



THE PROVINCE OF MPUMALANGA
DIE PROVINSIE MPUMALANGA

Provincial Gazette Provinsiale Koerant

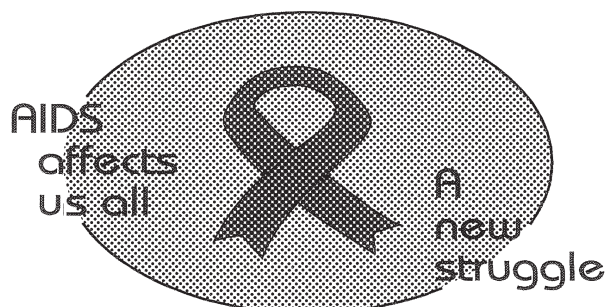
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Vol. 23

NELSPRUIT
22 JULY 2016
22 JULIE 2016

No. 2714

We all have the power to prevent AIDS



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HELPLINE**

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DEPARTMENT OF HEALTH

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ISSN 1682-4518



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IMPORTANT ANNOUNCEMENT**Closing times for the ORDINARY WEEKLY
MPUMALANGA PROVINCIAL GAZETTE 2016**

*The closing time is **15:00** sharp on the following days:*

- 13 May 2016, Friday for the issue of Friday 20 May 2016
- 20 May 2016, Friday for the issue of Friday 27 May 2016
- 27 May 2016, Friday for the issue of Friday 03 June 2016
- 03 June 2016, Friday for the issue of Friday 10 June 2016
- 09 June 2016, Thursday for the issue of Friday 17 June 2016
- 17 June 2016, Friday for the issue of Friday 24 June 2016
- 24 June 2016, Friday for the issue of Friday 01 July 2016
- 01 July 2016, Friday for the issue of Friday 08 July 2016
- 08 July 2016, Friday for the issue of Friday 15 July 2016
- 15 July 2016, Friday for the issue of Friday 22 July 2016
- 22 July 2016, Friday for the issue of Friday 29 July 2016
- 29 July 2016, Friday for the issue of Friday 05 August 2016
- 04 August 2016, Thursday for the issue of Friday 12 August 2016
- 12 August 2016, Friday for the issue of Friday 19 August 2016
- 19 August 2016, Friday for the issue of Friday 26 August 2016
- 26 August 2016, Friday for the issue of Friday 02 September 2016
- 02 September 2016, Friday for the issue of Friday 09 September 2016
- 09 September 2016, Friday for the issue of Friday 16 September 2016
- 16 September 2016, Friday for the issue of Friday 23 September 2016
- 23 September 2016, Friday for the issue of Friday 30 September 2016
- 30 September 2016, Friday for the issue of Friday 07 October 2016
- 07 October 2016, Friday for the issue of Friday 14 October 2016
- 14 October 2016, Friday for the issue of Friday 21 October 2016
- 21 October 2016, Friday for the issue of Friday 28 October 2016
- 28 October 2016, Friday for the issue of Friday 04 November 2016
- 04 November 2016, Friday for the issue of Friday 11 November 2016
- 11 November 2016, Friday for the issue of Friday 18 November 2016
- 18 November 2016, Friday for the issue of Friday 25 November 2016
- 25 November 2016, Friday for the issue of Friday 02 December 2016
- 02 December 2016, Friday for the issue of Friday 09 December 2016
- 08 December 2016, Thursday for the issue of Friday 16 December 2016
- 15 December 2016, Thursday for the issue of Friday 23 December 2016
- 22 December 2016, Thursday for the issue of Friday 30 December 2016

LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2016

NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1000 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3000** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwonline.co.za

All re-submissions will be subject to the standard cut-off times.

All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 12h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 12h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES**NOTICE SUBMISSION PROCESS**

3. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.
4. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
5. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
6. Each notice submission should be sent as a single email. The email should contain **all documentation relating to a particular notice submission**, each as a separate attachment:
 - 6.1. Electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 6.1.1. For National *Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 6.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 6.2. Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 6.3. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should also be attached as a separate attachment. (See specifications below, point 11).
 - 6.4. Any additional notice information if applicable.
7. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
8. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
9. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
10. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

11. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
 - 11.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).
 - 11.2. The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

CANCELLATIONS

12. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
13. Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

14. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

15. All notices not meeting the submission rules 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). Reasons for rejections include the following:
 - 15.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
 - 15.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
 - 15.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
 - 15.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**APPROVAL OF NOTICES**

16. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
17. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

18. The Government Printer will assume no liability in respect of—
 - 18.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - 18.2. 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;
 - 18.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

19. 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.

CUSTOMER INQUIRIES

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

20. Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
21. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

22. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
23. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
24. 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.
25. 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 future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
26. 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**.
27. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

28. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwonline.co.za free of charge, should a proof of publication be required.
29. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*.

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:

Government Printing Works
149 Bosman Street
Pretoria

Postal Address:

Private Bag X85
Pretoria
0001

GPW Banking Details:

Bank: ABSA Bosman Street
Account No.: 405 7114 016
Branch Code: 632-005

For Gazette and Notice submissions: Gazette Submissions:

For queries and quotations, contact: Gazette Contact Centre:

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

E-mail: info.egazette@gpw.gov.za

Tel: 012-748 6200

Contact person for subscribers: Mrs M. Toka:

E-mail: subscriptions@gpw.gov.za

Tel: 012-748-6066 / 6060 / 6058

Fax: 012-323-9574

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 98 OF 2016**GOVAN MBEKI MUNICIPALITY****PERMANENT CLOSURE OF A PARK IN SECUNDA EXTENSION 10**

It is hereby notified in terms of Section 68 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939), as amended, that the Govan Mbeki Municipality intends to permanently close Erf 4776 (park), Secunda Extension 10 located at Nelson Mandela Drive, in order to alienate the property.

A plan indicating the locality of the Park to be closed is open for inspection during normal office hours at the Department of Technical and Engineering Services, Southern wing, Municipal Offices, Secunda for a period of 30 (thirty) days from the date of publication of this notice.

Any person desirous of objecting to the proposed permanent closure or the alienation of the park, or who wishes to make recommendations, or who will have any claim for compensation if such closure is executed, should lodge such objection, recommendation or claim, as the case may be, in writing to the Municipal Manager, Private Bag X1017, Secunda 2302 to reach him within 30 (thirty) days from the date of publication of this notice.

If more information is required, please phone Ms. Sabeth Nkosi at telephone nr. 017 620 6053.

Mr. M. F. MAHLANGU, Municipal Manager (Notice No.48/2016)

KENNISGEWING 98 VAN 2016**GOVAN MBEKI MUNISIPALITEIT****PERMANENTE SLUITING VAN 'N PARK IN SECUNDA UITBREIDING 10**

Kennis geskied hiermee ingevolge artikel 68 van die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie 17 van 1939), soos gewysig, van die Govan Mbeki Munisipaliteit se voorneme om 'n park bekend as Erf 4776 (park), Secunda uitbreiding 10 geleë in Nelson Mandela Weg, permanent te sluit, met die doel om die eiendom te vervreem.

Besonderhede van die voorgenome sluiting lê gedurende kantoorure ter insae by die kantoor van die Direkteur, Tegnieke en Ingenieursdienste, Govan Mbeki Munisipaliteit vir 'n tydperk van 30 (dertig) dae vanaf die datum van publikasie van hierdie kennisgewing.

Enige beswaar of verhoë in hierdie verband moet binne 30 dae vanaf publikasie van hierdie kennisgewing skriftelik aan die Munisipale Bestuurder, Privaatsak X1017, Secunda 2302 gerig word.

Vir enige navrae, kontak Mrs. Sabeth Nkosi by telefoon no. 017 620 6053.

Mr. M. F. MAHLANGU, Munisipale Bestuurder (Kennisgewing No.48/2016)

PROCLAMATION • PROKLAMASIE

PROCLAMATION 24 OF 2016

MBOMBELA LOCAL MUNICIPALITY



CREDIT CONTROL AND DEBT COLLECTION POLICY AND BY-LAW

Review Date: May 2016.

Page 1

CREDIT CONTROL AND DEBT COLLECTION POLICY AND BY-LAW

This policy and by-law is applicable to Mbombela Local Municipality only. In terms of Section 80 of the Local Government: Municipal Systems Act, 32 of 2000, the Municipality may enter into service delivery agreements with service providers to provide municipal services to customers.

1. Objectives

The objectives of the policy are to:

- (a) Provide a framework within which the municipal council can exercise its executive and legislative authority with regard to credit control and debt collection;
- (b) Ensure that all monies due and payable to the municipality are collected and used to deliver municipal services in the best interests of the community, residents and ratepayers and in a financially sustainable manner¹;
- (c) Outline the procedures that will ensure that the members of the local community is afforded the opportunity to contribute in the decision-making processes of the municipality and that they are informed of the decisions and affairs of the municipality;
- (d) Set realistic targets for debt collection;
- (e) Outline credit control and debt collection policy procedures and mechanisms; and
- (f) Provide a framework to link the municipal budget to
 - Indigent support; and
 - Tariff policies.

2. Principles

- (a) The administrative integrity of the municipality must be maintained at all costs. The democratically elected officials (councillors) are responsible for policy-making, while it is the responsibility of the municipal manager to execute these policies.
- (b) All customers must complete an official application form formally requesting the municipality to connect them to service supply lines.

¹ Section 96(a) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) provides that a municipality must collect all money that is due and payable to it subject to this Act and any other applicable legislation.

- (c) A copy of the application form, conditions of services and extracts of the relevant council's credit control and debt collection policy and by-laws must be handed to every customer on request.
- (d) Billing is to be accurate, timeous, and understandable and subject to the provisions of the National Credit Act, 2005.
- (e) The customer is entitled to reasonable access to pay points and to a variety of reliable payment methods.
- (f) The customer is entitled to an efficient, effective and reasonable response to complaints and appeals, and should suffer no disadvantage during the processing of a reasonable request or appeal.
- (g) Enforcement of payment must be prompt, consistent and effective.
- (h) Fraud/criminality will lead to loss of rights and heavy penalties and/or public prosecution.
- (i) Incentives and disincentives may be used in collection procedures.
- (j) The collection process will be efficient and cost-effective and all costs incurred by Council relating to the credit control and debt collection process shall be recovered from the customer.
- (k) Results will be regularly and efficiently reported.
- (l) Application forms will be used to categorise customers, to determine the amount of the deposit payable by the customer and whether the customer qualifies for indigent support, pre-payment or credit meters. Council may not unfairly discriminate amongst customers, and must at all times act fairly and objectively.
- (m) New applications for services will be subject to prescribed credit information and outstanding amounts may be transferred to a new account. All information furnished on the application form may be verified by Council with any or all data information institutions, credit information bureau and/or any financial institutions as may be deemed necessary by Council in determining the applicant's credit worthiness.
- (n) Where alternatives are available Council may provide reduced levels of service to manage the debt growth.
- (o) Customers may be referred to 3rd party debt collection agencies and may be placed on a national credit rating listing.
- (p) Interest charges will be levied on overdue accounts at the rate determined by Council from time to time, will be levied from the due date if not paid by the following due date and will be calculated for a full month(s) irrespective of when payment is made. The interest charged will appear in the following month's account.

- (q) As part of the arrangements made to repay debt the customer may be required to co-operate with any reasonable measures that might be required to reduce the level of use of consumptive services to affordable levels.
- (r) Although customer care and debt collection are inter-related issues, they should be performed by two separate divisions.
- (s) Indigent households will be identified and supported. Welfare is to be separated from tariff and credit control issues and will be supported by appropriate and affordable policies and practices. Indigent support will be introduced within council's financial ability.
- (t) Targets for performance in both customer service and debt collection will be set and pursued and remedies implemented for non-performance.
- (u) Human dignity must be upheld at all times.
- (v) The policy must be implemented with equity, fairness and consistency.
- (w) Debts and arrangements to repay debts shall be treated holistically, but different repayment periods or methods may be determined for different types of service, customers or areas within the general rule that the repayment period should be in sympathy with the instalments that the customer can afford.

3. Duties, functions and responsibilities of role-players

3.1 *Duties and functions of the Executive Mayor*

- (a) To oversee and monitor the implementation and enforcement of this policy and by-laws enacted to give effect to the policy;¹
- (b) To monitor the performance of the Municipal Manager in implementing the policy and by-laws².
- (c) To, when necessary, review and evaluate the policy and by-laws in order to improve the efficiency of Council's credit control and debt collection procedures, mechanisms and processes³.
- (d) To report to Council⁴.

Section 99 of the Local Government: Municipal Systems Act, 2000 provides that the executive mayor must –

(a) Oversee and monitor –

¹ (i) The implementation and enforcement of the municipality's credit control and debt collection policy and any by-laws enacted in terms of section 98; and

² (ii) The performance of the municipal manager in implementing the policy and any by-laws.

³ (b) When necessary, evaluate or review the policy and any by-law, or the implementation of the policy or such by-laws, in order to improve efficiency of its credit control and debt collection mechanisms, processes and procedures; and

⁴ (c) At such intervals as may be determined by the Council report to a meeting of the Council, except when the Council itself performs the duties mentioned in paragraph (a) and (b).

3.2 Duties and functions of the Municipal Manager (delegated to Revenue Management)

- (a) To implement good customer care management.
- (b) To implement council's credit control and debt collection policy.
- (c) To install and maintain an appropriate accounting system.
- (d) To bill customers.
- (e) To demand payment on due dates.
- (f) To raise penalties for defaults.
- (g) To appropriate payments received.
- (h) To collect outstanding debt.
- (i) To provide different payment methods.
- (j) To determine credit control measures.
- (k) To determine work procedures for public relations, arrangements, disconnections of services, summonses, attachments of assets, sales in execution, write-off of debts, sundry debtors and legal processes.
- (l) To appoint firm/s of attorneys or collection agents to assist with the execution of his/her duties, where necessary.
- (m) To set performance targets for staff.
- (n) To appoint staff to execute council's policy and by-laws in accordance with council's staff policy.
- (o) To delegate certain functions to senior managers.
- (p) To determine control procedures.
- (q) To report to the Finance Committee, who in return will report to the Executive Mayor.

3.3 Responsibilities of communities, ratepayers and residents

- (a) To fulfil certain responsibilities, as brought about by the privilege and or right to use and enjoy public facilities and municipal services.
- (b) To pay service fees, rates on property and other taxes, levies and duties imposed by the municipality.
- (c) To observe the mechanisms and processes of the municipality in exercising their rights.
- (d) To allow municipal officials reasonable access to their property to execute municipal functions.
- (e) To comply with the by-laws and other legislation of the municipality.
- (f) To refrain from tampering with municipal services and property.

POLICY PRINCIPLES

4. Customer Care and Management ¹

4.1 Communication and feedback

4.1.1 The municipality will, within its financial and administrative capacity, conduct an annual process of compiling its budget which will include:

- a) A First Budget Meeting, in January, wherein the Finance Committee will consider budget priorities, principles and a budget framework.
- b) A first round of public meetings will then be called, to invite at least the following: political parties; ratepayers and civic organisations; chambers of business and organised labour; the general public and other interested parties, at which the budget priorities, principles and framework will be outlined and debated.
- c) Need identification workshops will be conducted in all wards, the objects of which will be:
 - i) To identify all the needs of the wards that is legitimately in the area of responsibility of the council.
 - ii) To involve the community in prioritising these needs.
 - iii) To involve the community in Council's planning, and to provide the community with much basic information.
 - iv) To inform the community of the levels of payment and non-payment in that ward, and to devise strategies in that regard.
- d) A council workshop, which will marry the results of the first budget meeting, the public meetings, and the need identification workshops with Council's Integrated Development Plan.
- e) Thereafter Council's draft Capital and Operating budgets, informed by the above processes, will go through Council's Mayoral committee for the creation of a draft budget.
- f) This draft budget, with tariff and rate implications, will then be presented to a second round of public meetings.
- g) Thereafter a final draft of the budget appears before Council for approval.

4.1.2 Council's Credit Control and Debt Collection Policy and By-Laws will be available in English and any other official language upon specific request.

1. Section 95(a) of the Local Government: Municipal Systems Act, 2000 provides that a municipality must, within its financial and administrative capacity, establish a sound customer management system that aims to create a positive and reciprocal relationship between persons liable for payments and the municipality.

- 4.1.3 Council will endeavour to distribute a regular newsletter, which will give prominence to customer care and debt issues.
- 4.1.3 Ward councillors will be required to hold regular ward meetings, at which customer care and debt issues will be given prominence.
- 4.1.4 The press will be encouraged to give prominence to Council's Customer Care and Debt issues, and will be invited to Council meetings where these are discussed.
- 4.1.5 Council aims to establish:
 - a) A central complaints/feedback office;
 - b) A centralized complaints database to enhance co-ordination of complaints, their speedy resolution and effective communication with customers;
 - c) Appropriate training for officials dealing with the public to enhance communications and service delivery; and
 - d) A communication mechanism to give council feedback on service, debt and other issues of concern.

