



Western Cape Government • Wes-Kaapse Regering

PROVINCE OF WESTERN CAPE

PROVINSIE WES-KAAP

Provincial Gazette

Provinsiale Koerant

7118

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CONTENTS

(*Reprints are obtainable at Room M21, Provincial Legislature Building, 7 Wale Street, Cape Town 8001.)

No.		Page
Provincial Notices		
107	City of Cape Town Municipality (Cape Town Administration): Rectification: Removal of Restrictions Act	698
108	City of Cape Town Municipality (Northern District): Removal of Restrictions Act	698
109	City of Cape Town Municipality (Northern District): Removal of Restrictions Act	698
110	City of Cape Town Municipality (Southern District): Removal of Restrictions Act	699
111	City of Cape Town Municipality (Tygerberg Region): Removal of Restrictions Act	699
112	City of Cape Town Municipality (Tygerberg Region): Removal of Restrictions Act	699
Tenders		
Notices.....		699
Local Authorities		
Bergervier Municipality: Subdivision		701
Bergervier Municipality: By-law on liquor trading days and hours		755
Breedevale Municipality: Promulgation of Rules of Order		714
City of Cape Town Municipality (Helderberg District): Subdivision, rezoning, departure and approval of site development plan		700
City of Cape Town Municipality (Southern District): Rezoning and departure		701
City of Cape Town Municipality (Table Bay District): Removal of restriction and subdivision		702

INHOUD

(*Herdrukke is verkrygbaar by Kamer M21, Provinsiale Wetgewersgebou, Waalstraat 7, Kaapstad 8001.)

No.		Bladsy
Provinsiale Kennisgewings		
107	Stad Kaapstad Munisipaliteit (Kaapstad Administrasie): Regstelling: Wet op Opheffing van Beperkings	698
108	Stad Kaapstad Munisipaliteit (Noordelike Distrik): Wet op Opheffing van Beperkings	698
109	Stad Kaapstad Munisipaliteit (Noordelike Distrik): Wet op Opheffing van Beperkings	698
110	Stad Kaapstad Munisipaliteit (Suidelike Distrik): Wet op Opheffing van Beperkings	699
111	Stad Kaapstad Munisipaliteit (Tygerberg-streek): Wet op Opheffing van Beperkings	699
112	Stad Kaapstad Munisipaliteit (Tygerberg-streek): Wet op Opheffing van Beperkings	699
Tenders		
Kennisgewings:		699
Plaaslike Owerhede		
Bergervier Munisipaliteit: Onderverdeling		701
Bergervier Munisipaliteit: Verordening op drankhandelsdae en -ure		764
Breedevale Munisipaliteit: Afkondiging van Ordereëls		732
Stad Kaapstad Munisipaliteit (Helderberg-distrik): Onderverdeling, hersonering, afwyking en goedkeuring van terrein-ontwikkelingsplan		700
Stad Kaapstad Munisipaliteit (Suidelike Distrik): Hersonering en afwyking		701
Stad Kaapstad Munisipaliteit (Tafelbaai-distrik): Opheffing van beperking en onderverdeling		703

(Continued on page 776)

(Vervolg op bladsy 776)

PROVINCIAL NOTICES

The following Provincial Notices are published for general information.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

RECTIFICATION

P.N. 107/2013

12 April 2013

CITY OF CAPE TOWN

(CAPE TOWN ADMINISTRATION)

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

Notice is hereby given that the Minister for 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 122, Camps Bay, amends condition B.14.(a) contained in Deed of Transfer No. T. 58107 of 2008 to read as follows:

Condition B.14.(a) "The purchaser of this lot shall only erect a maximum of six dwelling units of which no point of any building (including the roof ridge) shall exceed a height of 39,2m above mean sea level."

Provincial Notice P.N. 79/2013 dated 22 March 2013 is hereby withdrawn.

P.N. 108/2013

12 April 2013

CITY OF CAPE TOWN

(NORTHERN DISTRICT)

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 5641, Bellville, removes condition B. (a) as contained in Deed of Transfer No. T. 43227 of 2009.

P.N. 109/2013

12 April 2013

CITY OF CAPE TOWN

(NORTHERN DISTRICT)

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 650, Kenridge, removes condition 17. (b) as contained in Deed of Transfer No. T. 11160 of 2011.

PROVINSIALE KENNISGEWINGS

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

REGSTELLING

P.K. 107/2013

12 April 2013

STAD KAAPSTAD

(KAAPSTAD ADMINISTRASIE)

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

Kennis geskied hiermee dat die Minister van Plaaslike Bestuur, 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 eienaar van Erf 122, Kampsbaai, wysig voorwaarde B.14.(a) vervat in Transportakte Nr. T. 58107 van 2008 om soos volg te lees:

Voorwaarde B.14.(a) "The purchaser of this lot shall only erect a maximum of six dwelling units of which no point of any building (including the roof ridge) shall exceed a height of 39,2m above mean sea level."

Provinsiale Kennisgewing P.K. 79/2013, gedateer 22 Maart 2013, word hiermee teruggetrek.

P.K. 108/2013

12 April 2013

STAD KAAPSTAD

(NOORDELIKE DISTRIK)

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

Ek, Jeremy Benjamin, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder 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 Bevoegdheide, 1994, en op aansoek van die eienaar van Erf 5641, Bellville, hef voorwaarde B. (a) soos vervat in Transportakte Nr. T. 43227 van 2009, op.

P.K. 109/2013

12 April 2013

STAD KAAPSTAD

(NOORDELIKE DISTRIK)

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 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 650, Kenridge, voorwaarde 17. (b) soos vervat in Transportakte Nr. T. 11160 van 2011, ophef.

P.N. 110/2013

12 April 2013

CITY OF CAPE TOWN
(SOUTHERN DISTRICT)

REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 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 owner of Erf 174532, Cape Town, remove conditions I B. (b) and II B. (b) contained in Certificate of Consolidated Title No. T. 26346 of 2012.

P.N. 111/2013

12 April 2013

CITY OF CAPE TOWN
(TYGERBERG DISTRICT)

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 7737, Parow, removes condition 8. D. 5. as contained in Deed of Transfer No. T. 56164 of 2010.

P.N. 112/2013

12 April 2013

CITY OF CAPE TOWN
(TYGERBERG DISTRICT)

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 2285, Kuils River, remove conditions III. 4 and 10 as contained in Deed of Transfer No. T. 13635 of 2011.

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.

P.K. 110/2013

12 April 2013

STAD KAAPSTAD
(SUIDELIKE DISTRIK)

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

Ek, André John Lombaard, in my hoedanigheid as Hoof Grongebruiksbestuur Reguleerder 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 174532, Kaapstad, hef voorwaardes I B. (b) en II B. (b), soos vervat in Sertifikaat van Gekonsolideerde Titel Nr. T. 26346 van 2012, op.

P.K. 111/2013

12 April 2013

STAD KAAPSTAD
(TYGERBERG DISTRIK)

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

Ek, Jeremy Benjamin, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder 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 7737, Parow, hef voorwaarde 8. D. 5. soos vervat in Transportakte Nr. T. 56164 van 2010, op.

P.K. 112/2013

12 April 2013

STAD KAAPSTAD
(TYGERBERG DISTRIK)

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

Ek, Jeremy Benjamin, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder 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 2285, Kuilsrivier, hef voorwaardes III. 4 en 10 soos vervat in Akte van Transport No. T. 13635 van 2011, op.

TENDERS

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

NOTICES OF LOCAL AUTHORITIES

CITY OF CAPE TOWN

(HELDERBERG DISTRICT)

SUBDIVISION, REZONING, DEPARTURE & APPROVAL OF SITE DEVELOPMENT PLAN

- Erf 7308, Morgenster Avenue, Somerset West

Notice is hereby given in terms of Sections 24, 17 and 15 of Ordinance 15 of 1985 and the Somerset West 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 Dumza Mfutwana/Gabby Wagner, PO Box 19, Somerset West, e-mail to comments_objections.helderberg@capetown.gov.za, Tel. (021) 850-4348 or fax (021) 850-4487 weekdays 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 13 May 2013, 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: Messrs IC@Plan (Cornelia van Zyl)

Owner: DS Sarnia CC

Application number: 226336

Notice number: 6/2013

Address: Morgenster Avenue, Somerset West

Nature of Application:

- The subdivision of Erf 7308, Somerset West into Portion A ($\pm 4552\text{m}^2$) and Portion B ($\pm 3918\text{m}^2$) along the 1:50 year floodline of the Lourens River;
- The rezoning of the proposed Portion B from Single Residential to Private Open Space;
- The rezoning of the proposed Portion A from Single Residential to Subdivisional Area for Single Residential, Private Open Space and Private road purposes;
- The subdivision of the proposed Portion A into 5 Single Residential erven, 3 Private Open Space erven and 1 Private Road portion;
- The departure from the Somerset West Zoning Scheme Regulations to permit:
 - The relaxation of the 4.5m internal street building line on the proposed Single Residential erven to 3m;
 - The relaxation of the 3m rear building lines on the proposed Single Residential erven 2 and 3 to 0m;
- The approval of the Site Development Plan.

ACHMAT EBRAHIM, CITY MANAGER

12 April 2013

50722

KENNISGEWING DEUR PLAASLIKE OWERHEDE

STAD KAAPSTAD

(HELDERBERG-DISTRIK)

ONDERVERDELING, HERSONERING, AFWYKING EN GOEDKEURING VAN TERREINONTWIKKELINGSPLAN

- Erf 7308, Morgensterlaan, Somerset-Wes

Kennisgewing geskied hiermee ingevolge Artikels 24, 17 en 15 van Ordonnansie 15 van 1985 en Somerset-Wes se Soneringskemaregulasies dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, 1e Verdieping, Munisipale Kantore, h/v Victoria- & Andries Pretoriusstraat, Somerset-Wes. Navrae kan gerig word aan Dumza Mfutwana, Posbus 19, Somerset-Wes 7129, Tel. (021) 850-4348, e-posadres comments_objections.helderberg@capetown.gov.za of faksnr. (021) 850-4487, gedurende 08:00-14:30 op weekdae. Besware, met volledige redes daarvoor, moet voor of op 13 Mei 2013 skriftelik by die kantoor van bogenoemde Distriksbestuurder ingedien word, met vermelding van bogenoemde toepaslike wetgewing en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat ná die voormelde sluitingsdatum ontvang word, kan dalk as ongeldig geag word.

Aansoeker: mnre IC@Plan (Cornelia van Zyl)

Eienaar: DS Sarnia BK

Aansoeknr.: 226336

Kennisgewingnr.: 6/2013

Adres: Morgensterlaan, Somerset-Wes

Aard van aansoek:

- Die onderverdeling van erf 7308, Somerset-Wes, in gedeelte A ($\pm 4552\text{m}^2$) en gedeelte B ($\pm 3918\text{m}^2$) aan die 1:50 jaar-vloedlyn van die Lourensrivier;
- Die hersonering van die voorgestelde gedeelte B van enkel-residensiële na privaat oopruimte;
- Die hersonering van die voorgestelde gedeelte A van enkel-residensiële na onderverdelingsgebied vir privaatoopruimte-, privaatpad- en enkelresidensiële doeleindes;
- Die onderverdeling van die voorgestelde gedeelte A in 5 enkel-residensiële erwe, 3 privaat oopruimte-erwe en 1 privaatpad-gedeelte;
- Afwyking van Somerset-Wes se Soneringskemaregulasies om die volgende toe te laat:
 - Die verslapping van die 4.5m interne straatboulyn van die voorgestelde enkelresidensiële erwe tot 3m;
 - Die verslapping van die 3m-agterste boulyne van die voorgestelde residensiële erwe 2 en 3 tot 0m;
- Goedkeuring van die Terreinontwikkelingsplan.

ACHMAT EBRAHIM, STADSBESTUURDER

12 April 2013

50722

CITY OF CAPE TOWN
(SOUTHERN DISTRICT)

REZONING AND DEPARTURE

- Erf 1387, 1 Chapman's Peak Drive, Noordhoek

Notice is hereby given in terms of Sections 15 and 17 of the Land Use Planning Ordinance (Ordinance No. 15 of 1985) 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 Road, Plumstead and any enquiries may be directed to M Walker, Tel. (021) 710-8277 from 08:30-14:30 Monday to Friday. The application is also open for inspection at the Office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Cape Town weekdays from 08:00 to 12:30 and 13:00 to 15:30. Any objections and/or comments, with full reasons therefor, must be submitted in writing at both (1) the Office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead 7801 or fax (021) 710-9446 or e-mailed to comments_objections.southern@capetown.gov.za and (2) the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Cape Town or fax (021) 483-3098 on or before the closing date, quoting the above legislation, the belowmentioned application number and the objector's erf and 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 M Walker, Tel. (021) 710-8277 or michelle.walker@capetown.gov.za. The closing date for comments and objections is 13 May 2013.

