

STEVE TSHWETE LOCAL MUNICIPALITY

AGENDA

OF THE

SPECIAL COUNCIL

MEETING

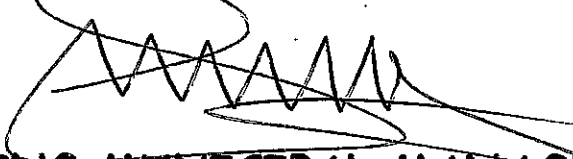
DATE - 30 MAY 2017

**Time: Immediately after the Ordinary Council
Meeting scheduled for 15:00**



STEVE TSHWETE LOCAL MUNICIPALITY

NOTICE IS HEREBY GIVEN THAT A SPECIAL COUNCIL MEETING WILL BE HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, MIDDELBURG ON TUESDAY- IMMEDIATELY AFTER THE ORDINARY COUNCIL MEETING SCHEDULED FOR 15:00



ACTING MUNICIPAL MANAGER

A G E N D A

- 1 OPENING
- 2 APPLICATION FOR LEAVE OF ABSENCE
- 3 DISCLOSURE OF INTEREST
- 4 REPORTS OF EXECUTIVE MAYOR
 - 4.1 SPECIAL MAYORAL COMMITTEE HELD ON 25 MAY 2017
- 5 CLOSURE

REPORT OF THE

SPECIAL MEETING OF THE MAYORAL COMMITTEE.
WHICH WAS HELD IN THE COUNCIL CHAMBER,
MUNICIPAL BUILDINGS, MIDDELBURG MPUMALANGA,
ON

2017/05/25

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SC41/05/2017

PERSONNEL: REVIEW OF THE ORGANIZATIONAL STRUCTURE: FINAL APPROVAL OF STAFF ESTABLISHMENT

4/1/2 (M)/ls

RECOMMENDATION BY THE EXECUTIVE MAYOR

1. **THAT** the report by the Acting Municipal Manager regarding the approval of the final staff establishment, be noted.
2. **THAT** the staff establishment attached as **ANNEXURES A & B** to the Agenda of the Mayoral Committee be approved and phased in as from 1 July 2017.

SC42/05/2017

FINANCES: IRREGULAR EXPENDITURE - 2015/2016 AUDIT

3/2/4/1/15 (D)/dp

RECOMMENDATION BY THE EXECUTIVE MAYOR

- 1 **THAT** Council note the potential irregular expenditure which was identified during the 2015/2016 audit by the Auditor-General.
- 2 **THAT** an Ad Hoc Committee comprising of the following Councillors be established to investigate and recommend to Council on the irregular expenditure for 2015/2016 Audit:

2.1	MMC for Financial Services	ANC - Chairperson
2.2	MMC for Infrastructure Services	ANC
2.3	_____	ANC
2.4	_____	ANC
2.5	_____	DA
2.6	_____	DA
2.7	_____	EFF
- 3 **THAT** the above Committee dissolved once a recommendation is submitted to Council.
- 4 **THAT** the names of the members of the above Committee be submitted to the Acting Municipal Manager by the Chief Whips of the different Political Parties.

SC43/05/2017

PERSONNEL: RETAINMENT OF EMPLOYMENT AGREEMENT OF THE EXECUTIVE DIRECTOR: FINANCIAL SERVICES FOR A MAXIMUM PERIOD OF SIX (6) MONTHS WITH EFFECT FROM 01 FEBRUARY 2017

RECOMMENDATION BY THE EXECUTIVE MAYOR

- 1 **THAT** Council retain the contract of the Executive Director: Financial Services (CFO) for a maximum period of six (6) months with effect from 01 February 2017.
- 2 **THAT** the retention mentioned in 1 above be subject to the same terms and conditions of the expired contract including the Performance Management Plan and be remunerated according to the applicable Government Gazette.
- 3 **THAT** point 7 of Council Resolution SC33/10/2016 be amended to read as follows:

"7. **THAT** Council retain the contract of the Executive Director: Financial Services (CFO) with effect from 01 February 2017."
- 4 **THAT** the recruitment process for the position of the Executive Director: Financial Services be fast tracked.

