



THE PROVINCE OF MPUMALANGA
DIE PROVINSIE MPUMALANGA

Provincial Gazette Provinsiale Koerant

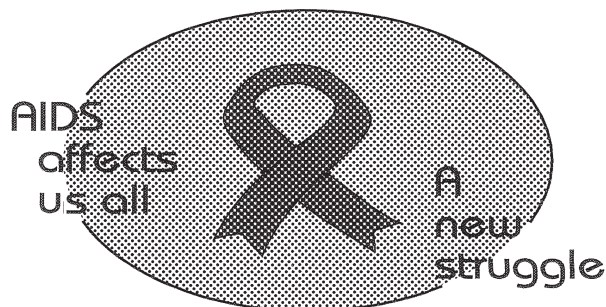
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Vol. 24

NELSPRUIT
10 FEBRUARY 2017
10 FEBRUARIE 2017

No. 2780

We all have the power to prevent AIDS



**AIDS
HELPLINE**

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DEPARTMENT OF HEALTH

Prevention is the cure

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ISSN 1682-4518



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No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

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Closing times for **ORDINARY WEEKLY** 2017 MPUMALANGA PROVINCIAL GAZETTE

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

- **29 December**, Thursday, for the issue of Friday **06 January 2017**
- **06 January**, Friday, for the issue of Friday **13 January 2017**
- **13 January**, Friday, for the issue of Friday **20 January 2017**
- **20 January**, Friday, for the issue of Friday **27 January 2017**
- **27 January**, Friday, for the issue of Friday **03 February 2017**
- **03 February**, Friday, for the issue of Friday **10 February 2017**
- **10 February**, Friday, for the issue of Friday **17 February 2017**
- **17 February**, Friday, for the issue of Friday **24 February 2017**
- **24 February**, Friday, for the issue of Friday **03 March 2017**
- **03 March**, Friday, for the issue of Friday **10 March 2017**
- **10 March**, Friday, for the issue of Friday **17 March 2017**
- **16 March**, Thursday, for the issue of Friday **24 March 2017**
- **24 March**, Friday, for the issue of Friday **31 March 2017**
- **31 March**, Friday, for the issue of Friday **07 April 2017**
- **07 April**, Friday, for the issue of Friday **14 April 2017**
- **12 April**, Wednesday, for the issue of Friday **21 April 2017**
- **20 April**, Thursday, for the issue of Friday **28 April 2017**
- **26 April**, Wednesday, for the issue of Friday **05 May 2017**
- **05 May**, Friday, for the issue of Friday **12 May 2017**
- **12 May**, Friday, for the issue of Friday **19 May 2017**
- **19 May**, Friday, for the issue of Friday **26 May 2017**
- **26 May**, Friday, for the issue of Friday **02 June 2017**
- **02 June**, Friday, for the issue of Friday **09 June 2017**
- **09 June**, Friday, for the issue of Friday **16 June 2017**
- **15 June**, Thursday, for the issue of Friday **23 June 2017**
- **23 June**, Friday, for the issue of Friday **30 June 2017**
- **30 June**, Friday, for the issue of Friday **07 July 2017**
- **07 July**, Friday, for the issue of Friday **14 July 2017**
- **14 July**, Friday, for the issue of Friday **21 July 2017**
- **21 July**, Friday, for the issue of Friday **28 July 2017**
- **28 July**, Friday, for the issue of Friday **04 August 2017**
- **03 August**, Thursday, for the issue of Friday **11 August 2017**
- **11 August**, Friday, for the issue of Friday **18 August 2017**
- **18 August**, Friday, for the issue of Friday **25 August 2017**
- **25 August**, Friday, for the issue of Friday **01 September 2017**
- **01 September**, Friday, for the issue of Friday **08 September 2017**
- **08 September**, Friday, for the issue of Friday **15 September 2017**
- **15 September**, Friday, for the issue of Friday **22 September 2017**
- **21 September**, Thursday, for the issue of Friday **29 September 2017**
- **29 September**, Friday, for the issue of Friday **06 October 2017**
- **06 October**, Friday, for the issue of Friday **13 October 2017**
- **13 October**, Friday, for the issue of Friday **20 October 2017**
- **20 October**, Friday, for the issue of Friday **27 October 2017**
- **27 October**, Friday, for the issue of Friday **03 November 2017**
- **03 November**, Friday, for the issue of Friday **10 November 2017**
- **10 November**, Friday, for the issue of Friday **17 November 2017**
- **17 November**, Friday, for the issue of Friday **24 November 2017**
- **24 November**, Friday, for the issue of Friday **01 December 2017**
- **01 December**, Friday, for the issue of Friday **08 December 2017**
- **08 December**, Friday, for the issue of Friday **15 December 2017**
- **15 December**, Friday, for the issue of Friday **22 December 2017**
- **20 December**, Wednesday, for the issue of Friday **29 December 2017**

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**EXTRAORDINARY GAZETTES**

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.
5. 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.
6. 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.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice .
(Please see *Quotation section below* for further details)
 - 8.1.3. A valid and legible 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
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (Please see *the Copy Section below, for the specifications*).
 - 8.1.5. Any additional notice information if applicable.
9. 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.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. 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.
12. 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**QUOTATIONS**

13. Quotations are valid until the next tariff change.
 - 13.1. **Take note:** GPW's annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.
 - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
 - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
 - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
 - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
 - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
 - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
 - 19.1. This means that **the quotation number can only be used once to make a payment.**

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

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
- 20.1. 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).
- 20.2. 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

21. 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.
22. 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

23. 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

24. 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:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. 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**

25. 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.
26. 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

27. The Government Printer will assume no liability in respect of—
 - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - 27.2. 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;
 - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

28. 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.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
30. 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

31. 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.
32. 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.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. 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.
35. 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.
36. 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**.
37. 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

38. 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.
39. 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 10 OF 2017

EMALAHLENI AMENDMENT SCHEME 2173 AND 2165

NOTICE OF APPLICATION FOR AMENDMENT OF THE EMALAHLENI LAND USE MANAGEMENT SCHEME, 2010 IN TERMS OF SECTION 56 (1)(b)(i) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

We, Nkanivo Development Planners, being the authorized agent of the registered owners of the properties described below, hereby give notice in terms of Section 56 (1)(b)(i) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that we have applied to the Emalahleni Local Municipality for the amendment of the Town-Planning Scheme known as the Emalahleni Land Use Management Scheme, 2010 by the rezoning of the following properties:

1. **Emalahleni Amendment Scheme 2173:** Erf 29, Pine Ridge Township, situated at 29 Carnation Street, from "Residential 1" to "Residential 4" for the purpose of Residential Buildings and "Residential 1" for the purpose of single dwelling houses with Annexure 775 for amended development controls.
2. **Emalahleni Amendment Scheme 2165:** Erf 114, Wilge Township, from "Residential 1" to "Business 4" for the purpose of Offices.

Particulars of the application will lay for inspection during normal office hours at the office of the Chief Town Planner, Third Floor, Civic Centre, Mandela Avenue, eMalahleni, for a period of 28 days from **10 February 2017**. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at Emalahleni Local Municipality, PO Box 3, Emalahleni, 1035 within a period of 28 days from **10 February 2017**.

Address of agent: Nkanivo Development Planners, P.O. Box 11948, Silver Lakes, 0054, Tel: (083) 277 7347, Fax: (086) 403 7043, email: info@nkanivo.co.za

10-17

KENNISGEWING 10 VAN 2017

EMALAHLENI WYSIGINGSKEMA 2173 EN 2165

KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE EMALAHLENI GRONDGEBRUIKBESTUURSKEMA, 2010 INGEVOLGE ARTIKEL 56 (1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, (ORDONNANSIE 15 VAN 1986)

Ons, Nkanivo Development Planners, synde die gemagtigde agent van die geregistreerde eienaars van die eiendomme hieronder beskryf, gee hiermee ingevolge Artikel 56 (1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986), kennis dat ons by die Emalahleni Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die doepsbeplanningskema, bekend as die Emalahleni Grondgebruikbestuurskema, 2010, vir die hersonering van die volgende eiendomme:

1. **Emalahleni Wysigingskema 2173:** Erf 29, Pine Ridge Dorpsgebied, geleë te Carnationstraat 29, vanaf "Besigheid 3" na "Residensieel 4" vir die doel van Residensieëgeboue en "Residensieel 1" vir die doel van enkele woonhuise met Bylae 775 vir gewysigde ontwikkeling beheer.
2. **Emalahleni Wysigingskema 2165:** Erf 114, Wilge Dorpsgebied, vanaf "Residensieel 1" na "Besigheid 4" vir die doel van kantore.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Hoof Stadsbeplanner, Derdevloer, Burgersentrum, Mandelarylaan, eMalahleni, vir 'n tydperk van 28 dae vanaf **10 Februarie 2017**.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf **10 Februarie 2017** skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Emalahleni Plaaslike Munisipaliteit, Posbus 3, eMalahleni, 1035, ingedien of gerig word.

Adres van agent: Nkanivo Development Planners, Posbus 11948, Silver Lakes, 0054, Tel: (083) 277 7347, Faks: (086) 403 7043, e-pos: info@nkanivo.co.za

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NOTICE 11 OF 2017**EMALAHLENI AMENDMENT SCHEME 2167****NOTICE OF APPLICATION FOR AMENDMENT OF THE EMALAHLENI LAND USE MANAGEMENT SCHEME, 2010 IN TERMS OF SECTION 56 (1)(b)(i) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986)**

We, Nkanivo Development Planners, being the authorized agent of the registered owner of Erf 2266 Witbank Extension 10 Township, hereby gives notice in terms of Section 56 (1)(b)(i) of the Town-Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), that we have applied to the Emalahleni Local Municipality for the amendment of the Town-Planning Scheme known as Emalahleni Land Use Management Scheme, 2010 by the rezoning of the property described above, situated at 8 Iris Street, Die Heuwel Township, from "Residential 1" to "Residential 4" for the purpose of Residential Buildings with Annexure 774 for amended development controls.

Particulars of the application will lay for inspection during normal office hours at the office of the Chief Town Planner, Third Floor, Civic Centre, Mandela Avenue, eMalahleni, for a period of 28 days from **10 February 2017**.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at Emalahleni Local Municipality, PO Box 3, Emalahleni, 1035 within a period of 28 days from **10 February 2017**.

