



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

Provincial Gazette • Provinsiale Koerant • Igazethi Yesifundazwe

(Registered at the post office as a newspaper) • (As 'n nuusblad by die poskantoor geregistreer)
(Irejistiwee njengephephandaba eposihhovisi)

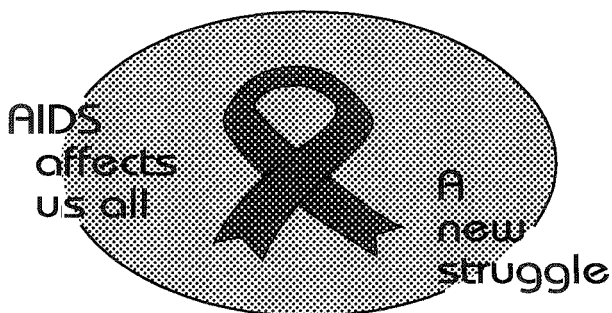
Vol. 4

PIETERMARITZBURG,

1 JULY 2010
1 JULIE 2010
1 kuNTULIKAZI 2010

No. 465

We all have the power to prevent AIDS



**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

Prevention is the cure

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



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IMPORTANT NOTICE

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

CONTENTS

<i>No.</i>		<i>Page</i>
PROVINCIAL NOTICES		
95	KwaZulu-Natal Land Administration Act (3/2003): Notice in terms of section 5 (3).....	9
96	do.: do.:	10
97	Municipal Systems Act (32/2000): Emnambithi/Ladysmith Municipality: Pound Policy	11
MUNICIPAL NOTICES		
51	Mandeni Municipality: IDP and budget 2010/11	16
52	Budget, assessment rates and tariffs of charges: 2010/2011	17
53	Msunduzi Municipality: Credit Control and Debt Collection By-laws	19
54	do.: Tariff Policy By-laws	21
55	KwaDukuza Municipality: Rates By-laws	24
56	City of uMhlatuze: Amendment: Solid Waste By-laws	33
57	do.: do.: Environmental Health By-laws	34
58	do.: do.: Bed and Breakfast By-laws	35
59	do.: do.: Rates By-laws	36
60	Ugu District Municipality: Tariff of charges 2010/2011 with effect from 1 July 2010	37
61	KwaDukuza Municipality: Electricity Supply By-laws	46
ADVERTISEMENT		
Miscellaneous (see separate index, page 47)		
ISIKHANGISO		
Ezingxubevange (bheka uhlu oluseceleni, ekhasini 47)		

IMPORTANT NOTICE

The
KwaZulu-Natal Provincial Gazette Function
will be transferred to the
Government Printer in Pretoria
as from 26 April 2007

NEW PARTICULARS ARE AS FOLLOWS:

Physical address:

Government Printing Works
149 Bosman Street
Pretoria

Postal address:

Private Bag X85
Pretoria
0001

New contact persons: Louise Fourie Tel.: (012) 334-4686
Mrs H. Wolmarans Tel.: (012) 334-4591
Awie van Zyl.: (012) 334-4523

Fax number: (012) 323-8805

E-mail addresses: Louise.Fourie@gpw.gov.za
Hester.Wolmarans@gpw.gov.za

Contact persons for subscribers:

Mrs J. Wehmeyer Tel.: (012) 334-4734
Tel.: (012) 334-4753
Fax.: (012) 323-9574

This phase-in period is to commence from **26 April 2007**, which is the closing date for all adverts to be received for the publication date of **3 May 2007**.

Subscribers and all other stakeholders are advised to send their advertisements directly to the **Government Printing Works**, one week (five working days) before the date of printing, which will be a Thursday.

Payment:

- (i) Departments/Municipalities: Notices must be accompanied by an order and official letterhead, including financial codes, contact person and address of Department.
- (ii) Private persons: Must pay in advance before printing.

AWIE VAN ZYL
Advertising Manager

IT IS THE CLIENTS RESPONSIBILITY TO ENSURE THAT THE CORRECT AMOUNT IS PAID AT THE CASHIER OR DEPOSITED INTO THE GOVERNMENT PRINTING WORKS BANK ACCOUNT AND ALSO THAT THE REQUISITION/COVERING LETTER TOGETHER WITH THE ADVERTISEMENTS AND THE PROOF OF DEPOSIT REACHES THE GOVERNMENT PRINTING WORKS IN TIME FOR INSERTION IN THE PROVINCIAL GAZETTE.

No ADVERTISEMENTS WILL BE PLACED WITHOUT PRIOR PROOF OF PRE-PAYMENT.

$\frac{1}{4}$ page **R 215.43**

Letter Type: Arial Size: 10

Line Spacing: At:
Exactly 11pt

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

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

Letter Type: Arial Size: 10

Line Spacing: At:
Exactly 11pt

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

Letter Type: Arial Size: 10

Line Spacing: At:
Exactly 11pt

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

Letter Type: Arial Size: 10

Line Spacing: At:
Exactly 11pt



REPUBLIC
OF
SOUTH AFRICA

LIST OF FIXED TARIFF RATES AND CONDITIONS

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

COMMENCEMENT: 1 JUNE 2010

CONDITIONS FOR PUBLICATION OF NOTICES

CLOSING TIMES FOR THE ACCEPTANCE OF NOTICES

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

APPROVAL OF NOTICES (This only applies to Private Companies)

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

THE GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

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

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

LIABILITY OF ADVERTISER

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

COPY

6. Notices must be typed on one side of the paper only and may not constitute part of any covering letter or document.

7. At the top of any copy, and set well apart from the notice, the following must be stated:

Where applicable

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

PAYMENT OF COST (This only applies to Private Companies)

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

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

PROOF OF PUBLICATION

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

GOVERNMENT PRINTERS BANK ACCOUNT PARTICULARS

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

Enquiries:

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

PROVINCIAL NOTICES—PROVINSIALE KENNISGEWINGS—IZAZISO ZESIFUNDAZWE

The following notices are published for general information.

Onderstaande kennisgewings word vir algemene inligting gepubliseer.

300 Langalibalele Street
Pietermaritzburg
1 July 2010

MR R. GOVENDER
Acting Director-General

MNR. R. GOVENDER
Waarnemende Direkteur-generaal

Langalibalelestraat 300
Pietermaritzburg
1 Julie 2010

Izaziso ezilandelayo zikhishelwe ulwazi lukawonkewonke.

300 Langalibalele Street
Pietermaritzburg
1 kuNtulikazi 2010

MNU. R. GOVENDER
iBamba loMqondisi-Jikelele

No. 95

1 July 2010

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

In terms of Section 5 of the KwaZulu-Natal Land Administration Act, 2003 (Act No. 3 of 2003), I, **Magesvari Govender**, Member of the Executive Council for Human Settlements and Public Works of the KwaZulu-Natal Provincial Government hereby give notice that I intend disposing of the under mentioned property by way of public bid:-

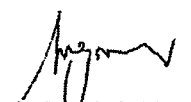
1. Property description: Erf 107 Kenhill
2. Street Address: 6 Clematis Grove (Kenhill – Durban North)
3. Extent: 1116 m²
4. Title Deed: T19796/1980
5. Applicable rights over property: None
6. Current Zoning: Special Residential
7. Current usage: Residential
8. Improvements: Three (3) bedroom single storey dwelling constructed of facebrick externally and plastered internally.

Written representations in regard to the proposed disposal can be made, within thirty (30) days of the publication of this notice to the Head: Public Works at the address hereunder for my consideration

Contact details

Head: Public Works
Private Bag X9041
Pietermaritzburg
3200

Telephonic Enquiries: Mr D Dayaram
Tel. No.: 031 – 203 2125
Fax. No.: 031 – 203 2115


MAGESVARI GOVENDER
MEMBER OF THE EXECUTIVE COUNCIL
FOR PUBLIC WORKS AND HUMAN SETTLEMENT
KWAZULU-NATAL PROVINCIAL GOVERNMENT

Date:  27/03/2010

No. 96

1 July 2010

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

In terms of Section 5 of the KwaZulu-Natal Land Administration Act, 2003 (Act No. 3 of 2003), I, **Magesvari Govender**, Member of the Executive Council for Human Settlements and Public Works of the KwaZulu-Natal Provincial Government hereby give notice that I intend disposing of the under mentioned property by way of public bid:

- | | | | |
|----|-----------------------------|---|--|
| 1. | Property description | : | Portion 3 of Erf 96 Glen Anil |
| 2. | Street Address | : | 16 Mopani Road, Glen Anil |
| 3. | Extent | : | ± 918 m ² |
| 4. | Title Deed | : | T4562/1993 |
| 5. | Current Zoning | : | Special Residential |
| 6. | Current usage | : | Residential |
| 7. | Improvements | : | Single storey dwelling, plastered and painted internally and externally. |

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

Contact details

The Head: Public Works
Private Bag X9041
Pietermaritzburg
3200

Telephonic Enquiries: Ms Brenda Gray /Mr D Dayaram
Tel. No.: 031 – 203 2126/2032125
Fax. No.: 031 – 203 2115



MS MAGESVARI GOVENDER
MEMBER OF THE EXECUTIVE COUNCIL FOR
HUMAN SETTLEMENTS AND PUBLIC WORKS
KWAZULU-NATAL PROVINCIAL GOVERNMENT

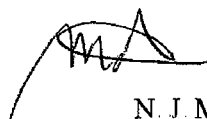
27/03/2010
Date:

No. 97

1 July 2010

The Emnambithi/Ladysmith Municipality has in terms of Section 156(2) of the Constitution, 1996, read with Section 13 of the Municipal Systems Act No. 32 of 2000 compiled and adopted its Pound Bylaws at the meeting held on 14 May 2010 under item no A1 as set out here under which take effect at the publication date hereof –

01 July 2010



N. J. Mdakane
MUNICIPAL MANAGER

POUND POLICY FOR EMNAMBITHI/LADYSMITH MUNICIPALITY

"animal" means any equine or bovine animal or any donkey, sheep, goat, pig or domesticated ostrich, or any hybrid of such animals, or any poultry;

"Council" means the council of the Emnambithi Ladysmith Municipality;

"impounded animal" means any animal received into a pound as contemplated in section 5;

"Indigent" means a person that is unable to pay the full economic costs on basic refuse removal due to a number of factors that the concerned municipality view as legitimate

"Indigent household" means any household that is at or below the poverty threshold as determined by the concerned municipality

"Indigent Policy" means the Indigent Policy approved by a particular municipality.

"Indigent Register" means a record of the indigents established and maintained by the concerned municipality as per the provisions of the Indigent Policy.

"Municipality" means a municipality as defined by the Municipal Systems Act (Act No. 32 of 2000). **"Refuse"** means domestic waste as defined by the Waste Act (Act No. 59 of 2008)

"owner" in relation to any animal includes the agent of the owner or any other person having lawful custody of the animal;

"owner" in relation to any land includes the registered owner, the lessee and any lawful occupier of such animal;

"pound" means any premises on which a pound has been established by or on behalf of the Council for the impounding of animals under these bylaws; and

"pound manager" means the person appointed from time to time by the Council to manage a pound established by the Council and any other person appointed by such person to act in his or her stead during his absence from the pound.

