



Public Notice

NOTICE OF INTENTION TO REDUCE BULK POTABLE WATER SUPPLY SERVICES: LESEDI LOCAL MUNICIPALITY

The Lesedi Local Municipality (“**the Municipality**”) has a constitutional obligation to provide basic water and sanitation services (“**water services**”) to its residents. To discharge this obligation, the Municipality entered into the Bulk Water Supply Contract (“**BWSC**”) with Rand Water for the provision of bulk potable water services in exchange for payment.

The Municipality has been struggling to service its water account since 2022, as a result the Municipality is currently indebted to Rand Water in the amount of **R72,504,909.63 inclusive of interest and current amount was due and payable on 30 April 2024**.

The Municipality’s continuous failure to make payment to Rand Water for the bulk water services debt is an outright breach of the relevant provisions of the BWSC as supported by the provisions of section 33(1)(d) of the Water Service Act 108 of 1997 (“**the WSA**”). This debt threatens the functional and institutional integrity of Rand Water and places in jeopardy Rand Water’s ability to provide bulk water services supply on a financially sustainable basis.

In terms of the relevant provisions of the BWSC and section 4 of the WSA, Rand Water is authorized to reduce bulk water supply services when the Municipality fails to comply with BWSC’s terms and conditions for payment as well as fails to give sufficient evidence of its inability to pay for water services.

The continuous efforts of Rand Water to recover the monies owed by the Municipality have failed and Rand Water has notified the Municipality of its intention to exercise its legislative and contractual powers to reduce/limit bulk potable water services by 20% after 30 days of this notice. All members of the public who are likely to be materially and adversely affected by its reduction in the supply of the bulk water services to the Municipality are hereby notified of Rand Water’s intention to reduce the supply of bulk potable water services to the Municipality.

This reduction does not completely terminate water supply services, but only limit the bulk water supply with 20% leaving the Municipality with 80% which Rand Water justly believes that the Municipality will still be able to maintain continuous supply of water services to its residents. In addition to this Public Notice, your Municipality will initiate public participation processes to ensure that written representation from your direct end users on how the 80% of the water received from Rand Water will be prioritized to minimize the impact to vulnerable members (schools, old age homes, hospitals, etc.).

Rand Water’s planned action is necessary to hold the Municipality accountable to discharge its constitutional and statutory duties, prevent further escalation of the water services debt and enhance Rand Water’s liquidity and ability to discharge its own obligations, all with the goal of protecting the national interest in the sustainability of water services supply.

Members of the public are also advised to take appropriate lawful steps against the Municipality to avert the planned action and protect their interests.

As contemplated in section 4(3) of the Public Administrative Justice Act, 3 of 2000, Rand Water hereby invites all affected members of the public to submit written representations, comments and/or submissions indicating why Rand Water should or should not proceed with the contemplated reduction of water services.

The following towns/municipal areas shall be affected by the contemplated reduction:

LESEDI LOCAL MUNICIPALITY / AFFECTED TOWNS / POINTS OF SUPPLY
All towns, suburbs and townships of the Municipality’s area of supply.

Public representations, submissions and/or comments should be submitted to:

RAND WATER GROUP LEGAL SERVICES

Physical address: 522 Impala Road, Glenvista

Postal address: P O Box 1127, Johannesburg 2000

E-mail address: **Customerservice@randwater.co.za** and **sbxulu@randwater.co.za**

The closing date for public representations, submissions and/or comments will be end of 30th calendar day from date of issue. Please take note that comments received after the closing date will not be considered.

Such public representations, submissions and / or comments will be considered by Rand Water, and its’ final decision will be published in a notice **within 7 days after closing date**.

Members of the public are informed of their right, should they be so inclined, to challenge the decision of Rand Water in Court by taking it on review.

Reference Number: **LLM01/2024 Notice**

Issued in terms of section 4 (1)(b) and (3) of the Promotion of Administrative Justice Act, (Act 3 of 2000).