4.2 Opening of Services Agreements for Owners and Tenants

(a) (Residential)

- 4.2.1 No tenant accounts will be opened with effect from 01 July 2016. All Services Agreements will be entered into with the owners of the properties.
- 4.2.2 All existing tenant accounts will be subjected to the following conditions:
 - 4-2-2.1 Owners may allow a tenant to sign a separate agreement with the municipality, which the municipality may accept.
 - 4-2-2.2 On default by a tenant, the owner is jointly and severally liable for payment.
 - 4-2-2.3 Owners must co-sign all service agreements with their tenants wherein owners shall bind themselves as sureties and co- principal debtors for the due fulfilment of the obligations of their tenants.
 - 4-2-2.4 It is the duty of owners to ensure that tenants are not in arrears with payments of their accounts.
 - 4-2-2.5 Council will, within financial and human resource constraints, endeavour to inform property owners regarding the performance of their tenants in terms of the service agreement.
 - 4-2-2.6 In the agreement, customers will acknowledge that the information supplied is correct and that they accept liability for all costs of collection, and interest and penalties, in the event of delayed payment. Owners must however give written consent before any extension of payment shall be granted to tenants.

(b) Business

- (i) Council may require that applications for services for businesses, including but not limited to, trusts, body corporate, companies, close corporations, partnerships and sole proprietors or any other juristic person must include the submission of a resolution delegating authority to the applicant and furnishing, if applicable, the business entity's registration number or IT number.
- (ii) It may also require that the names, addresses and all relevant contact particulars of all the business's directors or members or trustees or proprietors or partners be submitted with the resolution and, at the discretion of the Chief Financial Officer, at least one partner/member/director/trustee to bind him/herself in his/her personal capacity as surety and co-principle debtor for the due fulfilment of all of the business'/legal entity's obligations.
- (iii) The person, who signs the agreement on behalf of the business, shall warrant that he/she is duly authorised to do so, that the information supplied is true and correct and that the business is trading in solvent circumstances.

4.3 Customer screening and securities

- 4.3.1 All applicants for municipal services may be checked for credit-worthiness including checking information from banks, credit bureau, local authorities, trade creditors, and employers and all information furnished by the customer may be verified by Council.
- 4.3.2 Security deposits either in cash or any other security acceptable to the municipality will be taken, and may vary according to the risk. The municipal Council shall from time to time determine the criteria for the categories in terms whereof customers shall be graded as well as the amount of the deposit payable in each category.
- 4.3.3 The Municipality can, in consultation with the community, increase deposits at any time and implement such increases over an agreed period.
- 4.3.4 Deposits can vary according to the credit-worthiness or legal category of the applicant.
- 4.3.5 The municipality will not pay any interest on deposits.
- 4.3.6 On the termination of the agreement the amount of the deposit less any outstanding amount due to the municipality will be refunded to the consumer.
- 4.3.7 In assessing the credit worthiness of a customer, the Municipality may not unfairly discriminate amongst customers, and the credit assessment must be fair and objective.

4.4 Accounts and billing¹

Customers will receive an understandable and accurate bill from the municipality, which bill will consolidate all service costs for that property.

- 4.4.1 Accounts will be produced in accordance with the meter reading cycle and due dates are linked to the statement date.
- 4.4.2 Accounts will be rendered monthly in cycles of approximately 30 days at the address last recorded with the municipality. .
- 4.4.3 It is the customer's responsibility to ensure timeous payment in the event of accounts not received or received late.
- 4.4.4 It is the customer's responsibility to ensure that Council is immediately informed in writing of any change of address.
- 4.4.5 Settlement or due date is within 7 days of the beginning of each month.
- 4.4.6 The issuing of final demand by way of email or cell phone text message will also be accepted as a proper demand sent in terms of this policy
- 4.4.7 Where an account is not settled in full, any lesser amount tendered and accepted shall not be deemed to be in full and final settlement of such an account, even where a dispute exists.
- 4.4.8 Discretion in terms of negotiable amounts as per this policy is delegated to the Chief Financial Officer with the right to sub-delegate.
- 4.4.9 At all times the most financially beneficial arrangement to Council must be entered into whilst still retaining the principles of this policy.

Where any payment made to the municipality by negotiable instrument is later dishonoured by the bank, the municipality:

- (a) May recover the average bank charges incurred relating to dishonoured negotiable instruments against the account of the customer;
- (b) Shall regard such an event as default on payment;
- (c) May refuse to accept further cheques from the drawer or beneficiary;
- (d) May place the matter on the national adverse credit listing;
- (e) May institute legal action which may include criminal charges against the offender.

- 4.4.10 The municipality must, if administratively possible, issue a duplicate account to a customer on request, against payment of the prescribed fee.

¹ Section 95 (d) of the Local Government: Municipal Systems Act, 2000 provides that a municipality must, within its financial and administrative capacity take reasonable steps to ensure that the consumption of services has to be measured through accurate and verifiable metering systems.

- 4.4.11 When services are discontinued and the customer applies for services at a different address, Council reserves the right to transfer any outstanding amounts to a customer's new account.

4.5 *Metering¹*

- 4.5.1 The municipality will endeavor, within practical and financial limits, to provide meters to every paying client for all meter able services.
- 4.5.2 All meters will be read monthly, if at all possible. If the meter is not read monthly the council will average the consumption for the preceding three months.
- 4.5.3 Customers are entitled to request verification of meter readings and accuracy within reason, but may be held liable for the cost thereof.
- 4.5.4 Customers will be informed of meter replacements in writing.
- 4.5.5 If a service is metered but it cannot be read due to financial and human resource constraints or circumstances out of the control of the municipality or its authorised agent, and the customer is charged for an average consumption the account following the reading of the metered consumption must articulate the difference between the actual consumption and the average consumption, and the resulting credit or debit adjustments.

4.6 *Right of access to premises*

- 4.6.1 The owner and or occupier of premises must give an authorised representative of the municipality access at all reasonable hours to the premises in order to read, inspect, install or repair any meter or service connection for reticulation, or to disconnect, stop or restrict, or reconnect, the provision of any service².
- 4.6.2 The owner accepts the cost of relocating a meter if satisfactory access is not possible.
- 4.6.3 If a person contravenes 4.6.1 the municipality may:
- (a) By written notice require such person to restore access at his/her own expense within a specified period.
 - (b) If it is the opinion that the situation is a matter of urgency, without prior notice restore access and recover the cost from such person.

4.7 *Payment facilities and methods and stop orders and debit orders*

¹ Section 95 (e) provides that a municipality must ensure that persons liable for payments receive regular and accurate accounts that indicate the basis for calculating the amount due.

² Section 101 provides that the occupier of premises in a municipality must give an authorised representative of the municipality access at all reasonable hours to the premises in order to read, inspect, install or repair any meter or service connection for reticulation, or to disconnect stop or restrict the provision of any service.

- 4.7.1 The municipality will operate and maintain suitable banking and cash facilities which facilities will be accessible to all users.
- 4.7.2 The municipality will, at its discretion, allocate all payments received and a customer who has overdue debt may not specify that the payment is for a specific portion of the account.
- 4.7.3 The municipality may, with the consent of a customer, approach an employer to deduct an agreed amount from the employee's weekly or monthly wages/salary to pay towards arrear municipal accounts.
- 4.7.4 The customer will acknowledge, in the customer agreement, that the use of customer agents in the transmission of payments to the municipality is at the risk of the customer – also for the transfer time of the payment – and the customer shall be liable for any additional bank costs which is levied, apart from the normal service charges connected to such a payment.

4.8 *Enquiries, appeals and service complaints*

- 4.8.1 If a customer is convinced that his or her account is inaccurate, he or she can lodge a written request with the municipality for recalculation of this account¹.
- 4.8.2 The customer must furnish full personal and/or business particulars, the relevant account number, direct contact number, addresses and any other relevant particulars required by Council.
- 4.8.3 In the interim the customer must pay the average of the last three months account where history of the account is available. Where no such history is available the customer is to pay an estimate provided by the municipality before payment due date until the matter is resolved.
- 4.8.4 The relevant department will give a written acknowledgement of receipt of the request, investigate the matter and inform the customer in writing of the outcome of the investigation and supply details thereof.
- 4.8.5 Any adjustments to the customer's account will be done within one month.
- 4.8.6 Failure to make interim payment or payments will make the customer liable for disconnection.
- 4.8.7 After having been informed of Council's authorised official's decision, a customer may lodge an appeal against that decision by giving written notice of the appeal and reasons to the municipal manager within 21 days of the date of notification of the decision. The municipal manager shall commence with the appeal within six weeks and shall decide the appeal within a reasonable period. His/her decision shall be final and will result in the immediate

¹ Section 95 (f) of the Local Government: Municipal Systems Act, 2000 provides that a municipality must provide accessible mechanisms for those persons to query or verify accounts and metered consumption, and appeal procedures which allow such persons to receive prompt redress for inaccurate accounts.

implementation of any credit control and debt collection measures provided for in this policy after the customer is provided with the outcome of the appeal. .

4.8.8 The same dispute/enquiry/complaint will not be reconsidered.

4.8.9 If the customer is not satisfied with the outcome of his/her appeal, he/she must first under protest pay the amount in dispute before redressing his/her action in a court of law. Notwithstanding anything to the contrary contained herein, the authorised official and/or municipal manager may not allow or cause to allow the debt referred to in the dispute to prescribe.

4.8.10 The payment of an amount may not be withheld as a result of a dispute and the Municipality may in such an event proceed with debt collection subject to the provisions of the National Credit Act, 2005.

4.9 Business who tender to the Municipality

4.9.1 The Procurement Policy and Tender Conditions are to include the following:

- i. When inviting tenders for the provision of services or delivery of goods, potential contractors may submit tenders subject to a condition that consideration and evaluation thereof will necessitate that the tenderer obtain from the municipality a certificate stating that all relevant municipal accounts owing by the tenderer or its directors, owners or partners have been paid or that suitable arrangements (which include the right to set off in the event of non-compliance) have been made for payment of any arrears.
- ii. A municipal account to mean any municipal service charge, tax or other fees, fines and penalties, due in terms of a contract or approved tariff or rate, which is outstanding after the due date normally appearing on the consolidated account or overdue in terms of the contract or any other due date that has passed.
- iii. Tender conditions contain a condition allowing the municipality to deduct moneys owing to the municipality from contract payments in terms of a reasonable arrangement with the tenderer.

4.10 Incentives for prompt payment

4.10.1 The municipality may, to encourage payment, and to reward good payers consider from time to time incentives for the payment of accounts.

4.10.2 Such incentive schemes, if introduced, will be reflected in annual budgets as additional expenditure.

- 4.10.3 A 1% (one percent) rebate will be effected as per 4.10.1 above
- 4.10.4 The percentage rebate will be effected for all accounts paid by the 1st (first) of every month.
- 4.10.5 The account must not be in arrears in order to qualify for the percentage rebate.
- 4.10.6 Government accounts shall not qualify for the percentage rebate.

4.11 Customer assistance programmes

4.11.1 Water leakages

- 4.11.1.1 If the leakage is on the side of the customer the customer is responsible for the payment of the full account, subject to the municipality's water services by-laws.
- 4.11.1.2 The customer has the responsibility to control and monitor his/her consumption.

4.11.2 Rate rebates

- 4.11.2.1 Properties used exclusively for residential purposes may qualify for a rebated rate determined annually by Council.
- 4.11.2.2 A rate rebate may be granted to old-age pensioners or the receiver of a State disability grant as determined by Council from time to time. To qualify for the concession the following minimum criteria will apply in addition to the criteria as determined by Council in Council's tariff policy:
- Application must be made each year and reach the Chief Financial Officer on or before 30 June.
 - The applicant must be the registered owner of the property, shall not sub-let any portion of the dwelling or take in boarders or have any employed children or family members living on the property.
 - The applicant should not own any other immovable property.
 - The property must be readily accessible to municipal staff for the purpose of carrying out of inspections.

4.11.3 Arrangements for settlements

- 4.11.3.1 Notwithstanding an arrangement between the municipality and a customer whereby the customer is allowed to pay arrear amounts in instalments, the municipality may restrict and/or discontinue services until such time as the arrear payments are paid in full.
- 4.11.3.2 If a customer cannot pay his/her account with the municipality then the municipality may enter into an extended term of payment with the customer. He/she must:

- i. Sign an acknowledgement of debt;
- ii. Sign a consent to judgement in terms of Section 57 of the Magistrate's court Act 32 of 1944;
- iii. Consent to a garnishee order/emolument order/stop order (if he or she is in employment);
- iv. Acknowledge that interest will be charged at the prescribed rate and in the manner determined by Council from time to time and that the particulars of the customer will be listed with credit bureau;
- v. Pay the current portion of the account in cash every month; and
- vi. Sign an acknowledgement that, if the arrangements are being negotiated later defaulted on, the full outstanding balance will become due and payable, that no further arrangements will be possible and that the restriction and/or disconnection of water and/or electricity will continue as will legal proceedings.

4.11.3.3 Customers with electricity arrears must agree to the conversion to a prepayment meter upon request of Council, and when implemented the cost of which, together with the arrears total, will be paid off either by

- i. adding it to the arrears bill and repaying it over the agreed period; or
- ii. adding it as a surcharge to the prepaid electricity cost, and repaying it with each purchase of electricity until the debt is liquidated.

4.11.3.4 Council reserves the right to raise the deposit/security requirement in accordance with paragraph 4.3 of customers who seek arrangements or who default in terms thereof.

4.11.3.5 The customer may be required to prove levels of income and must agree to a monthly payment towards arrears on his/her ability to pay or based on his total liquidity if Council so requires.

4.11.3.6 All negotiations with the customer should strive to result in an agreement that is sustainable and is most beneficial to Council.

4.11.3.7 Council may, in the sole discretion of the Chief Financial Officer or any other person authorised by him/her, refuse to allow any further arrangements should a customer default on any arrangement.

4.11.3.8 All arrangements shall be subject to periodic review.

4.11.3.9 Any arrangement for extension of payment shall be subject to the prior written consent by the owner.

4.11.4 Rates by instalments

4.11.4.1 Customers will be given the opportunity to pay the property rates account monthly in instalments, as determined by Council from time to time.

5. Credit Control and Debt Collection

5.1 Enforcement Mechanisms

5.1.1 Water, electricity and other services¹

- 5.1.1.1 Accounts must be paid by the due date shown on the account. Customers who are in arrears with their municipal account will have their supply of electricity and water, and other municipal services, suspended, restricted or disconnected.
- 5.1.1.2 When the municipal account is not paid on the due date shown on the account and unless permission for a deferred payment has been granted, a written warning of possible disconnection if the account is not paid will be forwarded to the customer as soon as practically possible
- 5.1.1.3 The customer will be deemed to have received the notice on the same day if delivered by hand, e-mail or fax, on the third day after date of posting if posted by ordinary mail and on the fourth day after date of posting if posted by registered mail.
- 5.1.1.4 If payment is not received by the due date as reflected in the notice, the supply will be disconnected without further notice.
- 5.1.1.5 A notice shall be left at the property advising that the supply has been disconnected, warning that all electric points should be considered live and that all water outlets should be closed. The notice must also advise that the supply will only be reconnected after the total balance of the amount specified in the notice, as well as the prescribed reconnection fee has been paid. The notice must also warn of the consequences of unauthorised reconnection.
- 5.1.1.6 The delegated official(s) shall have the authority to approve arrangements for delayed payment in terms of this policy.
- 5.1.1.7 Businesses shall be required to pay all arrears and prescribed fees before services are restored.
- 5.1.1.8 Subject to Council's capacity at the time to restore such service, disconnected services will be restored within a reasonable period of time after the customer produces proof of payment of the required amount.
- 5.1.1.9 Services will only be restored during the official business hours of Council, except in the case of an emergency (in the discretion of Council), when an additional after hours fee will be charged as prescribed by Council.
- 5.1.1.10 The onus is always on the customer to request reconnection and prove payment was made.
- 5.1.1.11 Council reserves the right to deny or restrict the sale of electricity or water to customers who are in arrears with their rates or other municipal charges.

- 5.1.1.12 Council reserves the right to disconnect the service of a tenant if the owners account is in arrears.
- 5.1.1.13 The cost of the restriction or disconnection, and the reconnection, will be determined by tariffs agreed by Council, and will be payable by the customer.
- 5.1.1.14 Should a customer default in terms of an arrangement, Council may refuse further extension of payment and the full outstanding amount due to Council will be payable. The full outstanding amount will be payable before services are reconnected.
- 5.1.1.15 Customers who make no further use of any services but still owe an amount are classified as inactive and who, after the rendering of a second inactive account to their latest known postal addresses, shall be handed over to the internal collections division. Should no payment be received in response to a letter of demand addressed to the above-mentioned address, the particulars of the customer and the fact of non-payment shall be listed with ITC, subject to the provisions of the National Credit Act, 2005. If the outstanding amount warrants it, further legal action may be instituted for recovery of the outstanding balance.
- 5.1.1.16 Credit control measures on employee accounts will be enforced as per Municipal Systems Act, Act 32 of 2000 Schedule 2 ;s10
- 5.1.1.17 Credit control measures on councillors' accounts will be enforced as per Municipal Systems Act, Act 32 of 2000 Schedule 1;s12A

5.1.2 Rates

Annual Rates (and other annual levies)

- 5.1.2.1 If the account is not paid by the due date as displayed on the account a notice shall be issued showing the total amount owed to Council.
- 5.1.2.2 If the account is not settled or there is no response from the customer to make acceptable arrangements to repay the debt, summons shall be issued and the legal process followed.
- 5.1.2.3 In instances where the rates debt is in respect of Municipal property sold by suspensive sale agreement or in terms of a lease agreement, the collection thereof will be done in terms of the Deed of Sale or lease agreement or any subsequent applicable written agreement between Council and the customer.
- 5.1.2.4 During the process of debt collection, Council shall within reason give customers an opportunity to make arrangements for payment of arrear accounts without having to resort to sales in execution, which shall be utilized as a last resort. Council shall however not hesitate to proceed with sales in execution where no arrangements have been made or where alternatives provided by Council from time to time are not used.

