



LIMPOPO PROVINCE
LIMPOPO PROVINSIE
XIFUNDZANKULU XA LIMPOPO
PROFENSE YA LIMPOPO
VUNDU LA LIMPOPO
IPHROVINSI YELIMPOPO

**Provincial Gazette • Provinsiale Koerant • Gazete ya Xifundzankulu
Kuranta ya Profense • Gazethe ya Vundu**

*(Registered as a newspaper) • (As 'n nuusblad geregistreer) • (Yi rhijistariwile tanihi Nyuziphepha)
(E ngwadisits`we bjalo ka Kuranta) • (Yo redzhistariwa sa Nyusiphepha)*

Vol. 24

POLOKWANE,
30 JUNE 2017
30 JUNIE 2017
30 KHOTAVUXIKA 2017
30 JUNE 2017
30 FULWI 2017

No. 2829

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 1682-4563



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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 LIMPOPO 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**
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- **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, 15h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 15h00 - 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, 15h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 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 86 OF 2017

**NOTICE OF ENVIRONMENTAL
AUTHORISATION PROCESS**

Applications in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended; and the Environmental Impact Assessment Regulations (as published in Government Notice No. 327, 7 April 2017) and the Mineral Resources (Act No. 28 of 2002): Regulations Regarding the Procedural Requirements for the Basic Assessment will be lodged with the Department of Environmental Affairs and Department of Mineral Resource.

Please note that locality maps of the proposed bridges and borrow pits are available on request for the sites of activity:

Brakspruit Major Culvert (C3317/C3318); Merriespruit Bridge (B0430); Marberkuil Major Culvert (C3316)

Proposed Activity:

The project entails the upgrade and construction of existing bridges and culverts on R33, Section 14, in Ward 3 of the Lephalale Local Municipality.

Listed Activities:

Listing Notice 1, Activity 19:

The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shell, shell grit, pebbles or rock of more than 10 cubic metres from—
(i) a watercourse

Listing Notice 1, Activity 21(a):

The operation of the activity requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including activities for which an exemption has been issued in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002).

Interested and Affected parties are invited to register within 30 days of the issuing of this notice. Subject to interest in the application, public meetings, workshops and focus groups will be convened.

Representations may be submitted and further information can be obtained from:

Information Decision Systems: Ms. Gabrielle Ayres
Contact: Tel: 087 353 2576; Fax: 086 685 7767
Email: gabrielle@ids-cc.co.za

NOTICE 87 OF 2017

Bela-Bela Amendment Scheme 109/08

I, Thomas Pieterse of the firm Natura Professional Planners (Pty) Ltd, being the authorized agent of the owners of the Remaining Extent of the farm Klein Kariba 849 KR, as well as Portion 2 (a portion of Portion 1) of the farm Klein-Kariba 849 KR hereby give notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read with the Spatial Planning and Land-use Management Act, 2013 that I have applied to the Bela-Bela Municipality for the amendment of the Land-Use Scheme known as the Bela-Bela Land-Use Scheme, 2008 for the following:

- The rezoning of a portion ($\pm 4,342\text{m}^2$) of the Remaining Extent of the farm Klein-Kariba 849-KR, from "Private Open Space"/"Agricultural" to "Special" for 500m² shop area, subject to specific conditions. [This application is only a relocation of the existing approved rights on Portion 2 (a portion of Portion 1) of the farm Klein-Kariba 849 KR]; and
- The rezoning of Portion 2 (a portion of Portion 1) of the farm Klein-Kariba 849-KR from "Special" for medical consulting rooms, pharmacy, frail care Centre with 20 beds and a floor area of 500m² shop area, to "Special" for medical consulting rooms, pharmacy and frail care Centre with 20 beds. The application properties are situated at the entrance to Negester Retirement Estate, directly north and adjacent to the Frail care centre.

Particulars of the application will lie for inspection during normal office hours at the office of the Manager: Spatial Planning and Land Use Management, Directorate Planning and Development, Bela-Bela Municipality, Chris Hani Drive, Bela-Bela for a period of 28 days from 30 June 2017.

Objections to or representations in respect of the application must be lodged with or made in writing to the Manager: Spatial Planning and Land Use Management at the above address or at Private Bag X1609, Bela-Bela, 0480 within a period of 28 days from 30 June 2017 (but not later than 28 July 2017).

Address of Agent: Natura Professional Planners (Pty) Ltd, P.O. Box 3501, Nylstroom, 0510, Tel: 0824467338, e-mail: theo@profplanners.co.za

30-7

KENNISGEWING 87 VAN 2017

Bela-Bela Wysigingskema 109/08

Ek, Thomas Pieterse van die firma Natura Professional Planners (Pty) Ltd, synde die gemagtigde agent van die eienaars van die Resterende Gedeelte van die plaas Klein Kariba 849 KR, asook Gedeelte 2 (n gedeelte van Gedeelte 1) van die plaas Klein Kariba 849 KR gee hiermee ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), saam gelees met die Ruimtelike Beplanning en Grondgebruiksbestuur Wet, 2013 kennis dat ek by die Bela-Bela Munisipaliteit aansoek gedoen het om die volgende wysigings van die Bela-Bela Grondgebruikskema, 2008, naamlik:

- Die hersonering van n gedeelte ($\pm 4,342\text{m}^2$) van die Resterende Gedeelte van die plaas Klein Kariba 849 KR, vanaf "Privaat Oop Ruimte"/"Landbou" na "Spesiaal" vir 500m² winkel area, onderworpe aan spesiale voorwaardes. [Hierdie aansoek is slegs n oorpasing van die huidige goedgekeurde regte op Gedeelte 2 (n gedeelte van Gedeelte 1) van die plaas Klein Kariba 849 KR].
- Die hersonering van Gedeelte 2 (n gedeelte van Gedeelte 1) van die plaas Klein Kariba 849 KR van "Spesiaal" vir mediese spreekkamers, apteek, hoërsorgsentrum met 20 beddens en 500m² winkel area, na "Spesiaal" vir mediese spreekkamers, apteek en hoërsorgsentrum met 20 beddens. Die aansoek eiendom is gelee by die ingang van Negester Afree Landgoed, direk ten noorde maar aangrensend tot die hoërsorgsentrum.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Bestuurder: Ruimtelike Beplanning en Grondgebruiksbeheer, Direkoraat Beplanning en Ontwikkeling, Bela-Bela Munisipaliteit, Chris Hani Rylaan, Bela-Bela vir 'n tydperk van 28 dae vanaf 30 Junie 2017.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 30 Junie 2017 (maar nie later as 28 Julie 2017) skriftelik by of tot die Bestuurder: Ruimtelike Beplanning en Grondgebruiksbeheer, Bela-Bela Munisipaliteit by bovermelde adres of by Privaatsak X1609, Bela-Bela, 0480 ingedien of gerig word.

Adres van Agent: Natura Professional Planners (Pty) Ltd, Posbus 3501, Nylstroom, 0510, Tel: 0824467338, epos : theo@profplanners.co.za

30-7

NOTICE 88 OF 2017**Polokwane/Perskebult Amendment Scheme 616**

I, Jaco Daniël du Plessis, being the authorised agent of the owner of Portion 2 of Erf 596, Pietersburg Township, hereby give notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986 (Ord. 15 of 1986) read together with the provisions of the Spatial Planning and Land Use Management Act, 2013 and its Regulations, that I have applied to the Polokwane Municipality for the amendment of the Polokwane/Perskebult Town Planning Scheme, 2007 by the rezoning of Portion 2 of Erf 596, Pietersburg Township, located at Voortrekker Street No. 81, from "Residential 1" to "Business 4" to utilise the property for office purposes.

Particulars of the application will lie for inspection during normal office hours at the office of the Manager City Planning & Property Management, Directorate Planning & Economic Development, Civic Centre, Cnr Landdros Maré & Bodenstien Streets, 2nd Floor, West Wing, Polokwane, for a period of 28 days from 30 June 2017.

Objections to or representations in respect of the application must be lodged with or made in writing to the Manager City Planning and Property Management at the above address or at P.O. Box 111, Polokwane, 0700 within a period of 28 days from 30 June 2017.

Address of Agent: ProfPlanners & Associates (PTY) LTD., P.O. Box 11306, BENDOR PARK, 0713, Tel: (015) 2974970/1, Fax: (015) 2974584, email jaco@profplanners.co.za

30-7

KENNISGEWING 88 VAN 2017**Polokwane/Perskebult Wysigingskema 616**

Ek, Jaco Daniël du Plessis, synde die gemagtigde agent van die eienaar van Gedeelte 2 van Erf 596, Pietersburg Dorp, gee hiermee ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ord. 15 van 1986) saamgelees met die bepalings van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 en Regulasies, kennis dat ek by die Polokwane Munisipaliteit aansoek gedoen het vir die wysiging van die Polokwane/Perskebult Dorpsbeplanningskema, 2007 deur die hersonering van Gedeelte 2 van Erf 596, Pietersburg Dorp, geleë te Voortrekkerstraat Nr. 81, van "Residensieël 1" na "Besigheid 4" ten einde die eiendom vir kantore te gebruik.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Bestuurder Stadsbeplanning & Eiendomsbestuur, Direkoraat Beplanning & Ekonomiese Ontwikkeling, Burgersentrum, h/v Landdros Maré en Bodenstienstraat, 2e Vloer, Wesvleuel, Polokwane vir 'n tydperk van 28 dae vanaf 30 Junie 2017.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 30 Junie 2017 skriftelik by of tot die Bestuurder: Stadsbeplanning en Eiendomsbestuur by bovermelde adres of by Posbus 111, Polokwane, 0700 ingedien of gerig word.

Adres van Agent: ProfPlanners & Associates (PTY) LTD., Posbus 11306, BENDOR PARK, 0713, Tel: (015) 2974970/1, Fax: (015) 2974584, email jaco@profplanners.co.za

30-7

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 55 OF 2017

FETAKGOMO–GREATER TUBATSE LOCAL MUNICIPALITY

NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF TOWNSHIP IN TERMS OF SECTION 108 OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

BURGERSFORT EXTENSION 54, 58, 71.

We, Bageso Housing Development Consultants being the applicant, hereby give notice in terms of Section 108 of the Town Planning and Township Ordinance, 1986 (Ordinance 15 of 1986), read together with the Spatial Planning and Land Use Management Act 2013, to the proposed amendment to the layout plans in Burgersfort to the Fetakgomo-Greater Tubatse Local Municipality for the townships as mentioned below.

Any objection and comment, including the grounds for such objection and comment with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection and comment, shall be lodged with, or made in writing to: Municipal Manager, PO Box 206, Burgersfort, 1150, within a period of 28 days from the 23rd of June 2017 to the 20th of July 2017. Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette /Local newspaper.

Address of Municipal offices: **Postal:** PO Box 206, Burgersfort, 1150; **Physical:** Fetakgomo–Greater Tubatse Local Municipality, 1 Kastania Street, Burgersfort, 1150.

Address of applicant: **Postal:** PO BOX 51315, Wierda Park, 0149; **Physical:** 2271 Puzzelwood Street, Brooklands Ext 2, 0147

Telephone No: 012 645 1088; **Fax No:** 086 567 8941

Dates on which notice will be published: 23rd of June 2017 and 30th of June of 2017.

ANNEXURE

Name of township: **BURGERSFORT EXTENSION 54**

Full name of applicant: Bageso Housing Development Consultants

Number of erven, proposed zoning and development control measures:

The Township will have **351** number of ervens which consist of proposed zonings such as:

- Residential 1 = 227
- Residential 3 = 13
- Business 1 = 2
- Church = 2
- Crèche = 2
- Park = 5

Development control measures **78.9413 Ha.**

Name of township: **BURGERSFORT EXTENSION 58**

Full name of applicant: Bageso Housing Development Consultants

Number of erven, proposed zoning and development control measures:

The Township will have **206** number of ervens which consist of proposed zonings such as:

- Residential 1 = 194
- Residential 3 = 6
- Business 1 = 2
- Church = 2
- Crèche = 2

Development control measures **11.7267 Ha.**

Name of township: **BURGERSFORT EXTENSION 71**

Full name of applicant: Bageso Housing Development Consultants

Number of erven, proposed zoning and development control measures:

The Township will have **101** number of ervens which consist of proposed zonings such as:

- Residential 1 = 97
- Residential 3 = 4

Development control measures **9.2527 Ha.**

Locality of properties on which township layout is to be amended is located in the jurisdiction of Fetakgomo–Greater Tubatse Local Municipality. Burgersfort Extension 54 is located on Portion 94 of the farm Mooifontein 313 KT, Burgersfort Extension 71 is located on Portion 95 and Portion 96 of the farm Mooifontein 313 KT. All these township extensions were part of the already approved Burgersfort Extension 43.

23–30

PROVINSIALE KENNISGEWING 55 VAN 2017**FETAKGOMO-GROTER TUBATSE PLAASLIKE MUNISIPALITEIT****KENNISGEWING VAN AANSOEK OM STIGTING VAN DORP INGEVOLGE ARTIKEL 108 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986)****BURGERSFORT UITBREIDING 54, 58, 71.**

Ons, Bageso Housing Development Consultants, gee hiermee kennis ingevolge Artikel 108 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), gelees tesame met die Wet op Ruimtelike Beplanning en Grondgebruikbestuur 2013, tot die voorgestelde wysiging Van die uitleg planne in Burgersfort na die Fetakgomo-Greater Tubatse Plaaslike Munisipaliteit vir die townships soos hieronder vermeld.

Enige beswaar en kommentaar, insluitend die gronde vir sodanige beswaar en kommentaar met volledige kontakbesonderhede, waarsonder die Munisipaliteit nie kan ooreenstem met die persoon of liggaam wat die beswaar en kommentaar indien nie, moet skriftelik by: Munisipale Bestuurder, Posbus Posbus 206, Burgersfort, 1150, binne n tydperk van 28 dae vanaf 23 Junie 2017 tot 20 Julie 2017. Volledige besonderhede en planne (as daar is) kan gedurende gewone kantoorure by die Munisipale kantore, soos hieronder uiteengesit, besigtig word. Vir n tydperk van 28 dae vanaf die datum van eerste publikasie van die kennisgewing in die Provinsiale Koerant / Plaaslike koerant.

Adres van Munisipale Kantore: Pos: **Posbus** 206, Burgersfort, 1150; **Fisiese**: Fetakgomo-Greater Tubatse Plaaslike Munisipaliteit, Kastaniastraat 1, Burgersfort, 1150.

Adres van applikant: Pos: **Posbus** 51315, Wierda Park, 0149; **Fisiese**: Puzzelwoodstraat 2271, Brooklands Ext 2, 0147

Telefoonnommer: 012 645 1088; **Faksnommer**: 086 567 8941

Datums waarop kennisgewing gepubliseer moet word: 23 Junie 2017 en 30 Junie 2017.

BYLAE

Naam van dorp: **BURGERSFORT UITBREIDING 54**

Voile naam van aansoeker: Bageso Housing Development Consultants

Aantal erwe, voorgestelde sonering en ontwikkelingsbeheermaatreëls:

Die dorp sal **351** aantal erwe hê wat bestaan uit voorgestelde sonerings soos:

- Residensieel 1 = 227
- Residensieel 3 = 13
- Besigheid 1 = 2
- Kerk = 2
- Kombuis = 2
- Park = 5

Ontwikkelingsbeheer maatreëls **78.9413 Ha.**

Naam van dorp: **BURGERSFORT UITBREIDING 58**

Voile naam van aansoeker: Bageso Housing Development Consultants

Aantal erwe, voorgestelde sonering en ontwikkelingsbeheermaatreëls:

Die dorp sal **206** aantal erwe hê wat bestaan uit voorgestelde sonerings soos:

- Residensieel 1 = 194
- Residensieel 3 = 6
- Besigheid 1 = 2
- Kerk = 2
- Kombuis = 2

Ontwikkelingsbeheer maatreëls **11.7267 Ha.**

Naam van dorp: **BURGERSFORT UITBREIDING 71**

Voile naam van aansoeker: Bageso Housing Development Consultants

Aantal erwe, voorgestelde sonering en ontwikkelingsbeheermaatreëls:

Die dorp sal **101** aantal erwe hê wat bestaan uit voorgestelde sonerings soos:

- Residensieel 1 = 97
- Residensieel 3 = 4

Ontwikkelingsbeheer maatreëls **9.2527 Ha.**

Ligging van eiendomme waarop dorpsuitleg gewysig moet word, is geleë in die jurisdiksie van Fetakgomo-Greater Tubatse Plaaslike Munisipaliteit. Burgersfort Uitbreiding 54 is geleë op Gedeelte 94 van die plaas Mooifontein 313 KT, Burgersfort Uitbreiding 71 is geleë op Gedeelte 95 en Gedeelte 96 van die plaas Mooifontein 313 KT. Al hierdie township uitbreidings was deel van die reeds goedgekeurde Burgersfort Uitbreiding 43.

23-30

PROVINCIAL NOTICE 56 OF 2017

POLOKWANE/PERSKEBULT TOWN PLANNING SCHEME, 2007

AMENDMENT SCHEME 580

NOTICE FOR REZONING OF PORTION 3 ERF 183 PIETERSBURG FROM "RESIDENTIAL 1" TO "BUSINESS 1" FOR BUSINESS PURPOSES

I, Ramaoto Alphwell Mogodi being the authorized applicant on behalf of the registered owner of Portion 3 erf 183 Pietersburg hereby give notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read together with the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA), that I have applied to the Polokwane Local Municipality for the amendment of the Town Planning Scheme known as the Polokwane Town Planning Scheme, 2007 by the rezoning of the abovementioned erf from "Residential 1" to "Business 1" as per the Polokwane Town Planning Scheme, 2007, for business purposes. The property is situated at No.80A Bok Street, Pietersburg Township. The intention of the application is to request "Business 1" zoning rights for the application property to permit for a business site comprising of offices and shops.

Full particulars and plans may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from 23rd of June 2017.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: the Planning Assists offices, Second Floor, Civic Centre and Polokwane municipality for the period of 28 days from the 23rd of June 2017.

Closing date for any objections and/or comments: 21st July 2017

Address of applicant (Physical and postal address): 137 Francis Baard Street (former Schoeman Street), Suite 633
Jeff's Place, Pretoria, 0001

Telephone No: 081 882 0115

23-30

PROVINSIALE KENNISGEWING 56 VAN 2017**POLOKWANE / PERSKEBULT DORPSBEPLANNINGSKEMA, 2007****WYSIGINGSKEMA 580****KENNISGEWING VIR HERSONERING VAN GEDEELTE 3 ERF 183 PIETERSBURG VAN "RESIDENSIEEL 1" TOT "BESIGHEID 1"
VIR BESIGHEIDSDOELEINDES**

Ek, Neo R.A Mogodi, synde die gemagtigde aansoeker namens die geregistreerde eienaar van Gedeelte 3 erf 183 Pietersburg gee hiermee ingevolge Artikel 56 (1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 1986, saamgelees met die Wet op Ruimtelike Beplanning en Grondgebruikbestuur 16 van 2013 (SPLUMA), kennis dat ek by die Polokwane Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die dorpsbeplanningskema bekend as die Polokwane Dorpsbeplanningskema, 2007 deur die Hersonering van bogenoemde erf vanaf "Residensieel 1" na "Besigheid 1" volgens die Polokwane Dorpsbeplanningskema, 2007, vir besigheidsdoeleindes. Die eiendom is gelee te No. 80A Bokstraat, Pietersburg Dorp. Die aansoek is bedoel om "Besigheid 1" soneringsregte vir die aansoekeiendom te versoek om 'n besigheidsperseel te maak wat bestaan uit kantore en winkels.

Volledige besonderhede en planne kan gedurende gewone kantoorure by die Munisipale Kantore, soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf 23 Junie 2017 besigtig word.

Enige beswaar (e) en / of kommentaar (s), insluitend die gronde vir sodanige beswaar (e) en / of kommentaar (s) met volledige kontakbesonderhede, waarsonder die Munisipaliteit nie kan ooreenstem met die persoon of liggaam wat die beswaar indien nie) En / of kommentaar (s) moet binne 28 dae vanaf 28 Junie 2017 skriftelik by: die Beplanningskantore, Tweede Vloer, Burgersentrum en Polokwane Munisipaliteit ingedien word.

