



Western Cape Government • Wes-Kaapse Regering

PROVINCE OF WESTERN CAPE

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PROVINSIE WES-KAAP

Provinsiale Roerant

7208

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As 'n Nuusblad by die Poskantoor Geregistreer

INHOUD

(*Herdrukke is verkrybaar by Kamer M21, Provinsiale Wetgewing-gebou, Waalstraat 7, Kaapstad 8001.)

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(Vervolg op bladsy 3376)

PROVINCIAL NOTICES

The following Provincial Notices are published for general information.

**ADV. B. GERBER,
DIRECTOR-GENERAL**

Provincial Legislature Building,
Wale Street
Cape Town.

P.N. 405/2013

6 December 2013

DRAKENSTEIN MUNICIPALITY REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)

I, Jeremy Benjamin, in my capacity as Chief Land Use Management Regulator in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 2306, Paarl, removes condition C. (b) as contained in Deed of Transfer No. T. 49110 of 2011.

P.N. 406/2013

6 December 2013

CITY OF CAPE TOWN SOUTHERN DISTRICT

REMOVAL OF RESTRICTIONS ACT, 1967

Notice is hereby given that the Minister of Local Government, Environmental Affairs and Development Planning, properly designated as Competent Authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owners of Erf 69868, Cape Town at Plumstead, remove conditions B. 2. and B. 3. contained in Deed of Transfer No. T. 73669 of 2003.

P.N. 407/2013

6 December 2013

CITY OF CAPE TOWN SOUTHERN DISTRICT

REMOVAL OF RESTRICTIONS ACT, 1967

Notice is hereby given that the Minister of Local Government, Environmental Affairs and Development Planning, properly designated as Competent Authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owners of Erf 98405, Cape Town at Rondebosch, removes conditions B. "1, E. (ii), F. (i)(b) and (c) and F. (ii)(e) and amends condition D. (ii). contained in Deed of Transfer No. T. 13945 of 1986 to read as follows:

"That not more than one building be erected on any one lot.

P.N. 416/2013

6 December 2013

OVERSTRAND MUNICIPALITY GANSBAAI ADMINISTRATION

REMOVAL OF RESTRICTIONS ACT, 1967

I, André John Lombaard, in my capacity as Chief Land Use Management Regulator in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owners of Erf 991, De Kelders, remove condition D. "A. (a) contained in Deeds of Transfer No. T. 52727 of 2003.

PROVINSIALE KENNISGEWINGS

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

**ADV. B. GERBER,
DIREKTEUR-GENERAAL**

Provinsiale Wetgewer Gebou,
Waalstraat,
Kaapstad.

P.K. 405/2013

6 Desember 2013

DRAKENSTEIN MUNISIPALITEIT WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)

Ek, Jeremy Benjamin, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerde in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 2306, Paarl, hef voorwaarde C. (b) soos vervat in Transportakte Nr. T 49110 van 2011, op.

P.K. 406/2013

6 Desember 2013

STAD KAAPSTAD SUIDELIKE DISTRIK

WET OP OPHEFFING VAN BEPERKINGS, 1967

Kennis geskied hiermee dat die Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as Bevoegde Gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaars van Erf 69868, Kaapstad te Plumstead, hef voorwaardes B. 2. en B. 3. vervat in Transportakte Nr. T. 73669 van 2003, op.

P.K. 407/2013

6 Desember 2013

STAD KAAPSTAD SUIDELIKE DISTRIK

WET OP OPHEFFING VAN BEPERKINGS, 1967

Kennis geskied hiermee dat die Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as Bevoegde Gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaars van Erf 98405, Rondebosch, hef voorwaardes B. "1, E. (ii), F. (i)(b) en (c) en F. (ii)(e), ophef en voorwaarde D. (ii) vervat in Transportakte Nr. T. 13945 van 1986, op, wysig om soos volg te lees:

"That not more than one building be erected on any one lot.

P.K. 416/2013

6 Desember 2013

MUNISIPALITEIT OVERSTRAND GANSBAAI ADMINISTRASIE

WET OP OPHEFFING VAN BEPERKINGS, 1967

Ek, André John Lombaard, in my hoedanigheid as Hoof Groendgebruiksbestuur Reguleerde in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaars van Erf 991, De Kelders, hef voorwaarde D. "A. (a) vervat in Transportaktes Nr. T. 52727 van 2003, op.

P.N. 408/2013

6 December 2013

**CITY OF CAPE TOWN
SOUTHERN DISTRICT**

REMOVAL OF RESTRICTIONS ACT, 1967

Notice is hereby given that the Minister of Local Government, Environmental Affairs and Development Planning, properly designated as Competent Authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 51890, Claremont, in the City of Cape Town, remove condition Section II (a) and (d) contained in Deed of Transfer No. T. 47222 of 2009 and also amends conditions Section II (c), IV (a) and IV (c) to read as follows:

Section II (c), **be amended** to read as follows:

That not more than one dwelling, which may be used with the consent of the Municipality as a Place of Instruction, together with the necessary outbuildings and appurtenances be erected on the erf and that not more than 50% coverage be exceeded.

Section IV (a), **be amended** to read as follows:

That no building shall be erected on any lot of less than R1 400.00. Such building shall not unless the written consent of Robert da Costa Blake be first obtained, consists of or be convertible into or used as flats or a block of flats, but must be a dwelling house, and only one such dwelling house, other than a dwelling house with associated outbuildings which may be used with the consent of the Municipality as a Place of Instruction, shall be erected thereon.

Section IV (c), **be amended** to read as follows:

That no noisome, injurious or objectionable trade or business of any kind, other than a Place of Instruction, shall be carried on in any house or building aforementioned or on the said land.

The removal of Section IV (d) and (e) was refused.

P.K. 408/2013

6 Desember 2013

**STAD KAAPSTAD
SUIDELIKE DISTRINK**

WET OP OPHEFFING VAN BEPERKINGS, 1967

Kennis geskied hiermee dat die Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as die Bevoegde Gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaar van Erf 51890, Claremont, in die Stad Kaapstad, hef voorwaarde Section II (a) en (d) vervat in Transportakte Nr. T. 47222 van 2009, op en wysig ook voorwaardes Section II (c), IV (a) en IV (c) om soos volg te lees:

Section II (c), **be amended** to read as follows:

That not more than one dwelling, which may be used with the consent of the Municipality as a Place of Instruction, together with the necessary outbuildings and appurtenances be erected on the erf and that not more than 50% coverage be exceeded.

Section IV (a), **be amended** to read as follows:

That no building shall be erected on any lot of less than R1 400.00. Such building shall not unless the written consent of Robert da Costa Blake be first obtained, consists of or be convertible into or used as flats or a block of flats, but must be a dwelling house, and only one such dwelling house, other than a dwelling house with associated outbuildings which may be used with the consent of the Municipality as a Place of Instruction, shall be erected thereon.

Section IV (c), **be amended** to read as follows:

That no noisome, injurious or objectionable trade or business of any kind, other than a Place of Instruction, shall be carried on in any house or building aforementioned or on the said land.

Die opheffing van Section IV (d) en (e) is afgekeur.

P.N. 409/2013

6 December 2013

CAPE AGULHAS MUNICIPALITY

REMOVAL OF RESTRICTIONS ACT, 1967

Notice is hereby given that the Minister of Local Government, Environmental Affairs and Development Planning, properly designated as Competent Authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owners of Erf 51, Agulhas, removes condition B. "B" (a) contained in Deed of Transfer No. T. 8577 of 2009.

P.N. 409/2013

6 December 2013

KAAP AGULHAS MUNISIPALITEIT

WET OP OPHEFFING VAN BEPERKINGS, 1967

Kennis geskied hiermee dat die Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as Bevoegde Gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaars van Erf 51, Agulhas, hef voorwaarde B. "B" (a) vervat in Transportakte Nr. T. 8577 of 2009, op.

P.N. 410/2013

6 December 2013

**CITY OF CAPE TOWN
(SOUTHERN DISTRICT)**

REMOVAL OF RESTRICTIONS ACT, 1967

Notice is hereby given that the Minister of Local Government, Environmental Affairs and Development Planning, properly designated as Competent Authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owners of Erf 56755, Cape Town at Claremont, remove conditions A (2), A (3) and (10) and (11) on page 4 of Deed of Transfer No. T. 100449 of 1999.

PN 240/2013 dated 26 July 2013 is hereby cancelled.

P.K. 410/2013

6 Desember 2013

**STAD KAAPSTAD
(SUIDELIKE DISTRIK)**

WET OP OPHEFFING VAN BEPERKINGS, 1967

Kennis geskied hiermee dat die Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as Bevoegde Gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaars van Erf 56755, Kaapstad te Claremont, hef voorwaardes A (2), A (3) en (10) en (11) op bladsy 4 van Transportakte Nr. T. 100449 van 1999, op.

PK 240/2013 gedateer 26 Julie 2013 word hierby gekanselleer.

P.N. 411/2013

6 December 2013

**OVERSTRAND MUNISIPALITY
HERMANUS ADMINISTRATION**

**REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)**

Notice is hereby given that the Minister of Environmental Affairs and Development Planning, properly designated as Competent Authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 966, Sandbaai, remove conditions B. II. (c) and (d) contained in Deed of Transfer No. T. 20380 of 2005.

P.N. 412/2013

6 December 2013

**RECTIFICATION
CITY OF CAPE TOWN
HELDERBERG REGION**

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)

Notice is hereby given that the Minister of Local Government, Environmental Affairs and Development Planning, properly designated as Competent Authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owner of Erf 1101, Bergvliet, amends condition (c)(d), contained in Deed of Transfer No.T. 7220 of 2003, to read as follows:

“No building or structure or any portion thereof, except boundary walls and fences shall be erected nearer than 4,72 metres to the street line which forms a boundary of this erf nor within 3,15 metres of the rear, or 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority an outbuilding not exceeding 3,05 metres in height, measured from the floor to the wall plate and no portion of which will be used for human habitation (including a bedroom) may be erected. On consolidation of any two or more erven, this condition shall apply to the consolidated area as one erf.”

P.N. 349/2013 dated 18 October 2013 is hereby cancelled.

P.N. 413/2013

6 December 2013

**CITY OF CAPE TOWN
SOUTHERN DISTRICT**

REMOVAL OF RESTRICTIONS ACT, 1967

Notice is hereby given that the Minister of Environmental Affairs and Development Planning, properly designated as Competent Authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 186, Meadowridge, in the City of Cape Town, amends condition D.3.(d) contained in Deed of Transfer No. T. 1958 of 2008 to read as follows:

“no building or structure or any portion thereof, except boundary walls and fences, shall be erected nearer than 4.5 meters to the street line which forms a boundary of this erf, nor within 3 meters of the rear or 1.5 meters of the lateral boundary common to any adjoining erf, provided measured from the floor to the wall plate, an outbuilding not exceeding 3.3 meters in height, measured from the floor to the wall plate, may be erected within the above prescribed rear space and within the above prescribed lateral space for a distance of 12 meters reckoned from the rear boundary. On consolidation of any two or more erven, this condition shall apply to the consolidated area as on erf.”

P.K. 411/2013

6 Desember 2013

**OVERSTRAND MUNISIPALITEIT
HERMANUS ADMINISTRASIE**

**WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)**

Kennis geskied hiermee dat die Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as die Bevoegde Gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaar van Erf 966, Sandbaai, hef voorwaardes B.II. (c) en (d) soos vervat in Transportakte Nr. T. 20380 van 2005, op.

P.K. 412/2013

6 Desember 2013

**REGSTELLING STAD KAAPSTAD
HELDERBERG STREEK**

WET OP OPHEFFING VAN BEPERKING, 1967 (WET 84 VAN 1967)

Kennis geskied hiermee dat die Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as die Bevoegde Gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaar van Erf 1101, Bergvliet, wysig voorwaarde (c) (d) soos vervat in Transportakte Nr. T. 7220 van 2003, om soos volg te lees:

“No building or structure or any portion thereof, except boundary walls and fences shall be erected nearer than 4,72 metres to the street line which forms a boundary of this erf nor within 3,15 metres of the rear, or 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority an outbuilding not exceeding 3,05 metres in height, measured from the floor to the wall plate and no portion of which will be used for human habitation (including a bedroom) may be erected. On consolidation of any two or more erven, this condition shall apply to the consolidated area as one erf.”

P.K. 349/2013 gedateer 18 Oktober 2013 word hiermee gekanselleer.

P.K. 413/2013

6 Desember 2013

**STAD KAAPSTAD
SUIDELIKE DISTRIK**

WET OP OPHEFFING VAN BEPERKINGS, 1967

Kennis geskied hiermee dat die Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as die Bevoegde Gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaar van Erf 186, Meadowridge, in die Stad Kaapstad wysig voorwaarde D.3.(d), vervat in Transportakte Nr. T. 1958 van 2008, om soos volg te lees:

“no building or structure or any portion thereof, except boundary walls and fences, shall be erected nearer than 4.5 meters to the street line which forms a boundary of this erf, nor within 3 meters of the rear or 1.5 meters of the lateral boundary common to any adjoining erf, provided measured from the floor to the wall plate, an outbuilding not exceeding 3.3 meters in height, measured from the floor to the wall plate, may be erected within the above prescribed rear space and within the above prescribed lateral space for a distance of 12 meters reckoned from the rear boundary. On consolidation of any two or more erven, this condition shall apply to the consolidated area as on erf.”

P.N. 414/2013

6 December 2013

**OVERSTRAND MUNICIPALITY
HERMANUS ADMINISTRATION**

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)

I, André Lombaard, in my capacity as Chief Land Use Management Regulator in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 4439, Hermanus, remove condition C.“1.(c) contained in Deed of Transfer No. T. 22626 of 1996.

P.K. 414/2013

6 Desember 2013

**OVERSTRAND MUNISIPALITEIT
HERMANUS ADMINISTRASIE**

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)

Ek, André Lombaard, in my hoedanigheid as Hoof Grondgebruikbestuur Reguleerde in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 4439, Hermanus, hef voorwaarde C.“1.(c) vervat in Transportakte Nr. T. 22626 van 1996, op.

P.N. 415/2013

6 December 2013

NOTICE

PROVINCE OF THE WESTERN CAPE

WESTERN CAPE DEPARTMENT OF HEALTH

INFRASTRUCTURE PROJECTS

Under section 13(1)(a) of the Division of Revenue Act, 2013 (Act 2 of 2013), I publish the adjusted list of infrastructure projects that will require full or partial funding from the conditional allocation, Health Facilities Revitalisation Grant, for the 2013/14 to 2015/16 financial years, as set out in the Schedule.

Signed at Cape Town this ... day of November 2013.

PROFESSOR KEITH CRAIG HOUSEHAM

RECEIVING OFFICER

P.K. 415/2013

6 Desember 2013

KENNISGEWING

PROVINSIE WES-KAAP

WES-KAAPSE DEPARTEMENT VAN GESONDHEID

INFRASTRUKTUUR PROJEKTE

Kragtens artikel 13(1)(a) van die Wet op die Verdeling Van Inkomste, 2013 (Wet 2 van 2013), publiseer ek die aangepaste lys van infrastruktuur projekte wat ten volle of gedeeltelik deur die voorwaardelike toekenning, Gesondheids Fasiliteits Vernuwing, befonds word vir die 2013/14 tot 2015/16 finansiële jare, soos vervat in die Bylae.

Geteken te Kaapstad hierdie ... dag van November 2013.

PROFESSOR KEITH CRAIG HOUSEHAM

ONTVANGSBEAMPTE

P.N. 415/2013

6 December 2013

ISAZISO

IPHONDO LENTSHONA KOLONI

ISEBE LEZEMPILO LENTSHONA KOLONI

IMISEBENZI YOLWAKHIWO

Phantsi kwehlelo 13(1)(a) we Division of Revenue Act, 2013 (Act 2 of 2013) ndipapasha ingquqalelo kuthotho lwemisebenzi yolkwakhiwo eyakufuna uncedo ngezimali olupheleleyo okanye isixa, ngomgqaliselo we Health Facilities Revitalisation Grant, yonyaka mali u 2014/15 no 2015/16 njengoko kubhalifi kwi Schedule.

ityikitywe eKapa ... umhla ku Kweyenkanga 2013.

PROFFESOR KEITH CRAIG HOUSEHAM

UMAMKELI

No.	Project name	Municipality	Project Description/ Type of Infrastructure	Project duration date: Start Date 1 Finish Date 2		Programme	At start	At com- pletion	Total Project cost R'000	Adjustment Estimate R'000	MTEF 2014/15 R'000	MTEF 2015/16 R'000
				Apr-09	Mar-12							
1. New and Replacement assets												
1	Beaufort West Forensic Pathology Lab	Central Karoo	New FPL Replacement Clinic	Apr-12	Mar-15	8.6 Other Facilities	11 461	—	36	—	—	—
2	Beaufort West Hill Side Clinic	Central Karoo	New EC	Apr-10	Apr-12	8.1 Community Health Facilities	16 000	—	16 000	2 000	—	12 000
3	Cens Hospital	Cape Winelands	Replacement Clinic	Apr-12	Nov-12	8.3 District Hospital Services	13 700	13 700	—	—	4	4
4	Du Noon Clinic	City of Cape Town	CRC Replacement	Apr-12	Mar-19	8.1 Community Health Facilities	6 900	6 900	—	4 200	—	—
5	Eistles River CHC	Metro East	CDC Replacement	Apr-15	Mar-18	8.1 Community Health Facilities	50 000	50 000	—	40 000	—	250
6	George Centrum CDC	Eden/Central Karoo	New Ambulance Station	Apr-11	Aug-14	8.2 Emergency Medical Services	7 700	7 700	—	300	—	250
7	Helderberg Ambulance Station	Eden	New Community Day Centre	Apr-09	Jan-13	8.1 Community Health Facilities	36 500	36 500	600	—	—	—
8	Knysna new CDC (Witkasse)	Malmesbury - Westbank CDC	New Community Health Centre	Apr-08	Jun-12	8.1 Community Health Facilities	29 750	29 750	1 000	—	—	—
9	Naylor Clinic	Overberg	Clinic Replacement	Apr-12	Mar-15	8.1 Community Health Facilities	10 000	10 000	950	8 400	—	230
10	Prince Alfred Hamlet Clinic	Cape Winelands	Clinic Replacement	Apr-11	Mar-15	8.1 Community Health Facilities	16 000	16 000	1 000	13 000	—	775
11	Rawsonville Clinic	Witelsand/Ovemborg	Clinic Replacement	Apr-10	Dec-14	8.1 Community Health Facilities	14 000	14 000	—	4 000	—	—
12	Riversdale FPS	Eden	New Forensic Pathology Laboratory	Apr-11	Jun-14	8.6 Other Facilities	8 500	8 500	600	600	—	1 500
13	Robertoon Ambulance Station	Cape Winelands	New Ambulance Station including electrical upgrading	Apr-11	May-14	8.2 Emergency Medical Services	10 500	10 500	9 000	9 000	100	100
14	Robinson Hospital	Cape Winelands	New Bulk Store	Apr-11	May-14	8.3 District Hospital Services	6 700	6 700	—	5 000	500	500
15	To be identified	Various	Health Technology (to various projects to be identified)	Apr-13	Mar-20	8.1 Community Health Facilities	—	—	—	3 000	—	2 000
16	Villiersdorp Clinic	Witelsand/Ovemborg	Replacement Clinic	Apr-15	Mar-17	8.1 Community Health Facilities	—	—	—	—	—	—
17	De Wet Symphony Way CDC	City of Cape Town	New Community Day Centre	Apr-10	May-14	8.1 Community Health Facilities	41 000	41 000	—	27 200	—	—
18	Ravensmead CDC	City of Cape Town	CIC Replacement	Apr-13	Mar-17	8.1 Community Health Facilities	40 000	40 000	10	—	—	—
19	Du Noon CHC	City of Cape Town	New Clinic	Apr-10	Mar-14	8.1 Community Health Facilities	68 000	68 000	—	49 500	—	—
20	Wolseley Clinic	Cape Winelands	Eden/Central Karoo	Apr-11	Mar-15	8.1 Community Health Facilities	14 600	14 600	1 100	11 675	—	380
21	Gorange Edén Nurse College	Witelsand	Additional Nurses accommodation at the Erica site	Apr-14	Mar-17	8.6 Other Facilities	22 000	22 000	—	6 250	—	13 100
22	Worcester Boland Nurse College	Cape Winelands	Hospital Replacement	Apr-12	Mar-15	8.6 Other Facilities	9 800	9 800	2 950	2 000	—	—
23	Helderberg New Hospital	Metro East	New hospital and Ambulance Station	Apr-15	Mar-20	8.3 District Hospital Services	800 000	800 000	—	2700	—	100
24	Khayelitsha Hospital	City of Cape Town	HT PACSIRIS project	Apr-05	Oct-11	8.3 District Hospital Services	—	—	—	—	—	—
25	Khayelitsha Hospital	Metro East	Enabling work for the GF Jooste Hospital Project: new Emergency Centre at the Helderberg CHC	Apr-15	Mar-15	8.1 Community Health Facilities	42 000	42 000	24 000	4 500	—	200
26	Manenberg GF Jooste Hospital	City of Cape Town	Temporary	Oct-12	Mar-14	8.1 Community Health Facilities	—	—	—	5 500	—	—
27	Manenberg New GF Jooste Hospital	City of Cape Town	Hospital Replacement	Apr-13	Mar-18	8.3 District Hospital Services	600 000	600 000	600	29 300	120 000	—
28	Manenberg New GF Jooste Hospital	Metro West	Old and QA	Apr-14	Mar-18	8.3 District Hospital Services	—	—	—	500	500	—
29	Manenberg New GF Jooste Hospital	City of Cape Town	New District Psychiatric Evaluation Centre	Dec-12	Mar-14	8.3 District Hospital Services	22 000	22 000	—	18 000	—	4 500
30	Mitchell's Plain Hospital	City of Cape Town	New hospital	Apr-05	Jan-13	8.3 District Hospital Services	500 000	500 000	—	26 000	—	—
31	Mitchell's Plain Hospital	City of Cape Town	FPL Replacement	Apr-12	Dec-16	8.6 Other Facilities	110 000	110 000	1 000	45 000	—	53 000
32	Observatory Groot Schuur Hospital (FPL)	City of Cape Town	Forensic Village (Framework agreement)	Apr-14	Mar-18	8.4 Provincial Hospital Services	321 200	321 200	1 000	130 118	—	145 000
33	Observatory Valkenberg Hospital	City of Cape Town	Pharmacy, OPD, Ward (Framework agreement)	Apr-10	Mar-23	8.4 Provincial Hospital Services	100 000	100 000	1 000	—	—	—
34	Observatory Valkenberg Hospital	City of Cape Town	Adult Village (Framework agreement)	Apr-10	Mar-20	8.4 Provincial Hospital Services	450 000	450 000	1 250	—	—	—
35	Observatory Valkenberg Hospital	Cape Winelands	New Psychiatric Unit - Final Phase	Apr-11	Mar-15	8.4 Provincial Hospital Services	30 000	30 000	4 500	12 382	—	350
36	Praai Hospital	Metro East	Health Technology	Apr-10	Mar-25	8.5 Central hospital services	3 500 000	3 500 000	7 053	8 500	20	14 160
37	Tygerberg Hospital	City of Cape Town	Hospital Replacement (PPP)	Apr-12	Mar-20	8.5 Central hospital services	1 820	1 820	—	2 354	2 580	—
38	Tygerberg Hospital	City of Cape Town	Old and QA	Apr-10	Mar-25	8.5 Central hospital services	—	—	—	—	—	—
39	Tygerberg Hospital	City of Cape Town	Total New and Replacement assets				6 950 131	6 950 131	188 473	302 599	370 395	—

No.	Project name	Municipality	Project Description/ Type of Infrastructure	Project duration date: Start Month 1		Programme	At start	Total Project cost At completion	Adjustment Estimate R'000	MTEF 2014/15 R'000	MTEF 2015/16 R'000
				Finish Month 2							
2. Upgrades and Additions											
1	Bellville Kari Bremer Hospital	Metro East	New Emergency Centre	Apr-09	May-14	8.3 District Hospital Services	56 000	56 000		2 000	500
2	Bellville Kari Bremer Hospital	Metro East	OPO Upgrade	Apr-15	May-18	8.3 District Hospital Services	10 000	10 000			
3	Caledon Hospital	Wineyards/Overberg	Upgrade - Disa Ward Phase 2	Apr-09	May-13	8.3 District Hospital Services	13 600	13 600			
4	De Doorns Clinic	Cape Winelands	Clinic Extension	Apr-14	Mar-16	8.1 Community Health Facilities	10 500	10 500	200	1 000	9 000
5	Gansbaai Clinic	Wineyards/Overberg	Extension to the existing Clinic	Apr-14	Mar-16	8.1 Community Health Facilities	10 500	10 500			
6	Grabouw CDC	Overberg	Upgrade of existing CDC	Sep-09	Jun-12	8.1 Community Health Facilities	14 000	14 000	385	1 000	9 000
7	Langsburg Clinic	Central Karoo	Clinic Upgrade and Extensions	Apr-14	Mar-16	8.1 Community Health Facilities	5 000	5 000	100	300	4 200
8	Riversdale Hospital	Eden	Phase 3 Upgrade	Apr-09	Feb-12	8.3 District Hospital Services	11 138	11 138	67		
9	Mitchell's Plain: Leniegau Regional	City of Cape Town	Regional Laundry Upgrade & Extension	Apr-11	Mar-13	8.6 Other Facilities	45 107	45 107			
10	Khayelitsha Hospital	Metro East	New 72 Hour Assessment Unit	Apr-14	Mar-17	8.3 District Hospital Services	21 000	21 000	2 000	2 000	13 431
11	Knysna Hospital		New Emergency Centre and QPD	Apr-09	Oct-14	8.3 District Hospital Services	45 000	45 000	28 976	500	
12	Mitchell's Plain: Leniegau Regional	City of Cape Town	Boiler House Upgrade including, supply, install, and Emergency Centre Upgrade	Apr-12	Sep-13	8.6 Other Facilities	41 000	41 000	4 500		
13	Stellenbosch Hospital	Cape Winelands	CDC Upgrade	Apr-13	Mar-15	8.3 District Hospital Services	12 000	12 000	200		
14	Stellenbosch: Khayamandi CDC	West Coast	CDC Extension	Apr-14	Mar-16	8.1 Community Health Facilities	8 000	8 000		500	7 350
15	Strand: Gustrow Clinic	Metro East	Extension and Renovations	Apr-14	Mar-16	8.1 Community Health Facilities	9 000	9 000		500	6 000
16	Wynberg Victoria Hospital	City of Cape Town	New Emergency Centre	Apr-12	Mar-15	8.3 District Hospital Services	30 000	30 000	800	26 000	1 500
17	Almanis Westflair Hospital	City of Cape Town	New Emergency Centre and Paediatric Ward	Apr-12	Mar-15	8.3 District Hospital Services	14 500	14 500	1 000	10 500	800
18	Observatory-Groote Schuur Hospital	City of Cape Town	New Linear Accelerator supply, Installation, and Jun-13	Jun-14	8.5 Central hospital services	17 000	17 000	8 000			
19	Paarl TC Newman CHC	Cape Winelands	Community Health Center Upgrade	Apr-06	Nov-11	8.1 Community Health Facilities	45 000	45 000	50		
20	Worcester CDC	Cape Winelands	Extension for a Dental Suite	Apr-14	Mar-15	8.1 Community Health Facilities	3 600	3 600	650	3 000	
21	Athlone Western Cape College of Nursing	City of Cape Town	Security upgrading	Apr-12	Mar-13	8.6 Other Facilities	2 674	2 674	133		
22	Sithandiso Nurse College	City of Cape Town	AC in Auditorium	Apr-12	Nov-12	8.6 Other Facilities	500	500	20	300	
23	Worcester: Boland Nurse College	Cape Winelands	Training facility at Keetom including fence	Apr-12	Mar-17	8.6 Other Facilities	24 000	24 000	360	3 000	5 202
Total Upgrades and Additions							449 119	449 119	54 941	50 300	58 933

No.	Project name	Municipality	Project Description/ Type of Infrastructure	Project duration Start Date Note 1		Finish Date Note 2	Programme	Total Project cost At start	At completion	Adjustment Estimate R'000	MTEF 2014/15 R'000	MTEF 2013/16 R'000
				Apr-09	Mar-16							
3. Rehabilitation, Renovations and Refurbishments												
1	George Tertiatitu CDC	Eden	CDC Renovations New Emergency Centre, CT Scan, Bulk Store, Perimeter Fence, Road and Access Upgrade	Apr-12	Mar-13	8.1 Community Health Facilities 8.3 District Hospital Services	28 000	28 000	500	6 000	20 000	20 000
2	Bellville: Karl Bremer Hospital	City of Cape Town		Apr-08	Mar-14	8.4 Provincial Hospital Services	9 600	9 600	4 328			
3	George Hospital	Eden	Health Technology	Aug-12	Jul-12	8.4 Provincial Hospital Services	50 964	50 964	100			
4	George Hospital	Eden	Hospital Upgrade Phase 3	Apr-13	Sep-13	8.4 Provincial Hospital Services	14 500	14 500	14 000	14 000	1 135	
5	George Hospital	Eden	Hospital Upgrade Psychiatric Ward	Apr-13	Mar-14	8.4 Provincial Hospital Services	5 985	5 985				
6	George Hospital	Eden	ECM	Apr-12	Mar-14	8.4 Provincial Hospital Services	1 660	1 660	731			
7	George Hospital	Eden	OD and QA	Apr-14	Mar-18	8.1 Community Health Facilities	50 000	50 000	500	500	8 000	
8	Hanover Park CDC	Metro West	CDC renovations	Apr-13	Mar-15	8.3 District Hospital Services	10 000	10 000	500	7 500	1 000	
9	Helderberg Hospital EC	City of Cape Town	Emergency Centre Upgrade	Apr-12	Mar-20	8.6 Other Facilities	92 617	92 617	16 000	17 040	16 148	
10	Infrastructure Unit	City of Cape Town	Head Office	Apr-15	Mar-20	8.5 Central hospital services	25 000	25 000	13 500	13 500	1 000	
11	Observatory Groote Schuur Hospital	City of Cape Town	Health Technology	Apr-13	Mar-14	8.5 Central hospital services	5 000	5 000	500	500		
12	Observatory Groote Schuur Hospital	City of Cape Town	Masterplan	Apr-12	Mar-17	8.5 Central hospital services	100 000	100 000	1 000	25 000	18 000	
13	Observatory Groote Schuur Hospital	City of Cape Town	Upgrade of the Emergency Centre	Apr-15	Mar-16	8.5 Central hospital services	14 000	14 000			14 000	
14	Observatory Groote Schuur Hospital	Metro West	HT for the Upgrade EC	Jun-13	Mar-14	8.5 Central hospital services	3 000	3 000	500			
15	Observatory Groote Schuur Hospital	City of Cape Town	Replacement Kitchen Floor	Apr-13	Mar-17	8.5 Central hospital services	15 000	15 000	2 000	2 000		
16	Observatory Groote Schuur Hospital	City of Cape Town	Hybrid theatre	Apr-14	Mar-17	8.5 Central hospital services	20 000	20 000	3 000	3 000	8 000	
17	Observatory Groote Schuur Hospital	Metro West	Steam conversion to heat pumps	Apr-14	Mar-19	8.4 Provincial Hospital Services	37 650	37 650			1 000	
18	Observatory Valkenberg Hospital	Metro West	Health Technology	Apr-12	Mar-19	8.4 Provincial Hospital Services	7 000	7 000	413	500		
19	Observatory Valkenberg Hospital	City of Cape Town	OD and QA	Apr-10	Mar-16	8.4 Provincial Hospital Services	80 000	80 000	6 500	35 000	28 000	
20	Observatory Valkenberg Hospital	City of Cape Town	Renovations to the existing buildings	Apr-08	Sep-13	8.4 Provincial Hospital Services	25 000	25 000	4 638			
21	Observatory Valkenberg Hospital	City of Cape Town	Masterplan up to stage 3	Apr-00	Mar-12	8.4 Provincial Hospital Services	477 000	477 000	6 000			
22	Paarl Hospital	Drakenstein	Hospital Revitalisation	Apr-04	Mar-14	8.4 Provincial Hospital Services	2 500	2 500	4 500			
23	Paarl Hospital	Drakenstein	Health Technology	Apr-04	Mar-14	8.4 Provincial Hospital Services	1 839	1 839	766	766	500	2 000
24	Paarl Hospital	Metro West	OD and QA	Apr-15	Mar-17	8.2 Emergency Medical Services	30 000	30 000				
25	Pinelands EMS	Metro West	EMS renovation									
26	Green Point Sonnenhof Hospital	City of Cape Town	72 hour assessment unit in Victoria House	Apr-13	Mar-15	8.4 Provincial Hospital Services	20 000	20 000	130			
27	Tygerberg Hospital	Metro East	Medical ICU and Pulmonology Isolation A5 Upgrade	Apr-14	Mar-16	8.5 Central hospital services	3 240	3 240			1 396	1 844
28	Robertson Hospital	Winelands/Overberg	New EC, reception and pharmacy Phase 1	Apr-14	Mar-17	8.3 District Hospital Services	37 300	37 300	500	500	25 000	
29	Vredenburg Hospital	Saldanha Bay	ECM	Apr-13	Mar-14	8.3 District Hospital Services	22 500	22 500			2 055	
30	Vredenburg Hospital	Saldanha Bay	Health Technology	Apr-04	Mar-16	8.3 District Hospital Services	22 500	22 500	2 000	2 000	7 000	
31	Vredenburg Hospital	Saldanha Bay	OD and QA	Apr-04	Mar-16	8.3 District Hospital Services	3 900	3 900	1 549	1 549	1 000	
32	Vredenburg Hospital	Saldanha Bay	Upgrading Phase 2A	Apr-06	Nov-11	8.3 District Hospital Services	45 000	45 000	422			
33	Vredenburg Hospital	Saldanha Bay	Upgrading Phase 2B	Apr-07	Oct-14	8.3 District Hospital Services	180 000	180 000	50 000	50 000	51 380	1 100
34	Worcester Hospital	Bredasdorp Valley	Health Technology	Apr-04	Mar-14	8.4 Provincial Hospital Services	5 100	5 100	4 030	4 030	4 500	
35	Worcester Hospital	Bredasdorp Valley	OD and QA	Apr-04	Mar-15	8.4 Provincial Hospital Services	2 400	2 400	760			
36	Worcester Hospital Phase 4	Bredasdorp Valley	Hospital Upgrade Phase 4	Apr-08	Nov-12	8.4 Provincial Hospital Services	55 800	55 800	420			
37	Worcester Hospital Phase 5	Bredasdorp Valley	Hospital Upgrade Phase 5	Apr-12	Mar-16	8.4 Provincial Hospital Services	32 000	32 000	9 000	9 000	19 840	1 000
38	To be identified!	Metro West	OD and QA Various Projects to be identified	Apr-13	Mar-20	8.1 Community Health Facilities					800	1 000
39	Caledon Hospital	Overberg	Health Technology	Apr-13	Mar-14	8.3 District Hospital Services					1 500	
40	Delft CDC	City of Cape Town	Health Technology	Apr-13	Mar-16	8.1 Community Health Facilities					2 500	
41	Delft Symphony Way CDC	City of Cape Town	Health Technology	Apr-13	Mar-14	8.1 Community Health Facilities					4 000	2 500
42	Delft Symphony Way CDC	City of Cape Town	ECM	Apr-13	Mar-14	8.1 Community Health Facilities	2 215	2 215			385	

TENDERS

N.B. Tenders for commodities/services, the estimated value of which exceeds R20 000, are published in the Government Tender Bulletin, which is obtainable from the Government Printer, Private Bag X85, Pretoria, on payment of a subscription.

NOTICES BY LOCAL AUTHORITIES**CAPE AGULHAS MUNICIPALITY****NOTICE: APPLICATION FOR DEPARTURE**

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 that the Municipality received the following application for consideration:

Owner: Nomsa O Nqini

Property: Erf 5375 Bredasdorp

Locality: Zwelitsha Bredasdorp

Existing zoning: Single Residential

Proposal: Departure on Erf 5375 Bredasdorp in order to operate a house shop.

Details of the application can be obtained from Mr Donald October during office hours.

Motivated objections and/or comments with regards to the application must reach the Municipality in writing on or before Monday, 13 January 2014. Please note that any comments received after the closing date will not be taken into account.

Any person who cannot write are invited to visit under-mentioned office of the Municipality where Mr October will assist such person to transcribe his/her, objections and/or comments.

DGI O'NEILL, MUNICIPAL MANAGER, Municipal Offices, PO Box 51, Bredasdorp, 7280, Tel: 0284255500, Fax 0284251019

Notice nr.: B5375/2013

6 December 2013

56135

TENDERS

L.W. Tenders vir kommoditeite/dienste waarvan die beraamde waarde meer as R20 000 beloop, word in die Staatsenderbulletin gepubliseer wat by die Staatsdrukker, Privaatsak X85, Pretoria, teen betaling van 'n intekengeld verkrybaar is.

KENNISGEWINGS DEUR PLAASLIKE OWERHEDE**KAAP AGULHAS MUNISIPALITEIT****KENNISGEWING: AANSOEK OM AFWYKING**

Kennis geskied hiermee ingevolge die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat die Munisipaliteit die volgende aansoek vir oorweging ontvang het:

Eienaar: Nomsa O Nqini

Eiendom: Erf 5375 Bredasdorp

Liggings: Zwelitsha Bredasdorp

Huidige sonering: Enkel Woonsonne

Voorstel: Afwyking op Erf 5375 Bredasdorp ten einde 'n huiswinkel te bedryf.

Besonderhede van die aansoek lê gedurende kantoor ure by Mnr Donald October ter insae.

Skriftelik gemotiveerde kommentaar en/of besware ten opsigte van die voorstel moet voor of op Maandag, 13 Januarie 2014 by die Munisipaliteit ingedien word. Neem asb kennis dat enige kommentaar ontvang na die sluitingsdatum nie in ag geneem gaan word nie.

Enige persoon wat nie kan skryf nie kan gedurende die kantoor ure van die Munisipaliteit na ondergemelde kantoor kom waar Mnr October sodanige persoon sal help om sy/haar kommentaar en/of besware af te skryf.

DGI O'NEILL, MUNISIPALE BESTUURDER, Municipale Kantore, Posbus 51, Bredasdorp, 7280 Tel: 0284255500, Faks: 0284251019

Kennisgewing no.: B5375/2013

6 Desember 2013

56135

CAPE AGULHAS MUNICIPALITY**NOTICE APPLICATION FOR DEPARTURE**

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 that the Municipality received the following application for consideration:

Owner: Zamile Mkhapheni

Property: Erf 5406 Bredasdorp

Locality: 3 Johanna January Street Bredasdorp

Existing zoning: Single Residential

Proposal: Departure on Erf 5406 Bredasdorp in order to operate a house shop.

Details of the application can be obtained from Mr Donald October during office hours.

Motivated objections and/or comments with regards to the application must reach the Municipality in writing on or before Monday, 13 January 2014. Please note that any comments received after the closing date will not be taken into account.

Any person who cannot write are invited to visit under-mentioned office of the Municipality where Mr October will assist such person to transcribe his/her objections and/or comments.

DGI O'NEILL, MUNICIPAL MANAGER, Municipal Offices, PO Box 51, Bredasdorp, 7280, Tel: 0284255500, Fax 0284251019

Notice nr.: B5406/2013

6 December 2013

56136

KAAP AGULHAS MUNISIPALITEIT**KENNISGEWING: AANSOEK OM AFWYKING**

Kennis geskied hiermee ingevolge die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat die Munisipaliteit die volgende aansoek vir oorweging ontvang het:

Eienaar: Zamile Mkhapheni

Eiendom: Erf 5406 Bredasdorp

Liggings: Johanna January Straat 3 Bredasdorp

Huidige sonering: Enkel Woonsonne

Voorstel: Afwyking op Erf 5406 Bredasdorp ten einde 'n huiswinkel te bedryf.

Besonderhede van die aansoek is gedurende kantoor ure by Mnr Donald October ter insae.

Skriftelik gemotiveerde kommentaar en/of besware ten opsigte van die voorstel moet voor of op Maandag, 13 Januarie 2014 by die Munisipaliteit ingedien word. Neem asb kennis dat enige kommentaar ontvang na die sluitingsdatum nie in ag geneem gaan word nie.

Enige persoon wat nie kan skryf nie kan gedurende die kantoor ure van die Munisipaliteit na ondergemelde kantoor kom waar Mnr October sodanige persoon sal help om sy/haar kommentaar en/of besware af te skryf.

DGI O'NEILL, MUNISIPALE BESTUURDER, Municipale Kantore, Posbus 51, Bredasdorp, 7280, Tel: 0284255500, Faks: 0284251019

Kennisgewing no.: B5406/2013

6 Desember 2013

56136

CAPE AGULHAS MUNICIPALITY

NOTICE: APPLICATION FOR DEPARTURE

Notice is hereby given in terms of the Land Use Planning Ordinance 1985 that the Municipality received the following application for consideration:

Owner: Sebina van Eden;

Property: Erf 5523 Bredasdorp

Locality: Prins Street Bredasdorp

Existing zoning: Single Residential

Proposal: Departure on Erf 5523 Bredasdorp in order to operate a house shop.

Details of the application can be obtained from Mr Donald October during office hours.

Motivated objections and/or comments with regards to the application must reach the Municipality in writing on or before Monday, 13 January 2014. Please note that any comments received after the closing date will not be taken into account.

Any person who cannot write are invited to visit under-mentioned office of the Municipality where Mr October will assist such person to transcribe his/her objections and/or comments.

DGI O'NEILL, MUNICIPAL MANAGER, Municipal Offices, PO Box 51, Bredasdorp, 7280, Tel: 0284255500, Fax 0284251019

Notice nr.: B5523/2013

6 December 2013

56137

CAPE AGULHAS MUNICIPALITY

NOTICE: APPLICATION FOR REZONING AND SUBDIVISION

Notice is hereby given in terms of the Land Use Planning Ordinance 1985 that the Municipality received the following application for consideration:

Owner: Christa Retief Trust and Peter J Borgstrom

Property: Erf 501 and 1289 Bredasdorp

Locality: 45 Long Street and 42 Buitekant Street, Bredasdorp

Existing zoning: Single Residential

Proposal: Rezoning of Erf 1289 and a portion of Erf 501 Bredasdorp in terms of Section 17 of the Land Use Planning Ordinance, 1985 from Single Residential to Business Zone purposes.

Subdivision of Erf 501 Bredasdorp in terms of Section 24 of the Land Use Planning Ordinance, 1985 into Portion A ($\pm 751m^2$) and the Remainder ($\pm 890m^2$).

Consolidation of Portion A of Erf 501 Bredasdorp with Erven 499 and 1289 Bredasdorp.

Details of the application can be obtained from Mr Donald October during office hours.

Motivated objections and/or comments with regards to the application must reach the Municipality in writing on or before Monday, 13 January 2014. Please note that any comments received after the closing date will not be taken into account.

Any person who cannot write are invited to visit under-mentioned office of the Municipality where Mr October will assist such person to transcribe his/her objections and/or comments.

DGI O'NEILL, MUNICIPAL MANAGER, Municipal Offices, PO Box 51, Bredasdorp, 7280, Tel: 0284255500, Fax: 0284251019

Notice nr.: B501/2013

6 December 2013

56138

KAAP AGULHAS MUNISIPALITEIT

KENNISGEWING: AANSOEK OM AFWYKING

Kennis geskied hiermee ingevolge die Ordonnansie op Grondgebruikbeplanning 1985 (Ordonnansie 15 van 1985) dat die Munisipaliteit die volgende aansoek vir oorweging ontvang het:

Eienaar: Sebina van Eden

Eiendom: Erf 5523 Bredasdorp

Liggings: Prinsstraat Bredasdorp

Huidige sonering: Enkel Woonse

Voorstel: Afwyking op Erf 5523 Bredasdorp ten einde 'n huiswinkel te bedryf.

Besonderhede van die aansoek is gedurende kantoor ure by Mnr Donald October ter insae.

Skriftelik gemotiveerde kommentaar en/of besware ten opsigte van die voorstel moet voor of op Maandag, 13 Januarie 2014 by die Munisipaliteit ingedien word. Neem asb kennis dat enige kommentaar ontvang na die sluitingsdatum nie in ag geneem gaan word nie.

Enige persoon wat nie kan skryf nie kan gedurende die kantoor ure van die Munisipaliteit na ondergemelde kantoor kom waar Mnr October sodanige persoon sal help om sy/haar kommentaar en/of besware af te skryf.

DGI O'NEILL, MUNISIPALE BESTUURDER, Munisipale Kantore, Posbus 51, Bredasdorp, 7280 Tel: 0284255500, Faks: 0284251019

Kennisgewing no.: B5523/2013

6 Desember 2013

56137

KAAP AGULHAS MUNISIPALITEIT

KENNISGEWING: AANSOEK OM HERSONERING EN ONDERVERDELING

Kennis geskied hiermee ingevolge die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat die Munisipaliteit die volgende aansoek vir oorweging ontvang het:

Eienaar: Christa Retief Trust en Peter J Borgstrom

Eiendom: Erf 501 en 1289 Bredasdorp

Liggings: Langstraat 45 en Buitekantstraat 42 Bredasdorp

Huidige sonering: Enkel Woonse

Voorstel: Heronering van Erf 1289 en 'n gedeelte van Erf 501 Bredasdorp ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 vanaf Enkel Woonse na Sakesone.

Onderverdeling van Erf 501 Bredasdorp ingevolge Artikel 24 van die Ordonnansie op Grondgebruiksbeplanning, 1985 in Gedeelte A ($\pm 751m^2$) en die RESTant ($\pm 890m^2$).

Konsolidasie van Gedeelte A van Erf 501 Bredasdorp met Erve 499 en 1289 Bredasdorp.

Besonderhede van die aansoek is gedurende kantoor ure by Mnr Donald October ter insae.

Skriftelik gemotiveerde kommentaar en/of besware ten opsigte van die voorstel moet voor of op Maandag, 13 Januarie 2014 by die Munisipaliteit ingedien word. Neem asb kennis dat enige kommentaar ontvang na die sluitingsdatum nie in ag geneem gaan word nie.

Enige persoon wat nie kan skryf nie kan gedurende die kantoor ure van die Munisipaliteit na ondergemelde kantoor kom waar Mnr October sodanige persoon sal help om sy/haar kommentaar en/of besware af te skryf.

DGI O'NEILL, MUNISIPALE BESTUURDER, Munisipale Kantore, Posbus 51, Bredasdorp, 7280 Tel: 0284255500, Faks: 0284251019

Kennisgewing no.: B501/2013

6 Desember 2013

56138

CAPE AGULHAS MUNICIPALITY

NOTICE: APPLICATION FOR SUBDIVISION

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 that the Municipality received the following application for consideration:

Owner: Bruce R Stevens

Property: Erf 434 Napier

Locality: 44: Jubileum Street Napier

Existing zoning: Residential Zone I

Proposal: Subdivision of Erf 434 Napier in terms of Section 24 of the Land Use Planning Ordinance, 1985 into two portions (Portion A = ±1199m²—portion of road and Portion B = ±3166m²) and Remainder = ±2223m².

Details of the application can be obtained from Mr Donald October during office hours.

Motivated objections and/or comments with regards to the application must reach the Municipality in writing on or before Monday, 13 January 2014. Please note that any comments received after the closing date will not be taken into account.

Any person who cannot write are invited to visit under-mentioned office of the Municipality where Mr October will assist such person to transcribe his/her objections and/or comments.

D G I O'NEILL, MUNICIPAL MANAGER, Municipal Offices, PO Box 51, Bredasdorp, 7280, Tel: 0284255500, Fax: 0284251019

Notice no.: N434/2013

6 December 2013

56139

DRAKENSTEIN MUNICIPALITY

APPLICATION FOR CONSENT USE: FARM 1457 (HERMON), PAARL DIVISION

Notice is hereby given in terms of Regulation 4.7 of the Scheme Regulations promulgated at PN 1048/1988, that an application as set out below has been received and can be viewed during normal office hours at the office of the Head: Planning Services, Drakenstein Municipality, Administrative Offices, c/o Main and Market Street, Paarl, Tel (021) 807-4822:

Property: Farm Kilcairn No 1457 (Hermon), Paarl Division

Applicant: D Brand Attorneys

Owner: J H Serdyn Goudklip Trust

Locality: Located between Wellington and Gouda, just outside the town Hermon. Access to the property is obtained via the R44 Road

Extent: ±340.6ha

Zoning: Agricultural Zone I

Existing Use: Bona fide agricultural activities

Proposal: Consent use (Tourist facility) in order to legalise the existing function venue (±250m²). The function venue can accommodate a maximum of 120 people and includes a kitchen, buffet area, toilets, office, store rooms and a main hall.

Motivated objections to the above can be lodged in writing to the Municipal Manager, Drakenstein Municipality, P O Box 1, Paarl, 7622 by no later than Monday, 18 November 2013. No late objections will be considered.

Persons who are unable to read or write, can submit their objections verbally at the Municipal Offices, Berg River Boulevard, Paarl, where they will be assisted by a staff member, to put their comments in writing.

JF METTLER, MUNICIPAL MANAGER

6 December 2013

56152

KAAP AGULHAS MUNISIPALITEIT

KENNISGEWING: AANSOEK OM ONDERVERDELING

Kennis geskied hiermee ingevolge die Ordonnansie op Grondgebruikbeplanning van 1985 (Ordonnansie 15 van 1985) dat die Munisipaliteit die volgende aansoek vir oorweging ontvang het:

Eienaar: Bruce R Stevens

Eiendom: Erf 434 Napier

Liggings: Jubileumstraat 44 Napier

Huidige sonering: Residensiële Sone I

Voorstel: Onderverdeling van Erf 434 Napier ingevolge Artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 in twee gedeeltes (Gedeelte A = ±1199m²—gedeelte straat en Gedeelte B = ±3166m²) en Restant = ±2223m².

Besonderhede van die aansoek is gedurende kantoor ure by Mn Donald October ter insae.

Skriftelik gemotiveerde kommentaar en/of besware ten opsigte van die voorstel moet voor of op Maandag, 13 Januarie 2014 by die Munisipaliteit ingedien word. Neem asb kennis dat enige kommentaar ontvang na die sluitingsdatum nie in ag geneem gaan word nie.

Enige persoon wat nie kan skryf nie kan gedurende die kantoor ure van die Munisipaliteit na ondergemelde kantoor kom waar Mn October sodanige persoon sal help om sy/haar kommentaar en/of besware af te skryf.

D G I O'NEILL, MUNISIPALE BESTUURDER, Municipale Kantore, Posbus 51, Bredasdorp, 7280 Tel: 0284255500, Faks: 0284251019

Kennisgewing nr.: N434/2013

6 Desember 2013

56139

DRAKENSTEIN MUNISIPALITEIT

AANSOEK OM VERGUNNINGSGEBRUIK: PLAAS 1457 (HERMON), PAARL AFDELING

Kennis geskied hiermee ingevolge Regulasie 4.7 van die Skemaregulاسies afgekondig by PK 1048/1988, dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantoorure ter insae is by kantoor van die Hoof: Beplanningsdienste, Drakenstein Munisipaliteit, Administratiewe Kantore, h/v Hoof- en Markstraat, Paarl, Tel (021) 807-4822:

Eiendom: Eiendom: Plaas Kilcairn No 1457 (Hermon), Paarl Afdeling

Aansoeker: D Brand Prokureurs

Eienaar: J H Serdyn Goudklip Trust

Liggings: Geleë tussen Wellington en Gouda, net buite die dorp Hermon. Toegang tot die perseel word verkry vanaf die R44 Pad

Grootte: ±340.6ha

Sonering: Landbousone I

Huidige Gebruik: Bona fide landbou aktiwiteite

Voorstel: Spesiale Vergunning (Toeristefasiliteit) ten einde die bestaande funksie-lokaal (±250m²) te wettig. Die funksie-lokaal kan 'n maksimum van 120 persone akkommodeer en sluit 'n kombuis, buffet area, toilette, kantoor, stoorkamers en 'n hoofsaal in.

Gemotiveerde besware teen bogemelde aansoek kan skriftelik gerig word aan die Municipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622, teen nie later nie as Maandag, 18 November 2013. Geen laat besware saloorweeg word nie.

Indien 'n persoon nie kan lees of skryf nie, kan so 'n persoon sy kommentaar mondelings by die Municipale Kantore, Bergvlier Boulevard, Paarl, aflê, waar 'n personeellid sal help om sy kommentaar/vertoë op skrif te stel.

JF METTLER, MUNISIPALE BESTUURDER

6 Desember 2013

56152

CITY OF CAPE TOWN (CAPE FLATS DISTRICT)
REZONING AND CLOSURE

- Public Street: Cape Farms 644; 645 and 651 Philippi

Notice is hereby given in terms Section 17 of the Land Use Planning Ordinance No 15 of 1985 and Section 17 of the Municipal Ordinance No 20 of that the undermentioned application has been received and is open to inspection at the office of the District Manager at Planning & Building Development Management, Ledger House, corner of Aden Avenue and Georges Street, Athlone. Enquiries may be directed to Mrs F Currie, PO Box 283, Athlone, 7766, email fran.currie@capetown.gov.za , tel 021 684 4342 and fax 021 684 4410 week days during 08:00-14:30. Any objections, with full reasons therefore, may be lodged in writing at the office of the abovementioned District Manager (or by using the following email address: comments_objections.capecflats@capetown.gov.za) on or before 6 February 2014, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Urban Dynamics Western Cape

Application number: 236133

File Reference: LUM/CA/55/644

Address: Hilton Road and Mahillon Road, Sheffield Park

Nature of application: To rezone the abovementioned properties from Rural zone and Agricultural zone to Subdivisional Area for general industrial purposes and the simultaneous subdivision to permit the following:

- 3 General Industrial zone (GI1),
- 1 Open Space Zone 3 (OS3) for the purposes of a Private Road;
- 1 Rural zone erf (Remainder)

Closure of existing road reserves in terms of Section 137 of the Municipal Ordinance No 20 of 1974.

ACHMAT EBRAHIM
CITY MANAGER

6 December 2013

56146

CITY OF CAPE TOWN (BLAAUWBERG DISTRICT)
REZONING

- Erf 125839, 42 Koeberg Road, Brooklyn

Notice is hereby given in terms of Section 17(2)(a) of the Land Use Planning Ordinance (No 15 of 1985) that the Council has received the undermentioned application and is open to inspection at the office of the District Manager, Municipal Offices 87 Pienaar Road, Milnerton. Enquiries may be directed to Noludwe Tchongwang, PO Box 35, Milnerton, 7435, 87 Pienaar Road, Milnerton, 7441 and street, e-mail Noludwe.tchongwang@capetown.gov.za, tel 021 444 7914 or fax 021 444 0558 week days during 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager or by using the following email address: comments_objections.blaauwberg@capetown.gov.za on or before 27 January 2014, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Siphiwo Consulting Services

Owner: Bluewaves Properties 162 (Pty) Ltd

Application number: 235723

Nature of application: Rezoning from Single Residential 1 (SR1) to Local Business 2 (LB2) to permit offices.

ACHMAT EBRAHIM
CITY MANAGER

6 December 2013

56142

STAD KAAPSTAD (KAAPSE VLAKTE-DISTRIK)
HERSONERING EN SLUITING

- Openbare straat: Kaapse plaas 644, 645 en 651, Philippi

Kennisgewing geskied hiermee ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985) en artikel 17 van Municipale Ordonnansie 20 dat onderstaande aansoek ontvang en ter insae beskikbaar is by die kantoor van die distrikbestuurder, beplanning en bou-ontwikkelingsbestuur, Ledger-huis, h.v. Adenlaan en Georgestraat, Athlone. Navrae kan weeksdae van 08:00 tot 14:30 gerig word aan mev. F. Currie by Posbus 283, Athlone 7766, e-pos fran.currie@capetown.gov.za , tel 021 684 4342 en faksnommer 021 684 4410. Enige besware, met volledige redes daarvoor, kan voor of op 6 Februarie 2014 skriftelik by die kantoor van bogenoemde distrikbestuurder ingedien word, of per e-pos na comments_objections.capecflats@capetown.gov.za gestuur word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnummer en adres. Enige besware wat na voormalde sluitingsdatum ontvang word, kan ongeldig geag word.

Aansoeker: Urban Dynamics Wes-Kaap

Aansoeknommer: 236133

Lêerverwysing: LUM/CA/55/644

Adres: Hiltonweg en Mahillonweg, Sheffield Park

Aard van aansoek: Om bovermelde eiendomme van landelikesone en landbousone te hersoneer na onderverdelingsgebied vir algemeenindustriële doeleindes en die gelyktydige onderverdeling om die volgende toe te laat:

- Drie algemeenindustriële sone-erwe (GI1);
- Een oopruimtesone 3-erf (OS3) vir die doel van 'n private pad;
- Een landelikesone-erf (restant);

Sluiting van bestaande padreserves ingevolge artikel 137 van Municipale Ordonnansie 20 van 1974.

ACHMAT EBRAHIM
STADSBESTUURDER

6 Desember 2013

56146

STAD KAAPSTAD (BLAAUWBERG-DISTRIK)
HERSONERING

- Erf 125839, Koebergweg 42, Brooklyn

Kennisgewing geskied hiermee ingevolge artikel 17(2)(a) van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985) dat die Raad onderstaande aansoek ontvang het, wat ter insae beskikbaar is by die kantoor van die distrikbestuurder by die municipale kantore, Pienaarweg 87, Milnerton. Navrae kan gerig word aan Noludwe Tchongwang, Posbus 35, Milnerton 7435, Pienaarweg 87, Milnerton 7441 of e-pos Noludwe.tchongwang@capetown.gov.za, tel 021 444 7914 of faks 021 444 0558 op weeksdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 27 Januarie 2014 skriftelik by die kantoor van bogenoemde distrikbestuurder ingedien word, of per e-pos na comments_objections.blaauwberg@capetown.gov.za gestuur word, met vermelding van die toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnummer en adres. Enige besware wat na voormalde sluitingsdatum ontvang word, kan ongeldig geag word.

Aansoeker: Siphiwo Consulting Services

Eienaar: Bluewaves Properties 162 (Edms.) Bpk.

Aansoeknommer: 235723

Aard van aansoek: Hersonering van enkelresidensieel 1 (SR1) na plaaflakesake 2 (LB2) om kantore toe te laat.

ACHMAT EBRAHIM
STADSBESTUURDER

6 Desember 2013

56142

CITY OF CAPE TOWN (BLAAUWBERG DISTRICT)
REZONING & DEPARTURE

- Erf 3449, 257 Blaauwberg Road, Table View

Notice is hereby given in terms of Section 17 (2) and 15 (2) of the Land Use Planning Ordinance, No 15 of 1985 that the undermentioned application has been received and is open to inspection at the office of the District Manager at the Milnerton Civic, 87 Pienaar Road, Milnerton. Enquiries may be directed to Ms Lizanne Grey, PO Box 35, Milnerton, 7435, Milnerton Civic, Pienaar Road, Milnerton, 7441, comments_objections.blaauwberg@capetown.gov.za, tel 021 444 0587 week days during 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager on or before 6 February 2014, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: David Bettsworth Town & Regional Planners

Owner: D C Fourie

Application number: 235623

Address: 257 Blaauwberg Road, Table View

Nature of Application: Application for Rezoning from General Residential GR3 to General Business GB2 to permit a Lawnmover Shop and Service Centre on the property. Application to depart from the standard parking requirements as per Section 19 of the Cape Town Zoning Scheme, in order to permit 3 on-site parking bays in lieu of 6 parking bays

ACHMAT EBRAHIM
CITY MANAGER

6 December 2013

56143

STAD KAAPSTAD (BLAAUWBERG -DISTRIK)
HERSONERING EN AFWYKING

- Erf 3449, Blaauwbergweg 257, Table View

Kennisgewing geskied hiermee ingevolge artikels 17(2)(a) en 15(2) van die Ordonnansie op Grondgebruikbepanning (Ordonnansie 15 van 1985) dat onderstaande aansoek ontvang en ter insae beskikbaar is by die kantoor van die distrikbestuurder by die Milnerton-burgersentrum, Pienaarweg 87, Milnerton. Navrae kan gerig word aan me. Lizanne Grey, Posbus 35, Milnerton 7435, Milnerton-burgersentrum, Pienaarweg, Milnerton 7441 of stuur e-pos na comments_objections.blaauwberg@capetown.gov.za, tel. 021 444 0587 op weeksdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 6 Februarie 2014 skriftelik by die kantoor van bogenoemde distrikbestuurder ingedien word, met vermelding van die toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnummer en adres. Enige besware wat na voormalde sluitingsdatum ontvang word, kan ongeldig geag word.

