



KWAZULU-NATAL PROVINCE  
KWAZULU-NATAL PROVINSIE  
ISIFUNDAZWE SA KWAZULU-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)*

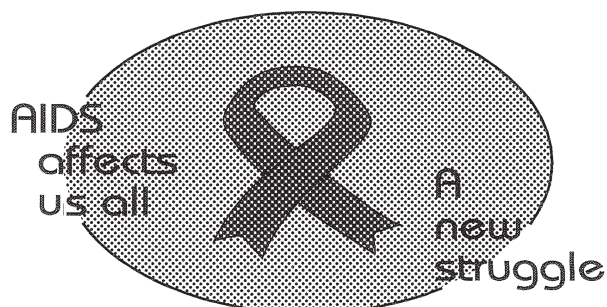
Vol: 16

PIETERMARITZBURG

31 MARCH 2022  
31 MAART 2022

**No: 2384**

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



**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

**Prevention is the cure**

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**No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.**

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## MUNICIPAL NOTICES • MUNISIPALE KENNISGEWINGS

## MUNICIPAL NOTICE 120 OF 2022

General Valuation Roll  
Municipal Property Rates Act No.6 of 2004  
Prepared in terms of the  
Umuziwabantu Municipality



Umuziwabantu  
Municipality  
Private Bag x1023  
Harding  
4680

SECTION 49 NOTICES IN RESPECT ON THE MPRA 2004  
ISAZISO NGAPHANSI KWESIGABA 49 SOMTHETHO OLAWULA UNQUNYWA KWENTELA YEZAPKHIWO YEMIHLA NGOMASIPALA

This notice is served to you under the requirements of section 49 of the Local Government: Municipal Property Rates Act 2004. The purpose of this notice is to advise you of the valuation placed on the following property as at 1 July 2017 as determined during the General Valuation conducted under the provisions of the Local Government: Municipal Property Rates Act no 2004.

You are hereby advised that you have the right to lodge an objection in terms of section 49(1)(a)(ii) of the Act. This section states that any property owner or other person may, if they so desire, lodge an objection with the Municipal Manager in respect of any matter reflected in, or omitted from, the valuation roll by the 7th of March 2022 to 8 April. It must however be borne in mind that in terms of section 50(2) of the act an objection must be in relation to a specific individual property and not against the valuation roll as such. The form for lodging of an objection is obtainable from our offices. Should you require any further information in this regard please contact Mr Ivor Ogle or Andiswa Tshazi at 039 433 3552/4. The property owners stated on the valuation roll and below are requested, to provide the municipality with their postal addresses, also note that residential properties in a tribal authority land small holdings farmers, public benefits organisations are exempted from paying rates.

Lesi saziso usinikwa ngokwezidingo zeSigaba 49 somthetho l Municipal Property Rates Act, 2004. Inhlalo yalesi saziso ukukwazisa ngenani elikanyelwe lesi sakhiwo esichazwe ngenhla mhla lulunye kuJulayi 2017. Njengoba kwanqunywa ekuklanyweni kwamanani ezakhiwo okubanzi okwenziwa ngaphansi komthetho Municipal Property Rates Act, 2004. Ngokwesigaba 49 (1) (a) (ii) somthetho lapha kumenywa noma ngubani ongumnikazi wesakhiwo kumbe omunye ofisayo ukuba azwakalise ukuphikisa kwakhe maqondana nanoma yini ekuloluhla, noma engafakwa kuluhla, kumphathi wedolobha ngaphambi komhlaka 7 March 2022. Kuyacelwa ukuba uqaphele ikakhulukazi iphuzu lokuthi ngokweSigaba 50(2) somthetho, ukuphikisa kumele kube ngokuqondene nesakhiwo esithile, kungabi ukuphikisa loluhlu uqobo lwalo. Ifomu yokuphikisa itholakala emahovisini kamasipala. Mayelana nemibuzo, uyacelwa ukuba ushayele Umnz Ivor Ogle noma u Andiswa Tshazi kule 039 433 3552/4. Abanini bezakhiwo nemihlaba ekwi valuation roll nebhale ngezansi bayacelwa ukunikeza umasipala amakheli abo. Imihlaba yamakhosi, abalimi abancane nabasiza imiphakathi ngeke bayikhokhe intela yemihlaba.

Mr W. Gumede  
MUNICIPAL MANAGER

Erf No.	Ptn	Owner	Category	Market Value
215	2	NTUNZELA TAMMY NAQUITA	VL - VACANT LAND	R100 000
215	0	PAUL SHIRLYN BRONWYN	RES - RESIDENTIAL	R460 000
4449	3	THE SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
4925	3	THE SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
4989	1	SOUTH AFRICAN NATIONAL ROADS AGENCY LTD	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
5032	1	TRANSNET LTD	AG - AGRICULTURAL	R90 000
5040	4	THE SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
5195	1	SOUTH AFRICAN NATIONAL ROADS AGENCY LTD	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
5196	5	SOUTH AFRICAN NATIONAL ROADS AGENCY LTD	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
5295	1	SOUTH AFRICAN NATIONAL ROADS AGENCY LTD	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
5402	5	SOUTH AFRICAN NATIONAL ROADS AGENCY LTD	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
6766	1	THE SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R0
6839	1	THE SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
7115	1	THE SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
7116	1	THE SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
9241	2	THE SOUTH AFRICAN NATIONAL ROAD AGENCY SOC LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
9285	1	THE SOUTH AFRICAN NATIONAL ROAD AGENCY SOC LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
9341	6	THE SOUTH AFRICAN NATIONAL ROAD AGENCY SOC LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
9627	2	THE SOUTH AFRICAN NATIONAL ROAD AGENCY SOC LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
15842	0	KZN EDUCATION DEPARTMENT	PSP - PUBLIC SERVICE PURPOSES	No Change
15842	0	KZN EDUCATION DEPARTMENT	PSP - PUBLIC SERVICE PURPOSES	No Change
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15842	0	KZN EDUCATION DEPARTMENT	PSP - PUBLIC SERVICE PURPOSES	No Change
15842	0	KZN DEPARTMENT OF HEALTH	PSP - PUBLIC SERVICE PURPOSES	No Change
15842	0	KZN EDUCATION DEPARTMENT	PSP - PUBLIC SERVICE PURPOSES	No Change
15842	0	KZN EDUCATION DEPARTMENT	PSP - PUBLIC SERVICE PURPOSES	No Change
15842	0	KZN EDUCATION DEPARTMENT	PSP - PUBLIC SERVICE PURPOSES	No Change
15842	0	KZN EDUCATION DEPARTMENT	PSP - PUBLIC SERVICE PURPOSES	No Change
18532	0	GREG SIMPSON FAMILY TRUST	AG - AGRICULTURAL	R1 400 000
18533	0	GREG SIMPSON FAMILY TRUST	AG - AGRICULTURAL	R1 400 000
18534	0	GREG SIMPSON FAMILY TRUST	AG - AGRICULTURAL	R900 000
18535	0	GREG SIMPSON FAMILY TRUST	AG - AGRICULTURAL	R2 000 000
183	1	BAPOO HOORI	VL - VACANT LAND	R700 000
192	0	BAKHAS YAKOOB / MAHOMED ABDUL KADIR	COM - COMMERCIAL	R4 700 000
648	0	I & A MOOSA INV PTY LTD / HARDING BARGAIN WHOLESALERS PTY LTD	VL - VACANT LAND	R1 200 000
881	0	HARDING TRANSITIONAL LOCAL COUNCIL	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
1113	0	KESWA AGRINETH NTOMBOKUGCINA	RES - RESIDENTIAL	R750 000
1226	0	HARDING TRANSITIONAL LOCAL COUNCIL	MUN - MUNICIPAL	R1 000
1303	0	UMUZIWABANTU MUNICIPALITY	MUN - MUNICIPAL	R1 000
1875	0	UMUZIWABANTU MUNICIPALITY	MUN - MUNICIPAL	R1 000
2442	0	MOLLY ESTHER PROPERTY CC	VL - VACANT LAND	R20 000
2519	0	LEKENU NICLAS MOFEREFERE	RES - RESIDENTIAL	R68 000
2532	0	BHENGU ANDILE EMANUEL	RES - RESIDENTIAL	R68 000
2540	0	KHOWA KHETHIWE FORTUNATE B-E	RES - RESIDENTIAL	R68 000
2557	0	SIHLOPHE NOSIHLE B-E	RES - RESIDENTIAL	R68 000
2574	0	MTHINI THANDUYISE B-E	RES - RESIDENTIAL	R68 000
2608	0	SIDINI MBUSO EMMANUEL B-E	RES - RESIDENTIAL	R68 000
2657	0	MNDANI THANDI FREEMANTLE B-E	RES - RESIDENTIAL	R68 000
2658	0	MJOLI ZIMISELE	RES - RESIDENTIAL	R68 000
2662	0	TENZA ZAMOKWAKHE ERIC B-E	RES - RESIDENTIAL	R68 000
2685	0	MNTUNGWANA THEMBSILE SEMUTI B-E	RES - RESIDENTIAL	R68 000
2691	0	MEMELA MBULELO JEREMIAH	RES - RESIDENTIAL	R68 000
2748	0	MAMBI NOLOYISO B-E	VL - VACANT LAND	R28 000
2755	0	GAMEDDE PATRICK ZETHEMBE	RES - RESIDENTIAL	R68 000
2757	0	KHESWA BAVENI BABAZILE	RES - RESIDENTIAL	R68 000
2760	0	SHINGA THEMBEKILE REGINA	RES - RESIDENTIAL	R68 000
2783	0	DUSTIL MFUNDO ZWELETHU	RES - RESIDENTIAL	R68 000
2788	0	SONJICA NANDIPHA	VL - VACANT LAND	R40 000
2796	0	NTSHILIBA SHARON SILINDILE	RES - RESIDENTIAL	R68 000
2798	0	JACOBS ANTHEA JANE	VL - VACANT LAND	R30 000
2800	0	CWELE SILINDILE PRECIOUS	RES - RESIDENTIAL	R68 000
2809	0	MTETO NOLIZWE B-E	RES - RESIDENTIAL	R68 000
2811	0	MBANJIWA BUYISWA GLORIA	RES - RESIDENTIAL	R68 000
2821	0	MEMELA KHULEKANI PRAISEGOD	RES - RESIDENTIAL	R68 000
2856	0	ZUKA UNATHI	RES - RESIDENTIAL	R68 000
2876	0	MGIJIMA NOMONDE TRACY	VL - VACANT LAND	R28 000
2892	0	SONWABO AYANDA MALUSI	VL - VACANT LAND	R25 000
2893	0	MAGADLA OBERT BONGA	RES - RESIDENTIAL	R68 000
2894	0	DLAMINI BULELANI	RES - RESIDENTIAL	R68 000
2899	0	NGCAMBA MBASA LEON	RES - RESIDENTIAL	R68 000
2901	0	TSHANGASE MONDLI	VL - VACANT LAND	R30 000
2902	0	MADLALA MLULEKI PHILEMON	RES - RESIDENTIAL	R68 000
2908	0	SIKHOSANA FUNDILE	RES - RESIDENTIAL	R68 000
2912	0	HLONGWA PRECIOUS THEMBELIHLE	RES - RESIDENTIAL	R68 000