Address of agent: Nkanivo Development Planners, P.O. Box 11948, Silver Lakes, 0054, Tel: (083) 277 7347, Fax: (086) 403 7043, email: info@nkanivo.co.za

10-17

KENNISGEWING 11 VAN 2017**EMALAHLENI WYSIGINGSKEMA 2167****KENNISGEWING VAN AANSOEK OM WYSIGING VAN EMALAHLENI GRONDGEBRUIKBESTUURSKEMA, 2010 INGEVOLGE ARTIKEL 56 (1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, (ORDONNANSIE NO. 15 VAN 1986)**

Ons, Nkanivo Development Planners, synde die gemagtigde agent van die geregistreerde eienaar van Erf 2266 Witbank Uitbreiding 10 Dorpsgebied, gee hiermee ingevolge Artikel 56 (1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986), kennis dat ons by die Emalahleni Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die doepsbeplanningskema, bekend as Emalahleni Grondgebruikbestuurskema, 2010, deur die hersonering van die eienskappe hierdo beskryf geleë te Irisstraat 8, vanaf "Residensieel 1" na "Residensieel 4" vir die doel van Residensielegeboue met Bylae 774 vir gewysigde ontwikkeling beheer.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Hoof Stadsbeplanner, Derdevloer, Burgersentrum, Mandelarylaan, eMalahleni, vir 'n tydperk van 28 dae vanaf **10 Februarie 2017**.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf **10 Februarie 2017** skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Emalahleni Plaaslike Munisipaliteit, Posbus 3, eMalahleni, 1035, ingedien of gerig word.

Adres van agent: Nkanivo Development Planners, Posbus 11948, Silver Lakes, 0054, Tel: (083) 277 7347, Faks: (086) 403 7043, e-pos: info@nkanivo.co.za

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NOTICE 12 OF 2017**EMALAHLENI AMENDMENT SCHEME 2149 AND 2168****NOTICE OF APPLICATION FOR AMENDMENT OF THE EMALAHLENI LAND USE MANAGEMENT SCHEME, 2010 IN TERMS OF SECTION 56 (1)(b)(i) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)**

We, Nkanivo Development Planners, being the authorized agent of the registered owners of the properties described below, hereby give notice in terms of Section 56 (1)(b)(i) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that we have applied to the Emalahleni Local Municipality for the amendment of the Town-Planning Scheme known as the Emalahleni Land Use Management Scheme, 2010 by the rezoning of the following properties:

1. **Emalahleni Amendment Scheme 2149:** Erf 1884, Tasbetpark Extension 3 Township, situated at 8 Pilot Street, from "Residential 1" to "Residential 4" for the purpose of Residential Buildings with Annexure 764 for amended development controls.
2. **Emalahleni Amendment Scheme 2168:** Erf 3595, Klarinet Extension 6 Township, from "Residential 1" to "Business 3" for the purpose of Medical & Veterinary Consulting Rooms.

Particulars of the application will lay for inspection during normal office hours at the office of the Chief Town Planner, Third Floor, Civic Centre, Mandela Avenue, eMalahleni, for a period of 28 days from **10 February 2017**. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at Emalahleni Local Municipality, PO Box 3, Emalahleni, 1035 within a period of 28 days from **10 February 2017**.

Address of agent: Nkanivo Development Planners, P.O. Box 11948, Silver Lakes, 0054, Tel: (083) 277 7347, Fax: (086) 403 7043, email: info@nkanivo.co.za

10-17

KENNISGEWING 12 VAN 2017**EMALAHLENI WYSIGINGSKEMA 2149 EN 2168****KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE EMALAHLENI GRONDGEBRUIKBESTUURSKEMA, 2010 INGEVOLGE ARTIKEL 56 (1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, (ORDONNANSIE 15 VAN 1986)**

Ons, Nkanivo Development Planners, synde die gemagtigde agent van die geregistreerde eienaars van die eiendom hieronder beskryf, gee hiermee ingevolge Artikel 56 (1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986), kennis dat ons by die Emalahleni Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die doepsbeplanningskema, bekend as die Emalahleni Grondgebruikbestuurskema, 2010, vir die hersonering van die volgende eiendomme:

1. **Emalahleni Wysigingskema 2149:** Erf 1884, Tasbetpark Uitbreiding 3 Dorpsgebied, geleë te Pilotstraat 8, vanaf "Residensieel 1" na "Residensieel 4" vir die doel van Residensieëlegeboue met Bylae 764 vir gewysigde ontwikkeling beheer.
2. **Emalahleni Wysigingskema 2168:** Erf 3595, Klarinet Uitbreiding 6 Dorpsgebied, vanaf "Residensieel 1" na "Besigheid 3" vir die doeleindes van Mediese & Veterinary Spreekkamers.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Hoof Stadsbeplanner, Derdevloer, Burgersentrum, Mandelarylaan, eMalahleni, vir 'n tydperk van 28 dae vanaf **10 Februarie 2017**.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf **10 Februarie 2017** skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Emalahleni Plaaslike Munisipaliteit, Posbus 3, eMalahleni, 1035, ingedien of gerig word.

Adres van agent: Nkanivo Development Planners, Posbus 11948, Silver Lakes, 0054, Tel: (083) 277 7347, Faks: (086) 403 7043, e-pos: info@nkanivo.co.za

10-17

NOTICE 13 OF 2017**EMALAHLENI AMENDMENT SCHEME 2166****NOTICE OF APPLICATION FOR AMENDMENT OF THE EMALAHLENI LAND USE MANAGEMENT SCHEME, 2010 IN TERMS OF SECTION 56 (1)(b)(i) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986)**

We, Nkanivo Development Planners, being the authorized agent of the registered owner of Erf 130 Die Heuwel Township, hereby gives notice in terms of Section 56 (1)(b)(i) of the Town-Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), that we have applied to the Emalahleni Local Municipality for the amendment of the Town-Planning Scheme known as Emalahleni Land Use Management Scheme, 2010 by the rezoning of the property described above, situated at 44 Culembourgsingel Street, Die Heuwel Township, from "Residential 1" to "Residential 4" for the purpose of Residential Buildings with Annexure 773 for amended development controls.

Particulars of the application will lay for inspection during normal office hours at the office of the Chief Town Planner, Third Floor, Civic Centre, Mandela Avenue, eMalahleni, for a period of 28 days from **10 February 2017**.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at Emalahleni Local Municipality, PO Box 3, Emalahleni, 1035 within a period of 28 days from **10 February 2017**.

Address of agent: Nkanivo Development Planners, P.O. Box 11948, Silver Lakes, 0054, Tel: (083) 277 7347, Fax: (086) 403 7043, email: info@nkanivo.co.za

10-17

KENNISGEWING 13 VAN 2017**EMALAHLENI WYSIGINGSKEMA 2166****KENNISGEWING VAN AANSOEK OM WYSIGING VAN EMALAHLENI GRONDGEBRUIKBESTUURSKEMA, 2010 INGEVOLGE ARTIKEL 56 (1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, (ORDONNANSIE NO. 15 VAN 1986)**

Ons, Nkanivo Development Planners, synde die gemagtigde agent van die geregistreerde eienaar van Erf 130 Die Heuwel Dorpsgebied, gee hiermee ingevolge Artikel 56 (1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986), kennis dat ons by die Emalahleni Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die doepsbeplanningskema, bekend as Emalahleni Grondgebruikbestuurskema, 2010, deur die hersonering van die eienskappe hierdo beskryf geleë te Culembourgsingelstraat 44, vanaf "Residensieel 1" na " Residensieel 4" vir die doel van Residensieëlegeboue met Bylae 773 vir gewysigde ontwikkeling beheer.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Hoof Stadsbeplanner, Derdevloer, Burgersentrum, Mandelarylaan, eMalahleni, vir 'n tydperk van 28 dae vanaf **10 Februarie 2017**.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf **10 Februarie 2017** skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Emalahleni Plaaslike Munisipaliteit, Posbus 3, eMalahleni, 1035, ingedien of gerig word.

Adres van agent: Nkanivo Development Planners, Posbus 11948, Silver Lakes, 0054, Tel: (083) 277 7347, Faks: (086) 403 7043, e-pos: info@nkanivo.co.za

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PROCLAMATION • PROKLAMASIE

PROCLAMATION 2 OF 2017

Gert Sibande District Municipality

Waste By-Laws

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GERT SIBANDE DISTRICT MUNICIPALITY WASTE BY-LAWS

The Municipal Manager of the Gert Sibande District Municipality hereby, in terms of Section 13(a) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), publishes the Waste By-laws for the Gert Sibande District Municipality, as approved by its Council, as set out hereunder.

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CHAPTER 1
DEFINITIONS, PRINCIPLES AND OBLIGATIONS TO GENERATORS OR HOLDERS OF WASTE

1. DEFINITIONS

(1) In these by-laws, unless the context indicates otherwise –

“Accreditation” means registering with the Council in terms of Chapter 7 of these bylaws;

“Approved” means approved by the Municipality in terms of the provisions of section 160 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996);

“Approved waste container” means a disposable or re-usable container approved by the Council as set out in Schedule 2 in which waste is placed for the purposes of storing, accumulating, handling, transporting, treating or disposing of that waste, and includes approved bins, bin-liners, wrappers and skips;

“Authorised official” means any official of the Council who has been authorised or designated by the Council to administer, implement and enforce the provisions of these By-laws, or an employee of a service provider acting within the scope of the powers, functions and duties assigned to that service provider by the Council if the Council has for the purpose of the By-laws appointed a service provider;

“Building and demolition waste” means waste, excluding hazardous waste, produced during the construction, alteration, repair or demolition of any structure and includes rubble, earth, rock and wood displaced during that construction, alteration, repair or demolition;

“Bulk container” means a waste container with a capacity of 4.3 m³, which may be used for the removal of bulky waste;

“Business waste” means waste which is generated on premises that used wholly or mainly for commercial, retail, wholesale, entertainment or government administration purposes;

“Commercial service” means:

- (a) the collection and transportation of commercial business waste and general business waste, but does not include transportation by a generator of its waste; or
- (b) the conducting or undertaking of a listed waste management activity within the jurisdiction of the Council and any waste management service which must be licensed or authorised by national or provincial authorities; or
- (c) the collection, transportation, sorting, storage, recycling or recovery of waste with the intention of making profit but does not include transportation by a generator of its own domestic waste which is recyclable waste; or any person collecting or transporting recyclable waste on behalf of a *bona fide* non-governmental organization;

“Council” means –

- a) the Council of the District Municipality of Mpumalanga established by Provincial Gazette Extraordinary Notice No.1547 dated 10 June 2008, exercising its legislative and executive authority through its Municipal Council; or
- b) its successor in title; or

- (c) a structure or person exercising a power delegated in these By-laws or carrying out an instruction, which power has been delegated or sub-delegated or which instruction has been given, as contemplated in section 59 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000); or
- d) except for the purposes of Chapters 7 and 9, a service provider fulfilling a responsibility under these By-laws that is assigned to it in terms of section 81(2) of the Systems Act, 2000, or any other law; as the case may be;

"Competent court" means any relevant court of law within the jurisdiction of Gert Sibande District Municipality or related court clusters that the competent court may refer the matter to.