Isaziso Somphakathi

ISAZISO NGENHLOSO YOKUNCIPHISA IZINKONZO ZOKUNIKEZELA NGAMANZI: KUMASIPALA WE LESEDI LOCAL MUNICIPALITY

U-Masipala wase Lesedi Local Municipality (“**uMasipala**”) unesibopho ngokomthetho-sisekelo ukuhlinzeka ngamanzi kanye nezinziza zokuthuthwa kwendle kubahlali bawo (“**izinsika zamanzi**”). Ukufeza lesibopho, uMasipala ungene kwi Nkontileka Yokuhlinzeka Ngamanzi Ngobuningi (“**BWSC**”) ne Rand Water ukuze uhlizelwe ngamanzi amaningi ngokuthi akhokhelwe imali.

uMasipala udonsa kanzima ukusevisa i-akhawunti yawo yamanzi kusukela ngo 2022, okuholele ekutheni uMasipala kuyimanje ukwelela iRand Water isamba esingu **R 72, 504, 909.63 obekufanele uyikhokhe zingu 30 April 2024**.

Ukwehleleka kuka Masipala ukukhokhela iRand Water isikwelelu sezinsiza zamanzi amaningi kuwukwephula umthetho ngokuphelele ukuhlinzeka iBWSC njengokwesekwa kwezihlinzeko zesigaba 33(1)(d) ye Water Service Act 108 ka 1997 (“**WSA**”). Lesikwelelu sibeka engcupheni ubuqotho bokusebenza kanye nesikhungo se Rand Water siphinde sibeka engcupheni ikhono le Rand Water ukuhlinzeka ngezinsiza zamanzi amaningi ngesisekelo esisimeme ngokwezimali.

Ngokwemibandela efanele ye BWSC kanye nesigaba esingunamba 4 se WSA, iRand Water igunyazwe ukwehlisa izinsiza zokuhluzeka ngobuningi bamanzi lapho uMasipala ehluleka ukubambisana nemigomo nemibandela ye BWSC yokukhokha kanye nokwehleleka ukunikeza ubufakazi obanele ngokwehleleka kwabo ukukhokhela izinsiza zamanzi.

Imizamo eqhubekayo ye Rand Water yokuthola izimali ezikwelelwa uMasipala ibhunjshile kanti iRand Water isiyazise uMasipala ngenhloso yawo yokusebenzisa amandla omthetho nawenkontileka ukunciphisa/ ukwehlisa umthamo wezinsiza zamanzi ngo 20% ngemva kwezinsuku ezingu 30 zesaziso. Wonke amalungu omphakathi okungenzeka athintekwe ngokwezimali ngokwehliswa kokuhluzekwa kwezidingo-ngqangi zamanzi uMasipala uyaziswa ngalenghloso ye Rand Water yokunciphisa ukuhluzekwa komthamo wamanzi ku Masipala.

Lokhu kwehliswa akuziqedi ngokuphelele izidingo zokuhluzekwa ngamanzi, kodwa kunciphisa, ukuhluzekwa kwamamanzi ngobuningi ngo 20% okushiya uMasipala no 80% okuyinto iRand Water ekholelwa ukuthi ngokufanelekile uMasipala usazokwazi ukuqhubeka nokuhluzeka ngamanzi kubahlali bawo. Ukwengeza kulesi Saziso Somphakathi, uMasipala wakhola usazokwazi ukuqhubeka iqhaza komphakathi ukuze uqinisekise izethulo ezibhalwe phansi ezinqondile kumphakathi othola lamanzi zokuthi u80% wamanzi atholakele eRand Water uzobekwa kanjani eqhulwini ukuze kuncishiswe umthelela kumalungu asengcupheni oku... (izikole, amakhaya agcina abadla, izibhedlela, njll.).

Isinyathelo esihleliwe se Rand Water siyadingeka ukuze uMasipala uziphendulele futhi wenze imisebenzi yawo ngokomthetho-sisekelo kanye nangokomthetho uqobo, ukuvimbela ukukhuphuka kwesikwelelu sezinsiza zamanzi kanye nokuthuthukisa imali engena kwi Rand Water nokuvimbela ukuqeda kwamandla ebhizinisi kanye nekho lokufeza izibopho zayo, konke lokhu ngenhloso yokuvikela intshisekelo yezwe ngokusimamisa ukuhluzekwa kwezinsiza zamanzi.

Amalungu omphakathi ayelulelwa ukuthi athathele uMasipala izinyathelo ezifanele ezisemthethweni ukuze kugwenywe lesisenzo esihleliwe nokuvikela izimfuno zawo.

Njengoba kuhlangezwe esigabeni 4(3) kwe Public Administrative Justice Act, 3 wango 2000, iRand Water imema wonke amalungu omphakathi athintekile ukuthi alethe izethulo ezibhalwe, imibono kanye/ noma izethulo ezibonisa ukuthi kungani iRand Water kufanele noma kungafanele iqhubekwe nokunciphisa izinsiza zamanzi.

