

**GEORGE**

**MUNICIPALITY**

**TARIFF BY-LAW**

## 1. DEFINITIONS

In this tariff by-law, unless the context otherwise indicates -

- 1) "**agricultural consumers**" means consumers engaged in agriculture as defined in the scheme regulations made in terms of section 8 of LUPO,
- 2) "**break even**" means the financial situation where the income derived by the Municipality from the supply of a service is equal to the aggregate of the fixed and the variable costs associated with the provision of the service concerned;
- 3) "**commercial consumers**" include but are not limited to shops, offices, liquor stores, governmental institution (unless otherwise stated), supermarkets, public garages, gathering places (unless otherwise stated), nurseries, places of entertainment, service stations, hairdressing salons, caravan parks, banks, hotels, hospitals, clinics, guesthouses, boarding houses and doctor and dentist consulting rooms and suchlike business undertakings;
- 4) "**community service**" means the services referred to in paragraph 5(1)(c) [**that the Council has classified as such**] and in respect of which the tariffs are set at a level that the costs of the services are not recovered fully from public service charges and are of a regulatory nature;
- 5) "**consumer**" means the occupier of any premises which the GeorgeMunicipality have agreed to supply with a municipal service or the owner of such premises or any other person who has entered into an agreement with the Municipality for the supply of a service or who is lawfully obtaining the service from the Municipality;
- 6) "**the council**" means George Municipal Council, and "**municipal council**" shall have a corresponding meaning;
- 7) "**councillor for financial services**" means the councillor of the municipal council responsible for financial **services**;
- 8) "**domestic consumers**" means residential properties, group housing, town houses, semi-detached houses and suchlike properties;

- 9) **"due date"** –
- (i) in relation to accounts payable monthly on a recurring basis, the 15<sup>th</sup> day of the month which follows on the month during which an account is rendered;
  - (ii) in relation to accounts payable annually, 30<sup>th</sup> September unless otherwise provided by any other law; and
  - (iii) in all other instances, as and when demand for payment is made by the Municipality;
- 10) **"economic services"** means services referred to in paragraph 5(1)(b) and in respect of which the tariffs are set at a level that the total costs of the services are recovered from customers;
- 11) **"educational and communal institutions"** *include but are not limited to* schools, colleges, pre-primary schools not operated by a registered charity or welfare organisation, libraries, museums, churches, hospitals, clinics, correctional institutions, school hostels and community halls;
- 12) **"flat rates"** means the unit charge.
- 13) **"the Finance Act"** means the Local Government : Municipal Finance Management Act, 2003 (Act No 56 of 2003);
- 14) **"fixed costs"** means costs which do not vary with consumption or volume produced and as more fully set out in paragraph 6(3)(i);
- 15) **"indigent households"** means households that are registered at the municipality as such and meet the municipality's criteria in terms of its credit control and debt collection policy and occupying a property within the jurisdiction of the municipality and **"poor households"** shall have a corresponding meaning;
- 16) **"industrial consumers"** include but are not limited to industrial undertakings, factories, warehouses, workshop, scrap yards, wine cellars, abattoirs, dairy processing plants, fish markets and suchlike consumers;

- 17) "**LUPO**" means the Land Use Planning Ordinance (Cape Ordinance 15 of 1985, as amended);
- 18) "**Municipality**" means when referred thereto as–
- a) an entity, George Municipality as a municipality described in Section 2 of the Local Government : Municipal Systems Act, 2000 (Act 32 of 2000), including a duly authorized official of George Municipality; and
  - b) a geographical area, the area of jurisdiction of George Municipality as determined in terms of the Local Government : Municipal Demarcation Act, 1998 (Act 27 of 1998);
- 19) "**owner**" in relation to a property, means the person in whose name the property is registered in the Deeds Registry and such owner's successors;
- 20) "**public benefit organisations**" means public benefit organizations as defined in Section 30 of the Income Tax Act No 58 of 1962;
- 21) "**resident**" means a person who ordinarily resides in the municipal area;
- 22) "**special agreements**" means special tariff agreements entered into with categories of consumers making significant economic contributions to the community and create job opportunities;
- 23) "**sport and recreation facilities**" means properties used exclusively for sport and recreation purposes including school sport fields which are metered separately for water and electricity consumption;
- 24) "**the Systems Act**" means the Local Government: Municipal Systems Act, 2000 (Act no 32 of 2000);
- 25) "**total cost**" means the sum of all fixed and variable costs associated with a service;

- 26) **"trading services"** means services referred to in paragraph 5(1)(a) and in respect of which the tariffs are set at a level that the Council makes a profit on the delivery of the services;
- 27) **"two-part tariffs"** means tariffs that are raised to recover the fixed and variable costs separately. The fixed costs are recovered by dividing the total fixed costs by the number of customers per category and the variable costs are recovered by dividing the total variable costs by the volume consumed.
- 28) **"units consumed"** means the number of units consumed of a particular service and are measured in terms of the tariff structure reflected in paragraph 7;
- 29) **"variable costs"** means costs that vary with consumption or volume produced and as more fully set out in paragraph 6(3)(b);
- 30) **"VAT"** means Value-Added Tax in terms of the Value-Added Tax Act, 1991, as amended;
- 31) **"an availability charge"** shall mean an amount payable by the consumer in respect of a service which is available but not connected to the property concerned. In contrast hereto a 'charge' shall mean the minimum amount payable by the consumer in respect of a particular service irrespective of the extent to which the service is used during any given period of time.
- 32) For subdivisions or group housing developments, where the developer provides the internal civil services, availability charges for all erven approved and subdivided within the development for water, electricity, refuse removal and sanitation (where applicable) become payable 12 months after the issue of the Completion Certificate in terms of GCC 2010. If an individual erf within the development is transferred before the 12 month period has expired, availability charges for that specific erf will become payable for water and sewer as on the date of transfer, the submission of a building plan or the request for a Certificate of Registered Title. The date of the completion certificate must be confirmed by the director responsible for the specific service and which certificate a copy must be submitted immediately on receipt to the financial department.

In this tariff by-law a word or expression derived from a word or expression defined in subsection (1) has a corresponding meaning unless the context indicates that another meaning is intended.

## **2) PURPOSE OF THESE BY-LAWS**

The purpose of these by-laws is:

- 1) To comply with the provisions of section 74 of the Systems Act.
- 2) To prescribe procedures for calculating tariffs where the municipality wishes to appoint service providers in terms of section 76(b) of the Systems Act.
- 3) To give guidance to the councillor for financial matters regarding tariff proposals that must be submitted to the council annually during the budget process.

## **3) TARIFF PRINCIPLES**

- 1) In setting its annual tariffs the council shall at all times take due cognisance of the tariffs applicable elsewhere in the economic region, and of the impact which its own tariffs may have on local economic development.
- 2) The following tariff principles will apply:
  - a) Service tariffs imposed by the municipality shall be viewed as user charges and shall not be viewed as taxes, and therefore the financial ability of the relevant user of the services to which such tariffs relate, shall not be considered as a relevant criterion (except in the case of the relief measures for poor households and deserving categories of users approved by the municipality from time to time).
  - b) The municipality shall ensure that its tariffs are uniformly and fairly applied throughout the municipal region.
  - c) Tariffs for the four major services rendered by the municipality, namely:
    - (i) electricity
    - (ii) water
    - (iii) sewerage (waste water)

(iv) refuse removal (solid waste),

shall as far as possible recover the expenses associated with the rendering of each service concerned. The tariff which a particular consumer or user pays shall therefore be directly related to the standard of service received and the quantity of the particular service used or consumed.

- d) The municipality shall, as far as circumstances reasonably permit, ensure that the tariffs levied in respect of the four major services further generate an operating surplus each financial year as the council may determine at the time that the annual operating budget is approved. Such surpluses shall be applied in relief of property rates and for the partial financing of general services or for the future capital expansion of the service concerned, or both. The modesty of such surplus shall prevent the service tariffs concerned from being viewed as concealed taxes.
- e) The municipality shall develop, approve and at least annually review an indigent support programme for the municipal area. This programme shall set out clearly the municipality's cost recovery policy in respect of the tariffs which it levies on registered indigents, and the implications of such policy for the tariffs which it imposes on other users and consumers in the municipal region.
- f) In line with the principles embodied in the Constitution and in other legislation pertaining to local government, the municipality may differentiate between different categories of users and consumers in regard to the tariffs which it levies. Such differentiation shall, however, at all times be reasonable, and shall be fully disclosed in each annual budget.
- g) The municipality's tariff policy shall be transparent, and the extent to which there is cross-subsidisation between categories of consumers or users shall be disclosed to users.
- h) The municipality shall ensure that its tariffs shall be readily understandable by all users affected by the tariff policy.
- i) The municipality shall ensure that it renders its services cost effectively in order to ensure the best possible cost of service delivery.
- j) In the case of directly measurable services, namely electricity and water, the consumption of such services shall be properly metered by the municipality, and meters shall be read, wherever circumstances reasonably permit, on a monthly basis. The charges levied on consumers shall be proportionate to the quantity of the service which they consume.

- k) In addition, the municipality shall levy monthly availability charges for the services concerned, and these charges shall be fixed for each type of property as determined in accordance with the detailed policies set out below. Generally, consumers of water and electricity shall therefore pay two charges: one, relatively minor, which is unrelated to the volume of consumption and is levied because of the availability of the service concerned; and another directly related to the consumption of the service in question.
  - l) In considering the costing of its water, electricity and sewerage services, and the municipality shall take due cognisance of the high capital cost of establishing and expanding such services, and of the resultant high fixed costs, as opposed to variable costs of operating these services. The municipality shall plan the management and expansion of the services carefully in order to ensure that both current and reasonably expected future demands are adequately catered for, and that demand levels which fluctuate significantly over shorter periods are also met. This may imply that the services may at times or for certain periods operate at less than full capacity, and the costs of such surplus capacity must also be covered in the tariffs which are annually levied.
  - m) The Municipality shall, by adopting what is fundamentally a two-part tariff structure, namely a fixed minimum charge coupled with a charge based on consumption, address the demands which both future expansion and variable demand cycles and other fluctuations will make on service delivery.
  - n) Part of the municipality's tariff policy for electricity services will be to ensure that those consumers who are mainly responsible for peak demand, and therefore for the incurring by the municipality of the associated demand charges from Eskom, will have to bear the costs associated with these charges. To this end the municipality shall install demand meters to measure the maximum demand of such consumers during certain periods. Such consumers shall therefore pay the relevant demand charge as well as a service charge directly related to their actual consumption of electricity during the relevant metering period.
- 3) The following considerations shall also apply:
- a) Free services will only be possible if the National Government pay to the municipality an equitable share subsidy which covers the full costs of the free services.



- b) All users of municipal services will be treated equitably. Save for poor households and deserving categories of users, the various categories of customers will pay the same charges based on the same cost structure.
  - c) The amount payable by consumers will be in proportion to usage of the service.
  - d) Indigent households must at least have access to basic services through life line tariffs or direct subsidisation.
  - e) Tariffs must reflect the total cost of services.
  - f) Within limits, customers should be free to choose from a range of applicable tariffs.
  - g) Tariffs must be set at a level that facilitates the sustainability of services. Sustainability will be achieved by ensuring that:
    - (i) Cash inflows cover cash outflows. This means that sufficient provision for working capital and bad debts will be made.
    - (ii) Access to the capital market is maintained. This will be achieved by providing for the repayment of capital, maintaining sufficient liquidity levels and making profits on trading services.
  - h) Provision will be made in appropriate circumstances for a surcharge on a tariff. This will be required during a national disaster and periods of drought when a restriction of usage is required.
  - i) Efficient and effective use of resources will be encouraged by providing for penalties to prohibit exorbitant use.
  - j) The extent of subsidisation of tariffs will be disclosed.
  - k) VAT is excluded from all tariffs and will be additional to these tariffs when applicable.
- 4) A property used for multiple purposes must, for purposes of these tariffs be assigned to a category determined by the council for properties used for a purpose corresponding with the dominant use of the property if the Municipality cannot readily make an apportionment in relation to the services concerned and the categories of users.

5) In order to provide the Municipality with appropriate security for payment of amounts owing to it from time to time for services rendered, the Council shall impose a system of deposits payable by customers. The deposits shall be set with due regard to the potential financial risk associated with the amounts owing from time to time. The level of the deposits shall be revised annually and the Municipality may introduce transitional arrangements in respect of existing users.

6) Public Transport

A 5km stage distance with 15 km base distance will be used.

The Fare will be calculated as follows:

$$\text{Total transport Fare} = \text{Policy Percentage} \times (\text{Minimum wage} / 40) \times \text{Base Fare} \times \text{Base Rate} \times \text{Shape Factor}^{\text{Stages}}$$

Fares will be linked to the Minimum Wage of Urban Domestic Workers employed more than 27 hours per month

#### 4) CATEGORIES OF CONSUMERS

1) Separate tariff structures may be imposed for the following categories of consumers (which the council may change):

- a) domestic consumers;
- b) commercial consumers;
- c) industrial consumers;
- d) agricultural consumers;
- e) municipalities;
- f) consumers with whom special agreements were made;
- g) consumers in certain geographical areas;
- h) sport and recreation facilities
- i) educational institutions; and
- j) public benefit organisations and suchlike institutions.

2) Where substantially different demands are made on the infrastructure use to provide a service to a specific group of users within a category or the standard of

services required by such users, the council may, after having considered a report by the Municipal Manager or the relevant Head of Department, determine differentiated tariffs for the different consumers within the specific category.

- 3) The differentiation must be based on one or more of the following elements; infrastructure costs, volume usage, availability and service standards.
  
- 4) If, for purposes of determining the tariff applicable to a particular user or category of users, the user or category of users has not specifically by definition been included under a defined category of users, the municipality's Director: Civil Engineering Services shall, by applying the closest match principle, determine the category under which the user or category of users fits in best taking into account the nature of the service concerned and the user or category of users involved.

## **5) SERVICE AND EXPENDITURE CLASSIFICATIONS AND COST ELEMENTS**

### 1) Service classification

The Chief Financial Officer shall, subject to the guidelines provided by the National Treasury of the Department of Finance and Mayoral Committee of the council, make provision for the following classification of services.

- (a) Trading services
  - (i) Water.
  - (ii) Electricity.
  - (iii) Camping facilities.
  
- (b) Economic services
  - (i) Refuse removal.
  - (ii) Sewerage disposal.
  
- (c) Community services
  - (i) Air pollution.
  - (ii) Fire fighting services.
  - (iii) Local tourism.
  - (iv) Town planning.

- (v) Municipal public works, only in respect of the needs of municipalities in the discharge of their responsibilities and to administer functions specially assigned to them under the Constitution or any other law.
  - (vi) Storm water management system in built-up areas.
  - (vii) Trading regulations.
  - (viii) Fixed billboards and the display of advertisements in public places.
  - (ix) Cemeteries.
  - (x) Control of public nuisances.
  - (xi) Control of undertakings that sell liquor to the public.
  - (xii) Facilities for accommodation, care and burial of animals.
  - (xiii) Fencing and fences.
  - (xiv) Licensing of dogs.
  - (xv) Licensing and control of undertakings that sell food to the public.
  - (xvi) Local amenities.
  - (xvii) Local sport facilities.
  - (xviii) Municipal parks and recreation.
  - (xix) Municipal roads.
  - (xx) Noise pollution.
  - (xxi) Pounds.
  - (xxii) Public places.
  - (xxiii) Street trading/street lighting.
  - (xxiv) Traffic and parking.
  - (xxv) Building control.
  - (xxvi) Licensing of motor vehicles and transport permits.
  - (xxvii) Nature reserves.
- (d) Subsidised services
- (i) Libraries and museums.
  - (ii) Proclaimed roads
  - (iii) Municipal Public Transport

2) Expenditure classification

Expenditure will be classified in the following categories.

- (a) Subjective classification:
  - (i) Salaries, wages and allowances;
  - (ii) Bulk purchases;
  - (iii) General expenditure;
  - (iv) Repairs and maintenance;
  - (v) Capital charges (interest and redemption)/depreciation;
  - (vi) Contribution to fixed assets;
  - (vii) Contribution to funds:
  - (viii) Bad debts;
  - (ix) Working capital; and
  - (x) Statutory funds.
  - (xi) Contribution to reserves;
  - (xii) Gross expenditure;
  - (xiii) Less charge-out;
  - (xiv) Net expenditure;
  - (xv) Income; and
  - (xvi) Surplus/Deficit.
- (b) Objective classification:
  - (i) Cost centres will be created to which the costs associated with providing the service can be allocated:
    - (aa) Department.
    - (bb) Section/service.
    - (cc) Division/service.
  - (ii) The subjective classification of expenditure each with a unique vote will be applied to all cost centres.

