



KwAZULU-NATAL PROVINCE
KwAZULU-NATAL PROVINSIE
ISIFUNDAZWE SA KwAZULU-NATALI

Provincial Gazette • Provinsiale Koerant • Igazethi Yesifundazwe

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

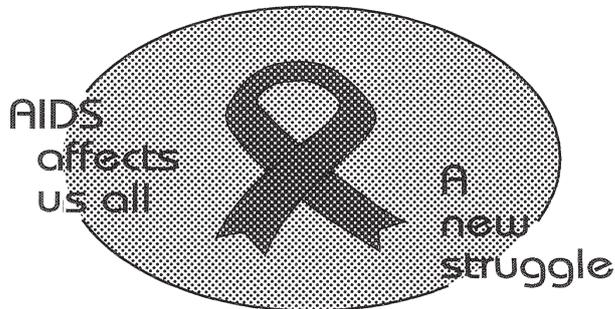
PIETERMARITZBURG

Vol. 9

23 JULY 2015
23 JULIE 2015
23 KUNTULIKAZI 2015

No. 1414

We all have the power to prevent AIDS



**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

Prevention is the cure

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

ISSN 1994-4558



9 771994 455008

01414



IMPORTANT

Information

from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.



GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.

DISCLAIMER:

Government Printing Works reserves the right to apply the 25% discount to all Legal and Liquor notices that comply with the business rules for notice submissions for publication in gazettes.

National, Provincial, Road Carrier Permits and Tender notices will pay the price as published in the Government Gazettes.

For any information, please contact the eGazette Contact Centre on 012-748 6200 or email info.egazette@gpw.gov.za

Table of Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
GENERAL NOTICES • ALGEMENE KENNISGEWINGS			
1	Municipal Finance Management Act, 56/2003: Promulgation of resolution levying rates.....	1414	9
MUNICIPAL NOTICES • MUNISIPALE KENNISGEWINGS			
128	Semunicipal Property Rates Act (6/2004): Umdoni Municipality: Isabelozimali: 2015/2016 namanani entela..	1414	10
128	Local Government: Municipal Property Rates Act (6/2004): Umdoni Municipality: Annual Budget: 2015/2016 and rates randages as assessed.....	1414	12
129	Municipal Property Rates Act, 2004: Municipal Property Rates Act, 6/2004: Resolution levying property rates for the financial year 1 July 2015 to 30 June 2016.	1414	14
130	Kwazulu-natal Planning And Development Act, 2008: Amended Delegations, Umhlathuze Municipality.....	1414	17

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

For queries and quotations, contact:

Gazette Contact Centre: **Tel:** 012-748 6200 **Fax:** 012-748 6025
E-mail: info.egazette@gpw.gov.za

For gazette submissions:

E-mail address: submit.egazette@gpw.gov.za

Contact person for subscribers:

Mrs M. Toka: **Tel:** 012-748-6066/6060/6058
Fax: 012-323-9574
E-mail: subscriptions@gpw.gov.za

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.

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.

1/4 Page **R286.00**
 Letter Type: Arial
 Font Size: 10pt
 Line Spacing: 11pt

**TAKE NOTE OF
 THE NEW TARIFFS
 WHICH ARE
 APPLICABLE
 FROM THE
 1ST OF APRIL 2015**

1/2 Page **R571.80**
 Letter Type: Arial
 Font Size: 10pt
 Line Spacing: 11pt

3/4 Page **R857.70**
 Letter Type: Arial
 Font Size: 10pt
 Line Spacing: 11pt

Full Page **R1143.40**
 Letter Type: Arial
 Font Size: 10pt
 Line Spacing: 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 APRIL 2015

CONDITIONS FOR PUBLICATION OF NOTICES

CLOSING TIMES FOR THE ACCEPTANCE OF NOTICES

1. (1) The *KwaZulu-Natal Province 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 Province Provincial Gazette* on any particular Thursday, is **15:00 one weeks 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 7 working days prior to the publication date.
- (2) The date for the publication of a **Extraordinary** *KwaZulu-Natal Province Provincial Gazette* is negotiable.
2. (1) Copy of notices received **after closing time** will be held over for publication in the next *KwaZulu-Natal Province Provincial Gazette*.
- (2) Amendment or changes in copy of notices cannot be undertaken unless instructions are received **before 10:00 on Fridays**.
- (3) Copy of 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 Province Provincial Gazette* until all 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 or errors resulting from faint or indistinct copy.

(4) The Government Printing Works is not responsible for any amendments.

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. Copy of 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

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 **Gazette Contact Centre, Government Printing Works, Private Bag X85, Pretoria, 0001, email: info.egazette@gpw.gov.za, 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 Province 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 Province 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: 632005

Reference No.: 00000050

Fax No.: 012-323-8805 and 012-323-0009

Enquiries:

Gazette Contact Centre **Tel.:** 012-748-6200
Fax: 012-748-6025
E-mail: info.egazette@gpw.gov.za

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 1 OF 2015**PROMULGATION OF RESOLUTION LEVYING RATES**

Notice is hereby given that on 28 May 2015 the Council of Umuziwabantu Municipality adopted the Property Rates Act 6 of 2004 and Section 17 (3) (a) (ii) of the Local Government: Municipal Finance Management Act 56 of 2003

1. DETERMINATION OF RATES

In terms of the Rates Policy 2015/2016 adopted by Council on 28 May 2015, the Municipality may levy different Rates for different categories of Property.