- 5.1.2.5 Any debtor may be granted the opportunity of converting to paying rates monthly for the following financial year.

Monthly Rates

- 5.1.2.6 Interest will be charged on all overdue accounts at an interest rate that shall be determined by Council from time to time.
- 5.1.2.7 Customers can make application to the Council to pay current and future rates monthly, the approval of which is at the sole discretion of the Chief Financial Officer with the right to sub-delegate.
- 5.1.2.8 The monthly amount payable for current annual rates will be calculated to allow the total balance of such amount to be paid in equal instalments within the period determined by Council from time to time, but at least by the end of that financial year.
- 5.1.2.9 If a customer's account is in arrears for 30 days, a notice shall be delivered to the customer demanding payment of the arrear amount. The customer will be deemed to have received the notice on the same day if delivered by hand, e-mail or fax, on the third day after date of posting if posted by ordinary mail and on the fourth day after date of posting if posted by registered mail. Should the customer fail to pay the arrears by the due date stipulated in the notice, the full outstanding balance of the annual rates shall become due and payable and Council may institute legal action for the recovery thereof.
- 5.1.2.10 If the amount due for rates levied in respect of a property is unpaid by the owner of the property after the date determine by Council from time to time, the municipality may recover the amount in whole or in part from a tenant or occupier of the property in terms of the provisions of s28 and s29 of the Municipal Property Rates Act No 6 of 2004.
- 5.1.2.11 For amounts owing for property rates where a prepaid electricity meter is connected on the property; such amounts will be recovered from the purchase of prepaid electricity.
- 5.1.2.12 50% (Fifty percent) of the tendered amount for purchasing of prepaid electricity will be recovered for payment of property rates as per 5.1.2.11 above.
- 5.1.1.13 The other 50% will then be allocated for the purchase of prepaid electricity.

5.1.3 Sundry and housing accounts

- 5.1.3.1 A letter of demand shall be forwarded in respect of all accounts 30 days in arrears and should payment not be received by the due date, legal action may be instituted forthwith. The debtor will be deemed to have received the notice on the same day if delivered by hand, e-mail or fax, on the third day after date of posting if posted by ordinary mail and on the fourth day after date of posting if posted by registered mail.

- 5.1.3.3 Property purchased from Council by way of suspensive sale agreement shall be repossessed in terms of the written agreement, subject to the provisions of the National Credit Act, 2005.
- 5.1.3.4 Once a property has been repossessed, the debtor will not be eligible for reinstatement of the agreement or to purchase any other property from Council by way of suspensive sale agreement.
- 5.1.2 Interest on overdue accounts
- 5.1.2.1 Interest will be raised as a charge on all accounts not paid by the due date in accordance with applicable legislation and as determined by Council from time to time.¹ Interest will be levied and capitalised monthly in arrears, on the monthly outstanding balance, from the due date, if not paid by the due date, and will be calculated for a full month(s) irrespective of when payment is made. The interest charged will appear on the following month's account.
- 5.1.3 Personal contact
- 5.1.3.1 Telephonic contact
- 5.1.3.2 Officials/agents calling on clients
- 5.1.3.2.1 Council will endeavour, within the constraints of affordability, to make personal or telephonic contact with arrear customers to encourage their payment, and to inform them of their arrears state, and their rights (if any) to conclude arrangements or to indigence subsidies, and other related matters, and will provide information on how and where to access such arrangements or subsidies.
- 5.1.3.2.2 The municipality shall maintain a schedule of customers with large amounts outstanding, the cut-off amount to be agreed by Council from time to time, and will maintain intensive contact with these customers.
- 5.1.3.2.3 Such contact is not a right for customers that customers enjoy – disconnection of services and other collection proceedings will continue in the absence of such contact for whatever reason.
- 5.1.4 Legal Process/Use of attorneys/Use of credit bureaus
- 5.1.4.1 Council may, when any debtor is 90 days in arrears, commence legal process against that debtor, which process could involve final demands, summonses, judgments, garnishee and emolument attachment orders, financial enquiries and/or sales in execution of movable and immovable property, subject to the provisions of the National Credit Act, 2005.

¹ Section 97 (e) of the Local Government: Municipal Systems Act, 2000 provides that a credit control and debt collection policy must provide for interest on arrears, where appropriate.

- 5.1.4.2 Council will exercise strict control over this process, to ensure accuracy and legality within it, and will require regular reports on progress from outside parties, be they attorneys or any other collection agents appointed by council.
- 5.1.4.3 Council will establish procedures and codes of conduct with these outside parties.
- 5.1.4.4 All steps in the credit control procedure will be recorded for Council's records and for the information of the debtor.
- 5.1.4.5 All costs of this process are for the account of the customer.
- 5.1.4.6 Individual customer accounts are protected and are not the subject of public information. However Council may release debtor information to credit bureaus and other institutions lawfully entitled to such information. This release will be in writing and this situation will be included in Council's agreement with its customers.
- 5.1.4.7 Council may consider the cost effectiveness of this process, and will receive reports on relevant matters, including cost effectiveness.
- 5.1.4.8 Council may consider the use of agents, and innovative debt collection methods and products. Cost effectiveness, the willingness of agents to work under appropriate codes of conduct and the success of such agents and products will be part of the agreement Council might conclude with such agents or product vendors; and will be closely monitored by Council
- 5.1.4.9 Customers will be informed of the powers and duties of such agents and their responsibilities including their responsibility to observe agreed codes of conduct.
- 5.1.4.10 Any agreement concluded with an agent or product vendor shall include a clause whereby breaches of the code of conduct by the agent or vendor will see the contract terminated.
- 5.1.4.11 Only payment in full of the outstanding balance reflected on the account shall be deemed acceptable payment before a customer's particulars are removed from any adverse credit listing. In the case of default judgments entered into against customers, the customer shall at its own cost appoint an attorney to set aside the judgment, after payment of the full outstanding balance has been made to Council.

5.2 *Theft, tampering & fraud*

- 5.2.1 Any person (natural or juristic) found to be illegally connected or reconnected to municipal services, interfering or tampering with meters, reticulation network or any other supply equipment or committing any unauthorised service associated with the supply of

municipal services, as well as theft and damage to Council property, will be prosecuted and/or liable for penalties as determined from time to time. ¹

- 5.2.2 Council will immediately terminate the supply of services to a customer should such conduct as outlined above be detected.
- 5.2.3 The total bill owing, including penalties, assessment of unauthorised consumption, damages and discontinuation and reconnection fees, and increased deposits as determined by Council if applicable, becomes due and payable before any reconnection can be sanctioned.
- 5.2.4 Council will maintain monitoring systems and teams to detect and survey customers who are undertaking such illegal actions.
- 5.2.5 Council may distinguish in its penalties between cases of vandalism and cases of tampering.
- 5.2.6 Subsequent acts of tampering will lead to penalties and deposits increasing in quantum.
- 5.2.7 Council reserves the right to lay criminal charges and to take any other legal action against both vandals and thieves and any person that contravenes any of Council's By-Laws or any other applicable legislation.
- 5.2.8 Any person failing to provide information or providing false information to the municipality may face immediate disconnection/restriction of services.

5.3 *Cost of collection*

- 5.3.1 All costs and charges pertaining to the credit control processes as set out herein, interest, administration costs, all penalties, surcharges, damages, service discontinuation and reconnection costs and all legal costs, fees and disbursements associated with credit control and debt collection are for the account of the customer and should reflect at least the actual cost of the particular action.

5.4 *Irrecoverable debt*

- 5.4.1 The Municipal Manager must ensure that all avenues are utilized to collect the municipality's debt.
- 5.4.2 There are some circumstances that allow for the valid termination of debt collection procedures:
 - i. The insolvency or demise of the debtor, whose estate has insufficient funds;
 - ii. A balance being too small to recover, for economic reasons considering the cost of recovery;

¹ Section 97 (h) of the Local Government: Municipal Systems Act, 2000 provides that a credit control and debt collection policy must provide for matters relating to unauthorised consumption of services theft and damages.

- iii. Prescription;
- iv. When the debtor relocates and three tracing agents are unable to trace the current whereabouts of the debtor;
- v. All reasonable notifications and cost effective legal avenues to recover the outstanding amount have been exhausted;
- vi. The amount outstanding is the residue after payment of a dividend in the Rand from an insolvent estate;
- vii. It is impossible to prove the debt outstanding;
- viii. The outstanding amount is due to an administrative error by Council or by Council Resolution, on good cause shown.

5.4.3 The municipality will maintain audit trails in such an instance, and document the reasons for the abandonment of the debt.

5.4.4 The schedules setting out particulars of the debt and the reasons for abandonment, together with a written request authorising the writing off of the indicated debt must be presented to:

- (i) The manager in charge of credit control and debt collection for debts at R1, 00 – R25 000, 00 per customer;
- (ii) The senior manager in charge of credit control and debt collection for debts at R25 000, 00 – R 75 000, 00 per customer;
- (iii) The chief financial officer for debts at R75 000, 00 – R150 000, 00 per customer;
- (iv) The municipal manager for debts at R150 000, 00 – R200 000, 00 per customer;
- (v) The executive mayor for debts above R200 000, 00 per customer;

5.4.5 Notwithstanding the above, Council or its authorised officials will be under no obligation to write off any particular debt and will always have the sole discretion to do so.

5.5 Rates clearance

5.5.1 On the sale of any property in the municipal jurisdiction, Council will withhold the transfer until all amounts due in connection with that property for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties during the two years preceding the date of application for a clearance certificate have been fully paid, by withholding a rates clearance certificate.

- 5.5.2 In terms of Section 118(3) of the Act an amount due for municipal service fees, surcharge of fess, property rates and other municipal taxes, levies and duties is a charge upon the property in connection with the amount is owing and enjoys preference over any bond registered against the property.
- 5.5.3 Accordingly, all such municipal debts shall be a charge upon the property, the subject thereof, and shall be payable by the owner of such property.
- 5.5.4 Transfer of outstanding debt on a closed account to the owners account(refer to section 118(3) of the Act

6. Performance Evaluation

6.1 *Income Collection Targets*

Council shall create targets that include:

- i. Reduction in present monthly increase in debtors in line with performance agreements determined by council.

6.2 *Customer Service Targets*

Council shall create targets that will include:

- i. Response time to customer queries.
- ii. Date of first account delivery to new customers.
- iii. Reconnection time lapses.
- iv. Meter reading cycles.

6.3 *Administrative Performance*

Council shall create targets that will include:

- i. Cost efficiency of debt collection.
- ii. Query rates.
- iii. Enforcement mechanism ratios.

- 6.4 Council will create a mechanism wherein these targets are assessed; Council's performance is evaluated and remedial steps taken.

7. Reporting to Council

- 7.1. The Chief Financial Officer shall report quarterly to the Municipal Manager in a suitable format to enable the municipal Manager to report to the Finance Committee, who will report to the Executive Mayor, who will report to Council. This report shall report on:
- i. Cash flow information for the capital and operating accounts, and combined situation, showing Council's actual performance against its cash flow budgets.

- ii. Cash collection statistics, showing high-level debt recovery information (numbers of customers; enquires; default arrangements; growth or reduction of arrear debtors; ideally divided into areas, business (commerce and industry) domestic, state, institutional and other such divisions.
- iii. Performance of all areas against targets agreed to in item 6 of this policy document.
- iv. Council's ongoing income and expenditure statements, comparing both billed income and cash receipt income, against ongoing expenditure in both the capital and operating accounts.

7.2. If in the opinion of the Chief Financial Officer, Council will not achieve cash receipt income equivalent of the income projected in the annual budget as approved by Council, the Chief Financial Officer will report this with motivation to the Municipal Manager who will, if he agrees with the Chief Financial Officer, immediately move for a revision of the budget according to realistically realizable income levels.

8. Indigent support policy

All Indigent related matters must be referred to the Council approved Indigent policy.



MBOMBELA LOCAL MUNICIPALITY

MBOMBELA PROPERTY RATES BY-LAW

ARRANGEMENT OF THIS BY- LAW

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MBOMBELA PROPERTY RATES BY-LAW

The Mbombela Local Municipality, In terms of section 6 of the Local Government: Municipal Property Rates Act 6 of 2004, has by way of Council resolution A (3) of 31 May 2016 adopted the Municipality's Property Rates By law set out hereunder.

PREAMBLE

WHEREAS section 229 of the Constitution (Act 108 Of 1996) that a municipality may impose rates on property and surcharges on fees for the services provided by or on behalf of the municipality.

AND WHEREAS section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), read with section 162 of the Constitution require a municipality to promulgate municipal by – laws by publishing them in the gazette of the relevant province.

AND WHEREAS section 6 (1) of the Local Government Municipal Property Rates Act, 2004 as amended, requires a municipality to adopt by laws to give effect to the implementation of its property rates policy;

AND WHEREAS section 6 (2) of the Local Government Municipal Property Rates Act, 2004 as amended, provides that by-laws adopted in terms of 6(1) may differentiate between the different categories of properties and different categories of owners of properties liable for the payments of rates.

PART ONE: DEFINITIONS

Any words and phrases in this by-law shall have the same meaning and interpretation as assigned in terms of the said Municipal Property Rates Act and for this purpose lists hereunder the definitions used in the Act to be mutatis mutandis applied in this by-law:

Unless the context indicates otherwise:

Act	Means the Local Government: Municipal Property Rates Act (Act 6 of 2004).
Child Headed Household	Means a household recognized as such in terms of section 137 of the Children's Amendment Act, 41 of 2007.
Actual Use	Means actual activities that are taking place on the property.
Agent	In relation to the owner of a property, means a person appointed by the owner of the property: (a) to receive rental or other payments in respect of the property on behalf of the owner; or (b) To make payments in respect of the property on behalf of the owner.

Agricultural purposes	In relation to the use of a property, excludes the use of a property for the purpose of ecotourism or for the trading in or hunting of game.
Annually	Means once every financial year.
Category	<p>(a) In relation to property, means a category of properties determined in terms of Section 8 of the Act; and</p> <p>(b) In relation to owners of properties, means a category of owners determined in terms of Section 15(2) of the Act;</p>
Community services	Means any services which the expenditure of rendering of such a service is financed from the revenue generated from property rates;
Council	Means the Council of the Mbombela Local Municipality;
Date of valuation	Means the date determined by the Municipality in terms section 31(1);
Disabled people	Means a person who qualifies to receive relief in terms of the Social Services Act. 1992 (Act No. 59 of 1992) or has been certified as disabled by a medical practitioner;
Disaster	Means a disaster within the meaning of the Disaster Management Act (57 of 2002); or any other serious adverse social or economic condition.
Effective date	<p>(a) In relation to a valuation roll, means the date on which the valuation roll takes effect in terms of Section 32(1) of the Act; or</p> <p>(b) In relation to a supplementary valuation roll, means the date on which a supplementary valuation roll takes effect in terms of Section 78(2) (b) of the Act.</p>
Exclusion	In relation to a municipality's rating power, means a restriction of that power as provided for in Section 17 of the Act.

Exemption	In relation to the payment of a rate, means an exemption granted by a municipality in terms of Section 15 of the Act.
Financial year	Means the period starting from 1 July in each year to 30 June the following year.
Income Tax Act	Means the Income Tax Act, 1962 (Act No. 58 of 1962)
Indigent household	Means an owner of property who is in permanent occupation of the property and qualifies for indigent relief in terms of the municipality's indigent policy, shall include state pensioner, child-headed household, disabled people, household without income or with income that falls within a certain threshold and medical boarded people;
Illegal use	Where any person uses land or buildings or causes it to be used in conflict with the provisions of the town planning scheme in operation.
Land reform beneficiary	<p>In relation to a property, means a person who:</p> <ul style="list-style-type: none">(a) acquired the property through:<ul style="list-style-type: none">(i) the Provision of Land and Assistance Act, 1993 (Act No. 126 of 1993); or(ii) the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994);(b) holds the property subject to the Communal Property Associations Act, 1996 (Act No. 28 of 1996); or(c) holds or acquires the property in terms of such other land tenure reform legislation as may pursuant to Section 25(6) and (7) of the Constitution be enacted after this Act has taken effect.
Land Tenure right	Means an old order right or a new order right as defined in Section 1 of the Communal Land Rights Act, 2004.
Local community	<p>In relation to a municipality:</p> <ul style="list-style-type: none">(a) means that body of persons comprising:<ul style="list-style-type: none">(i) the residents of the municipality;

- (ii) the ratepayers of the municipality;
 - (iii) any civic organisations and nongovernmental, private sector or labour organisations or bodies which are involved in local affairs within the municipality; and
 - (iv) visitors and other people residing outside the municipality who, because of their presence in the municipality, make use of services or facilities provided by the municipality; and
- (b) Includes, more specifically, the poor and other disadvantaged sections of such body of persons.

Local Municipality

Means a municipality that shares municipal executive and legislative authority in its area with a district municipality within whose area it falls, and which is described in Section 155(1) of the Constitution as a category B municipality. Establish in terms of section 12 of the Municipal Structures Act No. 117 of 1998.

Market Value

In relation to a property, means the value of the property determined in accordance with Section 46 of the Act;

Municipal Finance Management Act

Means the Local Government: Municipal Finance Management Act No. 56 of 2003;

Municipal Manager

Means a person appointed in terms of Section 82 of the Municipal Structures Act;

Newly rateable property

Means any rateable property on which property rates were not levied before the end of the financial year preceding the date on which this Act took effect, excluding:

- (a) a property which was incorrectly omitted from a valuation roll and for that reason was not rated before that date; and
- (b) A property identified by the Minister by notice in the Gazette where the phasing in of a rate is not justified.

