

7.11 NATURE RESERVES / CONSERVATION AREAS

7.11.1 Nature Reserves and Conservation areas which are proclaimed in terms of the National Environmental Management: Protected Areas Act, 2003, shall be exempt from rates.

7.11.2 Newly Proclaimed Nature Reserves / Conservation areas shall receive an exemption upon application and production of the relevant Proclamation.

7.11.3 Property not Proclaimed as aforesaid, shall be rated as vacant land and may be exempt from rates, once the owners are in receipt of an Environmental Certificate in terms of 7.11.4 below.

7.11.4 Upon application to the Environment Management Department, by no later than 30 April preceding the start of the new Municipal year for which the certificate is sought, an Environmental Certificate may be granted to owners of any piece of land or part thereof, where:

7.11.4.1 The Municipality considers the land to be environmentally sensitive, e.g. it forms part of the Durban Metropolitan Open Space System (DMOSS);

7.11.4.2 The land is zoned for conservation purposes or an environmental servitude has been registered in favour of the Municipality over the environmentally sensitive area; or

7.11.4.3 The landowner, with the assistance of the Municipality, prepares and implements an approved management plan aimed at protecting and improving the local environment.

7.11.5 The owner of a Nature Reserve / Conservation area cannot receive a reduction or rebate on the Nature Reserve/Conservation area component of the property in addition to the rate benefits in terms of 7.11.4 above.

7.11.6 The Environmental Certificate will lapse if the property is no longer used for bona fide environmental conservation purposes, in which event, the property will be rated on its new use from date of such use.

7.12. SCHOOLS NOT FOR GAIN

A School Not For Gain may receive a rebate as determined

by a resolution of Council at its annual budget.

7.12.1 Rebates may be granted subject to the following conditions:

a. The applicant must make an annual application;

b. The applicant must produce a tax exemption certificate issued by the South African Revenue Services (SARS) as contemplated in Part 1 of the Ninth Schedule of the Income Tax Act, 1962 (Act 58 of 1962);

c. The Municipal Manager or his nominee must approve all applications;

d. Applications must reach the Municipality on or before 30 April preceding the start of the new municipal year for which the rebate is sought failing which the existing application will lapse and will only be re-instated, from the next practical billing cycle, once a new application has been approved;

e. The municipality retains the right to refuse an application if the details supplied in the application form are incomplete, incorrect or false;

f. the use of any land or buildings, or any part thereof, in terms of 12 above, shall not be for the private pecuniary benefit of any individual, whether as a shareholder in a company or otherwise;

g. if during the currency of any financial year, any such land or building is used for any purpose other than the purpose for which it was so granted a rebate, the Municipality shall impose rates thereon or on such portion so used, at a rate proportionate to the period of such use.

7.12.2 A School Not For Gain housed on property registered in the name of a place of public worship, shall be valued and rated in accordance with the criteria set out above.

7.13. BED & BREAKFAST AND GUEST HOUSES

Upon Application, Bed and Breakfast and Guesthouse establishments will receive a rebate as determined by Council at its annual budget.

7.13.1 Qualifying Criteria:

a) The owner of the property must permanently reside on the property. In the case of a Company, Close Corporation or Trust being the registered owner,

at least one director/member/trustee thereof must reside permanently on the property, subject to any of the members of such companies, close corporations and trusts not being a member of another company, close corporation or trust that owns a Bed and Breakfast establishment or a Guest House;

b) The Bed & Breakfast / Guesthouse must be registered with a properly constituted organization/s as may be approved by the Municipality from time to time;

c) The Bed & Breakfast / Guesthouse must only offer accommodation facilities and dining facilities only to registered guests. Establishments that in addition, offer conferencing, spa's, hair salons etc. will not qualify;

d) The applicant must provide details of the establishment in respect of total size of developed property, total number of rooms, and facilities available to guests. This will be required to be certified by the member Association;

e) An annual application must be made by 30 April preceding the start of the new financial year for which relief is sought.

f) A Registration Certificate in terms of the "Accommodation Establishment Bylaws" must accompany the application.

7.13.2 Rebate

a) The establishment will be rated as commercial.

b) where up to four bedrooms are available to guests, a rebate not exceeding 50%, or as determined by Council at its annual budget, will apply;

c) where between five to ten bedrooms are available to guests, a rebate not exceeding 25%, or as determined by Council at its annual budget, will apply.

7.14 PUBLIC SERVICE INFRASTRUCTURE

In accordance with the Act, Public Service Infrastructure will not be rated on the first 30% of the value.

8.2 Upon application therefore, an Agricultural Certificate may be granted to owners of any piece of land or part thereof, on the following basis:

a) the Valuer is satisfied that such land is used exclusively for bona fide agricultural purposes;

b) the owner must apply annually to the Real Estate Unit, by no later than 30th April preceding the start of the new Municipal year for which the certificate is sought;

c) the certificate must be issued by the valuer;

d) The Applicants must produce a tax certificate issued by the South African Revenue Services (SARS) proving that they are taxed as a farmer or a mill contractor proving that he/she is an active farmer.