Aansoeker: David Bettsworth Stads- en Streekbeplanners

Eienaar: D C Fourie

Aansoeknommer: 235623

Adres: Blaauwbergweg 257, Table View

Aard van aansoek: Aansoek om hersonering van algemeenresidensieel GR3 na algemeensake GB2 om 'n grassnyerwinkel en dienssentrum op die eiendom toe te laat. Aansoek om van die standaardvereistes vir parkeering af te wyk ingevolge artikel 19 van die Kaapstadse soneringskema ten einde drie parkeerplekke in plaas van ses parkeerplekke op die terrein toe te laat.

ACHMAT EBRAHIM
STADSBESTUURDER

6 Desember 2013

56143

CITY OF CAPE TOWN (BLAAUWBERG DISTRICT)
REZONING

- Erf 125840, 42 Koeberg Road, Ysterplaat

Notice is hereby given in terms of Section 17(2)(a) of the Land Use Planning Ordinance (No 15 of 1985) that the Council has received the undermentioned application and is open to inspection at the office of the District Manager, Municipal Offices 87 Pienaar Road, Milnerton. Enquiries may be directed to Noludwe Tchongwang, PO Box 35, Milnerton, 7435, 87 Pienaar Road, Milnerton, 7441 and street, e-mail Noludwe.tchongwang@capetown.gov.za, tel 021 444 7914 or fax 021 444 0558 week days during 08:00-14:30. Any objections, with full reasons therefore, may be lodged in writing at the office of the abovementioned District Manager or by using the following email address: comments_objections.blaauwberg@capetown.gov.za on or before 27 January 2014, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Siphiwo Consulting Services

Owner: Bluewaves Properties 162 (Pty) Ltd

Application number: 235724

Address: 42 Koeberg Road, Ysterplaat

Nature of Application: Rezoning from Single Residential 1 (SR1) to Local Business 2 (LB2) to permit offices.

ACHMAT EBRAHIM
CITY MANAGER

6 December 2013

56141

STAD KAAPSTAD (BLAAUWBERG -DISTRIK)
HERSONERING

- Erf 125840, Koebergweg 42, Ysterplaat

Kennisgewing geskied hiermee ingevolge artikel 17(2)(a) van die Ordonnansie op Grondgebruikbepanning (Ordonnansie 15 van 1985) dat die Raad onderstaande aansoek ontvang het, wat ter insae beskikbaar is by die kantoor van die distrikbestuurder by die munisipale kantore, Pienaarweg 87, Milnerton. Navrae kan gerig word aan Noludwe Tchongwang, Posbus 35, Milnerton 7435, Pienaarweg 87, Milnerton 7441 of e-pos Noludwe.tchongwang@capetown.gov.za, tel. 021 444 7914 of faks 021 444 0558 op weeksdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 27 Januarie 2014 skriftelik by die kantoor van bogenoemde distrikbestuurder ingedien word, of per e-pos na comments_objections.blaauwberg@capetown.gov.za gestuur word, met vermelding van die toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnummer en adres. Enige besware wat na voormalde sluitingsdatum ontvang word, kan ongeldig geag word.

Aansoeker: Siphiwo Consulting Services

Eienaar: Bluewaves Properties 162 (Edms.) Bpk.

Aansoeknommer: 235724

Adres: Koebergweg 42, Ysterplaat

Aard van aansoek: Hersonering van enkelresidensieel 1 (SR1) na plaslikesake 2 (LB2) om kantore toe te laat.

ACHMAT EBRAHIM
STADSBESTUURDER

6 Desember 2013

56141

CITY OF CAPE TOWN (CAPE FLATS DISTRICT)
REZONING AND DEPARTURES

- Portions 90; 91 and 93 of Cape Farm 787, Philippi

Notice is hereby given in terms Section 17(2) and 15(2) of the Land Use Planning Ordinance No 15 of 1985 that the undermentioned application has been received and is open to inspection at the office of the District Manager at Planning & Building Development Management, Ledger House, corner of Aden Avenue and Georges Street, Athlone. Enquiries may be directed to Mrs F Currie PO Box 283, Athlone, 7760 or email to fran.currie@capetown.gov.za or tel 021 684 4342 and fax 021 684 4410 week days during 08:00-14:30. Any objections, with full reasons therefore, may be lodged in writing at the office of the abovementioned District Manager (or by using the following email address: comments_objections.capecflats@capetown.gov.za on or before 6 February 2014, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: First Plan Town & Regional Planner

Application number: 233663

Address: Un-named road

Nature of Application:

Portion 90

- Rezoning from Agriculture to Mixed Use (MU1) to permit the proposed shop and residential use.
- Departure from Section 15 of the Land Use Planning Ordinance No 15 of 1985 to permit the existing boundary walls and carports nearer than 8.0m from the center line of the abutting public streets.

Portion 91

- Rezoning from Agriculture to Mixed Use (MU1) to permit the proposed shop and residential use.
- Departure from Section 15 of the Land Use Planning Ordinance No 15 of 1985 to permit the boundary walls and the security rooms nearer than 8.0m from the center line of the abutting public streets.

Portion 93

- Rezoning from Agriculture to Mixed Use (MU1) to permit the proposed shop and residential use.
- Departure from Section 15 of the Land Use Planning Ordinance No 15 of 1985 to permit a boundary walls nearer than 8.0m from the center line of the abutting public streets.

ACHMAT EBRAHIM
CITY MANAGER

6 December 2013

56145

CITY OF CAPE TOWN (SOUTHERN DISTRICT)
CLOSURE

- Portion of Public Place, Erf 974 Hout Bay, Adjoining Erf 3223

Notice is hereby given in terms of Section 137(1) of the Municipal Ordinance No 20 of 1974 that a portion of Public Place, Erf 974 Hout Bay adjoining Erf 3223, has been closed. SG Ref. No.: S/5327/14 v2 p54

ACHMAT EBRAHIM
CITY MANAGER

6 December 2013

56150

STAD KAAPSTAD (KAAPSE VLAKTE-DISTRIK)
HERSONERING EN AFWYKINGS

- Gedeeltes 90, 91 en 93 van Kaapse plaas 787, Philippi

Kennisgewing geskied hiermee ingevolge artikel 17(2) en 15(2) van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985) dat onderstaande aansoek ontvang en ter insae beskikbaar is by die kantoor van die distrikbestuurder, beplanning en bouontwikkelingsbestuur, Ledger-huis, h.v. Adenlaan en Georgestraat, Athlone. Navrae kan weeksdae van 08:00 tot 14:30 gerig word aan mev. F. Currie by Posbus 283, Athlone 7760, e-pos fran.currie@capetown.gov.za, tel. 021 684 4342 en faksnommer 021 684 4410. Enige besware, met volledige redes daarvoor, kan voor of op 6 Februarie 2014 skriftelik by die kantoor van bogenoemde distrikbestuurder ingedien word, of per e-pos na comments_objections.capecflats@capetown.gov.za gestuur word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnummer en adres. Enige besware wat na voormalde sluitingsdatum ontvang word, kan ongeldig geag word.

Aansoeker: First Plan Stads- en Streekbeplanners

Aansoeknommer: 233663

Adres: Ongenoemde pad

Aard van aansoek:

Gedeelte 90:

- Hersonering van landbou na gemengdegebruik (MU1) om die voorgestelde winkel en residensiële gebruik toe te laat.
- Afwyking van artikel 15 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985) om die bestaande grensmure en motorafdakke nader as 8.0m vanaf die middellyn van die aanliggende openbare strate toe te laat.

Gedeelte 91

- Hersonering van landbou na gemengdegebruik (MU1) om die voorgestelde winkel en residensiële gebruik toe te laat.
- Afwyking van artikel 15 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985) om die grensmure en die sekuriteitskamers nader as 8.0m vanaf die middellyn van die aanliggende openbare strate toe te laat.

Gedeelte 93

- Hersonering van landbou na gemengdegebruik (MU1) om die voorgestelde winkel en residensiële gebruik toe te laat.
- Afwyking van artikel 15 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985) om die grensmure nader as 8,0 m vanaf die middellyn van die aanliggende openbare strate toe te laat.

ACHMAT EBRAHIM
STADSBESTUURDER

6 Desember 2013

56145

STAD KAAPSTAD (SUIDELIKE DISTRIK)
SLUITING

- Gedeelte Publieke Plek, Erf 974 Houtbaai, Aanliggend Erf 3223

Kennis geskied hiermee in terme van Artikel 137(1) van die Municipale Ordonnansie nr 20 van 1974 dat 'n gedeelte Publieke Plek, Erf 974 Houtbaai aanliggend Erf 3223, gesluit is. LG Verw. Nr: S/5327/14 v2 p54

ACHMAT EBRAHIM
STADSBESTUURDER

6 Desember 2013

56150

**CITY OF CAPE TOWN (CAPE FLATS DISTRICT)
REZONING AND DEPARTURES**

- Erf 4553 at No. 13 Elm Street, Ottery East

This application is being re-advertised as the incorrect street address was used.

Notice is hereby given in terms of Sections 17 and 15 of the Land Use Planning Ordinance 15 of 1985 and the City of Cape Town Zoning Scheme Regulations that Council has received the undermentioned application, which is open to inspection at the office of the District Manager of Planning & Building Development Management at Athlone office on the Ground Floor, Ledger House, Corner of Aden Avenue and George Street, Athlone. Enquiries may be directed to Ms Karen Patten, PO Box 283, Athlone, 7760 or email karen.patten@capetown.gov.za tel 021 684 4345 and fax 021 684 4410 week days during 08:30-12:30. Written objections, if any, with reasons may be lodged at the office of the abovementioned District Manager (or by using the following email address: comments_objections.capecflats@capetown.gov.za on or before 06 February 2014 quoting the above applicable legislation, the application number, as well as your erf and contact phone number and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Sibane Planning & Development (Pty) Ltd, Louise Seaward on behalf of Tasty Licks CC

Address: No. 13 Elm Street, Ottery East

File Reference: LUM/14/4553 (Vol.1)

Application Number: 228110

Nature of application:

- Application to rezone the property from Single Residential to General Residential 2 to permit four blocks of residential flats comprising 10 units each. (Total of 40 flats)

Following Departures from the Zoning Scheme Regulations required:

- 2m in lieu of 4.5m from the street boundary (Elm Street);
- 4.6m in lieu of 6.78m from the eastern common boundary (2nd floor);
- 4.4m in lieu of 6.78m from the southern common boundary (2nd floor);
- 4.6m in lieu of 6.78m from the western common boundary (2nd floor);
- 52 parking bays in lieu of 80.

ACHMAT EBRAHIM, CITY MANAGER

6 December 2013

56144

SWARTLAND MUNICIPALITY

NOTICE 64/2013/2014

**PROPOSED REZONING WITH DEPARTURE ON ERF 613,
KALBASKRAAL**

Notice is hereby given in terms of section 17(1) of Ordinance 15 of 1985 that an application has been received for the rezoning of erf 613 (282m²), situated c/o Calbash and Sand Street, Kalbaskraal from residential zone I to institutional zone I in order to operate a crèche.

Application is also made in terms of section 15(1)(a)(i) of Ordinance 15 of 1985 for a departure as follows:

10m building line to ±1m (northern, western and southern boundaries); and ±2,3m (eastern boundary); as well as coverage to 51,6%

Further particulars are available during office hours (weekdays) at the Department Development Services, office of the Manager: Planning, Building Control and Valuations, Municipal Office, Church Street, Malmesbury.

Any comments whether an objection or support, may be lodged in writing with the undersigned not later than 20 January 2013 at 17:00.

J J SCHOLTZ, MUNICIPAL MANAGER

MUNICIPAL OFFICE
PRIVATE BAG X52
MALMESBURY

6 December 2013

56158

**STAD KAAPSTAD (KAAPSE VLAKTE-DISTRIK)
HERSONERING EN AFWYKINGS**

- Erf 4553, Elmstraat 13, Ottery-Oos

Hierdie aansoek word weer geadverteer, aangesien die verkeerde straatadres gebruik is.

Kennisgewing geskied hiermee ingevolge artikels 17 en 15 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985) en die Stad Kaapstad se soneringskemaregulasies dat die Raad onderstaande aansoek ontvang het, wat ter insae beskikbaar is by die kantoor van die distrikbestuurder, beplanning en bou-ontwikkelingsbestuur, Athlone-kantoor, grondverdieping, Ledger-huis, h.v. Adenlaan en Georgestraat, Athlone. Navrae kan weeksdae van 08:30-12:30 gerig word aan me. Karen Patten by Posbus 283, Athlone 7760 of per e-pos karen.patten@capetown.gov.za, tel. 021 684 4345 en faks 021 684 4410. Enige besware, met redes daarvoor, kan voor of op 6 Februarie 2014 skriftelik by die kantoor van bogenoemde distrikbestuurder ingediend word, of per e-pos na comments_objections.capecflats@capetown.gov.za gestuur word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnummer en adres. Enige besware wat na voormalde sluitingsdatum ontvang word, kan ongeldig geag word.

Aansoeker: Sibane Planning & Development (Edms.) Bpk., Louise Seaward namens Tasty Licks BK

Adres: Elmstraat 13, Ottery-Oos

Leerverwysing: LUM/14/4553 (vol.1)

Aansoeknommer: 228110

Aard van aansoek:

- Aansoek om hersonering van die eiendom van enkelresidensieel na algemeenresidensieel 2 om vier blokke residensiële woonstelle bestaande uit tien eenhede elk toe te laat (40 woonstelle in totaal).

Die volgende afwykings van die soneringskemaregulasies word vereis:

- 2m in plaas van 4,5m vanaf die straatgrens (Elmstraat);
- 4,6 m in plaas van 6,78m vanaf die oostelike gemeenskaplike grens (tweede verdieping);
- 4,4 m in plaas van 6,78m vanaf die suidelike gemeenskaplike grens (tweede verdieping);
- 4,6 m in plaas van 6,78m vanaf die westelike gemeenskaplike grens (tweede verdieping);
- 52 parkeerplekke in plaas van 80.

ACHMAT EBRAHIM, STADSBESTUURDER

6 Desember 2013

56144

MUNISIPALITEIT SWARTLAND

KENNISGEWING 64/2013/2014

**VOORGESTELDE HERSONERING EN AFWYKING VAN ERF 613,
KALBASKRAAL**

Kennis geskied hiermee ingevolge artikel 17(1) van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir die hersonering van erf 613 (282m²), geleë h/v Calbash- en Sandstraat, Kalbaskraal vanaf residensiële sone I na institutionele sone I ten einde 'n crèche te bedryf.

Aansoek word ook gedoen ingevolge artikel 15(1)(a)(i) van Ordonnansie 15 van 1985 ten einde soos volg af te wyk:

10m boulyne na ±1m (noord, wes en suidelike grense); en ±2,3m (oostelike grens); asook dekking na 51,6%

Verdere besonderhede is gedurende gewone kantoorure (weeksdae) by Departement Ontwikkelingsdienste, die kantoor van die Bestuurder: Beplanning, Boubeheer en Waardasies, Munisipale Kantoor, Kerkstraat, Malmesbury beskikbaar.

Enige kommentaar, hetsy beswaar of ondersteuning, kan skriftelik by die ondergetekende ingediend word nie later nie as 20 Januarie 2013 om 17:00.

J J SCHOLTZ, MUNISIPALE BESTUURDER

MUNISIPALE KANTOOR
PRIVAATSAK X52
MALMESBURY

6 Desember 2013

56158

<p>CITY OF CAPE TOWN (BLAAUWBERG DISTRICT)</p> <p>REZONING AND COUNCIL'S CONSENT</p> <ul style="list-style-type: none"> Portion 57 of Farm Montague Gardens No. 245, N1/Sable Road Interchange, Ysterplaat <p>Notice is hereby given in terms of Section 17(2) of the Land Use Planning Ordinance (No 15 of 1985) and in terms of Section 2.2.1 of the Cape Town Zoning Scheme Regulations that the Council has received the undermentioned application and is open to inspection at the office of the District Manager, Municipal Offices 87 Pienaar Road, Milnerton. Enquiries may be directed to Noludwe Tchongwang, PO Box 35, Milnerton, 7435, 87 Pienaar Road, Milnerton, 7441 and street, e-mail Noludwe.tchongwang@capetown.gov.za, tel 021 444 7914 or fax 021 444 0558 week days during 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager or by using the following email address: comments_objections.blaauwberg@capetown.gov.za on or before 27 January 2014, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.</p> <p>Applicant: MLH Architects & Planners</p> <p>Owner: Graaaffs Trust Ltd</p> <p>Application number: 235696</p> <p>Address: N1/Sable Road Interchange</p> <p>Nature of Application: Rezoning from Transport Zone 2 (TZ2) to General Business 1 (GB1) and Council's Consent to permit a service station.</p> <p>ACHMAT EBRAHIM CITY MANAGER</p> <p>6 December 2013</p>	<p>STAD KAAPSTAD (BLAAUWBERG-DISTRIK)</p> <p>HERSONERING EN RAADSVERGUNNING</p> <ul style="list-style-type: none"> Gedeelte 57 van plaas Montague Gardens nr. 245, N1/Sableweg-wisselaar, Ysterplaat <p>Kennisgewing geskied hiermee ingevolge artikel 17(2) van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985) en artikel 2.2.1 van die Kaapstadse soneringskemaregulasies dat die Raad onderstaande aansoek ontvang het, wat ter insae beskikbaar is by die kantoor van die distrikbestuurder, munisipale kantore, Pienaarweg 87, Milnerton. Navrae kan gerig word aan Noludwe Tchongwang, Posbus 35, Milnerton 7435, Pienaarweg 87, Milnerton 7441 of e-pos Noludwe.tchongwang@capetown.gov.za, tel. 021 444 7914 of faks 021 444 0558 op weeksdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 27 Januarie 2014 skriftelik by die kantoor van bogenoemde distrikbestuurder ingedien word, of per e-pos na comments_objections.blaauwberg@capetown.gov.za gestuur word, met vermelding van die toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnummer en adres. Enige besware wat na voormalde sluitingsdatum ontvang word, kan ongeldig geag word.</p> <p>Aansoeker: MLH Argitekte & Beplanners</p> <p>Eienaar: Graaaffs Trust Bpk</p> <p>Aansoeknommer: 235696</p> <p>Adres: N1/Sableweg-wisselaar</p> <p>Aard van aansoek: Hersonering van vervoersone 2 (TZ2) na algemeensake 1 (GB1) en Raadsvergunning om 'n diensstasie toe te laat.</p> <p>ACHMAT EBRAHIM STADSBESTUURDER</p> <p>6 Desember 2013</p>
<p>CITY OF CAPE TOWN (NORTHERN DISTRICT)</p> <p>REZONING AND SUBDIVISION</p> <ul style="list-style-type: none"> Erf 22476, Cnr Ponderosa Way & Kruisfontein Road, Brackenfell <p>Notice is hereby given that Council has received the under-mentioned application, which is open to inspection at the office of the District Manager; Northern District at the Municipal Offices, Brighton Road, Kraaifontein and that any enquiries may be directed to Mrs E De Jongh, Box 25, Kraaifontein, 7569, tel 021 980 6146, fax 021 980 6179 or email comments_objections.northern@capetown.gov.za, week days during 08:00-14:30. Any objections, with full reasons, must be lodged in writing at the office of the abovementioned District Manager on or before 06 February 2014, quoting the above relevant legislation and the objector's erf and phone numbers and address. Any objections received after the abovementioned closing date may be considered to be invalid.</p> <p>Applicant: Wilhelm Schutte (Urban Dynamics Western Cape: Town and Regional Planners)</p> <p>Owner: Duro Brick Company (Pty) Ltd</p> <p>Application number: 235374</p> <p>Nature of application:</p> <ul style="list-style-type: none"> Rezoning of Erf 22476, Brackenfell from General Industrial 1 to Subdivisional Area for the purpose of General Industrial and Road; Subdivision of Erf 22476, Brackenfell into three portions, namely Portion 1 (1,5493ha), Portion 2 (1,6945ha) and Portion 3 (6,8373ha). <p>ACHMAT EBRAHIM, CITY MANAGER</p> <p>6 December 2013</p>	<p>STAD KAAPSTAD (NOORDELIKE DISTRIK)</p> <p>HERSONERING EN ONDERVERDELING</p> <ul style="list-style-type: none"> Erf 22476, h.v. Ponderosa Way en Kruisfonteinweg, Brackenfell <p>Kennisgewing geskied hiermee dat die Raad onderstaande aansoek ontvang het, wat ter insae beskikbaar is by die kantoor van die distrikbestuurder, noordelike distrik by die munisipale kantore, Brightonweg, Kraaifontein en dat enige navrae weeksdae van 08:00 tot 14:30 gerig kan word aan mev. E. de Jongh, Posbus 25, Kraaifontein 7569, tel. 021 980 6146, faks 021 980 6179 of e-pos comments_objections.northern@capetown.gov.za. Enige besware, met volledige redes daarvoor, kan voor of op 6 Februarie 2014 skriftelik by die kantoor van bogenoemde distrikbestuurder ingedien word, met vermelding van die toepaslike wetgewing en die beswaarmaker se erf- en telefoonnummer en adres. Enige besware wat na voormalde sluitingsdatum ontvang word, kan ongeldig geag word.</p> <p>Aansoeker: Wilhelm Schutte (Urban Dynamics Wes-Kaap: Stads- en Streekbeplanners)</p> <p>Eienaar: Duro Brick Company (Edms.) Bpk.</p> <p>Aansoeknommer: 235374</p> <p>Aard van aansoek:</p> <ul style="list-style-type: none"> Hersonering van erf 22476 Brackenfell van algemeenindustrieel 1 na onderverdelingsgebied vir die doel van algemeenindustriële en padgebruik; Onderverdeling van erf 22476 Brackenfell in drie gedeeltes, naamlik gedeelte 1 (1,5493ha), gedeelte 2 (1,6945ha) en gedeelte 3 (6,8373ha). <p>ACHMAT EBRAHIM, STADSBESTUURDER</p> <p>6 Desember 2013</p>
<p>56164</p>	<p>56164</p>

CITY OF CAPE TOWN (HELDERBERG DISTRICT)
SUBDIVISION & REZONING

- Unregistered Remainder Stellenbosch Farm No 1104 and Portion 9 of Stellenbosch Farm No 785: Cnr/o Macassar Road and Main Road 159/R102, Macassar

Notice is hereby given in terms of Sections 24 & 17 of Ordinance 15 of 1985 and the Cape Town Zoning Scheme Regulations that the undermentioned application has been received and is open to inspection at the office of the District Manager at the First Floor, Municipal Offices, cnr/o Victoria & Andries Pretorius Streets, Somerset West. Enquiries may be directed to Renee Arendse / Jurgen Neubert, PO Box 19, Somerset West, e-mail to comments_objections.helderberg@capetown.gov.za, tel 021 850 4346 or fax 021 850 4487 week days during 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager on or before 5 February 2014, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Chris Möller & Associates

Owner: Spadereën Sending Internasional

Application number: 231564

Notice number: 31/2013

Address: Cnr/o Macassar Road & Main Road 159/R102, Macassar

Nature of Application:

- The subdivision of Portion 9 of Stellenbosch Farm No 785, into three portions, Portion A, Portion B and Remainder (approximately 2078 m², 6601 m² and 4,5419 ha in extent respectively);
- The rezoning of the consolidation of Unregistered Remainder Stellenbosch Farm No 1104, and Portion A of the subdivision of Portion 9 of Stellenbosch Farm No 785 from Agricultural Zone, General Business Zone 1 and Community Zone 1 to Subdivisional Area for Mixed Use Zone 1, Open Space Zone 3 and Transport Zone 2 purposes;
- The subdivision of the consolidation of Unregistered Remainder Stellenbosch Farm No 1104 and Portion A of the subdivision of Portion 9 of Stellenbosch Farm No 785 into 27 Mixed Use Zone 1 erven, 1 Open Space Zone 3 erf and 1 Transport Zone 2 erf.

ACHMAT EBRAHIM
CITY MANAGER

6 December 2013

56147

CITY OF CAPE TOWN (NORTHERN DISTRICT)
CONSENT USE

- Portion 2 of the Farm Olyphantfontein No. 935, Slet Road, Klipheuwel

Notice is hereby given that Council has received the undermentioned application, which is open to inspection at the office of the District Manager- Northern District at the Municipal Offices, Brighton Road, Kraifontein and that any enquiries may be directed to Mrs E de Jongh, Box 25, Kraifontein, 7569, 021 980 6146, fax 021 980 6083 or e-mail comments_objections.northern@capetown.gov.za, week days during 08:00-14:30 at the office of the District Manager- Northern District, Town Planning Department. Any objections, with full reasons, must be lodged in writing at the office of the abovementioned District Manager on or before 6 February 2014, quoting the above relevant legislation and the objector's erf and phone numbers and address. Any objections received after the abovementioned closing date may be considered to be invalid.

Owner: Anytime Investments No. 2 (Pty) Ltd

Applicant: MLH Architects and Planners

Application number: 235855

Address: Slet Road, Klipheuwel.

Nature of Application: Application for consent use for utility service for aerobic composting purposes.

ACHMAT EBRAHIM, CITY MANAGER

6 December 2013

56165

STAD KAAPSTAD (HELDERBERG-DISTRIK)
ONDERVERDELING EN HERSONERING

- Ongeregistreerde restant Stellenbosch-plaas 1104 en gedeelte 9 van Stellenbosch-plaas 785: Hoek van Macassarweg en Hoofweg 159/R102, Macassar

Kennisgewing geskied hiermee ingevolge artikels 24 en 17 van Ordonnansie 15 van 1985 en die Kaapstadse soneringskemaregulasies dat onderstaande aansoek ontvang en ter insae beskikbaar is by die kantoor van die distrikbestuurder, eerste verdieping, munisipale kantore, h/v Victoria- en Andries Pretoriusstraat, Somerset-Wes. Navrae kan gerig word aan Renee Arendse of Jurgen Neubert by Posbus 19, Somerset-West 7129 of per e-pos na comments_objections.helderberg@capetown.gov.za gestuur word, tel. 021 850 4346 of faks 021 850 4487, weeksdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 5 Februarie 2014 skriftelik by die kantoor van bogenoemde distrikbestuurder ingedien word, met vermelding van die toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnummer en adres. Enige besware wat na voormalde sluitingsdatum ontvang word, kan ongeldig geag word.

Aansoeker: Chris Möller & Vennote

Eienaar: Spadereën Sending Internasional

Aansoeknommer: 231564

Kennisgewingnommer: 31/2013

Adres: Hoek van Macassarweg en Hoofweg 159/R102, Macassar

Aard van aansoek:

- Die onderverdeling van gedeelte 9 van Stellenbosch-plaas 785 in drie gedeeltes, synde gedeelte A, gedeelte B en restant (onderskeidelik ongeveer 2078 m², 6601 m² en 4,5419 ha groot);
- Die hersonering van die konsolidasie van ongeregistreerde restant Stellenbosch-plaas 1104 en gedeelte A van die onderverdeling van gedeelte 9 van Stellenbosch-plaas 785 van landbousone, algemeensakesone 1 en gemeenskapsone 1 na onderverdelingsgebied vir die doel van gemengdegebruiksone 1, oopruimtesone 3 en vervoersone 2;
- Die onderverdeling van die konsolidasie van ongeregistreerde restant Stellenbosch-plaas 1104 en gedeelte A van die onderverdeling van gedeelte 9 van Stellenbosch-plaas 785 in 27 gemengdegebruiksone 1-erwe, een oopruimtesone 3-erf en een vervoersone 2-erf.

ACHMAT EBRAHIM
STADSBESTUURDER

6 Desember 2013

56147

STAD KAAPSTAD (NOORDELIKE DISTRIK)
VERGUNNINGSGEBRUIK

- Gedeelte 2 van die plaas Olyphantfontein 935, Sletweg, Klipheuwel

Kennisgewing geskied hiermee dat die Raad onderstaande aansoek ontvang het, wat ter insae beskikbaar is by die kantoor van die distrikbestuurder, noordelike distrik, munisipale kantore, Brightonweg, Kraifontein en dat enige navrae weeksdae van 08:00 tot 14:30 gerig kan word aan mev. E. de Jongh, Posbus 25, Kraifontein 7569, tel. 021 980 6146, faks 021 980 6083 of e-pos comments_objections.northern@capetown.gov.za, by die kantoor van die distrikbestuurder, noordelike distrik, departement stadsbeplanning. Enige besware, met volledige redes daarvoor, kan voor of op 6 Februarie 2014 skriftelik by die kantoor van bogenoemde distrikbestuurder ingedien word, met vermelding van die toepaslike wetgewing en die beswaarmaker se erf- en telefoonnummer en adres. Enige besware wat na voormalde sluitingsdatum ontvang word, kan ongeldig geag word.

Eienaar: Anytime Investments No. 2 (Edms.) Bpk.

Aansoeker: MLH Argitekte en Beplanners

Aansoeknommer: 235855

Adres: Sletweg, Klipheuwel

Aard van aansoek: Aansoek om vergunningsgebruik vir nutsdiens vir aerobiese komposdoeleindes.

ACHMAT EBRAHIM, STADSBESTUURDER

6 Desember 2013

56165

CITY OF CAPE TOWN (KHAYELITSHA-/
MITCHELLS PLAIN)

AMENDMENT and REZONING

- Portion of Erven 18370, 25032 and Portion 5 of Farm 544, Khayelitsha

Notice is hereby given in terms of Section 3(4) (b) of the Municipal Planning & Performance Management Regulations as published in terms of the provisions of the Municipal Systems Act No: 32 of 2000, and in terms of Section(s) 4(7), 17(2)(a) & 42(1) of the Land Use Planning Ordinance, 1985, Ordinance 15 of 1985, that the undermentioned application has been received and is open to inspection at the office of the District Manager at Khayelitsha/Mitchells Plain District Office (Stocks & Stocks Complex, Corner of Ntlazane and Ntlakohlaza streets, Ilitha Park, Khayelitsha. Enquiries may be directed to R Bester Rudi.Bester@capetown.gov.za, tel 021 360 3228, fax 086 576 0782, Private Bag X 93, and Bellville 7535) week days during 08:00-14:30. Any objections, with full reasons therefore, may be lodged in writing at the office of the abovementioned District Manager (or by using the following email address: comments_objections.khayemitch@capetown.gov.za on or before 28 January 2014 quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Sun Development (Kathryn Ewing)

Application number: 233445

Address: Mew Way, Khayelitsha

Nature of application

- Application for amendment of the approved Cape Town Spatial Development Framework in respect of the proposed amendments as provided for in terms of Section 3(4) (b) of the Municipal Planning & Performance Management Regulations as published in terms of the provisions of the Municipal Systems Act No: 32 of 2000, and in terms of Section 4(7) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) to permit the proposed Monwabisi Park Settlement development to extend beyond coastal edge as demarcated on the aforesaid plan and to change the designation from Core 1 to Urban Development.
- Application for amendment of the Khayelitsha/Mitchell's Plain Greater Blue Downs District Spatial Development Plan 2012, in terms of Section 4(7) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) to permit the proposed development to extend beyond coastal edge as demarcated on the aforesaid plan and to change the designation from Core 1 to Urban Development.
- Application for the approval of the Monwabisi Park Settlement Development Framework Plan in terms of Section 42(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).
- Application for Rezoning of a portion of Erven 18370, 25032 and Portion 5 of Farm 544, Khayelitsha from Limited Uses (LU) and Agriculture (AG) to Subdivisional Area (Residential, Community Facilities, Commercial Activities, Public Roads, Public Open Spaces and Urban related uses) in terms of Section 17 of the Land Use Planning Ordinance 1985 (Ordinance 15 of 1985).

ACHMAT EBRAHIM, CITY MANAGER

6 December 2013

56163

STAD KAAPSTAD (KHAYELITSHA-/
MITCHELLS PLAIN-DISTRIK)

WYSIGING EN HERSONERING

- Gedeelte van erf 18370, 25032 en gedeelte 5 van plaas 544, Khayelitsha

Kennisgewing geskied hiermee ingevolge artikel 3(4)(b) van die Municipale Beplannings- en Prestasiebestuursregulasies, soos uitgevaardig kragtens die bepalings van die Wet op Munisipale Stelsels (Wet 32 van 2000) en ingevolge artikel 4(7), 17(2)(a) en 42(1) van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985), dat onderstaande aansoek ontvang en ter insae beskikbaar is by die kantoor van die distrikbestuurder, Khayelitsha/Mitchells Plain-distrikskantoor (Stocks & Stocks-kompleks), h.v. Ntlazane- en Ntlakohlazastraat, Ilitha Park, Khayelitsha. Navrae kan weeksdae van 08:00 tot 14:30 gerig word aan R. Bester by e-pos Rudi.Bester@capetown.gov.za, tel. 021 360 3228, faks 086 576 0782, of Privaat sak X93, Bellville 7535. Enige besware, met volledige redes daarvoor, kan voor of op 28 Januarie 2014 skriftelik by die kantoor van bogenoemde distrikbestuurder ingedien word, of per e-pos na comments_objections.khayemitch@capetown.gov.za gestuur word, met vermelding van die toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf-en telefoonnummer en adres. Enige besware wat na voormalde sluitingsdatum ontvang word, kan ongeldig geag word.

Aansoeker: Sun Development (Kathryn Ewing)

Aansoeknommer: 233445

Adres: Mew Way, Khayelitsha

Aard van aansoek:

- Aansoek om wysiging van die goedkeurde Kaapstadse ruimtelike ontwikkelingsraamwerk ten opsigte van die voorgenome wysigings soos bepaal kragtens artikel 3(4)(b) van die Municipale Beplannings- en Prestasiebestuursregulasies, soos uitgevaardig kragtens die bepalings van die Wet op Munisipale Stelsels (Wet 32 van 2000) en kragtens artikel 4(7) van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985), om toe te laat dat die voorgenome Monwabisi Park-nedersettingsontwikkeling verby die kusrand strek soos op voorgenoeerde plan afgebaken en om die benaming van kern 1 na stedelike ontwikkeling te verander.
- Aansoek om die wysiging van die distrik- ruimtelike ontwikkelingsplan 2012 van Khayelitsha/Mitchells Plain Groter Blue Downs ingevolge artikel 4(7) van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985), om toe te laat dat die voorgenome ontwikkeling verby die kusrand, soos op voorgenoeerde plan afgebaken, strek en om die benaming van kern 1 na stedelike ontwikkeling te verander.
- Aansoek om die goedkeuring van die Monwabisi Park-nedersetting se ontwikkelingsraamwerkplan kragtens artikel 42(1) van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985).
- Aansoek om die hersonering van 'n gedeelte van erf 18370, 25032 en gedeelte 5 van plaas 544, Khayelitsha van beperktegebruik (LU) en landbou (AG) na onderverdelingsgebied (ten opsigte van residensiële gebruik, gemeenskapsfasilitate, handelsaktiwiteite, openbare paaie, openbare oop ruimtes en stedelike gebruik) ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985).

ACHMAT EBRAHIM, STADSBESTUURDER

6 Desember 2013

56163

**CITY OF CAPE TOWN (SOUTHERN DISTRICT)
REZONING, DEPARTURES AND CONSENT**

- Erf 1341 Constantia

Notice is hereby given in terms of Sections 15 and 17 of the Land Use Planning Ordinance no. 15 of 1985 and section 2.2.1 of the Cape Town Zoning Scheme Regulations that the undermentioned application has been received and is open to inspection at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, 3 Victoria Rd, Plumstead (Counter 1.3). Enquiries may be directed to Mr A Allie from 08:30-14:30 Monday to Friday. Any objections and/or comments, with full reasons therefore, must be submitted in writing at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead, 7801, 3 Victoria Road, Plumstead or fax 021 710 8283 or e-mailed to comments_objections.southern@capetown.gov.za on or before the closing date, quoting, the above Ordinance, the belowmentioned reference/application number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street address by no later than the closing date. If your response is not sent to these addresses and/or fax number, and if, as a consequence it arrives late, it will be deemed to be invalid. For any further information, contact K Barry, tel 021 710 8205. The closing date for objections and comments is Tuesday 4th February 2014.

File Ref: LUM/16/1341

Application No: 233102

Owner: C I and L A Lucas

Applicant: Olden & Associates Urban & Regional Planners

Address: Constantia Main Road

Nature of Application

- Rezoning from Single Residential Zone 1 to General Residential GR4.
- Consent in terms of section 6.2.1(b) of the Zoning Scheme Regulations to permit a Hospital (Clinic).
- Departure in terms of section 7.2.2(d): to permit buildings and structures 3.8m in lieu of 5m from Constantia Main Road.
- Departures in terms of section 7.2.2(e): to permit building and structures 0m & 1m in lieu of 5m from the west & east common boundaries respectively.
- Departure from Section 19.1.1: to permit 7 parking bays in lieu of 20.
- Departure in terms Section 19.2.2(c) to permit single entrance/exit ways 4.1m & 5.2m in lieu of 4m.
- Departure in terms Section 19.2.3(b): to permit vehicles to exit the site in a reverse gear.

Note:

In accordance with Council's Notification Policy the "dead period" for advertising of land use applications for 2013/2014 will be between Tuesday 17 December 2013 and Wednesday 15 January 2014 inclusive. In circumstances where advertising of an application has already commenced as in this case and the normal 30 day period for comment/objection ends within the above "dead period, such 30 day period to comment/object shall be extended *into 2014* by the number of days that the advertising period has fallen within the "dead period".

**ACHMAT EBRAHIM
CITY MANAGER**

6 December 2013

**STAD KAAPSTAD (SUIDELIKE DISTRIK)
HERSONERING, AFWYKINGS EN VERGUNNING**

- Erf 1341, Constantia

Kennisgewing geskied hiermee ingevolge artikel 15 en 17 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985) en artikel 2.2.1 van die Kaapstadse soneringskemaregulasies dat onderstaande aansoek ontvang en ter insae beskikbaar is by die kantoor van die distrikbestuurder, departement beplanning en bouontwikkelingsbestuur, Stad Kaapstad, grondverdieping, Victoriaweg 3, Plumstead (toonbank 1.3). Navrae kan weeksdae van 08:30 tot 14:30 aan mnr. A. Allie gerig word. Enige besware en kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum skriftelik aan die kantoor van die distrikbestuurder, departement beplanning en bouontwikkelingsbestuur, Stad Kaapstad, Privaat sak X5, Plumstead 7801, Victoriaweg 3, Plumstead gerig word, na 021 710 8283 gefaks word, of per e-pos aan comments_objections.southern@capetown.gov.za gestuur word, met vermelding van bogenoemde toepaslike wetgewing, onderstaande verwysings-/aansoeknommer en die beswaarmaker se erf- en telefoonnummer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadres afgelewer word. As u reaksie nie na dié adresse en/of faksnommer gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, skakel K. Barry by tel. 021 710 8205. Die sluitingsdatum vir besware en kommentaar is Dinsdag 4 Februarie 2014.

Lêerwervyng: LUM/16/1341

Aansoeknommer: 233102

Eienaar: C I en L A Lucas

Aansoeker: Olden & Associates Stads- en Streekbeplanners

Adres: Constantia-hoofweg

Aard van aansoek

- Hersonering van enkelresidensiële sone 1 na algemeenresidensiële sone GR4.
- Vergunning ingevolge artikel 6.2.1(b) van die soneringskemaregulasies om 'n hospitaal (kliniek) toe te laat.
- Afwyking ingevolge artikel 7.2.2(d): om geboue enstrukture 3,8 m in plaas van 5 m vanaf Constantia-hoofweg toe te laat.
- Afwykings ingevolge artikel 7.2.2(e): om geboue enstrukture 0 m en 1 m in plaas van 5 m vanaf die westelike en oostelike gemeenskaplike grense onderskeidelik toe te laat.
- Afwyking van artikel 19.1.1 om sewe parkeerplekke in plaas van 20 toe te laat.
- Afwyking ingevolge artikel 19.2.2(c) om enkelingange-/uitgange 4.1m en 5.2m in plaas van 4m toe te laat.
- Afwyking ingevolge artikel 19.2.3(b): om toe te laat dat voertuie die terrein in trurat verlaat.

Let wel:

Ingevolge die Raad se beleid oor kennisgewings, sal die "dooie tydperk" vir die adverteerding van grondgebruikaansoeke vir 2013/2014 tussen Dinsdag 17 Desember 2013 en Woensdag 15 Januarie 2014 inklusief wees. In gevalle waar die adverteerding van 'n aansoek reeds begin het, soos in hierdie geval, en die normale dertigdaetydperk vir kommentaar/besware binne bovermelde "dooie tydperk" eindig, sal daardie dertigdaetydperk vir kommentaar/besware verleng word *tot 2014* met die aantal dae wat die advertensietylperk binne die "dooie tydperk" geval het.

**ACHMAT EBRAHIM
STADSBESTUURDER**

6 Desember 2013

56149

56149

CITY OF CAPE TOWN (SOUTHERN DISTRICT)
REZONING

- Erf 2843, Van Hoogstraten Road, Hout Bay

Notice is hereby given in terms of Section 17 of the Land Use Planning Ordinance No.15 of 1985, that the undermentioned applications have been received and are open to inspection at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, 3 Victoria Road, Plumstead, and any enquiries may be directed to P Evard, tel 021 710 8132 during normal office hours, Monday to Friday. Any objections, with full reasons therefore, should be lodged in writing at the office of District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead, 7801 or fax 021 710 8283 or e-mailed to comments_objections.southern@capetown.gov.za on or before the closing date, quoting the above Ordinance, the undermentioned reference number, and the objectors Erf, phone numbers and address. Objections and comments may also be hand delivered to the abovementioned street addresses by no later than the closing date. If your response is not sent to these addresses and/or fax number, and if, as a consequence it arrives late, it will be deemed to be invalid. For any further information in this regard, contact P Evard, tel 021 710 8132 or pierre.evard@capetown.gov.za. The closing date for objections and comments is 04 February 2014.

Applicant: FJC Consulting

Owner: The Provincial Government of the Western Cape

Application No: 229976

Nature of Application: Rezone the property from Utility Zone in terms of the Cape Town Zoning Scheme Regulations to Community Zone 1 (CO1) to permit Places of Instruction, being:

- A new high school for ± 750 learners and ± 35 staff;
- Early Childhood Development Centre (Little Lambs) for ± 250 learners and 16 staff; and
- Aftercare educational facility (Ikhaya le Themba) with ± 90 children and 10 staff a member, which also offers educational programs to ± 100 parents/carers.

Note:

In accordance with Council's Notification Policy the "dead period" for advertising of land use applications for 2013/2014 will be between Tuesday 17 December 2013 and Wednesday 15 January 2014 inclusive. In circumstances where advertising of an application has already commenced as in this case and the normal 30 day period for comment/objection ends within the above "dead period, such 30 day period to comment/object shall be extended *into 2014* by the number of days that the advertising period has fallen within the "dead period".

ACHMAT EBRAHIM
CITY MANAGER

6 December 2013

56148

STAD KAAPSTAD (SUIDELIKE DISTRIK)
HERSONERING

- Erf 2843, Van Hoogstratenweg, Houtbaai

Kennisgewing geskied hiermee ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie 15 van 1985), dat onderstaande aansoeke ontvang en ter insae beskikbaar is by die kantoor van die distrikbestuurder, departement beplanning en bou-ontwikkelingsbestuur, Stad Kaapstad, grondverdieping, Victoriaweg 3, Plumstead en enige navrae kan gerig word aan P. Evard, tel 021 710 8132 gedurende normale kantoorure vanaf Maandag tot Vrydag. Enige besware, met volledige redes daarvoor, moet skriftelik voor of op die sluitingsdatum gerig word aan die kantoor van die distrikbestuurder, departement beplanning en bou-ontwikkelingsbestuur, Stad Kaapstad, Privaat sak X5, Plumstead 7801, gefaks word na 021 710 8283 of per e-pos gestuur word na comments_objections.southern@capetown.gov.za, met vermelding van bogenoemde toepaslike wetgewing, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnummer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatdresse aangelewer word. As u reaksie nie na dié adresse en/of faksnommer gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Vir enige verdere inligting in hierdie verband, skakel P. Evard by tel. 021 710 8132 of stuur e-pos na pierre.evard@capetown.gov.za. Die sluitingsdatum vir besware en kommentaar is 4 Februarie 2014.

Aansoeker: FJC Consulting

Eienaar: Die Wes-Kaapse Regering

Aansoeknommer: 229976

Aard van aansoek: Hersonering van die eiendom ingevolge die Kaapstadse soneringskemaregulasies van nutssone na gemeenskapsone 1 (CO1) om plekke van onderrig toe te laat, synde:

- 'n Nuwe hoërskool vir ± 750 leerders en ± 35 personeel;
- Sentrum vir vroeëkindontwikkeling (Little Lambs) vir ± 250 leerders en 16 personeel; en
- Nasorg- opvoedkundige fasiliteit (Ikhaya le Themba) met ± 90 kinders en 10 personeel, wat ook opvoedkundige programme aan ± 100 ouers/versorgers aanbied.

Let wel:

Ingevolge die Raad se beleid oor kennisgewings, sal die "dooie tydperk" vir die adverteer van grondgebruikaansoeke vir 2013/2014 tussen Dinsdag 17 Desember 2013 en Woensdag 15 Januarie 2014 inklusief wees. In gevalle waar die adverteer van 'n aansoek reeds begin het, soos in hierdie geval, en die normale dertigdaetydperk vir kommentaar/besware binne bovermelde "dooie tydperk" eindig, sal daardie dertigdaetydperk vir kommentaar/besware verleng word *tot 2014* met die aantal dae wat die advertensietydperk binne die "dooie tydperk" geval het.

ACHMAT EBRAHIM
STADSBESTUURDER

6 Desember 2013

56148

**CITY OF CAPE TOWN (SOUTHERN DISTRICT)
REZONING, CONSENT AND DEPARTURES**

- Erven 66680 and 66681 Cape Town at Wynberg, 57 Wolfe Street

Notice is hereby given in terms of Sections 17 & 15 of the Land Use Planning Ordinance 15 of 1985 and Section 2.2.1 of the Cape Town Zoning Scheme that the undermentioned application has been received and is open to inspection at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Customer Interface, Ground Floor, 3 Victoria Road, Plumstead, and any technical enquiries may be directed to Mr Pierre Evard, from 08:30 to 13:00 Monday to Friday. Any objections and/or comments, with full reasons therefore, must be submitted in writing at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead, 7801 faxed to 021-710-8283 or e-mailed to comments_objections.southern@capetown.gov.za on or before the closing date, quoting, the above Ordinance, the below-mentioned reference/application number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street address by no later than the closing date. If your response is not sent to this address and/or fax, and as a consequence arrives late, it will be deemed to be invalid. For any further information, contact Mr K. Barry, tel 021 710 8205. The closing date for any comments and or objections is Tuesday 4 February 2014.

File Ref: LUM/00/66680

Location address: 57 Wolfe Street

Owner: Lynedoch Estates (Pty) Ltd

Applicant: Olden & Associates Urban and Regional Planners

Application no: 228841

Nature of application:

1. Rezone the property from Single Residential Zone 1 to Local Business Zone in terms of the Cape Town Zoning Scheme to permit the existing business to be used for offices, with a residential component.
2. Departures from the following Sections of the Cape Town Zoning Scheme for the consolidated Erven 66680 and 66681:
 - 2.1 Section 8.1.2.b.ii to permit the existing building with a height of 6.8m in lieu of 4m sited within the 3m common boundary setback.
 - 2.2 Section 8.1.2.c for the existing building sited 1m in lieu of 3.5m from the street boundary (Young Lane).
 - 2.3 Section 19.2.2 to permit a combined entrance and exit of 4.8m in width in lieu of a minimum width of 5m.
 - 2.4 Section 8.1.2.c to permit the existing building sited 1.7m from the western common boundary and 0.85m from the northern common boundary in lieu of 3m applicable to 40% of the linear distance of the common boundaries, excluding the 12m measured from the street boundaries.
 - 2.5 Section 19.2.2 to permit a combined entrance and exit of 4.8m in lieu of minimum width of 5m.
 - 2.6 Section 19.1 for the provision of 2 parking bays in lieu of 3.

Consent in terms of Section 3.1 of the appendix Overlay Zones of the Cape Town Zoning Scheme for work within a Heritage Protection Overlay Zone.

Note 1.

This is a readvertising of the application due to the incorrect street address stated in the advert. All previous comments or objections received in response to the previous round of advertising remain valid.

Note 2:

In accordance with Council's Notification Policy the "dead period" for advertising of land use applications for 2013/2014 will be between Tuesday 17 December 2013 and Wednesday 15 January 2014 inclusive. In circumstances where advertising of an application has already commenced as in this case and the normal 30 day period for comment/objection ends within the above "dead period", such 30 day period to comment/object shall be extended into 2014 by the number of days that the advertising period has fallen within the "dead period".

ACHMAT EBRAHIM, CITY MANAGER

6 December 2013

**STAD KAAPSTAD (SUIDELIKE DISTRIK)
HERSONERING, TOESTEMMING EN AFWYKINGS**

- Erwe 66680 en 66681 Kaapstad te Wynberg, Wolfestraat 57

Kennisgewing geskied hiermee ingevolge artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985, en artikel 2.2.1 van die Kaapstadse soneringskemaregulasies dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distrikbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Stad Kaapstad, Inwonerskakeling, Grondverdiging, Victoriaweg 3, Plumstead 7800. Navrae kan gerig word aan Pierre Evard, van 08:00-14:30, Maandag tot Vrydag. Enige beware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum skriftelik aan die kantoor van die distrikbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Stad Kaapstad, Privaat Sak X5, Plumstead 7801, gefaks word na comments_objections.southern@capetown.gov.za, met vermelding van bogenoemde toepaslike wetgewing, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnummer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum by bogenoemde straatadres afgelewer word. As u reaksie na bogenoemde adresse en/of faksno. gestuur word nie en gevolelik laat aankom, Sal dit ongeldig geag word. Om nadere inligting, skakel K. Barry, tel 021 710 8205. Die sluitingsdatum vir besware en kommentaar is Dinsdag 4 Februarie 2014.

Verwysingsno: LUM/00/66680

Liggingsadres: Wolfestraat 57

Eienaar: Lynedoch Estates (Edms.) Bpk.

Aansoeker: Olden en Genote Stads- en Streeksbeplanners

Aansoekno.: 228841

Aard van aansoek:

1. Die hersonering van die eiendom van enkelresidensiële sone 1 na plaaslike sakesone ingevolge die Kaapstadse soneringskema ten einde toe te laat dat die bestaande onderneming vir kantore, met 'n residensiële komponent, gebruik word.
2. Afwyking van die volgende artikels van die Kaapstadse soneringskema vir gekonsolideerde erwe 66680 en 66681:
 - 2.1 Artikel 8.1.2.b.ii om toe te laat dat die bestaande gebou met 'n hoogte van 6.8m in plaas van 4m binne die 3m- gemeenskaplike grensinspringing geleë is.
 - 2.2 Artikel 8.1.2.c sodat die bestaande gebou 1 m in plaas van 3.5m van die straatgrens (Youngstraat) geleë is.
 - 2.3 Artikel 19.2.2 om 'n gekombineerde ingang en uitgang van 4,8 m breed in plaas van 'n minimum breedte van 5 m toe te laat.
 - 2.4 Artikel 8.1.2.c om toe te laat dat die bestaande gebou 1.7m van die westelike gemeenskaplike grens en 0.85m van die noordelike gemeenskaplike grens geleë is in plaas van 3 m wat van toepassing is op 40% van die lineêre afstand van die gemeenskaplike grense, met uitsluiting van die 12m gemeet van die straatgrense.
 - 2.5 Artikel 19.2.2 om 'n gekombineerde ingang en uitgang van 4,8 m breed in plaas van 'n minimum breedte van 5 m toe te laat.
 - 2.6 Artikel 19.1 om vir 2 parkeerplekke in plaas van 3 voorsiening te maak.

Toestemming ingevolge artikel 3.1 van die bylae rakende oorliggende sones van die Kaapstadse soneringskema vir werk binne 'n erfenisbeskermings-oorliggende sone.

Opmerking 1.

Die aansoek word weer geadverteer aangesien die straatadres in die vorige advertensie verkeerd was. Alle vorige kommentaar of besware wat in reaksie op die vorige advertensierondte ontvang is, bly geldig.

Opmerking 2:

Ingevolge die Raad se beleid oor kennisgewings sal die "dooie tydperk" vir die adverteer van grondgebruikaansoek vir 2013/2014 vanaf Dinsdag 17 Desember 2013 tot en met Woensdag 15 Januarie 2014 duur. In gevalle waar die adverteer van 'n aansoek reeds begin het, soos in hierdie geval, en die normale dertigdaetydperk vir kommentaar/besware binne bovermelde "dooie tydperk" eindig, sal daardie dertigdaetydperk vir kommentaar/besware tot 2014 verleng word met die aantal dae waarin die advertensietydperk binne die "dooie tydperk" gevall het.

ACHMAT EBRAHIM, STADSBESTUURDER

6 Desember 2013

56151

HESSEQUA MUNICIPALITY

APPLICATION FOR REZONING, SUBDIVISION AND CONSENT USE OF THE REMAINDER OF PORTION 25 OF THE FARM PORT BEAUFORT NO. 484

Notice is hereby given in terms of the provisions of Sections 17 & 24 of the Land-Use Planning Ordinance 15 of 1985 (Ord. 15 of 1985) that the Hessequa Council has received the following application on the above mentioned property:

Property: Remainder of Portion 25 of the Farm Port Beaufort nr 484.

Proposal: 1. Rezoning of Remainder of Portion 25 of the farm Port Beaufort no. 484 from Agricultural Zone I to a subdivisional area for Residential Zone I, Business Zone I and Business Zone IV;

2. Subdivision of the subdivisional area as follows:

- (i) Portion A, 0,72 ha (Res I)
- (ii) Portion B, 1,2 ha (Bus I)
- (iii) Portion C, 0,98 ha (Res I)
- (iv) Portion D, 1,2 ha (Res I)
- (v) Portion E, 0,47 ha (Bus IV)
- (vi) Portion F, 0,69 ha (Res I)
- (vii) Portion G, 0,59 ha (Res I)
- (viii) Portion H, 0,59 ha (Res I)
- (ix) Remainder, 1,34 ha (Res I)

3. Consent Use on Portion B for Service Trade (Store Facilities)

Applicant: Bekker & Houterman Land Surveyors

Details concerning the application are available at the office of the undersigned and the Witsand Municipal Offices during office hours. Any objections to the proposed application should be submitted in writing to reach the office of the undersigned not later than 06/01/2014

People who cannot write can approach the office of the undersigned during normal office hours where the responsible official will assist you in putting your comments or objections in writing.

MUNICIPAL MANAGER, HESSEQUA MUNICIPALITY, PO BOX 29 RIVERSDAL

6 December 2013

56153

HESSEQUA MUNICIPALITY

APPLICATION FOR DEPARTURE: BORROW PIT (NO. DR1275/1.8/0.05L) ON PORTION 1 OF THE FARM KADYS WAGENDRIFT NO. 463, SWELLENDAM

Notice is hereby given in terms of the provisions of Section 15(l)(a)(ii) of the Land-Use Planning Ordinance 1985 (Ord. 15 of 1985) that the Hessequa Council has received the following application on the above-mentioned property:

Property: Portion 1 of the Farm Kadys Wagendrift No. 463

Proposal: Departure for a borrow pit (1.2ha)

Applicant: Rode & Associates for PGWC—Department of Transport and Public Works

Details concerning the application are available at the office of the undersigned and the Hessequa Municipal Offices during office hours. Any objections to the proposed application should be submitted in writing to reach the office of the undersigned not later than 05 January 2014.

People who cannot write can approach the office of the undersigned during normal office hours where the responsible official will assist you in putting your comments or objections in writing.

MUNICIPAL MANAGER
HESSEQUA MUNICIPALITY
PO BOX 29
RIVERSDAL, 6670

6 December 2013

56154

HESSEQUA MUNISIPALITEIT

AANSOEK OM HERSONERING, ONDERVERDELING EN VERGUNNINGSGEBRUIK VAN DIE RESTANT VAN GEDEELTE 25 VAN DIE PLAAS PORT BEAUFORT NR 484

Kennis geskied hiermee ingevolge die bepalings van Artikels 17 & 24 van die Grondgebruikordonnansie 15 van 1985 (Ord.15 van 1985) dat die Hessequa Raad die volgende aansoek op bogenoemde eiendom ontvang het:

Eiendomsbeskrywing: Restant van Gedeelte 25 van die plaas Port Beaufort nr 484

Aansoek: 1. Aansoek om Hersonering van vanaf Lanbousone I na 'n onderverdelingsgebied vir Residensiëlesone I, Sakesone I en Sakesone IV gedeeltes;

2. Onderverdeiing van die onderverdelingsgebied soos volg:

- (i) Gedeelte A, 0,72 ha (Res I)
- (ii) Gedeelte B, 1,2 ha (Sake I)
- (iii) Gedeelte C, 0,98 ha (Res I)
- (iv) Gedeelte D, 1,2 ha (Res I)
- (v) Gedeelte E, 0,47 ha (Sake IV)
- (vi) Gedeelte F, 0,69 ha (Res I)
- (vii) Gedeelte G, 0,59 ha (Res I)
- (viii) Gedeelte H, 0,59 ha (Res I)
- (ix) Restant, 1,34 ha (Res I)

3. Vergunning op Gedeelte B vir 'n Diensbedryf (Stoor fasiliteite)

Applicant: Bekker & Houterman Landmeters

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende sowel as die Witsand Munisipale Kantoor gedurende kantoorure. Enige besware teen die voorgenome aansoek moet skrifte-lik gerig word om die ondergetekende te bereik nie later as 06/01/2014.

Personne wat nie kan skryf nie, kan die onderstaande kantoor nader tydens sy normale kantoorure waar die betrokke amptenaar u sal help om u kommentaar of besware op skrif te stel.

MUNISIPALE BESTUURDER, HESSEQUA MUNISIPALITEIT,
POSBUS 29 RIVERSDAL

6 Desember 2013

56153

HESSEQUA MUNISIPALITEIT

AANSOEK OM AFWYKING: GRUISGROEF (NR. DR1275/2.2/0.1L) OP GEDEELTE 1 VAN DIE PLAAS KADYS WAGENDRIFT NO. 463, SWELLENDAM

Kennis geskied hiermee ingevolge die bepalings van Artikel 15(l)(a)(ii) van die Ordonnansie op Grondgebruikbepanning 1985 (Ord. 15 van 1985) dat die Hessequa Raad, die volgende aansoek op bogenoemde eiendom ontvang het:

Eiendomsbeskrywing: Gedeelte 1 van die Plaas Kadys Wagendrift No. 463

Aansoek: Afwyking vir die bedryf van 'n gruisgroef (1.5ha)

Applicant: Rode & Genote vir PGWC—Departement Vervoer en Openbare Werke

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende sowel as die Hessequa Munisipale Kantore gedurende kantoorure. Enige besware teen die voorgenome aansoek moet skrifte-lik gerig word om die ondergetekende te bereik nie later as 05 Januarie 2014.

Personne wat nie kan skryf nie, kan die onderstaande kantoor nader tydens sy normale kantoorure waar die betrokke amptenaar u sal help om u kommentaar of besware op skrif te stel.

