



THE PROVINCE OF MPUMALANGA
DIE PROVINSIE MPUMALANGA

Provincial Gazette Provinsiale Koerant

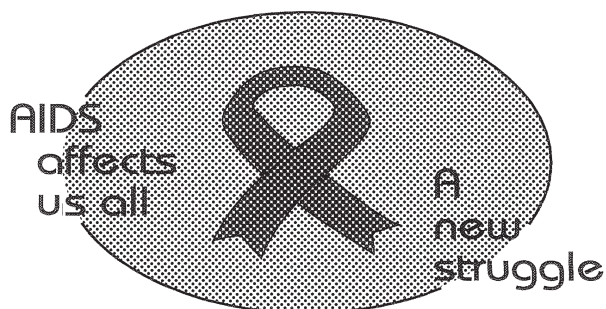
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Vol. 24

NELSPRUIT
24 FEBRUARY 2017
24 FEBRUARIE 2017

No. 2787

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DEPARTMENT OF HEALTH

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

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Closing times for **ORDINARY WEEKLY** 2017

MPUMALANGA PROVINCIAL GAZETTE

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

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

LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2016

NATIONAL AND PROVINCIAL

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

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

EXTRA-ORDINARY

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

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

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

All notices received after the closing time will be rejected.

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

EXTRAORDINARY GAZETTES

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

NOTICE SUBMISSION PROCESS

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES**QUOTATIONS**

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

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

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

- 20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).

- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:

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

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

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must be 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 16 OF 2017**STEVE TSHWETE AMENDMENT SCHEME No. 689 AND 688****NOTICE OF APPLICATION FOR THE AMENDMENT OF THE STEVE TSHWETE TOWN PLANNING SCHEME, 2004, IN TERMS OF SECTION 62(1) AND 94(1)(A) OF THE STEVE TSHWETE SPATIAL PLANNING AND LAND USE MANAGEMENT BYLAW, 2016.**

I, Laurette Swarts Pr. Pln., of Korsman & Associates, being the authorized agent of the registered owners of Erven described below, hereby give notice in terms of section 94(1)(a) of the Steve Tshwete Spatial Planning and Land Use Management Bylaw, 2016, that I have applied to the Steve Tshwete Local Municipality for the amendment of the town planning scheme known as the Steve Tshwete Town Planning Scheme, 2004, for the rezoning of the following properties:

- (1) Amendment Scheme No 689: Erf 127 Hendrina Township, Registration Division I.S., Province of Mpumalanga situated at 53 Beukes Street, from "Residential 1" to "Business 4" for Medical Offices subject to certain conditions.
- (2) Amendment Scheme No 688: Erf 2308 Middelburg Extension 8 Township, Registration Division J.S., Province of Mpumalanga situated at 10 Totius Street, from "Residential 1" to "Residential 3" for the purpose of a Guest House subject to certain conditions.

Any objection/s or comments including the grounds for such objection/s or comments with full contact details, shall be made in writing to the Municipal Manager, PO Box 14, Middelburg 1050 within 30 days from 24 February 2017.

Full particulars and plans may be inspected during normal office hours at the office of the Municipal Manager, Steve Tshwete Local Municipality, Cnr. Walter Sisulu and Wanderers Avenue, Middelburg, 1050, Tel: 013 2497000, for a period of 30 days from 24 February 2017.

Address of the Applicant: 9 Langa Crescent, Corridor Hill, Witbank, 1035,
Private Bag X7294, Suite 295, Witbank, 1035.

Telephone no: 013 650 0408, Email: admin@korsman.co.za

24-3

KENNISGEWING 16 VAN 2017**STEVE TSHWETE WYSIGINGSKEMA No. 689 EN 688****KENNISGEWING VAN DIE AANSOEK OM DIE WYSIGING VAN DIE STEVE TSHWETE DORPSBEPLANNINGSKEMA, 2004, INGEVOLGE ARTIKEL 62(1) EN 94(1)(A) VAN DIE STEVE TSHWETE RUIMTELIKEBEPLANNING EN GRONDGEBRUIKSBESTUUR BYWET, 2016.**

Ek, Laurette Swarts Pr. Pln., van Korsman & Vennote, synde die gemagtigde agent van die geregistreerde eienaars van die erwe hieronder beskryf, gee hiermee ingevolge artikel 62(1) en 94(1)(A) van die Steve Tshwete Ruimtelikebeplanning en Grondgebruiksbestuur Bywet, 2016, kennis dat ons by Steve Tshwete Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van Steve Tshwete Dorpsbeplanningskema, 2004, deur die Hersonerings van die volgende eiendomme:

- (1) Wysigingskema No 689: Erf 127 Hendrina Dorpsgebied, Registrasie Afdeling I.S., Provinsie van Mpumalanga geleë te Beukesstraat 53, vanaf "Residensieel 1" na "Besigheid 4" vir die doel van Mediese kantore, onderworpe aan sekere voorwaardes.
- (2) Wysigingskema No 688: Erf 2308 Middelburg Uitbreiding 8 Dorpsgebied, Registrasie Afdeling J.S., Provinsie van Mpumalanga geleë te Totiusstraat 10, vanaf "Residensieel 1" na "Residensieel 3" vir die doel van 'n Gastehuis, onderworpe aan sekere voorwaardes.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Steve Tshwete Plaaslike Munisipaliteit, Munisipalegebou, Wandererslaan, Middelburg, 1050, vir 'n tydperk van 30 dae vanaf 24 Februarie 2017.

Besware of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 24 Februarie 2017, skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 14, Middelburg, 1050, ingedien of gerig word.

Adres van Applikant: Langasingel 9, Corridor Hill, Witbank, 1035, Privaatsak X7294, Suite 295, Witbank, 1035. Telefoon No: 013 650 0408, Email: admin@korsman.co.za

24-3

PROCLAMATION • PROKLAMASIE**PROCLAMATION 3 OF 2017****EMALAHLENI LOCAL MUNICIPALITY
PERMANENT CLOSURE OF A PORTION OF DIANE STREET, DEL JUDOR PROPER**

Notice is hereby given in terms of the provisions of Section 67 of the Local Government Ordinance, Ordinance 19 of 1939, that the Emalahleni Local Municipality intends to permanently close of a Portion of Diane Street, Del Judor Proper (i.e. the median portion situated between Geringer and O.R. Tambo).

Particulars of the proposed closure, inclusive of a plan, as contemplated in Section 67(3) of the Ordinance, are open for inspection at the Directorate: Development Planning, Administrative Centre, Mandela Street, Emalahleni during normal office hours. Any person who wants to object against the proposed closure may, within 30 (thirty) days from the date of publication of this notice, submit with the undersigned an objection, in writing.

**T JANSEN VAN VUUREN
MUNICIPAL MANAGER**

Civic Centre, Mandela Street, P.O. Box 3, Emalahleni, 1035

Notice Number : /2017

Publication date: Provincial Gazette of Mpumalanga: 6 January 2017
Witbank News: 6 January 2017

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 17 OF 2017

NOTICE OF APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF SECTION 59 OF EMAKHAZENI LOCAL MUNICIPALITY'S BYLAW ON SPATIAL PLANNING AND LAND USE MANAGEMENT

We, **NUPLAN DEVELOPMENT PLANNERS CC**, being the authorised agent of the lawful owner of

THE REMAINING EXTENT OF PORTION 8 OF THE FARM DE KROON 363-JT

hereby give notice in terms of Section 98 (1) (a) of the Emakhazeni Local Municipality' By-law on Spatial Planning and Land Use Management, 2015, that we have applied to the Emkhazeni Local Municipality, for the establishment of a township on a Portion of the Remaining Extent of Portion 8 of the farm De Kroon 363-JT (to be known as Portion 20 of the farm De Kroon 363-JT).

The proposed township is located to the south of the existing Milly's Caltex Filling Station outside Machadodorp (eNtokozweni), and will be known as **Milly's South Township**, which derives from the proposed, but imminent upgrading of the N4 in the vicinity of Machadodorp. The upgrade of the N4 will provide for a median and/or double barrier lines that will result in separation of the eastbound and westbound traffic flow at the existing Milly's development to the north of the N4. The new township will allow for the construction of a similar and supporting filling station and facility to the south of the N4 to serve the current Milly's westbound traffic on their way to Gauteng, when the right-turn movements is blocked.