2913	0	NKOMIYHLABA NOTSIKELELO	RES - RESIDENTIAL	R68 000
2919	0	DIYA BANGANI	RES - RESIDENTIAL	R68 000
2927	0	JWARA MSAWENKOSI ANDREAS	RES - RESIDENTIAL	R68 000
2929	0	NDYOKI NOMAMPONDO VERONICA	RES - RESIDENTIAL	R68 000
2933	0	DLAMINI SIBUSISO KENNETH	RES - RESIDENTIAL	R68 000
2934	0	MDWEBU NDOMELEZE MALCOMAN	VL - VACANT LAND	R27 000
2939	0	JOYCE ROGAYA FROLANE	RES - RESIDENTIAL	R68 000
2941	0	NGIDI THOBISILE	VL - VACANT LAND	R26 000
2943	0	THELEJANA KABELO	RES - RESIDENTIAL	R68 000
2948	0	GAMNCA KHANYISA	VL - VACANT LAND	R26 000
2954	0	MDLANI KHATHI DAVID	VL - VACANT LAND	R26 000
2958	0	MALUNGA THANDOLWETHU	VL - VACANT LAND	R31 000
2960	0	CANJALA NTSIKELELO SAIMON	RES - RESIDENTIAL	R68 000
2961	0	MAKHASANA MCINGENI	VL - VACANT LAND	R26 000
2962	0	NDAMASE GQANGE PAKAMISA	VL - VACANT LAND	R26 000
2964	0	GOGELA BALINDILE	RES - RESIDENTIAL	R68 000
2965	0	NTSHABA THOZAMA DEBORA	VL - VACANT LAND	R30 000
2966	0	TIYO NTUTHUKO NCEBAZAKHE	RES - RESIDENTIAL	R68 000
2968	0	MPOFANA MAFIKA DAVID	VL - VACANT LAND	R26 000
2970	0	MZOZO BABALWA BOMIKAZI	RES - RESIDENTIAL	R68 000
2971	0	SHIBILI SIPHELELE	VL - VACANT LAND	R26 000
2972	0	JALI ERROL BONGANI	VL - VACANT LAND	R42 000
2975	0	MSIMANGA LUVUYO MALUSI	RES - RESIDENTIAL	R68 000
2979	0	BILOSE NOKUTHULA RUTH	RES - RESIDENTIAL	R68 000
2980	0	CELE NONHLANHLA FORTUNATE	RES - RESIDENTIAL	R68 000
2985	0	KHESWA NKULULEKO SIYANDA	RES - RESIDENTIAL	R68 000
2986	0	MNTAMBO BUHLEBEMVELO NTUTHUKO	RES - RESIDENTIAL	R68 000
2988	0	LUPKE RIAS	RES - RESIDENTIAL	R68 000
2989	0	FOURIE MARGARET ELAINE	RES - RESIDENTIAL	R68 000
2990	0	DZANIBE XOLANI ARCHIBALD B-E	RES - RESIDENTIAL	R68 000
2992	0	SINUKELA LWANDILE	RES - RESIDENTIAL	R68 000
2993	0	RUBELA NTOMBOXOLO B-E	VL - VACANT LAND	R30 000
3037	0	MADOLO ANELE QINISO	RES - RESIDENTIAL	R68 000
3042	0	PANDOHE LUCKY	RES - RESIDENTIAL	R68 000
3043	0	MGOJO LUNGISA	RES - RESIDENTIAL	R68 000
3046	0	NZIMANDE SITHUMBILE GRACIOUS	RES - RESIDENTIAL	R68 000
3117	0	GQASHA ABONGILE CYNTHIA B-E	RES - RESIDENTIAL	R68 000
3131	0	LUPKE RANADA ESTHER	RES - RESIDENTIAL	R68 000
3145	0	MENDU THABILE	RES - RESIDENTIAL	R68 000
3149	0	MCLEOD THELMA B-E	RES - RESIDENTIAL	R68 000
3157	0	SIKHOSANA MAQOQA ALPHIOS	RES - RESIDENTIAL	R68 000
3169	0	MTOLO MANTOMBI PRINCESS	RES - RESIDENTIAL	R68 000
3195	0	GUMBI LUSANDA	RES - RESIDENTIAL	R68 000
3196	0	GEZENGANA NOMAPOSTILE DAPHNEY	RES - RESIDENTIAL	R68 000
3207	0	CIMANI AVUMILE BULELWA	RES - RESIDENTIAL	R68 000
3209	0	LETLASA LUNGILE	RES - RESIDENTIAL	R68 000
3223	0	MATSHABA LUNGELO	RES - RESIDENTIAL	R68 000
3237	0	BYL CASILDA IRENE VAN DER	RES - RESIDENTIAL	R68 000
3239	0	NXUMALO BELINDA	RES - RESIDENTIAL	R68 000
3248	0	JACKSON IVAN KENNEDY	RES - RESIDENTIAL	R68 000
3250	0	JACA PHINDILE	VL - VACANT LAND	R25 000
3251	0	NQOKO BATHOBILE VIRGINIA	RES - RESIDENTIAL	R68 000
3284	0	KHOMO THULISILE VIRGINIA	VL - VACANT LAND	R30 000
3301	0	MPAMVU ZOLEKA	RES - RESIDENTIAL	R68 000
3308	0	MATIWANE BAXOLELE	RES - RESIDENTIAL	R68 000
3321	0	MTOLO VUYOLWETHU	RES - RESIDENTIAL	R68 000
3352	0	NOGADA LUNGILE	RES - RESIDENTIAL	R68 000