"Damage to the environment" means any pollution, degradation or harm to the environment whether visible or not;

"Developer" means an agent or any other person acting on behalf of a person who owns land, building or any undivided share in such land or building situated within the Council's jurisdiction;

"District council" means the municipal council of the district Municipality;

"District Municipality" means a Gert Sibande District Municipality and it is made up of the municipal executive and legislative authority in an area that includes more than one Municipality, and which is described in section 155 (1) of the Constitution as a category C Municipality. Gert Sibande district Municipality is made up of the following local municipalities:-

- Msukaligwa Local Municipality as in the Provincial Gazette Extraordinary No. 1822 of 14 June 2010, No. 1816 in terms of Item 5(1) of Schedule 1 to the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);
- Lekwa Local Municipality as in the Provincial Gazette Extraordinary No. 1825 of 14 June 2010, No. 1816 in terms of Item 5(1) of Schedule 1 to the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);
- Mkhondo Local Municipality as in the Provincial Gazette Extraordinary No. 1823 of 14 June 2010, No. 1816 in terms of Item 5(1) of Schedule 1 to the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);
- Dr Pixley Ka Isaka Same Local Municipality as in the Provincial Gazette Extraordinary No. 1824 of 14 June 2010, No. 1816 in terms of Item 5(1) of Schedule 1 to the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);
- Dipaleseng Local Municipality as in the Provincial Gazette Extraordinary no. 1781 of 12 April 2010, No. 1816 in terms of Item 5(1) of Schedule 1 to the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);
- Chief Albert Luthuli Local Municipality as in the Provincial Gazette Extraordinary No. 1816 of 24 May 2010, No. 1816 in terms of Item 5(1) of Schedule 1 to the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);
- Govan Mbeki Local Municipality as in the Provincial Gazette Extraordinary no. 1782 of 12 April 2010, No. 1816 in terms of Item 5(1) of Schedule 1 to the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998).

"Domestic waste" means waste generated on premises used solely for residential purposes and purposes of public worship or education, including halls or other buildings used for religious or educational purposes, but does not include building waste, garden waste or special domestic waste;

"Environment" means the surroundings within which humans exist and that are made up of—

- (i) the land, water and atmosphere of the earth;
- (ii) micro-organisms, plant and animal life;
- (iii) any part or combination of (i) and (ii) and the interrelationships among and between them: and

(iv) the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being;

“Environmental emergency incident” means any unexpected or sudden occurrence resulting from any act or omission relating to waste leading to serious danger to the public or potentially serious pollution of or damage to the environment, whether immediate or delayed;

“Event” means sporting, entertainment, recreational, religious, cultural, exhibition, organisational or similar activities hosted at a, venue or along a route or within their respective precincts at which more than 2000 people are expected to attend or participate or any event to be attended by fewer people at which one ton of waste will be generated;

“Formalized recycling group” means a group of persons whose main objective is the promotion of waste minimisation amongst the group and undertaking of recycling, processing, treating or recovery of waste;

“Garden waste” means waste generated as a result of normal gardening activities, such as grass cuttings, leaves, plants, flowers and other similar small and light matter of organic origin;

“General business waste” means business waste, excluding hazardous waste;

“General waste” means waste that does not pose an immediate hazard or threat to the health or to the environment and includes:-

- (a) Domestic waste;
- (b) Building and demolition waste;
- (c) Business waste; and
- (d) Inert waste;

“Generator of waste” means any person who generates or produces waste;

“Hazardous waste” means any waste that contains organic or inorganic elements or compounds that may, owing to the inherent physical, chemical or toxicological characteristics of that waste have a detrimental impact on health and/or the environment; and includes discarded computers, office electronic equipment, entertainment device electronics, mobile phones, television sets and refrigerators;

“Health care risk waste” means all hazardous waste generated at any health care facility such as a hospital, clinic, laboratory, medical research institution, dental or medical practitioner or veterinarian;

“Holder of waste” means any person who imports, generates, stores, accumulates, transports, processes, treats, exports or disposes of waste;

“Industrial waste” means waste generated as a result of manufacturing, maintenance, fabricating and dismantling activities and the activities of railway marshalling yards, but does not include building and demolition waste, business waste or domestic waste;

“Industrial Waste Management Plan” means a plan referred to in Part 7 of Chapter 4 of NEM: Waste Act, 59 of 2008;

“Integrated Waste Management Plan” means a plan referred to in Chapter 3 of NEM: Waste Act, 59 of 2008;

“Landfill site” means a premise or an area specifically set aside for the disposal of waste and which has been approved and licensed in terms of the waste act (NEM: WA, 59 of 2008);

“Law enforcement officer” means a law enforcement officer appointed by the Municipality as a peace officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977);

“**Litter**” means any object or matter which is discarded by a person in any place except in an approved container provided for that purpose or at a waste handling facility or waste disposal facility;

“**Local community**” in relation to the Council means that body of persons comprising-

- (a) the residents within its jurisdiction,
- (b) the ratepayers of the Council,
- (c) any civic organisation and non-governmental, private sector or labour organisation or body which is involved in local affairs within the Council's jurisdiction, and
- (d) visitors and other person residing outside of the Council's jurisdiction who, because of their presence in that area, make use of services or facilities provided by the Council.

“**Local Council**” means the municipal Council of a local Municipality;

“**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;

“**Medical waste**” means any waste potentially contaminated with viable micro-organisms capable of transmitting and reasonably likely to transmit diseases, and includes any waste biomedical material of the following categories:

- (i) **Class A** – Anatomical waste, which includes human anatomical material such as tissue, organs, body parts, products of conception;
- (ii) **Class B** – Infectious non-anatomical waste, which includes any waste known or clinically assessed to be at risk of being contaminated with micro-organisms and capable of transmitting or suspected of transmitting and reasonably likely to transmit diseases, such as microbiological laboratory waste from surgeries and autopsies performed on patients with communicable diseases, all contaminated waste (for example leftover food, blood, body fluid, teeth, hair and nail clippings) from infectious patients and discarded vaccines;
- (iii) **Class C** – Sharps and similar waste, which includes any clinical item capable of causing a cut in or puncture of the skin such as a needle, syringe, blade or clinical glass and any medical equipment such as blood bags, intravenous fluid containers or tubes, colostomy or catheter bags, bandaging, blood collection tubes, medication vials and ampoules and other similar items;
- (iv) **Class D** – Pharmaceutical and genotoxic chemical waste, which includes all pharmaceutical products and medical chemicals that are no longer useable in patient treatment and have been returned from patient care areas and that have become outdated or contaminated or have been stored improperly or are no longer required and items contaminated with cytotoxic or radioactive pharmaceuticals, and includes chemical waste from diagnostic or experimental work or any other use that is genotoxic (carcinogenic, mutagenic, teratogenic, or otherwise capable of altering genetic material); and
- (v) **Class E** – Radioactive waste, which includes all waste that should be handled and disposed of in accordance with the provisions of the Nuclear Energy Act, 1999 (Act 46 of 1999);

“**Minimisation**” when used in relation to waste, means efforts to reduce and minimise the amount and toxicity of waste that is generated and, in the event where waste is generated, the reduction of the amount and toxicity of waste that is required to be disposed of;

“Municipal Council” or **“Council”** means a municipal Council referred to in section 157 of the Constitution;

“Municipality” means the local municipalities within Gert Sibande District Municipality and it comprises seven (7) Local Municipalities namely Msukaligwa Local Municipality, Lekwa Local Municipality, Mkhondo Local Municipality, Dr Pixley Ka Isaka Seme Local Municipality, Dipaleseng Local Municipality, Chief Albert Luthuli Local Municipality and Govan Mbeki Local Municipality established by General Notice 6770 in *Provincial Gazette Extraordinary* 141 of 1 October 2000 in terms of the provisions of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), and per local Municipality would include the Council of the respective Municipality, the Executive Mayor and/or the Mayoral Committee or any other committee established by the Council and any employee or official of the Municipality duly authorised to perform any duty, power or function in terms of this by-laws;

“Municipal service” means service relating to the collection, transportation, and disposal of waste, including domestic waste, such quantity and type of general business waste and dailies, as the Council may determine, which is provided by the Council;

“National Waste Management Strategy” means the National Waste Management Strategy (NWMS), which is a legislative requirement of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008). The purpose of the NWMS is to achieve the objects of the Waste Act, which defines its scope and specifies its contents. Organs of state and affected persons are obliged to give effect to the NWMS;

“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”, in relation to premises, means any person, including the owner, in actual occupation of the premises without regard to the title under which he or she occupies the premises, and, in the case of premises subdivided and let to lodgers or tenants, includes the person receiving the rent payable by the lodgers or tenants, whether for his or her own account or as an agent for a person entitled to the rent or with any interest in the rent;

“Owner”, in relation to premises, includes any person who receives the rent or profits of the premises from any tenant or occupier of the premises or who would receive the rent or profits if the premises were let, whether for his or her own account or as an agent for any person entitled to the rent or profits or with an interest in the rent or profits, provided that "owner", in respect of premises in a sectional title scheme in terms of the Sectional Titles Act, 1986 (Act 95 of 1986), including the body corporate as defined in that Act in relation to such premises, and "owner", in respect of premises that are the property of the Municipality and are let by the Municipality, means the lessee of the premises;

“Person” includes a juristic person in terms of the common law or incorporated in terms of the provisions of the Companies Act, 2008 (Act 71 of 2008);

“Pollution” means any change in the environment caused by –
(a) any substance; or

(b) noise, odour, dust or heat, emitted from any activity, including the storage or treatment of any waste or substance, construction and the provision of any service, whether engaged in by any person or an organ of state;

if that change has an adverse effect on human health or well-being or on the composition, resilience and productivity of a natural or managed ecosystem, or on material useful to person, or will have such an effect in the future;

