



THE PROVINCE OF MPUMALANGA  
DIE PROVINSIE MPUMALANGA

# Provincial Gazette Provinsiale Koerant

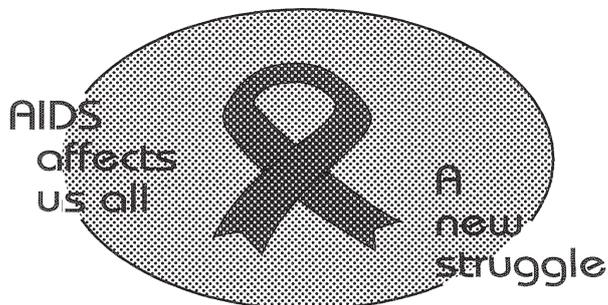
*(Registered as a newspaper) • (As 'n nuusblad geregistreer)*

Vol. 23

NELSPRUIT  
8 JULY 2016  
8 JULIE 2016

No. 2710

**We all have the power to prevent AIDS**



**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

**Prevention is the cure**

**N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes**

ISSN 1682-4518



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# Government Printing Works

## Notice submission deadlines

Government Printing Works has over the last few months implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submit your notice request.

In line with these business rules, GPW has revised the notice submission deadlines for all gazettes. Please refer to the GPW website [www.gpwonline.co.za](http://www.gpwonline.co.za) to familiarise yourself with the new deadlines.

### CANCELLATIONS

Don't forget!

Cancellation of notice submissions are accepted by GPW according to the deadlines stated in the table above.

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.**

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

take note!

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

### 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.

### PROOF OF PAYMENTS

REMINDER

GPW reminds you that all notice submissions **MUST** be submitted with an accompanying proof of payment (PoP) or purchase order (PO). If any PoP's or PO's are received without a notice submission, it will be failed and your notice will not be processed.

When submitting your notice request to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za), please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email.

A reminder that documents must be attached separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment/purchase order – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment).

### REMINDER OF THE GPW BUSINESS RULES

- Single notice, single email – with proof of payment or purchase order.
- All documents must be attached separately in your email to GPW.
- 1 notice = 1 form, i.e. each notice must be on a separate form
- Please submit your notice **ONLY ONCE**.
- Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
- The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.



eGazette



## IMPORTANT NOTICE:

**THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.**

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

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**NOTICE SUBMISSION DEADLINES FOR ORDINARY GAZETTES**

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

**GOVERNMENT PRINTING WORKS 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:

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

**For queries and quotations, contact:** Gazette Contact Centre:

**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

# 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**

**Government Printing Works** 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.

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format, to the email submission address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). All notice submissions not on Adobe electronic forms will be rejected.
3. When submitting your notice request, please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email and must be attached separately. (In other words, your email should have an Adobe Form plus proof of payment/purchase order as 2 separate attachments. Where notice content is applicable, it should also be a 3rd separate attachment).
4. Notices brought to GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format.
5. 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. Where a customer walks into GPW with a stack 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.
6. For National or Provincial gazette notices, the following applies:
  - 6.1 These notices must be accompanied by an electronic Z95 or Z95Prov Adobe form
  - 6.2 The notice content (body copy) MUST be a separate attachment.
7. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – [www.gpwonline.co.za](http://www.gpwonline.co.za))
8. Incorrectly completed forms and notices submitted in the wrong format 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](mailto:info.egazette@gpw.gov.za))
9. All re-submissions will be subject to the standard cut-off times.
10. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
11. 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.
12. Requests for Quotations (RFQs) should be received by the Contact Centre at least 24 hours before the submission deadline for that specific publication.

**APPROVAL OF NOTICES**

13. 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.

**GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY**

The Government Printer indemnified against liability

14. The Government Printer will assume no liability in respect of—
  - 14.1 any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;

- 14.2 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;
- 14.3 any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

### LIABILITY OF ADVERTISER

15. 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.

### COPY

16. Copy of notices must be submitted using the relevant Adobe PDF form for the type of notice to be placed and may not constitute part of any covering letter or document.
17. Where the copy is part of a separate attachment document for **Z95, Z95Prov** and **TForm03**
- 17.1 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).
- 17.2 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;

### PAYMENT OF COST

18. 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.
19. 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.
20. 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, PrivateBag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.
21. 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.
22. 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.
23. The Government Printer 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

24. Copies of the Government Gazette which may be required as proof of publication, may be ordered from the Government Printer at the ruling price. The Government Printer will assume no liability for any failure to post or for any delay in despatching of such Government Gazette(s).

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

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

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

## GENERAL NOTICES • ALGEMENE KENNISGEWINGS

### NOTICE 88 OF 2016

#### EMALAHLENI LAND USE MANAGEMENT SCHEME, 2010

I Jan Albertus van Tonder of Plan Associates Town and Regional Planners Inc., being the authorised agent of the owner of Erf 11250 Kwaguqa x15 (located at the entrance to the new Kwaguqa Shopping Centre GPS coordinates: S25 52.283 E29 07.946), hereby give notice that we have applied for special consent for a Public Garage on the above mentioned property in terms of Clause 26 of the Emalahleni Land Use Management Scheme 2010 read in conjunction with Section 2(2) and the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16, 2013). The current zoning of the application site is: Special for Mixed use/ light industrial and Business. Particulars of the application will lie for inspection during normal office hours at the office of the Chief Town Planner: Third Floor, Civic Centre, Mandela Avenue, Emalahleni, for a period of 28 days from 1 July 2016. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address, or at P.O. Box 3, Emalahleni, 1035, within a period of 28 days from 1 July 2016. Address of authorized agent: Plan Associates, P.O. Box 14732, Hatfield, 0028, tel: 012 342 8701 fax: 012 342 8714 e-mail:info@planassociates.co.za ref: 242875

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### KENNISGEWING 88 VAN 2016

#### EMALAHLENI-GRONDGEBRUIKBESTUURSKEMA, 2010

Ek Jan Albertus van Tonder van Plan Medewerkers Stads- en Streekbeplanners Ing., synde die gemagtigde agent van die eienaar van Erf 11250 Kwaguqa x 15 (gelee by die ingang van die nuwe Kwaguqa winkelsentrum GPS Koördinate S25 52.283 E29 07.946), gee hiermee kennis dat ons aansoek gedoen het om Spesiale toestemming vir 'n openbare garage op bovermelde eiendom in terme van Klousule 26 van die Emalahleni Grondgebruik- bestuurskema 2010 saamgeslees met Artikel 2(2) en die toepaslike bepalings van die Ruimtelike Beplanning en Grondgebruiksbestuurswet van 2013 (Wet 16 van 2013). Die huidige sonering van die eiendom is Spesiaal vir Gemengde gebruike / Ligte Nywerheid en Besigheid. Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Hoof Stadsbeplanner: Derde Vloer, Burgersentrum, Mandelarylaan, Emalahleni, vir 'n tydperk van 28 dae vanaf 1 Julie 2016. Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 1 Julie 2016 skriftelik tot die Munisipale Bestuurder by bovermelde adres, of by Posbus 3, Emalahleni, 1035, ingedien of gerig word. Adres van gemagtigde agent: Plan Medewerkers, Posbus 14732, Hatfield, 0028, tel: 012 342 8701 faks: 012 342 8714 e-pos:info@planassociates.co.za verw: 242875

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### NOTICE 90 OF 2016

NOTICE OF APPLICATION FOR AMENDMENT OF THE EMALAHLENI LAND USE MANAGEMENT SCHEME, 2010 IN TERMS OF SECTION 56 (1)(b)(i) OF THE TOWNPLANNING AND TOWNSHIPS ORDINANCE, 1986, READ WITH SPLUMA, ACT 16 OF 2013

#### EMALAHLENI AMENDMENT SCHEME 2124

I, Karl Wilhelm Rost Pr Pln of the firm Townscape Planning Solutions CC, being the authorised agent of the owner of the Remaining Extent of Portion 29 of the farm Naauwpoort 335, Registration Division J.S., Mpumalanga, hereby give notice in terms of section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986, read with SPLUMA (Act 16 of 2013) that I have applied to the Emalahleni Local Municipality for the amendment of the town planning scheme known as the Emalahleni Land Use Management Scheme, 2010 by the rezoning of a part of the property described above, situated approximately 5.5 km South-East of Duva Park Extension 2 on the R544 road (old Bethal road) , from "Agricultural" to "Industrial 2" for the purpose of a Scrap Yard and related Noxious Industries.