3356	0	CWELE THABANI	RES - RESIDENTIAL	R68 000
3357	0	MBULAWA SIBUSISO RICHARD	RES - RESIDENTIAL	R68 000
3365	0	MTSHONA PHATHISWA	RES - RESIDENTIAL	R68 000
3366	0	BROWN GARY	VL - VACANT LAND	R30 000
3377	0	JALI THEMBISA	RES - RESIDENTIAL	R68 000
3378	0	LEHATA PULANE	RES - RESIDENTIAL	R68 000
3379	0	LOUW CANDACE ALICIA	RES - RESIDENTIAL	R68 000
3380	0	HEYDENRYCHT SIMON JOHN	RES - RESIDENTIAL	R68 000
3384	0	GWACELA BAFANA EMMANUEL	RES - RESIDENTIAL	R68 000
3386	0	PILLAY VOLOSHNI	RES - RESIDENTIAL	R68 000
3387	0	MAJOLA BALESI	VL - VACANT LAND	R25 000
3403	0	LUKHOZI MNGCANI FANANI	RES - RESIDENTIAL	R68 000
3405	0	CWELE THEMBANI PRUDENCE	RES - RESIDENTIAL	R68 000
3431	0	MADIKIZELA DUDLANA PHILLIP	RES - RESIDENTIAL	R68 000
3433	0	JACA NOMBHEKO NELSIE	RES - RESIDENTIAL	R68 000
3436	0	ZONDI THANDEKA PORTIA	RES - RESIDENTIAL	R68 000
3438	0	GARDINER ANITA	RES - RESIDENTIAL	R68 000
3445	0	DRAAI PAULINE TRENETTE	RES - RESIDENTIAL	R68 000
3447	0	MBOTHO PINKY PRECIOUS	RES - RESIDENTIAL	R68 000
3448	0	KONINGKRAMER ROBERT	RES - RESIDENTIAL	R68 000
3633	0	F KAMY INVESTMENTS CC	COM - COMMERCIAL	R9 300 000
4558	6	THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
4558	7	THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
4558	8	THE SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
5777	2	THE SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
5046	1	TRANSNET LTD	AG - AGRICULTURAL	R55 000
6850	4	SOUTH AFRICAN NATIONAL ROADS AGENCY LTD	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
6850	5	SOUTH AFRICAN NATIONAL ROADS AGENCY LTD	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
6850	6	SOUTH AFRICAN NATIONAL ROADS AGENCY LTD	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
9329	5	SOUTH AFRICAN NATIONAL ROADS AGENCY LTD	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
9329	6	SOUTH AFRICAN NATIONAL ROADS AGENCY LTD	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
9329	7	SOUTH AFRICAN NATIONAL ROADS AGENCY LTD	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
9329	8	SOUTH AFRICAN NATIONAL ROADS AGENCY LTD	PSI - PUBLIC SERVICE INFRASTRUCTURE	R1 000
9330	3	ROMAN CATHOLIC CHURCH-UMZIMKULU	AGSMALL - AGRICULTURAL SMALLHOLDING	R500 000
16972	0	INGONYAMA TRUST-TRUSTEES	AG - AGRICULTURAL	R18 000 000

## PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

## PROVINCIAL NOTICE 208 OF 2022

## KWAZULU-NATAL DEPARTMENT OF ECONOMIC DEVELOPMENT, TOURISM AND ENVIRONMENTAL AFFAIRS

## CONSULTATION PROCESS IN TERMS OF SECTION 33(1) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT, 2003 – NOTICE OF INTENTION TO DECLARE THE NIRODHA NATURE RESERVE

I, Ravigasen Ranganathan Pillay, in my capacity as Member of the KwaZulu-Natal Executive Council for Economic Development, Tourism and Environmental Affairs, and in terms of section 33(1) of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) hereby –

- (1) give notice of my intention to declare the properties described in the Schedule hereunder, as a Nature Reserve as contemplated in terms of section 23(1) of the National Environmental Management: Protected Areas Act, 2003, to be named the Nirodha Nature Reserve; and
- (2) invite members of the public to submit written representations on, or objections to, the proposed declaration of the above-mentioned Nirodha Nature Reserve, as well as any comments on the draft Management Plan of the Nirodha Nature Reserve, within 60 days of the publication of this notice: Provided that –

(a) the Draft Management Plan may be viewed at the Offices of Ezemvelo KZN Wildlife at Queen Elizabeth Park, Pietermaritzburg, 3201, or on <http://www.kznwildlife.com/stewardship.html>; and

(b) written submissions must be lodged:

- (i) in HARD COPY to The MEC for Economic Development, Tourism and Environmental Affairs, 270 Jabu Ndlovu Street, Pietermaritzburg, 3201, For Attention: The Chief Directorate: Environmental Management; or
- (ii) in PDF Format via e-mail to: [biodiversitydeclarations@kznedtea.gov.za](mailto:biodiversitydeclarations@kznedtea.gov.za).

Given under my hand at DURBAN on this 19<sup>th</sup> day of FEBRUARY Two Thousand and Twenty two



MR. R R PILLAY, MPL

Member of the KwaZulu-Natal Executive Council responsible for Environmental Affairs

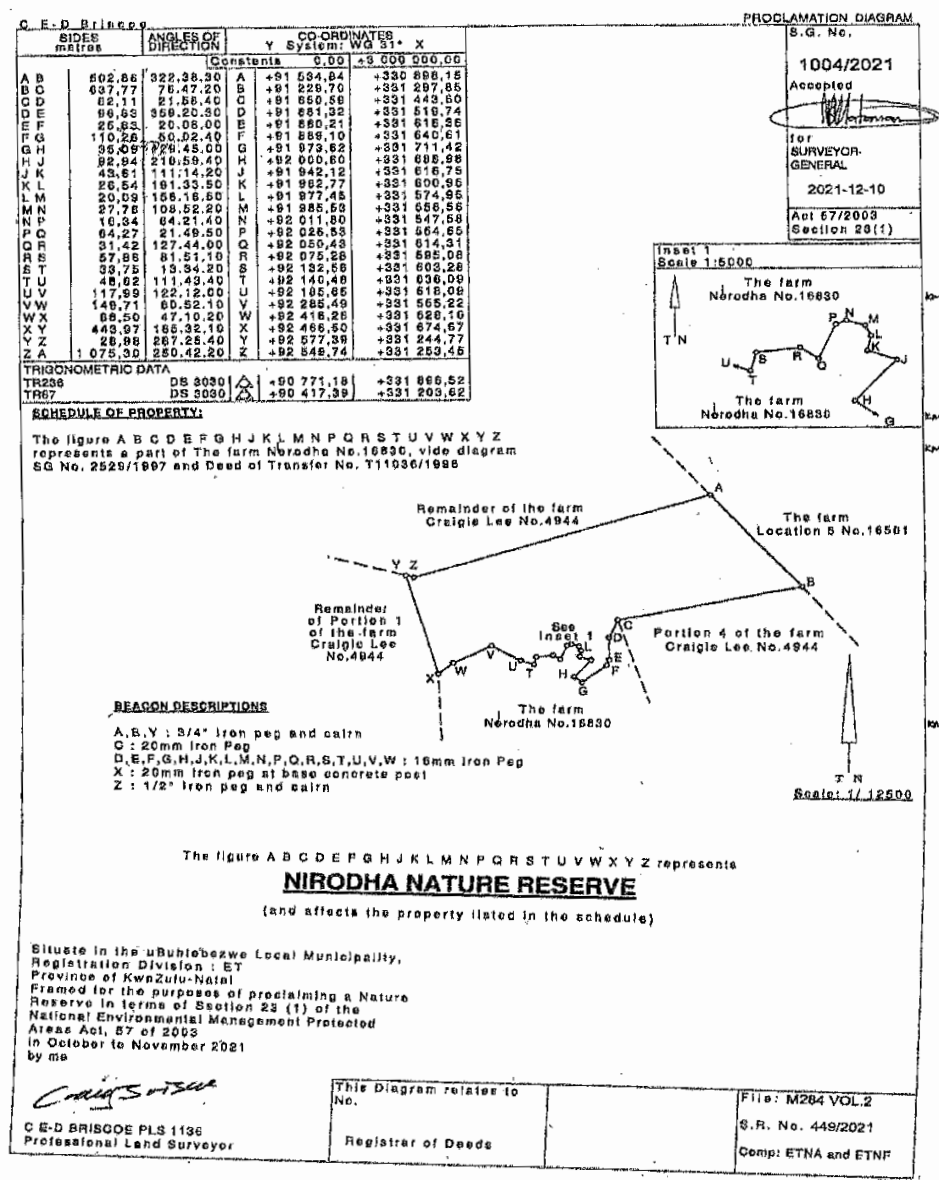
**SCHEDULE**

Name: Nirodha Nature Reserve

Protected area type: Nature Reserve

The Nirodha Nature Reserve comprises an area represented by the figures A B C D E F G H J K L M N P Q R S T U V W X Y Z in SG Diagram 1004/2021, representing a part of the farm Nirodha No. 16830, Registration Division ET, Province of KwaZulu-Natal, in extent 91.3386 (Ninety One comma three three eight six) hectares, vide diagram SG No. 2529/1997 and Deed of Transfer No. T11036/1998.