MUNISIPALE BESTUURDER
HESSEQUA MUNISIPALITEIT
POSBUS 29
RIVERSDAL, 6670

6 Desember 2013

56154

MATZIKAMA MUNICIPALITY

NOTICE: CLOSURE OF A PORTION OF PUBLIC OPEN SPACE
ERF 1118, VREDENDAL ADJACENT TO ERF 2250 AND A
PORTION OF OPEN SPACE ERF 1185 ADJACENT TO ERWEN
2439 AND 2440, VREDENDAL

A portion of Public Open Space, Erf 1118, Vredendal, adjacent to Erf 2250, Vredendal and Luckhoff Street as well as a portion of Public Open Space 1185, Vredendal, adjacent to Erwen 2439 and 2440, Vredendal on the corner of Namakwa- and Haarlem Street, are hereby closed in terms of Section 137(1) of the Municipal Ordinance, No 20 of 1974. The Land Surveyor General reference no is S/11995/82 v2 p21.

J I SWARTZ
ACTING MUNICIPAL MANAGER

Municipal Offices, 37 Church Street
P.O. Box 98, Vredendal, 8160
Tel: 027-201 3300
Fax: 027-213 3238

Notice No: K47/2013

6 December 2013 56155

MATZIKAMA MUNISIPALITEIT

KENNISGEWING: SLUITING VAN 'N GEDEELTE VAN OPEN-BARE PLEK ERF 1118, VREDENDAL GRENSEND AAN ERF 2250 ASOOK 'N GEDEELTE VAN OPENBARE PLEK ERF 1185, VREDENDAL GRENSEND AAN ERWE 2439 EN 2440, VREDENDAL

'n Gedeelte van Openbare Plek, Erf no. 1118, Vredendal grensend aan Erf 2250 en Luckhoffstraat asook 'n gedeelte van Openbare Plek Erf no. 1185, Vredendal grensend aan Erwe 2439 en 2440, Vredendal, op die hoek van Namakwa- en Haarlemstraat, word hiermee ingevolge Artikel 137(1) van die Municipale Ordonnansie, No 20 van 1974, gesluit. Die Landmeter-generaal verwysing is S/11995/82 v2 p21.

J I SWARTZ
WNDE MUNISIPALE BESTUURDER

Munisipale Kantore, Kerkstraat 37
Posbus 98, Vredendal, 8160
Tel: 027-201 3300
Faks: 027-213 3238

Kennisgewing No: K47/2013

6 Desember 2013 56155

MATZIKAMA MUNICIPALITY

NOTICE: APPLICATION FOR REZONING

Notice is hereby given in terms of Section 17(1) of the Land Use Planning Ordinance, 1985 (No 15 of 1985) that the Council received the following application for consideration:

Owner: Matzikama Municipality
Property: Erf 4, Vanrhynsdorp (old clinic)
Locality: Adjacent to Trunk Road 1602 (R27 Calvinia road extension)
Existing zoning: Institutional zone III

Proposed development:
An application for rezoning from Institutional zone III to Industrial zone I (factory) to operate a recycling centre for plastics.

Details of the application can be obtained from Mr Smit during office hours. Motivated objections and/or comments with regards to the application must reach the Municipality in writing on or before Monday, 13 January 2014.

Any person who cannot write are invited to visit under-mentioned office of the Municipality where Mr Lategan or Ms Kriek will assist such person to transcribe his/her objections and/or comments.

J I SWARTZ
ACTING MUNICIPAL MANAGER

Municipal Offices, 37 Church Street
P.O. Box 98, Vredendal, 8160
Tel: 027-201 3300
Fax: 027-13 3238

Notice No: G11/2013

Die kennisgewing is verkrybaar in Afrikaans op aanvraag.
Esi saziso siyafumaneka ngesiXhosa xa kuceliwe.

6 December 2013

56156

MATZIKAMA MUNISIPALITEIT

KENNISGEWING: AANSOEK OM HERSONERING

Kennis geskied hiermee ingevolge Artikel 17(1) van die Ordonnansie op Grondgebruikbeplanning, 1985 (No 15 van 1985), dat die Munisipalteit die volgende aansoek vir oorweging ontvang het:

Eienaar: Matzikama Munisipalteit
Eiendom: Erf 4, Vanrhynsdorp (oud kliniek)
Liggings: Aanliggend aan Hoofpad 1602 (R27 Calviniapad uitbreiding)
Huidige sonering: Institusionele sone III

Voorgestelde ontwikkeling:
'n Aansoek om hersonering vanaf Institusionele sone III na Nywerheid-sone I (fabriek) ten einde 'n plastiekherwinningsaanleg daarop te bedryf.

Volledige besonderhede van die aansoek is gedurende kantoorure by mnr Smit ter insae. Skriftelik gemotiveerde kommentaar en/of beswaar teen die voorstel moet by die Munisipalteit ingedien word teen Maandag, 13 Januarie 2014.

Enige persoon wat nie kan skryf nie kan gedurende die kantoorure van die Munisipalteit na die ondergemelde kantoor kom waar mnr Lategan of me Kriek sodanige persoon sal help om sy/haar beswaar af te skryf.

J I SWARTZ
WNDE MUNISIPALE BESTUURDER

Munisipale Kantore, Kerkstraat 37
Posbus 98, Vredendal, 8160
Tel: 027-201 3300
Faks: 027-213 3238

Kennisgewing No: G11/2013

This notice is also available in English on request.
Esi saziso siyafumaneka ngesiXhosa xa kuceliwe.

6 Desember 2013

56156

MOSSEL BAY MUNICIPALITY

LAND USE PLANNING ORDINANCE, 1985 (ORD. 15 OF 1985)
LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT 32 OF 2000)

APPLICATION FOR REZONING AND CONSENT USE: PORTION 239 OF THE FARM VYF-BRAKKE-FONTEIN NO. 220, AALWYNDAL, MOSSEL BAY

Notice is hereby given that the undermentioned application has been received by the Municipality in terms of section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) as well as section 2.4.4 of the Mossel Bay Zoning Scheme Regulations, 1984 and is open to inspection at the Town Planning Division, 4th Floor, Montagu Place Building, Montagu Street, Mossel Bay. Any objections, with full reasons therefor, must be lodged in writing with the Municipal Manager, P O Box 25, Mossel Bay, 6500 on or before Monday 6 January 2014 quoting the above proposal and objector's erf number. Any comment or objection received after the aforementioned closing date may be disregarded. Any enquiries in this regard may be directed to Ms O Louw, Town Planning, at telephone number (044) 606 5074 or fax number (044) 690 5786.

In terms of section 21(4) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) notice is hereby given that people who cannot write may approach the Legal Services Division during office hours, where a member of staff will assist you in putting your comments or objections in writing.

Applicant

J Y Van der Lecq on behalf of Starlite Aviation Group
PO Box 1052
Little Brak River
6503

Nature of Application

Rezoning of Portion 239 of the Farm Plaas Vyf-Brakke-Fontein No. 220 from "Single residential zone" to "General residential zone" and consent use to establish a student campus for Starlite International Aviation Training Academy to accommodate 200 students, a restaurant, recreational facilities and an administration block.

File Reference: 15/4/19/5

DR M GRATZ, MUNICIPAL MANAGER

6 December 2013

56157

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR SUBDIVISION OF PORT. 124 OF THE FARM WATERVAL NO. 72 AND CONSOLIDATION WITH THE FARM ARBEIDSVREUGT NO. 968, CALEDON DISTRICT

Notice is hereby given that an application from Gamsu & Houterman, Land Surveyors, on behalf of Japie Groenewald Trust has been submitted to the Theewaterskloof Municipality for:

- (i) the subdivision of Port. 124 of the Farm Waterval No. 72, Caledon District into two portions, namely Portion A (2179m²) and Remainder (2,85ha), in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance no. 15 of 1985) and the Act on the Subdivision of Agricultural Land (Act 70 of 1970); and
- (ii) consolidation of proposed Portion A of Port. 124 of the Farm Waterval No. 72 with the Farm Arbeidsvreugt No. 968, Caledon District.

Further particulars regarding the proposal are available for inspection at the Municipal Office, Caledon from 3 December 2013 to 17 January 2014. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 17 January 2014. Persons who are unable to write will be assisted during office hours, at the Municipal office in Caledon, to write down their objections.

S WALLACE, MUNICIPAL MANAGER

Municipal Office, PO Box 24, CALEDON, 7230

Reference No. L/490

Notice No.: KOR 85/2013

6 December 2013

56159

MOSSELBAAI MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985 (ORD. 15 VAN 1985) PLAASLIKE REGERING: WET OP MUNISIPALE STELSELS, 2000 (WET 32 VAN 2000)

AANSOEK OM HERSONERING EN VERGUNNINGSGEBRUIK: GEDEELTE 239 VAN PIE PLAAS VYF-BRAKKE-FONTEIN NO. 220, AALWYNDAL, MOSSELBAAI

Kennis geskied hiermee dat die ondergemelde aansoek ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) sowel as artikel 2.4.4 van die Mosselbaai Sonderingskemaregulasies, 1984 deur die Munisipaliteit ontvang is en ter insae lê by die Afdeling Stadsbeplanning, 4de Vloer, Montagu Plek Gebou, Montagustraat, Mosselbaai. Enige besware, met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Posbus 25, Mosselbaai, 6500 ingedien word op voor Maandag 6 Januarie 2014, met vermelding van bogenoemde voorstel en beswaarmaker se erfnommer. Enige kommentaar of beswaar wat na die voorgemelde sluitingsdatum ontvang word mag moontlik nie in ag geneem word nie. Enige navrae kan gerig word aan Me O Louw, Stadsbeplanning, by telefoonnummer (044) 606 5074 of faksnommer (044) 690 5786.

Ingevolge artikel 21(4) van die Plaaslike Regeling: Wet op Munisipale Stelsels, 2000 (Wet 32 van 2000) word kennis hiermee gegee dat persone wat nie kan skryf nie, die Afdeling Regsdienste kan nader tydens kantoorure, waar 'n lid van die personeel u behulpsaam sal wees om u kommentaar of beswaar op skrif te stel.

Aansoeker

J Y Van der Lecq namens Starlite Aviation Group
Posbus 1052
Klein Brakrivier
6503

Aard van Aansoek

Hersonering van Gedeelte 239 van die Plaas Vyf-Brakke-Fontein No. 220 vanaf "Enkelresidensiële sone I" na "Algemene residensiële sone" en vergunningsgebruik ten einde 'n studente kampus te vestig vir Starlite International Aviation Training Academy om 200 studente te huisves tesame met 'n restaurant, ontspanningsfasiliteite en 'n administratiewe gebou.

Lêer verwysing: 15/4/19/5

DR M GRATZ, MUNISIPALE BESTUURDER

6 Desember 2013

56157

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM ONDERVERDELING VAN GED. 124 VAN DIE PLAAS WATERVAL NR. 72 EN KONSOLIDASIE MET DIE PLAAS ARBEIDSVREUGT NR. 968, CALEDON DISTRIK

Kennis geskied hiermee dat 'n aansoek deur Gamsu & Houterman, Landmetters, namens Japie Groenewald Trust ingedien is by die Theewaterskloof Munisipaliteit vir:

- (i) die onderverdeling van Ged. 124 van die Plaas Waterval Nr. 72, Caledon Distrik in twee gedeeltes, naamlik Gedeelte A (2178m²) en Restant (2.85ha) in terme van Art. 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) en die Wet op die Onderverdeling van Landbougrond (Wet 70 van 1970); en
- (ii) die konsolidasie van voorgestelde Gedeelte A van Ged. 124 van die Plaas Waterval Nr. 72 met die Plaas Arbeidsvreugt Nr. 968, Caledon Distrik.

Verdere besonderhede van die voorstel lê ter insae by die Caledon Munisipale Kantoor vanaf 3 Desember 2013 tot 17 Januarie 2014. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 17 Januarie 2014. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Caledon gehelp word om hul besware neer te skryf.

S WALLACE, MUNISIPALE BESTUURDER

Munisipale Kantoor, Posbus 24, CALEDON, 7230

Verwysingsnommer: L/490

Kennisgewing Nr.: KOR 85/2013

6 Desember 2013

56159



**WESTERN CAPE GOVERNMENT
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS
CHIEF DIRECTORATE: PROPERTY MANAGEMENT
NOTICE OF PROPOSED DISPOSAL**

Notice is hereby given in terms of the provisions of the Western Cape Land Administration Act, 1998 (Act 6 of 1998) ("the Act") and its Regulations that the Chief Directorate: Property Management, Department of Transport and Public Works on behalf of the Western Cape Provincial Government, intends to dispose of **Erf 17896, Goodwood for Community Purposes.**

Interested parties are hereby invited to submit any representations, in writing, which they wish to make regarding such proposed disposal in terms of section 3(2) of the Act, to The Assistant Executive Manager: Property Management, 4th floor, 9 Dorp Street, Cape Town, 8001, or at Private Bag X9160, Cape Town, 8000, or by facsimile at (021) 483-7652, not later than 21 (twenty one days) after the last date upon which this notice appears.

The description of the property to be disposed is as follows:

ERF NO	ADMINISTRATIVE DISTRICT	TITLE DEED NUMBER	EXTENT	CURRENT ZONING
Erf 17896 Goodwood	Cape Town	T43737/1974	1.2262ha	Community Zone 1

Relevant information of the afore-mentioned Provincial State land and the proposed disposal are available for inspection at the office of the Assistant Executive Manager: Property Management, 4th floor, 9 Dorp Street, Cape Town.

The contact person is Ms Ruwaida Benjamin on telephone number (021) 483 8523 or e-mail address: ruwaida.benjamin@westerncape.gov.za



WES-KAAPSE REGERING
DEPARTEMENT VAN VEROER EN OPENBARE WERKE
HOOFDIREKTORAAT: EIENDOMSBESTUUR
KENNISGEWING VAN VOORGESTELDE VERVREEMDING

Hiermee word ingevolge die bepalings van die Wet op Wes-Kaapse Grondadministrasie, 1998 (Wet 6 van 1998) ("die Wet") en sy regulasies, kennis gegee dat die Hoofdirektoraat: Eiendomsbestuur, Departement van Vervoer en Openbare Werke, namens die Provinciale Regering van die Wes-Kaap van voorneme is om **Erf 17896, Goodwood, vir gemeenskapsdoeleindes te vervreem**.

Belangstellende partye word hiermee versoek om skriftelik protes aan te teken met betrekking tot die voorgestelde vervreemding ingevolge artikel 3(2) van die Wet, aan die Assistent- Uitvoerende Bestuurder: Eiendomsbestuur, 4^{de} Vloer, Dorpstraat 9, Kaapstad, 8001, of aan Privaatsak X9160, Kaapstad, 8000, of deur faksimilee 021 483 7652, nie later as 21 (een en twintig) dae na die laaste dag waarop hierdie kennisgwing verskyn nie.

Die beskrywing van die eiendom wat vervreem word, is soos volg:

ERF NO.	ADMINISTRATIEWE DISTRIK	GRONDBRIEF NO.	OMVANG	HUIDIGLIKE SONERING
Erf 17896, Goodwood	Kaapstad	T43737/1974	1.2262ha	Gemeenskap-sone 1

Relevante inligting van die voorgenome Provinciale Staatsgrond en die voorgestelde vervreemding is beskikbaar vir inspeksie by die kantoor van die Assistent- Uitvoerende Bestuurder: Eiendomsbestuur, 4^{de} Vloer, Dorpstraat 9, Kaapstad.

Die kontakpersoon is me Ruwaida Benjamin wat gekontak kan word by telefoonnummer 021 483 8523 of e-pos adres: ruwaida.benjamin@westerncape.gov.za .



**URHULUMENTE WENTSHONA KOLONI
ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU
ICANDELO LOLAWULO ELIYINTLOKO: ULAWULO LWEMPAHLA
ISAZISO NGESINDULULO SOKUGQITHISELA ULAWULO**

Esi saziso senziwa ngokwemigqaliselo yolungiselelo lomThetho woLawulo IwemiHlaba weNtshona Koloni, ka-1998 (umThetho wesi-6 wonyaka ka-1998) ("umThetho") kunye nemiselo yawo ukuba iCandelo loLawulo eliyintloko: uLawulo IweMpahla, kwiSebe lezoThutho nemisebenzi yoLuntu egameni likaRhulumente wePhondo leNtshona Koloni, liceba ukuggithisela uLawulo **IweSiza senombolo ye-17896, esiseGoodwood ukuze siSetyenziselwe uluntu.**

Ngokwenza nje kumenya abantu abanomdla ukuba bathumele naziphi iinkcazelozabo ezibhaliwego, abanqwenela ukuzinika ngokuphathelele kwesi sindululo sokukhutshwa kwempahla esenziwa ngokwemigqaliselo yecandelo lesi-3(2) lomThetho, ku-The Assistant Executive Manager: Property Management, 4th floor, 9 Dorp Street, Cape Town, 8001, okanye apha: Private Bag X9160, Cape Town, 8000, okanye ngefeksi apha: (021) 483-7652, zingekapheli iintsuku ezingama-21 (ezingamashumi amabini anesinye) ukususela ngomhla esikhutshwe ngawo esi saziso okokugqibela.

Okulandelayo yinkcazo ngempahla eza kukhutshwa:

INOMBOLO YESIZA	INGINGQI YOLAWULO	INOMBOLO YETHAYITILE	UBUKHULU	IHLLELO NGOKU	LEZOWUNI
Isiza 17896 eGoodwood	eKapa	T43737/1974	1.2262ha	ezoluntu yoku-1	iZowuni

linkcukacha ezibalulekileyo ngomhlab kaRhulumente wePhondo okhankanyiweyo nangesindululo sokukhutshwa kwawo zifumaneka kwifofisi ye-Assistant Executive Manager: Property Management, 4th floor, 9 Dorp Street, Cape Town.

Umntu ekunokuqhagamshelwana naye nguNks Ruwaida Benjamin kule nombolo yomnxeba (021) 483 8523 okanye kule dilesi ye-imeyili:
ruwaida.benjamin@westerncape.gov.za

**BERGRIVIER MUNICIPALITY****AMENDMENT TO BERGRIVIER MUNICIPALITY ADVERTISING AND SIGNAGE BY-LAW**

Notice is hereby given in terms of section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) that the Council of the Bergrivier Municipality hereby amends the Bergrivier Municipality Advertising and Signage By-law, promulgated under Province of the Western Cape: Provincial Gazette no 6675 dated 9 November 2009, as follows:-

- (1) By the insertion of a new section 10A as follows:

10A. Design and construction of sign

- (1) A sign -

- (a) must be constructed and executed and finished in a workmanlike manner, and structural details should be in accordance with existing, generally accepted and tested designs, or designed by an engineer;
 - (b) may not be detrimental to or have a negative aesthetic impact on the urban design, streetscape, or the character of the surrounding area by way of the design of the structure or device;
 - (c) must have a neat appearance and must consist of durable materials in accordance with the function, nature, and permanence of the advertisement, sign or structure, and materials such as cloth, canvas, cardboard, paper, or synthetic cardboard should be used only when essential to the nature and function of a particular sign;
 - (d) must have a neat appearance in terms of advertisement content and sign writing, and an untidy handwritten message should be avoided as far as possible;
 - (e) may not interfere with an electrical services provision or any other accessory;
 - (f) deface a building facade;
 - (g) must be rigidly and securely attached, supported, or anchored in a safe manner so that unwanted movement in any direction is prevented;
 - (h) must be capable of effectively securing, supporting, and maintaining not less than twice its mass with the addition of any force to which the sign may be subjected, including wind pressure;
 - (i) must, wherever necessary in accordance with the nature of the sign and when attached to brickwork, masonry or concrete, be securely and effectively attached thereto by means of bolts securely embedded in such brickwork, masonry, or concrete, or passing through the same and secured on the opposite side; and
 - (j) when attached to a conservation-worthy building, must be attached with the necessary expert advice in order to prevent damage to the building.
- (2) An advertiser or contractor -
- (a) may not use water-soluble adhesive, adhesive tape, or similar material to display or secure a sign or advertisement;
 - (b) may not display or secure a sign or advertisement elsewhere than on a billboard, board, or any structure provided for this purpose;
 - (c) must have all exposed metalwork of a sign painted or otherwise treated to prevent corrosion, and all timber treated to prevent decay; and
 - (d) must have measures taken to prevent the entry of water into, and the accumulation of water or moisture on or in any sign, or any part of the sign's supporting framework, brackets or other members.
- (3) (a) All glass used in signs, other than glass tubing used in neon and similar signs, must be safety glass at least 3 millimetres thick.

- (b) A glass panel used in a sign may not exceed 0,9 square metres in area and must be securely fixed in the body of the sign, structure or device, independently of all other panels.
- (4) Every illuminated sign, and every sign in which electricity is used -
- (a) must have a power cable and conduit containing an electrical conductor which is positioned and fixed so that it is not unsightly;
 - (b) must be constructed of material which is not combustible;
 - (c) must be provided with an external switch in an accessible position whereby the electricity supply to the sign may be switched off; and
 - (d) must be wired and constructed in accordance with, and subject to the provisions of the municipality's by-laws relating to the supply of electricity.
- (5) (a) No person may, in the course of displaying or removing any sign, advertisement structure, or device cause damage to any tree, electrical standard, or service or public installation or property.
- (b) A sign, or its brackets, on lamp posts may not cover or damage any markings such as codes or symbols on the posts.
 - (c) Protective sleeves must protect the paintwork on electric lamp posts against possible damage which may be caused by brackets securing advertising signs against such poles, and the design of these brackets and the signage must be approved by the City Electrical Engineer for each type of sign and lamp post to be used.
- (2) By the insertion of a new section 10B as follows:
- 10B. Maintenance of sign**
- (1) The maintenance of a sign and its structure is the responsibility of the person who displays the sign and should such person fail to maintain a sign the municipality shall serve notice on the owner of such sign to undertake such maintenance or repair work within a time specified in such notice, provided that in the event that emergency work to a sign or structure is required, the municipality may undertake such emergency work without serving such notice.
- (2) If an owner fails to comply with a notice or in the case of an emergency as contemplated in subsection (1) the municipality may carry out any maintenance or repair work and the municipality may claim the cost of such maintenance or repairs from the person who displays the sign.
- (3) A sign must -
- (a) where possible, be located at a height that discourages vandalism;
 - (b) be serviced, cleaned and repainted on a regular basis; and
 - (c) be maintained in good repair and in a safe and proper condition according to the highest standards as regards quality of structures, posting and sign-writing.
- (3) By the insertion in the table of contents of two new schedules, namely:
- Schedule 18: Tourism directions; and
- Schedule 19: On-site tourist attraction signs
- (4) By the insertion of new sections 5(1)(r) and (s) as follows:
- (r) Tourism directions
 - (s) On-site tourist attraction signs
- (5) By the insertion of a new Schedule 18 as follows:

**SCHEDULE 18
TOURISM DIRECTION SIGNS**

- 1. Areas of control and consent**
(1) A sign may be displayed in all areas of control.
(2) Display of a sign is subject to specific consent.
(3) A sign may be displayed within a road reserve.
 - 2. Shape, size, height, colour, texture, layout of sign and dimensional detail of sign**
The provisions of SADC-RTSM, Vol. 1, Section 4.10. Vol. 4, Chapter 7 applies.
 - 3. Safety**
The General engineering principles and guidelines in SADC-RTSM, with regard to traffic safety apply.
 - 4. Design and construction**
The general guidelines and conditions in SADC-RTSM with regard to the design and construction of a road sign apply.
 - 5. Maintenance**
The general guidelines in SADC-RTSM with regard to the maintenance of a road traffic sign apply.
- (6) By the insertion of a new Schedule 19 as follows:

**SCHEDULE 19
(Section 7(mm))
CLASS 4(e): ON-SITE TOURIST ATTRACTIONS SIGNS**

- 1. Areas of control and consent**
(1) A sign may be displayed in all areas of control.
(2) Display of a sign is subject to specific consent.
- 2. Shape, size and height**
(1) An identification sign may not exceed a maximum size of 1,5 square metres.
(2) An information panel may not exceed a maximum size of 3 square metres.
(3) A sign and panels may not exceed a maximum height of 2 metres.
- 3. Position**
(1) A sign may be displayed at the actual attraction.
(2) All information must be aimed at a tourist on foot and not at motorised traffic.
(3) A guidance sign may not be displayed.
- 4. Colour and texture**
(1) A sign must consist of soft and subdued colours that will harmonise with the environment.
(2) Corporate colours of a sponsor may not dominate a sign or information panel.
(3) Sponsor information must harmonise with the rest of the information on the sign or panel in terms of colour.
(4) In the instance where bright corporate colours and logos form a strong contrast with the rest of the design, such colours may not be used and logos must be limited in size.

5. Content of sign

Only a limited amount of information on sponsors is allowed.

6. Illumination and animation

- (1) External illumination is allowed in all areas of maximum control.
- (2) Internal and external illumination is allowed in urban areas of partial and minimum control.
- (3) A sign may not be animated.

7. Safety

The provisions relating to the safety of a sign apply.

8. Design and construction

The provisions of section 10A relating to the design and construction of a sign apply.

9. Maintenance

The provisions of section 20 relating to the maintenance of a sign and section 10B apply.

**BERGRIVIER MUNICIPALITY:****AIR POLLUTION CONTROL BY-LAW**

Under section 156 of the Constitution of the Republic of South Africa, 1996, the Bergrivier Municipality, enacts as follows:-

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**PART 1
INTERPRETATION AND OBJECTIVES****1. Definitions**

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

“adverse effect” means any actual or potential impact on the environment that impairs, or would impair the environment or any aspect of it to an extent that is more than trivial or insignificant;

“air pollutant” means any substance (including but not limited to dust, smoke, fumes and gas) that causes or may cause air pollution;

“air pollution” means any change in the environment caused by any substance emitted into the atmosphere from any activity, where that change has an adverse effect on human health or well-being or on the composition, resilience and productivity of natural or managed ecosystems, or on materials useful to people, or will have such an effect in the future;

“air pollution control zone” means the geographical area to which Part III of the by-law is declared to apply;

“atmosphere” means air that is not enclosed by a building, machine, chimney or other such structure;

“atmospheric emission” or “emission” means energy or substance or combination of substances emanating from a point, non-point or mobile source that results in air pollution;

“authorised person” means any person authorised by the municipality to implement any provision of this by-law;

“best practicable means” means the most effective measures that can reasonably be taken to prevent, reduce or minimize air pollution, having regard to all relevant factors including, among others, local conditions and circumstances,

the likelihood of adverse effects, the current state of technical knowledge and the financial implications relative to the degree of environmental protection expected to be achieved by application or adoption of the measures;

"chimney" means any structure or opening of any kind from or through which air pollutants may be emitted;

"compressed ignition powered vehicle" means a vehicle powered by an internal combustion, compression ignition, diesel or petrol driven engine;

"dark smoke" means in respect of Part VII of this by-law:

- (a) smoke which has a density of 60 Hartridge smoke units or more, provided that in relation to emissions from turbo-charged compressed ignition powered engines, it means a density of 66 Hartridge smoke units or more; or
- (b) smoke which has a light absorption co-efficient of more than 2.125 m, provided that in relation to emissions from turbo-charged compressed ignition powered engines, it means a light absorption coefficient of more than 2.51 m;

"dust" means any solid matter in a fine or disintegrated form which is capable of being dispersed or suspended in the atmosphere;

"dwelling" means any building or other structure, or part of a building or structure, used as a dwelling, and any outbuildings ancillary to it, but excludes shacks and informal settlements;

"environment" means the surroundings within which humans exist and that are made up of –

- (a) the land, water and atmosphere of the earth;
- (b) micro-organisms, plant and animal life;
- (c) any part or combination of (a) and (b) and the interrelationships among and between them; and
- (d) the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being;

"free acceleration test" means the method described in section 18(2) employed to determine whether vehicles are being driven or used in contravention of section 15(1);

"fuel-burning equipment" means any furnace, boiler, incinerator, or other equipment, including a chimney;

- (a) designed to burn or capable of burning liquid, gas or solid fuel;
- (b) used to dispose of any material or waste by burning; or
- (c) used to subject liquid, gas or solid fuel to any process involving the application of heat;

"fumes" means any pungent or toxic vapour, gas, or smoke including but not limited to diesel fumes, spray painting fumes and exhaust fumes.

"light absorption meter" means a measuring device that uses a light-sensitive cell or detector to determine the amount of light absorbed by an air pollutant;

"living organism" means any biological entity capable of transferring or replicating genetic material, including sterile organisms and viruses;

"mobile source" means a single identifiable source of atmospheric emission which does not emanate from a fixed location;

"municipality" means the Bergvlier Municipality and includes any political structure, political office bearer, duly authorised agent thereof, or a service provider fulfilling a responsibility under this by-law assigned to it in terms of the Local Government:

Municipal Systems Act, 2000 (Act 32 of 2000) or any other law, as the case may be, or any employee thereof acting in connection with this by-law by virtue of a power vested in the municipality and delegated, to such political structure, political office bearer, agent or employee;

"municipal manager" means a person appointed as such by the municipality in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

"non-point source" means a source of atmospheric emissions which cannot be identified as having emanated from a single identifiable source or fixed location, and includes veld, forest and open fires, mining activities, agricultural activities and stockpiles;

"nuisance" means an unreasonable interference or likely interference caused by air pollution with:

- (a) the health or well-being of any person or living organism; or
- (b) the use or enjoyment by an owner or occupier of his or her property;
- (c) the ordinary comfort, convenience, peace or quiet of another person; and
- (d) the natural state of the environment;

"offensive odours" means any smell which is considered to be malodorous or a nuisance to a reasonable person;

"open burning" means the combustion of material by burning without a chimney to vent the emitted products of combustion to the atmosphere, and "burning in the open" has a corresponding meaning;

"operator" means a person who owns or manages an undertaking, or who controls an operation or process, which emits air pollutants;

"point source" means a single identifiable source and fixed location of atmospheric emission, and includes smoke stacks and residential chimneys;

"proclaimed township" means any land unit zoned and utilized for residential purposes;

"person" means a natural person or a juristic person;

"premises" means any building or other structure together with the land on which it is situated and any adjoining land occupied or used in connection with any activities carried on in that building or structure, and includes any land without any buildings or other structures and any locomotive, ship, boat or other vessel which operates or is present within the area under the jurisdiction of the municipality or the precincts of any harbour;

"public road" means a road which the public has the right to use;

"smoke" means the gases, particulate matter and products of combustion emitted into the atmosphere when material is burned or subjected to heat and includes the soot, grit and gritty particles emitted in smoke;

"vehicle" means any motor, car, motor carriage, motor cycle, bus motor lorry or other conveyance propelled wholly or partly by any volatile spirit, steam, gas or oil, or by any means other than human or animal power.

2. Application, principles and objectives

(1) The purpose and objectives of this by-law is:

- (a) to give effect to the right contained in section 24 of the Constitution of the Republic of South Africa, 1996 by controlling air pollution within the area of the municipality's jurisdiction; and

- (b) to ensure that air pollution is avoided, or where it cannot be altogether avoided, is minimized and remedied.
- (2) The municipality, aware of the Constitutional right of every person to an environment that is not harmful to his or her health or well-being adopts this by-law with the aim of protecting and promoting the health and well-being of all people in the Bergvlei area by providing, in conjunction with applicable laws, a legal and administrative framework within which the municipality can develop and manage its obligations.
- (3) In the implementation and enforcement of this by-law, the municipality may take into consideration the realities of the Bergvlei area, the different customs, cultures, circumstances, geographical areas, kinds of property levels of development and conventions and the municipality may use the devices provided for in this by-law, including the application of different norms, standards and guidelines, the granting of exemptions and the utilisation of liaison forums as contemplated in section 34 of this by-law.

PART II DUTY OF CARE

3. Duty to take care

- (1) Any person who is wholly or partially responsible for causing air pollution or creating a risk of air pollution occurring must take all reasonable measures:
 - (a) to prevent any potential air pollution from occurring; and
 - (b) to mitigate and, as far as reasonably possible, to remedy any air pollution that has occurred.
- (2) The municipality may monitor the impact and effectiveness of the measures taken in terms of subsection (1) and, if necessary, issue instructions to a person contemplated in subsection (1) with regard to specific measures to be undertaken.
- (3) The municipality may direct any person who fails to take the measures required under subsection (1) –
 - (a) to investigate, evaluate and assess the impact of specific activities and report thereon;
 - (b) to commence taking effective control measures to abate the air pollution before a given date;
 - (c) to diligently continue with those measures; and
 - (d) to complete the measures before a specified reasonable date.
- (4) Should a person fail to comply, or inadequately comply, with a directive under subsection (3), the municipality may take reasonable measures to remedy the situation.
- (5) If any person fails to take the measures required of him or her under subsection (1) or (2), the municipality may recover all reasonable costs incurred as a result of it acting under subsection (4) from any or all of the following persons –
 - (a) any person who is or was responsible for, or who directly or indirectly contributed to, the air pollution or the potential air pollution;
 - (b) the owner of the land at the time when the air pollution or the potential for air pollution occurred, or that owner's successor in title;
 - (c) the person in control of the land or any person who has or had a right to use the land at the time when –

- (i) the activity or the process in question is or was performed or undertaken; or
 - (ii) the situation came about; or
- (a) any person who negligently failed to prevent –
 - (i) the activity or the process being performed or undertaken; or
 - (ii) the situation from coming about.
- (6) If more than one person is liable under subsection (5), the liability may be apportioned among the persons concerned according to the degree to which each was responsible for the harm to the environment resulting from their respective failures to take the measures required under subsection (1), (2) and (3);

PART III AIR POLLUTION CONTROL ZONE

4. Declaration of air pollution control zone

- (1) The whole area within the jurisdiction of the municipality is hereby declared an air pollution control zone.
- (2) Within an air pollution control zone the municipality may from time to time by notice in the Provincial Gazette:
 - (a) prohibit or restrict the emission of one or more air pollutants from all premises or certain premises;
 - (b) prohibit or restrict the combustion of certain types of fuel;
 - (c) prescribe different requirements in an air pollution control zone relating to air quality in respect of:
 - (i) different geographical portions;
 - (ii) specified premises;
 - (iii) classes of premises; or
 - (iv) premises used for specified purposes.
- (3) The municipality may develop and publish policies and guidelines, including technical guidelines, relating to the regulation of activities which directly and indirectly cause air pollution within an air pollution control zone.
- (4) Subject to section 29, the municipality may in writing exempt certain premises, classes of premises or premises used for specified purposes from the operation of measures adopted by the municipality under this section.

PART IV SMOKE EMISSIONS FROM PREMISES OTHER THAN DWELLINGS

5. Application

For the purposes of this Part, "premises" does not include dwellings.

6. Prohibition

- (1) Subject to subsection (2), smoke must not be emitted from any premises for an aggregate period exceeding three minutes during any continuous period of thirty minutes.
- (2) This section does not apply to smoke which is emitted from fuel-burning equipment which occurs while the equipment is being started or while the equipment is being overhauled or repaired, or awaiting overhaul or repair, unless such emission could have been prevented using the best practicable means available.

- (3) If smoke is emitted in contravention of subsection (1) the owner, operator and/or the occupier of the premises shall be guilty of an offence.

7. Installation of fuel-burning equipment

- (1) No person shall install, alter, extend or replace any fuel-burning equipment on any premises without the prior written authorization of the municipality, which may only be given after consideration of the relevant plans and specifications.
- (2) Any fuel-burning equipment installed, altered, extended or replaced on premises in accordance with plans and specifications submitted to and approved, for the purposes of this section, by the municipality shall be presumed until the contrary is proved to comply with the provisions of subsection (1).
- (3) Where fuel-burning equipment has been installed, altered, extended or replaced on premises in contravention of subsection (1):
- (a) the owner and occupier of the premises and the installer of the fuel-burning equipment shall be guilty of an offence;
 - (b) the municipality may, on written notice to the owner and occupier of the premises, order the removal of the fuel-burning equipment from the premises at the expense of the owner and operator and within the period stated in the notice.

8. Operation of fuel-burning equipment

- (1) No person shall use or operate any fuel-burning equipment on any premises contrary to the authorization referred to in section 7.
- (2) Where fuel-burning equipment has been used or operated on the premises in contravention of subsection (1):
- (a) the owner and occupier of the premises and the operator of the fuel-burning equipment shall each be guilty of an offence;
 - (b) The municipality may on written notice to the owner and occupier of the premises:
 - (i) revoke its authorization under section 7; and
 - (ii) order the removal of the fuel-burning equipment from the premises at the expense of the owner and operator and within the period stated in the notice.

9. Presumption

In any prosecution for an offence under section 6 smoke shall be presumed to have been emitted from premises if it is shown that any fuel or material was burned on the premises and the circumstances were such that the burning would be reasonably likely to give rise to the emission of smoke, unless the owner, occupier or operator, as the case may be, shows that no smoke was emitted.

10. Installation and operation of measuring equipment

An authorised person may give notice to any operator of fuel-burning equipment or any owner or occupier of premises on which fuel-burning equipment is used or operated, or intended to be used or operated, to install, maintain and operate measuring equipment at his or her own cost; if:

- (a) unauthorised and unlawful emissions of smoke from the relevant premises have occurred consistently or regularly;

- (b) fuel-burning equipment has been or is intended to be installed on the relevant premises which is reasonably likely in the opinion of an authorised person to emit smoke;
- (c) the person on whom the notice is served has been convicted more than once under this Part IV and has not taken adequate measures to prevent further contravention of the provisions of this Part; or
- (d) the authorised person considers that the nature of the air pollutants emitted from the relevant premises is reasonably likely to create a hazard or nuisance to human health or the environment.

11. Monitoring and sampling

- (1) An occupier or owner of premises, and the operator of any fuel-burning equipment, who is required to install air pollution measuring equipment in terms of section 10(1) must:
- (a) record all monitoring and sampling results and maintain a copy of this record for at least four years after obtaining the results;
 - (b) if requested to do so by an authorised person, produce the record of the monitoring and sampling results for inspection;
 - (c) if requested to do so by an authorised person, provide a written report (in a form and by a date specified by the authorised person) of part or all of the information in the record of the monitoring and sampling results; and
 - (d) ensure that the air pollution measuring equipment is calibrated at least once per year or at intervals as specified by the manufacturer of the equipment and provide records of such calibration on request by the authorised person.

12. Exemption

- (1) Subject to section 26 and on application in writing by the owner or occupier of premises or the operator of fuel-burning equipment, the municipality may grant a temporary exemption in writing from one or all the provisions of this Part.
- (2) Any exemption granted under subsection (1) must state at least the following:
- (a) a description of the fuel-burning equipment and the premises on which it is used or operated;
 - (b) the reasons for granting the exemption;
 - (c) the condition attached to the exemption, if any;
 - (d) the period for which the exemption has been granted; and
 - (e) any other relevant information.

PART V SMOKE EMISSIONS FROM DWELLINGS

13. Smoke emissions from dwellings

- (1) Subject to section 4(2), no person shall emit or permit the emission of smoke from any dwelling that may cause a nuisance.
- (2) Any person who emits or permits the emission of smoke in contravention of subsection (1) commits an offence.
- (3) Subject to section 26 and on application in writing by the owner or occupier of any dwelling, the municipality may grant temporary exemption in writing from one or all of the provisions of this Part.

PART VI
EMISSIONS CAUSED BY OPEN BURNING

14. Emissions caused by open burning

- (1) Subject to subsection (4), any person who carries out open burning of any material on any land or premises is guilty of an offence, unless the prior written authorization of the municipality, which may include the imposition of further conditions with which the person requesting authorization must comply, has been obtained.
- (2) The municipality may not authorize open burning under subsection (1) unless it is satisfied that:
- (a) the applicant in terms of subsection (1) has investigated and assessed every reasonable alternative for reducing, re-using or recycling the material in order to minimize the amount of material to be burnt in the open, to the satisfaction of the municipality;
 - (b) no warning has been published for the region in terms of section 10(1)(b) of the National Veld and Forest Fire Act, 1998 (Act 101 of 1998);
 - (c) the open burning will not pose a nuisance or potential hazard to human health or safety, private property or the environment; and
 - (d) the prescribed fee has been paid to the municipality.
- (3) Any person who undertakes or permits to be undertaken open burning in contravention of subsection (1) commits an offence.
- (4) The provisions of this section shall not apply to:
- (a) recreational outdoor barbecue or braai activities on private premises;
 - (b) small controlled fires in informal settlements for the purposes of cooking, heating water and other domestic purposes; or
 - (c) any other defined area or defined activity to which the municipality has declared this section not to apply.

15. Emissions caused by tyre burning and burning of rubber products and cables in open spaces

- (1) No person may carry out or permit the burning of any tyres, rubber products, cables or any other products, on any land or premises for any purpose, for the purposes of recovering the scrap metal or fibre reinforcements, or of disposing of tyres, of the rubber products or cables as waste.
- (2) Any person who contravenes subsection (1) commits an offence.

PART VII
EMISSIONS FROM COMPRESSED IGNITION POWERED VEHICLES

16. Prohibition

- (1) No person may drive or use, or cause to be driven or used, a compressed ignition powered vehicle that emits dark smoke.
- (2) If dark smoke is emitted in contravention of subsection (1) the owner and the driver of the vehicle shall each be guilty of an offence.
- (3) For purposes of this section the registered owner of the vehicle shall be presumed to be the driver unless the contrary is proven.

17. Stopping of vehicles for inspection and testing

- (1) In order to enable an authorised person to enforce the provisions of this Part, the driver of a vehicle must comply with any reasonable direction given by an authorised person:
- (a) to stop the vehicle; and
 - (b) to facilitate the inspection or testing of the vehicle.
- (2) Failure to comply with a direction given under subsection (1) is an offence.
- (3) When a vehicle has stopped in compliance with a direction given under subsection (1), the authorised person may:
- (a) inspect and test the vehicle at the roadside, in which case inspection and testing must be carried out:
 - (i) at or as near as practicable to the place where the direction to stop the vehicle is given; and
 - (ii) as soon as practicable, and in any case within one hour, after the vehicle is stopped in accordance with the direction; or
 - (b) conduct a visual inspection of the vehicle and, if the authorised person reasonably believes that an offence has been committed under section 15(2), instruct the driver of the vehicle, who is presumed to be the owner of the vehicle unless he or she produces evidence to the contrary, in writing to take the vehicle to a testing station, within a specified period of time, for inspection and testing in accordance with section 17.

18. Testing procedure

- (1) An authorised person must use the free acceleration test method in order to determine whether a compressed ignition powered vehicle is being driven or used in contravention of section 15(1).
- (2) The following procedure must be adhered to in order to conduct a free acceleration test:
- (a) when instructed to do so by the authorised person, the driver must start the vehicle, place it in neutral gear, engage the clutch and disengage the exhaust brake;
 - (b) the authorised person or the driver of the vehicle must in less than one second smoothly and completely depress the accelerator throttle pedal of the vehicle;
 - (c) while the throttle pedal is depressed, the authorised person must measure the smoke emitted from the vehicle's emission system with a Hartridge Smoke meter in order to determine whether or not it is dark smoke; and
 - (d) the authorised person or the driver of the vehicle may only release the throttle pedal of the vehicle, when directed to do so by the authorised person.
- (3) If, having conducted the free acceleration test, the authorised person is satisfied that the vehicle:
- (a) is not emitting dark smoke, then the authorised person must furnish the driver of the vehicle with a certificate indicating that the vehicle is not being driven or used in contravention of section 15(1); or
 - (b) is emitting dark smoke, the authorised person must issue the driver of the vehicle with:
 - (i) a notice to pay a fine in terms of section 341 of the Criminal Procedure Act, Act 51 of 1977; or

- (ii) a repair notice in accordance with section 18.

19. Repair notice

- (1) A repair notice must direct the owner of the vehicle to take the vehicle to a place identified in the notice for re-testing.
- (2) The repair notice must contain the following information:
- (a) the make, model and registration number of the vehicle;
 - (b) the name, address and identity number of the driver of the vehicle; and, if the driver is not the owner, the name and address of the vehicle owner;
 - (c) the measures required to remedy the situation; and
 - (d) the time period within which the owner of the vehicle must comply with the repair notice.
- (3) A person who fails to comply with the requirements and conditions of the notice in terms of sub section (1) commits an offence.
- (4) It shall not be a defence in proceedings under subsection (3) to aver that the driver of the vehicle failed to bring the repair notice to the attention of the owner of that vehicle.

PART VIII
EMISSIONS THAT CAUSE A NUISANCE

20. Prohibition

- (1) No person may create or permit emissions that cause a nuisance.
- (2) Any person who contravenes subsection (1) commits an offence.

21. Compliance notice

- (1) An authorised person may serve a notice on any person whom he or she reasonably believes is likely to commit or has committed an offence under section 19, calling upon that person:
- (a) to abate the nuisance within a period specified in the notice;
 - (b) to take all necessary steps to prevent a recurrence of the nuisance; and
 - (c) to comply with any other conditions contained in the notice.
- (2) For the purposes of subsection (1), an authorised person may form a reasonable belief based on his or her own experience that an air pollutant was emitted from premises occupied or owned by the person on whom the compliance notice is to be served.
- (3) A compliance notice under subsection (1) may be served:
- (a) upon the owner of any premises, by:
 - (i) delivering it to the owner, or if the owner cannot be traced or is living abroad that person's agent;
 - (ii) transmitting it by registered post to the owner's last known address, or the last known address of the agent; or
 - (iii) delivering it to the address where the premises are situated, if the owner's address and the address of the agent are unknown;
 - (b) upon the occupier of the premises, by:
 - (i) delivering it to the occupier;
 - (ii) transmitting it by registered post to the occupier at the address at which the premises are situated.

- (4) Any person who fails to comply with a compliance notice served on that person in terms of subsection (1) commits an offence.
- (5) In addition to any other penalty that may be imposed, a court may order a person convicted of an offence under subsection (4) to take steps the court considers necessary within a period determined by the court in order to prevent a recurrence of the nuisance.

22. Steps to abate nuisance

At any time, the municipality may at its own cost take whatever steps it considers necessary in order to remedy the harm caused by the nuisance and prevent a recurrence of it, and may recover the reasonable costs so incurred from the person responsible for causing the nuisance.

PART IX OFFENSIVE ODOURS

23. Control of offensive odours

- (1) The occupier or owner of any premises must take all reasonable steps to prevent the emission of any offensive odour caused by any activity on such premises.
- (2) Any person who emits or permits the emission of any offensive odour in contravention of subsection (1) commits an offence.

PART X DUST NUISANCE

24. Control of dust

- (1) The occupier or owner of any premises must take all reasonable steps to prevent the creation of nuisance by dust caused by any activity on such premises.
- (2) Any person who emits or permits the emission of dust in contravention of subsection (1) commits an offence.

25. Sand blasting emissions

- (1) Any person conducting sand blasting activities which customarily produce emissions of dust that may be harmful to public health, well-being or cause a nuisance shall take control measures to prevent emissions into the atmosphere.
- (2) Any person who undertakes any sand blasting activity that causes dust emissions must implement the following control measure:
 - (a) dust extraction control measure; or
 - (b) any alternative dust control measure approved in writing by the air quality officer.
- (3) A person that contravenes subsections (1) and (2) commits an offence.

PART XI FUME NUISANCE

26. Control of fumes

- (1) The occupier or owner of any premises must take all reasonable steps to prevent the nuisance by fumes caused by any activity on such premises.

- (2) Any person who emits or permits the emission of fumes in contravention of subsection (1) commits an offence.

PART XII PESTICIDE SPRAYING EMISSIONS

27. Pesticide Spraying Emissions

- (1) No person may carry out or permit the spraying of pesticides, except as permitted by section 3 of the Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947).
- (2) Any person who contravenes subsection (1) of this by-law is guilty of an offence, as set out in section 18(1)(c) of the Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947).
- (3) A person who carries out or permits the spraying of pesticides, within the municipal jurisdiction, must also comply with the following controlled measures:
- (a) the prior written authorisation of the Council must be obtained, which authorisation may be granted by the Council with conditions, including:
 - (i) the area of land on which the pesticide may be applied; and
 - (ii) the period of time in which the pesticide may be applied.
 - (b) the applicant must notify in writing the owners and occupiers of all adjacent properties within 150 metres of the treatment area of:
 - (i) the details of the proposed treatment area;
 - (ii) the reason for the pesticide use;
 - (iii) the active ingredient;
 - (iv) the date and approximate time of the pesticide use;
 - (v) in the event of inclement weather conditions, an alternative date or dates on which the pesticide use may occur;
 - (vi) the time, if any, indicated on the product label specifying when the area can safely be re-entered after application;
 - (vii) the right of owners and occupiers of adjacent properties to lodge written objections to the proposed spraying of pesticides with the Council within seven days of being notified; and
 - (viii) the prescribed fee has been paid to the Council.
- (4) Any person who contravenes subsection (3) is guilty of an offence.
- (5) A person may apply to the Council for an exemption if the spraying of the pesticide is for:
- (a) the management of pests that transmit human diseases or adversely impact agriculture or forestry;
 - (b) the management of pests that threaten the integrity of sensitive ecosystems; or
 - (c) the need for the use of the pesticide is urgent.
- (6) The provisions of this section are not applicable to:
- (a) residential areas of farms;
 - (b) buildings or inside buildings;
 - (c) domestic use of pesticides; or
 - (d) any other defined area or defined activity to which the Council has declared this section not to apply.

PART XIII GENERAL PROVISIONS

28. Appeal

- (1) A person whose rights are affected by a decision delegated by the municipality may appeal against that decision by giving written notice of the appeal and the reasons therefore in terms of section 62 of the Local Government: Municipal Systems Act (Act 32 of 2000) to the municipal manager within 21 days of the date of the notification of the decision.
- (2) Pending confirmation, variation or revocation of the decision against which the appeal is lodged, any person appealing the said decision, unless the municipality provides otherwise:
 - (a) must nonetheless substantively comply with any obligations that may have been imposed as a result of the decision that is the subject of the appeal; and
 - (b) may not exercise any rights that may have accrued as a result of the decision that is the subject of the appeal application, provided that no other person may exercise any right that may accrue either.

29. Severability

If a section, subsection, sentence, clause or phrase of this by-law is declared invalid by a competent court, the invalid portion shall be severed and shall not affect the validity of the remaining portions of the by-law.

30. Municipality and State bound

This by-law is binding on the State and the municipality.

31. Conflict

- (1) In the event of a conflict within any other by-law which directly or indirectly regulates air pollution, the provisions of this by-law shall prevail.
- (2) In the event of a conflict with the Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965) and the National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) the provisions of these Acts will prevail within the area of jurisdiction of the Municipality.

32. Offences and penalties

- (1) Any person who contravenes any provision of this by-law commits an offence and shall, upon conviction, be liable to a fine or in default of payment, to imprisonment, or to such imprisonment without the option of a fine, or to both such fine and such imprisonment, and in the case of a successive or continuing offence, to a fine for every day such offence continues, or in default of payment thereof, to imprisonment.
- (2) It is an offence to:
 - (a) supply false information to an authorised person in respect of any issue pertaining to the by-law, or;
 - (b) to refuse to co-operate with the request of an authorised person made in terms of this by-law.
- (3) Failure to comply with a notice, direction or instruction referred to in this by-law constitutes a continuing offence.

- (4) In addition to imposing a fine or imprisonment, a court may order any person convicted of an offence under this by-law:
- to remedy the harm caused;
 - to pay damages for harm caused to another person or to property, which order shall have the force and effect of a civil judgment; and
 - to install and operate at the person's own expense air pollution measuring equipment in accordance with the provisions of section 11.

33. Exemptions

- The municipality may grant temporary exemption in writing from one or all of the provisions of Parts III, IV and V, provided that the municipality:
 - is satisfied that granting the exemption will not significantly prejudice the purpose referred to in section 2(1); and
 - grants any exemption subject to conditions that promote the attainment of the purpose referred to in section 2(1).
- The municipality may not grant an exemption under subsection (1) until the municipality has:
 - taken reasonable measures to ensure that all persons whose rights may be significantly detrimentally effected by the granting of the exemption, including but not limited to adjacent land owners or occupiers, are aware of the application for exemption and how to obtain a copy of it;
 - provided such person with a reasonable opportunity to object to the application; and
 - duly considered and taken into account any objections raised.

34. Savings

Anything done or deemed to have been done under any other law remains valid to the extent that it is consistent with this by-law or until anything done under this by-law overrides it.

35. Conflict with other legislation

In the event of any conflict between any provision of this by-law and National and Provincial legislation, standards, policies or guidelines, the National and Provincial legislation, standards, policies or guidelines shall prevail.

36. Repeal of by-laws

The provisions of any by-laws previously promulgated by the municipality or by any of the disestablished municipalities now incorporated in the municipality are hereby repealed as far as they relate to matters provided for in this by-law.

37. Short title and commencement

This by-law shall be known as the Air Pollution Control By-law of the Bergvlier Municipality and comes into operation on the date of publication thereof in the Provincial Gazette.

GEORGE MUNICIPALITY

RULES OF ORDER FOR COUNCIL AND ITS COMMITTEES

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RULES OF ORDER REGULATING THE CONDUCT OF MEETINGS OF THE MUNICIPAL COUNCIL OF THE GEORGE MUNICIPALITY

1. APPLICATION OF RULES

- 1.1 These Rules of Order apply to all meetings of the Municipal Council and its Committees of the Municipality of George established in terms of Section 12 of the Municipal Act, 117 of 1998.
- 1.2 These Rules shall not apply to Ward Committees.
- 1.3 These Rules of Order are aimed to allow for a free and constructive debate during Council's meetings to promote freedom of expression in such a manner as to allow for orderly debate by as large a number of Members as is possible within reasonable time constraints.

2. DEFINITIONS

In these Rules, unless inconsistent with the context:

“Act” means Local Government Municipal Structures Act, 1998 (Act 117 of 1998);

“Committee” means a Committee of the Municipal Council of George Municipality established in terms of Section 79 or 80 of the Act;

“Mayor” means the Executive Mayor of the Council;

“Mayoral Committee” means the Mayoral Committee of the Municipality;

“Member” means a Councillor of the Municipal Council of the George

“MMC” means a member of the Mayoral Committee;

“Motion” means a matter submitted by a member in terms of Rule 18;

“Municipal Manager” means the person appointed in terms of Section 82 of the Act’

“Ordinary Meeting” means a meeting in terms of Section 6.1;

“Political Party” means a political party registered in terms of the Electoral Act, 1998;

“Speaker” means the member elected in terms of Section 36 of the Act and any reference made to the Speaker will also include a Chairperson of a committee.

“Special Meeting” means a meeting in terms of Rule 6.2, 6.4 or 6.6;

“Systems Act” means the Local Government Municipal Systems Act, 2000;

“Chief Whip” means a Councillor chosen by the majority party providing a supportive function to the Council, in conjunction with the Political Whips, ensuring the smooth functioning of Council and committee meetings.

“Political Whip” means, for the purposes of these Rules, a Member of Council appointed by any other political party to perform the functions referred to in Rule 16.

3. **CONDUCT AT MEETINGS**

The Speaker must:

- 3.1 maintain order during meetings;
- 3.2 ensure compliance with the Code of Conduct for Councillors at meetings;
- 3.3 ensure that meetings are conducted in accordance with these Rules of Order, except if otherwise ruled by the Speaker.
- 3.4 ensure that any person refusing to comply with his / her ruling and upon 2 warnings and a final warning thereafter leaves the meeting place immediately;
- 3.5 ensure that members conduct themselves in a dignified and orderly manner;
- 3.6 ensure that members of the public are seated during meetings of the Municipal Council in areas designated for that purpose by the Municipal Manager;
- 3.7 ensure that members of the public attending any meetings of the Municipal Council conduct themselves in an orderly manner and obey any ruling made by the Speaker;
- 3.8 ensure that the Political Whips of Council be responsible for maintaining discipline of his / her different party’s members during the meeting. Failure by the Political Whips to take appropriate action may be dealt with in terms of Rule 29 of this Rules.

4. INTERPRETATION OF RULES

The ruling of the Speaker in regard to the application or interpretation of these Rules and other procedural matters not dealt with in the Rules of Order is, once he/she has given his/her reasons, final and binding.

5. CHAIRING OF MEETINGS

- 5.1 The Speaker is the Chairperson of meetings of the Municipal Council, and in the case of a Committee the Chairperson or Deputy Chairperson chairs the meeting.
- 5.2 Should the Speaker not be present at a meeting, an Acting Speaker must be elected for that meeting from the members present.

6. NOTICE OF MEETINGS

- 6.1 The Speaker must determine the date, time and venue of meetings of the Municipal Council, and must ensure that such meetings take place at least quarterly.
- 6.2 A separate Special Meeting of Council shall be called to approve the Annual Budget.
- 6.3 The Municipal Manager must give at least 72 hours notice of the meetings referred to above, to enable members to prepare adequately.
- 6.4 When the Municipal Council meets as a legislative body to consider By-Laws, the Municipal Manager must give seven (7) working days' notice of this meeting to all members of the Municipal Council.
- 6.5 The fact that any member(s) has/have not received notice of a meeting in accordance with these Rules will not affect the validity of any proceedings of that meeting.
- 6.6 In the case of any urgent meeting, the notice period must be at least 24 hours.
- 6.7 The Speaker, or in his/her absence, the Mayor, determines whether any meeting is urgent or not.
- 6.8 The Speaker, or in his/her absence, the Mayor, must, after receiving a written request signed by a majority of the members of the Municipal Council, call a meeting of that Council.
- 6.9 Whenever a meeting of the Municipal Council is called, the Municipal Manager must give notice of the meeting stipulating the time, date and venue of the meeting by placing a notice to this effect on a notice board situated at the main administrative office of the Municipality, and by placing an advertisement in Afrikaans, English and Xhosa in one (1) newspaper circulating in George. The obligation to place an advertisement in the newspapers may be dispensed with at the discretion of the Municipal Manager in cases where time constraints do not allow these advertisements to be placed.

- 6.10 Every member of the Municipal Council must specify in writing an electronic mail address and/or a physical address within the municipal area of George, where he/she can receive or electronically notice of meetings and other official correspondence. Delivery to this address will constitute proper notice of meetings of the Municipal Council.

7. **QUORUMS**

- 7.1 The quorum for a meeting of the Municipal Council or Committee is a majority of its members.
- 7.2 Whenever there is no quorum, for the Council meeting, the meeting must be adjourned for no more than 30 minutes, and if at the end of that period there is still no quorum, the Speaker may further adjourn the Council meeting for a period he/she deems fit after which he/she may adjourn the meeting to another time, date and venue at his/her discretion.
- 7.3 Whenever there is no quorum for a committee meeting, the meeting must be adjourned for no more than 30 minutes, and if at the end of that period there is still no quorum, the Chairperson, may further adjourn the meeting for a period he/she deems fit after which he/she may adjourn the meeting to another time, date and venue as determined by the Speaker.
- 7.4 In the absence of the Speaker or Chairperson of a committee the Acting Speaker or Deputy Chairperson of a committee must perform the functions referred to in Rule 7.2. If, after the initial adjournment of 30 minutes neither the Speaker nor the Acting Speaker, the Chairperson, or Deputy Chairperson of a committee are present, the meeting must be adjourned.

8. **AGENDA**

- 8.1 Subject to rules 8.2 and 9.2, all meetings must be conducted according to the order in which the matters appear on the agenda before the Council, and only matters, which are on the agenda, may be debated.
- 8.2 The Speaker may, after considering suitable motivation, change the order of matters appearing on the agenda.
- 8.3 The Municipal Manager in consultation with the Speaker, may direct that any matter be entered into the confidential part of the Council's agenda. Such matter must not be disclosed to any person other than those who receive it in their official capacity, and such matter must be debated in a closed meeting of the Council.
- 8.4 The Speaker may, after considering suitable motivation, direct that a matter be moved between the confidential and open agendas.