Particulars of the application will lay for inspection during normal office hours at the office of the Chief Town Planner, third Floor, Civic Centre, Mandela Avenue, Emalahleni, for a period of 28 days from 1 July 2016. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at P.O Box 3, Emalahleni, 1035 within a period of 28 days from 1 July 2016.

Address of applicant: Townscape Planning Solutions, P.O. Box 20831, Noordbrug, 2522, Tel: 082 662 1105

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Our reference: P16527advProvGazette

**KENNISGEWING 90 VAN 2016**

KENNISGEWING VAN AANSOEK OM WYSIGING VAN EMALAHLENI GRONDGEBRUIKBESTUURSKEMA, 2010 INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, SAAMGELEES MET SPLUMA, WET 16 VAN 2013

**EMALAHLENI WYSIGINGSKEMA 2124**

Ek, Karl Wilhelm Rost Pr Pln van die firma Townscape Planning Solutions BK, synde die gemagtigde agent van die eienaar van die Resterende Gedeelte van Gedeelte 29 van die plaas Naauwpoort 335, Registrasie Afdeling J.S., Mpumalanga, gee hiermee ingevolge artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saamgelees met SPLUMA (Wet 16 van 2013), kennis dat ek by die Emalahleni Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die dorpsbeplanningskema, bekend as die Emalahleni Grondgebruikskema, 2010 deur die hersonering van 'n gedeelte van die eiendom hierbo beskryf, geleë ongeveer 5.5 km Suid-Oos van Duva Park Uitbreiding 2 op die R544 pad (ou Bethal pad), vanaf "Landbou" na "Industrieël 2" vir die doeleindes van 'n Skrootwerf en gepaartgaande "Noxious Industries". Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Hoof Stadsbeplanner, Derdevloer, Burgersentrum, Mandelarylaan, Emalahleni, vir 'n tydperk van 28 dae vanaf 1 Julie 2016.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 1 Julie 2016 skriftelik tot die Munisipale Bestuurder by bovermelde adres of by Posbus 3, Emalahleni, 1035 ingedien of gerig word. Adres van applikant: Townscape Planning Solutions, Posbus 20831, Noordbrug, 2522, Tel: 082 662 1105

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**NOTICE 91 OF 2016**

NOTICE OF APPLICATION FOR AMENDMENT OF THE EMALAHLENI LAND USE MANAGEMENT SCHEME, 2010 IN TERMS OF SECTION 56 (1)(b)(i) OF THE TOWNPLANNING AND TOWNSHIPS ORDINANCE, 1986, READ WITH SPLUMA, ACT 16 OF 2013

**EMALAHLENI AMENDMENT SCHEME 2122**

I, Karl Wilhelm Rost Pr Pln of the firm Reed & Partners Land Surveyors - Secunda, being the authorised agent of the owner of Portion 76 (a portion of Portion 30) of the farm Naauwpoort 335, Registration Division J.S., Mpumalanga, hereby give notice in terms of section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986, read with SPLUMA (Act 16 of 2013) that I have applied to the Emalahleni Local Municipality for the amendment of the town planning scheme known as the Emalahleni Land Use Management Scheme, 2010 by the rezoning of a part of the property described above, situated approximately 2 km South-East of Duva Park Extension 2 on the R544 road (old Bethal road), from "Agricultural" to "Industrial 1" for Industrial Purposes.

Particulars of the application will lay for inspection during normal office hours at the office of the Chief Town Planner, third Floor, Civic Centre, Mandela Avenue, Emalahleni, for a period of 28 days from 1 July 2016.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at P.O Box 3, Emalahleni, 1035 within a period of 28 days from 1 July 2016.

Address of applicant: Reed & Partners Land Surveyors, P.O. Box 985, Secunda, 2302, Tel: 082 662 1105

Our reference: P16535advProvGazette

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**KENNISGEWING 91 VAN 2016**

KENNISGEWING VAN AANSOEK OM WYSIGING VAN EMALAHLENI GRONDGEBRUIKBESTUURSKEMA, 2010 INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, SAAMGELEES MET SPLUMA, WET 16 VAN 2013

**EMALAHLENI WYSIGINGSKEMA 2122**

Ek, Karl Wilhelm Rost Pr Pln van die Reed & Vennote Landmeters - Secunda, synde die gemagtigde agent van die eienaar van Gedeelte 76 (Gedeelte van Gedeelte 30) van die plaas Naauwpoort 335, Registrasie Afdeling J.S., Mpumalanga, gee hiermee ingevolge artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saamgelees met SPLUMA (Wet 16 van 2013), kennis dat ek by die Emalahleni Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die dorpsbeplanningskema, bekend as die Emalahleni Grondgebruikskema, 2010 deur die hersonering van die eiendom hierbo beskryf, geleë ongeveer 2 km Suid-Oos van Duva Park Uitbreiding 2 op die R544 pad (ou Bethal pad), vanaf "Landbou" na "Industrieël 1" vir Industriële Doeleindes

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Hoof Stadsbeplanner, Derdevloer, Burgersentrum, Mandelarylaan, Emalahleni, vir 'n tydperk van 28 dae vanaf 1 Julie 2016. Besware teen of vertoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 1 Julie 2016 skriftelik tot die Munisipale Bestuurder by bovermelde adres of by Posbus 3, Emalahleni, 1035 ingedien of gerig word.

Adres van applikant: Reed & Vennote Landmeters, Posbus 985, Secunda, 2302, Tel: 082 662 1105

1-8

**NOTICE 92 OF 2016**

NOTICE OF APPLICATION FOR AMENDMENT OF THE EMALAHLENI LAND USE MANAGEMENT SCHEME, 2010 IN TERMS OF SECTION 56 (1)(b)(i) OF THE TOWNPLANNING AND TOWNSHIPS ORDINANCE, 1986, READ WITH SPLUMA, ACT 16 OF 2013, WITH SIMULTANEOUS APPLICATION FOR REMOVAL OF RESTRICTIONS IN TERMS OF SECTION 67 OF THE EMALAHLENI MUNICIPAL BY-LAW ON SPATIAL PLANNING AND LAND USE MANAGEMENT, 2016

**EMALAHLENI AMENDMENT SCHEME 2123**

I, Karl Wilhelm Rost Pr Pln of the firm Townscape Planning Solutions CC, being the authorised agent of the owner of the Remainder of Erf 611, Witbank Extension 3, Registration Division J.S., Mpumalanga, hereby give notice in terms of section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986, read with SPLUMA (Act 16 of 2013) that I have applied to the Emalahleni Local Municipality for the amendment of the town planning scheme known as the Emalahleni Land Use Management Scheme, 2010 by the rezoning of the property described above, situated at 18 Elizabeth Avenue (Corner of Elizabeth and Rhodes streets), from "Residential 3" to "Business 4" for the purpose of Offices and a Place of Refreshment. Application is also made for the Removal of Restrictive Title Condition (j) in Title Deed T18385/1980 in terms of Section 67 of the Emalahleni Municipal By-law on Spatial Planning and Land Use Management, 2016, in order to conduct business uses on the property.

Particulars of the application will lay for inspection during normal office hours at the office of the Chief Town Planner, third Floor, Civic Centre, Mandela Avenue, Emalahleni, for a period of 30 days from 1 July 2016.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at P.O Box 3, Emalahleni, 1035 within a period of 30 days from 1 July 2016.