## PROVINCIAL NOTICE 209 OF 2022

## KWAZULU-NATAL DEPARTMENT OF ECONOMIC DEVELOPMENT, TOURISM AND ENVIRONMENTAL AFFAIRS

## CONSULTATION PROCESS IN TERMS OF SECTION 33(1) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT, 2003 – NOTICE OF INTENTION TO DECLARE THE KUBE YINI NATURE RESERVE

I, Ravigasen Ranganathan Pillay, in my capacity as Member of the KwaZulu-Natal Executive Council for Economic Development, Tourism and Environmental Affairs, and in terms of section 33(1) of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) hereby –

- (1) give notice of my intention to declare the properties described in the Schedule hereunder, as a Nature Reserve as contemplated in terms of section 23(1) of the National Environmental Management: Protected Areas Act, 2003, to be named the Kube Yini Nature Reserve; and
- (2) invite members of the public to submit written representations on, or objections to, the proposed declaration of the above-mentioned Kube Yini Nature Reserve, as well as any comments on the draft Management Plan of the Kube Yini Nature Reserve, within 60 days of the publication of this notice: Provided that –

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(b) written submissions must be lodged:

- (i) in HARD COPY to The MEC for Economic Development, Tourism and Environmental Affairs, 270 Jabu Ndlovu Street, Pietermaritzburg, 3201, For Attention: The Chief Directorate: Environmental Management; or
- (ii) in PDF Format via e-mail to: [biodiversitydeclarations@kznedtea.gov.za](mailto:biodiversitydeclarations@kznedtea.gov.za).

Given under my hand at DURBAN on this 19<sup>th</sup> day of FEBRUARY Two Thousand and Twenty two



MR. R R PILLAY, MPL

Member of the KwaZulu-Natal Executive Council responsible for Environmental Affairs

**SCHEDULE**

**Name:** Kube Yini Nature Reserve

**Protected area type:** Nature Reserve

**Description of the properties which are proposed to be declared as the Kube Yini Nature Reserve are described as–**

- a. The Farm Lowane Number 13735, registration division HV, Province of KwaZulu Natal, in extent 746,5550 (SEVEN HUNDRED AND FORTY SIX comma FIVE FIVE FIVE ZERO) hectares; held under title deed T6056/1990
- b. The Farm Kube Yini Number 13736, registration division HV, province of KwaZulu Natal, in extent 467,5745 (FOUR HUNDRED AND SIXTY SEVEN comma FIVE SEVEN FOUR FIVE) Hectares; held under Title Deed No. T6056/1990

**PROVINCIAL NOTICE 210 OF 2022**  
**uMshwathi Local Municipality**  
**ADDENDUM TO NOTICE NUMBER P2021/22/13**  
**“Extended Objection Period”**

**MUNICIPAL NOTICE IN TERMS OF THE MUNICIPAL PROPERTY RATES ACT 6 OF 2004**

**PUBLIC NOTICE CALLING FOR THE INSPECTION OF THE GENERAL VALUATION ROLL AND  
LODGING OF OBJECTIONS**

Notice is hereby given in terms of Section 49 (1) (a) (i) (ii) read together with Section 78 (1) and (2) of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), hereinafter referred to as the “Act”, that the uMshwathi Local Municipality’s General Valuation Roll for the period 01 July 2022 to 30 June 2027 ,objection period has been extended until the 30 April 2022.

**uMshwathi Local Municipality**

**Private Bag X29**

**Wartburg**

**3233**

**Notice Number: P2021/22/18**

**Date:**

**Mr. NM Mabaso**  
**Municipal Manager**

**PROVINCIAL NOTICE 211 OF 2022**

12 No. 1762

PROVINCIAL GAZETTE, 1 DECEMBER 2016

**PROVINCIAL NOTICE 200 OF 2016****RULES AND ORDERS OF MUNICIPAL COUNCILS AND COMMITTEES OF THE COUNCIL BY-LAW**

Be it enacted by the Council of the uMshwathi Municipality, in terms of section 156(2) of the Constitution of the Republic of South Africa, 1996, read with section 11(3)(m) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), as follows:

**ARRANGEMENT OF SECTIONS***Section***CHAPTER 1****1. Definitions****CHAPTER 2****APPLICATION AND INTERPRETATION OF RULES AND ORDERS**

- 2. Application of these Rules and Orders**
- 3. Interpretation of these Rules and Orders**

**CHAPTER 3****FREQUENCY, ADMISSION OF PUBLIC AND NOTICE OF MEETINGS**

- 4. Council meetings**
- 5. Admission of public**
- 6. Notice to attend an ordinary council meeting**
- 7. Special meetings**
- 8. Service of notices and agenda**
- 9. Non-receipt of notice**

This gazette is also available free online at [www.gpwonline.co.za](http://www.gpwonline.co.za)

#### **CHAPTER 4 QUORUM**

- 10. Quorum
- 11. Cancellation and adjournment in absence of quorum

#### **CHAPTER 5 ATTENDANCE**

- 12. Attendance
- 13. Leave of absence
- 14. Non-attendance

#### **CHAPTER 6 ADJOURNMENT**

- 15. Adjourned meeting
- 16. Continuation meeting

#### **CHAPTER 7 PROCEEDINGS**

- 17. Speaker and chairpersons of meetings
- 18. Minutes
- 19. Order of business
- 20. Confirmation of minutes of previous meeting
- 21. Deputations
- 22. Reports
- 23. Motions
- 24. Questions
- 25. Supply of information to councillors
- 26. General matters of an urgent nature
- 27. Interpretation
- 28. In-committee

**"Council"** means —

- (a) the uMshwathi Municipality, exercising its legislative and executive authority through its municipal council;
- (b) its successor-in-title;
- (c) a structure or person exercising a delegated power or carrying out an instruction, where any power in these Rules and Orders has been delegated or sub-delegated, or an instruction given, as contemplated in section 59 of the Systems Act; and
- (d) a service provider fulfilling a responsibility under these Rules and Orders;

**"Code of Conduct"** means the Code of Conduct for Councillors contained in Schedule 1 to the Systems Act;

**"contact details"** means a physical address, postal address, electronic mail address, telephone number, facsimile number and cellular phone number;

**"councillor"** means a member of a municipal council;

**"day"** means any ordinary day other than a Saturday, Sunday or Public Holiday, except where otherwise stated;

**"deputation"** means a person or group of persons who wish to appear personally before the council or a committee of the council in order to address the council or committee of the council;

**"executive committee"** means the council's executive committee established in terms of section 43 of the Structures Act;

**"in-committee"** means any council or committee meeting at which the public and or officials of the municipality are excluded;

**"integrated development plan"** means a single, inclusive and strategic plan for the development of the municipality and applicable in terms of Chapter 5 of the Systems Act;

**"mayor"** means a councillor elected as the mayor of the municipality in terms of section 48 of the Structures Act;

**"meeting"** means a meeting of the council or any one of its committees;

**"municipality"** means the uMshwathi municipality established in terms of section 155(6) of the Constitution, 1996, and established by and under sections 11 and 12 of the Structures Act, read with sections 3, 4 and 5 of the KwaZulu-Natal Determination of Types of Municipality Act, 2000 (Act No. 7 of 2000);

**"municipal asset"** means any movable, immovable, corporeal, incorporeal, tangible and intangible property to which the municipality holds title;

**"municipal manager"** means the person appointed municipal manager in terms of section 54A of the Systems Act and includes any person acting in that capacity;

**"notice of motion"** means the instrument by which councillors may bring items on to the agenda of a council meeting in terms of section 23 of these Rules and Orders;

**"Peace Officer"** means any person declared as a Peace Officer in terms of the Criminal Procedure Act No. 51 of 1977;

**"point of order"** means the pointing out of any deviation from or anything contrary to, the conduct and or any other irregularity in the proceedings of a meeting;

**"precincts"** means the council chamber and all places of meeting, the areas to which the public are allowed access and all other venues where the meetings of the council or a committee of the council are conducted;

**"public"** includes the media and means any person residing within the Republic of South Africa;

**"service delivery agreement"** means an agreement between a municipality and an institution or person mentioned in section 76(b) of the Systems Act in terms of which a municipal service is provided by that institution or person, either for its own account or on behalf of the municipality;

**"speaker"** means the chairperson of the council elected in terms of section 36 of the Structures Act and includes any acting speaker when he or she is elected to perform the functions of the speaker;

**"Structures Act"** means the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

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

**"table"** means to submit a report or any official document to the council or a committee of council for consideration at a meeting of the council or a committee of council of which notice has been given in terms of these Rules and Orders;

## CHAPTER 2

### APPLICATION AND INTERPRETATION OF RULES AND ORDERS

#### **Application of this by-law these Rules and Orders**

2.1 The rules of order contained herein apply to all meetings of the municipal council and any committee of the municipal council as well as any other committee of councillors established within the municipality, unless the terms of reference for a specific structure explicitly excludes the application of the rules for such structure.