Sluitingsdatum vir enige besware en / of kommentaar:

21 Julie 2017

Adres van aansoeker (Fisiese en posadres):

Francis Baardstraat 137 (voormalige Schoemanstraat),
Suite 633 Jeff's Place, Pretoria, 0001

Telefoonnommer:

081 882 0115

23-30

PROVINCIAL NOTICE 58 OF 2017

BELA – BELA LOCAL MUNICIPALITY



PROPERTY RATES BY-LAW

The Municipal Manager of Bela-Bela Local Municipality acting in terms 13(a) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) hereby publishes the Property Rates By-Law for the Municipality as approved by its Council as set out hereunder

PREAMBLE

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

AND WHEREAS section 13 of the Local Government: Municipal Systems Act, read with section 162 of the Constitution requires a municipality to promulgate municipal by-laws by publishing them in the official gazette of the relevant province;

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

NOW THEREFORE the Council of the Bela Bela Local Municipality adopted the Property Rates By-Law as follows:

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1. Definitions
2. Purpose of the by-law
3. Categories of properties
4. Categories of owners
5. Exemptions, reductions and rebates
6. Deferential rating
7. Accounts to be furnished
8. Special rating areas
9. Liability of rates
10. General Valuation
11. Repeal
12. Short title and commencement

1. Definitions

For the purpose of these by-law any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004) shall bear the same meaning unless the context indicates otherwise-

“accommodation” means accommodation in an accommodation establishment, a room, dwelling-house or second dwelling unit, self-catering room, self-catering apartment or free standing building let to transient guests consisting of three or more lettable units;

“annually” – means once every financial year;

“business and commercial property” – means -

- (a) property used for the activity of buying, selling or trading in commodities or services and includes any office or other accommodation on the same property, the use of which is incidental to such activity; or
- (b) property on which the administration of the business of private or public entities take place;

“Category” –

- (a) in relation to a property, means a category of properties determined in terms of section 8 of the Act;
- (b) in relation to the owners of property, means a category of owners determined in terms of section 15(2) of the Act;

“farm property or small holding used for agricultural purpose” – means property that is used primarily used for agricultural purpose for the cultivation of soils for purposes of planting and gathering in of crops; forestry in the context of the planting or growing of trees in a managed and structured fashion; the rearing of livestock and the propagation and harvesting of fish, but excludes the use of a property for the purpose of eco-tourism and in the respect of property on which game is reared, trade or hunted, it excludes any portion that is used for commercial or business purposes. In this definition such properties could also be included within the urban edge of a town;

“farm property or small holding used for business and commercial purpose” means

- (a) property used for the activity of buying, selling or trading in commodities or services and includes any office or other accommodation on the same property, the use of which is incidental to such activity;
- (b) property on which the administration of the business of private or public entities take place; or
- (c) game farm where a variety of wild animals are kept or bred often with facilities for visitors to observe or hunt the animals;

“farm property or small holding mainly used for residential” means predominantly or main used for residential purpose and not used for agricultural or commercial purpose;

“farm property or smallholding that is vacant land” means farm land without any improvements thereon, which is not used for residential, commercial or agriculture purpose;

“financial year” – the period starting from 1 July in a year to 30 June the following year;

“industrial property” – means property used for construction, repair, trade or manufacturing, production, assembly or processing of finished or partially finished products from raw materials or fabricated parts on such a large scale that capital and labour are significantly involved, and includes any office or other accommodation on the same property, the use of which is incidental to such activity;

“local community” – in relation to the Municipality –

- (a) means that body of persons comprising –
 - (i) the residents of the municipality;
 - (ii) the rate payers of the municipality;
 - (iii) any civic organisations and non-governmental, private sector or labour organisations or bodies which are involved in local affairs within the Municipality;
 - (vi) visitors and other people residing outside the Municipality, who, because of their presence in the Municipality, make use of services or facilities provided by the Municipality; and
 - (v) includes, more specifically, the poor and other deprived sections of such body of persons;

“market value” – in relation to a property, means the value of the property determined in accordance with section 46 of the Act;

“Municipality” means the Bela-Bela Local Municipality established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

“municipal property” means property registered or established in the name of the Bela Bela Local Municipality;

“multiple purposes” – in relation to a property, means the use of a property for more than one purpose as intended in section 9 of the Act;

“permitted use” means in respect of a property means the limited purposes for which a property may be used in terms of the following –

- (a) any restrictions imposed by –

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

“property” – means

- (a) immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person;
- (b) a right registered against immovable property in the name of a person, excluding a mortgage bond registered against the property;
- (c) a land tenure right registered in the name of a person or granted to a person in terms of legislation; or
- (d) public services infrastructure;

“state owned property” – property that is owned by the state and which is for government use;

“the Act” means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004); and

“vacant property” – means any land without any improvements thereon (empty stands), hotels, hostels, old-age homes and accommodation establishments, irrespective of their zoning or intended use, have been specifically excluded from this property category.

In these by-law, words used in the masculine gender include the feminine, the singular includes the plural and vice versa.

2. Purpose of the by-law

- (1) To give effect to the implementation of the municipal rates policy as outlined in section 6 of the Act.

3. Categories of properties

- (1) Categories of rateable property for purposes of levying differential rates are in terms of section 8(2) of the act determined as follows:
 - (a) residential properties,
 - (b) business and commercial properties,
 - (c) industrial properties,
 - (d) municipal properties(rateable),
 - (e) state owned properties,
 - (f) public service infrastructure,
 - (g) agricultural,
 - (h) agricultural vacant land,
 - (i) non-permitted use,
 - (j) multiple use properties,
 - (k) vacant land,
 - (l) state land, and
 - (m) any other properties within the municipality.

4. Categories of owners

- (1) Owners of the properties as outlined in section 3 above are liable for the payment of rates as provided for in section 6(2) (b) of the Act as determined by valuation and supplementary valuation rolls of the municipality.

- (2) The municipality has determined in its rates policy the following categories of owners of properties:
- (a) those owners who qualify and who are registered as indigent in terms of the adopted indigent policy of the Municipality;
 - (b) owners of properties situated within an area affected by: –
 - i. a disaster within the meaning of the Disaster Management Act, 2002 (Act No 57 of 2002); or
 - ii. any serious adverse social or economic conditions;
 - (c) owners of properties situated in “privately owned townships” serviced by the owner;
 - (d) owners of agricultural properties as referred to in the policy;
 - (e) owners of farm properties that are used for residential purposes;
 - (f) owners of farm properties that are used for industrial, commercial and business purposes;
 - (g) owners of smallholdings used for residential purposes;
 - (h) owners of smallholdings used for industrial, commercial and business purposes;
 - (i) owners of developed properties not yet sold and transferred;
 - (j) owners of properties used for commercial purposes;
 - (k) owners of Public Benefit Organisation; and
 - (l) beneficiaries of Land Reform.

5. Exemptions, reductions and rebates

- (1) The following categories of owners are determined for the purposes of granting exemptions, reductions and rebates:
- (a) those owners who qualify and who are registered as indigents in terms of the adopted indigent policy of the municipality;
 - (b) owners of property situated within an area affected by a disaster within the meaning of the Disaster Management Act, 2002 (Act 57 of 2002);
 - (c) serious adverse social or economic conditions;
 - (d) owners of residential properties with a market value below the amount as determined annually by the municipality in its budget;
 - (e) owners temporarily without income;
 - (f) owners dependent on pensions or social grant for their livelihood; and
 - (g) any other owners as outlined in section 15 to 18 of the Act.

6. Differential Rating

- (1) Criteria for differential rating on different categories of properties will be according to-
- (a) the nature of the property including its sensitivity to rating; and
 - (b) the promotion of social and economic development of the municipality.
- (2) Differential rating among the various property categories will be done by way of setting different cent amount in the rand for each property category and by way of reductions and rebates as provided for in the municipality's rates policy.

7. Accounts to be furnished

- (1) The municipality shall furnish each person liable for the payment of rates with a written account, which will specify:
 - (a) the amount due for rates payable,
 - (b) the date on or before which the amount is payable,
 - (c) how the amount was calculated,
 - (d) the market value of the property, and
 - (e) rebates, exemptions, reductions or phasing-in, if applicable.
- (2) A person liable for payment of rates remains liable for such payment, whether or not such person has received a written account from the municipality. If the person concerned has not received a written account, necessary enquiries must be made with the municipality.
- (3) In the case of joint ownership the municipality shall consistently, in order to minimise costs and unnecessary administration, recover rates from one of the joint owners only, provided that it takes place with the consent of the owners concerned.

8. Special rating areas

- (1) The municipality shall, whenever deemed necessary, by means of a formal council resolution determine special rating areas in consultation with the relevant communities as provided for in section 22 of the Act.
- (2) The following matters shall be attended to in consultation with the committee whenever special rating is being considered:
 - (a) proposed boundaries of the special rating area;
 - (b) statistical data of the area concerned giving a comprehensive picture of the number of erven with its zoning, services being rendered and detail of services such as capacity, number of vacant erven and services that are not rendered;
 - (c) proposed improvements clearly indicating the estimated costs of each individual improvement;
 - (d) proposed financing of the improvements or projects;
 - (e) priority of projects if more than one;
 - (f) social economic factors of the relevant community;
 - (g) different categories of property;
 - (h) the amount of the proposed special rating;
 - (i) details regarding the implementation of the special rating; and
 - (j) the additional income that will be generated by means of this special rating.
- (3) In determining the special additional rates the municipality shall differentiate between different categories as referred to in section 3.
- (4) The additional rates levied shall be utilized for the purpose of improving or upgrading of the specific area only and not for any other purposes whatsoever.

9. Liability for Rates

- (1) The owner of the property is the person liable for the payment of the rates levy on the property, as determined in section 24 of the Act.
- (2) Joint owners of a property shall be jointly and severally liable for the payment of the rates levied on the property.

- (3) In the case where an agricultural property is owned by more than one owner in undivided shares and these undivided shares were allowed before the commencement date of the Subdivision of Agricultural Land Act, 1970 (Act No 70 of 1970), the municipal Council shall hold any joint owner liable for all the rates levied in respect of the agricultural property concerned or hold any joint owner only liable for that portion of rates levied on the property that represents that joint owner's undivided share in property.
- (4) Rates levied on property in sectional title schemes shall be payable by the owner of each unit, the municipal council may, depending on the circumstances, have an agreement with the body corporate to collect rates on its behalf as its agents.
- (5) Rates levied on property in sectional title schemes, where the body corporate is the owner of any specific sectional title unit, shall be payable by the Body Corporate.
- (6) If any amount due for rates is unpaid by the owner of the property, the municipality may recover the amount from the tenant or occupier of the property. The amount due for rates may also be recovered from the agent of the owner as set out in section 29 of the Act.
- (7) In the event of a company, closed corporation or body corporate in terms of the Sectional Title Act, 1986 (Act No 95 of 1986) is the owner of the property, the payment of property rates is the joint responsibility of the directors and members of the legal person.
- (8) Property rates will be recovered monthly.
- (9) If a property owner, who is responsible for the payment of property rates, fails to pay such rates in the prescribed manner, it will be recovered from him or her in accordance with the provision of the Credit Control and Debt Collection policy and by-law of the municipality.
- (10) Arrears rates shall be recovered from tenants, occupiers and agent of the owner, in terms of section 28 and 29 of the Act.
- (11) Where the rates on a particular property have been incorrectly determined, whether because of an error or omission on the part of the municipality or false information provided by the property owner concerned or a contravention of the permitted use to which the property concerned may be put, the rates payable shall be appropriately adjusted for the period extending from the date on which the error or omission is detected back to the date on which rates were first levied in terms of current valuation.
- (12) In addition, where the error occurred because of the false information provided by the property owner or as a result of a contravention of the permitted use of the property concerned, interest on the unpaid portion of the adjusted rates payable shall be levied at a maximum rate permitted by prevailing legislation.
- (13) Where the rates levied on a property are based on a supplementary valuation made in terms of section 78(1) of the Act such rate will be payable from the date contemplated in section 78(4) of the Act.

10. General Valuation

- (1) The municipality will undertake a general valuation of all rateable properties in its area of jurisdiction and a valuation roll be compiled for five years as outlined in the Act.
- (2) The municipality will undertake supplementary valuations on an ongoing basis and prepare a valuation roll once during each financial year.
- (3) The municipality will in accordance with section 79 of the Act, make amendments regularly to the particulars on the valuation roll, only the electronic copy of the valuation is updated to incorporate such amendments, except those changes to the roll in circumstances where section 78 applies, which may only be effected through a supplementary valuation.

10. Repeal

Bela Bela Local Municipality Property Rates By-Law published in the *Limpopo Provincial Gazette* number 2719 dated 17 June 2016 is hereby repealed.

11. Short title and commencement

This by-law is called Bela Bela Local Municipality Property Rates By-Laws and shall be effective on the date of publication in the *provincial gazette*.

PROVINCIAL NOTICE 59 OF 2017

BELA – BELA LOCAL MUNICIPALITY



CREDIT CONTROL AND DEBT COLLECTION BY-LAW

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The Municipal Manager of Bela Bela Local Municipality acting in terms 13(a) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) hereby publishes the Credit Control and Debt Collection By-Laws for the Municipality as approved by Council as set out hereunder.

PREAMBLE

WHEREAS section 156(2) of the Constitution of the Republic of South Africa, 1996 requires a municipality to make and administer by-laws for the effective administration of the matters which it has the right to administer;

AND WHEREAS section 98 of the Local Government: Municipal Systems Act, 2000 requires a municipality to adopt by-laws to give effect to the municipality's credit control and debt collection policy, its implementation and enforcement;

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

AND WHEREAS section 96 of the Municipal Systems Act, 2000 requires a municipality to collect all monies due and payable to the municipality and to provide for the matters incidental thereto;

NOW THEREFORE the Council of the Bela Bela Local Municipality adopted the Credit Control and Debt Collection By-Law as follows:

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2. Purpose
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4. Deposits
5. Applicable charges for municipal services
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8. Restriction, limitation or disconnection of municipal services

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9. Termination of agreement for municipal services
10. Claim on rental for outstanding debt
11. Failure to honour agreements
12. Interests
13. Reconnection of services
14. Process for grievances and queries
15. Appeal
16. Offences and penalties
17. Repeal of by-laws
18. Short title

1. Definitions

In these by-laws, unless the context indicates otherwise—

"Council" means the council of Bela Bela Local Municipality;

"Councillor" means a member of the council;

"debt" means any monies owing to the Municipality;

"debtor" means any person who owes a debt to the Municipality;

"due date" means the final date on which a payment, as shown on the debtor's municipal account or in terms of a contract is due and payable;

"indigent debtor" means a debtor who meets certain criteria of indigency, as determined by the Municipality from time to time;

"Municipality" means the Bela-Bela Local Municipality established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

"service" means "municipal service" as defined in section 1 of the Act, and includes functions listed in Schedules 4B and 5B of the Constitution of the Republic of South Africa, 1996 and any other service rendered by the Municipality; and

"the Act" means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

2. Purpose

- (1) To give effect to the municipality's credit control and debt collection policy, its implementation and enforcement as outlined in section 98 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

3. Application for municipal services and agreement

- (1) A customer must make an application in writing for services provided by the municipality.
- (2) The municipality, when an application for the provision of municipal services has been made to it, it must inform the applicant of the levels of services that are available and the applicable tariffs or the charges and the then current, and, if it be known, the future tariffs or charges, associated with each level of service.
- (3) An application for services that has been submitted by a customer and approved by the municipality shall constitute a written agreement between the municipality and the customer and such agreement shall take effect on the date referred to or stipulated in the agreement.
- (4) The municipality is only obliged to provide a level of service specifically requested by the applicant and the municipality has resources and provides those services.
- (5) If, at the commencement of these by-laws or at any other time, municipal services are provided and received and no written agreement exists in respect of such services, it shall, until the customer enters into an agreement, be deemed that—
 - a) an agreement as envisaged exists; and
 - b) the level of services rendered to that customer is at a level of services elected by the customer.
- (6) A customer may at any time apply for an alterations to the level of services that was elected in terms of an agreement, and, if the customer does so, the municipality may approve the application if it has the capacity and resources to provide the requested level of service altering the level of services subject to the condition that the customer shall be liable for the cost of effecting the alteration and, if it be feasible to calculate the cost, to pay it before the alteration commences.

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- (7) The municipality must take reasonable steps to ensure that an illiterate person who wishes to complete an application form understand the document as well as the consequences of entering into the agreement, and must also notify the customer of the possibility of registering as an indigent customer.
- (8) If the municipality—
- a) refuses an application for the provision of municipal services or a specific service or level of service;
 - b) is unable to render municipal services, or a specific service or level of service, when the customer wants it; or
 - c) is unable to render municipal services, a specific service, or a specific level of service;

it must, within 7 (seven) days of refusing the application or of becoming aware of its inability, inform the customer about the refusal or its inability, and must furnish the reasons for its refusal or inability and, if it is able to do so, inform the customer of when the municipal services, or a specific service shall be resumed.

4. Deposits

- (1) Upon approval of the application and before the service is made available, the municipality may require the applicant-
- a) to make a deposit for municipal services with the municipality;
 - b) to provide any other form of security; or
 - c) to agree to special conditions regarding payment of the municipal account and monies so deposited with the municipality to serve as security and working capital.
- (2) A municipal council may require the applicant to pay a deposit that has been determined by it and may determine that different deposits be paid by different categories of customers, users of services and debtors as well as for different services and standards of service.
- (3) The municipal council may specify acceptable forms of deposits, which may include:
- a) cash;

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- b) bank guaranteed cheques;
 - c) electronic payment methods; and
 - d) any other form of payment approved by council.
- (4) A deposit determined by the Municipal Council must be paid by a customer when applying for a municipal service and no service will be rendered until it has been paid.
- (5) No interest shall be payable by the municipality on any deposit, or part of a deposit, held by it.
- (6) The municipality may annually review a deposit to be paid.
- (7) On termination of the supply of services, the amount of such deposit, as determined by the municipality, less any payments due to the municipality, must be refunded to an account holder.

5. Applicable charges for municipal services

- (1) All applicable charges payable in respect of municipal services, (including but not limited to the payment of connection charges, fixed charges or any additional charges) shall be set by the municipal council from time to time in accordance with—
- a) its tariff policy;
 - b) the by-laws; and
 - c) any legislation and regulations made in terms of national or provincial legislation.
- (2) Applicable charges may vary for different categories of customers, users of services, types and levels of services, quantities of services, infrastructural requirements and geographic areas.

6. Accounts and payments

- (1) Accounts shall be rendered monthly to customers at the customer's last recorded address.
- (2) Where in the opinion of the municipality it is not reasonably possible or cost effective to render accounts to consumers who consume only subsidised services, the municipal council may, notwithstanding subsection (1), decide not to render accounts to those consumers.
- (3) Failure by the customer to receive or accept an account does not relieve

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a customer of the obligation to pay any amount that may be due and payable.

- (4) The municipality shall, if it is reasonably possible to do so, issue a duplicate account to a customer on request.
- (5) Accounts must be paid not later than the last date for payment specified on it.
- (6) Accounts for municipal services shall—
 - (a) reflect at least the—
 - i) services rendered;
 - ii) consumption of metered services or the average, shared or estimated consumption;
 - iii) period addressed in the account;
 - iv) applicable charges;
 - v) subsidies;
 - vi) amount due (excluding the value added tax payable);
 - vii) value added tax;
 - viii) adjustment, if any, to metered consumption which has been previously estimated;
 - ix) arrears;
 - x) interest payable on any arrears;
 - xi) final date for payment; and
 - xii) methods, places and approved agents where payment may be made.
 - (b) state that—
 - i. the customer and the municipality may enter into an agreement at the municipal offices in terms of which the customer will be permitted to pay arrears in instalments;
 - ii. if no such agreement is entered into, the municipality will limit or disconnect the services, after sending a final demand notice to the customer;
 - iii. legal action may be instituted against any customer for the recovery of any amount more than 60 (sixty) days in arrears;

- iv. a claim for arrears may be ceded to a debt collector for collection; and
- v. proof of registration, as an indigent customer, in terms of the municipality's indigent policy, which may form part of the municipality's credit control and debt collection policy, must be handed in at the offices of the municipality before the final date for payment.

7. Arrears

- (1) If a customer fails to pay the account on or before the due date, a final demand notice may be hand delivered or sent by registered post to the most recent recorded address of the customer within 7 (seven) working days of the arrears having been accrued.
- (2) Failure to deliver or to send a final demand notice within 7 (seven) working days does not relieve a customer from paying arrears.
- (3) If one account is rendered for more than one municipal service provided, all arrears due and payable by a customer constitute a consolidated debt, and any payment made by a customer of an amount less than the total amount due, will be allocated in reduction of the consolidated debt in the following order:
 - (a) towards payment of the current account;
 - (b) towards payment of arrears; and
 - (c) towards payment of interest.

8. Restriction, limitation or disconnection of municipal services

- (1) The Municipality may limit, restrict or disconnect the supply of any services to any premises whenever a debtor:
 - (a) fails to make full payment on the due date or fails to make acceptable arrangements for the repayment of any arrears;
 - (b) fails to comply with a condition of supply imposed by the municipality;
 - (c) obstructs the efficient supply of electricity, water, gas or any other municipal services to another customer;
 - (d) supplies such municipal service to a customer who is not entitled thereto or permits such service to continue;
 - (e) causes a situation which in the opinion of the Municipality is dangerous or a contravention of relevant legislation;
 - (f) is placed under provisional sequestration, liquidation or judicial management, or commits an act of insolvency in terms of the Insolvency Act, (Act 24 of 1936); or
 - (g) is granted an administration order in terms of section 74 of the Magistrates Court Act, 1944 (Act 32 of 1944).
- (2) The Municipality shall reconnect supply of any of the limited, restricted or discontinued services after the amount outstanding and due, including the costs of such disconnection and reconnection, if any, have been paid or after any other condition or conditions of the municipality's credit control and debt collection policy and by-law have been complied with.

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- (3) The right of the municipality to restrict water to any premises or customer shall be subject to the provisions of the Water Services Act, 1997(Act 108 of 1997) and related guidelines from national government.
- (4) The right to limit, restrict, disconnect or terminate a service to a property due to non-payment of any municipal account or due to unauthorized usage of municipal services shall be in respect of any municipal service to that property, and shall prevail notwithstanding the fact that payment was intended to have been made in respect of any specific municipal service and shall also prevail notwithstanding the fact that the person who entered into agreement for supply of municipal services with the municipality and the owner are different entities or persons, as the case may be.

9. Termination of agreements for municipal services

- (1) A customer may terminate an agreement for municipal services by giving at least 21 (twenty-one) days written notice to the municipality.
- (2) The municipality may terminate an agreement for municipal services by giving at least 21 (twenty-one) days written notice to a customer where—
 - (a) municipal services were not utilised for a consecutive period of 2 (two) months and without an arrangement, to the satisfaction of the municipality, having been made for the continuation of the agreement; or
 - (b) premises by a customer have been vacated by the customer, who owns or has occupied them and no arrangement for the continuation of the agreement has been made with the municipality.
- (3) A customer shall remain liable for all arrears and applicable charges that are payable for municipal services rendered prior to the termination of an agreement.

10. Claim on rental for outstanding debt

- (1) The Municipality may in terms of section 28 of the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004), attach any rent due in respect of any rateable property, to cover in part or in full any amount in respect of outstanding rates after the due date.

11. Failure to honour agreements

- (1) If a customer fails to comply with an agreement for the payment of arrears in instalments, the total of all outstanding amounts, including arrears, any interest, administration fees, costs incurred in taking relevant action, and penalties, including payment of a higher deposit, will be immediately due and payable without further notice or correspondence and the municipality may—
- a) limit or disconnect the municipal services specified in the final demand notice sent to the customer;
 - b) institute legal action for the recovery of the arrears; and
 - c) hand the customer's account over to a debt collector or an attorney for collection.