9. **ORDER OF BUSINESS OF AN ORDINARY MEETING.**

- 9.1 The order of business of an ordinary meeting convened in terms of Rule 6.1 shall be as follows:
 - 9.1.1 opening;
 - 9.1.2 Mayoral address
 - 9.1.3 applications for leave of absence;
 - 9.1.4 official notices;
 - 9.1.5 disclosure of interests by Councillors (Item 5 of the Code of Conduct for Councillors) and disclosure of benefits by Municipal staff members (Item 5 of the Code of Conduct for Municipal staff members).
 - 9.1.6 minutes of the previous meeting(s);
 - 9.1.7 questions of which notice has been given;
 - 9.1.8 report of the mayor which includes:
 - 9.1.8.1 recommendations to the Council,
 - 9.1.8.2 decisions under delegated authority;
 - 9.1.8.3 schedule of decisions of the mayor, together with the members of the mayoral Committee in terms of Section 60(3) of the Act
 - 9.1.9 motions or proposals deferred from previous meetings;
 - 9.1.10 new motions;
 - 9.1.11 any other matter not contained in the notice of the meeting at the discretion of the Speaker.
 - 9.1.12 urgent matters raised by the Municipal Manager in terms of Rule 19;
- 9.2 After the matters referred to in paragraphs 9.1.1 to 9.1.4 have been considered, the Speaker may in his/her discretion bring forward any business which is on the agenda.

10. **LEAVE OF ABSENCE**

- 10.1 Application for leave of absence from a meeting of the Council or a Committee thereof must be addressed to the Chief Whip in writing by the member who is applying for such leave, whereafter the Chief Whip will refer the application to the Speaker for approval. E-mails directed to the Chief Whip in this regard will be acceptable.
- 10.2 Notwithstanding Rule 10.1 above, applications for leave of absence from a meeting are deemed to have been granted if:
 - 10.2.1 the Council or Mayor delegated the relevant member to act elsewhere on behalf of the Council in a matter; or
 - 10.2.2 if the Council, Mayor or Committee of the Council requests the member to leave the relevant meeting in circumstances envisaged in Item 3(b) of Schedule 1 to the Systems Act, or the member recuses him/herself.
- 10.3 The Speaker may, subject to Rules 10.1 and 10.2 above, grant leave of absence to a member for the following reasons:
 - 10.3.1 illness or any other valid reasonable reason making it impossible for the member to attend;

- 10.3.2 essential business or personal commitments, or personal circumstances of the member.
 - 10.3.3 non-delivery of the notice of a meeting, or delivery of the notice of a meeting less than 72 hours before its commencement, provided that this will not apply to an ordinary meeting of the Council or Committee or when the member has changed his/her address referred to in Rule 6.10 and failed to inform the Municipal Manager at least 7 days before the relevant meeting of the revised address for the service of documentation;
 - 10.3.4 When the member is not permitted to attend the meeting due to circumstances envisaged in item 3(b) of the Code of Conduct for Councillors in Schedule 1 to the Systems Act;
 - 10.3.5 Any other circumstances where the member is prevented from attending the meeting.
- 10.4 Sanction for non-attendance
- 10.4.1 A member who is absent without leave from a meeting or who fails to be present at the beginning of a meeting or who fails to remain in attendance at such meeting is in breach of these rules.
 - 10.4.2 A committee consisting of the Speaker, Chief Whip and a whip of each party, appointed by Council, must investigate and report to Council on any transgression contemplated in rule 10.4.1
 - 10.4.3 The committee appointed by Council must conduct its work according to the fixed procedures determined by Council from time to time.
 - 10.4.4 If a committee finds that a member breached rule 10.4.1, the member must be fined in terms of the fine schedule determined by the Council from time to time.
 - 10.4.5 A member who is absent from three or more consecutive meetings which he or she has to attend, must vacate his or her office.
 - 10.4.6 Proceedings for the vacation of office of a member in terms of rule 10.4.5 or the imposition of a fine in terms of rule 10.4.4 must be conducted in accordance with the fixed procedure determined by Council in terms of rule 10.4.3.

11. **MAYORAL ADDRESS**

- 11.1 After the meeting is opened by the Speaker, but before any matters on the agenda are dealt with, the Mayor may address the meeting on any matter, whether it is on the agenda or not, which he/she deems appropriate. During the mayoral address no points of order or debate shall be allowed.
- 11.2 At the conclusion of the mayoral address, the Speaker must allow time for reply by every political party, as set out in the speakerslist received from the Chief Whip in terms of Rule 16.2.
- 11.3 *The mayoral address and reply is subject to the provisions of rule 16.9.*

12. REPORTS

The Municipal Council may not take any decision unless it has before it sufficient information as determined by the Speaker to take an informed decision. Except in exceptional circumstances, such information must be in a written report.

13. REPORT OF THE MAYOR

- 13.1 A report of the Mayor shall contain the following matters:
 - 13.1.1 recommendations to Council (where the Mayor has no delegated authority)
 - 13.1.2 a schedule of decisions by the Mayor under his/her delegated or statutory authority, and
 - 13.1.3 a schedule of decisions by the Mayor together with members of the Mayoral Committee in terms of Section 60(3) of the Act.
- 13.2 The Speaker shall permit debate of the matters referred to in Sub-rule 13.1.1 above, in accordance with Rule 16 of these Rules.

14. LEGAL AND FINANCIAL CONSTRAINTS

The Municipal Council may only take such decisions as it is legally and financially competent to do and all reports submitted in an agenda or made orally must make reference to these aspects.

15. DECISIONS AND VOTING

- 15.1 Subject to the provisions of rule 15.3 all decisions must be taken by a supporting vote of the majority of the members present at any meeting of the Council.
- 15.2 Before any vote is taken on any matter before the Council no Councillor or any other person shall be allowed to enter or leave the Council Chamber, while voting is in process.
- 15.3 The following matters are determined by a decision taken by the majority of the members of the Council:
 - 15.3.1 the passing of By-Laws;
 - 15.3.2 the approval of budgets;
 - 15.3.3 the imposition of rates and other taxes;
 - 15.3.4 the raising of loans; and
 - 15.3.5 the approval of the Integrated Development plan.
- 15.4 If the Speaker asks the meeting if it is in agreement with the recommendation(s) and the recommendation(s), is/are not opposed by any member present, the recommendation(s) is/are adopted.

- 15.5 Where there is opposition to any proposal to be decided, voting must be by a show of hands.
- 15.6 Only the number of members, and not the names of members voting for / against an item, is to be recorded in the minutes.
- 15.7 A member may abstain from voting without leaving the meeting place.
- 15.8 Any member may request that his / her dissent, abstention or support be recorded in the minutes of that meeting.
- 15.9 The Speaker must announce the decision of the Municipal Council taken in terms of rules 15.4 or 15.5.
- 15.10 If there is an equality of votes in respect of a motion on which voting takes place in accordance with rule 15.1, the Speaker must exercise his/her casting vote, in addition to his/her deliberative vote, provided that the Speaker may not exercise a casting vote in terms of any matter set out in section 160(2) of the Constitution and in Schedule 3 of the Structures Act.

16. **DEBATE MANAGEMENT**

- 16.1 At least 24 hours prior to a meeting of Council, the Political Whips of the parties in Council, must provide to the Chief Whip *an items list* showing:
 - 16.1.1 which items on the agenda for that meeting are to be debated and for which written amendment proposals should be submitted;
 - 16.1.2 the total time to be allocated to the debate of each such item, *subject to rule 16.2*.
- 16.2 *With the information provided in the items list, the Speaker and the Chief Whip shall determine the time allocated for each item and the total time allocated for debate during the Council meeting. This time will be divided according to the number of members of each political party, with the proviso that no party will receive less than 5% of the total time spent on debate during a Council meeting. The various party whips, in collaboration with their individual caucuses, will then decide which items on the agenda will be debated and which amount of time is needed for such debate, provided that the total time allocation is not exceeded. Political parties are not under obligation to utilize all the time allocated to them – it is the maximum allowed time for the Council meeting and is indicated as such on the Speakers list.*
- 16.3 Based on the list drawn up in terms of rule 16.2 each party must deliver to the Chief Whip, at least 20 hours before a Council meeting, a list of the members who will speak on an item, and the time allocated to each such member..
- 16.4 On receipt of the lists referred to in rule 16.2, the Speaker must, if he/she wishes to deviate from the provisions of those lists, convey his/her decision in this regard to the Chief Whip within a reasonable time prior to the Council meeting.

- 16.5 All matters before the Council not listed in rule 16.2 must individually be put to the meeting for adoption without debate, before the matters listed in rule 16.2 are considered.
- 16.6 At the discretion of the Speaker, a time of five (5) minutes of response maybe allowed to the Mayor or relevant Member of the Mayoral Committee or relevant committee, or the mover of a motion, to conclude the debate on an item debated in terms of rule 16.2.
- 16.7 Notwithstanding any contained in rules 16.1 to 16.9, the Speaker may not, when exercising any discretion in terms of these rules, prejudice any party in respect of time allocated in relation to any party. The Speaker's ruling after exercising his discretion in this regard shall be final.
- 16.8 *The Municipal Manager shall indicate an official to assist the Speaker with timekeeping during debate.*
- 16.9 *The time allocated for the Mayoral address in terms of Rule 11 (address and reply) may not exceed 30 minutes.*

17. **MINUTES**

- 17.1 The Municipal Manager must ensure that all decisions of the Municipal Council are recorded in a minute book.
- 17.2 If a copy of the minutes of a meeting has been served on every Councillor the minutes shall be taken as read with a view to confirmation.
- 17.3 No proposal or discussion shall be allowed on the minutes, except as to their accuracy.
- 17.4 The correctness of the minutes of the Municipal Council must be considered at its next meeting, failing which, at the following meeting.
- 17.5 The Municipal Manager must ensure that the names of members attending any meeting, those members who are absent, as well as the names of those who have been granted leave of absence, are recorded in the minutes.
- 17.6 The Municipal Manager must ensure that the names of members, who requested that their dissent, abstention or support be recorded during voting, are recorded in the minutes.
- 17.7 For administrative reference purposes, audio recordings of all meetings of Municipal Council must be kept for a period of three years.

18. **MOTIONS**

- 18.1 Subject to the provisions of any other law:
 - 18.1.1 Every notice of motion shall be in writing and shall be submitted to the Chief Whip and such notice shall be signed by the member submitting it and by the member seconding it;
 - 18.1.2 Subject further to Rule 18.5 below notice of a motion shall not appear on an agenda, unless it is received at least ten (10) working days prior to such meeting; and

- 18.1.3 a motion shall lapse if the member who submitted it is not present at the meeting when such motion is being debated.
- 18.2 The Chief Whip shall acknowledge receipt in writing of any motion submitted in terms of rule 18.1 and refer the motion to the Speaker for approval, whereafter it will be submitted to the Municipal Manager for placement on the agenda.
- 18.3 Every motion shall deal with a matter in respect of which the Council has jurisdiction.
- 18.4 A member submitting a motion shall introduce such motion and shall have the right of reply thereto.
- 18.5 When a member introduces a motion in terms of this Rule:
- 18.5.1. which is intended to rescind or amend a resolution passed by the Council taken within the preceding three (3) months or;
 - 18.5.2 which has the same purport as a motion which was not supported within the preceding three (3) months, such motion shall, subject to rule 22 hereunder, not be entertained.
- 18.6 When dealing with motions:
- 18.6.1 the motion shall be read out together with the number thereof and the name of the mover;
 - 18.6.2 the Speaker shall ascertain which motions are unopposed and these shall be passed without debate; and thereafter the Speaker shall call the opposed motions in their order on the agenda.

19. URGENT MATTERS

- 19.1 the Municipal Manager may, in his / her discretion, raise any urgent matter for decision by Council. A matter is urgent when the decision required, if delayed, could prejudice Council or its operations.
- 19.2 The Speaker must determine an appropriate time when the Municipal Manager may raise urgent matters, and the Speaker must determine the period of time available for discussion of any urgent matter.

20. DISALLOWED MOTIONS AND PROPOSALS

- 20.1 The Speaker shall disallow a motion or proposal which:
- 20.1.1 May lead to the discussion of a matter already dealt with in the agenda, or which has no bearing on the administration of, or conditions in the Municipality; or
 - 20.1.2 Advances arguments, expresses an opinion or contains unnecessary, incriminating, disparaging or improper suggestions, or in respect of which:
 - 20.1.2.1 The Council has no jurisdiction
 - 20.1.2.2 A decision by a judicial or quasi-judicial body is pending; or
 - 20.1.2.3 Which has not been duly seconded:
 - 20.1.3 If passed, would be contrary to the provisions of these Rules or of any other law or which Council is not financially

competent to approve provided that if such motion or proposal, in the opinion of the Council, justifies further investigation it shall be referred to a relevant Committee.

21. **QUESTIONS**

- 21.1 Any member may submit a question(s) relating to any matter in order to solicit views, opinions, intentions, explanations or information, which is related to and/or relevant to Council business and/or matters and the member submitting the question shall have the right to reply to any discussion of such question.
- 21.2 The member must ensure that the question(s) is (are) submitted to the Chief Whip at least ten (10) working days before the date of the meeting.
- 21.3 The Chief Whip shall acknowledge receipt in writing of any question received in terms of rule 21.1 and refer the question to the Speaker for approval, whereafter it will be handed to the Municipal Manager for placement on the agenda.
- 21.4 No member may re-submit a question(s) relating to any matter if that (those) question(s) was (were) considered during the previous three (3) months.
- 21.5 No decision shall be taken by Council on any question or supplementary question which were raised in terms of this Rule.

22. **RECONSIDERATION OF RESOLUTIONS**

The Municipal Council must reconsider any decision taken if the majority of members of the Municipal Council lodge such a request in writing with the Municipal Manager, provided that such reconsideration will not adversely affect existing rights. Motions for the reconsideration of decision must be submitted in terms of rule 18.

23. **AMENDMENTS TO RECOMMENDATIONS**

- 23.1 An amendment which is moved:
 - 23.1.1 must be relevant to the recommendation, motion or proposal on which it is moved;
 - 23.1.2 shall be reduced to writing, signed by the mover and seconder, and handed to the Speaker; and
 - 23.1.3 may only be moved by a member while he / she is speaking on a recommendation, motion or proposal under debate.
- 23.2 A member who has moved an amendment may speak thereon for not more than five minutes, but the seconder shall not be allowed to speak thereon, and there shall be no right to reply.
- 23.3 More than one amendment may be moved to a recommendation, motion or proposal, and subject to rule 23.9, all amendments which have been

- moved shall be put to the vote at the close of the debate upon such recommendation, motion or proposal.
- 23.4 No member shall move more than one amendment to a recommendation, motion or proposal.
 - 23.5 If the Mayor or Member of the Mayoral Committee or Chairperson of a Committee or the mover of the original motion wishes to address the Council on any amendment moved to such recommendation, motion or proposal he / she may only do so during his / her reply.
 - 23.6 The debate shall close when the Mayor or Member or Chairperson has replied thereto.
 - 23.7 If more than one amendment to a recommendation motion or proposal has been moved, such amendments must be put to the vote in order in which they were moved.
 - 23.8 Each amendment to a recommendation, motion or proposal must be clearly stated to the meeting by the Speaker before it is put to the vote.
 - 23.9 If an amendment is carried, the amended recommendation, motion or proposal shall take the place of the original recommendation, motion or proposal in respect of which only further proposed amendments shall be put to the vote, provided that the Speaker may, if he / she is of the opinion that an amendment which has been carried renders another amendment unnecessary or pointless, rule that such other amendment need not be put, after which the latter amendment shall lapse.

24. PRECEDENT OF SPEAKER

- 24.1 Whenever the Speaker speaks, any member then speaking or offering to speak must be silent and the members shall be silent so that the Speaker may be heard without interruption.
- 24.2 A member addressing the Council shall do so by addressing the Speaker.

25. COUNCILLOR TO SPEAK ONLY ONCE

- 25.1 Subject to a provision to the contrary contained in these Rules, no member shall speak more than once on any recommendation, motion or proposal, provided that the Mayor or MMC or member of the relevant committee may reply in conclusion of the debate, but shall confine himself / herself to answering to previous speakers and shall not introduce any new matter into the debate.
- 25.2 The Speaker shall permit the Mayor, MMC or Chairperson of a Section 80 Committee to make an explanatory statement prior to the consideration of any particular item contained in the report of the mayor or during the discussion of such report, in reply to a specific question.

26. RELEVANCE

- 26.1 A member who speaks shall direct his / her speech strictly to the matter under discussion or to an explanation or point of order, and no discussion shall be permitted:
- 26.1.1 which will anticipate any matter on the agenda; or
- 26.1.2 in respect of any matter in respect of which a decision by a judicial or quasi-judicial body or a commission of inquiry, whether instituted in terms of legislation or not, is pending, provided that such matter may be considered with the permission of Council.

27. IRRELEVANCE, TEDIOUS REPETITION, UNBECOMING LANGUAGE OR BEHAVIOR AND BREACH OF ORDER

- 27.1 The Speaker must call the attention of the member to irrelevant, tedious repetition, unbecoming language or behavior or any breach of order on the part of a member, and shall direct such member, if speaking, to discontinue his / her speech until the member has come to order. Such direction shall be regarded as a warning. Upon 2 warnings and a final warning during the deliberations of a Council meeting, the provisions of rule 28 shall apply and the Speaker may decide to take disciplinary action against such member in terms of the Code of Conduct for Councillors.
- 27.2 The Speaker shall direct a member to apologise or withdraw an allegation if it is unbecoming or injures or impairs the dignity or honour of a member or officer of the Council.
- 27.3 No member, official or other person shall be allowed to bring any food, beverages or alcohol into the Council Chamber and the use of a cellphone, reading of a newspaper or magazine while a meeting is in progress is strictly forbidden.

28. REMOVAL OR EXCLUSION OF COUNCILLOR

- 28.1 If a member refuses to comply with a direction in terms of rule 27, the Speaker may direct an officer to remove the member or to cause his / her removal and to take steps to prevent his / her return to the meeting, provided that the Speaker may, in his / her sole and absolute discretion, permit the return of the member to the meeting on the submission by the said member to the Speaker of a written expression of regret, such expression of regret must be part of the minutes of the meeting.
- 28.2 A proposal to exclude any person may be moved at any stage of the meeting.

29. MAINTENANCE OF ORDER

- 29.1 The Speaker may, at any time during a meeting, if he /she deems it necessary for the maintenance of order, direct an officer to remove or cause the removal of any person, excluding a member, from the Council Chamber, or order that the public gallery be vacated.
- 29.2 The Speaker may request or order the removal of any person or persons who refuses to carry out any reasonable instruction given by him / her, or who willfully obstructs the carrying out of such instruction.

30. POINTS OF ORDER AND PERSONAL EXPLANATION

- 30.1 For the purpose of this Rule
 - 30.1.1 any point of order or personal explanation shall not constitute a speech and therefore not affect the right of any member to speak on a particular item, provided that a member who addresses the Speaker on a point of order or personal explanation shall not be permitted to address the Speaker for longer than two (2) minutes on such point of order or personal explanation;
 - 30.1.2 "a point of order" means pointing out any deviation of or anything contrary to these Rules or the By-Laws of the Council or any other law;
 - 30.1.3 "a point of personal explanation" means the explanation of some material part of a member's speech which has been misunderstood or which needs clarity.
- 30.2 Any Member, whether he / she addressed the Council on the matter under debate or not, may:
 - 30.2.1 rise his / her hand to a point of order;
 - 30.2.2 rise his / her hand on a point of personal explanation at the end of the debate
- 30.3 A member contemplated in Sub-Section 30.2, shall be entitled to be heard forthwith, and the Councillor speaking at the time shall remain silent until a ruling has been made by the Speaker.
- 30.4 The ruling of the Speaker on a point of order or on the admissibility of a personal explanation shall be final and shall not be open to discussion.

31. PROCEDURAL MOTIONS

- 31.1 When a matter is under discussion at any meeting of the Municipal Council, no further debate must be allowed if any of the following procedural motions are accepted:
 - 31.1.1 that consideration of the matter be adjourned and resumed at a time determined by the Council;
 - 31.1.2 that the meeting of the Council be adjourned and reconvened at a time determined by the Speaker;

- 31.1.3 that the matter be referred back to a Committee with reasons therefore and;
- 31.1.4 that the matter now be decided.

32. MOTION OF EXIGENCY

- 32.1 A member may direct the attention of the Council to any matter which does not appear on the agenda and of which no previous notice has been given, by stating briefly the subject of the matter and without comment thereon moving "that the motion to which attention has been directed be considered forthwith as a matter of exigency."
- 32.2 Such motion is herein referred to as a motion of exigency.
- 32.3 If such motion is seconded and carried by a majority of the members present, the mover shall be permitted without notice to bring the matter under consideration by way of motion or question.

33. MEETINGS OPEN TO THE PUBLIC AND PRESS

- 33.1 The Council must conduct its business in an open manner and may close its meetings only when it is reasonable to do so, having regard to the nature of the business transacted.
- 33.2 Notwithstanding the provisions of rule 33.1, the Council may not exclude the public, including the media, when considering or voting on any of the following matters:
 - 33.2.1 a draft By-Law;
 - 33.2.2 the budget;
 - 33.2.3 the draft Integrated Development Plan, or any amendments of the Plan; and
 - 33.2.4 the Municipality's draft Performance Management System, or any amendments of the System.
 - 33.2.5 disciplinary actions against a Councillor according to the Code of Conduct for Councillors;
 - 33.2.6 any other circumstances according to which legislation cannot exclude the public and press.

34. INVITATION TO ADDRESS MUNICIPAL COUNCIL

The Speaker or Executive Mayor may, in his / her discretion, invite any person or persons to address any meeting of the Municipal Council.

35. PROCESS FOR ADOPTION OF BY-LAWS

- A by-law may only be introduced by a member or the Mayoral Committee.
- 35.1 Submission by member
 - 35.1.1 A member introduces a by-law by submitting it to the Speaker

- together with a memorandum stating the objectives of the by-law.
- 35.1.2 Upon receipt of a draft by-law and its accompanying memorandum in terms of rule 35.1, 1 the Speaker must submit such by-law and memorandum to the Mayoral Committee for consideration.
- 35.1.3 The Speaker must obtain the comments of the Municipal Manager regarding the contents of the draft by-law.
- 35.1.4 The Mayoral Committee must consider the draft by-law within three months after receipt thereof and must submit a report in the form contemplated in rule 35.3.1 to council.
- 35.2. Submission by Mayoral Committee
- 35.2.1 The Mayoral Committee may submit a draft by-law to council on its own volition or after consideration of a request submitted by the Municipal Manager.
- 35.2.2 If the Mayoral Committee decides to submit a draft by-law on its own volition, it must obtain the comments of the Municipal Manager on the contents thereof and may request comment from any person.
- 35.2.3 The Mayoral Committee must submit a report to council on the proposal to submit a draft by-law in the form contemplated in rule 35.3.1.
- 35.3 First submission to council
- 35.3.1 A draft by-law submitted by a member or the Mayoral Committee, must be submitted to council in the following form –
- 35.3.1.1 an executive summary of the by-law;
- 35.3.1.2 the content of the draft by-law;
- 35.3.1.3 any other by-law that must be repealed or amended if the draft is adopted;
- 35.3.1.4 any relevant comments or proposals; and
- 35.3.1.5 a recommendation.
- 35.3.2 After consideration of the report contemplated in rule 35.3.1 council must resolve to reject the draft or to adopt it in principle.
- 35.3.3 If a proposed by-law is rejected by council, no by-law with the same contents may be submitted to council within a period of six months of the date of such rejection.
- 35.3.4 When a proposed by-law is adopted in principle, it must be advertised for public comment.
- 35.4 Publication
- 35.4.1 The Municipal Manager must, as soon as possible after a by-law has been adopted in principle, publish the draft by-law in such a way that the public will have the opportunity to make representations in connection therewith.

35.4.2 Publication must be in the official languages of the province.

35.5. Second submission to council

35.5.1 The Municipal Manager must, as soon as possible after the closing date for representations by the public, submit a report to the Mayoral Committee together with –

35.5.1.1 a copy of the proposed by-law;

35.5.1.2 copies of the advertisements in which the public was invited to submit representations;

35.5.1.3 any comments received from the public; and

35.5.1.4 any comments from the administration.

35.5.2 If a proposed by-law is rejected by council, no by-law with the same contents may be submitted to council within a period of six months of the date of such rejection.

35.5.3 When a by-law is adopted after consideration thereof, it must be published in the *Provincial Gazette*.

GEORGE MUNISIPALITEIT

ORDEREËLS VIR RAAD EN SY KOMITEES

INHOUDSOPGawe

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ORDEREËLS WAT DIE WERKWYSE OP VERGADERINGS VAN DIE MUNISIPALE RAAD VAN DIE GEORGE MUNISIPALITEIT REGULEER

1. TOEPASSING VAN REËLS

- 1.1 Dié Ordereëls geld vir alle vergaderings van die Municipale Raad en sy komitees van die Municipaliteit van George gestig ingevolge artikel 12 van die Wet op Plaaslike Regering: Municipale Strukture, 117 van 1998.
- 1.2 Dié reëls sal nie op Wykskomitees van toepassing wees nie.
- 1.3 Dié ordereëls is daarop gemik om vrye en konstruktiewe debatvoering op Raadsvergaderings toe te laat. Die reëls het ten doel om vryheid van spraak op so 'n manier te bevorder dat daar binne billike tydsbeperkings vir ordelike debatvoering deur soveel Raadslede moontlik voorsiening gemaak word.

2. DEFINISIES

In dié ordereëls, tensy dit nie met die konteks strook nie, beteken

“Wet” die Wet op Plaaslike Regering: Municipale Strukture (Wet 117 van 1998);

“komitee” 'n komitee van die Municipale Raad van die George Municipaliteit, saamgestel ingevolge artikel 79 of 80 van die Wet;

“Burgemeester” die Uitvoerende Burgemeester van die Raad;

“Burgemeesterskomitee” die Burgemeesterskomitee van die Municipaliteit;

“lid” 'n Raadslid van die Municipale Raad van die George Municipaliteit;

“LBK” lid van die Burgemeesterskomitee;

“mosie” 'n aangeleentheid wat 'n lid ingevolge reël 18 voorgelê het;

“Municipale Bestuurder” die persoon wat ingevolge artikel 82 van die Wet aangestel is;

“gewone vergadering” 'n vergadering ingevolge reël 6.1;

“politieke party” 'n politieke party wat ingevolge die Kieswet, 1998, geregistreer is;

“Speaker” die lid wat ingevolge artikel 36 van die Wet verkies is en enige verwysing na Speaker in hierdie reëls, verwys ook na die voorsitter van ‘n komitee.

“spesiale vergadering” ’n vergadering ingevolge reël 6.2, 6.4 of 6.6;

“Stelselwet” die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000;

“Hoofsweep” ‘n Raadslid verkies deur die meerderheidsparty, wat ‘n ondersteunende funksie aan die Raad verleen en, in oorlegpleging met die Politieke Swepe, bydra tot die effektiewe funksionering van die Raad en sy komitees.

“Politieke Sweep” vir die doeleindes van dié ordereëls is ’n Raadslid wat deur enige ander politieke party aangestel word om die funksies te vervul waarna in reël 16 verwys word.

3. **WERKWYSE OP VERGADERINGS**

Die Speaker moet :

- 3.1 tydens vergaderings die orde handhaaf;
- 3.2 sorg dat daar op vergaderings aan die gedragskode vir Raadslede gehou word;
- 3.3 sorg dat vergaderings in ooreenstemming met dié ordereëls gehou word, behalwe waar die Speaker anders besluit.
- 3.4 sorg dat enige persoon wat weier om aan sy/haar beslissing gehoor te gee, na 2 waarskuwings daarna en ‘n verdere finale waarskuwing, die vergaderplek onmiddellik verlaat;
- 3.5 sorg dat lede hulle waardig en ordelik gedra;
- 3.6 sorg dat lede van die publiek gedurende vergaderings van die Munisipale Raad op plekke sit wat die Munisipale Bestuurder vir dié doel aangewys het;
- 3.7 sorg dat lede van die publiek wat enige vergadering van die Munisipale Raad bywoon, hulle ordelik gedra, en enige beslissing wat die Speaker maak, gehoorsaam.
- 3.8 sorg dat die Politieke Swepe van die Raad, verantwoordelik is vir die handhawing van dissipline van sy/haar verskillende partye se lede tydens die vergadering: Indien die Politieke Swepe versuim om toepaslike stappe te neem, kan die Speaker ingevolge reël 29 van hierdie Reëls optree.

4. **INTERPRETASIE VAN REËLS**

Die beslissing van die Speaker ten opsigte van die toepassing of interpretasie van dié reëls en ander prosedure-aangeleenthede wat nie in die ordereëls behandel word nie, is finaal en bindend.

5. **VOORSITTER BY VERGADERINGS**

- 5.1 Die Speaker is die voorsitter by vergaderings van die Municipale Raad, en in die geval van 'n komitee lei die voorsitter of ondervoorsitter van sodanige komitee die vergadering.
- 5.2 Ingeval die Speaker nie op 'n vergadering teenwoordig is nie, moet 'n waarnemende Speaker vir dié vergadering uit die teenwoordige lede gekies word.

6. **KENNISGEWING VAN VERGADERINGS**

- 6.1 Die Speaker moet die datum, tyd en plek van vergaderings van die Municipale Raad bepaal, en moet sorg dat dié vergaderings minstens kwartaalliks plaasvind.
- 6.2 'n Afsonderlike spesiale vergadering van die Raad sal belê word om die jaarlikse begroting goed te keur.
- 6.3 Die Municipale Bestuurder moet minstens 72 uur kennis van bogenoemde vergaderings gee, sodat lede toereikend kan voorberei.
- 6.4 Wanneer die Municipale Raad as wetgewende liggaam vergader om verordeninge te oorweeg, moet die Municipale Bestuurder aan al die lede van die Municipale Raad sewe (7) werksdae kennis gee.
- 6.5 Ingeval enige lid/lede nie in ooreenstemming met dié reëls kennisgewing van 'n vergadering ontvang het nie, sal dit nie die geldigheid van enige verrigtinge van sodanige vergadering raak nie.
- 6.6 In die geval van 'n dringende vergadering, moet die kennisgewingstydperk minstens 24 uur wees.
- 6.7 Die Speaker of, in sy/haar afwesigheid, die Burgemeester, bepaal of 'n vergadering dringend is, al dan nie.
- 6.8 Die Speaker of, in sy/haar afwesigheid, die Burgemeester moet, nadat hy/sy 'n skriftelike versoek ontvang het wat deur 'n meerderheid lede van die Municipale Raad onderteken is, 'n vergadering van dié Raad belê.
- 6.9 Wanneer ook al 'n vergadering van die Municipale Raad belê word, moet die Municipale Bestuurder van die vergadering kennis gee deur die tyd, datum en plek van die vergadering te verstrek, welke kennisgewing op 'n kennisgewingbord aangebring moet word wat by die hoof-administratiewe kantoor van die Municipaliteit geleë is, en deur advertensies in Afrikaans, Engels en Xhosa in een (1) koerant te plaas wat in George versprei word. Die verpligting om 'n advertensie in die koerante te plaas, kan na goeddunke van die Municipale Bestuurder, geignoreer word in

gevalle waar beperkte tyd dit onmoontlik maak om dié advertensies te plaas.

- 6.10 Elke lid van die Municipale Raad moet skriftelik 'n elektroniese posadres en/of 'n fisiese adres binne die municipale gebied van George verstrek waar hy/sy kennisgewing van vergaderings en ander amptelike korrespondensie ook elektronies kan ontvang. Aflewering by dié adres sal as behoorlike kennisgewing van vergaderings van die Municipale Raad geld.

7. **KWORUMS**

- 7.1 Die kworum vir 'n vergadering van die Municipale Raad of 'n komitee is 'n meerderheid van die lede daarvan.
- 7.2 Wanneer ook al daar nie 'n kworum vir die raadsvergadering teenwoordig is nie, moet die vergadering vir hoogstens 30 minute uitgestel word, en as daar aan die einde van dié tydperk steeds nie 'n kworum is nie, kan die Speaker die raadsvergadering verder uitstel vir 'n tydperk wat hy/sy goed dink, waarna hy/sy na goeddunke die vergadering tot 'n ander tyd, datum en plek kan verdaag.
- 7.3 Wanneer ook al daar nie 'n kworum van 'n komitee teenwoordig is nie moet die vergadering vir hoogstens 30 minute uitgestel word en as daar aan die einde van die tydperk steeds nie 'n kworum is nie, kan die voorsitter, die komiteevergadering verder uitstel vir 'n tydperk wat hy/sy goed dink, waarna hy/sy na goeddunke die vergadering na 'n datum soos bepaal deur die Speaker kan verdaag.
- 7.4 By afwesigheid van die Speaker, of voorsitter van 'n komitee moet die waarnemende Speaker of ondervoorsitter van 'n komitee die funksies vervul waarna daar in reël 7.2 verwys word. As nog die Speaker nog die Waarnemende Speaker, voorsitter of ondervoorsitter van 'n komitee na die aanvanklike uitstel van 30 minute teenwoordig is, moet die vergadering verdaag word.

8. **AGENDA**

- 8.1 Onderhewig aan reëls 8.2 en 9.2 moet alle vergaderings gehou word in ooreenstemming met die volgorde waarop die sake op die agenda voor die Raad verskyn, en slegs sake wat op die agenda is, mag gedebatteer word.
- 8.2 Die Speaker kan, na oorweging van toepaslike motivering, die volgorde verander waarop sake op die agenda verskyn.
- 8.3 Die Municipale Bestuurder, na konsultasie met die Speaker, kan opdrag gee dat enige saak in die vertroulike deel van die Raad se agenda opgeneem word. Sodanige saak mag nie aan enige ander persoon openbaar gemaak word nie, behalwe aan diegene wat dit in hulle amptelike hoedanigheid ontvang, en sodanige saak moet in 'n geslote vergadering van die Raad gedebatteer word.

- 8.4 Die Speaker kan, na oorweging van toepaslike motivering, opdrag gee dat 'n saak van die vertroulike agenda na die oop agenda verskuif word, en omgekeerd.

9. **SAKELYS VAN 'N GEWONE VERGADERING**

- 9.1 Die sakelys van 'n gewone vergadering wat ingevolge reel 6.1 belê is, sal soos volg wees -
- 9.1.1 opening;
- 9.1.2 Burgemeestersrede;
- 9.1.3 aansoeke om verlof tot afwesigheid;
- 9.1.4 amptelike kennisgewings;
- 9.1.5 verklaring van belang deur Raadslede (item 5 van die Gedragskode van Raadslede) en verklaring van voordele deur Municipale amptenare (Item 5 van die Gedragskode vir Municipale amptenare)
- 9.1.6 notule van vorige vergadering(s);
- 9.1.7 vrae waarvan daar kennis gegee is;
- 9.1.8 verslag van die Burgemeester, met inbegrip van
- 9.1.8.1 aanbevelings by die Raad;
- 9.1.8.2 besluite ingevolge gedelegeerde bevoegdheid;
- 9.1.8.3 skedule van besluite van die Burgemeester, tesame met lede van die Burgemeesterskomitee, ingevolge artikel 60(3) van die Wet;
- 9.1.9 mosies of voorstelle wat van vorige vergaderings oorgehou is;
- 9.1.10 nuwe mosies;
- 9.1.11 enige ander saak wat nie in die kennisgewing van die vergadering vervat is nie, na goeddunke van die Speaker.
- 9.1.12 dringende sake wat deur die Municipale Bestuurder geopper word ingevolge Reël 19.
- 9.2 Nadat die sake oorweeg is waarna in paragrawe 9.1.1 tot 9.1.4 verwys is, kan die Speaker na sy/haar goeddunke enige aangeleentheid opper wat op die agenda verskyn.

10. **VERLOF TOT AFWESIGHEID**

- 10.1 'n Aansoek om verlof tot afwesigheid van 'n Raads- of komiteevergadering moet skriftelik aan die Hoofsweep gerig word, deur die lid wat om sodanige verlof aansoek doen, waarna die aansoek aan die Speaker oorhandig sal word vir goedkeuring. E-posse in hierdie verband wat aan die Hoofsweep gestuur word sal aanvaarbaar wees.
- 10.2 Nienteenstaande reël 10.1 hierbo, word aansoeke om verlof tot afwesigheid van 'n vergadering geag toegestaan te wees:-
- 10.2.1 as die Raad of Burgemeester die betrokke lid gedelegeer het om elders namens die Raad in 'n saak op te tree, of

- 10.2.2 as die Speaker die lid versoek om die betrokke vergadering te verlaat onder omstandighede wat in item 3(b) van skedule 1 van die Stelselwet voorsien word, of as die lid hom/haar onttrek.
- 10.3 Die Speaker kan onderhewig aan reëls 10.1 en 10.2 hierbo, om die volgende redes verlof tot afwesigheid aan 'n lid toestaan -
- 10.3.1 siekte van die lid of enige ander redelike gebeurtenis wat dit vir die lid onmoontlik maak om die vergadering by te woon.
 - 10.3.2 noodsaaklike sake- of persoonlike verpligte, of persoonlike omstandighede van die lid;
 - 10.3.3 nie-aflewering van die kennisgewing van 'n vergadering, of aflewering van die kennisgewing minder as 72 uur voor die aanvang van die vergadering, met dien verstaande dat dit nie vir 'n gewone vergadering van die Raad of 'n komitee sal geld of wanneer die lid se adres gemeld en Reël 6.10 verander het en die lid versuim het om die Municipale Bestuurder minstens 7 dae voor die betrokke vergadering van sy/haar nuwe adres vir die aflewering van dokumentasie in kennis te stel;
 - 10.3.4 wanneer die lid nie die vergadering mag bywoon nie vanweë omstandighede wat in item 3(b) van die Gedragskode vir Raadslede in skedule 1 van die Stelselwet voorsien word;
 - 10.3.5 enige ander omstandighede waarin die lid verhoed word om die vergadering by te woon.
- 10.4 Sanksie vir nie-bywoning
- 10.4.1 'n Lid wat sonder verlof van 'n vergadering wegblef of wat versuim om aan die begin van die vergadering teenwoordig te wees of wat versuim om op so 'n vergadering teenwoordig te bly, oortree hierdie reëls.
 - 10.4.2 'n Komitee bestaande uit die Speaker, Hoofsweep en 'n sweep van elke party, deur die raad aangewys, moet enige oortreding in reël 10.4.1 bedoel, ondersoek en verslag daaroor doen aan die raad.
 - 10.4.3 Die komitee wat deur die raad aangewys is, moet sy sake doen in ooreenstemming met die vaste procedures soos van tyd tot tyd deur die raad bepaal.
 - 10.4.4 As die komitee bevind dat 'n lid reël 10.4.1 oortree het, moet die lid beboet word kragtens die boeteskedule soos van tyd tot tyd deur die raad bepaal.
 - 10.4.5 'n Lid wat van drie of meer opeenvolgende vergaderings afwesig is wat hy of sy moet bywoon, moet sy of haar amp as raadslid ontruim.
 - 10.4.6 Verrigtinge vir die ampsontruiming van 'n lid ingevolge reël 10.4.5 of vir die oplegging van 'n boete ingevolge reël 10.4.4 moet gevoer word in ooreenstemming met die eenvormige vaste procedure wat die raad ingevolge reël 10.4.3 bepaal.

11. **BURGEMEESTERSREDE**

- 11.1 Nadat die Speaker die vergadering geopen het, maar voordat enige sake op die agenda behandel word, kan die Burgemeester die vergadering oor enige saak toespreek wat hy/sy ter sake ag, hetsy dit op die agenda is, al dan nie. Tydens die Burgemeestersrede sal geen punte van orde of debat toegelaat word nie.
- 11.2 Na afloop van die Burgemeestersrede sal die Speaker tyd vir repliek deur enige politieke party, volgens die Hoofsweep se sprekerslys ingevolge reël 16.2, toelaat.
- 11.3 *Die Burgemeestersrede en repliek is onderworpe aan die voorskrifte van reël 16.9.*

12. **VERSLAE**

Die Raad kan geen besluit neem tensy dit volgens die Speaker, voldoende inligting tot sy beskikking het nie. Behalwe in buitengewone omstandighede, moet sodanige inligting in 'n skriftelike verslag vervat wees.

13. **VERSLAE VAN DIE BURGEMEESTER**

- 13.1 'n Verslag van die Burgemeester moet die volgende bevat:
 - 13.1.1 Aanbevelings aan die Raad (waar die Burgemeester geen gedelegeerde bevoegdheid het nie).
 - 13.1.2 'n Skedule van besluite deur die Burgemeester ingevolge sy/haar gedelegeerde of statutêre bevoegdheid.
 - 13.1.3 'n Skedule van besluite deur die Burgemeester in samewerking met lede van die Burgemeesterskomitee ingevolge artikel 60(3) van die Wet.
- 13.2 Die Speaker sal ingevolge reël 16 van dié reëls debatvoering toelaat van die sake waarna in subreël 13.1.1 hierbo verwys word.

14. **WETLIKE EN FINANSIELLE BEPERKINGS**

Die Raad mag slegs dié besluite neem waartoe dit wetlik en finansieel bevoeg is, en alle verslae wat op 'n agenda voorgelê word of wat mondelings gelewer word, moet van dié aspekte melding maak.

15. **BESLUITE EN STEMMING**

- 15.1 Onderhewig aan die bepalings van reël 15.3 moet alle besluite geneem word deur middel van 'n steunstem van die meerderheid lede wat op enige vergadering van die Raad teenwoordig is.

- 15.2 Voordat enige stemmery oor enige saak voor die Raad plaasvind, mag geen raadslid of enige ander persoon toegelaat mag word om die Raadsaal binne te gaan of te verlaat nie, terwyl sodanige stemmery plaasvind.
- 15.3 Die volgende sake word bepaal deur 'n besluit wat deur die meerderheid lede van die Raad geneem is:
 - 15.3.1 Die aanname van verordeninge.
 - 15.3.2 Die goedkeuring van begrotings.
 - 15.3.3 Die heffing van munisipale en ander belasting.
 - 15.3.4 Die aangaan van lenings.
 - 15.3.5 Die goedkeuring van die Raad se Geïntegreerde Ontwikkelingsplan.
- 15.4 As die Speaker die vergadering vra of dit met die aanbeveling(s) akkoord gaan, en die aanbeveling(s) word nie deur enige lid teengestaan nie, moet 'n eenparige aanvaarding van die aanbeveling in die notule aangeteken word.
- 15.5 Indien enige voorstel waaroor daar besluit moet word, teengestaan word moet daar by wyse van die opsteek van hande gestem word.
- 15.6 Slegs die getal lede, en nie die name van lede wat vir/teen 'n item stem nie, moet in die notule aangeteken word.
- 15.7 'n Lid kan buite stemming bly sonder om die vergaderplek te verlaat.
- 15.8 Enige lid kan versoek dat sy/haar teenstem, onthouding of steun in die notule van die betrokke vergadering aangeteken word.
- 15.9 Die Speaker moet die besluit aankondig wat die Raad ingevolge reëls 15.4 of 15.5 geneem het.
- 15.10 As daar 'n staking van stemme is ten opsigte van 'n aangeleentheid waarvoor 'n stemming gehou word in ooreenstemming met reel 15.4, moet die Speaker hy/haar beslissende stem uitbring benewens sy/haar gewone stem, met dien verstande dat die Speaker nie 'n beslissende stem mag uitbring nie ten opsigte van enige aangeleentheid in artikel 160(2) van die Grondwet en skedule 3 van die Strukturewet uiteengesit.

16. **DEBATSBESTUUR**

- 16.1 Minstens 24 uur voor 'n vergadering van die Raad moet die Politieke Swepe van elke party in die Raad, 'n sakelys aan die Hoofsweep verskaf wat toon:-
 - 16.1.1 watter items op die agenda van die betrokke vergadering gedebatteer gaan word en waarvoor skriftelike wysigingsvoorstelle ingedien word;
 - 16.1.2 hoeveel tyd benodig word deur elke politieke party wat die betrokke item wil debatteer, onderhewig aan reël 16.2.
- 16.2 *Na aanleiding van die sakelys, sal die Speaker en die Hoofsweep die tyd wat aan elke item en dus die totale tyd wat tydens 'n Raadsvergadering aan debatvoering bestee word, bepaal. Hierdie tyd word verdeel volgens die politieke partye se getalsterkte, met die voorwaarde dat geen party*

minder as 5% van die totale tyd wat aan debatvoering spandeer word gedurende 'n Raadsvergadering sal ontvang nie. Die verskillende partyswepe, in samewerking met hul koukusse, besluit dan self watter items op die agenda hulle wil debatteer en hoeveel tyd hulle hiervoor gaan gebruik, mits die totale tydstoekenning nie oorskry word nie. Politieke partye word nie verplig om al die tyd wat aan hulle toegeken word te gebruik nie – dit is die maksimum toegelate tyd vir die betrokke Raadsvergadering en word so op die Sprekerslys aangegetoon.

- 16.3 Met die lys wat ingevolge reël 16.2 opgestel is as grondslag, moet die Hoofsweep minstens 20 uur voor 'n Raadsvergadering aan die Speaker 'n lys oorhandig van al die lede wat oor 'n item gaan praat, en toon hoeveel tyd aan elke lid toegewys is.
- 16.4 By ontvangs van die lys waarna in reël 16.2 verwys word, moet die Speaker, ingeval hy/sy van die bepalings van dié lys wil afwyk, sy/haar besluit binne 'n redelike tyd voor die Raadsvergadering aan die Hoofsweep oordra.
- 16.5 Alle sake voor die Raad wat nie in reël 16.2 gelys is nie, moet individueel sonder debatvoering vir aanvaarding aan die vergadering voorgelê word, voordat die sake wat in reël 16.2 gelys is, oorweeg word.
- 16.6 Die Speaker kan die Burgemeester of betrokke lid van die Burgemeesterskomitee of betrokke komitee, of die voorsteller van 'n mosie, na goeddunke vyf (5) minute vir repliek toelaat om die debat oor 'n item te sluit wat ingevolge reël 16.2 gedebatteer is.
- 16.7 Nieteenstaande enigets wat in reëls 16.1 tot 16.9 vervat is, mag die Speaker nie, wanneer hy/sy ingevolge dié reëls na goeddunke optree, enige party benadeel ten opsigte van tyd wat aan die betrokke partye toegewys is nie. Die Speaker se beslissing na goeddunke sal finaal wees.
- 16.8 *Die Municipale Bestuurder sal 'n amptenaar aanwys wie die Speaker behulpsaam sal wees met toepassing van die spreektye tydens debatvoering.*
- 16.9 *Die tydsduur van die Burgemeester se Rede ingevolge reël 11 (toespraak en repliek) mag nie 30 minute oorskry nie.*

17. **NOTULE**

- 17.1 Die Municipale Bestuurder moet sorg dat alle besluite van die Raad aangeteken word.
- 17.2 Wanneer 'n afskrif van die notule van 'n vergadering aan elke Raadslid verskaf is sal die notule met die oog op goedkeuring as gelees beskou word.
- 17.3 Geen voorstel oor, of bespreking van, die notule sal toegelaat word nie, behalwe wat die akkuraatheid daarvan betref.
- 17.4 Die korrektheid van die notule van die Raad se vergadering moet op sy volgende vergadering oorweeg word.
- 17.5 Die Municipale Bestuurder moet sorg dat die name van lede wat op enige

vergadering teenwoordig is, die name van dié lede wat afwesig is, sowel as die name van diegene aan wie verlof tot afwesigheid toegestaan is, in die notule aangeteken word.

- 17.6 Die Municipale Bestuurder moet sorg dat die name van lede wat versoek het dat hulle teenstem, onthouding of steun gedurende stemming aangeteken word, in die notule aangeteken word.
- 17.7 Vir administratiewe verwysingsdoeleindes moet audio-opnames van alle vergaderings van die Municipale Raad gehou word vir 'n tydperk van drie (3) jaar.

18. **MOSIES**

- 18.1 Onderhewig aan die bepalings van enige ander wet
 - 18.1.1 moet elke kennisgewing van 'n mosie skriftelik aan die Hoofsweep voorgelê word, en moet sodanige mosie onderteken word deur die lid wat dit voorlê en die lid wat dit sekondeer;
 - 18.1.2 onderhewig aan reël 18.5 hieronder, sal kennisgewing van 'n mosie nie op 'n agenda verskyn nie, tensy dit minstens tien (10) werksdae voor die betrokke vergadering ontvang is; en
 - 18.1.3 sal 'n mosie verval as die lid wat dit voorgelê het, nie op die vergadering teenwoordig is waarop sodanige mosie gedebatteer word nie.
- 18.2 Die Hoofsweep sal skriftelik ontvangs van elke mosie wat ingevolge reël 18.1 voorgelê word erken en aan die Speaker oorhandig vir goedkeuring. waarna die mosie aan die Municipale Bestuurder oorhandig sal word, vir plasing op die agenda.
- 18.3 Elke mosie moet handel oor 'n saak waарoor die Raad jurisdiksie het.
- 18.4 'n Lid wat 'n mosie voorlê, sal die betrokke mosie toelig, en sal die reg van repliek daarop hê.
- 18.5 Wanneer 'n lid ingevolge hierdie reël 'n mosie indien:-
 - 18.5.1 wat bedoel is om 'n besluit te herroep of te wysig wat binne die voorafgaande drie (3) maande deur die Raad aangeneem is, of
 - 18.5.2 wat dieselfde strekking het as 'n mosie wat nie in die voorafgaande drie maande gesteun is nie, sal die betrokke mosie onderworpe aan reël 22 hieronder, nie oorweeg word nie.
- 18.6 Wanneer mosies behandel word,
 - 18.6.1 sal die mosie tesame met die mosienommer en die naam van die voorsteller uitgelees word;
 - 18.6.2 moet die Speaker bepaal watter mosies onbestrede is, en dié sal sonder debatvoering aangeneem word; daarna moet die Speaker die bestrede mosies in hulle volgorde op die agenda aankondig.

19. **DRINGENDE SAKE**

- 19.1 Die Municipale Bestuurder kan na sy/haar goeddunke enige dringende saak vir besluitneming deur die Raad opper. 'n Saak is dringend wanneer

die vereiste besluit, as dit vertraag word, die Raad of sy werksaamhede kan benadeel.

- 19.2 Die Speaker moet 'n gesikte tyd bepaal wanneer die Municipale Bestuurder dringende sake kan opper, en die Speaker moet bepaal hoeveel tyd beskikbaar is om enige dringende saak te bespreek.

20. **VERWERPTE MOSIES EN VOORSTELLE**

- 20.1 Die Speaker sal 'n mosie of voorstel verwerp:-

20.1.1 wat kan lei tot die bespreking van 'n saak wat reeds op die agenda behandel is, of wat geen betrekking op die administrasie van, of toestande in die Municipaliteit het nie;

20.1.2 wat argumente aanvoer, 'n mening uitspreek, of wat onnodige, inkriminerende, neerhalende of onbehoorlike voorstelle bevat, of ten opsigte waarvan

20.1.2.1 die Raad geen regspraak het nie;

20.1.2.2 'n besluit deur 'n geregtelike liggaam of kwasi-geregtelike liggaam hangende is; of

20.1.2.3 wat nie behoorlik gesekondeer is nie;

20.1.3 wat, as dit aangeneem word, strydig met die bepalings van dié ordereëls of van enige ander wet sal wees, of wat die Raad nie finansieel bevoeg is om goed te keur nie, met dien verstande dat indien die betrokke mosie of voorstel, na die mening van die Raad, verdere ondersoek regverdig, dit na 'n toepaslike komitee verwys sal word.

21. **VRAE**

- 21.1 Enige lid kan 'n vraag oor enige saak voorlê ten einde sienings, menings, bedoelings, verduidelikings of inligting, wat verwant is aan en/of relevant is vir Raadsake en/of kwessies, te bekom en die lid wat die vraag voorgelê het sal 'n reg van repliek hê op enige bespreking van sodanige vraag .

- 21.2 Die lid moet sorg dat die vraag minstens tien (10) werksdae voor die datum van die vergadering aan die Hoofsweep voorgelê word.

- 21.3 Die Hoofsweep sal skriftelik ontvangs van elke vraag wat ingevolge Reel 21.1 voorgelê is erken en die vraag na die Speaker stuur vir goedkeuring, waarna die vraag aan die Municipale Bestuurder oorhandig sal word vir plasing op die Agenda.

- 21.4 Geen lid mag weer 'n vraag oor enige saak voorlê as dié vraag gedurende die voorafgaande drie (3) maande oorweeg is nie.

- 21.5 Geen besluit sal deur die Raad geneem word aangaande enige vraag of aanvullende vraag wat op die vergadering van die Raad geopper of bespreek is ingevolge hierdie reël nie.

22. HEROORWEGING VAN BESLUITE

Die Raad moet enige besluit wat geneem is, heroorweeg as die meerderheid van die lede van die Raad 'n versoek daartoe skriftelik by die Municipale Bestuurder indien, met dien verstande dat sodanige heroorweging nie 'n nadelige uitwerking op bestaande regte sal hê nie. Mosies vir die heroorweging van 'n besluit moet ingevolge reël 18 voorgelê word.

23. WYSIGING VAN AANBEVELINGS

- 23.1 'n Wysiging wat voorgestel word:-
 - 23.1.1 kan slegs deur 'n lid voorgestel word terwyl hy/sy praat oor 'n aanbeveling, mosie of voorstel wat onder bespreking is.
 - 23.1.2 moet op skrif gestel word, deur die voorsteller en sekondant onderteken word, en aan die Speaker oorhandig word; en
 - 23.1.3 moet van toepassing wees op die aanbeveling, mosie of voorstel waarvoor die voorgestel word;
- 23.2 'n Lid wat 'n wysiging voorgestel het, kan vir hoogstens vyf minute daaroor praat, maar die sekondant sal nie toegelaat word om daaroor te praat nie, en daar sal geen reg van repliek wees nie.
- 23.3 Meer as een wysiging van 'n aanbeveling, mosie of voorstel kan voorgestel word, en onderhewig aan reël 23.9 moet alle wysigings wat voorgestel is, by die sluiting van die debat oor die betrokke aanbeveling, mosie of voorstel tot stemming gebring word.
- 23.4 Geen lid mag meer as een wysiging van 'n aanbeveling, voorstel of mosie voorstel nie.
- 23.5 As die Burgemeester of 'n lid van die Burgemeesterskomitee of voorsitter van 'n komitee of die voorsteller van die oorspronklike mosie die Raad wil toespreek oor enige wysiging wat vir die betrokke aanbeveling, mosie of voorstel voorgestel is, kan hy/sy dit slegs tydens sy/haar repliek doen.
- 23.6 Die debat sal sluit wanneer die Burgemeester of lid of voorsitter daarop repliek gelewer het.
- 23.7 As meer as een wysiging van 'n aanbeveling, mosie of voorstel voorgestel is, moet sodanige wysigings tot stemming gebring word in die volgorde waarin hulle voorgestel is.
- 23.8 Die Speaker moet elke wysiging van 'n aanbeveling, mosie of voorstel duidelik vir die vergadering uiteensit voordat dit tot stemming gebring word.
- 23.9 As 'n wysiging aangeneem word, sal die gewysigde aanbeveling, mosie of voorstel die plek van die oorspronklike aanbeveling, mosie of voorstel inneem, ten opsigte waarvan slegs verdere voorgestelde wysigings tot stemming gebring sal word, met dien verstande dat die Speaker, as hy/sy van mening is dat 'n wysiging wat aangeneem is, nog 'n wysiging onnodig of sinloos maak, kan beslis dat sodanige ander wysiging nie tot stemming gebring hoef te word nie, waarna die laasgenoemde wysiging sal verval.

24. VOORRANG VAN SPEAKER

- 24.1 Wanneer ook al die Speaker praat, moet enige lid wat dan praat of wil praat, stilbly, en die lede moet stilbly sodat die Speaker sonder onderbreking gehoor kan word.
- 24.2 'n Lid wat die Raad aanspreek, moet dit doen deur die Speaker aan te spreek.

25. RAADSLID KRY SLEGS EEN SPREEKBEURT

- 25.1 Onderhewig aan teenbepalings wat in dié reëls vervat is, mag geen lid meer as een keer oor enige aanbeveling, mosie of voorstel praat nie, met dien verstande dat die Burgemeester, of LBK of lid van die betrokke komitee by debatsluiting repliek kan lewer, maar hy/sy moet hom/haar beperk daartoe om vorige sprekers te antwoord en hy/sy mag geen nuwe saak by die debat inbring nie.
- 25.2 Die Speaker sal die Burgemeester, LBK of voorsitter van 'n artikel 80 komitee toelaat om 'n verduidelikende verklaring te maak voordat enige besondere item oorweeg word wat in die verslag van die Burgemeester vervat is, of gedurende die bespreking van die betrokke verslag, in antwoord op 'n spesifieke vraag.

26. TOEPASLIKHEID

- 26.1 'n Lid wat praat, moet sy/haar toespraak streng by die saak onder bespreking of by die verduideliking van 'n punt van orde bepaal, en geen bespreking sal toegelaat word:-
 - 26.1.1 wat enige saak op die agenda sal vooruitloop nie; of
 - 26.1.2 in verband met enige saak ten opsigte waarvan 'n besluit deur 'n geregtelike of kwasi-geregtelike liggaam of 'n kommissie van ondersoek, hetsy ingevolge wetgewing aangestel, al dan nie, hangende is, met dien verstande dat sodanige saak met die toestemming van die Raad oorweeg kan word.

27. ONTOEPASLIKHEID, VERVELENDE HERHALING, ONWELVOEGLIKE TAAL, GEDRAG OF ORDEBREUK

- 27.1 Die Speaker moet 'n lid se aandag op ontoepaslike, vervelende herhaling, onwelvoeglike taal, gedrag of enige ordebreek vestig, en moet sodanige lid gelas om sy/haar toespraak te staak totdat die lid tot orde gekom het. Sodanige opdrag moet as 'n waarskuwing beskou word. Na 2 waarskuwings en 'n finale waarskuwing tydens die beraadslagings van 'n Raadsvergadering, geld die bepalings van reël 28 en die Speaker mag besluit om ingevolge die gedragskode vir raadslede tugtappe teen sodanige lid te doen.

- 27.2 Die Speaker moet 'n lid gelas om verskoning te vra of om 'n bewering terug te trek as dit onvanpas is of die waardigheid of eer van 'n lid of beampete van die Raad aantast.
- 27.3 Geen lid, amptenaar of ander persoon sal toegelaat word om enige voedsel, drankie of alkohol in die Raadsaal in te bring nie en die gebruik van selfone en lees van koerante of tydskrifte tydens 'n vergadering is streng verbode.

28. VERWYDERING OF UITSLUITING VAN 'N RAADSLID

- 28.1 As 'n lid weier om aan 'n opdrag ingevolge reël 27 gehoor te gee, kan die Speaker 'n beampete gelas om die lid te verwijder of te laat verwijder, en om stappe te doen om te verhoed dat hy/sy na die vergadering terugkeer, met dien verstande dat die Speaker geheel na eie goeddunke kan toelaat dat die lid na die vergadering terugkeer, as die betrokke lid sy berou skriftelik aan die Speaker betuig, welke betuiging van berou deel van die notule van die vergadering moet wees.
- 28.2 'n Voorstel om enige persoon uit te sluit, kan in enige stadium van die vergadering ingedien word.

29. HANDHAWING VAN ORDE

- 29.1 Die Speaker kan te eniger tyd gedurende 'n vergadering, as hy/sy dit in belang van die orde ag, 'n beampete gelas om enige persoon, met uitsluiting van 'n lid, uit die Raadsaal te verwijder of te laat verwijder, of beveel dat die openbare galery ontruim word.
- 29.2 Die Speaker kan versoek of beveel dat enige persoon of persone verwijder word wat weier om enige billike opdrag van die Speaker uit te voer, of wat die uitvoering van sodanige opdrag opsetlik dwarsboom.