“Premises” means:

- (a) any land without any buildings or other structures on it;
- (b) any building or other structure and the land on which it is situated;
- (c) any land which adjoins land referred to in paragraph (a) or (b) and any building or other structure on the adjoining land, if that land, building or structure is occupied or used in connection with any activity carried out on the premises referred to in paragraph (a) or (b); or
- (d) any vessel, vehicle or movable structure which is used for a scheduled use in terms of the Council’s Public Health By-laws published in under Notice 830 in Gauteng Provincial Gazette Extraordinary no 179 dated 21 May 2004 and amended from time to time;

“Prescribed fee” means a tariff for the services which the Council may set for the provision of municipal service to the local community, and include a charge on such tariff;

“Public place” includes any public building, public road, overhead bridge, subway, foot pavement, footpath, sidewalk, lane, square, open space, garden, park or enclosed space, vested in the Council, and any road, place or thoroughfare however created which is in the undisturbed use of the public or which the public has the right to use or the right to access;

“Public road” means any road, street or thoroughfare or any other place, whether a thoroughfare or not, which is commonly used by the public or any section thereof or to which the public or any section thereof has a right of access and includes –

- (a) the verge of any such road, street or thoroughfare;
- (b) any bridge or drift traversed by any such road, street or thoroughfare; and
- (c) any other work or object forming part of or connected with or belonging to such road, street or thoroughfare;

“Recovery” means the controlled extraction of a material or the retrieval of energy from waste to produce a product;

“Recycling” means a process where waste is reclaimed for further use, which process involves the separation of waste from a waste stream for further use and the processing of that separated material as a product or raw material;

“Re-use” means to utilise articles from the waste stream again for a similar or different purpose without changing the form or properties of the articles;

“Road reserve” means the verge and the roadway of a public road as defined in the National Road Traffic Act, 1996;

“SANS Code” means the South African National Standard: 10228: The Identification and Classification of Dangerous Goods for Transport as amended from time to time;

“**Scrap dealer**” means any person engaged in purchasing or collecting, storing and recycling of waste especially metal but does not include any person engaged solely in recycling metal cans, paper, cardboard or glass;

“**Service provider**” means an organization, business or individual which has contractual obligations to offer waste management activity or service in exchange of payment;

“**Storage**” means the accumulation of waste in a manner that does not constitute treatment or disposal of that waste;

“**Sustainable development**” means the integration of social, economic and environmental factors into planning, implementation and decision-making so as to ensure that development serves present and future generations;

“**Structures Act**” means the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

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

“**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;

“**Transfer station**” means a site approved and licensed in terms of the waste act (NEM: WA, 59 of 2008) for disposal and temporary storage of waste such as garden waste, small volume of building and demolition waste, domestic waste, industrial waste, business waste, excluding hazardous waste and medical waste;

“**Waste**” means any substance, whether or not that substance can be reduced, re-used, recycled and recovered-

- (a) that is surplus, unwanted, rejected, discarded, abandoned or disposed of;
- (b) which the generator has no further use of for the purposes of production;
- (c) that must be treated or disposed of; or
- (d) that is identified as a waste in terms of the Waste Act by the Minister of Environmental Affairs by notice in the *Gazette*; and includes waste generated by the mining, medical or other sector; but –
 - (i) a by-product is not considered waste; and
 - (ii) any portion of waste, once re-used, recycled and recovered, ceases to be waste;

“**Waste Act**” means the National Environmental Management: Waste Act, 59 of 2008

“**Waste container**” means a waste container supplied by the Municipality to premises as provided for in section 2(2) or approved by the Municipality in exceptional cases;

“**Waste disposal facility**” means any site or premises used for the accumulation of waste with the purpose of disposing of that waste at the site or premises;

“**Waste handling facility**” means any facility on or in which waste is accepted, accumulated, handled, and sorted, prior to its transfer for treatment, recycling, processing and disposal;

“Waste management activity” means any activity listed in Schedule 1 or published by notice in the *Gazette* under section 19, and includes—

- (a) the importation and exportation of waste;
- (b) the generation of waste, including the undertaking of any activity or process that is likely to result in the generation of waste;
- (c) the accumulation and storage of waste;
- (d) the collection and handling of waste;
- (e) the reduction, re-use, recycling and recovery of waste;
- (f) the trading in waste;
- (g) the transportation of waste;
- (h) the transfer of waste;
- (i) the treatment of waste; and
- (j) the disposal of waste;

“Waste management officer” means a waste management officer designated in terms of Section 10 of NEM: Waste Act, 59 of 2008;

“Waste management services” means waste collection, treatment, recycling and disposal services;

“Waste removal service” means the collection and removal of domestic, garden, industrial and business waste as provided for in section 2(2) and may include garden waste;

“Waste stream” means any type of waste, including domestic waste; general business waste, commercial business waste; and waste that can be recycled;

“Waste treatment facility” means any site that is used to accumulate waste for the purposes of storage, recovery, treatment, reprocessing, recycling or sorting of that waste;

- (2) If any provision in these By-laws vests or imposes any power, function or duty of the Municipality in or on an employee of the Municipality and such power, function or duty has in terms of section 81(2) of the Systems Act, or any other law, been assigned to a service provider, the reference in such provision to such employee must be read as a reference to the service provider or, where applicable, an employee of the service provider authorised by it.

2. Principles

(1) The Municipality has the responsibility to ensure that all waste generated within its jurisdiction is –

(a) collected, transported, treated, disposed of or recycled in accordance with these By-laws; and

(b) that such collection, transportation, treatment, disposal or recycling takes account of the waste management strategy set out in subsection (2).

(2) The underlying principle of these By-laws is in line with the goals of National Waste Management Strategy (NWMS) developed in 2011 listed as follows:

Goal 1: Promote waste minimisation, re-use, recycling and recovery of waste.

Focuses on implementing the waste management hierarchy with the ultimate aim of diverting waste from landfill.

Goal 2: Ensure the effective and efficient delivery of waste services.

Promotes access to at least a basic level of waste services for all and integrates the waste management hierarchy into waste services, including separation at source.

Goal 3: Grow the contribution of the waste sector to the green economy.

Emphasises the social and economic impact of waste management, and situates the waste strategy within the green economy approach.

Goal 4: Ensure that people are aware of the impact of waste on their health, well-being and the environment.

Seeks to involve communities and people, as active participants in implementing a new approach to waste management.

Goal 5: Achieve integrated waste management planning.

Creates a mechanism for integrated, transparent and systematic planning of waste management activities at each level of government.

Goal 6: Ensure sound budgeting and financial management for waste services.

Provides mechanisms to establish a sustainable financial basis for providing waste services.

Goal 7: Provide measures to remediate contaminated land.

Addresses the massive backlog of public and privately owned contaminated land in South Africa.

Goal 8: Establish effective compliance with and enforcement of the Waste Act.

Ensures that everyone adheres to the regulatory requirements for waste management, and builds a culture of compliance.

- (3) Any authorised official must, as far as reasonably possible, take into account the goals of NWMS specified in subsection (2).

3. Obligations of generators or holders of waste

- (1) A generator or holder of waste generated by his/her activities or activities of those persons working under his/her direction must:
 - (a) manage such waste so that it does not endanger health or the environment or create a nuisance; and
 - (b) maintain suitable cleanliness and hygiene standards on their premises as required by the Council's Municipal Health By-laws.
- (2) From the date of the notice contemplated in section 24, generators or holders of the categories of waste prescribed in the aforementioned notice must dispose of or treat the stipulated categories of recyclable waste in the manner prescribed in the notice.
- (3) No person may allow an animal in his or her control to interfere with, overturn or damage a container, which has been placed for collection.

- (4) The occupier of premises must ensure that –
- (a) no hot ash, unwrapped glass or other domestic waste, general business waste, which may cause damage to approved waste containers or which may cause injury to the Council's employees while carrying out their duties in terms of these By-laws, is placed in an approved container before suitable steps have been taken to avoid such damage or injury;
 - (b) no material, including any liquid, which by reason of its mass or other characteristics is likely to render an approved waste container unreasonably difficult for employees of the Council to handle or carry, is placed in an approved container;
 - (c) every approved waste container on the premises is kept closed and safe when waste is being deposited in it or discharged from it, and every approved container is kept in a clean and hygienic condition;
 - (d) no approved waste container delivered by the Council is used for any purpose other than the storage of domestic waste, general business waste, in particular, that no fire is lit in such approved waste container;
 - (e) an approved waste container is placed outside the entrance to the premises before a time and on a day of the week specified by the Council by written notice to the owner or occupier of the premises, except where, on written application to the Council, the Council has indicated in writing that it is satisfied that a person is physically infirm or otherwise incapable of complying with the notice;
 - (f) an approved waste container, placed in accordance with paragraph (e) is not damaged and is properly closed so as to prevent the dispersal of its contents; and
 - (g) no domestic waste or general business waste are placed in a container or compactor where they are able to contaminate another waste streams.
- (5) The owner or occupier of premises must provide space and any other facility considered necessary by the Council on the premises for the storage of approved waste containers.
- (6) The space provided to store an approved waste container, must:-
- (a) be in a position on the premises which will allow the storage of any approved waste container without it being visible from a public road or public place;
 - (b) if domestic waste or general business waste are generated on premises, the waste container must:-
 - (i) be in a position which will allow the collection and removal of that waste by the Municipality's employees without hindrance; and
 - (ii) not be more than 20 metres from the entrance to the premises used for the collection of waste by the Municipality;

- (c) be so located as to permit convenient access to and exit from such space for the Council's waste collection vehicles;
 - (d) comply with any further requirements imposed by the Council by written notice to the owner or occupier of the premises; and
 - (e) be constructed in accordance with the requirements of any applicable legislation relating to buildings.
- (7) The occupier of premises must place or cause any approved waste container to be placed in the space provided in terms of subsection (5) and must at all times keep them there.
- (8) The occupier of premises to which waste containers were delivered in terms of section 9 or to which bulk containers were delivered is liable to the Municipality for the loss of the containers and for all damage caused to the containers, except for any loss or damage caused by the employees or equipment of the Municipality.
- (9) Waste containers and bulk containers provided by the Municipality must not be removed from the premises by any person without the Municipality's written consent.
- (10) The occupier of premises must ensure that the storage area around waste containers and bulk containers is neat and free of waste and obstructions at all times.
- (11) The occupier must report any lost or damaged or partly damaged waste containers or bulk containers, which may be replaced at the discretion of the Municipality.
- (12) Notwithstanding the provisions of subsection (6):-
- (a) in the case of a building erected, or the building plans of which have been approved, prior to the commencement of these By-laws; or
 - (b) in the event of the Municipality being unable to collect and remove waste from the space provided in terms of subsection (5),

the Municipality may, having regard to the avoidance of a nuisance and the convenience of collection of waste, indicate a position within or outside the premises concerned where approved waste containers must be placed for the collection and removal of waste and such containers must then be placed in that position at such times and for such period as the Municipality may require.