8.3 the owner of agricultural property cannot receive reduction or rebate on the agricultural component of the property in addition to the agricultural randage.

9. SPECIAL RATING AREAS

9.1 The Municipality may, by resolution of Council, establish Special Rating Areas (hereinafter called SRA) and levy an additional rate on property in that area for the purpose of raising funds for improving or upgrading that area.

9.2 Any Rebate granted in terms of clause 7 hereof does not apply to the additional rate payable by the owner in a SRA.

9.3 An SRA may be established once the following criterion have been fulfilled:

a) the boundaries of the SRA must be defined;

b) The SRA must contain not less than 200 properties or the total value of the properties must exceed a value as determined by Council from time to time;

c) The SRA must be provisionally contracted with a company registered in terms of Section 21 of the Companies Act to manage the funds of the SRA;

d) It must be demonstrated that at least 66% of owners in number and 51% of property value have voted in favour of the establishment of the SRA; and

e) Such Application shall be accompanied by the section 21 Company's budget and business plan on the management of the

SRA by no later than 30 September preceding the start of the new municipal year for which Application is made.

9.4 The SRA must enter into an Agreement with the Municipality in terms of Section 67 of the MFMA.

Funds will not be transferred to the SRA Company unless a Section 67 Agreement is signed and received by the Municipality.

9.5 Once the SRA is established, the aforesaid Section 67 Agreement must be renewed annually by no later than 31 January together with the budget of the SRA.

9.6 Once the SRA has been approved by a Resolution of Council at its annual budget, the municipality will levy the special rate and funds will be paid to the SRA as they are collected.

9.7 New developments within the jurisdiction of the SRA, will be rated in accordance with the effective date of the Supplementary Valuation roll.

9.8 A SRA shall be dissolved if the Section 67 Agreement as aforesaid:

a) has not been renewed; or

b) has not been honoured.

10. MULTIPLE USE PROPERTIES

10.1 Where a Sectional Title Scheme has not been approved, the municipality shall apply the highest order use principle when rating properties which are used for multiple purposes, with the exception of the instances set out in 9.2, 9.3 and 9.4 below.

10.2 Except for Bed & Breakfast and guest- House facilities, To qualify for residential categorisation, the non - residential use must not occupy more than one third of the total building area.

10.3 Where one use is exempt, the property will be categorized under a "Multiple Use" category and the exempt portion will be treated separately to the remainder.

10.4 Where the remainder is also used for multiple uses, "highest order use" will apply.

10.5 In the case of agricultural property, the multiple use category will apply where:

a) a portion is used for residential purposes by the owner or tenant (not a farm manager); or

b) a portion is used for non resi-

dential and non agricultural purposes.

11. ABANDONED, UNAUTHORISED OR ILLEGAL DEVELOPMENT / USE

11.1 Where a property is Abandoned, developed or used illegally and in contravention of the Municipality's bylaws and regulations, the Municipality may change its category to the Unauthorised or Illegal Development / Use category.

12. SECTIONAL TITLE PROPERTIES

12.1 Exclusive use areas registered with the Registrar of Deeds shall be valued together with the units concerned;

12.2 Exclusive use areas in terms of the Rules of the Body Corporate shall form part of the common property;

12.3 units not used for residential purposes shall not benefit from residential rebates or reductions;

12.4 Unregistered units shall form part of the Developers rights or the holder of such rights;

12.5 the Municipality may value real rights of extension, the owner of which shall be the Holder of such right;

12.6 Where a developer pursues a phased development, the bulk land shall be valued in accordance with 12.5 above;

12.7 Where rights are being traded, the rights may be included in the valuation roll.

13. PAYMENT AND RECOVERY OF RATES

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

14. PUBLIC PARTICIPATION

Refer to item 4.3 of the Tariff and Surcharge Policy.

15. GENERAL

15.1 The CFO or his nominee may hear representations where applications for rebates or exemptions have been rejected and he/his nominee may take a decision, based on the spirit of the Policy, that is binding.

THE RATES POLICY WILL BE AVAILABLE FOR PERUSAL FREE OF CHARGE AT ALL MUNICIPAL OFFICES AND THE CITY HALL, DURBAN.

## PUBLIC NOTICE

### INVITATION FOR TRAINING ON THE ETHEKWINI-EPWP INFRASTRUCTURE / BUILDING LEARNERSHIP PROGRAMME II FOR EMERGING CONTRACTORS

The eThekweni Municipality is considering embarking on a second contractor / supervisor learnership programme that is part of the Expanded Public Works Programme, provided the application for funding is approved by Department of Labour (DOL) and/or Construction Education and Training Authority (CETA). The learnership will commence during the first quarter of 2010. This is structured as a formal learnership programme and is a joint initiative of the eThekweni Municipality, the National Department of Public Works and the Construction Education and Training Authority (CETA). The programme intends to develop emerging contractors into sustainable construction companies able to execute labour-intensive projects. The emphasis of the programme is to develop entre-

preneurial, business, and technical skills required within the construction industry.

**SELECTION CRITERIA**

A. Requirements for Applicants

1. Selection will, in the first instance, be area based where possible. The applying contractor must be a registered construction company (e.g. cc, Pty Ltd) with an original valid tax clearance certificate.