30. PUNTE VAN ORDE EN PERSOONLIKE VERDUIDELIKING

- 30.1 Vir die doeleindes van hierdie reël:-
 - 30.1.1 sal enige punt van orde of persoonlike verduideliking nie 'n toespraak uitmaak nie, en dus nie die reg van enige lid raak om oor 'n bepaalde item te praat nie, met dien verstande dat 'n lid wat die Speaker oor 'n punt van orde of persoonlike verduideliking aanspreek, nie toegelaat sal word om die Speaker vir langer as twee (2) minute oor sodanige punt van orde of persoonlike verduideliking aan te spreek nie;
 - 30.1.2 beteken "n punt van orde" dat enige afwyking of enigets strydig met dié reëls of die Verordeninge van die Raad of enige ander wet uitgewys word;

- 30.1.3 beteken "n punt van persoonlike verduideliking" dat 'n wesenlike deel van 'n lid se toespraak wat misverstaan is of waarop helderheid benodig word is, verduidelik word.
- 30.2 Enige lid, hetsy hy/sy die Raad oor die saak onder debat toegespreek het, al dan nie, kan-
- 30.2.1 sy/haar hand op 'n punt van orde opsteek;
 - 30.2.2 sy/haar hand aan die einde van die debat op 'n punt van persoonlike verduideliking opsteek.
- 30.3 'n Lid soos bedoel in subartikel 30.2, sal daarop geregtig wees om onmiddellik gehoor te word, en die Raadslid wat dan aan die woord is, sal stilbly en gaan sit, totdat die Speaker 'n beslissing gemaak het.
- 30.4 Die beslissing van die Speaker oor 'n punt van orde of die toelaatbaarheid van 'n persoonlike verduideliking sal finaal wees, en sal nie oop vir bespreking wees nie.

31. PROSEDURE MOSIES

Wanneer 'n saak op enige vergadering van die Raad onder bespreking is, moet geen verdere debatvoering toegelaat word as enige van die volgende proseduremosies aanvaar word nie –

- 31.1 dat oorweging van die saak verdaag word, en dat dit hervat word op 'n tyd wat die Raad sal bepaal;
- 31.2 dat die vergadering van die Raad verdaag en herbelê word op 'n tyd wat die Speaker sal bepaal;
- 31.3 dat die saak na 'n komitee terugverwys word, met die redes daarvoor; en
- 31.4 dat daar nou oor die saak besluit word.

32. DRINGENDE MOSIE

- 32.1 'n Lid kan die aandag van die Raad vestig op enige aangeleenthed wat nie op die sakelys verskyn nie en waarvan daar nie vooraf kennis gegee is nie, deur kortlik die onderwerp van die aangeleenthed te meld en sonder kommentaar daarop, voor te stel "dat die mosie waarop die aandag gevvestig is, onverwyld oorweeg word as 'n kwessie van dringendheid".
- 32.2 Sodanige mosie word hierin 'n dringende mosie genoem.
- 32.3 Indien sodanige mosie gesekondeer en aangeneem word deur 'n meerderheid van die lede teenwoordig, moet die voorsteller toegelaat word om die aangeleenthed sonder kennis deur middel van 'n mosie of vraag tot oorweging te bring.

33. VERGADERINGS OOP VIR DIE PUBLIEK EN PERS

- 33.1 Die Raad moet sy werksaamhede op 'n openlike wyse uitvoer, en mag sy vergaderings slegs geslote hou as dit billik is om dit te doen, met inagneming van die aard van die werksaamhede wat uitgevoer word.

- 33.2 Niteenstaande die bepalings van reël 33.1, mag die Raad nie die publiek, met inbegrip van die media, uitsluit wanneer enige van die volgende aangeleenthede oorweeg of tot stemming gebring word nie -
- 33.2.1 'n konsepverordening;
 - 33.2.2 die begroting;
 - 33.2.3 die konsep-geïntegreerdeontwikkelingsplan (IDP), of enige wysigings van die plan; en
 - 33.2.4 die Munisipaliteit se konsep-prestasiebestuurstelsel, of enige wysiging van die stelsel.
 - 33.2.5 dissiplinêre aksies teen 'n raadslid volgens die Gedragskode vir Raadslede; en
 - 33.2.6 enige ander aangeleenthed waar volgens wetgewing, die publiek en pers nie uitgesluit mag word nie.

34. UITNODIGING OM DIE RAAD TOE TE SPREEK

Die Speaker of Uitvoerende Burgemeester kan na sy/haar goeddunke enige persoon of persone uitnooi om enige vergadering van die Raad toe te spreek.

35. PROSES VIR DIE AANNAME VAN VERORDENINGE

- 35.1 Indiening deur lid
- 35.1.1 'n Lid dien 'n konsepverordening in deur dit saam met 'n memorandum oor die oogmerke van die verordening aan die Speaker voor te lê.
 - 35.1.2 Die Speaker moet by ontvangs van 'n konsepverordening dit aan die Burgemeesterskomitee voorlê vir oorweging.
 - 35.1.3 Die Speaker moet die kommentaar van die Municipale Bestuurder oor die inhoud van die konsepverordening.
 - 35.1.4 Die Burgemeesterskomitee moet binne drie maande na ontvangs van 'n konsepverordening die aangeleenthed oorweeg en 'n verslag in die vorm in reël 35.3.1 bedoel, aan die raad voorlê.
- 35.2 Indiening deur Burgemeesterskomitee
- 35.2.1 Die Burgemeesterskomitee kan uit eie beweging of na oorweging van 'n versoek van die Municipale Bestuurder 'n konsepverordening indien.
 - 35.2.2 Indien die Burgemeesterskomitee uit eie beweging besluit om 'n konsepverordening in te dien, moet die komitee die kommentaar van die Municipale Bestuurder oor die inhoud daarvan verkry en kan die komitee die kommentaar van enige persoon daaroor vra.
 - 35.2.3 Die Burgemeesterskomitee moet 'n verslag oor die voorstel om 'n konsepverordening in te dien, aan die raad voorlê in die vorm in reël 35.3.1 bedoel.

35.3 Eerste indiening by raad

35.3.1 'n Konsepverordening wat deur die Burgemeesterskomitee ingediend word, moet in die volgende vorm aan die raad voorgelê word:

- 35.3.1.1 'n bestuursopsomming van die konsepverordening;
- 35.3.1.2 die inhoud van die voorgestelde verordening;
- 35.3.1.3 ander verordeninge wat herroep of geamendeer moet word as die konsepverordening aangeneem word;
- 35.3.1.4 enige tersaaklike kommentaar of voorstelle; en
- 35.3.1.5 'n aanbeveling.

35.3.2 Na oorweging van die verslag in reël 35.3.1 bedoel, moet die raad besluit om die voorgestelde verordening te verwerp of voorlopig aan te neem.

35.3.3 Wanneer 'n voorgestelde verordening deur die raad verwerp is, mag geen verordening met dieselfde inhoud binne 'n tydperk van ses maande na die datum van verwerving ingedien word nie.

35.3.4 Wanneer 'n voorgestelde verordening voorlopig aangeneem is, moet dit geadverteer word vir kommentaar deur die publiek.

35.4. Publikasie

35.4.1 Die Municipale Bestuurder moet so gou moontlik nadat die raad 'n verordening voorlopig aangeneem het, die konsepverordening vir kommentaar deur die publiek publiseer op so 'n wyse dat die publiek die geleentheid sal hê om vertoë in verband daarmee te rig.

35.4.2 Die publikasie moet in die amptelike tale van die provinsie geskied.

35.5 Tweede indiening by raad

35.5.1 Die Municipale Bestuurder moet so gou moontlik na die sluitingsdatum vir vertoë deur die publiek 'n verslag aan die Burgemeesterskomitee voorlê, met –

- 35.5.1.1'n eksemplaar van die voorgestelde verordening;
- 35.5.1.2eksemplare van die advertensies waarin die publiek genooi is om vertoë te rig;

35.5.1.3enige kommentaar wat van die publiek ontvang is, en
35.5.1.4enige ander kommentaar van die administrasie.

35.5.2 Wanneer 'n konsepverordening deur die raad verwerp is, mag geen verordening met dieselfde inhoud binne 'n tydperk van ses maande na die verwerving ingedien word nie.

35.5.3 Wanneer 'n verordening na oorweging aangeneem is, moet dit in die *Provinsiale Koerant* gepubliseer word.

UMASIPALA WASEGEORGE

IMIGAQO YOCWANGCO YEBHUNGA KUNYE
NEEKOMITI ZALO

IZALATHISO**IMIGAQO YOCWANGCO ELAWULA UKUQHUTYWA KWEENTLANGANISO
ZEBHUNGA LIKAMASIPALA ZIKAMASIPALA WASEGEORGE.**

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**IMIGAQO YOCWANGCO ELAWULA UKUQHUTYWA KWEENTLANGANISO
ZEBHUNGA LIKAMASIPALA WASEGEORGE**

1. UKUSETYENZISWA KWEMIGAQO

- 1.1 Le Migaqo yoCwangco isebenza kuzo zonke iintlanganiso zeBhunga likaMasipala kunye neeKomiti zalo zikaMasipala waseGeorge ezimiswe ngokweCandelo le-12 loMthetho kaMasipala, 117 ka-1998.
- 1.2 Le Migaqo ayisayikusebenza kwiKomiti zeeWadi.
- 1.3 Le Migaqo yoCwangco ijolise ekuvumeleni ingxoxo ekhululekileyo kunye neyakhayo ngexesha leeNtlanganiso zeBhunga ukukhuthaza ukuthetha ngokukhululekileyo ngendlela eza kuvumela ingxoxo enocwangco yamalungu amaninzi kangangoko kunokwenzeka phakathi kwezinyanzeliso zexesha ezisezingqondweni.

2. IINKCAZELO

Kule Migaqo, ngaphandle kokungangqinelaniyo kunye nemeko.

“uMthetho” uthetha uMthetho woBume bukaMasipala kuRhulumente waseKhaya, 1998 (Umthetho we-117 ka-1998);

“Ikomiti” ithetha Ikomiti yeBhunga likaMasipala waseGeorge elasekwa ngokweCandelo lama-79 okanye lama-80 loMthetho;

“uSodolophu” uthetha uSodolophu oLawulayo weBhunga;

“Ikomiti kaSodolophu” ithetha iKomiti kaSodolophu kaMasipala;

“Ilungu” lithetha uCeba weBhunga likaMasipala waseGeorge;

“IMMC” ithetha ilungu leKomiti kaSodolophu;

“Isindululo” sithetha umcimbi ongeniswe lilungu ngokoMgaqo we-18;

“Umphathi kaMasipala” uthetha umntu oqeshwe ngokweCandelo lama-82 loMthetho;

“Intlanganiso qqhelekileyo” ithetha intlanganiso ngokweCandelo le 6.1;

“Iqela lezePolitiki” lithetha iqela lepolitiki elibhaliswe ngokoMthetho wezoNyulo ka-1998;

“uSomlomo” uthetha ilungu elonyulwe ngokweCandelo lama-36 loMthetho kwaye naziphina izalathiso ezenziwa kuSomlomo ziyakuuka uSihlalo wekomiti.

“Intlanganiso eYodwa”, ithetha intlanganiso ngokoMgaqo 6.2, 6.4 okanye u- 6.6;

uMthetho weeNkqubo zikaMasipala” uthetha uMthetho weeNkqubo zikaRhulumente waseKhaya, ka-2000.

“Umbhexeshi oyiNtloko” uthetha uCeba okhethwe liqela lesinanzi onikezela ngomsebenzi wenkxaso kwiBhunga, kunye nabaBhexeshi bezePolitiki beginisekisa ukusebenza kakuhle kweentlaganiso zeBhunga nezeeKomiti.

“Umbhexeshi wezePolitiki” uthetha, malunga neenjongo zaleMigaqo, llungu leBhunga elimiswe lilo naliphina iqela lezopolitiki ukuba lenze imisebenzi ekubhekiswa kuyo kuMgaqo we-16.

3. UKUZIPHATHA EZINTLANGANISWENI

uSomlomo kumele:

- 3.1 Agcine ucwangco ngexesha leentlanganiso.
- 3.2 Aqinisekise ukuthotyelwa kweMigaqo yokuziPhatha kooCeba ezintlanganisweni;
- 3.3 Aqinisekise ukuba iintlanganiso ziqhutywa ngokuvumelana nale Migaqo yoCwangco, ngaphandle kokuba uSomlomo wenze umyalelo
- 3.4 Aqinisekise ukuba nawuphina umntu owala ukuthobela umyalelo wakhe kwaye ngezilumkiso ezi-2 kunye nesilumkiso sokugqibela emva koko uyayishiya indawo yentlanganiso kwangoko;
- 3.5 Aqinisekise ukuba amalungu aziphatha ngendlela endilekileyo kunye nenocwangco.
- 3.6 Aqinisekise ukuba amalungu oluNtu ahleli phantsi ngexesha lentlanganiso yeBhunga likaMasipala kwindawo ezalathelwe loo njongo nguMphathi kaMasipala.
- 3.7 Aqinisekise ukuba amalungu oluNtu azimasa naziphina iintlanganiso zeBhunga likaMasipala aziphatha ngendlela enocwangco kwaye athobela nawuphina umyalelo kaSomlomo.
- 3.8 Aqinisekisa ukuba Ababhxeshi bezePolitiki beBhunga banoxanduva lokugcina ucwangco lwamalungu amaqela abo ohlukeneyo ngexesha

lentlanganiso. Ukungaphumeleli kwabaBhexeshi bezePolitiki ukuthatha amanyathelo afanelekileyo kungaqwelaselwa ngokoMgaqo wama-29 ale Migaqo.

4. UKUTOLIKWA KWEMIGAGO

Ummiselo kaSomlomo malunga nokusetyenziswa okanye ukutolikwa kwale Migaqo kunye neminye imicimbi yenqubo engaqwalaselwanga kule Migaqo yoCwangco ngowokugqibela kwaye uyabophelela xa enikezele ngezizathu zakhe;

5. UKUCHOPHELA INTLANGANISO

- 5.1 uSomlomo nguSihlalo weentlanganiso zeBhunga likaMasipala, kwaye kwimeko yeKomiti uSihlalo okanye Isekela likaSihlalo lichophela intlanganiso.
- 5.2 Ukuba uSomlomo akakho entlanganisweni, uSomlomo obambeleyo kumele anyulwe malunga naloo ntlanganiso kumalungu akhoyo.

6. ISAZISO SEENTLANGANISO

- 6.1 uSomlomo kumele amise umhla, ixesha kunye nendawo yendibano yeentlanganiso zeBhunga likaMasipala, kwaye kumele aqinisekise ukuba ezo ntlanganiso ziyabanjwa ngekota ubuncinane.
- 6.2 Intlanganiso eyahlukileyo yeBhunga iyakubizwa malunga nokuvuma Uhlahlo-Iwabiwo-mali lomnyakomnye.
- 6.3 Umphathi kaMasipala kumele anikezele isaziso seeyure ezingama -72 ubuncinane seentlanganiso ekubhekiswa kuzo ngentla, ukwenza amalungu abe nako ukulungiselela ngokwaneleyo.
- 6.4 Xa Ibhunga likaMasipala lihlangana njengequmrhu lowiso-mthetho lokuqwelasela Imithetho kaMasipala, uMphathi kaMasipala kumele akhuphe isaziso seentsuku ezisixhenxe (7) zokusebenza sale ntlanganiso kuwo onke amalungu eBhunga likaMasipala.
- 6.5 Inyani yokuba naliphina ilungu/amalungu ali (awa) sifumananga isaziso sentlanganiso ngokuvumelana kunye neMigaqo ayizi kuchaphazela ukuba semthethweni kwazo naziphina iinkqubo zalo ntlanganiso.
- 6.6 Kwimeko yayo nayiphina intlanganiso engxamisekileyo, ixesha lesaziso kumele libe ziyyure ezingama-24 ubuncinane.
- 6.7 uSomlomo, okanye akungabikho, uSodolophu, umisa ukuba nayiphina intlanganiso ingxamisekile okanye ayingxamisekanga.

- 6.8 uSomlomo, okanye akungabikho, uSodolophu, kumele, emva kokufumana isicelo esibhalwe phantsi esisayinwe ngamatlungu eBhunga likaMasipala , abize intlanganiso yelo Bhunga.
- 6.9 Naninina intlanganiso yeBhunga liikamasipala ibiziwe, uMphathi. kaMasipala kumele enikezele ngesaziso sentlanganiso esimisa ixesha, umhla kunye nendawo yendibano yentlanganiso ngokubeka isaziso sale njongo kwibhodi yesaziso emi kwi-ofisi enkulu yolawulo lukamasipala , nangokubeka isaziso ngesiBhulu, isiNgesi kunye nesiXhosa kwiphepha-ndaba elinye (1) elijikeleza eGeorge. Isinyaneliso sokubeka isaziso kumaphetha-ndaba kungahlalwa ngaphandle kwaso ngokwengqiqo yoMphathi kaMasipala kwimeko apho iimbophelelo zexesha zingazivumeli ezi zaziso ukuba zibekwe.
- 6.10 Lonke ilungu leBhunga likaMasipala kumele libalule ngokubhaliweyo idilesi ye- imeyili ye-elektroniki kunye okanye idilesi yendawo yokuhlala phakathi kommandla kamasipala waseGeorge, apho angafumana izaziso zeentlanganiso nge-elektroniki kunye nezinye imbhalelwano ezisesikweni. Uhambiso kule dilesi kuza kwenza izaziso zeentlanganiso ezifanelekileyo zeBhunga likaMasipala.

7. AMANANI AFUNEKAYO ABANTU BOKUSINGATHA UMCIMBI ENTLANGANISWENI

- 7.1 Inani elifunekayo labantu bokusingatha umcimbi entlanganisweni yeBhunga likaMasipala okanye yeKomiti sisinini samalungu alo.
- 7.2 Naninina lingekho inani elifunekayo labantu bokusingatha umcimbi entlanganisweni yeBhunga, intlanganiso kumele imiselwe elinye ixesha elingekho ngaphezulu kwemizuzu engama -30, kwaye ukuba ekupheleni kwelo xesha alikabikho inani elifunekayo labantu bokusingatha umcimbi entlanganisweni, uSomlomo angayimisela elinye ixesha futhi intlanganiso yebhunga acinga ukuba lifanelekile emva koko angayimisela elinye ixesha, umhla kunye nendawo intlanganiso ngokwengqiqo yakhe.
- 7.3 Naninina lingekho inani elifunekayo labantu bokusingatha umcimbi entlanganisweni yekomiti, intlanganiso kumele imiselwe elinye ixesha elingekho ngaphezulu kwemizuzu engama -30 kwaye ukuba ekupheleni kwelo xesha alikabikho inani elifunekayo labantu bokusingatha umcimbi entlanganisweni, uSihlalo angayimisela elinye ixesha futhi acinga ukuba lifanelekile emva koko angayimisela elinye ixesha, umhla kunye nendawo intlanganiso njengoko kuya kumiswa nguSomlomo.
- 7.4 Akungabikho uSomlomo okanye uSihlalo wekomiti uSomlomo obambeleyo okanye Isekela likaSihlalo wekomiti kumele lenze imisebenzi ekubhekiswa kuyo kuMgaqo we-7.2. Ukuba emva kokumiselwa kokuqala kwemizuzu engama-30 akakho uSomlomo

okanye uSomlomo oBambeleyo, uSihlalo okanye Isekela likaSihlalo wekomiti, intlanganiso kumele imiselwe elinye ixesha.

8. I-AJENDA

- 8.1 Ngokuxhomekeke kwimigaqo yesi- 8.2 kunye no 9.2 zonke iintlanganiso kumele zilawulwe ngohlobo ebonakala imi ngalo imicimbi kwi-ajenda phambi kweBhunga, kwaye yimicimbi ekwi-ajenda kuperha engashukuxwa.
- 8.2 uSomlomo angaguqula uhlobo emi ngalo imicimbi kwiajenda emva kokuqwalasela impembelelo efanelekileyo.
- 8.3 uMphathi kaMasipala ngokucebisana kune noSomlomo, angayalela ukuba nawuphina umcimbi ungeniswe kwindawo zamahlebo ze-ajenda yeBhunga. Umcimbi ololo hlobo awufanelanga udizwe kuye nawuphina umntu ngaphandle kwabo bawufumana ngezikhundla zabo zobugosa, kwaye lo mcimbi kumele ushukuxwe kwintlanganiso yeBhunga engavulekanga kuluNtu.
- 8.4 uSomlomo angayalela ukuba umcimbi ususwe phakathi kwe-ajenda yamahlebo kune ne-ajenda evuleke kuluNtu emva kokuqwalasela impembelelo efanelekileyo.

9. UKULANDELEANA KWEMICIMBI YEENTLANGANISO EZIQHELEKILEYO

- 9.1 Ukulandelana kwemicimbi yentlanganiso eqhelekileyo ebanjiweyo ngokoMgaqo wesi- 6.1 kuya kuma ngolu hlobo.
 - 9.1.1 Uvulo
 - 9.1.2 Intetho kaSodolophu
 - 9.1.3 Izicelo zemvume yokungabikho;
 - 9.1.4 Izaziso ezisesikweni;
 - 9.1.5 Ukubhengezwa kochaphazeleko ngooCeba (Umba wesi-5 weMigaqo yokuziPhatha kooCeba) kune nokubhengezwa kwenzuzo ngamalungu estafu sikaMasipala (Umba wesi-5 weMigaqo yokuziPhatha kwamalungu estafu sikaMasipala).
 - 9.1.6 imizuzu ye(e)ntlanganiso y(z)angaphambili;
 - 9.1.7 imibuzo ekhutshelwe izaziso;
 - 9.1.8 ingxelo kasodolophu equka:

- 9.1.8.1 amacebo kwiBhunga,
- 9.1.8.2 izigqibo phantsi kwegunya elinikezelweyo;
- 9.1.8.3 uludwe lwenkqubo yeziggibo zikasodolophu, kunye namalungu ekomiti kaSodolophu ngokweCandelo lama- 60(3) loMthetho
- 9.1.9 izindululo okanye iziphakamiso ezirhoxisiweyo kwiintlanganiso zangaphambili;
- 9.1.10 izindululo ezintsha;
- 9.1.11 nawuphina omnye umcimbi ongaqulethwanga kwisaziso sentlanganiso ngokwengqiqo kaSomlomo.
- 9.1.12 imicimbi engxamisekileyo ephakanyiswe nguMphathi kaMasipala ngokoMgaqo we- 19;
- 9.2 Emva kokuba imicimbi ekubhekiswa kuyo kwimihlathi ye-9.1.1 ukuya kuma ku- 9.1.4 iqwalaselwe, uSomlomo angazisa phambili ngokwengqiqo yakhe nawuphina umcimbi okwi-ajenda.

10. IMVUME YOKUNGABIJKHO

- 10.1 Isicelo semvume yokungabikho entlanganisweni yeBhunga okanye yeKomiti yalo kumelwe ibhekiswe kuMbhexeshi oyiNtloko ngokubhalwe phantsi lilungu elenza isicelo semvume enjalo, emva koko uMbhexeshi oyiNtloko uya kusigqithisela isicelo kuSomlomo malunga nokuvunywa. li-imayili ezibhekiswa kuMbhexeshi oyiNtloko malunga noku ziyakwamkelwa.
- 10.2 Ngokungachasenanga noMaqo we-10.1 ngentla izicelo zemvume yokungabikho entlanganisweni kucingwa ukuba zivunyelwe ukuba:
 - 10.2.1 Ibhunga okanye uSodolophu ugunyazise ilungu elinxulumene noko ukuba lisebenze kwenye indawo egameni leBhunga emcimbini;okanye
 - 10.2.2 ukuba Ibhunga, uSodolophu, okanye Ikomiti yeBhunga icela ilungu ukuba lishiye intlanganiso enxulumene noko kwimeko ezicingwe kumba 3(b) woMthetho woku-1 woMthetho weeNkqubo zikaMasipala okanye ilungu liyazikhulula.
- 10.3 uSomlomo anganikezela ngemvume yokungabikho kwilungu ngokuxhomekeke kwiMigaqo ye- 10.1 kunye no- 10.2 ngentla ngezi zizathu zilandelayo:
 - 10.3.1 Ukugula okanye nasiphina esinye isizathu esisezingqondweni ngokomthetho esenza ukuba ilingu lingabi nako ukubakho;

- 10.3.2 imicimbi eyimfuneko okanye izibophelelo zomntu ngenkqu okanye iimeko zelungu ngenkqu.
- 10.3.3 ukungahanjisa kwesaziso sentlanganiso, okanye ukuhanjisa kwesaziso sentlanganiso nganeno kweeyure ezingama-72 phambi kokuqala kwayo, ukuba oku akuyikusebenza kwintlanganiso eqhelekileyo yeBhunga okanye yeKomiti okanye xa ilungu litshintshe idilesi yalo ekubhekisa kuyo kuMgaqo wesi-6.10 kwaye lingaphumelelanga ukwazisa uMphathi kaMasipala kwiintsuku ezisi-7 ubuncinane phambi kwentlanganiso enxulumene noku ngokuhlaziya kwedilesi malunga nokunikezelwa kwamaxwebhu;
- 10.3.4 Xa ilungu lingavumelekanga ukuba libekho entlanganisweni ngenxa yeemeko ezicingwe Kumba wesi-3(b) weMigaqo yokuziPhatha kooCeba kuMthetho woku-1 woMthetho weeNkqubo zikaMasipala;
- 10.3.5 Naziphina ezinye iimeko apho ilungu lithintelwayo ukuba libekho entlanganisweni.
- 10.4 Isohlwayo sokungabikho
- 10.4.1 Ilungu elingekhoyo ngaphandle kwemvume entlanganisweni, okanye elingaphumeleliyo ukubakho ekuqaleni kwentlanganiso, okanye elingaphumeleliyo ukuhlala likho kwintlanganiso elolo hloba lophula le migaqo.
- 10.4.2 Ikomiti enoSommomo, uMbhexeshi oyiNtloko kunye noMbhexeshi weqela ngalinye, emiswe liBhunga, kumele iphande kwaye yenze ingxelo kwiBhunga ngako naluphina ulwaphulo olucingwe kumgaqo we-10.4.1
- 10.4.3 Ikomiti emiswe liBhunga kumele iqhubi umsebenzi wayo ngokweenkqubo zesigxina ezimiswe liBhunga ngamanye amaxesha.
- 10.4.4 Xa ikomiti ifumanise ukuba ilungu lophule umthetho we-10.4.1 ilungu kumele lohlwaywe ngokomthetho wezohlwayo omiswe liBhunga ngamanye amaxesha.
- 10.4.5 Ilungu elingakhange libekho kwiintlanganiso ezintathu okanye ngaphezulu ezilandeelanayo ekumele libekho kuzo, kumele lishiye isikhundla salo.
- 10.4.6 linkqubo zokushiya isikhundla kwelungu ngokomgaqo we-10.4.5 okanye ukubekwa kwesohlwayo ngokomgaqo.
- 10.4.7 kumele ziqhutywe ngokuvumelana nenkqubo esisigxina emiswe liBhunga ngokomgaqo we-10.4.3.

11. INTEHO KASODOLOPHU

- 11.1 Emva kokuba intlanganiso ivuliwe nguSomlomo, kodwa phambi kokuba nayiphina imicimbi ekwi-ajenda iqwalaselwe, uSodolophu angathetha nentlanganiso ngawo nawuphina umcimbi, nokuba ukwi-ajenda okanye awukho, acinga ukuba ufanelekile.Ngexesha lentetho kaSodolophu akukho ngongoma zocwangco okanye ngxoxo iyakuvunyelwa.
- 11.2 Ekupheleni kwentetho kaSodolophu, uSomlomo kumele avumele ixesha leempendulo zawo onke amaqela ezepolitiki, njengoko ebekiwe kuluhlu lukaSomlomo olufunyenweyo luvela kuMbhexeshi oyiNtloko ngokoMgaqo we-16.2.
- 11.3 lintetho kaSodolophu nempendulo ixhomekeke kumalungiselelo omgaqo we-16.9.

12. IINGXELO

Ibhunga likaMasipala alinakuthatha nasiphina isigqibo ngaphandle kokuba linolwazi olwaneleyo phambi kwalo njengoko kumisiwe nguSomlomo ukuba kuthathwe isigqibo esifanelekileyo. Ngaphandle kwakwiimeko ezizodwa, ulwazi olulolo hlobo kumele lube kwingxelo ebhaliweyo.

13. IINGXELO ZIKASODOLOPHU

- 13.1 Ingxelo kaSodolophu iyakuba nale micimbi ilandelayo:
- 13.1.1 amacebo kwiBhunga (Apho uSodolophu angenagunya linikezelweyo)
- 13.1.2 uludwe Iwezigqibo zikaSodolophu phantsi kwamagunya anikezelweyo okanye amagunya amiswe ngokomthetho, kunye
- 13.1.3 noludwe Iwezigqibo zikaSodolophu kunye namalungu eKomiti kaSodolophu ngokweCandelo lama-60 (3) loMthetho.
- 13.2 uSomlomo uyakuvumela ingxoxo yemicimbi ekubhekiswa kuyo kuMgaqwana we-13.1.1 ngentla ngokuvumelana kunye noMgaqo we-16 wale migao.

14. IZINYANZELISO ZOMTHETHO KUNYE NEZEMALI

Ibhunga likaMasipala lingathatha izigqibo ezilolo hlobo kuphela kuba lifanelekile ngokomthetho kunye nangokwezemali ukwenza kwaye zonke iingxelo ezingeniswa kwi-ajenda okanye ezenziwa ngomlomo kumele zibhekise kwezi zinto.

15 IZIGQIBO NOKUVOTA

- 15.1 Ngokuxhomekeke kumalungiselelo omgaqo we-15.3 zonke izigqibo kumele zithathwe ngevoti exhasayo yesininzi samalungu akhoyo kuyo nayiphina intlanganiso yeBhunga.
- 15.2 Phambi kokuba kwensiwe nayiphina ivoti ngawo nawuphina umcimbi phambi kweBhunga akukho Ceba okanye nawuphina omnye umntu uyakuvunyelwa ukuba angene okanye ashiye Igumbi leBhunga xa ukuvota kuqhutywa.
- 15.3 Le micimbi ilandelayo imiswa sisigqibo esithathwe sisininzi samalungu eBhunga:
- 15.3.1 Ukugqithiswa kweMithetho kaMasipala;
- 15.3.2 Ukuvunywa kwamahlahlo-lwabiwo-mali;
- 15.3.3 Ukubekwa kweerhafu zikamasipala kunye nezinye iirhafu;
- 15.3.4 Ukwandiswa kwemali-mboleko; kunye
- 15.3.5 Nokuvunywa kweSicwangciso soPhuhliso esiManyiwego.
- 15.4 Ukuba uSomlomo ubuza intlanganiso ukuba iyavumelana kunye namacebo kwaye i (ama)cebo a(li)wachaswa lilo naliphina ilungu elikhoyo, i(ama)cebo a(li)yamkelwa.
- 15.5 Apho kukho inkaso kuso nasiphina isiphakamiso ekumelwe kuggitywe ngaso, ukuvota kumele kube kukubonisa ngezandla.
- 15.6 Linani lamalungu kuhela hayi amagama amalungu avotela ukuvuma/ukuchasa umba ekumele abhalwe kwimizuzu.
- 15.7 Ilungu linokungavoti ngaphandle kokushiya indawo yentlanganiso.
- 15.8 Naliphina ilungu lingacela ukuba ukwala, ukungavoti okanye ukuxhasa kwalo kubhalwe kwimizuzu yaloo ntlanganiso.
- 15.9 uSomlomo kumele azise isiqqibo seBhunga likaMasipala esithathiweyo ngokwemigaqo ye-15.4 okanye 15.5.
- 15.10 Ukuba kukho ukulingana kweevoti malunga nesindululo esibanjelwa ivoti ngokuvumelena nomgaqo we-15.1 uSomlomo kumele asebenzise ivoti yakhe eyongeziweyo yesiqqibo ukongeza kwivoti yakhe yengxoxo ukuba uSomlomo akanakusebenzisa ivoti yakhe eyongeziweyo

yesigqibo ngokwawo nawuphina umcimbi obekwe kwiCandelo le-160 (2) loMgaqo-siseko kunye nakuMthetho wesi-3 woMthetho woBume.

16 UKULAWULWA KWENGXOXO

- 16.1 Kubuncinane beeyure ezingama-24 phambi kwentlanganiso yeBhunga Ababhexeshi bezepolitiki bamaqela akwiBhunga, kumele babonelele Umbhexeshi oyiNtloko ngoluhlu lwemiba olubonisa:

 - 16.1.1 yeypipi imiba kwi-ajenda yalo ntlanganiso eza kushukuxwa kwaye yeypipi ekumele kungeniswe iziphakamiso zokulungisa ezibhaliwego zayo;
 - 16.1.2 lonke ixesha ekumele labelwe ingxoxo yomba ngamnye ololo hlobo, ngokuxhomekeke kumgaqo we-16.2.

- 16.2 Ngolwazi olunikezelwe kuluhlu lwemiba, uSomlomo kunye noMbhexeshi oyiNtloko bay a kumisa ixesha elabelwe umba ngamnye kunye nexesha lonke elabelwe ingxoxo ngexesha lentlanganiso yeBhunga. Eli xesha liya kwahlulwa ngokwenani lamlangu eqela lepolitiki ngalinye, ngonobambhiso wokuba akukho qela liya kufumana nganeno kwe – 5% yalo lonke ixesha elichithwe kwingxoxo ngexesha lentlanganiso yeBhunga. Ababhexeshi bamaqela ahlukahlukeneyo, ngentsebenziswano namagqugula abo ngamnye, bay a kugqiba ngoko ukuba yeypipi imiba kwi-ajenda eya kushukuxwa kwaye lixesha elingakanani elifunekayo malunga nengxoxo enjalo, ukuba lonke ixesha elabiwego akudlulwa kulo. Amaqela ezepolitiki awabophelelekanga ukuba asebenzise lonke ixesha elabelwe wona – lelona xesha linanzi livumelekileyo malunga nentlanganiso yeBhunga kwaye libonakaliswe ngolo hlobo kuluhlu lukasomlomo
- 16.3 Ngokusekelwe kuluhlu olubhalwe ngokomgaqo we-16.2 iqela ngalinye kumele lithumele kuMbhexeshi oyiNtloko, kubuncinane beeyure ezingama-20 phambi kwentlanganiso yeBhunga, uluhlu lwamalunguaza kuthetha kumba, kunye nexesha elabelwe kwelo lungu linjalo.
- 16.4 Kwakufunyanwa uluhlu ekubhekiswa kulo kumgaqo we-16.2 uSomlomo kumele ukuba unqwenela ukuphambuka kumalungiselelo ezo zintlu azise isiggibo sakhe malunga nook kuMbhexeshi oyiNtloko phakathi kwexesha elisezingqondweni phambi kwentlanganiso yeBhunga.
- 16.5 Yonke imiba ebekwe phambi kweBhunga engekhoyo kuluhlu lomgaqo we-16.2 kumele kumele ibekwe entlanganisweni malunga nokwamkelwa ngaphandle kwengxoxo phambi kokuba imiba ekuluhlu lomgaqo we-16.2 iqwalaselwe

- 16.6. Ngokwengqiqo kaSomlomo, ixesha lemizuzu emihlanu (5) lependulo linganikezelwa kuSodolophu okanye llungu elinxulumene noko leKomiti kasodolophu okanye ikomiti enxulumene nook, okanye umntu ophakamisa isindululo ukuggibezel a ingxoxo ngomba oshukuxwa ngokomgaqo we-16.2.
- 16.7 Ngokungachasenanga nawuphina oqulethwe kwimigaqo ye-16.1 ukuya kuma ku-16.9 uSomlomo akanakuqal'agwebe naliphina iqela malunga nexesha elabiweyo ngokunxulumene nalo naliphina iqela xa esebebenzisa nayiphina ingqiqo ngokwale migao.Ummiselo kaSomlomo emva kokusebenzisa ingqiqo yakhe malunga noku uya kuba ngowokugqibela.
- 16.8 Umphathi kaMasipala uya kubonisa igosa eliya kunceda uSomlomo ngokugcinwa kwexesha, ngexesha lengxoxo.
- 16.9. Ixesha elabiweyo malunga nentetho kaSodolophu ngokoMgaqo we – 11 (intetho kunye nempendulo) alina kudlula kwimizuzu engama – 30.

17. **IMIZUZU**

- 17.1 uMphathi kaMasipala kumele aqinisekise ukuba zonke iziggibo zeBhunga likaMasipala ibhaliwe kwincwadi yemizuzu.
- 17.2 Ukuba ikopi yemizuzu yentlanganiso inikezelwe kuye wonke uCeba imizuzu iyakuthathwa njengefundiweyo ngenjongo yokuqinisekiswa.
- 17.3 Akukho siphakamiso okanye ngxoxo iyakuvunyelwa kwimizuzu, ngaphandle kokuchaneka kwayo.
- 17.4 Ukuchaneka kwemizuzu yeBhunga likaMasipala kumele kuqwalaselwe kwintlanganiso yalo elandelayo,yakungaphumeleli kwesemva kwayo.
- 17.5 uMphathi kaMasipala kumele aqinisekise ukuba amagama amalungu azimase nayiphina intlanganiso, amalungu angekhoyo, kunye namagama abo banikwe imvume yokungabikho, abhaliwe kwimizuzu.
- 17.6 uMphathi kaMasipala kumele aqinisekise ukuba amagama amalungu,acele ukuba ukwala ukwamkela kwawo, ukungavoti okanye ukuxhasa kwawo kubhaliwe ngexesha lokuvota, abhaliwe kwimizuzu.
- 17.7 Malunga nenjongo zongqiniso lolawulo, ushicelelo ngezixhobo zoshicelero lwazo zonke iintlanganiso zeBhunga likaMasipala kumele lugcinwe malunga nesigaba sexesha leminyaka emithathu.

18 IZINDULULO

- 18.1 Ngokuxhomekeke kumalungiselelo awo nawuphina omnye umthetho:
- 18.1.1 Sonke isaziso sesindululo siyakubhalwa phantsi kwaye siyakungeniswa kuMbhexeshi oyiNtloko kwaye isaziso esilolo hlobo siyakusayinwa ilungu elisingenisayo kunye nelungu elisixhasayo;
- 18.1.2 Ngokuxhomekeke ngaphezulu kuMgaqo we-18.5 ngezantsi isaziso sesindululo asisayi kuvela kwi-ajenda, ngaphandle kokuba sifunyenwe kwiintsuku ezilishumi(10) zokusebenza ubuncinane phambi kwalo ntlanganiso; kwaye
- 18.1.3 Isindululo siyakuphelelwa ukuba ilungu elisingenisileyo alikho entlanganisweni xa eso sindululo sishukuxwa.
- 18.2 uMbhexeshi oyiNtloko uya kuvuma ukwamkela ngokubhaliweyo kwaso nasiphina isindululo esingenisiweyo ngokomgaqo we-18.1 kwaye abhekise isindululo kuSomlomo malunga nokuvunywa,emva koko siyakungeniswa kuMphathi kaMasipala malunga nokufakwa kwi-ajenda.
- 18.3 Sonke isindululo siyakuqwalasela umcimbi libhunga elinegunya lawo.
- 18.4 Ilungu elingenisa isindululo liyakusazisa eso sindululo silolo hlobo kwaye liyakuba nelungelo lokuphendula ngaphezu koko.
- 18.5 Xa ilungu lisazisa isindululo ngokwaloMgaqo:
- 18.5.1 esinjongo yalo ikukurhoxisa okanye ukulungisa isiggibo esiggithiswe libhunga esithathwe phakathi kwenyanga ezintathu (3) ezandulelayo okanye;
- 18.5.2 esinenjongo efanayo neyesindululo ebisingaxhaswanga phakathi kweenyanga ezintathu(3) ezandulelayo, eso sindululo asiyikunanzwa ngokuxhomekeke kumgaqo wama-22 apha ngezantsi.
- 18.6 Xa kuqwalaselwa izindululo:
- 18.6.1 isindululo siyakufundwa kunye nenani laso kunye negama lomntu ophakamisa isindululo;
- 18.6.2 uSomlomo uyakuqononondisa ukuba zeziphi izindululo ezingaphikiswayo kwaye ezi ziyakugqithiswa ngaphandle kwengxoxo; kwaye emva koko uSomlomo uyakubiza izindululo ezichaswayo ngokulandeelana kwazo kwi-ajenda.

19

IMICIMBI ENGXAMISEKILEYO

uMphathi kaMasipala ngokwengqiqo yakhe, angaphakamisa nawuphina umcimbi ongxamisekileyo malunga nesiggibo seBhunga. Umcimbi ungxamisekile xa isiggibo siyimfuneko, ukuba kuyalityaziswa, kungbangela umonakalo kwiBhunga okanye kumsebenzi walo.

19.

uSomlomo kumele amise ixesha elifanelekileyo apho uMphathi kaMasipala anokuphakamisa ngalo imicimbi engxamisekileyo, kwaye uSomlomo kumele amise ixesha elifumanekayo malunga nengxoxo yawo nawuphina umcimbi ongxamisekileyo.

20

IZINDULULO NEZIPHAKAMISO EZANGAVUNYELWANGA

20.1

uSomlomo uya kungasivumeli isindululo okanye isiphakamiso esi –

20.1.1

Ngakhokelela kwinguoxo yomcimbi osele uqwalaselwe phakathi kwi-ajenda okanye ongenanxulumano kulawulo okanye kwiimeko kuMasipala; okanye.

20.1.2

eziqhabela phambili impikiswano, ezivakalisa ulovo okanye, ezinamacebiso angeyomfuneko, ezibek' ityala, ezikhesayo okanye ezingafanelekanga okanye ezimalunga .

20.1.2.1

Nomba Ibhunga lingenalawulo Iwezobulungisa kuwo

20.1.2.2

Nomba apho isiggibo sombutho wezomthetho okanye ongathi ngowezomthetho simisiweyo / sixhonyiwe , okanye

20.1.2.2

Nemiba engakhange ixhaswe ngokufanelekileyo:

20.1.3

Ukuba sigqithiswe siya kuba sisiphikiso kumalungiselelo ale Migaoqo okanye awo nawuphina omnye umthetho okanye Ibhunga elingenabuchule ngokwezemali lokuwuvuma ngaphandle kokuba eso sindululo okanye siphakamiso, ngokoluvo IweBhunga, sisizathu sophando olungaphezulu siyakubhekiswa kwikomiti enxulumene noko.

21

IMIBUZO

21.1

Naliphina ilungu lingangenisa um(imi)buzo enxulumene nawo nawuphina umcimbi ukuze kubongozwe izimvo, iinjongo, iinkcazo okanye ulwazi olunxulumene nomcimbi weBhunga kwaye ilungu elingenisa umbuzo liyakuba nelungelo lokuphendula kuyo nayiphina ingxoxo yombuzo ololo hlobo.

21.2

Ilungu kumele liqinisekise ukuba um(imi)buzo ingeniswa kuMbhexeshi oyiNtloko kwiintsuku ezilishumi (10) zokusebenza ubuncinane phambi komhla wentlanganiso.

- 21.3 Umbhexeshi oyiNtloko uya kuvuma ukwamkela ngokubhaliweyo kwawo nayiphina umbuzo ofunyenweyo ngokomgaqo wama-21.1 kwaye abhekise umbuzo kuSomlomo malunga nokuvunywa, emva koko uya kunikezelwe kuMphathi kaMasipala malunga nokufakwa kwi-ajenda.
- 21.4 Akukho lungu lingangenisa kwakhona um(im)bu zo onxulumene nawo nawuphina umcimbi ukuba loo m(mi)bu zo u(ibi)qwalaselwe ngexesha leenyanga ezintathu (3) ezingaphambili.
- 21.5 Akukho sigqibo siyakuthathwa liBhunga ngawo nawuphina umbuzo okanye umbuzo owongezayo obusele uphakanyiswe ngokwalo Mqaqo.

UKUQWALASELWA KWAKHONA KWEZIGQIBO

Ibhunga likaMasipala kumele liqwalasele kwakhona nasiphina isigqibo esithathiweyo ukuba uninzi lwamalungu eBhunga likaMasipala luhakamisa isicelo esilolo hloba ngokubhaliweyo kuMphathi kaMasipala, ukuba ukuqwalaselwa kwakhona okunjalo akuyi kuchaphazela kakubi amalungelo akhoyo. Izindululo malunga nokuqwalaselwa kwakhona kwasigqibo kumele zingeniswe ngokomgaqo we-18.

IZILUNGISO KUMACEBO

- 23.1 Isilungiso esiphakanyiswe kwisindululo:
- 23.1.1 kumele sinxulumane namacebo, isindululo okanye isiphakamiso esindululwa kuso;
- 23.1.2 siyakuncitshiswa ngokubhalwa phantsi, sisayinwe ngumphakamisi wesindululo kune nomxhasi, kwaye sinikezelwe kuSomlomo; kwaye
- 23.1.3 singaphakanyiswa kuphela lilungu xa lithetha ngecebo, isindululo okanye isiphakamiso esishukuxwayo.
- 23.2 llungu eliphakamise isindululo sesilungiso lingathetha aphi lingadluli kwimizulu emihlanu, kodwa umxhasi akayi kuvunyelwa ukuba athethe aphi, kwaye akuyi kubakho lungelo lakuphendula.
- 23.3 Ngaphezulu kwesilungiso esinye singaphakanyiswa kwicebo, isindululo okanye isiphakamiso, kwaye ngokuxhomekeke kumgaqo wama-23.9, zonke izilungiso ezipifikanyiswe kwisindululo ziya kubekwa malunga nevoti ekuvalweni kwengxoxo emva kwelo cebo, sindululo okanye siphakamiso.

- 23.4 Akukho lungu lingaphakamisa isindululo sesilungiso esingaphezulu kwesinye kwicebo, isindululo okanye isiphakamiso.
- 23.5 Ukuba uSodolophu okanye llungu leKomiti kaSodolophu okanye uSihlalo weKomiti okanye umphakamisi wesindululo sokuqala unqwenela ukuthetha neBhunga ngaso nasiphina isilungiso esiphakanyiswego kwicebo, isindululo okanye isiphakamiso esilolo hlobo angakwenza oko ngexesha lempendulo yakhe kuphela.
- 23.6 Ingxoxo iya kuvalwa xa uSodolophu okanye llungu okanye uSihlalo ephendule ngaso.
- 23.7 Ukuba kuphakanyiswe isilungiso esingaphezulu kwesinye kwicebo, isindululo okanye isiphakamiso, ezo zilungiso zilolo hlobo kumele zibekwe malunga nevoti ngohlobo ebeziphakanyiswe ngalo.
- 23.8 Isilungiso ngasinye kwicebo, isindululo okanye isiphakamiso kumele saziswe ngokucacileyo nguSomlomo phambi kokuba sibekwe malunga nevoti.
- 23.9 Ukuba isilungiso siyamkelwa, icebo, isindululo okanye isiphakamiso esilungisiwego siyakuthatha indawo yecebo, isindululo okanye isiphakamiso sokuqala ekuyakubekwa izilungiso ezingaphezulu eziphakanyiswego kuphela kwivoti malunga naso, ukuba uSomlomo angayalela ukuba isilungiso esisesinye esilolo hlobo akukho sidingo sakusibeka, ukuba unoluvo lokuba isilungiso esamkelwego senza esinye isilungiso singabiyomfuneko okanye sif'amanqe, emva koko isilungiso sangaphambili siyakuphelelwa.

24 IGUNYA LIKASOMLOMO LOKWANDULELA

- 24.1 Naninina uSomlomo ethetha, naliphina ilungu elithethayo ngoko okanye elifuna ukuthetha kumele lithule kwaye namalungu aya kuthula ukuze uSomlomo abe nokuviva ngaphandle kwesiphazamiso.

- 24.2 Ilungu elithetha neBhunga liyakwenza njalo ngokubhekisa kuSomlomo.

25 UCEBA UYA KUTHETHA KANYE KUPHELA

- 25.1 Ngokuxhomeke kulungiselelo kwimpikiswano equlethwe kule Migaqo, akukho lungu liyakuthetha ngaphezu kwexesha elinye kulo naliphina icebo isindululo okanye isiphakamiso ngaphandle kokuba uSodolophu okanye, iMMC okanye ilungu lekomiti enxulumene noku lingaphendula ukugqibezela ingxoxo, kodwa liyakuzibophelela ekuphendulen iizithethi zangaphambili kwaye alisayi kwazisa nawuphina umcimbi omtsha engxoxweni.

25.2 uSomlomo uya kumvumela uSodolophu, iMMC okanye uSihlalo. weKomiti yeCandelo lama -80 ukuba enze intetho echaZayo phambi kokuqwalaselwa kwawo nawuphina umba othile oqulethwe kwingxelo kasodolophu okanye ngexesha lengxoxo yengxelo enjalo, ukuphendula umbuzo owodwa.

26 UKUPHATHELELA

26.1 llungu elithethayo liyakubhekisa intetho yalo kumcimbi oshukuxwayo ngokungqongqo okanye kwingcaciso okanye kwingongoma yocwangco, kwaye akukho ngxoxo iyakuvunyelwa:

26.1.1 iya kubona ngenx'engaphambili nawuphina umcimbi okwi-ajenda; okanye

26.1.2 malunga nawo nawuphina umcimbi osiggibo sawo senziwe ngumbutho wezomthetho okanye ngumbutho ongathi ngowezomthetho okanye liqela labantu eligunyaziswe ukuphanda, nokuba liqaliswe ngokowiso mthetho okanye hayi sixhonyiwego, ngaphandle kokuba loo mcimbi ulolo hlobo ungaqwalaselwa ngemvume yeBhunga.

27 UKUNGABIJKHO SEMXHOLWENI, UPHINDA PHINDO OLUDINISAYO ULWIMI OKANYE UKUZIPHATHA OKUNGAFAANELEKANGA KUNYE NOLWAPHULO LOCWANGCO

27.1 uSomlomo kumele acele ingqalelo yelungu kukungabikho semxholweni, kuphinda phindo oludinisayo, ulwimi okanye ukuziphatha okungafanelekanga okanye naluphina ulwaphulo locwango kwindawo yelungu, kwaye uyakuyalela ilungu elinjalo, xa lithetha ukuba liyek intetho yalo de ilungu libe nocwangco. Lo myalelo uyakuthathwa njengesilumkiso. Emva kwezilumkiso ezi-2 kunye nesilumkiso sokuggibela ngexesha lengxoxo yentlanganiso yeBhunga amalungiselelo omgaqo wama-28 ayakusebenza kwaye uSomlomo angaggiba ukuthatha amanyathelo oluleko ngakwelo lungu ngokoMgaqo wokuziphatha wooCeba.

27.2 uSomlomo uyakuyalela ilungu ukuba lingxengxeze okanye lirhoxise isityholo ukuba asifanelekanga okanye sonakalisa okanye silimaza isidima okanye iwonga lelungu okanye igosa leBhunga.

27.3 Akukho lungu, gosa okanye omnye umntu uya kuvunyelwa ukuba aze nako nakuphina ukutya, iziselokanye utsywala kwiGumbi leBhunga, kwaye ukusetyenziswa kukanomyayi, ukufunda iphepha-ndaba okanye ulindixesha ngexesha intlanganiso iqhuba akuvumelekanga ngokungqongqo.

28

UKUSUSWA OKANYE UKUKHUTSHWA KOCEBA

28.1 Ukuba ilungu liyala ukuthobela umyalelo ngokomgaqo wama-27 uSomlomo angayalela igosa ukuba likhuphe ilungu okanye libangele ukukhutshwa kwalo kwaye lithathe amanyathelo okuthintela ukubuya kwalo entlanganisweni, ngaphandle kokuba uSomlomo ngokwengqiqo yakhe yodwa engathandabuzekiyo angavumela ukubuyela kwelungu entlanganisweni ngokungenisa kwelungu elixelwayo kuSomlomo intetho ebhaliwego yokuzisola,intetho yokuzisola enjalo kumele ibe yinxenye yemizuzu yentlanganiso.

28.2 Isindululo sokukhupha nawuphina umntu singaphakanyiswa ngesindululo kulo naliphina inqanaba lentlanganiso.

29

UKUGCINWA KOCWANGCO

29.1 uSomlomo ngalo naliphina ixesha ngexesha lentlanganiso, ukuba ucinga ukuba kuyimfuneko malunga nokugcinwa kocwangco, angayalela igosa ukuba likhuphe okanye libangele ukukhutshwa kwakhe nawuphina umntu, ngaphandle kwelungu, kwiGumbi leBhunga, okanye ayalele ukuba kuphunywe kuperhelwe kwizitulo zoluNtu ezikude lee neqonga.

29.2 uSomlomo angacela.okanye ayalele ukukhutshwa kwakhe nawuphina umntu okanye abantu abalayo ukwenza nawuphina umyalelo osezingqondweni onikezelwa nguye okanye abanqanda ukwenziwa komyalelo onjalo ngabom.

30

IINGONGOMA ZOCWANGCO KUNYE NENGCACISO YOMNTU NGENKQU

30.1 Malunga nenjongo yalo Mgaqo

30.1.1 nayiphina ingongoma yocwangco okanye ingcaciso yomntu ngenkqu ayisayikwenza ntetho kwaye ngoko ayisayi kuchaphazela ilungelo lalo naliphina ilungu lokuthetha ngawo nawuphina ngomba othile, ukuba ilungu elithetha noSomlomo ngengongoma yocwangco okanye ngecaciso yomntu ngenkqu alisayi kuvunyelwa ukuba lithethe noSomlomo ngemizuzu ebude bungaphezulu kwesibini (2) ngalo ngongoma yocwangco okanye ngcaciso yomntu ngenkqu ilolo hlobo.

30.1.2 "Ingongoma yocwangco" ithetha ukubonisa nakuphina ukuphambuka okanye nayiphina into esisiphikiso kuleMigaqo okanye kwiMithetho kaMasipala yeBhunga okanye kuwo nawuphina omnye umthetho;

30.1.3 Ingongoma yengcaciso yomntu ngenkqu" ithetha ingcaciso yenye yezinto eziyinxenye yentetho yelungu eziqondwe kakubi okanye ezidinga ingcaciso.

- 30.2 Naliphina llungu nokuba lithetha neBhunga ngomcimbi oshukuxwayo okanye hayi linga:
- 30.2.1 phakamisa isandla salo ngengongoma yogcino locwangco.
- 30.2.2 phakamisa isandla salo ngengongoma yengcaciso yomntu ngenkqu ekupheleni kwengxoxo
- 30.3 llungu elicingwe kwiCandelwana lama-30.2 liyakuba nelungelo lokumanyelwa kamsinya, kwayeuCeba othethayo ngelo xesha uya kuhlala ethule de umyalelo wenziwe nguSomlomo.
- 30.4 Umyalelo kaSomlomo ngengongoma yocwangco okanye ngokwamkeleka kwengcaciso yomntu ngenkqu uya kuba ngowokugqibela kwaye awusayi kuvulelw ngxoxo.

31. IZINDULULO ZENKQUBO

- 31.1 Xa umcimbi ushukuxwa kuyo nayiphina intlanganiso yeBhunga likaMasipala, akukho ngxoxo ingaphezulu kumele ivunyelwe ukuba enye yezi zindululo zenkqubo zilandelayo yamkelwe.
- 31.1.1 ukuba ukuqwelaselwa komcimbi kumiselwe elinye ixesha kwaye kuqaliswe ngexesha elimiswe liBhunga;
- 31.1.2 ukuba intlanganiso yeBhunga imiselwe elinye ixesha kwaye ihlangane kwakhona ngexesha elimiswe nguSomlomo;
- 31.1.3 ukuba umcimbi ubuyiselwe kwiKomiti ngezizathu ngako oko kwaye;
- 31.1.4 ukuba umcimbi kuggitywe ngawo ngoku.

32. IZINDULULO ZENGXAKEKO

- 32.1 llungu lingabhekisa ingqalelo yeBhunga kuwo nawuphina umcimbi ongaveliyo kwi-ajenda kunye nongenasaziso sangaphambili sinikezelweyo ngawo, ngokuchaza ngokufutshane umxholo womcimbi kwaye nangaphandle kwentetho ngawo liphakamise “ukuba isindululo ekubhekiswa ingqalelo kuso siqwalaselwe kamsinya njengomcimbi wengxakeko.”
- 32.2 Isindululo esilolo hlobo kubhekiswa kuso kolu xwebhu njengesindululo sengxakeko.
- 32.3 ukuba isindululo esilolo hlobo siyaxhaswa kwaye siyamkelwa luninzi lwamalungu akhoyo, umphakamisi wesindululo uya kuvunyelwa ngaphandle kwesaziso ukuba azise umcimbi kwinqwalaselngendlela yesindululo okanye yombuzo.

**33 IINTLANGANISO EZIVULEKE KUWONKE WONKE
NAKWIZINTO ZOKUSASAZA IINDABA**

- 33.1 Ibhunga kumele liqhube umcimbi walo ngendlela evulekileyo kwaye lingazivala iintlanganiso zalo xa kusezingqondweni kuphela ukwenza njalo, likhathalele uhlobo lomcimbi oshukuxwayo.
- 33.2 Kungamelwanga amalungiselelo omgaqo wama- 33.1, Ibhunga alinakumkhetha uwonke-wonke, kuquka nezinto zokusasaza iindaba, xa kuqwalaselwa okanye kuvotwa ngawo nawuphina omnye wemicimbi elandelayo:
- 33.2.1 uMthetho kaMasipala oyiliweyo;
 - 33.2.2 uhlahlo-lwabiwo-mali;
 - 33.2.3 Isicwangciso soPhuhliso esiManyiweyo, okanye naziphina izilungiso zeSicwangciso; kunye
 - 33.2.4 neNkqubo yokuLawulwa uKwenza Umsebenzi kaMasipala eyiliweyo, okanye naziphina izilungiso kwiNkqubo.
 - 33.2.5 amanyathelo oqequesho ngakuCeba ngokoMgaqo wokuziPhatha kooCeba;
 - 33.2.6 nayiphina enye imeko apho kungenakukhethwa uwonke-wonke okanye izinto zokusasaza iindaba ngowiso-mthetho .

34 ISIMEMO SOKUTHETHA NEBHUNGA LIKAMASIPALA

uSomlomo okanye uSodolophu oLawulayo ngokwengqiqo yakhe, angamema umntu okanye abantu ukuba bathethe nayo nayiphina intlanganiso yeBhunga likaMsipala

35. INKQUBO YOKWAMKELWA KWEMITHETHO KAMASIPALA

Umthetho kamasipala ungaziswa lilungu okanye yiKomiti kaSodolophu kuphela.

- 35.1 Ukungeniswa lilungu
- 35.1.1 Ilungu liwazisa umthetho kamasipala ngokuwungenisa kuSomlomo kunye nememorandum echaza iinjongo zomthetho kamasipala.
- 35.1.2 Ekufunyanweni komthetho kamasipala oyiliweyo kunye nememorandum ehamba nawo ngokomgaqo wama-35.1.1 uSomlomo kumele angenise lo mthetho kamasipala kunye nememorandum kwiKomiti kaSodolophu malunga nokuqwalaselwa.

- 35.1.3 uSomlomo kumele afumane izimvo zoMphathi kaMasipala malunga neziqulatho zomthetho kamasipala oyiliweyo.
- 35.1.4 Ikomiti kaSodolophu kumele liqwalasele umthetho kamasipala oyiliweyo phakathi kweenyanga ezintathu emva kokufunyanwa kwavo kwaye kumele kumele ingenise ingxelo ngendlela ecingwe kumgaqo wama-35.3.1 kwibhunga.
- 35.2. Ukungeniswa yiKomitit kaSodolophu
- 35.2.1 Ikomiti kaSodolophu ingangenisa umthetho kamasipala oyiliweyo kwibhunga ngokwentando yayo okanye emva kokuqwalasela isicelo esingeniswe nguMphathi kaMasipala.
- 35.2.2 Ukuba Ikomiti kaSodolophu igqiba ukungenisa umthetho wedolophu oyiliweyo ngokwentando yayo, kumele ifumane izimvo zoMphathi kaMasipala ngeziqulatho zawo kwaye ingacela izimvo kuye nawuphina umntu.
- 35.2.3 Ikomiti kaSodolophu kumele ingenise ingxelo kwibhunga ngesiphakamiso sokungenisa umthetho wedolophu oyiliweyo ngendlela ecingwe kumgaqo wama-35.3.1.
- 35.3. Ukungeniswa kokuqala kwibhunga
- 35.3.1 Umthetho kamasipala oyiliweyo ongeniswe lilungu okanye yiKomitit kaSodolophu, kumele ungeniswe kwibhunga ngale ndlela ilandelayo –
- 35.3.1.1 isishwankathelo sabaphathi somthetho kamasipala;
- 35.3.1.2 isiqulatho somthetho kamasipala;
- 35.3.1.3 nawuphina omnye umthetho kamasipala ekumele urhoxiswe okanye ulungiswe ukuba uyilo lwamkelwe;
- 35.3.1.4 naziphina izimvo okanye iziphakamiso ezinxulumene noku; kunye
- 35.3.1.5 necebo.
- 35.3.2 Emva kokuqwalaselwa kwengxelo ecingwe kumgaqo wama-35.3.1 ibhunga kumele ligqibe ukwala uyilo okanye ukulamkela ngokubanzi.
- 35.3.3 Ukuba umthetho kamasipala ocetywayo uyaliwa libhunga, akukho mthetho wedolophu uneziqulatho ezifanayo ungangeniswa kwibhunga phakathi kwesigaba sexesha leenyanga ezintandathu zosuku loko kwaliwa.