CHAPTER 2

MUNICIPAL SERVICES

4. Notice to Municipality

- (1) The occupier of premises on which business waste or domestic waste is generated must, within seven days after the commencement or alteration of services or generation of such waste, notify the Municipality in writing:-
 - (a) that the premises are being occupied; and
 - (b) that business waste or domestic waste is being generated on the premises

5. Duty to provide access to Municipal Service

- (1) The Municipality must provide or ensure a service for the collection and removal of business waste and domestic waste from premises at the applicable tariff.
- (2) The Municipality has a right to differentiate between categories of uses and geographic areas when setting service standards and levels of service for the provision of the municipal service.
- (3) The collection and removal of business waste and domestic waste from premises within the area of jurisdiction of the Municipality and the provision of waste removal services in respect of such waste, is a municipal service which shall exclusively be provided by an authorized service provider and the occupier of premises shall not use the waste removal services of any other entity whatsoever.

6. Notice to the Service Provider

- (1) The Municipality may, by notice published in the Mpumalanga Provincial *Gazette* or in writing to any specific holder or generator of waste or any other person who undertakes a waste management activity within the Municipality's jurisdiction require the relevant persons to provide information in the prescribed form and within the prescribed period or at the prescribed intervals to the Municipality to enable it to:
 - (a) facilitate effective waste management within its jurisdiction;
 - (b) gather information and undertake strategic planning regarding the delivery of the municipal service;
 - (c) assess waste minimization within the Municipality's jurisdiction;
 - (d) prepare its integrated waste management plan;
 - (e) fulfill the Council's internal and external waste management reporting requirements;
 - (f) furnish information as required by the Waste Act to the provincial or national government; and
 - (g) for such other purpose as the Municipality may specify.

7. The provision of municipal service

- (1) In relation to the municipal service, the Municipality may determine:-
 - (a) the quantities of waste that will be collected;
 - (b) which residential or commercial premises require an increased frequency of the municipal service for reasons of health, safety or environmental protection;
 - (c) the maximum amount of waste that may be placed for collection without the provision of an additional service or payment of an additional prescribed fee; and
 - (d) requirements for the provision of waste storage areas and access to such areas in respect of premises which are constructed or reconstructed after the commencement of these By-laws.
- (2) The Municipality may provide, or instruct a generator of waste to provide, an approved container for the storage of domestic waste, general business waste pending collection, or the Municipality may provide such container which remains the property of the Municipality.
- (3) In providing the municipal service, the Municipality may determine or designate-
 - (a) collection schedules;
 - (b) locations for placing approved containers for collection; and
 - (c) waste items that are unsuitable for collection and if certain waste is determined to be unsuitable for collection, a process for collection or disposal of such waste should be recommended to the generator or holder of the waste.
- (4) The Municipality may require a generator of domestic waste and general business waste to compact that portion of the waste that is compactable, if the quantity of relevant waste generated on premises requires daily removal of more than the equivalent of eight 240-litre bins and if, in the opinion of the Municipality, the major portion of such waste is compactable.
- (5) A holder or generator of domestic waste and general business waste or an occupier of premises where such waste is stored may elect to compact any volume of waste referred to in subsection (7), and place it into an approved waste container or wrapper, provided:-
 - (a) the capacity of the wrapper must not exceed 85 litres and the mass of the wrapper and contents must not exceed 35 kilograms; and
 - (b) after the waste has been compacted and put into an approved waste container or wrapper, the container or wrapper must be stored in a manner which prevents damage to the container or wrapper or any nuisance arising until it is collected.
- (6) The occupier of premises is obliged to make use of the waste removal service provided by an authorized service provider specifically designated for such purpose by the Municipality.
- (7) Subject to the provisions of these by-laws, the occupier of premises must keep the premises free of any waste and the Municipality may require the occupier of the premises to make use of the services of any other authorized service provider for the collection and removal of the waste.
- (8) The occupier of premises on which business waste or domestic waste is generated is liable to the Municipality for the applicable tariff in respect of the collection, removal and disposal of business or domestic waste from the premises and remains liable for payment of the tariff until:-

- a) the occupier has submitted proof to the satisfaction of the Municipality that he or she is no longer liable for payment of the tariff in terms of these by-laws;
 - b) registration of transfer of the premises in the name of a new owner has taken place.
- (9) The Municipality must take the following factors into account in ensuring access to the municipal service:-
- (a) The waste collected, transported, treated, disposed or recycled takes account of the NWMS as indicated in 2(2)
 - (b) the need to use resources efficiently;
 - (c) the need for affordability;
 - (d) the requirements of operational efficiency;
 - (e) the requirements of equity; and
 - (f) the need to protect human health and the environment.
- (10) The Municipality may at any time review any decision taken by it in terms of subsection (6).
- (11) The Municipality must in writing notify every generator of domestic waste, general business waste of any decision taken in terms of subsection (4) or (5) relating to his or her premises.
- (12) Non-receipt of a notice contemplated in subsection (9), does not affect the application of any provision of these By-laws nor the liability to pay any prescribed fee provided for in these By-laws.

8. Liability to pay for municipal service

- (1) The owner of premises is liable to pay to the Municipality the prescribed fee for the provision of the municipal service, and is not entitled to exemption from, or reduction of the amount of such fee by reason of not making use, or of making a partial or limited use, of the municipal service.
- (2)(a) A prescribed fee becomes due and payable on the due date for payment stipulated in the account.
- (b) Non-receipt of an account does not relieve the person concerned of the liability to pay a prescribed fee before or on the due date.

CHAPTER 3**BUSINESS WASTE AND DOMESTIC WASTE****9. Delivery of waste containers**

- (1) After receipt of any notification in terms of section 24 the Municipality must deliver to the premises the number and type of waste containers that in its opinion are required for the temporary storage of waste.
- (2) The occupier's liability to pay the applicable tariff relating to either business or domestic waste is determined according to the dates on which the waste containers are delivered to and removed from the premises, and the Municipality's records serve as prima facie proof of such delivery and removal and of the applicable tariff payable.
- (3) Only an accredited service provider may provide a commercial service.
- (4) Any person requiring a commercial service must satisfy himself or herself or itself that the service provider is accredited by the Council to provide the commercial service and is licensed by the national or provincial authority if a licence is required for the service it provides.
- (5) The Municipality may, at any time after the delivery of waste containers in terms of subsection (1), remove some of the waste containers or deliver additional waste containers if, in its opinion, a greater or lesser number of waste containers is required on the premises.
- (6) The Municipality may deliver bulk containers to premises instead of smaller containers if it considers bulk containers essential for the premises, having regard to the quantity of waste generated on the premises, the suitability of such waste for temporary storage in bulk containers, and the accessibility and adequacy of the space provided for by the occupier of the premises for the waste collection vehicles.
- (7) The provisions of these by-laws in so far as they relate to waste containers delivered to premises for the temporary storage of waste in terms of subsections (1) and (3) apply in respect of bulk containers delivered to premises in terms of subsection (4).
- (8) The Municipality remains the owner of all waste containers provided and or delivered by it in terms of these by-laws.
- (9) The Municipality may by a notice published in the Mpumalanga Provincial Gazette direct that a category of waste be disposed of at a particular waste disposal facility or waste handling facility.
- (10) Where the Municipality has directed that a particular category of waste be disposed of at a specified waste disposal facility, no person may dispose of such waste at a waste disposal facility which is not designated to receive the category of waste specified in the notice referred to in subsection (1).

10. Placing of waste containers

- (1) The occupier of premises must provide an adequate and reserved clearance on the premises or provide any other equipment or facilities on the premises deemed necessary by the Municipality for the storage of the number of waste containers or bulk containers delivered by the Municipality in terms of sections 9.

- (2) The clearance provided for on the premises in terms of subsection (1) must:-
- (a) be in such a location on the premises as to allow for the storage of waste containers or bulk containers without the containers' being visible from a street or public place; A suitable waste collection area with provision for a water point, a waste water collection point(drain) and concrete floor, roof, ventilation and big enough to accommodate all generated waste, must be provided;
 - (b) be in such a location as to permit convenient access to and egress from the clearance by the Municipality's waste collection vehicles; and
 - (c) be sufficient to accommodate all waste, including the materials and any containers used in the sorting and storage of waste contemplated in section 9.
- (3) The occupier of premises must place or cause the waste containers or bulk containers to be placed in the clearance provided for in terms of subsection (1) and must at all times keep the containers in the clearance, except when they are removed for emptying.
- (4) Notwithstanding the provisions of subsection (3), the Municipality must ensure that:-
- (a) adequate measures are taken to prevent accidental spillages, or leaking or waste blown away;
 - (b) nuisance such as odour, visual impacts and breeding of vectors do not arise;
 - (c) pollution of the environment and harm to the health of the environment is prevented.
- (5) The Municipality may to the convenience of collection of waste, indicate a location within or outside the premises where the waste containers or bulk containers must be placed for the collection and removal of the waste, and such waste containers or bulk containers must then be placed in that location at such times and for such periods as the Municipality may require, provided that the provisions of this subsection apply to:-
- (a) premises in respect of which buildings were erected or building plans were approved prior to the promulgation of these by-laws; and
 - (b) premises in respect of which the Municipality, in its opinion, is unable to collect and remove waste from the clearance provided for in terms of subsection (1).

11. Emptying of waste containers

- (1) The occupier of premises must, before 07:00 on the day of the removal of domestic waste, place the waste containers containing waste outside the boundary of the premises or on the nearest street boundary or in some place as jointly determined by the Municipality and the occupier of the premises and such containers must be properly closed and may not cause any obstruction to pedestrian or vehicular traffic. The containers shall be emptied by the Municipality on the removal day or at such other times and/or intervals as agreed between the Municipality and the occupier of the premises.
- (2) Building rubble, steel, timber rests, soil, pebbles, rocks and other material not generated in gardens or households may not be disposed in the containers. Such containers will be left un-serviced.
- (3) The Municipality may refuse to empty any waste container or bulk container used and placed contrary to the provisions of subsection (1), (2) and sections 9.