SC44/05/2017

POLICY: ADOPTION OF THE TOOLS OF TRADE POLICY FOR COUNCILLORS

6/2/14 (C)

RECOMMENDATION BY THE EXECUTIVE MAYOR

- 1 **THAT** the content of the report by the Acting Executive Director: Corporate Services on Tools of Trade for Councillors attached as **ANNEXURE A** to the Agenda of the Mayoral Committee, be approved and adopted.
- 2 **THAT** the status quo with the current Mayoral vehicle be maintained.

SC45/05/2017

FINANCES: MOVEMENT OF FUNDS – 2016/2017

8/1/1 (U)

RECOMMENDATION BY THE EXECUTIVE MAYOR

- 1 **THAT** Council take note of the report by the Acting Executive Director: Infrastructure Services regarding movement of funds.
- 2 **THAT** the additional requirements for budget virements be approved and the Budget Policy be amended to include these amendments.

- 3 **THAT** the delegation framework be amended to allow for the shifting of funds on the capital budget to a maximum limit of R3 000 000,00 and the limit of R200 00,00 remain for the operational budget.

SC46/05/2017

POLICIES: SUPPLY CHAIN MANAGEMENT POLICIES

5/1/11 (T)/yb

RECOMMENDATION BY THE EXECUTIVE MAYOR

- 1 **THAT** Council note the two (2) policies attached as **ANNEXURES A and B** to the Agenda of the Mayoral Committee.
- 2 **THAT** the public be invited to make comments in writing to the policies.
- 3 **THAT** the policies be open for public inputs until 15 June 2017.
- 4 **THAT** the policies be submitted to the Section 80 Portfolio Committee for consideration.
- 5 **THAT** the final policies be considered at the June 2017 Special Council meeting for implementation from 01 July 2017.
- 6 **THAT** a workshop be arranged for Councillors on the Supply Chain Management Policy.

SC47/05/2017

IDP: FINAL INTEGRATED DEVELOPMENT PLAN FOR THE 2017/2022 FINANCIAL YEAR AND THE CORE COMPONENTS

3/4 (D) /dp

RECOMMENDATION BY THE EXECUTIVE MAYOR

- 1 **THAT** the report by the Acting Municipal Manager on the developed 5 year final Integrated Development Plan for 2017/2022 together with its updated components, be noted.
- 2 **THAT** the developed Integrated Development Plan for 2017/2022 together with the following draft sector plans as core components attached as **ANNEXURE A**, to the Agenda of the Mayoral Committee with inputs received when the draft was advertised for 21 days be approved:
 - 2.1 Performance Framework
 - 2.2 Financial Plan

- 3 **THAT** the tabled developed Final Integrated Development Plan for 2017/2022 with its updated components be submitted to the MEC for local government and other relevant department within 10 days after the date of adoption.

SC48/05/2017

**PMS: PERFORMANCE ASSESSMENT FOR ACTING EXECUTIVE DIRECTOR
CORPORATE SERVICES**

3/5 (M)

RECOMMENDATION BY THE EXECUTIVE MAYOR

- 1 **THAT** the report on the rectified performance assessment score for Acting Executive Director: Corporate Services, be noted.
- 2 **THAT** the results of the Performance Assessment of the other four (4) Executive Directors (year of assessment being 2015/2016) are correct and have been noted and acknowledged by Council as per Resolution SC04/04/2017.
- 3 **THAT** note be taken that the Executive Director: Financial Services has confirmed that provision is made annually for the performance bonuses as per the performance agreements, and that sufficient funds are available to remunerate the Executive Directors in line with the outcomes of the Performance Assessments.
- 4 **THAT** the Acting Executive Director: Corporate Services be remunerated in line with the outcomes of the rectified performance assessment score which is 50,24%.