"public place" any place to which the public has access including, without limiting the generality of the foregoing, any square, park, recreation ground, sports ground, open space, beach, shopping centre on municipal land, unused/vacant municipal land or cemetery; and

"public road" shall mean a public road as described under Section 1 of the Road Traffic Act, 1996 (Act No. 93 of 1996)

Background

Council is responsible for ensuring Public and Traffic Safety within the Municipality. It is also imperative to control livestock on public roads and CBD areas in terms of Municipal By-Laws. Our roads are regarded as highly hazardous due to accidents that occur due to stray animals that are found on our roads. In dealing with this problem the municipality impounds the stock that is left unattended on public areas and roads. However, there is a challenge that some of this stock is left over extended periods of time without being claimed and there is no disposal policy or disclaimers to ensure that owners do not make unreasonable claims. Another challenge is that as a municipality which is supposed to ensure better lives for the communities, we can't be seen to be dispossessing the very people whom we are expected to uplift socially and economically. It is therefore imperative on us to ensure that our intervention is corrective rather than punitive.

Specific Impounding of Animals

- ☐ Animals found stray on the public roads or places must be impounded and transported to the pound safely.
- ☐ The animals must be recorded on the pound register.
- ☐ A copy must be sent to the Finance Department and the original be kept by the pound master.

Protection of Impounded Animals

- ☐ Impounded animals must be kept in a safe place (adequately fenced with guards) which meets the requirements of stock that meets animal health requirements (e.g. SPCA standard requirements)
- ☐ Impounded stock must have adequate feeding and treatment where necessary (i.e. Proper grazing or feed, clean water as well as vaccinations as and when it is required).

In the light of the above it is important to ensure that the impounding tariffs are in consideration of the cost of keeping these animals.

Collection of impounded Stock

- ☐ On claiming the animals, the owner must produce proof of ownership, provide full personal details including copy of ID, permanent residential address (not postal).
- ☐ The pound master must issue a bill (statement of account) commensurate with the period the stock has been impounded.
- ☐ The statement must be taken together with the payment to finance (cashiers) who will issue a release note to the owner.
- ☐ The pound will only be open for collection during working hours only, no person will be allowed to claim stock after working hours or during weekends.

Sale and/or destruction of unclaimed animals

- ☐ Infected stock shall, after proper consultation with SPCA, be destroyed
- ☐ Stock not claimed within 3 months will be sold to defray expenses.
- ☐ At the end of three months an advert will be put on the daily local newspaper for an auction sale of the animals.
- ☐ 21 days after the advertisement the stock will be sold on a public auction.
- ☐ Schedule 1 and Schedule 2 of the Municipal Systems Act (Dealing with code of conduct for officials and councilors, respectively) will apply.

Indigent owners of the impounded animals

In implementing the Emnambithi Ladysmith Municipality Pound Policy the following principles apply:

Emnambithi Ladysmith Municipality must ensure that any relief provided in terms of the Pound Policy is constitutional, practical, fair, equitable and justifiable.

There will be differentiation between households in accordance with the Pound Policy and Council Resolution and by-law.

Differentiation shall be permitted in respect of the level of Emnambithi Ladysmith Municipality Pound Policy on reliefs provided to or to be provided to indigent households.

The Indigent Pound Relief shall be made available to all the indigents and households that qualify.

Emnambithi Ladysmith Municipality should provide Indigent Pound Relief services within the bound of their financial stability and sustainability.

Emnambithi Ladysmith Municipality should review and amend the qualification criteria for indigent support for Indigent Pound Relief services on a regular basis as provided by it and as when necessary.

Emnambithi Ladysmith Municipality should put in place Indigent Pound Relief services administrative structures that lead to effective and efficient mechanisms of implementation.

Indigent Pound Relief services' tariffs should be clear and easily understood by the key stakeholders, especially those from the municipality.

Tariffs should be set with an appropriate level of participation from the households that have the ability to pay towards municipal Indigent Pound Relief services.

Operating subsidies for Indigent Pound Relief services within the municipality should be well targeted in order to reach the identified indigent.

The Emnambithi Ladysmith Municipality Policy on Indigent Pound Relief services will apply during each financial year of the Municipal Council and financial support to the indigent households will dependent upon the availability of funds.

Indigent households must formally apply using a prescribed Emnambithi Ladysmith Municipality system for Indigent Pound services and will qualify for such support according to prescribed criteria/principles laid down by the municipality.

Indigent households registered for Indigent Pound services must be re-evaluated every three years.

Disciplinary measures decided by the Emnambithi Ladysmith Municipality should be imposed on indigent households and/or individuals who abuse the Indigent Pound Relief services.

The Emnambithi Ladysmith Municipality will put in place reasonable measures to publicise the Indigent Pound Relief services within its jurisdiction, including measures to put in place an effective communication programme.

The roles of the social worker/municipal official/councillor/traditional leader or any other authority so designated in the evaluation of the indigent household for the Indigent Pound Relief services should be fully recognised and outlined.

The list of applicants for Indigent Pound Relief services should be made available for public scrutiny for at least one month at most accessible public points within the municipality.

Clear registration time and cut-off dates shall be outlined (Registration should take place in January until March of each year so as to provide council with the numbers of indigents to be planned for in the next financial year's budget).

IMPOUNDED STOCK CLAIM FORM**1. DETAILS OF OWNER**

I(Full names and Surname),

IDNumber:.....

Physical Address:.....

.....

Postal Address:.....

.....

.....Code.....

Contact Details

Name of Next of Kin :

Next of Kin Contact Details.....

Hereby declare that I am the rightful owner of the livestock described below:

.....

.....

.....

Impounded Date:

Impounded Area:

Impounded occurrence:

Ward Councillor:

I further acknowledge full responsibility for the payment of the total amount
..... Receipt numberas set out by the municipality.

Signed

.....
Owner

.....
Pound Master

MUNICIPAL NOTICES

No. 51

1 July 2010

MANDENI MUNICIPALITY

IDP AND BUDGET 2010/11

The IDP as well as related sector plans and the Budget for Mandeni Municipality are published in accordance with the Municipal Finance Management Act No. 56 of 2003, the Municipal Property Rates Act No. 6 of 2004 and the Local Government Municipal Systems Act 32 of 2000. This budget was tabled in compliance with the National Treasury Circular No. 51 and was adopted by Council on 27 May 2010.

The IDP and Budget documents are available on the Municipality's official website at www.mandeni.gov.za

Council has adopted the following tariff increases to be implemented with effect from 1 July 2010.

Rate Randage: The property rates rate randage proposed is:

Residential	.0112
Business/Industrial	.0191
Agricultural	.0003
Public Service Infrastructure	.0169

Refuse: An overall increase of 6%

General Tariffs: An overall increase of 6%

The extract of the estimates of income and expenditure for the financial year ending 30 June 2011 are hereby published in terms of the provisions of Chapter 4 of the Municipal Finance Management Act.

BUDGET OVERVIEW

Capital and Operating Budget 2009/2010 to 2012/2013

	2009/2010	2010/2011	2011/2012	2012/2013
Operating Budget	76,173,516	100,934,580	111,813,000	119,812,000
Capital Budget	80,773,500	78,352,865	86,268,000	86,564,000
Total Budget	156,947,016	179,287,445	198,081,000	206,376,000

Dr. M B Ngubane
Municipal Manager

PN 27/2010

No. 52

1 July 2010

MUNICIPAL NOTICE NO: 092 of 2010

BUDGET, ASSESSMENT RATES AND TARIFFS OF CHARGES 2010/2011

As required in terms of Section 16 and 24 of the Municipal Finance Management Act, Act No. 56 of 2003 and Section 14 of the Municipal Property Rates Act, Act No. 6 of 2004, Council has adopted the Budget for the 2010/2011 financial year, together with the rates randages, Rates Policy and Tariffs of Charges, which are effective from 01 July 2010.

Notice is hereby given that a resolution has been taken by the Hibiscus Coast Municipality in terms of Section 75A of the Municipal Systems Act, Act No. 32 of 2000 and Section 14 of the Municipal Property Rates Act, 2004 (Act No. 6 of 2004). The general purport of the resolution is that the Budget has been approved, rates on immovable property within the jurisdiction of the Council have been assessed, Tariffs of Charges approved and determined for the 2010/2011 municipal year as follows:

Total Operating Income	R 464,209,972
Total Operating Expenditure	R 464,179,435
Surplus	R 30,538

Rates by Category

Rates on residential property	R204,193,958
Rates on commercial property	R 31,098,046
Rates on industrial property	R 5,874,724
Rates on mining property	R 266,538
Rates on agricultural property	R 970,118
Rates on agricultural / commercial property	R 214,031
Rates on institutional property	R 2,552,468
Rates on special purposes property	R 243,617
Rates on P.S.I. property	<u>R 1,123,339</u>

Total rates income raised	R246,536,839
Total rebates, exemptions and reductions	<u>R -29,514,900</u>

Net income from rates	<u>R217,021,939</u>
-----------------------	---------------------

1. Rates have been assessed based on property values as contained in the general Valuation Roll. In addition to the first R15,000.00 of the valuation for residential category of properties, which is impermissible in terms of the Municipal Property Rates Act, the Hibiscus Coast Municipality has included a further reduction of R85,000.00 in the calculations, as per the municipality's Rates Policy. The rate randages have been calculated for each rating category as follows:

Residential	0,007211
Commercial	0,014421
Industrial	0,014421
Mining	0,014421
Agricultural – bona fide use	0,000721
Agricultural – mixed use	0,001803
Institutional	0,003605
Special purpose	0,003605
P.S.I. property	0,001803

2. In addition to the R100,000 reduction on the valuation for residential category mentioned above, pensioners receive rebates on three levels, at 75%, 50% and 25% in terms of paragraph 11(2) of the municipality's Rates Policy read with Section 15(2) of the Municipal Property Rates Act, which will be displayed on the public notice boards at the various units.
3. Certain category 7 Institutions and category 8 special purpose properties do qualify for exemption in terms of paragraph 9 of the municipality's Rates Policy.
4. Qualifying properties in category 5 (Agricultural), category 6 (Agricultural/Commercial) and category 7 (Institutional) properties receive a phasing in of 25% of rates raised as per the municipality's Rates Policy.
5. The final date for payment of 10 monthly instalments accounts of the general rates is the last working day of each month with the last instalment due on the last working day of May 2011. The final date of payment of the yearly general rates accounts is the last working day of September 2010. After the due dates interest of 11% per annum will be added, which is the bank lending rate at the date of this calculation plus 1% as per the Municipal Finance Management Act, 2003 (Act No. 56 of 2003) and the Municipal Property Rates Act regulations.