12. Interests

- (1) Interest shall be levied on arrears.

13. Re-connection of services

- (1) An agreement for payment of the arrears amount in instalments, entered into after municipal services were limited or disconnected, will not result in the services being restored until—
- a) the current account, the first instalment payable in terms of the agreement for payment of the arrears in instalments and all recoverable administration fees, costs incurred in taking relevant action and any penalties, including payment of a higher deposit, are paid in full; or
 - b) a written appeal by the customer, on the ground of having made timeous and full payment of instalments and current amounts due and payable for a period of at least 6 (six) months has been approved by the municipality.
- (2) In addition to any payments referred to in subsection (1), the customer must pay the standard re-connection fee, as determined by the council from time to time, prior to the re-connection of municipal services by the municipality.
- (3) Municipal services shall be restored within 7 (seven) working days after a customer has complied with the provisions of subsections (1) and (2).

14. Process for grievances and queries

- (1) An aggrieved person may lodge a grievance or query regarding service charges to the municipality in writing and in the prescribed form.
- (2) The aggrieved person shall clearly state the basis of his or her dissatisfaction and the desired outcome.
- (3) The lodging of a grievance or query shall not relieve the aggrieved person of the responsibility to settle the account, provided that the municipality

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may, on application in writing and in his or her sole discretion, direct that interim payments may be made pending the finalisation of the grievance or query.

- (4) The Municipality shall respond to such grievance or query in writing within 30 (thirty) days from the date of the lodgement of the grievance or query.

15. Appeals

- (1) A person aggrieved by any decision taken in terms of these by-law and in terms of a power or duty delegated or sub-delegated, may appeal against such decision in terms of section 62 of the Act, by giving written notice of the appeal and the reasons to the Municipal Manager within 21 (twenty one) days of the date of the notification of the decision.
- (2) The municipality shall consider the appeal and confirm, vary or revoke the decision.
- (3) The Municipal Manager must commence with an appeal within 6 (six) weeks and decide the appeal within a reasonable period.

16. Offences and penalties

- (1) Any person who:
- (a) fails to give the access required by an official in terms of this by-law;
 - (b) obstructs or hinders an official in the exercise of his or her powers or performance of functions or duties under this by-law;
 - (c) uses or interferes with Council equipment or consumption of services supplied;
 - (d) tampers or breaks any seal on a meter or on any equipment belonging to the Municipality, or for any reason as determined by the Municipal Manager causes a meter not to properly register the service used;
 - (e) fails or refuses to give an official such information as he or she may reasonably require for the purpose of exercising his or her powers or functions under this by-laws or provides the Municipality or such an official with false or misleading information knowing it to be false or misleading;

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- (f) fails to comply with the terms of a notice served upon him or her in terms of this by-law; or
- (g) contravenes or fails to comply with any provision of this by-law;
- shall upon conviction if found guilty of an offence be liable upon conviction to a fine or to imprisonment or both such a fine and imprisonment and, in addition, may be charged for usage, as estimated by the Municipal Manager based on average usage during the previous 6 (six) months or as may be determined by resolution of the Council from time to time.
- (2) Every person committing a contravention or breach of the provisions of this by-law shall also be liable to compensate the Municipality for any expenditure incurred and any loss or damage suffered or sustained by the Municipality in consequence of such breach.

17. Repeal of by-laws

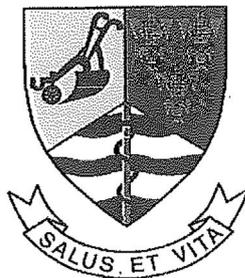
Bela Bela Local Municipality Credit control and debt collection by-laws published in the *Limpopo Provincial Gazette* number 2719 dated 17 June 2016 is hereby repealed.

18. Short title

This by-law is called Bela Bela Credit Control and Debt Collection By-Law and shall come into operation on the date of publication in the *Provincial gazette*.

PROVINCIAL NOTICE 60 OF 2017

BELA – BELA LOCAL MUNICIPALITY



TARIFF BY-LAW

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The Municipal Manager of Bela Bela Local Municipality acting in terms 13(a) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) hereby publishes the Tariff by-law for the Municipality as approved by its Council as set out hereunder.

Preamble

WHEREAS section 74 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) requires a municipal council to adopt and implement a tariff policy on the levying of fees for municipal services;

AND WHEREAS the tariff policy must reflect at least the principles set out in section 74(2);

AND WHEREAS the tariff policy may differentiate between different categories of users, debtor, service providers, services, service standards, geographical areas and other matters as long as the differentiation does not amount to unfair discrimination;

AND WHEREAS section 75 of the Local Government: Municipal Systems Act, 2000 provides that a by-law must be adopted to give effect to the implementation and enforcement of the tariff policy;

WHEREAS section 75A of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) authorizes a municipality to levy and recover fees, charges or tariffs in respect of any function or service of the municipality and to recover collection charges and interest on any outstanding amount;

AND WHEREAS section 64 of the Local Government: Municipal Finance Management Act, 2003 (Act No 56 of 2003) provides that a municipality must have an effective revenue collection system and ensure that revenue is collected regularly to meet the requirements and practices of sound financial administration;

NOW THEREFORE the municipal council of the Bela Bela Local Municipality adopted the Tariff By-Law as follows:

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9. Repeal
10. Short title

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1. Definitions

In these by-law, unless the context indicates otherwise:

“**basic municipal services**” means a municipal service necessary to ensure an acceptable and reasonable quality of life, which service if not provided would endanger public health or safety or the environment;

“**domestic consumer or user**” of municipal services means the person or household to which municipal services are rendered in respect of “residential property”;

“**municipal council**” or council means Bela-Bela Local Municipal council;

“**municipality**” means Bela-Bela Local Municipality established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

“**municipal service**” has the meaning assigned to it in terms of section 1 of the Act;

“**occupier**” in relation to a property, means a person in actual occupation of the property, whether or not that person has a right to occupy the property;

“**tariff**” means fees and charges levied by the municipality in respect of any function or service provided by the municipality to the local community and includes a surcharge on such tariff but excludes the levying of rates by the Municipality in terms of the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004); and

“**the act**” means the Local Government: Municipal System Act, 2000 (Act 32 of 2000).

2. Purpose

- (1) The purposes of these by-law is to give effect to the implementation and enforcement of the tariff policy of the municipality as outlined in section 75 of the act.

3. Categories of services

- (1) The municipality has the following categories of services:
 - (a) water;
 - (b) sanitation;
 - (c) refuse removal;
 - (d) electricity; and
 - (e) any other services that the municipality supply.

4. Categories of users

- (1) The following are categories of users:
 - (a) residential property,
 - (b) business, commercial and industrial property,
 - (c) agricultural property,
 - (d) government property,
 - (e) public service infrastructure,
 - (f) public benefit organisation property,

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- (g) rural communal land or state owned property,
- (h) municipal property,
- (i) places of public worship,
- (j) vacant land, and
- (k) other properties applicable to the municipality.

5. Services

- (1) Where a service is provided primarily for the benefit of an individual user and the actual service or consumption can be accurately measured, the cost of providing the service should be recovered from the individual by means of tariffs.
- (2) When a service connection is made, a sundry tariff should be used and when a metered amount of service is consumed, a consumption based tariff should be used.
- (3) Some services, although provided primarily for the benefit of individual users and have important community benefits, particularly where these services cannot be accurately measured, the cost of the service should be recovered by combination of tariffs and rates.
- (4) Where service is provided primarily for the benefit of the community and an individual's benefit cannot be accurately measured, the cost of providing the service should be recovered by means of rates and the rates must comply with the municipal rates policy.

6. Tariffs

- (1) Municipal tariffs shall be determined and adjusted by the council from time to time after having followed all necessary procedures.

7. Indigent households

- (1) The Council shall annually together with its annual budget, review its indigent policy to determine criteria for the determination of indigent households.
- (2) The criteria referred to in subsection (1) shall take into account the total income of consumers of municipal services residing on the property to which municipal services is rendered.
- (3) The council may include in its indigent policy a sliding scale according to which the quantity of basic municipal services provided free of charge or at a subsidized tariff to a poor household is limited in relation approved indigent household.
- (4) A user shall qualify for the benefits of a poor household with the council in terms of its indigent policy only if such user has applied to be registered as a poor household and approved by council.

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8. General power to levy and recover fees, charges and tariffs

(1) The municipality has the power to-

- (a) levy and recovers fees, charges or tariffs in respect of any function or service of the municipality; and
 - (b) recover collection charges and interest on any outstanding amount.
- (2) Fees, charges and tariffs referred to in subsection (1) are levied by resolution passed by the municipal council with a supporting vote of majority of its members.

9. Repeal

Bela Bela Local Municipality Tariff By-Law published in the *Limpopo Provincial Gazette* number 2719 dated 17 June 2016 is hereby repealed.

10. Short Title and commencement

This by-law is called the Bela Bela Local Municipality Tariff By-Law and it shall come into effective on the date of publication in the *Provincial gazette*.

PROVINCIAL NOTICE 61 OF 2017

**MUSINA LOCAL MUNICIPALITY
[NP-341]**



**CREDIT CONTROL AND DEBT
COLLECTION BY-LAW**

The Municipal Manager of Musina Local Municipality hereby in terms of section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), publishes credit control and debt collection by-law as approved by its council as set out hereunder.

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23. Repeal of by-laws
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1. Definitions

(1) In this by-law, any word or expression to which a meaning has been assigned in the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), has that meaning, unless the context, indicates otherwise-

"account" means a municipal account rendered specifying an amount or amounts payable for assessment rates, metered services, municipal charges, levies, fees, fines, taxes or any other amount or amounts payable arising from any other liability or obligation due to the Municipality;

"arrangement" means a written agreement entered into between the Council and the debtor in terms of which specific repayment parameters are agreed to;

"arrears" means any amount due and payable to the Municipality and not paid by the due date;

"business premises" means premises utilised for purposes other than residential as defined in the rates policy;

"council" means the Municipal Council of Musina Municipality;

"credit control" means all the functions relating to the collection of revenue including but not limited to collection of money owed to the Municipality in respect of rates and municipal services;

"credit control and debt collection policy" means the Credit Control and Debt Recovery Policy adopted by the Council in terms of Section 96 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

"customer" means any occupier of any premises to which the Council has agreed to supply or is actually supplying services, or if no occupier can be identified or located, the owner of the premises and includes any debtor of the Municipality;

"days" means calendar days, inclusive of Saturdays, Sundays and public holidays;

"debtor" means any person owing the Municipality arrears;

"due date" in relation to-

(a) annual rates, means the 30th (thirtieth) day of September of the financial year for which such rates are charged, or any other date determined by the Council by notice in the Provincial Gazette;

(b) rates and service charges which are by arrangement paid on a monthly basis and sundry debtor accounts, means the date for payment indicated on the account. Should such day fall on a Saturday, Sunday or public holiday the due date shall be the next working day;

"estimated consumption" means the deemed consumption of a customer, that was not measured for the specific period, but estimated by taking into account factors that are considered relevant by the Municipality and which may include consumption data for a specific time in its possession and where applicable, having made due allowance where possible for seasonal or other variations which may affect consumption;

"immovable property" means any immovable property and includes-

- (a) an undivided share in immovable property, and
- (b) any right in immovable property.

"indigent debtor" means:

(a) the head of an indigent household:-

- (i) who applied for and has been registered as indigent in terms of the Indigent Policy for the provision of free basic services from the municipality; and
- (ii) who makes an application in the prescribed form for an indigent subsidy on behalf of all members of his or her household;

"indigent policy" means the Indigent Policy adopted by the Council of the Municipality;

"interest" means a charge levied on all arrear monies and calculated at a rate determined by the Council from time to time as stipulated in the Council's Credit Control and Debt Collection Policy;

"month" means a calendar month;

"monthly average consumption" means the monthly average consumption in respect of that property calculated on the basis of consumption over the preceding twelve months;

"municipality" means Musina Local Municipality;

"municipal manager" means the person appointed in terms of section 54A of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

"municipal pay point" means any municipal office in the area of jurisdiction of the municipality designated by the Council for such purposes and those facilities set out in the Credit Control and Debt Collection Policy, or any such other places as the Municipal Manager may from time to time designate;

"municipality services" means services provided either by the municipality, or by an external agent on behalf of the Municipality in terms of a service delivery agreement, and shall include but not be limited to charges in respect of water and electricity consumption;

"occupier" means any person who occupies any premises or part thereof without regard to the title under which the person occupies, and includes -

- (a) any person in actual occupation of those premises;

- (b) any person legally entitled to occupy those premises;
- (c) in the case of those premises being subdivided and let to lodgers or various tenants, the person receiving the rent payable by such lodgers or tenants whether on the person's own account or as agent for any person entitled thereto or interested therein;
- (d) any person having the charge or management of those premises, and includes the agent of any such person when the person is absent from the Republic of South Africa or his or her whereabouts are unknown; and
- (e) the owner of those premises

"official" means an "official" as defined in section 1 of the Local Government: Municipal Finance Management Act, 56 of 2003;

"owner" means:

- (a) a person in whom the legal title to a premises is vested;
- (b) in a case where the person in whom the legal title is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration of and control of such premises is vested as curator, trustee, assignee, executor, administrator, judicial manager, liquidator or other legal representative, as the case may be;
- (c) in the case where the Council is unable to determine the identity of the person in whom the legal title is vested, the person who is entitled to the benefit of such premises or a building thereon;
- (d) in the case of premises for which a lease of 20 (twenty) years or more has been entered into, whether the lease is registered or not, the lessee thereof;
- (e) the occupier of immovable property occupied under a service servitude or right analogous thereto
- (f) in relation to -
 - (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act 95 of 1986), and without restricting the above, the developer or the body corporate in respect of the common property; or
 - (ii) a section as defined in such Act, the person in whose name such section is registered under a sectional title deed and includes the lawfully appointed agent of such a person;
- (g) any legal person including, but not limited to -
 - (i) a company registered in terms of the Companies Act, 2008 (Act 71 of 2008), Trust *inter vivos*, Trust *mortis causa*, a close corporation registered in terms of the Close Corporations Act, (Act 69 of 1984), a voluntary association;
 - (ii) any Department of State;

(iii) any Council or Board established in terms of any legislation applicable to the Republic of South Africa; and

(iv) any embassy or other foreign entity; and

(h) a lessee of municipal property who will be deemed to be the owner for the purposes of rendering a municipal account;

"paid by the due date" means actual receipt of the funds paid in the bank account of the Municipality before close of business on the due date; and **"payable by the due date"** shall have a corresponding meaning;

"person" mean natural and juristic persons, including any state department and statutory bodies;

"premises" includes any piece of land, the external surface boundaries of which are delineated on:

(a) a general plan or diagram registered in terms of the Land Survey Act, 1997 (8 of 1997 or in terms of the Deed Registry Act, 47 of 1937); or

(b) a sectional plan registered in terms of the Sectional Titles Act, 95 of 1986, which is situated within the area of jurisdiction of the Council; and includes any other land and any building or structure above or below the surface of any land;

"prescribed" means prescribed in terms of this by-law, the indigent policy, the rates policy, the tariff Policy and where applicable by the Council or the Municipal Manager;

"rates" means any tax, duty or levy imposed on property by the Municipality; including but not limited to the municipal property rate envisaged in section 229(1) of the Constitution of the Republic of South Africa, 1996;

"Rates Policy" means the Rates Policy adopted by the Council in terms of section 3 of the Local Government: Municipal Property Rates Act 6 of 2004 and as amended from time to time;

"registered owner" means that person, natural or juristic, in whose name the property is registered in terms of the Deeds Registry Act, 1937 (Act 47 of 1937);

"responsible person" means any person other than the registered owner of an immovable property who is legally responsible for the payment of municipal service charges;

"service charges" means the fees levied by the Municipality in terms of its tariff policy for any municipal services rendered in respect of an immovable property and includes any penalties, interest or surcharges levied or imposed in terms of this by-laws;

"service delivery agreement" means an agreement between the Municipality and an institution or persons provided for in section 76(b) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

"sundry debtor accounts" means accounts raised for miscellaneous charges for services provided by the Municipality or charges that were raised against a person as a result of an action by a person and which was raised in terms of the policies, by-laws and decisions;

"tariff" means any rate, tax, duty and levy or fee which may be imposed by the municipality for services provided either by itself or in terms of a service delivery agreement;

"tariff policy" means a tariff policy adopted by the Council in terms of section 74 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

"user" means the owner or occupier of a property in respect of which municipal services are being rendered; and

"working day" means a calendar day excluding Saturdays, Sundays and public holidays.

2. Purpose

- (1) To give effect to the municipality's credit control and debt collection policy, its implementation and enforcement as outlined in section 98 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

3. Applications for provisions of municipal services and service agreements

- (1) All applications for the provision of municipal services in respect of any immovable property shall be made by the registered owner of the said immovable property in writing and in the prescribed form.
- (2) The registered owner of an immovable property in respect of which application for the provision of municipal services has been made shall, at least 7 (seven) days prior to the date on which the services are required to be connected, enter into a written agreement with the municipality in the prescribed form.
- (3) The written agreement referred to in subsection (2) shall, amongst others, make provision for the following:
 - (a) an undertaking by the owner that he or she will be liable for collection costs including administration fees, interests, disconnection and reconnection costs, and any other legal costs occasioned by his or her failure to settle accounts by the due date;

- (b) an acknowledgement by the owner that accounts will become due and payable by the due date notwithstanding the fact that the owner did not receive the account;
 - (c) that the onus will be on the owner to ensure that he or she is in possession of an account before the due date; and
 - (d) an undertaking by the Municipality that it shall do everything in its power to deliver accounts timeously.
- (4) The Municipality may upon the written request of the registered owner of an immovable property, enter into a written agreement with both the registered owner and occupier of the immovable property in respect of which application for the provision of municipal services has been made and the agreement shall be in the prescribed form.
- (5) The registered owner of a property in respect of which application has been made for the provision of municipal services shall, at least 7 (seven) days prior to taking occupation of the aforesaid property, notify the Municipal Manager thereof in writing in the prescribed form.
- (6) The Municipal Manager shall cause a reading of the meters to be taken on the working day preceding the date of occupation of the property.
- (7) The Municipal Manager may, from time to time, require all owners or occupiers of immovable properties in respect of which municipal services are being rendered, to enter into written agreements with the Municipality in accordance with the form referred to in subsection (2).
- (8) Notwithstanding the provisions of subsection (7), the Municipality may after the coming into operation of this by-law compel any owner or occupier of immovable property in respect of which municipal services are being rendered, to enter into a written agreement in respect of the provision of municipal services with the Municipality.

4. Deposits and guarantees

- (1) An applicant for the provision of municipal services in respect of immovable property shall be required to pay a prescribed deposit prior to the provision of any municipal services.
- (2) The Municipal Manager may, in his or her sole discretion and upon written notice to the owner of a property and after the conclusion of the agreement referred to in section 3(2) and subject to subsection (3), either increase or decrease the deposit payable.
- (3) The Municipal Manager shall before taking any decision to increase the deposit, give an owner or responsible person notice of any intention to increase the minimum deposit payable by the owner or responsible person and shall in the aforesaid notice, state full reasons for the envisaged increase and allow the owner or responsible person an opportunity to make written representations in this regard.
- (4) On termination of the supply of services the amount of such deposit, less any payments due to the Municipality, must be refunded to an account holder.
- (5) The Municipal Manager may, in his sole discretion and in respect of premises utilised for business purposes, accept a guarantee in lieu of a deposit in any form acceptable to the Municipal Manager.
- (6) The municipality may annually review a deposit to be paid.

5. Accounts and billing

- (1) The Municipality shall provide every person who is liable for service charges in respect of Municipal services with an account in respect of every property for which that person is liable and all services rendered in respect of those properties.
- (2) Accounts will be rendered on a monthly basis in cycles of approximately 30 (thirty) days.
- (3) All accounts rendered by the Municipality shall be payable before or on the due date as indicated on the account.

- (4) Any amount which remains due and payable after the due date shall attract interest.
- (5) Payments shall be deemed to be late unless received by the close of business on or before the due date at a municipal pay point.
- (6) Electronic payments or payments made through agents must be received in the municipal bank account by the close of business on or before the due date.
- (7) All accounts shall be payable by the due date regardless of the fact that the person responsible for the payment of the account has not received it and the onus shall be on such person to make the necessary inquiries to obtain a copy of the account before the due date.

6. Restriction or disconnection of supply of services

- (1) The Municipality may restrict or disconnect the supply of any municipal service in any manner including but not limited to blocking the purchase of electricity on the prepayment system or restricting or disconnecting the supply of water if a user of any such service:
- (a) fails to make full payment on the due date or fails to make an acceptable arrangement for the repayment of any amount due in respect of service charges;
 - (b) fails to comply with an arrangement;
 - (c) fails to comply with a condition of supply imposed by the Council;
 - (d) tampers with any municipal supply meter or bypasses any metering equipment in order to obtain an un-metered service;
 - (e) commits any act which would entitle the Municipality to discontinue municipal services;
 - (f) causes a situation with regard to such service which in the opinion of the municipality is dangerous or a contravention of relevant legislation;
 - (g) is placed under provisional sequestration, liquidation or judicial management, or commits an act of insolvency in terms of the Insolvency Act 24 of 1936 or any other applicable law; or
 - (h) becomes subject to an order granted in terms of section 74 of the Magistrates Court Act, 32 of 1944.

- (2) The Municipality shall, before limiting or discontinuing any municipal services to any premises or user ensure that a fair and equitable procedure is followed and the Municipality shall provide reasonable notice of its intention to limit or discontinue services and grant the affected person an opportunity to make written representations.
- (3) The right to restrict, disconnect or terminate a service pertains to all municipal services and shall not be limited, in the case of arrears, by the fact that payment may have been made in respect of any specific municipal service or the fact that the person who entered into an agreement for the supply of services with the Municipality and the owner are different persons, as the case may be.