Location address: Chapman's Peak Drive, Noordhoek

Owner/Applicant: Headland Planners

Application No.: 223814

Nature of Application:

- (1) Rezoning from Single Residential to Commercial purposes in order to permit a 100 seater restaurant.
- (2) Regulation departure from the former Divisional Council of the Cape Zoning Scheme Regulations in terms of Part III Section 1 to permit the proposed building to be 3.5m in lieu of 8m from Avondrust Circle street boundary.

ACHMAT EBRAHIM, CITY MANAGER

12 April 2013

50724

BERGRIVIER MUNICIPALITY

APPLICATION FOR SUBDIVISION: ERVEN 3399, 3400, 3401, 3402, 3403 AND 3404, LAAIPLEK

Notice is hereby given in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that the undermentioned application has been received and is open to inspection at the Office of the Municipal Manager, Berggrivier Municipality and any enquiries may be directed to Mr H Vermeulen, Planner: Western Region, PO Box 60 (13 Church Street), Piketberg 7320 at Tel. (022) 913-6000 or fax (022) 913-1406. Any objections, with full reasons therefor, must be lodged in writing at the office of the Municipal Manager on or before 13 May 2013, quoting the above Ordinance and the objector's farm/erf number.

Applicant: JR Foster; Little Swift Investments 532 (Pty) Ltd

Nature of application: Subdivision and consolidation of Erven 3399, 3400, 3401, 3402, 3403 and 3404, Laaiplek te create the following six portions, namely Portion A ($\pm 502\text{m}^2$), Portion B ($\pm 500\text{m}^2$), Portion C ($\pm 500\text{m}^2$), Portion D ($\pm 2468\text{m}^2$), Portion E ($\pm 868\text{m}^2$) and Portion F ($\pm 865\text{m}^2$).

ADV HANLIE LINDE, MUNICIPAL MANAGER, MUNICIPAL OFFICE, 13 CHURCH STREET, PIKETBERG 7320

M.N. 8/2013

12 April 2013

50720

STAD KAAPSTAD
(SUIDELIKE DISTRIK)

HERSONERING EN AFWYKING

- Erf 1387, Chapman's Peak-rylaan 1, Noordhoek

Kennisgewing geskied hiermee ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985), en Artikel 9 van die Kaapstadse Soneringskemaregulasies dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Departement: Beplanning en Bouontwikkelingsbestuur, Stad Kaapstad, Grondverdieping, Victoriaweg 3, Plumstead 7800. Navrae kan gerig word aan M Walker by bogenoemde straatadres, Privaatsak X5, Plumstead 7801, of Tel. (021) 710-8277 van 08:30-14:30, Maandag tot Vrydag. Die aansoek is ook ter insae by die Kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Utilitas-gebou, Dorpsstraat 1, Kaapstad, weksdae van 08:00 tot 12:30 en 13:00 tot 15:30. Enige beware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum skriftelik by die Departement: Beplanning en Bouontwikkelingsbestuur, Privaatsak X5, Plumstead 7801, ingedien word, per e-pos aan comments_objections.southern@capetown.gov.za gestuur word of na (021) 710-9446 gefaks word, sowel as aan die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Utilitas-gebou, Dorpsstraat 1, Kaapstad, faksnr. (021) 483-3098, met vermelding van bogenoemde toepaslike wetgewing, onderstaande aansoeknommer en u erf- en kontaktelefoonnommer en adres. Besware en kommentaar kan ook voor of op onderstaande sluitingsdatum per hand by bogenoemde straatadres afgelewer word. As u reaksie nie na dié adresse en/of faksnr. gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, skakel M Walker, Tel. (021) 710-8277 of michelle.walker@capetown.gov.za. Die sluitingsdatum vir besware en kommentaar is 13 Mei 2013.

Liggingsadres: Chapman's Peak-rylaan, Noordhoek

Eienaar/aansoeker: Headland Planners

Aansoeknr.: 223814

Aard van aansoek:

- (1) Hersonering van enkelresidensiële na kommersiële doeleindes ten einde 'n restaurant met 100 sitplekke toe te laat.
- (2) Regulasieafwyking van die voormalige Kaapse Afdelingsraad se Soneringskemaregulasies ingevolge Deel III, Artikel 1, ten einde toe te laat dat die voorgestelde gebou 3.5m in plaas van 8m van die Avondrustsirkel-straatgrens is.

ACHMAT EBRAHIM, STADSBESTUURDER

12 April 2013

50724

BERGRIVIER MUNISIPALITEIT

AANSOEK OM ONDERVERDELING: ERWE 3399, 3400, 3401, 3402, 3403 EN 3404, LAAIPLEK

Kragtens Artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die Kantoor van die Munisipale Bestuurder, Berggrivier Munisipaliteit en enige navrae kan gerig word aan mnr H Vermeulen, Beplanner: Westelike Streek, Posbus 60 (Kerkstraat 13), Piketberg 7320, Tel. (022) 913-6000 of faks (022) 913-1406. Enige besware, met die volledige redes daarvoor, moet skriftelik by die kantoor van die Munisipale Bestuurder ingedien word op of voor 13 Mei 2013 met vermelding van bogenoemde Ordonnansie en die beswaarmaker se plaas-/erfnummer.

Aansoeker: JR Foster; Little Swift Investments 532 (Edms) Bpk

Aard van Aansoek: Onderverdeling en konsolidasie van Erwe 3399, 3400, 3401, 3402, 3403 en 3404, Laaiplek ten einde die volgende ses gedeeltes te skep, naamlik Gedeelte A ($\pm 502\text{m}^2$), Gedeelte B ($\pm 500\text{m}^2$), Gedeelte C ($\pm 500\text{m}^2$), Gedeelte D ($\pm 2468\text{m}^2$), Gedeelte E ($\pm 868\text{m}^2$) en Gedeelte F ($\pm 865\text{m}^2$).

ADV HANLIE LINDE, MUNISIPALE BESTUURDER, MUNISIPALE KANTORE, KERKSTRAAT 13, PIKETBERG 7320

M.K. 8/2013

12 April 2013

50720

CITY OF CAPE TOWN

(TABLE BAY DISTRICT)

REMOVAL OF RESTRICTION & SUBDIVISION

Council has received the following planning application for consideration (*second placement*):

Location of application property: 6 and 8 Bridle Road

Applicant: David Hellig Abrahamse

Application number: LM6078 (224650)

Nature of Application: Removal of restrictive title condition to enable the owner to subdivide the property into two portions, namely Portion A ($\pm 56\text{m}^2$ in extent) and Remainder ($\pm 1580\text{m}^2$ in extent). Portion A will be consolidated with adjacent Erf 2053. (The aforementioned proposed subdivision will result in a minor adjustment of common boundaries.)

Enquiries: The application may be viewed at the Office of the District Manager: Planning & Building Development Management, 2nd Floor, Media City, corner Hertzog Boulevard & Heerengracht, Cape Town. Direct enquiries on weekdays between 08:00 to 14:30 to: Beverley Soares beverley.soares@capetown.gov.za, Tel. (021) 400-6456, fax (021) 421-1963, PO Box 4529, Cape Town 8000). The application is also open to inspection at the Office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Cape Town weekdays from 08:00-12:30 and 13:00-15:30. Telephonic enquiries in this regard may be made at (021) 483-4589 and the Directorate's fax number is (021) 483-3098.

Comment and/or objection:

Direct written comments and/or objections, together with reasons, to:

- the District Office (at the abovementioned address, fax no. or postal address); or
- comments_objections.tablebay@capetown.gov.za

In all instances above the relevant legislation, the application number, your erf number, your address and contact telephone number must be quoted.

If you are unable to submit an objection or comment in writing, make an appointment with an official to assist you during office hours. Comments and/or objections form part of public documents and are forwarded to the applicant for response. Comments or objections received after the closing date may be regarded as invalid and could possibly not be considered.

In respect of the removal of restrictions component of this application, any objections, with full reasons therefor, may be lodged in writing at the: Office of the abovementioned Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning at Private Bag X9086, Cape Town 8000.

Closing date: 13 May 2013

Relevant legislation:

This notice is given in terms of Section 3(6) of the Removal of Restrictions Act, 1987 (Act 84 of 1967) and the Land Use Planning Ordinance 15 of 1985.

If you are unable to submit an objection or comment in writing, make an appointment with an official to assist you during office hours. Comments and/or objections form part of public documents and are forwarded to the applicant for response. Comments or objections received after the closing date may be regarded as invalid and could possibly not be considered.

General:

If you are not the owner of the property where this notice was sent to, or not the sole owner, please forward this notice to the relevant owner or owners or bring it to their attention.

ACHMAT EBRAHIM, CITY MANAGER

12 April 2013

50726

STAD KAAPSTAD

(TAFELBAAI-DISTRIK)

OPHEFFING VAN BEPERKING EN ONDERVERDELING

Die Raad het onderstaande beplanningsaansoek om oorweging ontvang (*tweede plasing*):

Ligging van Aansoek eiendom: Bridleweg 6 en 8

Aansoeker: David Hellig Abrahamse

Aansoeknr.: LM6078 (224650)

Aard van aansoek: Die opheffing van 'n beperkende titelvoorwaarde ten einde die eienaar in staat te stel om die eiendom in twee gedeeltes, naamlik gedeelte A ($\pm 56\text{m}^2$ groot) en 'n restant ($\pm 1580\text{m}^2$ groot) te onderverdeel. Gedeelte A sal met die aanliggende erf 2053 gekonsolideer word. (Voormelde voorgestelde onderverdeling sal 'n geringe aanpassing van gemeenskaplike grense vereis.)

Navrae: Die aansoek is ter insae beskikbaar by die Kantoor van die Distriksbestuurder: Beplanning en Bou-ontwikkelingsbestuur, 2e Verdieping, Media City-gebou, h/v Hertzog-boulevard en Heerengracht, Kaapstad. Regstreekse navrae kan tussen 08:00 en 14:30 op weekdae gerig word aan Beverley Soares, e-posadres beverley.soares@capetown.gov.za, Tel. (021) 400-6456, faksnr. (021) 421-1963 of Posbus 4529, Kaapstad 8000. Die aansoek is ook ter insae beskikbaar by die Kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Utilitas-gebou, Dorpsstraat 1, Kaapstad op weekdae tussen 08:00-12:30 en 13:00-15:30. Telefoniese navrae in dié verband kan aan (021) 483-4589 gerig word, en die Direktoraat se faksnr. is (021) 483-3098.

Kommentaar en/of beswaar:

Regstreekse skriftelike kommentaar en/of besware, met redes daarvoor, kan gerig word aan:

- die Distrikskantoor (by bogenoemde straat- of posadres of faksnr.), of
- aan comments_objections.tablebay@capetown.gov.za.

In alle gevalle moet bogenoemde wetgewing, die aansoeknommer, u ernommer, adres en kontaktelefoonnommer gemeld word.

Indien u nie skriftelike besware of verhoë kan voorlê nie, kan u volgens afspraak gedurende kantooreure 'n amptenaar versoek om u te help, besware of verhoë neer te skryf. Let asseblief daarop dat enige kommentaar en/of besware wat ingedien word, deel van openbare rekords uitmaak en uiteraard vir repliek aan die aansoeker beskikbaar gestel sal word. Kommentaar en besware wat ná die sluitingsdatum ontvang word, kan as ongeldig geag word en dalk nie oorweeg word nie. Ten opsigte van die opheffing van beperkings rakende die aansoek, kan skriftelike aansoeke, met volledige redes daarvoor, gerig word aan: Die Kantoor van bogenoemde Direkteur: Geïntegreerde Ontwikkelingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Privaatsak X9086, Kaapstad 8000.

Die sluitingsdatum vir kommentaar en besware is 13 Mei 2013.

Toepaslike wetgewing:

Dié kennisgewing geskied ingevolge Artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967 en die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985).

Algemeen:

As u nie die eienaar van die eiendom is waaraan dié kennisgewing geadresseer is nie, of nie die alleeneienaar is nie, stuur dit asseblief aan die toepaslike eienaar of sodanige ander eienaars of bring dit onder hulle aandag.

ACHMAT EBRAHIM, STADSBESTUURDER

CITY OF CAPE TOWN

(TABLE BAY DISTRICT)

UKUSUSWA KWEZITHINTELO NOLWAHLULWA-HLULO

IBhunga liye lafumana esi sicelo silandelayo ukuze siqwalaselwe (*sikhutshwa okwesibini*):

Indawo yepropati ekwenziwe isicelo kuyo: 6 and 8 Bridle Road

Umfaki-sicelo: David Hellig Abrahamse

Inombolo yesicelo: LM6078 (224650)

Ubume besicelo: Ukususwa komqathango wesithintelo setayitile yobunini ukuze umnini abenakho ukwahlula-hlula ipropati ukuba ibeziziqephu ezibini, isiQephu-A (esimalunga nobukhulu obungama-56m²) neNtsalela (emalunga ne-1580m² ubukhulu). Isiqephu-A siyakuthi sidityaniswe kwiSiza-2053 esimelene naso. (Ulwahlulwa-hlulo olukhankanywe ngezantsi apha, liyakuthi libengumphumela wolungelelaniso olungephi lwemida ephakathi.)