Non-profit organization

Means any organization which is registered in terms of the Non- profit Organizations Act.

Occupier	In relation to a property, means a person in actual occupation of a property, whether or not that person has a right to occupy the property;
Organ of State	Means an organ of state as defined in Section 239 of the Constitution.
Owner	<p>(a) In relation to a property referred to in paragraph (a) of the definition of property, means a person in whose name ownership of the property is registered in a register;</p> <p>(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;</p> <p>(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</p> <p>(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 Act be regarded by a municipality as the owner of a property in the following cases:</p> <p>(i) A trustee, in the case of a property in a trust excluding state trust land;</p> <p>(ii) An executor or administrator, in the case of a property in a deceased estate;</p> <p>(iii) A trustee or liquidator, in the case of a property in an insolvent estate or in liquidation;</p> <p>(iv) A Judicial manager, in the case of a property in the estate of a person under judicial management:</p>

- (v) A curator, in the case of a property in the estate of a person under curatorship;
- (vi) A person in whose name a usufruct or other personal servitude is registered, in the case of a property that is subject to a usufruct or other personal servitudes; or
- (vii) 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;
- (viii) A lessee in the case of property that is registered in the name of the municipality and is leased by it.

Permitted use

In relation to a property, means the limited purposes for which the property may be used in

terms of:

- a) any restrictions imposed by:
 - (i) a condition of title;
 - (ii) a provision of a town planning or land use scheme; or
- b) any legislation applicable to any specific property or properties; or
- c) any alleviation of any such restrictions;

Person

Means natural and legal person including an organ of state.

Prescribe

Means prescribe by regulation in terms of section 83 of the Act

Privately owned township

Means single properties, situated in an area not ordinary being serviced by the municipality, divided through sub – divisions or township establishment units (ten or more) full title stands and/ or sectional units and where all services inclusive of water, electricity, sewerage and refuse removal and roads development are installed at the full cost of the developer and maintained and rendered by the residents of

			such estate or township.
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;
Property Register			Means a register of properties referred to in Section 23 of the Act.
Protected area			Means an area that is or has to be listed in the register referred to in Section 10 of the Protected Areas Act.
Protected Areas Act			Means the National Environmental Management: Protected Areas Act, 2003
Publicly controlled			Means owned by 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 Municipal Systems Act
Public Benefit Organization			
Property			Means property owned by public benefit organizations and used for any specified public benefit activity listed in item 1 (welfare and humanitarian), item 2 (health care), and item 4 (education and development) of part 1 of the Ninth Schedule to the Income Tax Act
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 a 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 communication system serving the public;
- g) Runways or apron 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 navigational 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; or
- j) Rights of way, easements or servitudes in connection with infrastructure mentioned in paragraphs (a) and (i)

Rate or rates

Means a municipal rate on property envisaged in section 229 (1) (a) of the Constitution;

Rates Policy

Rates Policy” means the Mbombela Municipal Property Rates Policy adopted in terms of section 3 of the Act;

Rateable property	Means a property on which a municipality may in terms of Section 2 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 a property, means a discount granted in terms of Section 15 of the Act on the amount of the rate payable on the property.
Reduction	In relation to a rate payable on a property, means the lowering in terms of section 15 of the Act of the amount for which the property was valued and the rating of that property at the lower amount.
Register	<p>a) means to record in a register in terms of –</p> <ul style="list-style-type: none"> (i) the Deeds Registries Act, 1937 (Act No. 47 of 1937); or (ii) the Mining Titles Registration Act, 1967 (Act No. 16 of 1967); and <p>b) Includes any other formal act in terms of any other legislation to record :</p> <ul style="list-style-type: none"> (i) a right to use land for or in connection with mining purposes; or (ii) a land tenure right;
Residential property	Means a property included in a valuation roll in terms of Section 48 (2) (b) of the Act as residential.
Sectional Titles Act	The Sectional Titles Act, 1986 (Act No. 95 of 1986)
Sectional Title Scheme	A scheme defined in Section 1 of the Sectional Titles Act;
Smallholding	Means a property recorded in the Deeds Registry Database as being an Erf and zoned for Agricultural usage in terms of an adopted Town Planning Scheme.
Sectional title unit	A unit defined in Section 1 of the Sectional Titles Act;
Small, very small and micro	Means businesses as per the criteria set by the National

business	Small Business Act No. 102 of 1996 schedule;
Special rating area	Means a geographic area within which property owners agree to pay for certain services supplementary to those supplied by the municipality. These services are financed by levying an additional rate, which is added to the rate in a rand of the property owners within the precinct;
Specified public benefit activity	An activity listed in item 1 (welfare and humanitarian), item 2 (health care) and item 4 (education and development) of Part 1 of the Ninth Schedule to the Income Tax Act.
State Trust Land	Means land owned by the state: <ul style="list-style-type: none"> a) in trust for persons communally inhabiting the land in terms of a traditional system of land tenure; b) over which land tenure rights were registered or granted; or c) which is earmarked for disposal in terms of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994)
The Municipality	Means the Mbombela Local Municipality;

PART TWO: OBJECTS OF THE BY-LAW

2.1 The object of this by-law is to give effect to the implementation of the Rates Policy as contemplated in section 6 of the Act.

PART THREE: FUNDAMENTAL PRINCIPLES OF THIS BY-LAW

THE PRINCIPLES OF THE BY-LAW ARE TO ENSURE THAT:

The power of the municipality to impose rates on property within its area will not be exercised in a way that materially and unreasonably prejudices national economic policies, economic activities or the national mobility of goods, services, capital or labour as prescribed in terms of Section 229 of the Constitution of the Republic of South Africa;

- 3.1 All ratepayers, in a specific category, as determined by council from time to time, will be treated equitably;
- 3.2 Property rates will be assessed on the market value of all rateable properties in the jurisdiction of the municipality and for the purpose of generating revenue to balance the budget after taking into account:

- 3.2.1 Profits generated on trading and economic services; and
- 3.2.2 The amounts required to finance exemptions, rebates and reductions of rates as approved by the municipal council from time to time;
- 3.3 Property rates will not be used to subsidize trading and economic services.
- 3.4 The rates income generated by the municipality will take into account relief measures to address the social and economic needs of the community;
- 3.5 This By-Law and amendment thereof will be developed in consultation with the community and in compliance with a process of community participation in terms of Chapter 4 of the Municipal Systems Act.

PART FOUR: ADOPTION AND IMPLEMENTATION OF RATES POLICY

- 4.1 The Council of the municipality shall adopt by majority vote and implement a rates policy consistent with the Act on the levying of rates on rateable property within the jurisdiction of the municipality;
- 4.2 The municipality shall not be entitled to levy rates other than in terms of its rates policy.

PART FIVE: CONTENTS OF THE RATES POLICY

The rates policy shall, inter alia:

- 5.1 Apply to all rates levied by the Municipality pursuant to the adoption of its Annual Budget;
- 5.2 Comply with the requirements for:
 - 5.2.1 the adoption and contents of a rates policy specified in section 3 of the Act;
 - 5.2.2 the process of community participation specified in section 4 of the Act; and
 - 5.2.3 the annual review of a rates policy specified section 5 of the Act.
- 5.3 Provide for principles, criteria and implementation measures that are consistent with the Municipal Property Rates Act for the levying of rates which the Council may adopt; and
- 5.4 Provide for enforcement mechanisms that are consistent with the Municipal Property Rates Act and the Local Government: Municipal System Act, 2000 (Act no. 32 of 2000) as amended.

PART SIX: CATEGORIES OF PROPERTIES AS DETERMINED IN TERMS OF SECTION 8 OF THE ACT AND AS IN THE RATES POLICY FOR DIFFERENTIAL RATING PURPOSES

- 6.1 For the purposes of differential rates, the following categories of rateable property have been determined, being:

6.1.1 Residential Property

Means improved property that:

- (a) Is used for residential purposes including any adjoining property registered in the name of the same owner and used together with such residential property as if it were one property. Any such grouping shall be regarded as one residential property for rate rebate or valuation reduction purposes;
- (b) Is a unit registered in terms of the Sectional Title Act and used for residential purposes.

For the purpose of the rates policy, the following are excluded as residential purposes

Hotels
Guesthouses and Lodges
Time share units used for holiday purposes

6.1.2 Business Property

Means property that is used for business, commercial and industrial purposes.

6.1.3 Agricultural Property

Means a property used for bona fide agricultural purposes in which the property owner deriving his principal source of income from the produce of the land on such property. Agricultural/farming property not used for bona fide agricultural/farming purposes shall be rated according to the actual use thereof.

6.1.4 State or Government Property

Means property owned and used by the state excluding the kinds of publicly controlled infrastructure listed in the definition of Public Service Infrastructure.

6.1.5 Public Service Infrastructure

Means a property as defined by the Act.

6.1.6 Public Benefit Organization Property

Means property owned by public benefit organizations and used for any specified public benefit activity listed in item 1 (welfare and humanitarian), item 2 (health care), and item 4 (education and development) of part 1 of the Ninth Schedule to the Income Tax Act

6.1.7 Rural Communal Land

Means the residual portion of a rural communal land excluding identifiable and rateable entities within the property and excluding State Trust Land and land reform beneficiaries as defined in the Act.

6.1.8 State Trust Land

Means land owned by the state:

- (a) in trust for persons communally inhabiting the land in terms of a traditional system of a land tenure;
- (b) over which land tenure rights were registered or granted; and
- (c) which is earmarked for disposal in terms of the Restitution of Land Rights.

6.1.9 Municipal property

In relation to property shall mean those properties owned & exclusively used by the municipality;

6.1.10 Places of Public Worship

means a property registered in the name of and used primarily as a place of worship by a religious community, including an official residence registered in the name of that community which is occupied by an office bearer of that community who officiates at the services at that place of worship;

6.1.11 Protected area

Means an area that is, or has to be, listed in the register referred to in Section 10 of the Protected Areas Act.

6.1.12 other property

Means any property determined by the Municipality which is not associated with any of the categories of property listed above.

6.2 The basis of categorization of properties for rating purposes does not permit any illegal usage of such properties.

PART SEVEN: RELIEF MEASURES FOR PROPERTY OWNERS AS PROVIDED FOR IN THE PROPERTY RATES

- 7.1 The municipality will not grant reliefs in respect of the payment of rates other than by way of an exemption, rebate or reduction provided for in the property rate policy and are granted in terms of section 15 of the Act to:
- 7.1.1 A specified category of properties; or
 - 7.1.2 A specified category of owners of property as provided for hereunder.
- 7.2 The municipality will not grant relief to the owners of property:
- 7.2.1 On an individual basis.
 - 7.2.2 If the account is in arrears on the date of application.

PART EIGHT: MULTIPLE PURPOSE PROPERTIES

- 8.1 The municipality shall determine a method of assessing the value of multi-purpose properties applying the following;
- 8.1.1 The valuation for all other multiple-purpose properties will be assessed according to the actual uses of the property according to value.
- 8.2 With regard to the Rural Communal property;
- 8.2.1 It shall be considered as a multiple use property as a whole;
 - 8.2.2 That identifiable and rateable entities within the property (such as commercial leases and commercial and institutional in possession of permission to occupy) be identified, valued and rated individually, with the proviso that the municipality may extend this annually to include other identifiable entities as the data set is developed; and
 - 8.2.3 That the residual portion of the land be considered as the 'Residual' portion of the land for valuation, rating and rebate purposes and be exempted from the payment of rates as determined in the rates policy.

PART NINE: COMMUNITY PARTICIPATION

- 9.1 The municipality has conducted public participation and consultation processes in accordance with Chapter 4 of the Municipal Systems Act No. 32 of 2000 and Chapter 2 of this Act.

PART TEN: RECOVERY AND PAYMENT OF RATES

- 10.1 An owner of a rateable property shall be liable for a property rates account;
- 10.2 Property rates shall be recovered on a monthly basis over a twelve months period in

- equal installments;
- 10.3 Owners of rateable properties liable for the payment of property rates account shall be furnished with a written municipal account on a monthly basis;
- 10.4 If a person has not received a written account, that person must take the necessary inquiries from the municipality.
- 10.5 Payment of property rates with a single amount on or before 31 December of each year, shall be allowed on condition that;
- 12.4.1 The owner applies to the municipality in writing on a prescribed form for such deferment of the payment of the property rates account;
- 12.4.2 The owner has more than ten (10) property rates accounts with the municipality;
- 12.2.3 The application reaches the municipality before 30 June of each year; and
- 10.6 Interest on overdue property rates accounts shall not be levied until 31 December of each year in case of payment of property rates with a single amount for twelve months;
- 10.7 Rates in arrears shall be recovered from tenants and occupants of a property if the owner fails to pay the property rates account.
- 10.8 The Credit Control and Debt Collection By-Law shall apply in cases where the property rates accounts are in arrears.
- 10.9 The consolidation of property rates and services charge in one account and any appropriation of payments received shall be done by the municipality on a discretionary basis in accordance with the Credit Control and Debt Collection By-Law.
- 10.10 Interest on property rates in arrears shall be calculated and charged at prime rate which shall be applicable at 30 June plus one percent fixed over the twelve months period of the financial year.

PART ELEVEN SPECIAL RATING AREA

11. The establishment of or applications for establishment of special rating area(s) in terms of its City Improvement Districts By-Law shall be considered by the municipality.

PART TWELVE: REVIEW OF THIS BY-LAW

12. The By-Law shall be reviewed on an annual basis to ensure that it complies with the Municipality's strategic objectives and with legislation.

PART THIRTEEN: SHORT TITLE

13. This By-Law shall be known as Mbombela Property Rates By-Law.

PART FOURTEEN: IMPLEMENTATION OF THIS BY-LAW

14. This By-Law is the Rates By-law and shall be effective from 1 July 2016.

MBOMBELA LOCAL MUNICIPALITY



SOLID WASTE MANAGEMENT BY-LAW

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The Mbombela Local Municipality ("the Municipality") hereby publishes the Solid Waste Management By-laws set out below in terms of section 156(2) of the Constitution of the Republic of South Africa, 1996 and section 9(3)(a)-(d) of the National Environmental Management: Waste Act, 2008.

Preamble

WHEREAS the "Municipality" has the Constitutional obligation to provide services including waste removal, collection and disposal;

AND WHEREAS poor waste management practices can have adverse impact on the environment in and beyond Municipal boundaries;

AND WHEREAS the "Municipality" is committed to ensure that all residents, organisations, institutions, businesses, visitors or tourist and public bodies are able to access services from a legitimate waste service provider;

AND WHEREAS the "Municipality" wishes to regulate waste collection, separation, storage, processing, treatment, recycling, reuse and disposal of waste including littering and illegal dumping and the regulation of facilities used for the management of waste, with the ultimate aim of avoiding or minimizing the generation and impact of waste;

AND WHEREAS the "Municipality" promotes the waste hierarchy approach as outlined in the National Waste Management Strategy.

CHAPTER 1: DEFINITIONS, OBJECTIVES AND PRINCIPLES

1. Definitions

In these by-laws, any word or expression to which a meaning has been assigned in the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000); and associated regulations shall have the meaning so assigned and, unless the context indicates otherwise.

“building waste” includes all waste produced during the construction, alteration, repair or demolition of any structure, and includes building rubble, earth, vegetation and rock displaced during such construction, alteration, repair or demolition;

“bulky waste” means business waste or domestic waste which by virtue of its mass, shape, size or quantity is inconvenient to remove in the routine door-to-door council service provided by the council or service provider;

“by-law” means legislation passed by the municipality’s council which is binding on persons who resides within, visiting the area of authority of the municipality or using municipal services;

“garden waste” means organic waste which emanates from gardening or landscaping activities at residential, business or industrial premises including but not limited to grass cuttings, leaves, branches, and includes any biodegradable material and excludes waste products of animal origin and bulky waste;

“health care risk waste” means waste capable of producing any disease and includes, but is not limited to the following:

- (a) laboratory waste;
- (b) pathological waste;
- (c) isolation waste;
- (d) genotoxic waste;
- (e) infectious liquids and infectious waste;
- (f) sharps waste;
- (g) chemical waste; and
- (h) pharmaceutical waste;

“industrial waste” means waste generated as a result of manufacturing, maintenance, fabricating, processing or dismantling activities, but does not include building waste, business waste, special industrial waste, hazardous waste, health care risk waste or domestic waste;

“litter” means waste, excluding hazardous waste, arising from activities in public areas that has not been deposited of in a public litter container;

“municipality” means a municipality established in terms of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

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

“nuisance” means any injury, harm, damage, inconvenience or annoyance to any person which is caused in any way whatsoever by the improper handling or management of waste, including but not limited to, the storage, placement, collection, transport or disposal of waste or by littering;

“occupier(s)” in relation to any premises, means any person who is in actual occupation of such premises and if no person is in actual occupation thereof, any person who, whether as owner, lessee, licensee or otherwise has, for the time being, control of such premises and shall include a street trader who occupies a site for the purposes of such street trader's business;

“owner” means the registered owner, lessee or occupier of premises, or the person in charge or control of any premises or part thereof, who is over 18 years of age, and any person who obtains a benefit from the premises or is entitled thereto;

“receptacle” means an approved container having a capacity for temporary storage of waste in terms of these by-laws;

“service provider/ contractor” means the person, firm or company whose tender/quotation has been accepted by or on behalf of the Municipality and includes the contractor's heirs, executors, administrators, trustees, judicial managers or liquidators, as the case may be, but not, except with the written consent of the Municipality, any assignee of the contractor;

“tariff” means the prescribed charge determined by the Municipality in terms of any applicable legislation for any service rendered by the Municipality in terms of these by-laws.