Lamadolobha/ izindawo zikamasipala ezilandelayo zizothinteka ngokuncishiswa okuhlongozise:

LESEDI LOCAL MUNICIPALITY / AMADOLBHA ATHINTEKAYO/ UKUPHAKELWA KWAWO
Wonke amadolobha, izindawo zokuhlala ezisesilungwini namalokishi ahluzekwa uMasipala

Izethulo zomphakathi, izethulo kanye /noma ukuphawula kufanele zithunyelwe ku:

RAND WATER GROUP LEGAL SERVICES

Physical address: 522 Impala Road, Glenvista

Postal address: P O Box 1127, Johannesburg 2000

E-mail address: **Customerservice@randwater.co.za** noma **sbxulu@randwater.co.za**

Usuku lokuvula lokubhaliswa komphakathi, izethulo kanye noma ukuphawula kuzoba ukuphela kosuku lwekhalenda mhlaka 30 kusukela zikhishiwe.

Sicela uqaphele ukuthi imibono engene ngemva kosuku lokuvula ngeke yamukelwe.

Izethulo ezinjalo zomphakathi, izethulo kanye/ nokuphawula kuzocutshungulwa yi Rand Water, futhi isinqumo sokugcina sizoshicilelwa ngesaziso **ezinsukwini ezingu 7 ngemva kosuku lokuvula**.

Amalungu omphakathi ayaziswa ngelungelo lawo, uma enesifiso sokwenzenjalo, angaphikisa isinqumo se Rand Water eNkantolo ukuze sibuyekweze.

Reference Number: **LLM01/2024 Notice**

Ikhishwe ngokwesigaba 4 (1)(b) kanye no (3) ngokwe Promotion of Administrative Justice Act, (Act 3 ka 2000).

Public Notice

TSEBISO YA MAIKEMISETSI A HO FOKOTSA PHANO YA METSI: LESEDI LOCAL MUNICIPALITY

Masepala wa Lesedi Local Municipality (“**the Municipality**”) o entse setlamo sa phano e ntle ya metsi le dikgwerekwene ho baani ba ona. Ho ntshetsa pele setlamo sena, masepala o tekene kontraka ya Tshebeletso ya Phano ya Metsi a Lekaneng e leng (“**BWSC**”) ka

bokgutshwanyane, le Rand Water Bakeng sa ho fana ka tshebeletso ya metsi ka bongata ka phapanyetsano ya ho patala.

Masepala esale Ona le mathata a ho patala mokitlane Wa metsi ho tloha ka 2019, mme seo se na kentse sekolong sa Rand Water sa **R72,504,909.63, e neng e tlameha ho patala pele ho di 30 Tihakubele 2024**.

Ho hloleha ho patala Rand Water ke masepala ona bakeng sa tshebeletso ya metsi ao a mangata, ho roba tumellano tsa kontraka ya bona le ba **BWSC**, tshehetsong ya molao section 33(1)(d) ya Water Service Act 108 ya 1997 (“**the WSA**”). Sekoloto sena se tla sitisa tshebetso e phethahetseng ya Rand Water ya phano ya metsi a mangata ka Baka la mathata a di tjelele.

Bakeng sa ditokiso tse nepahetseng tsa **BWSC** le section 4 ya **WSA**, Rand Water e dumelletsehile ho fokotsa phano ya metsi a mangata, ha masepala e hloleha ho latela melawana le diphelelo tsa BWSC ya ho patala le ho fana ka mabaka a utlwalang a ho hloleha ho patala ditshebeletso tsa metsi.

Ho tswella pele hwa Rand Water e leka ho fumana tjelele eo ya sekoloto sa masepala ha Wa phethahala, Mme Rand Water e qetelletse e tsebisitse masepala ka maikemisetso a ho sebedisa matla a bona hoyi ka kontrak e leng a ho fokotsa phano ya metsi ka 20% kamora matsatsi a 30 a ho ba tsebisa. Sechaba kaofela se tla angwa ke phokotso ena ya phano ya metsi a mangata, se tsebisa ka maikemisetso ana a Rand Water a ho fokotsa phano ya metsi masepaleng.