Imibuzo: Isicelo singaphononongwa kwi-ofisi yoMphathi wesiThili, kuLawulo loPhuhliso loCwangciso noLwakhiwo, kuMgangatho we-2, kwiSakhiwo i-Media City, kwikona ye-Hertzog Boulevard ne-Heerengracht, eKapa. Imibuzo ngokungqalileyo ingenziwa phakathi evekini ukususela ngeye-08:00 ukuya kweye-14:30 ku- Beverley Soares beverley.soares@capetown.gov.za, umnxeba (021) 400-6456, iifeksi (021) 421-1963, PO Box 4529, Cape Town 8000). Isicelo sikwavulelekile ukuba siphononongwe kwi-ofisi yoMlawuli woLawulo lokusiNgqongileyo ngokuHlangeneyo, kwiSebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso, kubuRhulumente bePhondo laseNtshona Koloni, kwiSakhiwo i-Utilitas, 1 Dorp Street, eKapa kwiintsuku eziphakathi evikini ukususela kweye-08:00-12:30 nokususela kweye-13:00-15:30. Imibuzo ngomnxeba ngokuphathelele nalo mbandela ingenziwa kwa- (021) 483-4589 nakwinombolo yefeksi yoMlawuli engu-(021) 483-3098.

Uvavaliso loluvo okanye isichaso:

Thumela izimvo ngokubhaliweyo okanye izichaso ezinezizathu:

- kwi-ofisi yesithili (kwidilesi ekhankanywe ngentla apha, kwinombolo yefeksi okanye kwidilesi yeposi), okanye
- kwa- comment_objections.tablebay@capetown.gov.za

Kuzo zonke iimeko ezingentla apha makucatshulwe umthetho ofanelekileyo, inombolo yesicelo, inombolo yesiza sakho, idilesi yakho nenombolo yoqhagamshelwano.

Ukuba awunakho ukungenisa isichaso okanye uluvo ngokubhaliweyo, yenza idinga ukuba ubonane negosa ukuze lincedisane nawe ngexesha leeyure zokusebenza. Izimvo okanye izichaso zenza inxal'enye yamaxwebhu oluntu kwaye athi agqithiselwe kumfaki-sicelo ukuze aphenjule. Izimvo okanye izichaso ezifunyenwe emva komhla wokuvalwa zingathatyathwa njengezingekho-mthethweni kwaye zisenokungahoywa.

Ngokujoliswe kwelinye icala lesi sicelo elingokususwa kwezithintelo, naziphina izichaso ezinezizathu ezipheleleyo zingangeniswa ngokubhaliweyo:

- Kwi-Ofisi ekhankanywe ngentla apha engeyoMlawuli engeyoLawulo lokusiNgqongileyo ngokuHlangeneyo, iSebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso, kwa- Private Bag X9086, Cape Town 8000.

Umhla wokuvalwa: 13 Meyi 2013

Umthetho ofanelekileyo

Esi saziso sikhutshwa ngokweCandelo-3(6) loMthetho wokuSuswa kweziThintelo onguNomb.84 wango-1967 nangokoMpoposho woCwangciso lokusetyenziswa koMhlaba onguNomb.15 wangowe-1985.

Ukuba awunakho ukungenisa isichaso okanye uluvo ngokubhaliweyo, yenza idinga ukuba ubonane negosa ukuze lincedisane nawe ngexesha leeyure zokusebenza. Izimvo okanye izichaso zenza inxal'enye yamaxwebhu oluntu kwaye zithi zigqithiselwe kumfaki-sicelo ukuze aphenjule. Izimvo okanye izichaso ezifunyenwe emva komhla wokuvalwa zingathatyathwa njengezingekho-mthethweni kwaye zisenokungahoywa.

Ngokuphangaleleyo

Ukuba awunguye umnini wepropati apho isaziso esi esithe sathunyelelwa kuyo, okanye akunguye umnini ongumnini oyedwa, nceda usithumele kumnini ofanelekileyo okanye kwabo banini bafanelekileyo okanye ubazise.

ACHMAT EBRAHIM, CITY MANAGER

12 April 2013

50726

CITY OF CAPE TOWN

(TABLE BAY DISTRICT)

REMOVAL OF RESTRICTION

- Erf 1605, Vredehoek (*second placement*)

Notice is given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) that the undermentioned application has been received and is open to inspection at the Office of the District Manager at City of Cape Town, 2nd Floor, Media City Building, Cnr Hertzog Boulevard & Heerengracht, Cape Town, and that any enquiries may be directed to B Soares, at PO Box 4529, Cape Town 8000 on (021) 400-6456 or fax (021) 421-1963 or e-mailed to beverley.soares@capetown.gov.za weekdays during 08:00-14:30. The application is also open to inspection at the Office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Cape Town weekdays from 08:00-12:30 and 13:00-15:30. Telephonic enquiries in this regard may be made at (021) 483-4589 and the Directorate's fax number is (021) 483-3098. Any objections, with full reasons therefor, may be lodged in writing at the Office of the abovementioned Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning at Private Bag X9086, Cape Town 8000, or at the physical address for the Provincial Government of the Western Cape, Utilitas Building, 1 Dorp Street, Cape Town weekdays from 08:00-12:30 and 13:00-15:30, with a copy to the District Manager: Planning & Building Development Management, PO Box 4529, Cape Town 8000 or 2nd Floor, Media City Building, cnr Hertzog Boulevard & Heerengracht, Cape Town (attention: Beverley Soares), e-mail address: beverley.soares@capetown.gov.za or comments_objections.tablebay@capetown.gov.za, Tel. (021) 400-6456 or fax (021) 421-1963 on or before 13 May 2013, quoting the above Act, Ordinance and the objector's erf number, address and telephone number(s). Any objections received after aforementioned closing date may be disregarded.

Location address: 8 Gladiolus Avenue

Owner/Applicant: RA Zipplies

Application No.: LM 1089 (226056)

Nature of Application: Removal of restrictive title condition to enable the owner to convert the existing double carport into a double garage. The street building line will be encroached.

ACHMAT EBRAHIM, CITY MANAGER

12 April 2013

50727

STAD KAAPSTAD

9TAFELBAAI-DISTRIK)

OPHEFFING VAN BEPERKING

- Erf 1605, Vredehoek (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge Artikel 3(6) van die Wet op Opheffing van Beperkings (Wet 84 van 1967), dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder: Beplanning en Bou-ontwikkelingsbestuur, 2e Verdieping, Media City, h/v Hertzog-boulevard en Heerengracht, Kaapstad, en navrae kan gerig word aan B Soares, Posbus 4529, Kaapstad 8000, Tel. (021) 400-6456, faksnr. (021) 421-1963, of e-posadres beverley.soares@capetown.gov.za, gedurende kantoorure (08:00-14:30). Die aansoek is ook ter insae beskikbaar by die Kantoor van die Direkteur: Geïntegreerde Ontwikkelingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Utilitas-gebou, Dorpstraat 1, Kaapstad, weksdae van 08:00-12:30 en 13:00-15:30. Telefoniese navrae in dié verband kan aan (021) 483-4589 gerig word, en die Direktooraat se faksnr. is (021) 483-3098. Enige besware of kommentaar, met volledige redes, moet voor of op 13 Mei 2013 skriftelik aan die Kantoor van bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, of Privaatsak X9086, Kaapstad 8000, of bogenoemde straatadres gerig word, met 'n afskrif aan die Distriksbestuurder by bogenoemde straatadres of Posbus 4529, Kaapstad 8000 (aandag: Beverley Soares), e-posadres: beverley.soares@capetown.gov.za of comments_objections.tablebay@capetown.gov.za, Tel. (021) 400-6456 of faksnr. (021) 421-1963, met vermelding van bogenoemde Wet en Ordonnansie, die toepaslike verwysingsnommer en die beswaarmaker se erf- en kontaknommer en straat- en posadres. Enige besware wat ná voormelde sluitingsdatum ontvang word, kan dalk buite rekening gelaat word.

Liggingsadres: Gladioluslaan 8

Eienaar/Aansoeker: RA Zipplies

Aansoeknr.: LM 1089 (226056)

Aard van aansoek: Die opheffing van 'n beperkende titelvoorwaarde ten einde die eienaar in staat te stel om die bestaande motorafdak in 'n dubbelmotorhuis te omskep. Die straatboulyn sal oorskry word.

ACHMAT EBRAHIM, STADSBESTUURDER

12 April 2013

50727

CITY OF CAPE TOWN

(TABLE BAY DISTRICT)

UKUSUSWA KWEZITHINTELO

- Isiza-1605, esise-Vredehoek (*sikhutshwa okwesibini*)

Kukhutshwa isaziso ngokweCandelo-3(6) loMthetho wokuSuswa kweziThintelo onguNomb.84 wangowe-1967 sokuba isicelo esikhankanywe ngezantsi apha sifunyenwe kwaye sivulelekile ukuba siphononongwe kwi-ofisi yoMphathi wesiThili kwisiXeko saseKapa, kuMgangatho we-2, kwiSakhiwo i-Media City, kwiKona ye-Hertzog Boulevard ne-Heerengracht, eKapa, kwakhona nayiphina imibuzo ingajoliswa ku-B Soares, PO Box 4529, eKapa 8000 kumnxeba (021) 400-6456 okanye kwifeksi (021) 421-1963 okanye kwi-imeyile beverley.soares@capetown.gov.za kwiintsuku eziphakathi evikini ukususela kweye-08:00-14:30. Isicelo sikwavulelekile ukuba sihlolwe kwi-ofisi yoMlawuli woLawulo lokusiNgqongileyo ngokuHlangeneyo, kwiSebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso, kubuRhulumente bePhondo laseNtshona Koloni, kwiSakhiwo i-Utilitas, 1 Dorp Street, eKapa kwiintsuku eziphakathi evikini ukususela kweye-08:00-12:30 nokususela kweye-13:00-15:30. Imibuzo ngomnxeba ngokuphathelene nalo mbandela ingenziwa kwa-(021) 483-4589 nakwinombolo yefeksi yoMlawuli engu-(021) 483-3098. Naziphina izichaso ezinezizathu ezipheleleyo zingangeniswa ngokubhaliweyo kwi-ofisi ekhankanywe ngentla apha yoMlawuli woLawulo lokusiNgqongileyo ngokuHlangeneyo, kwiSebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso, Private Bag X9086, eKapa 8000, okanye kwidilesi yesitrato yobuRhulumente bePhondo laseNtshona Koloni, kwiSakhiwo i-Utilitas, 1 Dorp Street, eKapa kwiintsuku eziphakathi evikini ukususela kweye-08:00-12:30 nokususela kweye-13:00-15:30, kunye nekopi ijoliswe kuMphathi wesiThili, kuLawulo loPhuhliso loCwangciso noLwakhiwo, PO Box 4529, eKapa, 8000 okanye kuMgangatho we-2, kwiSakhiwo i-Utilitas City, kwikona ye-Hertzog Boulevard ne-Heerengracht, eKapa (ijoliswe ku-Beverley Soares), idilesi ye-imeyile: beverley.soares@capetown.gov.za, okanye comments_objections.tablebay@capetown.gov.za, umnxeba (021) 400-6456 okanye ifeksi (021) 421-1963 ngowe-13 Meyi 2013, okanye phambi kwawo, uaphule lo Mthetho ungentla apha, uMpiboshu nenombolo yesiza somchasi, idilesi neenombolo zomnxeba zakhe. Naziphina izichaso ezifunyenwe emva kwalo mhla wokuvalwa ukhankanywe ngentla apha, zisenokungahoywa.

Idilesi yendawo: 8 Gladiolus Avenue

Umnini/Umfaki-sicelo: RA Zipplies

Inombolo yesicelo: 1089 (226056)

Ubume besicelo: Ukususwa komqathango wesithintelo setayitile yobunini ukuze umnini abenakho ukuguqula isikhuselo sokugcina iimoto ezimbini esele simiselwe ukuba sibeyigaraji elungiselelwe iimoto ezimbini. Kuyakuthi kufakelelwe umda wesitrato osusela kwisakhiwo.