Council resolved to levy the rates on properties as detailed above in its meeting held on Tuesday, 25 May 2010 Resolution No. C129/05/2010, approving the Annual Budget, Rates Policy and Tariffs of Charges 2010/2011. A copy of the resolution is available for public inspection during office hours on the notice boards of the Council at the Hibberdene, Port Shepstone, Margate, Southbroom, Port Edward and Gamalakhe Civic Offices. It is also available on the municipality's website (www.hcm.gov.za).

It is proposed that this determination will come into operation on 1 July 2010. This notice was first displayed on the Municipal Notice Board on 3 June 2010.

Any person who desires to object to such determination must do so in writing by 24 June 2010 being the date fourteen (14) days after the date on which this Notice was first displayed in the newspaper (3 June 2010). Such objections to be delivered to the undersigned at the Municipal Offices, Connor Street, Port Shepstone.

S W MKHIZE
MUNICIPAL MANAGER

HIBISCUS COAST MUNICIPALITY
10 Connor Street
P.O. BOX 5
Port Shepstone
4240

**THE MSUNDUZI MUNICIPALITY
CREDIT CONTROL AND DEBT COLLECTION BYLAWS**

The Municipal Manager of the Msunduzi Municipality hereby, in terms of section 13(a) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), publishes the Credit Control and Debt Collection Bylaws for the Msunduzi Municipality, as adopted by its Council, as set out hereunder.

PREAMBLE

In terms of section 96(a) of the Local Government: Municipal Systems Act 2000 (Act No 32 of 2000) ("the Act"), a municipality must collect all money that is due and payable to it, subject to the Act and any other applicable legislation;

In terms of section 96(b) of the Act and for the purposes stated in section 96(a) of the Act, a municipality must adopt, maintain and implement a credit control and debt collection policy which is consistent with its rates and tariff policies and complies with the provisions of the Act;

In terms of section 98(1) of the Act, a municipal council must adopt bylaws to give effect to the municipality's credit control and debt collection policy, its implementation and enforcement;

Bylaws in terms of section 98(1) of the Act may differentiate between different categories ratepayers, users of services, debtors, taxes, services, service standards and other matters as long as the differentiation does not amount to unfair discrimination.

Definitions

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

"Act" means the Local Government: Municipal: Systems Act 2000 (Act No 32 of 2000) ;

"Council" means the council of the Msunduzi Municipality;

"credit control and debt collection policy" means the Credit Control and Debt Collection Policy adopted by the Council in terms of section 96(b) of the Act.

Adoption and implementation of rates policy

- 2(1) The Council shall, by resolution, adopt, maintain and implement a credit control and debt collection policy for the purposes of collecting all money due and payable to it in terms of this Act and any other applicable legislation.
- (2) The policy shall take effect from the date of publication of these bylaws.
3. The Council shall not collect any money that is due and payable to it other than in accordance with the provisions of its valid and adopted Credit Control and Debt Collection Policy.

Contents of policy

- 4(1) The Council's Credit Control and Debt Collection Policy shall provide for –

- (a) credit control procedures and mechanisms;
 - (b) debt collection procedures and mechanisms;
 - (c) provision for indigent debtors that is consistent with its rates and tariff policies and any national policy on indigents;
 - (d) realistic targets consistent with –
 - (i) general recognized accounting practices and collection ratios; and
 - (ii) the estimates of income set in the budget less an acceptable provision for bad debts;
 - (e) interest on arrears, where appropriate;
 - (f) extensions of time for payment of accounts;
 - (g) termination of services or the restriction of the provision of services when payments are in arrears;
 - (h) matters relating to the unauthorised consumption of services, theft and damages, and
 - (i) any other matters that may be prescribed by regulation in terms of section 104 of the Act.
- (2) The Credit Control and Debt Collection Policy may differentiate between different categories of ratepayers, users of services, debtors, taxes, services, service standards and other matters as long as the differentiation does not amount to unfair discrimination.

Implementing authority

5. The Municipal Manager shall –

- (a) implement and enforce the Municipality's Credit Control and Debt Collection Policy and any bylaws enacted in terms of section 98 of the Act;
- (b) in accordance with the Credit Control and Debt Collection Policy and any bylaws, establish effective administrative mechanisms, processes and procedures to collect money that is due and payable to the Municipality; and
- (c) at such intervals as may be determined by the Council, report the prescribed particulars to a meeting of the Executive Committee.

Supervisory authority

6. The Municipality's Executive Committee, as the supervisory authority, shall –

- (a) oversee and monitor –
 - (i) the implementation and enforcement of the Municipality's Credit Control and Debt Collection Policy and any bylaws enacted in terms of section 98 of the Act; and
 - (ii) the performance of the Municipal Manager in implementing the Policy and any bylaws;
- (b) when necessary, evaluate or review the Policy and any bylaws, or the implementation of the Policy and any such bylaws, in order to improve efficiency of its credit control and debt collection mechanisms, processes and procedures; and
- (c) at such intervals as may be determined by the Council, report to a meeting of the Council.

Sections 101, 102 and 103 of the Act

7. Sections 101, 102 and 103 of the Act shall be deemed to form part of these bylaws.

Date of commencement of bylaws

8. These bylaws shall come into operation on the date of publication in the Provincial Gazette.

THE MSUNDUZI MUNICIPALITY TARIFF POLICY BYLAWS

The Municipal Manager of the Msunduzi Municipality hereby, in terms of section 13(a) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), publishes the Tariff Policy Bylaws for the Msunduzi Municipality, as adopted by its Council, as set out hereunder.

PREAMBLE

In terms of section 74(1) of the Local Government: Municipal Systems Act 2000 (Act No 32 of 2000) ("the Act"), a municipality may levy fees for municipal services provided by itself or by way of service delivery agreements;

In terms of section 74(1) of the Act and for the purposes stated in that section, a municipality must adopt, and implement a tariff policy which complies with the provisions of the Act, the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) and any other applicable legislation;

In terms of section 74(3) of the Act, a tariff policy may differentiate between different categories of users, debtors, service providers, services, service standards, geographical areas and other matters as long as the differentiation does not amount to unfair discrimination;

In terms of sections 75(1) and (2) of the Act, a municipal council must adopt bylaws to give effect to the implementation and enforcement of its tariff policy and such bylaws may differentiate between different categories of users, debtors, service providers, services, service standards, geographical areas and other matters as long as the differentiation does not amount to unfair discrimination.

Definitions

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

"Act" means the Local Government: Municipal: Systems Act 2000 (Act No 32 of 2000) ;

"Council" means the council of the Msunduzi Municipality;

"tariff policy" means the Tariff Policy adopted by the Council in terms of section 74(1) of the Act.

Adoption and implementation of rates policy

- 2(1) The Council shall, by resolution, adopt, and implement a tariff policy on the levying of fees for municipal services provided by the Municipality itself or by way of service delivery agreements.
- (2) The policy shall take effect from the date of publication of these bylaws.
3. The Municipality shall not levy any fees other than in accordance with the provisions of its valid and adopted Tariff Policy.

Contents of policy

4(1) The Council's Tariff Policy shall ensure that –

- (a) users of municipal services should be treated equitably in the application of tariffs;
- (b) the amount individual users pay for services should generally be in proportion to their use of that service;
- (c) poor households shall have access to at least basic services through –
 - (i) tariffs that cover only operating and maintenance costs;
 - (ii) special tariffs or life line tariffs for low levels of use or consumption of services or for basic levels of service; or
 - (iii) any other direct or indirect method of subsidization of tariffs for poor households;
- (d) tariffs shall reflect the costs reasonably associated with rendering the service, including capital, operating, maintenance, administration and replacement costs, and interest charges;
- (e) tariffs shall be set at levels that facilitate the financial sustainability of the service, taking into account subsidisation from sources other than the service concerned;
- (f) that provision may be made in appropriate circumstances for a surcharge on the tariff for a service;
- (g) provision may be made for the promotion of local economic development through special tariffs for categories of commercial and industrial users;
- (h) the economical, efficient and effective use of resources, the recycling of waste, and other appropriate environmental objectives shall be encouraged;
- (i) the extent of subsidisation of tariffs for poor households and other categories of users shall be fully disclosed.

(2) The Tariff Policy may differentiate between different categories of users, debtors, service providers, services, service standards, geographical areas and other matters as long as the differentiation does not amount to unfair discrimination

General power to levy and recover fees, charges and tariffs

5(1) The Municipality may –

- (a) levy and recover fees, charges or tariffs in respect of any function or service of the Municipality; and
 - (b) recover collection charges and interest on any outstanding amount.
- (2) The fees, charges and tariffs referred to in paragraph (a) shall be levied by resolution passed by the Council with a supporting vote of a majority of its members.**
- (3) After the resolution contemplated by subsection (2) has been passed, the Municipal Manager shall, without delay –**
- (a) conspicuously display a copy of the resolution for a period of at least 30 days at such places within the Municipality to which the public has access as the Municipal Manager may determine;
 - (b) publish in a newspaper of general circulation in the Municipality a notice stating –

- (i) that a resolution as contemplated in subsection (2) has been passed by the Council;
 - (ii) that a copy of the resolution is available for public inspection during office hours at places specified in such notice; and
 - (iii) the date on which the determination shall come into operation; and
 - (c) seek to convey the information referred to in paragraph (b) to the local community by appropriate means of communication, including, where possible, radio broadcasts.
- (4) The Municipal Manager shall forthwith send a copy of the notice referred to in subsection (3)(b) to the MEC for Co-operative Governance and Traditional Affairs.

Date of commencement of bylaws

6. These bylaws shall come into operation on the date of publication in the Provincial Gazette.

KwaDukuza Municipality
RATES BY-LAWS

The KwaDukuza Municipality, acting under the authority of section 156 (2) of the Constitution of the Republic of South Africa Act 1996 (Act 108 of 1996) read with section 11 (3)(m) and section 12 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), and Section 6 of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), hereby publishes the Rates Bylaws which bylaws shall come into effect on the 1st July 2010.

ARRANGEMENT OF SECTIONS

Section:

1. Definitions
2. Rating of property
3. Principles
4. Categories of property
5. Establishment of Base Property, Category for the purpose of differentiation
6. Criteria for differential rating for different categories of Properties
7. Criteria for rating multiple use property
8. Weighting
9. Criteria for exemption, rebates and reductions
10. Granting of exemptions, rebates and reductions
11. Identification and quantification of costs and benefits
12. Council owned properties
13. Payment of rates
14. General
15. Rates increases
16. Short title
17. Commencement

DEFINITIONS:

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

“Agent” In relation to the owner of a property, means a person appointed by the owner of the property.