Phokotso ena ya metsi ha e hlahose hore metsi a keke a ba teng, empa phokotso ya metsi feela ka 20%, e tla siya masepala ka 80% eo Rand Water e dumelang hore masepala e tla kgona ho efa baahi ba bona. Tlatsetsong ya molaetsa Ona, masepala o tla qala ho mema baahi tabeng ya ho buisana ka tshebediso ya 80% ena ya metsi a tswang Rand Water ho thusa dibakeng tsa bohlokwa jwaloka (dikolo, mahae a maqheku, dipetlele, jwalo jwalo.)

Ketso ena e rerilweng ke Rand Water e bohlokwa hore masepala o nke boikarabelo ba bohlaswa ba bona, ho thibela sekoloto sena sa metsi ho nyoloha le ho sitisa Rand Water ho phetha mosebetsi Wa bona, ka tshireletso ya setjhaba hore se tswelle ho fumana ditshebeletso tsa metsi.

Baahi le bona ba kgothalletswa ho ema ka maoto kgahlanong le masepala ka ho tshireletsa ditlhoko tsa bona.

Jwaloka ha e behwa ke molao Wa 4(3) Wa Public Administrative Justice Act, 3 ya 2000, Rand Water e mema baahi bohle ba amehang, ho romella kemedi ya bona ka mokgwa Wa ho ngola, moo ba hlakisang hore hobaneng Rand Water e sa tlameha kapa e tlameha ho tswella pele ho fokotsa phano ya metsi.

Ditoropo tse latelang di tla angwa ke phokotso ya metsi:

LESEDI LOCAL MUNICIPALITY AFFECTED TOWNS / POINTS OF SUPPLY
Ditoropo kaofela, le makeishene ohle a fepelwang metsi ke masepaleng ona

Maikutlo a baahi a ka romellwa ho:

RAND WATER GROUP LEGAL SERVICES

Physical address: 522 Impala Road, Glenvista

Postal address: P O Box 1127, Johannesburg 2000

E-mail address: **Customerservice@randwater.co.za** le **sbxulu@randwater.co.za**

Maikutlo ana a baahi a tla amohelwa ho fihlela ha ho fela matsatsi a 30, kamora hore tsebiso ena e etswe.

Maikutlo a tla romelwa kamora ho kwalwa, a keke a shejwa.

Maikutlo ana a tla hlomphelela ke Rand Water, mme qeto ya Rand Water e tla tsebisa matsatsi a 7 kamora ho kwalwa.

Baahi ba tsebisa ka ditokiso tsa bona, ha ba sa kgotsofala, ba ka phepetsa qeto eo ya Rand Water makgotleng a dinyewe hore e shebiswe.

Reference Number: **LLM01/2024 Notice**

Ditaba tsena di tlišwa ka section 4 (1)(b) le (3) ya Promotion of Administrative Justice Act, (Act 3 of 2000).

Openbare Kennisgewing

KENNISGEWING VAN VOORNEME OM GROOTMAAT VOORSIENING VAN DRINK WATER TE VERMINDER: LESEDI LOCAL MUNICIPALITY

Die Lesedi Local Municipality (“**die munisipaliteit**”) het ’n grondwetlike plig om basiese water- en sanitasiedienste (“**waterdienste**”) aan sy inwoners te verskaf. Om hierdie verpligting na te kom, het die Munisipaliteit die Grootmaat Watervoorsieningskontrak (“**BWSC**”) met Rand Water aangegaan vir die verskaffing van grootmaat drinkbare waterdienste in ruil vir betaling.

Die Munisipaliteit worstel reeds sedert 2019 om sy waterrekening te vereffen, en gevolglik is die Munisipaliteit tans die bedrag van **R 72,504,909.63 aan Rand Water verskuldig, wat reeds op 30 April 2024 betaalbaar was**.

Die Munisipaliteit se voortdurende mislukking om betaling aan Rand Water te maak vir die grootmaat waterdienseskuld is ’n volslae oortreding van die relevante bepalings van die BWSC soos ondersteun deur die bepalings van artikel 33(1)(d) van die Waterdienswet 108 van 1997

(“die WSA”). Hierdie skuld bedreig die funksionele en institusionele integriteit van Rand Water, en plaas Rand Water se vermoë om grootmaat waterdienste verskaffing op ’n finansiële volhoubare grondslag aan te bied, in gevaar.