ACHMAT EBRAHIM, CITY MANAGER

12 April 2013

50727

DRAKENSTEIN MUNICIPALITY
APPLICATION FOR CONSENT USE: FARM 75,
PAARL DIVISION

Notice is hereby given in terms of Regulation 4.7 of the Scheme Regulations promulgated at P.N. 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, Administrative Offices, c/o Main and Market Streets, Paarl, Tel. (021) 807-4822:

Property: Farm 75, Paar Division

Applicant: Urban Rural SA Planning Practitioners

Owner: Mr Julian Johnsen on behalf of Armajaro Estate (Pty) Ltd

Locality: Located ±10km north-west of Paarl in the Voorpaardeberg area, access to the property is obtained via Divisional Road No. 1123 (Slent Road)

Extent: ±112ha

Zonings: Agricultural Zone II (±1145m²) and Agricultural Zone I (Remainder)

Existing Use: Bona fide agricultural activities which include a manor house, dwellings, labourers' cottages, wine cellar (process and maturation) and sheds

Proposal: Consent Use (Tourist facility) in order to establish the following uses:

- To convert an existing farm building (360m²) into a wine tasting/function venue which will accommodate a maximum of 120 people; and
- The erection of a new chapel (200m²) for weddings, etc.

Motivated objections to the above can be lodged in writing to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl 7622 by not later than Monday, 13 May 2013 of the date hereof. 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

15/4/1 (F75) P

12 April 2013

50729

DRAKENSTEIN MUNISIPALITEIT
AANSOEK OM VERGUNNINGSGEBRUIK: PLAAS 75,
PAARL AFDELING

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

Eiendom: Plaas 75, Paarl Afdeling

Aansoeker: Urban Rural SA Planning Practitioners

Eienaar: Mnr Julian Johnsen namens Armajaro Estate (Edms) Bpk

Ligging: Geleë ±10km noordwes van Paarl in die Voorpaardeberg area, toegang tot die perseel word verkry direk vanaf Afdelingspad Nr. 1123 (Slentpad)

Grootte: ±112ha

Sonerings: Landbousone II (±1145m²) en Landbousone I (Restant)

Huidige Gebruik: Bona fide landbou aktiwiteite wat insluit 'n hoofwoning, eenhede, werkershuise, wynkelder (verwerk en veroudering) en skure

Voorstel: Spesiale Vergunning (Toeristefasiliteit) ten einde die volgende gebruike toe te ken:

- 'n Bestaande plaasgebou (360m²) te omskep in 'n wynproe-/funksielokaal wat 'n maksimum van 120 persone sal akkommodeer; en
- Die oprigting van 'n nuwe kapel (200m²) vir troues, ens.

Gemotiveerde besware teen bogemelde aansoek kan skriftelik gerig word aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl 7622, teen nie later nie as Maandag, 13 Mei 2013. Geen laat besware sal oorweeg word nie.

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

JF METTLER, MUNISIPALE BESTUURDER

15/4/1 (F75) P

12 April 2013

50729

DRAKENSTEIN MUNICIPALITY

APPLICATION FOR REZONING AND CONSENT USE:
ERF 11238, PAARL

Notice is hereby given in terms of Section 17(2)(a) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) and Clause 18(2) of the Paarl Scheme Regulations, 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, Administrative Offices, c/o Main and Market Streets, Paarl, Tel. (021) 807-4770:

Property: Erf 11238, Paarl

Applicant: P-J Le Roux Town and Regional Planners

Owner: Moneyline 349 (Pty) Ltd

Locality: Located east of the Paarl CBD and forms part of the existing industrial precinct west of the Berg River

Extent: ±5ha

Current Zoning: Industrial Zone

Proposal: Rezoning of Erf 11238, Paarl from “Industrial” to “General Commercial Zone” (±5.03ha) and Riverbank Park (±0.66ha) in order to establish a commercial development in the existing building on the property;

Consent Use for Light Industrial to allow for manufacturing and sales of products on a portion of the ground floor of an existing building (±1784m²); and

Consent Use for Place of Assembly on the first floor of an existing building (±3131m²).

Motivated objections to the above can be lodged in writing to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl 7622 by not later than Monday, 13 May 2013 of the date hereof. 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

15/4/1 (11238) P

12 April 2013

50730

OVERSTRAND MUNICIPALITY

ERF 3065, VAN BLOMMENSTEIN STREET, ONRUS RIVER,
OVERSTRAND MUNICIPAL AREA: PROPOSED DEPARTURE:
WESTLAND INVESTMENTS 1015 CC

Notice is hereby given in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that an application has been received for a departure from the relevant Scheme Regulations in order to operate a Theatre and Gymnasium from the said property and also provide less parking than required by the Scheme Regulations.

Full details regarding the proposal are available for inspection at the Department: Town Planning (18 Paterson Street) during normal office hours. Enquiries regarding the matter should be directed to the Town Planner, Mr H Olivier (Tel. (028) 313-8900/Fax: (028) 313-2093). E-mail enquiries: Loretta Page (loretta@overstrand.gov.za).

Any comments on the proposal should be submitted in writing to reach the undersigned by not later than Friday, 17 May 2013. A person who cannot read or write but wishes to comment on the proposal may visit the Directorate: Infrastructure and Planning where a member of staff would assist them to formalize their comment.

MUNICIPAL MANAGER, OVERSTRAND MUNICIPALITY, PO BOX 20, HERMANUS 7200

Municipal Notice No. 28/2013

12 April 2013

50735

DRAKENSTEIN MUNISIPALITEIT

AANSOEK OM HERSONERING EN VERGUNNINGSGEBRUIK:
ERF 11238, PAARL

Kennis geskied hiermee ingevolge Artikel 17(2)(a) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) en Klousule 18(2) van die Paarl Skemaregulasies dat 'n aansoek soos hieronder uiteengesit, ontvang is en gedurende normale kantoorure ter insae is by Kantoor van die Hoof: Beplanningsdienste, Administratiewe Kantore, h/v Hoof- en Markstraat, Paarl, Tel. (021) 807-4770:

Eiendom: Erf 11238, Paarl

Aansoeker: P-J Le Roux Stads- en Streekbeplanners

Eienaar: Moneyline 349 (Edms) Bpk

Ligging: Geleë oos van Paarl SSK en vorm deel van die bestaande industriële gebied wes van die Bergrivier

Grootte: ±5ha

Huidige Sonering: Nywerheidsone

Voorstel: Hersonerings van Erf 11238, Paarl vanaf “Industrieel” na “Algemene Handelsone” (±5.03ha) en Rivieroewer Park (±0.66ha) ten einde 'n kommersiële ontwikkeling in die bestaande geboue te vestig;

Vergunningsgebruik vir Ligte Nywerhede vir die vervaardiging en verkope van produkte op 'n gedeelte van die grondvloer van 'n bestaande gebou (±1784m²); en

Vergunningsgebruik vir Vergaderplek op die eerste vloer van 'n bestaande gebou (±3131m²).

Gemotiveerde besware teen bogemelde aansoek kan skriftelik gerig word aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl 7622, teen nie later nie as Maandag, 13 Mei 2013. Geen laat besware sal oorweeg word nie.

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

JF METTLER, MUNISIPALE BESTUURDER

15/4/1 (11238) P

12 April 2013

50730

OVERSTRAND MUNISIPALITEIT

ERF 3065, VAN BLOMMENSTEINSTRAT 19, ONRUSRIVIER,
OVERSTRAND MUNISIPALE AREA: VOORGESTELDE
AFWYKING: WESTLAND INVESTMENTS 1015 CC

Kennis geskied hiermee verder ingevolge Artikel 15 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat 'n aansoek ontvang is vir 'n Afwyking van die relevante Skemaregulasies om 'n teater en gymnasium te bedryf van die genoemde eiendom en om minder parkering te voorsien as voorgeskryf deur die Skemaregulasies.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie by die Departement: Stadsbeplanning (Patersonstraat 8) gedurende normale kantoorure. Navrae kan gerig word aan die Stadsbeplanner, mnr H Olivier (Tel. (028) 313-8900/Faks: (028) 313-2093). E-pos navrae: Lorretta Page (loretta@overstrand.gov.za).

Enige kommentaar aangaande die voorstel moet op skrif gestel word ten einde die ondergetekende te bereik teen nie later nie as Vrydag, 17 Mei 2013. Persone wat wil kommentaar lewer maar nie kan lees of skryf nie, mag die Direktooraat: Infrastruktuur en Beplanning besoek waar hul deur 'n amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

MUNISIPALE BESTUURDER, OVERSTRAND MUNISIPALITEIT, POSBUS 20, HERMANUS 7200

Munisipale Kennisgewingnr. 28/2013

12 April 2013

50735

DRAKENSTEIN MUNICIPALITY

APPLICATION FOR REZONING, DEPARTURE AND
CONSOLIDATION: ERF 1149, PAARL

Notice is hereby given in terms of Sections 17(2)(a) and 15(1)(a)(i) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985), 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, Administrative Offices, c/o Main and Market Streets, Paarl, Tel. (021) 807-4822:

Property: Erf 1149, Paarl

Applicant: P-J Le Roux Town and Regional Planners

Owner: Pestana Family Trust (Pty) Ltd

Locality: Located at 395 Main Street, in the Central Business District of Paarl

Extent: ±284m²

Current Zoning: Single Dwelling Residential Zone in terms of the Paarl Zoning Scheme Regulations

Proposal: Rezoning of Erf 1149, Paarl from Single Dwelling Residential Zone to General Business Zone in order to establish a uniform zoning to allow for the extension of the owner's existing business (Trust Café and Launderette);

Departure from the land use restrictions for the relaxation of the prescribed zone building line adjacent to Erf 1150, Paarl from 4.5m to 3m; and

Consolidation of Erven 1149 (±284m²) and 1157, Paarl (±745m²) in order to create a new land unit of ±1029m².

Motivated objections to the above can be lodged in writing to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl 7622 by not later than Monday, 13 May 2013 of the date hereof. 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

15/4/1 (1149) P

12 April 2013

50732

SWARTLAND MUNICIPALITY

NOTICE 97/2012/2013

PROPOSED REZONING AND DEPARTURE OF
ERF 2572, MALMESBURY

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 2572 (±1550m² in extent) situated in Dr Euvrard Street, Malmesbury from light industrial zone to business zone in order to formalise the existing commercial uses and offices.

Application has also been received in terms of Section 15(1)(a)(i) of Ordinance 15 of 1985 to depart from the required 41 on-site parking bays to 10 parking bays.

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 13 May 2013 at 17:00.

JJ SCHOLTZ, MUNICIPAL MANAGER, MUNICIPAL OFFICE, PRIVATE BAG X52, MALMESBURY 7299

12 April 2013

50736

DRAKENSTEIN MUNISIPALITEIT

AANSOEK OM HERSONERING, AFWYKING EN
KONSOLIDASIE: ERF 1149, PAARL

Kennis geskied hiermee ingevolge Artikels 17(2)(a) en 15(1)(a)(i) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985), dat 'n aansoek soos hieronder uiteengesit, ontvang is en gedurende normale kantoorure ter insae is by Kantoor van die Hoof: Beplanningsdienste, Administratiewe Kantore, h/v Hoof- en Markstraat, Paarl, Tel. (021) 807-4822:

Eiendom: Erf 1149, Paarl

Aansoeker: P-J Le Roux Stads- en Streekbeplanners

Eienaar: Pestana Family Trust (Edms) Bpk

Ligging: Geleë te Hoofstraat 395, Paarl, in die Paarl Sentrale Besigheidskern

Grootte: ±284m²

Huidige Sonering: Enkelwoningssone ingevolge die Paarl Soneringsskema regulasies

Voorstel: Hersonering van Erf 1149, Paarl vanaf Enkelwoningssone na Algemene Sakesone ten einde 'n eenvormige sonering toe te ken ter uitbreiding van die eienaar se bestaande besigheid (Trust Kafee en Wassery);

Afwyking van die grondgebruikbeperkings vir die verslapping van die voorgeskrewe soneboulyn aangrensend aan Erf 1150, Paarl vanaf 4.5m na 3m; en

Konsolidasie van Erwe 1149 (±284m²) en 1157, Paarl (±745m²) om 'n nuwe grondeenheid van ±1029m² te vorm.

Gemotiveerde besware teen bogemelde aansoek kan skriftelik gerig word aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl 7622, teen nie later nie as Maandag, 13 Mei 2013. Geen laat besware sal oorweeg word nie.

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

JF METTLER, MUNISIPALE BESTUURDER

15/4/1 (1149) P

12 April 2013

50732

SWARTLAND MUNISIPALITEIT

KENNISGEWING 97/2012/2013

VOORGESTELDE HERSONERING EN AFWYKING VAN
ERF 2572, MALMESBURY

Kennis geskied hiermee ingevolge Artikel 17(1) van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir die hersonering van Erf 2572 (groot 1550m²), geleë te Dr Euvrardstraat, Malmesbury, vanaf ligte nywerheidsone na sakesone ten einde die bestaande kommersiële gebruike en kantore te formaliseer.

Aansoek word ook gedoen ingevolge Artikel 15(1)(a)(i) van Ordonnansie 15 van 1985 ten einde af te wyk van die vereiste 41 op-perseel parkeerplekke na 10 parkeerplekke.