(a) to receive rental or other payments in respect of the property on behalf of the owner; or

(b) to make payments in respect of the property on behalf of the owner;

“agricultural property” means land zoned for agricultural purposes in excess of two hectares;

“agricultural purposes” In relation to the use of a property, excludes the use of a property for the purpose of eco-tourism or for the trading in or hunting of game

“Annually” means once every financial year;

“Appeal Board” Means a valuation appeal board established in terms of Section 56 of the Act.

“Assistant Municipal Valuer” A person designated as an assistant municipal valuer in terms of Section 35(1) or (2) of the Act.

“Category”

(a) In relation to property, a category of properties determined in terms of Section B.

(b) In relation to owners of properties, means a category of owners determined in terms of Section 15(2) of the Act

“Data Collector” A person designated as a data- collector in terms of section 36 of the Act.

“Date of valuation” The date determined by a municipality in terms of Section 31(1) of the Act

“Effective Date”

a) In relation to a valuation roll, means the date on which the valuation roll takes effect in terms of Section 32(1) of the Act; or

b) In relation to a supplementary valuation roll, means the date on which a supplementary valuation roll takes effect in terms of Section 78(2)(b) of the Act.

“Exclusion” In relation to a municipality's rating power, means a restriction of that power as provided for in Section 17 of the Act

“exemption” In relation to the payment of a rate, means an exemption granted by a municipality in terms of Section 15 of the Act.

“Financial year” Means the period starting from 1 July in a year to 30 June the next year.

“Income Tax Act” The Income Tax Act, 1962 (Act No. 58 of 1962)

“Indigent” a household with a calculated income as determined by Council from time to time.

“Land reform beneficiary” In relation to a property, means a person who:-

- a) acquired the property through-
 - ii) the Provision of Land and Assistance Act, 1993 (Act No. 126 of 1993); or
 - iii) the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994);
- b) holds the property subject to the Communal Property Associations Act, 1996 (Act No. 28 of 1996); or
- c) holds or acquires the property in terms of such other land tenure reform legislation as may pursuant to Section 25(6) and (7) of the Constitution of the Republic 1996 (Act 108 of 1996) be enacted after this Act has taken effect.

“land tenure right” means an old order right or a new order right as defined in Section 1 of the Communal Land Rights Act, 2004 (Act No. # of 2004);

“Local community” In relation to a municipality-

- a) means that body of persons comprising-
 - i) the residents of the municipality;
 - ii) the ratepayers of the municipality;
 - iii) any civic organisations and non-governmental, private sector or labour organisations or bodies which are involved in local affairs within the municipality; and
 - iv) visitors and other people residing outside the municipality who, because of their presence in the municipality, make use of services or facilities provided by the municipality; and
- b) includes, more specifically, the poor and other disadvantaged sections of such body of persons.

“Market Value” In relation to a property, means the value of the property determined in accordance with Section 46.

“MEC for local government” The member of the Executive Council of a province who is responsible for local government in that province

“Minister” The cabinet member responsible for local government

“MPRA” Municipal Property Rates Act No. 6 of 2004 and Regulations framed there under.

“multiple purposes” In relation to property, means the use of property for more than one purpose;

“municipal council” or **“council”** means the council of the KwaDukuza Municipality as constituted to in section 18 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

“Municipality” - means the KwaDukuza Municipality-

- (a) established in terms of section 155(6) of the Constitution, 1996, and established by and under section 11 and 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), read with sections 3, 4 and 5 of the KwaZulu-Natal Determination of Types of Municipality Act, 2000 (Act No. 7 of 2000).

and

- b) as a geographical area, means a municipal area demarcated in terms of the Local Government: Municipal Demarcation Act, 1988 (Act No. 27 of 1988);

“Municipal Manager” A person appointed in terms of Section 82 of the Municipal Structures Act;

“Municipal Structures Act”

The Local Government: Municipal Structures Act, 1988 (Act No. 117 of 1998).

“Municipal Systems Act” The Local Government: Municipal Systems Act 2000 (Act No. 32 of 2000).

“Municipal Valuer or Valuer of a Municipality” A person designated as a municipal valuer in terms of Section 33(1) of the Act;

“Newly rateable property” Any rateable property on which property rates were not levied before the end of the financial year preceding the date on which this Act took effect, excluding

- a) a property which was incorrectly omitted from a valuation roll and for that reason was not rated before that date; and
- b) a property identified by the Minister by notice in the Gazette where the phasing-in of a rate is not justified.

“Occupier” In relation to a property, means a person in actual occupation of a property, whether or not that person has a right to occupy the property;

“Organ of State” An organ of state as defined in Section 239 of the Constitution.

“owner” –

- (a) in relation to property referred to in paragraph (a) of the definition of “property”, means a person in whose name ownership of the property is registered;
- (b) in relation to a right referred to in paragraph (b) of the definition of “property”, means a person in whose name the right is registered;
- (c) in relation to a land tenure right referred to in paragraph (c) of the definition of “property”, means a person in whose name the right is registered or to whom it was granted in terms of legislation,
- (d) in relation to public service infrastructure referred to in paragraph (d) of the definition of “property” means the organ of state which owns or controls that public service infrastructure as envisaged in the definition

of "publicly controlled" provided that a person mentioned below may for the purposes of this Act be regarded by the municipality as the owner of the property in the following cases:

- (i) a trustee, in the case of a property in a trust excluding state trust land;
- (ii) an executor or administrator, in the case of property in a deceased estate;
- (iii) a trustee or liquidator, in the case of property in an insolvent estate or in liquidation;
- (iv) a judicial manager, in the case of property in the estate of a person under judicial management;
- (v) a curator, in the case of property in the estate of a person under curatorship;
- (vi) a usufructuary or other person in whose name a usufruct or other personal servitude is registered, in the case of property that is subject to a usufruct or other personal servitude;
- (vii) a lessee, in the case of a property that is registered in the name of the municipality and is leased by it; or
- (viii) a buyer, in the case of a property that was sold by a municipality and of which possession was given to the buyer pending registration of ownership in the name of the buyer;

"permitted use", in relation to property, means the limited purposes for which the property may be used in terms of –

- (a) any restrictions imposed by –
 - (i) a condition of title;
 - (ii) a provision of a town planning or land use scheme; or
 - (iii) any legislation applicable to any specific property or properties; or
- (b) any alleviation of any such restrictions;

"Pensioner" means a South African citizen who receives regular payment from the state or former employer after retirement, or the surviving spouse who receives a regular payment from the former employer of the late spouse, or a natural person, who is a South African citizen, over the age of 60 years who is not in employment.

"Person" - Includes an organ of state

"Primary property" means the property on which the owner resides.

"Primary developer": a primary developer of a parent property is the legal entity, or successor in title in the event of a sale of a property's development rights, that entered into a service level agreement with the KwaDukuza Municipality wherein it is specifically recorded that Council shall provide rate rebates in terms of its rate policy. The description of the parent property must be stated in the service level agreement.

"property" means –

- (a) immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person;
- (b) a right registered against immovable property in the name of a person, excluding a mortgage bond registered against the property;
- (c) a land tenure right registered in the name of a person or granted to a person in terms of legislation; or
- (d) a public service infrastructure;

"property development" means a major development primarily for residential properties, but also including such other categories as may be authorised, arising from a DFA or land PTB approval or directly in terms of the Municipality's Town Planning Scheme, and in which all the internal infrastructure and community facilities are provided by the Primary Developer.

"property register" means a register of properties referred to in section 23 of the Act;

"protected area" means an area that is or has to be listed in the register referred to in section 10 of the Protected Areas Act.

"Protected Areas Act" The National Environmental: Protected Areas Act, 2003 (Act No. 57 of 2003);

"public benefits organization" means an organization conducting specified public benefit activities as defined in the Act and registered in terms of the Income Tax Act, 1962 (Act No. 58 of 1962) for a tax reduction because of those activities;

"publicly controlled" means owned or otherwise under the control of an organ of state, including –

- (a) a public entity listed in the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) a municipality; or
- (c) a municipal entity as defined in the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

"public service infrastructure" means publicly controlled infrastructure of the following kinds:

- (a) national, provincial or other public roads on which goods, services or labour move across the municipal boundary;
- (b) water or sewer pipes, ducts or other conduits, dams, water supply reservoirs, water treatment plants or water pumps forming part of a water or sewer scheme serving the public;
- (c) power stations, power substations or power lines forming part of an electricity scheme serving the public;
- (d) gas or liquid fuel plants or refineries or pipelines for gas or liquid fuels, forming part of a scheme for transporting such fuels;
- (e) railway lines forming part of a national railway system;
- (f) communication towers, masts, exchanges or lines forming part of a communications system serving the public;
- (g) runways or aprons at national or provincial airports;

- (h) breakwaters, sea walls, channels, basins, quay walls, jetties, roads, railway or infrastructure used for the provision of water, lights, power, sewerage or similar services of ports, or navigational aids comprising lighthouses, radio navigation aids, buoys, beacons or any other device or system used to assist the safe and efficient navigation of vessels;
- (i) any other publicly controlled infrastructure as may be prescribed; or
- (j) rights of way, easements or servitudes in connection with infrastructure mention in paragraphs (a) to (i).

"rate" means a municipal rate on property envisaged in section 229(1)(a) of the Constitution, 1996;

"Rateable property" Property on which a municipality may in terms of Section 2 of the Act levy a rate, excluding property fully excluded from the levying of rates in terms of Section 17 of the Act.

"Rates Policy": The municipal council must by resolution, adopt a policy on the levying of rates on rateable property in the municipality which must comply with the Section 3 of the Act.

"Rebate" In relation to a rate payable on a property, means a discount granted in terms of Section 15 of the Act on the amount of the rate payable on the property.

"Register" means to record in a register in terms of –

1. the Deeds Registries Act, 1937 (Act No. 47 of 1937); or
2. the Mining Titles Registration Act, 1967 (Act No. 16 of 1967); and
3. Includes any other formal act in terms of any other legislation to record-
4. a right to use land for or in connection with mining purposes; or
5. a land tenure right;

"reduction" in relation to a rate payable on property, means the lowering in terms of Section 15 of the amount for which the property was valued and the rating of the property at that lower amount,

"residential property" means property included in a valuation roll in terms of section 48(2) of the Act as residential;

"Sectional Titles Act" The Sectional Titles Act, 1986 (Act No. 95 of 1986)

"Sectional Title Scheme" A scheme defined in Section 1 of the Sectional Titles Act;

"Sectional Title Unit" A unit defined in Section 1 of the Sectional Titles Act

"Specified public benefit activity" means an activity listed in item 1 (welfare and humanitarian), item 2 (health care) and item 4 (education and development) of Part 1 of the Ninth Schedule to the Income Tax Act, 1962 (Act No. 58 of 1962);

"State Trust Land" means land owned by the state-

- (a) in trust for persons communally inhabiting the land in terms of a traditional system of land tenure;
- a) over which land tenure rights were registered or granted; or
- b) which is earmarked for disposal in terms of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994)

"the Restitution of Land Rights Act" means the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994).