SC49/05/2017

**FINANCES: ANNUAL BUDGET FOR THE 2017/2018 TO 2019/2020 FINANCIAL
YEARS**

5/1/1/11 (B) /dp

RECOMMENDATION BY THE EXECUTIVE MAYOR

1. **THAT** the Annual Budget for the 2017/2018 MTREF for the different votes be approved and adopted as set out by the following tables:
 - 1.1 Table A1 : Budget summary
 - 1.2 Table A2 : Budgeted financial performance
 - 1.3 Table A3 : Budget financial performance (municipal vote)
 - 1.4 Table A4 : Budget financial performance by revenue source and expenditure type
 - 1.5 Table A5 : Budgeted capital expenditure by vote

- 1.6 Table A6 : Budgeted financial position
- 1.7 Table A7 : Budgeted cash flows
- 1.8 Table A8 : Cash backed reserves / accumulate surplus reconciliation
- 1.9 Table A9 : Asset management
- 1.10 Table A10 : Consolidated basic service delivery measurement
2. **THAT** in terms of Section 75A of the Local Government Municipal Systems Act, 32 of 2000, interest be recovered on amounts outstanding for periods longer than thirty (30) days on all debtor accounts at a rate equal to the prime bank overdraft rate from the bank as applicable to the bank account of the Council from time to time.
3. **THAT** in terms of Section 75A of the Local Government Municipal Systems Act, 32 of 2000 and section 24 of the Local Government Municipal Property Rates Act (MPRA), 6 of 2004, approves and adopts with effect from 1 July 2017 that property tax be levied on the market value of all rateable properties subject to the allowed rebates, exemptions and reductions as follows:

3.1	Category	Rate Applicable	
3.1.1	Residential with the exclusion of the first R15 000 of assessed market value	0,0106	cent in the Rand
3.1.2	Government owned residential with the exclusion of the first R15 000 of assessed market value	0,0106	cent in the Rand
3.1.3	Residential – 2 nd dwelling	0,0106	cent in the Rand
3.1.4	Government residential – 2 nd dwelling	0,0106	cent in the Rand
3.1.5	Duets not subject to a sectional title scheme	0,0106	cent in the Rand
3.1.6	Government duets not subject to sectional title scheme	0,0106	cent in the Rand
3.1.7	Residential : home business	0,0106	cent in the Rand
3.1.8	Residential : vacant, including government owned	0,0159	cent in the Rand
3.1.9	Illegal usage	0,0318	cent in the Rand
3.1.10	Accommodation establishments	0,0133	cent in the Rand
3.1.11	Business and commercial including government owned	0,0318	cent in the Rand
3.1.12	Industrial	0,0265	cent in the Rand
3.1.13	Industrial special	0,0212	cent in the Rand
3.1.14	Farms including agricultural small holdings used for agricultural / residential purposes	0,0027	cent in the Rand
3.1.15	Farms including agricultural small holdings used for eco-tourism / trading in or hunting of game	0,0159	cent in the Rand
3.1.16	Farms including agricultural small holdings used for business / commercial / industrial purposes	0,0318	cent in the Rand

3.1.17	Farm including agricultural small holdings used for any other than the specified purposes	0,0027	cent in the Rand
3.1.18	Mining	0,0424	cent in the Rand
3.1.19	Public benefits organisations	0,0027	cent in the Rand
3.1.20	Schools including government owned / school hostels	0,0133	cent in the Rand
3.1.21	Multiple used premises according to major use:		
	Residential	0,0106	cent in the Rand
	Commercial	0,0318	cent in the Rand
	Industrial	0,0265	cent in the Rand
	Accommodation establishment	0,0133	cent in the Rand
	Mining	0,0424	cent in the Rand
3.1.22	Privately owned roads / parks / sport grounds, subject to the stipulations of section 17(2)(b) of the MPRA, Act 6 of 2004, where applicable	0,0106	cent in the Rand
3.1.23	Privately owned towns	0,0027	cent in the Rand

3.2 Rebates in recognition of Section 15(2) of Act 6 of 2004

3.2.1 That for all indigent households enlisted under the Council's indigent support and free basic services scheme property rates be fully discounted and the expenditure be recovered from the proportional equitable share payment to the Council by the South African National Treasury.