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

Enige kommentaar, hetsy beswaar of ondersteuning, kan skriftelik by die ondergetekende ingedien word nie later nie as 13 Mei 2013 om 17:00.

JJ SCHOLTZ, MUNISIPALE BESTUURDER, MUNISIPALE KANTOOR, PRIVAATSAK X52, MALMESBURY 7299

12 April 2013

50736

GEORGE MUNICIPALITY

NOTICE NO. 023/2013

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967) AND
CONSENT USE: ERF 9, HOEKWIL

A. Notice is hereby given in terms of Section 3(6) of the above Act that the undermentioned application has been received and is open to inspection at the Office of the Municipal Manager, George Municipality and any enquiries may be directed to the Deputy Director: Planning, Civic Centre, York Street, George.

The application is also open to inspection at the Office of the Director, Integrated Environmental Management: Region A1, Provincial Government of the Western Cape, at Room 201, 1 Dorp Street, Cape Town, from 08:00-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483-5897 (S Kwetana) and Directorate's fax number is (021) 483-3633. Any objections, with full reasons therefor, should be lodged in writing at the Office of the abovementioned Director: Integrated Environmental Management at Private Bag X9086, Cape Town 8000, with a copy to the abovementioned Municipal Manager on or before Monday, 20 May 2013 quoting the above Act and the objector's erf number. Please note that no objections by e-mail will be accepted. Any comments received after the aforementioned closing date may be disregarded.

Applicant: Jan Vrolijk Town Planner

Nature of Application:

1. Removal of a restrictive title condition applicable to Erf 9, Hoekwil, to enable the owner to construct a second dwelling on the property;
2. Consent use in terms of the provisions of Section 8 Scheme Regulations promulgated in terms of Ordinance 15 of 1985, for a second dwelling unit on the property.

T BOTHA, MUNICIPAL MANAGER, CIVIC CENTRE, YORK STREET, GEORGE 6530

Contact: Marisa Arries

Tel: (044) 801-9473. Fax: 086 570 1900

E-mail: marisa@george.org.za

12 April 2013

50733

MUNISIPALITEIT GEORGE

KENNISGEWINGNR. 023/2013

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN
1967) EN VERGUNNINGSGEBRUIK: ERF 9, HOEKWIL

A. Kragtens Artikel 3(6) van bostaande Wet word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die Kantoor van die Munisipale Bestuurder, George Munisipaliteit en enige navrae kan gerig word aan die Adjunk-Direkteur: Beplanning, Burgersentrum, Yorkstraat, George.

Die aansoek lê ook ter insae by die Kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur: Streek A1, Provinsiale Regering van die Wes-Kaap, by Kamer 601, Dorpstraat 1, Kaapstad vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word by (021) 483-5897 (S Kwetana) en die Direktoraat se faksnummer is (021) 483-3633. Enige besware, met die volledige redes daarvoor, moet skriftelik by die Kantoor van die bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Privaatsak X9086, Kaapstad 8000 met 'n afskrif aan die bogenoemde Munisipale Bestuurder ingedien word op of voor Maandag, 20 Mei 2013 met vermelding van bogenoemde Wet en die beswaarmaker se ernommer. Let asseblief daarop dat geen e-pos besware aanvaar word nie. Enige kommentaar wat ná die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Aansoeker: Jan Vrolijk Stadsbeplanner

Aard van aansoek:

1. Opheffing van 'n beperkende titelvoorwaarde van toepassing op Erf 9, Hoekwil, ten einde die eienaar in staat te stel om 'n tweede woning op die eiendom op te rig;
2. Vergunningsgebruik ingevolge die bepalings van die Artikel 8 Skemaregulasies, uitgevaardig kragtens die bepalings van Ordonnansie 15 van 1985, vir 'n tweede woonheid op die eiendom.

T BOTHA, MUNISIPALE BESTUURDER, BURGERSENTRUM, YORKSTRAAT, GEORGE 6530

Kontak: Marisa Arries

Tel: (044) 801-9473. Faks: 086 570 1900

E-pos: marisa@george.org.za

12 April 2013

50733

SWARTLAND MUNICIPALITY

NOTICE 98/2012/2013

PROPOSED DEPARTURE ON REMAINDER OF PORTION 2 OF
FARM ELANDSVLEI NO. 539, DIVISION MALMESBURY

Notice is hereby given in terms of Section 15(1)(a)(ii) of Ordinance 15 of 1985 that an application has been received for a departure on remainder of portion 2 of Farm Elandsvlei No. 539 (1.24ha in extent), Division Malmesbury situated ±12km north-east of Darling in order to operate a gravel mine.

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 13 May 2013 at 17:00.

JJ SCHOLTZ, MUNICIPAL MANAGER, MUNICIPAL OFFICE, PRIVATE BAG X52, MALMESBURY 7299

12 April 2013

50737

SWARTLAND MUNISIPALITEIT

KENNISGEWING 98/2012/2013

VOORGESTELDE AFWYKING OP RESTANT VAN GEDEELTE 2
VAN PLAAS ELANDSVLEI 539, AFDELING MALMESBURY

Kennis geskied hiermee ingevolge Artikel 15(1)(a)(ii) van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir 'n afwyking op die restant van die Plaas Elandsvlei Nr. 539 (groot ±1.24ha), Afdeling Malmesbury geleë ±12km noordoos van Darling ten einde 'n gruismy n te bedryf.

Verdere besonderhede is gedurende gewone kantoorure (weekdae) 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 ingedien word nie later nie as 13 Mei 2013 om 17:00.

JJ SCHOLTZ, MUNISIPALE BESTUURDER, MUNISIPALE KANTORE, PRIVAATSAK X52, MALMESBURY 7299

12 April 2013

50737

OVERSTRAND MUNICIPALITY

ERF 7190, 57 ROCKLANDS AVENUE, HERMANUS, OVERSTRAND MUNICIPAL AREA: REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967), PROPOSED DEPARTURE AND ENCROACHMENT ONTO MUNICIPAL PROPERTY

Notice is hereby given in terms of Section 3(6) of the above Act that the undermentioned application has been received and is open to inspection at the Office of the Municipal Manager, Overstrand Municipality, and any enquiries may be directed to the Senior Town Planner, Ms H van der Stoep, PO Box 20, Hermanus 7200, Tel. No. (028) 313-8900 and Fax No. (028) 313-2093. E-mail enquiries: Loretta Page (loretta@overstrand.gov.za).

The application is also open to inspection at the Office of the Director, Land Management: Region 2, Provincial Government of the Western Cape at Room 801, 1 Dorp Street, Cape Town from 08:00-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483-5834 and the Directorate's fax number is (021) 483-3098. Any objections, with full reason therefor, should be lodged in writing at the Office of the abovementioned Director: Integrated Environmental Management at Private Bag X9086, Cape Town 8000, on or before Friday, 24 May 2013, quoting the above Act and the objector's erf number. Any comments received after the aforementioned closing date may be disregarded.

Notice is hereby further given in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that an application has been received for a departure from the relevant Scheme Regulations to relax the street building line from 4.5m to 0m to accommodate the existing dwelling, two carports and stoep and to relax the eastern lateral building line from 2.6m to 1m to accommodate the existing dwelling.

Notice is hereby also given that Council received an application for an encroachment on Municipal property, being two portions of Erf 241, Hermanus adjoining Erf 7190, Westcliff, Hermanus, in terms of Council's Administration of Immovable Property Policy of 2009 to accommodate the existing paved driveway and garden associated with Erf 7190, but situated in Rocklands Avenue.

Full details regarding the proposal are available for inspection at the Department: Town Planning (16 Peterson Street) during normal office hours. Any comment on the proposal should be submitted in writing to reach the undersigned by not later than Friday, 24 May 2013.

Applicant: Plan Active Town and Regional Planners (on behalf of FJ & LI Cronje)

Nature of Application: Removal of a restrictive title condition applicable to Erf 7190, 57 Rocklands Avenue, Hermanus, to enable the owner to legalize the existing encroaching dwelling, carports and veranda on a portion of the property.

Overstrand Municipality, PO Box 20, HERMANUS 7200

Municipal Notice No. 25/2013

12 April 2013

50734

OVERSTRAND MUNISIPALITEIT

ERF 7190, ROCKLANDSWEG 57, HERMANUS, OVERSTRAND MUNISIPALE AREA: WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967), VOORGESTELDE AFWYKING EN OORSKRYDING OP MUNISIPALE EIENDOM

Kragtens Artikel 3(6) van bostaande Wet word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Munisipale Bestuurder, Overstrand Munisipaliteit en enige navrae kan gerig word aan die Senior Stadsbeplanner, me H van der Stoep, Posbus 20, Hermanus 7200, Tel. (028) 313-8900 en by die faksnr. (028) 313-2093. E-pos navrae: Loretta Page (loretta@overstrand.gov.za).

Die aansoek lê ook ter insae by die Kantoor van die Direkteur, Grondbestuur: Streek 2, Provinsiale Regering van die Wes-Kaap, by Kamer 601, Dorpstraat 1, Kaapstad vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word aan (021) 483-5834 en die Direktoraat se faksnummer is (021) 483-3098. Enige besware, met die volledige redes daarvoor, moet skriftelik by die Kantoor van die bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Provinsiale Regering, Privaatsak X9086, Kaapstad 8000, ingedien word op of voor Vrydag, 24 Mei 2013 met vermelding van bogenoemde Wet en die beswaarmaker se ernommer. Enige kommentaar wat ná die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Kennis geskied hiermee verder ingevolge Artikel 15 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat 'n aansoek ontvang is vir 'n afwyking van die relevante Skemaregulasies om die straatboulyn te verslap vanaf 4.5m na 0m om die bestaande woning, twee motorafdakke en stoep te akkommodeer en om die oostelike laterale boulyn te verslap vanaf 2.5m na 1m om die bestaande woning te akkommodeer.

Kennis geskied hiermee ook dat die Raad 'n aansoek ontvang het vir 'n oorskryding op twee gedeeltes van Munisipale eiendom, synde gedeeltes van Erf 241, Hermanus aangrensend Erf 7190, Hermanus ingevolge die Raad se Beleid op Administrasie van Onroerende Eiendom van 2009 ten einde die bestaande geplaveide oprit en tuin geassosieer met Erf 7190, maar geleë is in Rocklandsweg te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie by die Departement: Stadsbeplanning (Patersonstraat 18) gedurende normale kantoorure. Enige kommentaar op die voorstel moet skriftelik ingedien word ten einde die skrywer te bereik nie later as Vrydag, 24 Mei 2013 nie.

Aansoeker: Plan Active Stads- en Streeksbeplanners (namens FJ & LI Cronje)

Aard van Aansoek: Opheffing van 'n beperkende titelvoorwaarde van toepassing op Erf 7190, Rocklandsweg 57, Hermanus ten einde die eienaar in staat is stel om die bestaande oprukkende woonhuis, motorafdakke en stoep op 'n gedeelte van die eiendom te wettig.

Overstrand Munisipaliteit, Posbus 20, HERMANUS 7200

Munisipale Kennisgewingnr. 25/2013

12 April 2013

50734

UMASIPALA WASE-OVERSTRAND

ISIZA 7190, 57 ROCKLANDS AVENUE, HERMANUS, UMMANDLA KAMASIPALA WASE-OVERSTRAND: UMTHEHO WOKUSUSA
IZITHINTELO, 1967 (UMTHEHO 84 KA-1967) NOKUPHAMBUKA OKUNDULULWAYO NOKUDLULELA KWIPROPATI KAMASIPALA

Aphakukhutshwa isaziso, ngo kwemiqathango yecandelo 3(6) lalo Mthetho ukhankanywe ngentla apha sokuba kuye kwafunyanwa esisicela singezantsi apha, nokuba kuvulelekile ukuba singeza kuphendlwa kwi-ofisi yeManejala ka Masipala wase Overstrand, kwaye nayiphi na imibuzo ingathunyelwa kuMyiliwe Dolophu, uNkosikazi H van der Stoep, PO Box 20, Hermanus 7200 (Kwinombolo Yemfonomfono Engu Engu: (028) 313-8900) (Inombolo Yefeksi (028) 313-2093), I-imeyile: Loretta Page (loretta@overstrand.gov.za).

Esisicelo kananjalo kukwavulelekile nokuba siyekuphendiwakwi-ofisi yoMlawuli: kuLawulo loMhlaba: uMmandla 2, kaRhulumentewe wePhondo leNtshona Koloni, kwiGumbi 601, 1 Dorp Street, eKapa, ukususela ngentsimbi ye-08:00 ukuya kweye-12:30 nango-13:00 ukuya-15:30 (ngoMvulo ukuya kutsho ngoLwesihlanu). Imibuzo eyenziwa ngomxeba ephathelele kulomba ingenziwa ngokutsalela kwa-(021) 483-5834, kwaye keinombolo yefekisi yeli Candelo loLawulo ngu-(021) 483-3098. Naziphi na izikhalazo, ekufuneka zihambe nezizathu ezipheleleyo kufuneka zingeniswe zibhaliwe kule ofisi ikhankanywe ngentla apha yoMlawuli kuLawulo lokusiNgqongileyo Olumanyanisiweyo, kaRhulumente wePhondo kwaPrivate Bag X9086, Cape Town 8000, ngomhla okanye phambiko Lwesihlanu umhla we-24 Meyi 2013, kuxelwe lo Mthetho ungentla kunye nenombolo yesiza. Naziphi na izimvo ezithe zafika emva kwalomhla wokuvala ukhankanyweyo zisenokungahoywa.