Address of applicant: Townscape Planning Solutions Reg Nr: 2000/045930/23, P.O. Box 20831, Noordbrug, 2522, Tel: 082 662 1105

Our reference: P16541advProvGazette

1-8

**KENNISGEWING 92 VAN 2016**

KENNISGEWING VAN AANSOEK OM WYSIGING VAN EMALAHLENI GRONDGEBRUIKBESTUURSKEMA, 2010 INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, SAAMGELEES MET SPLUMA, WET 16 VAN 2013, MET GELYKTYDIGE AANSOEK VIR DIE OHEFFING VAN BEPERKENDE TITELVOORWAARDES INGEVOLGE GEDEELTE 67 VAN DIE EMLAHLENI MUNISIPALE VERORDENING OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIK BESTUUR, 2016

**EMALAHLENI WYSIGINGSKEMA 2123**

Ek, Karl Wilhelm Rost Pr Pln van die firma Townscape Planning Solutions BK, synde die gemagtigde agent van die eienaar van die Resterende Gedeelte van Erf 611, Witbank Uitbreiding 3, Registrasie Afdeling J.S., Mpumalanga, gee hiermee ingevolge artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saamgelees met SPLUMA (Wet 16 van 2013), kennis dat ek by die Emalahleni Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die dorpsbeplanningskema, bekend as die Emalahleni Grondgebruikskema, 2010 deur die herosnering van die eiendom hierbo beskryf, geleë te Elizabethlaan 18 (hoek van Rhodes en Elizabethstrate) , vanaf "Residensiël 3" na "Besigheid 4" vir die doeleindes van 'n Kantoor en Plek van Verfrissing. Aansoek word ook gedoen vir die Opheffing van Beperkende Titelvoorwaardes (j) in Titelakte T18385/1980, ingevolge Artikel 67 van die Emalahleni Munisipale Verordening op Ruimtelike Beplanning en Grondgebruik Bestuur, 2016, vir die doeleindes om besigheidsgebruike op die perseel te mag bedryf. Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Hoof Stadsbeplanner, Derdevloer, Burgersentrum, Mandelarylaan, Emalahleni, vir 'n tydperk van 30 dae vanaf 1 Julie 2016. Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 1 Julie 2016 skriftelik tot die Munisipale Bestuurder by bovermelde adres of by Posbus 3, Emalahleni, 1035 ingedien of gerig word.

Adres van applikant: Townscape Planning Solutions Reg Nr: 2000/045930/23 , Posbus 20831, Noordbrug, 2522, Tel: 082 662 1105

1-8

**NOTICE 94 OF 2016****PIET RETIEF AMENDMENT SCHEME 336**

***NOTICE OF APPLICATION FOR AMENDMENT OF THE PIET RETIEF TOWN PLANNING SCHEME, 1982 IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15/1986), READ TOGETHER WITH THE REGULATIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 16 OF 2013, (SPLUMA).***

We, Reed & Partners Land Surveyors being the authorised agent of the owner of *the Remainder of Erf 261 Piet Retief*, hereby give notice in terms of section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986, read together with Act 16 of 2013, SPLUMA, that I have applied to the Municipality of Mkhondo for the amendment of the Town Planning Scheme in operation known as the Piet Retief Town Planning Scheme 1980, by the rezoning of the property described above, situated at *13A Clarens Street, Piet Retief, from "Residential 1" to "Residential 2"*.

Particulars of the applications will lie for inspection during normal office hours at the office of the Municipal Manager, Mkhondo Municipality, Mark Street, Piet Retief, for a period of 28 days 8 July 2016.

Objections to or representations in respect of the applications must be lodged with or made in writing to the Municipal Manager at the above address or at P.O. Box 23, Piet Retief, 2380, within a period of 28 days from 8 July 2016.

Address of agent : Reed & Partners, Professional Land Surveyors, P.O. Box 132, Ermelo, 2350, Tel. No. 017 – 811 2348.

08-15

**KENNISGEWING 94 VAN 2016****PIET RETIEF WYSIGINGSKEMA 336**

**KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE PIET RETIEF DORPSBEPLANNINGSKEMA, 1982 INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), SAAMGELEES MET DIE BEPALINGS VAN DIE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR WET, 16 VAN 2013.**

Ons, Reed & Vennote Landmeters synde die gemagtigde agent van die eenaar van *die Restant van Erf 261 Piet Retief*, gee hiermee ingevolge artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saamgelees met Wet 16 van 2013, kennis dat ek by die Munisipaliteit van Mkhondo aansoek gedoen het om die wysiging van die dorpsbeplanningskema in werking, beter bekend as Piet Retief Dorpsbeplanningskema 1980, deur die hersonering van die eiendom hierbo beskryf, geleë te *Clarensstraat 13A, Piet Retief, van "Residensieel 1" na "Residensieel 2"*.

Besonderhede van die aansoeke lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Mkhondo Munisipaliteit, Markstraat, Piet Retief, vir 'n tydperk van 28 dae vanaf 8 Julie 2016.

Besware teen of verhoë ten opsigte van die aansoeke moet binne 'n tydperk van 28 dae vanaf 8 Julie 2016 skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 23, Piet Retief ingedien of gerig word.

Adres van agent : Reed & Vennote, Professionele Landmeters, Posbus 132, Ermelo, 2350, Tel. No. 017 – 811 2348.

08-15

**NOTICE 95 OF 2016****ERMELO AMENDMENT SCHEMES 718, 720 & 721**

**NOTICE OF APPLICATION FOR AMENDMENT OF THE ERMELO TOWN PLANNING SCHEME, 1982 IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15/1986), READ TOGETHER WITH THE REGULATIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 16 OF 2013, (SPLUMA).**

We, Reed & Partners Land Surveyors being the authorised agent of the owners of the respective properties described, hereby give notice in terms of section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986, read together with Act 16 of 2013, SPLUMA, that we have applied to the Municipality of Msukaligwa for the amendment of the Town Planning Scheme known as Ermelo Town Planning Scheme 1982 by the rezoning of the properties described hereunder, as follows:

**1. ERMELO AMENDMENT SCHEME 718:**

By the rezoning of Erf 1831 Ermelo Extension 9, situated at 26 Mel Mentz Street, Ermelo from "Residential 1" to "Special for the purposes of Medical Services".

**2. ERMELO AMENDMENT SCHEME 720:**

By the rezoning of Portion 1 of Erf 348 Ermelo, situated at 45 Oosthuizen Street, Ermelo, from "Residential 1" to "Special for a Guest House".

**3. ERMELO AMENDMENT SCHEME 721:**

By the rezoning of Portion 1 of Erf 367 Ermelo, situated at 22 Sluiter Street, Ermelo from "Residential 1" to "Residential 3".

Particulars of the applications will lie for inspection during normal office hours at the office of the Municipal Manager, Civic Centre, Taute Street, Ermelo for the period of 28 days from 8 July 2016.

Objections to or representations in respect of the applications must be lodged with or made in writing to the Municipal Manager at the above address or at P.O. Box 48, Ermelo, 2350 within a period of 28 days from 8 July 2016.

Address of agent: Reed & Partners, Professional Land Surveyors, P.O. Box 132, Ermelo, 2350, Tel. No. 017 – 811 2348.

8-15

**KENNISGEWING 95 VAN 2016****ERMELO WYSIGINGSKEMAS 718, 720 & 721**

**KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE ERMELO DORPSBEPLANNINGSKEMA, 1982 INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), SAAMGELEES MET DIE BEPALINGS VAN DIE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR WET, 16 VAN 2013.**

Ons, Reed & Vennote Landmeters synde die gemagtigde agent van die eienaars van die onderskeie eiendomme hieronder beskryf, gee hiermee ingevolge artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saamgelees met Wet 16 van 2013, kennis dat ons by die Munisipaliteit van Msukaligwa aansoek gedoen het om die wysiging van die dorpsbeplanningskema bekend as Ermelo Dorpsbeplanningskema 1982 deur die hersonering van die eiendomme hieronder beskryf, soos volg:

**1. ERMELO WYSIGINGSKEMA 718:**

Deur die hersonering van Erf 1831 Ermelo Uitbreiding 9, geleë te Mel Mentzstraat 26, Ermelo, van “Residensieel 1” na “Spesiaal vir Mediese spreekkamers en aanverwante gebruike”.

**2. ERMELO WYSIGINGSKEMA 720:**

Deur die hersonering van Gedeelte 1 van Erf 348 Ermelo, geleë te Oosthuizenstraat 45, Ermelo, van “Residensieel 1” na “Spesiaal vir ‘n Gastehuis”.

**3. ERMELO WYSIGINGSKEMA 721:**

Deur die hersonering van Gedeelte 1 van Erf 367 Ermelo, geleë te Sluiterstraat 22, Ermelo van “Residensieel 1” na “Residensieel 3”.

Besonderhede van die aansoeke lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Burgersentrum, Tautestraat, Ermelo vir ‘n tydperk van 28 dae vanaf 8 Julie 2016.

Besware teen of vertoë ten opsigte van die aansoeke moet binne ‘n tydperk van 28 dae vanaf 8 Julie 2016 skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 48, Ermelo, 2350 ingedien of gerig word.

Adres van agent: Reed & Vennote, Professionele Landmeters, Posbus 132, Ermelo, 2350, Tel. No. 017 – 811 2348.