2. Objectives of the by-laws:

(1) The objectives of these by-laws are to –

- (a) Give effect to the right contained in section 24 of the Constitution by regulating waste management within the area of the municipality's jurisdiction;
- (b) Provide, in conjunction with any other applicable law, an effective legal and administrative framework, within which the Municipality can manage and regulate waste management activities;
- (c) Ensure that waste is avoided, or where it cannot be altogether avoided, minimized, re-used, recycled, recovered, and disposed of in an environmental sound manner; and
- (d) Promote and ensure an effective delivery of waste services.

3. Scope of application

- (1) These by-laws must be read with any applicable provisions of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).
- (2) In the event of any conflict with any other by-law which directly or indirectly, within the jurisdiction of the municipality, regulates waste management, the provisions of this by-law shall prevail to the extent of the inconsistency.

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- (3) The by-laws do not override any other national and provincial waste related legislation.

4. Principles

- (1) Any person exercising a power in accordance with these by-laws must; at all times; seek to promote the waste management hierarchy approach as outlined in the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and the National Waste Management Strategy, which is promoting waste avoidance and minimisation, waste reuse, recycling and recovery, waste treatment and disposal.
- (2) The by-laws seek to promote sustainable development and environmental justice through fair and reasonable measures for the management of waste within the municipality's jurisdiction.
- (3) The by-laws promote participation of all municipal residents in the promotion of responsible citizenship by ensuring sound waste management practices within residential, commercial, public places, open spaces and industrial environments.

5. General duty of care

1. Every person has a duty to manage any waste generated by his or her activities or the activities of those persons working under his or her direction in such a manner that the waste does not cause harm to human health or damage to the environment. In particular, the person must ensure that:
 - (a) waste generation is avoided and where such waste cannot be avoided, minimise the toxicity and amounts of waste;
 - (b) waste is reduced, reused, recycled or recovered;
 - (c) where waste must be disposed of, the waste is treated and disposed in an environmentally sound manner;
 - (d) the waste is managed in such a manner that it does not endanger health or the environment or cause a nuisance through noise, odour or visual impacts.
2. Any person subject to the duty imposed in subsection (1) may be required by the Municipality or an authorised official to take measures to ensure compliance with the duty.
3. The measures referred to in subsection (2), that a person may be required to undertake include:-
 - (a) investigation, assessment and evaluation of the impact that their activities, the process or a situation have on the environment;
 - (b) informing and educating employees about the environmental risks of their work and the manner in which their tasks must be performed in order to avoid causing damage to the environment;
 - (c) ceasing, modifying or controlling any act, process, situation or activity which causes damage to the environment;
 - (d) containing or preventing the movement of pollutants or other causes of damage to the environment;
 - (e) eliminating or mitigating any source of damage to the environment; or
 - (f) rehabilitating the effects of the damage to the environment.

CHAPTER 2: SERVICE PROVIDERS

6. Service providers/ Contractors

- (1) The Municipality may discharge any of its obligations by entering into a service delivery agreement with a service provider or service providers in terms of the Municipal Systems Act, 2000.
- (2) Subject to the provisions of the Municipal Systems Act or any other legislation, the Municipality may assign to a service provider any power enjoyed by the Municipality under these by-laws: provided that the assignment is required for the service provider to discharge an obligation under its service delivery agreement, but the accountability shall remain with the Municipality.
- (3) Any reference in these by-laws to "Municipality or service provider" should be read as the "Municipality" if the Municipality has not entered into a service delivery agreement, and should be read as "service provider" if the Municipality has entered into a service delivery agreement.
- (4) Service providers must provide services in accordance with a customer charter which must be drawn up in consultation with the Municipality and which must-
 - (a) accord with the provisions of these by-laws;
 - (b) be accessible to the public;
 - (c) establish the conditions of the service including collection times; and
 - (d) provide for the circumstances in which Municipal services may be limited.

CHAPTER 3: PROVISION OF WASTE SERVICES

7. Storage and receptacles for general waste

- (1) Any person or owner of premises where general waste is generated must ensure that such waste is stored in a receptacle provided or approved by the Municipality.
- (2) Any person or owner of premises contemplated in subsection (1) must ensure that-
 - (a) the receptacle is stored inside the yard where applicable, away from the public area when still waiting for collection;
 - (b) on agreed collection date, it should be placed outside the premises in an area accessible to the municipal officials or service providers; at least 2m from the unit where it is generated
 - (c) pollution and harm to the environment is prevented;
 - (d) waste cannot be blown away and that the receptacle is covered or closed;
 - (e) measures are in place to prevent tampering by animals;
 - (f) nuisance such as odour, visual impacts and breeding of vectors do not arise;
 - (g) suitable measures are in place to prevent accidental spillage or leakage;
 - (h) the receptacle is intact and not corroded or in any other way rendered unfit for the safe storage or transportation of the waste;
 - (i) that a receptacle(s) provided by the Municipality is not used for any other purpose other than storage of waste;
 - (j) in cases where a receptacle (s) is damaged or corroded, the owner or occupier must notify the Municipality and arrange for replacement as soon as it comes to their attention;
 - (k) waste is only collected by the Municipality or authorised service provider; and

(l) in cases where an owner or occupier is not available on the day of collection, make necessary arrangements to ensure that waste is accessible for removal or collection.

8. Collection and transportation

- (1). The Municipality may -
 - (a) only collect municipal waste stored in approved receptacles;
 - (b) set collection schedules for both commercial, industrial and residential properties for reasons of health, safety or environmental protection.
 - (c) collect waste outside the set schedule on request by any person and at a fixed tariff agreed to by both parties prior to collection.
 - (d) set the maximum amount of quantities of waste that will be collected in its tariff structure;
 - (e) identify waste streams which may not be collected by the Municipality or which are unsuitable for collection; and where such a case exist, advise the owner of alternatives
- (2) Any person transporting waste within the jurisdiction of the Municipality must –
 - (a) Ensure that the receptacle or vehicle or conveyance is adequate in size and design for the type of waste transported and comply with applicable Road and Traffic Management Legislation and Guidelines;
 - (b) Remove or transport the waste in a manner that would prevent any nuisance or escape of material;
 - (c) Maintain the receptacle or vehicle or conveyance in a clean, sanitary condition at all times;
 - (d) Not permit waste transported to become detached, leak or fall from the receptacle or vehicle or conveyance transporting it;
 - (e) Ensure that waste is transported or deposited at a waste transfer station, recycling facility and/or disposal facility licensed to accept such waste;
 - (f) Ensure that the vehicle is not used for other purposes whilst transporting waste;
 - (g) apply to the Municipality to register as a transporter of waste in accordance with the requirements set out by the Municipality and adhere to all the conditions attached to the registration.

9. Waste transfer stations

- (1) Any holder of waste must –
 - (a) utilise appropriate waste transfer stations as directed by the Municipality or service provider; and
 - (b) Adhere to the operational procedures of a transfer station as set out by the Municipality.

10. Waste disposal

- (1) Waste generated in the municipal area must be disposed of at a waste disposal facility as directed by the Municipality.
- (2) In disposing of waste the operator of the site must comply with the provisions of any other legislation regulating the disposal of waste.
- (3) Any person disposing waste at a Municipal owned disposal site must adhere to the site operational procedures and rules approved by the Municipality.

- (4) All private waste disposal sites within the jurisdiction of the Municipality, must comply with all local norms and standards and any other relevant legislation.

CHAPTER 4: WASTE MINIMIZATION AND RECYCLING

11. Storage, separation and collection of recyclable domestic waste
- (1) Any person who is undertaking any activity involving reduction, re-use, recycling or recovery of waste including scrap dealers, by-back centres and formalised recycling groups must before undertaking that activity, make sure that the activity is less harmful to the environment than the disposal of such waste and must notify the Municipality of an intention to undertake such an activity in writing.
- (2) Any person undertaking the activities contemplated in subsection (1) must adhere to the requirements set out in national or provincial legislation.
- (3) The Municipality may require any person or owner of premises to separate their waste and use different receptacles provided by the Municipality or service provider.
- (4) In cases where the Municipality, service provider or industry has provided separate receptacles for recyclable material, no person may use other receptacles for recyclable material.

CHAPTER 5: WASTE INFORMATION

12 Registration and provision of waste information

- (1) Any person who conducts an activity, which has been identified in terms of provincial and/or national waste information system must, upon request, present to the Municipality proof that such an activity is registered and reporting the required information.
- (2) The Municipality may, at its own discretion and as reasonably possible, require any facility, person or activity to register and report to the Municipality any other information for the purpose of facilitating effective waste management within its jurisdiction.

CHAPTER 6: PROVISION FOR REGISTRATION OF TRANSPORTERS

13 Requirements for registration

- (1) Any person who transports waste for gain must adhere to the requirements as set out in section 25 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).
- (2) The Municipality may, by notice in the provincial gazette, require any person or category of transporters to register and report to the Municipality information as set out in that notice. The notice may include but not limited to-
- (a) the application forms;
 - (b) a prescribed fee;
 - (c) renewal intervals;
 - (d) list of transporters, types and thresholds of waste transported;
 - (e) minimum standards or requirements to be complied with.

CHAPTER 7: LISTED WASTE MANAGEMENT ACTIVITIES

14. Commencement, conducting or undertaking of listed waste management activities
- (1) Any person conducting a listed waste management activity listed in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), must upon request by an official of the Municipality, provide proof of compliance with the requirements of a licence issued by the competent authority.
 - (2) Any person conducting or intending to conduct any activity contemplated in subsection 7 (1) must, at least sixty (60) days before commencement, conducting or undertaking such activity, inform the Municipal waste management officer in writing of the intention.

CHAPTER 8: GENERAL PROVISIONS

15. Duty to provide facilities for litter

- (1) The Municipality, or owner of premises in the case of privately owned land, must take reasonable steps to ensure that sufficient and appropriate receptacles are provided for the discarding of litter by the public, in any place to which the public has access.
- (2) The Municipality, or owner of privately owned land, must ensure that all receptacles installed on the premises for the collection of litter are –
 - (a) maintained in good condition;
 - (b) suitably weighted and anchored so that they cannot be inadvertently overturned;
 - (c) constructed in such a manner as to ensure that they are weatherproof and animal proof;
 - (d) of suitable size to contain all litter likely to be generated on the premises and by the users thereof;
 - (e) placed in locations convenient for the use by users or occupants of the premises to discourage littering or the unhealthy accumulation of waste; and
 - (f) emptied and cleansed periodically or when full. The emptying and cleansing of receptacles must be done frequently to ensure that no receptacle or its contents may become a nuisance or provide reasonable grounds for complaint in any public place where a receptacle has been placed for the depositing of litter, the Municipality may put up notices about littering.

16. Prohibition of littering

- (1) No person may –
 - (a) cause litter;
 - (b) sweep any waste into a gutter, onto a road reserve or onto any other public place;
 - (c) disturb anything in, or remove anything from any receptacle which has been placed for the purposes of collecting litter in such a manner as to cause the contents of the receptacle to spill or fall onto the ground around it; and
 - (d) allow any person under his control to do any of the acts contemplated in paragraphs (a), (b) or (c) above.

- (2) Notwithstanding the provisions of subsection 8 (1), the Municipality, or owner in the case of privately owned land to which the public has access, must within a reasonable time after any litter has been discarded, dumped or left behind, remove such litter or cause it to be removed.

17. Prohibition of nuisance

- (1) Any person handling waste within the Municipality, either through storage, collection, transportation, recycling or disposal must-
- (a) take reasonable measures to prevent nuisance, injury, harm, damage, annoyance or inconvenience to any person and the environment;
 - (b) take measures to remedy any spillages, harm, damage or nuisance referred to in section (a) above;
 - (c) at their own cost, clean any waste causing nuisance to any person or the environment;
 - (d) ensure compliance to the notice contemplated in sub section (1) (c); the Municipality may clean or remedy waste causing nuisance to any person or the environment, at the Municipality's cost and claim such cost from the offender.

18. Burning of waste

- (1) No person may-
- (a) dispose of waste by burning it, either in a public or private place;
 - (b) incinerate waste either in a public or private place except in an incinerator licensed by the relevant national or provincial authorities to do so, or at a place designated by the Municipality for such purpose.

19. Unauthorised disposal/ dumping

- (1) No person may except with the permission of the occupier, owner or of the person or authority having control thereof, dump, accumulate, place, deposit, leave or cause or allow to be dumped, accumulated, placed, deposited or left any waste whatsoever, whether for gain or otherwise, on or in a public place; any drain, watercourse, flood prone areas, tidal or other water in or in the vicinity of any road, highway, street, lane, public footway or pavement, roadside or other open space to which the public have access; or private or municipal land.
- (2) The Municipality may at the expense of an owner of land, person in control of land or a person who occupies the land rehabilitate any damage caused to the environment as a result of the activity or failure of the person referred to in subsection (1) to take reasonable measures to prevent unauthorised disposal or dumping.

20. Abandoned articles

- (1) Any article, other than a motor vehicle deemed to have been abandoned in terms of the Road Traffic Act, which, in the light of such factors as the place where it is found, the period it has been lying at such place and the nature and condition of such article, is reasonably regarded by the Municipality as having been abandoned, may be removed and disposed of by the Municipality as it may deem fit.

- (2) The Municipality may remove and dispose of any article which is chained or fastened to any pole, parking meter or any other property belonging to the council, without authorisation as it may deem fit.

21. Liability to pay applicable tariffs

- (1) The owner of premises where the Municipality is rendering waste services contemplated in this by-law is liable for the payment of prescribed tariffs for such services, and is not exempted from or reduction of such tariffs due to non-usage, partial or limited use of such services. The Municipality shall charge the applicable tariffs on or from the date of issue of the certificate of occupation.
- (2) The Municipality reserves the right to review such tariffs contemplated in subsection (1) on an annual basis.
- (3) The Municipality may exempt any person or category of persons deemed to be falling in the indigent category from paying prescribed tariffs for waste management services as outlined in the Municipal Indigent Policy.

22. On-site disposal

- (1) The Municipality may, as it deem fit in an area where a municipal waste management service is not already provided, after consultation with the concerned community, declare an area(s) as demarcated for on-site disposal of general waste.
- (2) A declaration contemplated in subsection (1) must be published in a provincial gazette and may include but not limited to—
 - (a) time frames for such a declaration;
 - (b) minimum standards to be adhered to for on-site disposal; and
 - (c) quantity of waste that may be disposed.
- (3) The Municipality has a right to inspect the areas contemplated in subsection (1) on a regular basis.

23. Storage, collection, composting and disposal of garden waste

- (1) The owner or occupier of the premises on which garden waste is generated, may compost garden waste on the property, provided that such composting does not cause a nuisance or health risk.
- (2) The owner or occupier of the premises on which garden waste is generated and not composted, must ensure that such waste is collected and disposed within a reasonable time after the generation thereof.
- (3) The Municipality may, as far it is reasonably possible, direct any transporter of garden waste or any person providing garden maintenance services, to transport their garden waste to a designated transfer station or facility provided by the Municipality.
- (4) At the written request of the owner or occupier of premises the Municipality or service provider may, in its sole discretion, deliver an appropriate receptacle for the purpose of storing garden waste in addition to any approved receptacle delivered to the premises for the storage of domestic waste; at a prescribed additional tariff.

24. Collection and disposal bulky waste

- (1) Any person generating bulky waste must ensure that such waste is collected and recycled or disposed of at a designated facility and may not put such waste as part of the municipal routine collection.
- (2) At a request of the owner or occupier of any premises, the Municipality may remove bulky waste from premises at a prescribed tariff, provided that the Municipality is able to do so with its waste removal equipment.
- (3) In case a Municipality has been called to remove illegally dumped waste on vacant land, the Municipality may remove that waste subject to subsection (2) and charge the owner of that vacant land.

25. Generation, storage, collection, reuse and disposal of building waste

- (1) The owner or occupier of premises on which building waste is generated and person conducting an activity which causes such waste to be generated, must ensure that—
 - (a) until disposal, all building waste, together with the containers used for the storage, collection or disposal thereof, is kept on the premises on which the waste was generated;
 - (b) the premises on which the building waste is generated does not become unsightly or cause a nuisance as a result of accumulated building waste;
 - (c) any building waste which is blown off the premises is promptly retrieved; and
 - (d) pursuant to any instructions from the Municipality, any structure necessary to contain the building waste is constructed.
- (2) Any person may operate a building waste removal service subject to adherence to relevant legislation.
- (3) Should the Municipality provide such a service, it shall be done at a prescribed tariff.
- (4) The owner or occupier of premises may apply to the Municipality for written consent to place an appropriate receptacle for the storage and collection of building waste in the road reserve for the period of such consent.
- (5) Every receptacle, authorised in terms of subsection (4) and used for the removal of building waste, must –
 - (a) have a clearly marked name, address and telephone number of the person in control of such approved receptacle;
 - (b) be fitted with reflecting chevrons or reflectors which must completely outline the front and the back thereof; and
 - (c) be covered at all times other than when actually receiving or being emptied of such waste so that no displacement of its contents can occur.
- (6) The owner or occupier of premises on which building waste is generated must ensure that the waste is disposed of at a facility designated for that purpose by the Municipality.
- (7) For the purpose of reclamation of land, reuse or recycling, building waste may with written consent of the Municipality, be deposited at a place other than the Municipality's waste disposal sites.
- (8) A consent given in terms of subsection (7) shall be subject to the conditions, as the Municipality may deem necessary.

