

**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)*

**PIETERMARITZBURG,**

13 AUGUST 2009  
13 AUGUSTUS 2009  
13 kuNCWABA 2009

**Vol. 3**

**No. 317**

**CONTENTS**

<i>No.</i>	<i>Page</i>
<b>PROVINCIAL NOTICES</b>	
147 Town-planning Ordinance, 1949: Private township: Erven 181-197, Dunkirk Estate, kwaDukusa Municipality .....	8
148 do.: do.: Erven 198-208, Dunkirk Estate, kwaDukuza Municipality .....	8
149 Removal of Restrictions Act, 1967: Removal of conditions of title .....	9
150 do.: Invitation to comment .....	9
151 KwaZulu-Natal Land Affairs Act, 1992: Removal of restrictive conditions .....	10
152 Less Formal Township Establishment Act, 1991: Designation of land for less formal settlement: Erven 1238, 1380, 1466, 1467 and 1468, Berkshire Downs (as shown on unapproved diagrams), known as "Berkshire Downs", Ethekwini Municipality .....	11
153 Correction Notice .....	12
<b>PROCLAMATION</b>	
3 KwaZulu-Natal Commissioners Act (3/1999): Notice in terms of section 2 (1) .....	21
<b>MUNICIPAL NOTICES</b>	
147 Ingwe Municipality: Property Rates By-laws .....	30
148 City of uMhlathuze: Possession and Discharge of Fireworks By-laws .....	43
149 Greater Kokstad Municipality: Tariffs and charges for 2009/2010 .....	51
150 Public notice calling for inspection of supplementary valuation roll and lodging of objections.	59
<b>GENERAL NOTICE</b>	
21 Deeds Registries Act (47/1937): Notice of intention to issue a certificate of registered title in terms of the Act .....	60
<b>ADVERTISEMENTS</b>	
Miscellaneous (see separate index, page 61)	

**INHOUD**

<i>No.</i>	<i>Bladsy</i>
<b>PROVINSIALE KENNISGEWINGS</b>	
147 Dorpsbeplanningsordonnansie, 1949: Privaatdorp: Erwe 181-197, Dunkirk Estate, kwaDukuza Munisipaliteit .....	16
148 do.: do.: Erwe 198-208, Dunkirk-landgoed, kwaDukuza Munisipaliteit .....	17
149 Wet op Opheffing van Beperkings, 1967: Opheffing van titelvoorwaardes .....	17
150 KwaZulu-Natal Wet op Grondsake, 1992: Opheffing van beperkende voorwaardes .....	17
151 Wet op Opheffing van Beperkings, 1967: Uitnodiging om kommentaar te lewer .....	19
152 Wet op Minder Formele Dorpstigting, 1991: Aanwysing van grond vir minder formele dorpstigting: Erwe 1238, 1380, 1466, 1467 en 1468, Berkshire Downs (soos aangedui op diagramme wat nie goedgekeur is nie), bekend as "Berkshire Downs", Ethekwini Munisipaliteit .....	19
153 Regstellingskennisgewing .....	20

**ADVERTENSIES**

Diverse (kyk afsonderlike bladwyser, bladsy 61)

*No.**Ikhasi***IZAZISO ZESIFUNDAZWE**

147 I-Odinensi yokuHlelwa kwamaDolobha, 1949: Ilokishi elizimele: uMasipala wakwaDukuza .....	12
148 I-oDinensi yokuHlelwa kwamaDolobha, 1949: Iziza 198-208, e-Dunkirk Estate: kuMasipala wakwaDukuza .....	12
149 UMthetho wokuSuswa kweziThibelo, 1967: Ukususwa kwesimiso setayitela .....	13
150 UMthetho wokuSuswa kweziThibelo, 1967: Isimemo sokufaka iziphakamiso .....	13
151 UMthetho wezeMihlaba waKwaZulu-Natali, 1992: Ukususwa kwezimiso zokuthibela .....	14
152 UMthetho wokuSungulwa kwamaLokishi angaHlelekile ngokuPhelele, 1991: Ukwabiwa komhlaba wezakhiwo ezingahlelekile ngokuphelele: Iziza 1238, 1380, 1466, 1467 no 1468 eBerkshire Downs (njengalokhu kukhonjiswe kumboniso mdwebo ongakagunyazwa), owaziwa "njenge-Berkshire Downs", kuMasipala waseThekwini .....	15
153 Isaziso sokulungisa iphutha .....	16

**IZIKHANGISO**

Ezingxubevange (bhaka uhlu oluseceleni, ekhasini 61)

# 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 S. M. Milanzi Tel.: (012) 334-4734  
Mrs J. Wehmeyer 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 187.37**  
 Letter Type: Arial Size: 10  
 Line Spacing: At:  
 Exactly 11pt

**A PRICE  
 INCREASE OF  
 8,5% WILL BE  
 EFFECTIVE ON  
 ALL TARIFFS  
 FROM  
 1 MAY 2009**

$\frac{1}{4}$  page **R 374.75**  
 Letter Type: Arial Size: 10  
 Line Spacing: At:  
 Exactly 11pt

$\frac{1}{4}$  page **R 562.13**  
 Letter Type: Arial Size: 10  
 Line Spacing: At:  
 Exactly 11pt

$\frac{1}{4}$  page **R 749.50**  
 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 MAY 2007**

### 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.

DR K. B. MBANJWA  
Director-General

DR K. B. MBANJWA  
Direkteur-generaal

300 Langalibalele Street  
Pietermaritzburg  
13 August 2009

Langalibalelestraat 300  
Pietermaritzburg  
13 Augustus 2009

Izaziso ezilandelayo zikhishelwe ulwazi lukawonkewonke.

DKT. K. B. MBANJWA  
uMqondisi-Jikelele

300 Langalibalele Street  
Pietermaritzburg  
13 kuNcwaba 2009

**No. 147**

**13 August 2009**

**DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**

**TOWN PLANNING ORDINANCE, 1949: PRIVATE TOWNSHIP; ERVEN 181-197 DUNKIRK ESTATE, KWADUKUZA MUNICIPALITY**

In terms of section 23 of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949), I declare Erven 181-197 Dunkirk Estate (Erf 72 Dunkirk Estate), Registration Division FU, an approved private township.

Provincial Notice No. 77 which was published in *Provincial Gazette* No. 268, dated 14 May 2009, is hereby withdrawn.

**ML POVALL**, Manager: Development Administration

Date: 21 June 2009

File Reference: 2008/510

**No. 148**

**13 August 2009**

**TOWN PLANNING ORDINANCE, 1949: PRIVATE TOWNSHIP; ERVEN 198-208 DUNKIRK ESTATE, KWADUKUZA MUNICIPALITY**

In terms of section 23 of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949), I declare Erven 198-208 Dunkirk Estate (Erf 93 Dunkirk Estate), Registration Division FU, an approved private township.

**ML POVALL**, Manager: Development Administration

Date: 21 June 2009

File Reference: 2008/783

**No. 149****13 August 2009****REMOVAL OF RESTRICTIONS ACT, 1967: REMOVAL OF CONDITIONS OF TITLE**

In terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), I remove the restrictions set out in the Schedule.

**ML POVALL**, Manager: Development Administration

Date: 21 June 2009

**SCHEDULE**

The figures used in brackets have the following meanings:

- (1) = Street address, property description, registration division, municipality
- (2) = Deed, condition, file reference
- (3) = Scope of alteration or removal

- (1) 15 Ridge Road, **Erf 266 Amanzimtoti**, Registration Division ET, eThekweni Municipality
- (2) T 27772/99, A.1., 2006/767
- (3) Removal of conditions of title that prohibit the subdivision of land and restrict the use of the property to one dwelling house.

- (1) 877 Canterbury Road, **Erf 877 Hibberdene**, Registration Division ET, Hibiscus Coast Municipality
- (2) T 06 34196, B., C., D. (c), D. (d) and D. (e), 2007/1504
- (3) Removal of conditions of title that restrict the property to one dwelling house, impose building lines and restrict the use of certain types of building material for the construction of buildings.

- (1) 13 Wapenaar Road, Merrivale, **Erf 127 Merrivale**, Registration Division FT, uMngeni Municipality
- (2) T5870/2008, B(d), 2008/1008
- (3) Removal of condition of title that imposes building lines.

**No. 150****13 August 2009****REMOVAL OF RESTRICTIONS ACT, 1967: INVITATION TO COMMENT**

Applications have been received by the Department of Local Government and Traditional Affairs for the removal of restrictions relating to land in terms of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), set out in the Schedule. Comments, which may be submitted by fax or mail, must be submitted to the persons mentioned in the Schedule by 18 September 2009. Please note that the Department may refuse to accept comments submitted after the closing date.

**ML POVALL**, Manager: Development Administration

Date: 21 June 2009

**SCHEDULE**

The figures used in brackets have the following meanings:

- (1) = Street address, property description, registration division, municipality
- (2) = Deed, condition, file reference
- (3) = Scope of alteration or removal
- (4) = Contact person
- (5) = Contact details

- (1) 58 Sander Road, **Remainder of Erf 30 New Germany**, Registration Division FT, eThekweni Municipality
- (2) T 04 56123, E.2., 2008/1198
- (3) Removal of conditions of title that prohibits the use of the property for business purposes.
- (4) Ms A Murgatroyd
- (5) Private Bag X54310, Durban 4000, Tel: (031) 204 1919, Fax: (031) 204 1980, [audrey.murgatroyd@kznlgta.gov.za](mailto:audrey.murgatroyd@kznlgta.gov.za)

- (1) 102 Alfred Road, **Portion 1 of Erf 30 New Germany**, Registration Division FT, eThekweni Municipality
  - (2) T 04 34523, D.2., 2008/1199
  - (3) Removal of conditions of title that prohibits the use of the property for business purposes.
  - (4) Ms A Murgatroyd
  - (5) Private Bag X54310, Durban 4000, Tel: (031) 204 1919, Fax: (031) 204 1980, [audrey.murgatroyd@kznlgta.gov.za](mailto:audrey.murgatroyd@kznlgta.gov.za)
- 
- (1) 60 Sander Road, **Portion 2 of Erf 30 New Germany**, Registration Division FT, eThekweni Municipality
  - (2) T 04 34524, D.2., 2009/91
  - (3) Removal of conditions of title that prohibits the use of the property for business purposes.
  - (4) Ms A Murgatroyd
  - (5) Private Bag X54310, Durban 4000, Tel: (031) 204 1919, Fax: (031) 204 1980, [audrey.murgatroyd@kznlgta.gov.za](mailto:audrey.murgatroyd@kznlgta.gov.za)

**No. 151****13 August 2009****KWAZULU LAND AFFAIRS ACT, 1992: REMOVAL OF RESTRICTIVE CONDITIONS**

In terms of section 27(1) of the KwaZulu Land Affairs Act, 1992 (Act No. 11 of 1992), I remove the restrictions set out in the Schedule.

**M MABUYAKHULU**

Member of the Executive Council of the Province of KwaZulu-Natal  
responsible for Local Government, Housing and Traditional Affairs

Date: 27 November 2008

**SCHEDULE**

The figures used in brackets have the following meanings:

- (1) = Street address, property description, registration division, municipality
  - (2) = Deed, condition, file reference
  - (3) = Scope of alteration or removal
- 
- (1) **Erf 136, Esikhawini**, Registration Division HT, uMhlathuze Municipality
  - (2) TG158/81 (KZ), 2A-C 2004/1030
  - (3) Removal of conditions of title that restrict the use of the property to residential purposes and prohibit the subdivision of the property.
- 
- (1) **Erf 1388, Esikhawini**, Registration Division HT, uMhlathuze Municipality
  - (2) TG 8001/27, 2A-C, 2005/30
  - (3) Removal of conditions of title that restrict the use of the property to residential purposes and prohibit the subdivision of the property.
- 
- (1) **Erf 2139, Esikhawini**, Registration Division HT, uMhlathuze Municipality
  - (2) TG1571/986 (KZ), 2A-C, 2005/1732
  - (3) Removal of conditions of title that restrict the use of the property to residential purposes and prohibit the subdivision of the property.
- 
- (1) **Erf 1055, Esikhawini**, Registration Division HT, uMhlathuze Municipality
  - (2) TG 6002/06, 1A-C, 2005/1733
  - (3) Removal of conditions of title that restrict the use of the property to residential purposes and prohibit the subdivision of the property.
- 
- (1) **Erf J 1850, Esikhawini**, Registration Division HT, uMhlathuze Municipality
  - (2) TG 1610/1987, 1A-C, 2005/1455
  - (3) Removal of conditions of title that restrict the use of the property to residential purposes and prohibit the subdivision of the property.

- (1) **Erf 2140, Esikhawini**, Registration Division HT, uMhlathuze Municipality  
 (2) TG 6055/987 (KZ), 2A-C, 2005/1732  
 (3) Removal of conditions of title that restrict the use of the property to residential purposes and prohibit the subdivision of the property.
- (1) **Erf A692, Nseleni**, Registration Division HT, uMhlathuze Municipality  
 (2) G11363/87, 1A-C, 2005/1823  
 (3) Removal of conditions of title that restrict the use of the property to residential purposes and prohibit the subdivision of the property.
- (1) **Erf 1615, Esikhawini**, Registration Division HT, uMhlathuze Municipality  
 (2) TG 1365/184, 2A-C, 2006/238  
 (3) Removal of conditions of title that restrict the use of the property to residential purposes and prohibit the subdivision of the property.
- (1) **Erf 445, Nseleni A**, Registration Division HT, uMhlathuze Municipality  
 (2) T 11270/2006, 2A-C, 2006/1471  
 (3) Removal of conditions of title that restrict the use of the property to residential purposes and prohibit the subdivision of the property.