- 35.3.4 Xa umthetho wedolophu ocetywayo usamkelwa ngokubanzi kumele waziswe malunga nezimvo zikawonke-wonke
- 35.4 Ukupapasha
- 35.4.1 uMphathi kaMasipala kumele, kamsinya emva kokuba umthetho kamasipala wamkelwe ngokubanzi, apapashe umthetho kamasipala oyiliweyo ngendlela yokuba uluNtu libe nethuba lokwenza umelo ngokunxulumene nawo.
- 35.4.2 Ukupapasha kumele kube kwiilwimi ezisesikweni zephondo.
- 35.5. Ukungenisa kwesibini kwibhunga
- 35.5.1 uMphathi kaMasipala kumele, kamsinya emva komhla wokuvalwa komelo loluNtu, angenise ingxelo kwiKomiti kaSodolophu kunye –
- 35.5.1.1 nekopi yomthetho kamasipala ocetywayo;
- 35.5.1.2 iikopi zezaziso apho uluNtu belumenyiwe ukuba lungenise umelo;
- 35.5.1.3 naziphina izimvo ezifunyenweyo zivela kuluNtu; kunye
- 35.5.1.4 naziphina izmvo ezivela kulawulo.
- 35.5.2 Ukuba umthetho kamasipala ocetywayo uyaliwa libhunga, akukho mthetho wedolophu uneziqulatho ezifanayo ungangeniswa kwibhunga phakathi kwesigaba sexesha leenyanga ezintandathu zomhla woko kwaliwa.
- 35.5.3 Xa umthetho kamasipala wamkelwe emva kokuqwalaselwa kwawo, kumele upapashwe kwiPhepha-ndaba lePhondo.



P O Box 24, Caledon, 7230

**Caledon, Genadendal, Grabouw, Greyton, Riviersonderend, Villiersdorp, Botriver,
Tesselaarsdal:
Rural as well as urban area**

**PUBLIC NOTICE CALLING FOR INSPECTION OF THE FIRST SUPPLEMENTARY
VALUATION ROLL 2013/2014 AND LODGING OF OBJECTIONS**

Notice is hereby given that in terms of Section 49(1)(a)(i) read together with section 78(2) of the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004), hereinafter referred to as the 'Act', that the valuation roll for the financial year 2013/2014 is open for public inspection at the municipal offices as mentioned below from **7 December 2013 to 16 January 2014**. In addition the valuation roll is available at website www.twk.org.za.

An invitation is hereby made in terms of section 49(1)(a)(ii) read together with section 78(2) of the Act that any owner of property or other person who so desires should lodge an objection with the municipal manager in respect of any matter reflected in, or omitted from, the supplementary valuation roll within the above-mentioned period.

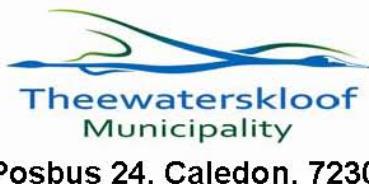
Attention is specifically drawn to the fact that in terms of section 50(2) of the Act an objection must be in relation to a specific individual property and not against the valuation roll as such. The form for the lodging of an objection is obtainable at the municipal offices as mentioned below or website www.twk.org.za. The completed forms must be returned to the municipal offices as mentioned below. The completed forms can also be returned by email to janineva@twk.org.za.

For any valuation enquiries contact Suid Kaap Waardeerders (Tel. 044-8730901).

Municipal Offices:

Caledon: Church Street	J van Niekerk (Tel. 028-2143380)
Genadendal, Strydom Ave	A Potberg (Tel. 028-2518130)
Grabouw, Arbour Drive	S Pieterse (Tel. 021-8592507)
Greyton, Ds. Botha Street	J Swart (Tel. 028-2549620)
Riviersonderend, Buitekant st	J Fullard (Tel. 028-2611360)
Villiersdorp, Main Street	S Lötter (Tel. 028-8401130)
Bot river, Fontein Street	M Pieters (Tel. 028-2849538)
Tesselaarsdal	M Arends

**H S D WALLACE
MUNICIPAL MANAGER**



**Caledon, Genadendal, Grabouw, Greyton, Riviersonderend, Villiersdorp, Botrivier,
Tesselaarsdal:
Landelike sowel as stedelike gebied**

**OPENBARE KENNISGEWING TER UITNODIGING OM DIE EERSTE AANVULLENDE
WAARDASIEROL 2013/2014 TE INSPEKTEER EN BESWAAR AAN TE TEKEN**

Kennis geskied hiermee ingevolge Artikel 49(1)(a)(i) tesame met Artikel 78(2) van die Plaaslike Regering: Wet op Munisipale Eiendomsbelasting, 2004 (Wet 6 van 2004), hierna die 'Wet' genoem, dat die waardasierol vir die finansiële jaar 2013/2014 vanaf **7 Desember 2013 to 16 Januarie 2014** oop is vir die publiek se insae by die munisipale kantore soos hieronder aangedui. Die waardasierol is ook beskikbaar op die webwerf www.twk.org.za.

'n Uitnodiging word hiermee ingevolge artikel 49(1)(a)(ii) tesame met Artikel 78(2) van die Wet gerig dat enige eienaar van eiendom of 'n ander persoon wat beswaar by die munisipale bestuurder wil aanteken ten opsigte van enige saak wat in die aanvullende waardasierol weergegee word of daaruit weggelaat is, dit binne die bogenoemde tydperk moet doen.

U aandag word spesifiek gevëstig op die feit dat ingevolge artikel 50(2) van die Wet, 'n beswaar met 'n spesifieke individuele eiendom verband moet hou en nie teen die waardasierol as sulks nie. Die vorm vir aanteken van beswaar is verkrygbaar by die munisipale kantore soos hieronder aangedui of op die webwerf www.twk.org.za. Die voltooide vorms moet by die munisipale kantore soos hieronder aangedui, ingedien word. Die voltooide vorms kan ook per epos gestuur word aan janineva@twk.org.za.

Vir verdere waardasie inligting, skakel Suid Kaap Waardeerders (Tel. 044-8730901).

Munisipale Kantore:

Caledon, Kerkstraat	J van Niekerk (Tel. 028-2143380)
Genadendal, Strydomlaan	A Potberg (Tel. 028-2518130)
Grabouw, Arbour Rylaan	S Pieterse (Tel. 021-8592507)
Greyton, Ds. Bothastraat	J Swart (Tel. 028-2549620)
Riviersonderend, Buitekantstr.	J Fullard (Tel. 028-2611360)
Villiersdorp, Hoofstraat	S Lötter (Tel. 028-8401130)
Botrivier, Fonteinstraat	M Pieters (Tel. 028-2849538)
Tesselaarsdal	M Arends

**H S D WALLACE
MUNISIPALE BESTUURDER**

CITY OF CAPE TOWN

CONSTITUTION OF TRANSPORT FOR CAPE TOWN BY-LAW, 2013

APPROVED BY COUNCIL: 28 AUGUST 2013

C [22/08/13]

Preamble

WHEREAS section 156(2) of the Constitution provides that a Municipality may make and administer by-laws for the effective administration of the matters which it has the right to administer;

WHEREAS the allocation of responsibility for land transport matters in the City has previously been shared between the City, the Province and the Department of Transport;

WHEREAS pursuant to section 11 of the NLTA, a Municipality may have certain functions assigned to it;

WHEREAS in order to carry out its transport functions (including any such functions that may be assigned to it) effectively, the City wishes to establish a new transport authority within the City as a governance structure by which all such transport functions shall be collated so as to facilitate integrated transport for the benefit of the citizens of and visitors to the City;

WHEREAS such new transport authority shall be TCT and its functions shall be as set out in this By-law;

WHEREAS in response to the requirements of the NLTA, the City is required to improve the provision of transport services and to set standards which will change the way in which transport infrastructure, services, operations and systems are implemented and managed;

WHEREAS the City may exercise its powers in terms of sections 12 and 19 respectively of the NLTA, the relevant provisions of the Roads Ordinance, the National Road Traffic Act and the Urban Transport Act, and any other relevant transport related legislation and regulation; and

WHEREAS TCT shall be the body through which the City's functions under the NLTA are discharged;

AND NOW THEREFORE, BE IT ENACTED by the Council of the City of Cape Town, as follows:

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MISCELLANEOUS

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13. Agreements with the Province and adjacent Municipalities
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GENERAL PROVISIONS

Definitions

1. In this By-law, unless the context indicates otherwise:

"City" means the Municipality of the City of Cape Town;

"City Manager" means the person appointed as the municipal manager of the City in terms of section 54A of the Structures Act;

"Commissioner" means the person appointed by the Council to be the commissioner of TCT and whose appointment shall be made pursuant to section 57 of the Systems Act;

"Committee" means a section 79 Structures Act committee;

"Constitution" means the Constitution of the Republic of South Africa, 1996;

"Contracting Authority" means a Municipality to which the contracting authority function has been assigned in terms of the NLTA, and whose responsibilities are as set out in section 4 and which are to fall under TCT;

"Council" means the municipal council of the City as referred to in section 157 of the Constitution;

"Director" means any holder of the post of director (whether full or part time, temporary or permanent) in the City;

"Executive Mayor" means the executive mayor of the City elected in terms of section 55 of the Structures Act;

"Financial Management" means such responsibilities as set out in section 7 and which are to fall under TCT;

"Financial Year" means 1 July to 30 June (inclusive);

"Function" means any of the following functions to be performed through TCT (as the context may require):

- (a) Planning Authority;
- (b) Contracting Authority;
- (c) Municipal Regulatory Entity;
- (d) Performance Monitoring and Evaluation;
- (e) Financial Management;
- (f) Public Transport Law Enforcement;
- (g) Liaison, Communication and Stakeholder Management;
- (h) Infrastructure Management; and
- (i) Network Operations Management;

"Functional Area" means the area of the City together with the areas of such other Municipalities with whom the City has a transport planning relationship;

"Infrastructure Management" means such responsibilities as set out in section 10 and which are to fall under TCT;

"Integrated Development Plan" or **"IDP"** means the City's integrated development plan adopted in terms of chapter 5 of the Systems Act;

"Integrated Public Transport Network" or **"IPTN"** means the integrated public transport network (for both road and rail) for the City as referred to in the NLTA;

"Integrated Transport Plan" or **"ITP"** means an integrated transport plan for the City as contemplated in section 36 of the NLTA;

"Intermodal Planning Committee" means the intermodal planning committee established in terms of section 15 of the NLTA;

"Land Transport Advisory Board" means the land transport advisory board established in terms of section 16 of the NLTA;

"Liaison, Communication and Stakeholder Management" means such responsibilities as set out in section 9 and which are to fall under TCT;

"Mayoral Committee" means the mayoral committee of the City elected in terms of section 60 of the Structures Act;

"MEC" means the member of the Executive Council of the Province who is responsible for transport in the Province;

"Minister" means the minister responsible for transport in the national sphere of government;

"MRE Committee" means the Municipal Regulatory Entity committee referred to in section 5(4);

"Municipal Entity" means a municipal entity as defined in section 1 of the Systems Act;

"Municipal Land Transport Fund" means a fund established pursuant to section 27 of the NLTA and which is to fall under TCT;

"Municipal Finance Management Act" means the Local Government: Municipal Finance Management Act, No 56 of 2003;

"Municipality" includes all types of municipalities contemplated in section 155 of the Constitution;

"Municipal Regulatory Entity" means a Municipality to which the operating licence function has been assigned in terms of the NLTA, and whose responsibilities are as set out in section 5 and which are to fall under TCT;

"National Road Traffic Act" means the National Road Traffic Act, No 93 of 1996;

"Network Operations Management" means such responsibilities as set out in section 11 and which are to fall under TCT;

"NLTA" means the National Land Transport Act, No 5 of 2009;

"Non-Member" means any operator operating in the City who is not a member of an Operator Association;

"Operating Licence Administrative System" or **"OLAS"** means the operating licence administrative system that is to be used to manage the function of the Municipal Regulatory Entity;

"Operating Licence Strategy" or **"OLS"** means the operating licence strategy set out in the ITP and which is to be used to manage the function of the Municipal Regulatory Entity;

"Operator Association" means any operator association in relation to any on demand public transport service operating in the City;

"Performance Monitoring and Evaluation" means such responsibilities as set out in section 6 and which are to fall under TCT;

"Planning Authority" means a planning authority (as defined in the NLTA), and whose responsibilities are as set out in section 3 and which are to fall under TCT;

"PLTF" means a provincial land transport framework contemplated in section 35 of the NLTA;

"PRASA" means the Passenger Rail Agency of South Africa established in terms of section 23 of the Legal Succession to the South African Transport Services Act, No 9 of 1989;

"Province" means the Provincial Government of the Western Cape;

"Public Transport Law Enforcement" means such responsibilities as set out in section 8 and which are to fall under TCT;

"Roads Ordinance" means the Roads Ordinance, No 19 of 1976;

"Structures Act" means the Local Government: Municipal Structures Act, No 117 of 1998;

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

"TCT" means Transport for Cape Town, the City's transport authority;

"TIC" means the City's Transport Information Centre and which is to fall under TCT;

"TMC" means the City's Transport Management Centre and which is to fall under TCT; and

"Urban Transport Act" means the Urban Transport Act, No 78 of 1977.

Establishment and functions of TCT

2. (1) Subject to subsection (2), the Council shall establish a transport authority, to be known as Transport for Cape Town, within the City as a governance structure by which all the Functions shall be collated so as to facilitate integrated transport for the benefit of the citizens of and visitors to the City.
 - (2) TCT shall not be a separate juristic person and in particular shall not be a Municipal Entity and:
 - (a) TCT shall remain in all respects part of the City and the City's governance and reporting structure; and
 - (b) the Commissioner shall not acquire any functions or powers except those lawfully granted and delegated to the Commissioner within the system of delegations, as amended from time to time.
 - (3) The Commissioner shall be responsible and accountable for the performance of the Functions and in particular (but without limitation) shall set and manage the implementation of the strategy for delivering integrated transport for the benefit of the citizens of and visitors to the City.
 - (4) Without prejudice to subsection (3), the Commissioner shall have such further functions as may be delegated to him or her by the Council from time to time:
 - (a) in accordance with such guidance or directions as may be issued by the Council;
 - (b) for the purpose of facilitating the discharge by the City of the City's functions under the NLTA, the Urban Transport Act, the Roads Ordinance, the National Road Traffic Act and any other relevant transport related legislation and regulation; and
 - (c) for the purpose of securing or facilitating the implementation of the integrated transport strategy of the City.
 - (5) (a) TCT shall be headed by the Commissioner.

- (b) The Commissioner shall report directly to the City Manager in accordance with section 57 of the Systems Act.
- (c) The Council may delegate to the Commissioner such powers in relation to the performance of the Functions of TCT to enable the Commissioner to be responsible and accountable for the Functions.
- (d) Subject to the prior delegation of such authority by the City Manager, the Commissioner shall, subject to following due process, in his or her discretion, appoint such Directors as may be necessary to carry out the Functions.
- (e) Subject to any express provision contained in this By-law, the Constitution, the NLTA, the Systems Act, the Structures Act, the Roads Ordinance, the National Road Traffic Act, the Urban Transport Act and any other transport related legislation and regulation, the Commissioner may delegate any of his or her functions in terms of this By-law to any one or more Directors.
- (f) The exercise of any delegated authority conferred by the Commissioner under this By-law or otherwise is subject to:
 - (i) any restrictions imposed by or in accordance with law;
 - (ii) all other provisions of this By-law; and
 - (iii) all other applicable policies, procedures and operational by-laws.
- (g) Any reference to any enactment, regulation or other similar instrument in this By-law shall be construed as a reference to the enactment, regulation or instrument as amended, replaced, consolidated or re-enacted.
- (h) To the extent permitted or required by law, the Commissioner shall, subject to the required authority being obtained, enter into such memoranda of agreement on behalf of the Council with any or all of the national or provincial spheres of government or other Municipalities in order to carry out the Functions performed through TCT.

SPECIFIC FUNCTIONS OF TCT

Planning Authority

3. (1) The Commissioner shall be responsible for implementing section 14 (Planning authorities), section 15 (Intermodal planning committees), section 16 (Land transport advisory boards), sections 31 to 39 (Transport planning) (inclusive) of the NLTA, together with all other sections of the NLTA relevant to the activities of a planning authority (as defined in the NLTA).
- (2) Without prejudice to subsection (1), the Commissioner shall develop, implement, manage and review the ITP for the City and (without limitation) shall ensure that such ITP:
- (a) complies with all law, regulations and applicable guidance on the contents, manner and form of such ITP;

- (b) sets out the functional parameters for each Function and the obligations and standards that each Function is required to meet;
 - (c) requires each Function to report regularly to the Performance Monitoring and Evaluation Function on the progress and achievements against such obligations and standards referred to in subsection (2)(b);
 - (d) sets out how the Commissioner shall:
 - (i) administer the awarding and management of contracts to be entered into by the City as the Contracting Authority, subject to the City's Supply Chain Management regulations and policies;
 - (ii) set out in the Operating Licence Strategy how it intends to regulate the operating licences to be granted by the City as the Municipal Regulatory Entity (and the Commissioner shall ensure that such Operating Licence Strategy complies with the Constitution, the NLTA, the Municipal Finance Management Act, the Systems Act and the IDP); and
 - (iii) develop and maintain the City's transport infrastructure and related facilities; and
 - (e) is inclusive of the IPTN.
- (3) The standards that each Function is required to meet as referred to in subsection (2)(b) shall, on certain issues, including (without limitation) universal access, specialised services, freight and non-motorised transport, be drawn from the sector plans forming part of the ITP.
- (4) Without prejudice to subsections (1), (2) and (3), the Commissioner shall prepare an ITP for each five year period (the first of which shall be for the period 2013 to 2018) and shall ensure that each such ITP is aligned to the corresponding IDP for the City.
- (5) The Commissioner shall establish and maintain suitable means to ensure that the Planning Authority Function interfaces with the Municipal Regulatory Entity in relation to all matters relating to the planning of the IPTN and to all relevant obligations under the NLTA, including section 57 of the NLTA in particular.
- (6) Without prejudice to subsection (5), the Commissioner shall provide comments and directions based on its ITP to all relevant Regulatory Entities in connection with any application for the granting, renewal, amendment or transfer of an operating licence that relates to the City and/or its Functional Area (other than a tourist transport service or charter service, and other than a contracted service contemplated in section 56 of the NLTA) pursuant to section 55 and other relevant provisions of the NLTA.
- (7) The Commissioner shall, on behalf of the City as the Planning Authority, respond to all land use applications in the City that have a potential transport and/or traffic impact and in particular the extent to which they are aligned with the ITP, taking

into account their related traffic impact, travel demand management and cost, and having regard to the application of the development contribution policy.

- (8) The Commissioner shall be responsible for developing, implementing and managing the innovation strategy and for developing the associated requirements to keep TCT at the forefront of advanced integrated transport systems to achieve the citizen service goals that are fundamental to TCT's overall business plan, and for medium and long term strategic planning in all Functions.
- (9) Without prejudice to subsection (8), the Commissioner shall:
 - (a) be responsible for continuous progress towards the goal of integrated transport management to better serve the citizens of and visitors to the City; and
 - (b) regularly review innovations made by transport authorities in other jurisdictions to ensure the City's transport systems and services meet the highest standards currently available.
- (10) Without prejudice to subsection (1), the Commissioner shall provide such information, analysis and advice to the Intermodal Planning Committee and the Land Transport Advisory Board as shall be required from time to time.
- (11) The Commissioner shall, on a monthly basis, provide appropriate data in relation to its activities under this Planning Authority Function to the Performance Monitoring and Evaluation Function.

Contracting Authority

4. (1) The Commissioner shall be responsible for implementing section 40 (Integration of bus contract system into larger public transport system), section 41 (Negotiated contracts), section 42 (Subsidised service contracts), section 43 (Commercial service contracts), section 44 (Requirements to qualify as tenderer for commercial or subsidised service contracts), section 45 (Involvement of Municipalities in public transport services) and section 46 (Existing contracting arrangements) of the NLTA, together with all other sections of the NLTA relevant to the activities of a Municipality as a contracting authority (as defined in the NLTA).
- (2) Without prejudice to subsection (1), the Commissioner shall:
 - (a) by reference to the ITP (including the IPTN), establish the standards, operational parameters, service specifications (including provision for the repair, maintenance and replacement of transport assets being provided by or on behalf of public transport service providers), (subject to section 7(3)(c)) tariffs, payment regimes and the interface of the operators with the City's transport network for all contracts to be awarded and managed by the City as the Contracting Authority pursuant to the NLTA;
 - (b) prepare and maintain the contract documentation for all the contracts referred to in subsection (2)(a) and administer the process of appointing public transport service providers for such contracts, together with such

support service providers, to provide (without limitation) monitoring, information management, facilities management, advertising and automated fare collection services as may be necessary or desirable;

- (c) establish and maintain a system for monitoring the service delivery and performance standards which relate to the contracts referred to in subsection in (2)(a); and
- (d) provide details to the Performance Monitoring and Evaluation Function of the performance of all public transport service providers under the contracts referred to in subsection (2)(a).

- (3) The Commissioner shall be responsible for monitoring:

- (a) the maintenance and safety standards of all scheduled public transport vehicles (whether or not such vehicles are owned by the City); and
- (b) compliance by the operators of such scheduled public transport vehicles in relation to any qualifications, licences and certificates required for the drivers of such vehicles,

in each case in accordance with all applicable law and any contracts awarded to such operators of such scheduled public transport vehicles by the Commissioner on behalf of the City.

- (4) The Commissioner shall ensure effective and efficient financial management and provide subsidy management support, including (without limitation) by:

- (a) processing contract claims;
- (b) entering claims into the subsidy management system;
- (c) completing financial documents for payments;
- (d) communicating with operators regarding payment; and
- (e) providing weekly and monthly expenditure reports.

- (5) The Commissioner shall ensure that the City is at all times compliant with the reporting and other information requirements of the Division of Revenue Act in force at the time in question.

- (6) The Commissioner shall establish and maintain suitable means to ensure that the City's Function as Contracting Authority interfaces with the City's Functions as Planning Authority and Municipal Regulatory Entity respectively in relation to the IPTN and to all relevant obligations under the NLTA.

- (7) The Commissioner shall, on a monthly basis, provide appropriate data in relation to its activities under this Contracting Authority Function to the Performance Monitoring and Evaluation Function.

Municipal Regulatory Entity

5. (1) The Commissioner shall be responsible for implementing sections 17 to 19 (inclusive) and sections 47 to 84 (inclusive) of the NLTA, together with all other sections of the NLTA relevant to the activities of a Municipality as a regulatory entity (as defined in the NLTA).
- (2) Without prejudice to subsection (1), the Commissioner shall be responsible for the operating licences for those persons wishing to undertake an intraprovincial service that either takes place in the City or starts in the City and also takes place in the area of another Municipality, as contemplated by section 54(2) of the NLTA.
- (3) Without prejudice to subsection (1), the Commissioner shall be responsible for the smooth running of day to day operations in all operational areas, including existing functions of land transport and rail transport (primarily buses, minibus taxis and railways) and public transport safety and security.
- (4) The MRE Committee shall (without limitation) fulfil the following functions on behalf of the City, as the Municipal Regulatory Entity:
- (a) the granting, transferring, amendment and renewal of operating licences;
 - (b) the amendment of operating licences resulting from the replacement of a vehicle;
 - (c) the temporary replacement of a vehicle on an operating licence;
 - (d) the conversion of permits to operating licences;
 - (e) the duplication of operating licences;
 - (f) the provision of temporary permits for special events;
 - (g) the withdrawal, suspension or amendment of an operating licence; and
 - (h) the imposition of law enforcement parameters and penalties, including (without limitation) making appropriate inspections of public transport vehicles and their related certification,
- and (subject to subsection (5)) the Commissioner shall, on behalf of the City, as the Municipal Regulatory Entity, exercise such functions in accordance with the requirements, comments and directions of the Planning Authority and in particular the Operating Licence Strategy, and not in contravention of any policy of the Council.
- (5) In order to exercise such functions referred to in subsection (4), the Council shall appoint an MRE Committee that shall comprise a minimum of three persons (including the chairperson) with an appropriate range of skillsets.

- (6) The decisions of the MRE Committee in exercising such functions referred to subsection (4) shall be independent of the Council.
- (7) All appeals against or in connection with any decision made by the MRE Committee in exercise of the functions referred to in subsection (4) shall be made to the Transport Appeal Tribunal pursuant to section 92 of the NLTA.
- (8) The Commissioner shall ensure that the MRE Committee:
 - (a) follows such procedures in order to carry out its functions as the Council shall specify from time to time;
 - (b) keeps up to date records in the Operating Licence Administrative System of the exercise of such functions referred to in subsection (4);
 - (c) reports to the Council on the exercise of such functions at such intervals as the Council may require; and
 - (d) publishes appropriate details of the exercise of such functions on TCT's website at such intervals as the Council deems fit.
- (9) Without prejudice to subsection (1) and subject to any restriction or requirement imposed by law, the Commissioner may, if he or she deems fit, include information on the following in the Operating Licence Administrative System:
 - (a) particulars of Operator Associations and their members;
 - (b) particulars of Non-Members; and
 - (c) where appropriate, particulars of the routes operated by the Operator Associations and Non-Members, the description of which routes are to correlate with those in the ITP.
- (10) The Commissioner shall use the information referred to in subsection (9), together with the ITP and IPTN, to manage the Operator Associations in such manner as TCT deems fit.
- (11) The Commissioner shall, on a monthly basis, provide appropriate data in relation to its activities under this Municipal Regulatory Entity Function to the Performance Monitoring and Evaluation Function.

Performance Monitoring and Evaluation

6. (1) The Commissioner shall be responsible for establishing, managing and maintaining a central system for collating information and data from all the Functions and shall support such Functions interfacing with each other.
- (2) The Commissioner shall be responsible for the collation, maintenance and replacement of data and the maintenance, upgrading and replacement of the information systems and technology that in each case support all the Functions.
- (3) The Commissioner shall:

- (a) be responsible for the creation and maintenance of a website for TCT across all the Functions;
 - (b) subject to the prior approval of the Council, publish details on such website of the performance of TCT against its targets across all the Functions on a quarterly basis;
 - (c) subject to the prior approval of the Council as to the level of detail and format, publish details of the performance of all public transport service providers under the contracts referred to in section 4(2)(a) at such intervals as the Commissioner deems fit from time to time (and no further approval of the Council shall be required for each such publication of such details of performance, provided that the publication complies with the level of detail and format so approved by the Council); and
 - (d) provide a database of all stakeholders, together with appropriate fora to enable communication with the Commissioner on all transport related matters.
- (4) The Commissioner shall create links to the datasets within other directorates of the City and shall collate and maintain all transport use data in order to discharge its obligations under this section 6.
- (5) Without prejudice to the foregoing subsections of this section 6, the Commissioner shall record all transportation schemes to enable TCT to respond to enquiries in an efficient and effective manner.
- (6)
 - (a) The Commissioner shall, as soon as possible after the end of each Financial Year, publish a report for inclusion as a separate chapter in the Council's annual report on the performance of TCT during that Financial Year.
 - (b) Such report referred to in subsection (6)(a) shall set out details of:
 - (i) the contribution made by TCT towards the implementation of the IDP;
 - (ii) the performance of TCT against the ITP; and
 - (iii) the performance of TCT against its targets across all the Functions and in particular the performance of the Municipal Land Transport Fund during that Financial Year.
 - (c) Such report referred to in subsection (6)(a) shall include such information as the Executive Mayor may from time to time specify in writing with respect to any matter the report is required to deal with by virtue of subsection (6)(b).
 - (d) The Commissioner shall keep a copy of any report made under this subsection (6) available for the appropriate period for inspection by any person on request free of charge at the principal offices of the City at reasonable hours.

- (e) The Commissioner shall supply a copy of any such report made under this subsection (6), or any part of any such report, to any person on request during the appropriate period for such reasonable fee as he or she may determine.
 - (f) The "appropriate period" in the case of a report made under this subsection (6) is the period of three years beginning with the date of publication of such report.
- (7) Without prejudice to the foregoing subsections of this section 6, the Commissioner shall establish an electronic centralised knowledge management system to record all historic transport information and publications in order to achieve a single point of resource.

Financial Management

- 7. (1) The Commissioner shall be responsible for implementing section 27 (Municipal land transport funds), section 28 (Public transport user charges), section 29 (Minister may provide funds for land transport) and section 30 (MEC may provide funds for land transport) of the NLTA.
- (2) Without prejudice to subsection (1), the Commissioner shall (subject always to the Municipal Finance Management Act) be responsible for all finance matters across all the Functions.
- (3) Without prejudice to subsection (2), the Commissioner shall (subject always to the Municipal Finance Management Act):
 - (a) be responsible for operating an integrated financial management system and any other similar improvements that he or she may deem necessary and viable;
 - (b) be responsible for the overall coordination of the budget process for TCT and for making recommendations to the relevant Portfolio Committee and/or Budget Steering Committee of the City for submission to the Council as part of the Council's overall budgeting process, all of which shall be in accordance with the due process of the Council and the Municipal Finance Management Act;
 - (c) propose tariffs in respect of public transport and transport infrastructure, facilities and services to the Council for approval, the Commissioner having first assessed the appropriate level of such tariffs by means of a cost benefit analysis by all the relevant Functions within the parameters of the Municipal Land Transport Fund referred to in subsection (4);
 - (d) facilitate such international, national or provincial grants as may be appropriate to support the carrying out of the Functions and shall be responsible for the management of such grants within the parameters of the Municipal Land Transport Fund referred to in subsection (4);

- (e) be responsible for the costing of all investment in line with the Council's vision for transport in the City as expressed in the ITP from time to time and, in particular, for costing all major projects and programmes that form part of the ITP, having regard to both the cost of initial investment and the need for long term maintenance and facilities management as appropriate;
 - (f) be responsible for all revenue generation activities across all the Functions and in particular in relation to all aspects of ticketing including:
 - (i) the development and implementation of an integrated ticketing system for public transport, including (without limitation) the Europay, Mastercard and VISA (EMV) card and billing system, as well as (without limitation) for parking, park and ride, dial-a-ride, events management, specialised services and bicycle hire services; and
 - (ii) the establishment, roll out and management of the automated fare collection system;
 - (g) be responsible for providing assurance as to probity across all Functions relating to their contracting and procurement activities; and
 - (h) continually strive to improve all areas of interoperability and the effectiveness, efficiency and economic viability of transport and related infrastructure for the benefit of the citizens of and visitors to the City.
- (4) Without prejudice to subsections (1), (2) or (3), the Commissioner shall be responsible for establishing and maintaining a Municipal Land Transport Fund in terms of sections 27 and 28 of the NLTA.
 - (5) The Commissioner shall, on a monthly basis, provide appropriate data in relation to its activities under this Financial Management Function (including in relation to ticketing in particular) to the Performance Monitoring and Evaluation Function.
 - (6) Without prejudice to the foregoing subsections of this section 7 and subject always to the Municipal Finance Management Act, the Commissioner shall appoint the Director of the Financial Management Function to ensure that TCT's financial affairs are administered in a proper manner, in compliance with all relevant professional codes of conduct, all statutory obligations and in accordance with the due process of the Council.

Public Transport Law Enforcement

- 8.** (1) The Commissioner shall be responsible for implementing sections 85 to 91 (inclusive) of the NLTA.
- (2) Without prejudice to subsection (1), the Commissioner shall be responsible for the enforcement of the National Road Traffic Act insofar as it relates to public transport law enforcement.

- (3) Without prejudice to subsections (1) or (2), the Commissioner shall be responsible for enforcing safety in relation to the use of the City's public transport network and related infrastructure and facilities.
- (4) The Commissioner shall make appropriate use of the TMC and TIC and related technology, and shall work with other relevant agencies and stakeholders in order to discharge its responsibilities under this section 8.
- (5) The Commissioner shall provide such traffic management and enforcement services in terms of its public transport law enforcement and safety strategy as the Council shall determine from time to time.
- (6) The Commissioner shall, on a monthly basis, provide appropriate data in relation to its activities under this Public Transport Law Enforcement Function to the Performance Monitoring and Evaluation Function.

Liaison, Communication and Stakeholder Management

9. (1) The Commissioner shall establish and maintain procedures and management practices in order to ensure the effective and efficient liaison and communication with all identified stakeholders.
- (2) The Commissioner shall include in the procedures and management practices referred to in subsection (1) appropriate initiatives to enable successful and sustainable industry transition and empowerment according to parameters identified by the Council from time to time.
- (3) The Commissioner shall be responsible for the internal and external marketing of TCT to ensure that the citizens of and visitors to the City are well-informed and satisfied, as measured by a programme of continuous monitoring of customer satisfaction, including (without limitation) readily available public information on performance against targets and service levels published by the Performance Monitoring and Evaluation Function.
- (4) The Commissioner shall communicate and interface with the public through (among other means of communication) the TIC in relation to public transport operational matters.
- (5) The Commissioner shall assist the Mayoral Committee Member for TCT in connection with any dealings with the media that he or she may require.
- (6) The Commissioner shall, subject to the required authority being obtained, enter into appropriate memoranda of agreement, on behalf of the Council, with transport stakeholders, including (without limitation) Operator Associations, groups representing persons with specialised needs and educational forums.
- (7) (a) Without prejudice to any other subsection of this section 9, the Commissioner shall, by using the website, database and other fora for communication with stakeholders referred to in section 6(3), make available such information as he or she deems fit which:

- (i) relates to public passenger transport services provided for the benefit of the citizens of and visitors to the City; and
 - (ii) is required by members of the general public to assist in deciding what use to make of such services.
- (b) Such information referred to in subsection (7)(a) shall be made available, in accordance with the provisions of the Systems Act, to:
- (i) the general public; and
 - (ii) such other persons as the Commissioner deems fit.
- (c) The Commissioner may make such charges in accordance with the approved Council tariffs for any information which it makes available, but no such charge may be made if the information relates to public passenger transport services provided exclusively by TCT.
- (8) The Commissioner shall:
- (a) establish, on behalf of the Council, an Intermodal Planning Committee in accordance with section 15 of the NLTA in order to coordinate public transport between modes in order to achieve the objects of the NLTA; and
 - (b) chair the Intermodal Planning Committee and ensure that the membership of the Intermodal Planning Committee complies with section 15(1) of the NLTA;
 - (c) ensure that the Intermodal Planning Committee reports to and consults regularly with the Land Transport Advisory Board (and the Commissioner shall report to the Council as and when the matters being so reported or consulted on relate to the activities of TCT);
 - (d) ensure that the Intermodal Planning Committee complies with all regulations as to its functions, membership and operations that may be made pursuant to the NLTA;
 - (e) without prejudice to the foregoing provisions of this subsection (8), ensure that the Intermodal Planning Committee coordinates input and direction into the holistic integration of:
 - (i) rail passenger services in the Functional Area with road based public transport services;
 - (ii) scheduled services, minibus taxi-type services and unscheduled services in the Functional Area with each other and with other public transport modes;
 - (iii) all aspects of the ITP so as to ensure that the optimal use of infrastructure and services within the system and optimal utilization and prioritisation of funds, including freight transport and non-motorised transport, is achieved; and

- (iv) the roles, responsibilities and interrelationships of all relevant transport stakeholders, including (without limitation) community transport fora, commerce, public transport operators and labour; and
 - (f) ensure that the Intermodal Planning Committee establishes such sub committees, which may comprise rail, bus, taxi and land transport enforcement sub committees, as the Intermodal Planning Committee deems fit.
- (9) The Commissioner shall:
- (a) establish, on behalf of the Council, the Land Transport Advisory Board in accordance with section 16 of the NLTA and with representation from government and the private sector to advise it in relation to land transport matters;
 - (b) ensure that the Land Transport Advisory Board complies with any regulations made from time to time by the Minister responsible for transport in the national sphere of government under section 16(2) of the NLTA in relation to the membership of the Land Transport Advisory Board, the appointment and qualifications for membership, procedures and frequency of meetings, and related matters; and
 - (c) require that the Land Transport Advisory Board:
 - (i) receives input from the Intermodal Planning Committee; and
 - (ii) makes strategic policy recommendations to the Council and other relevant decision making bodies in relation to integrated land transport matters as referred to in subsections (8)(e) and (f),
- all of which shall be in the furtherance of integrated transport in the City.
- (10) The Mayoral Committee Member for TCT shall chair the Land Transport Advisory Board and the chairperson of the TCT Portfolio Committee shall be the deputy chairperson of the Land Transport Advisory Board.
- (11) The Commissioner shall take all necessary steps to develop and roll out TCT's brand and its supporting logos and architecture to the intent that the brand of TCT fully supports the Council's vision of TCT across the Functions.

Infrastructure Management

- 10.** (1) The Commissioner shall be responsible for the planning, design, costing, construction, maintenance, replacement, extension and upgrading of the City's road network, the public transport network and public transport infrastructure, the stormwater network, stormwater infrastructure, sea walls and related facilities.
- (2) The Commissioner shall be responsible as and shall perform all the functions of the road authority under the Roads Ordinance for all public roads and public paths (as such public roads and public paths are defined in the Roads Ordinance) in the

City and shall, to the extent necessary, make such further applications under the Roads Ordinance in order to take up such responsibility.

- (3) The Commissioner shall establish, manage and maintain an asset register relating to the City's road network, the public transport network and public transport infrastructure and related facilities referred to in subsection (1).
- (4) In particular, the Commissioner shall ensure that the asset register referred to in subsection (3) shall record the following information:
 - (a) the location of the assets referred to in subsection (3);
 - (b) the classification and definition of such assets;
 - (c) the age of such assets;
 - (d) the lifecycle costs of maintaining such assets and in particular the costs of deferring the maintenance of such assets; and
 - (e) the quantification of such assets and the financial value of such assets.
- (5) In making decisions as to the maintenance of the assets as referred to in subsection (4), the Commissioner shall reach an appropriate balance between planned and reactive maintenance so as to ensure the long term and cost effective sustainability of such assets, as well as considering appropriate business planning scenarios to support the Commissioner's decisions to invest strategically in such assets as he or she shall consider to be of high importance.
- (6) The Commissioner shall, on a monthly basis, provide appropriate data in relation to its activities under this Infrastructure Management Function to the Performance Monitoring and Evaluation Function.

Network Operations Management

- 11.** (1) The Commissioner shall be responsible for the planning, design, costing, management, operation and oversight of all activities on the integrated transport network and related infrastructure and facilities in the City (and in particular the IPTN), including (without limitation) the operation of:
- (a) the traffic signalling systems;
 - (b) the bus and minibus taxi (BMT) lanes;
 - (c) the traffic management cameras;
 - (d) parking management;
 - (e) the freeway management system;
 - (f) transport plans in relation to events management;
 - (g) abnormal loads and transport of dangerous goods procedures;

- (h) the management of the TMC and the TIC;
 - (i) communication systems, the comprehensive databank and TCT's information systems and technology, all of which shall be located at and managed from the TMC;
 - (j) communication facilities at all major public transport facilities, interchanges and on the integrated transport network and related infrastructure and facilities;
 - (k) the integrated timetabling of all public transport services;
 - (l) road closures; and
 - (m) the granting of wayleaves.
- (2) The Commissioner shall, on a monthly basis, provide appropriate data in relation to its activities under this Network Operations Management Function to the Performance Monitoring and Evaluation Function.

MISCELLANEOUS

General functions of TCT

- 12.** (1) The Commissioner may promote and administer the carrying out of any activities which he or she has power to carry out, whether such power is conferred by statute, this By-law or delegated by the Council and, to the extent permitted by law, the Commissioner shall be entitled to appoint such staff, agents and contractors as he or she thinks fit and/or is required to appoint by the Council to carry out such activities that the Commissioner has power to carry out.
- (2) The Commissioner may, subject to the required authority being obtained, enter into and carry out any agreement with any person for the carrying out by that person, whether as agent for TCT or otherwise, of any activities which the Commissioner has power to carry out (and, in particular, with respect to the provision or financing of any public passenger transport services which TCT has power to provide), subject to due process being followed.
- (3) To the extent permitted by law, it shall be within the capacity of the Commissioner (subject to the required authority being obtained) to do such things and enter into such transactions as are calculated to facilitate, or are conducive or incidental to, the discharge of any of its functions.

Agreements with the Province and adjacent Municipalities

- 13.** Subject to the prior approval of the Council, the Commissioner may enter into such arrangements with the Province or adjacent Municipalities in terms of section 12 of the NLTA and such arrangements with adjacent Municipalities in terms of section 19 of the NLTA as the Commissioner deems fit.

Short title

- 14.** This By-law is called the City of Cape Town: Constitution of Transport for Cape Town By-law, 2013.

STAD KAAPSTAD

VERORDENING OP DIE SAMESTELLING VAN VERVOER VIR KAAPSTAD (TCT), 2013

GOEDGEKEUR DEUR RAAD: 28 AUGUSTUS 2013

C [22/08/13]

Aanhef

AANGESIEN artikel 156(2) van die Grondwet bepaal dat 'n munisipaliteit verordeninge mag maak en toepas vir die doeltreffende administrasie van aangeleenthede waarvan die administrasie regtens aan hom opgedra is;

AANGESIEN die verdeling van verantwoordelikhede vir landvervoeraangeleenthede in die Stad voorheen tussen die Stad, die provinsie en die Departement van Vervoer gedeel is;

AANGESIEN sekere funksies moontlik ingevolge artikel 11 van die WNLV aan 'n munisipaliteit opgedra kan word;

AANGESIEN die Stad, ten einde sy vervoerfunksies (met inbegrip van enige sodanige funksies wat dalk aan hom opgedra kan word) doeltreffend uit te voer, van voorneme is om 'n nuwe vervoerowerheid binne die Stad as bestuurstruktuur in te stel waaronder alle sodanige funksies saamgevoeg sal word met die oog daarop om geïntegreerde vervoer tot voordeel van die burgers van en besoekers aan die Stad te faciliteer;

AANGESIEN sodanige nuwe vervoerowerheid TCT sal wees en sy funksies soos in hierdie verordening uiteengesit daar sal uitsien;

AANGESIEN daar in reaksie op die vereistes van die WNLV van die Stad verwag word om die voorsiening van vervoerdienste te verbeter en om standaarde neer te lê ter verandering van die wyse waarop vervoerinfrastruktuur, -dienste, -bedrywe en -stelsels geïmplementeer en bestuur word;

AANGESIEN die Stad sy magte, onderskeidelik opgedra kragtens artikels 12 en 19 van die WNLV, die tersaaklike bepalings van die Ordonnansie op Paaie, die Nasionale Padverkeerswet en die Wet op Stedelike Vervoer, en enige ander tersaaklike vervoerverwante wetgewing en regulasie, mag uitvoer; en

AANGESIEN TCT die liggaam sal wees waardeur die Stad sy funksies kragtens die WNLV sal vervul;

WORD DAAR DUS HIERMEE as volg deur die Raad van Stad Kaapstad **VERORDEN:**

INHOUDSOPGawe

ALGEMENE BEPALINGS

15. Omskrywings
16. Instelling en funksies van TCT

SPESIFIKE FUNKSIES VAN TCT

17. Beplanningsowerheid
18. Kontrakterende owerheid
19. Munisipale regulatoriese entiteit

20. Prestasiemonitering en -evaluering
21. Finansiële bestuur
22. Wetstoepassing ten opsigte van openbare vervoer
23. Skakeling, kommunikasie en belanghebberbestuur
24. Infrastruktuurbestuur
25. Netwerkbedryfsbestuur

DIVERSE

26. Algemene funksies
27. Ooreenkomste met die provinsie en aangrensende munisipaliteite
28. Korttitel

ALGEMENE BEPALINGS

Omskrywings

1. In hierdie verordening, tensy die konteks anders aandui, beteken:

"administratiewe stelsel vir bedryfslisensies" of **"OLAS"** die administratiewe stelsel vir bedryfslisensies wat gebruik word om die funksie van die municipale regulatoriese entiteit te bestuur;

"adviesraad oor landvervoer" die adviesraad oor landvervoer wat kragtens artikel 16 van die WNLV ingestel is;

"bedryfslisensiestrategie" of **"BLS"** die bedryfslisensiestrategie wat in die IVP uiteengesit word en wat gebruik gaan word om die funksie van die municipale regulatoriese entiteit te bestuur;

"beplanningsowerheid" 'n beplanningsowerheid (soos omskryf in die WNLV) en wie se verantwoordelikhede ooreenstem met dié uiteengesit in artikel 3 en wat onder die TCT ressorteer;

"bestuurskomitee" 'n bestuurskomitee wat kragtens artikel 60 van die Strukturewet verkies is;

"boekjaar" 1 Julie tot 30 Junie (inklusief);

"direkteur" enige bekleër van die pos van direkteur (hetsy vol- of deeltjys, tydelik of permanent) in die Stad;

"finansiële bestuur" daardie verantwoordelikhede soos uiteengesit in artikel 7 en wat onder die TCT ressorteer;

"**funksie**" enige van die volgende funksies wat deur TCT verrig word (namate die konteks mag bepaal):

beplanningsowerheid;

kontrakterende owerheid;

munisipale regulatoriese entiteit;

prestasiemonitering en -evaluering;

finansiële bestuur;

wetstoepassing ten opsigte van openbare vervoer;

skakeling, kommunikasie en belanghebberbestuur;

infrastruktuurbestuur; en

(i) netwerkbedryfsbestuur;

"**funksionele gebied**" die gebied van die Stad tesame met die gebiede van sodanige ander munisipaliteite met wie die Stad 'n verhouding ten opsigte van vervoerbeplanning het;

"**geïntegreerde ontwikkelingsplan**" of "**GOP**" die Stad se geïntegreerde ontwikkelingsplan kragtens hoofstuk 5 van die Stelselwet;

"**geïntegreerde openbarevervoernetwerk**" of "**GOVN**" die geïntegreerde openbarevervoernetwerk (beide pad en spoor) vir die Stad soos na verwys in die WNLV;

"**geïntegreerde vervoerplan**" of "**IVP**" 'n geïntegreerde vervoerplan soos bedoel in artikel 36 van die WNLV;

"**Grondwet**" die Grondwet van die Republiek van Suid-Afrika, 1996;

"**infrastruktuurbestuur**" daardie verantwoordelikhede soos uiteengesit in artikel 10 en wat onder die TCT ressorteer;

"**intermodale beplanningskomitee**" die intermodale beplanningskomitee wat kragtens artikel 15 van die WNLV ingestel is;

"**komitee**" 'n komitee ooreenkomstig artikel 79 van die Strukturewet;

"**Kommissaris**" die persoon wat deur die Raad aangestel is om as Kommissaris van die TCT te dien en wie se aanstelling ingevolge artikel 57 van die Stelselwet sal geskied;

"**kontrakterende owerheid**" 'n munisipaliteit aan wie die funksie as kontrakterende owerheid kragtens die WNLV toegewys is en wie se verantwoordelikhede ooreenstem met dié wat in artikel 4 uiteengesit is en onder die TCT ressorteer;

"LUR" 'n lid van die provinsie se Uitvoerende Raad wat vir vervoer in die provinsie verantwoordelik is;

"minister" die minister verantwoordelik vir vervoer in die nasionale regeringsfeer;

"MRE-komitee" die komitee van die munisipale regulatoriese entiteit waarna in artikel 5(5) verwys word;

"munisipale entiteit" 'n munisipale entiteit soos omskryf in artikel 1 van die Stelselwet;

"munisipale landvervoerfonds" 'n fonds wat ingevolge artikel 27 van die WNLV daargestel is en onder die TCT ressorteer;

"munisipale regulatoriese entiteit" 'n munisipaliteit aan wie die bedryfslisensiefunksie kragtens die WNLV toegewys is en wie se verantwoordelikhede ooreenstem met dié wat in artikel 5 uiteengesit is en onder die TCT ressorteer;

"munisipaliteit" alle tipes munisipaliteite wat in artikel 155 van die Grondwet bedoel is;

"netwerkbedryfsbestuur" daardie verantwoordelikhede soos uiteengesit in artikel 11 en wat onder die TCT ressorteer;

"nie-lid" enige operateur wat in die Stad bedrywig is en nie 'n lid van 'n operateursvereniging is nie;

"operateursvereniging" enige operateursvereniging wat verband hou met enige op-aanvraag-openbarevervoerdienst wat in die Stad bedryf word;

"Ordonnansie op Paaie" die Ordonnansie op Paaie, no. 19 van 1976;

"PLVR" 'n provinsiale landvervoerraamwerk soos bedoel in artikel 35 van die WNLV;

"PRASA" die Passasierspooragentskap van Suid-Afrika ingestel kragtens artikel 23 van die Wet op die Regsopvolging van die Suid-Afrikaanse Vervoerdienste, 1989 (Wet 9 van 1989);

"prestasiemonitoring en -evaluering" daardie verantwoordelikhede soos uiteengesit in artikel 6 en wat onder die TCT ressorteer;

"provinsie" of **"PRWK"** die provinsiale regering van die Wes-Kaap;

"Raad" die munisipale raad van die Stad soos na in artikel 157 van die Grondwet verwys;

"regulatoriese entiteit" 'n regulatoriese entiteit soos omskryf in die WNLV;

"skakeling, kommunikasie en belanghebberbestuur" daardie verantwoordelikhede soos uiteengesit in artikel 9 en wat onder die TCT ressorteer;

"Stad" die munisipaliteit van die Stad Kaapstad;

"**stadbestuurder**" die persoon wat kragtens artikel 54A van die Strukturewet as die munisipale bestuurder van die Stad aangestel is;

"**Stelselwet**" die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000);

"**Strukturewet**" die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998);

"**TCT**" Vervoer vir Kaapstad, die Stad se vervoerowerheid;

"**TIC**" die Stad se vervoerinligtingsentrum en wat onder die TCT ressorteer;

"**TMC**" die Stad se vervoerbestuursentrum en wat onder die TCT ressorteer;

"**Uitvoerende Burgemeester**" die Uitvoerende Burgemeester wat kragtens artikel 55 van die Strukturewet verkies is;

"**Wet op Munisipale Finansiële Bestuur**" die Plaaslike Regering: Wet op Munisipale Finansiële Bestuur, 2003 (Wet 56 van 2003);

"**Wet op Nasionale Padverkeer**" die Wet op Nasionale Padverkeer, 1996 (Wet 93 van 1996);

"**Wet op Stedelike Vervoer**" die Wet op Stedelike Vervoer, 1977 (Wet 78 van 1977);

"**wetstoepassing ten opsigte van openbare vervoer**" sodanige verantwoordelikhede soos uiteengesit in artikel 8 en wat onder die TCT ressorteer; en

"**WNLV**" die Wet op Nasionale Landvervoer, 2009 (Wet 5 van 2009).

Instelling en funksies van TCT

2. (1) Onderworpe aan subartikel (2), sal die Raad 'n vervoerowerheid, wat as Vervoer vir Kaapstad bekend sal staan, binne die Stad as bestuurstruktuur instel onder wie al die funksies saamgevoeg sal word ten einde geïntegreerde vervoer vir die burgers van en besoekers aan die stad te fasiliteer.
- (2) TCT sal nie 'n afsonderlike regspersoon wees nie en sal in die besonder nie 'n munisipale entiteit wees nie en:
 - (a) TCT sal in alle opsigte deel van die Stad en die Stad se bestuur- en verslagdoeningstruktuur bly; en
 - (b) Die Kommissaris sal nie enige funksies of magte bekom behalwe daardie wat regmatig binne die stelsel van delegasies, soos van tyd tot tyd gewysig, vergun word aan en na die Kommissaris gedelegeer word nie.
- (3) Die Kommissaris sal verantwoordelik en aanspreeklik wees vir die uitvoering van die funksies en sal in die besonder (maar sonder beperking) die strategie vir die

lewering van geïntegreerde vervoer tot voordeel van die burgers van en besoekers aan die Stad bepaal en die implementering daarvan bestuur.

- (4) Sonder om afbreuk te doen aan subartikel (3), sal die Kommissaris verdere funksies hê soos van tyd tot tyd deur die Raad aan hom of haar gedelegeer mag word:
- (a) ooreenkomstig sodanige rigsnoere of aanwysings wat dalk deur die Raad uitgereik word;
 - (b) vir die doel om voldoening deur die Stad aan die Stad se funksies kragtens die WNLV, die Wet op Stedelike Vervoer, die Ordonnansie op Paaie, die Wet op Nasionale Padverkeer en enige ander tersaaklike vervoerverwante wetgewing en -regulasie te fasiliteer; en
 - (c) vir die doel om die implementering van die Stad se strategie vir geïntegreerde vervoer te waarborg en te fasiliteer.
- (5) (a) Die Kommissaris sal aan die hoof staan van TCT.
- (b) Ooreenkomstig artikel 57 van die Stelselwet sal die Kommissaris regstreeks aan die stadsbestuurder verslag doen.
 - (c) Die Raad kan sodanige magte ten opsigte van die verrigting van die funksies van TCT deleger as wat nodig geag mag word om die Kommissaris in staat te stel om verantwoordelikheid en aanspreeklikheid vir die funksies, soos in subartikel (5)(d) na verwys, te aanvaar.
 - (d) Onderworpe daaraan dat die stadsbestuurder vooraf sodanige gesag gedelegeer het, sal die Kommissaris, nadat die voorgeskrewe prosedures gevolg is, sodanige direkteure aanstel as wat nodig mag wees om die funksies uit te voer.
 - (e) Onderworpe aan enige uitdruklike bepaling vervat in hierdie verordening, die Grondwet, die WNLV, die Stelselwet, die Strukturewet, die Ordonnansie op Paaie, die Wet op Nasionale Padverkeer, die Wet op Stedelike Vervoer of enige ander vervoerverwante wetgewing en regulasie, kan die Kommissaris enige van sy of haar funksies ten opsigte van hierdie verordening aan een of meer direkteur deleger.
 - (f) Die uitoefening van enige gedelegeerde gesag wat deur die Kommissaris kragtens hierdie verordening of andersins opgedra word, is onderworpe aan:
 - (i) alle ander beperkings wat deur hierdie verordening opgelê of daarvolgens toegepas moet word;
 - (ii) alle ander bepalings van hierdie verordening; en
 - (iii) alle ander toepaslike beleid, prosedures en geldige verordeninge.

- (g) Enige verwysing na enige bepaling, bevel, regulasie of ander soortgelyke instrument in hierdie verordening sal vertolk word as 'n verwysing na die bepaling, bevel, regulasie of instrument soos gewysig, vervang, gekonsolideer of herbepaal.
- (h) Tot die mate waartoe regtens vergun of vereis word, sal die Kommissaris, onderworpe daaraan dat die nodige magtiging verleen word, sodanige aktes van ooreenkoms namens die Raad met enige of alle nasionale en provinsiale regeringsfere of ander munisipaliteite aangaan ten einde die funksies te verrig wat deur TCT uitgevoer word.

SPESIFIEKE FUNKSIES VAN TCT

Beplanningsowerheid

3. (1) Die Kommissaris sal verantwoordelik wees vir die implementering van artikel 14 (beplanningsowerhede), artikel 15 (intermodale beplanningskomitees), artikel 16 (adviesrade vir landvervoer) en artikels 31 tot 39 (vervoerbeplanning) (inklusief) van die WNLV, tesame met alle ander afdelings van die WNLV van toepassing op die aktiwiteite van 'n beplanningsowerheid (soos omskryf in die WNLV).

(2) Sonder om afbreuk te doen aan subartikel (1), sal die Kommissaris die IVP vir die Stad ontwikkel, implementeer, bestuur en hersien en (sonder beperking) verseker dat sodanige IVP:
 - (a) aan alle wette, regulasies en toepaslike riglyne oor die inhoud, aard en vorm van sodanige IVP voldoen;
 - (b) die funksionele parameters vir elke funksie uiteensit sowel as die verpligte en standarde waaraan elke funksie na verwagting moet voldoen;
 - (c) van elke funksie verwag om gereeld aan die prestasiemonitering- en evalueringsfunksie verslag te doen oor vordering en prestasies teenoor sodanige verpligte en standarde as waarna in subartikel (2)(b) verwys word;
 - (d) uiteensit hoe die Kommissaris:
 - (i) die toekenning en bestuur van kontrakte wat deur die Stad as die kontrakterende owerheid aangegaan moet word, sal administreer, onderworpe aan die Stad se regulasies en beleid vir voorsieningskanaalbestuur;
 - (ii) in die bedryfslisensiestrategie uiteensit hoe TCT van voorneme is om die bedryfslisensies wat deur die Stad as die munisipale regulatoriese entiteit vergun gaan word, te reguleer (en die Kommissaris sal verseker dat sodanige bedryfslisensiestrategie aan die Grondwet, die WNLV, die Wet op Munisipale Finansiële Bestuur, die Stelselwet en die GOP voldoen); en

- (iii) die Stad se vervoerinfrastruktuur en verwante fasiliteite sal ontwikkel en in stand hou; en
- (e) die GOVN insluit.
- (3) Die standaarde waaraan elke funksie moet voldoen, soos na verwys in subartikel (2)(b), sal, vir sekere kwessies, met inbegrip van (sonder beperking) universele toegang, gespesialiseerde dienste, vrag en niegemotoriseerde vervoer, gelig word uit die sektorplanne wat deel van die IVP uitmaak.
- (4) Sonder om afbreuk te doen aan subartikels (1), (2) en (3), sal die Kommissaris 'n IVP vir elke vyfjaartydperk voorberei (waarvan die eerste vir die tydperk 2013 tot 2018 sal wees) en verseker dat elke sodanige IVP met die ooreenstemmende GOP vir die Stad in ooreenstemming gebring word.
- (5) Die Kommissaris sal gepaste middele daarstel en handhaaf om koppelvlakke tussen die beplanningsowerheidfunksie en die municipale regulatoriese entiteit te verseker ten opsigte van alle aangeleenthede wat verband hou met die beplanning van die GOVN en met alle tersaaklike verpligtinge wat onder die WNLV ressorteer, met insluiting van artikel 57 van die WNLV in die besonder.
- (6) Sonder om afbreuk te doen aan subartikel (5), sal die Kommissaris alle tersaaklike regulatoriese entiteite van kommentaar en direktiewe voorsien ten opsigte van enige aansoek om die vergunning, hernuwing, wysiging of oordrag van 'n bedryfslisensie wat met die Stad en/of sy funksionele gebied (uitgesonder 'n toeristevervoerdienst of huurdiens, en uitgesonder 'n gekontrakteerde diens soos in artikel 56 van die WNLV beoog) ingevolge artikel 55 en ander tersaaklike bepalings van die WNLV verband hou.
- (7) Die Kommissaris sal, namens die Stad as beplanningsowerheid, reageer op alle grondgebruikaansoeke in die Stad wat potensieel 'n impak op vervoer en/of verkeer kan hê en in die besonder die mate waartoe hulle in ooreenstemming met die IVP is deur ag te slaan op hulle verbandhoudende impak op die verkeer en die bestuur van vervoeraanvraag en -koste sowel as deur te let op die toepassing van die ontwikkelingsbydraebeleid.
- (8) Die Kommissaris sal verantwoordelik wees vir die ontwikkeling, implementering en bestuur van die innovasiestrategie en om die verbandhoudende noodsakikhede te ontwikkel wat sal verseker dat TCT aan die spits van gevorderde geïntegreerde vervoerstelsels staan ter bereiking van die doelwitte vir die vervoer van burgers wat die TCT se oorhoofse sakeplan, sowel as medium- en langtermyn- strategiese beplanning in alle funksies, ten grondslag lê.
- (9) Sonder om afbreuk te doen aan subartikel (8), sal die Kommissaris:
- (a) daarvoor verantwoordelik wees om voortdurende vordering te toon tot die bereiking van die doelwit van geïntegreerde vervoerbestuur tot beter dienslewering aan die burgers van en besoekers aan die Stad; en

- (b) innovasies deur vervoerowerhede in ander regsgebiede gereeld onder oë neem om te verseker dat die Stad se vervoerstelsels en -dienste aan die hoogste heersende standaarde voldoen.
- (10) Sonder om afbreuk te doen aan subartikel (1), sal die Kommissaris die intermodale beplanningskomitee en die adviesraad oor landvervoer van sodanige inligting, ontledings en advies voorsien as wat van tyd tot tyd benodig mag word.
- (11) Die Kommissaris sal, op 'n maandelikse basis, gepaste data in soverre dit sy aktiwiteite behorende onder hierdie funksie as beplanningsowerheid aan die funksie belas met prestasiemonitering en -evaluering voorsien.