A copy of the application/s and supporting documentation is available for viewing during normal office hours from 17 February 2017 at:

1. The Development and Planning Unit: 1st Floor, C Wing, Office XC60, Nkangala District Municipality, 2a Walter Sisulu Street, Middelburg, 1050, at the following contact number: 013 249 2209.
2. Planning and Development Unit, Emakhazeni Local Municipality, 25 Scheepers Street, Belfast, 1100, at the following contact number: 013 253 7636.

Written comments or objections together with reasons therefore in respect of the application must state the following: (1) **The name of the person or body**, (2) **the address or contact details at which the person or body concern will accept notice or service of documents**, (3) **the interest of the body or the person in the application**, and (4) **the reason for objection, comment or representation**. This must be done not later than 19 March 2017 and must be submitted, in the prescribed format, to:

1. The Municipal Manager, P O Box 437 or 2032, Middelburg, 1050; or delivered to the Development and Planning Unit, 1st Floor, C Wing, Office XC60, Nkangala District Municipality, 2a Walter Sisulu Street, Middelburg, 1050 or
2. The Municipal Manager, P O Box 17, Belfast, 1100; or delivered to the Planning and Development Unit, Emakhazeni Local Municipality, 25 Scheepers Street, Belfast, 1100; or email to: municipality@emakhazenilm.co.za Contact person: Walter Mtsweni: 013 253 7604

Any person who cannot read or write may consult with any staff member of the office of the above-mentioned offices during office hours and assistance will be given to transcribe that person's objections or comments

Address of agent: Nuplan Development Planners, P.O. Box 2555, Nelspruit, 1200. ☎ (013) 752 3422, 📠 (013) 752 5795, ✉ nuplan@mweb.co.za, Ref: CALT-DS-009

17-24

PROVINSIALE KENNISGEWING 17 VAN 2017

KENNISGEWING VAN AANSOEK OM DORPSTIGTING IN TERME VAN ARTIKEL 59 VAN DIE EMAKHAZENI PLAASLIKE MUNISIPALITEIT SE BYWET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIK BESTUUR

Ons, **NUPLAN DEVELOPMENT PLANNERS BK**, synde die gemagtigde agent van die wettige eienaar van

DIE RESTANT VAN GEDEELTE 8 VAN DIE PLAAS DE KROON 363-JT

gee hiermee kennis ingevolge Artikel 98 (1) (a) van die Emakhazeni Plaaslike Munisipaliteit se Bywet op Ruimtelike Beplanning en Grondgebruik Bestuur, 2015, dat ons aansoek gedoen het by die Emkhazeni Plaaslike Munisipaliteit, vir die vestiging van 'n dorp op 'n Gedeelte van die Restant van Gedeelte 8 van die plaas De Kroon 363-JT (om bekend te staan as Gedeelte 20 van die plaas De Kroon 363-JT).

Die voorgestelde dorp is geleë direk suide van die bestaande Milly's Caltex Vulstasie buite Machadodorp (eNtokozweni) en sal bekend staan as **'Milly's South Township'**, wat ontstaan het weens die voorgestelde, maar definitiewe opgradering van die N4 in die omgewing van Machadodorp. Die opgradering van die N4 sal toesien tot 'n mediaan en/of dubbel versperring bane wat 'n skeiding sal bring tussen die ooswaarts en weswaartse verkeersvloei by die bestaande Milly's ontwikkeling noord van die N4. Die nuwe dorp sal toelaat vir 'n soortgelyke en ondersteunende vulstasie en fasiliteit suid van die N4 om die bestaande Milly's weswaartse verkeersvloei na Gauteng te bedien, wanneer die regs-draai toegang na die bestaande Milly's geblok gaan word.

'n Afskrif van die aansoek/e en ondersteunende dokumentasie is beskikbaar vir besigtiging gedurende normale kantoor ure vanaf 17 Februarie 2017, by:

1. Die Ontwikkeling en Beplanningseenheid: 1ste Vloer, C Vleuel, Kantoor XC60, Nkangala Distrik Munisipaliteit, Walter Straat 2a, Middelburg, 1050, by die volgende kontak nommer: 013 249 2209.
2. Tegnieke Dienste, Beplanning en Ontwikkelingseenheid, Emakhazeni Plaaslike Munisipaliteit, Scheepers Straat 25, Belfast, 1100, by die volgende kontak nommer: 013 253 7636.

Geskrewe kommentaar of besware tesame met die redes vir beswaar moet insluit: **(1) Die naam van die persoon of liggaam, (2) die adres of kontakbesonderhede waar die persoon of betrokke liggaam kennis of dokumente kan ontvang, (3) die belange van die persoon of liggaam in die aansoek, en (4) die rede vir beswaar, kommentaar of verteenwoordiging.** Dit moet nie later as 19 Maart 2017 gedoen word nie en moet ingedien word in die voorgeskrewe formaat aan:

1. Die Munisipale Bestuurder, Posbus 437 of 2032, Middelburg, 1050; of afgelewer by die Ontwikkeling en Beplanningseenheid: 1ste Vloer, C Vleuel, Kantoor XC60, Nkangala Distrik Munisipaliteit, Walter Sisulu Straat 2a, Middelburg, 1050; of
2. Die Munisipale Bestuurder, Posbus 17, Belfast, 1100; of afgelewer by die Beplanning en Ontwikkelingseenheid, Emakhazeni Plaaslike Munisipaliteit, Scheepers Straat 25, Belfast, 1100 of e-pos na municipality@emakhazenilm.co.za Kontak persoon: Walter Mtsweni: 013 253 7604

Enige persoon wat nie kan lees of skryf nie mag met enige personeellid van die bogenoemde kantore, gedurende kantoor ure raadpleeg en bystand sal aan sodanige persoon verleen word om die beswaar of kommentaar saam te stel.

Adres van agent: Nuplan Development Planners BK, Posbus 2555, Nelspruit, 1200. ☎ (013) 752 3422, 📧 (013) 752 5795, 📧 nuplan@mweb.co.za, Verw.: CALT-DS-009

17-24

PROVINCIAL NOTICE 19 OF 2017**MPUMALANGA TOWN PLANNING AND LAND RELATED LAWS REPEAL ACT, 2016
(ACT NO. 2 OF 2016)**

It is hereby notified that I, **David Dabede Mabuza**, in my capacity as Premier of the Mpumalanga Province, have, in terms of section 121 of the Constitution of the Republic of South Africa, 1996, assented to the Mpumalanga Town Planning and Land Related Laws Repeal Act, 2016. The Mpumalanga Town Planning and Land Related Laws Repeal Act, 2016 (Act No. 2 of 2016), is hereby published for general information.

D.D. MABUZA
PREMIER: MPUMALANGA PROVINCE
DATE: 30 January 2017

SLA8668M

MPUMALANGA PROVINCE



MPUMALANGA TOWN PLANNING AND LAND RELATED LAWS REPEAL ACT, 2016

As passed by the Mpumalanga Provincial Legislature on 29th of November 2016

(MEC FOR CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS)

[Act No. 2 of 2016]

MPUMALANGA TOWN PLANNING AND LAND RELATED LAWS REPEAL ACT, NO. 2 OF 2016

To provide for the repeal of Town Planning and Land Related Laws assigned to the Province; and to provide for matters connected therewith.

WHEREAS certain Town Planning and Land Related Laws, were duly assigned by the President to the Province by means of several Proclamations, and thereby becoming Provincial legislation of the Province;

AND WHEREAS the President has, on 5 August 2013, assented to the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013), which Act came into operation on 1 July 2015;

AND WHEREAS the Province is in the process of drafting the Mpumalanga Spatial Planning and Land Use Management Act, 2016, which Act will introduce a new planning regime within the Province and will also serve as the framework within which the various Municipalities in the Province should develop their own Planning By-Laws in terms of section 156(2) of the Constitution, 1996;

AND WHEREAS section 156(3) of the Constitution, 1996, provides that a By-Law that conflicts with National or Provincial legislation is invalid, thereby necessitating the repeal of the Town Planning and Land Related Laws, in a coordinated and phased manner in terms of section 4(2) of this Act, in order to ensure a smooth transition from the current planning dispensation applicable in the Province to the new planning dispensation;

NOW THEREFORE BE IT ENACTED by the Mpumalanga Provincial Legislature as follows:

1. Definitions. In this Act, unless the context otherwise indicates “**Province**” means the Province of Mpumalanga established in terms of section 103 of the Constitution of the Republic of South Africa, 1996;

2. Repeal of laws. The laws mentioned in the second column of the Schedule to this Act are hereby repealed to the extent indicated in the third column thereof.