2.2 these Rules and Orders governs the proceedings of the council and committees of the council which bind and must be complied with by –

- (a) all councillors;
- (b) any member of the public while present in the precincts;
- (c) any deputation addressing the council or a committee of the council;
- (d) any municipal official of the municipality; and



- (e) Traditional Leaders participating in Council and its committees in terms of section 81 of the Municipal Structures Act

#### **Interpretation of these Rules and Orders**

3.(a) Any interpretation of these Rules and Orders must be made having due regard to the supremacy of the Constitution, national, provincial and municipal legislation, the rule of law and the rules of natural justice.

(b) The ruling of the speaker or chairperson with regard to the interpretation of these Rules and Orders at a meeting of the council or committee of the council will, subject to sections 3(e) and 3(f), be final and binding.

(c) The interpretation and the ruling of the speaker or chairperson on any of these Rules and Orders must be recorded in the minutes of the council or committee meeting.

(d) The municipal manager must keep a register of the rulings and legal opinions.

(e) Any councillor may request the municipal manager, in writing within five days from a ruling made in terms of section 3(b), to obtain clarity on the interpretation and ruling and to report to the council or committee of the council.

(f) The council or committee of the council may after consideration of the report in terms of section 3(e) confirm, amend or substitute the ruling of the speaker or chairperson, subject to any rights which any third party may have accrued as a result of the ruling and all decisions effecting the rights of others must be in writing and reasons must be recorded of such decisions.

### **CHAPTER 3**

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

##### **Council meetings**

4.(a) The council must hold an ordinary meeting of the council not less than once in every three months.

(b) The speaker must convene all meetings of the council in accordance with section 4(a) and subject to section 6.

**Admission of public**

5.(1) All meetings of the council and those of its committees must be open to the public, and the council or committee of the council may not exclude the public from a meeting, other than when the council or committee, due to the nature of the business being transacted or when the disclosure of any matter may be prejudicial to the interests of the municipality, deems it reasonable and justifiable to do so having due regard to the principles of an open and democratic society.

(2) The council or a committee of the council, may not for any reason whatsoever, exclude the public when considering, voting or noting any of the following matters –

- (a) a draft by-law tabled in the council;
- (b) a budget tabled in the council;
- (c) the municipality's integrated development plan, or any amendment of the plan, or any amendment of the plan tabled in council;
- (d) the municipality's performance management system, or any amendment of the system, tabled in council;
- (e) the decision to enter into a service delivery agreement;
- (f) any reports on an award in terms of supply chain management policy;
- (g) the disposal or acquisition of municipal capital asset;
- (h) any other matter prescribed by legislation.

(3) The municipal manager must give notice to the public, in a manner determined by the council, of the time, date and venue of every ordinary meeting of the council or committee of the council and any special or urgent meeting of the council or committee of the council, except when time constraints make this impossible.

(4) Members of the council together with members of the public attending any council or committee meetings must accord the meeting the dignity it deserves by dressing appropriately as per Rule 41(d) and must not wear any attire which could be ascribed to a political party

**Notice to attend an ordinary council meeting**

6.(1) The speaker must convene meetings of the council, at least once every three months, through a duly signed "Notice of Council Meeting", stating the date, place and time of the meeting and accompanied by or containing the agenda of the proposed meeting.

(2) Notice to attend a meeting in terms of section 6(1) must be given at least –

- (a) five calendar days prior to an ordinary meeting; and
- (b) two calendar days prior to a special meeting.

#### **Special meetings**

7.(1) The speaker must call a special meeting of the council –

- (a) for the purpose of pertinent or urgent council business; or
- (b) or at the request of a majority of the councillors of the municipality.

(2) A special meeting must be held in compliance with section 6(2)(b) and in terms of section 7(1)(b) no later than four days from the date of receipt of a request.

(3) A request for the calling of a special meeting, as contemplated in section 7(1)(b), must –

- (a) be signed by no less than fifty percent plus one of all councillors of the municipality; and
- (b) be accompanied by –
  - (i) a duly signed notice of motion; and
  - (ii) a written statement by the councillor signing the notice of motion giving reasons as to why the intended business of the special meeting is urgent and cannot wait for an ordinary meeting of the council.
- (c) If the speaker fails to convene a meeting in terms of this section, the municipal manager must convene such meeting and conduct an election of an acting speaker in terms of section 41 of the Structures Act.

#### **Service of notices and agenda**

8.(1) Notice to attend a meeting or any other official communication from the council, must be delivered to –

- (a) a physical address within the area of jurisdiction of the municipality; or
- (b) an e-mail address;
- (c) facsimile; or
- (d) by a short message service:

Provided that contact details must be supplied by each councillor to the municipal manager in writing within two days of a councillor's election and, thereafter, whenever the councillor wishes to change either address and at which address the councillor will accept service and or receipt of any notice to attend a meeting and any other official communication from the council.

(2) All documentation relevant to any council or committee meeting, except special meetings convened in terms of section 7, must be given to all councillors at least five calendar days prior to an ordinary council or committee meeting and two calendar days prior to a special council or special committee meeting.

(3) All councillors must inform the speaker of any change of his contact details within three days of such change.

(4) Subject to section 5(3), notice to attend a meeting must be displayed on the public notice boards of the municipality.

#### **Non-receipt of notice**

9.(a) A councillor may request an investigation regarding the non-receipt of a notice to attend a meeting.

(b) Non-receipt of a notice to attend a meeting will not affect the validity of any meeting or proceedings of council or any of its committees.

### **CHAPTER 4**

#### **QUORUM**

#### **Quorum**

10.(1)(a) Notwithstanding that there may be vacancies, the quorum of a council must be fifty percent plus one of the total number of councillors determined in accordance with the municipality's establishment notice, before a vote may be taken on any matter.

(b) Subject to a quorum, the failure of any councillor to vote will not invalidate the proceedings of the council meeting.

(2)(a) Notwithstanding that there may be vacancies, a majority of the number of councillors appointed to a committee of council must be present at a meeting of the committee before a vote may be taken on any matter.

b) Subject to a quorum, the failure of any councilor to vote will not invalidate the proceedings of the committee meeting.

#### **Cancellation and adjournment in absence of quorum**

#### **Cancellation**

11.(1) No meeting may take place, if no quorum is present fifteen minutes after the time at which a meeting was due to commence, unless it is unanimously agreed by the councillors present to allow further time not exceeding a further fifteen minutes for a quorum, whereafter

if no quorum is present, the meeting must be cancelled.

#### **Adjournment**

(2) If during discussion on an item at any meeting of council or any of its committees the attention of the speaker or chairperson is called to the number of councillors present, he or she must –

- (a) count the councillors present;
- (b) if it is found that there is no quorum, the speaker or chairperson must adjourn the meeting and allow an interval of fifteen minutes for a quorum to become present;
- (c) if a quorum becomes present after the adjournment then the meeting must continue;
- (d) if no quorum becomes present after the adjournment then the chairperson or speaker must forthwith adjourn the meeting.

(3) When a meeting is adjourned as a result of no quorum, the meeting will be re-convened within seven days as a continuation meeting.

### **CHAPTER 5 ATTENDANCE**

#### **Attendance**

12.(1) All councillors must punctually attend and remain in attendance at each meeting of the council and a committee of which that councillor is a member except when –

- (a) leave of absence is granted in terms of section 13;
- (b) that councillor is required to withdraw in terms of section 46(b); or
- (c) that councillor is absent with the permission of the speaker or chairperson.