26. Special industrial, hazardous or health care risk waste

- (1) Any waste generator who generates special industrial, hazardous or health care risk waste or an owner of premises where such waste is generated must contract with an accredited service provider to collect and dispose of such waste at a licensed hazardous waste disposal facility.
- (2) Subsection (1) does not apply to generators of waste who have the capacity to conduct the service.
- (3) Any person transporting industrial, hazardous or health care risk waste must ensure that the facility or place to which such waste is transported is authorised to accept such waste prior to offloading the waste from the vehicle.

CHAPTER 9: ADMINISTRATIVE MATTERS COMPLIANCE AND ENFORCEMENT**27. Exemptions**

- (1) Any person may by means of a written application, in which the reasons are given in full, apply to the Municipality for exemption from any provision of this by-law.
- (2) The Municipality may –
 - (a) grant an exemption in writing and the conditions in terms of which, if any, and the period for which such exemption is granted be stipulated therein;
 - (b) alter or cancel any exemption or condition in an exemption; or
 - (c) refuse to grant an exemption.
- (3) In order to consider an application in terms of subsection (1), the municipality may obtain the input or comments of the owners or occupants of surrounding premises.
- (4) An exemption does not take effect before the applicant has undertaken in writing to comply with all conditions imposed by the municipality under subsection (2), however, if an activity is commenced before such undertaking has been submitted to the Municipality, the exemption lapses.
- (5) If any condition of an exemption is not complied with, the exemption lapses immediately.

28. Appeals

- (1) A person whose rights are affected by a decision taken by the Municipality in terms of these by-laws, may appeal against that decision by giving written notice of the appeal and the reasons therefore in terms of section 62 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) to the municipal manager or delegated official within 21 days of the date of the notification of the decision.

29. Offences

- (1) Any person who –
- (a) obstructs or hinders the Municipality in exercising the powers or performance of functions or duties as outlined in this by-laws;
 - (b) contravenes or fails to comply with any provision of these by-laws; or
 - (c) fails to comply with the terms of a notice served upon him or her in terms of these by-laws, shall be guilty of an offence.

30. Penalties

- (1) Any person who contravenes or fails to comply with a provision of these by-laws is guilty of an offence and liable on conviction to imprisonment for a period not exceeding fifteen years or to a fine or to both such fine and imprisonment.

31. Short title and commencement

- (1) These by-laws are called Solid Waste Management By-laws of the Mbombela Local Municipality, and take effect on the date determined by the Municipality in the provincial gazette.

32. Repeal of by-laws

- (1) Any by-law relating to waste management or refuse removal or disposal within the Municipality or any of its predecessors or areas formerly existing under separate Municipalities or other organs of State is repealed from the date of promulgation of these by-laws.

MBOMBELA LOCAL MUNICIPALITY



TARIFF POLICY & BY LAWS

CHAPTER 1

GENERAL TARIFF MATTERS

1. LEGISLATIVE COMPLIANCE

- 1.1 The Municipal Systems Act, No 32 of 2000 requires that Council adopts a Tariff Policy.
- 1.2 The general financial management functions covered in Section 62(f) of the Municipal Finance Management Act includes the implementation of a tariff policy.
- 1.3 Specific legislation applicable to each service has to be taken into consideration when determining this policy.

2. SCOPE OF THE POLICY

- 2.1 The policy document guides the annual setting of tariffs, hence the policy does not make specific tariff proposals, nor does it deal in any detail with the implementation of the specific tariff proposals. Details pertaining to specific levels and applications of the various tariffs are published in the Schedule of Tariffs which must be read in conjunction with this policy.
- 2.2 The policy is applicable to all tariffs for electricity, water, sanitation and solid waste services provided by the municipality.

- 2.3 This policy is also applicable to all sundry tariffs as provided for in the Schedule of Tariffs of the municipality.

3. OBJECTIVE

The objective of the tariff policy is to ensure that:

- 3.1 The tariffs approved by Council during the Budget process to fund services must be consistent with this policy.
- 3.2 The municipal services are financially sustainable, affordable and equitable.
- 3.3 The needs of the poor households are taken into consideration.
- 3.4 There is consistency in how tariffs are applied throughout the municipality.
- 3.5 Tariffs are standardized, where possible, for the whole municipal area.

4. DEFINITIONS

All terms used in this policy, unless the context indicates otherwise, have the meaning ascribed to them in Local Government legislation or hereunder.

- 4.1 **“Municipal Account”** means a postulated current account based on median bills for water, electricity, sanitation, solid waste services and rates. Sundry charges and interest on debt are excluded.
- 4.2 **“Provision for Free Basic Services”** means a budget provision, funded from National Government transfers and Municipal rates to subsidize basic services.
- 4.3 **“Rates and General Accounts”** means a budget provision used to fund other municipal services excluding electricity, water, sanitation and solid waste services.
- 4.4 **“Sundry Tariff”** means a tariff set as a fixed Rand amount.
- 4.5 **“Consumption based Tariff”** means a tariff set as Rand amount per measurable unit of service.
- 4.6 **“CPIX”** means the consumer price index excluding mortgage costs as measured by STATSSA.

5. PRINCIPLES

- 5.1 Where a service is provided primarily for the benefit of an individual user and the actual service or consumption can be accurately measured, the cost of providing the service should be recovered from the individual by means of tariffs.

- 5.2 When a service connection is made, a sundry tariff should be used and when a metered quantity of service is consumed, a consumption based tariff should be used. Both tariffs must comply with this policy.
- 5.3 Some services, although provided primarily for the benefit of individual users and have important community benefits, particularly where these services cannot be accurately measured, the cost of the service should be recovered by combination of tariffs and rates. The provision and removal of solid waste collection is such a service.
- 5.4 Where a service is provided primarily for the benefit of the community and an individual's benefit cannot be accurately measured, the cost of providing the service should be recovered by means of rates. The rates must comply with the Municipal Property Rates Policy.
- 5.5 Poor households should have access to free basic services in line with the Municipal Indigent Policy, taking into consideration the affordability constraints of the municipality.

6. APPLICATION OF TARIFF PRINCIPLES

Section 74(2) of the Municipal System Act, No 32 of 2000, sets out principles that must be reflected in the tariff policy. These principles are applied in the following manner:

- 6.1 Users will be treated equitably through differentiation for tariff purposes being limited to that set out in Section 7 of this policy.
- 6.2 Where appropriate and possible, the amount individual users pay for services will generally be in proportion to their use of that service by using consumption based tariffs as defined in section 4 of the policy. This will be dependent on the service being able to provide discernable, universal and regular metering and reading.
- 6.3 Poor households as defined in the municipal indigent relief measures as contained in the Indigent Policy, from time to time, will have access to basic services through subsidized tariffs.
- 6.4 Tariffs will reflect the cost reasonably associated with the rendering of the service. The budgeted income and expenditure of the service, showing the contributions to rates and general accounts, support services recharges and contributions from the provision of Free Basic Services must be provided as part of the annual report on the revision of rates and tariffs.
- 6.5 Tariffs will be set at levels that facilitate the financial sustainability of the service, taking into account subsidization from sources other than the service concerned.
- 6.6 The economical, efficient and effective use of resources may be encouraged through the use of the incline block tariffs.

- 6.7 The promotion of local economic development through a special tariff for the categories of industrial users may be provided.
- 6.8 Where free basic services or services subsidized from the provision of free basic services to individual users, these will be shown on the monthly bill of those users. The extent of the annual subsidization to all subsidized users will be reported to council.
- 6.9 In addition, the amount that users pay for services, as measured through the municipal account, should generally be affordable for different categories of users and annual tariff increases should be benchmarked against inflation measured by CPIX.

7 DIFFERENTIATION FOR TARIFF PURPOSES

Section 74(3) of the Municipal Systems Act, No 32 of 2000 allows for the differentiation between different categories of users, debtors, services, service standards, geographical areas and other matters for tariff purposes as long as the differentiation does not amount to unfair discrimination. The nature and basis for differentiation for tariff purposes in Mbombela Local Municipality is set out in the categories defined, below.

7.1 Categories of users

The following are categories of users as defined for this Policy:

- (a) Residential,
- (b) Business, commercial and industrial,
- (c) Agricultural,
- (d) Government,
- (e) Public service infrastructure,
- (f) Public benefit organisation,
- (g) Mining,
- (h) Rural communal land/ or state owned,
- (i) Municipal,
- (j) Places of public worship,
- (k) Vacant land,
- (l) Educational,
- (m) Other properties

7.2 In addition to (7.1) sub-categories of residential or domestic users may be defined based on any one or more of the following criteria in a manner defined in the municipal free basic services policy.

- (a) Service consumption level
- (b) Payment level
- (c) Household income
- (d) Type of connection or service

7.3 Categories for the standard of service

Different categories for standard of service may be defined for different users or services. They may be based on:

- (a) Access
- (b) Frequency
- (c) Quantity, quality and consumption level
- (d) Type of connection or service

CHAPTER 2

CALCULATION OF TARIFF FOR MAJOR SERVICES

In order to determine the tariffs which must be charged for the supply of the four major services, Mbombela Local Municipality shall identify all the costs of operation of the undertakings concerned, including specifically the following:

- (a) Cost of bulk purchases in the case of water and electricity.
- (b) Distribution costs.
- (c) Distribution losses in the case of electricity and water.
- (d) Depreciation expenses.
- (e) Maintenance of infrastructure and other fixed assets.
- (f) Administration and service costs, including:
 - i. service charges levied by other departments such as finance, human resources and legal services;
 - ii. reasonable general overheads, such as the costs associated with the office of the municipal manager;
 - iii. adequate contributions to the provisions for bad debts and obsolescence of stock;

- iv. all other ordinary operating expenses associated with the service concerned including, in the case of the electricity service, the cost of providing street lighting in the municipal area.
- (g) The intended surplus to be generated for the financial year, such surplus to be applied:
 - i. as an appropriation to capital services; and/or
 - ii. generally in relief of rates and general services.
- (h) The cost of approved indigence relief measures.

The municipality shall provide at least the first 50kWh of electricity per month and the first 6kl of water and sewerage per month free of charge to consumers who have registered as indigents in terms of the municipality's indigent relief program.

The municipality shall further consider relief in respect of the tariff for refuse removal for such registered indigents to the extent that the council deemed such relief affordable in terms of each annual budget, but on the understanding that such relief shall not be less than a discount of 50% but not more than 100% on the monthly amount billed for the service concerned.

Water is a scarce national resource and this municipality is committed to the prudent conservation of such resources. The tariff levied for domestic consumption of water shall escalate according to the volume of water consumed. The implementation of this escalation will be determined and phased-in, according to affordability after consultation during the public participation process. An extra penalty can be charged by Council where it is deemed necessary to address critical water shortages. In

setting the consumption levels, tariffs and penalties, consideration shall be given to the current dam levels and anticipated rainfall during the current financial year.

CHAPTER 3

WATER

1. The categories of water consumers shall be charged at the current applicable two-part tariffs, namely fixed charge and consumption based tariff as approved by council in each annual budget.
2. The tariff adjustment shall be effective from the 1st of July each year.
3. Water Tariff structure and charges shall be:
 - i. A fixed availability fee shall be charged to all vacant unimproved stands where such a service is available and the service can be connected to the main supply.
 - ii. All domestic water consumers on improved stands may be charged a fixed charge after receiving the first 6 (six) kl of water consumed, free of charge. Thereafter a stepped tariff per kl as determined by the council from time to time shall be applicable on the metered water consumption.
 - iii. All business and industrial consumers may be charged a fixed charge and a stepped tariff per kilolitre consumed may be applied.
 - iv. Institutional consumers which include schools, institutions of higher learning, hospitals, government buildings, places of worship, sporting clubs and non-governmental organizations. These consumers may be

- charged a fixed charge and a stepped tariff per kilolitre consumed may be applied.
- v. Metered domestic consumers registered as indigents shall receive the first six (6) kilolitres of water consumed free of charge. A stepped tariff per kilolitre shall apply on consumption exceeding the first six (6) free kilolitres and no fixed or basic charge shall apply on this category of consumers if less than 6 (six) kilolitres of water is consumed during a month.
 - vi. As water is a very scarce resource in Mbombela Local Municipality, consumers can be restricted during dry seasons to use water to certain levels and a penalty fee shall be imposed if the consumer consumes more than the restricted levels.
 - vii. Consumer deposits shall be determined according to the municipality's Consumer Deposit Policy.
 - viii. Departmental water consumption shall be charged at cost.
4. Termination of services must be done in writing either by letter, e-mail, fax or standard disconnection form. If this is not done, the date on which a new connection is registered may be deemed as the disconnection date of the water supply.
5. Customers connected to their private boreholes shall be charged the fixed availability charge.

CHAPTER 4

SANITATION

1. The categories of users shall be charged per the applicable two part tariff, namely basic charge and consumption charge, as approved by the council in each annual budget.
2. Tariff adjustments will be effective from the 1st of July each year.
3. Sanitation tariff structure and charges shall be:
 - i. A basic or availability charge shall be charged per month for every serviced stand. A serviced stand implies where such a service is available and the service can be connected to the main supply.
 - ii. On a full waterborne sewerage service, all consumers may be charged on a monthly basis a variable charge based on the consumption of water.
 - iii. Should water be supplied from a borehole or other supply and such supply is not metered by a municipal water meter, a fixed charge shall be charged.
 - iv. For suction tank and septic tank system, consumers shall be charged a tariff based on the number of kilolitres of sewerage waste removed.
4. Termination of services must be done in writing either by letter, e-mail, fax or standard disconnection form. If this is not done, the date on which a new water

connection is registered may be deemed as the disconnection date of the service.

CHAPTER 5

SOLID WASTE REMOVAL

1. The categories of solid waste consumers shall be charged at the current applicable fixed charge, weighed mass or volume based charge as approved by council in each annual budget.
2. Tariff adjustments shall be effective from 1st of July each year.
3. The solid waste removal tariff structure shall be:
 - i. A fixed monthly charge or volume base charge.
 - ii. A tariff per kilogram weighed mass.

CHAPTER 6

ELECTRICITY

1. The various categories of electricity consumers shall be charged at the applicable tariffs and under such conditions as approved by the National Energy Regulator of South Africa (NERSA).

2. Tariff adjustments shall be effective from the 1st of July each year or as soon as possible thereafter.
3. The electricity tariff structure charges shall be:
 - i. Mbombela Local Municipality shall apply the following three standard tariff structures as recommended by the National Electricity Regulator.
 - (a) Domestic

This tariff is applicable for residential customers with a single phase connection of 60Amps or less with 230Volt supply or a three phase with 400Volt supply.
 - (b) Business and Commercial

Business and commercial customers with a connection of 80Amp or less, either single phase connection with 230Volts supply or three phase connection with 400Volts supply, may be charged a fixed and an energy charge. This includes domestic customers requiring a larger than 60Amp connection.
 - (c) Low tension/ High tension

This tariff is where the circuit breaker is more than 80Amps with three phase supply. The tariff shall consist of a fixed, energy, demand and network access charge.

Where the customer uses more than 100 MWh per month, a time of use (TOU) tariff may be applied. This tariff shall consist of a fixed, multi energy, reactive energy, demand, and network access charge, per Eskom's determined time periods and seasons.

- ii. With the single exception of registered indigents, all electricity consumers shall be billed according to their electricity consumption at the tariff applicable to the category in which the particular consumer falls.
 - iii. All domestic electricity consumers of the Mbombela Local Municipality who are registered as indigents with the municipality shall receive at least the first 50 (fifty) kWh electricity consumed, free per month.
 - iv. All vacant unimproved properties that can be connected to the main supply shall be billed a basic charge per month.
 - v. The consumer deposits shall be determined according to the municipality's Consumer Deposit Policy.
 - vi. Departmental electricity consumption shall be charged at cost. The cost is based on the cost of the previous financial year divided by the number of units sold.
4. Termination of services must be done in writing either by letter, e-mail, fax or standard disconnection form. If this is not done, the date on which a new connection is registered may be deemed as the disconnection date of the electricity supply.

CHAPTER 7

SUNDRY TARIFF

1. All sundry tariffs shall be approved by the council in each annual budget, and shall, when deemed appropriate by the council, be subsidized by property rates and general revenues, particularly when the tariffs will prove uneconomical when charged to cover the cost of the service concerned, or when the cost cannot accurately be determined, or when the tariff is designed purely to regulate rather than finance the use of the particular service or amenity.
2. The following services shall be considered as **subsidized services** and an applicable tariff shall be paid for their intended use.
 - i. burials and cemeteries
 - ii. rentals for the use of municipal sports facilities
 - iii. municipal swimming pool
 - iv. municipal lending library
3. The following services shall be considered as **community services**, and no tariffs shall be levied for their use:
 - i. municipal art gallery
 - ii. disposal of garden refuse at the municipal dump site
 - iii. municipal reference library
 - iv. municipal botanical garden and all other parks and open spaces.
4. The following services shall be considered as **economic services**, and the tariffs levied shall cover 100% or as near as possible to 100% of the budgeted annual operating expenses of the service concerned:
 - i. maintenance of graves and garden of remembrance (cremations)

- ii. housing rentals
- iii. rentals for the use of municipal halls and other premises (subject to the proviso set out below)
- iv. building plan fees
- v. sales of plastic refuse bags
- vi. sales of refuse bins
- vii. cleaning of stands
- viii. fees for new connections to electricity, water and sewerage services
- ix. sales of livestock and plants
- x. photocopies and fees
- xi. clearance certificates.
- xii. valuation certificates
- xiii. tender documents
- xiv. stadium events fees.