**No. 152****13 August 2009**

**LESS FORMAL TOWNSHIP ESTABLISHMENT ACT, 1991: DESIGNATION OF LAND FOR LESS FORMAL SETTLEMENT; ERVEN 1238, 1380, 1466, 1467 AND 1468 BERKSHIRE DOWNS (AS SHOWN ON UNAPPROVED DIAGRAMS), KNOWN AS "BERKSHIRE DOWNS", ETHEKWINI MUNICIPALITY**

In terms of section 3(1)(b), (2)(a), (5)(h) and (6) (a) and (b) of the Less Formal Township Establishment Act, 1991 (Act No. 113 of 1991), I —

- (a) designate Erven 1238, 1380, 1466, 1467, 1468 Berkshire Downs as shown on unapproved SG diagram, dated September 2007, Registration Division FT, known as "Berkshire Downs", eThekweni Municipality, as land for less formal settlement;
- (b) suspend the conditions listed in the Schedule to this notice;
- (c) suspend sections 211 and 212 of the Local Authorities Ordinance, 1974 (Ordinance No. 25 of 1974) for the purposes of the closure of portions of the Remainder of Erf 1237, Erf 336, Erf 1211, Erf 1210, Portion 1 of Erf 1213 and Portion 2 of Erf 1213;
- (d) declare that the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949), is applicable to the less formal settlement, except for sections 11, 11*bis*, 12, 16-27, 33, 35, 36 and 39 of the Ordinance which shall not apply to the establishment of the less formal settlement in accordance with the conditions of approval of application 2007/394.
- (e) withdraw Notice No. 55 which was published in *Provincial Gazette* Vol. 3 No. 253, dated 9 April 2009.

**ML POVALL**, Manager: Development Administration

Date: 21 June 2009

File reference: 2007/394

**SCHEDULE**

The figures used in brackets have the following meanings:

- (1) = Street address, property description  
 (2) = Deed, condition  
 (3) = Scope of suspension
- (1) **NA, Erf 292 Berkshire Downs**  
 (2) T 4431/51, Paragraph 2 on Page 4  
 (3) Suspension of condition of title that creates rights of way servitudes.
- (1) **NA, Erf 336 and Rem of Erf 1237 Berkshire Downs**  
 (2) T 44925/01, B.5.(a) and (b)  
 (3) Suspension of condition of title that creates rights of way servitudes.
- (1) **NA, Portion 20 of Erf 302 Berkshire Downs**  
 (2) T 8895/77, A, B, C. and D.(i)-(x)

- (3) Suspension of conditions of title that create rights of way servitudes, restrict the use of the property to one dwelling house, restrict the use of the property to residential purposes, restrict the use of certain types of building material for the construction of buildings, prohibit the subdivision of the property and impose building lines.
- (1) **NA, Portion 28 of Erf 302 Berkshire Downs**
- (2) T 20833/2001, F.(v)
- (3) Suspension of condition of title that creates an electric cable servitude.

---

**No. 153****13 August 2009****NOTICE TO CORRECT AN ERROR IN THE PROVINCIAL GAZETTE TITLED: DEVELOPMENT FACILITATION ACT, 1995: PORTION 5 (OF 4) OF THE FARM JEPSONS VLEI NO. 956, UMSHWATHI MUNICIPALITY**

The Department of Local Government and Traditional Affairs hereby gives notice of the correction of an error in Provincial Notice No. 105 that appeared in *Provincial Gazette* Number 284, dated 4 June 2009, by the substitution for the expression "Jepson's Vlei" of the expression "Jepsons Vle".

**MA DE LANGE**, Designated Officer

Date: 21 June 2009

File reference: 2006/1561

---

**No. 147****13 kuNcwaba 2009****UMNYANGO WEZOHULUMENI BASEKHAYA NEZENDABUKO****I-ODINENSI YOKUHLELWA KWAMADOLOBHA, 1949: ILOKISHI ELIZIMELE; IZIZA 181 KUYA KU 197 E-DUNKIRK ESTATE, KUMASIPALA KWADUKUZA**

Ngokwesigaba 23 se-Odinensi yokuHlelwa kwamaDolobha, 1949 (i-Odinensi No. 27 ka 1949), ngimemezela iZiza 181 kuya ku 197 e-Dunkirk Estate (iSiza 72 e-Dunkirk Estate), isiGaba sokuBhaliswa ngu-FU, njengelokishi elizimele eligunyaziwe.

Ngihoxisa iSaziso No. 77 esashicilelwa kwiGazethi yesiFundazwe No. 268, yamhla zingu 14 uNhlabha 2009.

**ML POVALL**, uMphathi wezokuPhathwa kweNtuthuko

Usuku: 21 uNtulikazi 2009

File Reference: 2008/510

---

**No. 148****13 kuNcwaba 2009****I-ODINENSI YOKUHLELWA KWAMADOLOBHA, 1949: ILOKISHI ELIZIMELE; IZIZA 198-208 E-DUNKIRK ESTATE, KUMASIPALA WAKWADUKUZA**

Ngokwesigaba 23 se-Odinensi yokuHlelwa kwamaDolobha, 1949 (i-Odinensi No. 27 ka 1949), ngimemezela iZiza 198-208 e-Dunkirk Estate (iSiza 93 e-Dunkirk Estate), isiGaba sokuBhaliswa ngu-FU, njengelokishi elizimele eligunyaziwe.

**ML POVALL**, uMphathi wezokuPhathwa kweNtuthuko

Usuku: 21 uNtulikazi 2009

Inkomba yefayela: 2008/783

**No. 149****13 kuNcwaba 2009****UMTHETHO WOKUSUSWA KWEZITHIBELO, 1967: UKUSUSWA KWEZIMISO ZETAYITELA**

Ngokwesigaba 2(1) soMthetho wokuSuswa kweziThibelo, 1967 (uMthetho No. 84 ka 1967), ngisusa izithibelo ezibekwe oHlelweni.

**ML POVALL**, uMphathi wezokuPhathwa kweNtuthuko

Usuku: 21 uNtulikazi 2009

**UHLELO**

Imininingwane esetshenzisiwe kubakaki inalezi zincazelo:

- (1) = Ikheli lomgwaqo, incazelo ngomhlaba, isigaba sokubhaliswa, umasipala
  - (2) = Itayitela, isimiso, inkomba yefayela
  - (3) = Ubungako bokuzolungiswa noma bokuzosuswa
- 
- (1) Ku 15 Ridge Road, **iSiza 266 eManzimtoti**, isiGaba sokuBhaliswa ngu-ET, kuMasipala waseThekwini
  - (2) T 27772/99, A.1., 2006/767
  - (3) Ukususwa kwesimiso setayitela esenqabela ukuhlukaniswa iziqephu komhlaba nesenqabela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala
- 
- (1) Ku 877 Canterbury Road, **iSiza 877 e-Hibberdene**, isiGaba sokuBhaliswa ngu-ET, kuMasipala wase-Hibiscus Coast
  - (2) T 06 34196, B., C., D. (c), D. (d) kanye no D. (e), 2007/1504
  - (3) Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala; ezinquma imingcele yokwakha nezivumela ukusetshenziswa kohlobo oluthile lwempahla yokwakha
- 
- (1) Ku 13 Wapenaar Road, Merrivale, **iSiza 127 e-Merrivale**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseMngeni
  - (2) T5870/2008, B(d), 2008/1008
  - (3) Ukususwa kwesimiso setayitela ezinquma imingcele yokwakha

**No. 150****13 kuNcwaba 2009****UMTHETHO WOKUSUSWA KWEZITHIBELO, 1967: ISIMEMO SEZIMVO**

UMnyango wezoHulumeni baseKhaya nezeNdabuko usuwamukele izicelo zokususwa kwezithibelo eziphathelene nomhlaba ngokoMthetho wokuSuswa kweziThibelo, 1967 (uMthetho No. 84 ka 1967), ezibekwe oHlelweni. Izimvo zingathunyelwa ngefeksi noma ngeposi kubantu ababalulwe oHlelweni 18 uMandulo 2009.

Qaphela ukuthi uMnyango ungenqaba ukwemukela izimvo ezithunyelwe sekwedlule usuku lokuvala.

**ML POVALL**, uMphathi wezokuPhathwa kweNtuthuko

Usuku: 21 uNtulikazi 2009

**UHLELO**

Imininingwane esetshenzisiwe kubakaki inalezi zincazelo:

- (1) = Ikheli lomgwaqo, incazelo ngomhlaba, isigaba sokubhaliswa, umasipala
  - (2) = Itayitela, isimiso, inkomba yefayela
  - (3) = Ubungako bokuzolungiswa noma bokuzosuswa
  - (4) = Okungaxhunyanwa naye
  - (5) = Imininingwane yokuxhumana
- 
- (1) Ku 58 Sander Road, **iNsalela yeSiza 30 e-New Germany**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini
  - (2) T 04 56123, E.2., 2008/1198
  - (3) Ukususwa kwezimiso zetayitela ezenqabela ukusetshenziswa komhlaba ngezinhloso zezebhizinisi
  - (4) Nkk. A Murgatroyd
  - (5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1919, Ifeksi: (031) 204 1980, [aurey.murgatroyd@kznlqta.gov.za](mailto:aurey.murgatroyd@kznlqta.gov.za)

- (1) Ku 102 Alfred Road, **iNgxenywe 1 yeSiza 30 e-New Germany**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini  
 (2) T 04 34523, D.2., 2008/1199  
 (3) Ukususwa kwezimiso zetayitela ezenqabela ukusetshenziswa komhlaba ngezinhloso zezebhizinisi  
 (4) Nkk. A Murgatroyd  
 (5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1919, Ifeksi: (031) 204 1980, [audrey.murgatroyd@kznlqta.gov.za](mailto:audrey.murgatroyd@kznlqta.gov.za)
- (1) Ku 60 Sander Road, **iNgxenywe 2 yeSiza 30 e-New Germany**, isiGaba sokuBhaliswa ngu-FT, kuMasipala waseThekwini  
 (2) T 04 34524, D.2., 2009/91  
 (3) Ukususwa kwezimiso zetayitela ezenqabela ukusetshenziswa komhlaba ngezinhloso zezebhizinisi  
 (4) Nkk. A Murgatroyd  
 (5) Private Bag X 54310 Durban 4000, Ucingo: (031) 204 1919, Ifeksi: (031) 204 1980, [audrey.murgatroyd@kznlqta.gov.za](mailto:audrey.murgatroyd@kznlqta.gov.za)

**No. 151****13 kuNcwaba 2009****UMTHETHO WEZOMHLABA WAKWAZULU, 1992: UKUSUSWA KWEZIMISO ZOKUTHIBELA**

Ngokwesigaba 27(1) soMthetho wezoMhlaba waKwaZulu, 1992 (uMthetho No. 11 ka 1992), ngisusa izithibelo ezibekwe oHlelweni.

**M MABUYAKHULU,**

ILungu loMkhandlu oPhethe elibhekele ezoHulumeni baseKhaya, ezeziNdlu nezeNdabuko  
 Usuku: 27 uLwezi 2008

**UHLELO**

Imininingwane esetshenziwe kubakaki inalezi zincazelo:

- (1) = Ikheli lomgwaqo, incazelo ngomhlaba, isigaba sokubhaliswa, umasipala  
 (2) = Itayitela, isimiso, inkomba yefayela  
 (3) = Ubungako bokuzolungiswa noma bokuzosuswa
- (1) **ISiza 136, Esikhawini**, isiGaba sokuBhaliswa ngu-HT, kuMasipala waseMhlathuze  
 (2) TG158/81 (KZ), 2A-C 2004/1030  
 (3) Ukususwa kwesimiso setayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nesenqabela ukuhlukaniswa iziqephu komhlaba
- (1) **ISiza 1388, Esikhawini**, isiGaba sokuBhaliswa ngu-HT, kuMasipala waseMhlathuze  
 (2) TG 8001/27, 2A-C, 2005/30  
 (3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nesenqabela ukuhlukaniswa iziqephu komhlaba
- (1) **ISiza 2139, Esikhawini**, isiGaba sokubhaliswa ngu-HT, kuMasipala waseMhlathuze  
 (2) TG1571/986 (KZ), 2A-C, 2005/1732  
 (3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nesenqabela ukuhlukaniswa iziqephu komhlaba
- (1) **ISiza 1055, Esikhawini**, isiGaba sokuBhaliswa ngu-HT, kuMasipala waseMhlathuze  
 (2) TG 6002/06, 1A-C, 2005/1733  
 (3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nesenqabela ukuhlukaniswa iziqephu komhlaba
- (1) **ISiza J 1850, Esikhawini**, isiGaba sokuBhaliswa ngu-HT, kuMasipala waseMhlathuze  
 (2) TG 1610/1987, 1A-C, 2005/1455  
 (3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nesenqabela ukuhlukaniswa iziqephu komhlaba