12. Compaction of waste

- (1) Should the quantity of business waste generated on premises be such as to require daily removal and should the major portion of such waste be, in the opinion of the Municipality, compactable, or should the occupier of the premises wish to compact any volume of waste, it must be approved by the Municipality.
- (2) The occupier of premises may, after obtaining the written approval of the Municipality, make use of approved bulk compaction containers, provided that the occupier of the premises supplies the containers.
- (3) Subject to the provisions of section 2(2) -
 - (a) any container used in terms of subsection (4) may be collected, emptied and returned to the premises by the Municipality;
 - (b) the occupier of the premises must prepare the container for collection and must immediately reconnect the container to the compaction equipment after the container's return by the Municipality to the premises; and
 - (c) the Municipality accepts no responsibility for any damaged caused to containers or compaction equipment or any part thereof if (b) above is not practised and the employee(s) of the Municipality must perform such duties.
- (4) The provisions of this section do not prevent any occupier of premises who has obtained the Municipality's prior written consent from selling or disposing of any domestic waste, corrugated cardboard, paper, glass or other materials for recycling in a manufacturing process or, in the case of domestic waste, for consumption.

CHAPTER 4**INDUSTRIAL WASTE****13. Municipal Service**

- (1) The provisions of Chapter 3 in so far as they relate to the collection, removal and storage of business and domestic waste apply to industrial waste.

14. Storage and disposal of industrial waste

- (1) The occupier of premises on which industrial waste is generated must, until such time as the waste is removed from the premises, ensure that the waste is stored in the waste containers or bulk containers delivered to the premises by the Municipality for such purpose.
- (2) The occupier of premises referred to in subsection (1) must ensure that -
 - (a) dust or other nuisance is not caused by the industrial waste generated on the premises; and
 - (b) the storage area around the waste containers or bulk containers is neat and free of waste and obstruction at all times.
- (3) A person contracted by the Municipality to remove industrial waste must deposit the waste at a disposal site designated by the Municipality for that purpose, or as stipulated in the contract.

CHAPTER 5**BUILDING AND DEMOLITION WASTE****15. Responsibility for building waste**

- (1) All generators of building and demolition waste must ensure that –
 - (a) no additions or alteration of any structure should be done without making provision for waste that will be generated from the site;
 - (b) recyclable and non-recyclable waste is separated;
 - (c) non-recyclable waste is treated or disposed of in an environmentally sound manner;
 - (d) The building and demolition waste may be used as covering material in general waste disposal sites, excluding hazardous waste disposal sites;
 - (e) until disposal, all building and demolition waste, together with the containers used for the storage, collection or disposal thereof, is kept on the premises on which the waste was generated;
 - (f) the premises on which the building and demolition waste is generated, do not become unsightly and no nuisance is caused by accumulated building waste;
 - (g) any building and demolition waste which is blown off or washed away from the premises, is promptly retrieved;
 - (h) any structure necessary to contain the building and demolition waste is constructed;
 - (i) any instruction from the Municipality regarding the management and storage of building and demolition waste, including any structures to be constructed is adhered to.

16. Storage of building and demolition waste

- (1) No person may place building and demolition waste on a pavement or sidewalk unless such waste is placed in a skip.
- (2) The prohibition in subsection (1) does not apply to the storage of building material which one will utilise in the construction of the building.
- (3) Every container used for the storage and removal of building and demolition waste must –
 - (a) have clearly marked on it the name, address and telephone number of the person in control of that container;
 - (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 waste so that no displacement of its contents can occur.

17. Collection and disposal of building and demolition waste

- (1) The owner or occupier of premises on which building waste is generated or the developer must ensure that the waste is collected and transported by an accredited service provider.
- (2) All building and demolition waste must be disposed of at an appropriately licensed waste disposal facility or landfill sites, unless: -
 - (a) the Municipality has given written consent for the building and demolition waste to be used for the purpose of land reclamation and all other authorizations required for this to have been obtained; or
 - (b) the building and demolition waste will be re-used or recycled by an accredited service provider; or
 - (c) the building and demolition waste will be treated at a licensed waste treatment facility.

CHAPTER 6**HAZARDOUS AND HEALTH CARE RISK WASTE****18. Generation of hazardous and health care risk waste**

- (1) Any person who will carry on an activity which will generate hazardous or health care risk waste must, before carrying on that activity,:
 - (a) prepare an integrated waste management plan setting out what provision is made for managing, storing; treating, collecting, transporting and disposing of hazardous or health care risk waste generated from such activities;
 - (b) provide proof that all waste management service, for handling or disposal of hazardous and medical waste, will be provided by an accredited service provider; and
 - (c) provide a copy of an integrated waste management plan required in terms of these By-laws, with contents as reflected in Schedule 2 for managing, storing; treating, collecting, transporting and disposing of hazardous or health care risk waste generated from such activities;
- (2) The integrated waste management plan referred to in this section should be submitted to the Municipality or authorised official for approval before the activities which will generate waste identified in subsection (1) are carried out and the plan must include:-
 - (a) the information set out in section;
 - (b) an analysis of the composition of the waste concerned; and
 - (c) certification of the analysis of the composition of the waste by an appropriately qualified chemist if required by the Municipality.
- (3) If waste identified in subsection (1) is being generated as a result of activities which commenced prior to the commencement of these By-laws, the generator must prepare an integrated waste management plan and submit it to the Municipality or authorised official for approval within 180 days of the commencement of these By-laws.
- (4) The integrated waste management plan must be renewed and updated regularly as determined by the Municipality.
- (5) It is an offence to carry on an activity which generates hazardous or health care risk waste without an approved integrated waste management plan.

19. Notification of generation of hazardous waste or health care risk waste

- (1) A person or other legal entity must not, within the area of jurisdiction of the Municipality, operate or conduct a service for the removal of any type of waste contemplated in this chapter from premises, irrespective of whether such service is rendered for payment or not, unless such natural person or other legal entity is registered by the Municipality.

- (2) An authorized service provider engaged in an activity or activities which generate hazardous waste or health care risk waste to be generated must notify the Municipality, before commencement of such generation, of: -
- (a) the composition of the waste;
 - (b) the quantity of the waste;
 - (c) the method of storage of the waste;
 - (d) the proposed duration of the storage of the waste; and
 - (e) in terms of the provisions of section 21(4), the manner in which the waste will be removed.
- (3) If so required by the Municipality, the notification referred to in subsection (1) must be substantiated by an analysis of the waste certified by an appropriately qualified industrial chemist or a person designated by the Municipality.
- (4) Subject to the provisions of any applicable legislation, the Municipality or any person duly authorised by the Municipality may enter any premises at a reasonable time to ascertain whether hazardous waste or health care risk waste is generated on the premises and may take samples of and test any waste found on the premises to ascertain its composition.
- (5) A person referred to in subsection (1) must notify the Municipality of any changes in the composition and quantity of the hazardous waste or health care risk waste occurring after the notification in terms of subsection (1).

20. Storage of hazardous and health care risk waste

- (1) A person referred to in section 18(1) must ensure that the hazardous waste or health care risk waste generated on the premises is kept and stored on the premises in accordance with the provisions of section 18 until the waste is removed from the premises in accordance with section 21.
- (2) Hazardous waste or health care risk waste stored on premises must be stored in such a manner that the waste cannot become a nuisance or a safety hazard or pollute the environment.
- (3) If hazardous waste or health care risk waste is not stored in accordance with subsection (2) on the premises on which it was generated, the Municipality may order the occupier of the premises and/or the person referred to in section 18(1) to remove the waste within a reasonable time and, if the waste is not removed within that time, the Municipality may, at the occupier's expense and/or at the expense of the person referred to in section 18(1), remove the waste itself or have the waste removed.
- (4) Hazardous waste or health care risk waste must be stored in an approved container by the Municipality, and such container must be kept in an approved storage area to avoid nuisances before the removal of the waste in accordance with section 21.

21. Removal and disposal of hazardous and health care risk waste

- (1) A person must not, without the written consent of the Municipality or competent authority and subject to such terms and conditions as the Municipality may deem fit, remove or have special industrial waste, hazardous waste or medical waste removed from the premises on which it was generated.
- (2) The occupier of premises must only have hazardous waste or health care risk waste removed by a contractor approved by the competent authority in compliance with the relevant legislation.
- (3) Hazardous waste and health care risk waste must only be transported by a contractor who is approved by the competent authority and meets the requirements in respect of:-
 - (a) the competence of contractors to remove a particular type of waste;
 - (b) the containers of contractors;
 - (c) the markings on the containers of contractors;
 - (d) the manner of construction of the containers of contractors;
 - (e) the contractors' procedures for safety and cleanliness; and
 - (f) the contractors' documentation relating to the source, transportation and disposal of waste.
- (4) An authorized service provider referred to in section 18(1) must inform the Municipality, at such intervals as the Municipality may stipulate, of: -
 - (a) the removal of hazardous waste or health care risk waste;
 - (b) the identity of the contractor who will remove the waste;
 - (c) the date of the removal of the waste; and
 - (d) the quantity and the composition of the waste to be removed.
- (5) Should a person be convicted of contravening the provisions of this section, he or she must, notwithstanding any penalty imposed on him or her, dispose of the waste as directed by the Municipality or, alternatively, the Municipality may dispose of the waste itself at the expense of that person.
- (6) Notwithstanding anything to the contrary contained in these by-laws, the generation, storage, removal and disposal of hazardous waste or health care risk waste in accordance with sections 18, 19 and 20 are subject to the provisions of the Hazardous Substances Act, 1973, the Occupational Health and Safety Act, 1993 (Act 85 of 1993), the National Road Traffic Act, 1996, the Health Act (Act 63 of 1977), and the Fire Brigade Services Act, 1987 (Act 99 of 1987), and any regulations promulgated under these Acts.

CHAPTER 7**WASTE MINIMIZATION AND RECYCLING****22. Reduction, Re-use, Recycle & Recovery of waste**

- (1) All generators and holders of waste must ensure that waste is avoided, or where it cannot altogether be avoided, minimized, re-used, recycled or recovered wherever possible and disposed of in an environmentally sound manner.
- (2) Any person who is undertaking reduction, re-use, recycling or recovery of waste including scrap dealers, waste treatment facilities 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.