7. Re-connection of services

- (1) An agreement for payment of the arrears amount in instalments, entered into after municipal services were limited or disconnected, will not result in the services being restored until—
- a) the current account, the first instalment payable in terms of the agreement for payment of the arrears in instalments and all recoverable administration fees, costs incurred in taking relevant action and any penalties, including payment of a higher deposit, are paid in full; or
 - b) a written appeal by the customer, on the ground of having made timeous and full payment of instalments and current amounts due and payable for a period of at least 6 (six) months has been approved by the municipality.
- (2) In addition to any payments referred to in subsection (1), the customer must pay the standard re-connection fee, as determined by the council from time to time, prior to the re-connection of municipal services by the municipality.
- (3) Municipal services shall be restored within 7 (seven) working days after a customer has complied with the provisions of subsections (1) and (2).

8. Measurement of municipal services

- (1) The Municipality may introduce various metering equipment and may encourage a user to convert to a system which is preferred by the Municipality when the Council considers this to be beneficial to its functioning and operations.
- (2) The Municipality shall, at the user's cost in the form of a direct charge or prescribed fee, provide, install and maintain appropriately rated metering equipment at the point of metering for measuring metered services.

- (3) The Municipality reserves the right to meter the supply to a block of shops, flats, tenement-houses and similar buildings for the building as a whole, or for an individual unit, or for a group of units.
- (4) No alterations, repairs, additions or connections of any description may be made on the supply side of the point of metering unless specifically approved in writing by the Municipal Manager or a duly authorised official of the Council.
- (5) Except in the case of prepayment meters, the quantity of metered services consumed by a user during any metering period is ascertained by reading the appropriate meter or meters supplied and installed by the Municipality at the beginning and end of such metering period, except where the metering equipment is found to be defective.
- (6) For the purpose of calculating the amount due and payable for the quantity of metered services consumed, the same amount of metered services shall be deemed to be consumed during every period of 24 (twenty-four) hours between readings.
- (7) The following apply to the accuracy of metering:
- (a) a meter shall be conclusively presumed to be registering accurately if its error, when tested is found to be within the limits of error as provided for in the applicable standard specifications;
 - (b) the Municipality has the right to test its metering equipment, and if it is established by test or otherwise that such metering equipment is defective, the Municipality shall:
 - (i) in case of a credit meter, adjust the account rendered; or
 - (ii) in the case of prepayment meters:
 - (aa) render an account where the meter has been under registering; or
 - (bb) issue a free token where the meter has been over-registering;
 - (c) the user is entitled to have the metering equipment tested by the Municipality on payment of the prescribed fee, and if the metering equipment is found not to comply with the system accuracy requirements as provided for in the applicable standard specifications, an adjustment shall be made and the aforesaid fee shall be refunded.

- (8) Prior to the Municipality making any upward adjustment to an account in terms of subsection (7) (b), the Municipality must -
- (a) notify the user in writing of the monetary value of the adjustment to be made and the reasons therefore;
 - (b) in such notification provide sufficient particulars to enable the user to submit representations thereon; and
 - (c) call upon the user in such notice to present it with reasons in writing, if any, within 21 (twenty one) days or such longer period as the Municipality may permit, why the account should not be adjusted as notified, and should the user fail to provide any representations during such period the Municipality shall be entitled to adjust the account as notified.
- (9) The Municipality must consider any representations provided by the user in terms of subsection 8 and must, if satisfied that a case has been made out therefore, adjust the account appropriately.
- (10) If the Municipal Manager or a duly authorised official of the Council decides, after having considered the representations made by the user, that such representation does not establish a case warranting an amendment to the monetary value established in terms of subsection (12), the Municipality is entitled to adjust the account as notified in terms of subsection (8) (a).
- (11) Meters are tested in the manner as provided for in the applicable standard specifications.
- (12) When an adjustment is made to the consumption registered on a meter in terms of subsection (7) (b) or (7) (c), such adjustment is based either on the percentage error of the meter as determined by the test referred to in subsection (11), or upon a calculation by the Municipality from consumption data in its possession and where applicable, due allowance shall be made, where possible, for seasonal or other variations which may affect consumption.
- (13) An adjustment made in terms of subsection (12), shall be based upon the actual tariffs applicable at the time and may not exceed a period of 6 (six) months preceding the date on which the metering equipment was found to be inaccurate, however the application of this subsection does not constitute a bar to a user recovering overpayment for any longer period in the normal legal process.

(14) The following principles apply to the reading of credit meters:

- (a) unless otherwise prescribed, credit meters are normally read at intervals of approximately 1 (one) month and the fixed or minimum charges due in terms of the tariff are assessed accordingly and the Municipality is not obliged to effect any adjustments to such charges;
- (b) if for any reason the credit meter cannot be read, the Municipality may render an estimated account and estimated consumption shall be adjusted in a subsequent account in accordance with the consumption actually measured;
- (c) when a user vacates a property and a final reading of the meter is not possible, an estimation of the consumption may be made and the final account rendered accordingly;
- (d) if a special reading of the meter is desired by a user, this may be obtained upon payment of the prescribed fee; and
- (e) if any reading or calculating error is discovered in respect of any account rendered to a user -
 - (i) the error shall be corrected in subsequent accounts;
 - (ii) any such correction shall only apply in respect of accounts for a period of 6 (six) months preceding the date on which the error was discovered,
 - (iii) the correction shall be based on the actual tariffs applicable during the period; and
 - (iv) the application of this section does not constitute a bar to a user recovering overpayment for any longer period in the normal legal process.

(15) The following principles apply to prepayment metering:

- (a) no refund of the amount tendered for the purchase of electricity or water credit shall be given at the point of sale after initiation of the process by which the prepayment meter token is produced;
- (b) copies of previously issued tokens for the transfer of credit to the prepayment meter may be issued at the request of the user;
- (c) when a user vacates any premises where a prepayment meter is installed, no refund for the credit remaining in the meter shall be made to the owner by the Municipality;

(d) the Municipality shall not be liable for the reinstatement of credit in a prepayment meter lost due to tampering with, or the incorrect use or the abuse of prepayment meters or tokens;

(e) where a user is indebted to the Municipality for any rates, municipal services, other service charges, levies, fees, fines, interest, taxes or any other amount or amounts payable arising from any other liability or obligation, the Municipality may deduct a percentage from the amount tendered to offset the amount owing to the Municipality;

(f) the municipality may appoint vendors for the sale of credit for prepayment meters and does not guarantee the continued operation of any vendor.

(16) A user will only be entitled to a water leakage rebate if:

(a) the user submits a certificate from a registered plumber who has repaired the water leak, within 7 (seven) days of the leak having been repaired. The certificate must clearly state the date on which such repairs were effected; confirm that the leak was not discernible from the surface and certify that the leak occurred on a pipe listed on the schedule of approved pipes and fittings prescribed by the municipality;

(b) in the event of the leak as referred to in sub-paragraph (i) not being repaired after having been detected within 48 (forty-eight) hours, no rebate will be applicable and the decision of the Municipal Manager in this regard will be final.

(17) The Municipal Manager may, at the written request of a user and on the dates requested by the user:

(a) disconnect the supply of metered services to the user's premises; and

(b) restore the supply, subject thereto that the user must pay the prescribed charge for the disconnection and restoration of his or her supply of metered services before the metered services is restored.

9. Payments and settlement of amounts due

(1) Payments on accounts rendered may be effected at any municipal pay point.

(2) The Municipal Manager may at his or her discretion and from time to time, designate certain payment methods which will be acceptable to the Municipality.

- (3) Any payments made to the Municipality may be allocated by the Municipality entirely within its discretion; provided that any part payment on an account shall be allocated firstly to reduce any penalty charges which may have accrued on the account.
- (4) The Municipal Manager shall be at liberty to appropriate payments received in respect of any municipal services provided by the Municipality in a manner he or she deems fit in accordance with the Credit Control and Debt Collection Policy.
- (5) Where the exact amount due and payable to the Municipality has not been paid in full, any lesser amount tendered to and accepted by any municipal official, shall not be deemed to be in final settlement of such an amount unless the Municipal Manager in writing consents to or confirm that such amount is accepted in full and final settlement of a debt.
- (6) The acceptance of a lesser payment in full and final settlement shall not detract from the discretion of the Municipal Manager in terms of subsection (4).

10. Procedures for and matters relating to the recovery of debt

- (1) Annual rates and service charges are levied during July of each year on all properties and the due date for the payment of same is on the 30th (thirtieth) day of September of every year, unless amended by the Council by means of a notice in the Provincial Gazette.
- (2) Rates and service charges which are by arrangement paid on a monthly basis shall be payable by the due date as indicated on the account.
- (3) Accounts rendered by the Municipality in respect of electricity and water shall be payable by the due date as indicated on the account.
- (4) Interest on arrears shall accrue on all amounts not paid by the due date and where applicable, not received in the Municipality's bank account by close of business on the due date.
- (5) In the event of an owner of property failing to pay the outstanding rates and service charges by the due date, the Municipal Manager or any person duly authorised thereto, shall take the necessary steps including any legal action to collect the

outstanding rates and service charges in accordance with the debt recovery procedures prescribed.

- (6) When the Municipality restrict or disconnect the supply of any municipal services in any manner including but not limited to blocking the purchase of electricity on the prepayment system or restricting or disconnecting the supply of water in respect of an account which has not been paid by the due date, this shall be done with due regard for any mandatory minimum levels of supply of municipal services.
- (7) Any additional charges or costs incurred by or on behalf of the Municipality with regard to the recovery of debt as outlined in this by-law and the Credit Collection and Debt Collection Policy including but not limited to legal and administration costs including attorney-and-client costs, disbursements and tracing fees and collection costs shall be debited to the account of the defaulting debtor. The latter charges may include a revisit of deposits paid.
- (8) Owners who made arrangements to settle their rates accounts on a monthly basis shall ensure regular payments. Failure to adhere to the arrangement and to pay the monthly instalments for 3 (three) consecutive months shall result in automatic cancellation of the arrangement and the outstanding balance shall immediately become due and payable.
- (9) The Municipal Manager may, as provided for in sections 28 and 29 of the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004), recover any rent due and payable to an owner of a premises or immovable property but not yet paid as payment or part payment in respect of outstanding rates after the due date.
- (10) The Municipal Manager may, in order to recover debt, institute the necessary proceedings in a competent court and attach a debtor's movable and immovable property.
- (11) In the event that a juristic person including but not limited to a company, close corporation, trust or body corporate in terms of the Sectional Titles Act, 1986 (Act 95 of 1986) is liable for the payment of any arrear rates and service charges to the Municipality, the liability of such entity is extended to its directors, members and trustees, as the case may, jointly and severally in their personal capacity.

- (12) The Municipal Manager may notwithstanding the above and upon cause good shown, allow any defaulting owner or occupier of a property, to enter into a written agreement for the payment of the outstanding balance by way of instalments, on such terms and conditions as determined by the Credit Control and Debt Collection Policy and when such an agreement has been entered into, all actions against the defaulting owner or occupier of a property in terms of the Credit Control and Debt Collection Policy and in respect of such outstanding balance shall be suspended provided that the terms of this written agreement is strictly complied with.

11. Rates clearance certificates

- (1) Applications for the issuing of certificates required for the transfer of immovable property in terms of section 118 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) must be lodged with the Municipal Manager in the prescribed manner.
- (2) The certificate mentioned in subsection (1) will only be issued if all amounts that became due in connection with that property for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties during the 2 (two) years preceding the date of application for the certificate have been fully paid, irrespective of whether such amounts have been accumulated by the owner or not.
- (3) Nothing in this section precludes the subsequent collection by the Municipality of any amounts owed to it in respect of such immovable property at the time of transfer.

12. Interest

- (1) The Municipality may charge and recover interest in respect of any arrears, as prescribed in this by-law and the Credit Control and Debt Collection Policy.
- (2) No interest shall be charged on any outstanding amounts in respect of which an arrangement has been made as envisaged in section 9(8) provided that the debtor complies with the terms of the arrangement.

- (3) For the purposes of this section the interest shall be calculated for each month for which such arrears remain unpaid and a portion of a month shall be deemed to be a full month.

13. Consolidation of accounts

- (1) The Municipal Manager may-

- (a) consolidate any separate accounts of a debtor;
- (b) credit a payment by a debtor against any account of that debtor; and
- (c) implement any of the measures provided for in this by-law and the Credit Control and Debt Collection Policy, in relation to any arrears on any of the accounts of such debtor.

- (2) The provisions of subsection (1) do not apply where there is a dispute between the Municipality and the debtor concerning any specific amount claimed by the Municipality from such debtor.

14. Agreements with employers

- (1) The Municipal Manager may -

- (a) with the consent of a debtor enter into a written agreement with that person's employer to deduct from the salary or wages of that debtor:
 - (i) any outstanding amounts due by the debtor to the Municipality; or
 - (ii) such regular monthly amounts as may be agreed; and
- (b) provide special incentives for –
 - (i) employers to enter into such agreements; and
 - (ii) debtors to consent to such agreements.

15. Indigents

- (1) An indigent debtor shall be dealt with as prescribed in the Indigent Policy.

16. Right of access to premises

- (1) A duly authorised representative of the Municipality shall for any purpose related to the implementation or enforcement of this by-law, at all reasonable times or in an emergency at any time, have access to and enter any premises, request information

and carry out any inspection and examination as he or she may deem necessary, and for purposes of reading, installing or repairing any meter or service connection for reticulation, or to disconnect, stop or restrict the provision of any service.

- (2) If the Municipality considers it necessary that work needs to be performed to enable an official to perform a function referred to in subsection (1) properly and effectively, it may:
- (a) by written notice require the owner or occupier of the premises at his or her own expense to do specific work within a specified period; or
 - (b) if in its opinion the situation is a matter of urgency, without prior notice do such work or cause it to be done at the expense of the owner.
- (3) If the work referred to in subsection (2) above is carried out for the sole purpose of establishing whether a contravention of this by-law has been committed and no such contravention has taken place, the Municipality shall bear the expenditure connected therewith together with the expense of restoring the premises to its former condition provided that in the event that it is established that a contravention of this by-law has taken place the owner or occupier shall, in addition to the loss or damage referred to in section 21(2), also be liable for the expenditure connected therewith.

17. Process for grievances and queries

- (1) An aggrieved person may lodge a grievance or query regarding service charges to the Municipality in writing and in the prescribed form.
- (2) The aggrieved person shall clearly state the basis of his or her dissatisfaction and the desired outcome.
- (3) The lodging of a grievance or query shall not relieve the aggrieved person of the responsibility to settle the account, provided that the Municipal Manager may, on application in writing and in his or her sole discretion, direct that interim payments may be made pending the finalisation of the grievance or query.
- (4) The Municipality shall respond to such grievance or query in writing within 30 (thirty) days from the date of the lodgement of the grievance or query.

18. Notices and documents

- (1) A notice or document issued by the Municipality in terms of this by-law, shall be deemed to be duly issued if signed by an official duly authorised by the Council.
- (2) If a notice is to be served on a person in terms of this by-law, such service shall be effected by:
- (a) delivering the notice to such person personally or to the duly authorised agent of such person;
 - (b) delivering the notice at such person's residence or place of employment to a person apparently not less than 16 (sixteen) years of age and apparently residing or employed there;
 - (c) delivering the notice to an address which the person has nominated as an address for legal purposes;
 - (d) registered or certified post addressed to such person's last known address;
 - (e) delivering it to the registered office or the business premises of such a body corporate in the case of a body corporate; or
 - (f) affixing it to the principal door of entry to the premises, or displaying it on a conspicuous place on the premises to which it relates if service cannot be effected in terms of the aforesaid subsections.

19. Authentication of documents

- (1) Every order, notice or other document requiring authentication by the Council shall be sufficiently authenticated, if signed by the Municipal Manager or by a duly authorised official of the Council.
- (2) Delivery of a copy of the document shall be deemed to be delivery of the original.

20. Certificate of indebtedness

- (1) A certificate under the hand of the Municipal Manager certifying the amount due and payable to the Municipality shall be binding upon the debtor; shall be *prima facie* proof of the amount of the debtor's indebtedness and shall be valid as a liquid document against the debtor in any competent court for the purpose of obtaining provisional sentence or judgment against the debtor in respect thereof.

- (2) Should the debtor at any time in defence of any action based on this by-law allege that there is no reason or cause for the debtor's obligations to the Municipality or that errors have been made in the calculation of the amount claimed, then the onus of proving such a defence will rest on the debtor.

21. Appeals

- (1) A person aggrieved by any decision taken in terms of this by-law and in terms of a power or duty delegated or sub-delegated, may appeal against such decision in terms of section 62 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) by giving written notice of the appeal and the reasons to the Municipal Manager within 21 (twenty-one) days of the date of the notification of the decision.
- (2) The Municipal Manager shall consider the appeal and confirm, vary or revoke the decision.
- (3) The Municipal Manager must commence with an appeal within 6 (six) weeks and decide the appeal within a reasonable period.

22. Offences and penalties

- (1) Any person who:
- (a) fails to give the access required by an official in terms of this by-law;
 - (b) obstructs or hinders an official in the exercise of his or her powers or performance of functions or duties under this by-law;
 - (c) uses or interferes with Council equipment or consumption of services supplied;
 - (d) tampers or breaks any seal on a meter or on any equipment belonging to the Municipality, or for any reason as determined by the Municipal Manager causes a meter not to properly register the service used;
 - (e) fails or refuses to give an official such information as he or she may reasonably require for the purpose of exercising his or her powers or functions under this by-law or provides the Municipality or such an official with false or misleading information knowing it to be false or misleading;
 - (f) fails to comply with the terms of a notice served upon him or her in terms of this by-law;
 - (g) contravenes or fails to comply with any provision of this by-law;
- shall upon conviction if found guilty of an offence be liable upon conviction to a fine not exceeding R2000 or to imprisonment for a period not exceeding 6 (six) months or both such a fine and imprisonment and, in addition, may be charged for usage,

as estimated by the Municipal Manager based on average usage during the previous 6 (six) months or as may be determined by resolution of the Council from time to time.

- (2) Every person committing a contravention or breach of the provisions of this by-law shall also be liable to compensate the Municipality for any expenditure incurred and any loss or damage suffered or sustained by the Municipality in consequence of such breach.

23. Repeal of By-laws

Credit control and debt collection by-law published on 18 February 2015 under Notice Number 22 and Gazette Number 2474 is hereby repealed.

24. Short title and commencement

This by-law is called the Musina Local Municipality: Credit Control and Debt Collection By-law and comes into operation on date of publication in the *provincial gazette*.

PROVINCIAL NOTICE 62 OF 2017

MUSINA LOCAL MUNICIPALITY

[NP-341]



PROPERTY RATES BY-LAW

The Municipal Manager of Musina Local Municipality hereby in terms of section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), publishes the Property Rates By-Law for the municipality as approved by its council, as set out hereunder.

PREAMBLE

WHEREAS the constitution of Republic of South Africa, 1996, entitles municipalities to impose rates on property in their area;

AND WHEREAS the constitution enjoins local government to be developmental in nature, in addressing the service delivery priorities of our country and promoting the economic and financial viability of our municipalities;

AND WHEREAS there is a need to provide local government with access to sufficient and buoyant source of revenue necessary to fulfil its developmental responsibilities;

AND WHEREAS income derived from property rates is a critical source of revenue for municipalities to achieve their constitutional objectives;

AND WHEREAS section 6 of the local Government: Municipal Property Rates 2004 (Act No.6 of 2004) provides that municipality must adopt by-laws to give effect to implementation of the rates policy;

THEREFORE the council of Musina Local Municipality adopted the following Property Rates By-Law.

TABLE OF CONTENTS

1. Definitions
2. Purpose
3. Adoption and content of rates policy
4. Categories of properties
5. Categories of owners of properties
6. Repeal
7. Short title and commencement

1. Definitions

In these by-law, any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004), shall bear the same meaning unless the context indicates otherwise.

“municipality” means Musina Local Municipality established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

“rates policy” means the policy on the levying of rates on rateable properties of the municipality, contemplated in chapter 2 of the Local Government: Municipal Property Rates Act, 2004; and

“the Act” means Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004).

2. Purpose

- (1) The purpose of this by-law is to give effect to the implementation of the rates policy as contemplated in section 6 of the Local Government: Municipal Property Rates Act, 2004.

3. Adoption and content of rates policy

- (1) The municipality shall:
 - (a) adopt and implement its rates policy consistent with the act on the levying of rates on rateable property within the jurisdiction of the municipality; and
 - (b) comply with the provisions of the act.
- (2) The rates policy shall, inter alia:
 - (a) apply to all rates levied by the municipality pursuant to the adoption of its annual budget;
 - (b) comply with the requirements as specified in sections 3, 4 and 5 of the Act;
 - (c) provide for principles, criteria and implementation measures that are consistent with the act for the levying of rates which the council shall adopt; and
 - (d) provide for enforcement mechanisms that are consistent with the provisions of the act and the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

4. Categories of properties

- (1) Different rates may be levied in respect of the following categories of rateable properties and such rates will be determined on an annual basis during the compilation of the annual budget:
 - (a) residential properties;
 - (b) industrial properties;
 - (c) business and commercial properties;
 - (d) farm properties (including small holdings) used for:

- (i) agricultural purposes only;
 - (ii) commercial purposes;
 - (iii) residential purposes; and
 - (iv) municipal properties.
- (e) public service infrastructure referred to in the Act;
 - (f) properties owned by public benefit societies;
 - (g) state owned properties; and
 - (h) any other properties applicable to the municipality.

(2) In determining the category of a property referred to in subsection 1 the municipality shall take into consideration the following criteria or a combination thereof:

- (a) the formal zoning of the property;
- (b) township establishment approvals;
- (c) the use of the property;
- (d) permitted use of the property; and
- (e) the geographical area in which the property is situated.