### 3) Cost elements

The following cost elements will be used to calculate the tariffs of the different services:

- (a) *Fixed costs* which consist of the capital costs (interest and redemption) on external loans as well as internal advances and or depreciation whichever are applicable to the service and any other costs of a permanent nature as determined by the Council from time to time.
- (b) *Variable cost*: This includes all other variable costs that have reference to the service.
- (c) *Total cost*: consist of the fixed cost and variable cost.

## 6) **TARIFF TYPES**

In determining the type of tariff applicable to the type of service the municipality shall make use of the following seven options or a combination of the same.

- (1) *Single tariff*: this tariff shall consist of a cost per unit consumed. All costs will be recovered through unit charges at the level where income and expenditure breaks even. Subject to a recommendation by the Chief Financial Officer the council may decide to approve profits on trading services during the budget meeting. Such profits will be added to the fixed and variable cost of the service for the purpose of calculating the tariffs.
- (2) *Cost related two to three part tariff*: this tariff shall consist of two to three parts. Management, capital, maintenance and operating costs will be recovered by grouping certain components together e.g. management, capital and maintenance costs may be grouped together and be recovered by a fixed charge, independent of consumption for all classes of consumers, while the variable costs may be recovered by a unit charge per unit consumed. Three part tariffs will be used to calculate the tariff for electricity and to provide for maximum demand and usage during limited demand.
- (3) *Inclining block tariff*: this tariff is based on consumption levels being categorised into blocks, the tariff being determined and increased as consumption levels increase. The first step in the tariffs will be calculated at break-even point.

Subsequent steps will be calculated to yield profits and to discourage excessive use of the commodity.

- (4) *Declining block tariff*: this tariff is the opposite of the inclining block tariff and decreases as consumption levels increase. The first step will be calculated by dividing the fixed and variable cost and profit determined by council from time to time by the volume consumed. This tariff will only be used for special agreements.
- (5) *Regulating tariff*: this tariff is only of a regulatory nature and the municipality may recover the full or a portion of the cost associated with rendering the service.
- (6) *Time-of-use tariff*: this tariff is based on fixed charges and seasonally and time differentiated energy and demand charges.
- (7) Stage based public transport tariff based on a 5km stage distance with 15km as the base distance.

## **7) TARIFF STRUCTURES AND METHODS OF CALCULATIONS**

### (1) Calculation of tariffs for major services

- a) In order to determine the tariffs which must be charged for the supply of the four major services (water, electricity, refuse removal and sewerage) the municipality shall identify all the operational costs of the undertakings concerned, including specifically the following:
  - i) Cost of bulk purchases in the case of water and electricity.
  - ii) Purification costs (water and sewer)
  - iii) Distribution costs.
  - iv) Distribution losses in the case of electricity and water.
  - v) Depreciation expenses.
  - vi) Maintenance of infrastructure and other fixed assets.
  - vii) Administration and service costs, including:

- (aa) service charges levied by other departments such as finance, human resources and legal services;
- (bb) reasonable general overheads, such as the costs associated with the office of the municipal manager;
- (cc) adequate contributions to the provisions for bad debts and obsolescence of stock;
- (dd) all other ordinary operating expenses associated with the service concerned including, in the case of the electricity service, the cost of providing street lighting in the municipal area (note: the costs of the democratic process in the municipality – that is, all expenses associated with the political structures of the municipality – shall form part of the expenses to be financed from property rates and general revenues, and shall not be included in the costing of the major services of the municipality).

- (2) The intended surplus to be generated for the financial year, such surplus to be applied:
  - (i) as an appropriation to capital reserves; and/or
  - (ii) generally in relief of rates and general services.
- (3) The cost of approved indigent relief measures.



- (4) The municipality shall provide the first 50kWh of electricity per month and the first 6 kl of water per month free of charge to consumers who have registered as indigents in terms of the municipality's indigent relief programme. The municipality shall further consider relief in respect of the tariffs for sewerage and refuse removal for such registered indigents to the extent that the council deems such relief affordable in terms of each annual budget.
- (5) Tariffs for pre-paid meters shall be less than the ordinary consumption tariffs levied on the category of consumer concerned.

The following tariff structure will, where possible, be used to determine tariffs:

## **8. WATER**

- 1) Tariff structure
  - a) Fixed costs plus rising block tariffs will apply to all consumers excluding:
    - i) Schools, Colleges and Technicons.
    - ii) Children's Homes.
    - iii) Sports Bodies.
    - iv) Old Age Homes.
    - v) Municipal Buildings.
    - vi) Farms.
  - b) The rising block tariffs will apply:
    - 0 – 6 kl
    - >6 – 12 kl
    - >12 – 30 kl
    - >30-50 kl
    - >50kl
  - c) the implementation of the emergency tariffs will depend on the level of the Garden Route Dam and as determined in the Drought Management Policy.

- 2) Method of calculation
  - a) Domestic consumers using less than 6 kl per month will receive free water.
  - b) The fixed costs of the service shall consist of the costs indicated as such by the council.
  - c) The number of users and estimated volume consumed per category will be used to determine the fixed tariff per category.
  - d) Where properties are not connected to the water service but can reasonably be connected to the service an availability tariff will be payable. See (ff) for private developments
  - e) Where council decide to make a profit on the service the profit will be added to the fixed and variable cost before tariffs are calculated.

## 9) ELECTRICITY

- 1) Tariff structure
  - a) Maximum demand (KVA) plus fixed tariff plus kWh consumed.
  - b) Fixed tariff plus kWh consumed.
  - c) Unit tariff (KWh consumed) (Pre-payment meters).
  
- 2) Method of calculation
  - a) Guidelines issued by the National Electricity Regulator from time to time will form the basis of calculating tariffs.
  - b) To recover the capital cost of supplying electricity through a fixed charge will make electricity unaffordable to many low consumption users. Cross subsidisation between and within categories of consumers will be allowed based on the load factors of the categories and consumers within the category. Portions of the fixed costs will be recovered through an energy or time-of-use charge. To apply the abovementioned principle the cost allocation basis, cost groupings, tariff components and tariff types reflected in the following tables will be used.
  - c)

Cost groupings	Underlying cost-allocation bases		
	Capacity costs: expressed as Rands/kVa/month	Variable costs: expressed as Cents/kWh	Customer specific costs: expressed as rands/customer/ month
<b>Purchase cost</b>	X	X	
<b>Capital costs</b>	X	X	X
<b>Support costs</b>	X		X

Tariff types	Tariff components			
	Fixed charge (rands/ customer/ month)	Energy charge (cents/kWh)	Time-of-use energy charge expressed as (cents/kWh)	Capacity charge expressed as (rands/kVa/ month)
<b>One-part single energy rate tariff (Lifeline tariff)</b>		X		
<b>Two-part tariff</b>	X	X		
<b>Two-part time-of- use tariff</b>	X		X	
<b>Three-part tariff</b>	X	X		X

3. The one-part single energy rate tariff:

For the one-part single energy rate tariff, all costs are expressed in a single cents/kWh charge. The recommended methodology for allocating costs into this tariff is as follows:

- b) The rands/kVa/month cost must be allocated into a cents/kWh charge through consideration of the average load factor of the types of customer who are likely to use the one-part single energy rate tariff.
- c) The rands/customer/month fixed cost should also be allocated into the cents/kWh charge and allocated to the kWh purchase costs in such a way as to ensure that at a level of monthly consumption of 400 kWh, the full amount of the fixed costs would have been recovered through the cents/kWh charge.

- d) The qualification criteria to be placed on one part tariff -where the average of consumption is less than 400kWh per month, is as follows;.
  - i) All Households that are defined as indigent household consumers as per the credit control policy of Council.
  - ii) All consumers which have been identified as permanently inhabited households and meet the following criteria;
    - (aa) Reside for a minimum period of 9 months per year in the dwelling.
    - (bb) A consumer must submit a sworn affidavit form before any Commissioner of Oath to this effect.
    - (cc) A new affidavit must be handed in annually before 1 July of each financial in order to remain on the one part tariff.

4. The two-part tariff:

- a) The rands/kVa/month charge must be allocated into a cents/kWh charge through consideration of the average load factor of the types of customer who are likely to choose the two-part tariff. This reallocated charge must then be added to the kWh purchase charge.
- b) The rands/customer/month charge is not reallocated into other tariff elements.
- c) The tariff then consists of a fixed monthly charge plus a variable charge related to metered kWh consumption.
- d) This is applicable to all conventional household credit meters where households have an average consumption of less than 400kWh per month and where households are categorised as non-permanent household and don't meet the criteria as given in paragraph c)(iii) above.

5. The two-part time-of-use tariff:

- a) The rands/kVa/month charge must be reallocated into different time-of-use cents/kWh charges through consideration of the load curve of the customer in relation to the load curve of the supplier. Such reallocated charges must then be added to the kWh purchase charges, as appropriate.
- b) The rands/customer/month charge is not reallocated.

6. The three-part tariff:

- a) The rands/kVa charge recovers the capital cost elements. Some of this cost must be reallocated into different tariff elements.
- b) The cents/kWh charge therefore recovers the full variable costs as well as a portion of the reallocated rands/kVa costs.
- c) The rands/customer/month charge is not reallocated.

7. The three-part time-of-use tariff:

- a) As with the standard three-part tariff, a portion of the rands/kVa/month charge is reallocated into the various time-of-use cents/kWh charges. The amount of the reallocation takes place with regard to the customer's load factor. The time-variation of the capacity costs is taken into account in the reallocation of the rands/kVa charge into the various time-of-use cents/kWh charges.
- b) The cents/kWh charge therefore recovers the full variable costs as well as a portion of the reallocated rands/kVa charges.
- c) The rands/customer/month charge is not reallocated.

8. Where council decide to make a profit on the service the profit will be added to the fixed and variable cost before tariffs are calculated.

9. Where properties are not connected to the electricity service but can reasonably be connected to the service an availability tariff will be payable. The tariff will be calculated by adding a surcharge of 50% to the fixed costs applicable to connected consumers per category.

10. **REFUSE REMOVAL**

- 1) Tariff structure
  - a) Plastic bags per week (volume).
  - b) Containers per week (volume) (240 litre) (1,1m<sup>3</sup>).
  - c) Bulk Refuse Containers

- d) Truck load <2000kg.
- e) Truck load >2000kg.

(2) Method of calculation

- a) The costs per unit of measurement will be determined by dividing the total costs of the service by the total volume of refuse disposed of during the year. The total cost of the service includes the removal cost plus the operating cost associated with the service. The unit charge per cubic meter will be converted to a cost per black bag. A cost per month will be calculated for domestic consumers based on the average number of bags removed per week.
- b) The cost associated with the removal of bulk containers will be determined by calculating how many of the smallest removal units will be absorbed by a specific container.
- c) A monthly rental for the usage of a bulk container will be determined by discounting the purchase price of a bulk container over 5 years at an interest rate applicable to municipal loans.
- d) After council has consulted with owners or occupiers of commercial and industrial undertakings which do not make use of the standard black bags or mass containers, tariffs will be determined based on the estimated volume that will be removed per month.
- e) Opportunity costs for once-off removals will be calculated by recovering the costs of the volume removed plus a percentage surcharge as determine by council.
- f) A refuse removal tariff will be raised and is payable by all owners or occupiers of each developed property connected to the water and electricity distribution network of the council or any other service provider or those who have applied to be connected whether such owner or occupier uses the refuse removal service or not or those who

are not connected to the distribution networks to whom a refuse removal service is rendered on request.

- g) No refuse removal tariffs will be raised where council has not introduced a refuse removal service.

## 11) SEWERAGE/EMPTYING OF CONSERVANCY TANKS

### 1) Tariff structure

- a) Number of cisterns or urinals.
- b) Volume of suction tanker lorry.
- c) Formula driven waterborne tariff.

### (2) Method of calculation

- a) Where properties are not connected to the sewerage system but can reasonably be connected to the service an availability tariff will be payable. The tariff will be equal to the unit tariff applicable to domestic households. See (ff) for private developments
- b) A unit charge per consumer will be charged. The tariff will be calculated by dividing the total cost by the total number of basic erven. A basic erf will be deemed to be 1 200m<sup>2</sup>.
- c) An additional charge per 100m<sup>2</sup> will be charged according to the following table:

1 – 1 200	Basic charge plus % increase as approved by Council.
1 201 – 3 400	Basic charge plus % increase as approved by Council.
3 401 –10 000	Charge for category 1201 – 3 400 plus % increase as approved by Council.
10 001 – 20 000	Charge for category 3 401- 10 000 plus % increase as approved by Council.
over 20 000	maximum of range between 10 0001 – 20 000

- d) The cost of emptying conservancy tanks will be based on the volume removed and the cost associated therewith.
- e) Industries classified as WET industries shall pay a tariff based on the formula outlined in Provincial Gazette No 6687 dated 15 January 2010, set out in Annexure A.

## **12) CALCULATION OF MINOR TARIFFS**

- 1) All minor tariffs (being tariffs in respect of services and facilities other than the major services referred to in paragraph 3(4) shall be approved by the council in each annual budget, and shall, when deemed appropriate by the council, be subsidised by property rates and general revenues, particularly when the tariffs will prove uneconomical when charged to cover the cost of the service concerned, or when the cost cannot accurately be determined, or when the tariff is designed purely to regulate rather than finance the use of the particular service or amenity.
- 2) All minor tariffs over which the municipality has full control, and which are not directly related to the cost of a particular service, shall annually be adjusted at least in line with the prevailing consumer price index, unless there are compelling reasons why such adjustment should not be effected.
  - a) The following services shall be considered as subsidised services, Burials and cemeteries
  - b) Rentals for the use of municipal sports facilities
  - c) Municipal swimming pool
  - d) Municipal public transport
- 3) The following services shall be considered as community services, and no tariffs shall be levied for their use:
  - a) Municipal museum and art gallery
  - b) Disposal of garden refuse at the municipal tip site
  - c) Municipal reference library



- d) Municipal lending library (except for fines set out below)
  - e) Municipal botanical garden, and all other parks and open spaces.
- 4) The following services shall be considered as economic services, and the tariffs levied shall cover 100% or as near as possible to 100% of the budgeted annual operating expenses of the service concerned:
- a) Maintenance of graves and garden of remembrance (cremations)
  - b) Housing rentals
  - c) Rentals for the use of municipal halls and other premises (subject to the proviso set out below)
  - d) Building plan fees
  - e) Sales of plastic refuse bags
  - f) Sales of refuse bins
  - g) Cleaning of stands
  - h) Electricity, water, sewerage: new connection fees
  - i) Sale of livestock and plants
  - j) Photostat copies and fees
  - k) Clearance certificates for purposes of property transfers
  - l) Town planning fees.
- 5) The following charges and tariffs shall be considered as regulatory or punitive,
- a) Fines for lost or overdue library books
  - b) Advertising sign fees
  - c) Pound fees
  - d) Electricity, water: disconnection and reconnection fees
  - e) Penalty and other charges imposed in terms of the approved policy on credit control and debt collection
  - f) Penalty charges for the submission of dishonoured, stale, post-dated or otherwise unacceptable cheques.

- g) Industrial Effluent
  - h) All tariffs as approve in terms of the drought relief program.
- 6) Market-related rentals shall be levied for the lease of municipal properties.
- a) In the case of rentals for the use of municipal halls and premises, if the municipal manager is satisfied that the halls or premises are required for non-profit making purposes and for the provision of a service to the community, the municipal manager may allow a discount of 50% on the rental that would otherwise have applied.
  - b) The municipal manager shall determine whether an indemnity or guarantee must in each instance be lodged for the rental of municipal halls, premises and sports fields, and in so determining shall be guided by the likelihood of the municipality sustaining damages as a result of the use of the facilities concerned.
- 7) Tariff structure:
- a) The unit of measurement as reflected in the separate list of tariffs approved annually will be used to determine regulatory community and subsidised services.
- 8) Method of calculation
- a) These tariffs will be adjusted annually by increasing the tariff that applied during the previous financial year by a percentage increase as determined by the majority councillors present at the meeting where the budget is approved.
- 9) Overdue Amounts
- a) The Municipality shall be entitled to levy an administration fee on a month to month basis on all overdue accounts subject to such maximum amount per month as the Council may determine.
  - b) The Municipality may at its discretion enter into a repayment schedule with a consumer in respect of overdue amounts, which repayment schedule will be incorporated into an acknowledgment of debt in favour of the Municipality and signed by the consumer. Upon signature of such an acknowledgment of debt, the consumer will become liable for payment of an administration fee in such amount

as the Council may determine for attending on the debtor and entering into the acknowledgment of debt with the consumer.