5. The following charges and tariffs shall be considered as **regulatory or punitive**, and shall be determined as appropriate in each annual budget:

- i. fines for lost or overdue library books
- ii. advertising sign fees
- iii. pound fees
- iv. disconnection and reconnection fees for electricity and water services
- v. penalty and other charges imposed in terms of the approved policy on credit control and debt collection
- vi. penalty charges for the submission of dishonoured, stale, post-dated or otherwise unacceptable cheques and unpaid debit orders.

6. Market-related rentals shall be levied for the lease of municipal properties.
7. In the case of rentals for the use of municipal halls and premises, if the municipal manager is satisfied that the halls or premises are required for non-profit making purposes and for the provision of a service to the community, the Municipal Manager may waive 50% of the applicable rental.
8. The Municipal Manager shall determine whether an indemnity or guarantee must in each instance be lodged for the rental of municipal halls, premises and sports fields and in so determining shall be guided by the likelihood of the Mbombela Local Municipality's sustaining damages as a result of the use of the facilities concerned.



PROPERTY RATES CHARGES

FOR THE 2016/2017 FINANCIAL YEAR



CHARGES FOR PROPERTY RATES FOR THE FINANACIAL YEAR 2015/16

Mbombela Local Municipality hereby gives notice in terms of Section 14(1) of the Municipal Property Rates Act no. 6 of 2004, that the following rates applicable to all the rateable property in the municipal area of Mbombela Local Municipality appearing in the valuations roll(s), have been determined and accepted with an unanimous decision of Council under item A (2) of Special Council meeting held on 31 May 2016

1. DEFINITIONS

“Act” means the Local Government: Municipal Property Rates Act, 2004 (No. 06 of 2004)

“By-Law” means the Mbombela Municipal Property Rates By-Law promulgated in terms of section 6 of the Act

“Municipality” means the Mbombela Local Municipality

“Rates Policy” means the Mbombela Municipal Property Rates Policy adopted in terms of section 3 of the Act

2. THE FOLLOWING DETERMINATIONS SHALL COME INTO EFFECT FROM 01 JULY 2016

2.1 The general rate shall be **0.8944 cent in the Rand** before considering any applicable rate ratios in terms of part eight of the by-law.

2.2 The rate shall be based on the market value of all rateable categories of properties appearing on the general valuation roll and subsequent supplementary valuation rolls of the municipality.

2.3 In terms of section 6.4 of the Rates Policy the following rate ratios have been applied for determination of the cent in the Rand for the different categories of properties;

2.3.1 Residential Property to Residential Property the ratio shall be 1:1;

2.3.2 Residential Property to Agricultural Property the ratio shall be 1:0.25;

2.3.3 Residential Property to Business Property the ratio shall be 1:2.5;

2.3.4 Residential Property to Government Property the ratio shall be 1:3;

2.3.5 Residential Property to Public Service Infrastructure Property the ratio shall be 1:0.25;

2.3.6 Residential Property to Public Benefit Organization Property the ratio shall be 1:0.25;

2.3.7 Residential Property to Other Property the ratio shall be 1:1.5

2.3.8 Residential Property to Rural Communal and State Trust Land the ratio shall be 1:0.25

2.4 The determination of rates for the different categories of properties before considering any applicable rebates shall be as follows;

2.4.1 A cent in the Rand of 0.8944 shall be applicable to a residential property;

2.4.2 A cent in the Rand of 0.2236 shall be applicable to an agricultural property;

2.4.3 A cent in the Rand of 2.2359 shall be applicable to a business property;

- 2.4.4 A cent in the Rand of 2.6831 shall be applicable to a government property;
- 2.4.5 A cent in the Rand of 0.2236 shall be applicable to a public service infrastructure property;
- 2.4.6 A cent in the Rand of 0.2236 shall be applicable to a public benefit organization property;
- 2.4.7 A cent in the Rand of 1.3416 shall be applicable to other property; and
- 2.4.8 A cent in the Rand of 0.8944 shall be applicable to a rural communal and state trust land.

3 THE FOLLOWING RELIEF MEASURES SHALL APPLY IN TERMS OF PART NINE OF THE BY-LAW ON CATEGORY OF SPECIFIC PROPERTIES

3.1 EXEMPTIONS

- 3.1.1 The first R80 000.00 of a market value of a residential property shall be exempted from levying of property rates;
- 3.1.2 The first 40% of a market of a public service infrastructure property shall be excluded from levying of property rates and be phased out in terms of section 93A of the Act;
- 3.1.3 A municipal property shall be 100% exempted from levying of property rates;
- 3.1.4 A place of worship, including an official residence registered in the name of the community shall be 100% excluded from levying of property rates; and
- 3.1.5 Other properties stated in terms of section 17(b), (c), (d), (e), (f) and (g) of the Act shall be excluded from levying of property rates.

3.2 REBATES

- 3.2.1 In terms of criteria stipulated in section 9.4.2(a) of the By-Law the following conditional rebates shall apply to an agricultural property;
 - (a) A rebate of 7.5% shall apply if the farming activities contribute to the local economy;
 - (b) A rebate of 7.5% shall apply if the farmer provides permanent residence or decent accommodation to the farm workers and their dependents within the property
 - (c) A rebate of 7.5% shall apply if the farmer provides portable water and electricity to the dwellings of farm workers; and
 - (d) A rebate of 7.5% shall apply if the farmer provides land for cemetery or educational or recreational purposes to the farm workers within the property.
- 3.2.2 The following rebates shall apply to different categories of properties as listed below;
 - (a) A rebate of 100% on property rates shall apply to state trust and rural communal property
 - (b) A rebate of 28% on property rates shall apply to a business property;
 - (c) A rebate of 30% on property rates shall apply to a residential property; and
 - (d) A rebate of 10% on a property rates shall apply to other property.

4 THE FOLLOWING REBATES SHALL APPLY IN TERMS OF PART NINE OF THE BY-LAW TO CATEGORY OF SPECIFIC OWNERS OF PROPERTIES

4.1 Indigent owners or household shall be granted a 100% rebate on their property rates account.

4.2 Retired people over the age of 60 years and with annual income exceeding the threshold value in terms of indigent policy shall be granted rebates on their property rates account as follows;

Annual Income Threshold			% Rebate
R0.00	-	R116 150	100%
R114 801	-	R145 188	75%
R145 189	-	R181 484	50%
More than R181 484			25%

4.3 A rebate of 35% shall be granted on property rates account of an owner of a bed and breakfast, guest houses and lodges of less than 9 rooms available for guest.

4.4 A rebate of 35% shall be granted on property rates account of an owner of a small and micro business.

4.5 A rebate of 25% shall be granted on property rates account to an owner of a property in a privately developed townships or estates or complexes situated in unproclaimed areas where the municipality does not provide any community services.

4.6 A rebate of 10% shall be granted on property rates account to an owner of property in a privately developed townships or estates or complexes situated in proclaimed areas where the municipality does not maintain any of the community services.

4.7 A rebate of 100% shall be granted on property rates account to an owner of a residential and small business property and that is situated in a proclaimed township surrounded by un-surveyed and un-registered properties (in rural communal and state trust land).

4.8 A rebate of 100% shall be granted on property rates account to a property owned by a Public Benefit organization.

4.9 A rebate of 10% shall be granted to owners of specific properties situated within an area demarcated as a City Improvement District in accordance with the City Improvement Districts By-Law.

- 5 The following category of owners are requested to apply for the rebates as stated above in terms of part nine of the rates by-law;
- 5.1 Retired people who are 60 years of age and above;
 - 5.2 Owners of bed and breakfast, guest houses and lodges;
 - 5.3 Owners of small, very small and micro businesses;
 - 5.4 Owners of privately developed townships, estates or complexes
 - 5.5 Owners of properties used for public benefit activities; and
 - 5.6 Owners of agricultural properties
- 6 The property rates are zero-rated in terms of Value Added Tax Act.
- 7 Interest on property rates in arrears shall be calculated and charged at prime lending rate as determined by the South African Reserve Bank which shall be applicable at 30 June 2016 plus one percent fixed over the twelve months period of the 2016/17 financial year.

N SEANEGO
MUNICIPAL MANAGER

Nelspruit Civic Centre
P O Box 45
NELSPRUIT
1200

PROCLAMATION 25 OF 2016**UMJINDI AMENDMENT SCHEME 41**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

A portion of portion 14 of the farm Barberton Townlands 369 JU (2 461 m² in extent), from “Public Open Space” to “Special” for light industrial purposes and commercial storage space.

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton, and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 41 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 25 VAN 2016**UMJINDINI WYSIGINGSSKEMA 41**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema, 2002, vir die hersonering van:

‘n Gedeelte van gedeelte 14 van die Plaas Barberton Townlands 369 JU (groot ongeveer 2461 m²), van “Openbare Oop Ruimte” na “Spesiaal” vir ligte industrieële doeleindes en komersieële stoor area.

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigingsskema staan bekend as die Umjindi Wysigingskema 41 en sal in werking tree op die dag van publikasie hiervan.

‘n Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige persoon wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 26 OF 2016**UMJINDI AMENDMENT SCHEME 90**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

portion 1 of Erf 163 from "Public Open Space" to "Business 1" as well as the rezoning of Erf 178 from "municipal" to "Business 1"; the subdivision of the of Erf 178 into 2 portions measuring 260m² each; the consolidation of the proposed portion 2 of Erf 178 and portion 1 of 163 and permanent park closure of portion 1 of Erf 163, Emjindini Township.

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton, and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 90 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 26 VAN 2016**UMJINDINI WYSIGINGSSKEMA 90**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpsordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema, 2002, vir die hersonering van:

Gedeelte 1 van erf 136 van "Openbare oop ruimte" na "Besigheid 1" so wel as die hersonering van Erf 178 van "Munisipaal" na "Besigheid 1"; die onderverdeling van Erf 178 in gedeeltes van 260m² elk; die konsolidering van die voorgestelde gedeelte 2 van erf 178 en gedeelte 1 van 163 en die permanente sluiting van gedeelte 1 van erf 163, Emjindini woongebied

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi Wysigingskema 90 en sal in werking tree op die dag van publikasie hiervan

'N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige persoon wat so 'n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 27 OF 2016**UMJINDI AMENDMENT SCHEME 51**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

The proposed portion 1 of erf 3940 Barberton Extension 2 from “Residential 1” with a density of 1 dwelling unit per erf to “Residential 3” with the following Annexure conditions: F.A.R 0.6 and a coverage of 60%.

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton, and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 51 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 27 VAN 2016**UMJINDINI WYSIGINGSSKEMA 51**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema, 2002, vir die hersonering van:

Die voorgestelde gedeelte 1 van erf 3940 Barberton uitbreiding 2 van “Residentieel 1” met n digtheid van 1 wooneenheid per erf na “Residentieel 3” met die volgende aanhangsel voorwaardes: F.A.R.0.6 met ‘n dekking van 60%.

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi Wysigingskema 51 en sal in werking tree op die dag van publikasie hiervan

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige persoon wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 28 OF 2016**UMJINDI AMENDMENT SCHEME 94**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erven 3687, 3688, 3689 and erf 3690 Emjindini Extension 10 properties from "Business 1" to "Institutional"

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton, and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 94 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 28 VAN 2016**UMJINDINI WYSIGINGS SKEMA 94**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema, 2002, vir die hersonering van:

Erwe 3687, 3688, 3689 en Erf 3690 Emjindini uitbreiding 10 van "Besigheid 1" na "Inrigting"

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi Wysigingskema 94 en sal in werking tree op die dag van publikasie hiervan

'N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige persoon wat so 'n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 29 OF 2016**UMJINDI AMENDMENT SCHEME 61**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 3077 from “Commercial” to “Residential 3” with conditions to make provision for a coverage of 66%, height of 2 storeys, and 5m on street boundary and 2m on all other boundaries.

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton, and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 61 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 29 VAN 2016**UMJINDINI WYSIGINGSSKEMA 61**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema, 2002, vir die hersonering van:

Erf 3077 van “Kommersieel” na “Residentieel 3” met voorwaardes om voorsiening te maak vir die dekking van 66%, hoogte van 2 verdiepings, en 5m aan die straat grens en 2m aan al die ander grense.

Afskrifte van die wysigingsskema is gelaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi Wysigingskema 61 en sal in werking tree op die dag van publikasie hiervan

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige persoon wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 30 OF 2016**UMJINDI AMENDMENT SCHEME 97**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 1000 from “Public open space” to “ institutional” and a portion of a street adjacent to Erf 1000 Extension 6, Emjindini Township from “Public road” to “ institutional”

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 97 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 30 VAN 2016**UMJINDINI WYSIGINGSSKEMA 97**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erf 1000 van “Openbare oop ruimte” na “Inrigting” asook n gedeelte van die straat aangrensend aan Erf 1000 uitbreiding 6, Emjindini woongebied van “Openbare pad” na “Inrigting”

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 97 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 31 OF 2016**UMJINDI AMENDMENT SCHEME 105**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

A portion of street adjacent Erf 3161 Emjindini Extension 10 from "Existing public Road" to 'Business 1', permanently close a portion of street adjacent Erf 3161 Emjindini Extension 10, subdivide a portion of street and consolidate the subdivided portion of street with erven 3160 and 3161 Emjindini Extension 10

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton, and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 105 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 31 VAN 2016**UMJINDINI WYSIGINGS SKEMA 105**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema, 2002, vir die hersonering van:

"n Gedeelte van die straat aangrensend aan Erf 3161 Emjindini Uitbreiding 10 van "bestaande publieke pad" na "Besigheid 1" om sodoende die gedeelte van die pad aangrensend aan Erf 3161 Emjindini Uitbreiding 10 permanent te sluit en 'n gedeelte van die straat te onder verdeel en te konsolideer met Erwe 3160 en 3161 van Emjindini uitbreiding 10

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 105 en sal in werking tree op die dag van publikasie hiervan.

'N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige persoon wat so 'n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 32 OF 2016**UMJINDI AMENDMENT SCHEME 106**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 3031, Barberton Extension 6 from 'special' for uses determined by the Local Authority to "special" for the purposes of a retirement development and ancillary use, as set out in annexure no.32

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton, and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 106 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 32 VAN 2016**UMJINDINI WYSIGINGSSKEMA 106**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema, 2002, vir die hersonering van:

Erf 3031, Barberton Uitbreiding 6 van "Spesiaal" vir die gebruik van die plaaslike owerheid na "Spesiaal" vir die doeleindes van n aftree ontwikkeling en aanvullende gebruike, soos uiteengesit in aanhangsel nr.32

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 106 en sal in werking tree op die dag van publikasie hiervan.

'N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige persoon wat so 'n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 33 OF 2016**UMJINDI AMENDMENT SCHEME 111**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Portion 153 (portion of portion 114) of Barberton Townlands 369-JU "Public Garage" to Special" for "Industrial 3

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton, and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 111 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 33 VAN 2016**UMJINDINI WYSIGINGS SKEMA 111**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema, 2002, vir die hersonering van:

Gedeelte 153 (gedeelte van gedeelte 114) van Barberton Townlands 369-JU " Publieke motor hawe" na "Spesiaal vir Industrieel 3"

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 111 en sal in werking tree op die dag van publikasie hiervan.

'N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige persoon wat so 'n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 34 OF 2016**UMJINDI AMENDMENT SCHEME 109**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 2254, Emjindini Extension 7 from “Public Open Space” to “Institutional”.

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton, and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 109 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 34 VAN 2016**UMJINDINI WYSIGINGSSKEMA 109**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema, 2002, vir die hersonering van:

Erf 2254, Emjindini Uitbreiding 7 van “Openbare oop ruimte” na “Institusioneel”

Afskrifte van die wysigingsskema is geliasseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 109 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige persoon wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 35 OF 2016**UMJINDI AMENDMENT SCHEME 110**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 1860 Barberton from 'Residential 1' with a density of 1 dwelling unit per erf to " Residential 1" with a density of 1 dwelling unit per 500m²

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 110 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 35 VAN 2016**UMJINDINI WYSIGINGSSKEMA 110**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erf 1860 Barberton van "Residentieel 1" met n digtheid van 1 wooneenheid per erf na "Residentieel 1 "met n digtheid van 1 wooneenheid per 500 m²

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 110 en sal in werking tree op die dag van publikasie hiervan.

'N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so 'n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 36 OF 2016**UMJINDI AMENDMENT SCHEME 112**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 636, Emjindini Extension 6 from 'Residential 5' to "Business1" with annexure conditions as set out in annexure no.35

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton, and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 112 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 36 VAN 2016**UMJINDINI WYSIGINGSSKEMA 112**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema, 2002, vir die hersonering van:

Erf 636 Emjindini Uitbruiding 6 van "Residentieel 5" na "Besigheid 1" met aanhangsel voorwaardes soos uiteengesit in aanhangsel nr 35

Afskrifte van die wysigingsskema is gelaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 112 en sal in werking tree op die dag van publikasie hiervan.