Ingevolge die toepaslike bepalings van die BWSC en artikel 4 van die WSA, is Rand Water gemagtig om grootmaat watervoorsieningsdienste te verminder in gevalle waar die Munisipaliteit in gebrek bly om aan BWSC se bepalings en voorwaardes vir betaling te voldoen, asook faal daarin om voldoende bewys te lewer van sy onvermoë om vir waterdienste te betaal.

Die voortdurende pogings van Rand Water om die gelde wat deur die Munisipaliteit verskuldig is, te verhaal, het misluk en Rand Water het die Munisipaliteit in kennis gestel van sy voorneme om sy wetgewende en kontrakuele magte uit te oefen om grootmaat drinkwaterdienste met 20% te verminder na 30 dae van hierdie kennisgewing .

Alle lede van die publiek wat moontlik wesenslik en nadelig geraak mag word deur die vermindering van die verskaffing van die grootmaatwaterdienste aan die Munisipaliteit, word hiermee in kennis gestel van Rand Water se voorneme om die verskaffing van grootmaat drinkwaterdienste aan die Munisipaliteit te verminder.

Hierdie vermindering beëindig nie watervoorsieningsdienste in sy geheel nie, maar beperk slegs die grootmaat watervoorsiening met 20% wat die Munisipaliteit met 80% laat, wat Rand Water tereg glo die Munisipaliteit nog steeds in staat sal stel om deurlopende voorsiening van waterdienste aan sy inwoners te handhaaf. Benewens hierdie Openbare Kennisgewing, sal u Munisipaliteit openbare deelname prosesse insiseer om te verseker dat skriftelike vertoë van u direk, as eindverbruikers, ingewin kan word oor hoe u glo die 80% van die water wat van Rand Water ontvang word, geprioritiseer behoort te word om die impak op kwesbare verbruikers (bv. skole, ouetehuise, hospitale, ens.) te minimaliseer.

Rand Water se beplande optrede word genoodsaak, ten einde die Munisipaliteit aanspreeklik te hou om sy grondwetlike en statutêre verpligtinge na te kom, verdere eskalاسie van die waterdienseskuld te voorkom en Rand Water se likiditeit en vermoë om sy eie verpligtinge na te kom, te verbeter, alles met die oog op die bevordering van nasionale belang, ten einde volhoubaarheid van waterdiensvoorsiening te verseker.

Lede van die publiek word ook aangeraai om toepaslike wetlike stappe teen die Munisipaliteit te neem om die beplande optrede af te weer en hul belange te beskerm.

Soos vervaar in artikel 4(3) van die Wet op Openbare Administratiewe Geregtheid, 3 van 2000, nooi Rand Water hiermee alle geaffekteerde lede van die publiek uit om skriftelike vertoë, kommentaar en/of voorleggings in te dien wat aandui waarom Rand Water moet, of nie moet, voortgaan met die beoogde vermindering van waterdienste.

Die volgende dorpe/munisipale gebiede sal deur die beoogde vermindering geraak word:

LESEDI LOCAL MUNICIPALITY / GEAFFEKTEERDE DORPE / VOORSIENINGSPUNTE
Alle dorpe, voorstede en townships van die Munisipaliteit se voorsieningsgebied.

Openbare vertoë, voorleggings en/of kommentaar moet ingedien word by:

RAND WATERGROEP REGSDIENSTE

Fisiese adres: Impalaweg 522, Glenvista

Posadres: Posbus 1127, Johannesburg 2000

E-posadres: **Customerservice@randwater.co.za** en **sbxulu@randwater.co.za**

Die sluitingsdatum vir openbare vertoë, voorleggings en/of kommentaar sal einde van die 30^{ste} kalenderdag vanaf datum van uitreiking wees.

Neem asseblief kennis dat kommentaar wat na die sluitingsdatum ontvang word, nie oorweeg sal word nie.

Sodanige openbare vertoë, voorleggings en/of kommentaar sal deur Rand Water oorweeg word, en sy finale besluit **sal binne 7 dae na die sluitingsdatum** in ’n kennisgewing gepubliseer word.

Lede van die publiek word ingelig oor hul reg en kan, sou hulle so verkies, die beslissing van Rand Water in die hof te betwis deur dit op hersiening te neem.

Verwysingsnommer: **LLM01/2024 Kennisgewing**

Uitgereik ingevolge artikel 4 (1)(b) en (3) van die Wet op die Bevordering van Administratiewe Geregtheid, (Wet 3 van 2000).