23. Registering with the council and compliance with national and provincial laws

- (1) Re-use, recycling or recovery of waste must be undertaken in a manner which complies with the Waste Act and any other applicable law.
- (2) No person may undertake to collect, transport, sort, store, re-use, recycle or recover waste with the intention of making profit including scrap dealers, waste treatment facilities and formalized recycling groups unless the undertaking is accredited in terms of these By-laws.
- (3) Subsection (2) does not apply to transportation or collection of own recyclable waste; persons engaged in fundraising ventures or bona fide non-governmental organisations if the collection, transportation, sorting, storing, re-using or recycling of waste is not for profit.

24. Obligation to separate waste into recycling and non recycling material

- (1) The Municipality may prescribe by a notice published in the Mpumalanga *Provincial Gazette* that, from a prescribed date, areas, specified generators or holders of particular categories of waste must for the purpose of recycling, separate those categories of waste and must, store dispose of or treat the separated waste in the manner prescribed in the notice.
- (2) Failure to comply with a notice published pursuant to sub-section (1) is an offence.

25. Storage, collection, treatment, transportation and disposal of waste that can be recycled

- (1) The owner or occupier of premises on which waste that can be recycled is generated and separately stored, must ensure that:–
 - (a) until such time as such waste is collected by an accredited service provider from the premises on which it was generated or stored, the waste is placed in an approved waste container, and in a secure location;
 - (b) the approved waste container in which the waste is stored, is not kept in a public place except when so required for collection;
 - (c) the approved waste container placed for collection is not damaged and is properly closed so as to prevent the dispersal of its contents;

- (d) every approved waste container on the premises is kept closed, save when waste is being deposited in it or discharged from it, and every approved container is kept in a clean and hygienic condition;
 - (e) nuisances such as odour, visual impacts and breeding of vectors do not arise; and
 - (f) the waste is collected by an accredited service provider within a reasonable time after the generation thereof, but at least once per month.
- (2) An accredited service provider must handle, treat or dispose of waste that can be recycled at a permitted waste handling, treatment or disposal facility.

CHAPTER 8**TRANSPORTATION, TREATMENT AND DISPOSAL OF WASTE****26. Transportation of waste**

- (1) No person may:-
 - (a) operate a vehicle for the conveyance of waste upon a public road unless the vehicle has a body of adequate size and construction for the type of waste being transported;
 - (b) fail to maintain a vehicle used for the conveyance of waste in a clean, sanitary and roadworthy condition at all times;
 - (c) fail to cover loose waste on an open vehicle with a tarpaulin or suitable net;
 - (d) cause or permit any waste being transported in or through the Council's jurisdiction to become detached, leak or fall from a vehicle transporting it, except at a waste disposal facility; or
 - (e) transport waste in a manner that would cause nuisance or environmental pollution.
- (2) Subject to the provisions of subsection (1), all transportation of waste must comply with the National Road Traffic Act, 1996 (Act No. 93 of 1996).
- (3) Any person engaged in the transportation of waste must take all reasonable measures to prevent any spillage of waste or littering from a vehicle used to transport waste, and where waste is spilled, immediately clean-up the spilled waste.

27. Disposal of waste

- (1)
 - (a) Waste generated in the Municipality's jurisdiction must be disposed of at a waste disposal facility licensed to accept such waste or recycled or treated at a licensed waste treatment facility.
 - (b) In disposing of waste, an accredited service provider must comply with the provisions of section 30(2) and with the provisions of any other law regulating the disposal of waste.
- (2) No person may burn waste either in a public or private place, for the purpose of disposing of that waste.
- (3) No person may incinerate waste either in a public or private place, except in an incinerator at a place where the relevant national or Mpumalanga provincial authorities permit such incineration, or at a place designated by the Municipality for that purpose.
- (4) Notwithstanding the provisions of subsection (1), a person may dispose of those forms of recyclable waste specified by the Municipality in a notice in terms of section 30(2) at a designated waste handling facility, but may do so only if all such waste is brought to the facility in a vehicle able to carry a maximum load of one tonne or less.
- (5) The disposal of waste at any waste disposal facility is, in addition to any condition as

set in the waste act or the Norms and Standards of disposal of waste by landfill or subject to such conditions as the Municipality may impose, including the hours of opening and closing, the nature of the waste which may be disposed of, the position in any such waste disposal facility in which the waste may be placed and any other matter which the Municipality considers necessary to ensure the environmentally sound management of waste.

- (6) Every person who enters a waste disposal facility must:-
- (a) enter a waste disposal facility at an access point determined by the person in charge of the waste disposal facility;
 - (b) at the request of the person in charge of a waste disposal facility, provide the Municipality or that person with any information regarding the composition of the waste disposed of or to be disposed of; and
 - (c) comply with any instruction by the person in charge of the waste disposal facility in respect of access to the actual place where, and the manner in which, waste must be deposited.
- (7) No person may:-
- (a) bring any liquor or intoxicating or narcotic substance onto a waste disposal facility or enter such facility under the influence of liquor or such substance;
 - (b) enter a waste disposal facility for any purpose other than the disposal of waste in terms of these By-laws, unless authorised to do so by the person in charge of the waste disposal facility or the Municipality and then only at such times and subject to such conditions as the Municipality or such person may impose;
 - (c) dispose of waste at a waste disposal facility where the disposal of the waste concerned is not permitted; or
 - (d) light a fire on a waste disposal facility without the prior written consent of the person in charge of that facility.
- (8) Any person who contravenes subsection (7)(c) is liable for all costs reasonably incurred by the Municipality in removing or otherwise dealing with the waste concerned.
- (9) The person in charge of a waste disposal facility may at any time require a vehicle or a container on a vehicle brought into the waste disposal facility for the purposes of disposing of waste, to be weighed at a weighbridge.
- (10) The person in charge of a waste disposal facility or an authorised official may at a waste disposal facility, inspect the content and nature of waste to be disposed of or processed and may take samples and test any waste found on any vehicle to ascertain its composition.
- (11) Any person contravening any preceding provision of this section, may be refused entry or instructed by the person in charge to leave a waste disposal facility and if such person fails or refuses to comply with such instruction, he or she may be removed from such facility by an authorised official.
- (12) No person may store waste in a manner which may cause pollution or a nuisance.

CHAPTER 9**LITTERING, DUMPING & ABANDONING OF WASTE****28. Littering**

(1) A person must not:-

- (a) throw, drop, deposit, spill or in any other way dispose of any waste or waste material in or on any public place or premises, except into a container provided for that purpose or at a disposal site controlled by the Municipality;
- (b) allow any other person under his or her control to commit any of the acts contemplated in paragraph (a), and, for the purpose of this subsection, employers or principals are liable for the acts of their employees or agents, provided that where an employee or agent contravenes the provisions of paragraph (a) he or she is liable as if he or she were the employer or principal.

(2) A person reasonably suspected by a law enforcement officer of having contravened the provisions of subsection (1) is liable in terms of these by-laws.

(3) Should a person be convicted of contravening the provisions of this section, he or she must, notwithstanding any penalty imposed on him or her, dispose of the waste as directed by the Municipality or, alternatively, the Municipality may dispose of the waste itself at the expense of that person.

Advertising: -

- (a) a person is not permitted to distribute any flyers, pamphlets, stickers or handbills at street corners, robots, sidewalks, stop streets or any open or public place without the Municipality's prior written consent; and
- (b) a placard or advertisement must not be displayed or placed on any lamp pole, traffic sign pole or fence by a person without the Municipality's prior written consent.

29. Dumping and abandoning

(1) A person must not dispose of any waste or waste material at any place or on any premises other than as provided for in terms of these by-laws.

(2) A person reasonably suspected by a law enforcement officer of having contravened the provisions of subsection (1) is liable in terms of these by-laws.

(3)(a) Subject to the provisions of any other law, the Municipality has the right to remove and dispose of any abandoned waste or waste material in any way it deems appropriate under the prevailing circumstances.

(b) The Municipality is not liable for any damages, costs or claims that arise out of or that are in any way connected to any action taken in terms of paragraph (a).

(4) Should a person be convicted of contravening the provisions of this section, he or she must, notwithstanding any penalty imposed on him or her, dispose of the abandoned waste or waste material as directed by the Municipality or, alternatively, the Municipality may dispose of the waste or waste material itself at the expense of that person.

30. Liability of person response

- (1) Where any waste or waste material has been removed and disposed of by the Municipality in terms of section 23(3), the person responsible is liable to pay the Municipality the applicable tariff in respect of the removal and disposal.
- (2) For the purposes of subsection (1) the person responsible is:-
 - (a) the last owner of the waste or waste material before it was removed by the Municipality and includes any person who, at the time of the abandoning of the waste or waste material, was entitled to be in possession of the waste or waste material by virtue of the common law, a hire-purchase agreement or an agreement of lease, unless it can be proved by such a person that he or she was in no way connected to and could not reasonably have known of the abandoning of the waste or waste material;
 - (b) the person who abandoned the waste or waste material at the locality in question, and includes the employer or principal of such a person;
 - (c) the person whose permission was required to abandon the waste or waste material at the locality in question, and includes the employer or principal of such a person; and
 - (d) a person contemplated in section 6A(1)(c)(i) of the Businesses Act, 1991 (Act 71 of 1991), and the Municipality's Street Trading By-laws promulgated in terms of that Act.

31. Prohibited conduct

(1) No permit holder may:-

- (a) intentionally or negligently operate in contravention of any condition of the accreditation permit;
- (b) intentionally or negligently fail or refuse to give information to an authorized official, when required to do so in terms of these By-laws, or give false or misleading information;
- (c) intentionally or negligently fail to take all reasonable steps to prevent a contravention of these By-laws, by any act or an omission of his or her employee acting in the course and scope of his or her duties, or
- (d) collect or transport any waste except in a properly constructed, watertight vehicle or in a suitable container that prevents spillage of waste, the suitability of the vehicle to be dependent on the waste stream, to be collected or transported, as specified in the National Road Traffic Act, 1996.

32. Exemptions

- (1) The Municipality may, having regard to the main objects of these By-laws contemplated in section 3(1), and its integrated waste management plan, by notice in the Mpumalanga Provincial Gazette, exempt any type of commercial service from any provision of this Chapter to the extent and subject to the terms specified in such notice.