3. Savings. The repeal of the laws mentioned in section 2 shall not –

- (a) revive anything not in force or existing in the Province at the time at which the repeal takes effect;
- (b) affect the previous operation of the law so repealed or anything duly done or suffered under the law so repealed;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the law so repealed; and
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against the law so repealed.

4. Short title and commencement. (1) This Act shall be called the Mpumalanga Town Planning and Land Related Laws Repeal Act, 2016 and shall come into operation on a date fixed by the Premier by Notice in the *Provincial Gazette*.

(2) Different dates may be so determined in respect of different Laws and different provisions thereof, as referred to in the Schedule to this Act.

SCHEDULE

Year and number of Act	Short title of Act	Extent of repeal
Proclamation No. R. 293 of 1962	Regulations for the Administration and Control of Townships in Black Areas	To the extent assigned
Act No. 84 of 1967	Removal of Restrictions	To the extent assigned
Act No. 88 of 1967	Physical Planning	To the extent assigned
Act No. 4 of 1984	Black Communities Development	To the extent assigned
Ordinance No. 15 of 1986	Town Planning and Townships Ordinance	To the extent assigned
Ordinance No. 20 of 1986	Division of Land Ordinance	To the extent assigned
Government Notice No. R. 1897 of 1986	Regulations Relating to Township Establishment and Land Use	To the extent assigned
Act No. 108 of 1991	Abolition of Racially Based Land Measures	To the extent assigned
Act No. 113 of 1991	Less Formal Township Establishment	To the extent assigned

Mpumalanga Town Planning and Land Related Laws Repeal Act, No. 2 of 2016

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 16 OF 2017**LOCAL AUTHORITY NOTICE 11/2017****GOVAN MBEKI MUNICIPALITY AMENDMENT SCHEME 110**

It is hereby notified in terms of Chapter 5 and 6 of the Govan Mbeki Spatial Planning and Land Use Management By-law, 2016, that the Govan Mbeki Municipality approved the amendment of the Govan Mbeki Municipality Amendment Scheme 110 of 2010, by the rezoning of Erf 5866 Secunda Ext 16, from "Public Open Space/Park" to Medium Density Residential.

Copies of the amendment scheme are filed with the Director: Planning and Development, Secunda and the office of the Municipal Manager, Central Business Area, Secunda, and are open for inspection at all reasonable times.

This amendment scheme is known as the Govan Mbeki Municipality Amendment Scheme 110 of 2010 shall come into operation on date of publication hereof.

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

MR. MF MAHLANGU, Municipal Manager

Govan Mbeki Municipality, Private Bag x 1017, Secunda 2302

17-24

PLAASLIKE OWERHEID KENNISGEWING 16 VAN 2017**LOCAL AUTHORITY NOTICE 11/2017****GOVAN MBEKI MUNICIPALITY AMENDMENT SCHEME 110**

Hiermee word ooreenkomstig die bepalings van Hoofstuk 5 en 6 van die Govan Mbeki Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2016, dat die Govan Mbeki Munisipaliteit goedgekeur het dat die Govan Mbeki Munisipaliteit Wysigingskema 110 van 2010, deur die hersonering van : Erf 5866 Secunda Uitbreiding 16, vanaf "Openbare Oop Ruimte / Park" tot Medium Digtheid Residensiële.

Afskrifte van die wysigingskema word in bewaring gehou deur die Direkteur: Beplanning en Ontwikkeling, Secunda en die kantoor van die Munisipale Bestuurder, Sentrale Besigheidsgebied, Secunda, en is beskikbaar vir inspeksie op alle redelike tye.

Hierdie wysiging staan bekend as die Govan Mbeki Munisipaliteit Wysigingskema 110 van 2010 in werking op datum van publikasie hiervan.

'N afskrif van hierdie kennisgewing sal in Engels of Afrikaans vir almal versoek soos skriftelik binne 30 dae van hierdie kennisgewing.

MR. MF MAHLANGU, Munisipale Bestuurder

Govan Mbeki Municipality, Private Bag x 1017, Secunda 2302

17-24

LOCAL AUTHORITY NOTICE 17 OF 2017

Lekwa Local Municipality**INVITATION FOR PUBLIC PARTICIPATION**

The Lekwa Local Municipality hereby gives notice that according to the Municipal Systems Act 2000 (Act 32 of 2000) read in conjunction with Section 20(3) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) commonly known as SPLUMA, that it is in the process of reviewing its Spatial Development Framework (SDF) which is the core component of the Integrated Development Plan (IDP). In keeping with the provisions of Chapter 4 of the Municipal Systems Act, 2000, the general public and all interested and affected parties are invited to participate in the processing of drafting the Spatial Development Framework.

The purpose of the SDF is to set out objectives that reflect the desired spatial form of the municipality and contains strategies and policies regarding the manner in which to achieve the objectives.

A copy of the draft SDF and its accompanying documents will be open for inspection and comments by the interested members of the public or organisations at the Records Office of the Lekwa Local Municipality between 7h30 and 16h15, situated at c/o Dr Beyers Naude & Mbonani Mayisela Street, Standerton, 2430. Written comments and contact details may be lodged via any of the following mediums, addressed to the Municipal Manager, Attention: Itumeleng Mashishi, Town Planner. Comments should be provided within 60 days from the first day of publication of this notice.

Tel : 017 714 6102/ 017 712 9600
Fax : 017 793 3206
Postal Address : P O Box 66, Standerton, 2430
E-mail : admin@lekwalm.gov.za or itu.mashishi@gmail.com

MR. L. B. TSHABALALA
MUNICIPAL MANAGER

NOTICE NO:

uMasipala waseLekwa



SIMEMA UMPHAKATHI UKUBA UBAMBE IQHAZA

UMaspala waseLekwa ukhipha isaziso ngokugunyazwa ngumthetho (Municipal System Act 32 of 2000) ufundwa ngokuhlanganyela nesigaba 20(3) soMthetho Spatial Planning and Land Use Management Act 16 of 2013, ngokujwayelekile ubizwa nge-SPLUMA, ogunyaza uMaspala ukuthi uma unezihlelo zokuguqula i-Spatial Development Framework (SDF) eyinsika yokusebenza kwe- Integrated Development Plan (IDP). Ngokulandela iziyalo zesigaba (Chapter 4 of the Municipal Systems Act) ongunyaza ukumenywa kwamalunga omphakathi nabobonke abathintekayo ukuba babambe iqhaza kuhlelo lokuqhophisa i(Spatial Development Framework).

Inhloso nqangi ye SDF ukubeka phambili izinhla ezibalulekile ku fomu (Spatial Form) likamaspala eliphethe izidlelakanye nemthetho osentshenziswayo ukuze konke okwenziwayo kube impumelelo.

Uma amalunga omphakathi efuna ukuhlola okuqukethwe iDraft SDF noma Efuna ukufaka umbono ayanXuswa ukuba ayaye emaHhovisi kaMaspala (Records Office) kusukela ngo 06h30 kuya ku 16h30, kulelikheli c/o Dr Beyers Naude & Mbonani Mayisela Street, Standerton 2430. Imibono nezincwadi zingathunyelwa kuMenenja kamaspala, ibhekiswe kuNkosazana Itumeleng Mashishi, Town Planner. Imibono nezincomo zingafakwa ezinsukwini ezingu 60 kusukela ngosuku lokuqala kuphume lesimemo.

inombolo yocingo : 017 714 6102
iFeksi : 017 793 3206
ikheli le posi : P O Box 66, Standerton, 2430
Ikheli le-email : admin@lekwalm.gov.za
Contact person : Itumeleng Mashishi

.....
MR. L. B. TSHABALALA
MUNICIPAL MANAGER

NOTICE NO: 36

LOCAL AUTHORITY NOTICE 18 OF 2017

**DR PIXLEY KA ISAKA SEME LOCAL
MUNICIPALITY TARIFF BY-LAW****1. PREAMBLE**

1. Section 229(1) of the Constitution authorizes 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 authorized by national legislation, other taxes, levies and duties.
2. In terms of section 74(1) of the Municipal 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 Municipal 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 Municipal 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 Municipal 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 Municipal 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

"Municipality" means the Dr Pixley Ka Isaka Seme Local Municipality

"Municipal 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 policy" means the municipality's Credit Control and Debt Collection Policy as stipulated by section 96(b) and 97 of the Municipal Systems Act.