5. Categories of owners of properties

(1) Owners of properties are categories as follows:

- (a) indigents;
- (b) pensioners, physically and mentally disabled;
- (c) owners temporarily without income;
- (d) owners of residential properties;
- (e) land reform beneficiaries;
- (f) sporting bodies; and
- (g) public benefit organizations; and
- (h) and any other owners of properties within the municipality.

6. Repeal

Property rates by-law published on 18 February 2015, under Gazette Number 2474, Notice number 22 is hereby repealed.

7. Short title and commencement

This by-law is called Musina Local Municipality Property Rates By-Law and shall come into effect on date of publication in the *Provincial gazette*.

PROVINCIAL NOTICE 63 OF 2017

MUSINA LOCAL MUNICIPALITY



GENERAL NOTICE

REPEAL OF BY-LAWS OF THE DISESTABLISHED MUTALE LOCAL MUNICIPALITY

The Acting Municipal Manager of Musina Local Municipality hereby repeal the following by-laws to an extent to which they were applicable to the wards which are now falling in the Musina Local Municipality from the disestablished Mutale Local Municipality after having reviewed and rationalised the by-law as outlined in section 15 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) as approved by its council on 25 May 2017 under item number: 10.17.2017, as set out hereunder with effect from the date of publication in the Provincial Gazette.

No	Name of by-law	Gazette No	Local authority notice number	Date of publication	Extent of repeal
1.	Cemetery	1070	6	14 January 2005	The whole
2.	Credit Control	1070	7	14 January 2005	The whole
3.	Electricity	1070	8	14 January 2005	The whole
4.	Street Trading	1070	9	14 January 2005	The whole
5.	Library	1070	10	14 January 2005	The whole
6.	Standing Rules and Orders	1070	11	14 January 2005	The whole
7.	Prevention and suppression of Nuisance	1070	12	14 January 2005	The whole
8.	Refuse and Sanitary	1070	13	14 January 2005	The whole
9.	Public Amenities	1070	14	14 January 2005	The whole
10.	Prevention conditions likely to cause or further spread fire	1070	15	14 January 2005	The whole
11.	Tariff	1070	16	14 January 2005	The whole
12.	Unightly and neglected buildings	1070	17	14 January 2005	The whole
13.	Water Supply	1070	18	14 January 2005	The whole
14.	Nature Reserve	1070	19	14 January 2005	The whole
15.	Prohibition and control over the discharge of fire works	1070	20	14 January 2005	The whole
16.	Property Rates	2181	40	27 March 2013	The whole
17.	Meetings and processions	2181	41	27 March 2013	The whole


T.N TSHIVANAMMBI
ACTING MUNICIPAL MANAGER

PROVINCIAL NOTICE 64 OF 2017

MUSINA LOCAL MUNICIPALITY

[NP341]



TARIFF BY-LAWS

The Municipal Manager of Musina Local Municipality hereby in terms of section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), publishes the tariff by-law for the municipality as approved by its council, as set out hereunder.

PREAMBLE

WHEREAS section 74 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) requires a municipal council to adopt and implement a tariff policy on the levying of fees for municipal services;

AND WHEREAS the tariff policy must reflect at least the principles set out in section 74(2) of the Act;

AND WHEREAS the tariff policy may differentiate between different categories of users, debtor, service providers, services, service standards, geographical areas and other matters as long as the differentiation does not amount to unfair discrimination;

AND WHEREAS section 75 of the Local Government: Municipal Systems Act, 2000 provides that by-laws must be adopted to give effect to the implementation and enforcement of the tariff policy;

AND WHEREAS section 64 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) provides that a municipality must have an effective revenue collection system and ensure that revenue is collected regularly to meet the requirements and practices of sound financial administration;

NOW THEREFORE the Council of Musina Local Municipality adopted the following Tariff by-law.

TABLE OF CONTENTS

1. Definitions
2. Purpose
3. Adoption and implementation of the tariff policy
4. Content of tariff policy
5. Categories of users
6. Categories of services
7. Services
8. Sundry tariff
9. Repeal
10. Short title and commencement

1. Definitions

In these by-law, any word or expression to which a meaning has been assigned in the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) (herein referred to as the "Act") bears the same meaning unless the context indicates otherwise—

"consumption based tariff" means a tariff set as rand amount per measurable unit of service;

"municipal account" means an account issued by the municipality reflecting the amount due for services rendered;

"provision for free basic services" means a budget provision, funded from National Government transfers and Municipal rates to subsidize basic services;

"sundry tariff" means a tariff set as a fixed rand amount; and

"the Act" means Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

2. Purpose

- (1) The purpose of this by-law is to give effect to the implementation and enforcement of the tariff policy of the municipality as outlined in section 75 of the act.

3. Adoption and implementation of the tariff policy

- (1) The Municipality shall adopt and implement a tariff policy on the levying of fees for a municipal service provided by the municipality or by way of service delivery agreements which complies with the provisions of the Local Government: Municipal Systems Act, 2000, the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) and any other applicable legislation.

4. Content of tariff policy

- (1) The Municipality's tariff policy shall, *inter alia*:
 - (a) apply to all tariffs imposed by the municipality pursuant to the adoption of the municipality's annual budget;
 - (b) reflect the principles referred to in section 74(2) of the act and specify any further principles for the imposition of tariffs which the municipality may wish to adopt;
 - (c) specify the manner in which the principles referred to in section 74(2) of the act are to be implemented in terms of the tariff policy;
 - (d) specify the basis of differentiation as outlined in section 74(3) of the act, for tariff purposes between different categories of users, debtors, service providers, services, service standards and geographical areas as long as such differentiation does not amount to unfair discrimination; and
 - (e) include such further enforcement mechanism, if any, as the municipality may impose in addition to those contained in the Credit Control and Debt Collection by-laws and Credit Control and Debt Collection Policy.

5. Categories of users

- (1) The following are categories of users:
 - (a) residential property,
 - (b) business, commercial and industrial property,
 - (c) agricultural property,
 - (d) state-owned property,
 - (e) public service infrastructure,
 - (f) public benefit organisation(s) property,
 - (g) mining property,
 - (h) rural communal land,
 - (i) municipal property,
 - (j) places of public worship,
 - (k) vacant land, and
 - (l) other properties applicable to the municipality.

6. Categories of services

- (1) The municipality has the following categories of services:
 - (a) water;
 - (b) sanitation;
 - (c) refuse removal;
 - (d) electricity; and
 - (e) any other services that the municipality supply.

7. Services

- (1) Where a service is provided primarily for the benefit of an individual user and the actual service or consumption can be accurately measured, the cost of providing the service should be recovered from the individual by means of tariffs.
- (2) When a service connection is made, a sundry tariff should be used and when a metered amount of service is consumed a consumption based tariff should be used.
- (3) Some services, although provided primarily for the benefit of individual users and have important community benefits, particularly where these services cannot be accurately measured, the cost of the service should be recovered by combination of tariffs and rates.
- (4) Where service is provided primarily for the benefit of the community and an individual's benefit cannot be accurately measured, the cost of providing the

service should be recovered by means of rates and the rates must comply with the municipal rates policy.

- (5) Indigent households should have access to free basic services in line with the municipal indigent policy.

8. Sundry tariff

- (1) All sundry tariffs shall be approved by the council in each annual budget, and shall, when deemed appropriate by the council, be subsidized by property rates and general revenues, particularly when the tariffs will prove uneconomical when charged to cover the cost of the service concerned, or when the cost cannot accurately be determined, or when the tariff is designed purely to regulate rather than finance the use of the particular service.
- (2) The following services shall be considered as subsidized services and an applicable tariff shall be paid for their intended use being:
- (a) burials and cemeteries,
 - (b) rentals for the use of municipal sports facilities,
 - (c) municipal swimming pool, and
 - (d) municipal lending library.
- (3) The following services shall be considered as community services, and no tariffs shall be levied for their use:
- (a) municipal art gallery,
 - (b) disposal of garden refuse at the municipal tip site,
 - (c) municipal reference library, and
 - (d) municipal botanical garden, and all other parks and open spaces.
- (4) The following services shall be considered as economic services, and the tariffs levied shall cover 100% or as near as possible to 100% of the budgeted annual operating expenses of the service concerned:
- (a) maintenance of graves and garden of remembrance (cremations),
 - (b) housing rentals,
 - (c) rentals for the use of municipal halls and other premises,
 - (d) building plan fees,
 - (e) sales of plastic refuse bags,
 - (f) sales of refuse bins,
 - (g) cleaning of stands,
 - (h) electricity, water, sewerage and new connection(s) thereof,
 - (i) sales of livestock and plants,
 - (j) photostat copies and fees,

- (k) clearance certificates,
 - (l) valuation certificates,
 - (m) tender documents,
 - (n) stadium events, and
 - (o) any other services that the municipality may identify.
- (5) The following charges and tariffs shall be considered as regulatory or punitive, and shall be determined as appropriate in each annual budget:
- (a) fines for lost or overdue library books,
 - (b) advertising sign fees,
 - (c) pound fees,
 - (d) electricity and, water disconnection and reconnection fees,
 - (e) penalty and other charges imposed in terms of the approved policy on credit control and debt collection, and
 - (f) penalty charges for the submission of dishonoured, stale, post-dated or otherwise unacceptable cheques and unpaid debit orders.
- (6) Market-related rentals shall be levied for the lease of municipal properties.
- (7) In the case of rentals for the use of municipal halls and premises, if the municipal manager is satisfied that the halls or premises are required for non-profit making purposes and for the provision of a service to the community, the municipal manager may waive a percentage as approved by council of the applicable rental.
- (8) The municipal manager shall determine whether an indemnity or guarantee must in each instance be lodged for the rental of municipal halls, premises and sports fields and in so determining shall be guided by the likelihood of the Musina Local Municipality's sustaining damages as a result of the use of the facilities concerned.

9. Repeal

- (1) Musina Local Municipality Tariff By-Law gazetted on 18 February 2015, gazette number 2474, published under Notice Number 22 is hereby repealed.

10. Short title and commencement

- (1) This By-law is called the Musina Local Municipality Tariff By-Law and shall come into operation on date of publication in the *Provincial gazette*.

PROVINCIAL NOTICE 65 OF 2017



THULAMELA MUNICIPALITY

**CREDIT CONTROL AND DEBT
COLLECTION BY-LAW**

The Municipal Manager of Thulamela Local Municipality acting in terms 13(a) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) hereby publishes the Credit Control and Debt Collection By-Law for the Municipality as approved by Council as set out hereunder.

PREAMBLE

WHEREAS section 156(2) of the Constitution of the Republic of South Africa, 1996 requires a municipality to make and administer by-laws for the effective administration of the matters which it has the right to administer,

AND WHEREAS section 98 of the Local Government: Municipal Systems Act, 2000 requires a municipality to adopt by-laws to give effect to the municipality's credit control and debt collection policy, its implementation and enforcement,

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

AND WHEREAS section 96 of the Municipal Systems Act , 2000 requires a municipality to collect all monies due and payable to the municipality and to provide for the matters incidental thereto

THEREFORE the Council of the Thulamela Local Municipality adopted the following by-law.

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1. Definitions
2. Purpose
3. Application for municipal services and agreement
4. Deposits
5. Applicable charges for municipal services
6. Accounts and payments
7. Arrears
8. Restrictions, limitations or disconnection of municipal services

9. Termination of agreements for municipal services
10. Failure to honour agreements
11. Interests
12. Re-connection of services
13. Clearance certificate
14. Process for grievances and queries
15. Appeals
16. Offences and penalties
17. Repeal
18. Short title

1. Definitions

In these by-law, any word or expression to which a meaning has been assigned in the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) herein referred to as the act bears the same meaning, unless the context indicates otherwise:

“arrears” means any amount due and payable to the municipality and not paid by the due date;

“council” means the council of the municipality;

“councillor” means a member of a municipal council;

“debt” means any monies owing to the municipality;

debtor” means any person who owes a debt to the municipality;

“due date” means the final date on which payment, as shown on the debtor’s municipal account or in terms of a contract is due and payable;

“indigent debtor” means a debtor who meets certain criteria of the indigent as determined by the municipality in its indigent policy;

“interest” means a rate of interest, charged on overdue accounts as determined by council on the municipal tariffs;

“municipality” means the Thulamela Local Municipality established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

“official” means an *“official”* as defined in section 1 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003);

“policy” means the municipality’s credit control and debt collection policy;

“the act” means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

“third party debt collector” means any person or persons authorized to collect monies or institute legal proceeding against debt, on behalf of the municipality; and

‘user’ means a person who receives services that are rendered by the municipality.

2. Purpose

- (1) To give effect to the municipality’s credit control and debt collection policy, its implementation and enforcement as outlined in section 98 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

3. Application for municipal services and agreement

- (1) A customer must make an application in writing for services provided by the municipality.
- (2) The municipality, when an application for the provision of municipal services has been made to it, must inform the applicant of the levels of services that are available and the applicable tariffs or the charges and the then current, and, if it be known, the future tariffs or charges, associated with each level of service.
- (3) An application for services that has been submitted by a customer and approved by the municipality shall constitute a written agreement between the municipality and the customer and such agreement shall take effect on the date referred to or stipulated in the agreement.
- (4) The municipality is only obliged to provide a level of service specifically requested by the applicant and the municipality has resources and provides those services.
- (5) If, at the commencement of these by-laws or at any other time, municipal services are provided and received and no written agreement exists in respect of such services, it shall, until the customer enters into an agreement, be deemed that—
 - (a) an agreement as envisaged exists; and
 - (b) the level of services rendered to that customer is at a level of services elected by the customer.

- (6) A customer may at any time apply for an alterations to the level of services that was elected in terms of an agreement, and, if the customer does so, the municipality may approve the application if it has the capacity and resources to provide the requested level of service altering the level of services subject to the condition that the customer shall be liable, for the cost of effecting the alteration and, if it be feasible to calculate the cost, to pay it before the alteration commences.
- (7) The municipality must take reasonable steps to ensure that an illiterate person who wishes to complete an application form understand the document as well as the consequences of entering into the agreement, and must also notify the customer of the possibility of registering as an indigent customer.
- (8) If the municipality—
- (a) refuses an application for the provision of municipal services or a specific service or level of service;
 - (b) is unable to render municipal services, or a specific service or level of service, when the customer wants it; or
 - (c) is unable to render municipal services, a specific service, or a specific level of service; it must, within 7 (seven) days of refusing the application or of becoming aware of its inability, inform the customer about the refusal or its inability, and must furnish the reasons for its refusal or inability and, if it is able to do so, inform the customer of when the municipal services, or a specific service shall be resumed.

4. Deposits

- (1) Upon approval of the application and before the service is made available, the municipality may require the applicant-
- (a) to make a deposit for municipal services with the municipality;
 - (b) to provide any other form of security; or
 - (c) to agree to special conditions regarding payment of the municipal account and monies so deposited with the municipality to serve as security and working capital.
- (2) A municipal council may require the applicant to pay a deposit that has been determined by it and may determine that different deposits be paid by different categories of customers, users of services and debtors as well as for different services and standards of service.
- (3) The municipal council may specify acceptable forms of deposits, which may include:

- (a) cash;
 - (b) bank guaranteed cheques; and
 - (c) bank guarantees.
- (4) A deposit determined by the Municipal Council must be paid by a customer when applying for a municipal service and no service will be rendered until it has been paid.
- (5) No interest shall be payable by the municipality on any deposit, or part of a deposit, held by it.
- (6) The municipality may annually review a deposit to be paid.
- (7) On termination of the supply of services, the amount of such deposit, as determined by the municipality, less any payments due to the municipality, must be refunded to an account holder.

5. Applicable charges for municipal services

- (1) All applicable charges payable in respect of municipal services, (including but not limited to the payment of connection charges, fixed charges or any additional charges) shall be set by the municipal council from time to time in accordance with—
- (a) its tariff policy;
 - (b) the by-laws; and
 - (c) any legislation and regulations made in terms of national or provincial legislation.
- (2) Applicable charges may vary for different categories of customers, users of services, types and levels of services, quantities of services, infrastructural requirements and geographic areas.

6. Accounts and payments

- (1) Accounts shall be rendered monthly to customers at the customer's last recorded address.
- (2) Where in the opinion of the municipality it is not reasonably possible or cost effective to render accounts to consumers who consume only subsidised services, the municipal council may, notwithstanding sub-section (1), decide not to render accounts to those consumers.
- (3) Failure by the customer to receive or accept an account does not relieve a customer of the obligation to pay any amount that may be due and payable.
- (4) The municipality shall, if it is reasonably possible to do so, issue a duplicate account to a customer on request.

- (5) Accounts must be paid not later than the last date for payment specified on it.
- (6) Accounts for municipal services shall—
- (a) reflect at least the—
- (i) services rendered;
 - (ii) consumption of metered services or the average, shared or estimated consumption;
 - (iii) period addressed in the account;
 - (iv) applicable charges;
 - (v) subsidies;
 - (vi) amount due (excluding the value added tax payable)
 - (vii) value added tax;
 - (viii) adjustment, if any, to metered consumption which has been previously estimated;
 - (ix) arrears;
 - (x) interest payable on any arrears;
 - (xi) final date for payment; and
 - (xii) methods, places and approved agents where payment may be made; and
- (b) state that—
- (i) the customer and the municipality may enter into an agreement at the municipal offices in terms of which the customer will be permitted to pay arrears in instalments;
 - (ii) if no such agreement is entered into, the municipality will limit or disconnect the services, after sending a final demand notice to the customer;
 - (iii) legal action may be instituted against any customer for the recovery of any amount more than 60 (sixty) days in arrears;
 - (iv) a claim for arrears may be ceded to a debt collector for collection; and
 - (v) proof of registration, as an indigent customer, in terms of the municipality's indigent policy, which may form part of the municipality's credit control and debt collection policy, must be handed in at the offices of the municipality before the final date for payment.

7. Arrears

- (1) If a customer fails to pay the account on or before the due date, a final demand notice may be hand delivered or sent by registered post to the most recent recorded address of the customer within 7 (seven) working days of the arrears having accrued.
- (2) Failure to deliver or to send a final demand notice within 7 (seven) working days does not relieve a customer from paying arrears.
- (3) If one account is rendered for more than one municipal service provided, all arrears due and payable by a customer constitute a consolidated debt, and any payment made by a customer of an amount less than the total amount due, will be allocated in reduction of the consolidated debt in the following order:
 - (a) towards payment of the current account;
 - (b) towards payment of arrears; and
 - (c) towards payment of interest.

8. Restriction, limitation or disconnection of municipal services

- (1) The Municipality may limit, restrict or disconnect the supply of any services to any premises whenever a debtor:
 - (i) fails to make full payment on the due date or fails to make acceptable arrangements for the repayment of any arrears;
 - (ii) fails to comply with a condition of supply imposed by the municipality;
 - (iii) obstructs the efficient supply of electricity, water, gas or any other municipal services to another customer;
 - (iv) supplies such municipal service to a customer who is not entitled thereto or permits such service to continue;
 - (v) causes a situation which in the opinion of the Municipality is dangerous or a contravention of relevant legislation;
 - (vi) is placed under provisional sequestration, liquidation or judicial management, or commits an act of insolvency in terms of the Insolvency Act, (Act 24 of 1936); and
 - (vii) is granted an administration order in terms of section 74 of the Magistrates Court Act, 1944 (Act 32 of 1944).
- (2) The Municipality shall before limiting or discontinuing any services to any premises or user ensure that a fair and equitable procedure is followed and the municipality shall provide reasonable notice of its intention to limit or discontinue services and grant the affected person an opportunity to make written representation.
- (3) The Municipality shall reconnect supply of any of the limited, restricted or discontinued services after the amount outstanding and due, including the costs of such disconnection and reconnection, if any, have been paid or after any other condition or conditions of the municipality's credit control and debt collection policy have been complied with.
- (4) The right of the municipality to restrict water to any premises or customer shall be subject to the provisions of the Water Services Act, 1997(Act 108 of 1997) and related guidelines from national government.

- (5) The right to limit, restrict, disconnects or terminates a service to a property due to non-payment of any municipal account or due to unauthorized usage of municipal services shall be in respect of any municipal service to that property, and shall prevail notwithstanding the fact that payment was intended to have been made in respect of any specific municipal service and shall also prevail notwithstanding the fact that the person who entered into agreement for supply of municipal services with the municipality and the owner are different entities or persons, as the case may be.

9. Termination of agreements for municipal services

- (1) A customer may terminate an agreement for municipal services by giving at least 21 (twenty-one) days written notice to the municipality.
- (2) The municipality may terminate an agreement for municipal services by giving at least 21 (twenty-one) days written notice to a customer where—
- (a) municipal services were not utilised for a consecutive period of 2 (two) months and without an arrangement, to the satisfaction of the municipality, having been made for the continuation of the agreement; or
- (b) premises by a customer have been vacated by the customer, who owns or has occupied them and no arrangement for the continuation of the agreement has been made with the municipality.
- (3) A customer shall remain liable for all arrears and applicable charges that are payable for municipal services rendered prior to the termination of an agreement.

10. Failure to honour agreements

- (1) If a customer fails to comply with an agreement for the payment of arrears in instalments, the total of all outstanding amounts, including arrears, any interest, administration fees, costs incurred in taking relevant action, and penalties, including payment of a higher deposit, will be immediately due and payable without further notice or correspondence and the municipality may—
- (a) limit or disconnect the municipal services specified in the final demand notice sent to the customer;
- (b) institute legal action for the recovery of the arrears; and
- (c) hand the customer's account over to a debt collector or an attorney for collection.

11. Interests

- (1) Interest may be levied on arrears.
- (2) The municipal council may differentiate between types of domestic customers, types and levels of services, quantities of services, geographical areas and socio-economic areas in levying interest on arrears.