Kontrakterende owerheid

4. (1) Die Kommissaris sal verantwoordelik wees vir die implementering van artikel 40 (integrasie van buskontrakstelsel by oorhoofse openbarevervoerstelsel), artikel 41 (onderhandelde konakte), artikel 42 (gesubsidieerde dienskontrakte), artikel 43 (kommersiële dienskontrakte), artikel 44 (voorskrifte om as tenderaar vir kommersiële of gesubsidieerde dienskontrakte te kwalifiseer), artikel 45 (betrokkenheid van munisipaliteit by openbare vervoerdienste) en artikel 46 (bestaande kontrakterende reëlings) van die WNLV, tesame met alle ander artikels van die WNLV wat van toepassing is op die aktiwiteite van 'n munisipaliteit as 'n kontrakterende owerheid (soos omskryf in die WNLV).
- (2) Sonder om afbreuk te doen aan subartikel (1), sal die Kommissaris:
- (a) met verwysing na die IVP (met inbegrip van die GOVN), die standaarde, bedryfspараметers, diensspesifikasies (met inbegrip van voorsiening vir die herstel, instandhouding en vervanging van vervoerbates wat deur of namens verskaffers van openbarevervoerdienste voorsien word), tariewe, onderworpe aan artikel 7(1)(c), betalingstelsels en die koppelvlak tussen die operateurs en die Stad se vervoernetwerk daarstel vir alle kontrakte wat deur die Stad as die kontrakterende owerhede ingevolge die WNLV aangegaan en bestuur gaan word;
 - (b) die kontrakdokumentasie vir alle kontrakte waarna in subartikel (2)(a) verwys word, voorberei en in stand hou en die proses administreer om verskaffers van openbarevervoerdienste, tesame met sodanige ondersteunende diensverskaffers, vir sodanige kontrakte aan te stel ten einde (sonder beperking) dienste soos nodig of wenslik ten opsigte van monitoring, inligtingsbestuur, fasiliteitebestuur, reclame en die geautomatiseerde inning van reisgeld te verskaf;
 - (c) 'n stelsel vir die monitering van dienslewering en prestasiestandaarde wat verband hou met die kontrakte waarna in subartikel (2)(a) verwys word, daarstel en in stand hou; en
 - (d) besonderhede oor die prestasie van alle verskaffers van openbarevervoerdienste onder die kontrakte waarna in subartikel 2(a)

verwys word aan die funksie belas met prestasiemonitering en -evaluering verskaf.

- (3) Die Kommissaris sal verantwoordelik wees vir die monitering van:
- (a) die instandhouding en veiligheidstandaarde van alle geskeduleerde openbareervoertoeruite (ongeag of sodanige voertuie deur die Stad besit word of nie); en
 - (b) nakoming deur die operateurs van sodanige geskeduleerde openbareervoertoeruite ten opsigte van enige kwalifikasies, lisensies en sertifikate wat deur die bestuurders van sulke voertuie benodig word,
- in elke geval ooreenkomsdig alle toepaslike wette en enige kontrakte wat aan sodanige operateurs van sodanige geskeduleerde openbareervoertoeruite deur die Kommissaris namens die Stad toegeken is.
- (4) Die Kommissaris sal doeltreffende en doelmatige finansiële bestuur verseker en ondersteuning met die bestuur van subsidies verskaf, met inbegrip van (maar sonder beperking) deur:
- (a) kontrakte te verwerk;
 - (b) eise op die stelsel vir die bestuur van subsidies in te voer;
 - (c) finansiële dokumente vir betalings te voltooi;
 - (d) met operateurs ten opsigte van betaling te kommunikeer; en
 - (e) weeklikse en maandelikse uitgaweverslae te verskaf.
- (5) Die Kommissaris sal verseker dat die Stad te alle tye aan die Wet op Inkomste Verdeling, 2009 (Wet 12 van 2009) se vereistes ten opsigte van verslagdoening en inligting voldoen.
- (6) Die Kommissaris sal gepaste middele daarstel en in stand hou om 'n koppelvlak tussen die Stad se funksie as kontrakterende owerheid en die stad se funksies as beplanningsowerheid en munisipale regulatoriese entiteit onderskeidelik ten opsigte van die GOVN en alle tersaaklike verpligte onder die WNLV te verseker.
- (7) Die Kommissaris sal, op 'n maandelikse basis, gepaste data in soverre dit sy aktiwiteite behorende onder hierdie funksie as kontrakterende owerheid aan die funksie belas met prestasiemonitering en -evaluering voorsien.

Munisipale regulatoriese entiteit

5. (1) Die Kommissaris sal verantwoordek wees vir die implementering van artikels 17 tot 19 (inklusief) en artikels 47 tot 84 (inklusief) van die WNLV, tesame met alle ander afdelings van die WNLV wat betrekking het op die aktiwiteite van 'n munisipaliteit as 'n regulatoriese entiteit (soos omskryf in die WNLV).

- (2) Sonder om afbreuk te doen aan subartikel (1), sal die Kommissaris verantwoordelik wees vir die bedryfslisensies vir daardie persone wat 'n intraprovinciale diens wil onderneem wat óf in die Stad plaasvind óf die Stad as vertrekpunt het en ook in die gebied van 'n ander munisipaliteit plaasvind, soos in artikel 54(2) van die WNLV beoog.
- (3) Sonder om afbreuk te doen aan subartikel (1), sal die Kommissaris vir die gladde verloop van daaglikse bedrywighede in alle bedryfsgebiede verantwoordelik wees, met inbegrip van bestaande funksies van landvervoer en spoorvervoer (hoofsaaklik busse, minibustaxi's en treine) en die veiligheid en sekuriteit van openbare vervoer.
- (4) Die MRE sal (sonder beperking) die volgende funksies namens die munisipaliteit, as die munisipale regulatoriese entiteit vir die Stad, vervul:
- (a) die vergunning, oordrag, wysiging en hernuwing van bedryfslisensies;
 - (b) die wysiging van bedryfslisensies wat uit die vervanging van 'n voertuig voortspruit;
 - (c) die tydelike vervanging van 'n voertuig op 'n bedryfslisensie;
 - (d) die omskakeling van permitte na bedryfslisensies;
 - (e) die duplisering van bedryfslisensies;
 - (f) die voorsiening van tydelike permitte vir spesiale geleenthede;
 - (g) die terugtrekking, opskorting of wysiging van 'n bedryfslisensie; en
 - (h) die oplegging van wetstoepassingsparameters en strawwe, waarby (sonder beperking) ingesluit om openbarevervoertoerde en hulle verwante sertifisering gepas te inspekteer,
- en (onderworpe aan subartikel (5)) sal die Kommissaris namens die munisipaliteit, as munisipale regulatoriese owerheid vir die Stad, sodanige funksies ooreenkomsdig die vereistes, opmerkings en aanwysings van die beplanningsowerheid en, in die besonder, die bedryfslisensiestrategie, en niestrydig met enige beleid van die Raad nie, verrig.
- (5) Ten einde sodanige funksies te verrig as waarna in subartikel (4) verwys word, sal die Raad 'n MRE-komitee aanstel wat uit 'n minimum van drie persone (met inbegrip van die voorste) met 'n reeks gepaste vaardighede sal bestaan.
- (6) Die besluite van die MRE-komitee in die uitoefening van sodanige funksies as waarna in subartikel (4) verwys word, sal onafhanklik van die Raad wees.
- (7) Alle appelle teen of in verband met enige besluit wat deur die MRE-komitee geneem is in die uitoefening van die funksies waarna in subartikel (4) verwys word, sal ingevolge artikel 92 van die WNLV in die Vervoerappèltribunaal geskied.

- (8) Die Kommissaris sal verseker dat die MRE-komitee:
- (a) sodanige procedures ter uitvoering van sy funksies sal volg as wat van tyd tot tyd deur die Raad gespesifieer word;
 - (b) bygewerkte rekords van die uitoefening van sodanige funksies as waarna in subartikel (4) verwys word op die administratiewe stelsel vir bedryfslisensies byhou;
 - (c) met tussenpose, soos deur die Raad verlang, aan die Raad oor die uitoefening van sodanige funksies verslag doen; en
 - (d) met tussenpose, soos die Raad nodig mag ag, gepaste besonderhede oor die uitoefening van sodanige funksies op die TCT se webwerf publiseer.
- (9) Sonder om afbreuk te doen aan subartikel (1) en onderworpe aan enige beperking of vereiste wat regtens opgelê of gestel word, kan die Kommissaris, indien hy of sy dit nodig ag, inligting oor die volgende by die stelsel vir die administrasie van bedryfslisensies insluit:
- (a) besonderhede van operateursverenigings en hulle lede;
 - (b) besonderhede van nielede; en
 - (c) waar gepas, besonderhede van die roetes wat deur operateursverenigings en nielede bedryf word en die beskrywing van watter roetes met daardie in die IVP moet ooreenstem.
- (10) Die Kommissaris sal die inligting waarna in subartikel (9) verwys word, tesame met die IVP en GOVN, gebruik om die operateursverenigings te bestuur op 'n wyse wat deur die TCT as gepas geag word.
- (11) Die Kommissaris sal, op 'n maandelikse basis, gepaste data in soverre dit sy aktiwiteite behorende onder hierdie funksie as munisipale regulatoriese entiteit aan die funksie belas met prestasiemonitering en -evaluering voorsien.

Prestasiemonitering en -evaluering

- 6.**
- (1) Die Kommissaris sal verantwoordelik wees vir die daarstelling, bestuur en instandhouding van 'n sentrale stelsel vir die samevoeging van inligting en data vanaf al die funksies en sal koppelvlakke tussen sodanige funksies ondersteun.
 - (2) Die Kommissaris sal verantwoordelik wees vir die samevoeging, instandhouding en vervanging van data en die instandhouding, opgradering en vervanging van die inligtingstelsels en -tegnologie wat in alle gevalle al die funksies ondersteun.
 - (3) Die Kommissaris sal:
 - (a) verantwoordelik wees vir die skep en instandhouding van 'n webwerf vir TCT wat al die funksies omvat;

- (b) onderworpe aan voorafgoedkeuring deur die Raad, op 'n kwartaallikse grondslag besonderhede oor die prestasie van TCT teen sy teikens oor alle funksies heen op sodanige webwerf publiseer;
 - (c) onderworpe aan vooraf goedkeuring deur die Raad ten opsigte van die vlak en formaat van besonderhede, besonderhede oor die prestasie van alle verskaffers van openbarevervoerdienste onder die kontrakte waarna in artikel 4(2)(a) verwys word, publiseer met sodanige tussenpose as wat die Kommissaris van tyd tot tyd nodig mag ag (en geen verdere goedkeuring van die Raad sal verlang word vir elke sodanige publikasie van sodanige besonderhede oor prestasie nie, met dien verstande dat die publikasie voldoen aan die vlak en formaat van besonderhede soos deur die Raad goedgekeur); en
 - (d) 'n databasis van alle belanghebbers, tesame met gepaste fora, verskaf ten einde skakeling met hom of haar oor vervoerverwante aangeleenthede moontlik te maak.
- (4) Die Kommissaris sal skakels met die datastelle binne ander direktorate van die Stad skep en sal alle data oor vervoergebruik saamvoeg en in stand hou ten einde te voldoen aan die Stad se verpligte wat kragtens hierdie artikel 6 opgelê is.
- (5) Sonder om afbreuk te doen aan die voorafgaande subartikels van hierdie artikel 6, sal die Kommissaris alle vervoerskemas aanteken ten einde die TCT in staat te stel om op 'n doeltreffende en doelmatige wyse op navrae te reageer.
- (6)
 - (a) Die Kommissaris sal, so gou moontlik ná afloop van elke boekjaar, 'n verslag oor die prestasie van TCT gedurende daardie boekjaar publiseer vir insluiting as 'n afsonderlike hoofstuk in die Raad se jaarverslag.
 - (b) Sodanige verslag as waarna in subartikel (6)(a) verwys word, sal sodanige besonderhede rakende die volgende uiteensit:
 - (i) die bydrae wat TCT ten opsigte van die implementering van die GOP gemaak het;
 - (ii) die prestasie van TCT teen die IVP; en
 - (iii) die prestasie van TCT teen sy teikens oor alle funksies heen en, in die besonder, die prestasie van die munisipale landvervoerfonds gedurende daardie boekjaar.
 - (c) Sodanige verslag as waarna in subartikel (6)(a) verwys word, sal sodanige inligting insluit as wat van tyd tot tyd skriftelik deur die Uitvoerende Burgemeester gespesifieer kan word ten opsigte van enige aangeleentheid waaroor die verslag uit hoofde van subartikel (6)(b) moet handel.

- (d) Die Kommissaris sal sorg dat 'n afskrif van enige verslag wat onder hierdie subartikel (6) voorgelê word vir 'n gepaste tydperk binne redelike ure by die munisipaliteit se vernaamste kantore ter insae van enige persoon lê.
 - (e) Die Kommissaris sal op versoek gedurende die gepaste tydperk, en by betaling van 'n redelike bedrag wat deur hom of haar bepaal kan word, 'n afskrif van enige sodanige verslag wat onder hierdie subartikel (7) voorgelê word, of enige gedeelte van sodanige verslag, aan enige persoon beskikbaar stel.
 - (f) Die "gepaste tydperk" in die geval van 'n verslag wat kragtens hierdie subartikel (6) voorgelê word, is die tydperk van drie jaar beginnende by die datum van publikasie van sodanige verslag.
- (7) Sonder om afbreuk te doen aan die voorafgaande subartikels van hierdie artikel 6, sal die Kommissaris 'n elektroniese, gesentraliseerde kennisbestuurstelsel daarstellen einde 'n rekord te hou van alle historiese vervoerinligting en -publikasies met die oog daarop om 'n enkele verwysingspunt daar te stel.

Finansiële bestuur

7. (1) Die Kommissaris sal verantwoordelik wees vir die implementering van artikel 27 (munisipale landvervoerfonds), artikel 28 (openbarevervoer-gebruikerheffings), artikel 29 (minister mag fondse vir landvervoer voorsien) en artikel 30 (LUR mag fondse vir landvervoer voorsien) van die WNLV.
- (2) Sonder om afbreuk te doen aan subartikel (1), sal die Kommissaris (altyd onderworpe aan die Wet op Munisipale Finansiële Bestuur) verantwoordelik wees vir alle finansiële aangeleenthede oor al die funksies heen.
- (3) Sonder om afbreuk te doen aan subartikel (2), sal die Kommissaris (altyd onderworpe aan die Wet op Munisipale Finansiële Bestuur):
- (a) verantwoordelik wees vir die bedryf van 'n geïntegreerde finansiële bestuurstelsel en enige ander soortgelyke verbeterings wat hy of sy nodig en haalbaar mag ag;
 - (b) verantwoordelik wees vir die oorhoofse koördinasie van die begrotingsproses vir TCT en om aanbevelings aan die tersaaklike portefeuilekomitee en/of begrotingreëlingskomitee te maak vir voorlegging aan die Raad as deel van die Raad se oorhoofse begrotingsproses, waarvan almal ooreenkomsdig die Raad se voorgeskrewe procedures en die Wet op Munisipale Finansiële Bestuur sal wees;
 - (c) tariewe ten opsigte van openbare vervoer en vervoerinfrastruktuur, -fasiliteite en -dienste aan die Raad vir goedkeuring voorstel, nadat die Kommissaris eers die gepaste vlak van sodanige tariewe geëvalueer het aan die hand van 'n koste-voordeelontleding deur al die tersaaklike funksies binne die parameters van die munisipale landvervoerfonds waarna in subartikel (4) verwys word;

- (d) sodanige internasionale, nasionale of provinsiale toekennings fasiliteer as wat gepas mag wees om die uitvoering van die funksies te ondersteun en sal verantwoordelik wees vir die bestuur van sodanige toekennings binne die parameters van die munisipale landvervoerfonds waarna in subartikel (4) verwys word;
- (e) verantwoordelik wees vir die kosteberekening van alle beleggings ooreenkomsdig die Raad se visie vir vervoer in die Stad soos van tyd tot tyd in die IVP verwoord en, in die besonder, vir die kosteberekening van alle groot projekte en programme wat deel uitmaak van die IVP deur na behore ag te slaan op beide die koste van aanvanklike belegging en die behoefté aan langtermyn-instandhouding en fasilitatebestuur waar gepas;
- (f) verantwoordelik wees vir alle aktiwiteite wat inkomste voortbring oor al die funksies heen en, in die besonder, ten opsigte van alle aspekte verwant aan kaartjie-uitreiking, met inbegrip van:
- (i) die ontwikkeling en implementering van 'n geïntegreerde kaartjie-uitreikingstelsel vir openbare vervoer, met inbegrip van (sonder beperking) die EMV-kaart (Europay, Mastercard en VISA) en faktureringstelsel, sowel as (sonder beperking) vir parkering, parkeer-en-ry, "dial-a-ride", geleentheidsbestuur, gespesialiseerde dienste en fietsverhuringsdienste; en
- (ii) die daarstelling, ontplooiing en bestuur van die geautomatiseerde stelsel vir die vordering van reisgeld;
- (g) verantwoordelik wees om oor alle funksies heen eerlikheid ten opsigte van kontrakterende en verkrygungsaktiwiteite te waarborg; en
- (h) voortdurend daarna streef om alle terreine van interbedryfbaarheid en die doeltreffendheid, doelmatigheid en ekonomiese haalbaarheid van vervoer en verwante infrastruktuur te verbeter tot voordeel van die burgers van en besoekers aan die Stad.
- (4) Sonder om afbreuk te doen aan subartikels (1), (2) of (3), sal die Kommissaris daarvoor verantwoordelik wees om 'n munisipale landvervoerfonds kragtens artikels 27 en 28 van die WNLV in te stel en in stand te hou.
- (5) Die Kommissaris sal, op 'n maandelikse basis, gepaste data in soverre dit sy aktiwiteite behorende onder hierdie finansiële bestuursfunksie (insluitende ten opsigte van kaartjie-uitreiking in die besonder) aan die funksie belas met prestasiemonitoring en -evaluering voorsien.
- (6) Behoudende die voorafgaande subartikels van hierdie artikel 7 en altyd onderworpe aan die Wet op Munisipale Finansiële Bestuur, sal die Kommissaris die direkteur van die finansiële bestuursfunksie aanstel ten einde te verseker dat die TCT se finansiële sake na behore geadministreer word, ter nakoming van alle tersaaklike professionele gedragskodes, alle statutêre verpligtinge en volgens die Raad se voorgeskrewe procedures.

Wetstoepassing ten opsigte van openbare vervoer

- 8.** (1) Die Kommissaris sal verantwoordelik wees vir die implementering van artikels 85 tot 91 (inklusief) van die WNLV.
- (2) Sonder om afbreuk te doen aan subartikel (1), sal die Kommissaris daarvoor verantwoordelik wees om die Wet op Nasionale Padvervoer af te dwing in soverre dit met wetstoepassing ten opsigte van openbare vervoer verband hou.
- (3) Sonder om afbreuk te doen aan subartikels (1) of (2), sal die Kommissaris daarvoor verantwoordelik wees om veiligheid ten opsigte van die gebruik van die Stad se openbarevervoernetwerk en verwante infrastruktuur en fasiliteite af te dwing.
- (4) Die Kommissaris sal gepas gebruik maak van die TMC en TIC en verwante tegnologie, en sal saam met ander tersaaklike agentskappe en belanghebbers werk ten einde TCT se verantwoordelikhede ten opsigte van hierdie artikel 8 na te kom.
- (5) TCT sal ooreenkomstig sy strategie vir wetstoepassing en veiligheid in openbarevervoerverband sodanige verkeersbestuur- en wetstoepassingsdienste voorsien soos van tyd tot tyd deur die Raad bepaal.
- (6) Die kommissaris sal, op 'n maandelikse basis, gepaste data in soverre dit sy aktiwiteite behorende onder hierdie funksie verwant aan wetstoepassing ten opsigte van openbarevervoer aan die funksie belas met prestasiemonitoring en -evaluering voorsien.

Skakeling, kommunikasie en belanghebberbestuur

- 9.** (1) Die Kommissaris sal prosedures en bestuurspraktyke daarstel en in stand hou ten einde doeltreffende en doelmatige kommunikasie met alle geïdentifiseerde belanghebbers te verseker.
- (2) Die Kommissaris sal by die prosedures en bestuurspraktyke waarna in subartikel (1) verwys word gepaste inisiatiewe insluit om suksesvolle en volhoubare bedryfstransisie en -bemagtiging te verseker ooreenkomstig parameters wat van tyd tot tyd deur die Raad geïdentifiseer word.
- (3) Die Kommissaris sal verantwoordelik wees vir die interne en eksterne bemarking van TCT ten einde te verseker dat die burgers van en besoekers aan Kaapstad goed ingelig en tevrede is, soos gemeet deur 'n program van deurlopende monitering van klanttevredenheid, met inbegrip van (sonder beperking) geredelik beskikbare openbare inligting oor prestatie teen teikens en diensvlakke wat deur die funksie vir monitering en evaluering gepubliseer is.

- (4) Die Kommissaris sal (om maar 'n paar kommunikasiemiddelle te noem) deur die TIC met die publiek ten opsigte van bedryfsaangeleenthede verwant aan openbare vervoer kommunikeer en skakel.
- (5) Die Kommissaris sal die burgemeesterskomiteelid vir TCT, na gelang van sy of haar behoefté, van hulp wees ten opsigte van enige skakeling met die media.
- (6) Die Kommissaris sal, namens die Raad, enige sodanige aktes van ooreenkoms met vervoerbelanghebbers, met inbegrip van (sonder beperking) operateursverenigings, groepe wat mense met spesiale behoeftes verteenwoordig en opvoedkundige forums, aangaan, onderworpe daaraan dat die nodige magtiging verkry is.
- (7) (a) Sonder om afbreuk te doen aan enige ander subartikel in hierdie artikel 9, sal die Kommissaris, deur gebruik te maak van die webwerf, databasis en ander fora vir kommunikasie met belanghebbers waarna in subartikel 6(3) verwys word, sodanige inligting as wat nodig mag wees, beskikbaar stel wat:
- (i) verband hou met openbarepassasiervervoerdienste wat tot voordeel van die burgers van en besoekers aan die Stad voorsien word; en
- (ii) deur lede van die algemene publiek benodig word sodat hulle kan besluit tot watter mate om van sodanige dienste gebruik te maak.
- (b) Sodanige inligting as waarna in subartikel (7)(a) verwys word, sal ooreenkomstig die bepalings van die Municipale Stelselwet beskikbaar gestel word aan:
- (i) die algemene publiek; en
- (ii) sodanige ander persone as wat die Kommissaris nodig mag ag.
- (c) Die Kommissaris kan, ooreenkomstig die Raad se goedgekeurde tariewe, sodanige heffings oplê vir enige inligting wat deur TCT beskikbaar gestel word, maar geen sodanige heffings mag opgelê word indien die inligting met openbarepassasiërsvervoerdienste verband hou wat eksklusief deur TCT voorsien word nie.
- (8) Die Kommissaris sal:
- (a) namens die Raad, 'n intermodale beplanningskomitee instel ooreenkomstig artikel 15 van die WNLV ten einde openbare vervoer tussen modusse te koördineer met die oog daarop om die doelwitte van die WNLV te behaal; en
- (b) as voorsitter vir die intermodale beplanningskomitee optree en verseker dat die lidmaatskap van die intermodale beplanningskomitee aan artikel 15(1) van die WNLV voldoen;

- (c) verseker dat die intermodale beplanningskomitee gereeld verslag doen aan en oorleg pleeg met die adviesraad oor landvervoer (en die Kommissaris sal aan die Raad verslag doen mits en indien die aangeleenthede waaroor op hierdie manier verslag gedoen word met die aktiwiteite van TCT verband hou);
- (d) verseker dat die intermodale beplanningskomitee voldoen aan alle regulasies ten opsigte van sy funksies, lidmaatskap en bedrywighede wat dalk ingevolge die WNLV moet wees;
- (e) sonder om afbreuk te doen aan die voorafgaande bepalings van hierdie subartikel (8), verseker dat die intermodale beplanningskomitee insette en leiding koördineer in soverre dit die holistiese integrasie betref van:
- (i) passasierspoordienste in die funksionele gebied met padgebaseerde openbarevervoerdienste;
 - (ii) geskeduleerde dienste, minibustaxi-tipe-dienste en ongeskeduleerde dienste in die funksionele gebied met mekaar en met ander openbarevervoermodusse;
 - (iii) alle aspekte van die IVP ten einde te verseker dat die optimale gebruik van infrastruktuur en dienste binne die stelsel en optimale benutting en prioritisering van fondse, met inbegrip van vragvervoer en niegemotoriseerde vervoer, behaal word; en
 - (iv) die rolle, verantwoordelikhede en onderlinge verwantskappe van alle tersaaklike vervoerbelanghebbers, met inbegrip van (sonder beperking) gemeenskapsvervoerfora, die handel, openbarevervoeroperateurs en arbeid; en
- (f) verseker dat die intermodale beplanningskomitee sodanige subkomitees instel, wat uit wetstoepassingssubkomitees vir spoor-, bus-, taxi- en landvervoer kan bestaan, as wat die intermodale beplanningskomitee nodig mag ag.
- (9) Die Kommissaris sal:
- (a) namens die Raad, die adviesraad oor landvervoer instel ooreenkomsdig artikel 16 van die WNLV met verteenwoordiging deur die staat- en privaatsektor om die Raad van advies ten opsigte van aangeleenthede verwant aan landvervoer te bedien;
 - (b) verseker dat die adviesraad oor landvervoer voldoen aan enige regulasies wat van tyd tot tyd deur die minister verantwoordelik vir vervoer in die nasionale regeringsfeer onder artikel 16(2) van die WNLV ten opsigte van lidmaatskap van die adviesraad oor landvervoer, die aanstelling en kwalifikasies van lede, procedures en frekwensie van vergaderings, en verwante aangeleenthede uitgevaardig word;

- (c) vereis dat die adviesraad oor landvervoer:
- (i) insette vanaf die intermodale beplanningskomitee ontvang; en
 - (ii) strategiese beleidsaanbevelings aan die Raad en ander tersaaklike besluitnemingsliggame maak ten opsigte van aangeleenthede verwant aan geïntegreerde landvervoer soos na in subartikels (8)(e) en (f) verwys,

waarvan almal ter bevordering van geïntegreerde vervoer in die Stad sal wees.
- (10) Die burgemeesterskomiteelid vir TCT sal as voorsitter vir die adviesraad oor landvervoer dien en die voorsitter van die TCT-portefeuiljekomitee sal as ondervoorsitter vir die adviesraad oor landvervoer dien.
- (11) Die Kommissaris sal alle nodige stappe neem om TCT se handelsmerk en sy ondersteunende logo's en argitektuur te ontwikkel en te ontplooи met die bedoeling dat TCT die Raad se visie van TCT oor alle die funksies heen ten volle sal ondersteun.

Infrastruktuurbestuur

- 10.** (1) Die Kommissaris sal verantwoordelik wees vir die beplanning, ontwerp, kosteberekening, konstruksie, instandhouding, vervanging, uitbreiding en opgradering van die Stad se paaienetwerk, die openbarevervoernetwerk en openbarevervoerinfrastruktuur, die stormwaternetwerk, stormwaterinfrastruktuur, seewerings en verwante fasilitete.
- (2) Die Kommissaris sal verantwoordelik wees vir en sal al die funksies van die padowerheid onder die Ordonnansie op Paaie verrig vir alle openbare paaie en openbare voetpaaie (namate sodanige openbare paaie en openbare voetpaaie in die Ordonnansie op Paaie omskryf word) in die Stad en sal, tot die mate waartoe dit nodig is, verdere aansoeke onder die Ordonnansie op Paaie rig ten einde sodanige verantwoordelikheid te aanvaar.
- (3) Die Kommissaris sal 'n bateregister ten opsigte van die Stad se paaienetwerk, die openbarevervoernetwerk en openbarevervoerinfrastruktuur en verwante fasilitete waarna in subartikel (1) verwys word, daarstel, bestuur en in stand hou.
- (4) In die besonder sal die Kommissaris verseker dat die bateregister waarna in subartikel (3) verwys word, rekord van die volgende inligting hou:
- (a) die ligging van die bates waarna in subartikel (3) verwys word;
 - (b) die klassifikasie en omskrywing van sodanige bates;
 - (c) die ouderdom van sodanige bates;

- (d) die lewensikluskoste vir die instandhouding van sodanige bates en, in die besonder, die koste verbonde aan die uitstel van die instandhouding van sodanige bates; en
 - (e) die kwantifisering van sodanige bates en die finansiële waarde van sodanige bates.
- (5) Wanneer besluite geneem word oor die instandhouding van die bates waarna in subartikel (4) verwys word, sal die Kommissaris 'n gepaste balans vind tussen beplande en reaktiewe instandhouding ten einde die langtermyn- en kostedoeltreffende volhoubaarheid van sodanige bates te verseker, sowel as gepaste sakebeplanningsscenario's ter ondersteuning van besluite wat deur die Kommissaris geneem word om strategies in sodanige bates te belê wat deur hom of haar as van uiterste belang beskou word.
- (6) Die Kommissaris sal, op 'n maandelikse basis, gepaste data in soverre dit sy aktiwiteite behorende onder hierdie funksie verwant aan infrastruktuurbestuur aan die funksie belas met prestasiemonitering en -evaluering voorsien.

Netwerkbedryfsbestuur

- 11.** (1) Die Kommissaris sal verantwoordelik wees vir die beplanning, ontwerp, kosteberekening en bedryf van asook toesig oor alle aktiwiteite op die geïntegreerde vervoernetwerk en verwante infrastruktuur en fasiliteite in die Stad (en in die besonder die GOVN), met inbegrip van (sonder beperking) die bedryf van:
- (a) die verkeersinjaleringstelsels;
 - (b) die bus- en minibus-taxi- (BMT) lane;
 - (c) die verkeersbestuurkameras;
 - (d) parkeringsbestuur;
 - (e) die snelwegbestuurstelsel;
 - (f) vervoerplanne ten opsigte van geleentheidsbestuur;
 - (g) prosedures vir abnormale vragte en die vervoer van geværlike goedere;
 - (h) die bestuur van die TMC en die TIC;
 - (i) kommunikasiestelsels, die omvattende databank en TCT se inligtingstelsels en -tegnologie, waarvan alles by die TMC gehuisves en bestuur sal word;
 - (j) kommunikasiefasiliteite by alle vername openbarevervoerfasiliteite, interseksies en op die geïntegreerde vervoernetwerk en verwant aan infrastruktuur en fasiliteite;
 - (k) die geïntegreerde tydrooster vir alle openbarevervoerdienste;

- (l) padsluitings; en
 - (m) die vergunning van deurgangsregte.
- (2) Die Kommissaris sal, op 'n maandelikse basis, gepaste data in soverre dit sy aktiwiteite behorende onder hierdie funksie verwant aan netwerkbedryfsbestuur aan die funksie belas met prestasiemonitering en -evaluering voorsien.

DIVERSE

Algemene funksies van TCT

- 12.** (1) Die Kommissaris kan die uitvoering van enige ander aktiwiteite wat hy of sy gemagtig is om uit te voer, bevorder en administreer, ongeag of sodanige magtiging statutêr of deur hierdie verordening verleen of deur die Raad gedelegeer is en, tot die mate regtens vergun, sal die Kommissaris daarop geregtig wees om sodanige personeel, agente en kontrakteurs aan te stel as wat hy of sy nodig mag ag en/of wat van die Raad verwag word om aan te stel ten einde sodanige aktiwiteite uit te voer as waartoe die Kommissaris gemagtig is.
- (2) Die Kommissaris kan enige ooreenkoms, onderworpe aan die verkryging van die nodige magtiging, met enige persoon aangaan en uitvoer vir uitvoering deur daardie persoon, hetsy as agent vir TCT of andersins, van enige aktiwiteite wat die Kommissaris gemagtig is om uit te voer (en, in die besonder, ten opsigte van die voorsiening of finansiering van enige dienste vir openbarepassasiersvervoer wat TCT gemagtig is om te verskaf) onderworpe daaraan dat die voorgeskrewe prosesse gevolg word.
- (3) Tot die mate waartoe dit regtens toegelaat word, sal dit binne die kapasiteit van die Kommissaris wees om sodanige dinge te doen en sodanige transaksies aan te gaan as wat na raming die vervulling van enige van TCT se funksies sal faciliteer, of bevorderlik daarvoor sal wees of daarmee gepaard gaan, onderworpe daarvan dat die nodige magtiging verkry word.

Ooreenkomste met die provinsie en aangrensende munisipaliteite

- 13.** Onderworpe aan vooraf goedkeuring deur die Raad, kan die Kommissaris ooreenkomstig artikel 12 van die WNLV enige sodanige reëlings met die provinsie of aangrensende munisipaliteite aangaan en, kragtens artikel 19 van die WNLV, enige sodanige reëlings as wat TCT nodig mag ag.

Korttitel

- 14.** Hierdie verordening staan bekend as Stad Kaapstad: Verordening op die samestelling van Vervoer vir Kaapstad (TCT), 2013

ISIXEKO SASEKAPA

UBUME/ISAKHEKO SEZOTHUTHO
LWASEKAPA NGOKOMTHETHO KAMASIPALA,
2013

WAPHUNYEZWA LIBHUNGA: 28 AGASTI 2013

C [22/08/13]

Itshayelelo

NJENGOKUBA icandelo 156(2) loMgaqo-siseko umisela ukuba uMasipala unakho ukumisela nokulawula imithetho kamasipala kulungiselelwa ulawulo lwemicimbi enelungelo lokuyilawula;

NJENGOKUBA ukwabelwa koxanduva lwemicimbi yezithuthi ezihamba emhlabeni kwisiXeko lwalufudula kusabelwa ngalo phakathi kwesiXeko, iPhondo neSebe lezoThutho;

NJENGOKUBA ngokungqinelana necandelo le-11 le-NLTA, uMasipala usenokuba nayo imisebenzi eyabelwe yena;

NJENGOKUBA ukuze kuqhutywe imisebenzi yakhe yezothutho (kuqukwya nayiphi eminye imisebenzi enokwabelwa kuye) ngokukuko, isiXeko sinqwenela ukumisela ugynyaziwe omtsha wezothutho kwisiXeko njengeqela elilawulayo nalapho yonke imisebenzi yezothutho iya kuthelekiswa nayo ngenjongo yokuququzelela inkubo yezothutho ehlangeneyo ngenjongo yokuzuzisa abahlali neendwendwe zesiXeko;

NJENGOKUBA lo gunyaziwe omtsha wezothutho eya kuba yi-TCT yaye imisebenzi yakhe iya kuchazwa kulo Mthetho kaMasipala;

NJENGOKUBA ngokuphendula kwiimfuno ze-NLTA, kuyimfuneko ukuba isiXeko siphucule ubonelelo Iweenkonzo zothutho kunye nokumisela imigangatho eya kutshintsha indlela iziseko zophuhliso zothutho, iinkonzo, imisebenzi neenkqubo ezimiselwa nezilawulwa ngayo;

NJENGOKUBA isiXeko sinokusebenzia amagunya aso ngokwemigaqo yecandelo le-12 nele-19 ngokulandelelana kwayo ye-NLTA, imiqathango efanelekileyo yoMmiselo wezeNdlela, uMthetho olawula iZithuthi zeNdlela kuZwelonke kunye noMthetho weZothutho eziDolphini, nayo nayiphi eminy imithetho yezothutho efanelekileyo; yaye

NJENGOKUBA i-TCT iya kuba ngumbutho apho imiselwa khona imisebenzi yesiXeko phantsi kwe-NLTA;

KWAYE NGENXA YOKO, UMISELWE liBhunga lesiXeko saseKapa, ngolu hlobo lulandelayo:

ULUHLU LWEZIQUULATHO

IMIGAQO JIKELELE

1. IiNkcazelot
2. Ukumiselwa nemisebenzi ye-TCT

IMISEBENZI EKHETHEKILEYO YE-TCT

3. UGunyaziwe woCwangciso
4. UGunyaziwe onikezelot imisebenzi kooNokontraka
5. IQumrhu eliLawulayo likaMasipala

6. Ukubekw'esweni nokuPhononongwa kweNdlela yokuSebenza
7. ULawulo IweziMali
8. UNyanzeliso-mthetho IoMthetho weZithuthi zoLuntu
9. Intsebenziswano, uNxibelelwano noLawulo IwaBachaphazelekayo
10. ULawulo IweZiseko zoPhuhliso
11. ULawulo IoThungelwano IweMisebenzi

IZINTO NGEZINTO

12. Imisebenzi ngokubanzi
13. IZivumelwano nePhondo nooMasipala abakufuphi
14. Isihloko esifutshane

IMIGAQO JIKELELE

Iinkcazelو

1. Kulo Mthetho kaMasipala, ngaphandle kokuba umxholo ubonisa ngolunye uhlobo:

"IsiXeko" kubhekiselelwе kuMasipala wesiXeko saseKapa;

"UMphathi wesiXeko" kubhekiselelwе kumntu owonyulwe njengomphathi kamasipala wesiXeko ngokwemigaqо yecandelo lama-54A IoMthetho weZikhundla zikamasipala;

"UMkomishinala" kubhekiselelwе kumntu owonyulwe liBhunga ukuba abe ngumkomishinala we-TCT yaye ukonyulwa kwakhe kuya kungqinelana necandelo lama-57 IoMthetho olawula iiNkqubo zikamasipala;

"IKomiti" kubhekiselelwе kwikomiti eyonyulwe ngokungqinelana necandelo lama-79 IoMthetho weZikhundla zikamasipala;

"UMgaqosiseko" kubhekiselelwе kuMgaqosiseko weRiphabhlikи yoMzantsi Afrika, 1996;

"UGunyaziwe onikezela imisebenzi yeKontraka" kubhekiselelwе kuMasipala onikezelwе igunya lokwabela imisebenzi yekontraka ngokungqinelana ne-NLTA, noxanduva lwakhe luchazwe kwicandelo le-4 ephantsi kwe-TCT;

"IBhunga" kubhekiselelwе kwibhunga likamasipala wesiXeko elichazwe kwicandelo le-157 IoMgaqosiseko;

"UMlawuli" kubhekiselelwe kuye nabani okwisikhundla sokuba ngumlawuli (nokuba usebenza oko okanye ngamaxesha athile, okwethutyana okanye ngokusigxina) kwisiXeko;

"USodolophu wesigqeba" kubhekiselelwe kusodolophu wesigqeba wesiXeko owonyulwe ngokwemigaqo yecandelo lama-55 loMthetho weZikhundla zikamasipala;

"ULawulo IweziMali" kubhekiselelwe kwimisebenzi echazwe kwicandelo le-7 nephantsi kwe-TCT;

"UNyaka-mali" kubhekiselelwe kumhla woku-1 Julayi ukuya kowama-30 Juni (ibandakanywa nayo);

1.1 **"UMsebenzi"** kubhekiselelwe kuyo nayiphi kule misebenzi ilandelayo eyenziwa kwi-TCT (njengoko umxholo unokumisela):

- (a) UGunyaziwe woCwangciso;
- (b) UGunyaziwe onikezela imisebenzi yeKontraka;
- (c) IQumrhu eliLawulayo likaMasipala;
- (d) UkuBekw'esweni nokuPhononongwa kweNdlela yokuSebenza;
- (e) ULawulo IweziMali;
- (f) UNyanzeliso-mthetho loMthe weZithuthi zoLuntu;
- (g) INTsebenziswano, uNxibelewano noLawulo IwabaChaphazelekayo;
- (h) ULawulo IweZiseko zoPhuhliso; kunye
- (i) NoLawulo loThungelwano IweMisebenzi;

"INdawo ekuSetyenzwa kuyo" kubhekiselelwe kummandla wesiXeko ndawonye neminye imimandla ekwabanye ooMasipala nalapho isiXeko sinobudlelwane bokucwangcisa izithuthi nabo;

"ULawulo IweZiseko zoPhuhliso" kubhekiselelwe kwimisebenzi emiselwe kwicandelo le-10 nephantsi kwe-TCT;

"ISicwangciso esihlangeneyo soPhuhliso" okanye **"IDP"** kubhekiselelwe kwisicwangciso esihlangeneyo sophuhliso sesiXeko esamiselwa ngokungqinelana nesahluko se-5 soMthetho olawula iiNkqubo zikamasipala;

"UThungelwano oluHlangeneyo IweZithuthi zoLuntu" okanye **"IPTN"** kubhekiselelwe kuthungelwano oluHlangeneyo IweZithuthi zoluntu (ezendlela nezo zihamba kwimizila yoololiwe) IwesiXeko njengoko kuchaziwe kwi-NLTA;

"ISicwangciso esiHlangeneyo sezoThutho" okanye **"ITP"** kubhekiselelw
kwisicwangciso esihlangeneyo sezothutho sesiXeko njengoko kuchaziwe kwicandelo
lama-36 le-NLTA;

"IKomiti yoCwangciso lweendlela zokuhamba ezohlukeneyo" kubhekiselelw
kwikomiti ejongene neendlela zothutho ezohlukeneyo yocwangciso eyasekwa
ngokwemigaqo yecandelo le-15 le-NLTA;

"IBhodi enika iiNgcebiso ngeziThuthi ezihamba eMhlabeni" kubhekiselelw
kwibhodi enika iingcebiso ngezithuthi ezihamba emhlabeni eyasekwa ngokwemigaqo
yecandelo le-16 le-NLTA;

"INTsebenziswano, uNxibelelwano noLawulo IwaBachaphazelekayo"
kubhekiselelw kwimisebenzi emiselwe kwicandelo le-9 nephantsi kwe-TCT;

"IKomiti yesiGqeba sikaSodolophu" kubhekiselelw kwikomiti yesigqeba
sikaSodolophu yesiXeko eyonyulwa ngokwemigaqo yecandelo lama-60 loMthetho
weZikhundla zikamasipala;

"UMphathiswa wePhondo" kubhekiselelw kwilungu leBhunga lesiGqeba sePhondo
elinoxanduva lezothutho kwiPhondo;

"UMphathiswa" kubhekiselelw kumphathiswa onoxanduva lezothutho kwinqanaba
lorhulumente kazwelonke;

"IKomiti ye-MRE" kubhekiselelw kwikomiti yeQumhu eliLawulayo likaMasipala
echazwe kwicandelo 5(5);

"IQumrhu likaMasipala" kubhekiselelw kwiqumrhu likamasipala njengoko
kuchaziwe kwicandelo loku-1 loMthetho olawula iiNkqubo zikamasipala;

"INgxowa-mali yeziThuthi ezihamba eMhlabeni kaMasipala" kubhekiselelw
kwngxowa-mali eyasekwa ngokungqinelana necandelo lama-27 le-NLTA neliphantsi
kwe-TCT;

"UMthetho oLawula iZimali zikaMasipala" kubhekiselelw kuMthetho oLawula
iZimali zikaMasipala: kuRhulumente weNgingqi, Nomb. 56 ka-2003;

"UMasipala" kuqukwa zonke iintlobo zoomasipala ezichazwe kwicandelo le-155
loMgaqosiseko;

"IQumrhu eliLawulayo likaMasipala" kubhekiselelw kuMasipala onegunya
lokunikezela ngelayisenisi zokusebenza ngokungqinelana ne-NLTA, yaye uxanduva
Iwakhe luchazwe kwicandelo le-5 neliphantsi kwe-TCT;

"UMthetho olawula iziThuthi zeNdlela kuZwelonke" kubhekiselelw kuMthetho
olawula iziThuthi zeNdlela kuZwelonke, Nomb. 93 ka-1996;

"ULawulo IoThungelwano IweMisebenzi" kubhekiselelwe kwimisebenzi echazwe kwicandelo le-11 nephantsi kwe-TCT;

"NLTA" kubhekiselelwe kuMthetho olawula iZithuthi zeNdlela kuZwelonke, Nomb. 5 ka-2009;

"Umntu ongeloLungu" kubhekiselelwe kumnini wesithuthi osebenza kwisiXeko ongelilo ilungu loMbutho wabaNini bezithuthi;

"INkqubo yokuLawula iiLayisenisi zokuSebenza" okanye **"OLAS"** kubhekiselelwe kwinkqubo yokulawula iilayisenisi zokusebenza eza kusetyenziselwa ukulawula umsebenzi weQumrhu eliLawulayo likaMasipala;

"ISicwangciso-buchule seeLayisenisi zokuSebenza" okanye **"OLS"** kubhekiselelwe kwisicwangciso-buchule seelayisenisi zokusebenza esichazwe kwiSicwangciso esihlangeneyo sezothutho nesiza kusetyenziselwa ukulawula umsebenzi weQumrhu eliLawulayo likaMasipala;

"UMbutho wabaNini bezithuthi" kubhekiselelwe kuwo nawuphi umbutho wabanini bezithuthi ngokuphathelene nayo nayiphi inkonzo yezothutho efunekayo kwisiXeko;

"UkuBekw'esweni nokuPhononongwa kweNdlela yokuSebenza" kubhekiselelwe kwimisebenzi echazwe kwicandelo le-6 nephantsi kwe-TCT;

"UGunyaziwe woCwangciso" kubhekiselelwe kugunyaziwe wocwangciso (njengoko kuchaziwe kwi-NLTA), imisebenzi yakhe ichazwe kwicandelo le-3 nephantsi kwe-TCT;

"ISikhokelo sePhondo esijongene neziThuthi ezihamba eMhlabeni" kubhekiselelwe kwiSikhokelo sePhondo esijongene neziThuthi ezihamba eMhlabeni esichazwe kwicandelo lama-35 le-NLTA;

"PRASA" kubhekiselelwe kwi-Arhente yooLoliwe abathutha aBantu yoMzantsi Afrika eyasekwa ngokwemigaqo yecandelo lama-23 loMthetho wokuNgena ngokuseMthethweni kwiiNkonzo zoThutho eMzantsi Afrika, Nomb. 9 ka-1989;

"IPhondo" kubhekiselelwe kuRhulumente wePhondo leNtshona Koloni;

"UNyanzeliso-mthetho IoMthetho weZithuthi zoLuntu" kubhekiselelwe kulo misebenzi echazwe kwicandelo le-8 nephantsi kwe-TCT;

"UMmiselo weeNdlela" kubhekiselelwe kuMmiselo weeNdlela, Nomb. 19 ka-1976;

"UMthetho weZikhundla zikamasipala" kubhekiselelwe kuMthetho weZikhundla zikaMasipala: kubuRhulumente beNgingqi, Nomb. 117 ka-1998;

"UMthetho olawula iiNkubo zikamasipala" kubhekiselelwe kuMthetho olawula iNkqubo zikamasipala: kubuRhulumente beNgingqi, Nomb. 32 ka-2000;

"TCT" kubhekiselelwe kwezoThutho eKapa, ugunyaziwe wezothutho kwisiXeko;

"TIC" kubhekiselelwe kwiZiko leeNkukacha ngezoThutho kwisiXeko neliphantsi kwe-TCT;

"TMC" kubhekiselelwe kwiZiko loLawulo IwezoThutho lesiXeko neliphantsi kwe-TCT; yaye

"UMthetho weziThuthi zaseziDolphini" kubhekiselelwe kuMthetho weziThuthi zaseziDolphini, Nomb. 78 ka-1977.

Ukusekwa nemisebenzi ye-TCT

2. (1) Ngokuxhomekeke kwicandelwana (2), iBhunga liya kumisela ugunyaziwe wezothutho, oya kubizwa ngokuba iziThuthi zeKapa, kwisiXeko njengeqela elilawulayo nalapho yonke imisebenzi iya kudityaniswa ngenjongo yokuquuzelela izithuthi ezhlangeneyo kuza kuzuza abahlali neendwendwe zaseKapa.
- (2) I-TCT awusayi kuba ngumntu ozimeleyo yaye ngokukodwa awusayi kuba liQumrhu likaMasipala kwaye:
 - (a) I-TCT iya kuhlala iyinxalenye yesiXeko kunye nolawulo Iwesixeko yaye iya kuba liqela ekungeniswa kulo ingxelo; yaye
 - (b) UMkomishinala akasayi kufuna eminye imisebenzi okanye amagunya ngaphandle kwalawo anikezelwe ngokusemthethweni nagunyaziselwe uMkomishinala kwinkqubo yokunikezelwa kwamagunya, njengoko elungiswa ngokuhamba kwexesha.
- (3) UMkomishinala uya kuba noxanduva yaye uya kwamkela uxanduva lwendlela yokusebenza kwamacandelo emisebenzi yaye ngokukodwa (kodwa ngaphandle kokulinganiselwa) uya kumisela alawule ukumiselwa kwesicwangciso-buchule sokunikezelwa kwezithuthi ezhlangeneyo kuza kuzuza abahlali neendwendwe zaseKapa;
- (4) Ngaphandle kokungakhathaleli imiqathango yeccandelwana (3), uMkomishinala uya kuba neminye imisebenzi eya kunikezelwa kuye liBhunga ngokuhamba kwexesha:
 - (a) ngokungqinelana nezikhokelo okanye imiyalelo eya kukhutshwa liBhunga;
 - (b) ngenjongo yokuquuzelela ukunikezelwa kwemisebenzi sisiXeko yesiXeko phantsi kwe-NLTA, uMthetho weziThuthi zaseziDolphini, uMmiselo weeNdlela, uMthetho olawula iziThuthi zeNdlela kuZwelonke kunye nawo nawuphi omnye umthetho nomgaqo wezothutho ofanelekileyo; kunye
 - (c) ngeenjongo zokukhusela okanye ukuquuzelela ukumisela isicwangciso-buchule esihlanqeneyo sezothutho sesiXeko.

- (5) (a) I-TCT iya kukhokelwa nguMkomishinala.
- (b) uMkomishinala uya kunika ingxelo ngqo kuMphathi wesiXeko ngokungqinelana necandelo lama-57 loMthetho olawula iiNkqubo zikamasipala.
- (c) IBhunga linokanekelela kuMkomishinala amagunya aphaThelene nendlela yokusebenza kwamacandelo e-TCT ukulungiselela ukuba uMkomishinala abe noxanduva lwala macandelo emisebenzi, njengoko kuchaziwe kwicandelwana (5)(d)
- (d) Ngokuxhomekeke ekunikezelweni kwangaphambili kwalo magunya nguMphathi wesiXeko, uMkomishinala uya kuthi, elandela inkqubo efanelekileyo, ngokokubona kwakhe, onyule abaLawuli ngokuyimfuneko ukuze enze imisebenzi yamacandelo.
- (e) Ngokuxhomekeke kuwo nawuphi umqathango oqulethwe kulo Mthetho kaMasipala, uMgaqosiseko, i-NLTA, uMthetho weeNkqubo zikamasipala, uMthetho weZikhundla zikamasipala, uMmiselo weeNdlela, uMthetho weziThuthi zeNdlela kuZwelone, uMthetho weziThuthi zaseziDolophini nayo nayiphi eminye imithetho nemigaqo yezothutho efanelekileyo, uMkomishinala unakho ukunikezelwa nayiphi kwimisebenzi yakhe ngokungqinelana nalo mthetho kamasipala kuye nawuphi uMlawuli.
- (f) Ukusetyenziswa kwavo nawaphi amagunya anikezelweyo akhutshwe nguMkomishinala phantsi kwalo Mthetho kaMasipala okanye omnye ngokuxhomekeke:
- (i) kuzo naziphi izithintelo ezimiselweyo ngokoMthetho okanye ngokungqinelana nomthetho;
- (ii) yonke eminye imiqathango yalo Mthetho kaMasipala;
- (iii) nayo yonke eminye imigaqo-nkqubo efanelekileyo, iinkqubo nemithetho kamasipala esebezayo.
- (g) Nakuphi ukungqinelana nawo nawuphi umthetho omisiweyo, umgaqo okanye eminye imiqathango efanelekileyo kulo Mthetho kaMasipala kuya kuchazwa njengesikhokelo kumthetho owisiweyo, umgaqo, okanye umqathango olungisiweyo, otshintshiweyo, ohlanganisiweyo okanye omiswe ngokutsha.
- (h) Kangangoko kuvunyelweyo okanye kufuneka kumthetho kamasipala, uMkomishinala uya kungena kulo memorandam yesivumelwano egameni leBhunga nangokuxhomekeke ekufunyanweni kwamagunya afunekayo, nawo onke amaCandelo kaZwelone okanye ePhondo kurhulumente, okanye abanye ooMasipala ngenjongo yokuqhoba imisebenzi yamaCandelo eyenziwa kwi-TCT.

IMISEBENZI EKHETHEKILEYO YE-TCT

UGunyaziwe woCwangciso

3. (1) uMkomishinala uya kuba noxanduva lokumisela imiqathango yecandelo le-14 (ugunyaziwe woCwangciso), icandelo le-15 (iikomiti yocwangciso ejongene neendlela zothutho ezohlukeny), icandelo le-16 (iibhodi ezinika iingcebiso ngezithuthi ezihamba emhlaben), icandelo lama-31 ukuya kwelama-39 (uCwangciso IwezoThutho) (ebandakanyiwe) e-NLTA, ndawonye nawo onke amanye amacandelo e-NLTA afanelekileyo kwimisebenzi yogunyaziwe wocwangciso (njengoko kuchaziwe kw-NLTA).
- (2) Ngaphandle kokungakhathaleli imiqathango yecandelwana (1), uMkomishinala uya kuqulunqa, amisele, alawule ze aphengulule i-ITP esenzela isiXeko yaye (ngaphandle kokulinganiselwa) uya kuinisekisa ukuba lo ITP:
- (a) ithobela yonke imithetho, imiathango nezhokelo zifanelekileyo ngokuphathelene nomxholo, indlela nohlobo Iwe-ITP;
 - (b) ichaza imigaqo yokusebenza yecandelo ngalinye kunye nezinyaneliso nemigangatho ekuyimfuneko ukuba iCandelo ngaliny liyithobe;
 - (c) ifuna ukuba iCandelo ngalinye linike ingxelo rhoqo kwiCandelo eliBek'esweni neliPhonononga iNdlela yokuSebenza malunga nenqubela-phambili nemisebenzi eyimpumelelo ngokuchasene nezo zinyaneliso nemigangatho echazwe kwicandelwana (2)(b);
 - (d) imisele indlela uMkomishinala aza:
 - (i) kulawula ngayo ukunikezelwa nokulawulwa kwezivumelwano zekontraka ekuza kungenwa kuzo sisiXeko njengoGunyaziwe olawula iiKontraka, ngokuxhomekeke kwimiqathango nemigaqo-nkubo yoLawulo IweMisebenzi enikezelwa ngoLuhlu IwaBaxhasi;
 - (ii) kuqulunqa kwiSicwangciso-buchule seeLayisenisi zokuSebenza ukuba sizimisele ukulawula njani iilayisenisi zokusebenza eziza kunikezelwa sisiXeko njengeQumrhu eliLawulayo likaMasipala (kunye noMkomishinala baya kuqinisekisa ukuba iSicwangciso-buchule seeLayisenisi zokuSebenza sithobela uMgaqosiseko, i-NLTA, uMthetho woLawulo IweZimali zikaMasipala, uMthetho weeNkubo zikaMasipala kunye neSicwangciso esiHlangeneyo soPhuhliso); yaye
 - (iii) kuqulunqa aze agcine iziseko zophuhliso zezothutho zesiXeko kunye namaziko anxulumene noku; yaye
 - (e) iyinxalenye ye-IPTN.

- (3) Imigangatho ekufuneka ukuba iCandelo ngalinye lihlangabezane nayo njengoko kuchaziwe kwicandelwana (2)(b) iya kuthi, kweminye imicimbi kuqukw (ngaphandle kokulinganisewa) ifikelele ngokufanayo, kwiinkonzo ezikhethekileyo, kwizithuthi zemithwalo nezo zingenanjini, iya kuqulunqwa kwizicwangciso zecandelo eziyinxalenye ye-ITP.
- (4) Ngaphandle kokungakhathaleli imiqathango yamacandelwana (1), (2) nele-(3), uMkomishinala uya kuqulunqa i-ITP yesigaba ngasinye seminyaka emihlanu (esokuqala siya kuba sesiqala ngo-2013 ukuya ngo-2018) yaye uya kuqinisekisa ukuba i-ITP nganye iyangqinelana neSicwangciso esiHlangeneyo soPhuhliso kwisiXeko.
- (5) UMkomishinala uya kumisela agcine iinkqubo ezifanelekileyo ukuqinisekisa ukuba iCandelo loGunyaziwe woCwangciso liyasebenzisana neQumrhu eliLawulayo likaMasipala ngokuphathelene nayo yonke imicimbi ephathelene nocwangciso lwe-IPTN kunye nakuyo yonke imisebenzi efanelekileyo ephantsi kwe-NLTA, kuqukw necandelo lama-57 le-NLTA ngokukodwa.
- (6) Ngaphandle kokungakhathaleli imiqathango yecandelwana (5), uMkomishinala uya kunika izimvo nezikhokelo ngokusekelwe kwi-ITP kuwo onke amaQumrhu oMthetho afanelekileyo ngokuphathelene naso nasiphi isicelo sokunikezelwa, ukuvuselelwa, ukulungiswa okanye ukudluliswa kwelayisenisi yokusebenza enxulumene nesiXeko kunye(okanye amaCandelo aso eMisebenzi (ngaphandle kwenkonzo yokuthuthwa kwabakhenkethi okanye inkonzo yezithuthi ezishwayo, nangaphandle kwenkonzo yekontraka echazwe kwicandelo lama-56 le-NLTA) ngokungqinelana necandelo lama-55 neminye imigaqo efanelekileyo ye-NLTA.
- (7) UMkomishinala uya kuthi, egameni lesiXeko ngengoGunyaziwe, aphendule kuzo zonke izicelo zosetyenziso-mhlaba kwisiXeko ezinempembelelo yezothutho kunye(okanye yothutho yaye ngokukodwa ubungakanani ezinxulumene ngabo ne-ITP, kuthathelwa ingqalelo impembelelo yazo kwezothutho, ulawulo lwemfuneko yokuhamba neendleko zako, nokuthathela ingqalelo isicelo somgaqo-nkqubo wegalelo lezophuhliso.
- (8) UMkomishinala uya kuba noxanduva lokuqulunqa, amisele ze alawule isicwangciso-buchule seenguqu nokuphuhlisa iimfuno ezinxulumene naso ukugcina i-TCT isazi ngeenkqubo eziphuculweyo zezithuthi ezihlangeneyo ngenjongo yokuphumeza iinjongo zokunikezelwa kweenkonzo kubahlali ezibalulekileyo kwisicwangciso esipheleleyo sokusebenza se-TCT, kunye nezicwangciso-buchule zexesha elingelide nelo lide kuwo onke amacandelo emisebenzi.
- (9) Ngaphandle kokungakhathaleli imiqathango yecandelwana (8), uMkomishinala uya:

- (a) kuba noxanduva lenkqubela-phambili eqhubekayo ejoliswe kwinjongo yolawulo oluhlangeneyo Iwezothutho ukuze kusetyenzelwe ngcono abahlali neendwendwe zesiXeko; yaye
 - (b) kuphengulula rhoq iinguqu ezintsha ezenziwe ziziphathamandla zezothutho kwabanye oomasipala ngenjongo yokuqinisekisa ukuba iinkqubo neenkonzo zezothutho zesiXeko zikwewyona migangatho iphakamileyo ekhoyo ngoku.
- (10) Ngaphandle kokungakhathaleli imiqathango yecandelwana (1), uMkomishinala uya kunikezela ngezo nkukacha, uphicotho nengcebiso kwiKomiti yoCwangciso Iweendlela ezohlukeneyo zothutho kune neBhodi enika iiNgcebiso ngeziThuthi zeNdlela njengoko kuya kufunka ngokuhamba kwexesha.
- (11) UMkomishinala uya, rhoq ngenyanga, kubonelela ngeenkukacha ezifanelekileyo eziphathelene nemisebenzi ephantsi kweCandelo loLawulo loCwangciso kwiCandelo eliBek'esweni neliPhengulula iNdlela yokuSebenza.

