlambe.co.za](http://www.ndlambe.co.za)

Kubhengezwa isimemo ngokomthetho esekelwe kwicandela 49(1)(a)(ii) olufundwa necandelo 78 (1),(2) we Municipal Property Rates Act 6 ka 2004 esithi ulunto olufuna ukufaka izikhalazo ngemiba ebhaliweyo nengabhalwanga kwixwebhu lokuxatyiswa kwezakhiwo kwethutyana maluziithumele kwiofisi kaMunicipal Manager.

Phawula ukuba izikhalazo kunyanzelekile ukuba zibengesakhiwo salowo ukhalazayo hayi uxwebhu lokuxatyiswa kwezakhiwo. Oku kuqulathwe kwicandelo 50(2) lomthetho iMunicipal Property Rates Act 6 ka 2004. Iphepha ezikhalazo liyafumaneka kwizakhiwo zikamasipala ezikhethweyo nakwi website. Zonke iimpepha mazithunyelwe kwi Bambela Masipala

  
 H. J. DREDGE

IBAMBELA MPHATHI KA MASIPALA

Umasipala I Ndlambe

Tel. : 046-6241140

Fax : 046-6242727

MUNICIPAL NOTICE NO.73/2009  
 DATE 19<sup>th</sup> May 2009

E-mail : [abuys@ndlambe.gov.za](mailto:abuys@ndlambe.gov.za)

P.O. Box 13  
 Port Alfred  
 6170