### 13) CAPITAL CONTRIBUTIONS

- 1) For purposes of these tariffs the under mentioned words and expressions shall have the following meanings assigned to them unless the context otherwise requires :
  - a) "**capital contributions**", the tariffs payable in respect of the water, electricity, sewerage, storm water, roads and refuse removal infrastructure of the municipality and which amounts exclude amounts payable towards the operational and maintenance costs of such infrastructure;
  - b) "**equivalent erf**", in relation to -
    - (i) **water and sewerage services**, a property of which the hypothetical average daily water usage as determined by George Municipality's Director: Civil Engineering Services in accordance with his standard formula does not exceed 1000l/day;
    - (ii) **electricity**, a property with a hypothetical design capacity of 10kVA before diversity as determined by George Municipality's Director: Electro-Technical Services in accordance with his standard formula, subject thereto that (a) a 3 phase domestic supply shall be equal to 2 equivalent erven (i.e. 20kVA); (b) a 3 phase business supply shall be equal to 3 equivalent erven (i.e. 30 kVA); and (c) any other cases shall be determined by George Municipality's Director: Electro-technical Services on a basis of what is fair and reasonable; and
    - (iii) **solid waste removal**, a property of which the hypothetical solid waste generation is equal to that of a three-bedroom residential unit calculated in accordance with George Municipality's Director: Environmental standard formula from time to time;
  - c) "**transfer**", transfer of the relevant property in terms of the Deeds Registries Act 47 of 1937 or any similar transfer of ownership.
- 2) Capital contributions are payable in addition to any service charges, charges for consumption, availability charges and connection fees.

- 3) The capital contributions provided for in these tariffs may be imposed by any person or authority when granting any authorisation, exemption or application contemplated in Section 42 of the Land Use Planning Ordinance, 1985 (Western Cape Ordinance 15 of 1985) or in terms of any other legislation that may be applicable : Provided that these tariffs shall not limit or restrict the conditions that may be imposed by such person or authority and such person or authority shall be free to impose such other capital contributions as it may deem necessary or expedient under the circumstances.
- 4) All capital contributions are adjusted annually and will be charged and be payable at the revised tariffs which are applicable at the time of transfer of the erf or property concerned or the approval of building plans in respect of such erf or property, whichever takes place first : Provided that should the number of erven, residential units, equivalent erven or other basis on which capital contributions may previously have been based, increase, additional capital contributions shall be payable calculated in accordance with the then existing tariffs when such changes take place or building plans are approved, as the case may be, whichever shall be the earlier.
- 5) Should the floor area of an existing building be increased or should approved building plans be changed or should an existing or authorised use of any building be changed or should new buildings be erected, or the electricity supply be increased, as the case may be, the owner shall be liable for payment of capital contributions in respect of such extensions, additions or changes, as the case may be, in accordance with the tariffs applicable from time to time, which capital contributions shall become payable upon approval of the building plans in respect of such extensions or additions or the occurrence of such change, as the case may be.
- 6) Should any capital contributions have been paid upon approval of building plans or at any time before transfer of a property and any changes as contemplated in paragraphs d) and e) subsequently occur, the provisions of paragraphs d) and e) shall apply *mutatis mutandis* in determining the additional capital contributions payable.
- 7) The capital contributions for roads and solid waste removal shall be calculated in accordance with the applicable standard formula of George Municipality's Director: Civil Engineering Services and Director: Environmental Services.
- 8) To the extent that storm water drainage is not provided for in the standard formula referred to in paragraph (g) above in respect of roads or if, in the opinion of George Municipality's Director: Civil Engineering Services, it would be more appropriate, the

capital contribution in respect of storm water drainage shall be equal to the direct costs of the storm water drainage infrastructure provided or to be provided.

- 9) Capital contributions shall be payable by the registered owner of the property concerned at the time when the contribution is due and payable, which shall be upon transfer or approval of building plans, whichever shall be applicable, unless any conditions of approval provide otherwise.
- 10) The capital contributions provided for in these tariffs shall be payable unless the payment of such amount is replaced by a condition imposed in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Western Cape Ordinance 15 of 1985) or any other legislation that may be applicable.
- 11) The following transitional arrangements shall apply in respect of these tariffs :
  - a) Should any building plans have been submitted for approval in terms of the National Building Regulations and Building Standards Act, 1977 (Act no 103 of 1977) on or before 30<sup>th</sup> June 2006 and such approval is granted after 30<sup>th</sup> June 2006, the capital contributions in force on 30<sup>th</sup> June 2006 shall, subject to sub-paragraph (iv), apply.
  - b) Should application for a certificate (generally referred to as a rates clearance certificate) as contemplated in Section 118 of the Local Government: Municipal Systems Act, 2000 (Act no 32 of 2000) have been made on or before 30<sup>th</sup> June 2006 and such certificate is issued after 30<sup>th</sup> June 2006, the capital contributions in force on 30<sup>th</sup> June 2006 shall, subject to sub-paragraph (iv), apply in respect of any tariff payable before transfer of the property concerned.
  - c) Should the approval of any building plans in terms of the National Building Regulations and Building Standards Act, 1977 (Act no 103 of 1977), lapse after 30<sup>th</sup> June 2006 without being extended, the capital contributions in force at the time of any subsequent approval of building plans for the property concerned shall, subject to sub-paragraph (iv), apply.
  - d) Should any authorisation, exemption or application contemplated in Section 42 of the Land Use Planning Ordinance, 1985 (Western Cape Ordinance 15 of 1985) or in terms of any other legislation that may be applicable, granted on or before 30<sup>th</sup> June 2006 not have provided for the payment of any tariffs or amounts in respect of any particular infrastructure provided for in these tariffs, the registered owner shall not as a result of these tariffs only become liable for payment of a capital contribution for which the registered owner would otherwise not have been

liable : Provided that if any changes as contemplated in paragraph (e) subsequently occur, the provisions of paragraphs (d) and (e) shall apply *mutatis mutandis* in determining the capital contributions payable.

**14) NOTIFICATION OF TARIFFS, FEES AND SERVICE CHARGES**

- 1) The tariffs will be approved as part of the annual budget.
- 2) The tariffs will come into effect as and when determined by the Council.

**15) ADJUSTMENT OF ACCOUNTS**

Where incorrect debits were raised, the accounts under query will be rectified as necessary

**16) LEGAL REQUIREMENTS**

**1) WATER SERVICES ACT NO. 108 OF 1997**

**a) SECTION 10 : NORMS AND STANDARDS FOR TARIFFS**

A municipality, in its capacity as a water services institution, must apply a tariff for water services which is not substantially different from any norms and standards which the Minister of Water Affairs and Forestry, with the concurrence of the Minister of Finance, has prescribed in terms of the present Act.

**b) SECTION 21: BYLAWS**

A municipality, in its capacity as water services authority, must make bylaws which contain conditions for the provision of water services, and which provide for at least the following (inter-alia):

- (a) the standard of the services;
- (b) the technical conditions of supply, including quality standards, units or standards of measurement, the verification of meters, acceptable limits of error and procedures for the arbitration of disputes relating to the measurement of water services provided;
- (c) the determination and structure of tariffs in accordance with Section 10 of the present Act.

If the municipality, in its capacity as water services authority, has imposed conditions under which water services are provided, such conditions must be accessible to consumers and potential consumers.

If the municipality, in its capacity as water services authority, provides water for industrial use, or controls a system through which industrial effluent is disposed of, it must make bylaws providing for amongst others at least the following:

- (1) the standards of the service;
- (2) the technical conditions of provision and disposal;
- (3) the determination and structure of tariffs.

### **Annexure A**

#### **INDUSTRIAL EFFLUENT CHARGES**

The charge for industrial effluent per kilolitre for the disposal of effluent that does not comply with residential effluent standards and may include effluent discharged into a stormwater system shall be determined in accordance with the following formula:

$$T_c = X + Y(\text{COD}_i/\text{COD}_w) + Z + \text{Penalty}$$

Where	$T_c$	= Extraordinary treatment cost to consumer per kl
	$X$	= Conveyance cost per kl = $C_C / V_A$
	Conveyance	= The transport of effluent or any liquid waste in the bulk or external sewer network from the point of discharge to the inlet of the of the treatment works
	$C_C$	= The operation and maintenance expenditure towards the conveyance of the waste water in kl per annum
	$V_A$	= Adjusted volume ( Adjusted volume means total volume corrected for infiltration) in kl per annum
	$Y$	= Variable treatment costs per kl = $C_T / V_A$
	Variable	= These costs are defined as expenditure that does

Treatment Costs	vary significantly with volume and COD loading
$C_T$	= The operation and maintenance expenditure towards the treatment of the waste water in kl per annum
$V_A$	= Adjusted volume ( Adjusted volume means total volume corrected for infiltration) in kl per annum
$COD_i$	= Average of each industria, inclusive of both biodegradable and non-biodegradable portion of COD
$COD_w$	= Average of works (weighted for more than one works), inclusive of both biodegradable and non-biodegradable portion of COD
$Z$	= Fixed Costs per kl = $C_F / V_A$
Fixed Costs	= These costs are defined as expenditure that does not vary significantly during a particular financial year and which is not affected by COD loading
$C_F$	= Fixed cost expenditure towards the treatment of the waste water in kl per annum
$V_A$	= Adjusted volume (Adjusted volume means total volume corrected for infiltration) in kl per annum
Penalty	= Penalty per kl charged in addition to the effluent charge based on volume and COD, for prohibited effluents, for instances where $COD_i$ of the effluent exceeds 3000 mg/L or where any other quality parameter exceeds the maximum value allowed according to Annexure A of the by-laws, as contained in the permit for the industry  = $P \times (\text{value measured}/\text{maximum allowed})$ If value measured is lower than maximum value $P = 0$ , except in the case of pH were $P = 0$ if pH is between 6 and 10 and the Penalty = $P \times (\text{value measured}/10)$ if the pH is above 10 and  = $x\{[6+(6-\text{value measured})]/6\}$ if it is below 6
$P$	= Unit penalty charge as determined by Council

**NOTE: An incremental penalty (P) is payable per non-compliance, and will increase by 0.5 per non-compliance.**



**UMTHETHO  
KAMASIPALA**

**WASEGEORGE**

**WOLUHLU  
LWEERHAFU**

## 1. IINKCAZELO

Kulo mthetho kamasipala woluhlu lweerhafu, ngaphandle kokuba imeko ibonisa ngenye indlela -

- 2) **“Abaxhasi bezolimo”** bathetha abaxhasi abazibandakanya kwezolimo njengoko kuchaziwe kwinkqubo yemimiselo eyenziwe ngokwecandelo lesi-8 likaLUPO,
- 3) **“Ukungabinalahleko nanzuzo”** kuthetha imeko yezemali apho ingeniso efunyanwa ngumasipala ngokunikezela ngenkonzo ilingana neendleko ezizinzileyo kunye neziguququkayo zizonke ezihambisana nokunikezelwa kwenkonzo enxulumene nazo;
- 4) **“Abaxhasi borhwebo”** baquka kodwa abaphelelanga kwiivenkile, ii-ofisi, iivenkile zotywala, amaziko karhulumente (ngaphandle kokuba kuchazwe ngenye indlela), iivenkile ezinkulu, iigaraji zoluNtu, iindawo zeendibano (ngaphandle kokuba kuchazwe ngenye indlela), iindawo ekugcinwa kuzo abantwana emini, iindawo zokonwabisa, iindawo ekuthengiswa kuyo ipetroli nekulungiswa kuzo iimoto, iindawo ekuchetywa kulungiswe iinwele kuzo, iipaki zeekharaveni, iibhanki, iihotele, izibhedlele, iikliniki, izindlu zeendwendwe, izindlu zamabhoda kunye namagumbi okucebisana kagqirha kunye nakagqirha wamazinyo kunye namashishini anemisebenzi elolo hlobo;
- 5) **“Inkonzo yoluNtu”** ithetha iinkonzo ekubhekiswa kuzo kumhlathi wesi-5(1)(c) **[Ibhunga elizihlele ngolo hlobo]** kunye nekubekwe uluhlu lweerhafu malunga nazo kumgangatho ukuba iindleko zeenkono zingafunyanwa ngokupheleleyo ngeentlawulo zenkonzo ezivela kuluNtu kwaye ziyalawula uhlobo lwazo;
- 6) **“Umxhasi”** uthetha umhlali waso nasiphina isakhiwo nomhlaba waso apho uMasipala waseGeorge avumileyo ukunikezela ngenkonzo kamasipala okanye umnini weso sakhiwo nomhlaba silolo hlobo okanye nawuphina omnye umntu ongene kwisivumelwano kunye noMasipala malunga nokunikezelwa kwenkonzo okanye ofumana inkonzo kuMasipala ngokomthetho;
- 7) **“Ibhunga”** lithetha Ibhunga likaMasipala kwaye **“ibhunga likamasipala”** liyakuba nentsingiselo engqinelanayo ;
- 8) **“Uceba weenkono zezemali”** uthetha uceba webhunga likamasipala onoxanduva lweenkonzo zezemali;
- 9) **“Abaxhasi basemakhaya”** bathetha iipropati zokuhlala, iindawo zokuhlala zamaqela, izindlu zasedolophini ezinemigangatho emibini nangaphezulu ezakhiwe zenza uluhlu, izindlu ezidityanisiweyo kunye neepropati ezilolo hlobo;
- 10) **“Umhla ekumele ukubhatalwa ngawo”** –
  - (i) malunga namatyala amele ukuhlawulwa ngenyanga ngesiseko esiphindaphindayo, umhla we- 15 wenyanga elandela inyanga elinikezelwa ngayo ityala;
  - (ii) malunga namatyala amele ukuhlawulwa ngomnyaka, ngama-30 eyoMsintsi ngaphandle kokuba kulungiselelwe nguwo nawuphina omnye umthetho; kunye
  - (iii) nakuwo onke amanye amathuba, xa ibango lentlawulo lenziwe nguMasipala;
- 11) **“linkonzo zoqoqosho”** zithetha iinkonzo ekubhekiswa kuzo kumhlathi wesi- 5(1)(b) kunye nekubekwe uluhlu lweerhafu kumgangatho malunga nazo ukuba iindleko zizonke zeenkono zifunyanwe kwakhona kubathengi;
- 12) **“amaziko emfundo kunye nawoluNtu ”** aquka kodwa engaphelelanga kwizikolo, iikholeji, izikolo zaphambi kwesikolo ezingaqhutywa ngumbutho wesisa okanye wentlalo-ntle obhalisiweyo, amathala eencwadi, iimuziyami, iicawa, izibhedlele, iikliniki, amaziko olungiso lwezimilo, iihotele zezikolo kunye namaholo oluNtu;