3.2.2 The following rebates be allowed on properties owned by pensioners, disability grantees and/or medically boarded based on their monthly income and which are categorized as residential subject to the conditions as stipulated in the property rates policy:

Qualifying applicants:

R0	to R 3 200,00	100% rebate on applicable tariff
R3 200,01	to R 6 400,00	70% rebate on applicable tariff
R6 400,01	to R 9 600,00	50% rebate on applicable tariff
R9 600,01	to R12 800,00	20% rebate on applicable tariff

3.2.3 That a rebate of 0,0090 cent in the rand be allowed for all property where a single property becomes divided (through subdivision or township establishment) into ten (10) or more full title units and all services, inclusive of water, sewerage, electricity and roads are installed by the developer at his own cost for a period of two (2) years from the date of registration of the subdivision or the proclamation of the township or for a shorter period until the newly created units are sold off or improved before expiry of the two (2) years period.

- 3.2.4 That the following rebates may be allowed for business property developments subject to the conditions as stipulated in the property rates policy.

For properties with a municipal valuation that exceeds above R2-million to R5-million:

in the first year a rebate of 100%
 in the second year a rebate of 75%
 in the third year a rebate of 50%; and
 in the fourth year the full property tax will be payable

For properties with a municipal valuation that exceeds R5-million:

in the first year a rebate of 100%
 in the second year a rebate of 100%
 in the third year a rebate of 50%; and
 in the fourth year the full property tax will be payable

3.3 A phasing-in discount granted in terms of Section 21 of MPRA, Act 6 of 2004

- 3.3.1 That property rates on all newly rated property that had not previously been assessed and rated according to any valuation roll or supplementary valuation roll that applied to any area of the municipality in terms of previous legislation be phased in as follows:

in the first financial year a rebate of 75%;
 in the second financial year a rebate of 50% of the rate;
 in the third financial year a rebate of 25% of the rate; and
 in the fourth financial year the full property tax will be payable without any rebate.

3.4 Exemptions from payment of a rate levied

- 3.4.1 That in terms of Section 15(1)(a) of the MPRA, Act 6 of 2004 the following categories be exempted from payment of a rate levied on their property:

3.4.1.1 rateable property registered in the name of a welfare organization registered in terms of the National Welfare Act, Act 100 of 1978.

3.4.1.2 rateable property owned by public benefits organizations and used for any specific public benefit activity as listed in item 1,2 and 4 of part 1 of the ninth schedule to the Income Tax Act.

- 3.4.1.3 museums, art galleries, libraries and botanical gardens which are registered in the names of private persons and which are open to public, whether admission is charged or not as listed in section 6(a) and (b) of the ninth schedule to the Income Tax Act.
- 3.4.1.4 national monuments including ancillary business activities at national monuments as listed in Section 6(a) and (b) of the ninth schedule to the Income Tax Act.
- 3.4.1.5 rateable property registered in the name of a trustee or trustees or any organization which is being maintained for the welfare of war veterans as defined in Section 1 of the Social Aid Act (House of Assembly), Act 37 of 1989 and their families.
- 3.4.1.6 sport grounds used for the purposes of amateur sport and any social activities which are connected with such sport.
- 3.4.1.7 rateable property registered in the name of the Boy Scouts, Girl Guides, Sea Scouts, Voor-trekkers or any organization which is in the opinion of the municipality similar or any rateable property let by the municipality to any such organization.
- 3.4.1.8 rateable property registered in the name of a declared institution in terms of Cultural Institutions Act, Act 119 of 1998 as amended, promoting the cultural aims as defined in section 6(a) and (b) of the ninth schedule of the Income Tax Act.
- 3.4.1.9 properties in the "municipal" category unless a lease or sale agreement for such a property, or part thereof, exist.
- 3.4.1.10 on mineral rights within the meaning of paragraph (b) under "property" as per Section 1 of MPRA, Act 6 of 2004.
- 3.4.1.11 on a property belonging to a land reform beneficiary or his or her heirs, provided that this exclusion lapses ten (10) years from the date on which such beneficiary's title was registered in the office of the Registrar of Deeds.
- 3.4.1.12 on the first R15 000,00 of the market value of the property assigned in the valuation roll of a municipality to a category determined by the municipality:
 - (i) for residential purposes including second dwellings and duets not subject to a sectional title scheme; or

(ii) for properties used for multiple purposes, provided one or more components of the property and which forms

(iii) the major part of the property, are used for residential purposes.