33. Transitional provisions

- (1) Any person who is at the commencement of these By- laws lawfully providing a commercial service for which an accreditation permit is required under this Chapter, may continue providing such service provided that within 90 days of such commencement, or such extended period as Municipality may prescribe, such person makes application for an accreditation permit in terms of section 35, failing which such person's right to provide such service lapses.
- (2) If an application is submitted in terms of subsection (1), the applicant may continue to provide the commercial service in respect of which the application has been made until a final decision has been taken in respect of that application.

CHAPTER 10

AUTHORIZED OFFICIALS

34. Identification documents

- (1) An authorised official must, upon appointment, be issued with an identification document by the Municipality which must state the name and powers and function of that official, and include a photograph of the official.
- (2) An authorised official, exercising his powers or performing his functions and duties for the purposes of these By-laws, must present an identification document issued in terms of subsection (1) on demand by a member of the local community.

35. Power of authorized officials

- (1) In addition to the powers, functions and duties an authorised official has by virtue of his appointment as such, an authorised official may, with the consent of the owner or person in charge of a vehicle or other mode of conveyance, search that vehicle or other mode of conveyance found in any place.
- (2) If consent is not obtained in terms of subsection (1), a vehicle or other mode of conveyance may be searched or stopped and searched, only pursuant to a valid written authorisation issued by a justice of the peace as contemplated in sections 3 and 4 of the Justices of the Peace and Commissioners of Oaths Act, 1963 (Act No.16 of 1963).
- (3)(a) If, in the opinion of an authorised official, any search of a vehicle or other mode of conveyance in terms of subsection (1) or (2), gives rise to the reasonable apprehension that the presence of waste in or on such vehicle or other mode of conveyance is a serious and immediate danger to human health or to the environment, the authorised official must instruct the owner or person in control of the vehicle concerned in writing to take the steps specified in that instruction which, in the opinion of such official or officer, are necessary to mitigate harm to human health or damage to the environment.
 - (b) In the event of a refusal or failure to comply with an instruction given in terms of paragraph (a), the authorised official may report the matter to the South African Police Services with a view to seizure of the vehicle concerned in terms of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).
- (4) An authorised official may subject to designation / appointment and authorisations in terms of any applicable law, enter any premises or facility, for the purposes of ascertaining compliance with these By-laws;
- (5) The authorised official with a written authorisation referred to in subsection (4) is allowed to:-
 - (a) inspect any document that a person is required to maintain in terms of any law or that may be relevant to any work or inspection;
 - (b) copy any document referred to in paragraph (b) or if necessary, remove the document in order to copy it;

- (c) take samples of any substance that is relevant to the work or inspection; and
 - (d) take photos or make audio-visual recordings of anything or any person, process, action or condition on or regarding any premises.
- (6) The Environmental Management Inspectors / Environmental Health Officers and Environmental Compliance and Enforcement Officers designated / appointed by the district municipality will have full powers to enforce the by-laws as per their designated or appointments powers and functions.

36. Powers to question

- (1) For the purposes of administering, implementing and enforcing the provisions of these By-laws, an authorised official may, require a permit holder or any other person to disclose information, either orally or in writing, and either alone or in the presence of a witnesses, on any matter to which these By-laws relate and require that the disclosure be made on oath or affirmation.
- (2) An authorised official may for the purposes of subsection (1) be accompanied by an interpreter and any other person reasonably required to assist that official or officer.

37. Observance of rights

- (1) The exercise by an authorised official of any powers under these By-laws should be undertaken with strict regard to decency; orderliness; and each person's constitutional and human rights and its legislative limitations.

38. Supervision of holders of accreditation permits

- (1) An authorised official may, inspect every workplace of an accreditation permit holder at least twice a year.
- (2) An accreditation permit holder must allow an authorised official access for the purposes of an inspection in terms of subsection (1).
- (3) If an authorised officer is, after an inspection in terms of subsection (1), of the opinion that an accreditation permit holder is complying with these By-laws, he must, subject to the provisions of subsection (4), issue an accreditation permit holder with a certificate confirming such compliance, in which it must be stated:–
 - (a) the name and residential and postal address of the accreditation permit holder;
 - (b) the address of the premises inspected;
 - (c) the time, date and scope of the inspection; and
 - (d) any remarks which, in the opinion of an authorised official, may be relevant.
- (4) If an accreditation permit holder fails to obtain a certificate confirming compliance at three consecutive inspections, an authorised official may recommend that the Municipality review the accreditation permit concerned and, should there be reasonable grounds, the Municipality may suspend or revoke the accreditation permit.

- (5) An authorised official must keep a register recording each inspection which he or she has undertaken, in terms of subsection (1).

39. Compliance notices

- (1) If, in the opinion of an authorised official, a person is contravening any provision of these By-laws, that official may in writing issue a compliance notice and serve it on the person concerned.
- (2) An authorised official who is satisfied that the person served with the compliance notice has complied with the terms of the notice may issue a compliance certificate to that effect.
- (3) A compliance notice remains in force until an authorised official has issued a compliance certificate in respect of that notice or an order envisaged in section 40(4) is made.
- (4) A compliance notice must set out:
- (a) the provision that has not been complied with;
 - (b) details of the nature and extent of non-compliance;
 - (c) any steps that are required to be taken and the period within which those steps must be taken; and
 - (d) any penalty that may be imposed in terms of these By-laws by the competent court or authorised official in the event of non-compliance or failure to comply to the directive or notice.

40. Representation

- (1) Any person on whom a compliance notice as contemplated in section 39(1) or a directive contemplated in section 47(4) was served, may make representations to the Municipality, by submitting a sworn statement or affirmation to the Municipality, within a period set out in the notice/directive or within 21 days of the service of the compliance notice or the directive.
- (2) Representations or objections against the notice or directive or claim not lodged within a period set out in the notice / directive or 21 days of the service thereof must not be considered, except if the person concerned has shown good cause for condonation and the Municipality condones the late lodging of the representations.
- (3)(a) The Municipality must consider the representations and any response thereto by an authorised official, or any other person, if any, and may conduct any further investigation to verify the relevant facts.
- (b) If the Municipality conducts a further investigation, the results of such investigation must be made available to the person who made the representations, who must be given an opportunity to respond thereto and the Municipality must consider such response.
- (4)(a) After the Municipality, is satisfied that *inter alia* the requirements of subsection (3) have been satisfied, it must make an order in writing and serve a copy of thereof on the person concerned setting out its findings.

- (b) Such an order may:–
- (i) confirm, alter or set aside in whole or in part, the directive or compliance notice concerned; and
 - (ii) must, if relevant, specify the period within which the person concerned must comply with the order.
- (5) If a person makes representations in terms of subsection (1), any requirement to comply with the directive or compliance notice concerned, is suspended until an order is made in terms of subsection (4)(b) unless, in the opinion of the Municipality, an environmental emergency has been caused in which event and without derogation from any right that the person concerned may have or acquire to any relief of whatever nature, the person concerned must immediately comply with such directive or notice on being instructed, orally or in writing, by the Municipality to do so.
- (6) If a person fails to comply with such an order in terms of subsection (5), the Municipality may itself cause the environmental emergency to be stopped, reversed or abated and recover any reasonable and necessary expenditure which it has incurred or may incur in taking those steps, from that person.

CHAPTER 11**MISCELLANEOUS****41. Ownership**

- (1) The person holding a waste management licence for a waste management activity becomes the owner of all waste the person handles. A person who generates waste is the owner thereof until it is collected by the Municipality or an accredited service provider which then becomes the owner thereof.
- (2) A person who abandons any article/s is liable for any damage which that article/s may cause as well as for the cost of removing that article/s, notwithstanding the fact that such person may no longer be the owner thereof.

42. Serving documents

- (1) A notice, instruction, order or other document which has to be served for the purposes of these By-laws, is regarded to have been properly served or delivered if:–
 - (a) it has been served on or delivered to the person concerned personally;
 - (b) it has been sent by registered post or speed post to the person concerned at his or her last known address;
 - (c) it has been served on a person apparently not less than 16 years of age and apparently in charge of the premises at the addressee's last known address.

43. Offences and penalties

- (1) Any person, who:–
 - (a) contravenes or fails to comply with any provisions of these By-laws;
 - (b) fails to comply with any notice, directive or order issued or condition imposed in terms of or for the purposes of these By-laws;
 - (c) fails to comply with any lawful instruction given in terms of or for the purposes of these By-laws; or
 - (d) who obstructs or hinders any authorised representative or employee of the Municipality in the execution of his or her duties under these By-laws; is guilty of an offence and liable on conviction to a fine or in default of payment to imprisonment for a period not exceeding 12 months and in the case of a continuing offence, to a further fine not exceeding R2000.00 or in default of payment, to imprisonment not exceeding one day for every day that the offence continues after a written notice has been issued by the Municipality and served on the person concerned requiring the discontinuance of such offence.
- (2) The competent court may in addition to any penalty imposed in terms of subsection (1), order a person to repair the damage, make good the loss, rehabilitate the environment, or determine what measures must be taken by such person and the payment of the expenses incurred in respect thereof or any other costs or damages.

44. Short title

These By-laws are called the Gert Sibande District Waste By-laws, 2016.

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 13 OF 2017

Issued by the Department of Cooperative Governance on 10 April 2014

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

Notice No. 21/2016

DATE: 09 MAY 2016

MUNICIPAL NOTICE NO:21/2016

of

DR PIXLEY KA ISAKA SEME
MUNICIPALITY

RESOLUTION LEVYING PROPERTY RATES FOR THE FINANCIAL YEAR 1 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 **A037/2016**, 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	0.007621
Business and commercial property	0.011431
Industrial property	0.016695
Agricultural property	0.00190525
Mining property	0.022260
Public service infrastructure property	0.00190525
Public benefit organisation property	0.00190525
State owned	0.016695
All stands without buildings	0.011353
Amajuba Park Shopping Centre	0.233730

Full details of the Council resolution and rebates, reductions and exclusions specific to each category of owners of properties or owners of a specific category of properties as

Issued by the Department of Cooperative Governance on 10 April 2014
determined through criteria in the municipality's rates policy are available for inspection on
the municipality's offices, website (www.rnunicipality.gov.za) and all public libraries.

NAME:

DESIGNATION: MUNICIPAL MANAGER

SIGNATURE:.....
DR PIXLEY KA ISAKA SEME
MUNICIPALITY

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Nel Street, Nelspruit, 1200. Tel. (01311) 5-2133.