(2) Each councillor attending any meeting of the council or a committee of the council must sign an attendance register provided for that purpose.

(3) The attendance register must be filed in the office of the municipal manager.

(4) Any councillor who is entitled to leave of absence in terms of section 13 and no longer requires such leave, is entitled to attend, participate and vote in the meeting from which leave of absence was granted and sign the attendance register.



**Leave of absence**

13.(1) Leave of absence must not be granted by the Speaker in such a manner that more than the number required for a quorum will at any one time be absent.

(2) If a councillor –

- (a) is unable to attend a meeting of which notice had been given; or
- (b) is unable to remain in attendance at a meeting; or
- (c) will arrive after the stipulated commencement time of a meeting,

he or she will, as soon as is reasonably possible and prior to that meeting, lodge with the municipal manager a written application for leave of absence from the whole or any part of the meeting concerned, which application must provide reasonable and bona fide reasons for the application and show good cause for the granting of the application.

(3) The municipal manager must as soon as possible inform the speaker or chairperson of the meeting concerned of any application for leave of absence received.

(4) The speaker or chairperson of the meeting concerned must as soon as possible consider an application for leave of absence and either grant or reject the application with reasons and immediately inform the municipal manager of his decision.

(5) The municipal manager must as soon as is reasonably possible, inform a councillor who has applied for leave of absence of the speaker or chairperson's decision.

(6) A councillor will be deemed absent without leave from the meeting concerned where an application for leave of absence has not been granted and he or she –

- (a) failed to attend a meeting; or
- (b) failed to remain in attendance at a meeting.

(7) Where a councillor fails to remain in attendance at a meeting –

- (a) without being granted permission to do so; or
- (b) without obtaining permission from the speaker or chairperson to leave prior to the close of the meeting,

the time of leaving must be recorded in the minutes of the meeting and that councillor will be deemed to have been absent without leave at that meeting.

(8) Where a councillor arrives late at a meeting, without obtaining permission to do so, the time of arrival and the reasons for the late attendance must be recorded in the minutes of the meeting and the councillor may attend the meeting and sign the attendance register in terms of section 12(2).

(9) Leave of absence for two or more consecutive council or committee meetings must be sanctioned by the council or the relevant committee.

#### **Non-attendance**

14.(1)(a) Subject to compliance with the procedure set out in section 13 and the provisions of item 4(2) of Schedule 1 of the Systems Act, a councillor who is absent without good cause from a meeting, of which notice has been given, will be liable to pay a fine equivalent to one week's remuneration, which fine may be deducted from remuneration due to the councillor concerned.

(b) A councillor who is absent from three or more consecutive meetings of a municipal council, or from three or more consecutive meetings of a committee, which that councillor is required to attend in terms of item 3 of Schedule 1 of the Systems Act, must be removed from office as a councillor in accordance with section 14(2)(e) of the Systems Act.

(c) Proceedings for the imposition of a fine or the removal of a councillor must be conducted in accordance with a uniform standing procedure which each municipal council must adopt.

(2) Where a councillor has been absent without obtaining leave from a meeting—

(a) the Rules Committee as contemplated in section 43 or the speaker or chairperson as the case may be, must invite the councillor to provide a formal explanation setting out the reasons for the councillor's absenteeism from the meeting;

(b) the speaker or chairperson must consider the explanation and decide whether or not the councillor was absent with good cause, providing appropriate reasons for the decision;

(c) the councillor may appeal in writing to the speaker's or chairperson's decision within seven days of receipt of such decision.

(d) the council or committee, as the case may be, must —

(i) allow the councillor an opportunity to make representations, oral or written;  
and



- (ii) consider the councillor's appeal, together with any comments from the speaker or chairperson of the meeting concerned;
- (iii) make a finding as to whether the councillor was absent with or without good cause.

(3) The municipal manager must keep a record of all incidents in respect of which councillors have been found to be absent or deemed to be absent without leave and without good cause and must submit a written report to the speaker whenever a councillor is absent from three or more consecutive meetings which that councillor was required to attend.

(4) Where the speaker receives a report in terms of section 14(3), the speaker must submit the report to council and direct that the matter be investigated in accordance with Item 14 of the Code of Conduct.

## CHAPTER 6 ADJOURNMENT

### **Adjourned meetings**

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

### **Continuation meeting**

16.(1) When a meeting is adjourned, notice of the continuation meeting must be served in terms of section 8.

(2) No business will be transacted at a continuation meeting except such as is specified in the notice of the meeting, which was adjourned.

## CHAPTER 7 PROCEEDINGS

### Speaker and chairpersons of meetings

17.(1) At every meeting of the council, the speaker, or if he or she is absent, an acting speaker, will be the chairperson and will perform the duties stipulated in terms of section 37 of the Structures Act and must ensure that each councillor when taking office is given a copy of these Rules and Orders and the Code of Conduct.

(2) The speaker and chairperson of council and committee meetings –

- (a) must maintain order during meetings;
- (b) must ensure compliance in the council with the Code of Conduct for Councillors;
- and
- (c) must ensure that meetings are conducted in accordance with these Rules and Orders.

(3) If the speaker or chairperson of the council or committee of the council is absent or not available to perform the functions of speaker or chairperson, or during a vacancy, the council or committee under the direction of the municipal manager or his/her nominee must elect another councillor to act as speaker or chairperson as the case may be.

(4) No meeting of the council or a committee of the council may commence or continue unless a speaker or chairperson presides at a meeting.

### Minutes

18.(a) The proceedings of every council meeting must be accurately and electronically recorded and retained in accordance with the Archives and Record Service of South Africa Act, 43 of 1996.

(b) Written minutes of the proceedings of each council and committee meeting must contain an accurate record of the resolutions adopted by council at such meeting.

(c) The approved minutes of every meeting of a council or committee other than in-committee meetings must be available to the public.

(d) Where the municipal manager is of the opinion that any resolution or proceeding of a council or committee meeting may be in contravention of any law or by-law, he or she must advise the council or committee accordingly and full details of such opinion must be recorded in the minutes.

#### Order of business

19.(1) The order of business at every meeting of the council or its executive committee or committee of council, as may be applicable, is as follows:

(a)

Council	Executive Committee / Mayoral Committee	Committee
<ul style="list-style-type: none"> <li>• Opening: Moment of reflection</li> <li>• Notice of the meeting</li> <li>• Granted leave of absence</li> <li>• Acceptance of the agenda</li> <li>• Declaration of interest</li> <li>• <b><u>Announcements</u></b></li> <li>• Deputations</li> <li>• Confirmation of minutes from the previous meeting</li> <li>• Outstanding matters</li> <li>• Submission of reports from Council representatives from District/Local municipality</li> <li>• Reports of the Executive Committee / Executive Mayor, under the sections: recommendations to the council, decisions under delegated authority and decisions of the Executive Committee</li> <li>• Reports from MPAC</li> <li>• Report from the Audit Committee</li> <li>• Reports on ward committees/ consolidated report on ward committees</li> <li>• Report on SALGA activities</li> <li>• Monthly Activities</li> <li>• Input by the Traditional Leader</li> <li>• Reports for noting</li> <li>• Reports for consideration</li> <li>• Reports - In-Committee;</li> <li>• Notice of Motion</li> <li>• Questions of which Notice has been given</li> <li>• Urgent reports - allowed only with the consensus of the chairperson; and</li> <li>• General matters of an urgent nature</li> </ul>	<ul style="list-style-type: none"> <li>• Opening: Moment of reflection</li> <li>• Notice of the meeting</li> <li>• Applications for leave of absence</li> <li>• Acceptance of the agenda</li> <li>• Declaration of interest</li> <li>• <b><u>Announcements</u></b></li> <li>• Presentations</li> <li>• Confirmation of minutes from previous minutes</li> <li>• Outstanding matters</li> <li>• Reports from Portfolio Committees</li> <li>• Reports from Audit Committees</li> <li>• Reports for noting</li> <li>• Reports for consideration</li> <li>• In-Committee reports</li> <li>• Urgent reports allowed-only with the consensus of the chairperson; and</li> </ul>	<ul style="list-style-type: none"> <li>• Opening: Moment of reflection</li> <li>• Notice of the meeting</li> <li>• Applications for leave of absence</li> <li>• Acceptance of the agenda</li> <li>• Declaration of interest</li> <li>• <b><u>Announcements</u></b></li> <li>• Presentations</li> <li>• Confirmation of minutes from previous minutes</li> <li>• Outstanding matters</li> <li>• Reports for noting</li> <li>• Reports for consideration</li> <li>• In-Committee reports</li> <li>• Notice of Motion</li> <li>• Urgent reports allowed only with the consensus of the chairperson; and</li> </ul>

(2) The speaker or chairperson may, in his discretion, at any stage bring forward any business that is on the agenda paper.