3.4.1.13 on a property registered in the name of and used primarily as a place of public worship by a religious community, including an official residence registered in the name of that community which is occupied by an office-bearer of that community who officiates at services at that place of worship.

3.4.1.14 on the first 30% of the market value of public service infrastructure.

3.4.1.15 on those parts of a special nature reserve, national park or national reserve with meaning of protected areas act, or a national botanical garden within the meaning of National Management Biodiversity Act, 2004 which are not developed or used for commercial business, or residential agricultural purposes.

3.5 That all property rates as per paragraphs 3.1.1 to 3.1.23 above be subjected to Value Added Tax at a zero rate.

4. **THAT** the fees for drainage and sewerage in terms of the stipulations of Section 75A of the Local Government Municipal Systems Act, 32 of 2000, be approved and adopted with effect from 1 July 2017 as follows:

4.1 **THAT** the departmental levy on sewerage be determined at R3,88 per kilolitre of measured sewerage water effluent.

4.2 That all levies for drainage and sewerage as per paragraph 4.3 below be subjected to Value Added Tax at full rate.

4.3 To have the present tariffs replaced by the following structure:

4.3.1 Monthly levy for developed residential erven

- | | |
|-------------------------------------------------------------------------------|---------|
| (a) with a total area of up to 995m ² | R 96,65 |
| (b) with a total area exceeding 995m ²
up to 1500m ² | R213,90 |
| (c) with a total area exceeding 1500m ² | R283,40 |

4.3.2 Monthly levy on flats

Per residential unit

R142,40

2nd dwelling (single property)
R 98,65

4.3.3 Monthly levy on all church erven
R283,50

4.3.4 Business and Industries

R8,05 per kilolitre metered pure water consumption per month

4.3.5 All undeveloped erven in private possession with access to the reticulation

An availability levy of R57,30 per erf per month

4.3.6 Agricultural societies and sport clubs not accommodated at the central sports grounds

R6,88 per kilolitre of metered purified water consumption per month

4.3.7 Military basis, road camps and other similar properties

R8,05 per kilolitre of metered purified water consumption per month

4.3.8 Industries and businesses where a great extent of the water consumption as determined by Council is taken up in the final product per kilolitre of the metered purified water consumption per month:

0 - 2000 kiloliters	R3,30 per kl
2000 - 5000 kiloliters	R1,95 per kl
Above 5000 kiloliters	R0,98 per kl

4.3.9 Hospitals, nursing homes under welfare care, schools and school hostels, nursery schools and day schools

Monthly levies as follows:

(a) Hospitals

R283,47 for each three (3) beds or portion, continuously available and R283,47 for each ten (10) personnel or portion, residential or not.

(b) Schools and school hostels (including nursery and day schools)

R81,83 for each twenty (25) persons or portion thereof.

(c) Nursing and maternity homes and welfare organizations

As described by the National Welfare Act, 1978, and institutions controlled by welfare organizations.

R133,42 for each ten (10) persons or portion thereof

4.3.10 Vergeet-My-Nie / Rivier Park flats

R66,10 per flat per month

4.3.11 Formalized informal housing settlements with access to biological toilets per stand (unproclaimed township)

R48,00 per month

4.3.12 Proclaimed rural townships / villages with biological toilets per stand

R48,00 per month

4.4 That for all indigent consumers enlisted under the Council's indigent support and free basic services scheme with the inclusion of all dwellings in the formalized informal housing settlements, no fees be paid by the consumer and the levy in full be recovered from the proportional equitable share payable to Council by the South African National Treasury.