That the rate randage for the said financial year for the Umuziwabantu Municipality, be and is hereby assessed and levied for the following categories at:

Residential at 0.0119 cents in the Rand
Agricultural at 0.0030 cents in the Rand
Industrial at 0.0178 cents in the Rand
Business and commercial at 0.0178 cents in the Rand
Public service infrastructure at 0.0030 cents in the Rand
State Owned at 0.0142 cents in the Rand
Communal Land at 0.0119 cents in the Rand
Tourism & Hospitality at 0.0148 cents in the Rand
Tourism & Hospitality – Rural at 0.0062 cents in the Rand
Unauthorised development use at 0.0300 cents in the Rand

Multiple Use Property will be dealt with in accordance with the Rates Policy.

2. Exemptions. Rebates and Reductions:

The following reductions on the market value of the property and rebates on the rates payable, be and are hereby granted in accordance with the Rates Policy.

2.1 Residential Property

That in addition to the statutory reduction of R 15 000, a further reduction of R60 000 be and is hereby approved for property that are improved.

All the above information can be viewed on :-

- i) The Municipal Website
- ii) The Municipal Offices/Library
- iii) Government Gazette

S.D. MBHELE
MUNICIPAL MANAGER

MUNICIPAL NOTICES • MUNISIPALE KENNISGEWINGS

MUNICIPAL NOTICE 128 OF 2015**UMDONI MUNICIPALITY**

THE J.E.W.E.L OF THE SOUTH COAST

UKUSHICILELWA KWEZIVUMELWANO NGESABELO ZIMALI, INANI LENTELA NOKUKHOKHWA KWAYO**MUNICIPAL NOTICE NO: MN113/2015**

Ngokulandela isahluko 14 seMunicipal Property Rates Act ka 2004, iSigungu sama Khansela aMasipala kumele sishicilele iSaziso ngezivumelwane ezathathwa emhlanganweni owawubanjwe zingu 27 May 2015 mayelana neSabelozimali nokukhokhwa kweNtela:

ISABELOZIMALI: 2015/2016 NAMANANI ENTELA

- 1.1 Umkhandlu sewuhlanganise imibono yabo bonke abathintekayo Kanye Nomnyango ophezulu wezezimali (Provincial Treasury) ekufinyeleleni esiphethweni sohlu lwe sabelo zimali.
- 1.2 Ukwabiwa kwezimali zikamasipala kwiSabelozimali ka 2015/2016 ziphasiswe ngokuhlelwa ngaphansi kwalezihloko ezilandelayo:
 - a) Ukuphathwa kwemali nemithombo ephuma kuyo ngokufinyeziwe nokusetshenziswa kwayo nangeminyango eyahlukene kaMasipala;
 - b) Ukuphathwa kwemali nemithombo ephumakuyo, nokusetshenziswa kwemnyango eyahlukene kaMasipala;
 - c) Ukuphathwa nokusetshenziswa kwayo ngemikhakha, ngokwama voti aMasipala;
 - d) Ukuphathwa nokusetshenziswa kwayo ngokwezidingo ezahlukene;
 - e) Ukusetshenziswa kwemali ngokwamavoti, imikhakha nemithombo ephuma kuyo njengokuvezwa kwisahluko 5;
 - f) Ukusetshenziswa kwemali umugqa-nomugqa ochaza ngezinhlelo ezinkulu ezizokwenzeka onyakeni, njongokuvezwa kwisahluko 6.
- 1.3 Ukuba ukuklanyelwa kokukhokhwa kwezimali okulotshwe kwiSahluko 7 kuphasiswe kwiSabelozimali zonyaka ka2015/2016
- 1.4 Ukuklanyelwa kwenani leNtela elikhuphake ngo 5% njengokuba kushicilelwe kwiSabelozimali zonyaka ka2015/2016

- 1.5 Imibono ephuma emyangweni ophezulu wezezimali (Provincial Treasury) esibuyekeziwe
- 1.6 Umkhandlu uvumele ukusetshenziswa imali engu R 4,400,000 wezimali ezigciniwe ekuthengeni okulotshiwe kwiSahluko 6.