"Municipal 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 services provided by the municipality.

3. ADOPTION AND IMPLEMENTATION OF TARIFF BY-LAW

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 Municipal 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 the 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 Municipal 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 the 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 mechanism, 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 Tariff Policy shall be enforced through the Credit Control and Debt Collection Policy and any further enforcement mechanisms stipulated in the municipality's Tariff Policy.

6. SHORT TITLE

This By-Law shall be called the Dr Pixley Ka Isaka Seme Local Municipality Tariff By-Law.

7. OPERATIVE DATE

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

LOCAL AUTHORITY NOTICE 19 OF 2017**VICTOR KHANYE LOCAL MUNICIPALITY
DELMAS AMENDMENT SCHEME 136/2007**

It is hereby notified in terms of the provisions of Section 57(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) that the Victor Khanye Local Municipality have approved the amendment of the Delmas Town Planning Scheme, 2007, by the rezoning of Holdings 268 and 269 Modder East Orchards Agricultural Holdings from "Agricultural" to "Special", for a gas storage / distribution facility, inclusive of a truck yard, subservient offices and dwelling house, subject to certain restrictive measures.

Map 3 and the scheme clauses of the amendment schemes are filed with the Municipal Manager of the Victor Khanye Local Municipality and the Department of Co-Operative Governance & Traditional Affairs, Nelspruit.

This amendment scheme is known as Delmas Amendment Scheme 136/2007 and shall come into operation on date of publication of this notice.

MJ MAHLANGU, MUNICIPAL MANAGER
Victor Khanye Local Municipality, PO Box 6, DELMAS, 2210
(Ref No. HS 2488)

LOCAL AUTHORITY NOTICE 20 OF 2017

DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY, hereby, in terms of section 6 of the Local Government: Municipality Property Rates Act, 2004, has by way of (No of the resolution) adopted the Municipality's Property Rates By-Law set out hereunder.

DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY**PROPERTY RATES BY-LAW****PREAMBLE**

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

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

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

NOW THEREFORE BE IT ENACTED by the Council of **DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY**

1. DEFINITIONS

In this by-laws, any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (Act No.6 of 2004), shall bear the same meaning unless the context indicates otherwise.

'Municipality' means DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY

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

'Rates Policy' means the policy on the levying of rates on rateable properties of the DR PIXLEY KA ISAKA SEME MUNICIPALITY contemplated in chapter 2 of the Municipal Property Rates Act.

2. OBJECTS

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

3. ADOPTION AND IMPLEMENTATION OF RATES POLICY

- 3.1 The Municipality shall adopt and implement its Rates Policy consistent with the Municipal Property Rates Act on the levying rates on rateable property within the jurisdiction of the municipality; and
- 3.2 The Municipality shall not be entitled to levy rates other than in terms of its Rates Policy.

4. CONTENTS OF RATES POLICY

The Rates Policy shall, *inter alia*:

- 4.1 Apply to all rates levied by the Municipality pursuant to the adoption of its Annual Budget;
- 4.2 Comply with the requirements for:
 - 4.2.1 the adoption and contents of rates policy specified in section 3 of the Act;
 - 4.2.2 the process of community participation specified in section 3 of the Act; and
 - 4.2.3 the annual review of Rates Policy specified in section 5 of the Act.
- 4.3 Provide for principles, criteria and implementation measures that are consistent with the Municipal Property Rates Act for the levying of rates which the Council may adopt; and
- 4.4 Provide for enforcement mechanism that are consistent with the Municipal Property Rates Act and the Local Government; Municipal system act, 2000 (Act No.32 of 2000).

5. ENFORCEMENT OF THE RATES POLICY

The Municipality's Rates Policy shall be enforced through the Credit and debt Collection Policy and any further enforcement mechanisms stipulated in the Act and the Municipality's Rates Policy.

6. SHORT TITLE AND COMMENCEMENT

This By-Law is called the Dr Pixley Ka Isaka Seme Local Municipality Property Rates By-Laws, and takes effect on promulgation.

LOCAL AUTHORITY NOTICE 21 OF 2017**VICTOR KHANYE LOCAL MUNICIPALITY
DELMAS AMENDMENT SCHEME 146/2007**

It is hereby notified in terms of the provisions of Section 66(5) of the Victor Khanye Local Municipality By-Laws on Spatial Planning and Land Use Management, 2015, that the Victor Khanye Local Municipality has approved the amendment of the Delmas Town Planning Scheme, 2007, by the rezoning of Erf 545 Delmas Extension 2 from "Residential 1" to "Business 2", with the inclusion of a purified water outlet, subject to certain restrictive conditions.

Map 3 and the scheme clauses of the amendment schemes are filed with the Municipal Manager of the Victor Khanye Local Municipality and the Department of Co-Operative Governance & Traditional Affairs, Nelspruit.

This amendment scheme is known as Delmas Amendment Scheme 146/2007 and shall come into operation on date of publication of this notice.

MJ MAHLANGU MUNICIPAL MANAGER
Victor Khanye Local Municipality, PO Box 6, DELMAS, 2210
(Ref No. HS 2629)

LOCAL AUTHORITY NOTICE 22 OF 2017**VICTOR KHANYE LOCAL MUNICIPALITY
DELMAS AMENDMENT SCHEME 143/2007**

It is hereby notified in terms of the provisions of Section 66(5) of the Victor Khanye Local Municipality By-Laws on Spatial Planning and Land Use Management, 2015, that the Victor Khanye Local Municipality have approved the amendment of the Delmas Town Planning Scheme, 2007, by the rezoning of the Remainder of Erf 726 Delmas Extension 2 from "Residential 1" to "Business 1", with the inclusion of a beauty and hair salon, subject to certain restrictive conditions.

Map 3 and the scheme clauses of the amendment schemes are filed with the Municipal Manager of the Victor Khanye Local Municipality and the Department of Co-Operative Governance & Traditional Affairs, Nelspruit.

This amendment scheme is known as Delmas Amendment Scheme 143/2007 and shall come into operation on date of publication of this notice.

MJ MAHLANGU MUNICIPAL MANAGER
Victor Khanye Local Municipality, PO Box 6, DELMAS, 2210
(Ref No. HS 2618)

LOCAL AUTHORITY NOTICE 23 OF 2017**DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY
CREDIT CONTROL AND DEBT COLLECTION BY-LAWS****INDEX**

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CHAPTER 1 DEFINITIONS AND APPLICATION

1. Definitions

1. In these By-laws any word or expression to which a meaning has been assigned in the Act bears the same meaning, and unless the context otherwise indicates –

"account" means a notification by means of a statement of account to a person liable for payment of any amount for which he or she is liable to pay the Council in respect of the following:

- (a) Electricity consumption or availability fees based on a meter reading or estimated consumption;
- (b) water consumption or availability fees based on a meter reading or estimated consumption;
- (c) refuse removal and disposal;
- (d) sewerage services and sewer availability fees;
- (e) rates;
- (f) interest; and
- (g) miscellaneous and sundry fees and collection charges;

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

"authorised official" means any official or agent of the Council who has been authorised by it to administer, implement and enforce the provisions of these By-laws;

"availability fee" means a fee as contemplated in sections 81(1), 83(1)(c) and 141(b) of the Local Government Ordinance, 1939 (Ordinance No. 17 of 1939), or any other law;

"by-law" means a by-law adopted and promulgated by the Council;

"Municipal Manager" means —

- (a) the person appointed by the Council as the Municipal Manager in terms of section 82 of the Local Government : Municipal Structures Act, 1998 (Act No. 117 of 1998), and includes any person acting in that position; or
- (b) in relation to a service provider referred to in paragraph (d) of the definition of "Council", the chief executive officer of that service provider.