- (1) **ISiza 2140, Esikhawini**, isiGaba sokuBhaliswa ngu-HT, kuMasipala waseMhlathuze  
 (2) TG 6055/987 (KZ), 2A-C, 2005/1732  
 (3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nesenqabela ukuhlukaniswa iziqephu komhlaba
- (1) **ISiza A692, eNseleni**, isiGaba sokuBhaliswa ngu-HT, kuMasipala waseMhlathuze  
 (2) G11363/87, 1A-C, 2005/1823  
 (3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nesenqabela ukuhlukaniswa iziqephu komhlaba
- (1) **ISiza 1615, Esikhawini**, isiGaba sokuBhaliswa ngu-HT, kuMasipala waseMhlathuze  
 (2) TG 1365/184, 2A-C, 2006/238  
 (3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nesenqabela ukuhlukaniswa iziqephu komhlaba
- (1) **ISiza 445, eNseleni A**, isiGaba sokuBhaliswa ngu-HT, kuMasipala waseMhlathuze  
 (2) T 11270/2006, 2A-C, 2006/1471  
 (3) Ukususwa kwesimiso setayitela esivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nesenqabela ukuhlukaniswa iziqephu komhlaba

**No. 152****13 kuNcwaba 2009**

**UMTHETHO WOKUSUNGULWA KWAMALOKISHI ANGAHLELEKILE NGOKUPHELELE, 1991: UKWABIWA KOMHLABA WEZAKHIWO EZINGAHLELEKILE NGOKUPHELELE; IZIZA 1238, 1380, 1466, 1467 KANYE NO-1468 E-BERKSHIRE DOWNS (NJENGOBA KUKHONJISWE KUMDWEBO ONGAGUNYAZIWE), OWAZIWA "NGE-BERKSHIRE DOWNS", KUMASIPALA WASETHEKWINI**

Ngokwesigaba 3(1)(b), (2)(a), (5)(h) kanye no (6) (a) no (b) soMthetho wokuSungulwa kwamaLokishi angaHlelekile ngokuPhelele, 1991 (uMthetho No. 113 ka 1991), —

- (a) ngaba iZiza 1238, 1380, 1466, 1467, 1468 e-Berkshire Downs njengoba kukhonjiswe kumdwebo ongagunyaziwe we-SG, wangenyanga kuMandulo 2007, isiGaba sokuBhaliswa ngu-FT, owaziwa "nge-Berkshire Downs", kuMasipala waseThekwini, njengomhlaba wezakhiwo ezingahlelekile ngokuphelele;  
 (b) ngimisa imibandela ebhalwe oHlelweni kulesi saziso;  
 (c) ukuchithwa kwesigaba 211 kanye nesigaba 212 se-Odinensi yoMaziphathe baseKhaya, 1874 (i-Odinensi No. 25 ka 1974) ngezinhloso zokuvalwa kwezingxenye zeNsalela yeSiza 1237, yeSiza 336, yeSiza 1211, yeSiza 1210, iNgxenye 1 yeSiza 1213 kanye neNgxenye 2 yeSiza 1213;;  
 (d) ngimemezela ukuthi i-Odinensi yokuHlelwa kwamaDolobha, 1949 (i-Odinensi No. 27 ka 1949), iyasebenza ekusungulweni kwezakhiwo ezingahlelekile ngokuphelele, ngaphandle kwezigaba 11, 11bis, 12, 16-27, 33, 35, 36 kanye no 39 ze-Odinensi ezingeke zisebenze ekusungulweni kwezakhiwo ezingahlelekile ngokuphelele ngokuhambisana nemibandela yokugunyazwa kwesicelo 2007/394;  
 (e) ngihoxisa iSaziso No. 55 esashicilelwa kwiGazethi yesiFundazwe Vol.3 No. 253, yamhla zi 9 kuMbaso 2009.

**ML POVALL**, uMphathi wezokuPhathwa kweNtuthuko

Usuku: 21 uNtulikazi 2009

Inkomba yefayela: 2007/394

**SCHEDULE**

- (1) = Ikheli lomgwaqo, incazelo ngomhlaba  
 (2) = Itayitela, umbandela  
 (3) = Ubungako bokuzolungiswa

(1) **Alikho, iSiza 292 e-Berkshire Downs**

(2) T 4431/51, Indima 2 eKhasini 4

(3) Ukumiswa kwesimiso setayitela esakha isivumelwano sokusetshenziswa kwengxenye ethile yomhlaba ngomunye umuntu

- (1) Alikho, **iSiza 336 kanye neNsalela yeSiza 1237 e-Berkshire Downs**
  - (2) T 44925/01, B.5.(a) kanye no (b)
  - (3) Ukumiswa kwesimiso setayitela esakha isivumelwano sokusetshenziswa kwengxenywe ethile yomhlaba ngomunye umuntu
- (1) Alikho, **iNgxenywe 20 yeSiza 302 e-Berkshire Downs**
  - (2) T 8895/77, A, B, C. kanye no D.(i)-(x)
  - (3) Ukumiswa kwesimiso setayitela esakha isivumelwano sokusetshenziswa kwengxenywe ethile yomhlaba ngomunye umuntu, esivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala, esivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala, esivumela ukusetshenziswa kohlobo oluthile lwempahla yokwakha, esenqabela ukuhlukaniswa iziqephu komhlaba nezinquma imingcele yokwakha
- (1) Alikho, **iNgxenywe 28 yeSiza 302 e-Berkshire Downs**
  - (2) T 20833/2001, F.(v)
  - (3) Ukumiswa kwesimiso setayitela esakha isivumelwano sokusetshenziswa kwengxenywe ethile yomhlaba ukugxumeka amakhebuli kagesi

**No. 153****13 kuNcwaba 2009****ISAZISO SOKULUNGISA IPHUTHA KWIGAZETHI YESIFUNDAZWE ESIHLOKO SITHI: UMTHETHO WOKULUNGISELELA INTUTHUKO, 1995: INGXENYE 5 (YE-4) YEPULAZI I-JEPSONS VLEI NO. 956, KUMASIPALA WASEMSHWATHI**

UMnyango wezoHulumeni baseKhaya nezeNdabuko ngalokhu ukhipha isaziso sokulungisa iphutha elenzeke kwiSaziso sesiFundazwe No. 105 esiphume kwiGazethi yesiFundazwe enguNombolo 284, yamhla zi-4 kuNhlanguvana 2009, ngokuguqula ukubizwa kwegama "i-Jepson's Vlei" ukuba libizwe "nge-Jepsons Vle".

**MA DE LANGE**, isiKhulu esiQokiwe

Usuku: 21 uNtulikazi 2009

Inkomba yefayela: 2006/1561

**No. 147****13 Augustus 2009****DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****DORPBEPLANNINGSORDONNANSIE, 1949: PRIVAATDORP; ERWE 181-197 DUNKIRK ESTATE, KWADUKUZA MUNISIPALITEIT**

Ingevolge artikel 23 van die Dorpbeplanningsordonnansie, 1949 (Ordonnansie No. 27 van 1949), verklaar ek erwe 181-197 Dunkirk Estate (Erf 72 Dunkirk Estate), Registrasie-afdeling FU, 'n goedgekeurde privaatdorp.

Kennisgewing No. 77 wat in *Provinsiale Koerant* No. 268, gedateer 14 Mei 2009, gepubliseer is, word hiermee ontrek.

**GK SUZOR**, Adjunkbestuurder: Ontwikkelingsadministrasie

Datum: 21 uNtulikazi 2009

File Reference: 2008/510

**No. 148****13 Augustus 2009****DORPBEPLANNINGSORDONNANSIE, 1949: PRIVAATDORP; ERWE 198-208 DUNKIRK LANDGOED, KWADUKUZA MUNISIPALITEIT**

Kragtens artikel 23 van die Dorpbeplanningsordonnansie, 1949 (Ordonnansie No. 27 van 1949), verklaar ek erwe 198-208 Dunkirk Landgoed (Erf 93 Dunkirk Landgoed), Registrasie-afdeling FU, 'n goedgekeurde privaatdorp.

**ML POVALL**, Bestuurder: Ontwikkelingsadministrasie

Datum: 21 Julie 2009

Lêerverwysing: 2008/783

**No. 149****13 Augustus 2009****WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDES**

Ingevolge artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), hef ek die voorwaardes op soos in die bylae uiteengesit.

**ML POVALL**, Bestuurder: Ontwikkelingsadministrasie

Datum: 21 Julie 2009

**BYLAE**

Die figure tussen hakies het die volgende betekenisse:

- (1) = Straatadres, eiendomsbeskrywing, registrasie-afdeling, munisipaliteit
- (2) = Akte, voorwaarde, lêerverwysing
- (3) = Omvang van wysiging of opheffing

(1) Ridge Weg 15, **Erf 266 Amanzimtoti**, Registrasie-afdeling ET, eThekweni munisipaliteit

(2) T 27772/99, A.1., 2006/767

(3) Opheffing van titelvoorwaardes wat die onderverdeling van grond verbied en die oprigting van meer as een woning op die eiendom verbied.

(1) Canterbury Weg 877, **Erf 877 Hibberdene**, Registrasie-afdeling ET, Hibiskus Kus munisipaliteit

(2) T 06 34196, B., C., D. (c), D. (d) en D. (e), 2007/1504

(3) Opheffing van titelvoorwaardes wat die oprigting van meer as een woning op die eiendom verbied, boulyne oplê en boumateriaal beperk.

(1) Wapenaar Weg 13, Merrivale, **Erf 127 Merrivale**, Registrasie-afdeling FT, uMngeni munisipaliteit

(2) T5870/2008, B(d), 2008/1008

(3) Opheffing van titelvoorwaarde wat boulyne oplê.

**No. 150****13 Augustus 2009****KWAZULU WET OP GRONDSAKE, 1992: OPHEFFING VAN BEPERKENDE VOORWAARDES**

Kragtens artikel 27(1) van die KwaZulu Wet op Grondsake, 1992 (Wet No. 11 van 1992), hef ek die beperkings op soos in die bylae uiteengesit.

**M MABUYAKHULU,**

Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal

verantwoordelik vir Plaaslike Regering, Behuising en Tradisionele Sake

Datum: 27 November 2008

**BYLAE**

Die figure tussen hakies het die volgende betekenis:

- (1) = Straataadres, eiendomsbeskrywing, registrasie-afdeling, munisipaliteit
- (2) = Akte, voorwaarde, lêerverwysing
- (3) = Omvang van wysiging van opheffing

- (1) **Erf 136, Esikhawini**, Registrasie-afdeling HT, uMhlathuze munisipaliteit
  - (2) TG158/81 (KZ), 2A-C 2004/1030
  - (3) Opheffing van titelvoorwaardes wat die gebruik van die eiendom tot woondoeleindes beperk en die onderverdeling van die eiendom verbied.
- 
- (1) **Erf 1388, Esikhawini**, Registrasie-afdeling HT, uMhlathuze munisipaliteit
  - (2) TG 8001/27, 2A-C, 2005/30
  - (3) Opheffing van titelvoorwaardes wat die gebruik van die eiendom tot woondoeleindes beperk en die onderverdeling van die eiendom verbied.
- 
- (1) **Erf 2139, Esikhawini**, Registrasie-afdeling HT, uMhlathuze munisipaliteit
  - (2) TG1571/986 (KZ), 2A-C, 2005/1732
  - (3) Opheffing van titelvoorwaardes wat die gebruik van die eiendom tot woondoeleindes beperk en die onderverdeling van die eiendom verbied.
- 
- (1) **Erf 1055, Esikhawini**, Registrasie-afdeling HT, uMhlathuze munisipaliteit
  - (2) TG 6002/06, 1A-C, 2005/1733
  - (3) Opheffing van titelvoorwaardes wat die gebruik van die eiendom tot woondoeleindes beperk en die onderverdeling van die eiendom verbied.
- 
- (1) **Erf J 1850, Esikhawini**, Registrasie-afdeling HT, uMhlathuze munisipaliteit
  - (2) TG 1610/1987, 1A-C, 2005/1455
  - (3) Opheffing van titelvoorwaardes wat die gebruik van die eiendom tot woondoeleindes beperk en die onderverdeling van die eiendom verbied.
- 
- (1) **Erf 2140, Esikhawini**, Registrasie-afdeling HT, uMhlathuze munisipaliteit
  - (2) TG 6055/987 (KZ), 2A-C, 2005/1732
  - (3) Opheffing van titelvoorwaardes wat die gebruik van die eiendom tot woondoeleindes beperk en die onderverdeling van die eiendom verbied.
- 
- (1) **Erf A692, Nseleni**, Registrasie-afdeling HT, uMhlathuze munisipaliteit
  - (2) G11363/87, 1A-C, 2005/1823
  - (3) Opheffing van titelvoorwaardes wat die gebruik van die eiendom tot woondoeleindes beperk en die onderverdeling van die eiendom verbied.
- 
- (1) **Erf 1615, Esikhawini**, Registrasie-afdeling HT, uMhlathuze munisipaliteit
  - (2) TG 1365/184, 2A-C, 2006/238
  - (3) Opheffing van titelvoorwaardes wat die gebruik van die eiendom tot woondoeleindes beperk en die onderverdeling van die eiendom verbied.
- 
- (1) **Erf 445, Nseleni A**, Registrasie-afdeling HT, uMhlathuze munisipaliteit
  - (2) T 11270/2006, 2A-C, 2006/1471
  - (3) Opheffing van titelvoorwaardes wat die gebruik van die eiendom tot woondoeleindes beperk en die onderverdeling van die eiendom verbied.