8–15

**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS****PROVINCIAL NOTICE 56 OF 2016****THEMBISILE HANI LOCAL MUNICIPALITY  
LAND DEVELOPMENT APPLICATION FOR TOWNSHIP ESTABLISHMENT.**

The Thembisile Hani Local Municipality, hereby gives notice in terms of Spatial Planning and Land Use Management Act, 2013, (SPLUMA, Act 16 of 2013) read together with SPLUMA Regulations (GN R239, 2015) together with Sections 21 and 59 of the Thembisile Spatial Planning and Land Use Management By-Law, 2015 that a land development application to establish a township referred to in the Annexure attached hereto, has been received by it.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Thembisile Hani Local Municipality, Stand No. 24, Kwaggafontein, 0458 for a period of 28 days from Friday 08 July 2016 until Friday 05 August 2016.

Objections to or representation in respect of the application must be lodged with or made in writing and in duplicate within a period of 28 days from Friday 08 July 2016 until Friday 05 August 2016 at the following address: Thembisile Hani Local Municipality, Stand No. 24, Kwaggafontein, 0458.

**Annexure**

**Name of Township:** EMLANJENI TOWNSHIP

**Full name of Applicant:** MOK Development Consultants, 942 Riethaan Street, Montanapark, 0159

**Number of erven and proposed land uses in township:** 500 erven.

- Residential :484 (500 m<sup>2</sup>);
- Institutional : 4 (1000 m<sup>2</sup>);
- Business : 5 (1000m<sup>2</sup>);
- Educational : 1 (3.9ha);
- Public Open Space;
- Roads.

**Land Description:** Portion 1 of the farm Gembokfontein 199 JR.

**Location:** The proposed development is located on the southern side of Vlaklaagte Bb on the opposite side of Moloto road (R573) from to Kwamhlanga Kwaggafontein.

8–15

**ISASIZO SO MPHAKATHI  
THEMBISILE HANI MASIPALA  
LAND DEVELOPMENT APPLICATION FOR TOWNSHIP ESTABLISHMENT.**

UMasipala Thembisile Hani, ngalokhu likhipha isasizo ngokwemigomo Spatial Planning and Land Use Management Act, 2013, (SPLUMA, Umthetho 16 ka 2013) ufundwe ne SPLUMA Regulations (GN R239, 2015) kanye Section 21 na-59 we Thembisile Spatial Planning and Land Use Management by-Law, 2015 ukuthi isibawo sokuthuthukisa umhlaba ukusungula ilokishi kubhekiselwe kuyo Isithasiselo lixhunyelwe lapha, itholiwe yiwo.

Imininingwane isicelo itholakala ehhovisi ukuze ihlolwe bafake imibono ngezikhathi zomsebenzi ezijwayelekile ehhovisi likaMasipala Menenja, Thembisile Hani Masipala, stand No. 24, Kwaggafontein, 0458 esikhathini esiyizinsuku ezingu 28.

Ukuphikisa noma ukumelelwa maqondana nesicelo kumele noma ezenziwe kubhalwe phansi futhi ngeduplikhethi Kungakapheli izinsuku ezingu-28 kuleli kheli elilandelayo: Thembisile Hani Local Municipality, Stand No. 24, Kwaggafontein, 0458.

**Annexure**

**Igama ledorobha: EMLANJENI TOWNSHIP**

**Igama eliphelele isicelo:** MOK Development Consultants, 942 Riethaan Street, Montanapark, 0159

**Inombolo kweziza nezwe ehlongozwayo isebenzisa ilokishi : 500 beziza .**

- Residential :484 (500 m<sup>2</sup>);
- Institutional : 4 (1000 m<sup>2</sup>);
- Business : 5 (1000m<sup>2</sup>);
- Educational : 1 (3.9ha);
- Public Open Space;
- Roads.

**Incazelo :** Portion 1 of the farm Gemsbokfontein 199 JR .

**Indawo :** Intuthuko ehlongozwayo itholakala ohlangothini aseningizimu Vlaklaagte Bb ngakolunye uhlangothi wa se Moloto road ( R573 ) kusuka ku KwaMhlanga Kwaggafontein.

**PROVINCIAL NOTICE 57 OF 2016****EMAKHAZENI LOCAL MUNICIPALITY  
LAND DEVELOPMENT APPLICATION FOR TOWNSHIP ESTABLISHMENT.**

The Emakhazeni Local Municipality, hereby gives notice in terms of Spatial Planning and Land Use Management Act, 2013, (SPLUMA, Act 16 of 2013) read together with SPLUMA Regulations (GN R239, 2015) together with Sections 21 and 59 of the Emakhazeni Spatial Planning and Land Use Management By-Law, 2015 that a land development application to establish a township referred to in the Annexure attached hereto, has been received by it.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Emakhazeni Local Municipality, 25 Scheepers Street, Belfast, 1100 for a period of 28 days from Friday 08 July 2016 until Friday 05 August 2016.

Objections to or representation in respect of the application must be lodged with or made in writing and in duplicate within a period of 28 days from Friday 08 July 2016 until Friday 05 August 2016 at the following address: Emakhazeni Local Municipality, Emakhazeni Local Municipality, 25 Scheepers Street, Belfast, 1100.

**Annexure**

**Name of Township:** GROOTSUIKERBOSCHKOP TOWNSHIP

**Full name of Applicant:** MOK Development Consultants, 942 Riethaan Street, Montanapark, 0159

**Number of erven and proposed land uses in township:** 500 erven.

- Residential :485 (500m<sup>2</sup>);
- Institutional : 3 (1000 m<sup>2</sup>);
- Business : 4 (1000m<sup>2</sup>);
- Educational : 1 (4ha);
- Public Open Space : (varying sizes);
- Cemetery : 1 (7500m<sup>2</sup>);
- Roads.

**Land Description:** Portion 1 of the farm Portion 1 of the farm Grootstuikerboschkop 124 JT.

**Location:** The proposed development is located on the south-western side of Dullstroom just west of road R540 connecting Dullstroom and Belfast.

8-15

**PROVINSIALE KENNISGEWING 57 VAN 2016****EMAKHAZENI PLAASLIKE MUNISIPALITEIT  
KENNISGEWING VAN GROND ONTWIKKELING AANSOEK VIR DORPSTIGTING.**

The Emakhazeni Plaaslike Munisipaliteit gee hiermee ingevolge Ruimtelike Beplanning en Grondgebruik Wet, (SPLUMA, Wet 16 van 2013) saamgelees met SPLUMA Regulasies (GN R239, 2015) saamgelees met Artikels 21 en 59 van die Emakhazeni Ruimtelike Beplanning en Grondgebruik Bestuur ByWette, 2015 kennis dat 'n grond ontwikkeling aansoek om die bovermelde dorpstigting aansoek in die bylae hierby genoeme deur hom ontvang is.

Besonderhede van bogenoemde aansoek lê ter insae gedurende gewone kantoorure by die kantoor van Die Munisipaliteit Bestuurder, Emakhazeni Plaaslike Munisipaliteit, 25 Scheepers Straat, Belfast, 1100, vir 'n tydperk van 28 dae vanaf Vrydag 08 Julie 2016 tot Vrydag 05 Augustus 2016.

Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf Vrydag 08 Julie 2016 tot Vrydag 05 Augustus 2016 skriftelik by kantoor van Die Munisipaliteit Bestuurder, Emakhazeni Plaaslike Munisipaliteit, 25 Scheepers Straat, Belfast, 1100.

**Annexure**

**Naam van Dorp: GROOTSUIKERBOSCHKOP DORP**

**Volle naam van Aansoeker:** MOK Development Consultants, 942 Riethaan Street, Montanapark, 0159

**Aantal erwe in voorgestelde dorp: 500 erwe.**

- Residensiël :485 (500m<sup>2</sup>);
- Institusioneel : 3 (1000 m<sup>2</sup>);
- Besigheid : 4 (1000m<sup>2</sup>);
- Opvoedkundige : 1 (4ha);
- Publieke Oop Ruimte : (verskillende grootte);
- Paaie.

**Beskrywing van die grond:** Gedeelte 1 vans die plaas Grootsoekboschkop 124 JT.

**Ligging van die voorgestelde dorp:** Die voorgestelde dorp is geleë suid-wes kant van Dullstroom west van pad R540 wat Dullstroom and Belfast konekteer.