"collection charges" means charges which may be recovered by the Council in terms of section 75A of the Act, and includes the cost —

- (a) of reminding customers of arrears;
- (b) for the termination, restriction and reinstatement of municipal services;
- (c) of any notice rendered, sent or delivered in terms of these By-laws; and
- (d) all legal costs, including attorney and client costs, incurred in the recovery of arrear amounts;

"Connection" means the point at which a customer gains access to municipal services

"Council" means —

Pixley Ka Isaka Seme Local Municipality established in terms of section 12(1) read with section 14(2) of the Local Government: Municipal Structures Act, 1998 (Act no 117 of 1998) and promulgated in Notice 229 of 2000 and amended in Notice No 313 of 2003;

"customer" means any occupier of premises to which the Council has agreed to provide or is actually providing any municipal service, or if there is no occupier, the owner of the premises concerned;

- "Customer management"** means the focusing on the account holders needs in a responsive and proactive way to encourage payment thereby limiting the need for enforcement
- "domestic customer"** means a customer who uses municipal services primarily for domestic purposes
- "Estimated consumption"** means the consumption that a customer, whose consumption is not measured or accurately measured during a specific period is deemed to have consumed during a specific period, based on an estimate by the municipality on rational grounds such as the average consumption of municipal services by the users of a service within the area where the service is rendered or the average consumption of municipal services by the customer during a prior or later period
- "fee"** means a fee prescribed for or in respect of any municipal service;
- "Household"** means a family unit, as determined by the municipality as constituting a household by taking into account the number of persons comprising a household, the 5 relationship between the members of a household, the age of the persons who are members of it and any other factor that the municipality consider to be relevant
- "Meter"** means any water meter, electricity meter or device that enables the quantity of services provided to be measured and includes a pre-payment meter
- "municipal service"** means any or all of the services provided by the municipality including refuse removal, water supply, sanitation and electricity
- "occupier"** means any person who occupies any premises or part thereof, without regard to the title under which he or she so occupies;
- "owner"** —
- (a) in relation to a property referred to in paragraph (a) of the definition of "property", means a person in whose name ownership of the property is registered;
 - (b) in relation to a right referred to in paragraph (b) of the definition of "property", means a person in favour of whom the right is registered;
 - (c) in relation to a right referred to in paragraph (c) of the definition of "property", means a person in favour of whom the right is registered or to whom it was granted in terms of any law; and
 - (d) in relation to public service infrastructure referred to in paragraph (d) of the definition of "property", means the organ of state which owns or controls that public service infrastructure, and includes a person who the Council may for the purpose of these By-laws regard as the owner of a property in the following cases:
 - (i) A trustee, in the case of a property in a trust excluding state trust land;
 - (ii) an executor or administrator, in the case of a property in a deceased estate;
 - (iii) a trustee or liquidator, in the case of a property in an insolvent estate or the owner of which is in liquidation;
 - (iv) a judicial manager, in the case of a property in the estate of a person under judicial management;
 - (v) a curator, in the case of a property in the estate of a person under curatorship; (vi) a person in whose favour a usufruct or other personal servitude is registered, in the case of the property that is subject to a usufruct or other personal servitude;

- (vii) a lessee, in the case of a property that is registered in the name of the Council and is let by it; or 6
- (viii) a buyer, in the case of a property that was sold by the Council and of which possession was given to the buyer pending registration of ownership in the name of the buyer;

"Policy" means the Credit Control and Debt Collection Policy adopted by the Council;

"prescribed" means prescribed by the Council from time to time, by resolution; Prepayment is a device that include a mechanism that limits the volume of service supplied to a customer to a predetermined free amount per month and or an amount in proportion to the amount prepaid by the customer

"premises" means any piece of land, with or without any building or structure thereon, the external surface boundaries of which are delineated on —

- (a) a general plan or diagram registered in terms of the Land Survey Act, 1927 (Act No. 9 of 1927), or in terms of the Deeds Registry Act, 1937 (Act No. 47 of 1937); or
- (b) a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act No. 95 of 1986), which is situated within the area of jurisdiction of the Council;

"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 favour of a person, excluding a mortgage bond registered against the property;
- (c) a land tenure right registered in favour of a person or granted to a person in terms of any law; or
- (d) public service infrastructure;

"rates" means a municipal rate on property levied in terms of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), or any prior law;

Unauthorized services includes, but is not limited to-

- a) Services itself that was not approved
- b) The installation, by means of which access to the service was gained, was made by an unauthorized person
- c) The fittings or other components are not approved
- d) The service was utilized for an unapproved use

"Working day" means a day, other than a Saturday, Sunday or public holiday

2. Application of By-laws

- (1) These By-laws only apply in respect of amounts of money due and payable to the Council for —
 - (a) rates;
 - (b) fees, surcharges on fees in respect of the following municipal services:
 - (i) The provision of water and the availability thereof;
 - (ii) refuse removal and disposal;
 - (iii) sewerage and the availability thereof; and
 - (iv) electricity consumption and the availability thereof;

- (c) interest which has or will accrue in respect of any amount of money due and payable or which will become due and payable to the Council in regard to rates and municipal services; and
- (d) collection charges;
- (2) These By-laws also apply to any municipal service provided through pre-paid meters, in so far as the By-laws may be relevant.

CHAPTER 2

SERVICE AGREEMENTS AND GENERAL TERMS AND CONDITIONS OF PROVISIONS OF MUNICIPAL SERVICES

3. Provision of municipal services to applicants

- (1) No municipal service may be provided to any applicant, unless and until
 - (a) application for the service has been made in writing on a form substantially similar to the form prescribed;
 - (b) any information and documentation required by the Council have been furnished;
 - (c) a service agreement, in the form substantially similar to the form of agreement prescribed, has been entered into between the customer and the Council; and
 - (d) an amount equal to the amount prescribed, in cash or a bank cheque, has been deposited as security or other acceptable security, as prescribed, has been furnished.
- (2) If an applicant for a municipal service is an existing customer of the Council in respect of any other municipal service in respect of which the account is in arrears —
 - (i) such arrears must be paid; or
 - (ii) an agreement for payment of the arrears in terms of section 22 must have been entered into and payment in terms thereof must not be in arrears, before an application for a new service in terms of this section may be considered.
- (3) The Council may at any time require a customer to increase a deposit paid or security furnished in terms of subsection (1)(d);
- (4) No interest is payable on any amount deposited in terms of subsection (1)(d) or (3).

4. General terms and conditions for the provision of municipal services

The general terms and conditions for the provision of any municipal service set out in a service agreement contemplated in section 3(1)(c) are deemed to be incorporated in these Bylaws and apply to the provision of such service to any customer.

5. Estimated consumption

The Council may have an estimate made of the consumption of water or electricity for any relevant period if —

- (a) no meter reading could be obtained in respect of the period concerned; or
- (b) no meter has been installed to measure the consumption on the premises concerned, and the customer concerned is liable for payment of the prescribed fee in respect of such estimated consumption.
- (c) When it is convenient and cost effective

6. New service agreements and deposits or security by existing customers

- (1) Any existing customer, or the trustee, liquidator, judicial manager or curator of such customer, may be required by the Council to enter into a new service agreement to replace an existing agreement of the customer concerned, and to pay a deposit or furnish security contemplated in section 3, notwithstanding the fact that a service agreement was previously entered into in respect of the municipal service concerned and the provisions of section 3(3) apply in respect of such new agreement.
- (2) if there is an outstanding debt on the property, this debt must be settled in full or suitable payment arrangements must be made by the owner of the property before any customer/owner is registered for services
- (3) Customers who fail to register and who illegally consume services will be subjected to such administrative, civil or criminal action as the Municipality deems appropriate
- (4) Where the purpose for or extent to which any municipal services used is changed, the onus and obligation is on the customer/owner to advise the Municipality of such change
- (5) Municipality may appropriate a customer's deposit on any account related to the customer.
- (6) If the customer is in arrears deposit may be increased/reviewed from time.
- (7) Municipality may utilize the consolidated deposit as security.
- (8) Residential-The Municipality must register owners only for services on their properties. Tenant registration currently in place will continue until the tenant vacates, the account is closed or the Municipality cancels the contract of the tenant.
- (9) Business-The Municipality will continue to register tenants for services and must provide the Municipality with their registration documents including Tax and Vat Registration.
- (10) Government -The Municipality will continue to register tenants for services. The respective Government departments shall be held liable for the debts on their property.
- (11) Sundry Account- The customer must provide the Municipality with a municipal account number, if the customer does not have an existing Municipal account, then a new account must be create .