- 13) **"lirhafu ezingaguququkiyo"** zithetha iintlawulo ngeyunithi.
- 14) **"UMthetho wezeMali"** uthetha uRhulumente waseKhaya: uMthetho wokuLawulwa kweMali kaMasipala, ka-2003 (uMthetho No 56 ka- 2003);
- 15) **"lindleko ezizinzileyo"** zithetha iindleko ezingaguququkiyo ngokusetyenziswa okanye ngobuninzi obuvelisiweyo kunye nanjengoko kubekiwe ngaphezulu kumhlathi 6(3)(i);
- 16) **"Amakhaya angathathi ntweni"** athetha amakhaya abhaliswe kwamasipala ngolo hlobo anelisa iinqobo zokugweba zikamasipala ngokomgaqo-nkqubo wakhe wolawulo lwamatyala kunye nokuqokelelwa kwamatyala kwaye ukuhlala kwipropati phakathi kolawulo lwezobulungisa lukamasipala kunye **"namakhaya angathathi ntweni"** kuya kuba nentsingiselo engqinelanayo;
- 17) **"Abaxhasi bamashishini"**baquka kodwa abaphelelanga kwimisebenzi yamashishini, imizi-mveliso, izitora, indlu yokusebenzela, amabala ezinto ezilahliweyo, iikoyi zewayini, izilarha zokuxhelela, imizi-mveliso yokwenza iimveliso zobisi, iimarike zentlanzi kunye nabasebenzisi abalolo hlobo;
- 18) **"LUPO"** uthetha uMthetho wokuCwangcisa Ukusetyenziswa koMhlaba (uMthetho waseKapa we- 15 ka- 1985, njengoko ulungisiwe);
- 19) **"uMasipala"** uthetha xa kubhekiswa kuye njengo–
  - a) mbutho ozimeleyo, uMasipala waseGeorge njengoko uchaziwe kwiCandelo lesi-2 likaRhulumente waseKhaya : uMthetho weeNkqubo zikaMasipala, ka-2000 (uMthetho wama- 32 ka- 2000), kuquka igosa eligunyaziswe ngokufanelekileyo likaMasipala waseGeorge ; kunye
  - b) nommandla wejografi, ummandla wolawulo lwezobulungisa kaMasipala waseGeorge njengoko umisiwe ngokukaRhulumente waseKhaya : uMthetho wokuMiswa kweMida, ka-1998 (uMthetho wama- 27 ka- 1998);
- 20) **"umnini"** malunga nepropati, uthetha umntu ebhaliswe egameni lakhe ipropati kwiNdawo ekugcinwa kuyo iirejista zeNcwadi yeSigqibo kunye nabalandeli babanini abalolo hlobo;
- 21) **"Imibutho yokunceda uluNtu"** ithetha imibutho yokunceda uluNtu njengoko ichaziwe kwiCandelo lama-30 loMthetho weRhafu yoMvuzo No 58 ka- 1962;
- 22) **"Umhlali"** uthetha umntu ohlala ngokuqhelekileyo kummandla kamasipala;
- 23) **"Izivumelwano ezizodwa"** zithetha izivumelwano ezizodwa zoluhlu lweerhafu ekungenwe kuzo neendidi zabasebenzisi abenza igalelo elikhulu loqoqosho kuluNtu kwaye badale amathuba emisebenzi;
- 24) **"Amancedo ezemidlalo kunye nokuzonwabisa"**athetha iipropati ezisetyenziselwa iinjongo zemidlalo kunye nokuzonwabisa ngokukodwa kuquka amabala emidlalo ezikolo alinganiselwa ngokwahlukeneyo malunga nokusetyenziswa kwamanzi kunye nombane ;
- 25) **"UMthetho weeNkqubo"** uthetha uRhulumente waseKhaya: uMthetho weeNkqubo zikaMasipala, ka-2000 (uMthetho no 32 ka- 2000);
- 26) **"lindleko zizonke"** zithetha isixa sazo zonke iindleko ezizinzileyo kunye neziguququkayo ezihamba kunye nenkonzo;
- 27) **"iinkonzo zorhwebo"** zithetha iinkonzo ekubhekiswa kuzo kumhlathi 5(1)(a) kunye nekubekwa uluhlu lweerhafu kumgangathi malunga nazo ukuze lbhunga lenze inzuzo ngonikezelo lweenkonzo;

- 28) **"uluhlu lweerhafu olwahlulwe kabini"** luthetha uluhlu lweerhafu olunyusiweyo ukuze kufunyanwe kwakhona iindleko ezizinzileyo kunye neziguququkayo ngokwahlukeneyo. Iindleko ezizinzileyo zifunyanwa kwakhona ngokwahlula zonke iindleko ezizinzileyo ngenani labathengi ngokodidi ze iindleko eziguququkayo zifunyanwe kwakhona ngokwahlula zonke iindleko eziguququkayo ngobuninzi obusetyenzisiweyo.
- 29) **"iinyunithi ezisetyenzisiweyo"** zithetha inani leeyunithi ezisetyenzisiweyo zenkonzo ethile kwaye zilinganiswa ngokolwakhiwo loluhlu lweerhafu olubonakaliswe kumhlathi wesi-7;
- 30) **"iindleko eziguququkayo"** zithetha iindleko eziguququkayo ngokusebenzisa okanye ngobuninzi obuvelisiweyo kunye nanjengoko kubekwe ngokupheleleyo kumhlathi wesi-6(3)(b);
- 31) **"iVAT" ithetha Irhafu eyongezwe kwixabiso ngokoMthetho weRhafu eYongezwe kwiXabiso, ka- 1991,** njengoko ulungisiwe;
- 32) **"intlawulo yokufumaneka kwenkonzo"** iyakuthetha isixa esimelwe ukuhlawulwa ngumsebenzisi malunga nenkonzo efunekayo kodwa engadityaniswa kwipropati enxulumene noko. Ukuthelekisa apha ' intlawulo' iyakuthetha isixa esisesona sincinane esimele ukuhlawulwa ngumsebenzisi malunga nenkonzo ethile kungakhathalelwanga ubukhulu esetyenziswa ngabo inkonzo ngesigaba sexesha elinikezelweyo.
- 33) Malunga nokwahlulwa kwakhona okanye uphuhliso lwezindlu zeqela, apho umphuhlisi abonelela ngeenkonzo zolwakhiwo zangaphakathi, iintlawulo zokufumaneka zazo zonke iziza ezivunyiweyo kunye nezahluliweyo kwakhona phakathi kophuhliso malunga namanzi, umbane, ukulahlwa kwenkunkuma kunye nococeko (apho zisebenzayo) zimela ukuhlawulwa kwinyanga ezili-12 emva kokukhutshwa kweSiqinisekiso sokuGqiba ngokweGCC ka-2010. Ukuba isiza esinye phakathi kophuhliso sitshintshelwa ubumnini phambi kokuba ixesha leenyanga ezili-12 liphele, intlawulo yokufumaneka malunga neso siza sithile iyakumela ukuhlawulwa malunga namanzi kunye nomjelo ophantsi komhlaba ohambisa amanzi amdaka edolophu ngomhla wotshintshelo lobumnini, ukungeniswa koyilo lwesakhiwo okanye lwesicelo seSiqinisekiso seXwebhu ngelungelo lobumnini mhlaba eliBhalisiweyo. Umhla wesiqinisekiso sokugqiba kumele uqinisekiswa ngumongameli onoxanduva lwenkonzo ethile kwaye ikopi yesiqinisekiso eso kumele ingeniswe kwangoko yakufunyanwa kwisebe lezemali.

Kulo mthetho kamasipala woluhlu lweerhafu igama okanye intetho evela kwigama okanye intetho echazwe kwicandelwana loku-(1) inentsingiselo engqinelanayo ngaphandle kokuba imeko ibonisa ukuba kuthethwa enye intsingiselo.

## 6) INJONGO YALE MITHETHO KAMASIPALA

Injongo yale mithetho kamasipala ku:

- 1) Kuthobela amalungiselelo ecandelo lama-74 loMthetho weeNkqubo zikaMasipala.
- 2) Kumisela iinkqubo zokubala iirhafu apho umasipala anqwenela ukuqesha abanikezeli beenkonzo ngokwecandelo lama-76(b) loMthetho weeNkqubo.
- 3) Kunika inkokelo kuceba ngemicimbi yezemali malunga neziphakamiso zeerhafu ekumele zingeniswe kwibhunga ngomnyakomnye ngexesha lenkqubo yohlahlo-lwabiwo-mali.

## 7) IINQOBO ZOLUHLU LWEERHAFU

- 1) Ngokubeka uluhlu lwalo lweerhafu lonyaka ibhunga liyakuthatha ingqalelo efanelekileyo yoluhlu lweerhafu ezisebenza kwenye indawo kummandla woqoqosho, neyempembelelo olungabanayo uluhlu lweerhafu zalo kuphuhliso loqoqosho lwasekhaya.

2) Ezi nqobo zoluhlu lweerhafu zilandelayo ziyakusebenza:

- a) Uluhlu lweerhafu zeenkonzon olubekwa ngumasipala luyakuthathwa njengeentlawulo zomsebenzisi kwaye aluyikuthathwa njengeerhafu, kwaye ngoko ukubanako kwezemali komsebenzisi weenkonzon ezinxulumene noko apho uluhlu lweerhafu ezilolo hlobo lusebenzayo, akuyikuqwalaselwa njengeenqobo zokugweba ezinxulumene nalo (ngaphandle kwakwimeko yamanyathelo okunceda amakhaya angathathi ntweni kunye neendidi ezifanelekileyo zabasebenzisi abavunywe ngumasipala ngamanye amaxesha).
- b) UMasipala uyakuqinisekisa ukuba uluhlu lwakhe lweerhafu lusetyenziswa ngokufanayo nakakuhle kuwo wonke ummandla kamasipala.
- c) Uluhlu lweerhafu lwazo zone iinkonzon ezinkulu ezinikezelwa ngumasipala, ezibizwa ngokuba:
  - (i) umbane
  - (ii) amanzi
  - (iii) uthungelwano lwemijelo phantsi komhlaba (amanzi alahlwayo)
  - (iv) ukususwa kwenkunkuma (inkunkuma eqinileyo),

uyakufumana kwakhona iindleko ezihamba nokunikezelwa kwenkonzo nganye enxulumene noko. Uluhlu lweerhafu ezihlawulelwa ngumsebenzisi othile ngoko luyakunxulumana ngqo nomgangatho wenkonzo efunyenweyo kunye nobuninzi benkonzo ethile esetyenzisiweyo.

- d) UMasipala uyakuqinisekisa kangoko iimeko zivumela ngokusezingqondweni ukuba uluhlu lweerhafu ezirhafisiweyo malunga neenkonzon ezine ezinkulu lungenisa ngaphezulu intshiyekela yokusebenza nyaka-mali ngamnye njengoko ibhunga lingamisa ngexesha apho uhlahlo-lwabiwo-mali lokulungisa lomnyakomnye luvunyiwe. Ezo ntshiyekela zilolo hlobo ziyakusetyenziselwa ekuncedeni iirhafu zepropati kunye nokuhlawulela inxalenye yenkonzo ngokubanzi okanye malunga nokwandiswa kwenkunzi yexesha elizayo yenkonzo enxulumene noko, okanye zombini. Ubuncinane bentshiyekela elolo hlobo buyakuthintela uluhlu lweerhafu zeenkonzon olunxulumene nayo ekubeni luthathwe njengeerhafu ezifihlakeleyo.
- e) UMasipala uyakuvelisa, avume kwaye kubuncinane bomnyakomnye aqwalasele kwakhona inkqubo yokuxhasa abantu abangathathi ntweni yommandla kamasipala. Le nkqubo iyakubeka ngokucacileyo umgaqo-nkqubo wokufumana kwakhona iindleko zikamasipala malunga noluhlu lweerhafu azirhafisa abantu abangathathi ntweni ababhalisiweyo, kunye neziphumo zomgaqo-nkqubo woluhlu lweerhafu ololo hlobo azibeka kubanye abasebenzisi nabaxhasi kummandla kamasipala.
- f) Ngokuvumelana kunye neenqobo eziqulethwe kuMgaqo-siseko kunye nakweminye imithetho ephathelene norhulumente wasekhaya, umasipala angahlula phakathi kwendidi ezahlukeleyo zabasebenzisi nabaxhasi malunga noluhlu lweerhafu ezirhafiswayo. Oko kwahlula kanti, kuyakuba sezingqondweni ngawo onke amaxesha, kwaye kuya kubhengezwa kuhlahlo-lwabiwo-mali lonyaka ngamnye.
- g) Umgaqo-nkqubo woluhlu lweerhafu uyakuba selubala kwaye ububanzi bokuba kukho ukuxhasa okunqamlezayo phakathi kweendidi zabasebenzisi okanye abaxhasi buyakubhengezwa kubasebenzisi.
- h) UMasipala uyakuqinisekisa ukuba zonke izintlu zakhe zeerhafu ziyakuqondakala kubo bonke abasebenzisi abachatshazelwa ngumgaqo-nkqubo woluhlu lweerhafu.
- i) UMasipala uyakuqinisekisa ukuba unikezela ngendleko zeenkonzon zakhe kakuhle ukuze kuqinisekiswa eyona ndleko ilungileyo yonikezelo lweenkonzo inokwenzeka.

- j) Kwimeko yeenkonzo ezinokulinganiswa ngqo, ezibizwa ngokuba ngumbane kunye namanzi, ukusetyenziswa kweenkonzo ezilolo hlobo kuyakulinganiselwa kakuhle ngumasipala, kwaye izilinganisi ziyakufundwa, naninina iimeko zikuvumela oko ngokusezingqondweni, ngesiseko senyanga. Iintlawulo ezirhafiswa abasebenzisi ziyakwalamana nobuninzi benkonzo abayisebenzisayo.
  - k) Ukongeza, umasipala uyakurhafisa iintlawulo zokufumaneka ngenyanga zeenkonzo ezinxulumene noko, kwaye ezi ntlawulo ziyakuzinza malunga nodidi lwepropati ngalunye njengoko kumisiwe ngokuvumelana kunye nemigaqo-nkqubo echaziweyo ebekwe ngezantsi. Abasebenzisi bamanzi nombane bayakuhlulwa ngoko iintlawulo ezimbini: eyokuqala, encinane ngokuthelekisayo, engaxulumananga nobuninzi bokusebenzisa kwaye iyarhafiswa ngenxa yokufumaneka kwenkonzo enxulumene noko, ze enye enxulumene ngqo nokusetyenziswa kwale nkonzo kuthethwa ngayo.
  - l) Ukuqwalasela ukuxatyiswa kweenkonzo zamanzi, umbane kunye nothungelwano lwemijelo phantsi komhlaba kwaye umasipala uyakuthatha ingqalelo efanelekileyo malunga neendleko zenkunzi eziphezulu zokumisa kunye nokwandisa ezo nkonzo zilolo hlobo, kunye nesiphumo seendleko ezinzileyo eziphezulu, ngokuchasene neendleko eziguququkayo zokusebenzisa ezi nkonzo. UMasipala uyakucwangcisa ulawulo kunye nokwandiswa kwezi nkonzo ngobulumko ukuze kuqinisekise ukuba omabini amabango angoku kunye nalindeleke kwixesha elizayo asezingqondweni, alungiselelwe ngokwaneleyo kunye nokuba amaqondo amabango aguququka ngokubalulekileyo ngexesha elifutshane ayaneliswa. Oku kungathetha ukuba iinkonzo zingasebenza nganeno kunangokwamandla apheleleyo ngamanye amaxesha okanye ngezigaba ezithile, kwaye iindleko zamandla entshiyekela elolo hlobo kumele zaneliswe kuluhlu lweerhafu ezirhafiswa ngonyaka.
  - m) UMasipala, angaqwalasela amabango ayakwenziwa kunikezelo lweenkonzo yiyo yombini imijikelo yolwandiso lwexesha elizayo kunye neyamabango aguququkayo kunye nokunye ukwehla kusenyuka, ngokwamkela ulwakhiwo loluhlu lweerhafu olwahlulwe kabini ngokwesiseko, olubizwa ngokuba yintlawulo encinane engaguququkiyo ebandakanya nentlawulo esekelwe ekusebenziseni.
  - n) Inxenye yomgaqo-nkqubo kamasipala woluhlu lweerhafu malunga neenkonzo zombane iyakuba kukuqinisekisa ukuba abo basebenzisi banoxanduva kakhulu malunga nebango elisencamini, ze ngoko malunga nokuzenzela kukamasipala iintlawulo zebango ezihamba nalo ezivela kuEskom, kuya kufuneka bathwale iindleko ezihamba nezi ntlawulo. Ukuza kuma ngoku umasipala uyakufakela izilinganisi zebango ukulinganisa elona bango likhulu labo basebenzisi balolo hlobo ngexesha lezigaba ezithile. Abasebenzisi abalolo hlobo bayakuhlulwa ngoko iintlawulo yebango enxulumene noko kunye nentlawulo yenkonzo ngqo ehamba nokona kusebenzisa kwabo umbane ngexesha lokulinganiswa kombane onxulumene noko.
- 3) Ezi ngcinga zilandelayo ziyakusebenza kananjalo:
- a) Iinkonzo ezingahlawulelwayo ziyakuba nokwenzeka ukuba uRhulumente weSizwe uhlawula kumasipala inkxaso yesabelo elungelelanisiweyo eyanelisa iindleko ezipheleleyo zeenkonzo ezingahlawulelwayo.
  - b) Bonke abasebenzisi beenkonzo zikamasipala bayakuphathwa ngokulinganayo. Ukongela amakhaya angathathi ntweni kunye neendidi zabasebenzisi ezifanelekileyo, iindidi ezahlukeneyo zabasebenzisi ziyakuhlulwa iintlawulo ezifanayo ngokusekelwe kulwakhiwo lwendleko ezifanayo.
  - c) Isixa esimele ukuhlawulwa ngabasebenzisi siyakwalamana nokusetyenziswa kwenkonzo.
  - d) Amakhaya angathathi ntweni kumele ubuncinane abe nokufikelela kwiinkonzo ezisisiseko ngoluhlu lweerhafu zentambo esetyenziswa ekusindiseni abantu abasengozini okanye ngenkxaso ethe ngqo.