4.5 For all pensioners who applied and were approved for a rebate on assessment rates based on their monthly income, the same rebate be allowed on their respective residential sewerage tariffs, except Vergeet-My-Nie / Rivier Park flats:

4.5.1 Pensioners who qualify (residential)

R0	to R 3 200,00	100% rebate on applicable tariff
R3 200,01	to R 6 400,00	70% rebate on applicable tariff
R6 400,01	to R 9 600,00	50% rebate on applicable tariff
R9 600,01	to R12 800,00	20% rebate on applicable tariff

5. **THAT** the fees for the removal of solid waste in terms of the stipulations of Section 75A of the Local Government Municipal Systems Act, Act 32 of 2000, approves and adopts with effect from 1 July 2017 as follows:

5.1 That the fees for the removal of solid waste as per paragraphs 5.2 to 5.4 and 5.6 to 5.8 below be subjected to Value Added Tax at the standard rate.

5.2 Tariff of charges

5.2.1 Section 1(1) occasional service

For a daily service per day per refuse bin R58,00

5.2.2 Housing refuse

Erven up to 995m² and erven exceeding 995m²

by substitution under item 1(1):
the amount of R115,80 with R123,80 and R165,75 by R177,20

5.2.3 Flats

by substitution under item 1(2)(b)(i):
the amount of R148,85 with R159,12

5.2.4 Businesses: 1,1m³ mass container

up to three (3) times per week by inclusion under item 1(2)(b)(iii) the amount of R2 180,00

up to six (6) times per week by inclusion under item 1(2)(b)(iv) the amount of R4 343,00

5.2.5 Second dwelling

by substitution under item 1(2)(b)(vii):
the amount of R111,25 with R118,92

5.2.6 Businesses: Bins 85ℓ

by substitution under item 1(3)(a):
the amount of R400,15 with R427,76

5.2.7 Businesses: 1,50m³ mass containers

by deleting under item 1(3)(b):

the amount of R4 176,00 (tariff no longer applicable)

5.2.8 Businesses: 1,75m³ mass containers

by substitution under item 1(3)(c):
the amount of R5 201,00 with R5 560,00

5.2.9 Businesses: 240ℓ bins

up to three (3) times per week
by substitution under item 1(3)(d):
the amount of R743,00 with R794,27

up to six (6) times per week
by substitution under item 1(3)(e):
the amount of R1 589,00

- 5.3 That the tariff for removal of solid waste (refuse) from the Vergeet-My-Nie / Rivier Park flats be increased from R56,45 per flat to R60,35 per flat per month.
- 5.4 That formalized informal housing settlements (unproclaimed townships) under 1(2)(b)(v) by substitution R58,20 per stand per month with R62,20 per stand per month.
- 5.5 That the departmental levy for removal of solid waste (refuse) be amended as follows:
- | | |
|--------------------|-----------|
| per refuse bin | R 138,80 |
| per mass container | R2 281,00 |
- 5.6 That proclaimed rural villages under 1(2)(b)(v) by substitution R58,20 per stand per month with R62,20 per stand per month.
- 5.7 That the static compactor levy for removal of refuse be introduced as follows:
- | | |
|----------------------------------|-----------|
| up to 15m ³ per month | R9 870,00 |
| up to 11m ³ per month | R7 896,00 |
| up to 10m ³ per month | R7 238,00 |
- 5.8 That additional static compactor removals more than four (4) times per month be introduced as follows:
- | | |
|----------------------------------------------|-----------|
| up to 15m ³ per month per removal | R2 467,00 |
| up to 11m ³ per month per removal | R1 974,00 |
| up to 10m ³ per month per removal | R1 809,00 |
- 5.9 That for all indigent consumers enlisted under the Council's indigent support and free basic services scheme of all dwellings in the formalized informal housing settlement no fees be paid by the consumer and the levy in full be recovered from the proportional equitable share payable to Council by the South African National Treasury.
- 5.10 That for all pensioners who applied and were approved for a rebate on assessment rates based on their monthly income, the same rebate be allowed on their respective refuse levies, except for Vergeet-My-Nie and Rivier Park flats:

5.10.1 Pensioners who qualify (residential)

monthly income

R0	to R 3 200,00	100% rebate on applicable tariff
R3 200,01	to R 6 400,00	70% rebate on applicable tariff
R6 400,01	to R 9 600,00	50% rebate on applicable tariff
R9 600,01	to R12 800,00	20% rebate on applicable tariff