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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

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LOCAL AUTHORITY NOTICE 69 OF 2016

# EMAKHAZENI LOCAL MUNICIPALITY



# CREDIT CONTROL AND DEBT COLLECTION POLICY

APPROVED BY COUNCIL ON:  
IMPLEMENTATION DATE:

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## **EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY**

### **1 Introduction**

#### **1.1 Vision and value statement**

It is the vision of Council to “create a secure environmental and sustainable development to promote service excellence and unity”. Council is committed to its mission of creating conducive institutional environment within which communities can thrive economically and socially.

#### **The Values of the Council are:**

Transparency  
High Quality Service Delivery  
Accountability  
Serving Communities with Integrity  
Efficiency  
Professionalism

#### **1.2 Vision**

“A secure environment with sustainable development to promote service excellence, unity and community participation resulting in a caring society”.

#### **1.3 Mission**

Emakhazeni Local Municipality is a category B municipality and a tourist destination within the Nkangala District, existing to provide sustainable basic municipal services to the local community and the visitors, creating a conducive environment for socio-economic development and promoting democracy, accountability and participation in our affairs.

## EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY

### 2 Definitions

#### Definitions:

“**billing**” refers to the process of charging for services provided by issuing accounts;

“**chief financial officer**” means a person designated in terms of section 80(2)(a) of the Municipal Finance Management Act;

“**credit control**” refers to the performance of certain basic credit worthiness checks prior to a municipal service being provided and deposits collected;

“**debt collection**” means the pursuing of uncollected debts that are past the due date;

“**disconnection**” means interrupting the supply of water or electricity to a debtor as a consequence of ignoring the demand for payment;

“**dispute**” refers to the instance when a debtor questions the correctness of any account rendered by the municipality to him/her and such debtor lodges an appeal with the municipality;

“**due date**” means the final date of payment as shown on the account;

“**effective disconnection**” means the physical removal of pipes and/or equipment as a consequence of unauthorized reconnection of the disconnected service;

“**financial year**” means the municipality’s financial year ending 30 June;

“**holistic**” refers to the combining of all debt in order to establish the total obligation the debtor has to The municipality;

“**indigents**” are debtors whose households have been evaluated in terms of the Indigent Policy and who is registered as being indigent;

“**indigent amount**” refers to the applicable value of the indigent subsidy as determined by the Municipality from time to time;

“**legal process or procedures and/or legal action**” refers to the process and/or action described in the Magistrate Courts Act No. 32 of 1944; Supreme Court Act No. 59 of 1959; Adjustment of Fines Act No. 101 of 1991; Debt Collectors Act No. 114 of 1998, Criminal Procedures Act No. 51 of 1977; Local Government: Cross-Boundary Municipalities Act No. 29 of 2000, Local Government: Municipal Structures Amendment Act No. 33 of 2000; Local Government: Municipal Systems Act No. 32 of 2000;

“**mayor**” means the councilor elected as the executive mayor of the municipality in terms of section 55 of the Municipal Structures Act; ;

“**the municipality**” means Emakhazeni Local Municipality;

## EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY

“**municipal manager**” means a person appointed in terms of section 82(1)(a) or (b) of the Municipal Structures Act;

“**payment**” is any form of redemption towards the balance on an account as per Receipts policy 7.1 "permissible methods of payments.

“**sundry debt**” refers to any debt other than for rates, housing, metered services, sewerage and refuse removal;

“**supply**” means any metered supply of water or electricity;

“**tampering**” means the unauthorized reconnection of a supply that has been disconnected for non-payment, the interference with the supply mains or bypassing of the metering equipment to obtain an unmetered service; and

“**total household income or household income**” refers to the total formal and informal gross income of all people living permanently or temporarily on the property on which the account is based.

### 3 Objectives

The objectives of this policy are to:

- provide a framework for the municipality with regard to credit control, debt management, debt impairment and debt write off.
- ensure that all the moneys due to the municipality are effectively and efficiently collected;

### 4 Scope of Application

This Policy applies to all administrations within the defined boundaries of Emakhazeni Local Municipality and all debtors of these administrations, including employees and Council members of the Municipality.

### 5 Legislative Framework

The policy has been formulated in terms of section 96(b) of the Local Government: Municipal Systems Act.

### 6 Principles

- 6.1 Human dignity must be upheld at all times.
- 6.2 The policy must be implemented with equity, fairness and consistency.
- 6.3 Details related to the debt and the account of the debtor must be **correct at all times**.

## **EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY**

- 6.1 Debts and arrangements to repay debts must be treated holistically, but different repayment periods or methods may be determined on the account holders income while be in sympathy with the instalments that the debtor can afford based on the account holders(excluding indigent) gross salary.
- 6.4.1 Income R3601 – R4500 pm  
15% of the existing debt to be paid immediately – balance is payable on a monthly basis plus the current account before the end of the financial year.
- 6.4.2 Income R4501 – R5500 pm  
25% of the existing debt to be paid immediately – – balance is payable on a monthly basis plus the current account before the end of the financial year.
- 6.4.3 Income R5501 – R6500 pm  
30% of the existing debt to be paid immediately — balance is payable on a monthly basis plus the current account before the end of the financial year.
- 6.4.4 Income R6501 – R8 000 pm  
40% of the existing debt to be paid immediately – – balance is payable on a monthly basis plus the current account before the end of the financial year.
- 6.4.5 Income R8 001 – R10 000 pm  
45% of the existing debt to be paid immediately – balance is payable on a monthly basis plus the current account before the end of the financial year.
- 6.4.6 Income of above R10000  
60% of the existing debt to be paid immediately –balance is payable on a monthly basis plus the current account before the end of the financial year.
- 6.4 The implementation of this policy should be based on sound business practices. This includes debt collection through sanctions of warnings, disconnections, and other legal processes.
- 6.5 The municipality may provide reduced levels of service to manage the debt growth where alternatives are available.
- 6.6 All recoverable costs incurred by The municipality relating to the collection process shall be recovered from the debtor.
- 6.7 Implementation of charging of interest will take effect with the July 2016 billing/invoice which will become in arrears.
- 6.8 Interest will be charged 30 days after an account becomes in arrears.
- 6.9 Interest rate charged shall be prime rate (as at the 1<sup>st</sup> of July each year), plus 1 (one) percentage.
- 6.10 Should an account not have been billed due to defective meters, an account will be averaged on consumption for no more than 3 years.

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### 6.11 Employer deductions

- a) The municipality may enter in to an agreement with employers whose employees are in arrears with their municipal accounts to deduct an agreed amount from their employees' weekly or monthly wages or salary to pay towards the arrears.
- b) The relevant employees must consent to the deduction in writing and that there is no existing legislation precluding same.

## **7 Credit Control**

### **7.1 APPLICATION FOR MUNICIPAL SERVICES**

- 7.1.1 All applicants for provision of municipal services must pay prescribed deposit as reflected in the municipal tariffs list approved by Council.
- 7.1.2 The applicant is required to submit Municipal Services Application Form together with the ID document for identification and verification of any monies outstanding to the municipality.
- 7.1.3 Before a new account is opened the balance outstanding must be checked & ensure that all monies outstanding are settled
- 7.1.4 The Property Owner is fully and legally responsible for payment of all municipal services for his / her property on a monthly basis.
- 7.1.5 At the time of applying for municipal services, the property owner must sign the application form as evidence of acknowledging the debt with the municipality.
- 7.1.6 New services applied through the Property Transfer between the buyer and the seller procedures will only be provided if a clearance certificate has been issued indicating that all amounts due in respect of municipal services, surcharge on fees, property rates and other municipal taxes, levies and duties at the customer's previous address have been paid in full.
- 7.1.7 Before any property can be transferred from one owner to another, all arrears must be paid, where after the Municipality issues a Clearance Certificate to that effect. No transfer can take place without such a certificate.
- 7.1.8 Application for services for businesses must include the submission of a resolution delegating authority to the applicant and furnishing the business entity's registration number. The names, addresses and all relevant contact particulars of all the entity's directors or members or trustees or proprietors or partners must be submitted with the resolution.

## **8 Debt Management**

### **8.1 MUNICIPAL TRADING SERVICES**

## **EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY**

- 8.1.1 Accounts for municipal services must be paid by the due date as shown on the account.
- 8.1.2 The debtor must be warned on the monthly account of possible disconnection if payment is not received by the due date.
- 8.1.3 If payment is not received by the due date, notice shall be delivered to physical address/post office/sms/e-mail, warning of the impending disconnection after 7 days from date of the notice.
- 8.1.4 If payment is not received by the due date as shown on the notice, then the supply of services will be disconnected.
- 8.1.5 The above notice must also advise that the supply of services will only be reconnected after the total balance of the amount specified on the notice, including the reconnection fee has been paid.
- 8.1.6 Disconnected services will be restored within a reasonable period of time after the debtor produces proof of payment of the required amount.
- 8.1.7 All negotiations with the debtors should strive to result in an agreement that is sustainable and is most beneficial to The municipality.
- 8.1.8 All debtors that are in arrears and wish to apply to make arrangements to reschedule their debt will be subjected to the payment arrangements contained in this policy.