- e) Uluhlu lweerhafu kumele lubonakalise iindleko ezipheleleyo zeenkonzó.
  - f) Phakathi kwezithintelo, abathengi kumele bakhululeke ukuba bakhethe kuludwe loluhlu lweerhafu olusebenzayo.
  - g) Uluhlu lweerhafu kumele lubekwe kwinqanaba elenza lula ukuzinza kweenkonzo. Ukuzinza kuyakufunyanwa ngokuqinisekisa ukuba:
    - (i) Ukungena kwemali kugquma ukuphuma kwemali. Oku kuthetha ukuba ubonelelo olwaneleyo malunga nenkunzi yokusebenza kunye namatyala amabi luyakwenziwa.
    - (ii) Ukufikelela kwimarike yemali esebenza njengomjelo webango nokunikezelwa kwenkunzi yamatyala kunye nezabelo kugciniwe. Oku kuyakuphunyezwa ngokubonelela ngokuhlululwa kwakhona kwenkunzi, ukugcinwa kwamanqanaba okuba nemali yokuhlululwa amatyala aneleyo kunye nokwenza iingeniso kwiinkonzo zorhwebo.
  - h) Ubonelelo luyakwenziwa kwiimeko ezifanelekileyo malunga nentlawulo eyongeziweyo kuluhlu lweerhafu. Oku kuza kufuneka ngexesha lentlekele yesizwe kunye nangamaxesha embalela xa isithintelo sokusebenzisa siyimfuneko.
  - i) Ukusetyenziswa kwemithombo ngobuchule nakakuhle kuyakukhuthazwa ngokulungiselela ngezohlwayo ukunqanda ukusebenzisa okugqithileyo.
  - j) Ubukhulu bokuxhaswa kwezintlu zeerhafu kuya kubhengezwa.
  - k) IRHAFU efakwe kwixabiso ayiqukwanga kuzo zonke izintlu zeerhafu kwaye iyakongezwa kwezi zintlu zeerhafu xa isebenza.
- 4) Ipropati esetyenziswa malunga neenjongo ezininzi kumele, malunga neenjongo zezi zintlu zamaxabiso yabelwe kudidi olumiswe libhunga malunga neepropati ezisetyenziswa ngenjongo engqinelana nokusetyenziswa okuveleleyo kwepropati ukuba uMasipala akanakwenza ulwabiwo ngokukhawuleza malunga neenkonzó ezinxulumene noko kunye neendidi zabasebenzisi.
- 5) Ukuze kubonelelwe uMasipala ngokhuseleko olufanelekileyo lwentlawulo yezixa ezibanjwa yena ngamanye amaxesha malunga neenkonzó ezinikezelweyo, libhunga liyakubeka inkqubo yeedipozithi ekumele zihlawulwe ngabathengi. Iidipozithi ziyakubekwa ngenxa yengozi yezemali enokwenzeka ehamba nezixa ezibanjwayo ngamanye amaxesha. Ukuphakama kwedipozithi kuyakuqwalaselwa kwakhona ngonyaka kwaye uMasipala angazisa amalungiselelo atshintshiweyo malunga nabasebenzisi abakhoyo.
- 6) Izithuthi zikawonke wonke:

Umgama we- 5km phakathi kweendawo ezimbini zokuphumla eluhambeni kunye ne-15km yomgama wesiseko uyakusetyenziswa.

Imali yokuhamba iyakubalwa ngolu hlobo :

Imali yokuhamba yezithuthi iyonke = Ipersenti yoMgaqo-nkqubo x (Umvuzo omncinane /40) x Imali yoKuhamba eSisiseko x Ngentlawulo ekongezwa kuyo eminye imirhumo x Ixabiso elichatshazelwa yimilo yento  
 Imali yokuhamba iyakudityaniswa kuMvuzo omncinane wabaSebenzi baMakhaya aseDolophini abaqeshwe ngaphezu kweeyure ezingama-27 ngenyangá

8) **IINDIDI ZABASEBENZISI**

- 1)Ulwakhiwo loluhlu lweerhafu ezahlukeyo lungabekwa malunga nezi ndidi zabasebenzisi zilandelayo (olungatshintshwa libhunga):
- a) abasebenzisi basekhaya;
  - b) abasebenzisi borhwebo;
  - c) abasebenzisi bamashishini;
  - d) abasebenzisi bezolimo;
  - e) oomasipala;
  - f) abasebenzisi ekwenziwe kunye nabo izivumelwano ezizodwa;
  - g) abasebenzisi abakwimimandla ethile yejografi
  - h) amancedo emidlalo kunye nokuzonwabisa
  - i) amaziko emfundo; kunye
  - j) nemibutho yokunceda uluNtu kunye namaziko alolo hlobo.
- 2) Apho amabango ahlukeneyo amakhulu enziwayo kusetyenziso lweziseko ezingundoqo ukunikezela ngenkonzo kumaqela athile abasebenzisi phakathi kodidi okanye umgangatho weenkonzo ofunwa ngabasebenzisi abalolo hlobo, ibhunga lingamisa uluhlu lweerhafu ezahlukeyo malunga nabasebenzisi abohlukeyo phakathi kodidi oluthile emva kokuqwalasela ingxelo yoMphathi kaMasipala okanye yeNtloko yeSebe elinxulumene noko.
- 3) Ukwahlula kumele kusekelwe kwenye yezi zinto zifunekayo zilandelayo nangaphezulu; iindleko zeziseko ezingundoqo, umthamo wokusetyenziswa, imigangatho yokufumaneka kunye neyenkonzo.
- 4) Ukuba, malunga neenjongo zokumisa uluhlu lweerhafu ezisebenzayo kumsebenzisi othile okanye kudidi lwabasebenzisi, umsebenzisi okanye udidi lwabasebenzisi aluqukwangwa ngokukodwa ngendlela yenkcazelo phantsi kodidi lwabasebenzisi oluchaziweyo,uMongameli kamasipala : linkonzo zoBunjinieli boLwakhiwo, ngokusebenzisa inqobo efana ngokusondeleyo, uyakumisa udidi umsebenzisi okanye udidi lwabasebenzisi elilunga phantsi kwalo kakuhle kuthathwa ingqalelo yohlobo lwenkonzo enxulumene noko kunye nomsebenzisi okanye udidi lwabasebenzisi elibandakanyekayo.

9) **UKUHLELWA KWEENKONZO KUNYE NENKCITHO KUNYE NEZINTO ZENDLEKO EZIFUNEKAYO**

- 3) Ukuhlelwa kwenkonzo:  
Igosa lezeMali eliyiNtloko liyakwenza ulungiselelo malunga nokuhlelwa kwezi nkonzo zilandelayo, ngokuxhomekeke kwimigaqo enikezelwe liSebe lezeMali leSizwe kunye neKomiti kaSodolophu yebhunga.
- (a) linkonzo zorhwebo
- (i) Amanzi.
  - (ii) Umbane.
  - (iii) Amancedo okuhlala ententeni.
- (b) linkonzo zoqoqosho:
- (i) Ukususwa kwenkunkuma.
  - (ii) Ukulahla ngothungelwano lwemijelo phantsi komhlaba.
- (c) linkonzo zoluNtu:
- (i) Ungcoliseko lomoya.
  - (ii) linkonzo zokulwa umlilo.
  - (iii) Ukhenketho lwasekhaya.
  - (iv) Ukucwangciswa kwedolophu.



- (v) Imisebenzi yoluNtu kamasipala, kuphela malunga neemfuno zikamasipala kukukhululwa kuxanduva lwabo kunye nokulawulwa kwemisebenzi eyabelwe bona ngokukodwa phantsi koMgaqo-siseko okanye kwawo nawuphina umthetho.
- (vi) Inkqubo yokulawulwa kwamanzi esiphango kwindawo ezakhiweyo.
- (vii) Imithetho yorhwebo.
- (viii) Ibhodi zezaziso ezizinzileyo kunye nokuxhonywa kwezaziso kwiindawo zikawonke wonke.
- (ix) Amangcwaba.
- (x) Ukulawulwa kweenkathazo zoluNtu.
- (xi) Ukulawula kwamashishini athengisa utywala kuluNtu.
- (xii) Amancedo endawo yokuhlala, ukukhathalela kunye nokungcwatywa kwezilwanyana.
- (xiii) Izinto zokubiyela nombiyelo
- (xiv) Ukukhutshwa kwamaphepha mvume ezinja.
- (xv) Ukukhutshwa kwamaphepha mvume kunye nokulawulwa kwamashishini athengisa ukutya kuluNtu.
- (xvi) Izinto ezenza ukuphila kube mnandi zasekhaya.
- (xvii) Amancedo ezemidlalo asekhaya.
- (xviii) Lipaka zikaMasipala kunye nokuzonwabisa.
- (xix) Iindlela zikamasipala.
- (xx) Ingxolo.
- (xxi) Izikiti.
- (xxii) Indawo zikawonke wonke.
- (xxiii) Ukurhweba estratweni/Ukukhanyiswa kwestrato.
- (xxiv) Izithuthi nendawo yokumisa.
- (xxv) Ukulawulwa kwesakhiwo.
- (xxvi) Ukukhutshwa kwamaphepha mvume ezithuthi kunye neemvume zokuthutha.
- (xxvii) Indawo zokulondoloza indalo.

(d) Iinkonzo ezinenkxaso:

- (i) Amathala eencwadi kunye nemuziyam.
- (ii) Iindlela ezazisiweyo.
- (iii) Izithuthi zikawonke wonke zikamasipala.

4) Ukuhlelwa kwenkcitho:

Inkcitho iyakuhlelwa kwezi ndidi zilandelayo:-

(a) Ukuhlela ngokukokwakho:

- (i) Imivuzo, imali evunyelweyo;
- (ii) Iintengo ezinkulu;
- (iii) Inkcitho ngokubanzi;
- (iv) Ukulungisa kunye nokugcina;
- (v) Iintlawulo zemali eyinkunzi (inzala kunye nokukhulula) /ukunciphisa amaxabiso;
- (vi) Umnikelo kwizinto anazo umasipala ezingashukumiyiyo;
- (vii) Umnikelo kwiingxowa-mali;
- (viii) Amatyalala amabi;
- (ix) Imali eyinkunzi yokusebenza; kunye
- (x) neeNgxowa-mali ezimiswe ngokomthetho.
- (xi) Umnikelo kwimali egciniweyo;
- (xii) Inkcitho epheleleyo;
- (xiii) Kwaphulwe intlawulo yangaphandle;
- (xiv) Intsalela yenkcitho;
- (xv) Ingeniso; kunye ne
- (xvi) Intsalela/Intsilelo.

- (b) Ukuhlela ngokungathathicala:
  - (iii) Amaziko endleko ayakudalwa apho iindleko ezihamba nokunikezelwa kwenkonzo zingabelwa:
    - (dd) Isebe.
    - (ee) Icandelo/inkonzo.
    - (ff) Icandelo/inkonzo.
  - (iv) Ukuhlelwa ngokunokwakho kwenkcitho eyileyo inevoti eyodwa iya kusetyenziswa kuwo onke amaziko eendleko.

3) Izinto zendleko ezifunekayo:-

Ezi zinto zilandelayo zendleko zifunekayo ziyakusetyenziswa ukubala izintlu zeerhafu zeenkono ezahlukileyo:

- (d) *Iindleko ezinzileyo* ezineendleko zenkunzi (inzala kunye nokufezekiswa) kwimali mboleko zangaphandle nokuhlawula phambi kwexesha kwangaphakathi kunye okanye ukuthoba ixabiso naziphina ezisebenzayo kwinkonzo kunye naziphina ezinye iindleko zohlobo lwesigxina njengoko liyakumisa lbhunga ngamanye amaxesha.
- (e) *Indleko eguquguqukayo*: oku kuquka zonke ezinye iindleko eziguquguqukayo ezinesingqiniso kwinkonzo.
- (f) *Indleko zizonke*: zibandakanya indleko ezinzileyo kunye nendleko eguquguqukayo.

10) **IINTLOBO ZOLUHLU LWEERHAFU**

Ukumisa udidi loluhlu lweerhafu olusebenzayo kudidi lwenkonzo umasipala uya kusebenzisa ezindidi zokhetho zisixhenxe zilandelayo okanye indibaniso yezifanayo.

- (8) *Uluhlu lweerhafu olunye*: olu luhlu lweerhafu luyakuba nexabiso ngeyunithi esetyenzisiweyo. Zonke iindleko ziyakufunyanwa kwakhona ngeentlawulo zeyunithi kwinqanaba apho ingeniso kunye nenkcitho zilingana. Ngokuxhomekeke kwicebiso leGosa lezeMali eliyiNtloko lbhunga lingagqiba ukuvuma iingeniso kwiinkonzo zorhwebo ngexesha lentlanganiso yohlahlo-lwabiwo-mali. Iingeniso ezilolo hlobo ziyakongezwa kwindleko ezinzileyo kunye neguquguqukayo yenkonzo ngenjongo yokubala uluhlu lweerhafu
- (9) *Uluhlu lweerhafu olunxulumene nendleko olwahlulwe kabini ukuya kuma kwisithathu*: Olu luhlu lweerhafu luyakuba nezahlulo ezimbini ukuya kwezintathu. Iindleko zolawulo, inkunzi, ukugcina kunye nokusebenza ziyakufunyanwa kwakhona ngokwenza iqela izinto ezithile kunye umz. iindleko zolawulo, inkunzi kunye nezokugcina zingenziwa iqela kunye kwaye zifunyanwe kwakhona ngentlawulo ezinzileyo, ngokungaxhomekekanga kukusebenzisa kwazo zonke iindidi zabasebenzisi ngelixa iindleko eziguquguqukayo zingafunyanwa kwakhona ngentlawulo yeyunithi, ngeyunithi esetyenzisiweyo. Uluhlu lweerhafu olwahlulwe kathathu luyakusetyenziswa ukubala uluhlu lweerhafu ombane kunye nokubonelela malunga nelona bango likhulu nokusebenzisa ngexesha lebango elilinganiselweyo.
- (10) *Uluhlu lweerhafu oluthambekayo olufakwe kwibhloko*: Olu luhlu lweerhafu lusekelwa kumanqanaba okusebenzisa afakwe kudidi lweebhloko, uluhlu lweerhafu luyamiswa ze lunyuswe xa inqanaba lokusebenzisa linyuka. Inyathelo lokuqala kwizintlu zeerhafu liyakubalwa kwindawo apho kungekho lahleko nanzuzo. Amanyathelo alandelayo ayakubalwa ukuvelisa iingeniso kunye nokutyhafisa ukusetyenziswa kwenkonzo yorhwebo ngokugqithileyo.