"the Act" means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004) and the regulations as promulgated in terms of the said Act.

"Vacant land" means land on which no immovable improvements have been erected.

2. RATING OF PROPERTY

2.1 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: The municipal council must, by resolution, adopt a policy on the levying of rates on rateable property in the municipality which must comply with the Act.
- d) these bylaws.

3. PRINCIPLES

The municipality shall utilise the following key principles in the formulation of the rates policy which shall be amended by Council from time to time:

- 3.1. To ensure that rates allocated to properties are basically fair.
- 3.2. To ensure that rates and tariffs levied are basically fair
- 3.3. To ensure that the very poor are assisted.
- 3.4. To encourage a better quality of life for residents.
- 3.5. To promote growth and investment in the municipality of KwaDukuza.
- 3.6. To ensure the long-term viability of KwaDukuza Municipality.

- 3.7. To develop a rating system that is cost efficient to administer.
- 3.8. To ensure that the Council will treat ratepayers with similar properties in the same manner.
- 3.9 . To ensure that the rating system shall be based on the ability to pay principle.
- 3.10 To ensure that the ability of a person to pay rates will be taken into account by the Municipality.
- 3.11 To ensure that the Municipality in dealing with the poor/indigent ratepayers , provides effective relief measures.

4. DIFFERENT CATEGORIES OF PROPERTY

- 4.1 The different categories of properties determined by council as specified in the rates policy includes but is not limited to those set out below:

- i) Residential properties.
- ii) Industrial , business and commercial properties.
- iii) Agricultural properties used for agricultural purposes
- iv) Agricultural properties used for other business and commercial purposes.
- v) Agricultural properties used for residential purposes.
- vi) Agricultural properties used for the trading in or hunting of game.
- vii) Agricultural properties used for eco-tourism or conservation.
- viii) Agricultural properties not used for any purpose
- ix) Small holdings used for agricultural purposes.
- x) Small holdings used for residential purposes.
- xi) Small holdings used for industrial, business and commercial purposes.
- xii) State owned properties.
- xiii) Municipal properties.
- xiv) Public service infrastructure.
- xv) Formal and informal settlements.
- xvi) Communal land as defined in section 1 of the Communal Land Rights Act, 2004.
- xvii) State trust land.
- xviii) Properties acquired through the provision of the Land Assistance Act 1993 (Act No. 126 of 1993), or the Restitution of Land Rights Act 1994 (Act No. 22 of 1994).
- xix) Properties which are subject to the Communal Property Associations Act 1996 (Act No. 28 of 1996).
- xx) Protected areas.
- xxi) Properties on which national monuments are proclaimed.
- xxii) 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.
- xxiii) Vacant land.
- xxiv) Multiple use properties
- xxv) Residential properties for commercial properties
- xxvi) Residential properties used for hospitality purposes

5. ESTABLISHMENT OF BASE PROPERTY CATEGORY FOR THE PURPOSE OF DIFFERENTIATION

- 5.1 The Council shall utilize the Residential Category as the base category against which the rate randage will be measured.

6. CRITERIA FOR DIFFERENTIAL RATING FOR DIFFERENT CATEGORIES OF PROPERTIES

- 6.1. The Council shall utilize the following criteria for weighting the key principle in section 3 above for the purpose of determining the rate randages for each category.
 - 6.1.1 The general economic and financial strength or weakness of owners of a category compared to other categories.
 - 6.1.2 The reliance on services supplied by the Municipality.
 - 6.1.3. The weighting adopted by other Municipalities of similar structure, size and value as the KwaDukuza Municipality
 - 6.1.4. The strategic importance of a category with reference to the aims and objectives of the Council and Government.

- 6.1.5 The nature of the property including its sensitivity to rating for example agricultural properties used for agricultural purposes
- 6.1.6 Vacant land will be rated higher (in terms of a Cent in the Rand) as the Municipality is encouraging owners to develop it and also to discourage speculation by owners.
- 6.1.7 Differential rating among the various property categories will be done by way of setting different Cent in the Rand for each property category rather than by way of reductions and rebates. This is much simpler for citizens to understand and thus promotes the principle of transparency.

7. CRITERIA FOR RATING MULTIPLE USE PROPERTY

7.1. The Council shall use the following criteria for the rating of multiple use properties as set out below:

- 7.1.1. The Council shall apportion the market value of a property to the different purposes for which the property is used for.
- 7.1.2. The Council shall apply the relevant cent amount in the Rand to the corresponding apportioned market value.
- 7.1.3. The Council shall value property according to the dominant (main or primary) use if the market value of a property cannot be apportioned to its various uses.

8. WEIGHTING

8.1. The Council shall determine the difference in rate randage between the various categories of properties on an annual basis.

9. CRITERIA FOR EXEMPTION, REBATES AND REDUCTIONS

9.1. The Council shall utilise the following criteria for the purpose of rates exemption, rebates and reductions as set out below:

- 9.1.1 The indigent status of the owner of a property.
- 9.1.2 The Council shall determine whether the person/s are poor and/or unemployed and the sources of income of the owner of a property will be taken into account.
- 9.1.3. The pensioner's and applicant's ability to pay.
- 9.1.4. The social or economic conditions of the area where the owners of property is located for example an area declared by the National or Provincial Government to be a disaster area within the meaning of Disaster Management Act, 2002 to the extent that the significantly negatively affected.
- 9.1.5 The market value of residential property below a determined threshold.
- 9.1.6 Incentives to promote development.

10. GRANTING OF EXEMPTIONS, REBATES AND REDUCTIONS

10.1 The council shall utilise the following process as set out in the rates policy below and as indicated in the rates policy for the granting of exemptions, rebates and reductions which shall be amended by council from time to time:

10.1.1 An application by affected persons shall be accompanied by the relevant documents(SARS status, pension or social grant proofs) including affidavit has been lodged with the Council on an annual basis.

10.1 Properties qualifying for Exemption

10.1.1 Protected areas and environmentally sensitive areas

10.1.1.1 The Municipality shall comply with sections 17(1) (e) and Sections 17(2)(a) of the Act and as defined in the rates policy of Council.

10.1.1.2 The Council shall further exempt from rates any environmentally sensitive area that is recognised as such by the Council.

10.1.1.3 The Council shall when an area as indicated in 10.1.1.2 above is located on part of a property that has other land use types, apportion the rates to the other land use types if applicable.

10.1.1.4 The Council shall consider applications in this regard for recognition and approval of the environmentally sensitive areas as determined in the rates policy.

10.1.2 Land reform beneficiaries

10.1.2.1 The Council shall comply with Section 17(1)(g) and Section 21(1)(b) of the Act in respect of land belonging to land reform beneficiaries .

10.1.3 Properties used for residential purposes

10.1.3.1. The Council shall comply with Section 17(1)(h) of the Act in respect of residential properties or properties used for multiple purposes provided one or more components of the property are used for residential purposes.

10.1.3.2 The implementation by council is as determined in the rates policy of Council which may be amended by council from time to time.

10.1.4 Places of Worship

10.1.4.1 The Council shall comply with Section 17(1)(i) of the Act in respect of a property registered in the name of and used primarily as, or zoned as a place of public worship by a religious community, including an official residence registered in the name of that community which is occupied by an office- bearer of that community who officiates at services at that place of worship .

10.2 Properties qualifying for rebates

The following properties will qualify for rebates as indicated-

10.2.1 Newly rateable properties.

The Council shall phase in over a period of 3 years the rating of all newly incorporated properties according to the following percentages:-

10.2.1.1. 75% discount for the first year

10.2.1.2. 50% discount for the second year

10.2.1.3. 25% discount for the third year

The Council shall implement the above in terms of the rates policy which may be amended by the Council from time to time.

10.2.2 Public Service Infrastructure

10.2.2.1 The Council shall grant a rebate to public service infrastructure as determined in the rates policy of council which may be amended from time to time.

10.2.2.2 This exemption applies to properties and services infrastructure.

10.2.3 State properties

10.2.3.1 The Council shall grant the following state properties a rebate:

- i) Clinics.
- ii) Local hospitals.
- iii) Police stations.
- iv) Magistrate's courts.
- v) All public schools.
- vi) Local offices of any Government department e.g. Department of Home Affairs.

10.2.3.2. The Council may amend 10.2.3.1 above in the rates policy of Council which shall be amended from time to time

10.2.4 Agricultural properties

10.2.4.1. The Council shall comply with Section 3(4) of the Act in respect of properties used for agricultural purposes.

10.2.4.2. The rebate shall be granted by the Municipality on receipt of an agricultural certificate.

10.2.4.3. The rebate shall be determined in the rates policy of Council which may be amended from time to time.

10.2.5 Residential properties that are part of a township

That rates on a property will become payable from the date on which the subdivision or consolidation of the property was registered in the Deeds Office.

That a parent property may be rated from the date its first subdivision is registered in the Deeds Office if the parent property is not already registered in the Deeds Office.

10.2.6 Residential properties that are part of a gated community

10.2.6.1 The Council shall grant a rebate to gated communities where property owners are all members of an association and that association is, by agreement of its members and the Council, responsible for the maintenance and replacement of all or part its services to the community.

10.2.6.2 The Council shall determine the rebate according to the percentage of services provided by the Council in accordance with the standards and costs of services supplied by council in the particular financial year.

10.2.6.2 The Council shall determine the rebate in terms of Councils rates policy which shall be amended from time to time.

10.2.7 Commercial and Industrial Properties

10.2.7.1 The Council shall only grant rates rebates to commercial and industrial properties in terms of existing service agreements.

10.2.7.2 The Council may in exceptional circumstances enter into service level agreements for industrial and manufacturing industries, where specific benefits will accrue to communities.

10.2.7.3. The Council shall by resolution determine the criteria for measuring these benefits as and when adopted by Council.

10.2.8 Developers Incentives (Residential)

10.2.8.1 That primary Developers who have signed a Service Level Agreement with Council will be entitled to the rebates as set out in the rates policy of Council which shall be amended by Council from time to time.

10.2.8.2 A parent property may be rated, in terms of the Municipal Property Rates Act, from the date its first subdivision is registered in the Deeds Office if the parent property is not already registered in the Deeds Office. The incentives listed above will therefore apply from such date. If the parent property is already registered in the Deeds Office, the incentives will apply from the date that development is approved in terms of the town planning process followed.

10.3 OWNERS QUALIFYING FOR EXEMPTIONS

10.3.1 Indigent Persons

10.3.1.1 The Council shall exempt any indigent person who owns property with a value not exceeding R50 000 taking into account the total household income as determined by Council from time to time

10.3.1.2 The criteria and rebate will be determined by Councils rates policy as be amended from time to time.

10.3.2 Public Benefit Organisations

10.3.2 .1.The Council shall grant a rebate to any organisation that is registered as a Public Benefit Organisation, in terms of the Income Tax Act on condition that the property is used for the furtherance of the objective of the Organisation and it is not used for income generation.