Apha kukwakhutshwa isaziso, ngokwemiqathango yeCandelo 15 loMmiselo woCwangciso loSetyenziso-Mhlaba, 1985 (UMmiselo 15 ka-1985) sokuba kuyekwafunyanwa isicelo sotyeshelo-mthetho kwiMigaqo yeNkqubo ukuba kuhluliswe umda ukusuka ku-4.5m ukuya ku-0m ukuvumela isakhiwo esikhoyo, iigaraji ezimbini, isituphu nokunyenisa umda wesakhiwo esisempuma ukusuka ku-2.5m ukuya ku-1m ukuvumela isakhiwo esikhoyo.

Kukwakhutshwa nesaziso sokuba iKhansile ifumene isicelo sokuba umda udlulele nakwi propati kaMasipala, ezinxalenye ezimbini kwiSiza 241, eHermanus esihlangene neSiza 7190, Westcliff, eHermanus, ngokomgaqo nkqubo i-Council's Administration of Immovable Property Policy ka-2009 ukuvumela indledla na eya egaraji ephayiviveyo ekhoyo ngoku kunyene gadi ekwiSiza 7190, kodwa sesise Rocklands Avenue.

Iinkcukacha ezipheleleyo malunga nesi siphakamiso ziyafumaneka xa ufuna ukuzihlola kwisiGqeba Solawulo: Kwiziseko Zophuhliso Nocando ngeeyure eziphelelekileyo zomsebenzi. Naziphi na izimvo onazo malunga nesi sindululo wathumele ngembalelwano kulo mntu ogama libhalwe apha ngezantsi engadlulanga uLwesihlanu, umhla we-24 Meyi 2013.

Umfaki Sicelo: Plan Active Town and Regional Planners (egamemi lika-FJ & LI Cronje)

Uhlobo lwesicelo: Ukususwa kwemiqathango yezithintelo zolwakhiwo kwitayitile yesiza 7190, 57 Rocklands Avenue, eHermanus, ukuze umniniso enze isakhiwo esidlule ngaphaya kwemida yezithintelo zolwakhiwo, ii-carport neverand ezikwixalenye yomhlaba lowo zibe semthethweni.

Kwifosi zikaMasipala, PO Box 20, HERMANUS 7200

Inombolo Yesaziso ka Masipala 25/2013

12 April 2013

50734

SWARTLAND MUNICIPALITY

NOTICE 100/2012/2013

PROPOSED SUBDIVISION, REZONING AND CONSOLIDATION
OF REMAINDER OF ERF 2281 AND ERVEN 2125, 2293 AND
2294, YZERFONTEIN

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 erven 2293 (425m² in extent) and erf 2294 (414m² in extent), situated in Galjoen Crescent (Fisherman's Haven), Yzerfontein from residential zone III to business zone II.

Application is also made in terms of Section 17(1) of Ordinance 15 of 1985 for the rezoning of a portion of erf 2281 (±240m² in extent), situated on the R315, Yzerfontein from open space zone II to business zone II.

Further application is made in terms of Section 24(1) of Ordinance 15 of 1985 for the subdivision of erf 2281 (4127m² in extent) situated on the R315, Yzerfontein into a remainder (±3887m²) and portion A (±240m²).

Erven 2293, 2294 and portion A of erf 2281 (240m² in extent) is offered for consolidation with erf 2125 to form a part of the business activities on erf 2125 (Die Stal).

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 13 May 2013 at 17:00.

JJ SCHOLTZ, MUNICIPAL MANAGER, MUNICIPAL OFFICE,
PRIVATE BAG X52, MALMESBURY 7299

12 April 2013

50739

SWARTLAND MUNISIPALITEIT

KENNISGEWING 100/2012/2013

VOORGESTELDE ONDERVERDELING, HERSONERING EN
KONSOLIDASIE VAN RESTANT VAN ERF 2281 EN ERWE 2125,
2293 EN 2294, YZERFONTEIN

Kennis geskied hiermee ingevolge Artikel 17(1) van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir die hersonering van erwe 2293 (groot 425m²) en erf 2294 (groot 414m²), geleë in Galjoensingel (Fisherman's Haven), Yzerfontein vanaf residensiële sone III na sakesone II.

Aansoek word ook gedoen ingevolge Artikel 17(1) van Ordonnansie 15 van 1985 vir die hersonering van 'n gedeelte van erf 2281 (groot ±240m²), geleë op die R315, Yzerfontein vanaf oopruimtesone II na sakesone II.

Verder word aansoek gedoen ingevolge Artikel 24(1) van Ordonnansie 15 van 1985 vir die onderverdeling van erf 2281 (groot 4127m²) geleë op die R315, Yzerfontein in 'n restant (±3887m²) en gedeelte A (±240m²).

Erwe 2293, 2294 en gedeelte A van erf 2281 (groot 240m²) word aangebied vir konsolidasie met erf 2125 om deel te vorm van die sakeaktiwiteite op erf 2125 (Die Stal).

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

Enige kommentaar, hetsy beswaar of ondersteuning, kan skriftelik by die ondergetekende ingedien word nie later as 13 Mei 2013 om 17:00.

JJ SCHOLTZ, MUNISIPALE BESTUURDER, MUNISIPALE
KANTORE, PRIVAATSAK X52, MALMESBURY 7299

12 April 2013

50739

SWARTLAND MUNICIPALITY

NOTICE 99/2012/2013

PROPOSED SUBDIVISION OF ERF 241,
MALMESBURY

Notice is hereby given in terms of Section 24(1) of Ordinance 15 of 1985 that an application has been received for the subdivision of erf 241 (1234m² in extent), situated c/o Skool- en Plein Streets, Malmesbury into a remainder (±705m²) and portion A (±529m²).

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 13 May 2013 at 17:00.

JJ SCHOLTZ, MUNICIPAL MANAGER, MUNICIPAL OFFICE,
PRIVATE BAG X52, MALMESBURY 7299

12 April 2013

50738

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR REZONING OF PORTION 16 (PORTION OF
PORTION 7) AND PORTION 6 (PORTION OF PORTION 1) OF
THE FARM ZANDFONTYN NO. 381,
CALEDON DISTRICT

Notice is hereby given that an application by Southern Oil (Pty) Ltd on behalf of De Kock Sandfontein (Edms) Bpk for rezoning in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) of Portion 16 (Portion of Portion 7) and Portion 6 (Portion of Portion 1) of the Farm Zandfontyn No. 381, Caledon District, has been submitted to the Theewaterskloof Municipality.

Nature of the application: The application comprises rezoning from Agricultural Zone 1 to Agricultural Zone 2 to be able to erect silos for the storage of Canola and the production of Canola products on the land.

Further particulars regarding the proposal are available for inspection at the Municipal Office, Caledon from 9 April 2013 to 21 May 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 21 May 2013. 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/461

Notice No.: KOR 21/2013

12 April 2013

50740

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR CONSENT USE ON ERF 2632,
BOTRIVIER

Notice is hereby given in terms of Section 5.1.1(b) of the Theewaterskloof Municipality Integrated Zoning Scheme Regulations P.N. 120/2011, that an application for consent use, applicable to Single Residential Zone 1 on erf 2632, Botrivier, has been submitted to the Theewaterskloof Municipality.

Applicant: Mrs BV Bofolo, 2632, Fynbos Street, Botrivier 7185

Nature of the application: The application comprises the proposed operation of a house tavern on the erf.

Further particulars regarding the proposal are available for inspection at the Municipal Offices, Botrivier and Caledon from 9 April 2013 to 21 May 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 21 May 2013. 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. B/2632(b)

Notice No. KOR 17/2013

12 April 2013

50741

SWARTLAND MUNISIPALITEIT

KENNISGEWING 99/2012/2013

VOORGESTELDE ONDERVERDELING VAN ERF 241,
MALMESBURY

Kennis geskied hiermee ingevolge Artikel 24(1) van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir die onderverdeling van erf 241 (groot 1234m²), geleë h/v Skool- en Pleinstraat, Malmesbury in 'n restant (±705m²) en gedeelte A (±529m²).

Verdere besonderhede is gedurende gewone kantoorure (weekdae) 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 ingedien word nie later as 13 Mei 2013 om 17:00.

JJ SCHOLTZ, MUNISIPALE BESTUURDER, MUNISIPALE
KANTOOR, MALMESBURY 7299

12 April 2013

50738

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM HERSONERING VAN GEDEELTE 16 (GEDEELTE
VAN GEDEELTE 7) EN GEDEELTE 6 (GEDEELTE VAN
GEDEELTE 1) VAN DIE PLAAS ZANDFONTYN NR. 381,
CALEDON DISTRIK

Kennis geskied hiermee dat 'n aansoek van Southern Oil (Pty) Ltd namens De Kock Sandfontein (Edms) Bpk vir hersonering in terme van Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) van Gedeelte 16 (Gedeelte van Gedeelte 7) en Gedeelte 8 (Gedeelte van Gedeelte 1) van die Plaas Zandfontyn Nr. 381, Caledon Distrik, ingedien is by die Theewaterskloof Munisipaliteit.

Aard van die aansoek: Die aansoek behels hersonering van Landbousone 1 na Landbousone 2 ten einde sio's te kan oprig vir die berging van Canola en vervaardiging van Canola-produkte.

Verdere besonderhede van die voorstel lê ter insae by die Caledon Munisipale Kantoor vanaf 9 April 2013 tot 21 Mei 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 21 Mei 2013. 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

Verwysingsnr.: L/461

Kennisgewingnr.: KOR 21/2013

12 April 2013

50740

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM VERGUNNINGSGEBRUIK OP ERF 2632,
BOTRIVIER

Kennis geskied hiermee in terme van Artikel 5.1.1(b) van die Theewaterskloof Munisipaliteit Geïntegreerde Soneringskema P.K. 120/2011, dat 'n aansoek om vergunningsgebruik van toepassing op Enkelwoningone 1 op erf 2632, Botrivier, ingedien is by die Theewaterskloof Munisipaliteit.

Aansoeker: Mev BV Bofolo, 2632, Fynbostraat, Botrivier 7185

Aard van die aansoek: Die aansoek behels die voorgenome bedryf van 'n huistaverne op die erf.

Verdere besonderhede van die voorstel lê ter insae by die Caledon en Botrivier Munisipale Kantoor vanaf 9 April 2013 tot 21 Mei 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 21 Mei 2013. 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

Verwysingsnr.: B/2632(b)

Kennisgewingnr.: KOR 17/2013

12 April 2013

50741

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR TEMPORARY DEPARTURE: PORTION 10 OF THE FARM HOPEDALE NO. 293, CALEDON DISTRICT

Notice is hereby given in terms of Section 15(1)(a)(ii) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that an application for departure from the Theewaterskloof Municipality integrated Zoning Scheme Regulations P.N. 120/2011 on Portion 10 of the Farm Hopedale No. 293 has been submitted to the Theewaterskloof Municipality.

Applicant: Thembalitsha foundation, Village of Hope, PO Box 253, GRABOUW 7160

Nature of the application: The application comprises a temporary departure to enable the Thembalitsha Foundation to construct a social care facility on the property.

Further particulars regarding the proposal are available for inspection at the Municipal Office, Grabouw from 9 April 2013 to 21 May 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 21 May 2013. 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/462

Notice No. KOR 13/2013

12 April 2013

50742

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM TYDELIKE AFWYKING: GEDEELTE 10 VAN DIE PLAAS HOPEDALE NR. 293, CALEDON DISTRIK

Kennis geskied hiermee in terme van Artikel 15(1)(a)(ii) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat 'n aansoek vir tydelike afwyking op Gedeelte 10 van die Plaas Hopedale Nr. 293, Caledon Distrik ingedien is by die Theewaterskloof Munisipaliteit.

Aansoeker: Thembalitsha Foundation, Village of Hope, Posbus 253, GRABOUW 7160

Aard van die aansoek: Die aansoek behels 'n tydelike afwyking van die Theewaterskloof Geïntegreerde Soneringskema P.K. 120/2011 om die Thembalitsha Foundation in staat te stel om 'n Sosiale Voorsorgfasiliteit op te rig op die perseel.