- (11) *Uluhlu lweerhafu ezinciphayo olufakwe kwibhloko*: olu luhlu lweerhafu sisichasi soluhlu lweerhafu ezithambekayo olufakwe kwibhloko kwaye ziyehla xa inqanaba lokusebenzisa linyuka. Inyathelo lokuqala liyakubalwa ngokwahlula indleko ezinzileyo nequququkayo kunye nengeniso emiswe libhunga amaxesha ngamaxesha ngomthamo osetyenzisiweyo. Olu luhlu lweerhafu luyakusetyenziswa kuphela malunga nezivumelwano ezizodwa.
- (12) *Uluhlu lweerhafu zokulawula*: olu luhlu lweerhafu zilolo hlobo lolokulawula kuphela kwaye umasipala angafumana kwakhona yonke indleko okanye inxenye ehamba nokunikezelwa kwenkonzo.
- (13) *Uluhlu lweerhafu lexesha lokusebenzisa*: olu luhlu lweerhafu lusekelwe kwiintlawulo ezizinzileyo kunye nezamaxesha athile omnyaka kunye nakumandla ohlulwe ngamaxesha kunye neentlawulo zebango.
- (14) *Uluhlu lweerhafu zothutho lukawonke-wonke zisekelwe kungama ophakathi kweendawo ezimbini zokuphumla kuhambo olusekelwe kungama we -5 km zohambo olune- 15 km njengomgama osisiseko wohambo.*

## 8) **IZAKHIWO ZOLUHLU LWEERHAFU KUNYE NEENDLELA ZOKUBALA**

- (1) Ukubalwa koluhlu **lweerhafu zeenkonziso ezinkulu**
- a) **Ukuze kumiswe uluhlu lweerhafu** ekumele zihlawuliswe malunga nokunikezelwa kweenkonzo ezine ezinkulu (amanzi, umbane, ukususwa kwenkunkuma kunye nothungelwano lwemijelo phantsi komhlaba) umasipala uya kwalatha zonke iindleko zokusebenza zamashishini anxulumene noko, kuquka ngokukodwa la alandelayo:
- j) Indleko yeentengo ezisisambuku kwimeko yamanzi kunye nombane.
  - ii) Iindleko zokucoca (amanzi kunye nomjelo ophantsi komhlaba ohambisa amanzi amdaka edolophu)
  - iii) Iindleko zokusasaza.
  - iv) Iilahleko zokusasaza kwimeko yombane kunye namanzi.
  - v) Iindleko zokunciphisa ixabiso.
  - vi) Ukugcinwa kweziseko ezingundoqo kunye nezinye izinto zikamasipala ezingashukumayo.
  - vii) Iindleko zolawulo kunye nenkonzo kuquka:
    - a. iintlawulo zenkonzo ezirhafiswa ngamanye amasebe afana nelezemali, icandelo lezabasebenzi kunye neenkonziso zomthetho;
    - b. iindleko zokuqhuba ishishini jikelele ezisengqondweni, ezifana neendleko ezinxulumene kunye ne-ofisi yomphathi kamasipala;
    - c. iminikelo eyaneleyo kubonelelo lwamatyala amabi kunye nokungabisasetyenziswa kwempahla;
  - (dd) zonke ezinye iindleko zokusebenza eziqhelekileyo ezinxulumene nenkonzo malunga noko kuquka, kwimeko yeenkonzo zombane, indleko yokubonelela ngezibane zestrato kummandla kamasipala (qaphela: iindleko zenkqubo yolawulo lwesininzi kwamasipala – oko kukuthi, zonke iindleko ezinxulumene kunye nezakhiwo zepolitiki zikamasipala – ziya kwenza inxenye yeendleko ekumele zihlawulelwe ngeerhafu zepropati kunye neengeniso jikelele, kwaye aziyikuqukwa ekuxatyisweni kweenkonzo ezinkulu zikamasipala).

- (2) Intsalela efunwayo eza kwenziwa malunga nonyaka-mali, loo ntsalela ilolo hlobo kumele isebenze:
- (i) njengokubekelwe kwinkunzi egciniweyo; kunye/okanye
  - (ii) ngokubanzi kuncedo lweerhafu kunye neenkonziso jikelele.
- (3) indleko yamanyathelo oncedo lwabangathathi-ntweni avunyiweyo.
- (4) UMasipala uya kubonelela ngama-50kWh okuqala ombane ngenyanga kunye nange-6 kl yokuqala yamanzi ngenyanga ngaphandle kwentlawulo kubaxhasi ababhaliswe njengabangathathi-ntweni kamasipala ngokwenkqubo kamasipala yokunceda abangathathi-ntweni. UMasipala uyakuqwalasela ngaphezulu uncedo malunga noluhlu lweerhafu zothungelwano lwemijelo phantsi komhlaba kunye nokususwa kwenkunkuma malunga nabo bangathathi-ntweni babhalisiweyo kangangoko ibhunga licinga ukuba uncedo olulolo hlobo luyafikeleleka ngokohlahlo-lwabiwo-mali lonyaka ngamnye.
- (5) uluhlu lweerhafu zezixhobo zokulinganisa malunga nokuhlawulelwa kwangaphambili luyakuba nganeno kunoluhlu lweerhafu ezisetyenziswa ngokuqhelekileyo ezirhafiswa kudidi lwabasebenzisi abanxulumene noko.

Olu lwakhiwo loluhlu lweerhafu lulandelayo, luyakusetyenziswa ukumisa uluhlu lweerhafu apho kunokwenzeka:

## 9. AMANZI

### 3) Ulwakhiwo loluhlu lweerhafu

- a) lindleko ezizinzileyo kunye noluhlu lweerhafu ezifakwe kwibhloko ezinyukayo luza kusebenza kubo bonke abasebenzisi ngaphandle kwase:

- i) Zikolweni, likholeji kunye neTechnicon.
- ii) Kwamakhaya Abantwana.
- iii) libhodi zeMidlalo.
- iv) Amakhaya Abantu Abadala.
- v) Izakhiwo zikaMasipala.
- vi) lifama.

- b) Uluhlu lweerhafu ezifakwe kwibhloko ezinyukayo luyakusebenza:

- 0 – 6 kl
- >6 – 12 kl
- >12 – 30 kl
- >30-50 kl
- >50kl

- c) Ukuphunyezwa koluhlu lweerhafu zethuba lokuxakeka kuyakuxhomekeka kumphakamo wedama iGarden Route Dam kunye nanjengoko kumisiwe kuMgaqo-nkqubo wokuLawulwa kweMbalela.

### 4) Indlela yokubala:

- a) Abasebenzisi basemakhaya abasebenzisa nganeno kwe-6 kl ngenyanga bayakufumana amanzi asimahla.
- b) lindleko ezizinzileyo zenkonzo ziya kubaneendleko ezibonakaliswe ngolo hlobo libhunga.
- c) Inani labasebenzisi kunye nomthamo othelekelelwe njengosetyenzisiweyo ngodidi liyakusetyenziswa ukumisa uluhlu lweerhafu ezizinzileyo ngodidi.
- d) Apho iipropati zingadityaniswa kwinkonzo yamanzi kodwa zinokudityaniswa ngokusezingqondweni kwinkonzo uluhlu lweerhafu zokufumaneka luyakumelwa ukuhlawulwa. Khangela ku (ff) malunga nophuhliso lwabucala.

- e) Apho ibhunga ligqiba ukwenza ingeniso kwinkonzo ingeniso iyakongezwa kwindleko ezinzileyo kunye neguquguqakayo phambi kokuba uluhlu lweerhafu lubalwe.

9) **UMBANE**

3) Ulwakhiwo loluhlu lweerhafu

- a) Elona bango likhulu (KVA) noluhlu lweerhafu ezizinzileyo kunye neekWh ezisetyenzisiweyo.  
 b) Uluhlu lweerhafu ezizinzileyo kunye neekWh ezisetyenzisiweyo.  
 c) Uluhlu lweerhafu zeyunithi (iiKWh ezisetyenzisiweyo) (Izixhobo zokulinganisa zokuhlawulela kwangaphambili).

2) Indlela yokubala:

- a) Imigaqo ekhutshwa nguMlawuli woMbane weSizwe ngamanye amaxesha iya kwenza isiseko sokubala uluhlu lweerhafu.  
 b) Ukufumana kwakhona indleko yenkunzi yokunikezela umbane ngentlawulo ezinzileyo kuya kwenza umbane ungafikeleleki kubasebenzi abaninzi abawusebenzisa kancinci. Inkxaso enqamlezayo phakathi kweendidi zabasebenzisi iyakuvunyelwa ngokusekelwe kwizinto zomthwalo zodidi kunye nabasebenzisi phakathi kudidi. Iziquphu zeendleko ezizinzileyo ziyakufunywwa kwakhona ngentlawulo yamandla okanye yexesha lokusebenzisa. Ukusebenzisa le nqobo ikhankanywe ngentla, isiseko sokwabiwa kwendleko, amaqela eendleko, izinto zoluhlu lweerhafu kunye neendidi zoluhlu lweerhafu ezibonakaliswe kwezi theyibhuli zilandelayo ziyakusetyenziswa.

Amaqela eendleko	Iziseko zokwabiwa kweendleko ezisekelweyo		
	Iindleko zamandla: ezibonakaliswe njenge Randi/kVa/inyanga	Iindleko eziguquguqukayo: ezibonakaliswe njenge Senti/kWh	Iindleko ezithile zoMthengi: ezibonakaliswe njenge randi/umthengi/inyanga
<b>Iindleko yokuthenga</b>	X	X	
<b>Iindleko zenkunzi</b>	X	X	X
<b>Iindleko zenkxaso</b>	X		X

Iintlobo zoluhlu lweerhafu	Amalungu oluhlu lwamaxabiso			
	Intlawulo ezinzileyo (kwiirandi/umthengi/inyanga)	Intlawulo yombane (iisenti/kWh)	Intlawulo yexesha lokusebenzisa umbane ebonakaliswe (njengeesenti/kWh)	Intlawulo yamandla ebonakaliswe njenge (randi/kVa/inyanga)
<b>Uluhlu lweerhafu ezinesahlulo esinye serhafu yombane ezilungu linye (Uluhlu lweerhafu zokusindisa)</b>		X		
<b>Uluhlu lweerhafu ezinezahlulo ezimbini</b>	X	X		

Iintlobo zoluhlu lweerhafu	Amalungu oluhlu lwamaxabiso			
	Intlawulo ezinzileyo (kwiirandi/umthengi/inyanga)	Intlawulo yombane (iisenti/kWh)	Intlawulo yexesha lokusebenzisa umbane ebonakaliswe (njengeesenti/kWh)	Intlawulo yamandla ebonakaliswe njenge (randi/kVa/inyanga)
<b>Uluhlu lweerhafu ezinezahlulo ezimbini zexesha lokusebenzisa</b>	X		X	
<b>Uluhlu lweerhafu ezinezahlulo ezintathu</b>	X	X		X

3. Uluhlu lweerhafu ezinesahlulo esinye serhafu yombane elungu linye:

Malunga noluhlu lweerhafu ezinesahlulo esinye serhafu yombane elungu linye, zonke iindleko zibonakaliswa ngentlawulo yeesenti/kWh. Indlela ecetyiswayo malunga nokwabiwa kweendleko kolu luhlu lweerhafu imi ngolu hlobo:

- b) Indleko yeerandi/kVa/yenyanga kumele yabelwe kwintlawulo yeesenti/kWh ngokuqwalaselwa kwefekta ye-averaji yomthwalo weendidi zabathengi ekulindileke ukuba basebenzise uluhlu lweerhafu ezinesahlulo esinye serhafu yombane elungu linye.
- c) Indleko ezinzileyo yeerandi/umxhasi/yenyanga kumele yabelwe kwintlawulo yeesenti/kWh kanjalo kwaye yabelwe kwiindleko zeKWH zokuthenga ngendlela yokuqinisekisa ukuba kumgangatho wokusebenzisa wenyanga wama- 400 kWh, isixa esipheleleyo seendleko ezizinzileyo beziya kufunyanwa kwakhona ngentlawulo yeesenti/kWh.
- d) Iinqobo zokugweba malunga nokulungela ezizakubekwa kuluhlu lweerhafu ezinesahlulo esinye apho i-averaji yokusebenzisa inganeno kwama- 400kWh ngenyanga, zimi ngolu hlobo:
  - iii) Onke amakhaya achazwa njengamakhaya abasebenzisi abangathathi-ntweni ngokomgaqo-nkqubo webhunga wolawulo lwamatyala.
  - iv) Bonke abasebenzisi abalathwe njengabahlali besigxina kunye nabanelisa ezi nqobo zokugweba zilandelayo;
    - (dd) Abahlala malunga nexesha leenyanga ezilithoba (9) ngomnyaka kwindawo yokuhlala.
    - (ee) Umsebenzisi kumele angenise ifomu yengxelo efunyelweyo phambi koMfungisi malunga noku.
    - (ff) Ingxelo efunyelweyo entsha kumele inikezelwe ngomnyakomnye phambi komhla woku- 1 eyeKhala wonyaka-mali ngamnye ukuze uhlale kuluhlu lweerhafu ezinesahlulo esinye.

4. Uluhlu lweerhafu ezinezahlulo ezimbini:

- b) Intlawulo yeerandi/kVa/yenyanga kumele yabelwe kwintlawulo yeesenti/kWh ngokuqwalasela ifekta yeaveraji yomthwalo yeendidi zabathengi abalindeleke ukuba bakhethe uluhlu lweerhafu ezinezahlulo ezimbini. Le ntlawulo yabiweyo kwakhona kumele ngoko yongeziwe kwintlawulo yentengo yeKWH.

- c) Intlawulo yeerandi/yomthengi/yenyanga ayabelwa kwakhona kwezinye izinto ezifunekayo zoluhlu lweerhafu.
  - d) Uluhlu lweerhafu ngoko lunentlawulo yenyanga ezinzileyo nentlawulo eguququkayo enxulumene nokusetyenziswa kweKWH elinganiselweyo.
  - e) Oku kusebenza kuzo zonke izixhobo zokulinganisa zemali onayo zamakhaya eziqhelekileyo apho amakhaya aneaveraji yokusebenzisa enganeno kwama- 400kWh ngenyanga kunye nalapho amakhaya ahlelwa kwiindidi njengamakhaya angesosigxina kwaye engazanelisi iinqobo zokugweba ezinikezelwe kumhlathi c)(iii) ngentla.
- 5) Uluhlu lweerhafu lamaxesha okusebenzisa ahlulwe kabini:
- a) Intlawulo yeerandi/kVa/yenyanga kumele yabelwe kwakhona kwintlawulo zamaxesha okubenzisa ohlukeneyo eesenti/kWh ngokuqwalaselwa kwegophe lomthwalo lomthengi ngokunxulumene negophe lomthwalo lomnikezeli. Intlawulo ezabiweyo kwakhona ezilolo hlobo kumele ngoko zongezwe kwiintlawulo zokuthenga zekWh njengoko kufanelekile.
  - b) Intlawulo yeerandi/umthengi/yenyanga ayabiwanga kwakhona.
- 6) Uluhlu lweerhafu ezinezahlulo ezintathu:
- a) Intlawulo yeerandi/kVa ifumana kwakhona izinto ezifunekayo zendleko yenkunzi. Enye yale ndleko kumele yabelwe kwakhona kwizinto ezifunekayo zoluhlu lweerhafu ezahlukileyo.
  - b) Intlawulo yeesenti/kWh ngoko ifumana kwakhona iindleko eziguququkayo ezipheleleyo kunye nesiqephu seendleko ezabiweyo kwakhona zeerandi/kVa.
  - c) Intlawulo yeerandi/umthengi/yenyanga ayabiwanga kwakhona.
- 7) Uluhlu lweerhafu lwamaxesha okusebenzisa ahlulwe kathathu:
- a) Njengoluhlu lweerhafu zomgangatho ezahlulwe kathathu, isiqephu sentlawulo yeerandi/kVa/senyanga sabelwe kwakhona kwintlawulo ezahlukeneyo zamaxesha okusebenzisa eesenti/kWh. Isixa sokwabiwa kwakhona senziwa malunga nefekta yomthwalo womthengi. Ukuguququka kwamaxesha eendleko zamandla kuthathelwa ingqalelo kulwabiwo kwakhona lweendleko zeerandi/kVa kwiindleko zamaxesha okusebenzisa ohlukeneyo eesenti/kWh.
  - b) Intlawulo yeesenti/kWh ngoko ifumana kwakhona iindleko eziguququkayo ezipheleleyo kunye nesiqephu sentlawulo ezabiweyo kwakhona zeerandi/kVa.
  - c) Intlawulo yeerandi/umthengi/yenyanga ayabiwanga kwakhona.
- 8) Apho ibhunga ligqiba ukwenza ingeniso kwinkonzo ingeniso iyakongezwa kwindleko ezinzileyo kunye neguququkayo phambi kokuba uluhlu lweerhafu lubalwe.
- 9) Apho iipropati zingaqhagamshelwanga kwinkonzo yombane kodwa zinokuqhagamshelwa ngokusezingqondweni kwinkonzo uluhlu lweerhafu lokufumaneka luyakumela ukuhlawulwa. Uluhlu lweerhafu luyakubalwa ngokudibanisa intlawulo eyongeziweyo yama-50% kwiindleko ezinzileyo ezisebenzayo kubasebenzisi abaqhagamshelweyo ngokodidi.