### **8.2 PREPAID ELECTRICITY**

- Municipality will produce a monthly report of all municipal prepaid consumers who are not purchasing electricity on a monthly basis. ***Prepaid Electricity Consumption Exception Report.***
- Municipal Technicians or the Municipality appointed contractor will perform physical inspections of all the properties appearing on the ***Prepaid Electricity Consumption Exception Report.***
- Municipality will investigate and consider root causes for a consumer to be on the ***Prepaid Electricity Consumption Exception Report.***

### **8.3 CLASSIFICATION OF POSSIBLE ROOT CAUSES**

- Illegal tampering with the municipal prepaid electricity meter.
- Financial situation of the consumer stopping him / her from regular purchases of electricity units.

#### **a) First tampering:**

- A penalty based on the approved Municipal Tariff list must be paid with immediate effect and the meter be disconnected, plus;
- Average charges of three months consumption will be effected over the period of non-payment.
- Criminal Charges may be instituted

## **EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY**

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### **b) Second tampering:**

- Removal of the circuit breaker, and;
- Replacement of meter after payment of penalty based on approved Tariff list
- Plus, average charges of three months consumption will be effected over a period of non-payment.
- Criminal Charges will be instituted

### **c) Third tampering:**

- Removal of municipal electricity cable from the property ,and,
- Replaced after a payment of penalty based on approved Tariff list
- Plus, average charges of six months consumption will be affected over a period of non-payment.
- Criminal charges will be instituted.
- After which a Municipality will accept a new application for services.

## **8.4 WHISTLE BLOWING**

An amount of R 500,00 may be payable to Council subject to the following:

- The whistle blower's name be kept confidential
- The whistle blower's information leads to the removal of the meter tampered with
- The amount is payable upon the removal of the meter and not upon payment by the illegal connector
- Monies of R500.00 payable for whistle blowing; will be added to the fine to the consumer whom has illegally tampered.

The payment of whistle blowing is to be approved the municipal manager.

## **8.5 BLOCKING OF ELECTRICITY PRE-PAID METER**

For prepaid electricity meter owners, once a customer gets blocked for non-payment of municipal services, an amount of 50% of the outstanding amount will be required before the unblocking of electricity meter.

## **8.6 FINE FOR ILLEGAL CONNECTION**

- Should the municipality find out that services that were disconnected due to non-payment are illegally connected, or the metering infrastructure is removed, the consumer will have to pay full amount outstanding on the account.
- No arrangement will be done for illegal connections and or meter tampering. The outstanding arrears for services must be paid also before reconnection of any services..

## **EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY**

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### **8.7 BACK CHARGES**

- 8.7.1 The municipality may, if it is found that the relevant consumer of services has been undercharged and or unmetered and or unbilled and for a period of time irrespective of the reason, the municipality will charge the consumer for the period as determined but not exceeding three (3) years, from the date that the consumer is made aware of the back charge in writing by the municipality.
- 8.7.2 The municipality will calculate the back charges based on the four months consumer profile from the meter correction, billing correction, meter installation, data correction or any other reason that led to the discrepancy.
- 8.7.2 The consumer may pay the back charges with one installment or settle the back charge fee in equal installments for a period that will be approved by the municipality.
- 8.7.3 If it is found that the consumer is back charged due to meter tampering, then the municipality must recover all the consumption for the period of tampering, not exceeding three years from the date that the consumer is made aware of the back charge in writing by The municipality. The back charge must be settled in full and not repayment terms will be entertained by The municipality and the services will remain suspended until the back charge is settled in full.

### **8.8 DISCRETION: NEGOTIABLE AMOUNTS**

- a) Discretion in terms of negotiable amounts as per this policy is delegated to the Accounting Officer.
- b) Discretion will only be used so as to apply the principles embodied within this policy and to ensure that some form of payment acceptable to The municipality is forthcoming from negotiations with the debtor.

### **8.9 RATES**

#### **8.9.1 Annual rates**

- a) Interest will be charged on all overdue accounts at 1% above the prime rate
- b) If the account is not paid by the due date as displayed on the account, a Notice shall be issued showing the total amount owed to The municipality.
- c) If the account is not settled or there is no response from the debtor to make acceptable arrangements to repay the debt, summons shall be issued and the legal process followed.

#### **8.9.2 Monthly Rates**

- a) Interest will be charged on all overdue accounts at 1% above the prime rate

## **EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY**

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- b) Debtors can make application to the The municipality to pay current and future rates monthly, the approval of which is at the sole discretion of the Accounting Officer.
- c) The municipality will only enter payment arrangement plan with the owner of the property not the tenant.
- d) The monthly amount payable for annual rates will be calculated to allow the total balance of such amount to be paid in equal instalments by the end of that financial year.

### **8.10 SERVICES AND ELECTRICITY**

- a) Accounts must be paid by the due date as shown on the account.
- b) Interest will be charged on all overdue accounts at 1% above prime rate
- c) If payment is not received by the due date as shown on the Notice, the supply will be disconnected.
- d) A notice shall be left at the property or a sms/e-mail will be issued advising that the supply has been disconnected with a warning that all electric points should be considered live and that all water outlets should be closed.
- e) The above notice must also advise that the supply will only be reconnected after the total balance of the amount specified on the notice, including the reconnection fee, has been paid or an arrangement acceptable to the municipality has been made.
- f) The said notices must also warn of the consequences of unauthorised reconnection.
- g) Debtors should be required to pay all penalties and arrears in full before the supply is restored.
- h) Disconnected services will be restored within a reasonable period of time after the debtor produces proof of payment of the required amount.
- i) The onus shall always be on the debtor to request reconnection and to provide proof that the full amount on the disconnection notice was paid or that an arrangement was entered into.

### **8.11 RIGHT OF ACCESS**

- a) An authorised representative of, or service provider to The municipality, must at all reasonable hours be given unrestricted access to the debtor's premises in order to read, inspect, install or repair any meter, service or service connection for reticulation, or to disconnect, reconnect, stop or restrict the provision of any service.
- b) Any person who contravenes paragraph (a) above will be deemed to have contravened the provisions of Section 101 of the Municipal Systems Act, No. 32 of 2000, as amended, and will be charged with an offence and attract the penalties

## EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY

referred to in Section 119 of the said Act and services will be disconnected until such time that the penalty is paid and access is granted.

### 8.12 OTHER DEBT

#### 8.12.1 Dishonoured payments

##### a) Rates and general services

The municipality will only accept payment as per Receipts policy 7.1 "permissible methods of payment" from consumers that made prior arrangements with the municipality.

If the drawer of the cheque, or the customer who received value from the depositing of the cheque, is an existing debtor of the municipality, the reversal and penalty fee may be debited to an account of the drawer or beneficiary and a letter of notification must be sent to the debtor. Such fee shall be deemed to be a tariff charge and shall be recovered from the debtor.

##### b) Property management leases

The responsible person at the Technical Service Department shall pursue the debtor in accordance with the terms of the specific lease contract, until all avenues are exhausted.

#### 8.12.2 Employee debt

##### a) Definition

Employee debts include any debt owed to the Municipality by *an official or former official* which originated while the debtor was/is in the employ of the Municipality, and any other debt classified as such by the Chief Financial Officer.

##### b) Service charges

A staff member of a municipality may not be in arrears to the municipality for rates and service charges for a period longer than 2 months, and a municipality may deduct any outstanding amounts from a staff member's salary after this period.