7. Termination of service agreements

- (1) Subject to the provisions of sections 14 and 22 —
 - (a) a customer may terminate an agreement for the provision of any municipal service by notice in writing of not less than seven days' to the Council, of his or her intention to do so;
 - (b) the Council may, subject to compliance with the provisions of these By-laws and any other applicable law, by notice in writing of not less than 14 days, to a customer, terminate his or her agreement for the provision of the municipal service concerned, if the customer -
 - (i) has not used the municipal service during the preceding six months and has not made arrangements to the satisfaction of the Council for the continuation of the agreement; or

- (ii) has, in relation to the municipal service concerned, failed to comply with any provision of these By-laws and has failed to rectify such failure after the service on him or her of a notice of compliance in terms of section 8;
 - (iii) has failed to pay any prescribed fee, collection charge or interest due and payable in respect of the municipal service concerned; or
 - (iv) has made an arrangement with another services provider to provide the municipal service concerned to the customer; or
 - (v) has vacated the premises to which the agreement concerned relates.
- (2) A customer to whom notice has been given in terms of subsection (1)(b), may within the period of 14 days referred to in that subsection, make written representations to the Council why the agreement concerned should not be terminated and if such representations are unsuccessful, either wholly or in part, the agreement concerned may only be terminated if the decision on such representations justifies it.

8. Notices of compliance

If a customer fails or refuses to comply with any provision of these By-laws, a notice of compliance must be served on that customer, requesting him or her, subject to the provisions of section 7(2), to forthwith comply with the provision concerned to avoid the termination of his or her agreement in terms of section 7(1)(b)(ii).

CHAPTER 3 ACCOUNT ADMINISTRATION

9. Application and Registration for Municipal Services and accounts

- (1) No person shall be provided with access to a municipal service and new account application unless-
 - (a) Applicant is the property owner in
 - (b) An application has been made in writing to the municipality on an approved form substantially similar to the prescribed form
 - (c) All information and documentation indicated on the application form or that has been separately requested by the municipal
- (2) Accounts must be rendered and administered in accordance with the Policy, other prescribed requirements and any other law.
- (3) Failure by the Council to render an account does not relieve a customer of the obligation to pay any amount that is due and payable in terms of these By-laws.
- (4) The Council may, in accordance with the provisions of section 102 of the Act —
 - (a) consolidate any separate accounts of a customer liable for payments in terms of these By-laws to the Council;
 - (b) credit any payment by such customer against any account of that customer; and

- (c) implement any of the debt collection and credit control measures provided for in these By-laws in relation to any arrears on any of the accounts of a customer.
- (5) The amount due and payable by a customer constitutes a consolidated debt, and any payment made by a customer of an amount less than the total amount due, will, subject to the provisions of section 20(1), be allocated in reduction of the consolidated debt in the order prescribed.
- (6) (a) Any amount paid by a customer in excess of an existing debt may be held in credit for the customer in anticipation of future rates and fees for municipal services or for the purposes contemplated in section 15(b).
- (b) No interest is payable on any amount contemplated in paragraph (a)
- (c) the owner of the property may be held liable for tampering with the electricity metering equipment or the water metering equipment on the property as well as charges that arise there from regardless of an existing tenant in place

10. Account information

Accounts must contain the following —

- (a) the consumption or estimated consumption as determined for the measuring or consumption period;
- (b) the measuring or consumption period;
- (c) the applicable prescribed fee;
- (d) the amount due based on the estimated consumption;
- (e) the amount due and payable for any other municipal service;
- (f) the amount in arrears, if any;
- (g) the interest payable on any arrears, if any;
- (h) collection charges insofar as they may be relevant;
- (i) the final date for payment; and
- (j) the methods, places and approved agents where payment may be made.

11. Account administration

The Council must, subject to the provisions of section 5, endeavour to ensure —

- (a) accurate metering of consumption at fixed intervals with the minimum delay between service connection and first and subsequent rendering of accounts;
- (b) accurate and up-to-date information in accounts;
- (c) accurate monthly accounts with the application of the appropriate and correct prescribed fees, rates and other related amounts due and payable;
- (d) the timely dispatch of accounts;
- (e) adequate provision and the efficient operation of facilities for payment throughout the municipal area;
- (f) the appointment of agents to accept payments on behalf of the Council; and
- (g) appropriate hours of business in order to facilitate account payments.

12. Queries or complaints in respect of accounts

- (1) a customer who dispute an account must submit each dispute in writing to the person appointed by the municipality to deal with disputes(hereinafter referred to as "authorized delegate), stating the reasons for such dispute and any relevant facts, information or representation which the authorized delegate should consider to resolve the dispute.
- (2) The dispute must be submitted within 30 days of the account. If a dispute is raised after this period it will be treated as a query the account will not be suspended and normal control procedures will apply.
- (3) The dispute must relate to a specific amount on the account. Amounts not in dispute must be paid in full. If the amounts not in dispute remains unpaid, services may be disconnected.
- (4) Queries are not regarded as a dispute.
- (5) Proven Tampering charges are not regarded as a dispute.
- (6) The authorized delegate or his nominee may hear representations from customers who dispute an account and her/his nominee may take a decision, based on the spirit of the policy.
- (7) A dispute submitted above shall not stop or defer the continuation of any legal procedure already instituted for the recovery of arrear payment relating to such dispute.
- (8) The customers has the right to appeal to the CFO or his assign against decision of the authorized delegate. The CFO or his assign my hear representation and make a decision that is binding.
- (9) A person whose rights are affected by the decision of the CFO may appeal against that decision within 21 days of the date of notification of the decision to the Municipal Manager.
- (10) Objections and Appeals on property valuations do not stay or defer Credit Control and Debt Collection procedures.
- (11) Disputes regarding the General Valuation Roll must be submitted to the income section in the form of an objection or appeal as envisaged by section 50 and 54 of the MPRA. The account must be paid in full until an objection or appeal outcome is reached where after the account will be credited or debited accordingly.

13. Appeals against decision by service providers on queries and complaints

- (1) If a decision contemplated in section 12(5) has been made in respect of a municipal service provided by a service provider referred to in paragraph (d) of the definition of Council in section (1), a customer may lodge an

appeal against that decision by giving written notice of the appeal and reasons to the chief executive officer of the service provider concerned, within 21 days of the date of the notification of the decision

- (2) The chief executive officer must promptly submit the appeal to the appropriate appeal authority specified in subsection (4).
- (3) The appeal authority must consider the appeal, and confirm, vary or revoke the decision, but no such variation or revocation may detract from any rights that may have accrued as a result of the decision.
- (4) If an appeal is against a decision taken by —
 - (a) a staff member, other than the chief executive officer, the chief executive officer is the appeal authority;
 - (b) the chief executive officer or any committee of the service provider —
 - (i) the board of directors of the service provider; or
 - (ii) a committee of directors who were not involved in the decision concerned and appointed by the board of directors for this purpose, is the appeal authority.
- (5) An appeal authority contemplated in subsection (4), must commence with an appeal within 42 days and decide the appeal within a reasonable period.
- (6) A service provider must comply with the provisions of section 12(7).

14. Arrear accounts

- (1) If a customer fails to pay an amount due and payable for any municipal service or rates on or before the due date for payment specified in the account concerned, a final demand notice may be sent to the customer.
- (2) Failure by the Council to send a final demand notice does not relieve a customer from paying the arrears concerned.
- (3) A final demand notice referred to in subsection (1), must contain the following:
 - (a) The amount in arrears and any interest payable, and a statement that payment must be made within 14 days of the date of the final demand notice;
 - (b) that the customer may in terms of section 22, conclude a written agreement with the Council for payment of the amount in arrears in instalments within the period contemplated in paragraph (a);
 - (c) that if no such agreement is entered into within the period stipulated in paragraph (b), that the water or electricity services may be terminated or restricted and that legal action may be instituted for the recovery of any amount in arrear without further notice;
 - (d) that the customer's name may be made public, and may be listed with a credit bureau in terms of section 21(1)(a);
 - (e) that the account may be handed over to a debt collector or attorney for collection;

- (f) that proof of registration as an indigent person in terms of section 25 and any other documentation required by the Council must be furnished to the Council on or before the date for payment contemplated in paragraph (a);
- (g) that an indigent person referred to in paragraph (f) is only entitled to benefits relating to municipal services as stipulated in the Council's policy relating to the supply of municipal services to indigent persons; and
- (h) that the customer has an opportunity to make representations in writing on any matter referred to in a final demand notice within the period of 14 days contemplated in paragraph (a).