**No. 151****13 Augustus 2009****WET OP OPHEFFING VAN BEPERKINGS, 1967: UITNODIGING OM KOMMENTAAR TE LEWER**

Aansoeke is deur die Departement van Plaaslike Regering en Tradisionele Sake ontvang vir die opheffing van beperkings met betrekking tot grond kragtens die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), soos in die bylae uiteengesit. Kommentaar, wat per faks of pos ingedien kan word, moet teen 18 September 2009 voorgelê word aan die persone wat in die bylae vermeld word. Let wel dat die Departement mag weier om kommentaar te aanvaar wat na die sluitingsdatum ingedien is.

**ML POVALL**, Bestuurder: Ontwikkelingsadministrasie

Datum: 21 July 2009

**BYLAE**

Die figure tussen hakies het die volgende betekenis:

- (1) = Straatadres, eiendomsbeskrywing, registrasie-afdeling, munisipaliteit
- (2) = Akte, voorwaarde, lêerverwysing
- (3) = Omvang van toepassing
- (4) = Kontakpersoon
- (5) = Kontakbesonderhede

- (1) Sander Weg 58, **Restant van Erf 30 New Germany**, Registrasie-afdeling FT, eThekwini munisipaliteit
- (2) T 04 56123, E.2., 2008/1198
- (3) Opheffing van titelvoorwaardes wat die gebruik van die eiendom vir besigheidsdoeleindes verbied.
- (4) Me A Murgatroyd
- (5) Privaatsak X54310, Durban 4000, Tel: (031) 204 1919, Faks: (031) 204 1980, [audrey.murgatroyd@kznlqta.gov.za](mailto:audrey.murgatroyd@kznlqta.gov.za)

- (1) Alfred Weg 102, **Gedeelte 1 van Erf 30 New Germany**, Registrasie-afdeling FT, eThekwini munisipaliteit
- (2) T 04 34523, D.2., 2008/1199
- (3) Opheffing van titelvoorwaardes wat die gebruik van die eiendom vir besigheidsdoeleindes verbied.
- (4) Me A Murgatroyd
- (5) Privaatsak X54310, Durban 4000, Tel: (031) 204 1919, Faks: (031) 204 1980, [audrey.murgatroyd@kznlqta.gov.za](mailto:audrey.murgatroyd@kznlqta.gov.za)

- (1) Sander Weg 60, **Gedeelte 2 van Erf 30 New Germany**, Registrasie-afdeling FT, eThekwini munisipaliteit
- (2) T 04 34524, D.2., 2009/91
- (3) Opheffing van titelvoorwaardes wat die gebruik van die eiendom vir besigheidsdoeleindes verbied.
- (4) Me A Murgatroyd
- (5) Privaatsak X54310, Durban 4000, Tel: (031) 204 1919, Faks: (031) 204 1980, [audrey.murgatroyd@kznlqta.gov.za](mailto:audrey.murgatroyd@kznlqta.gov.za)

**No. 152****13 Augustus 2009**

**WET OP MINDER FORMELE DORPSTIGTING, 1991: AANWYSING VAN GROND VIR MINDER FORMELE DORPSTIGTING; ERWE 1238, 1380, 1466, 1467 EN 1468 BERKSHIRE DOWNS (SOOS AANGEDUI OP DIAGRAMME WAT NIE GOEDGEKEUR IS NIE), BEKEND AS "BERKSHIRE DOWNS", ETHEKWINI MUNISIPALITEIT**

Kragtens artikel 3(1)(b), 2(a), 5(h) en 6(a) en (b) van die Wet op Minder Formele Dorpstigting, 1991 (Wet No. 113 van 1991), —

- (a) wys ek erwe 1238, 1380, 1466, 1467, 1468 Berkshire Downs soos aangedui op LG diagram wat nie goedgekeur is nie, gedateer September 2007, Registrasie-afdeling FT, bekend as "Berkshire Downs", eThekwini Munisipaliteit, aan as grond vir minder formele vestiging;
- (b) hef ek die titelvoorwaardes op soos vermeld in meegaande bylae;
- (c) hef ek artikel 211 en 212 van die Ordonnansie op Plaaslike Owerhede, 1974 (Ordonnansie No. 25 van 1974) vir die doel van die sluiting van gedeeltes van die restant van Erf 1237, Erf 336, Erf 1211, Erf 1210, gedeelte 1 van Erf 1213 en gedeelte 2 van Erf 1213;

(d) verklaar ek dat die Dorpbeplanningsordonnansie, 1949 (Ordonnansie No. 27 van 1949) van toepassing is op die minder formele vestiging, buiten artikels 11, 11*bis*, 12, 16-27, 33, 35, 36 en 39 van die Ordonnansie wat nie van toepassing is op die stigting van die minder formele vestiging nie ooreenkomstig die goedkeuringsvoorwaardes van aansoek 2007/394.

(d) onttrek ek Kennisgewing No. 55 wat in *Provinsiale Koerant* Vol. 3 No. 253, gedateer 9 April 2009 gepubliseer is.

**ML POVALL**, Bestuurder: Ontwikkelingsadministrasie

Datum: 21 Julie 2009

Lêerverwysing: 2007/394

#### BYLAE

Die figure tussen hakies het die volgende betekenis:

- (1) = Straatadres, eiendomsbeskrywing, registrasie-afdeling, munisipaliteit
- (2) = Akte, voorwaarde, lêerverwysing
- (3) = Omvang van wysiging van opheffing

(1) **NA, Erf 292 Berkshire Downs**

(2) T 4431/51, paragraaf 2 op bladsy 4

(3) Opskorting van titelvoorwaarde wat reg-van-weg-servitute skep.

(1) **NA, Erf 336 en Restant van Erf 1237 Berkshire Downs**

(2) T 44925/01, B.5.(a) en (b)

(3) Opskorting van titelvoorwaarde wat reg-van-weg-servitute skep.

(1) **NA, Gedeelte 20 van Erf 302 Berkshire Downs**

(2) T 8895/77, A, B, C. en D.(i)-(x)

(3) Opskorting van titelvoorwaarde wat reg-van-weg-servitute skep, die oprigting van meer as een woning op die eiendom verbied, gebruik van die eiendom tot woondoeleindes beperk, boumateriaal beperk, die onderverdeling van grond verbied en boulyne oplê.

(1) **NA, Gedeelte 28 of Erf 302 Berkshire Downs**

(2) T 20833/2001, F.(v)

(3) Opskorting van titelvoorwaarde wat 'n elektriese kabel-servitute skep.

## No. 153

13 Augustus 2009

### KENNISGEWING VAN REGSTELLING VAN FOUT IN DIE *PROVINSIALE KOERANT* GETITELD: WET OP ONTWIKKELINGSFASILITERING, 1995: GEDEELTE 5 (VAN 4) VAN DIE PLAAS JEPSONS VLEI NO. 956, UMSHWATHI MUNISIPALITEIT

Die Departement van Plaaslike Regering en Tradisionele Sake gee hiermee kennis van die regstelling van 'n fout in *Provinsiale Kennisgewing* No. 105 wat verskyn het in *Provinsiale Koerant* No. 284, gedateer 4 Junie 2009, deur die vervanging van die uitdrukking "Jepsons Vlei" deur die uitdrukking "Jepson's Vlei".

**MA DE LANGE**, Aangewese Beampste

Datum: 21 Julie 2009

Lêerverwysing: 2006/1561

---

**PROCLAMATION—PROKLAMASIE—ISIMEMEZELO**

---

**No. 3, 2009****PROCLAMATION****by the Premier of the Province of KwaZulu-Natal**

1. I Dr. ZL Mkhize, under the powers vested in me by section 2(1) of the KwaZulu-Natal Commissions Act, 1999 (Act No. 3 of 1999), I hereby –

(a) appoint –

- (i) Joe Kirby;
- (ii) Siphwe Moloi, and
- (iii) Neville Armstrong;

who are employees of Moloi & Kirby Forensic Investigators, as a Commission of Inquiry for the purpose of an investigation commissioned by the Minister of Local Government, Housing and Traditional Affairs in KwaZulu-Natal in terms of section 106 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (hereinafter referred to as the investigation) into allegations of maladministration, fraud and/or corruption at the Umhlabuyalingana Municipality.

- (b) Declare that the provisions of sections 1, 2(1)(c), 2(1)(d), 2(1)(e), 4, 5, 6 and 7 of the KwaZulu-Natal Commissions Act, 1999 (Act No. 3 of 1999), as referred to, shall be applicable to such investigation.

2. In terms of section 2(1)(c) of the KwaZulu-Natal Commissions Act, 1999 I hereby make the regulations contained in the Annexure hereto.
3. In terms of section 2(1)(d) of the KwaZulu-Natal Commissions Act, 1999 I appoint **Mr. Siphwe Moloi** as secretary to the commission.
4. In terms of section 2(1)(e) of the KwaZulu-Natal Commissions Act, 1999 I designate **Mr. Joe Kirby** as chairperson to the commission.

Given under my hand at Pietermaritzburg on this 15th day of July, Two Thousand and Nine.

**Dr. ZL MKHIZE**  
**PREMIER OF THE PROVINCE OF KWAZULU-NATAL**

**ANNEXURE****REGULATIONS**

1. In these regulations, unless the context indicates otherwise –  
“investigation” means the investigation referred to in paragraph 1 of this Proclamation; and  
“the Act” means the KwaZulu-Natal Commissions Act, 1999.
2. The commission is empowered to co-opt any person or body or to avail itself of the services of any person or body whose assistance, advice or expertise the commission deems to be necessary or expedient for the purposes of conducting its investigation with the prior approval of the Department of Local Government and Traditional Affairs.
3. The remuneration payable to a person or body referred to in regulation 2 of these regulations shall be part of and inclusive of the costs as set out in the letter of engagement by the Department of Local Government and Traditional Affairs in respect of the investigation.
4. For purposes of sections 4 and 7 of the Act, any interview, consultation or discussion with any person who has been subpoenaed by the investigation in terms of the Act, shall be deemed to be a sitting of the investigation.
5. A subpoena referred to in section 4(1) and 4(2) of the Act shall be substantially in the form as set out in the Schedule hereto.

**SCHEDULE****SUBPOENA TO APPEAR BEFORE PERSONS APPOINTED TO CONDUCT AN INVESTIGATION IN TERMS OF SECTION 106 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000**

To: \_\_\_\_\_  
(Name of person subpoenaed, calling and residence)

You are hereby subpoenaed in terms of section 4(1) of the KwaZulu-Natal Commissions Act, 1999 (Act No. 3 of 1999) to appear at \_\_\_\_\_ upon the \_\_\_\_\_ day of \_\_\_\_\_ 2009, at the hour of \_\_\_\_\_ before the persons appointed to conduct an investigation into allegations of maladministration, fraud and/or corruption that

may be occurring within the Umhlabuyalingana Municipality in order to give evidence in respect of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ and you may be required to bring with you and produce to the said investigation: \_\_\_\_\_

Given under my hand at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, Two Thousand and Nine.

\_\_\_\_\_  
SECRETARY TO THE COMMISSION

**No. 3, 2009**

## **PROKLAMASIE**

van die Premier van die provinsie KwaZulu-Natal

1. Kragtens die bevoegdhede aan my verleen by artikel 2(1) van die KwaZulu-Natal Wet op Kommissies, 1999 (Wet No. 3 van 1999) –
  - (a) stel ek –
    - (i) Joe Kirby;
    - (ii) Siphiwe Moloï;
    - (iii) Neville Armstrong;

wat werknemers is van Moloï & Kirby Forensic Investigators, aan as 'n Kommissie van Ondersoek vir die doel van 'n ondersoek gelas deur die Minister van Plaaslike Regering, Behuising en Tradisionele Sake in KwaZulu-Natal kragtens artikel 106 van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet No. 32 van 2000) (hierna die ondersoek genoem) oor bewerings van wanbestuur, bedrog en/of korrupsie by die Umhlabuyalingana munisipaliteit.

(b) verklaar ek dat die bepalings van artikel 1, 2(1)(c), 2(1)(d), 2(1)(e), 4, 5, 6 en 7 van die KwaZulu-Natal Wet op Kommissies, 1999 (Wet No. 3 van 1999), soos na verwys, op sodanige ondersoek van toepassing is.

2. Kragtens artikel 2(1)(c) van die KwaZulu-Natal Wet op Kommissies, 1999 vaardig ek hierby regulasies in die aanhangsel hierby uit.
3. Kragtens artikel 2(1)(d) van die KwaZulu-Natal Wet op Kommissies, 1999 stel ek mnr Siphiwe Moloï aan as sekretaris van die kommissie.
4. Kragtens artikel 2(1)(e) van die KwaZulu-Natal Wet op Kommissies, 1999 stel ek mnr Joe Kirby aan as voorsitter van die kommissie.

Gegee onder my hand te Pietermaritzburg op hierdie 15ste dag van Julie, Tweeduisend-en-nege.