## 10 UKUSUSWA KWENKUNKUMA

- 2) Ulwakhiwo loluhlu lweerhafu
- a) Iingxowa zeplastiki ngeveki (ubuninzi).
  - b) Izikhongozeli ngeveki (ubuninzi) (240 litre) (1,1m<sup>3</sup>).
  - c) Izikhongozeli zenkukuma zesambuku
  - d) Umthwalo wenqwelo yempahla <2000kg.
  - e) Umthwalo wenqwelo yempahla >2000kg.
- (2) Indlela yokubala:
- h) Iindleko ngeyunithi yomlinganiselo ziyakumiswa ngokwahlula iindleko zizonke zenkonzo ngobuninzi bonke benkunkuma elahlwayo ngexesha lomnyaka. Iindleko yenkonzo iyonke iquka iindleko yokususa kunye nendleko yokusebenza enxulumene nenkonzo. Intlawulo yeyunithi ngemeta ezinamacala amathandathu azizikwere eziilinganayo iyakuguqulelwa kwiindleko ngengxowa emnyama. Iindleko ngenyanga iyakubalwa malunga nabasebenzisi basekhaya ngokusekelwa kwiavareji yenani leengxowa ezisiswayo ngeveki.
  - i) Iindleko enxulumene nokususwa kwezikhongozeli sesambuku iyakumiswa ngokubala ukuba zingaphi iyunithi zokususwa ezizezona zincinci eziyakuthathwa sisikhongozeli esithile.
  - j) Imali yengqesho yenyanga malunga nokusetyenziswa kwesikhongozeli sesambuku iya kumiswa ngokwaphula ixabiso lentengo lesikhongozeli sesambuku ngaphaya kweminyaka emi- 5 ngeqondo lenzala elisebenzayo kwimali-mboleko kamasipala.
  - k) Emva kokuba ibhunga lithethathethane nabamnini okanye abahlali bamashishini orhwebo abangasebenzisi ngxowa zimnyama zisemgangathweni okanye zikhongozeli zomthwalo omkhulu, uluhlu lweerhafu luyakumiswa ngokusekelwe kubuninzi obuqikelelwayo obuyakususwa ngenyanga.
  - l) Imali engenayo ngokusetyenziswa kwesikhongozeli malunga nokususwa kanye ziyakubalwa ngokufumana kwakhona iindleko zobuninzi bomthwalo obususiweyo kunye nepersenti eyongeziweyo njengoko ibhunga liyakumisa.
  - m) Uluhlu lweerhafu zokususa inkunkuma luyakuphakanyiswa kwaye amele ukuhlawulwa ngabamnini okanye abahlali bepropati nganye ephuhlisiweyo eqhagamshelwe kuthungelwano lokusasaza amanzi nombane lwebhunga okanye nawuphina umnikezeli wenkonzo okanye abo benze isicelo sokuqhagamshelwa nokuba umnini okanye umhlali ololo hlobo uyayisebenzisa inkonzo yokususa inkunkuma okanye hayi okanye abo bangaqhagamshelwanga kuthungelwano lokusasaza apho inkonzo yokususa inkunkuma inganikezelwa ngesicelo.
  - n) Akukho luhlu lweerhafu zokususwa kwenkunkuma luyakuphakanyiswa apho ibhunga lingazisanga lazise inkonzo yokususa kwenkunkuma.

## 12) UMJELO OHAMBISA AMANZI AMDAKA EDOLOPHU WOKUCHITHWA KWAMATANKI OLONDOLOZO

- 1) Ulwakhiwo loluhlu lweerhafu:
- a) Inani amatanki okanye iindawo zokuchamela.
  - b) Umthamo weleri yokufunxa itanki.
  - c) Uluhlu lweerhafu okuthutha amanzi oluqhutywa yifomula.



(2) Indlela yokubala:

- f) Apho iipropati zingaqhagamshelwanga kwinkqubo yomjelo ohambisa amanzi amdaka edolophu kodwa zingadityaniswa ngokusezingqondweni kwinkonzo uluhlu lweerhafu zokufumaneka luyakumela ukuhlawulwa. Uluhlu lweerhafu luyakulingana noluhlu lweerhafu zeyunithi kumakhaya. Khangela ku (ff) malunga nophuhliso lwabucala.
- g) Intlawulo yeyunithi ngomsebenzisi iyakuhlululwa. Uluhlu lweerhafu luyakubalwa ngolwahlula indleko iyonke ngenani leziza ezisisiseko lilonke. Isiza ezisisiseko kuyakucingwa ukuba sikwi- 1 200m<sup>2</sup>.
- h) Indleko eyongeziweyo nge- 100m<sup>2</sup> iyakuhlululwa ngokwale theyibhuli ilandelayo:

1 – 1 200	Intlawulo esisiseko ne % yokunyuswa njengoko iBhunga livumile.
1 201 – 3 400	Intlawulo esisiseko ne % yokunyusa njengoko iBhunga livumile.
3 401 –10 000	Intlawulo malunga nodidi lwe- 1201 – 3 400 ne % yokunyusa njengoko iBhunga livumile.
10 001 – 20 000	Intlawulo malunga nodidi lwama 3 401- 10 000 ne % yokunyusa njengoko iBhunga livumile.
Ngaphezulu kwama- 20 000	Obona bukhulu obusukela phakathi ko- 10 0001 – 20 000

- i) Indleko yokuchitha amatanki olondolozo iyakusekelwa kumthamo osusiweyo kunye nendleko enxulumene nawo.
- j) Amashishini ahlelwa njengamashishini AMANZI ayakuhlulula uluhlu lweerhafu ezisekelwe kwifomula eyalathwe kwiPhepha-ndaba likaRhulumente No 6687 lomhla we-15 eyoMqungu 2010, ebekwe kwiSihlomelo A.

## 12) **UKUBALWA KOLUHLU LWEERHAFU EZINCINANE**

- 10) Lonke uluhlu lweerhafu ezincinane (olu luhlu lweerhafu malunga neenkonzo ezinkulu kunye namancedo ingezizo iinkonzo ezinkulu ekubhekiswa kuzo kumhlathi 3(4) luyakuvuywa libhunga kuhlalo-lwabiwo-mali lonyaka ngamnye, kwaye, luyakufumana inkxaso yeerhafu zeproprati kunye neengeniso jikelele xa kucingwa ukuba kufanelekile libhunga, ingakumbi xa uluhlu lweerhafu luyakubonisa ukungabinaqoqosho xa zihlawuliselwa ukugquma indleko yenkonzo enxulumene noko, okanye xa indleko ingenakumiswa ngokuchanekileyo, okanye xa uluhlu lweerhafu luyilelwe ukulawula kunokuhlululela ukusetyenziswa kwenkonzo ethile okanye izinto eziluncedo.
- 11) Lonke uluhlu oluncinane anolawulo olupheleleyo umasipala kulo, kunye nolungaxulumenanga nendleko yenkonzo ethile ngqo, luyakuhlengahlengiswa ngonyaka ngokungqinelana kunye nenani elibonisa ukunyuka okanye ukuhla kwamaxabiso malunga nenani elimiswe ngaphambili lomsebenzisi elikhoyo, ngaphandle kokuba kukho izizathu ezinyanzelisayo ukuba kutheni olo hlengahlengiso kumele lungaqaliswa:
  - a) Ezi nkonzo zilandelayo ziyakuthathwa njengeenkonzo ezifumana inkxaso, Ukungcwaba kunye namangcwaba
  - b) Imali yengqesho malunga nokusetyenziswa kwamancedo emidlalo kamasipala
  - c) Amadama okuqubha kamasipala
  - d) Izithuthi zikawonke-wonke zikamasipala
- 12) Ezi nkonzo zilandelayo ziyakuthathwa njengeenkonzo zoluNtu, kwaye akukho luhlu lweerhafu luyakurhafiswa malunga nokusetyenziswa kwazo:
  - a) Imuziyam kunye negumbi elibonisa imisebenzi yobugcisa likamasipala
  - b) Ukulahlwa kwenkunkuma yesitiya kwisiza sikamasipala sendawo ekugalelwa kuyo inkunkuma

- c) Ithala leencwadi likamasipala lokukhangela ulwazi
  - d) Ithala leencwadi likamasipala lokubolekisa (ngaphandle kwezohlwayo ezibekwe ngezantsi)
  - e) Isitiya sezityalo nazo zonke ezinye iipaka kunye nezithuba ezivulekileyo zikamasipala.
- 13) Ezi nkonzo zilandelayo ziyakuthathwa njengenkonzo zoqoqosho, kwaye uluhlu lweerhafu ezirhafiswayo luya kugquma i 100% okanye kufutshane kwi- 100% kangangoko leenkciho zokusebenza zonyak ezikuhlahlo-lwabiwo-mali lwenkonzo enxulumene noko:
- a) Ukugcinwa kwamangcwaba nezitya zezikhumbuzo (ukutshisa isidumbu)
  - b) Ukuqeshisa ngendawo yokuhlala
  - c) Ukuqeshisa malunga nokusetyenziswa kwamaholo kamasipala kunye nezinye izakhiwo nomhlaba wazo (ngokuxhomekeke kunciphiso olubekwe ngezantsi)
  - d) Imirhumo yamayilo ezakhiwo
  - e) Ukuthengiswa kweengxowa zenkunkuma zeplastiki
  - f) Ukuthengiswa kweenkonkxa zenkunkuma
  - g) Ukucocwa kweziza
  - h) Imirhumo yoqhagamshelo olutsha loMbane, amanzi kunye nothungelwano lwemijelo phantsi komhlaba
  - i) Ukuthengiswa kwemfuyo kunye nezityalo
  - j) likopi ezifotwe ngomatshini wokukhuphela kunye nemirhumo
  - k) Iziqinisekiso zokucoceka malunga neenjongo zotshintshelo lwepropati
  - l) Imirhumo yocwangciso lwedolophu.
- 14) Ezi ntlawulo zilandelayo kunye noluhlu lweerhafu ziyakuthathwa njengezilawulayo okanye njengokohlwaya:
- a) Izohlwayo malunga neencwadi zethala lencwadi ezilahlekileyo okanye ekudala zilindelwe;
  - b) Imirhumo yezalathiso zokwazisa;
  - c) Imirhumo yasesikiti;
  - d) Imirhumo yokwahlukaniswa kunye nokuqhagamshelwa kombane, namanzi;
  - e) Isohlwayo kanye nezinye iintlawulo ezibekwayo ngokomgaqo-nkqubo ovunyiweyo kulawulo lwamatyala kunye nokuqokelelwa kwamatyala;
  - f) Iintlawulo zesohlwayo malunga nokungeniswa kweetsheki ezingafanelekanga ezindala, ezibhalwe umhla ozayo okanye ezingamkelekanga;
  - g) Umjelo ovela efektri ohambisa amanzi amdaka eshishini;
  - h) Lonke uluhlu lweerhafu njengoko luvunyiwe ngokwenkqubo yokunceda kwimbalela.
- 15) Imali yengqesho enxulumene namarike iyakurhafiswa malunga nokuqesha iipropati zikamasipala:
- a) Kwimeko yemali yengqesho malunga nokusetyenziswa kwamaholo kunye nezakhiwo nomhlaba kamasipala, ukuba umphathi kamasipala wanelisekile kukuba amaholo nezakhiwo nomhlaba wazo ayafuneka malunga neenjongo zokungenzi ngeniso kunye namalunga nobonelelo lwenkonzo kuluNtu, umphathi kamasipala angavumela isaphulelo sama- 50% kwimali yengqesho ebiyakusebenza.
  - b) Umphathi kamasipala uyakumisa ukuba imbuyekezo okanye isiqinisekiso kumele singeniswe kwixesha ngalinye malunga nokuqeshwa kwamaholo, izakhiwo kunye nomhlaba kunye namabala emidlalo kamasipala kwaye kukumisa okulolo hlobo uyakukhokelwa mhlawumbi kukuthwala umonakalo kukamasipala ngenxa yokusetyenziswa kwamancedo anxulumene noko.
- 16) Ulwakhiwo loluhlu lweerhafu:
- a) Iyunithi yomlinganiselo njengoko ibonakaliswe kuluhlu lweerhafu olwahlukileyo oluvunywa ngonyaka iyakusetyenziswa ukumisa iinkonzo zoluNtu ezilawulwayo kunye nezifumana inkxaso.

17) Indlela yokubala:

- a) Olu luhlu lweerhafu luyakuhlenga-hlengiswa ngonyaka ngokunyusa uluhlu lweerhafu obelusebenza ngexesha lonyaka-mali wangaphambili ngonyuso lwepersenti njengoko kuyakumiswa sisininzi sooceba abakhoyo entlanganisweni apho uhlahlo-lwabiwo-mali luvunyiweyo.

18) Isixa ekudala silindelwe:

- a) UMasipala uyakuba nelungelo lokurhafisa umrhumo wolawulo ngesiseko senyanga nenyanga kuwo onke amatyala ekudala elindelwe ukuba ahlawulwe ngokuxhomekeke kwisixa esisesona sininzi ngenyanga njengoko lbhunga lingamisa.
- b) UMasipala angangena kuludwe kwenkqubo lokuhlawula kwakhona nomsebenzisi malunga nezixa ekudala zilindelwe ngokwengqiqo yakhe, ludwe lenkqubo lokuhlawula kwakhona luyakubandakanywa kukuvunywa kwetyala ukunceda umasipala kwaye lusayinwe ngumsebenzisi. Ekusayinweni kwesivumo setyala elilolo hlobo, umsebenzisi uyakuba nemfanelo yentlawulo yomrhumo wokulawula kweso sixa lbhunga lingasimisa malunga nokuqwalasela komntu onetyala kunye nokungena kulwamkelo lwetyala kunye nomsebenzisi.

### 13) **IMINIKELO YENKUNZI**

- (a) Ngeenjongo zolu luhlu lweerhafu zamazwi kunye neentetho ezikhankanywe ngezantsi aya kuba nezi ntsingiselo zilandelayo ezinikezelwe kuwo ngaphandle kokuba imeko ifuna ngenye indlela:
  - e) "**Iminikelo yenkunzi**", uluhlu lweerhafu ezimele ukuhlawulwa malunga namanzi, umbane, uthungelwano lwemijelo phantsi komhlaba, amanzi esiphango, iindlela kunye nokususwa kwenkunkuma iziseko ezingundoqo zikamasipala zixa ezo zingaquki zixa zimele ukuhlawulwa zeendleko zokusebenza kunye nokugcina ezo ziseko zingundoqo zilolo hlobo;
  - f) "**Isiza esilinganayo**", malunga nee –
    - (i) **nkonzo zamanzi kunye nezothungelwano lwemijelo phantsi komhlaba**, ipropati apho iavareji ethathwa njengenyaniso yosebenziso lwamanzi lweemihla ngemihla njengoko kumisiwe nguMongameli kaMasipala waseGeorge: linkonzo zobuNjineli boLwakhiwo ngokungqinelana kunye nefomula yakhe yomgangatho ayidlulanga kwi- 1000l/ngosuku;
    - (ii) **Umbane**, ipropati enamandla oyilo athathwa njengenyaniso e- 10kVA phambi kokungafani njengoko kumisiwe nguMongameli kaMasipala waseGeorge: linkonzo zoMbane nobuGcisa ngokungqinelana kunye nefomula yakhe yomgangatho, ngokuxhomekeke kuyo ukuba (a) unikezelo ekhaya olunamanqanaba ama- 3 luyakulingana neziza ezi- 2 ezilinganayo (oku kukuthi 20kVA); (b) unikezelo kwishishini olunamanqanaba ama- 3 luya kulingana neziza ezilinganayo ezi-3 (oku kukuthi 30 kVA); kwaye (c) naziphina ezinye iimeko ziyakumiswa nguMongameli kaMasipala weseGeorge: linkonzo zoMbane-buGcisa ngesiseko sento elungileyo kunye nesezingqondweni; kwaye
    - (iii) **Ukususwa kwenkunkuma eqinileyo**, ipropati eyenza inkunkuma eqinileyo ethathwe njengenyaniso ukuba ilingana neyunithi yokuhlala enamagumbi okulala amathathu ebalwa ngokungqinelana kunye noMongameli kaMasipala waseGeorge: Ifomula yomgangatho wokusingqongileyo ngamanye amaxesha;