UGunyaziwe onika iMisebenzi yeKontraka

4. (1) UMkomishinala uya kuba noxanduva lokumisela imiqathango yecandelo lama-40 (ukuhlanganiswa kwenkubo yeebasi zekontraka kwinkqubo enkulu yezithuthi zoluntu), icandelo lama-41 (iikontraka ekuboniswene ngazo), icandelo lama-42 (iikontraka zenkonzo exhaswa ngurhulumente), icandelo lama-43 (iikontraka zenkonzo yorhwebo), icandelo lama-44 (iimfuno zokwenza ubani abe nelungelo lokufaka isicelo sethenda yekontraka zenkonzo yorhwebo okanye exhaswa ngurhulumente), icandelo lama-45 (ukuBandakanyeka kooMasipala kwiinkonzo zezithuthi zoluntu) kune necandelo lama-46 (izicwangciso zeekontraka ezikhoyo) e-NLTA, ndawonye nawo onke amanye amacandelo e-NLTA anxulumene nemisebenzi yoMasipala njengogunyaziwe onika imisebenzi yekontraka (njengoko kuchaziwe kwi-NLTA).
- (2) Ngaphandle kokungakhathaleli imiqathango yecandelwana (1), uMkomishinala uya:
- (a) ngokukhangela kwi-ITP (kuqukwa ne-IPTN), amise imigangatho, imida yokusebenza, iinkcazelozenzonzo (kuqukwa nokubonelela ngenkonzo yokulungisa, ukulondoloza nokutshintsha izixhobo zezithuthi ezbonelelwya egameni lababoneleli ngenkonzo yezithuthi zoluntu), imirhumo, ngokuxhomekeke kwimiqathango yecandelo le-7(c), iinkqubo zentlawulo nokusebenzisana kwabanini bezithuthi nothungelwano Iwezothutho kwisiXeko kuyo yonke imisebenzi yekontraka eza kunikezelwa ilawulwe sisiXeko njengoGunyaziwe onika imisebenzi yeKontraka ngokungqinelana ne-NLTA;
 - (b) aqulunqe ze agcine amaxwebhu ezivumelwano zekontraka esenzela zonke iikontraka ezichazwe kwicandelwana (2)(a) yaye alawule inkqubo yokuqeshwa kwababoneleli ngenkonzo yezithuthi zoluntu kwezo

kontraka, ndawonye nababoneleli ngenkonzo yenkxaso ukunikezela (ngaphandle kokulinganiselwa) ukubek'esweni, ulawulo leenkukacha, ulawulo Iwamaziko, izibhengezo-ntengiso neenkonzo zokuqokelelwa kwemali yokukhwela eseberza ngomatshini xa kuyimfuneko okanye xa ifunwa;

- (c) ukuqulunqa nokugcina inkqubo yokubek'esweni ukuhanjiswa kwenkonzo nemigangatho yokuseberza okunxulumene neekontraka ezichazwe kwicandelwana (2)(a); yaye
- (d) abonelele ngeenkukacha kwiCandelo eliBek'esweni neliPhonononga iNdlela yokuSebenza kwabo bonke ababoneleli ngenkonzo yezithuthi zoluntu abaphantsi kweekontraka ezichazwe kwicandelwana (2)(a).

(3) UMkomishinala uya kuba noxanduva lokubek'esweni:

- (a) imigangatho yolondolozo nokhuseleko Iwazo zonke izithuthi zoluntu ezicwangcisiweyo (nokuba ezo zithuthi zezeXiXeko okanye akunjalo); yaye
- (b) ukuthotyelwa ngabanini bezithuthi bezo zithuthi zoluntu ezicwangcisiweyo ngokunxulumene nezinisekiso, iilaysenisi neziqinisekiso ezifunwayo kubaqhube bezo zithuthi,

kwimeko nganye ngokungqinelana nemithetho efanelekileyo nazo naziphi ikontraka ezinikezelwe kabonani bezithuthi banezithuthi zoluntu ezicwangciselwe imisebenzi ethile nguMkomishinala egameni lesiXeko.

(4) UMkomishinala uya kuqinisekisa ulawulo olufanelekileyo nolusebenzayo Iwemali nokubonelela ngenkxaso yolawulo Iwenkxaso karhulumente, kuqukwa (ngaphandle kokulinganiselwa):

- (a) ngenkqubo yokucwangcisa amabango emisebenzi yekontraka;
- (b) ukufaka amabango kwinkqubo yolawulo Iwenkxaso karhulumente;
- (c) ukugcwaliswa kwamaxwebhu emali kusenzelwa iintlawulo;
- (d) ukunxibelelana nabonini bezithuthi ngokupathelene neentlawulo; kunye
- (e) nokubonelela ngeengxelo zenkcitho-mali yarhoqo ngeveki neyenya.

(5) UMkomishinala uya kuqinisekisa ukuba isiXeko ngawo onke amaxesha sithobela neemfuno zokunikwa kwengxelo nezeenkukacha zoMthetho weCandelo lezeNgeniso, Nomb. 12 ka-2009.

(6) UMkomishinala uya kumisela agcine iinkqubo ezifanelekileyo ukuqinisekisa ukuba umsebenzi wesiXeko njengoGunnyaziwe onika iiKontraka ungginelana

nomsebenzi wesiXeko njengoGunyaziwe woCwangciso neQumrhu eliLawulayo likaMasipala ngokulandelana kwawo ngokuphathelene ne-IPTN nakuyo yonke imisebenzi enyanzelekileyo phantsi kwe-NLTA.

- (7) UMKomishinala uya kuthi, rhoqo ngenyanga, anikezele ngovimba weenkukacha ezifanelekileyo eziphathelene nemisebenzi ephantsi kweli Canelo loGunyaziwe onika imisebenzi yeKontraka kwiCanelo lokuBek'esweni nokuPhengululwa kweNdlela yokuSebenza.

IQumrhu eliLawulayo likaMasipala

- 5. (1) UMKomishinala uya kuba noxanduva lokumisela imiqathango yamacandelo 17 ukuya kwele-19 (ebandakanyiwe nawo) namacandelo 47 ukuya kwelama-84 (ebandakanyiwe nawo) e-NLTA, ndawonye nawo onke amanye amacandelo e-NLTA afanelekileyo kwimisebenzi kaMasipala njengequmrhu elilawulayo (njengoko kuchaziwe kwi-NLTA).
- (2) Ngaphandle kokungakhathaleli imiqathango yecandelwana (1), uMKomishinala uya kuba noxanduva leelayisenisi zokusebenza zabo bantu abanqwenela ukwenza inkonzo yephondo eqhutywa kwisiXeko okanye eqala kwisiXeko kananjalo iqhutywa kwimimandla yabanye ooMasipala, njengoko kuchaziwe kwicandelo lama-54(2) le-NLTA.
- (3) Ngaphandle kokungakhathaleli imiqathango yecandelwana (1), uMKomishinala uya kuba noxanduva lokuqhuba kakuhle umsebenzi wemihla ngemihla kuzo zonke iindawo ekusetyenzwa kuzo, kuqukwu imisebenzi ekhoyo yezthuthi ezihamba emhlabeni kunye nezithuthi ezihamba kwimizila yoololiwe (ngokukodwa iibhasi, iiteksi noololiwe) kunye nokhuselo nokhuseleko lwezithuthi zoluntu.
- (4) IKomiti ye-MRE iya (ngaphandle kokulinganisela) kufezekisa le misebenzi ilandelayo egameni likaMasipala, njengeQumrhu eliLawulayo likaMasipala:
 - (a) ukunikezelwa, ukudluliswa, ukulungiswa nokuhlaizwa kweelaisenisi zokusebenza;
 - (b) ukulungiswa kweelaisenisi zokusebenza ngenxa yokutshintshwa kwezithuthi;
 - (c) ukutshintshwa okwethutyana kwesithuthi kwilaisenisi yokusebenza;
 - (d) ukuguqulwa kweempepha-mvume zibe ziilaisenisi zokusebenza;
 - (e) ukuphinda-phindwa kweelaisenisi zokusebenza;
 - (f) ubonelelo ngeempepha-mvume zethutyana zeziganeko ezikhethekileyo;
 - (g) ukurhoxiswa, ukumiswa okanye ukulungiswa kwelaisenisi yokusebenza; kunye

(h) nokumiselwa kwemida yonyaneliso-mthetho nemidliwo, kuqukwa (ngaphandle kolinganiselo) nokwenza uhlolo olufanelekileyo Iwezithuthi zoluntu neziqinisekiso zazo ezifanelekileyo,

kunye (ngokuxhomekeke kwimiqathango yecandelwana (5)) uMkomishinala egameni likaMasipala, njengeQumrhu eliLawulayo likaMasipala, uya kusebenzisa loo macandelo ngokungqinelana neemfuno, izimvo nezikhokelo zoGunyaziwe woCwangciso kunye ngokukodwa neSicwangciso-buchule seeLayisenisi zokuSebenza, zingachasani nawo nawuphi umgaqo-nkqubo weBhunga.

- (5) Ngenjongo yokwenza imisebenzi echazwe kwicandelwana (4), iBhunga liya konyula iKomiti ye-MRE eya kuquka ubuncinane abantu abathathu (kuqukwa nosihlalo) kukho izakhono ezifanelekileyo kulo komiti.
- (6) Iziggibo zeKomiti ye-MRE zokuqhube imisebenzi echazwe kwicandelwana (4) ziya kuzimela kwezo zeBhunga.
- (7) Zonke izibheno ezichasene okanye ezinxulumene naso nasiphi isiggibo esenziwa yiKomiti ye-MRE ekuqhubeni imisebenzi echazwe kwicandelwana (4) ziya kwensiwa kwiNkundla yeZibheno zoThutho ngokungqinelana necandelo lama-92 le-NLTA.
- (8) UMkomishinala uya kuqinisekisa ukuba iKomiti ye-MRE:
 - (a) ilandela ezi nkqubo ngenjongo yokwenza imisebenzi eya kumiselwa liBhunga ngokuhamba kwexesha;
 - (b) igcine iinkcukacha zihlaziyiwe kwiNkubo eLawula iiLayisenisi zokuSebenza zemisebenzi echazwe kwicandelwana (4);
 - (c) inike ingxelo kwiBhunga ngokwenziwa kwemisebenzi ngalo maxesha aya kufunwa liBhunga; yaye
 - (d) ipapashe iinkcukacha ezifanelekileyo zokwenziwa kwemisebenzi kwiwebhusayithi ye-TCT ngalo maxesha aya kubonwa efanelekile liBhunga.
- (9) Ngaphandle kokungakhathaleli imiqathango yecandelwana (1) nangokuxhomekeke kuzo naziphi izithintelo okanye imfuneko emiswe ngokomthetho, uMkomishinala unakho, xa ebona kufanelekile, kuqukwa iinkcukacha ngoku kulandelayo kwiNkqubo yoLawulo IweeLayisenisi zokuSebenza:
 - (a) iinkcukacha zeMibutho yaBanini zithuthi namalungu awo;
 - (b) iinkcukacha zabo bangengoMalungu; kunya

- (c) xa kufanelekile, iinkcukacha zeendlela ekusebenza kuzo izithuthi zabo bakwiMibutho yaBanini bezithuthi nabo bangengoMalungu, inkcazeloyeendlela ezinxulumana nezo zikwi-ITP.
- (10) UMkomishinala uya kusebenzisa iinkcukacha ezichazwe kwicandelwana (9), ndawonye ne-ITP ne-IPTN, ukulawula iMibutho yabaNini bezithuthi ngendlela ebona ifanelekile i-TCT.
- (11) UMkomishinala uya, rhoqo ngenyanga, kubonelela ngeenkukacha ezifanelekileyo ngokunxulumene nemisebenzi yayo phantsi kweli Candelo leQumrhu liLawulayo likaMasipala ukuya kwiCandelo lokuBekw'esweni nokuPhononongwa kweNdlela yokuSebenza.

UkuBekw'esweni nokuPhononongwa kweNdlela yokuSebenza

- 6. (1) UMkomishinala uya kuba noxanduva lokumisela, ukulawula nokulondoloza inkqubo yabo bonke kulungiselelwa ukudibanisa iinkcukacha novimba wolwazi wawo onke amaCandelo yaye uya kuxhasa lo macandelo emisebenzi asebenzisanayo.
- (2) UMkomishinala uya kuba noxanduva lokudibanisa, ukugcina nokutshintsha iinkcukacha kunye nokugcina, ukuphucula nokutshintsha iinkqubo zolwazi nobuchwepheshe exhasa onke amaCandelo.
- (3) UMkomishinala uya:
 - (a) kuba noxanduva lokusungula nokulondoloza iwebhusayithi ye-TCT yawo onke amaCandelo emisebenzi;
 - (b) ngokuxhomekeke ekuphunyezweni kwangaphambili liBhunga, kupapasha iinkcukacha kulo webhusayithi ngendlela yokusebenza kwe-TCT ngakwimisebenzi ejolise kuwo onke amaCandelo emisebenzi rhoqo ngekota;
 - (c) ngokuxhomekeke ekuphunyezweni kwangaphambili liBhunga ngokomgangatho weenkukacha, iinkcukacha ezipapashiwego zomsebenzi wabo bonke ababoneleli ngenkonzo yezithuthi zoluntu phantsi kweekontraka njengoko kuchaziwe kwicandelo 4(2)(a) ngalo mathuba aya kubonwa efanelekile nguMkomishinala ngokuhamba kwexesha (yaye akuyi kufunwa esinye isiphumezo kwiBhunga ngopapasho ngalunye Iweenkukacha zokusebenza, ukuba olo papasho luthobela umgangatho weenkukacha nohlobo lwalo oluphunyezweliBhunga); kunye
 - (d) nokubonelela ngovimba weenkukacha zabo bonke abachaphazelekayo, ndawonye namaqumrhu afanelekileyo kulungiselelwa ukunxibelelana naye ngemicimbi ephathelene nezothutho.

- (4) UMKomishinala uya kuvula unxulumano neentlobo zeenkukacha ezikwamanye amacandelo olawulo esiXeko yaye uya kudibania agcine zonke inkukacha zokusetyenziswa kwezithuthi ngenjongo yokukhulula imisebenzi yayo enyanzelekilyo phantsi kweli cadelo le-6.
- (5) Ngaphandle kokungakhathaleli imiqathango yamacandelwana angaphambili eli cadelo le-6, uMKomishinala uya kubhala phantsi zonke iinkubo zezothutho ukulungiselela i-TCT ijongane nemibuzo ngendlela efanelekileyo nesebenzayo.
- (6) (a) UMKomishinala uya, ngokukhawuleza emva kokuphela konyaka-mali ngamnye, kupapasha ingxelo eza kubandakanywa njengesahluko esisodwa kwingxelo yonyaka yeBhunga ngendlela yokusebenza kwe-TCT kulo nyaka-mali.
- (b) Lo ngxelo ichazwe kwicandelwana 6)(a) iya kumisela iinkukacha:
- (i) zegalelo elenziwe yi-TCT ekumiselweni kweSicwangciso esiHlangeneyo soPhuhliso;
- (ii) indlela yokusebenza kwe-TCT ngakwiSicwangciso esiHlangeneyo soPhuhliso; kunye
- (iii) nendlela yokusebenza kwe-TCT ngakwimisebenzi ejolise kuyo kuwo onke amaCandelo emisebenzi ngokukodwa indlela yokusebenza kweNgxowa-mali yeziThuthi ezhamba eMhlabenikaMasipala kulo nyaka-mali.
- (c) Lo ngxelo ichazwe kwicandelwana (6)(a) iya kuquka iinkukacha ezinokumiselwa ngokubhaliwego nguMphathi kaMasipala ngokuhamba kwexesha ngokuphathelene nawo nawuphi umcimbi ekufuneka ukuba ingxelo leyo ijongane nawo ngokungqinelana necandelwana (6)(b).
- (d) UMKomishinala uya kugina ikopi yayo nayiphi ingxelo eyenziwe phantsi kweli candelwana (6) efumanekayo kwixesha elifanelekileyo lokuhlolwa nguye nabani xa kuceliwe simahla kwii-ofisi ezinkulu zikaMasipala ngamaxesha omsebenzi.
- (e) UMKomishinala uya kunikezela ikopi yayo nayiphi ingxelo eyenziwe phantsi kweli candelwana (7), okanye nayiphi inxalenye yalo ngxelo, kuye nabani xa eyicela ngamaxesha omsebenzi ngentlawulo efikelelekayo aya kuyimisela.
- (f) "Ixesha elifanelekileyo" kwimeko yengxelo eyenziwe phantsi kweli candelwana (6) lixesha leminyaka emithathu ukuqala ngomhla wokupapashwa kwalo ngxelo.
- (7) Ngaphandle kokungakhathaleli imiqathango yamacandelwana angaphambili eli cadelo le-6, uMKomishinala uya kumisela inkubo esebeza ngekhompyutha yokulawula iinkukacha elawulwa kwindawo enye ngenjongo yokubhala

kugcinwe zonke iinkcukacha zezothutho zangaphambili kunye nezipapashiwego ngazo ukuze kube nomthombo omnye weenkcukacha.

ULawulo IweMali

7. (1) UMkomishinala uya kuba noxanduva lokumisela imiqathango yecandelo lama-27 (ingxowa-mali yezithuthi ezihamba emhlabeni kamasipala), icandelo lama-28 (imirhumo yabasebenzisi bezithuthi zoluntu), icandelo lama-29 (uMphathiswa unakho ukukhupha inkxaso-mali yezithuthi ezihamba emhlabeni) kunye necandelo lama-30 (uMphathiswa wePhondo unakho ukukhupha inkxaso-mali yezithuthi ezihamba emhlabeni) ye-NLTA.
- (2) Ngaphandle kokungakhathaleli imiqathango yecandelwana (1), uMkomishinala uya (ngokuxhomekeke ngalo lonke ixesha kuMthetho oLawula iZimali zikaMasipala) kuba noxanduva lwayo yonke imicimbi yemali kuwo onke amaCandelo emisebenzi.
- (3) Ngaphandle kokungakhathaleli imiqathango yecandelana (2), uMkomishinala uya (ngokuxhomekeke ngalo lonke ixesha kuMthetho oLawula iZimali zikaMasipala):
- (a) kuba noxanduva lokusebenza kwinkqubo ehlangeneyo yolawulo lwezimali nayo nayiphi imisebenzi yophuculo efana nayo anokuyibona ifanelekile yaye inokwenzeka;
 - (b) kuba noxanduva lwabo wonke umsebenzi wokuququzelela inkqubo yohlahlo-lwabiwo-mali lwe-TCT nokwenza izindululo kwiKomiti efanelekileyo yeMicimbi yeSebe kunye okanye iKomiti eLawula uHlahlo-lwabiwo-mali ukuze ingeniswe kwiBhunga njengenxalenyen yenkqubo enku lu yokuqulunqa uhlahlo-lwabiwo-mali yeBhunga, wonke lo msebenzi uya kwenziwa ngokungqinelana nenkqubo efanelekileyo yeBhunga kunye noMthetho oLawula iZimali zikaMasipala;
 - (c) kuphakamisa imirhumo ephathelene nezithuthi zoluntu neziseko zophuhliso zezothutho, amaziko neenkonzo zeBhunga ukuze iphunyezwe, uMkomishinala eya kuqala ahlole umgangatho ofanelekileyo walo mirhumo esebezisa uphicotho lwenzozo neendleko ngawo onke amaCandelo emisebenzi ephantsi kweNgxowa-mali yeziThuthi ezihamba eMhlabeni kaMasipala echazwe kwicandelwana (4);
 - (d) kuququzelela izibonelelo-zoncedo zamazwe ngamazwe, zikazwelonke okanye zephondo ezinokubonwa zifanelekile ukuxhasa amaCandelo yaye uya kuba noxanduva lokulawula ezo zibonelelo-zoncedo ezipantsi kweNgxowa-mali yeziThuthi ezihamba eMhlabeni kaMasipala echazwe kwicandelwana (4);

- (e) kuba noxanduva lokujonga iindleko zalo lonke utyalo-mali ngokungqinelana nombono weBhunga wezothutho kwisiXeko njengoko kucacisiwe kwiSicwangciso esiHlangeneyo soPhuhliso ngokuhamba kwexesha kunye, ngokukodwa, nokujonga iindleko zeeprojekthi neenkubo ezinkulu eziyinxalenye ye-ITP, kuthathelwa ingqalelo iindleko zotyalo-mali lokuqala nemfuneko yolondolozo lwexesha elide nolawulo Iwamaziko ngokufanelekileyo;
 - (f) kuba noxanduva Iwayo yonke imisebenzi eyenza ingeniso kuwo onke amaCandelo emisebenzi nangokukodwa ngokuphathelene nazo zonke iinkalo zokukhutshwa kwamatikiti kuqukwaa:
 - (i) ukuqulunqwa nokumiselwa kwenkubo ehlangeneyo yamatikiti ezithuthi zoluntu, kuqukwaa (ngaphandle kokulinganisela) inkubo yamakhadi nentlawulo eyi-Europay, Mastercard ne-VISA (EMV), ngokunjalo (ngaphandle kokulinganisela) nendawo yokupaka, ukupaka inqwelo yakho ze ukhwele isithuthi soluntu, ulawulo Iwamatheko, iinkonzo ezikhethekileyo kunye neenkonzo zokuquesha ibhayisikile; kunye
 - (ii) nokusekwa, ukukhutshwa nokulawulwa kwenkubo eseberna ngomatshini yokuqokelela imali yokukhwela;
 - (g) kuba noxanduva lokubonelela ngesiqinisekiso ngokobulungisa kuwo onke amaCandelo emisebenzi ngokuphathelene nemisebenzi yabo yekontraka neyokuthenga nokuthengisa; kunye
 - (h) kusoloko ezama ukuphucula zonke iinkalo zokusebenzisana nokuseberna ngokufanelekileyo, ngokukuko nokubakho kwemali yeziMali zophuhliso zezothutho kusenzelwa abahlali neendwendwe zesiXeko.
- (4) Ngaphandle kokungakhathaleli imiqathango yecandelwana (1), (2) okanye le-(3), uMkomishinala uya kuba noxanduva lokuseka nokulondoloza iNgxoa-mali yeziThuthi ezihamba Mhlabeni kaMasipala ngokwemigaqo yecandelo lama-27 nelama-28 e-NLTA.
- (5) UMkomishinala uya, rhoqo ngenyanga, abonelele ngeenkukacha ezifanelekileyo ngokuphathelene nemisebenzi ephantsi kweli Candelo loLawulo IweZimali (kuqukwaa nangokuphathelene nokukhutshwa kwamatikiti) zisiwe kwiCandelo lokuBekw'esweni nokuPhononongwa kweNdlela yokuSebenza.
- (6) Ngaphandle kokungakhathaleli imiqathango yamacandelwana angaphambili eli candeloo le-7 nangokusoloko kuxhomekeke kuMthetho oLawula iziMali zikaMasipala uMkomishinala uya konyula uMlawuli weCandelo loLawulo IweziMali ukuqinisekisa ukuba imicimbi yemali ye-TCT ilawulwa ngendlela efanelekileyo, ngokuthobela yonke imigaqo yokuziphatha efanelekileyo, zonke

izinyanzeliso ezesemthethweni nangokungqinelana nenkqubo efanelekileyo yeBhunga; kunye

UNyaneliso-mthetho IoMthetho weziThuthi zoLuntu

8. (1) UMkomishinala uya kuba noxanduva lokumisela imiqathango yecandelo lama-85 ukuya kuma-91 (ebandakanyiwe) ye-NLTA.
- (2) Ngaphandle kokungakhathaleli imiqathango yecandelwana (1), uMkomishinala uya kuba noxanduva lokunyanelisa uMthetho weziThuthi zeNdlela kuZwelonke kangangoko unxulumene nonyaneliso-mthetho wezithuthi zoluntu.
- (3) Ngaphandle kokungakhathaleli imiqathango yecandelwana (1) okanye (2), uMkomishinala uya kuba noxanduva lokunyanelisa ukhuseleko ngokuphathelene nokusetyenziswa kothungelwano Iwezithuthi zoluntu kwisiXeko neziseko zophuhliso namaziko afanelekileyo.
- (4) UMkomishinala uya kusebenzisa ngokufanelekileyo i-TMC ne-TIC nobuchwepeshe obufanelekileyo, yaye uya kusebenzisana nezinye ii-arhente ezifanelekileyo nabachaphazelekayo ngeenjongo zokunikezela uxanduva lwakhe phantsi kwecandelo le-8.
- (5) I-TCT iya kubonelela ngeenkonzo zolawulo Iwezothutho nezonyaneliso-mthetho ngokungqinelana nesicwangciso-buchule sayo sonyaneliso-mthetho wezothutho nokhuseleko ngendlela eya kumiselwa liBhunga ngokuhamba kwexesha.
- (6) UMkomishinala uya, rhoqo ngenyanga, kubonelela ngeenkukacha ezifanelekileyo eziphathelene nemisebenzi yalo phantsi kweCandelo IoNyaneliso-mthetho weziThuthi zoLuntu zisiwe kwiCandelo lokuBekw'esweni nokuPhononongwa kweNdlela yokuSebenza.

INtsebenziswano, uNxibelewano noLawulo IwaBachaphazelekayo

9. (1) UMkomishinala uya kumisela agcine iinkqubo nemisebenzi yolawulo ngenjongo yokuqinisekisa intsebenziswano nonxibelewano olufanelekileyo nabo bonke abachaphazelekayo abachongiweyo.
- (2) UMkomishinala uya kubandakanya kwiinkqubo nakwimisebenzi yolawulo ekhankanywe kwicandewana (1) amaphulo afanelekileyo ukwenza inguqu eyimpumelelo nezinzileyo yamashishini nokuxhotyiswa ngokwemigaqo echongwe liBhunga ngokuhamba kwexesha.
- (3) UMkomishinala uya kuba noxanduva lwentengiso yangaphakathi neyangaphandle ye-TCT ukuqinisekisa ukuba abahlali neendwendwe zesiXeko zifumana ulwazi olwaneleyo yaye bonelisekile, njengoko kulinganiswa yinkqubo yokubek'esweni ngokuqhubekayo kokwaneliseka kwabaxumi, kuqukw

(ngaphandle kokulinganisela) nolwazi loluntu olusele lukho ngendlela yokusebenza ngokuchasene nemisebenzi ekujoliswe kuyo namaqondo onikezelo ngenkonzo apapashwe liCandelo lokuBekw'esweni nokuPhononongwa kweNdlela yokuSebenza.

- (4) UMkomishinala uya kunxibelelana asebenzisane noluntu (phakathi kwezinye iindlela zonxibelelwano) nge-TIC ngokuphatelene nemicimbi yokusebenza kwezithuthi zoluntu.
- (5) UMkomishinala uya kuncedisa iLungu leKomiti yeSigqeba sikasodolophu kwiTCT ngokunxulumene nayo nayiphi itsebenziswano namajelo eendaba anokuyifuna.
- (6) UMkomishinala uya kungena kwimemorandum yesivumelwano, egameni leBhunga, nabachaphazelekayo kwezothutho, kuqukw (ngaphandle kokulinganisela) iMibutho yabaNini bezithuthi, amaqela amele abantu abaneemfuno ezizodwa neeforam zemfundo, ngokuxhomekeke ekufunyanweni kwegunya elifunwayo.
- (7)
 - (a) Ngaphandle kokungakhathaleli nayiphi imiqathango yamanye amacandelwana eli cadelo le-9, uMkomishinala uya, ngokusebenzia iwebhusayithi, uvimba weenkukacha nezinye iindlela zonxibelelwano nabachaphazelekayo abachazwe kwicandelo 6(3), enze kufumanek ezo nkukukacha abona zifanelekile ezithi:
 - (i) ziphathelane neenkonzo zezithuthi ezikhwelisa uluntu ngenzozo yabahlali neendwendwe zesiXeko; yaye
 - (ii) zifunwa ngamalungu oluntu jikelele ukuncedisa ekwenzeni izigqibo zokuba kusetyenziswe ntoni kwezo nkono.
 - (b) Ezo nkukukacha zichazwe kwicandelwana (7)(a) ziya kwensiwa zifumanek, ngokungqinelana nemiqathango yoMthetho weeNkubo zikaMasipala:
 - (i) kuluntu jikelele; kunye
 - (ii) nakwabanye abantu abona befanelekile uMkomishinala.
 - (c) UMkomishinala unakho ukufuna ezo ndleko ngokungqinelana neMirhumo ephunyeziwego yeBhunga ngazo naziphi iinkukukacha ezifumanek, kodwa akukho zindleko zinokuhlawulwa xa ezo nkukukacha ziphathelene neenkonzo zezithuthi ezikhwelisa uluntu yi-TCT.
- (8) UMkomishinala uya:
 - (a) kumisela, egameni leBhunga iKomiti yoCwangciso lweendlela ezohlukaneyo zothutho ngokungqinelana necandelo le-15 le-NLTA

ukuze kuququzelelw izithuthi zoluntu phakathi kweentlobo ezohlukaneyo ngenjongo yokuphumeza iinjongo ze-NLTA; kunye

- (b) nokukhokela iKomiti yoCwangciso lweendlela ezohlukaneyo zothutho yaye aqinisekise ukuba ubulungu beKomiti yoCwangciso lweendlela ezohlukaneyo zothutho buthobela imigaqo yecandelo 15(1) le-NLTA;
- (c) kuqinisekisa ukuba iKomiti yoCwangciso lweendlela ezohlukaneyo zothutho inika ingxelo yaye ibonisana rhoqo neBhodi enika iiNgcebiso ngeziThuthi zeNdlela (yaye uMkomishinala uya kunika ingxelo kwiBhunga xa imicimbi echaziwego okanye ekuboniswene ngawo iphathelele kwimisebenzi ye-TCT);
- (d) kuqinisekisa ukuba iKomiti yoCwangciso lweendlela ezohlukaneyo zothutho ithobelala yonke imiqathango yamacandelo, amalungu nemisebenzi enokwenziwa ingqinelane ne-NLTA;
- (e) ngaphandle kokungakhathaleli imiqathango engaphambili yeli candelwana (8), kuqinisekisa ukuba iKomiti yoCwangciso lweendlela ezohlukaneyo zothutho iququzelela izimvo yaye ikhokela ukuhlanganiswa ngokupheleleyo:
 - (i) kweenkonzo zabakhweli boololiwe kwiNkalo yeCandelo elijongne neenkonzo zezithuthi zoluntu ezihamba ezindleleni;
 - (ii) iinkonzo ezicwangcisiwego, iinkonzo zeeteksi kunye neenkonzo ezingacwangcisiwanga kwiNkalo yeCandelo enye nenyne nezinye iintlobo zezithuthi zoluntu;
 - (iii) zonk iinkalo ze-ITP ngenjongo yokuqinisekisa ukuba kuphunyezwa ukusetyenziswa ngokukuko kweziseko zophuhliso neenkonzo kwinkqubo nokusetyenziswa ngokufanelekileyo nokubekwa phambili kwenkxaso-mali, kuqukwia izithuthi zomthwalo nezithuthi ezingenanjini; kunye
 - (iv) nemisebenzi, uxanduva nentsebenziswano yabo bonke abachaphazeleka kwezothutho abafanelekileyo, kuqukwia (ngaphandle kokulinganisela) kumaqumrhu ezithuthi zasekuhlaleni, ezorhwebo, abanini bezithuthi zoluntu nabasebenzi; kunye
- (f) nokuqinisekisa ukuba iKomiti yoCwangciso lweendlela ezohlukaneyo zothutho imisela ezo komitana, ezinokuquka iikomiti ezinyanelisa umthetho wezithuthi zololiwe, iibhasi, iiteksi nezo zihamba emhlabeni, ngohlobo iKomiti yoCwangciso lweendlela ezohlukaneyo zothutho enokubona zifanelekile.

(9) UMkomishinala uya:

- (a) kumisela, egameni leBhunga, iBhodi enika iiNgcebiso ngeziThuthi ezihamba eMhlabeni ngokungqinelana nemiqathango yecandelo le-16 ye-NLTA nangabameli bakarhulumente nabamacandelo abucala ukuze banike iingcebiso ngokuphathelene nemicimbi yeziththi ezihamba emhlabeni;
- (b) ukuqinisekisa ukuba iBhodi enika iiNgcebiso ngeziThuthi ezihamba eMhlabeni iyayithobela imiqathango eyenziwa ngokuhamba kwexesha nguMphathiswa onoxanduva lwezothutho kwicandelo lorhulumente kazwelonke phanti kwecandelo le-16(2) le-NLTA ngokuphathelene nobulungu kwiBhodi enika iiNgcebiso ngeziThuthi ezihamba eMhlabeni, ukonyulwa neziqinisekiso zobulungu, iinkqubo namaxesha okuchotshelwa kweentlanganiso, nemicimbi enxulumene nayo;
- (c) ukufuna ukuba iBhodi enika iiNgcebiso ngeziThuthi ezihamba eMhlabeni:
 - (i) ifumana izimvo kwiKomiti yoCwangciso lweendlela ezohlukeneyo zothutho; yaye
 - (ii) yenza izindululo ngocwangciso lomgaqo-nkqubo kwiBhunga nakwemnye imibutho efanelekileyo eyenza izigqibo ngemicimbi yezithuthi ezhlanganisiweyo ezihamba emhlabeni njengoko kuchaziwe kwicandelwana (8)(e) no-(f),

zonke ziya kuxhasa inkqubo yezithuthi ezhlangeneyo kwisiXeko.

- (10) ILungu leKomiti yesiGqeba sikasodolophu kwi-TCT liya kuchophela iBhodi enika iiNgcebiso ngeziThuthi ezihamba eMhlabeni yaye usihlalo weKomiti yeMicimbi yeSebe le-TCT uya kuba ngusekela sihlalo weBhodi enika iiNgcebiso ngeziThuthi ezihamba eMhlabeni.
- (11) UMKomishinala uya kuthatha onke amanyathelo afanelekileyo ukuqulunqa nokukhupha uphawu neemveliso ze-TCT kunye nemiqondiso exhasayo kunye noyilo lokwakha ngenjongo yokuba olo phawu lwe-TCT luxhase ngokupheleleyo umbono weBhunga we-TCT kuwo onke amaCandelo emisebenzi.

ULawulo lweZiseko zoPhuhliso

- 10.** (1) UMKomishinala uya kuba noxanduva lokucwangcisa, ukuyila, iindleko, umsebenzi wokwakha, ulondolozo, ukutshintshwa, ukwadiswa nokuphuculwa kothungelwano lweendlela zesiXeko, uthungelwano lwezithuthi zoluntu kunye neziseko zophuhliso zoluntu, uthungelwano lemibhobho yamanzi esitshi, iziseko zophuhliso zamanzi esitshi, iindonga zeelwandle namaziko anxulumene noku.
- (2) UMKomishinala uya kuba noxanduva yaye uya kwenza yonke imisebenzi yogunyaziwe wezendlela phantsi koMmiselo weeNdlela kulungiselelwa zonke iindlela neendledlana zoluntu (ezifana neendledlana zoluntu njengoko

kuchaziwe kuMmiselo weeNdlela) kwisiXeko yay uya, kangangoko kufuneka, kwenza ezinye izicelo phantsi koMmiselo weeNdlela ukwenza lo msebenzi.

- (3) UMkomishinala uya kumisela, alawule yaye agcine incwadi yeenkcukacha zempahla ezipathelene nothungelwano Iweendlela zesiXeko, uthungelwano Iwezithuthi zoluntu kunye neziseko zophuhliso zezithuthi zoluntu namaziko anxulumene nazo achazwe kwicandelwana (1).
- (4) Ngokukodwa, uMkomishinala uya kuqinisekisa ukuba incwadi yeenkcukacha zempahla ekhankanywe kwicandelwana (3) iya kugcina ezi nkukucha zilandelayo:
 - (a) indawo ezikuyo iimpahla ezichazwe kwicandelwana (3);
 - (b) ukwahlulwa ngokweendidi nenkcazelo yezo mpahla;
 - (c) ubudala bezo mpahla;
 - (d) iindleko zomjikelo wokulondoloza ezo mpahla yaye ngokukodwa iindleko zokuqhube nokulondoloza ezo mpahla; kunye
 - (e) nokufunyanwa kwezo mpahla nexabiso lazo lemali.
- (5) Xa kusenziwa izigqibo ngokulondolozwa kwezo mpahla ezichazwe kwicandelwana (4), uMkomishinala uya kufikelela kulinganiso olufanelekileyo phakathi kolondolozo olucwangcisiweyo nolo Iwenziwa kuba kukho ingxaki ngenjongo yokuqinisekisa uzinzo Iwexesha elide nokongiwa kweendleko kwezo mpahla, ngokunjalo nokuqwalasela iindlela zokucwangcisa ushishino ukuxhasa izigqibo zikaMkomishinala zokutyalu imali ngokucwangcisiweyo kwezo mpahla aya kubona zibaluleke kakhulu.
- (6) UMkomishinala uya, rhoqo ngenyanga, kubonelela ngeenkukacha ezifanelekileyo ngokupathelene nemisebenzi yayo phantsi kweCandelo loLawulo IweZiseko zoPhuhliso zisiwe kwiCandelo lokuBekw'esweni nokuPhononongwa kweNdlela yokuSebenza.

ULawulo loThungelwano IweMisebenzi

- 11.** (1) UMkomishinala uya kuba noxanduva lokucwangcisa, ukuyika, iindleko, ulawulo, ukusebenza nokongamela yonke imisebenzi ekuthungelwano Iwezithuthi ezhlangenyo neziseko zophuhliso namaziko anxulumene nazo kwisiXeko (ngokukodwa ne-IPTN), kuqkwa (ngaphandle kokulinganisela) ukusebenza:
- (a) kweenkubo zemiqondiso yezithuthi;
 - (b) imizila yeebhasi neyeeteksi (BMT);
 - (c) iikhamera ezilawula izithuthi;

- (d) ulawulo lwendawo yokupaka;
 - (e) inkqubo yokulawula oohola beendlela;
 - (f) izicwangciso zezithuthi ngokuphathelene nolawulo lwamatheko;
 - (g) iinkqubo zokukhwelisa kwemithwalo engaqhelekanga nokuthuthwa kwempahla enobungozi;
 - (h) ukulawulwa kwe-TMC ne-TIC;
 - (i) iinkqubo zonxibelelwano, uvimba weenkukacha odityanisiwego kunye neenkqubo zolwazi nobuchwepheshe be-TCT, zonke ziya kubekwa zilawulwe kwi-TMC;
 - (j) amaziko onxibelelwano kuwo onke amaziko abalulekileyo ezithuthi zoluntu, iindawo zokutshintsha izithuthi; nakuthungelwano lwezithuthi ezhlangeneyo neziseko zophuhliso ezinxulumene nezi;
 - (k) ukucwangcisa kwamaxesha ngokuhlangeneyo azo zonke iinkonzo zezithuthi zoluntu;
 - (l) ukuvalwa kweendlela; kunye
 - (m) nokunikezelwa kweemvume zokusebenza.
- (2) UMkomishinala uya, rhoqo ngenyanga, kubonelela ngeenkukacha ezifanelekileyo eziphathelene nemisebenzi yakhe phantsi kweli Candelo loLawulo loThungelwano lweMisebenzi zisiwe kwiCandelo lokuBekw'esweni nokuPhononongwa kweNdlela yokuSebenza.

IZINTO NGEZINTO

Imisebenzi ngokubanzi ye-TCT

- 12.** (1) UMkomishinala unakho ukuxhasa nokulawula ukwenziwa kwayo nayiphi imisebenzi anegunya lokuyenza, nokuba lo magunya anikezelwe kuye ngokomthetho, lo Mthetho kaMasipala okanye anikezelwe kuye liBhunga yaye kangangoko umthetho umvumela, uMkomishinala uya kuba nelungelo lokuquesha abasebenzi, ii-arhente nonokontraka acinga ukuba bakulungele kunye(okanye njengoko kufunwa liBhunga ukuze benze lo msebenzi uMkomishinala anamagunya okuwenza.
- (2) UMkomishinala unakho ukungena yaye aqhube nasiphi isivumelwano, ngokuxhomekeke kwigunya elifunekayo elifunyenwego, naye nabani na ngeenjongo zokwenza lo msebenzi, nokuba usebenza njenge-arhente ye-TCT okanye ngolunye uhlobo, kuyo nayiphi imisebenzi uMkomishinala anegunya lokuyenza (yaye, ngokukodwa, ngokuphathelene nobonelelo ngezimali

kwiinkonzo zezithuthi ezikhwelisa uluntu nalapho i-TCT inegunya lokubonelela) ngokuxhomekeke ekulandelweni kwenkqubo efanelekileyo.

- (3) Kangangoko uvuma umthetho, kuya kuba ngokwamandla oMkomishinala ukwenza ezo zinto nokungena kolo naniselwano lubaliweyo ukuze kuququzelelwe, okanye ezilungele okanye ezinxulumene, nokwenziwa kwayo nayiphi imisebenzi, ngokuxhomekeke ekufunyanweni kwegunya elifunekayo.

Izivumelwano nePhondo nooMasipala abakufuphi

- 13.** Ngokuxhomekeke ekuphunyezweni kwangaphambili liBhunga, uMkomishinala unakho ukungena kwizivumelwano nePhondo okanye nooMasipala abakufuphi ngokwemigaqo yecandelo le-12 le-NLTA nokwenza izicwangciso nooMasipala abakufuphi ngokwemigaqo yecandelo le-19 le-NLTA ukuba i-TCT ibona kufanelekile.

Isihloko esifutshane

- 14.** Lo Mthetho kaMasipala ubizwa ngokuba bubume/sisakheto sezothutho lwasekapa ngokomthetho kamasipala, 2013

CITY OF CAPE TOWN: INFORMAL TRADING AMENDMENT BY-LAW, 2013**City of Cape Town: Informal Trading Amendment By-law, 2013****GENERAL EXPLANATORY NOTE:**

[] Words in bold type in square brackets indicate omissions from the existing enactments.

_____ Words underlined with solid line indicate insertions in existing enactments.

To amend the provisions in the City of Cape Town: Informal Trading By-law, 2009; to provide for the insertion of certain definitions; to amend the provisions relating to permit criteria; to amend provisions relating to public health and safety; to provide for matters connected with law enforcement and events ; and to provide for matters related thereto.

BE IT ENACTED by the Council of the City of Cape Town, as follows:—

Amendment of section 8 of the City of Cape Town: Informal Trading By-law, 2009

1. Section 8 of the City of Cape Town: Informal Trading By-law, 2009 (hereinafter referred to as the principal By-law) is hereby amended –

(a) By the substitution of paragraph 8.4.1 of the following paragraph:

“must be an informal trader, or desire to become an informal trader”;

(b) By the substitution of paragraph 8.4.4:

“must not employ or actively utilise the services of more than [20 (twenty)]
5 (five) persons.”

(c) By the insertion after subsection 8.5 of the following subsection:

"8.5A Notwithstanding the provisions of subsection 8.5 the City may give preference to an applicant –

(a) who resides in or close to the trading area for which the permit is applied; or

(b) who is a new entrant as an informal trader on the database of the City of Cape Town.

8.5B Notwithstanding the provision contemplated in paragraph 8.5.3, the City may allocate only one (1) bay per applicant."

(d) By the deletion of paragraph 8.5.3

(e) By the deletion of paragraph 8.5.7 and paragraph 8.5.8

(f) By the substitution of paragraph 8.6.5 of the following paragraph:

"suspend a permit for a special event on reasonable prior notice **[where practicable to the informal trader,]** with no compensation payable to the informal trader, notwithstanding that informal trading may be permitted by the City at the special event in terms of section 14;"

(g) By the substitution of paragraph 8.6.6 of the following paragraph:

"[on reasonable prior notice] provided that two written warnings have been issued to the informal trader and after affording the relevant informal trader an opportunity to make written representations, revoke or suspend a permit in the event of an informal trader –"

(h) By the deletion of sub-paragraph 8.6.6.4.

Amendment of section 9 of the City of Cape Town: Informal Trading By-law, 2009

2. Section 9 of the principal By-law is hereby amended –

(a) By the substitution for paragraph 9.2.1 of the following paragraph:

“9.2.1 is incapable of trading for personal reasons such as an illness, pregnancy, family responsibility, religious or cultural matters, or any other personal matter, for a period no longer than 6 months, provided that:”

(b) By the substitution of subparagraph 9.2.1.1 of the following subparagraph:

“9.2.1.1 [proof from a medical practitioner is provided to the City which certifies that the permit-holder is unable to trade; and]
a written affidavit is provided to the City stating the nature and period for which the permit-holder requires the permit transfer”

(c) By the substitution of subparagraph 9.2.1.2 of the following subparagraph:

“9.2.1.2 the defendant or assistant is only permitted to replace the permit-holder for the period stipulated in the affidavit [or by the medical practitioner in the certificate for which the permit-holder will be incapable of trading];”

(d) By the deletion of paragraph 9.2.2.

Amendment of section 13 of the City of Cape Town: Informal Trading By-law, 2009

3. Section 13 of the principal By-law is hereby amended –

By the insertion after subsection 13.2 of the following subsection:

“13.3 In the event of the sale of foodstuffs prepared in the trading bay, a certificate of acceptability must first be obtained from the City.”

Amendment of section 18 of the City of Cape Town: Informal Trading By-law, 2009

4. Section 18 of the principal By-law is hereby amended –

By the substitution of subsection 18.2 of the following subsection:

“In the event of a person continuing or repeating a contravention in respect of which [a] two (2) written **[warning has]** warnings have already been issued to that person, then an officer may impound, in the case of an informal trader, any property used by the informal trader in conducting the informal trade, and in the case of any other person, any property, including but not limited to, goods, equipment, structures and motor vehicles, in which case the officer must –”

Short title

5. This by-law is called the City of Cape Town: Informal Trading Amendment By-law, 2013.

STAD KAAPSTAD: VERORDENING OP INFORMELE HANDEL, 2013

Stad Kaapstad: Verordening op Informele Handel, 2013

ALGEMENE VERDUIDELIKENDE AANTEKENING:

- [] Woorde in vetdruk tussen vierkantige hake dui skrappings uit bestaande verordening aan.
 - Woorde met 'n volstreep daaronder dui invoegings in bestaande verordening aan.
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Om die bepalings van die Stad Kaapstad: Verordening op Informele Handel, 2009, te wysig; om voorsiening te maak vir die invoeging van sekere woordomskrywings; om die bepalings met betrekking tot kriteria vir permitte te wysig; om bepalings met betrekking tot openbare veiligheid en gesondheid te wysig; om voorsiening te maak vir aangeleenthede wat met wetstoepassing en geleenthede verband hou; en om voorsiening te maak vir aangeleenthede wat daarmee gepaard gaan.

HIERMEE WORD soos volg deur die Raad van die Stad Kaapstad VERORDEN:–

Wysiging van artikel 8 van die Stad Kaapstad: Verordening op Informele Handel, 2009

1. Artikel 8 van die Stad Kaapstad: Verordening op Informele Handel, 2009 (hierna die hoofverordening genoem), word hiermee gewysig –

- (a) deur paragraaf 8.4.1 deur die volgende paragraaf te vervang:

“moet die aansoeker 'n informele handelaar wees of 'n informele handelaar wil word”;

- (b) deur paragraaf 8.4.4 deur die volgende te vervang:

“mag die aansoeker nie meer as **[20 (twintig)] 5 (vyf)** persone in diens hê of aktief van meer as soveel persone se dienste gebruik maak nie.”

- (c) deur die invoeging van die volgende subartikel na subartikel 8.5:

“8.5A Ondanks die bepalings van subartikel 8.5, mag die Stad voorkeur gee aan ’n aansoeker –

(a) wat in of naby die handelsgebied woon ten opsigte waarvan aansoek om die permit gedoen word; of

(b) wat op die databasis van die Stad Kaapstad ’n nuwe toetreding as ’n informele handelaar is.

8.5B Ondanks die bepalings wat in paragraaf 8.5.3 bedoel word, kan die Stad slegs een (1) handelsperceel per aansoeker toewys.”

- (d) deur paragraaf 8.5.3 te skrap

- (e) deur paragraaf 8.5.7 en paragraaf 8.5.8 te skrap

- (f) deur paragraaf 8.6.5 deur die volgende paragraaf te vervang:

“n permit vir ’n spesiale geleentheid op te skort by redelike vooraf kennisgewing[, aan die informele handelaar waar dit prakties moontlik is] met geen vergoeding betaalbaar aan die informele handelaar nie, niteenstaande die feit dat informele handel by die spesiale geleentheid deur die Stad toegelaat kan word ingevolge artikel 14;”

- (g) deur paragraaf 8.6.6 deur die volgende paragraaf te vervang:

“[by redelike vooraf kennisgewing] op voorwaarde dat twee skriftelike waarskuwings aan die informele handelaar uitgereik is en nadat die betrokke informele handelaar die geleentheid gebied is om skriftelike vertoe te rig, ’n permit te herroep of op te skort in geval ’n informele handelaar –”

- (h) deur subparagraaf 8.6.6.4 te skrap.

Wysiging van artikel 9 van die Stad Kaapstad: Verordening op Informele Handel, 2009

- 2. Artikel 9 van die hoofverordening word hiermee gewysig –**

“9.2.1 om persoonlike redes soos siekte, swangerskap,
gesinsverantwoordelikhede, godsdiensstige of kulturele aangeleenthede
of enige ander persoonlike aangeleenthed, vir'n tydperk van hoogstens
6 maande nie kan handel dryf nie, op voorwaarde dat”

(b) deur subparagraaf 9.2.1.1 deur die volgende subparagraaf te vervang:

“9.2.1.1 **[dat bewys van 'n mediese praktisyen aan die Stad gelewer word,**
wat sertifiseer dat die permithouer nie kan handel dryf nie; en]
'n skriftelike beëdigde verklaring aan die Stad gelewer word
wat die aard en tydperk meld waarvoor die permithouer die
permit wil oordra;”

(c) deur subparagraaf 9.2.1.2 deur die volgende subparagraaf te vervang:

“9.2.1.2 die afhanglike of helper slegs toegelaat word om die
permithouer te vervang vir die tydperk gestipuleer in die
beëdigde verklaring [in die sertifikaat deur die mediese
praktisyen, waartydens die permithouer nie sal kan handel
dryf nie];”

(d) deur paragraaf 9.2.2 te skrap.

Wysiging van artikel 13 van die Stad Kaapstad: Verordening op Informele Handel, 2009

3. Artikel 13 van die hoofverordening word hiermee gewysig –

deur die invoeging van die volgende subartikel na subartikel 13.2:

“13.3 Ingeval van die verkoop van kos wat in die handelsperseel voorberei word,
moet 'n sertifikaat van aanvaarbaarheid eers by die Stad verkry word.”

Wysiging van artikel 18 van die Stad Kaapstad: Verordening op Informele Handel, 2009

4. Artikel 18 van die hoofverordening word hiermee gewysig –

deur subartikel 18.2 deur die volgende subartikel te vervang:

“Ingeval 'n persoon 'n oortreding voortsit of herhaal ten opsigte waarvan [']n twee (2) skriftelike [**waarskuwing**] waarskuwings reeds aan die betrokke persoon uitgereik is, mag 'n beampete dan, in die geval van 'n informele handelaar, beslag lê op enige eiendom wat die informele handelaar gebruik om informeel handel te dryf, en in die geval van enige ander persoon, op enige eiendom, met inbegrip van, maar nie daartoe beperk nie, goedere, toerusting, strukture en motorvoertuie, in welke geval die beampete –”

Kort titel

5. Hierdie verordening word die Stad Kaapstad: Verordening op Informele Handel, 2013, genoem.

**UMTHETHO KAMASIPALA WESIXEKO SASEKAPA OLUNGISIWEYO OJONGENE NORHWEBO OLUNGAMISELEKANGA,
2013**

**UMthetho kaMasipala weSixeko saseKapa oLungisiwego ojongene
noRhwebo olungaMiselekanga, 2013**

INKCAZELO GABALALA:

- [] Amagama abhalwe ngqindilili kwizibiyeli ezsikwere abonisa amacandelo asusiweyo kumthetho okhoyo.
- _____ Amagama akrwelelwe ngomgca ongqindilili abonisa amacandelo afakelwego kumthetho okhoyo.
-

**Ukwenza izilungiso kwimiqathango yoMthetho kaMasipala weSixeko saseKapa ojongene
noRhwebo olungaMiselekanga, 2009, ukuze kufakelwe iinkcazeloz eithile, ukwenza izilungiso
kwimiqathango emalunga nempilo yoluntu kunye nokhuseleko loluntu, ukubonelela
ngemiqathango kwimiba ehlengene nonyaneliso-mthetho kunye neziganeko kunye nokubonelela
ngemiqathango kwimicimbi ehambelana noko.**

MAWUPHUNYEZWE liBhunga leSixeko saseKapa, ngolu hlobo lulandelayo: -

**Ukwenziwa kwezilungiso kwicandelo 8 loMthetho kaMasipala weSixeko saseKapa:
woRhwebo olungaMiselekanga, 2009**

1. Icandelo 8 loMthetho kaMasipala weSixeko saseKapa ojongene noRhwebo
olungaMiselekanga, 2009 (ekubhekiswe kuwo apha njengoMthetho-ngqangi
kaMasipala) lenziwa izilungiso –

- (a) Ngokuthi endaweni yomhlathi 8.4.1 kufakwe lo mhlathi ulandelayo:

“ibe ngusomashishini ongamiselekanga, okanye onqwenela ukuba
ngusomashishini ongamiselekanga”;

- (b) Ngokuthi endaweni yomhlathi 8.4.4 kubhalwe:

“makangaqeshi okanye asebenzise iinkonzo zabantu abangaphezu [kwama-20
lamashumi amashini11 5 (shablonu)”

(c) Ngokufakela emva kwecandelwana 8.5 kweli candelwana lilandelayo:

"8.5A Noxa kukho imiqathango yecandelwana 8.5, iSixeko sinokuthi sikhethu umfaki-sicelo –

(a) ohlala kwindawo yorhwebo okanye kufuphi nendawo yorhwebo ekufakwe isicelo sepemethi yayo; okanye

(b) ongena okokuqala njengosomashishini ongamiselekanga ngokusesikweni kuvimba weSixeko saseKapa.

8.5B Noxa kukho imiqathango echazwe kumhlathi 8.5.3, iSixeko singanikeza ngesibheyi enye (1) bay kumfaki-sicelo ngamnye."

(d) Ngokucinywa komhlathi 8.5.3

(e) Ngokucinywa komhlathi 8.5.7 nomhlathi 8.5.8

(f) Ngokuthi endaweni yomhlathi 8.6.5 kufakwe lo mhlathi ulandelayo:

"lokunqumamisa iphepha-mvume kumatheko akhethekileyo emva kokuba kwaziswe kwangaphambili kwangethuba elifanelekileyo [apho kukwazekayo kumrhwebi ongabhaliswanga ngokusesikweni,] kungekho ntlawulo iza kwenziwa kumrhwebi lowo, kungalityalwanga ukuba urhwebo olungamiselekanga lungavunyelwa sisiXeko kwitheko elikhethekileyo ngokwecandelo 14;"

(g) Ngokuthi endaweni yomhlathi 8.6.6 kufakwe lo mhlathi ulandelayo:

"[emva kokwaziswa kwangaphambili kwangethuba] kodwa oko kuxhomekeke ekubeni zibe zikhutshiwe izilumkiso ezibaliweyo ezibini eziya kumrhwebi ongamiselekanga kwaye emva kokunikwa komrhwebi ongamiselekanga ithuba lokubhala isicelo esicacisayo, sirhoxise okanye sinquamamise apho umrhwebi ongamiselekanga ngokusesikweni –"

(h) Ngokucinywa komhlathana 8.6.6.4.

**Ukwenziwa kwezilungiso kwicandelo 9 loMthetho kaMasipala weSixeko saseKapa:
woRhwebo olungaMiselekanga, 2009**

2. Icandelo 9 loMthetho-ngqangi kaMasipala lenziwa izilungiso –

(a) Ngokuthi endaweni yomhlathi 9.2.1 kufakwe lo mhlathi ulandelayo:

“9.2.1 engakwazi ukuqhubeka nokurhweba ngenxa yezizathu ezizezakhe ezifana nokugula, ukumitha, ingxaki zasekhaya, imiba yezenkolo okanye yamasiko, okanye nawuphi umba ohlangene nomntu lowo, isithuba esingekho ngaphezulu kweenyanga ezi-6, ngaphandle kokuba:”

(b) Ngokuthi endaweni yomhlathana 9.2.1.1 kufakwe lo mhlathana ulandelayo:

“9.2.1.1 [sibunikiwe isiXeko ubungqina obusuka kuggirha obuqinisekisayo ukuba umnikazi phepha-mvume akanakukwazi ukurhweba; **kwaye**]
iSixeko sinikwa iafidavithi ebhaliwego echaza isizathu kunye nesithuba esifunwa ngumnini-phepha-mvume sokuba kunikeyelwe ngephepha-mvume lakhe”

(c) Ngokuthi endaweni yomhlathana 9.2.1.2 kufakwe lo mhlathana ulandelayo:

“9.2.1.2 “umntu oxhomekeke kuwe okanye oncedayo uvumeleke kuphela ukuthatha indawo yomnikazi phepha-mvume ngesithuba esichazwe kwiafidavithi [okanye ngugqirha kwiphepha-siqinisekiso sokuba umnikazi phepha-mvume akazukukwazi ukurhweba];”

(d) Ngokucinywa komhlathi 9.2.2.

**Ukwenziwa kwezilungiso kwicandelo 13 loMthetho kaMasipala weSixeko saseKapa:
woRhwebo olungaMiselekanga, 2009**

3. Icandelo 13 loMthetho-ngqangi kaMasipala lenziwa izilungiso –

Ngokufakela emva kwecandelwana 13.2 kweli candelwana lilandelayo:

“13.3 Xa ukutya okuthengiswayo kuphekelwa kule bheyi yokurhweba, kufuneka kugala kufunyanwe isatifikethi solwamkeleko kwiSixeko kugala.”

Ukwensiwa kwezilungiso kwicandelo 18 loMthetho kaMasipala weSixeko saseKapa: woRhwebo olungaMiselekanga, 2009

4. Icandelo 18 loMthetho-ngqangi kaMasipala lenziwa izilungiso –

Ngokuthi endaweni yecandelwana 18.2 kufakwe eli candelwana lilandelayo:

“Kwimeko apho umntu aqhubekeyo okanye aphindayo ophule umthetho ngokubhekisele kwizilumkiso [a] ezibini (2) ezibhaliwego ebezikhutshelwe loo mntu, kuloo imeko igosa lingathimba, kwimeko yomrhwebi ongamiselekanga, nayiphi na impahla esetyenziswa ngumrhwebi ongamiselekanga ukuqhuba urhwebo lwakhe olungamiselekanga, kwaye kwimeko apho nawuphi omnye umntu, nayiphi ipropati, kubandakanya kodwa kungaphelelanga, iimpahla, izixhobo, izakhiwo nezithuthi, kulo meko igosa kufuneka –”

Isihloko esifutshane

5. Lo mthetho kaMasipala ubizwa ngokuba nguMthetho weZilungiso weSixeko saseKapa: kuMthetho woRhwebo olungaMiselekanga, 2013.

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