**Dr. ZL MKHIZE**  
**Premier van die provinsie Kwazulu-Natal**

## AANHANGSEL

### REGULASIES

1. In hierdie regulasies, tensy die samehang anders aandui, beteken –  
“ondersoek” die ondersoek waarna verwys word in paragraaf 1 van hierdie Proklamasie; en  
“die Wet” die KwaZulu-Natal Wet op Kommissies, 1999.
2. Die ondersoek word gemagtig om enige persoon of liggaam te koöpteer of om van die dienste gebruik te maak van enige persoon of liggaam wie se bystand, raad of kundigheid die ondersoek nodig of dienstig ag vir die doel van die ondersoek met vooraf goedkeuring van die Departement van Plaaslike Regering en Tradisionele Sake.
3. Die besoldiging betaalbaar aan 'n persoon of liggaam bedoel in regulasie 2 van hierdie regulasies is deel van en insluitend die kostes soos uiteengesit in die verpligtingsbrief deur die Departement van Plaaslike Regering en Tradisionele Sake ten opsigte van die ondersoek.
4. Vir die doeleindes van artikel 4 en 7 van die Wet word enige onderhoud, oorlegpleging of bespreking met enige persoon wat deur die ondersoek ingevolge die Wet as getuie gedagvaar is, geag 'n sitting van die ondersoek te wees.
5. 'n Getuiedagvaarding bedoel in artikel 4(1) en 4(2) van die Wet moet wesenlik in die vorm wees soos in die bylae uiteengesit.

**BYLAAG****GETUIEDAGVAARDING OM VOOR PERSONE AANGESTEL OM 'N ONDERSOEK IN TE STEL Kragtens Artikel 106 van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000, te verskyn**

Aan: \_\_\_\_\_  
 (Naam van gedagvaarde persoon, beroep en woonplek)

U word hierby ingeolge artikel 4(1) van die KwaZulu-Natal Wet op Kommissies, 1999 (Wet No. 3 van 1999) gedagvaar om op die \_\_\_\_\_ dag van \_\_\_\_\_ 2009 om \_\_\_\_\_ voor die persone wat aangestel is om 'n ondersoek in te stel na die bewering van wanbestuur, bedrog en/of korrupsie binne die Umhlabuyalingana munisipaliteit te verskyn ten einde getuienis met betrekking tot \_\_\_\_\_

\_\_\_\_\_ af te lê en u moet \_\_\_\_\_ saambring en dit aan die \_\_\_\_\_ ondersoek voorlê

Gegee onder my hand te \_\_\_\_\_ op hierdie dag van Tweeduisend-en-nege.

\_\_\_\_\_  
 SEKRETARIS VAN DIE ONDERSOEK

**No. 3, 2009****ISIMEMEZELO**

esenziwe nguNdunankulu wesiFundazwe saKwaZulu-Natali

1. Ngaphansi kwamandla engiwanikezwe yisigaba 2(1) soMthetho wamaKhomishana waKwaZulu-Natali, 1999 (uMthetho No. 3 ka 1999), ngalokhu –

- (a) ngiqoka -
  - (i) u-Joe Kirby;
  - (ii) u- Siphiwe Moloi;
  - (iii) no-Neville Armstrong;

abangabasebenzi be-Moloi & Kirby Forensic Investigators, njengeKhomishana yoPhenyo ngenhloso yophenyo olusungulwe nguNgqongqoshe wezoHulumeni baseKhaya, ezeziNdlu nezeNdabuko waKwaZulu-Natali ngokwesigaba 106 soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000) (emva kwalokhu oluzobizwa ngophenyo) ngezinsolo zokuphatha budlabha, zokukhwabanisa kanye nezenkohlakalo kuMasipala woMkhandlu waseMhlabuyalingana;

- (b) ngimemezela ukuthi izinhlinzeko zezigaba 1, 2(1)(c), 2(1)(d), 4, 5, 6, no 7 zoMthetho wamaKhomishana waKwaZulu-Natali, 1999 (uMthetho No. 3 ka 1999), njengoba zicashuniwe, ziyosebenza kulolo phenyo.

2. Ngokwesigaba 2(1)(c) soMthetho wamaKhomishana waKwaZulu-Natali, 1999 ngalokhu ngenza imithethonqubo equkethwe kwisiThasiselo esingezansi.
3. Ngokwesigaba 2(1)(d) soMthetho wamaKhomishana waKwaZulu-Natali, 1999 ngiqoka uMnu. Siphiwe Moloi njengonobhala wekhomishana.
4. Ngokwesigaba 2(1)(e) soMthetho wamaKhomishana waKwaZulu-Natali, 1999 ngiqoka uMnu. Joe Kirby njengosihlalo wekhomishana.

Sinikezwe ngaphansi kwesandla sami eMgungundlovu mhlaziyishumi nahlanu ku Ntulikazi oNyakeni weziNkulungwane eziMbili nesiShiyagalolunye.

**Dr. ZL MKHIZE**  
**uNdunankulu wesiFundazwe saKwaZulu-Natali**

**ISITHASISELO****IMITHETHONQUBO**

1. Kule mithethonqubo, ngaphandle uma ingqikithi isho okwehlukile -  
“uphenyo” kusho uphenyo okukhulunywe ngalo kwindima 1 yalesi siMemezelo;  
“uMthetho” kusho uMthetho wamaKhomishana waKwaZulu-Natali, 1999.
2. Ikhomishana inegunya lokwengeza nanoma yimuphi umuntu noma umgwamanda noma lokwamukela imisebenzi yanoma yimuphi umuntu noma umgwamanda usizo lwawo, izeluleko zawo noma ubuchule bawo ikhomishana ekubona kungadingeka noma kungaba wusizo ekwenzeni uphenyo lwayo ngemva kokuthola imvume yoMnyango wezoHulumeni baseKhaya nezeNdabuko.
3. Umvuzo okhokhelwa umuntu noma umgwamanda okukhulunywe ngawo kumthethonqubo 2 wale mithethonqubo uyoba yingxenye futhi uhlanganise izindleko ezibekwe encwadini yokuzibophezela yoMnyango wezoHulumeni baseKhaya nezeNdabuko mayelana nophenyo.
4. Ngokwezinhloso zezigaba 4 no 7 zoMthetho, noma iyiphi inhlolovo, ukubonisana noma izingxoxo ezenziwa nanoma yimuphi umuntu onikwe umyalelo yikhomishana yophenyo ngokoMthetho, kumele kuthathwe njengokuhlala kwekhomishana yophenyo.
5. Umyalelo okukhulunywe ngawo ezigabeni 4(1) no 4(2) zoMthetho kumele ube kuleli fomu elibekwe kulolu Hlelo olungezansi.

## UHLELO

**UMYALELO WOKUVELA NGAPHAMBI KWABANTU ABAQOKELWE UKWENZA UPHENYO  
NGOKWESIGABA 106 SOMTHETHO WEZINHLELO ZOMASIPALA WOHLUMENI BASEKHAYA,  
2000**

Ku: \_\_\_\_\_

(Igama lomuntu onikezwa umyalelo, umsebenzi nendawo yokuhlala)

Ngalokhu uyalelwa ngokwesigaba 4(1) soMthetho wamaKhomishana waKwaZulu-Natali, 1999 (uMthetho No. 3 ka 1999) ukuba uvele e \_\_\_\_\_ ngosuku lwe \_\_\_\_\_ ku \_\_\_\_\_ oNyakeni weziNkulungwane eziMbili nesiShiyagalolunye, ngehora le \_\_\_\_\_ ngaphambi kwabantu abaqokelwe ukwenza uphenyo ngezinsolo zokuphatha budlabha, zokukhwabanisa kanye nezenkohlakalo okungase kube kuyenzeka kuMasipala wase Mhlabuyalingana ukuze uzokwethula ubufakazi mayelana:

\_\_\_\_\_ futhi ungacelwa ukuba uphathe noma uveze ophenyweni okukhulunywe ngalo: \_\_\_\_\_

Ukhishwe ngaphansi kwesandla sami ngalolu suku lwe \_\_\_\_\_ ku \_\_\_\_\_ oNyakeni weziNkulungwane eziMbili nesiShiyagalolunye.

\_\_\_\_\_  
UNOBHALA WEKHOMISHANA

---

**MUNICIPAL NOTICES**

---

**No. 147****13 August 2009****INGWE MUNICIPALITY: PROPERTY RATES BY-LAWS**

**Be** it enacted by the Council of the Ingwe Municipality, in terms of section 156(2) of the Constitution, 1996, read with section 11(3)(m) 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), as follows:

**ARRANGEMENT OF SECTIONS***Section*

1. Definitions
2. Rates policy
3. Rating of property
4. Principles
5. Categories of property
6. Categories of owner' and categories of property
7. Differential rating
8. Rates relief
9. Deferment of rates
10. Rates increases
11. Impermissible rates
12. Compulsory phasing-in of certain rates
13. Objections to entries in the valuation roll
14. Appeals against decisions of the municipal valuer
15. Notification of rates
16. Payment of accounts
17. Rates accounts to be furnished
18. Collection of rates accounts that fall into arrear
19. Interest and collection charges
20. Notification of rates
21. Multiple-use properties
22. Community participation
23. Short title
24. Commencement

## Definitions

1. In this by-law, unless the context indicates otherwise—

**“Act”** means the Local Government: Municipal Property Rates Act (Act 6 of 2004);

**“actual use”** in relation to the categorisation of property refers to the actual use of the property as determined by the municipal valuer;

**“annually”** means once every financial year;

**“category”-**

(a) in relation to property, means a category of properties determined in terms of section 8 of the Act; and

(b) in relation to owners of properties means a category of owners determined in terms of section 15(2) of the Act;

**“Constitution”** means the Constitution of the Republic of South Africa Act, 1996 (Act 108 of 1996);

**“dominant use”** in relation to the categorisation of property refers to the dominant use of the property as determined by the municipal valuer;

**“exemption”** in relation to the payment of a rate, means an exemption granted in terms of section 8 of this by-law;

**“financial year”** means the period starting from 1 July in a year to 30 June the next year;

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

**“municipality”** means the Ingwe Municipality 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);

“**municipal valuer**” means a person designated as a municipal valuer in terms of section 33(1) of the Act;

“**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; or

(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 by-law 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 restriction 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;

**"public benefit organisation"** 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 in terms of section 83 of the Act; or
- (j) rights of way, easements or servitudes in connection with infrastructure mention in paragraphs (a) to (i).

**"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) public service infrastructure;

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

**"rates policy"** means the policy adopted by the municipal council in terms of the Act;

**"rateable property"** means 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;

**"rebate"**, in relation to a rate payable on property, means a discount in the amount of the rate payable on the property, granted in terms of section 8 of this by-law;

**"reduction"**, in relation to a rate payable on property, means the lowering of the amount for which the property was valued and the rating of the property at that lower amount, granted in terms of section 8 of this by-law;

### Rates policy

2.(1) The municipal council must, by resolution, adopt a policy on the levying of rates on rateable property in the municipality.

(2) The rates policy adopted by the municipal council in terms of subsection (1) must comply with the provisions of the Act.

(3) The municipal council must annually review and, if necessary, amend its rates policy.

### Rating of property

3.(1) In terms of section 2(3) of the Act the municipality must levy rates on all rateable property subject to:

- (a) section 229 of the Constitution;
- (b) the provisions of the Act;
- (c) the rates policy adopted by the Council, as given effect to by this by-law;
- (d) any other applicable legislation.

### Principles

4. The rates policy adopted by the municipal council must comply with the following principles—

- (a) all ratepayers within a specific category, as determined by the municipal council from time-to-time, must be treated equitably;
- (b) a fair and transparent system of exemptions, rebates and reductions must be adopted and implemented by the municipality;
- (c) relief measures in respect of the payment of rates may not be granted on an individual basis, other than by way of exemption, rebate or reduction;
- (d) exemptions, rebates and reductions must be used to alleviate the rates burden, *inter alia*, on—

- (i) the poor;
- (ii) public benefit organisations;
- (iii) public service infrastructure;
- (iv) retirees / pensioners
- (v) the disabled
- (vi) child-headed households
- (vii) the Ingonyama Trust Board
- (viii) agriculture
- (ix) properties affected by disasters and other adverse circumstances
- (x) properties affected by informal settlements situated on them
- (xi) owners of properties undertaking approved social, economic and developmental projects
- (xii) properties owned by non-profit organisations and constituted clubs
- (xiii) residential properties with a market value below a prescribed municipal valuation

(e) provision must be made for the promotion of local, social and economic development.

### **Categories of property**

5.(1) For the purpose of levying different rates on different categories of property, and for the purpose of granting exemptions, rebates or reductions, the municipal council must—

- (a) determine different categories of property; and
- (b) provide criteria for determining different categories of property.

(2) The rates policy adopted by the municipal council in terms of section 2(1) must specify—

- (a) different categories of property determined by the municipal council in terms of subsection (1)(a); and
- (b) the criteria for determining different categories of property provided by the municipal council in terms of subsection (1)(b).

(3) The criteria for determining different categories of property provided by the municipal council in terms of subsection (1)(b) may include, but are not limited, to—

- (a) the actual use of the property;
- (b) the permitted use of the property;
- (c) the dominant use of the property;
- (d) ownership of the property by the State
- (e) the size of the property;
- (f) the geographical area in which the property is located.
- (g) development of the property by way of improvements
- (h) use of the property for agricultural purposes
- (i) partial or full use of the property for residential purposes
- (j) the effects upon the property of a disaster or serious social or economic conditions
- (k) the municipal valuation of residential properties;
- (l) the effects on the property of informal settlements situated on it

### **Categories of owner**

6.(1) For the purpose of granting exemptions, rebates or reductions, the municipal council must—

- (a) determine different categories of owners of property, and
- (b) provide criteria for determining different categories of owners of property.

(2) The rates policy adopted by the municipal council in terms of section 2(1) must specify—

- (a) the different categories of owners of property determined by the municipal council in terms of subsection (1)(a); and
- (b) the criteria for determining different categories of owners of property provided by the municipal council in terms of subsection (1)(b).