UKUHLAZIYWA KWENANI LENTEALA KWISABELO ZIMALI ZIKA 2015/2016

IZHLOKO	INANI
Izindawo zokuhlala	R 0.00910
Izindawo zambhizinisi	R 0.01218
Izindawo zokukhiqiza	R 0.01218
Izindawo zolimo	R 0.00228
Izindawo zikahulumeni	Kuzoklanyeliswa ngokusetshenziswa
Izindawo zikahulumeni ezisisa umphakathi	R 0.00228
Izindawo ezingenazo izakhiwo	R 0.02292

UKUQINISEKISWA KOKUBA LEMIKLANYELO IYALANDELWA KWISABELOZIMALI ZIKA 2015/2016

1. Izindawo zokuhlala ezithuthukisiwe – uR15 000.00 wokuqala ngokomthetho noR60 000.00 ngokwesivumelano kweSigungu samaKhansela kwiNtengozimali ezindaweni zokuhlala ezithuthukile, azizoba nasephulelo;
2. Izindawo ezingena zakhiwo – uR15 000.00 wokuqala ngokweNtengozimala yezindawo ezingenazakhiwo noma ezingasetshenziswa ngokwebhizinisi, nazo azizothola saphulelo;
3. Izicelo zabakhubazekile, abahhola impensheni nalaba abahlwempu ngokwe Municipal Property Rates Act nemithetho kaMasipala – uR75 000.00 wokuqala noR295 000.00 ngokweNtengozimali yezakhiwo nabo angeke bephulelwe. Usuku lokuvalwa kwezicelo u**03 July 2015**;
4. Izindawo ezithuthukayo nesezethuthukisiwe zizothola isaphulelo sika 4% kwintela kuSabelozimali kulonyaka;

Usuku lokugcina lokukhokhela iNtela yonyaka kwiSabelozimali ka2015/2016 uLwesithathu zingu 30 September 2015 nemali yenhlawulo ebalelwa lapha kusuke zingu 1 July, ziyonezelwa kwi-Akhawunti yakho. Uma ufisa ukukhokha imali yentela yonyaka wonke, ungafaka isicelo ungakashayi umhlaka 03 July 2015. Bonke abakhokhi beNtela asebhokhele unyaka ka 2015/16 ngokuphelele ungakashayi umhlaka 30 September 2015 naba ngena zinhlawulo ekmele bazikhokhe, bazothola isaphulelo sika 2.5%.

Ozithobayo,

MNU. XS LUTHULI
UMPHATHI KAMASIPALA

MUNICIPAL NOTICE 128 OF 2015

**UMDONI MUNICIPALITY**

THE J.E.W.E.L OF THE SOUTH COAST

MUNICIPAL NOTICE NO: MN113/2015**PROMULGATION OF RESOLUTION LEVYING RATES AND TARIFFS**

In terms of Section 14 of Local Government: Municipal Property Rates Act, ACT No 6 of 2004, the Council Hereby publishes an extract of the Resolution adopted by it at the Council Meeting held in Scottburgh on 27 May 2015, for information.

ANNUAL BUDGET: 2015/2016 AND RATES RANDAGES AS ASSESSED

- 1.1 Council has considered the comments from all stakeholders including Provincial Treasury in the finalization of the budget.
- 1.2 That the annual capital and operating budgets of the municipality for the financial year 2015/2016 be adopted as set out in the following schedules:
 - a) Budgeted Financial Performance Summary by Revenue Source and Expenditure Category for all Departments as reflected in Annexure 1;
 - b) Budgeted Financial Performance - revenue and expenditure by department as reflected in Annexure 2;
 - c) Budgeted Financial Performance - revenue and expenditure by municipal vote as reflected in Annexure 3;
 - d) Budgeted Financial Performance - revenue and expenditure by line item as reflected in Annexure 4;
 - e) Budgeted Capital Expenditure by vote, GFS classification and funding as reflected in Annexure 5; and
 - f) Budgeted Capital Expenditure by line item as reflected in Annexure 6
- 1.3 That the Tariff of Charges reflected in Annexure 7 is adopted for 2015/2016 financial year.
- 1.4 That the property rates randages and rebates calculated at a 5% increase, as reflected in the budget documents are adopted for the 2015/2016 financial year.
- 1.5 The A1 budget tables as presented be adopted and submitted to Provincial Treasury.
- 1.6 Council approves the utilisation of R 4,4 Million reserves for capital expenditure as listed in Annexure 6.

ASSESSED RATES RANDAGES FOR THE 2015/2016 FINANCIAL YEAR AS FOLLOWS:

Category	Randage
Residential	R 0.00910
Commercial / Business	R 0.01218
Industrial / Mining & Quarries	R 0.01218
Farms and Smallholdings (Agricultural)	R 0.00228
State Owned Property	To be rated on usage
Public Service Infrastructure	R 0.00228
Vacant Other	R 0.02292

DETERMINED THAT THE FOLLOWING REBATES WILL APPLY FOR THE 2015/2016 FINANCIAL YEAR AS FOLLOWS:

1. All Developed Residential Properties - The first R 15,000 legislated and R60,000 as per council agreement on the market value of all developed residential properties will not be rated;
2. Vacant Property - The first R 15,000 on the market value of all vacant properties not utilised for industrial or commercial purposes, will not be rated;
3. On application all Disabled Persons, Pensioners and **new** indigent applicants who have been declared as such in terms of the Municipality's Property Rates and indigent Policies – The first R 75,000 in terms of point 1 above and a further R 295,000 on the market value of the property will not be rated, closing **dates for applications is 03 July 2015**;
4. Medium to high density level developments will be granted a 4 % rebate on rates due for the financial year;
5. Fixed and final date for the annual payment of the Assessment Rates for the 2015/2016 financial year is Wednesday, **30th September 2015**, after which penalties which shall be calculated at the lending rate as at 01 July of each year, will be levied. Should you wish to pay rates on an annual basis you will need to make application by **no later than 03 July 2015**. All ratepayers that have paid their 2015/2016 rates in full **by 30th September 2015** and have no arrears will be granted a discount of 2.5% on rates due for the financial year.

**XS LUTHULI
MUNICIPAL MANAGER**

MUNICIPAL NOTICE 129 OF 2015**SPECIMEN RESOLUTION ON LEVYING PROPERTY RATES IN TERMS OF SECTION 14 OF THE LOCAL GOVERNMENT: MUNICIPAL PROPERTY RATES ACT, 2004. (ACT NO. 6 of 2004).**

Date : 18/06/2015

MUNICIPAL NOTICE NO: 18/06/2015**DANNHAUSER MUNICIPALITY****RESOLUTION LEVYING PROPERTY RATES FOR THE FINANCIAL YEAR 1 JULY 2015 TO 30 JUNE 2016**

Notice is hereby given in terms of section 14(1) and (2) of the Local Government: Municipal Property Rates Act, 2004; that the Council resolved by way of council resolution number **13.1** to levy the rates on property reflected in the schedule below with effect from 1 July 2014

Category of property	Cent amount in the Rand determined for the relevant property category 2014/15 FY	Cent amount in the Rand determined for the relevant property category 2015/16 FY INCREASE BY 5.9%
Agricultural Property used for agricultural purpose	R 0.27	R 0.29
Agricultural Properties Used for other business and commercial purposes	R 3.70	R 3.92
Small Holdings used for agricultural/residential purposes	0.27	0.29

Small holdings used for business / commercial/industrial purposes	3.70	3.92
Business and Commercial properties(with residential usage)	3.70	3.92
Business and Commercial Properties	3.70	3.92
Industrial Properties	3.71	3.93
Informal settlements	NIL	NIL
Industrial Properties(with residential usage)	3.70	3.92
Land Reform Properties	NIL	NIL
Mining Properties	3.70	3.92
Municipal Properties	NIL	NIL
Public Benefit Organisations	NIL	NIL
Public Service Infrastructure	0.27	0.29
Residential Properties	1.06	1.12
Schools (Private and State)	4.18	4.43
State Owned Properties	4.18	4.43
Vacant Land (Other than Residential)	8.48	8.98
Vacant Land Zoned Residential	8.48	8.98
Public Worship	NIL	NIL
Worship Residential	NIL	NIL

Full details of the Council resolution and rebates, reductions and exclusions specific to each category of owners of properties or owners of a specific category of properties as determined through criteria in the municipality's rates policy are available for inspection on the municipality's offices, website (www.dannhauser.gov.za) and all public libraries.

NAME: Mr Bonginkosi Wiseman Nkosi
DESIGNATION: MUNICIPAL MANAGER
Dannhauser Local Municipality
Private Bag X 1011
Dannhauser
3080
Tel: 034 621 2666
Fax: 034 621 2342
Email: Municipalmanager@dannhauser.gov.za

MUNICIPAL NOTICE 130 OF 2015

UMHLATHUZE MUNICIPALITY

KWAZULU-NATAL PLANNING AND DEVELOPMENT ACT, 2008 : AMENDED DELEGATIONS, UMHLATHUZE MUNICIPALITY

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

**Civic Offices
Private Bag X1004
RICHARDS BAY
3900**

**DR N J SIBEKO
MUNICIPAL MANAGER**

SCHEDULE
KEY TO DELEGATIONS OF POWER

DESCRIPTION	ABBREVIATION
The uMhlathuze Municipal Council	COUNCIL
Executive Committee of uMhlathuze Municipal Council	EXCO
Municipal Manager	MM
Deputy Municipal Manager : City Development	DMMCD
Deputy Municipal Manager : Corporate Services	DMMCS
Deputy Municipal Manager : Infrastructure and Technical Services	DMMI&TS
Deputy Municipal Manager : Community Services	DMMCOMS
Authorised Officer	AO
Municipal Planning Tribunal	MPT
Registered Planner	RP
Planning Enforcement Inspector	PEI