10.3.2.2. The criteria and rebate will be determined by Councils rates policy as amended from time to time.

10.4 OWNERS QUALIFYING FOR REBATES**10.4.1 Recipients of pensions and disability grants, medically boarded persons and child-headed households**

10.4.1.1. The Council shall apply the criteria and rebates for recipients of pensions and disability grants, medically boarded persons and child-headed households as set out in Council's rates policy which criteria and rebates may be amended from time to time.

10.4.2 Hospitality Accommodation

10.4.2.1 That Bed and Breakfast establishments and guesthouses shall receive a rebate as determined by Council from time to time subject to the qualifying criteria being met as set out in the rates policy of Council.

11. IDENTIFICATION AND QUANTIFICATION OF COSTS AND BENEFITS

11.1 The Council shall comply with Section 3(3)(e) of the Act in identifying and quantifying in terms of cost to the municipality and any benefit to the local community as set out below-

11.1.1. Exemption, rebates and reductions

11.1.2. Exclusions referred to in sections, 17(1) (a) (e) (g) (h) (i) of the Act

11.1.3 Rates on properties that must be phased in terms of Section 21 of the Act.

11.2 The Council shall determine the criteria as stated above by resolution of the said council during the budgetary process.

12. COUNCIL OWNED PROPERTIES

12.1. The Council shall value all Council owned properties.

12.2 The Council shall subject all lessees and purchasers to pay rates in terms of their respective agreements of lease or sale based on the zoning and usage of the property.

13. PAYMENT OF RATES

13.1. The payment and recovery of rates shall be governed by the Municipality's Credit Control and Debt Collection Policy.

14. GENERAL

The KwaDukuza Municipality has adopted the rates policy which is also effective as at 1 July 2010, which is amended annually.

15. SHORT TITLE

These by-laws will be called the Rates Bylaws of the KwaDukuza Municipality.

17. COMMENCEMENT

These by-laws come into force and effect on 1st July 2010 on date of promulgation of this bylaw.

18. REPEAL

All Municipal Bylaws, and amendments thereto, relating to Rates are hereby repealed.

CITY OF uMHLATHUZE

PUBLIC NOTICE

AMENDMENT TO THE SOLID WASTE BYLAWS

The uMhlathuze Municipality has, in terms of Section 156 of the Constitution, 1996 (Act No 108 of 1996) read in conjunction with section 12(3) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), passed a resolution for the amendment of the Solid Waste Bylaws. The following are the applicable amendments to the Solid Waste Bylaws as promulgated in the Provincial Gazette Number 6216 under Notice Number 47 dated 16 October 2003, which shall come into operation on the date of publication hereof:

- 1 Add ***"and the National Environmental Management Act, Act 59 of 2008"*** to the heading of the Bylaw to read as follows:

The Council of the uMhlathuze Municipality has in terms of Section 156 of the Constitution, 1996 (Act No 108 of 1996) ***"and the National Environmental Management Act, Act 59 of 2008"*** read in conjunction with Section 11 of the Municipal Systems Act, 2000 (Act No 32 of 2000), made the following Bylaws:

- 2 to insert ***"A"*** next to Section 10 of Chapter 4, to read as follows:

"10 A Storage, collection and disposal of garden, special domestic and bulky waste"

- 3 the following Section be inserted below Chapter 4, Section 10***"A"***(6), to read as follows:

"10 B Collection, sorting and storage of recyclable materials for financial gain"

- (1) *Any person interested in carrying out recycling shall first register with Council, declaring the type of materials and quantities to be handled and the manner of disposal*
- (2) *It shall be the responsibility of the recycler to acquire an operational site for such undertaking.*
- (3) *Recyclers shall submit to Council quantities of waste collected and quantities of recyclable materials retrieved from such waste on a monthly basis.*
- (4) *Recyclers will be required to attend recyclers' forums where issues pertaining to waste shall be discussed.*
- (5) *Council officials have the right to conduct inspections of any recycling premises at any reasonable time.*
- (6) *Council reserves the right to withdraw a recycling permit should the recycler fail to comply within a reasonable period."*

No. 57

1 July 2010

CITY OF uMHLATHUZE**PUBLIC NOTICE****AMENDMENT TO THE ENVIRONMENTAL HEALTH BYLAWS**

The uMhlathuze Municipality has, in terms of Section 156 of the Constitution, 1996 (Act No 108 of 1996) read in conjunction with section 12(3) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), passed a resolution for the amendment of the Environmental Health Bylaws. The following are the applicable amendments to the Environmental Health Bylaws as promulgated in the Provincial Gazette Number 6508 under Notice Number 16 dated 14 September 2006, which shall come into operation on the date of publication hereof:

1. the following Section be inserted below Section 73.1(2)(a) in Chapter 14, to read as follows:

"2(a)(i) the extension of the 48 hour period is at the discretion of the Environmental Health Practitioner."

656099

No. 58

1 July 2010

CITY OF uMHLATHUZE**PUBLIC NOTICE****AMENDMENT TO THE BED AND BREAKFAST BYLAWS**

The uMhlathuze Municipality has, in terms of Section 156 of the Constitution, 1996 (Act No 108 of 1996) read in conjunction with section 12(3) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), passed a resolution for the amendment of the Bed and Breakfast Bylaws. The following are the applicable amendments to the Bed and Breakfast Bylaws as promulgated in the Provincial Gazette Number 6508 under Notice Number 17 dated 14 September 2006, which shall come into operation on the date of publication hereof:

1. the word **"Senior Health Inspector"** be deleted from Section 2(1)(c) and replaced with **"Senior Environmental Health Practitioner"** to read as follows:

*"(c) the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No 54 of 1972) and the Regulations governing general hygiene requirements for food premises and the transport of food, formulated under the Health Act, 1977 (Act No 63 of 1977), where a Certificate of Acceptability must be obtained from the Council's **"Senior Environmental Health Practitioner."***

656105

CITY OF uMHLATHUZE
PUBLIC NOTICE
AMENDMENT TO THE RATES BYLAWS

The uMhlathuze Municipality has, in terms of Section 156 of the Constitution, 1996 (Act No 108 of 1996) read in conjunction with section 12(3) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), passed a resolution for the amendment of the Rates Bylaws. The following are the applicable amendments to the Rates Bylaws as promulgated in the Provincial Gazette Number 131 under Notice Number 55 dated 3 July 2008, which shall come into operation on the date of publication hereof:

1. delete the definition of "Public Benefits Organisation" as it appears under "Definitions" in the Rates Bylaws and substitute it to read as follows:

"Public Benefits Organisation" means an organisation conducting specified public benefit activities listed in item 1 (welfare and humanitarian), item 2 (health care) and item 4 (education and development) of part 1 of the Ninth Schedule to the Income Tax Act and registered for tax reductions because of those activities

2. Add the following clause under "Definitions":

"Public Benefits Organisation Property" means property owned by public benefit organisations and used for any specified public benefit activity listed in item 1 (welfare and humanitarian), item 2 (health care) and item 4 (education and development) of part 1 of the Ninth Schedule to the Income Tax Act"

3. Section 7(2)(b) is to be deleted and replaced with the following:

"7(2)(b) Public Benefit Organisations performing a specific public benefit activity and registered in terms of the Income Tax Act, Item 1, 2 and 4 of part 1 of the Ninth Schedule, for tax deduction because of those activities."

4. Section 7(3) is to be deleted and replaced with the following:

"7(3)(b) This also applies to a vacant property registered in the name of and used primarily as a place of worship by a religious community."

5. Section 8(5)(a) is to be deleted and replaced with the following:

No. 60

1 July 2010

UGU DISTRICT MUNICIPALITY

TARIFFS OF CHARGES 2010/2011 WITH EFFECT FROM 1 JULY 2010 (EXCLUDING VAT)

1. COUNCIL'S CHARGES FOR WATER SUPPLIED TO CONSUMERS

- (a) All consumers with a private water connection will be liable for the payment of a basic cost irrespective if water is supplied or not. The basic cost shall be calculated by multiplying the quota of a consumer by the amount of the basic cost.
- (b) Charges for water supplied shall be calculated by multiplying the consumption of the consumer by the applicable tariff code, by category of consumer.
- (c) The following tariff and basic costs will be implemented on all accounts submitted on or after **1 July 2010**.

1. Properties zoned as Special and General Residential

	2010/2011	2009/2010	% Increase
For water consumption	7.67	7.09	8.2%
For water drawn in excess of quota	-	-	-
For water drawn in excess of 39 kl/quota/month	12.29	11.36	8.2%
For water drawn in excess of 51 kl/quota/month	13.82	12.77	8.2%

2. Gated Estates – bulk uses

	2010/2011	2009/2010	% Increase
For water consumption	5.43	-	8.2%
For water drawn in excess of quota	-	-	-
For water drawn in excess of 39 kl/quota/month	8.71		8.2%
For water drawn in excess of 51 kl/quota/month	9.79		8.2%

3. Commercial, Industrial or other

For water consumption up to quota	7.67	7.09	8.2%
For water drawn in excess of quota	15.34	14.18	8.2%

- (d) A monthly basic charge per kilolitre quota per day which cost shall be paid at Council's option by the consumer and/or legal owner of the property serviced by the meter – **R98.08** (2009/2010 R 90.65) [8.2% increase].
- (e) A monthly basic charge per kilolitre quota of **0.71 kilolitres** per day, which cost shall be paid at Council's option by the consumer and/or legal owner in Sub-Economic dwelling units of the property serviced by the meter – **R69.65** (2009/2010 R64.37) [8.2% increase].

- (f) A monthly basic charge per kilolitre quota of **0.25 kilolitres** per day, which cost shall be paid at Council's option by the consumer and/or legal owner in Rural dwelling units of the property serviced by the meter – **R24.53** (2009/2010 R22.67) [8.2% increase].