12. Re-connection of services

- (1) An agreement for payment of the arrears amount in instalments, entered into after municipal services were limited or disconnected, will not result in the services being restored until—
 - (a) the current account, the first instalment payable in terms of the agreement for payment of the arrears in instalments and all recoverable administration fees, costs incurred in taking relevant action and any penalties, including payment of a higher deposit, are paid in full; or
 - (b) a written appeal by the customer, on the ground of having made timeous and full payment of instalments and current amounts due and payable for a period of at least 6 (six) months has been approved by the municipality.
- (2) In addition to any payments referred to in subsection (1), the customer must pay the standard re-connection fee, as determined by the council from time to time, prior to the re-connection of municipal services by the municipality.
- (3) Municipal services shall be restored within 7 (seven) working days after a customer has complied with the provisions of subsections (1) and (2).

13. Clearance certificate

- (1) On the sale of any property in the municipal jurisdiction, council will withhold the transfer until all rates, service and sundry charges are estimated amounts for the duration of a certificate in connection with the property are paid, by withholding a clearance certificate. The municipality will issue such clearance certificate on receipt of an application on the prescribed form from the conveyancer.
- (2) All payments will be allocated to the registered seller's municipal accounts and all refunds will be made to such seller.
- (3) No interest shall be paid in respect of these payments.
- (4) The Municipality will only issue a clearance certificate once a completed prescribed application form from the conveyancer has been received.
- (5) Where any residential or non-residential debtor has entered into an arrangement with the Municipality in respect of the arrears on a property, the prescribed certificate as referred to in Section 118 of the Act, will not be issued until such time as the full outstanding amount have been paid.
- (6) In terms of section 118(3) of the Act an amount due for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties is a charge upon the property in connection with which the amount is owing and enjoys preference over any mortgage bond registered against the property.
- (7) Accordingly, all such municipal debts shall be payable by the owner of such property without prejudice to any claim which the municipality may have against any other person.
- (8) On application for clearance, any arrangements, acknowledgement of debt shall be cancelled, and all debts on the property shall become due, owing and payable.
- (9) The payments of clearance certificate must be made in cash or by irrevocable bank guaranteed cheque, or attorney's trust cheque, there shall be no refunds on cancellation of sale, and the certificate shall be valid for a period of 60 days from date of issue.

14. Process for grievances and queries

- (1) An aggrieved person may lodge a grievance or query regarding service charges to the municipality in writing and in the prescribed form.
- (2) The aggrieved person shall clearly state the basis of his or her dissatisfaction and the desired outcome.
- (3) The lodging of a grievance or query shall not relieve the aggrieved person of the responsibility to settle the account, provided that the municipality may, on application in writing and in his or her sole discretion, direct that interim payments may be made pending the finalisation of the grievance or query.
- (4) The Municipality shall respond to such grievance or query in writing within 30 (thirty) days from the date of the lodgement of the grievance or query.

15. Appeals

- (1) A person aggrieved by any decision taken in terms of these by-law and in terms of a power or duty delegated or sub-delegated, may appeal against such decision in terms of section 62 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) by giving written notice of the appeal and the reasons to the Municipal Manager within 21 (twenty one) days of the date of the notification of the decision.
- (2) The municipality shall consider the appeal and confirm, vary or revoke the decision.
- (3) The Municipal Manager must commence with an appeal within 6 (six) weeks and decide the appeal within a reasonable period.

16. Offences and penalties

- (1) Any person who:
 - (a) fails to give the access required by an official in terms of this by-law;
 - (b) obstructs or hinders an official in the exercise of his or her powers or performance of functions or duties under this by-law;
 - (c) uses or interferes with Council equipment or consumption of services supplied;
 - (d) tampers or breaks any seal on a meter or on any equipment belonging to the Municipality, or for any reason as determined by the Municipal Manager causes a meter not to properly register the service used;

(e) fails or refuses to give an official such information as he or she may reasonably require for the purpose of exercising his or her powers or functions under this by-laws or provides the Municipality or such an official with false or misleading information knowing it to be false or misleading;

(f) fails to comply with the terms of a notice served upon him or her in terms of this by-law; or

(g) contravenes or fails to comply with any provision of this by-law;

shall upon conviction if found guilty of an offence be liable upon conviction to a fine or to imprisonment or both such a fine and imprisonment and, in addition, may be charged for usage, as estimated by the Municipal Manager based on average usage during the previous 6 (six) months or as may be determined by resolution of the Council from time to time.

(2) Every person committing a contravention or breach of the provisions of this by-law shall also be liable to compensate the Municipality for any expenditure incurred and any loss or damage suffered or sustained by the Municipality in consequence of such breach.

17. Repeal of by-laws

Thulamela Local Municipality Credit Control and Debt Collection By-Laws published in the Limpopo *provincial gazette* number 1035 Local Authority notice number 173 dated 25 August 2004 and Limpopo *Provincial gazette* number 2517 published on the 08 June 2016 and Mutale Local Municipality Credit Control and Debt Collect By-Law published in the Limpopo *Provincial gazette* number 1070 Local Authority notice number 7 dated 14 January 2005 to an extent that it was applicable to wards which are now falling under Thulamela Local Municipality are hereby repealed.

18. Short title

This by-law is called Thulamela Local Municipality Credit Control and Debt Collection By-Laws and shall be effective on the date of publication in the *Provincial gazette*.

PROVINCIAL NOTICE 66 OF 2017



THULAMELA MUNICIPALITY

TARIFF BY-LAW

The Municipal Manager of Thulamela Local Municipality acting in terms 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) hereby publishes the Tariff By-Law for the Municipality as approved by Council as set out hereunder.

PREAMBLE

WHEREAS section 74 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000) requires a municipal council to adopt and implement a tariff policy on the levying of fees for municipal services;

AND WHEREAS the tariff policy must reflect at least the principles set out in section 74(2);

AND WHEREAS the tariff policy may differentiate between different categories of users, debtor, service providers, services, service standards, geographical areas and other matters as long as the differentiation does not amount to unfair discrimination;

AND WHEREAS section 75 of the Local Government: Municipal Systems Act, 2000 provides that by-laws must be adopted to give effect to the implementation and enforcement of the tariff policy;

AND WHEREAS section 64 of the Local Government: Municipal Finance Management Act, 2003 (Act No 56 of 2003) provides that a municipality must have an effective revenue collection system and ensure that revenue is collected regularly to meet the requirements and practices of sound financial administration;

THEREFORE the Council of Thulamela Local Municipality adopted the following tariff by-law.

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1. Definitions
2. Purpose
3. Categories of services
4. Categories of users
5. Services
6. Funded municipal services
7. Adjustment of tariffs
8. Indigent households
9. General power to levy and recover fees, charges and tariffs
10. Repeal
11. Short title and commencement

1. Definitions

In these by-law, unless the context indicates otherwise

“**Constitution**” means the constitution of the Republic of South Africa (Act 108 of 1996);

“Consumer” means

- (a) any person who occupies premises to whom and in respect of which, the council:
- (i) has agreed to provide municipal services;
 - (ii) is actually providing municipal services; or
 - (iii) has entered into an agreement with the council for the provision of municipal services to or any premises; and

- (b) the owner of any premises to which the Council is providing a Municipal service;

“Municipal council” or council means Thulamela Local Municipality Municipal council;

“Municipal manager” means a person appointed in terms of section 54A of the Local Government: Municipal System Act, 2000 as the head of administration of the municipal council;

“Municipality” means Thulamela Local Municipality established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

“tariff” means fees and charges levied by the municipality in respect of any function or service provided by the municipality to the local community, and includes a surcharge on such tariff but excludes the levying of rates by the Municipality in terms of the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004);

“tariff policy” means the Thulamela Local Municipality tariff policy as may be amended by Council from time to time; and

“the act” means the Local Government: Municipal System Act, of 2000 (Act 32 of 2000).

2. Purpose

- (1) The purposes of these by-law is to give effect to the implementation and enforcement of the tariff policy of the municipality as outlined in section 75 of the act.

3. Categories of services

- (1) The municipality has the following categories of services:
- (a) water;
 - (b) sanitation;
 - (c) refuse removal;
 - (d) electricity; and
 - (e) any other services that the municipality supply.

4. Categories of users

- (1) The following are categories of users:
- (a) residential property,
 - (b) business, commercial and industrial property,
 - (c) agricultural property,
 - (d) government property,
 - (e) public service infrastructure,
 - (f) public benefit organisation property,
 - (g) rural communal land or state owned property,
 - (h) municipal property,
 - (i) places of public worship,
 - (j) vacant land, and
 - (k) other properties applicable to the municipality.

5. Services

- (1) Where a service is provided primarily for the benefit of an individual user and the actual service or consumption can be accurately measured, the cost of providing the service should be recovered from the individual by means of tariffs.
- (2) When a service connection is made, a sundry tariff should be used and when a metered amount of service is consumed, a consumption based tariff should be used.
- (3) Some services, although provided primarily for the benefit of individual users and have important community benefits, particularly where these services cannot be accurately measured, the cost of the service should be recovered by combination of tariffs and rates.
- (4) Where service is provided primarily for the benefit of the community and an individual's benefit cannot be accurately measured, the cost of providing the service should be recovered by means of rates and the rates must comply with the municipal rates policy.

6. Funded municipal services

- (1) The council shall, when determining the tariffs for a municipal service, take into consideration any intergovernmental grant or subsidy allocated or to be allocated in relation to such municipal service.
- (2) The council may, when determining the tariff for a municipal service open for use by the general public, subsidize such tariff from other income derived by the council.

7. Adjustment of tariffs

- (1) Municipal tariffs shall be adjusted by the council from time to time after having followed all necessary procedures.

8. Indigent households

- (1) The Council shall annually together with its annual budget, review an indigent policy to determine criteria for the determination of indigent households.
- (2) The criteria referred to in subsection (1) shall take into account:
 - (a) the total income of consumers of municipal services residing on the property to which municipal services is rendered;
 - (b) the total expenditure of consumers of municipal services residing on the property; and
 - (c) a minimum income less expenditure to qualify as a poor household.
- (3) The council may include in its indigent policy a sliding scale according to which the quantity of basic municipal services provided free of charge or at a subsidized tariff to

a poor household is limited in relation to the income less expenditures of an indigent household.

- (4) A user shall qualify for the benefits of a poor household with council in terms of its indigent policy only if such user has applied to be registered as a poor household and has provided such information as the council may require from such user.

9. General power to levy and recover fees, charges and tariffs

(1) The municipality has the power to-

- (a) levy and recovers fees, charges or tariffs in respect of any function or service of the municipality; and
(b) recover collection charges and interest on any outstanding amount.

(2) Fees, charges and tariffs referred to in subsection (1) are levied by resolution passed by the municipal council with a supporting vote of majority of its members.

10. Repeal

Thulamela Local Municipality Tariff by-law published in the Limpopo *Provincial gazette* number 2517 on the 08 June 2015 and Mutale Local Municipality Tariff By-Law published in the Limpopo *Provincial gazette* number 1070 on the 14 January 2005 to an extend that it was applicable to wards which are now falling under Thulamela Local Municipality are hereby repealed.

11. Short Title and commencement

This by-law is called Thulamela Local Municipality Tariff By-Law and it shall be effective from the date of publication in the *Provincial gazette*.

PROVINCIAL NOTICE 67 OF 2017



THULAMELA MUNICIPALITY

**MUNICIPAL PROPERTY RATES
BY-LAW**

The Municipal Manager of Thulamela Local Municipality acting in terms 13(a) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) hereby publishes the Municipal Property Rates By-Law for the Municipality as approved by its Council as set out hereunder.

PREAMBLE

WHEREAS the constitution of Republic of South Africa, 1996, entitles municipalities to impose rates on property in their area;

AND WHEREAS the constitution enjoins local government to be developmental in nature, in addressing the service delivery priorities of our country and promoting the economic and financial viability of our municipalities;

AND WHEREAS there is a need to provide local government with access to sufficient and buoyant source of revenue necessary to fulfil its developmental responsibilities;

AND WHEREAS income derived from property rates is a critical source of revenue for municipalities to achieve their constitutional objectives;

AND WHEREAS section 6 of the Local Government: Municipal Property Rates 2004(Act No.6 of 2004) provides that municipality must adopt by-laws to give effect to implementation of the rates policy;

THEREFORE the council of Thulamela Local Municipality adopted the following Property Rates By-Law.

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1. Definitions
2. Purpose
3. Categories of properties
4. Categories of owners
5. Exemptions, reductions and rebates
6. Differential rating
7. Payment of rates
8. Accounts to be furnished
9. Special rating areas
10. Payment of rates
11. Repeal

12. Short title and commencement

1. Definitions

In these by-law, any word or expression to which a meaning has been assigned in the Local Government: Municipality Property Rates Act, 2004 (Act 6 of 2004), bears meaning and unless the context indicates otherwise:

“Credit Control and Debt Collection By-laws” means the Municipality’s promulgated Credit Control and Debt Collection By-laws;

“Indigent” means any household that is legally resident in the country and reside in the Thulamela Local Municipality’s jurisdictional area , who are to number of economic and social factors are unable to pay municipal basic services, and is registered by the Municipality as such;

“Municipal property” means that rateable or non-rateable properties owned by the municipality;

“Municipality” means the Thulamela Local Municipality established in terms of section of 12 of the Local Government: Municipal Structure Act, 1998 (Act No 117 of 1998);

“the Act” means the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004); and

“vacant land” in relation to property, means-

- (a) land on which no immovable improvements have been erected ;or
- (b) land ,where the value added by immovable improvements is less than 10% of the value of the land with no immovable on it ,applicable to urban and non-urban.
- (c)

2. Purpose of by-law

To give effect to the implementation of the municipal rates policy as outlined in section 6 of the Act.

3. Categories of properties

(1) Categories of rateable property for purposes of levying differential rates are in terms of section 8(2) of the Act and are determined as follows:

- (a) residential properties,
- (b) business and commercial properties,

- (c) industrial properties,
- (d) municipal properties(rateable),
- (e) state owned properties,
- (f) public service infrastructure,
- (g) agricultural,
- (h) agricultural vacant land,
- (i) non-permitted use,
- (j) multiple use properties,
- (k) vacant land,
- (l) state trust land, and
- (m) other properties applicable to the municipality.

4. Categories of owners

- (1) Owners of the properties as outlined in section 3 are liable for the payment of rates as provided for in section 6(2) (b) of the Act as determined by valuation and supplementary valuation roll of the municipality.

5. Exemptions, reductions and rebates

- (1) The following categories of owners are determined for the purposes of granting exemptions, reductions and rebates:
- (a) those owners who qualify and who are registered as indigents in terms of the adopted indigent policy of the municipality;
 - (b) those owners who do not qualify as indigents in terms of the adopted indigent policy of the municipality but whose total monthly income is less than the amount annually determined by the municipality in its budget;
 - (c) owners of property situated within an area affected by-
 - (i) a disaster within the meaning of the Disaster Management Act, 2002 (Act 57 of 2002); or
 - (ii) serious adverse social or economic conditions;
 - (d) owners of residential properties with a market value below the amount as determined annually by the municipality;
 - (e) owners temporarily without income;
 - (f) owners dependent on pensions or social grant for their livelihood; and
 - (g) any other owners as outlined in section 15 to 18 of the Act.

6. Differential rating

- (1) Criteria for differential rating on different categories of properties will be according to-
- (a) the nature of the property including its sensitivity to rating; and
 - (b) the promotion of social and economic development of the municipality.

- (2) Differential rating among the various property categories will be done by way of setting different cent amount in the rand for each property category; and by way of reductions and rebates as provided for in the municipality's rates policy.

7. Payment of rates

- (1) Council shall levy assessment rates: -
- (a) on a monthly basis or less regular as determined by the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003),
 - (b) by credit control and debt collection by-law and policy; or
 - (c) annually, as agreed with the owner of the property.
- (2) Assessment rates is payable:-
- (a) annually in a once off amount determined by the municipality; or
 - (b) in instalments payable on or before the 7th day of the month following on the month in which it becomes payable and in the case of rates based on a supplementary valuation from one of the dates as contemplated in section 78(4) of the Act.
- (3) Interest on arrears rates, shall be calculated in accordance with the provisions of the credit control and debt collection policy and its by-law and any applicable legislation.
- (4) If a property owner who is responsible for the payment of property rates in terms of the rates policy, fails to pay such rates in the prescribed manner, it will be recovered from the owner in accordance with the provisions of the credit control and debt collection policy and its by-law.
- (5) Arrear rates shall be recovered from tenants, occupiers and agents of the owner, in terms of section 28 and 29 of the Act as follows:
- (a) if an amount, due for rates levied on a property, is not paid by the owner by the due date as shown on the account and no reaction is forthcoming from the owner after two written reminders have been issued, the municipality shall recover the amount in full or partially as follows:
 - (i) from the agent who is lawfully responsible to collect commission or rental in respect of the property concerned;
 - (ii) from a tenant or occupier of the property, only after an attempt was made to collect it from an agent referred to in subparagraph (a).
- (6) The amount recoverable is limited to the amount as stipulated in the Act and it may only be recovered after written notice has been served on the party concerned.
- (7) The notice shall give the party concerned at least 14 calendar days to pay the outstanding rates.
- (8) Where the rates levied on a particular property have been incorrectly determined, whether because of an error or omission on the part of the municipality or false information provided by the property owner concerned or a contravention of the permitted use to which the property concerned may be put, the rates payable shall be appropriately adjusted for the period extending from the date on which the error or omission is detected back to the date on which rates were first levied in terms of the current valuation roll.

- (9) In addition, where the error occurred because of false information provided by the property owner or as a result of a contravention of the permitted use of the property concerned, interest on the unpaid portion of the adjusted rates payable shall be levied at the maximum rate permitted by Act.

8. Accounts to be furnished

- (1) The municipality shall furnish each person liable for the payment of rates with a written account, which will specify:
- (a) the amount due for rates payable,
 - (b) the date on or before which the amount is payable,
 - (c) how the amount was calculated,
 - (d) the market value of the property, and
 - (e) rebates, exemptions, reductions or phasing-in, if applicable.
- (2) A person liable for payment of rates remains liable for such payment, whether or not such person has received a written account from the municipality. If the person concerned has not received a written account, necessary enquiries must be made with the municipality.
- (3) In the case of joint ownership the municipality shall consistently, in order to minimise costs and unnecessary administration, recover rates from one of the joint owners only, provided that it takes place with the consent of the owners concerned.

9. Special rating areas

- (1) The municipality will, whenever deemed necessary, by means of a formal council resolution determine special rating areas in consultation with the relevant communities as provided for in section 22 of the Act.
- (2) The following matters shall be attended to in consultation with the committee whenever special rating is being considered:
- (a) proposed boundaries of the special rating area;
 - (b) statistical data of the area concerned giving a comprehensive picture of the number of erven with its zoning, services being rendered and detail of services such as capacity, number of vacant erven and services that are not rendered;
 - (c) proposed improvements clearly indicating the estimated costs of each individual improvement;
 - (d) proposed financing of the improvements or projects;
 - (e) priority of projects if more than one;
 - (f) social economic factors of the relevant community;
 - (g) different categories of property;
 - (h) the amount of the proposed special rating;
 - (i) details regarding the implementation of the special rating; and
 - (j) the additional income that will be generated by means of this special rating.
- (3) In determining the special additional rates the municipality shall differentiate between different categories.

- (4) The additional rates levied shall be utilized for the purpose of improving or upgrading of the specific area only and not for any other purposes whatsoever.

10. Payment of rates

- (1) The owner of the property is the person liable for the payment of the rates levy on the property, as determined in section 24 of the Act.
- (2) Joint owners of a property shall be jointly and severally liable for the payment of the rates levied on the property.
- (3) In the case where an agricultural property is owned by more than one owner in undivided shares and these undivided shares were allowed before the commencement date of the subdivision of Agricultural Land Act, 1970 (Act 70 of 1970), the municipal Council shall hold any joint owner liable for all the rates levied in respect of the Agricultural property concerned or hold any joint owner only liable for that portion of rates levied on the property that represents that joint owner's undivided share in property.
- (4) Rates levied on property in sectional title schemes, shall be payable by the owner of each unit, the municipal council may, depending on the circumstances, have an agreement with the body corporate to collect rates on its behalf as its agents.
- (5) Rates levied on property in sectional title schemes, where the body corporate is the owner of any specific sectional title unit, shall be payable by the Body Corporate.
- (6) If any amount due for rates is unpaid by the owner of the property, the municipality may recover the amount from the tenant or occupier of the property. The amount due for rates may also be recovered from the agent of the owner as set out in section 29 of the Act.
- (7) In the event of a company, closed corporation or body corporate in terms of the Sectional Title Act, 1986 (Act 95 of 1986) is the owner of the property, the payment of property rates is the joint responsibility of the directors and members of the legal person.
- (8) Ratepayers may choose between paying rates annually in one instalment on or before 30 September or in twelve equal instalment on or before the seventh day of the month following on the month in which it becomes payable.

- (9) If the owner of property that is subject to rates, notify the municipal manager or his or her nominee not later than 31 May in financial year, or such later date in such financial year as may be determined by the municipal manager or his or her nominee that he or she wishes to pay all rates in respect of such property in instalments, such owner shall be entitled to pay all rates in the subsequent financial year and each subsequent financial year in twelve instalments until such notice is withdrawn by him or her in a similar manner.
- (10) Interest on arrears rates, whether payable on or before 7th of each month or in equal monthly instalments, shall be calculated in accordance with the provision of the credit control, debt collection and indigent policy of the municipality
- (11) If a property owner, who is responsible for the payment of property rates fails to pay such rates in the prescribed manner, it will be recovered from him or her in accordance with the provision of the Credit Control and Debt Collection and indigent policy of the municipality.
- (12) Arrears rates shall be recovered from tenants, occupiers and agent of the owner, in terms of section 28 and 29 of the Act.
- (13) Where the rates on a particular property have been incorrectly determined, whether because of an error or omission on the part of the municipality or false information provided by the property owner concerned or a contravention of the permitted use to which the property concerned may be put, the rates payable shall be appropriately adjusted for the period extending from the date on which the error or omission is detected back to the date on which rates were first levied in terms of current valuation.
- (14) In addition, where the error occurred because of the false information provided by the property owner or as a result of a contravention of the permitted use of the property concerned, interest on the unpaid portion of the adjusted rates payable shall be levied at a maximum rate permitted by prevailing legislation.