DELEGATIONS

SCOPE	LIMIT/ CONTROL MEASURE/ NOTE	LEVEL
Section 4(2): Decision to apply to the Member of the Executive Council for an extension of the period in which to adopt a scheme or schemes.	Note: - Accompanying documentation as per Section 4(3)	EXCO
Section 9(1) and 95(2): To initiate an application for the <u>adoption, replacement or amendment</u> of a scheme	Control Measure: - Subject to Exco's in principle approval prior to public participation where land is owned by the Municipality. Note: - Process in accordance with section 10(1)-(2) - Provisions relating to combined applications in accordance with section 10(4) - Right to amend a proposal after notice has been given thereof in terms of Schedule 1 item 17(1)	DMMCD
Section 9(2): To receive and administer an application for an <u>amendment</u> of a scheme	Note: - Process in accordance with section 10(2) - Status of legal successor-in-title in accordance with section 9(3) - Provisions relating to combined applications in accordance with section 10(4)	DMMCD

SCOPE	LIMIT/ CONTROL MEASURE/ NOTE	LEVEL
<p>Sections 11, 18, 24, 41, 53, 63 and 72: To evaluate and make recommendations in respect of proposals submitted in terms of the Planning and Development Act, 2008, and to issue certificates confirming that proposals comply/do not comply with the Act</p>	<p>Note:</p> <ul style="list-style-type: none"> - Matters relevant in determining the merits of proposals are contained in sections 12, 19, 25, 42, 54, 64 and 73 	<p>RP</p>
<p>Section 13(1): To approve, with or without alterations, or to refuse the adoption or replacement of the scheme</p>	<p>Control Measure:</p> <ul style="list-style-type: none"> - Decision must be informed by a registered planner or on advice of a registered planner in accordance with section 11. - Decision may not be in conflict with provincial planning and development norms and standards or the municipality's IDP and SDF. <p>Notes:</p> <ul style="list-style-type: none"> - Timeframes in accordance with items 12 and 21 of Schedule 1 and Section 16 of the SPLUMA Regulations. - Decisions must comply with section 13(5). - Effective date of decision as per section 16 	<p>COUNCIL (Scheme Regulations Amendment)</p> <p>MPT (Category 1 Applications)</p> <p>AO in liaison with the MM (Category 2 Applications)</p>
<p>Section 13(6), 26(6), 43(6), 55(4), 65(5): Correcting of an error in the wording of its decision</p>	<p>Control measure: As long as the correction does not constitute a change in its decision or an alteration, suspension or deletion of a condition of its approval</p>	<p>MPT (Category 1 Applications)</p> <p>AO in liaison with the MM (Category 2 Applications)</p>
<p>Section 14(1), 14(5), 27(1), 27(5), 44(1), 44(5), 56(1), 56(5), 66(1), 66(5), 74, 89(3): Informing persons of Council's decision</p>	<p>Note:</p> <ul style="list-style-type: none"> - Notices must comply with section 14(2)-(4), 27(2)-(4), 44(2)-(4), 56(2)-(4), 66(2)-(4) - Serving of notices must comply with section 158 	<p>MPT (Category 1 Applications)</p> <p>AO in liaison with the MM (Category 2 Applications)</p>
<p>Section 22(1): To initiate an application for the subdivision or consolidation of land which the Municipality owns.</p>	<p>Control Measure:</p> <ul style="list-style-type: none"> - Exco must approve application in principle prior to public participation for land which the Municipality owns. 	<p>DMMCD</p>
<p>Section 22(2): To receive and administer an application for the subdivision or consolidation of land</p>		<p>DMMCD</p>

SCOPE	LIMIT/ CONTROL MEASURE/ NOTE	LEVEL
<p>Section 26(1): To approve, with or without alterations, or to refuse the subdivision and/or consolidation of land</p>	<p>Control Measure:</p> <ul style="list-style-type: none"> - Decision must be informed by a registered planner in accordance with section 24. - Decision may not be in conflict with provincial planning and development norms and standards, the municipality's IDP/SDF or the scheme in accordance with sections 6(4), 6(5) and 26(2). <p>Notes:</p> <ul style="list-style-type: none"> - Timeframes in accordance with items 12 and 21 of Schedule 1 and Section 16 of the SPLUMA Regulations. - Note provisions of section 6 relating to the status of schemes. - Approver may impose conditions in accordance with section 26(3)-(4). - Approvals must comply with section 26(5). - Note section 36 relating to transfer of land to the Municipality. - Effective date of decision as per section 29. - Note section 30 relating to the legal effect of approval of subdivision or consolidation of land that constitutes alteration or amendment of general plan. - Section 37(2) of the Land Survey Act, 2007. - Section 32(2), 33(2), 37(1) and 37(2) relating to lapsing of approval. 	<p>MPT (Category 1 Applications)</p> <p>AO in liaison with the MM (Category 2 Applications)</p>
<p>Sections 31(1), 31(3), 31(5), 34(2), 48(1), 48(3), 48(5) and 69(2): Issuing of certificates of compliance</p>	<p>Control measure:</p> <ul style="list-style-type: none"> - RP to liaise first with relevant technical Departments. <p>Note:</p> <ul style="list-style-type: none"> - Referring to conditions imposed in accordance with sections 26(4), 43(4) and 65(3); - Provisions of section 31(4) and 48(4) relating to occupation of a building/structure. 	<p>RP, in liaison with relevant technical departments</p>
<p>Section 32(1)(b): To receive certified copies of the approved diagrams or general plan</p>		<p>DMMCD</p>
<p>Section 33(1), 35 and 70: To lodge plans and documents with the Surveyor General's and Deeds Offices in cases where land is subdivided or consolidated, or where application is made for the alteration, suspension or deletion of restriction relating to land by the municipality</p>	<p>Note:</p> <ul style="list-style-type: none"> - Section 33(2) and 37(2) relating to lapsing of approval. 	<p>DMMCD</p> <p>MPT (Category 1 Applications)</p> <p>AO in liaison with the MM (Category 2 Applications)</p>