- g) **"utshintshelo"**, utshintshelo lwepropati enxulumene noko ngokoMthetho weeNdawo ekugcinwa kuzo iirejista zeNcwadi yesigqibo wama- 47 ka- 1937 okanye naluphina utshintshelo lobumnini olufanayo.
- 12) Iminikelo yenkunzi imele ukuhlawulwa ukongeza kuzo naziphina iintlawulo zeenkondo, iintlawulo zokusebenzisa, iintlawulo zokufumaneka kunye nemirhumo yoqhangamshelo.
- 13) Iminikelo yenkunzi ebonelelwayo kolu luhlu lweerhafu ingabekwa nguye nawuphina umntu okanye igunya xa kunikezelwa ngalo naluphina ugunyaziso, ukukhululwa okanye isicelo esicingwe kwiCandelo lama-42 loMthetho wokuCwangciswa kokuSetyenziswa koMhlaba, ka-1985 (uMthetho waseNtshona-Kapa we-15 ka- 1985) okanye ngokwawo nawuphina omnye umthetho ongasebenza: ukuba olu luhlu lweerhafu aluyi kulinganisela okanye luthintele imiqathango engabekwa ngumntu ololo hlobo okanye igunya kwaye umntu okanye igunya liyakukhululeka ukubeka eminye iminikelo yenkunzi elolo hlobo njengoko liyakucinga kuyimfuneko okanye lunceda phantsi kweemeko.
- 14) Yonke iminikelo yenkunzi iyahlenga-hlengiswa ngonyaka kwaye iya kuhlawulwa ze imele ukuhlawulwa kuluhlu lweerhafu ezihlaziyiweyo olusebenza ngexesha lotshintshelo lwesiza okanye lwepropati enxulumene noko okanye ukuvunywa kwamayilo esakhiwo malunga nesiza okanye ipropati elolo hlobo, nayiphina eyenzeke kuqala: Ukuba xa inani leziza, iyunithi zokuhlala, iziza ezilinganayo okanye ezinye iziseko apho iminikelo yenkunzi ibisekelwe kuzo ngaphambili, unyuso, iminikelo yenkunzi eyongeziweyo iya kumela ukuhlawulwa ibalwe ngokungqinelana kunye noluhlu lweerhafu obelukho ngoko xa iinguqu ezilolo hlobo bezisenzeka okanye amayilo ezakhiwo ebevunywa, ngokwemeko ekhoyo , nayiphina eza kuqala.
- 15) Ukuba ubukhulu bomgangatho wesakhiwo esikhoyo buyandiswa okanye ukuba amayilo ezakhiwo avunyiweyo ayatshintshwa okanye ukuba ukusetyenziswa kwaso nasiphina isakhiwo okukhoyo okanye okuvunyiweyo kuyatshintshwa okanye ukuba izakhiwo ezintsha ziyamiswa, okanye ukunikezelwa kombane kuyandiswa, njengoko imeko iyakuma, umnini uya kuba noxanduva lwentlawulo yeminikelo yenkunzi malunga nezandiso ezilolo hlobo, izongezo okanye iinguqu, njengoko imeko iyakuma, ngokungqinelana kunye noluhlu lweerhafu ezisebenzayo ngamanye amaxesha, iminikelo yenkunzi leyo iya kumela ukuhlawulwa kwakuvunywa amayilo ezakhiwo malunga nezandiso ezilolo hlobo okanye izongezo okanye isenzo senguqu elolo hlobo, njengoko imeko iyakuma.
- 16) Ukuba nayiphina iminikelo yenkunzi ibihlawulwe kwakuvunywa amayilo ezakhiwo okanye ngalo naluphina ixesha phambi kotshintshelo lwepropati kwaye naziphina iinguqu njengoko kucingiwe kwimihlathi d) kunye no e) ziyenzeka ngokulandelelanayo, amalungiselelo emihlathi u d) kunye no e) ayakusebenza ngokwenziwa kwezilungiso eziyimfuneko ngelixa kungachathazelwa *inqaku eliphambili ekumisweni kweminikelo yenkunzi eyongeziweyo emele ukuhlawulwa.*
- 17) Iminikelo yenkunzi yeendlela kunye nokususwa kwenkunkuma eqinileyo iya kubalwa nokungqinelana kunye nefomula yomgangatho esebenzayo kaMongameli kaMasipala waseGeorge: linkonzo zobuNjineli boLwakhiwo kunye noMongameli: linkonzo zokuSingqongileyo.
- 18) Ngobukhulu bokuba isixokelelwano semibhobho yamanzi esiphango asilungiselelwanga kwifomula yomgangatho ekubhekiswe kuyo kumhlathi (g) ngentla malunga neendlela okanye ukuba, ngokoluvo lukaMongameli kaMasipala waseGeorge: linkonzo zobuNjineli boLwakhiwo, kuya kufaneleka ngaphezulu ukuba iminikelo yenkunzi malunga nesixokelelwano semibhobho yamanzi esiphango iyakulingana neendleko ngqo zesiseko esingundoqo sesixokelelwano samanzi esiphango esibonelelweyo okanye esiyakubonelelwa.

- 19) Iminikelo yenkunzi iya kumela ukuhlawulwa ngumnini obhalisiweyo wepropati enxulumene noko ngexesha apho iminikelo ilindelwe kwaye imele ukuhlawulwa, eya kuba semva kotshintshelo okanye ukuvunywa kwamayilo ezakhiwo, nayiphina eya kusebenza, ngaphandle kokuba nayiphina imiqathango yemvume ibonelela ngenye indlela.
- 20) Iminikelo yenkunzi elungiselweyo kolu luhlu lweerhafu iya kumela ukuhlawulwa ngaphandle kokuba indawo yentlawulo yesixa esilolo hlobo ithathwa ngumqathango obekwe ngokweCandelo lama- 42 loMthetho wokuCwangcisa ukusetyenziswa koMhlaba, ka-1985 (uMthetho waseNtshona Kapa we- 15 ka- 1985) okanye naluphina olunye uwiso-mthetho olungasebenza.
- 21) La malungiselelo aguqukayo aya kusebenza malunga nolu luhlu lweerhafu:
  - a) Ukuba nawaphina amayilo ezakhiwo angenisiwe malunga nokuvunywa ngokoMthetho weMimiselo yeZakhiwo yeSizwe kunye neMigangatho yeZakhiwo, ka-1977 (Umthetho no 103 ka- 1977) ngomhla okanye phambi komhla wama- 30 eyeSilimela 2006 kwaye loo mvume inikezelwe emva kwama- 30 eyeSilimela 2006, iminikelo yenkunzi esebenzayo ngama- 30<sup>th</sup> eyeSilimela 2006 iya kusebenza, ngokuxhomekeke kumhlathi (iv).
  - b) Ukuba isicelo sesiqinisekiso (ekubhekiswa kuso ngokubanzi njengesiqinisekiso sokucoeka kwiirhafu) njengoko kucingiwe kwiCandelo le-118 likaRhulumente waseKhaya: uMthetho weNkqubo zikaMasipala, ka-2000 (uMthetho no 32 ka-2000) senziwe ngomhla okanye phambi kwama- 30<sup>th</sup> eyeSilimela 2006 kwaye eso siqinisekiso sikhutshwe emva kwama- 30<sup>th</sup> eyeSilimela 2006, iminikelo yenkunzi esebenzayo ngama- 30<sup>th</sup> eyeSilimela 2006 iya kusebenza, ngokuxhomekeke kumhlathana wesi- (iv), malunga nalo naluphina uluhlu lweerhafu ezimele ukuhlawulwa phambi kotshintshelo lwepropati enxulumene noko.
  - c) Ukuba ukuvunywa kwawo nawaphina amayilo ezakhiwo ngokoMgaqo weZakhiwo weSizwe kunye noMthetho weMigangatho yeZakhiwo, ka-1977 (uMthetho no 103 ka- 1977), kuyaphelelwa emva kwama- 30<sup>th</sup> eyeSilimela 2006 ngaphandle kokuba kwandiswe, iminikelo yenkunzi esebenzayo ngelo xesha lako nakuphina ukuvunywa okulandelayo kwamayilo ezakhiwo malunga nepropati enxulumene noko, iya kusebenza ngokuxhomekeke kumhlathi wesi- (iv).
  - d) Ukuba naluphina ugunyaziso, ukukhululwa okanye isicelo esicingwe kwiCandelo lama-42 loMthetho wokuCwangciswa kokuSetyenziswa koMhlaba, ka-1985 (uMthetho waseNtshona-Kapa we- 15 ka- 1985) okanye ngokwalo naluphina uwiso-mthetho olungasebenza, olunganikezelwa ngomhla okanye phambi kwama- 30<sup>th</sup> eyeSilimela 2006 aluyilungiselelanga intlawulo yalo naluphina uluhlu lweerhafu okanye izixa malunga nazo naziphina iziseko ezingundoqo ezithile ezibonelelwe kolu luhlu lweerhafu, umnini obhalisiweyo akayi kuba nemfanelo yentlawulo yeminikelo yenkunzi ngenxa yolu luhlu lweerhafu, umnini obhalisiweyo ebengayi kuba namfanelo yawo ngenye indlela: Ukuba xa naziphina ezinye iinguqu njengoko kucingiwe kumhlathi (e), zenzeka ngokulandelelanayo amalungiselelo emihlathana (d) kunye no (e) aya kusebenza *ngokuthi kwenziwe izilungiso* eziyimfuneko ngelixa zingachaphazeli inqaku eliphambili ekumiseni iminikelo yenkunzi ekumele ihlawulwe.

14) **UKWAZISWA KOLUHLU LWEERHAFU, IMIRHUMO KUNYE NEENTLAWULO ZEENKONZO**

- 3) Uluhlu lweerhafu luyakuvunywa njengenxenye yohlahlo-lwabiwo-mali lonyaka.
- 4) Uluhlu lweerhafu luyakuqala ukusebenza xa, kunye nanjengoko lbhunga liyakumisa.

15) **UKULUNGISWA KWAMATYALA**

Apho ukubhalwa njengetyala ngokuphosisekileyo kuphakanyisiweyo, amatyala afakwe phantsi kombuzo ayakulungiswa njengoko kuyimfuneko

16) **IIMFUNeko ZOMTHETHO**

1) **UMTHETHO WEENKONZO ZAMANZI NO. 108 KA- 1997**

a) **ICANDELO LE-10 : IZITHETHE KUNYE NEMIGANGATHO YOLUHLU LWEERHAFU**  
UMasipala, kumandla akhe njengeziko leenkono zamanzi, kumele asebenzise uluhlu lweerhafu malunga neenkono zamanzi angahlukanga kakhulu kuzo naziphina izithethe kunye nemigangatho emiswe ngokoMthetho okhoyo nguMphathiswa weMicumbi yaManzi kunye naMahlathi, ngemvumelwano noMphathiswa wezeMali.

b) **ICANDELO LAMA-21: IMITHETHO KAMASIPALA**  
UMasipala, kwisikhundla sakhe njengesiphathamandla seenkonzo zamanzi, kumele enze imithetho kamasipala equlethe imiqathango yonikezelo lweenkonzo zamanzi, kunye nelungiselela ezi zinti zilandelayo ubuncinane (phakathi kwezinye izinto):

- (a) umgangatho weenkono;
- (b) imiqathango yobuchule bokunikezela, kuquka imigangatho yobulunga, iiyunithi okanye imigangatho yokulinganisa, ukuqinisekiswa kwezixhobo zokulinganisa amanzi ,imilinganiselo eyamkelekileyo yesiphoso kunye neenkqubo zokulamla impikiswano enxulumene nokulinganiswa kweenkonzo zamanzi anikezelweyo;
- (c) ukumiswa kunye nolwakiwo loluhlu lweerhafu ngokungqinelana neCandelo le-10 loMthetho okhoyo.

Ukuba umasipala, kwisikhundla sakhe njengesiphathamandla seenkonzo zamanzi, ubeke imiqathango ekunikezelwa iinkono zamanzi phantsi kwayo, loo miqathango kumele ifikelele kubasebenzisi kunye nakubasebenzisi abanokubakho.

Ukuba umasipala, kwisikhundla sakhe njengesiphathamandla seenkonzo zamanzi, unikezela ngamanzi okusetyenziswa ngamashishini, okanye ulawula inkqubo apho umjelo ovela efektri ohambisa amanzi amdaka ulahlela khona, kumele enze imithetho kamasipala ebonelela phakathi kwezinye izinto okulandelayo ubuncinane:

- (4) imigangatho yenkonzo;
- (5) imiqathango yobuchule yonikezelo kunye nokulahla;
- (6) ukumisa kunye nolwakiwo loluhlu lweerhafu.

**Isihlomelo A  
INTLAWULO ZAMASHISHINI ZOMJELO OVELA EFEKTRI  
OHAMBISA AMANZI AMDAKA**

lintlawulo malunga nomjelo ovela efektri ohambisa amanzi amdaka ngekilolitha malunga nokulahlwa kwamanzi amdaka ongayithobeliyo imigangatho yamanzi amdaka endawo yokuhlala kunye nengaquka amanzi amdaka akhululelwa kwinkqubo yamanzi esiphango iyakumiswa ngokungqinelana kunye nale fomula ilandelayo:

$$T_c = X + Y(COD_t/COD_w) + Z + Isohlwayo$$

- Apho  $T_c$  = indleko yonyango engaqhelekanga kumsebenzisi nge kl
- $X$  = indleko yokuthutha nge- kl
- =  $C_c / V_A$
- Ukuthutha = Ukuthuthwa kwamanzi amdaka okanye naluphina ulwelo olulahlwayo kuthungelwano lomjelo ophantsi

komhlaba ohambisa amanzi amdaka edolophu osisambuku okanye wangaphandle ukusuka kwindawo yokukhulula ukuya kumjelo ongenisayo wemisebenzi yokunyanga

$C_C$	=	Inkcitho yokusebenza kunye nokugcina yothutho lwamanzi alahlwayo kwi kl ngomnyakomnye
$V_A$	=	Umthamo olungisiweyo ( umthamo olungisiweyo uthetha wonke umthamo olungisiweyo malunga nokungenisa) kwi kl ngonyaka
$Y$	=	lindleko zonyango eziguququkayo nge kl
	=	$C_T / V_A$
Eziguququkayo = lindleko zokuNyanga	=	Ezi ndleko zichazwa njengencitho eguququka ngokubalulekileyo ngomthamo kunye nomthwalo weCOD
$C_T$	=	Inkcitho yokusebenza kunye nokugcina yonyango lwamanzi alahlwayo kwi kl ngonyaka
$V_A$	=	Umthamo olungisiweyo (Umthamo olungisiweyo uthetha wonke umthamo olungisiweyo malunga nokungenisa) kwi kl ngonyaka
$COD_i$	=	I-averaji ngeshishini ngalinye, kuquka zombini iziqephu ezinokuboliswa ziintsholongwane nezingenakuboliswa zeCOD
$COD_w$	=	I-averaji yemisebenzi (ebinobunzima obungaphezulu kwemisebenzi eminye), kuquka zombini iziqephu ezinokuboliswa ziintsholongwane nezingenakuboliswa ze COD
$Z$	=	lindleko ezizinzileyo nge kl
	=	$C_F / V_A$
lindleko ezizinzileyo	=	Ezi ndleko zichazwa njengencitho engaguququkiyo ngokubalulekileyo ngexesha lonyaka-mali othile ezingachatshazelwayo ngumthwalo we COD
$C_F$	=	Inkcitho yendleko ezizinzileyo yonyango lwamanzi alahlwayo kwi kl ngonyaka
$V_A$	=	Umthamo olungisiweyo (umthamo olungisiweyo uthetha wonke umthamo olungisiweyo malunga nokungenisa) kwi kl ngonyaka
Isohlwayo	=	Isohlwayo nge kl ukongeza kwintlawulo yamanzi amdaka avela efektri esekelwe kumthamo kunye ne COD, malunga namanzi amdaka avela efektri athintelweyo umzekelo apho iCOD <sub>i</sub> yamanzi amdaka avela efektri idlulile kuma- 3000 mg/L okanye apho nabuphina obunye ubuninzi obungatshintshiyo kwimeko ethile kodwa bungafani kwezinye iimeko bomgangatho budlulile kwelona xabiso likhulu livumelekileyo ngokweSihlomelo A soMthetho wedolophu, njengoko buqulethiwe kwimvume yeshishini

$$\begin{aligned}
 &= P \times (\text{ixabiso elilinganisilweyo/elona likhulu} \\
 &\text{livumelekileyo) Ukuba ixabiso elilinganisilweyo} \\
 &\text{liphantsi kwexabiso elilelona likhulu } P = 0, \text{ ngaphandle} \\
 &\text{kwakwimeko ye pH apho } u P = 0 \text{ ukuba } \text{upH} \\
 &\text{uphakathi kwesi- 6 kunye ne- 10 ze isohlwayo} = P \times \\
 &(\text{ixabiso elilinganisilweyo /10) ukuba i pH ingaphezulu} \\
 &\text{kwe- 10 kwaye} \\
 &= x\{[6+(6- \text{ixabiso elilinganisilweyo})]/6\} \text{ ukuba} \\
 &\text{lingaphantsi kwesi- 6} \\
 P &= \text{intlawulo yesohlwayo seyuniti njengoko kumisiwe} \\
 &\text{liBhunga}
 \end{aligned}$$

**QAPHELA: Isohlwayo esongeziweyo (P) simele ukuhlawulwa ngokungathobeli ngakunye, kwaye siyakwanda nge 0.5 ngokungathobeli.**