Verdere besonderhede van die voorstel lê ter insae by die Grabouw Munisipale Kantoor vanaf 9 April 2013 tot 21 Mei 2013. Skritelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 21 Mei 2013. 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

Verwysingsnr.: L/462

Kennisgewingnr.: KOR 13/2013

12 April 2013

50742

RULES OF ORDER

REGULATING THE CONDUCT OF MEETINGS OF THE MUNICIPAL COUNCIL OF BREEDE VALLEY MUNICIPALITY

Passed by Council on 30 May 2012

Council Resolution No. C24/2012

This By-Law is called the Rules of Order for Internal Arrangement By-Law 2012.

To provide for rules of order for the internal arrangements and the business and proceedings of the Council of the municipality; and to provide for matters in connection therewith.

PART 1: GENERAL

1. Definitions

In these Rules, unless inconsistent with the context:

“**Council**” means the municipal Council of Breede Valley Municipality;

“**Councillor**” means a member of the Council, including a political office bearer as referred to in Section 1 of The Systems Act.

“**Code**” means the Code of Conduct for Councillors set out in Schedule 1 of the *Systems Act*;

“**Constitution**” means the *Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)*;

“**Deputation**” means a group of people appointed to represent others for a specific purpose;

“**MEC**” means the Member of the Executive Council responsible for local government in the Province of the Western Cape;

“**Meeting**” means the official meetings of the Council and its Committees, as respectively determined by the Speaker or Chairpersons of Committees of Council;

“**Motion**” means a motion of which prior notice is given by a Councillor in writing but shall not include a motion as contemplated in Clauses 39 and 40;

“**Motion of Course**” means motions introduced by any Councillor during the course of a debate without prior notice;

“**Motion of exigency**” means a written motion by any Councillor to consider a matter that does not appear on the agenda but is of extreme urgency, containing motivation why the matter should be regarded as urgent and thus warrants departure from the rule that prior notice must be given;

“**Municipal Manager**” means the person appointed by Council in terms of Section 54A of the *Systems Act (Act 32 of 2000)* (as amended by s.121 of Act 32 of 2000 and repealed by s.15 of Act 7 of 2011) or a person nominated by the Municipal Manager;

“**Notice of question**” means a notice in writing by a Councillor containing questions on any Council matter for purposes of obtaining (an) answer(s);

“**Party**” means a party referred to in definitions of the Structures Act, (Act 117 of 1998).

“**Rules**” means the provisions of these Rules of Order;

“**Speaker**” means the Councillor elected as Chairperson of the Council or any other Councillor acting as Chairperson of the Council;

“**Systems Act**” means the *Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)*;

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

“**Unseemly**” means indecent or unbecoming conduct;

“**Whip**” means a Councillor of a party in the Council appointed by that party as Whip to assist with the smooth functioning of the proceedings of the Council in terms of these Rules.

PART 2: APPLICATION OF RULES

2. Application

- (1) These Rules apply to all official meetings of the Council and its Committees, except to meetings of the Mayoral Committee or Committees for which special rules of order have been adopted.
- (2) Except where it is clearly inappropriate, a rule applying to Councillors in any proceedings, also apply to a non-Councillor who takes part in those proceedings with the approval of the Speaker.

3. Supplementation

- (1) The Speaker may give a ruling in respect of any eventuality for which these Rules do not provide and no further discussion shall be allowed on the ruling.
- (2) The ruling of the Speaker shall be entered in the minutes.

TABLE OF CONTENTS:

PART 3: MEETINGS

4. Commencement of meetings of Council
5. Order of business
6. Function of the Speaker
7. Business to be transacted
8. Meetings
9. Attendance at meetings
10. Leave of absence
11. Sanctions for non-attendance
12. Minutes
13. Quorum

PART 4: DECISIONS

14. Unopposed matters
15. Opposed matters
16. Manner of voting
17. Decisions

PART 5: PUBLIC ACCESS

18. Admittance of public
19. Re-admission of members of the public
20. Deputations

PART 6: ORDER IN MEETINGS

21. Conduct of non-members and members of the public
22. Maintenance of order at meetings of Council

23. Offence**PART 7: RULES OF DEBATE**

- 24. Councillor to address chair**
- 25. Order of priority**
- 26. Precedence of the Speaker**
- 27. Relevance**
- 28. Right to speak**
- 29. Length of speeches**
- 30. Re-introduction of motion or question**
- 31. Notice of motion**
- 32. Notices of question**
- 33. Absence of mover or questioner**
- 34. Motions and questions on matters dealt with by a Committee**
- 35. Recommendation of a Committee regarded as a motion**
- 36. Questions**
- 37. Motion of exigency**
- 38. Motion of course**
- 39. Point of order**
- 40. Point of explanation**
- 41. Withdrawal of motion, amendment or question**
- 42. Speaker's ruling on points of order and explanation**
- 43. Order of debate**
- 44. That the motion be amended**
- 45. That consideration of the matter be postponed**
- 46. That the Council now adjourn**
- 47. That the Council adjourn for a specified time**
- 48. That the debate be adjourned**
- 49. That the matter be put to the vote**
- 50. That the matter be removed from the agenda**
- 51. Rescission of resolution**

PART 8: LEGISLATIVE PROCESS

- 52. Introduction of draft by-laws**
- 53. Procedure for introduction of by-laws into Council**
- 54. First introduction to Council**
- 55. Notice in local newspapers**
- 56. Second introduction to Council**
- 57. Commencement**
- 58. Debate procedure**

PART 3: MEETINGS

4. Commencement of meetings of Council

The Speaker must take the chair at the time stated in the notice of the meeting or as soon thereafter as is reasonably possible: provided that the meeting does not commence later than 30 (thirty) minutes after the time stated in the notice of the meeting and must proceed immediately with the business of the meeting, subject to Clause 13.

5. Order of business

(1) The business of meetings of the Council will appear in the following order on the agenda –

- (a) Opening;
- (b) Election of (acting) Speaker, if necessary;
- (c) Applications for leave of absence;
- (d) Interviews with or presentations by deputations;
- (e) Confirmation of minutes;
- (f) Statements and communications by the Speaker;
- (g) Statements and communications by the Executive Mayor;
- (h) Report by the Executive Mayor on decisions taken by the Executive Mayor, the Executive Mayor together with the Deputy Executive Mayor, and the Executive Mayor together with the Mayoral Committee;
- (i) Matters for Consideration which will include:
 - Items submitted by officials of Council;
 - Urgent matters submitted by the Municipal Manager;
 - Matters for notification;
 - Consideration of notices of motion;
 - Consideration of notices of questions;
 - Consideration of motions of exigency.
- (j) Closure.

(2) The Speaker may of own volition change the order of the business appearing on the agenda.

(3) A Councillor who wishes to have the order of business on the agenda changed must approach the Speaker prior to the meeting.

6. Function of the Speaker.

(1) The Speaker must take the chair precisely at the time the meeting has been scheduled for:

(2) In addition to the functions referred to in section 37 of the Structures Act and any other law, the Speaker –

- (a) must preserve decorum in meetings;
- (b) must give a ruling in respect of a point of order raised by a Councillor, including a question in relation to the priority of the business; and
- (c) may give a ruling in respect of any procedural eventuality for which these rules do not provide.

(3) The ruling referred to in sub rule (2) must be entered into the minutes.

7. Business to be transacted

Except as provided for in these Rules, no matter not specified in the agenda of a meeting of the Council shall be transacted at such meeting.

8. Meetings

- (1) Council must meet at least quarterly.
- (2) The Speaker decides when and where the Council meets, but if a majority of the Councillors request the Speaker in writing to convene a meeting, the Speaker must convene a meeting as close to the time set out in the request as is possible, but not later than 7 (seven) days thereafter.
- (3) The Municipal Manager must, at the direction of the Speaker, give notice in writing to each Councillor of every meeting decided upon in terms of sub-Clause (2).
- (4) The Municipal Manager must give notice to the public of the day, time and venue of every meeting, by displaying notices of meetings in prominent places at all the offices of the Council.

9. Attendance at meetings

- (1) Every Councillor attending a meeting of the Council must sign his or her name in the attendance register kept for such purpose.
- (2) A Councillor must attend each meeting except when –
 - (a) Leave of absence is granted in terms of Clause 10; or
 - (b) The Councillor is required to withdraw in terms of law.

10. Leave of absence

- (1) A Councillor who wishes to absent himself or herself from meetings must, before so absenting himself or herself, obtain leave of absence via the Whip of the respective Political Party, from the Speaker or Chairperson of a Committee prior to a meeting: Provided that the Speaker or Chairperson of a Committee, on good cause, may grant leave of absence after the meeting to a Councillor who has been prevented by special circumstances from obtaining leave of absence prior to the meeting.
- (2) Where necessitated due to circumstances, leave of absence by Councillors must be duly applied for –
 - (a) In the case of Council – to the Speaker;
 - (b) In the case of meeting of Committees of Council – to the Chairperson of the relevant Committee and the Administration must also be timeously informed so that the alternate for the relevant Councillor of the Committee can be informed in time to ensure a quorum;
 - (c) In the case of workshops, congresses, functions and other meetings than those contemplated in (a) and (b) above – to the Speaker to grant approval in such cases and the Administration must also be timeously informed in the event that Councillors cannot attend workshops, congresses, meetings, functions, etc. so that cancellation arrangements can be made to avoid fruitless expenditure.
- (3) In the event that Councillors have not timeously applied for leave of absence as contemplated in (a) to (c) above and the non-attendance results in expenditure related to the attendance of workshops, congresses, meetings, functions, etc. not being recoverable, such expenditure will constitute fruitless expenditure in terms of the Local Government: Municipal Financial Management Act, 2003 (Act No. 56 of 2003) (MFMA) which holds serious implications and penalties;

- (4) Should Councillors contravene Items (1) and (2) above, the contravention will be –
 - (a) Addressed in terms of the Code of Conduct for Councillors [Schedule 1, Item 4, in the Local Government: Municipal Systems Act (Act 32 Of 2000)] as a contravention of the Code;
 - (b) Dealt with as a contravention of Section 32 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) and any non-recoverable costs recovered from the relevant Councillor.

11. Sanctions for non-attendance

- (1) A Councillor who absents himself or herself from a meeting, or who fails to be in attendance at the commencement of the meeting, or fails to remain in attendance at such a meeting without prior leave having been granted in terms of Section 10, is in breach of these Rules.
- (2) A committee elected by Council (Disciplinary Committee), must investigate and make a finding on any breach referred to in sub-Clause (1) in accordance with the Policy on the Procedure for Investigation of Allegations of Contraventions of the Code of Conduct by Councillors.
- (3) A Councillor who is absent from 3 (three) or more consecutive meetings of Council, without a valid excuse, shall be removed from office.

12. Minutes

- (1) Minutes of the proceedings of meetings must be compiled in printed form and be confirmed by the Council at the next meeting and signed by the Speaker.
- (2) The minutes shall be taken as read, for the purpose of confirmation, if a copy thereof was sent to each Councillor within forty eight hours before the next meeting, subject to the provisions of sub-Clause (4).
- (3) No motion or discussion shall be allowed on the minutes, except in connection with the correctness thereof.
- (4) The minutes formulated and screened during meetings, shall constitute a resolution for purposes of implementation of decisions.

13. Quorum

- (1) A majority of the Councillors constitutes a quorum.
- (2) If there is no quorum at the time for which the meeting is scheduled, the meeting must be delayed for no longer than 20 (twenty) minutes and if at the end of that period, there is still no quorum, the Speaker must adjourn the meeting to the same time, a week later at an available venue and the time of such adjournment, as well as the names of the Councillors present, must be recorded in the minutes.
- (3) Whenever the Speaker is not present and there is no quorum, the start of the meeting must be delayed for no more than 20 (twenty) minutes and if there is no quorum at the end of that period, the Municipal Manager must adjourn the meeting to the same time, a week later at an available venue and the time of such adjournment, as well as the names of the Councillors present, must be recorded in the minutes.
- (4) Whenever during a meeting there is no quorum, the Speaker must suspend the proceedings until a quorum is again present: Provided that if after 15 (fifteen) minutes there is still no quorum the Speaker must adjourn the meeting to the same time, a week later at an available venue and the time of such adjournment, as well as the names of the Councillors present, must be recorded in the minutes.

- (5) The Speaker must report the names of the absentee Councillors to the committee established in terms of Clause 11.2 (Disciplinary Committee) for the purposes of an investigation of a breach of these Rules.

PART 4: DECISIONS

14. Unopposed matters

Whenever Council is called upon to consider a matter before it and there is no opposition from any Councillor, a unanimous vote must be recorded.

15. Opposed matters

- (1) The Speaker must put every opposed matter to the vote by calling upon Councillors to indicate by a show of hands, unless otherwise prescribed by any law or the Council resolves otherwise, whether they are for that matter or against it, whereupon the Speaker must announce the result of the vote.
- (2) Upon the announcement of the result of a vote, a Councillor may demand that his or her vote be recorded against the decision concerned.
- (3) If there is an equality of votes on any matter, the Speaker must exercise a casting vote, as required by section 30(4) of the Structures Act.
- (4) A matter on the agenda is regarded as opposed business if a Councillor signifies the intention to discuss the matter immediately after the Speaker has intimated to the meeting that the matter is open for discussion. No matter is regarded as opposed by reason only of questions being asked in connection therewith.