SCOPE	LIMIT/ CONTROL MEASURE/ NOTE	LEVEL
<p>Section 37(3), 37(4), 49(1) and 49(2): To serve notices informing an applicant that an application is about to lapse or to withdraw a notice issued</p>	<p>Note:</p> <ul style="list-style-type: none"> - Section 37(5) and 49(3) relating to cancellation of the part of the approved layout plan for which the rights have not been fully exercised, and which has been cancelled; - Notices must comply with section 37(3) or 49(1) - Serving of notices must comply with section 158. 	<p>DMMCD</p> <p>MPT (Category 1 Applications)</p> <p>AO in liaison with the MM (Category 2 Applications)</p>
<p>Section 37(5) and 49(3): To initiate the cancellation of the part of the approved layout plan for which the rights have not been fully exercised, and which has been cancelled in accordance with sections 37(3) and 49(1)</p>	<p>Control measure:</p> <ul style="list-style-type: none"> - Exco must approve application in principle prior to public participation for land which the Municipality owns. 	<p>DMMCD</p> <p>MPT (Category 1 Applications)</p> <p>AO in liaison with the MM (Category 2 Applications)</p>
<p>Section 39(1): To initiate an application for development of land situated outside areas of the scheme for land which the Municipality owns</p>	<p>Control measure:</p> <ul style="list-style-type: none"> - Exco must approve application in principle prior to public participation for land which the Municipality owns. <p>Note:</p> <ul style="list-style-type: none"> - Refer to section 38. - Refer to Schedule 1 for process. - Provisions relating to combined applications in accordance with section 40(2). - Right to amend a proposal after notice has been given thereof in terms of Schedule 1 item 17(1). 	<p>DMMCD</p>
<p>Section 39(2): To receive and administer an application for development of land situated outside areas of the scheme</p>	<p>Note:</p> <ul style="list-style-type: none"> - Refer to section 38. - Refer to Schedule 1 for process. - Status of legal successor-in-title in accordance with section 39(3). - Provisions relating to combined applications in accordance with section 40(2). 	<p>DMMCD</p>

SCOPE	LIMIT/ CONTROL MEASURE/ NOTE	LEVEL
<p>Section 43(1): To approve, with or without alterations, or to refuse the development of land situated outside the area of a scheme</p>	<p>Control measure:</p> <ul style="list-style-type: none"> - Decision must be made on advice of a registered planner in accordance with section 41. - Decision may not be in conflict with provincial planning and development norms and standards or the municipality's IDP in accordance with section 43(2). <p>Notes:</p> <ul style="list-style-type: none"> - Timeframes in accordance with items 12 and 21 of Schedule 1 and Section 16 of SPLUMA Regulations. - Approver may impose conditions in accordance with section 43(3)-(4); - Decisions must comply with section 43(5). - Effective date of decision as per section 46. - Section 47 relating to the legal effect of approval of development of land situated outside the area of a scheme that constitutes alteration or amendment of general plan. - Section 37(2) of the Land Survey Act, 2007. - Section 49(1) relating to lapsing of approval. 	<p>MPT (Category 1 Applications)</p> <p>AO in liaison with the MM (Category 2 Applications)</p>
<p>Section 51(1): To initiate an application for the phasing or cancellation of an approved layout plan.</p>	<p>Control measure:</p> <ul style="list-style-type: none"> - Exco must approve application in principle prior to public participation for land which the Municipality owns. <p>Note:</p> <ul style="list-style-type: none"> - Refer to section 50. - Process in terms of section 52. - Right to amend a proposal after notice has been given thereof in terms of Schedule 1 item 17(1). 	<p>DMMCD</p>
<p>Section 51(2): To receive and administer an application for the phasing or cancellation of an approved layout plan</p>	<p>Note:</p> <ul style="list-style-type: none"> - Refer to section 50. - Status of legal successor-in-title in accordance with section 51(3)-(4). - Process in terms of section 52. 	<p>DMMCD</p>
<p>Section 52(2): To administer giving public notice of an application for the phasing or cancellation of an approved layout plan</p>	<p>Note:</p> <ul style="list-style-type: none"> - Notice must comply with section 52(3)-(4) 	<p>DMMCD</p>

