



## THE SUPREME COURT OF APPEAL OF SOUTH AFRICA

### MEDIA SUMMARY OF JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

**FROM** The Registrar, Supreme Court of Appeal  
**DATE** 30 November 2012  
**STATUS** Immediate

*Please note that the media summary is for the benefit of the media and does not form part of the judgment.*

***Saldanha Bay Municipality v Britannia Beach Estate (Pty) Ltd & others***  
**(796/2011) [2012] ZASCA 206 (30 November 2012)**

The Supreme Court of Appeal (SCA) today upheld an appeal against an order of the Western Cape High Court, Cape Town involving the tariff for the calculation of bulk infrastructure contribution levies, reversing an order of that court that declared certain resolutions of the appellant's counsel to be of no force and effect and to further order the appellants to account to the respondents in respect of levies paid in the past.

The SCA held that the high court erred in its analysis and found that the payment of contributions were validly imposed conditions in terms of the Land Use Planning Ordinance applicable in the Western Cape and enforceable independent of resolutions by the municipal council.

As a result the appeal was upheld with costs, including the costs of two counsel.