2. At the time of application the applying contractor must be registered with the Construction Industry Development Board and have a civil and/or building CIDB classification. Failure to present proof of registration will result in disqualification. A predetermined number of companies will be selected at the different CIDB levels between Class 1 and Class 4.

3. The applying construction company needs to apply as a team of two persons: One 'contractor' who will enter an NQF level 4 contractor learnership and one 'site supervisor' who will enter a NQF level 4 construction supervisor learnership. There will need to be a profit share or

company membership agreement as well as a buy and sell arrangement in place between 'contractor' and 'supervisor'.

4. The person applying as the contractor should meet the following requirements:

- Be literate and numerate in English.
- Have an academic qualification of Grade 10 or Higher (with Grade 10 mathematics).

Consideration will be given to Recognition of Prior learning for those applicants that do not meet the qualification.

- Be willing to enter a full time learnership contract (2 years) for Construction Contractor NQF Level 4. (eThekweni contracts will be awarded on a price negotiated basis during the programme)
- Be willing to employ a learner supervisor in terms of a formal employment agreement for the period of the learnership and provide a minimum of 1 year employment post learnership.

5. The person applying as construction supervisor should meet the following requirements:

- Be literate and numerate in

English.

- Have an academic qualification of Matric - grade 12 or Higher (with Grade 11 mathematics).

Consideration will be given to Recognition of Prior learning for those applicants that do not meet the qualification.

- Be willing to enter into a full time learnership contract (2 years) for Construction Supervisor at NQF Level 4.
- Be employed by the contractor in terms of a formal employment agreement for the period of the learnership and a minimum of 1 year post learnership.

B . Experience of Applicants

This learnership programme targets those historically disadvantaged people passionate about the construction industry with the objective of empowering them to ensure that they emerge as sustainable enterprises. The following characteristics will count in their favor in the selection process:

- Experience in the construction and building sector
- Experience in owning / running or managing a business
- Higher qualifications than the

minimum specified

- Access or ownership of capital of assets that would be useful for the contracting company.
- BEE compliance

C . Tests

Short-listed applicants will be required to do a written test that requires them to be literate and numerate in English.

D . Evaluation

Further evaluation through scoring will be effected on test results, experience, and related qualifications. These four categories will be weighed as follows:

- Test Results: 30%
- Experience: 60%
- Qualifications: 10%

E . Completion and Submission of Application Forms and supporting documentation:

All the forms listed on the application form must be completed. Non-completion or non-submission of all these forms will result in disqualification.

- Application forms will be available at the security desk at the following address.
- All signed and fully completed

application forms must be submitted together with all supporting documentation in a sealed envelope at the following address. Non-completion of application forms will result in disqualification.

**Closing Date for submissions:** 22nd January 2010

**Time:** 12:00hrs

**Place for submissions:** 2 Club Lane, Pinetown (Security Desk)

**Attention:** Mr. A Bajinath

F . Compulsory briefing sessions: Only candidates who meet the above criteria and qualifications will be contacted to attend the above compulsory briefing sessions to be held at a later date, failure to attend the briefing sessions will result in disqualification.

NB: APPLICANTS ARE REMINDED THAT THE ABOVE LEARNERSHIP WILL ONLY BE IMPLEMENTED WHEN FUNDS ARE AVAILABLE.

## PUBLIC NOTICE

### LOAN OF R500 MILLION FROM NEDBANK LONG TERM FINANCE FOR CAPITAL EXPENDITURE

The information required in terms of section 46 (3) (a) (ii) of the Municipal Finance Management Act (56 of 2003), is as follows:-

(a) **Particulars of the loan:** The

raising of the long term loan of R500 million from Nedbank, repayable in six monthly installments over a period of seven years to finance capital expenditure as approved in the medium term budget.

(b) **Amount of loan:** R500 million

(c) **Purpose of loan:** To finance capital expenditure as set out in the approved

medium term budget.

(d) **Security:** Not applicable

Interested members of the local community may inspect the draft loan agreement at City Hall, Dr Pixley kaSeme Street, Durban during office hours. Written comments or representations in writing may be submitted to the Municipal Manager, City Hall, Dr Pixley kaSeme Street, Durban or

before 08 January 2010. If any person cannot write he/she may, during office hours, contact Ms Nomcebo Zondi on (031) 311 1626, who will assist with the recording of the comments or representations.

Dr M.O. Sutcliffe  
Municipal Manager  
11 December 2009

The Supply Chain Management Unit of eThekweni Municipality invites all service providers that are currently and/ or interested in doing business with the municipality to update and register their business information onto a centralized database. This is in line with the requirements of Regulation 14 (1b) of the eThekweni SCM Policy.

Forms can be collected and returned to 166 K E Masinga (Old Fort) Road, 6th floor, City Engineers Building and/or Electricity Department 1 Jelf Taylor Crescent, Ground Floor Contracts Section. For enquiries call Fathima Milazi on 031 322 7011 or Nokwethemba Manyoni on 031 322 7010.