##### c) Management of employee debt

- ◆ A debt account must be opened on the approved financial system when a debt has not been settled within 30 days of notification of such debt to the debtor.
- ◆ It is the responsibility of officials entrusted with the collection of debt to take all possible steps to recover the debt by:
  - i) Notifying the debtor of the amount payable;
  - ii) Sending of monthly statements; and
  - iii) Sending of reminders for payments outstanding/overdue.
- ◆ If no response is received the following steps must be taken:
  - i) A reminder must be sent per registered mail/e-mail/sms and the registered mail nr/sms number/e-mail address/ must be noted on the file copy of the letter;

## EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY

- ii) if no response is received on the reminder sent as mentioned above in (c)(i), legal steps must be taken to recover the debt; and
- d) Tracing of employee debtors
  - ◆ The following institutions/persons, although not the only, can be approached in an endeavour to obtain a debtor's current address.
    - i) Other Municipalities
    - ii) Post Offices
    - iii) The Department of Home Affairs
    - iv) Relatives
  - ◆ If enquiries to at least 2 or more of the above-mentioned institutions are unsuccessful such debt may be referred to 3<sup>rd</sup> party debt collectors for recovery.

### 8.13 ARRANGEMENTS

#### 8.13.1 Principles for Debtors

- a) Certain categories of debt may be subject to category specific repayment parameters.
- b) Current charges must be paid in full and is not negotiable.
- c) For prepaid electricity once a customer has been block for non-payment, an amount equals to 50% of the total outstanding amount will be required to be paid before the unblocking of electricity which is payable at the municipal offices.
- d) For all the payments the debtor is required to prove levels of income and must agree to a monthly payment towards arrears based on his/her ability to pay or based on his/her total liquidity and current account.
- e) All negotiations with the debtor should strive to result in an agreement that is sustainable and is most beneficial to the municipality.
- f) Interest will be charged on all overdue accounts(as from 1 July 2016 invoice/billing)and will be charged monthly at prime(as at 1 July each year) rate plus 1%
- g) Interest on arrears in respect of all services and rates may be frozen whilst the debtor adheres to the conditions of the arrangement.
- h) Debtors who default on **three** occasions in respect of arrangements made will be denied the privilege of making further arrangements and the full amount becomes payable. All services may be disconnected and legal action will be taken against such debtors.

#### 8.13.2 Arrangement criteria for debtors

- a) All debtors who are in arrears and apply to make arrangements to reschedule their debt will be subjected to the following conditions at the time of making arrangement with the municipality:

## EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY

### **First arrangement**

- ◆ Payment of Current account, plus
  - ◆ Payment of initial amount of 30% of the total outstanding debt, after which the agreement will be signed by both parties.
  - ◆ The monthly instalment must be current account and the outstanding amount as agreed upon with municipality.
- b) Each following month the debtor will be required to pay:
- ◆ Current account, plus,
  - ◆ An instalment as agreed upon.
- c) Should the debtor not honour the **FIRST** arrangements, municipal services will be disconnected.
- ◆ Arrangements on first default :
    - Payment of current account plus 30% of the outstanding debt
  - ◆ Arrangements on second default :
    - Payment of current account plus 50% of the outstanding debt.
  - ◆ Arrangements on third default :
    - Payment of current account plus 100% of the outstanding debt.
- d) Principles for Non-residential debtors
- If any non-residential debtor wishes to make an arrangement for a period of not longer than six months, and will pay the first instalment immediately, and ensure that the current account is paid in full immediately throughout the period of the arrangement. All outstanding amount as from 1 July 2016 will attract interests.
  - interest on the arrangement amount may be suspended as long as the terms of the arrangement are maintained.
  - Non-residential debtors may make arrangements to liquidate their arrears where it would be financially beneficial to the Municipality for them to do so.
  - The final decision to make these arrangements will rest with the Accounting Officer.
  - For all non residential payment defaulters customer using below 50kVA capacity the council will switch their payment mode from convention to prepaid.

### **8.13.3 Consequences of failure to comply with arrangements**

Failure to comply with the agreed arrangements will result in disconnection of service. Services will only be reconnected after a full outstanding amount on the account is paid. Legal processes will be instituted to areas where the municipality is not providing electricity.

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No further arrangement can be entertained by the municipality if the debtor is handed over to the lawyers.

### 8.14 DISPUTE

#### Procedure to be followed in terms of a dispute:

Debtor	Municipality
<ol style="list-style-type: none"> <li>1. The debtor must render the dispute in writing to The municipality.</li> <li>2. The dispute must actually be received by The municipality.</li> <li>3. No dispute will be registered verbally.</li> <li>4. The debtor must furnish his/her full personal particulars (including his/her account number and direct contact details).</li> <li>5. The full nature of the dispute must be described in the above correspondence.</li> <li>6. The onus will be on the debtor to ensure that he/she receives a written acknowledgement of the dispute.</li> </ol>	<p>On receipt of the dispute, the following action are to be taken:</p> <ol style="list-style-type: none"> <li>1. All Administrations must keep a register in which all disputes received are to be entered.</li> <li>2. The following information should be reflected in the register:               <ul style="list-style-type: none"> <li>◆ Debtor's account number</li> <li>◆ Debtor's name</li> <li>◆ Debtor's address</li> <li>◆ Debtors email address</li> <li>◆ Full particulars of the dispute</li> <li>◆ Name of the official to whom the dispute is given to investigate and resolve</li> <li>◆ Actions that have/were taken to resolve the dispute</li> <li>◆ Signature of the controlling official</li> </ul> </li> <li>3. An authorised controlling official will keep custody of the register and conduct a weekly check and follow-up on unresolved disputes.</li> <li>4. A written acknowledgement of receipt of the dispute must be provided to the debtor.</li> <li>5. All appeals regarding disputed amounts must be unilaterally concluded by The municipality's authorised officials within 14 calendar days from receipt thereof.</li> </ol>

- a) The municipality's authorised official's decision is final and will result in the immediate implementation of any debt collection and credit control measures provided for in this policy after the debtor has been notified of the outcome of the appeal.
- b) The same dispute will not be considered and will not again be defined as a dispute.
- c) If the debtor is not satisfied with the outcome of the appeal, he/she may under protest pay the amount in dispute and redress his/her action to a court of law.

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### 8.15 IRRECOVERABLE DEBT

a) Debt **will be** regarded as irrecoverable if:

- ◆ All reasonable steps have been taken to recover a specific outstanding amount; or
- ◆ Debts where, in the view of the Municipality, further expenses to collect such debt are not justified in relation to the amount of the debt and possibility of collection;
- ◆ Debts where a legal opinion to the municipality has indicated that the amount involved does not warrant the prospective costs of action to collect or where legal action will be uneconomical.
- ◆ the cost to recover the debt does not warrant further action; or
- ◆ the amount outstanding is the residue after payment of a dividend in the rand from an insolvent estate; or
- ◆ a deceased estate has no liquid assets(estate) to cover the outstanding amount; or
- ◆ it has been proven that the debt has prescribed(expired); or
- ◆ the debtor is untraceable; or
- ◆ the debtor cannot be identified so as to proceed with further action; or
- ◆ Debts where liability has not been admitted by the debtors and where the success of proceedings to collect is unlikely; and
- ◆ The Municipal Manager is convinced that recovery would cause undue hardship to the debtor or his/ her dependants.

b) Debt will **not** be regarded as irrecoverable if

- ◆ The outstanding debt can be corrected in line with GRAP 3 (example: administrative errors due to billing).

c) Irrecoverable debts will be reviewed on an annual basis.

### 8.16 DEBT WRITE OFF

a) All irrecoverable debt (as per section 10 of this policy) will be submitted for write-off.

## **EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY**

- b) All write-offs will be submitted to council on an annual basis, unless otherwise directed.
- c) Write offs will be charged against provision for bad debts account in the Statement of Financial Position.
- d) All write-off submissions shall include the relevant debt information such as names, account number, amounts, regions and wards and criteria met to qualify as irrecoverable debt.
- e) All submitted write-offs will be submitted to internal audit for review, whom shall then forward it to Audit Committee for recommendations.
- f) All write-offs should be submitted to internal committee structures and approved by council.

### **8.17 IMPAIRMENT OF CONSUMER DEBTORS**

- a) The Municipality will use the risk scoring method to calculate its debt impairment.
- b) All impairment of debtors will be accounted for in terms of GRAP standards.
- c) All impairment movement/s will be expensed directly to the Statement of Financial Performance.

### **8.18 DISCLAIMER**

Municipal Council will be under no obligation to write off any debt and will always have the sole discretion to do so.

## **9 Unauthorised connection of water/electricity supply**

The municipality is unlawfully and unfairly deprived of its benefits and income due to illegal connections by consumers.

The unauthorised reconnection of, or tampering with, a service supply is considered a criminal offence which may result in legal action being taken.