11. Repeal

Thulamela Local Municipality Property Rates By-laws published in Limpopo Provincial gazette number 2036 on the 07th day of February 2012 and gazette number 2517 published on the 08 June 2016 and Mutale Local Municipality Property

rates by-law published in the Limpopo Provincial gazette number 2181 published on the 27 March 2013 to an extent that it was applicable to wards which are now falling under Thulamela Local Municipality are hereby repealed.

12. Short title

This by-law is called Thulamela Local Municipality Property Rates By-Laws and shall be effective on the date of publication in the *provincial gazette*.

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 74 OF 2017

MAKHADO MUNICIPALITY

CORRECTION NOTICE: ELECTRICITY – OTHER CHARGES

Notice is hereby given that the 2017/18 Electricity charges promulgated under Makhado Local Municipality's Notice No 112 of 2017 in Limpopo Provincial Gazette of 15 June 2017 is hereby corrected only to the measure as indicated herein below:

1.5	ELECTRICITY CUT-OFF FEE:	
	(a) Household Cut-off Fee	R233.90
	(b) Agricultural (Farm) Cut-off Fee	R440.70
1.6	ACCOUNTS LATE PAYMENT FEE	
	The average of Household and Farm Cut-off Fee	R269.10
2.	CONSUMER'S DEPOSIT FEE	
	That standard fixed deposits be applied with respect to the consumer type and that they be reviewed at an average of three months' consumption consequent to the opening of an account, determined at the reduction of 50% of the 2015/2016 Consumer Deposit Fees, as follows:	
2.1	Household	R1 612.00
2.2	Business	R4 731.00
2.3	Farmers	R2 437.00
2.4	Old Age Homes	R 656, 00
2.5	Flat	R1 150, 00
2.6	Pre-paid	R 792,70
3.	ELECTRICITY CONNECTION FEES	
3.1	(Conversion) Single Phase to Pre-paid	R 5 049.20
	Single Phase	R11 717.20
	Three Phase	R21 766.70
	Pre-Paid (Urban)	R16 746.00
	Pre-Paid (Rural)	R 2 081.40

Civic Center, No 83 Krogh Street
MAKHADO

File No. 6/1/1(15/16)
Notice No. 143 of 2017

MR M J KANWENDO
ACTING MUNICIPAL MANAGER

RR/lh/OtherCharges_Notice2017

LOCAL AUTHORITY NOTICE 75 OF 2017**LEPHALALE MUNICIPALITY****LEPHALALE AMENDMENT SCHEME 218**

Notice is hereby given in terms of the provisions of section 125(1)(a) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Lephale Municipality has approved an amendment scheme being an amendment of the Lephale Town-planning Scheme, 2005, comprising the same land as included in the township of Ellisras Extension 134.

Map 3 and the scheme clauses of the amendment scheme are filed with the Municipal Manager, Lephale Municipality and the Director: Department of Co-Operative Governance, Human Settlements and Traditional Affairs, Polokwane, and are open for inspection during normal office hours.

This amendment is known as Lephale Amendment scheme 218, and shall come into operation on the date of publication of this notice.

E M TUKAKGOMO
MUNICIPAL MANAGER

CIVIC CENTRE
PRIVATE BAG X 136
LEPHALALE, 0555.

DATE : 12 JUNIE 2017
REFERENCE NO. : 15/5/218
NOTICE NO. : A21/2016/17

PLAASLIKE OWERHEID KENNISGEWING 75 VAN 2017**LEPHALALE MUNISIPALITEIT****LEPHALALE WYSIGINGSKEMA 218**

Kennis geskied hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), dat die Lephalale Munisipaliteit 'n wysigingskema, synde 'n wysiging van die Lephalale Dorpsbeplanningskema, 2005, wat uit dieselfde grond as die dorp Ellisras Uitbreiding 134 bestaan goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Munisipale Bestuurder van Lephalale Munisipaliteit en die Direkteur: Departement van Kooperatiewe Bestuur, Menslike Nedersettings en Tradisionele Sake, Polokwane in bewaring gehou en lê gedurende normale kantoorure ter insae.

Hierdie wysigingskema staan bekend as Lephalale Wysigingskema 218, en tree op die datum van publikasie van hierdie kennisgewing in werking.

E M TUKAKGOMO
MUNISIPALE BESTUURDER

BURGERSENTRUM
PRIVAATSAK X 136
ELLISRAS, 0555

DATUM : 12 JUNIE 2017
KENNISGEWINGNOMMER : A21/2016/17
VERWYSINGSNOMMER : 15/4/4/218

LEPHALALE MUNICIPALITY

DECLARATION AS APPROVED TOWNSHIP

The Lephalale Municipality hereby declares **Ellisras Extension 134** in terms of Section 103 (1) of the Town Planning and Township Ordinance, 1986 (Ordinance 15 of 1986), to be an approved township subject to the conditions set out in the schedule attached hereto.

SCHEDULE**1. CONDITIONS OF ESTABLISHMENT****① NAME**

The name of the township shall be Ellisras Extension 134.

② DESIGN

The township shall consist of erven and streets as indicated on General Plan No. SG 1085/2010.

③ DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any but excluding the following servitudes:

(a) **The following servitudes which does not affect the township area because of the location thereof:**

i) "III 2. Geregtig tot 'n serwituut van reg van weg 6 (SES) meter wyd, die suidelike grenslyn waarvan aangedui word deur die lyn FE op Kaart LG No 9816\97 hierby aangeheg oor die Resterende Gedeelte van Gedeelte 53 van die plaas WATERKLOOF 502 LQ., NOORDELIKE PROVINSIE, groot 4,9198 hektaar, gehou deur die transportgewer kragtens Akte van Transport T2075\90".

ii) "III 3. ONDERHEWIG aan die volgende voorwaardes opgelê deur die Ellisras\Marapong Oorgangsraad ingevolge Artikel 18 Ordonnansie 20 van 1986:

Onderhewig aan 'n serwituut 22 (TWEEN TWINTIG) meter wyd vir munisipale doeleindes die suidelike grenslyn waarvan aangedui word deur die lyn FE op kaart LG No 9816\97".

iii) Page 5 of the Title Deed – "Gedeelte 141 ('n gedeelte van gedeelte 95) = 8,4326 hektaar: Die binnegemelde eiendom is geregtig tot 'n serwituut van Reg van Weg, 6 meter wyd, langs en parallel met die volle lengte van die Suidelike grenslyn oor die Restant van Gedeelte 95 ('n gedeelte van gedeelte 53) van die plaas Waterkloof 502 LQ, Limpopo".

- (b) **The following servitudes which affect the street in the township only:**
- (i) "I. Gedeelte 53 ('n Gedeelte van Gedeelte 1) van die plaas WATERKLOOF 502 L.Q., (waarvan die eiendom hiermee getranspoteer word 'n gedeelte uitmaak) is:
1. GEREKTIG tot 'n serwitut van waterleiding per pyplyn, 2 (twee) meter breed, langs die volle lengte van die Noordelike grens van die RESTERENDE GEDEELTE VAN GEDEELTE 1 van die plaas WATERKLOOF 502, Registrasie Afdeling L.Q., asook die reg om 'n watertoestel op te rig op gemelde eiendom".
- (ii) "II. Die Resterende Gedeelte van Gedeelte 53 van die plaas WATERKLOOF, groot 28,1279 hektaar (waarvan die eiendom hiermee getranspoteer 'n gedeelte uitmaak) is onderhewig aan 'n ewigdurende reg van weg 5 meter wyd aangedui deur die lyn EA op kaart LG A4721\94 ten gunste van Gedeelte 82 ('n gedeelte van Gedeelte 53) van die plaas Waterkloof 502, L.Q., groot 25,1279 hektaar gehou kragtens Akte van Transport T9773\95, die noordelike grenslyn van welke serwitut van reg van weg aangedui word deur die lyn AB op Kaart LG No 9816\1997 hierby aangeheg".
- (iii) "III. 1. ONDERHEWIG aan 'n waterpypleiding serwitut 2 (TWEË) meter wyd, die noordelike grenslyn waarvan aangedui word deur die lyn AB op kaart LG No 9816\97 hierby aangeheg ten gunste van die Resterende Gedeelte van Gedeelte 53 van die plaas WATERKLOOF 502, Registrasie Afdeling L.Q., NOORDELIKE PROVINSIE groot 4,9198 hektaar gehou kragtens Akte van Transport T20756\90".

2. CONDITIONS OF TITLE

- (1) **CONDITIONS IMPOSED BY THE AUTHORISED LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986).**

ALL ERVEN

- i) The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.
- ii) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2m thereof.

- iii) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary, and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.
- iv) Proposals to overcome detrimental soil conditions to the satisfaction of the local authority shall be contained in all building plans submitted for approval, and all buildings shall be erected in accordance with the precautionary measures accepted by the local authority.
- v) Upon the submission to the Registrar of Deeds of a certificate by the local authority to the effect that the township has been included in a Town Planning Scheme and that the scheme contains conditions corresponding to the title conditions contained herein, such title conditions shall lapse.

E M TUKAKGOMO
MUNICIPAL MANAGER

CIVIC CENTRE
PRIVATE BAG X 136
LEPHALALE, 0555.

DATE : 12 JUNE 2017
REFERENCE NO. : 15/5/148
NOTICE NO. : A21/2016/17

LEPHALALE MUNISIPALITEIT

VERKLARING AS GOEDGEKEURDE DORP

Die Lephalale Munisipaliteit verklaar hiermee **Ellisras Uitbreiding 134** in terme van Artikel 103 (1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 of 1986), as 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bylae hierby aangeheg.

BYLAE**1. STIGTINGSVOORWAARDES****① NAAM**

Die naam van die dorp sal wees Ellisras Uitbreiding 134.

② UITLEG/ONTWERP

Die dorp sal bestaan uit erwe en strate soos aangedui op Algemene Plan LG 1085/2010.

③ BESIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, as daar is uitgesluit die volgende serwitute:

(a) Die volgende serwitute wat nie die dorpsgebied raak nie as gevolg van die ligging daarvan:

i) "III 2. Geregtig tot 'n serwituut van reg van weg 6 (SES) meter wyd, die suidelike grenslyn waarvan aangedui word deur die lyn FE op Kaart LG No 9816\97 hierby aangeheg oor die Resterende Gedeelte van Gedeelte 53 van die plaas WATERKLOOF 502 LQ., NOORDELIKE PROVINSIE, groot 4,9198 hektaar, gehou deur die transportgewer kragtens Akte van Transport T2075\90".

ii) "III 3. ONDERHEWIG aan die volgende voorwaardes opgelê deur die Ellisras\Marapong Oorgangsraad ingevolge Artikel 18 Ordonnansie 20 van 1986:

Onderhewig aan 'n serwituut 22 (TWEË EN TWINTIG) meter wyd vir munisipale doeleindes die suidelike grenslyn waarvan aangedui word deur die lyn FE op kaart LG No 9816\97".

iii) Bladsy 5 van die Akte van Transport – "Gedeelte 141 ('n gedeelte van gedeelte 95) = 8,4326 hektaar: Die binnegemelde eiendom is geregtig tot 'n serwituut van Reg van Weg, 6 meter wyd, langs en parallel met die volle lengte van die Suidelike grenslyn oor die Restant van Gedeelte 95 ('n gedeelte van gedeelte 53) van die plaas Waterkloof 502 LQ, Limpopo".

(b) Die volgende serwitute wat net die straat in die dorp raak:

- i) "I. Gedeelte 53 ('n Gedeelte van Gedeelte 1) van die plaas WATERKLOOF 502 L.Q., (waarvan die eiendom hiermee getranspoteer word 'n gedeelte uitmaak) is:
1. GEREGETIG tot 'n serwitut van waterleiding per pyplyn, 2 (twee) meter breed, langs die volle lengte van die Noordelike grens van die RESTERENDE GEDEELTE VAN GEDEELTE 1 van die plaas WATERKLOOF 502, Registrasie Afdeling L.Q., asook die reg om 'n watertoestel op te rig op gemelde eiendom".
- ii) "II. Die Resterende Gedeelte van Gedeelte 53 van die plaas WATERKLOOF, groot 28,1279 hektaar (waarvan die eiendom hiermee getranspoteer 'n gedeelte uitmaak) is onderhewig aan 'n ewigdurende reg van weg 5 meter wyd aangedui deur die lyn EA op kaart LG A4721\94 ten gunste van Gedeelte 82 ('n gedeelte van Gedeelte 53) van die plaas Waterkloof 502, L.Q., groot 25,1279 hektaar gehou kragtens Akte van Transport T9773\95, die noordelike grenslyn van welke serwitut van reg van weg aangedui word deur die lyn AB op Kaart LG No 9816\1997 hierby aangeheg".
- iii) "III. 1. ONDERHEWIG aan 'n waterpypleiding serwitut 2 (TWEDE) meter wyd, die noordelike grenslyn waarvan aangedui word deur die lyn AB op kaart LG No 9816\97 hierby aangeheg ten gunste van die Resterende Gedeelte van Gedeelte 53 van die plaas WATERKLOOF 502, Registrasie Afdeling L.Q., NOORDELIKE PROVINSIE groot 4,9198 hektaar gehou kragtens Akte van Transport T20756\90".

2. TITELVOORWAARDES

- (1) VOORWAARDES OPGELE DEUR DIE GEMAGTIGDE PLAASLIKE BESTUUR Kragtens die BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986)**

ALLE ERWE

- i) The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.
- ii) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2m thereof.

- iii) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary, and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.
- iv) Proposals to overcome detrimental soil conditions to the satisfaction of the local authority shall be contained in all building plans submitted for approval, and all buildings shall be erected in accordance with the precautionary measures accepted by the local authority.
- v) Upon the submission to the Registrar of Deeds of a certificate by the local authority to the effect that the township has been included in a Town Planning Scheme and that the scheme contains conditions corresponding to the title conditions contained herein, such title conditions shall lapse.

**E M TUKAKGOMO
MUNISIPALE
BESTUURDER**

MUNIISIPALE BESTUURDER
PRIVAATSAK X 136
ELLISRAS, 0555

DATUM : 12 JUNIE 2017
KENNISGEWINGNOMMER : A21/2016/17
VERWYSINGSNOMMER : 15/5/148

LOCAL AUTHORITY NOTICE 76 OF 2017**POLOKWANE/PERSKEBULT AMENDMENT SCHEME 483****NOTICE OF APPLICATION FOR THE AMENDMENT OF THE POLOKWANE/PERSKEBULT TOWN PLANNING SCHEME, 2007, IN TERMS OF SECTION 56(1) (B) (i) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)**

I, Morongwa Johanna Mahapa, of P.E. Mahapa and Associates Town and Regional Planners, being the authorized agent of the owner(s) of the erven mentioned hereunder, hereby give notice in terms of sections 56 (1) (b) (i) of the Town-planning and Townships Ordinance, (ORDINANCE 15 OF 1986) that I have applied to the Polokwane Municipality for the amendment of the town planning scheme, known as the Polokwane/Perskebult Town Planning Scheme, 2007, for the simultaneous consolidation and the rezoning of Erven 8143 and 8144, located at the township, Seshego F, Registration Division K.S., Limpopo Province, from “Industrial 1” to “Institution” (Public Place of Worship).

Particulars of the application will lie for inspection during normal office hours at the office of the Director: City Planning and Property Management Business Unit, 1st Floor, West Wing, Civic Centre, cnr Landros Maré & Bodenstein Streets, Polokwane, for a period of 28 days from 30 June 2017.

Objections to or representations in respect to the application must be lodged with or made out in writing to the Municipal Manager at the above address or at P.O. Box 111, Polokwane, 0700, within a period of 28 days from 30 June 2017 which is the first date of this publication.

Address of Agent:

P.E. Mahapa and Associates Town and Regional Planners
68 De Klerk Street
Mokopane
0600
Tel: (015) 4915365

PLAASLIKE OWERHEID KENNISGEWING 76 VAN 2017**POLOKWANE/PERSKEBULT WYSIGINGSKEMA 483****KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE POLOKWANE/PERSKEBULT
DORPSBEPLANNINGSKEMA, 2007, INGEVOLGE ARTIKEL 56(1) (B) (i) VAN DIE ORDONNANSIE
OP DORPSBEPLANNING EN DORPE (ORDONNANSIE 15 VAN 1986)**

Ek, Morongwa Johanna Mahapa, van P.E. Mahapa en Associates, Stads en Streeksbeplanners, synde die gemagtigde agent van die eienaar(s) van die ondergenoemde erven, gee hiermee ingevolge artikel 56(1) (B) (i) van die Ordonnansie op Dorpsbeplanning en Dorpe (Ordonnansie 15 van 1986) kennis dat ek by die Polokwane Munisipaliteit aansoek gedoen het om die wysiging van die Polokwane/Perskebult dorpsbeplanningskema, 2007, deur die gelyktydige konsolidasie en die hersonering van Erven 8143 en 8144, geleë te dorp Seshego F, Registrasie Afdeling K.S., Limpopo, van “**Industrieël 1**” tot “Institusioneel’ (Openbare Plek van Lof).

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Bestuurder, Stadsbeplanning en Eiendomsbestuur, Afdeling, 1^{ste} Vloer, Westelike Vleuel, Burger Sentrum, hoek van Landros Maré & Bodenstien Strate, Polokwane, vir ’n tydperk van 28 dae vanaf **30 Junie 2017**.

Besware teen of verhoë ten opsigte van die aansoek moet binne ’n tydperk van 28 dae vanaf **30 Junie 2017** wat die eerste datum van hierdie uitgawe is, skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 111, Polokwane, 0700, ingedien of gerig word.

Adres van agent:

P.E.Mahapa en Associates, Stads en Streekbeplanners

De Klerkstraat 68

Mokopane

0600

Tel: (015) 4915365

LOCAL AUTHORITY NOTICE 77 OF 2017**THULAMELA LOCAL MUNICIPALITY****AMENDMENT SCHEME NO: 50****NOTIFICATION OF SUBMISSION OF THE REZONING OF ERF 1381 MUTALE EXTENSION 1 FROM "RESIDENTIAL 1" TO "RESIDENTIAL 2" FOR RESIDENTIAL BUILDINGS****AND****AMENDMENT SCHEME NO: 51****NOTIFICATION OF SUBMISSION OF THE REZONING OF ERF 1606 MUTALE EXTENSION 1 FROM "RESIDENTIAL 1" TO "RESIDENTIAL 2" RESIDENTIAL BUILDINGS**

I, Azwifaneli Nemanashi of Nash Planning and Civil Consultants (PTY) LTD have lodged the land development applications in terms of Section 62(1) of the Thulamela Spatial Planning and Land use Management By-law 2015 read together with the provision of Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA) for the:

- Rezoning of Erf 1381 Mutale Extension 1 from "Residential 1" to "Residential 2" for Residential Buildings in order to erect rooms for rentals.
- Rezoning of Erf 1606 Mutale Extension 1 from "Residential 1" to "Residential 2" for Residential Buildings in order to erect rooms for rentals.

The relevant plan(s), document(s) and information are available for inspection at the office of the Senior Manager: Planning and Economic Development, Thulamela local Municipality, first floor, Thohoyandou for a period of 30 days from the 30th of June 2017 and any objection or representation pertaining to the land development application must be submitted in writing to the Municipal Manager, P.O. Box 5066, Thohoyandou, 0950 before the expiry of the 30 day-period or to the offices of the Thulamela municipality during office hours from 07h45 to 16h30.

Address of the applicant: Nash Planning and Civil Consultants, P.O. Box 311, Sibasa, 0970, Cell: 072 642 9415/ 071 541 3227.

30-7

MASIPALA WA THULAMELA**AMENDMENT SCHEME NO: 50****NDIVHADZO YA KHUMBELO YA U SHANDUKISA KUSHUMISELE KWA MAVU A DIVHEAHO SA ERF 1381 MUTALE EXTENSION 1 UBVA KHA "RESIDENTIAL 1" UYA KHA "RESIDENTIAL 2" U ITELA PHERA DZA U HIRISA****NA****AMENDMENT SCHEME NO: 51****NDIVHADZO YA KHUMBELO YA U SHANDUKISA KUSHUMISELE KWA MAVU A DIVHEAHO SA ERF 1606 MUTALE EXTENSION 1 UBVA KHA "RESIDENTIAL 1" UYA KHA "RESIDENTIAL 2" U ITELA PHERA DZA U HIRISA**

Nne, Azwifaneli Nemanashi wa Nash Planning and Civil Consultants (PTY) LTD ndo ita khumbelo dzi tevhelaho afho fhasi hu tshi khou shumiswa khethekanyo ya 62(1) ya Thulamela Spatial Planning and Land Use Management By-Law 2015 l vhaleaho khathihi na mulayo wa Spatial Planning and Land Use Management act, 16 of 2013 (SPLUMA) dza:

- U shandukisa kushumisele kwa mavu a divheaho sa Erf 1381 Mutale Extension 1 u bva kha "Residential 1"ane a vha mavu a vhudzulo ha muta muthihi uya kha "Residential 2" ane a vha mavu a vhudzulo ha mita minzhi hu u itela u fhatiwa ha phera dza u hirisa.
- U shandukisa kushumisele kwa mavu a divheaho sa Erf 1606 Mutale Extension 1 u bva kha "Residential 1"ane a vha mavu a vhudzulo ha muta muthihi uya kha "Residential 2" ane a vha mavu a vhudzulo ha mita minzhi hu u itela u fhatiwa ha phera dza u hirisa.

Pulane na manwalo a yelanaho na khumbelo idzi zwi wanala kha ofisi ya minidzhere muhulwane wa: kudzudzanyeke na mvelaphanda, kha luta lwa u thoma kha masipala wa Thulamela Thohoyandou lwa tshifhinga tshi edanaho maduvha a Furaru (30) u bva nga duvha la 30 Fulwi 2017, vha na mbilaelo malugana na iyi khumbelo vha nwalele minidzhere wa masipala wa Thulamela hu sa athu u fhela maduvha a furaru (30) kha diresi itevhelaho: P.O. Box 5066, Thohoyandou, 0950 kana vha ise ofisini ya zwa mvelaphanda nga tshifhinga tsha mushumo vhukati ha 07h45 na 16h30.