'N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige persoon wat so 'n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 37 OF 2016**PLAASLIKE OWERHEID KENNISGEWING****UMJINDINI WYSIGINGSSKEMA 113**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erf 3038 Barberton van “Residentieel1” met n digtheid van 1 eenheid per erf na “Residentieel 1” met ‘n digtheid van 1 eenheid per 800 m²

Afskrifte van die wysigingsskema is gelaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 113 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROKLAMASIE 37 VAN 2016**PLAASLIKE OWERHEID KENNISGEWING****UMJINDINI WYSIGINGSSKEMA 113**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erf 3038 Barberton van “Residentieel1” met n digtheid van 1 eenheid per erf na “Residentieel 1” met ‘n digtheid van 1 eenheid per 800 m²

Afskrifte van die wysigingsskema is gelaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 113 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 38 OF 2016**UMJINDI AMENDMENT SCHEME 114**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 1779 Barberton from “Residential 1” to “Special” with annexure conditions as set out in annexure no.37

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 114 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 38 VAN 2016**UMJINDINI WYSIGINGS SKEMA 114**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erf 1779 Barberton van “Residentieel 1” na “Spesiaal” met aanhangsel voorwaardes soos uiteengesit in aanhangsel nr 37

Afskrifte van die wysigingsskema is gelaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 114 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige persoon wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 39 OF 2016**UMJINDI AMENDMENT SCHEME 131**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 11 Barberton Asiatic from “Residential 1” with a density of 1 dwelling unit per erf, with an Annexure to make a provision for coverage of 75%.

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 131 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 39 VAN 2016**UMJINDINI WYSIGINGSSKEMA 131**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erf 11 Barberton Asiaties van “Residentieel 1” met ‘n digtheid van 1 wooneenheid per erf, na “Residentieel 1” met ‘n aanhangsel om voorsiening te maak vir die dekking van 75%.

Afskrifte van die wysigingsskema is gelaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 131 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 40 OF 2016**UMJINDI AMENDMENT SCHEME 140**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erven 1103, 1104, 1119 and 1120 Barberton from “Residential 4” to “Residential 1” for the purpose of erecting individual dwelling houses.

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 140 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 40 VAN 2016**UMJINDINI WYSIGINGSSKEMA 140**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erwe 1103,1104,1119 en 1120 Barberton van “Residentieel 4” na “ Residentieel 1” vir die doel van die oprigting van individuele wooneenheid huise.

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 140 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 41 OF 2016**UMJINDI AMENDMENT SCHEME 134**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Portion 2 of erf 3891, Barberton from “Private Open Space” to “mixed use” for the purpose of “ sport facilities, accommodation, industries (excluding noxious industries, but including car wash facilities), commercial uses, place of refreshment for own employees, offices which are directly related to and subservient to the main use.” as set out in annexure no.46

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 134 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 41 VAN 2016**UMJINDINI WYSIGINGSSKEMA 134**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Gedeelte 2 van erf 3891, Barberton van “ Privaat oop ruimte” na “Gemengde gebruik” vir die doel van “Sport fasiliteite, Akkomodasie, Industrie (uitsluitend skadelike industrie , maar insluitend motor was fasiliteite) , komersieele gebruike, plek van verfrissing van eie werknemers, kantore wat direk verband hou met en onderdanig is aan die hoof gebruik. “ soos uiteengesit in aanhangsel nr 46.

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 134 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 42 OF 2016**UMJINDI AMENDMENT SCHEME 112**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 636, Emjindini Extension 6 from ‘Residential 5’ to “Business1” with annexure conditions as set out in annexure no.35

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 112 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 42 VAN 2016**UMJINDINI WYSIGINGSSKEMA 112**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erf 636 Emjindini Uitbruiding 6 van “Residentieel 5” na “Besigheid 1” met aanhangsel voorwaardes soos uiteengesit in aanhangsel nr 35

Afskrifte van die wysigingsskema is gelaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 112 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 43 OF 2016**UMJINDI AMENDMENT SCHEME 117**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 3917 Barberton from “Residential 1” with a density of “one dwelling per erf” to “Residential 1” with a density of “one dwelling per 500m²”

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 117 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 43 VAN 2016**UMJINDINI WYSIGINGSSKEMA 117**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erf 3917 Barberton van “Residentieel 1” met n digtheid van “een wooneenheid per erf” na “Residentieel 1” met ‘n digtheid van een wooneenheid per 500 m²

Afskrifte van die wysigingsskema is geliasseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 117 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 44 OF 2016**UMJINDI AMENDMENT SCHEME 118**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erven 1551 and 1552 Barberton from “Residential 1” to “Business 1” with annexure conditions as set out in annexure no.38

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 118 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 44 VAN 2016**UMJINDINI WYSIGINGSSKEMA 118**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erf 1551 en 1552 Barberton van “Residentieel 1” na “Besigheid 1” met aanhangsel voorwaardes soos uiteengesit in aanhangsel nr 38

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 118 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 45 OF 2016**UMJINDI AMENDMENT SCHEME 130**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 6087 Emjindini Extension 12 from “Residential 5” to “Residential 3” with annexure conditions as set out in annexure no.43.

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 130 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 45 VAN 2016**UMJINDINI WYSIGINGSSKEMA 130**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erf 6087 Emjindini uitbreiding 12 van “Residentieel5” na “Residentieel 3” met aanhangsel voorwaardes soos uiteengesit in aanhangsel 43.

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 130 en sal in werking tree op die dag van publikasie hiervan..

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige persoon wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 46 OF 2016**UMJINDI AMENDMENT SCHEME 119**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Portion 2 of erf 2760 from “Residential 3” to “Residential 3” with a density of 30 dwelling units per hectare with annexure conditions as set out in annexure no.39

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 119 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 46 VAN 2016**UMJINDINI WYSIGINGSSKEMA 119**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Gedeelte 2 van erf 2760 van “Residentieel 3” na “Residentieel 3” met ‘n digtheid van 30 wooneenhede per hektaar met aanhangsel voorwaardes soos uiteengesit in aanhangsel nr 39

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 119 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 47 OF 2016**UMJINDI AMENDMENT SCHEME 141**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 6529 Emjindini Extension 13 from “Residential 1” to “Residential 3” for the purpose of erecting rental dwelling units as set out in annexure no.51

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 141 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 47 VAN 2016**UMJINDINI WYSIGINGSSKEMA 141**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erf 6529 Emjindini uitbreiding 13 van “Residentieel 1” na “Residentieel 3” vir die doel van die oprigting van huur wooneenhede soos uiteengesit in aanhangsel nr 51.

Afskrifte van die wysigingsskema is geliaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 141 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 48 OF 2016**UMJINDI AMENDMENT SCHEME 120**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 2777 Barberton from “Residential 1” to “Institutional”

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 120 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 48 VAN 2016**UMJINDINI WYSIGINGSSKEMA 120**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erf 2777 Barberton van “Residentieel 1” na “Inrigting”

Afskrifte van die wysigingsskema is geliaser by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 120 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskirif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 49 OF 2016**UMJINDI AMENDMENT SCHEME 128**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 7035 Emjindini Extension 13 from “Residential1” to “Business 1”.

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 128 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 49 VAN 2016**UMJINDINI WYSIGINGSSKEMA 128**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorppordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erf 7035 Emjindini uitbreiding 13 van “Residentieel 1” na “Besigheid 1”.

Afskrifte van die wysigingsskema is gelaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 128 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 50 OF 2016**UMJINDI AMENDMENT SCHEME 121**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Umjindi Local Municipality approved the amendment of the Umjindi Town Planning Scheme, 2002, by the rezoning of:

Erf 82 Barberton Asiatic Extension 2 from “Residential 1” with a density of 1 dwelling unit per erf to “Residential 3”

Copies of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration, Nelspruit and the office of the Municipal Manager, Corner De Villiers and General Street, Barberton , and are open for inspection at all reasonable times.

This amendment scheme is known as the Umjindi Amendment Scheme 121 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

PROKLAMASIE 50 VAN 2016**UMJINDINI WYSIGINGSSKEMA 121**

Kennis word hiermee gegee dat ingevolge artikel 57 (1) van die Dorpsbeplanning en Dorpordinansie, 1986 dat die Umjindi Plaaslike Munisipaliteit goedkeuring verleen het aan die wysiging van die Umjindi Dorpsbeplanning Skema , 2002, vir die hersonering van:

Erf 82 Barberton Asiatiese uitbreiding 2 van Residentieel 1” met n digtheid van 1 wooneenheid per erf na “Residentieel 3”.

Afskrifte van die wysigingsskema is gelaseer by die Departement van Landbou, Buitestedelike Ontwikkeling en Grond Sake, Mbombela en die kantoor van Munisipale Bestuurder, Hoek van De Villiers en Generaal Straat, Barberton, en is beskikbaar vir insae te alle redelike tye.

Hierdie wysigings skema staan bekend as die Umjindi wysigingskema 121 en sal in werking tree op die dag van publikasie hiervan.

‘N Afskrif van hierdie kennisgewing is ook beskikbaar in Afrikaans of Siswati aan enige person wat so ‘n versoek skriftelik doen binne 30 dae vanaf hierdie kennisgewing

DP MSIBI
MUNISIPALE BESTUURDER
Umjindi Plaaslike Munisipaliteit
P O Box 33
BARBERTON
1300

PROCLAMATION 51 OF 2016**NELSPRUIT AMENDMENT SCHEME 1906**

It is hereby notified in terms of section 57(1) of the Town-planning and Townships Ordinance, 1986, that the Mbombela Local Municipality has approved an amendment of the Nelspruit Town Planning Scheme, 1989, by the rezoning of Stand 263, Nelspruit Extension from “Business 1” to “Business 1” with an increased Floor Area Ratio.

Copies of the amendment scheme are filed with the Director, Department of Cooperative Governance and Traditional Affairs, Mbombela and the office of the Municipal Manager, Civic Centre, Nel Street, Mbombela, and are open for inspection at all reasonable times.

This amendment scheme is known as the Nelspruit Amendment Scheme 1906 and shall come into operation on date of publication hereof.

A copy of this notice will be provided in Afrikaans or Siswati to anyone requesting such in writing within 30 days of this notice.

N M SEANEGO
MUNICIPAL MANAGER

Mbombela Local Municipality
P O Box 45
NELSPRUIT
1200

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 60 OF 2016

THABA CHWEU

Lydenburg Head Office:
Tel: 013 235 7300
Fax: 013 235 1108

Sable Unit:
Tel: 013 235 7444
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www.thabachweu.gov.za



24 Hours Emergency no:
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All Correspondence to be directed
to the Municipal Manager

LOCAL MUNICIPALITY**MUNICIPAL PROPERTY RATES BY-LAW**

Thaba Chweu Municipality hereby in terms of section 6 of the Local Government: Municipal Property Rates Act, 2004, has by way of Resolution number A81/2016 adopted the Municipality's Property Rates By-Law set out hereunder.

**THABA CHWEU LOCAL MUNICIPALITY
MUNICIPAL PROPERTY RATES BY-LAW(S)****PREAMBLE**

WHEREAS section 229(1) of the constitution requires a municipality to impose rates on property and surcharges on fees for the services provided by or on behalf of the municipality.

AND WHEREAS section 13 of the Municipal Systems Act read with section 162 of the constitution require a municipality to promulgate municipal by-laws by publishing them in the gazette of the relevant province.

AND WHEREAS section 6 of the Local Government: Municipal Property Rates Act, 2004 requires a municipality to adopt by-laws to give effect to the implementation of its property rates policy; the by-laws may differentiate between the different categories of properties and different categories of owners of properties liable for the payment of rates.

NOW THEREFORE BE IT ENACTED by the council of the Thaba Chweu Municipality, as follows:

1. DEFINITIONS

In the by-law, any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (Act No.06 of 2004), shall bear the same meaning unless the context indicates otherwise.

'Municipality' means **Thaba Chweu Local Municipality**

'Property Rates Act' means the Local Government: Municipal Property Rates Act, 2004 (Act No 6 of 2004)

'Rates Policy' means the policy on the levying of rates on rateable properties of the Thaba Chweu Local Municipality, contemplated in chapter 2 of the Municipal Property Rates Act.

2. OBJECTS

The object of this by-law is to give effect to the implementation of the Rates Policy as contemplated in section 6 of the Municipal Property Rates Act.

3. ADOPTION AND IMPLEMENTATION OF RATES POLICY

3.1 The municipality shall adopt and implement its Rates Policy consistent with the Municipal Property Rates Act on the levying of rates on rateable property within the jurisdiction of the municipality; and

3.2 The municipality shall not be entitled to levy rates other than in terms of its Rates Policy.

4. CONTENTS OF RATES POLICY

The rates policy shall *inter alia*:

4.1 Apply to all rates levied by the municipality pursuant to the adoption of its Annual Budget.

4.2 Comply with the requirement for:

4.2.1 the adoption of contents of a rates policy specified in section 3 of the Act.

4.2.2 The process of community participation specified in section 4 of the Act; and

4.2.3 The annual review of a Rates Policy specified in section 5 of the Act.

4.3 Provide for principles, criteria and implementation measures that are consistent with the Municipal Property Rates Act for the levying of rates which the council may adopt; and

4.4 Provide for enforcement mechanism that are consistent with the Municipal Property Rates Act and the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)

5. ENFORCEMENT OF THE RATES POLICY

The municipality's Rates Policy shall be enforced through the Credit Control and Debt Collection Policy and any further enforcement mechanism stipulated in the Act and the Municipality's Rates Policy.

6. SHORT TITLE AND COMMENCEMENT

This By-law is called the Municipal Property Rates By-Law, and takes effect from 01 July 2016

THABA CHWEU

Lydenburg Head Office:

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LOCAL MUNICIPALITY

RESOLUTION ON LEVYING PROPERTY RATES IN TERMS OF SECTION 14 OF THE LOCAL GOVERNMENT: MUNICIPAL PROPERTY RATES ACT, 2004. (ACT NO.06 OF 2004)

DATE: 31 MAY 2016

RESOLUTION LEVYING PROPERTY RATES FOR THE FINANCIAL YEAR 01 JULY 2016 TO 30 JUNE 2017

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 A81/2016 to levy the rates on property reflected in the schedule below with effect from 1 July 2016

CATEGORY OF PROPERTY	CENT AMOUNT IN THE RAND RATE DETERMINED FOR THE RELEVANT PROPERTY CATEGORY
Residential Property	0.01227 (Less 55% rebate)
Business and Commercial Property	0.01227
Industrial Property	0.01227
FAR & AGN Property	0.01227(1:025) Less 10% rebate
Mining Property	0.01227
Public Service Infrastructure Property	0.01227 (1:025)
Public Benefit Organisation Property	0.01227(1:025) Less 10% rebate
RFB Property	0.008625

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

NAME: MR M L MOKOENA

DESIGNATION: ACTING MUNICIPAL MANAGER

ADDRESS: CNR SENTRAL AND VILJOEN STREET

LYDENBURG

1120

TELEPHONE NUMBER: 013 235 7300

MUNICIPAL NOTICE NUMBER:

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 74 OF 2016

EMAKHAZENI LOCAL MUNICIPALITY

ASSESSMENT RATES: 2016/2017

The council of Emakhazeni Local Municipality has in terms of resolution number **S29/06/2017**
Has approved the rates tariffs for financial year **2016/2017**

CATEGORY	2016/2017	% Increase 2016/17
Residential ** / *** (For properties above R100,000 with exemption of first R15 000 of assessed market value)	0.0077	6.60%
Residential ** / *** (For properties less than R 100,000.00 market value a flat rate will be charged)	Flat rate per Year R654.50 Flat rate per Month R54.50	6.60%
Informal Settlement (Rebate of 100% as per Property Rates policy will granted)	0.0077	100.00%
Business, commercial and schools (public & private) ***	0.0246	6.79%
Industrial	0.0253	-86.60%
Public service infrastructure	0.0019	-98.99%
Agriculture ***	0.0019	6.60%
Agri Residential: (Farms including agricultural small holdings used for agricultural/residential purposes) (For properties above R100,000 with exemption of first R15 000)	0.0077	-2.85%
Agri Business: (Farms including agricultural small holdings used for business/commercial/ industrial purposes)	0.0091	-95.41%
Vacant property	0.0230	44.82%
Privately Open Space	0.0077	6.60%
Municipal property (Rebate of 100% as per Property Rates policy)	0.0019	0.00%
Public Open Space (Rebate of 100% as per Property Rates policy will be granted)	0.0019	0.00%
Mining	0.1965	0.00%
Public benefits organisations*	0.0019	
Place of worship (Rebate of 100% as per Property Rates policy will be granted)	0.0019	100.00%
Privately owned towns	0.0059	25.74%
State owned/Institutional	0.0246	6.79%
* Rebate may be granted on application as per Property Rates policy ** On registration as an Indigent or retired people a rebate will granted as per Property Rates *** Sectional Titles properties are categorised according to MPRA Section 8(1)(a)-(c): Residential, Business or Agricultural		

Assessment rates will increase as per factor, will be implemented as from 1 July 2016.

A copy of approved tariffs and resolution is available for inspection at Municipal offices of Emakhazeni Local Municipality (Emakhazeni,Dullstroom,Entokozweni and Emgwenya) during office hours 08:00 – 16:00 Monday to Friday

Enquiries can be directed to Mr V.L. Mdluli at 013 253 7600 or visit our offices at 25 Scheeper Street Belfast.

E.K. Tshabalala

Municipal Manager

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Also available at the **Provincial Legislature: Mpumalanga**, Private Bag X11289, Room 114, Civic Centre Building,
Nel Street, Nelspruit, 1200. Tel. (01311) 5-2133.