**Confirmation of minutes of previous meeting**

20.(1) The minutes of every meeting must be confirmed at the next ordinary meeting of that council or committee and must be signed by the speaker or chairperson.

(2) No motion or discussion will be allowed upon the minutes of a previous meeting, other than relating to the accuracy of those minutes.

**Deputations**

21.(a) A deputation wishing to address the council or a committee of council must submit a memorandum to the municipal manager in which is set out the representations it wishes to make.

(b) A request by a deputation to address the council or a committee of the council must be approved by the speaker or relevant chairperson.

(c) The municipal manager must submit the memorandum to the council or a committee of the council, which may receive the deputation.

(d) Any matter requiring consideration arising from a deputation, will not be further considered by the council or committee until the deputation has withdrawn provided that questions of clarity may be permitted.

(e) A member of the public, other than a deputation, who wishes to speak at a council or committee meeting, must obtain the permission of the speaker or chairperson to do so, prior to the commencement of the meeting.

(f) When speaking at a council or committee meeting, a member of the public and a deputation must comply with any directions or orders given by the speaker or chairperson.

(g) If a member of the public or a deputation conducts himself/herself in a disorderly and unruly manner at any time, the speaker or chairperson must direct that that member remove himself or be removed by a Peace Officer from the precincts.

(h) Any member of the public or deputation who fails or refuses to comply with the speaker's or chairperson's directions in terms of section 21(f) and section 21(g) will be guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding one month or both such fine and such imprisonment.

### Reports

22.(a) Any report submitted to the council or a committee of the council must, with the exception of a report accepted by the speaker or chairperson as a matter of urgency, be provided to councillors in terms of section 8.

(b) The speaker or chairperson must allow debate in accordance with sections 34, 35, 36, 37, 38, 39 and 40 on any report submitted to the council or a committee of the council, at the meeting at which that report is submitted and if the debate is incomplete or does not take place for any reason whatsoever, then the debate in respect of that report must be held, at the next meeting.

### Motions

23.(1) No subject will be brought before council or a committee of council by a councillor except by way of notice of motion.

(2) A notice of motion must –

- (a) be in writing; and
- (b) be signed by the councillor submitting it and by another councillor acting as seconder; and
- (c) refer to one matter only.

(3) A notice of motion must, subject to section 7, be lodged with the municipal manager before 12h00 seven calendar days prior to the next meeting, failing which the notice will be considered at the next ensuing meeting.

(4) The municipal manager must –

- (a) date and number each notice of motion;
- (b) enter each notice of motion lodged in a register, which must be open to inspection by any councillor and the public; and must
- (c) enter each notice of motion on the agenda in the order received.

- (5) The speaker or chairperson must –
- (a) read out the number of every motion and the name of the mover and seconder;
  - (b) ascertain which motions are unopposed and these will be passed without debate;
  - and
  - (c) call the movers of the opposed motions in the order they appear on the agenda.
- (6) A councillor submitting a motion must move such motion and will have the right of reply.
- (7) A motion will lapse if the councillor and seconder who submitted it is not present at the meeting when such motion is being debated.
- (8) A councillor will be allowed not more than three notices of motion on the same agenda.
- (9) The speaker or chairperson must not reject a motion received by him or her in terms of these Rules and Orders.

#### Questions

24.(a) A councillor may put a question requiring a written reply from any political or municipal office bearer of the municipality concerning any matter related to the effective performance of the municipality's functions and the exercise of its powers, provided that written notice of the question has been lodged with the speaker or chairperson and the municipal manager at least seven days prior to the council or committee meeting and the municipal manager must ensure that the councillor receives a written reply from that political or municipal office bearer, at the council or committee meeting.

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

#### Supply of information to a councillor

25.(a) No councillor may approach or communicate with any officer of the municipal administration concerning the business of the municipality other than when exercising his rights or liberties as an ordinary member of the public.



(b) A councillor may approach and communicate with the municipal manager or any head of department or any officer of the municipal administration specifically designated by the municipal manager or by the head of department concerned for this purpose, in order to obtain such information as he or her may reasonably require for the proper performance of his duties as a councillor.

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

26.(a) General items of an urgent nature may be placed on an agenda by the municipal manager and any member of the council with the prior consent of the speaker or chairperson, which consent will not be unreasonably withheld.

(b) Prior to adoption, councillors must be afforded reasonable time to peruse and consider any report or official documents submitted to the council.

#### **Interpretation**

27. If a majority of councillors present so resolve, an interpreter may be used in meetings of the council and committees of the council.

#### **In-committee**

28.(a) Subject to section 5, the council or a committee of council may, at any time, resolve to proceed in-committee.

(b) The public will be excluded from any in-committee meetings.

(c) The municipal manager or another official exempted from this section by the speaker or chairperson, will not be excluded from any in-committee meeting.

(d) All proceedings in-committee must be recorded in terms of section 18(1) and 18(2) and must be confidential.

(e) Unauthorised disclosure of any confidential matter must be dealt with in terms of the Code of Conduct.

28.2 The Council will deal In Committee when discussing any of the following matters:

(a) a trade secret or confidential commercial information of any supplier of the municipality or any person rendering a service to the municipality;



- (b) personal and private information of any councillor or an employee of the municipality;
- (c) the intention of the municipality to purchase or acquire land or buildings;
- (d) the price a municipality may offer for the purchase or acquisition of land or buildings;
- (e) any report addressing legal proceedings that the municipality is involved in or contemplating instituting or defending;
- (f) disciplinary proceedings or proposed disciplinary proceedings against any employee;
- (g) any matter that might not be disclosed in terms of legislation;
- (h) consideration of the minutes of previous In Committee discussions.

28.3 A councillor may, when an item in the agenda is put to order, other than a matter referred to in 28.2 above, and provided it is not a matter that is required in law to be dealt with in open council, propose with motivation, that the matter be further dealt with in Committee. The ruling of the Speaker in this regard will be final and no further discussion will be allowed.

## CHAPTER 8 VOTING

### Decisions by voting

29.(1) A quorum must be present in order for a vote to be taken.

(2) All questions concerning the following matters must be determined by a decision taken by the council with a supporting vote of a majority of the number of councillors determined in accordance with the municipality's establishment notice –

- (a) the passing of by-laws;
- (b) the approval of budgets;
- (c) the imposition of rates and other taxes, levies and duties;
- (d) the raising of loans;
- (e) the rescission of a council resolution within 6 months of the taking thereof; and
- (f) any other matter prescribed by legislation.

(3) All other questions before the council must be decided by a majority of the votes cast by the councillors present.

(4) If on any matter there is an equality of votes, the speaker or chairperson may exercise a casting vote in addition to a deliberative vote as a councillor, provided that a speaker or chairperson will not exercise a casting vote during the election of any office bearer of council and when Council considers matters listed in section 162 of the Constitution.

#### **Method of voting**

30.(a) Voting will be by a show of hands unless the law prescribes otherwise, or the council or committee by resolution of a majority of the councillors present resolves to proceed with a secret written ballot.

(b) During the taking of a vote no councillor may leave the council chamber or committee room.

(c) The municipal manager or his nominee, will count the votes cast and will record the result of voting, but the speaker or chairperson will announce the result.

#### **Dissenting votes and Abstention**

31.1. A councillor may request that his dissenting vote be recorded as evidence of how he or she voted on the motion.

31.2 A member may abstain from voting without leaving the chamber.

### **CHAPTER 9**

#### **REVOCATION OF COUNCIL AND COMMITTEE RESOLUTIONS**

##### **Revocation of Council Resolutions**

32.(a) Approval to revoke or alter a resolution of council may not be delegated to any person or committee.

(b) Prior notice of an intention to move a motion for the revocation or alteration of a council resolution must be given.

(c) Any revocation or alteration of a council resolution must be made within a period of six months as provided for in section 29(2)(e).

**Revocation of Committee Resolutions**

33.(a) Approval to revoke or alter a resolution of a committee of the council may not be delegated to any person.