SCOPE	LIMIT/ CONTROL MEASURE/ NOTE	LEVEL
<p>Section 55: To approve the phasing or cancellation of the approved layout plan, in whole, in part and with alterations or to refuse the phasing or cancellation of the layout plan</p>	<p>Control measure:</p> <ul style="list-style-type: none"> - Decision must be made on advice of a registered planner in accordance with section 53. <p>Notes:</p> <ul style="list-style-type: none"> - Timeframes in terms of section 55(1). - Approver may impose conditions in accordance with section 55(2); - Decisions must comply with section 55(3); - Effective date of decision as per section 58; - Section 59 relating to the legal effect of approval of phasing or cancellation of approved layout plans (including transfer of land and ownership). - Section 37(2) of the Land Survey Act, 2007. 	<p>MPT (Category 1 Applications)</p> <p>AO in liaison with the MM (Category 2 Applications)</p>
<p>Section 61(1): To initiate an application for the alteration, suspension or deletion of a restriction relating to land which the Municipality owns.</p>	<p>Control measure:</p> <ul style="list-style-type: none"> - Exco must approve application in principle prior to public participation for land which the Municipality owns. <p>Note:</p> <ul style="list-style-type: none"> - Refer to section 60. - Process in terms of Schedule 1. - Application not required for restrictions that have been deleted in accordance with item 3 of Schedule 5. - Provisions relating to combined applications in accordance with section 62(3). - Right to amend a proposal after notice has been given thereof in terms of Schedule 1 item 17(1) 	<p>DMMCD</p>
<p>Section 61(2): To receive and administer applications for the alteration, suspension or deletion of a restriction relating to land</p>	<p>Note:</p> <ul style="list-style-type: none"> - Refer to section 60. - Process in terms of Schedule 1. - Application not required for restrictions that have been deleted in accordance with item 3 of Schedule 5. - Status of legal successor-in-title in accordance with section 61(3). - Provisions relating to combined applications in accordance with section 62(3). 	<p>DMMCD</p>

SCOPE	LIMIT/ CONTROL MEASURE/ NOTE	LEVEL
<p>Section 65(1): To approve, with or without alterations, or to refuse the alteration, suspension or deletion of the restrictions relating to land</p>	<p>Control Measure:</p> <ul style="list-style-type: none"> - Decision may not be taken to suspend or remove any mineral right registered against the title of any land in accordance with section 60(3). - Decision must be made on advice of a registered planner in accordance with section 63. - Decision may not be in conflict with provincial planning and development norms and standards, the municipality's IDP or the scheme in accordance with section 65(2). <p>Notes:</p> <ul style="list-style-type: none"> - Timeframe in terms of items 12 and 21 of Schedule 1 and Section 16 of SPLUMA Regulations. - Note provisions of section 6 relating to the status of schemes. - Approver may impose conditions in accordance with section 65(3). - Decisions must comply with section 65(4). - Effective date of decision as per section 68. 	<p>MPT (Category 1 Applications)</p> <p>AO in liaison with the MM (Category 2 Applications)</p>
<p>Section 76(1): To request the court to summarily enquire into and determine the monetary value of any advantage which a person may have gained as a result of an offence</p>		<p>DMMCS</p>
<p>Section 79(1) and 81(1): To issue and withdraw contravention notices and to consider comments lodged in response to a contravention notice</p>	<p>Note:</p> <ul style="list-style-type: none"> - Offences listed as per section 75(1), 77(1), 78(1), 90(7) and Schedule 1 item 10(6); - Contents of contravention notices as per section 79(2) and 80. 	<p>DMMCD</p>
<p>Section 79(1): To serve contravention notices on persons suspected of certain offences</p>	<p>Note:</p> <ul style="list-style-type: none"> - Serving of notices must comply with section 158 	<p>PEI</p>
<p>Section 81(2): To issue and withdraw prohibitions orders</p>	<p>Note:</p> <ul style="list-style-type: none"> - Offences listed as per section 75(1), 77(1), 78(1), 90(7) and Schedule 1 item 10(6) . - Contents of prohibition orders as per section 81(2) and 82. - Consider section 81(3)-(5). 	<p>DMMCD</p>
<p>Section 81(2)(a) and 83: To serve prohibition orders issued by DMMSD and to display orders on site</p>	<p>Note:</p> <ul style="list-style-type: none"> - Serving of orders must comply with section 158 	<p>PEI</p>