### **9.1 INSPECTION**

- a) The municipality will from time to time send a team of employees and or appointed service providers, to inspect illegal connections.
- b) The municipality shall issue a notice to the consumer to be available on a day specified by The municipality.
- c) If the consumer fails to adhere, the water/electricity supply will be effectively disconnected.

## EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY

- d) The municipality shall incur no liability for any loss sustained as a result of these processes or termination.
- e) The inspection will and is not limited to or confined to The municipality trading hours or working days.
- f) The municipality shall have an unlimited right of access to premises in which such services are rendered.

### 9.2 FINE / PENALTY

The municipality shall within 7 working days of removal or disconnections issue a fine.

The following punishment will be handed down:

- a) **First time illegal connectors:**  
Meter infrastructure will be removed and a fine in line with Council approved tariff list will be payable.
- b) **Second time illegal connectors:**  
Meter cables will be removed and a payable fine in line with Council approved tariff list will be payable.

## 10 Roles and Responsibilities

### Mayor

A municipality's mayor shall—

- a) oversee and monitor—
  - (i) the implementation and enforcement of the municipality's credit control and debt collection policy and any by-laws enacted; and
  - (ii) the performance of the Accounting Officer in implementing the policy and any by-laws;
- b) when necessary, evaluate or review the policy and any by-laws, or the implementation of the policy and any such by-laws, in order to improve efficiency of its credit control and debt collection mechanisms, processes and procedures; and
- c) at such intervals as may be determined by the municipal report to a meeting of the council, except when the council itself performs the duties mentioned in paragraphs (a) and (b).

### Accounting Officer

The Accounting Officer shall—

- a) implement and enforce the municipality's credit control and debt collection policy and any by-laws enacted;

## **EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY**

- b) in accordance with the credit control and debt collection policy and any such by-laws, establish effective administrative mechanisms, processes and procedures to collect money that is due and payable to the municipality; and
- c) at such intervals as may be determined by the municipal report the prescribed particulars to a meeting of the supervisory authority.

The accounting officer of a municipality shall be responsible for the management of the revenue of the municipality.

The accounting officer shall take all reasonable steps to ensure-

- a) that the municipality has effective revenue collection systems consistent with section 95 of the Municipal Systems Act and the municipality's credit control and debt collection policy;
- b) that revenue due to the municipality is calculated on a monthly basis;
- c) that accounts for municipal tax and charges for municipal services are prepared on a monthly basis, or less often as may be prescribed where monthly accounts are uneconomical;
- d) that all money received is promptly deposited in accordance with the Municipal Finance Management Act into the municipality's primary and other bank accounts;
- e) that the municipality has and maintains a management, accounting and information system which-
  - (i) recognises revenue when it is earned;
  - (ii) accounts for debtors; and
  - (iii) accounts for receipts of revenue;
- f) that the municipality has and maintains a system of internal control in respect of debtors and revenue, as may be prescribed;
- g) that the municipality charges interest on arrears, except where the the municipality has granted exemptions in accordance with its budget-related policies and within a prescribed framework: and
- h) that all revenue received by the municipality, including revenue received by any collecting agent on its behalf, is reconciled at least on a weekly basis.

The accounting officer shall immediately inform the National Treasury of any payments due by an organ of state to the municipality in respect of municipal tax or for municipal services, if such payments are regularly in arrears for periods of more than 30 days.

### **Senior managers**

Each senior manager of a municipality and each official of a municipality exercising financial management responsibilities shall take all reasonable steps within their respective areas of responsibility to ensure that all revenue due to the municipality is collected.

## EMAKHAZENI LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION POLICY

### 11 Monitoring, Evaluation and Reporting

The accounting officer of a municipality shall by no later than 10 working days after the end of each month submit to the mayor of the municipality and the relevant provincial treasury a statement in the prescribed format on the state of the municipality's budget reflecting the actual revenue, per revenue source following particulars for that month and for the financial year up to the end of that month.

The accounting officer should furthermore include an explanation of:

- a) any material variances from the municipality's projected revenue by source, and from the municipality's expenditure projections per vote;
- b) any material variances from the service delivery and budget implementation plan; and
- c) any remedial or corrective steps taken or to be taken to ensure that projected revenue and expenditure remain within the municipality's approved budget.

The above statement must include a projection of the relevant municipality's revenue and expenditure for the rest of the financial year.

### 12 Application of the policy

All services of the municipality as well as all infrastructure used to deliver this service belong to municipality. The Municipality can monitor, upgrade, or remove its infrastructure without notifying and or seeking approval from the consumer.

- 12.1 The municipality reserves the right to differentiate between different categories of consumers, debtors, services or service standards when applying this Policy. The municipality will on application of the credit control policy avoid discrimination as forbidden by the Constitution, unless it is established that the discrimination is fair as allowed by the Constitution. No debtor (excepted for approved Indigent consumers) may be exempted from credit control action as a sign of goodwill for any period of time as this is in contravention of the action applied in this policy and the Credit Control principles contained in the Municipal Systems Act No. 3 of 2000.
- 12.2 Should there be any conflict between these By-laws and any other by-laws of municipality, this By-laws prevail.

### 13 Implementation

This Credit Control and Debt Collection Policy will be adopted and implemented at the start of the financial year after Council approval.

**Approved on:** Council Resolution nr: S29/06/2016

## LOCAL AUTHORITY NOTICE 70 OF 2016

**EMAKHAZENI LOCAL MUNICIPALITY****TARIFF BY-LAW 2016/2017**

Emakhaseni Local Municipality, hereby, in terms of section 156 (2) of the Constitution of the Republic of South Africa read in conjunction with section 74 and 75 of the Local Government: Municipal Systems Act, 2000, has by way of (No of the resolution) adopted the Municipality's Tariff By-law set out hereunder.

**Tariff By-law****1. Preamble**

1. Section 229(1) of the Constitution authorises a municipality to impose:
  - (a) rates on property and surcharges on fees for services provided by or on behalf of the municipality; and
  - (b) if authorised by national legislation, other taxes, levies and duties.
2. In terms of section 75A of the Systems Act a municipality may:
  - (a) levy and recover 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.

3. In terms of section 74(1) of the Systems Act, a municipal council must 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 and which complies with the provisions of the Systems Act, the Local Government: Municipal Finance Management Act, 53 of 2003 and any other applicable legislation.
4. In terms of section 75(1) of the Systems Act, a municipal council must adopt by-laws to give effect to the implementation and enforcement of its tariff policy.
5. In terms of section 75(2) of the Systems Act, by-laws adopted in terms of subsection 75(1) may differentiate 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.

## 2. Interpretation

In this By-Law, the English text prevails in the event of any conflict with the Afrikaans or Zulu texts, and, unless the context otherwise indicates—

**"Municipality"** means the Municipality of Emakhazeni;

**"Municipality's tariff policy"** means a tariff policy adopted by the Municipality in terms of this By-Law;

**"Constitution"** means the Constitution of the Republic of South Africa;

**"Credit Control and Debt Collection By-Law and Policy"** means the Municipality's Credit Control and Debt Collection By-Law and Policy as required by sections 96(b), 97 and 98 of the Systems Act;

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

**"tariff"** means fees, charges, or any other tariffs levied by the Municipality in respect of any function or service provided by the Municipality, excluding rates levied by the Municipality in terms of the Local Government: Municipal Property Rates Act, 6 of 2004.

## 3. Adoption and implementation of 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 Systems Act, the Local Government: Municipal Finance Management Act, 53 of 2003 and any other applicable legislation.
2. The Municipality shall not be entitled to impose tariffs other than in terms of a valid tariff policy.

## 4. Contents of tariff policy

The Municipality's tariff policy shall, inter alia:

1. apply to all tariffs imposed by the Municipality pursuant to the adoption of the Municipality's annual budget;
2. reflect the principles referred to in section 74(2) of the Systems Act and specify any further principles for the imposition of tariffs which the Municipality may wish to adopt;

3. specify the manner in which the principles referred to in section 74(2) are to be implemented in terms of the tariff policy;
4. specify the basis of differentiation, if any, 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;
5. include such further enforcement mechanisms, if any, as the Municipality may wish to impose in addition to those contained in the Credit Control and Debt Collection By-Law and Policy.

### **5. Enforcement of tariff policy**

The Municipality's tariff policy shall be enforced through the Credit Control and Debt Collection By-Law and Policy and any further enforcement mechanisms stipulated in the Municipality's tariff policy.

### **6. Operative date**

This By-Law shall take effect on 1 July 2016.







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