(g) **Water and Sanitation Basic Charges- other**

Category	Adjusted billing to
Schools	One Basic per meter + Charge per Kilolitre
Religious institutions & non profit organisations	One Basic per meter + Charge per Kilolitre
Earnings between R2001.00 - R3500.00	40% rebate
Industrial	Calculated Quota

2. **COUNCIL'S CHARGE FOR A NEW WATER AND SANITATION CONNECTION**

2.1 WATER

SIZE	2010/2011	2009/2010	% Increase
15 mm [Other]	3040.69	2,810.25	8.2%
15 mm [Rural Residential]	1473.20	1,361.55	8.2%
20 mm	3411.81	3,153.24	8.2%
25 mm	4424.59	4,089.27	8.2%
40 mm	6920.70	6,396.21	8.2%
LARGER SIZES			
SIZE	2010/2011	DEPOSIT REQUIRED	
50mm	Cost plus 10%	9,500.00	
75mm	Cost plus 10%	10,500.00	
100mm	Cost plus 10%	11,500.00	
50mm combination	Cost plus 10%	12,500.00	

2.2 SANITATION

SIZE	2010/2011	2009/2010	% Increase
110mm standard connection, 6m from the boundary of the property to be connected	1,200.47	1,109.49	8.2%
160mm Standard connection 6m from the boundary of the property to be connected	1,544.14	1,427.12	8.2%
OTHER TYPES OF SANITATION CONNECTIONS			
SIZE	2010/2011	DEPOSIT REQUIRED	
110mm under gravel,	Cost plus 10%	Equivalent to 160mm	

situated more than 6m from boundary of the property to be connected		standard connection	
160mm under gravel, situated more than 6m from boundary of the property to be connected	Cost plus 10%	Equivalent to 160mm standard connection	
110mm under tarmac road, situated more than 6m from boundary of the property to be connected	Cost plus 10%	Equivalent to 160mm standard connection	
160mm under tarmac road, situated more than 6m from boundary of the property to be connected	Cost plus 10%	Equivalent to 160mm standard connection	

3. **COUNCIL'S CHARGES FOR MISCELLANEOUS SERVICES**

	SERVICE	2010/2011	2009/2010	% INCREASE
1.	Testing water meters 15 mm and 20 mm	774.21	715.54	8.2%
2.	Reconnection/Disconnection of supply	163.40	151.02	8.2%
3.	Reconnection of supply outside working hours	704.67	651.27	8.2%
4.	Restriction (Credit control)	167.37	154.69	8.2%
5.	Disconnection (Credit control)	390.53	360.93	8.2%
6.	Special meter readings	557.90	515.62	8.2%
7.	Inspection of leaks in terms of Section 23(c)	744.68	688.24	8.2%
8.	Any other service	Cost plus 10%	Cost plus 10%	8.2%
9.	For water drawn from an unmetered point of supply per hour or part thereof	569.06	525.93	8.2%
10.	For water drawn from a hydrant standpipe	7.67kl	7.09/kl	8.2%
11.	Availability charge per fire hydrant standpipe	58.82 per month per fire hydrant	54.37 per month per fire hydrant	8.2%
12.	Water supplied by tanker less/equal to 6kl	804.76	743.77	8.2%
13.	Plan approval fee	177.05	163.63	8.2%
14.	Water & Sanitation Inspection Fee per visit	360.33	333.02	8.2%
15.	Pre Plan Approval Administration Fee	146.33	135.24	8.2%
16.	Clearance Certificates	186.10	172.00	8.2%
17.	Drainage Certificate Fee	146.33	135.24	8.2%

4. **WATER AVAILABILITY CHARGE** for the year 2010/2011 raised in terms of Section 10G(7) of the Local Government Transitional Act, and the regulations framed in terms of Section 47 of the Ordinance 27/63, the Council levy a uniform **WATER RATE** as set out hereunder, on all land subject to such rate, within local authority areas and townships within the defined areas of the former Lower South Coast and Umzinto Regional Water Services Corporations, for the financial year ending **30 June 2011**:

A UNIFORM CHARGE OF R1 211.89(2009/2010 R1 120.05) PER YEAR PER RATED LOT IRRESPECTIVE OF AREA.

The final date for payment of such charge shall be **30 NOVEMBER 2010**.

5. **COUNCIL'S CHARGES FOR SANITATION SERVICES**

		PROPOSED	CURRENT	% INCREASE (DECREASE)
5.1	Waterborne Sanitation (All Areas) Residential Basic Charge (per unit / per property) Charge per kilolitre (water consumption) Industrial/ Commercial Basic Charge (per quota) Charge per kilolitre	 213.93 2.39 213.93 2.39	 197.72 2.21 197.72 2.21	 8.2% 8.2% 8.2% 8.2%
5.2	For any sewage effluent delivered to the sewerage works for processing, per kilolitre or part thereof	17.93	16.57	8.2%
5.3	Conservancy Tank Clearances (All Ugu) Residential Basic Charge (per unit/ per property) Charge per kilolitre(water consumption) SINGLE RESIDENTIAL UNITS ▪ FIRST LOAD 100% OF APPROVED TARIFF - ▪ SECOND LOAD 70% OF APPROVED TARIFF- ▪ THIRD LOAD AND MORE 50% OF APPROVED TARIFF ON CONDITION THAT THERE IS A SPLIT OF GREY AND BLACK WATER Industrial/Commercial Basic Charge(per quota) Charge per kilolitre <i>Conservancy tank customers will receive one load per month included in the tariff</i>	 213.93 2.39 R216.50 R151.55 R108.25 213.93 2.39	 197.72 2.21 - - - 197.72 2.21	 8.2% 8.2% 8.2% 8.2%
5.4	Adhoc Vacuum tanker services (All Ugu) For each draw requested	340.14	314.36	8.2%
5.5	Removal of conservancy tank effluent: - - For the removal of conservancy effluent per load or part thereof after normal office hours (Monday to Friday). An applicant for the supply of a conservancy service shall pay a deposit equivalent to the rand value of the number of estimated additional monthly draws anticipated.	 1410.24	 1,303.36	 8.2%
5.6	1) Conservancy tank additional draws are performed on a cash basis, unless there is a consumer account reflecting an appropriate deposit. 2) Conservancy tank draws shall be performed within 48 hours of request and/or confirmation of receipt of monies. 3) It is the responsibility of the person requesting a draw to get a reference number for follow-up queries.			
5.7	Septic Tank Charge: - Umdoni Municipality			

		PROPOSED	CURRENT	% INCREASE (DECREASE)
	- Per Draw Provided: i) The septic tank must be located and exposed by the owner. ii) The effluent in the septic tank must be liquefied by the owner. iii) The septic tank must be accessible for removal. This service is performed on a cash basis only.	896.40	828.47	8.2%
5.8	Leachate Removal Charge: - Umdoni Municipality - Per Draw	151.09	139.64	8.2%
5.10	Sewerage Availability Charge	Raised monthly where vacant stand waterborne consumers are able to connect into sewer mains, at an amount equivalent to the monthly basic sewer charge.	Raised monthly where vacant stand waterborne consumers are able to connect into sewer mains, at an amount equivalent to the monthly basic sewer charge.	8.2%

6. Tariff of charges for GIS Copies of Maps – all prices excl vat

Size	Colour Copy	Back and White Copy	Standard photo Copy
A0	200.00	100.00	-
A1	150.00	75.00	-
A2	100.00	50.00	-
A3	60.00	30.00	5.00
A4	50.00	25.00	2.00
Electronic Soft copy on CD	50.00	-	-

7. PROPOSED NEW CAPITAL CONTRIBUTIONS FOR THE 2010/2011

SANITATION	
	COST PER QUOTA
INTERNAL NETWORK	
OUTFALL SEWER/PUMPING MAIN	R 6570.00
WASTE WATER TREATMENT WORKS	R 6241.50
TOTAL	R 12 811.50
ONE QUOTA = 1000 LITERS	
WATER	
	COST PER QUOTA
NETWORK	
DAM	R 1916.25
SUPPLY PIPELINE	R 1741.05
PUMPSATION	R 2474.70
RESERVOIR	R 1861.50
WATER PURIFICATION WORKS	R 2299.50
TOTAL	R 10 293.00
ONE QUOTA = 1000 LITERS	

CONTRIBUTIONS		
	SANITATION	
	WATER QUOTA	QUOTA
RESIDENTIAL 1		
SUB ECONOMIC (250 TO 400)	0.25	0.20
LOW (401 TO 700M ²)	0.60	0.50
MIDDLE (701 TO 900 M ²)	0.80	0.65
HIGH (901 TO 2000)	1.20	1.00
GRANNY FLAT	0.80	0.65
RESIDENTIAL 2 AND 3		
LOW (30 TO 60 M ²)	0.60	0.50
MIDDLE (61 TO 200 M ²)	0.80	0.65
HIGH (201 TO 500)	1.20	1.00
RESIDENTIAL 4 (HIGH RISE)		
LOW (30 TO 50 M ²)	0.45	0.40
MIDDLE (51 TO 80 M ²)	0.60	0.50
HIGH (81 TO 200 M ²)	0.75	0.70
OFFICE /100M²	0.40	0.40
SHOPS/100M²	0.40	0.40

	WATER QUOTA	SANITATION QUOTA
CLINIC/BED	0.60	0.60
RETIREMENT VILLAGE/PERSON		
FRAIL CARE/PERSON	0.25	0.25
BEDSITTER/PERSON	0.25	0.25
UNITS/UNIT	0.50	0.50
OSTELS/PUPIL	0.15	0.15
CRECHE/PUPIL	0.02	0.02
SCHOOLS/PUPIL	0.02	0.02
HOSPITAL/BED	0.30	0.30
RESTAURANT/SEAT	0.09	0.09
WAREHOUSE(EXCL. OFFICE) /100 M ²	0.20	0.20
INDUSTRIAL(EXCL.OFFICE) /100M ²	0.40	0.40
CARAVAN PARK/SITE	0.60	0.5
CONFERENCE CENTRE/SEAT	0.09	0.09
GOLF ESTATE /HECTARE	5.00	0.00
SERVICE STATION/WORKSHOP/100M ²	0.40	0.40
B&B AND GUESTHOUSE/LODGE/ROOM	0.60	0.50
HOTEL/ROOM	0.60	0.60

8. **INDUSTRIAL EFFLUENT CHARGES**

- The charges payable by the owner or occupier, as the case may be, of the manufacturing premises for the use of the Council's sewers in respect of the discharge and conveyance therein of trade effluent from the manufacturing premises, including the use of the Council's sewage purification works for purification of the trade effluent, shall be determined in accordance with the provisions of this by-law. Accounts will be rendered as soon as possible after each period of six months ending on 31st December, or 30th June of each year and shall apply to such periods. Where during any such six monthly period there has been a change of ownership or occupancy necessitating an apportionment of the amount due to the Council, the Council will apportion the amount between the parties concerned in a manner proportionate to the quantity of trade effluent discharged during the relevant respective periods of ownership or occupancy. Nothing herein shall be construed as preventing the Council from submitting accounts on a monthly basis should such practice be considered more expedient by the Council.

The General Manager: Water Services may base the trade effluent charge as described in paragraph (p) section (a), on the highest COD of one, or more samples collected from the trade effluent sampling point.

The charge to be levied by the General Manager: Water Services in respect to trade effluent discharged into its sewers from manufacturing premises shall be assessed in accordance with the following formula: -

$$R = A + ((\text{COD}/1000) \times B)$$

WHERE

R is the rate in cents per kilolitre due to the Council.

A is the basic carriage tariff expressed in cents per kilolitre, determined annually in advance by the Council. The value of A is 3.79 (8.2%).

B is the basic treatment tariff expressed in cents per

kilogram of COD, determined annually in advance by the Council. The value of B is 0.357 (8.2%).

COD is the chemical oxygen demand value expressed in milligram of COD per litre of effluent recorded in snap samples of effluent collected as and when deemed fit by the General Manager: Water Services.