15. Action to secure payment

The Council may, in addition to the normal civil legal steps to secure payment of any in arrear amount of accounts, take the following action to secure payment of such amount:

- (a) The termination or restriction of the provision of any municipal service in terms of section 16; and
- (b) the allocation of the whole or a portion of a payment of an account, or the whole or a portion of a pre-payment for future accounts as contemplated in section 9(5)(a), as payment for arrear municipal service fees or rates, in terms of section 20.

16. Power to terminate or restrict provision of municipal services

- (1) For the purposes of subsection (2), a final demand notice means a notice contemplated in sections 12(5)(b), 12(7), 13(6) and 14(1).
- (2) Subject to the provisions of subsection (4), the Council may terminate or restrict the provision of water or electricity, or both, whichever service is relevant, in terms of the prescribed termination and restriction procedures, to any premises if the customer in respect of the municipal service concerned —
 - (a) fails to make full payment of arrears specified in a final demand notice sent to the customer concerned, before or on the date for payment contemplated in sections 12(5)(b), 12(7), 13(6) or 14(1), whichever is applicable, and no circumstances have arisen which requires the Council to send a further final demand notice to that customer in terms of any of those sections, and the customer —
 - (i) fails to enter into an agreement in terms of section 22, in respect of the arrears concerned before termination or restriction of the service concerned; or
 - (ii) fails to submit written proof of registration as an indigent person in terms of section 25, before such termination or restriction;
 - (b) fails to pay any instalment payable in terms of an agreement referred to in paragraph (a)(i) before or on the due date;
 - (c) fails to comply with any condition of provision in respect of electricity or water, as the case may be, imposed by the Council;
 - (d) obstructs the efficient provision of electricity or water to another customer;
 - (e) provides electricity or water to a person who is not entitled thereto or permits such

- provision to continue;
- (f) causes a situation relating to electricity or water which, in the opinion of the Council, is dangerous or constitutes a contravention of any applicable law, including the common law;
 - (g) in any way reinstates the provision of a previously terminated or restricted electricity or water service;
 - (h) is placed under provisional sequestration, liquidation or judicial management, or commits an act of insolvency in terms of the Insolvency Act, 1936 (Act No. 24 of 1936) or is subject to an administration order granted in terms of section 74 of the Magistrates Court Act, 1944 (Act No. 32 of 1944), and there is a failure to enter into a new service agreement within 14 days of the Council requiring such service agreement in terms of section 6.
 - (i) Municipality may issue disconnection notice or disconnection notice can be printed with monthly invoice
- (3) The Council may send a termination notice to a consumer informing him or her —
- (a) that the provision of the service concerned will be, or has been terminated on the date specified in such notice; and
 - (b) of the steps which can be taken to have the service reinstated.
- (4) Any action taken in terms of subsections (1) and (2) is subject to compliance with:
- (a) sections 3 and 4 of the Water Services Act, 1997 (Act No. 108 of 1997), if the provision of water is involved;
 - (b) the relevant provisions of the Electricity Act, 1987 (Act No. 41 of 1987), if the provision of electricity is involved;
 - (c) the relevant provisions of the Health Act, 1977, (Act No. 63 of 1977), and any regulations made in terms of that Act; and
 - (d) the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), in so far as it is applicable.

17. Reinstatement of municipal services

- (1) The Council must reinstate full levels of provision of any electricity or water service terminated or restricted in terms of section 16(1) after —
- (a) the full amount of arrears, including interest and collection charges, if any, have been paid; or
 - (b) an agreement for payment of the arrears contemplated in paragraph (a) has been entered into in terms of section 22; or
 - (c) the full amount of arrears in respect of any agreement referred to in paragraph (b), including interest and collection charges if any, and any increase deposit, have been paid, or any additional security required has been provided, and any other condition of the Policy that the Council may consider appropriate, has been complied with.
- (2) Any reinstatement in terms of subsection (1) may only be done after an authorised official has issued a written certificate of authorisation to the effect that every applicable condition contemplated in subsection (1) has been complied with and that the municipal service concerned may be reinstated.

18. Interest charges

- (1) All arrears in respect of accounts for rates and municipal services bear interest at a rate prime plus 3%

- (2) Interest shall accrue 30 days from the date of the account on unpaid accounts. Interest shall accrue for each completed month in respect of any arrears remaining unpaid after 30 days of the account. Apart of the month shall be deemed to be a completed month
- (3) Interest charges are raised on arrears which appear on the accounts
- (4) Payments on assessed/estimated charges, where the final amount has not been determined but which would have been due and payable had amount been determined, shall attract interest from the date when it would have been so due and payable, i.e. 30 days from account
- (5) Interest may only be reversed under the following circumstances
 - Exemption's determined by this By-Law from time to time
 - If the Municipality has made an administration error on the account; and
 - Where the municipality approves such reversal from time to time
- (6) An administration charge as determined by the Resolution of the Municipal Council shall be levied on arrear rates where the Municipality has instituted legal action by service of summons, to recover same

19. Collection charges

A prescribed collection charge may be levied against the account of a customer, in respect of any relevant action taken in terms of, or for the purposes of, these By-laws.

20. Full and final settlement of an amount

- (1) The Council may appropriate monies received in respect of any debt contemplated in these By-laws at its sole discretion, unless the customer otherwise instructs in writing.
- (2) If any amount due and payable to the Council in terms of these By-laws has not been paid in full, any lesser amount tendered to and accepted by any municipal employee, does not constitute payment in full and final settlement of the full amount, unless the lesser amount was accepted in full and final settlement in writing, under a power delegated or sub-delegated to such employee in terms of section 59 of the Act.

21. Accounts outstanding after the due date

- (1) If an account for property rates or any municipal service is rendered to a customer remains unpaid, wholly or in part, after the due date for payment stipulated in the account concerned —
 - (a) The defaulting customer's name may be made public, and may be listed with a credit bureau; and
 - (b) May be handed over to a debt collector or an attorney for collection.
 - (c) Arrears on rates and services or any other consolidated debt may result in disconnection of ANY service or with-holding use of municipal facilities
 - (d) A disconnection penalty fee will be raised on all accounts printed for disconnection (disconnection fee must be paid upfront before services are restored)

- (e) A reconnection fee will be raised on reconnection of services. Reconnection fee must be paid upfront before services are restored
 - (f) Any official or contractor appointed by the Municipality for the purposes set out herein, may at all reasonable times enter any premises to which services are supplied by the Municipality in order to inspect, wires any apparatus used for the supply of services and belonging to the municipality, for the purpose of ascertaining the quantity of services supplied or consumed or to disconnect or terminate such supply or remove any apparatus belonging to the Municipality
- (2) A customer is liable for any interest and collection charges and in addition payment of a higher deposit or the provision of additional security, if required by the Council.
 - (3) No action taken in terms of this section may be suspended or withdrawn, unless the arrears, any interest thereon, collection charges, and higher deposit, if required by the Council, have been paid in full or, instead of a higher deposit, additional security has been provided, if so required.