(b) Prior notice of an intention to move a motion for the revocation or alteration of a resolution of a committee of the council must be given.

(c) Any revocation or alteration of a resolution of a committee of the council must be approved by a majority of the number of the members of that committee.

**CHAPTER 10****DEBATE****Opportunity to speak**

34.(a) A councillor may only speak when so directed by the speaker or chairperson.

(b) A councillor may indicate a desire to speak by raising his hand and awaiting the direction of the speaker or chairperson, which direction must not be withheld.

(c) Councillors and officials must direct their address to the speaker or chairperson.

**Relevance**

35. Every speaker must restrict him or herself strictly to the matter under consideration.

**Length of speeches**

36. Other than the delivery of the mayoral report or the presentation of the estimates of income and expenditure, no speech will exceed five minutes in length without the consent of the speaker or chairperson.

**Councillors to speak only once**

37. A councillor may not speak more than once on any motion or proposal provided that the mover of the motion may speak to the motion, will have the right of reply and the reply will be confined to answering previous speakers and will not introduce any new matter into the debate.

**Precedence of the speaker or chairperson**

38. Whenever the speaker or chairperson rises during a debate, any councillor then speaking or offering to speak must seat himself and the councillor must be silent, so that the speaker or chairperson may be heard without interruption.

**Points of order**

39.(a) Any councillor may raise a point of order at any time by standing to draw the attention of the speaker or chairperson.

(b) Any member will only be allowed to raise one point of order and one point of personal explanation during the council meeting. Only one point of order on the same matter will be allowed.

(c) The ruling of the speaker or chairperson on a point of order will be final and will not be open to discussion.

**Explanation**

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

## **CHAPTER 11 CONDUCT**

**General conduct**

41.(1) The Speaker or the chairperson of the meeting in the event of a meeting other than a council meeting shall:

- a) Maintain order during meetings
- b) Ensure compliance with the Code of Conduct for Councillors during meetings
- c) Ensure that meetings are conducted in accordance with the Council's Rules and Orders
- d) Ensure that members conduct themselves in a dignified and orderly manner during meetings are dressed appropriately for the dignity of the meeting and ensure that no political party attire or regalia is acceptable within the Council Chamber

- e) Ensure that members of the public attending meetings are seated in areas designated for that purpose
- f) Ensure that members of the public attending meetings conduct themselves in an orderly manner and obey any ruling made by the Speaker or chairperson of the meeting
- g) Ensure that any councillor or member of the public refusing to comply with the ruling of the Speaker or chairperson leaves the meeting
- h) Ensure that Council conduct its business in the highest decorum and integrity that the occasion deserves;
- i) Ensure adherence to the the code of conduct (j) Ensure adherence to the the rule of law and the by-laws of the municipality;
- j) Ensure that all members do not use offensive or objectionable language; and
- k) Ensure that members do not use a cellular phone during, bring a firearm or any dangerous weapon into, a meeting of council or any of its committees.

**Misconduct and Disorderly Conduct of a Councillor or persons other than Councillors**

42.(a) The speaker may order a councillor to withdraw and apologise for any word, statement, opinion or gesture made by that councillor.

(b) If a councillor or councillors behave improperly during a meeting of council or any of its committees, the speaker must direct the councillor or councillors to conduct himself or themselves properly and, if speaking, to stop speaking and resume his seat or seats.

(c) In the event of persistent disregard of the directions of the speaker, the speaker must direct such councillor or councillors to retire from the meeting and remove himself or themselves from the place of meeting until the item under discussion has been finalised.

(d) In the event that any misconduct by a councillor or councillors prejudices the proceedings of the council or committee the speaker or chairperson must adjourn the meeting and any such misconduct by a councillor or councillors must be dealt with in terms of these Rules and Orders and the Code of Conduct.

(e) Where a councillor refuses to retire from a meeting or in the event of more than one councillor having to be ejected from the meeting, and such councillor/s refuse/s to leave the meeting, the Speaker shall request an authorised official to facilitate the removal of such councillor/s from the chamber. If this cannot be done orderly, the chairperson of a meeting may adjourn proceedings for a period not exceeding 15 minutes, in order for the relevant councillors to retire or to be ejected from the venue of the meeting. If, at the resumption of proceedings, the councillor/s have not left / been ejected, the meeting may be adjourned for another 10 minutes to address the situation. The chairperson may rule that after the second adjournment the meeting will re-convene at another venue and any councillor/s ordered to retire or so evicted or ordered to be evicted will be refused entry to the alternative venue. The authorised official of the council will ensure that such councillor/s do/es not enter such an alternative venue.

(f) Any person, other than a councillor, who misconducts himself or herself, behaves in an unseemly manner or interrupts the proceedings of the council or any committee at any meeting shall, if the Speaker or chairperson so directs, be removed from the chamber or the venue where the meeting is being held. If the person refuses to leave, the authorised official will be responsible to remove such person from the meeting. The chairperson may exclude such person from further admittance to the council chamber or the meeting venue for such period as it may be deemed fit.

## CHAPTER 12 COMMITTEES

### Rules Committee

43.(a) The municipal council may by resolution of a majority of councillors establish a special committee to be known as the Rules Committee to investigate and make findings on any alleged breaches of the Code of Conduct, including sanctions for non-attendance at meetings and to make recommendations regarding any other matter concerning these Rules and Orders.

(b) The Rules Committee will consist of the speaker, the mayor and one representative of each political party represented on the council, such representative to be nominated from time to time by each political party.



**Own rules**

44.(a) These Rules and Orders are applicable to all Committees of the Council. No Committee of the Council may determine its own rules.

**The chairperson**

45.(1) The chairperson of a committee must—

- (a) preside at every meeting of the committee at which he or she is present; and
- (b) be entitled to vote in the first instance and in the case of an equality of votes in addition to his deliberative vote, will give a second or casting vote.

(2) In his absence, the acting or deputy chairperson will have the same powers and rights of voting as those possessed by the chairperson.

## CHAPTER 13 PECUNIARY INTEREST

**Declaration of pecuniary interest**

46.(a) A councillor must disclose to the municipal council, or to any committee of which that councillor is a member, any direct or indirect personal or private business interest that that councillor, or any spouse, partner or business associate of that councillor may have in any matter before the council or committee.

(b) The councillor making a declaration must withdraw from the proceedings of the council or committee unless the council or committee decides that the councillor's direct or indirect interest in that matter is trivial or irrelevant.

(c) A councillor who, or whose spouse, partner, business associate or close family member, acquired or stands to acquire any direct benefit from a contract concluded with the municipality, must disclose full particulars of the benefit of which the councillor is aware at the first meeting of the council at which it is possible for the councillor to make disclosure.



(d) The disclosure of interests in terms of section 46(a) and benefit in terms of section 46(c) does not apply to an interest or benefit which a councillor, or a spouse, partner, business associate or close family member, has or acquires in common with other residents of the municipality.

(e) When elected or appointed, a councillor must within 60 days or as soon as possible thereafter declare in writing to the municipal manager the financial interests referred to in item 7 of schedule 1 of the Systems Act.

## **CHAPTER 14**

### **BREACH AND SANCTIONS**

#### **Breach**

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

#### **Sanction**

**48.** Where it is alleged that a councillor has breached these Rules and Orders, the council must, in terms of Item 14 of the Code of Conduct, investigate the alleged breach and may impose a sanction in keeping with the Uniform Standing procedure.

## **CHAPTER 15**

### **GENERAL PROVISIONS**

#### **Suspension of a rule or order**

**49.(1)** In instances of urgency or where a council considers that adherence to a section would be unreasonable and would prejudice the operation of a meeting of the council, then the council may with the approval of the majority of the number of councillors of the municipality and for the duration of that meeting, temporarily relax the provisions of a section, provided that:

- (a) such relaxation must not be in contravention of any national or provincial legislation or any by-law of the municipality;

- (b) no section may be relaxed when the removal of any political office bearer is before the council.
- (b) the suspension or relaxation of the section relates to an item on the agenda for the meeting of the council or committee of the council; and
- (c) section 23 must not be suspended; and
- (d) the reasons for the suspension of the section are recorded in the minutes of the meeting.

**Adoption as by-law**

50. These Rules and Orders be adopted as a by-law of the uMshwathi municipality.

**Repeal of existing Rules and Orders**

51. The council's existing Rules and Orders are hereby repealed.

**Short title and commencement**

52. These Rules and Orders will be called the uMshwathi Municipality Municipal Standing Rules and Orders, 2016.



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