Diresi ya dzhendedzi lire mulayoni malugana na idzo khumbelo: Nash Planning and Civil Consultants, P.O.Box 311, Sibasa, 0970. Cel: 072 642 9415/ 0715413227.

30-7

LOCAL AUTHORITY NOTICE 78 OF 2017**THULAMELA LOCAL MUNICIPALITY
AMENDMENT SCHEME NO: 50****NOTIFICATION OF SUBMISSION OF THE REZONING OF ERF 1381 MUTALE EXTENSION 1 FROM "RESIDENTIAL 1" TO "RESIDENTIAL 2" FOR RESIDENTIAL BUILDINGS
AND****AMENDMENT SCHEME NO: 51****NOTIFICATION OF SUBMISSION OF THE REZONING OF ERF 1606 MUTALE EXTENSION 1 FROM "RESIDENTIAL 1" TO "RESIDENTIAL 2" RESIDENTIAL BUILDINGS**

I, Azwifaneli Nemanashi of Nash Planning and Civil Consultants (PTY) LTD have lodged the land development applications in terms of Section 62(1) of the Thulamela Spatial Planning and Land use Management By-law 2015 read together with the provision of Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA) for the:

- Rezoning of Erf 1381 Mutale Extension 1 from "Residential 1" to "Residential 2" for Residential Buildings in order to erect rooms for rentals.
- Rezoning of Erf 1606 Mutale Extension 1 from "Residential 1" to "Residential 2" for Residential Buildings in order to erect rooms for rentals.

The relevant plan(s), document(s) and information are available for inspection at the office of the Senior Manager: Planning and Economic Development, Thulamela Local Municipality, first floor, Thohoyandou for a period of 30 days from the 30th of June 2017 and any objection or representation pertaining to the land development application must be submitted in writing to the Municipal Manager, P.O. Box 5066, Thohoyandou, 0950 before the expiry of the 30 day-period or to the offices of the Thulamela municipality during office hours from 07h45 to 16h30.

Address of the applicant: Nash Planning and Civil Consultants, P.O. Box 311, Sibasa, 0970, Cell: 072 642 9415/ 071 541 3227.

30-7

**MASIPALA WA THULAMELA
AMENDMENT SCHEME NO: 50****NDIVHADZO YA KHUMBELO YA U SHANDUKISA KUSHUMISELE KWA MAVU A DIVHEAHO SA ERF 1381 MUTALE EXTENSION 1 UBVA KHA "RESIDENTIAL 1" UYA KHA "RESIDENTIAL 2" U ITELA PHERA DZA U HIRISA
NA****AMENDMENT SCHEME NO: 51****NDIVHADZO YA KHUMBELO YA U SHANDUKISA KUSHUMISELE KWA MAVU A DIVHEAHO SA ERF 1606 MUTALE Extension 1 UBVA KHA "RESIDENTIAL 1" UYA KHA "RESIDENTIAL 2" U ITELA PHERA DZA U HIRISA**

Nne, Azwifaneli Nemanashi wa Nash Planning and Civil Consultants (PTY) LTD ndo ita khumbelo dzi tevhelaho afho fhasi hu tshi khou shumiswa khethekanyo ya 62(1) ya Thulamela Spatial Planning and Land Use Management By-Law 2015 I vhaleaho khathihi na mulayo wa Spatial Planning and Land Use Management act, 16 of 2013 (SPLUMA) dza:

- U shandukisa kushumisele kwa mavu a divheaho sa Erf 1381 Mutale Extension 1 u bva kha "Residential 1" ane a vha mavu a vhudzulo ha muta muthihi uya kha "Residential 2" ane a vha mavu a vhudzulo ha mita minzhi hu u itela u fhatiwa ha phera dza u hirisa.
- U shandukisa kushumisele kwa mavu a divheaho sa Erf 1606 Mutale Extension 1 u bva kha "Residential 1" ane a vha mavu a vhudzulo ha muta muthihi uya kha "Residential 2" ane a vha mavu a vhudzulo ha mita minzhi hu u itela u fhatiwa ha phera dza u hirisa.

Pulane na manwalo a yelanaho na khumbelo idzi zwi wanala kha ofisi ya minidzhere muhulwane wa: kudzudzanyele na mvelaphanda, kha luta lwa u thoma kha masipala wa Thulamela Thohoyandou lwa tshifhinga tshi edanaho maduvha a Furaru (30) u bva nga duvha la 30 Fulwi 2017, vha na mbilaelo malugana na iyi khumbelo vha nwalele minidzhere wa masipala wa Thulamela hu sa athu u fhela maduvha a furaru (30) kha diresi itevhelaho: P.O. Box 5066, Thohoyandou, 0950 kana vha ise ofisini ya zwa mvelaphanda nga tshifhinga tsha mushumo vhukati ha 07h45 na 16h30.

Diresi ya dzhendedzi lire mulayoni malugana na idzo khumbelo: Nash Planning and Civil Consultants, P.O.Box 311, Sibasa, 0970. Cel: 072 642 9415/ 0715413227.

30-7

LOCAL AUTHORITY NOTICE 79 OF 2017

**EPHRAIM MOGALE LOCAL MUNICIPALITY**

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

Notice No **SC 6/01/2017**.
2017

Date 29 MAY

MUNICIPAL NOTICE NO: SC 6/01/2017

EPHRAIM MOGALE LOCAL MUNICIPALITY

RESOLUTION ON LEVYING PROPERTY RATES FOR THE FINANCIAL YEAR 1 JULY 2017 TO 30 JUNE 2018

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 **SC 6/01/2017** to levy the rates on property reflected in the schedule below with effect from 1 July 2017.

Category of property	Cent amount in the Rand determined for the relevant property category
Residential property	R 0.0246
Business and commercial property	R 0.0246
Industrial property	R 0.0246
Agricultural property	R 0.0059
Mining property	R 0.0246
Public service infrastructure property	R 0.0005
Public benefit organisation property	R 0.0000

For any enquiries, please contact **Mr Collins Makgopa (Manager: Financial Accounting)** - cmakgopa@emogalelm.gov.za or **Mrs Precious Chuene (Revenue Accountant)** - pchuene@emogalelm.gov.za at 013 261 8400/8452/8444

NAME : M M MATHEBELA
DESIGNATION: MUNICIPAL MANAGER

LOCAL AUTHORITY NOTICE 80 OF 2017**THULAMELA LOCAL MUNICIPALITY
AMENDMENT SCHEME 55****NOTIFICATION OF SUBMISSION OF THE REZONING OF ERF 2144 MAKWARELA-A FROM “RESIDENTIAL 1” TO “RESIDENTIAL 2” FOR OVERNIGHT ACCOMMODATION AND A SIMULTANEOUS CONSOLIDATION OF ERF 2144 & ERF 2145 MAKWARELA-A**

I, Tshilidzi Timothy Mudzielwana of Fulwana Planning Consultants cc have lodged a land development application in terms of Section 62(1) and Section 71 of the Thulamela Spatial Planning and Land use Management By-laws 2015 read together with the provisions of Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA) for the Rezoning of Erf 2144 Makwarela-A from “Residential 1” to “Residential 2” and a simultaneous consolidation of Erf 2144 & Erf 2145 Makwarela-A for the purpose of an overnight accommodation.

The relevant plan(s), document(s) and information are available for inspection at the office of the Senior Manager: Planning and Economic Development, Thulamela local Municipality, first floor, Thohoyandou for a period of 30 days from the 30th of June 2017 and any objection or representation pertaining to the land development application must be submitted in writing to the Municipal Manager, P.O. Box 5066, Thohoyandou, 0950 before the expiry of the 30 day-period or to the offices of the Thulamela municipality during office hours from 07h45 to 16h30.

Address of the applicant: Fulwana Planning Consultants, P.O. Box 55980, Polokwane, 0700, Tel: 015 297 6060, Fax: 015 297 4040/ 0866635119, Cell: 072 426 6537.

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**MASIPALA WA THULAMELA
AMENDMENT SCHEME 55****NDIVHADZO YA KHUMBELO YA U SHANDUKISA KUSHUMISELE KWA MAVU A DIVHEAHO SA ERF 2144 MAKWARELA-A UBVA KHA “RESIDENTIAL 1”U YA KHA “RESIDENTIAL 2” HU U ITELA U FHATIWAHA HODELA KHATHIHI NA U TANGANYA MAVU A DIVHEAHO SA ERF 2144 NA ERF 2145 MAKWARELA-A**

Nne, Tshilidzi Timothy Mudzielwana wa Fulwana Planning Consultants cc ndo ita khumbelo hu tshi khoushumiswa khethekanyo 62(1) na Khuthekanyo 71 ya Thulamela Spatial Planning and Land Use Management By-laws 2015 dzi vhaleaho na mulayo wa Spatial Planning and Land Use Management act, 16 of 2013 (SPLUMA) ya u shandukisa kushumisele kwa mavu a divheaho sa Erf 2144 Makwarela-A u bva kha “Residential 1”ane a vha mavu a vhudzulo ha muta muthihi uya kha “Residential 2” ane a vha mavu a vhudzulo ha mita minzhi khathihi na u tanganya mavu a divheaho sa Erf 2144 na Erf 2145 Makwarela-A hu u itela u fhatiwa ha hodela.

Pulane na manwalo a yelanaho na khumbelo iyi zwi wanala kha ofisi ya minidzhere muhulwane wa: kudzudzanyele na mvelaphanda, kha luta lwa u thoma kha masipala wa Thulamela Thohoyandou lwa tshifhinga tshi edanaho maduvha a Furaru (30) u bva nga duvha la 30 Fulwi 2017, vha na mbilaelo malugana na iyi khumbelo vha nwalele minidzhere wa masipala wa Thulamela kha diresi itevhelaho: P.O. Box 5066, Thohoyandou, 0950 kana vha ise ofisini ya zwa mvelaphanda nga tshifhinga tsha mushumo vhukati ha 07h45 na 16h30.

Diresi ya dzhendedzi lire mulayoni malugana na iyi khumbelo: Fulwana Planning Consultants, P.O.Box 55980, Polokwane, 0700. Tel: (015) 297 6060. Fax: (015) 297 4040/086 663 5119, Cell: 072 426 6537.

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LOCAL AUTHORITY NOTICE 81 OF 2017

ERRATUM

**POLOKWANE MUNICIPAL TARIFFS PUBLISHED IN PROVINCIAL GAZETTE NO. 2821
DATED 16 JUNE 2017 IS HEREBY UPDATED BY AMENDING SCHEDULE 1 AND
SCHEDULE 5 AS FOLLOWS:**

SCHEDULE 1:

**PROPERTY RATES ON THE MARKET VALUE OF RATEABLE PROPERTY RECORDED
IN THE VALUATION ROLL AND FIXED DATES FOR PAYMENT IN RESPECT OF THE
FINANCIAL YEAR 1 JULY 2017 TO 30 JUNE 2018**

The Polokwane Municipality will levy from **1 July 2017** the following property rates in respect of the different categories of rateable property recorded in the valuation roll.

Code	Category	Approved tariff from 1/07/2016	Approved tariff from 1/07/2017
AI	Residential Property, low and high density	.0050	0.00543
AII	Residential Property, sectional title	.0050	0.00543
AIII	Residential Property consent use - clause 20 (old) & 21(new)	.0100	0.01085
AIIIA	Residential Property consent use - clause 21 (old) & 22 (new)	.0100	0.01085
AV	Residential impermissible use or illegal use	.0400	0.0434
AVI	Residential privately owned towns - services by owner	.0050	0.00543
AVII	Vacant land	.02242	0.02433
B	Industrial properties	.0100	0.01085
BI	Industrial properties, sectional title	.0100	0.01085
C	Business & commercial properties	.0100	0.01085
CI	Business & commercial properties, sectional title	.0100	0.01085
DI	Farm properties used for agricultural purposes	.001246	0.00135
DII	Farm properties used for business and commercial purposes	.0100	0.01085
DIII	Farm properties used for residential purposes	.0050	0.00543
DIV	Farm properties used for other purposes (remainder of property)	.001246	0.01085
FI	Small holdings used for agricultural purposes	.001246	0.00135
FII	Small holdings used for residential purposes	.0050	0.00543

FIII	Farm or Small holdings used for industrial purposes	.0100	0.01085
FIV	Small holdings used for business and commercial purposes	.0100	0.01085
GI	State owned properties – schools	.0100	0.01085
GII	State owned properties - private commercial activities	.0100	0.01085
GIII	State owned properties for residential properties	.0050	0.00543
GIV	State owned properties-vacant land	.02242	0.02433
GV	State owned properties for public benefit organizations	.001246	0.00135
GVI	State owned properties for agricultural purposes	.001246	0.00135
GVII	State owned properties for business purposes	.0100	0.01085
GVIII	State owned properties for industrial purposes	.0100	0.01085
H	Municipal properties	Exempted	Exempted
HI	Municipal properties - private commercial activities	.0100	0.01085
HII	Municipal properties - residential occupied dwellings	Exempted	Exempted
I	Public service infrastructure	.001246	0.00135
J	Privately owned towns serviced by the owner	.0050	0.00543
M	State trust land	.001246	0.00135
NI	Properties acquired through the Provision of Land and Assistance Act, 1993 or the Restitution of Land Rights Act, 1994	.001246	0.00135
P	Properties on which national monuments are proclaimed	Exempted	Exempted
Q	Properties owned by public benefit organizations and used for any specific public benefit activities listed in Part 1 of the Ninth Schedule to the Income Tax Act	.001246	0.00135
QI	Private schools	.0100	0.01085
QII	Private sport/social clubs & section 21 companies	.0100	0.01085
R	Penalty for Illegal use on all other properties	.0400	0.0434
POW	Places of worship	Exempted	Exempted
AB	Residential properties used for commercial/Rental		0.01629

NB:

“Residential property used for commercial/Rental”	means residential properties for rental accommodation in contravention with the town planning scheme.
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SCHEDULE 5:

ELECTRICITY SUPPLY CHARGES: 2017/2018

PART 1

ELECTRICITY CHARGES ARE APPROVED BY NERSA

1. DOMESTIC SUPPLY (CONVENTIONAL AND PREPAID)

1.1 This tariff shall apply to electricity supplied to an erf, stand, premises or any other area/property zoned as residential 1, 2, 3 or 4 and used for residential purposes.

1.2 BASIC CHARGE:

This charge will apply to all residential properties, with or without improvements, which is, or in the opinion of the Council can be, connected to the supply mains, whether electricity is consumed or not, and shall be payable on such property, and shall be levied on the property owner’s account.

		Approved tariff from 1/07/2016	Approved tariff from 1/07/2017
1.2.	Basic charge, per month:	R75.00	R80.00

1.3. For electricity consumed per kWh.

		Approved tariff from 1/07/2016	Approved tariff from 1/07/2017
1.3.1	Block 1 (0-50)	81.00c	83.00c
1.3.2	Block 2 (51-350)	100.00c	104.00c
1.3.3	Block 3 (351-600)	147.00c	153.00c
1.3.4	Block 4 (>600)	177.00c	184.00c

2. NON-DOMESTIC AND COMMERCIAL SUPPLY (CONVENTIONAL AND PREPAID)

2.1. This tariff shall apply to electricity supplied to an erf, stand, premises or any other area irrespective whether it is served through a separate meter or a communal meter and is applicable to:

- a) Any building with a maximum demand of not exceeding 100 amperes per phase on a three phase supply; and
- (b) Any other consumer not provided for under any other item of these tariffs.

2.2	Basic charge, per month:	R422.00	R447.00
2.3	Energy charge per kWh:	150.90c	157.00c

3. INDUSTRIES <100 AMPS

- 3.1. This tariff shall apply to industries with a maximum demand of not exceeding 100 amperes per phase on a three phase supply as well as consumers for agricultural purposes that cannot be classified under item 1.

3.2	Basic charge, per month:	R988.00	R1 047.00
3.3	Energy charge per kWh:	151.00c	157.00c

4. BULK SUPPLY AND INDUSTRIAL >100 AMPS

- 4.1. This tariff shall apply to any consumer who applies for it and shall be applicable to all consumers with demand in excess of 100 amperes per phase on a three-phase supply.

4.2	Basic charge, per month:	R1 189.00	R1 261.00
4.3	Demand charge, per KVA, per month:	R182.00	R189.00
4.4	Energy charge per kwh	65.00c	68.00c
4.5	Minimum charge, per month: (13 000 kWh)	R8 450.00	R9 107.00

LOCAL AUTHORITY NOTICE 82 OF 2017

NOTICE

APPLICATION FOR AMENDMENT OF THE BA PHALABORWA LAND USE MANAGEMENT SCHEME 2008 & APPLICATION FOR CLOSURE OF A PART OF A PARK & APPLICATION FOR CONSENT USE TO ERECT A (TREE TYPE) TELECOMMUNICATIONS MAST. I, Theo Kotze from DEVELOPLAN Town & Regional Planners, being the authorized agent of the applicant (VODACOM Pty Ltd), hereby give notice in terms of the BA-PHALABORWA MUNICIPALITY SPLUMA BY-LAW 2016 that I have applied to the BA-PHALABORWA Municipality for the following: Application for amendment of the Ba Phalaborwa Land Use Management scheme 2008 by the rezoning of a part of Erf 314 Phalaborwa from "public open space" to "municipal", in terms of section 57 of the Ba-Phalaborwa municipality SPLUMA by-law 2016, & Simultaneous application in terms of section 67 of the same by-law for the permanent closure of a part of the park known as Erf 314 Phalaborwa (approximately 120 sqm large), & Simultaneous application in terms of section 68 of the same by-law 2016, to erect a 35m (tree type) telecommunications mast on the closed park area. Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Civic Centre, cnr Nelson Mandela Drive and Selati Road, Phalaborwa for a period of thirty (30) calendar days from 30 June 2017. Any objections/representations must be lodged with or made in writing to the Municipal Manager, at the abovementioned address or to Private Bag x01020, Phalaborwa, 1390 on or before the closing date for the submission of objections/representationS, quoting the abovementioned heading, as well as the objector's interest in the matter, the ground(s) of the objection/representation, the objector's property description and phone numbers and address. A person who cannot write may during office hours visit the abovementioned Municipality requesting assistance to transcribe his/her objections, comments or representations. CLOSING DATE FOR SUBMISSION OF OBJECTIONS/REPRESENTATIONS: 30 July 2017. DETAILS OF APPLICANT: Developlan Town planners (acting on behalf of VODACOM Pty Ltd), P.O. Box 1883, Polokwane, 0700, Tel: 015-2914177, Fax: 086 218 3267. NOTICE NUMBER: **Amendment scheme 52.**

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PLAASLIKE OWERHEID KENNISGEWING 82 VAN 2017

KENNISGEWING

AANSOEK VIR WYSIGING VAN DIE BA PHALABORWA GRONDGEBRUIKBESTUURSKEMA 2008 & GELYKTYDIGE AANSOEK VIR SLUITING VAN 'N GEDEELTE VAN 'N PARK & GELYKTYDIGE AANSOEK VIR TOESTEMMING OM 'N TELEKOMMUNIKASIEMAS OP TE RIG. Ek, Theo Kotze van DEVELOPLAN Stads & Streekbeplanners, synde die gemagtigde agent van VODACOM Pty Ltd, gee hiermee kennis in terme van die BA PHALABORWA SPLUMA BYWET dat ek aansoek gedoen het by die BA PHALABORWA munisipaliteit vir die volgende: Aansoek vir wysiging van die Ba Phalaborwa Grondgebruikbestuurskema 2008 deur die hersonering van 'n deel van die parkerf bekend wat bekend staan as Erf 314 Phalaborwa, vanaf Openbare oopruimte na Munisipaal, in terme van afdeling 57 van die Ba-Phalaborwa munisipaliteit se SPLUMA bywet, & Gelyktydige aansoek in terme van afdeling 67 van dieselfde bywet vir die sluiting van 'n gedeelte van die park wat bekend staan as Erf 314 Phalaborwa (ongeveer 120 vkm groot), & Gelyktydige aansoek in terme van afdeling 68 van dieselfde bywet vir toestemming om 'n 35m telekommunikasiemas (boom tipe) op die geslote parkerf op te rig. Besonderhede van die aansoek sal gedurende gewone kantoorure ter insae beskikbaar wees vir 'n tydperk van 30 (dertig) kalender dae vanaf 30 Junie 2017, by die kantoor van die Munisipale Bestuurder, Ba Phalaborwa munisipaliteit, Burgersentrum, Hoek van Nelson Mandela rylaan & Selatiweg, Phalaborwa. Enige besware/vertoë ten aansien van die aansoek moet hetsy ingehandig word by bovermelde adres of skriftelik gerig word aan die Munisipale Bestuurder by voormelde adres of by Privaatsak x01020, Phalaborwa, 1390 voor of op die sluitingsdatum vir die inhandiging van diesulke besware/vertoë. In sodanige dokumente moet u asseblief bostaande titel van die aansoek vermeld, asook u belang in die aangeleentheid, die gronde vir die beswaar/vertoë, die beswaarmaker se eiendomsbeskrywing & telefoonnommer & adres. Indien u nie kan skryf nie moet u bovermelde munisipaliteit besoek tydens kantoorure en daarso hulp aanvra in die transkribering (skryf) van sy/haar/u besware, kommentare of vertoë. SLUITINGSDATUM VIR DIE INDIENING VAN BESWARE/VERTOË: 30 Julie 2017. Applikant: DEVELOPLAN TOWN PLANNERS (namens VODACOM Pty Ltd), Posbus 1883 POLOKWANE 0700, TEL. 015-2914177 FAKS: 0862183267. KENNISGEWINGNOMMER: **Wysingskema 52.**

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