SCOPE	LIMIT/ CONTROL MEASURE/ NOTE	LEVEL
Section 81(2)(b), 84(1), 84(2), 84(3), 93(1) and 94: To apply to the High Court for the issuing or withdrawal of an order restraining a person from continuing an illegal activity, for an urgent prevention order or demolition order	Control measure: - Only EXCO may approve an application for a demolition order. Note: - Consider section 84 - Consider section 98; - Notices must comply with section 85	DMMCS
Section 84(1) and 86: To serve urgent prevention orders issued by the High Court and to display orders on site	Note: - Serving of orders must comply with section 158	PEI
Section 84(4): To serve a notice to the person on whom the urgent prevention order was served, if the order is withdrawn	Note: - Serving of notices must comply with section 158	PEI
Section 113(2)(a): To receive memoranda of appeals	Note: - In relation to appeals under Section 15, section 28, section 45, section 57, section 67	MM
Section 114(1) and (3) and 116(2): To lodge or withdraw a responding memorandum	Note: - Contents of a responding memorandum in accordance with Sections 114(2)	DMMCD
Section 117(2): To represent Council during a Kwazulu-Natal Planning and Development Appeal Tribunal site visit		DMMCD and RP
Section 120: To represent Council during a Kwazulu-Natal Planning and Development Appeal Tribunal hearing		DMMCD and RP
Section 120(2)(a): To appoint legal counsel to represent Council during a Kwazulu-Natal Planning and Development Appeal Tribunal hearing		DMMCS
Section 123: To receive notice of the Appeal Tribunal judgement		MM / DMMCD
Section 125(2)(c)(i): To receive an affidavit from an applicant for the late lodging of an appeal		MM
Section 126: To prepare a written notice of opposition to late lodging of appeal, including opposing affidavit		DMMCD, RP and/or DMMCS

SCOPE	LIMIT/ CONTROL MEASURE/ NOTE	LEVEL
Section 126: To lodge with the registrar a written notice of opposition to late lodging of appeal, including opposing affidavit		MM
Section 129: To receive notice of the ruling in relation to the late lodging of an appeal		MM
Section 132(3): To prepare oral or written representation with regards to an order of costs or a penalty awarded in terms of section 132(2)		DMMCD, RP and/or DMMS
Section 132(3): To lodge written representation with regards to an order of costs or a penalty awarded in terms of section 132(2)		MM
Section 156(1) and (8): To delegate, amend or revoke any power conferred on it in terms of the Act to any official employed by it	<p>Control measure:</p> <ul style="list-style-type: none"> - Council may not delegate the responsibility to adopt or replace a scheme as contemplated in section 13. <p>Note:</p> <ul style="list-style-type: none"> - EXCO may impose conditions in accordance with section 156(2). - Delegation or amendment comes into effect upon the publication of a notice in the Gazette, or if a later date is stated, from that date in accordance with section 156(7)(c) 	COUNCIL
Section 156(7)(b) and 156(9): Placing of notices in the Gazette		MM
Section 157(1): To enter into agency agreements for performance of functions	<p>Control measure:</p> <ul style="list-style-type: none"> - After it has applied the criteria contemplated in section 78 of the Municipal Systems Act 	EXCO
Section 160: To maintain access to information documentation		DMMCD
Schedule 1 item 2(1), 3(3), 4(1), 9(1), 10(2), 11(2)-(3), 19(1), 20(4): To provide notice	<p>Note:</p> <ul style="list-style-type: none"> - Serving of notices to comply with section 158 - Calculation of number of days in accordance with section 159 - Notice of a hearing must comply with Schedule 1 item 11(3) and 20(2) and 20(5) 	DMMCD
Schedule 1 item 3(3): To refuse an application on the ground that the information which was NOT provided after the municipality requested it was necessary in order to make an informed decision		DMMCD

SCOPE	LIMIT/ CONTROL MEASURE/ NOTE	LEVEL
Schedule 1 item 5(1), 6(1) and (3), 8(2) and (3), 14(1), 15(1) and 17(2) and 17(3): To administer the processes relating to the giving of public notice	Note: - Notices must comply with Schedule 1 items 5(2)-(3), 6(1), 7(1), 14(2)-(3), 15(3), 16. - Public notice not required in cases listed in terms of section 10(3), 23(2), 62(2)	DMMCD and DMMCS
Schedule 1 item 6(2)-(3): To agree with a person who has an interest in any specific matter to give notice on behalf of Council and to request proof from a person that public notice has been given as required		DMMCD
Schedule 1 items 6(4) and 15(2): To convene and represent Council during a public meeting for the purpose of informing the public of the application/matter		DMMCD
Schedule 1 item 8(1)(b): To request and/or consider an amendment of an application prior to approval		DMMCD
Schedule 1 item 10(1), 11(1), 19(1) and 20(1): To decide whether a site inspection or public hearing is necessary in liaison with the relevant Ward Councillor	Control measure: In liaison with the relevant Ward Councillor and based on: - the complexity of the application, - number of and basis for objections received, - If it is in the interest of the public, Municipality or the applicant to do so	DMMCD in liaison with relevant ward Councillor
Schedule 1 item 10(1) and 11(4): To represent Council during a site visit or public hearing	Note: - Conditions contained in section 10(3)-(5)	DMMCD / RP
Schedule 1 item 17(1): To amend proposals for council-owned land prior to approval by Council	Control measure: - Subject to Schedule 1 item 17(2)-(3)	DMMCD
Schedule 1 item 18: To reply to a person who submitted comments on an application		DMMCD

IMPORTANT

Information

from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.



eGazette



Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001.
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za