22. Agreements for the payment of arrears in instalments

- (1) A customer with positive proof of identity or a person authorized, in writing, by such customer, may, subject to the approval of the Council, enter into an agreement in a form substantially similar to a form prescribed, for the payment of arrears in instalments.
- (2) The amount due and payable by a customer in terms of an agreement contemplated in subsection (1), constitutes a consolidated debt and any payment made by a customer of an amount less than the total amount due, must be allocated in reduction of the consolidated debt in the order prescribed, unless the customer otherwise instructs in writing.
- (3) A customer may be required to arrange a debit order for the payment of arrears in respect of which an agreement, contemplated in subsection (1), has been entered into.
- (4) Subject to the provisions of subsection (5), no agreement for the payment of arrears may allow for a period of payment of longer than 24 months.
- (5)
 - (a) The Council may allow a period of payment in excess of 24 months for the payment of arrears, but not exceeding a period of 60 months, if special circumstances which the customer could not reasonably have prevented or avoided, prevail and which, in the opinion of the Council, warrant a longer period of payment.
 - (b) Documentary proof of any special circumstances as contemplated in paragraph (a), must be furnished by a customer on request by the Council.
- (6) The Council must, in exercising its discretion in terms of subsection (5), have regard to a customer's —
 - (a) credit record;

- (b) consumption;
 - (c) ability to afford the proposed instalments, taking into account the customer's financial situation;
 - (d) level of service;
 - (e) previous breaches of agreements for the payment of arrears in instalments; and
 - (f) any other relevant factor.
- (7) A copy of an agreement contemplated in subsection (1), must, on request, be furnished to the customer concerned.
- (8) If a customer fails to comply with an agreement contemplated in subsection (1), the total outstanding amount, including the arrears, any interest thereon, any collection charges, and payment of a higher deposit if required by the Council, will immediately become due and payable, and additional security, if so required, must be provided, without further notice.
- (9) If a customer fails to comply with an agreement contemplated in subsection (1), entered into after receipt of a termination notice for water or electricity services, or both, as the case may be, the municipal service concerned may be terminated without further notice, in addition to any other action taken against or which may be taken against the customer concerned.
- (10) No customer is permitted to enter into an agreement contemplated in subsection (1), if that customer has failed to honour a previous agreement for the payment of arrears in instalments, unless the Council otherwise decides.
- (11) Once an agreement contemplated in subsection (1), has been concluded, the amount in arrears must be reflected as a current amount, and no further interest may be added.

23. Disputes as to amounts owing

If any dispute arises as to any amount owing by a customer, the customer must, pending resolution of that dispute, continue to make regular monthly payments in respect of rates, if applicable, and in respect of any municipal service concerned based on the average monthly fees for the preceding three months prior to the dispute arising, plus interest if applicable, until the resolution of that dispute.

24. Payment option

- (1) The municipality will endeavour to establish a payment network to ensure that, whenever practically possible, customers in receipt of accounts have access to a payment site within a reasonable distance of their home
- (2) the municipality shall accept payment negotiable instrument only under the following circumstances
 - Payment by cheque must be guaranteed and issued by bank in ALL instances.
- (3) the customer has option of payment via bank guaranteed cheque, Electronic Funds Transfer or Cash

- Where any payment made to the municipality or its authorized agent or direct debit is later dishonoured by the bank, the municipality or its authorized agent.
- (4) Will recover the bank charges incurred and include any administrative costs relating to a dishonoured payment against the account of the customer.
- (5) May regard such an event as default on payment and the account shall be dealt with an arrear account and credit control may be implemented.

25. Illegal connections and tampering

The municipal manager shall as soon as it comes to the notice of the municipal manager that any terminated service has been irregularly reconnected or reinstated or tampered, report to South African Police Services, disconnect or restrict such services and do not reconnect or reinstate such services until the arrear account including the interest raised on such account, the charges for the notice sent in terms 18 above and the charges for both the original and subsequent reconnection or reinstatement of the services and the revised deposit have been paid in full, together with such penalty as may be determined by the Council from time to time.

26. Restriction of services

If the Municipal Manager is of the opinion that the termination of services, in the case of a particular property in respect of which the account is in arrear, is not the best of the community, specifically because of the potential endangerment of the life of any person, whether resident in or outside the property concerned the Municipal manager may appropriately restrict rather than terminate the services in question.

**CHAPTER 4
INDIGENT PERSONS**

27. Registration as indigent person

- (1) A person who wishes to receive assistance in terms of the Council's policy for the provision of municipal services to indigent persons, must make application for registration as an indigent person on a prescribed form at any of the Council's offices.
- (2) An application in terms of subsection (1), must be considered by the Council which must adhere to the principles of transparency, equity, consistency, non-discrimination, accessibility, empathy, integrity, confidentiality and objectivity during the evaluation process.
- (3) An applicant, contemplated in subsection (1), must, at the request of the Council, furnish any further information to enable the Council to arrive at a decision and the Council may, for the purpose of properly evaluating the application, also conduct any investigation which it considers appropriate.
- (4) An applicant must be informed that he or she will automatically be disqualified from receiving any assistance contemplated in subsection (1), and be liable to-

- (a) refund the amount of any such assistance received from the Council, if the application or information contemplated in subsection (3), contains any false information; and
 - (b) prosecution if any false information as contemplated in paragraph (a) is furnished by the applicant.
- (5) If the Council finds an applicant to be indigent, such applicant is entitled to assistance in terms of the Policy referred to in subsection (1), and his or her personal particulars must be recorded in a prescribed register of indigent persons.

28. Illegal connection

- (1) The position of every indigent person so recorded, must be reviewed annually by an authorised official in accordance with the directives of the Council.
- (2) A successful applicant must be informed in writing that he or she must immediately notify the Council when his or her indigent status has changed.

**CHAPTER 5
MISCELLANEOUS**

29. Council's right of access to premises

The Council may exercise its right of access to premises in terms of section 101 of the Act through the Municipal Manager or any authorised official or any duly appointed agent of the Council, authorised thereto in writing.

30. Conflicting laws

If there is any conflict between a provision in these By-laws and a provision of any other bylaw, the provision in these By-laws must prevail.

31. Preservation of rights consequent on non-compliance

A failure by the Council to comply with any provision of these By-laws does not in any way affect the liability of any person to pay any amount due and payable to the Council as contemplated in these By-laws, nor the Council's right to recover such amount.

32. Transmission of documentation

Subject to the provisions of any law, if in terms of or for the purposes of these By-laws any written communication must or may be rendered, sent or delivered —

- (a) by the Council to any person, such communication must be —
 - (i) delivered by hand —
 - (aa) to that person's domicilium citandi et executandi, as stipulated in an agreement entered into in terms of section 3(1)(c) or 6(1); or
 - (bb) in the absence of such agreement, to that person's most recently recorded address; or
 - (cc) to the premises concerned in respect of which rates are levied or any municipal service is provided, whichever is relevant; or

- (ii) sent by post to the address referred to in subparagraph (i)(aa) or (bb), whichever is applicable, or to the address of the premises contemplated in subparagraph (i)(cc).
- (b) by any person to the Council, such communication must be —
 - (i) delivered by hand to —
 - (aa) the Council's domicilium citandi et executandi stipulated in the agreement contemplated in paragraph (a)(i)(aa); or
 - (bb) another address, if the Council in writing furnished such an address to the person concerned; or
 - (ii) sent by post to the address referred to in subparagraph (i)(aa) or, in the circumstances contemplated in subparagraph (i)(bb), to the address contemplated in that subparagraph. **Prima facie evidence of documentation.**

33. **Recovery of any amount due**

For the purposes of the recovery of any amount due and payable to the Council in terms of these By-laws —

- (a) a copy of any relevant account; and
- (b) an extract from the Council's records relating to the quantity of consumption or provision of any municipal service and the period of provision of such service, certified by an authorized official as being correct, constitute prima facie evidence of the information contained in such documents.

CHAPTER 6 APPEALS

34. **Appeals**

- (1) A person whose rights are affected by a decision taken by any authorised official under these by-laws, may appeal against the decision by giving written notice of the appeal and reasons to the municipal manager within 21 days of the date of the notification of the decision.
- (2) The municipal manager must promptly submit the appeal to the appropriate appeal authority mentioned in subsection (4).
- (3) The appeal authority must consider the appeal, and confirm, vary or revoke the decision, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.
- (4) When the appeal is against a decision taken by —
 - (a) a staff member other than the municipal manager, the municipal manager is the appeal authority; or
 - (b) the municipal manager, the executive mayor is the appeal authority.
- (5) An appeal authority must commence with an appeal within six weeks and decide the appeal within a reasonable period.

CHAPTER 7 GENERAL

35. Offences

Any person who -

- (a) contravenes or fails to comply with any provisions of these by-laws;
- (b) fails to comply with any lawful instruction given in terms of these by-laws; or
- (c) obstructs or hinders any authorised official in the execution of his or her duties under these by-laws –
will be guilty of an offence and will be liable on conviction to a fine not exceeding R5 000 or imprisonment for a period not exceeding 3 months or both.

36. Repeal of existing By-laws

The Council's existing Credit Control and Debt Collection by-laws are hereby repealed.

37. Short title and commencement

These by-laws will be called the Credit Control and Debt Collection By-laws, 2016.

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