- A copy of the methods of chemical analysis and testing procedures used to determine the COD for the purpose of calculating the charge equation described above shall be kept available by the General Manager: Water Services for inspection by the owner or occupier of any premises concerned. The method of chemical analysis will in all respects follow the STANDARD METHODS FOR WATER ANALYSES published by the SOUTH AFRICAN BUREAU OF STANDARDS being SABS METHOD 1048 – CHEMICAL OXYGEN DEMAND OF WATER.
- In the absence of any direct measurement, the quality of trade effluent discharged into the Council's sewers from any particular manufacturing premises during any period shall be estimated and determined by the General Manager: Water Services by reference to the quantity of water consumed on such premises during such period. The quantity of water consumed on such premises shall be determined by reference to the Council's water meters in the case of water obtained from the Council and by meter or by calculation in the case of water obtained from any other source, including water emerging from material processed on the premises. In determining the quantity of trade effluent so discharged, due allowance shall be made for the quality of water which it is estimated is used for domestic purposes including gardening on such premises or any other purpose not resulting in the discharge of trade effluent and for water lost by reaction or evaporation during any processes on the manufacturing premises concerned and for water present in the final products or materials produced on such premises and, generally, the District Municipality shall take into consideration such matters as will enable it to estimate for the purpose of the by-laws the quantity of trade effluent discharged as aforesaid during any given period.

9. **ACCEPTANCE OF SEWAGE DELIVERED BY ROAD HAULAGE**

Description	Proposed tariff R	Current tariff R
The charges for any sewage delivered for disposal to any Council facilities shall be assessed by an authorised officer in accordance with the prescribed tariff of charges:		
(a) Disposal of trade effluent from within the Council's area of jurisdiction delivered by private road tanker to Council facilities		
Per tanker load	471.32	435,60
(b) Disposal of trade effluent from without the Council's area of jurisdiction delivered by private road tanker to Council facilities		
Per tanker load	706.98	653,40
(c) Disposal of domestic effluent from within or without the Council's area of jurisdiction to Council facilities		
(i) delivered by private road tanker per kilolitre, measured as the nominal carrying capacity, of the tanker	117.83	108,90
(ii) delivered by private road haulage in drums per drum of capacity not exceeding 150 litres	23.57	21,78

10. **AGRICULTURAL MARKET CHARGES**

	SERVICE	2010/2011	2009/2010	% INCREASE (DECREASE)
1.	Agents Commission - % of turnover	5%	5%	0%
2.	Transport – per standard carton	1.10	1.05	5%
3.	Office Accommodation – per m ² /month, including electricity	22.05	21.00	5%
4.	Trolley Hire – 4 wheel trolley per day	3.31	3.15	5%
5.	Ripening – per 20kg carton per 5 day Ripening Cycle	1.32	1.26	5%
6.	Cold Storage – standard pallet per day	4.41	4.20	5%
7.	Reserved Parking – uncovered parking/month	55.13	52.50	5%

11. **TARIFFS FOR INSTALLATION OF BASE TELECOMMUNICATION STATIONS**

The monthly tariffs for the new installation and the renewal of existing leases of base telecommunication stations on municipal property shall be as per the below mentioned tariff of charges:

- R3,152.69 on vacant property.
- R4,437.12 on property with an existing structure.

It should be noted that for a single installation, a lease agreement will be entered into with one service provider.

In the event of co-use of telecommunications masts by cellular network providers, the primary service provider with whom the municipality entered into lease agreement will be responsible for the account.

Tariffs for installation on private property should be agreed to by the service provider and the owner of the property.

12. **OFFENCES AND PENALTIES**

Any offences and/or penalties raised by the municipality shall be affected as per Part 7 (General Provisions), clause 34, of the Gazetted Water Services Bylaws, as adopted in terms of Section 21 of the Water Services Act, Act No. 108 of 1997.

13. **WATERBORNE SANITATION SPECIAL LEVY**

A special levy would be introduced in the areas which will benefit from the waterborne sewer development programme. However the sub-economic areas would be exempt from this levy.

No. 61

1 July 2010

KWADUKUZA MUNICIPALITY**ELECTRICITY SUPPLY BYLAWS**

The KwaDukuza Municipality, acting in terms of section 156 (2) of the Constitution of the Republic of South Africa Act 1996, (Act 108 of 1996) read with section 11 (3)(m) and section 12, and section 13 of the Local Government: Municipal Systems Act (Act 32 of 2000) hereby publishes the amendment to the electricity supply bylaws, as promulgated on the 17 March 2005, No. 9 of 2005, which shall come into effect on date of promulgation of this amendment to the bylaw.

CLAUSE 23 of the bylaw shall be deleted and replaced and amended to read as follows:

23. Right to disconnect supply –

- (1) The Municipality shall have the right to disconnect the supply of electricity to any premises if -
 - (a) the person liable to pay for such supply fails to pay any charge due to the Municipality in connection with the supply of electricity which he/she may at any time have received from the Municipality in respect of such premises, provided that the Municipality has given the person concerned notice **on the face of the person's account, reflecting the due date for the payment thereof and stating that the supply of electricity may be disconnected should the charges in respect of such supply** remain unpaid after the due date;
 - (b) the Municipality has reasonable grounds to believe that any of the provisions of this bylaw has been contravened in relations to the supply of electricity to the premises concerned, including but not limited to unsafe and/or illegal connections, in which case the Municipality shall have the right to disconnect with immediate effect the electricity supply to such premises and remove any of its equipment for the supply thereof.
- (2) After disconnection for non-payment of accounts **as envisaged in sub-paragraph (a)** or the improper or unsafe use of electricity **as envisaged in sub-paragraph (b)**, the fee as prescribed by the Municipality shall be paid **before re-instating the power supply**.

COMMENCEMENT

These amendments to the electricity supply by-laws will come into force and effect on date of promulgation of the amendments to this bylaw.

ADVERTISEMENT — ISIKHANGISO

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

STRUWIG MENDES ASSOCIATES has lodged an application in terms of the Development Facilitation Act, 1995, for the establishment of a land development area on:

Ptn. of Sub 1 of lot 55 of 7033; Portions of Subs 1, 2, 6 and Rem of Lot 55 of 6244; Portions of Subs 1, 2, 3, 4, 6, and Rem. of Trevallis 2222; Subs 2, 3, and Rem. of Lot 53 of 6211; Rem of Lot 52 of 6210; Ptn of Sub 8 Lot 66A of 2630; Ptn of Lot 41C of 7587, Ptn. of Sub 2 of Lot 41B of 2629, Registered Division FU, Municipality of Kwadukuza, Province of Kwazulu-Natal.

The development consists of the following land uses:

2064 Special Residential ; 5 Administration; 4 Mixed use(Commercial); 3 Worship; 19 Public Open Spaces and roads.

The relevant plan(s), document(s) and information are available for inspection at:

DESIGNATED OFFICER: KWADUKUZA MUNICIPALITY
MUNICIPAL OFFICES
CHIEF ALBERT LUTHULI STREET
P.O. BOX 72
KWADUKUZA

for a period of 21 days from 01 July 2010.

The application will be considered at a Tribunal hearing to be held at the Ballito Council Chambers, Kwadukuza Municipality, 10 Leonora Drive Ballito on 10 September 2010 at 10h00 and the pre-hearing conference will be held at the Ballito Council Chambers on 19 July 2010 at 10h00.

You may attend an inspection in loco of the land development area which will be conducted by the Tribunal on 09 September 2010 at 14h00.

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

1. You may within a period of 21 days from the date of the first publication of this notice, provide the designated officer with your written objections or representations; or
2. If your comments constitute an objection to any aspect of the land development application, you must appear in person or through a representative before the Tribunal at the pre-hearing conference, on the date mentioned above.

Any written objection or representation must be delivered to the designated officer at the abovementioned address and you may contact the designated officer if you have any queries at the following:

Telephone Number: (032) 4375000
Fax Number: (032) 5525552

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

STRUWIG MENDES ASSOCIATES ufake isicelo ngokulandela uMthetho wokuKhuthaza iNtuthuko mayelana nokumiswa kwendawo yokuthuthukiswa

PTN. OF SUB 1 OF LOT 55 OF 7033; PORTIONS OF SUBS 1, 2, 6 AND REM OF LOT 55 OF 6244; PORTIONS OF SUBS 1, 2, 3, 4, 6, AND REM. OF TREVALLIS 2222; SUBS 2, 3, AND REM. OF LOT 53, OF 6211; REM OF LOT 52 OF 6210; PTN OF SUB 8 LOT 66A OF 2630; PTN OF LOT 41C OF 7587, PTN. OF SUB 2 OF LOT 41B OF 2629, REGISTERED DIVISION FU, MUNICIPALITY OF KWADUKUZA, PROVINCE OF KWAZULU-NATAL.

Ukuthuthukisa kubabandakanya lokhu okulandelayo:

2064 Special Residential ; 5 Administration; 4 Mixed use(Commercial); 3 Worship; 19 Public Open Spaces and roads.

Ipulani (amapulani), incwadi (izincwadi) neminingwane edingekayo ukuze ihlolwe itholakala:

DESIGNATED OFFICER: KWADUKUZA MUNICIPALITY
MUNICIPAL OFFICES
CHIEF ALBERT LUTHULI STREET
P.O. BOX 72
KWADUKUZA

isikhathi esiyizinsuku ezingama-21 kusukela (01 July 2010) Faka usuku loluqala lesi saziso esakhishwa ngalo ephephendabeni)

Isicelo siyocutshungulwa eNkundleni yokulalela izicelo eyohlala Ballito Council Chambers, KwaDukuza Municipality, 10 Leonora Drive Ballito mhla ka 10 September 2010 ngo 10h00 kanti umhlangano wokwendulela uyoba Ballito Council Chambers mhla ka 19 July at 10h00. Ungaba khona lapho kuhlolwa mathupha indawo ethuthukiswayo okuyokwenziwa yiNkundla yokulalela izicelo mhla ka 9 September 2010 at 14h00 ntambama.

Yinoma yimuphi umuntu onentshisekelo mayelana nesicelo kumele aqaphele lokhu:

1. Ezinsukwini ezingu-21 lesi saziso sokuqala simenyezwe, unganikeza isiphathi-mandla esiqokiwe isikhalo noma umbono wakho obhalwe phansi; noma
2. Uma umbono wakho kuyisikhalo esiqondene nokuthile mayelana nesicelo sokuthuthukisa umhlaba, kumele ube khona mathupha noma umelwe ummeli eNkundleni ngosuku olubalulwe ngenhla.

Noma yisiphi isikhalo noma umbono obhalwe phansi kumele uthunyelwe kwisiphathi-mandla esiqokiwe kuleli kheli elibhalwe ngenhla futhi ungathintana nesiphathi-mandla lapha:

Inombolo yocingo: (032) 4375000
Inombolo yefeksi: (032) 5525552