(3) The criteria for determining different categories of owners of property provided by the municipal council in terms of subsection (1)(b) may include but are not limited to—

- (a) the age of the owner of the property;
- (b) the joint income of the owner and spouse;
- (c) the source of income of the owner of the property;
- (d) the occupation or otherwise (retirement) of the owner of the property;
- (e) the market value of the property;
- (f) the use of the property;
- (g) disablement or otherwise of the owner of the property;
- (h) the joint value of the assets of the owner and spouse;
- (i) indigency;
- (j) child-headed households
- (k) ownership by the Ingonyama Trust Board
- (l) owners of properties undertaking approved social, economic and developmental projects
- (m) properties owned by public benefit organisations which are used for any specific public benefit activities listed in Part 1 of the 9th Schedule to the Income Tax Act
- (n) properties owned by non-profit organisations and constituted clubs

### **Differential rating**

7.(1) Subject to and in conformity with the Act, the municipality may levy different rates on different categories of rateable property.

(2) If the municipal council chooses to levy different rates on different categories of property, it must exercise this power in accordance with the criteria the municipal council is required to determine in terms of section 3(3)(b)(i) of the Act.

(3) The criteria determined by the municipal council in terms of section 3(3)(b)(i) of the Act must be specified in the rates policy adopted by the municipal council in terms of section 2(1). These may include, but are not limited to—

- (a) the nature of the property

- (b) the sensitivity of the property to rating
- (c) the promotion of social and economic development
- (d) the weighting adopted by other municipalities in the geographical area of the municipality and which are of similar size and value
- (e) any regulations currently in force that stipulate ratios in the rate randages between different categories of property.

(4) If the municipal council chooses to levy different rates on different categories of property, it must determine the method in terms of which different rates will be levied against different categories of property.

(5) The method determined by the municipality in terms of subsection (4) must be based on setting a different cent amount in the Rand for each category of property;

(6) The method determined by the municipality in terms of subsection (5) must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

### **Rates relief**

8.(1) Subject to and in conformity with the Act and the rates policy, the municipality may grant an exemption, rebate or reduction to—

- (a) the owners of any specific category of property; or
- (b) any specific category of owners of property,

from the payment of rates.

(2) Relief may be extended, *inter alia*, to the following categories of owners or properties:

- (a) Indigent owners
- (b) Retiree/pensioner owners
- (c) Disabled owners
- (d) Child-headed households
- (e) Residual portion of land owned by the Ingonyama Trust Board
- (f) Owners of properties undertaking approved social, economic and developmental projects
- (g) Properties owned by public benefit organisations which are used for any specific public benefit activities listed in Part 1 of the 9th Schedule to the Income Tax Act
- (h) Properties owned by non-profit organisations and constituted clubs
- (i) Developed residential property
- (j) Developed business, commercial and industrial property
- (k) Properties used for agricultural purposes
- (l) Properties affected by a disaster or other serious adverse social or economic conditions
- (m) Residential properties with a market value below a prescribed municipal valuation
- (n) Properties in private ownership utilized for informal settlements

(3) The criteria which must be determined by the municipal council when granting **exemptions** in terms of section 3(3)(b)(ii) of the Act may include, but are not limited to, the following-

- (a) Market value of residential property below a stipulated limit.
- (b) Property use for specified public benefit activities.
- (c) Properties owned by non-profit organizations and constituted clubs.
- (d) Economic, physical and social condition of the property.

(4) The criteria which must be determined by the municipal council when granting **rebates** in terms of section 3(3)(b)(iii) of the Act may include, but are not limited to, the following-

- (a) Indigency.
- (b) Retirement or pension status of the owner.
- (c) Physical health of the owner of the property.
- (d) Nature of the property, including vacant versus improved (developed) status.
- (e) Properties used for agricultural purposes
- (f) Child-headed households.
- (g) Land owned by the Ingonyama Trust Board.
- (h) Extent to which the property contributes to local, social and economic development.
- (i) Extent to which municipal services are provided to the property.
- (j) Sensitivity to rating.
- (k) The extent to which agriculture contributes to the social and economic welfare of farm workers.
- (l) The extent to which agriculture assists in meeting the service delivery and development obligations of the municipality.

(5) The criteria which must be determined by the municipal council when granting **reductions** in terms of section 3(3)(b)(iii) of the Act may include, but are not limited to, the following-

Properties affected by disaster or other serious adverse social or economic conditions including, but not limited to-

- (a) Fire.
- (b) Floods.
- (c) Lightning
- (d) Storms.
- (e) Other artificial or natural disasters.

(6) Applications for exemptions, rebates and reductions must be made in accordance with the procedures determined by the municipality.

(7) The procedures applied by the municipality in terms of subsection (1) must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(8) The municipality retains the right to refuse an application for an exemption, rebate or reduction if the application is not in accordance with the criteria and procedures contained in the rates policy.

(9) The municipality will not grant relief to the owners of property on an ad hoc or individual basis.

### **Deferment of rates**

9. The rates policy must provide for the deferment of the payment of rates and must set out the circumstances in which deferment will be considered.

### **Rates increases**

10.(1) Subject to and in conformity with the Act, the municipal council may increase the rates levied on rateable property in the municipality.

(2) If the municipal council chooses to increase the rates it levies on properties in the municipality, it must exercise this power in accordance with the criteria the municipal council is required to determine in terms of section 3(3)(b)(iv) of the Act.

(3) The criteria determined by the municipal council in terms of section 3(3)(b)(iv) of the Act must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(4) The criteria which must be determined by the municipal council in terms of section 3(3)(b)(iv) of the Act may include, but are not limited to, the following-

- (a) The priorities of the municipality as reflected in its Integrated Development Plan.
- (b) The revenue needs of the municipality.
- (c) The need for the management of rates shocks.
- (d) Affordability to ratepayers.

### **Impermissible rates**

11. The municipality may not levy rates in certain cases as prescribed in sections 16 and 17 of the Act.

### **Compulsory phasing-in of certain rates**

12. A rate levied on a newly rateable property must be phased-in over a period as prescribed in section 21 of the Act.

### **Objections to entries in the valuation roll**

13. The rates policy may provide for the manner on which objections to entries in the valuation roll are lodged and for the fee to be paid for each objection lodged.

**Appeals against the decisions of the municipal valuer**

14. The rates policy may provide for the manner on which appeals are lodged and for the fee to be paid for each appeal.

**Notification of rates**

15. The rates policy must provide for the manner in which council resolutions that give effect to the charging of rates are notified to owners of properties and to the community in general.

**Payment of accounts**

16. The rates policy must provide for the manner and time in which rates must be paid and for any discount which may be available for early settlement of rates accounts.

**Rates accounts to be furnished**

17. The rates policy must provide for the manner in which rates accounts are provided to persons liable for the payment of rates and for the manner in which the actual or constructive delivery of accounts will be handled.

**Collection of rates accounts that fall into arrear**

18. The rates policy must provide for the manner in which arrear rates together with interest, collection charges, legal and other costs are collected from defaulters. It is recorded that the municipality does not have the power to disconnect services since these are provided by other organs of state. Therefore legal processes for debt collection will apply.

**Interest and collection charges**

19. The rates policy must provide for the levying of interest and collection charges on arrear rates accounts. Interest must be charged to compensate the municipality for interest on investments forgone due to the late payment while collection charges must be charged to compensate the municipality for the additional internal administrative capacity and effort required to collect overdue rates. In addition to interest and collection charges, legal and other costs must be charged to the accounts of rates defaulters as and when they are incurred.

**Restraint on the transfer of property and rates clearance certificates**

20. The rates policy must provide for restraint on the transfer of property and for the issuing of rates clearance certificates with the aim of ensuring the collection of rates and all related charges prior to transfer of ownership of properties.

**21. Multiple-use properties**

(1) The municipal council must determine the criteria in terms of which multiple-use properties must be rated.

(2) The criteria determined by the municipal council in terms of subsection 21(1) must be specified in the rates policy adopted by the municipal council in terms of section 2(1).

(3) The criteria determined by the municipal council in terms of subsection 21(1) must be either –

- (a) the permitted use of the property;
- (b) the dominant use of the property; or
- (c) the multiple-uses of the property

(4) If the criterion set out in subsection 3(c) is adopted by the municipal council, the rates levied on multiple-use properties must be determined –

- (a) by apportioning the market value of such a property to the different purposes for which the property is used; and
- (b) by applying the relevant cent amount in the rand to the corresponding apportioned market value.

**Community participation**

22. The rates policy must provide for the manner in which the community may participate in the formulation of its rates policy.

**Short title**

23. This by-law is called the Ingwe Municipality Property Rates By-Law, 2009

**Commencement**

24. This by-law comes into effect on 1 July 2009.

No. 148

13 August 2009

**CITY OF uMHLATHUZE****PUBLIC NOTICE**

The Council of the City of uMhlathuze have in terms of Section 156 of the Constitution, 1996, (Act 108 of 1997), read in conjunction with section 11 of the Municipal Systems Act, 2000, made the following bylaws:

**CITY OF uMHLATHUZE****POSSESSION AND DISCHARGE OF FIREWORKS****BYLAWS****1. DEFINITIONS**

In these bylaws, unless the context indicates otherwise -

**“Act”** means the Explosives Act, 26 of 1956.

**“Council”** means the City of uMhlathuze or its successors in law, and includes the Council of the Municipality and its Executive Committee and any committee or person or other body acting by veto of any power delegated to it in terms of legislation.

**“Chief Fire Officer”** means the Chief Fire Officer appointed by Council in terms of Section 5 of the Fire Brigade Services Act, 1987, and shall include any person appointed as Acting Chief Fire Officer.

**“Fireworks”** means any explosive device or substance that burns or explodes after ignition, including fire crackers and which is regulated under the Explosives Act 26 of 1956 and its regulations. Furthermore, it can be defined as goods intended to be of pyrotechnic effect that are classified low hazard fireworks such as firework showers, fountains, golden rain, lawn lights, pinwheels, sparkles and volcanoes, etc.

**“Fire Cracker”** means small fireworks with entwined fuses used solely as noisemakers and not for pyrotechnic effect.

**“Fireworks Display”** means any firework discharged by any person or organisation for either religious or festive purposes.

**“Inspector”** unless otherwise qualified, means a Chief Inspector of Explosives or an Inspector of Explosives, or anyone deputed to act as an inspector under section 2 of the Explosives Act 1956.

**“Licensed Dealer”** shall have the meaning assigned to it in the Explosives Act as amended.

**“Nuisance fireworks”** means a fireworks product that produces an effect involving a screech or noise, or is being altered or misused that has an effect of creating a fear or disturbance to residents. These include fireworks such as air bombs, supersonic bangs, sound shells, fountain whistle, screeches, etc.

**“Pyrotechnician”** means a person who is registered with the Chief Inspector of Explosives who is competent and suitable to produce practically or present a display of fireworks, theatrical indoor or stage pyrotechnic effect or pyrotechnic special effects.

**“SPCA”** means the Society for the Prevention of Cruelty to Animals.

## 2. KEEPING, STORAGE AND POSSESSION OF FIREWORKS

No person shall keep, possess or store any fireworks within the area of jurisdiction of the Council unless:

1. that person has obtained the necessary permission from the Chief Fire Officer;
2. that person will be participating at any fireworks display approved in terms of this bylaw.

## 3. USE AND DISCHARGE OF FIREWORKS

1. A person may not use or discharge, or cause or permit to be discharged, any fireworks in or from any enclosed place where domesticated animals are present or in or from any public place without prior written permission from the Inspector of Explosives (as defined in the Explosives Act, Act 26 of 1956), and the Chief Fire Officer.
2. A person may not use or discharge, or cause or permit to be discharged, any fireworks in or from any private dwelling, private land or any other private property without prior written permission from the Chief Fire Officer. The application for the said permission must, when submitted to the Chief Fire Officer, include the written consent of adjoining neighbours.
3. No person shall allow or permit any children under the age of 16 to handle or use fireworks except under the supervision of an adult person.
4. It shall be regarded as unlawful for any person under the age of 16 to possess any fireworks for any reason.

5. No person shall point or direct a firework at any person, animal, building, or motor vehicle where such firework is in the process of exploding or detonating and where it is capable of projecting or discharging a charge or pyrotechnical effect from a distance of one metre.
6. All fireworks which fire a projectile shall be so set up that the projectile goes up into the air at nearly as possible in a vertical direction.
7. No fireworks shall be discharged during a wind storm in which the wind reaches a velocity of more than 50 kms per hour.
8. Fireworks shall be detonated or exploded as far as possible from hospitals, clinics, petrol stations, old age and nursing homes, animal welfare organisations and institutions.

#### **4. PERMISSION FOR USE AND DISCHARGE OF FIREWORKS**

1. Notwithstanding the provision of clause 3, the Chief Fire Officer may for religious, cultural or ceremonial or festive purposes, give written permission for the controlled discharge of fireworks by a registered pyrotechnician at an approved place, date and time subject to such conditions as the Chief Fire Officer may deem appropriate in respect of each such application.
2. Any person or organisation who intends to use or discharge fireworks for any reason, shall be required to make timeous written application to the Chief Fire Officer before the event.
3. Council shall approve cultural and other days and times during which fireworks may be detonated or exploded.
4. Council may approve the period preceding any festival, cultural, religious or ceremonial day or other days when fireworks may be sold to the public.
5. Fireworks may be detonated or exploded from 23h45 on 31 December of each year until 00h30 of the new year.
6. No fireworks shall be detonated on any day or time except those days and times declared by Council as religious, cultural or ceremonial in respect of that particular person or organisation for which prior written approval had been obtained.
7. The Chief Fire Officer shall be guided by these bylaws and the provisions of the Explosives Act in exercising his discretion whether to grant the permission or not.

8. In the event of the Chief Fire Officer approving any application for any fireworks display, he shall furnish a copy of his written approval and conditions, to the local offices of the Inspector of Explosives, Air Traffic Control and SPCA.

9. Any approval granted by the Chief Fire Officer in respect of any fireworks display, shall not relieve the applicant or any other person or organization from any other obligation under any other law.

#### **5. APPLICATION FOR PERMISSION TO USE OR DISCHARGE FIREWORKS**

Application for permission to use or discharge fireworks for religious or festive celebration purposes shall be made in writing on the prescribed application form, to the Chief Fire Officer at least thirty (30) days prior to the envisaged date and shall set forth:-

1. The name and contact details of the person or organisation holding the fireworks display.
2. The name and contact details of the registered pyrotechnician controlling the fireworks display.
3. The reason for the display.
4. The date and time of the intended display.
5. The exact location of the intended display.
6. A signed undertaking to comply with these bylaws and any conditions that may be set down by the Chief Fire Officer or the representative of the Chief Fire Officer.

#### **6. CANCELLATION OF FIREWORKS DISPLAY**

1. The Chief Fire Officer or his designated representative shall oversee any approved fireworks display and the instructions of the Chief Fire Officer or his representative must be strictly complied with in respect of such fireworks display.
2. The Chief Fire Officer or his designated representative shall be entitled to withdraw approval or forthwith verbally cancel any fireworks display where he considers wind direction or other weather conditions to be unfavourable or dangerous.

3. The Chief Fire Officer or his designated representative shall be entitled to withdraw approval or forthwith verbally cancel any fireworks display where he becomes aware of any circumstances or condition that he considers will render any such fireworks display unfavourable or dangerous.

## **7. ADDITIONAL CONDITIONS**

The Chief Fire Officer may –

1. Require that notice of an application for a fireworks display be advertised in the local newspaper by the applicant.
2. Restrict the size and type of fireworks used in any approved fireworks display.
3. Stipulate fire precautions and safety measures to be taken by an applicant in respect of any approved fireworks display.
4. Confiscate any fireworks from a person found to be selling them on the street or otherwise.

## **8. SALE OF FIREWORKS**

1. Only a person who has been given permission as a licensed dealer of fireworks shall be authorised to sell fireworks.
2. A dealer in fireworks shall not sell or allow or permit to be sold any fireworks to a child under the age of 16 years whether for his or her own use or not.
3. Sale, distribution or storage of fireworks in or from vehicles, trailers or temporary structures or industries is prohibited.
4. No fireworks shall be sold by a person or a dealer on any other day or time other than on the prescribed days.
5. No licensed dealer shall sell fireworks other than in a family pack which contains an assortment of family fireworks in which nuisance fireworks or fire crackers, when totalled, shall not comprise more than 20% of the entire item in the package.

## **9. COSTS**

1. The applicant shall, in respect of any application for any fireworks display, be liable for all costs incurred in respect of any application and any approved fireworks display.
2. The applicant shall pay all costs in respect to any fire brigade standby duties rendered at any fireworks display.

**10 PENALTIES**

1. Any person who contravenes any provision of these bylaws shall be guilty of an offence and upon conviction, to a fine or in default of payment to imprisonment for a period not exceeding six months.
2. Nothing in this clause contained shall be construed as exempting any person from being charged or punished under the common law or any other statute in respect of any such act or omission as described in this bylaw.

## City of uMhlathuze: Fire & Rescue Services

### 10 Application to Hold Fireworks Display

This application must be completed in full and submitted to the office of the Chief Fire Officer  
Private Bag X1004 Richards Bay. Telephone: 035 – 7973314/5. Facsimile 035 – 7974237.

Date of application:	
Name of Organisation / Applicant:	
Represented by:	
Telephone Number:	
Postal Address:	
Facsimile Number:	

Location of fireworks display:	
Date of fireworks display:	
Time of fireworks display:	

Reason for fireworks display:	
Pyrotechnician in Control of fireworks display:	
Cellular contact number:	

I, the above - named applicant or representative of the organization making application for permission to hold a fireworks display, hereby submit application in respect of a fireworks display as detailed above and I agree to comply with the stipulations of the fireworks bylaws, explosives act and the conditions set down by the Chief Fire Officer in respect of the fireworks display. I also undertake to pay all costs in respect of this application and any fire brigade services rendered in association with the fireworks display.

<b>Name:</b>		<b>Signature:</b>	
<b>Designation:</b>		<b>Date:</b>	

#### For Office Use

<b>F.P. Officer:</b>		<b>Date Inspected:</b>	
<b>Date Approved:</b>		<b>Signature:</b>	

<b>A.T.C. Notified</b>		<b>Inspector Notified:</b>	
------------------------	--	----------------------------	--

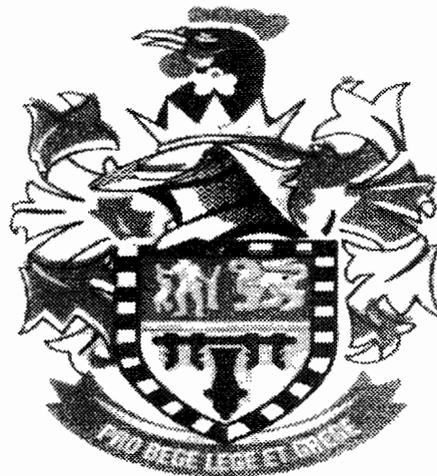


No. 149

13 August 2009

# **GREATER KOKSTAD MUNICIPALITY**

## **TARIFFS AND CHARGES FOR 2009/2010**



**1. BUILDING FEE CHARGES**

AREA: m <sup>2</sup>	PLAN FEES (R)	AREA: m <sup>2</sup>	PLAN FEES (R)
00-20	752	581-600	8,025.60
21-40	1,003	601-620	8,276.40
41-60	1,254.00	621-640	8,527.20
61-80	1,504.80	641-660	8,778.00
81-100	1,755.60	661-680	9,028.80
101-120	2,006.40	681-700	9,279.60
121-140	2,257.20	701-720	9,530.40
141-160	2,508.00	721-740	9,781.20
161-180	2,758.80	741-760	10,032.00
181-200	3,009.60	761-780	10,282.80
201-220	3,260.40	781-800	10,533.60
221-240	3,511.20	801-820	10,784.40
241-260	3,762.00	821-840	11,035.20
261-280	4,012.80	841-860	11,286.00
281-300	4,263.60	861-880	11,536.80
301-320	4,514.40	881-900	11,787.60
321-340	4,765.20	901-920	12,038.40
341-360	5,016.00	921-940	12,289.20
361-380	5,266.80	941-960	12,540.00
381-400	5,517.60	961-980	12,790.80
401-420	5,768.40	981-1000	13,041.60
421-440	6,019.20	1001-1020	13,292.40
441-460	6,270.00	1021-1040	13,543.20
461-480	6,520.80	1041-1060	13,794.00
481-500	6,771.60	1061-1080	14,044.80
501-520	7,022.40	1081-1100	14,295.60
521-540	7,273.20	1101-1120	14,546.40
541-560	7,524.00	1121-1140	14,797.20
561-580	7,774.80	1141-1160	15,048.00

AREAS of 1160 and over = R15,048 + R20/10m<sup>2</sup>

NO.	DESCRIPTION	2008/2009	2009/2010
<b>1.1</b>	<b>BUILDING PLAN FEES</b>		
	Sewer plan submitted under separate application	196	502
	Amended plan- no increase in floor area	0	752
	Swimming pool	196	502
	Minor building works	196	274
	Minimum plan fees	196	752
	Retaining wall/ Boundary wall	196	502
	Pre-scrutiny of plan ( <i>first 20m<sup>2</sup></i> )	0	684
	<i>(thereafter per 20 m<sup>2</sup>)</i>	0	114
	Cancellation of plan- prior to approval	DEDUCT 25%	DEDUCT 25%
	Discount (%) allowed for any additions/alterations to an existing Building where the total area is:		
	0-32 sq.m	0	100%
	33-64 sq.m	0	50%
	65-100 sq.m	0	25%
	101 sq.m	0	0%
	Any place of Worship	Charge as per normal plan fee.	Charge as per normal plan fee.
	Factories/ Warehouses: For the first 20 sq.m	752	752
	Thereafter per sq.m	11	11
	Re- inspection	228	228
	Search fee –Building Plan	40	40
	Copy of plans/Paper: A 4	0	3
	A 3	11	17

	A 2	16	34
	A 1	19	51
	A 0	36	91
	Verge/Plan Deposit / PAVEMENT DEPOSIT	100% refund	100% refund
	<b>New Dwelling; Swimming Pool; Additions &amp; Alterations:</b>		
	<i>Verge Deposit</i>	627	627
	<i>Street Deposit</i>	627	627
	<b>Multi Unit (Town Houses):</b>		
	<i>Verge Deposit</i>	0	3420
	<i>Street Deposit</i>	0	3000
	<b>Boundary/Retaining wall:</b>		
	<i>Verge Deposit</i>	627	627
	<i>Street Deposit</i>	627	627
	Revalidation Of Expired Plan	Full Fees	Full Fees
	LED Projects	No charge	No charge
	<b>RELAXATIONS:</b>		
	Relaxation of all building lines and space about buildings and height. <i>A single application is required for multiple relaxations. The affected adjacent properties are to be informed to comment. In the event that an objection is received a full Special Consent application is required.</i>	215	780
	<b>CONSENT / FORMAL AUTHORITY:</b> <i>In the event that an objection is received, a full Special Consent Application is required for Councils consideration.</i>		
	Home business	0	780
	Tuck shops	0	780
	Bed and breakfast application	720	780

<b>2.</b>	<b>POUND MANAGEMENT</b>		
	Boarding rates per day		
i	Dogs:		
a	Small	-	25
b	medium	-	35
c	large	-	40
d	extra large	-	55
ii	Cats	-	25
iii	Donkeys; Mules; Horses; Cattle	-	50
iv	Sheep; Goats	-	15
<b>3</b>	<b>GENERAL PROPERTY RATES</b>		
<b>3.1</b>	Municipal property rates are levied at the rate randages (cents in a Rand) on market related property values in the General Valuation Roll:		
	Residential	1cent	2cents
	Commercial/ Industrial	1cent	3cents
	Government	1cent	3cents
	Agricultural/ Farms	1cent	0.5cents
	Public Service Infrastructure	1cent	0.5cents
<b>3.2</b>	<b>REBATES</b>		
	The Council has determined that the rebate, exemption or reduction listed shall apply for the following categories of properties:		
i	<b>Residential:</b>		
a	Residential property where the residential component represents one hundred percent of the properties actual use	30%	45%
b	Residential properties used for multiple purposes	0%	0%

c	Industrial, business and commercial: (subject to individual application or national/ regional/ municipal incentive scheme)	0%	30%
ii	<b>Agricultural:</b> minimum rebate:	25%	0%
	The following <b>additional rebates</b> will apply:-		
a	The extent of municipal services provided to agricultural properties:		
	if there are no municipal roads next to the property.	7.5%	0%
	if there is no municipal sewerage to the property.	7.5%	0
	if there is no municipal electricity to the property.	7.5%	0%
	if water is not supplied by the Municipality.	20%	0%
	if there is no refuse removal provided by the Municipality	7.5%	0%
b	<b>A further rebate</b> will be granted to agricultural property that contributes substantially to job creation, and the salaries/ wages of farm workers are reasonable, eg, if they meet the minimum standard set by Government or if they are in line with the sector's average.	5%	0%
c	The following rebates will be granted to the extent to which agriculture assists in meeting the service delivery and development obligations of the Municipality and contributes to the social and economic welfare of farm workers:-		
	if the owner is providing permanent residential property to the farm workers	5%	0%
	if such residential properties are provided with potable water	5%	0%

	if the farmer provides electrified residential properties to farm workers.	5%	0%
	if the farmer provides electrified residential properties to farm workers.	5%	0%
iii	<b>Small holdings</b>	50%	50%
iv	<b>State owned Properties:</b>		
	Residential	20%	30%
	Public Service Infrastructure	50%	50%
	Other	0%	0%
v	<b>Municipal owned properties:</b>		
	Residential	100%	100%
	Public Service Infrastructure	30%	30%
	Other	100%	100%
vi	<b>Communal Land</b>	50%	50%
vii	<b>State Trust Land</b>	100%	100%
Viii	<b>Protected Areas</b>	100%	100%
ix	<b>National Monuments</b>	100%	100%
x	<b>Public Benefit Organisations</b> Properties owned by public benefit organisations and used to further the objectives of such organisations	100%	100%
xi	<b>Multiple use properties:</b> Where a property is used for multiple purposes, each part of the property shall be separately valued and the rebate applicable to such use shall be granted in respect of that part.		
<b>3.3</b>	<b>EXEMPTIONS</b>		
i	Old age, disability and indigency		

	(Subject to credible proof by way of affidavit and relevant supporting documentation, any person who is in receipt of an old age or disability grant, or who is unemployed and has no other source of income, and who is the owner of a single property, shall be exempt from the payment of any rates for so long as such condition exists. Credible proof shall be furnished, as stated, by no later than the end of October in each and every year that such condition applies to the person concerned and shall be taken into account by the Municipality in the preparation of its budget for the forthcoming year.		
ii	All residential properties with the market value of less than R40 000.00 are exempted from paying rates. The R15 000.00 impermissible rates contemplated in terms of Section 17(1)(L) of the Municipal Property Rates Act is included in the amount of R40 000.00.		
<b>12.4</b>	<b>PHASING IN PROVISION</b>	75%	50%
<ul style="list-style-type: none"> <li>• Electricity tariffs increase is set at 34% and 15% for indigent households as approved by the Energy Regulator of Southern Africa (NERSA).</li> <li>• Other tariffs and charges will increase by 12%.</li> <li>• It should be noted that all the above proposed tariff charges are exclusive of VAT.</li> <li>• General property rates are exempted from VAT.</li> <li>• All the above proposed tariffs are effective from 01 July 2009</li> <li>• The Council reserves the right to reduce or increase the approved tariff charges anytime during 2009/2010 financial year.</li> </ul>			

No. 150

13 August 2009

**NOTICE NO. 90/2009****PUBLIC NOTICE CALLING FOR INSPECTION OF  
SUPPLEMENTARY VALUATION ROLL AND LODGING OF  
OBJECTIONS**

Notice is hereby given in terms of Section 49(1)(a)(i), read with Section 78(2), of the Local Government Municipal Property Rates Act, of 2004 (Act No. 6 of 2004), hereinafter referred to as the "Act", that the supplementary valuation roll as at 31 May 2009 is open for public inspection at the office of the Chief Financial Officer, Cnr Mahatma Gandhi and Gizenga Streets, KwaDukuza, 4450 from 07h45 to 16h15 and at website [www.kwadukuza.gov.za](http://www.kwadukuza.gov.za)

An invitation is hereby made in terms of Section 49(1)(a)(ii) of the Act that any owner of property or other person who so desires should lodge an objection with the Municipal Manager in respect of any matter reflected in, or omitted from, the valuation roll by 14 September 2009.

Attention is specifically drawn to the fact that in terms of Section 50(2) of the Act an objection must be in relation to a specific individual property and not against the valuation roll as such.

The form for the lodging of objection is obtainable at the following addresses:

Justice Mpanza Building, Cnr Mahatma Gandhi and Gizenga Streets, KwaDukuza, Ballito Office, 10 Leonora Drive, Ballito from 07h45 to 16h15 and at or website [www.kwadukuza.gov.za](http://www.kwadukuza.gov.za)  
The completed forms must be returned to the following address: Municipal Manager, KwaDukuza Municipality, P O Box 72, KwaDukuza, 4450.

For enquiries please contact 032 4375500.

MUNICIPAL MANAGER

---

**GENERAL NOTICE**

---

**No. 21****13 August 2009**

---

**NOTICE OF INTENTION TO ISSUE A CERTIFICATE OF REGISTERED TITLE IN TERMS OF SECTION 38 OF THE DEEDS REGISTRIES ACT 47 OF 1937**

---

In terms of Section 38 of the Act of No. 47 of 1937, notice is hereby given that a draft of the proposed Certificate and copy of the diagram of the property described as ERF 2583 BHONGWENI, REGISTRATION DIVISION ES, PROVINCE OF KWAZULU-NATAL, IN EXTENT 2000 SQUARE METRES, will be open for inspection to all persons interested therein for a period of six (6) weeks from the date of publication hereof, and at the offices of the Deeds Registry in Pietermaritzburg or NGIDI & COMPANY INC, 14<sup>TH</sup> FLOOR, DURBAN BAY HOUSE, 333 SMITH STREET, DURBAN.

Should no objection be lodged with the Deeds Registry concerned during the specified period, the Certificate of Registered Title will be issued and shall take the place of the lost or destroyed Title Deed.

---

**ADVERTISEMENTS—ADVERTENSIES—IZIKHANGISO**

---

**DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****DEVELOPMENT FACILITATION ACT, 1995: PORTION OF THE FARM WOODLANDS NO. 17777; BAYVIEW**

In terms of section 33(4) of the Development Facilitation Act, 1995, the Development Tribunal approved the development of twelve residential subdivisions, one conservation subdivision and one road subdivision on Portion of the Farm Woodlands No.17777, Registration Division FT, Bayview, Umshwathi Municipality, subject to the following conditions of establishment relating to the suspension of conditions, land use management and the application of laws —

- (a) the extension of the New Hanover Town Planning Scheme to include the land development area;
- (b) the amendment of the New Hanover Town Planning Scheme in accordance with Layout Plan No: Lay/ver4, dated 11 August 2008;
- (c) sections 11, 11*bis*, 12-28, 32 – 39, 44 and 47*bis* of Town Planning Ordinance No.27 of 1949, do not apply to the land development area for the purpose of the development thereof in accordance with the conditions of approval of application 2008/610;
- (d) the provisions of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970) do not apply to the land development area; and
- (e) the provisions of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), and any other law that governs the erection of buildings within the land development area are applicable to the land development area; and
- (f) the suspension of the conditions 59(b)(iv) and (v) from Deed of Transfer T07391/2005 that creates a rest area for the public (outspan) and a pre-emptive right in favour of Transnet.

**MA DE LANGE**, Designated Officer

Date: 1 August 2009

File reference: 2008/610

**UMNYANGO WEZOHULUMENI BASEKHAYA NEZENDABUKO****UMTHETHO WOKULUNGISELELA INTUTHUKO, 1995: INGXENYE YEPULAZI I-WOODLANDS NO.17777; BAYVIEW**

Ngokwesigaba 33(4) soMthetho wokuLungiselela iNtuthuko, 1995, uMaziphathe wezeNtuthuko ugunyaze ukuthuthukiswa kweziqephu eziyishumi nambili zezindawo zokuhlala, isiqephu esisodwa sokongiwa kwemvelo kanye nesiqephu esisodwa somgwaqo kwiNgxenye yePulazi i-Woodlands No. 17777, isiGaba sokuBhaliswa ngu-FT, e-Bayview, kuMasipala waseMshwathi, kuncike kule mibandela elandelayo yokusungulwa ephathelene nokuchithwa kwemibandela, ukuphathwa kokusetshenziswa komhlaba kanye nokusebenza kwemithetho —

- (a) ukwelulwa koHlelo lokuHlelwa kweDolobha lase-New Hanover ukuze lubandakanye umhlaba othuthukiswayo;
- (b) ukuchitshiyelwa koHlelo lokuHlelwa kweDolobha lase-New Hanover ngokuhambisana noHlelo loMdwebo No. Lay/ver 4, lwangomhla ziyi-11 kuNcwaba 2008;
- (c) izigaba 11, 11*bis*, 12-28, 32 – 39, 44 no 47*bis* ze-Odinensi yokuHlelwa kwamaDolobha No. 27 ka 1949, azisebenzi kulowo mhlaba othuthukiswayo ngenhloso yalokho kuthuthukiswa ngokuhambisana nemibandela yokugunyazwa kwesicelo 2008/610;
- (d) izinhlinzeko zoMthetho wokuHlukaniswa iziQephu koMhlaba wezoLimo, 1970 (uMthetho No. 70 ka 1970) azisebenzi kulowo mhlaba othuthukiswayo; futhi
- (e) izinhlinzeko zoMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977), nanoma yimuphi omunye umthetho olawula ukwakiwa kwezakhiwo kumhlaba othuthukiswayo iyasebenza kulowo mhlaba othuthukiswayo; futhi
- (f) kuchithwa izimiso 59(b)(iv) no (v) kwiTayitela lokuDlulisela T07391/2005 ezisungula indawo yokuphumula yomphakathi (indawo evulekile) kanye nelungelo lokulawula elivuna abakwa-Transnet.

**MA DE LANGE**, Isikhulu esiQokiwe

Usuku: uNcwaba 2009

Inkomba yefayela: 2008/610

**DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****WET OP ONTWIKKELINGSFASILITERING, 1995: GEDEELTE VAN DIE PLAAS WOODLANDS NO. 17777; BAYVIEW**

Ingevolge artikel 33(4) van die Wet op Ontwikkelingsfasilitering, 1995 het die Ontwikkelingstribunaal die ontwikkeling goedgekeur van 12 residensiële onderverdelings, een bewaringsonderverdeling en een padonderverdeling op Gedeelte 77 van die plaas Woodlands No. 17777, Registrasie-afdeling FT, Bayview, Umshwathi munisipaliteit, behoudens die volgende stigtingsvoorwaardes wat verband hou met die opheffing van voorwaardes, grondgebruiksbestuur en toepassing van wette —

- (a) die uitbreiding van die New Hanover Dorpbeplanningskema om die grondontwikkelingsgebied in te sluit;
- (b) die wysiging van die uitleg van die New Hanover Dorpbeplanningskema ooreenkomstig Uitlegplan No. Lay/ver4, gedateer 11 Augustus 2008;
- (c) artikel 11, 11*bis*, 12-28, 32-39, 44 en 47*bis* van Dorpbeplanningsordonnansie No. 27 van 1949, is nie van toepassing op die grondontwikkelingsgebied vir die doel van ontwikkeling daarvan ooreenkomstig die goedkeuringsvoorwaardes van aansoek 2008/610 nie;
- (d) die bepaling van die Wet op Onderverdeling van Landbougrond, 1970 (Wet No. 70 van 1970) is nie van toepassing op die grondontwikkelingsgebied nie;
- (e) die bepaling van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet No. 103 van 1977), en enige ander wet wat die oprigting van geboue binne die grondontwikkelingsgebied beheer, bly van toepassing op die grondontwikkelingsgebied; en
- (f) die opskorting van voorwaardes 59(b)(iv) en (v) van Transportakte T07391/2005 wat 'n rusarea vir die publiek (uitspanplek) skep en 'n voorkoopreg ten gunste van Transnet.

**MA DE LANGE**, Aangewese Beampte

Datum: 1 Augustus 2009

Lêerverwysing: 2008/610

**UMHLALI BEACH TOWN PLANNING SCHEME  
(IN COURSE OF PREPARATION)  
PROPOSED AMENDMENT**

Notice is hereby given in terms of Section 47 bis B of the Town Planning Ordinance, No. 27 of 1949, which the KwaDukuza Council intends to consider the following amendment to the Umhlali Beach Town Planning Scheme:

The proposed rezoning of Portion 150 of Lot 71 No. 1524, from "Undetermined" to Activity Zone" purposes.

Any person desiring to object to this proposal may do so by lodging a written notice setting out the grounds of his/her objection on or before 04 September 2009 with: The Municipal Manager, KwaDukuza Municipality, P.O.Box 72, Stanger, 4450.

Objectors must, in notifying the Municipal Manager, clarify that a copy of the notice has been served on the applicant at the address given below by registered or certified post or by hand. Any objection received after the prescribed date and/ or where a copy has been served on the applicant is not valid.

Plans and particulars relating to the application may be inspected during normal office hours from Monday to Friday (excluding public holidays) at The Secretary: Development and Planning Section, KwaDukuza Municipality, 10 Leonora Drive, Ballito. The application will lie for inspection from the 14<sup>th</sup> of August 2009.

**Name and address of applicant**

Sandu Projects  
P.O.Box 3220  
Sunningdale  
4019  
15b Dovenhouse Road  
Gillits  
3650  
**Tel: 031 765 7783**  
**Fax 0866 696 9286**

**Date of Publication: 13 August 2009**

**UMASIPALA WA KWADUKUZA  
OLUNGUMHLAHLANDLELA WEDOLOBHA LASE UMHLALI  
ISICHIBIYELO ESIHLONGOZWAYO**

Lapha kukhishwa isaziso ngokwemigomo yoMthetho u-section 47 bis B okuyiMthetho engumhlahlandlela yamadolobha oMasipala, onguNo. 27 ka 1949, njengokuchibiyelwa kwayo, ukuthi umkhandlu WA KwaDukuza uhlongoza ukuchibiyela uhlelo olungumhlahlandlela wedolobha kubalulwa lapho ngezansi.

The proposed rezoning of Portion 150 of Lot 71 No. 1524, from "Undetermined" to Activity Zone" purposes.

Bonke abafisa ukuphikisana nesicelo sokushintsha ekusetshenziswa kwendawo bangaletsa imibono yabo phambi kuka 04 September 2009 kulelikheli elilandelayo la Umphathi waMasipala, KwaDukuza Municipality, P.O.Box 72, Stanger, 4450.

Abaphikisayo kumele bazise Umphathi wakwa Masipala bachaza kabanzi ukuthi Ikhophi yesaziso banikwe lowo ofake isicelo kuleli kheli elingenzansi ngeposi noma ngokuyinikezela ngesandla. Isikhalazo esifika sekudlule ngokuyinikezela ngesandla. Isikhalazo esifika sekudlile usuku olubhaliwe/ noma isikhalazo esingafikanga kulowo osifakile isicelo ngekesibalwe.

Imidwebo ne mininingwane ehambisana nalesicelo ingabonakala kumahhovisi kaMasipala kusukela ngo msombuluko kuya kulwesihlanu (ngaphandle kwaMaholedi) kusukeia ngo 08h00 ekuseni kuyaku 16h00 ntambama.

**Igama neKheli Lalowo Ofaka Isicelo**

Sandu Projects  
P.O.Box 3220  
Sunningdale  
4019  
15b Dovenhouse Road  
Gillits  
3650  
Tel: 031 765 7783  
Fax 0866 696 9286

**Date of Publication: 13 August 2009**