16. Manner of voting

- (1) A majority of the Councillors of a Municipal Council must be present before a vote may be taken on any matter.
- (2) The Speaker must put every opposed matter to the vote by calling upon the Councillors to indicate by a show of hands unless otherwise prescribed by Council, whether they are for such matter or against it, whereupon the Speaker must declare the result of such vote.
- (3) Upon the Speaker's declaration of the result of a vote, a Councillor may demand for his or her vote to be recorded against the decision concerned and the Municipal Manager shall ensure that such vote is recorded in the minutes.
- (4) If there is an equality of votes in respect of a matter on which voting takes place in accordance with sub-Clause (1), the Speaker must exercise his or her casting vote, in addition to his or her deliberative vote.

17. Decisions

- (1) In accordance with the Constitution, a supporting vote of a majority of the Councillors is necessary to decide on –
 - (a) The passing of by-laws;
 - (b) The approval of the budgets;
 - (c) The imposition of rates and other taxes, levies and duties;
 - (d) The raising of loans.
- (2) In accordance with the *Structures Act* a supporting vote of at least 2/3 (two thirds) of the Councillors of Council is necessary to adopt a decision to dissolve the Council.
- (3) All other matters are decided by a majority of votes cast.

PART 5: PUBLIC ACCESS

18. Admittance of public

- (1) The Speaker must –
 - (a) take reasonable steps to regulate the attendance and conduct of members of the public at meetings; and
 - (b) ensure that meetings are accessible to persons with disabilities.
- (2) The Speaker may allocate reasonable time to any member of the public who wishes to address Council, having regard to –
 - (a) the nature of the matter to be discussed;
 - (b) priorities in relation to other Council business;
 - (c) other members of the public present who also wish to address the Council, and
 - (d) whether such an opportunity has already been provided to the member of the public.
- (3) A member of the public who wishes to address the Council must apply in writing to the Speaker, stating the matter on which he or she wishes to speak.
- (4) If the Speaker is of the opinion that members of the public must be excluded from a meeting or upon a motion from a Councillor to that effect, the Speaker must –
 - (a) direct that all members of the public leave the venue of the meeting; and
 - (b) direct that the Council consider a motion whether it would be reasonable to exclude the public from the meeting having regard to the nature of the business being transacted, including whether –
 - (i) there might otherwise be unreasonable disclosure of personal information regarding any person;
 - (ii) trade secrets of any person might otherwise be disclosed;
 - (iii) financial, commercial, scientific or technical information, other than trade secrets, of any person might otherwise be disclosed, and the disclosure would likely cause harm to the commercial or financial interests of that person;
 - (iv) information which had been supplied in confidence by any person might be disclosed, and the disclosure could reasonably be expected to put that person at a disadvantage in contractual or other negotiations or to prejudice that person in commercial competition;
 - (v) information might be disclosed that would give cause for an action for breach of a duty of confidence owed to any person in terms of an agreement;
 - (vi) information might be disclosed that could reasonably be expected to endanger the life or physical safety of any person, or would likely prejudice or impair the security of a building, structure, system, means of transport or any other property;
 - (vii) information might be disclosed which is privileged from production in legal proceedings;
 - (viii) information might be disclosed which contains financial, commercial, scientific or technical information, the disclosure of which –

- (aa) would likely cause harm to the financial interests of the municipality; or
 - (bb) could reasonably be expected to put the municipality at a disadvantage in contractual and other negotiations;
 - (ix) information might be disclosed about research being or to be carried out by or on behalf of any person or the municipality and the disclosure of the information would likely expose any person or the municipality or the subject-matter of the research to serious disadvantage; or
 - (x) the relevant item on the agenda pertains to any other matter which could be reasonably withheld from the public;
- (5) If the motion referred to in sub rule 4(b) to exclude the public from the meeting is seconded, the motion must be put to the vote, after debate of the reasons for excluding the public, but without debate on the relevant item on the agenda.
- (6) If the motion referred to in sub rule 4(b) is not carried, the Speaker must ensure that members of the public are allowed access to the meeting again.
- (7) If the motion referred to in sub rule 4(b) is carried, no member of the public, including the media, may attend the proceedings concerned.
- (8) The motivation for the exclusion of the public must be entered into the minutes, and the minutes must show the time at which the closed session starts and ends.
- (9) This rule is subject to section 20(1) and (2) of the Systems Act.

19. Re-admission of members of the public

- (1) A Councillor may during the course of a meeting from which the public were excluded, move a motion "that the meeting again be opened" and state the reasons for the motion.
- (2) If such motion is seconded, it must be put to the vote forthwith without debate.
- (3) If, the motion is carried, the Speaker must ensure that members of the public are allowed access to the meeting again.

20. Deputations

- (1) A deputation seeking an interview with Council must give the Municipal Manager 6 (six) days written notice of its intention and furnish details of the representations to be made and the source of the deputation.
- (2) The Municipal Manager must submit a request by a Deputation for an interview with Council to the Speaker, who may decide to grant or refuse an interview and under what conditions.

PART 6: ORDER IN MEETINGS

21. Conduct of non-members and members of the public

If a non-member or member of the public does not abide by these Rules of Order, behaves in an unseemly manner or obstructs the business of any meeting of the Council, the Speaker may order his or her removal from the meeting.

22. Maintenance of order at meetings of Council

- (1) If a Councillor does not abide by these Rules of Order, behaves in an unseemly manner or obstructs the business of any meeting of the Council or any Committee thereof, or challenges the ruling of the Speaker on any point of

order, or declines to withdraw any expression when required to do so by the Speaker, or indulges in tedious repetition or unbecoming language, or commits any breach of these Rules, the Speaker shall direct such Councillor to conduct himself or herself properly and if speaking, to discontinue his or her speech and immediately resume his or her seat.

- (2) No Councillor, official or other person shall be allowed to bring any food, beverages or alcohol into the meeting and the usage of a cell phone which may result in disturbance of the meeting, reading of a newspaper or magazine, while a meeting is in progress, is strictly forbidden.
- (3) In the event of a persistent disregard of the directions of the Speaker, the Speaker shall direct such Councillor to retire from the place of meeting for the remainder of the meeting and may, if necessary cause him or her to be ejected there from.

23. Offence

Any Councillor, non-member or member of the public who –

- (a) refuses or fails to comply with a direction of the Speaker given in terms of Clauses 21 and 22.1; or
 - (b) returns to the place of meeting prior to the conclusion of the meeting from which he or she was directed to retire; or
 - (c) offers resistance whilst being ejected from the place of meeting;
- commits an offence and is, if convicted by a Court of Law, liable to:
- pay a fine of not exceeding R1 000,00 (One Thousand Rand); or
 - imprisonment not exceeding a period of 6 (six) months.

PART 7: RULES OF DEBATE

24. Councillor to address chair

A Councillor who speaks at a meeting of the Council must address the chair and may do so in any one of the 3 (three) official languages of the Province of the Western Cape.

25. Order of priority

When a Councillor wishes to address the Council, he or she must first have the permission of the Speaker.

26. Precedence of the Speaker

Whenever the Speaker addresses the meeting, all Councillors must be silent so that the Speaker may be heard without any interruption.

27. Relevance

- (1) A Councillor who speaks must direct his speech strictly to the subject or matter under discussion or to an explanation or to a point of order.
- (2) No discussion shall be permitted –
 - (a) which will anticipate any matter on the agenda;
 - (b) on any matter in respect of which a decision by a judicial or quasi-judicial body or a commission of enquiry is pending.

28. Right to speak

- (1) A Councillor may only speak once –
 - (a) to the matter before the Council;

- (b) to any motion before the Council;
 - (c) to any amendments to the matter before the Council;
 - (d) to a matter or an amendment proposed or to be proposed by himself or herself;
 - (e) to a point of order or a question of privilege; unless authorised by the Speaker or as provided for in terms of these Rules.
- (2) The mover of an original motion may, however, speak to the motion and reply, but in replying he shall strictly confine himself or herself to answering previous speakers and shall not introduce any new matter into the debate.
- (3) The right of reply shall not extend to the mover of an amendment which, having been carried, has become the substantive motion.

29. Length of speeches

- (1) Except with the consent of the Speaker no Councillor may speak for more than **3 (three) minutes** on any subject or matter.
- (2) The mover of an original motion or of any amendment may however speak for 10 (ten) minutes on such motion or amendment.

30. Re-introduction of motion or question

No motion which has been rejected by the Council and no question asked in terms of the Rules and dealt with at any meeting, may again be moved or asked within a period of 3 (three) months of such meeting, except with the consent of the Speaker.

31. Notice of motion

- (1) The Speaker may not accept any motion except a motion of exigency or a motion of course unless notice thereof has been given in terms of sub-Clause (2).
- (2) Every notice of intention to introduce a motion shall be in writing, signed and dated by the Councillor submitting same and shall motivate the motion.
- (3) A notice of intention to introduce a motion as contemplated in sub-Clause (2), shall be delivered to the Municipal Manager at least 6 (six) working days before the date of the meeting at which it is intended to be introduced.

32. Notice of question

- (1) Subject to Clause 38, the Speaker may not accept any question unless notice thereof has been given in terms of sub-Clause (2).
- (2) Every notice of intention to ask a question shall be in writing, signed and dated by the Councillor submitting same and shall motivate the question.
- (3) A notice of intention to ask a question shall be delivered to the Municipal Manager at least 6 (six) working days before the date of the meeting at which it is intended to be asked.
- (4) Notices of questions must be referred by the Municipal Manager to the Speaker within 4 (four) working days before a Council meeting.
- (5) The Speaker must forthwith submit the question to the Executive Mayor.
- (6) The Executive Mayor or a Councillor of the Mayoral Committee nominated by the Executive Mayor may answer the question as follows:
- (a) the question may be answered verbally at the next Council meeting; or
 - (b) if information is needed from the administration for the purpose of answering the question, or if more time is needed to prepare the

answer, the Executive Mayor or Councillor answering the question must advise Council at the Council meeting where the question is asked that the question will be answered in writing at the next Council meeting.

33. Absence of mover or questioner

In the event of the mover or questioner not being present at the meeting of the Council when called upon by the Speaker to move a motion or ask a question standing in his or her name on the agenda, such motion or question shall lapse unless the original mover or questioner has notified the Speaker in writing of a substitute to move the motion or ask the question.

34. Motion and question on matters dealt with by a Committee

- (1) A Councillor may not give notice of a motion in regard to any matter assigned to a committee unless such motion has previously been submitted to such committee or unless it is in the form of a reference to such committee for consideration and report.
- (2) The chairperson of a committee may, if he or she is of the opinion that the matter is one of urgency, give notice of his or her intention to introduce a motion or ask a question on a matter assigned to such committee, notwithstanding the fact that such motion or question has not received the prior consideration of such committee.

35. Recommendation of a Committee regarded as a motion.

- (1) The adoption of a recommendation contained in a report submitted by a committee to the Council, shall be deemed to have been moved by the chairperson of such committee or, in his or her absence, or when he or she opposes such recommendation, by a Councillor of such committee deputed by him or her to act at the time, when the Speaker of the meeting intimates that such recommendation is open for discussion, no such motion need be seconded, nor shall the chairperson of such committee be thereby precluded from exercising his or her right to speak thereon.
- (2) The chairperson referred to in sub-Clause (1) may, however, speak on the matter and reply but in replying he or she shall strictly confine himself or herself to answering previous speakers and shall not introduce any new matter into the debate.

36. Questions

- (1) After any motion or amendment has been moved and seconded or at the conclusion of any speech thereon, a Councillor may ask any question relevant to such motion or amendment.
- (2) No supplementary questions may be asked except by the Councillor asking the original question and then only in respect of matters arising out of the reply to such original question.
- (3) The Speaker may not disallow any such question: Provided that the Councillor to whom such question is directed may either reply thereto forthwith or require that notice thereof be given in terms of Clause 32.

37. Motion of exigency

- (1) A Councillor 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.
- (2) Such motion is herein referred to as a motion of exigency.
- (3) If such motion is seconded and carried by a majority of the Councillors present, the mover shall be permitted without notice to bring the matter under consideration by way of a motion or question.

38. Motion of course

In addition to those provided for elsewhere in these Rules, the following shall be regarded as motions of course, that –

- (a) precedence be given to the consideration of any particular item appearing on the agenda;
- (b) any report referred to in the agenda be noted, adopted, acted upon or referred back;
- (c) any document before the Council be acted upon in the manner specified in the motion;
- (d) action be taken in regard to any item submitted for consideration in the manner specified in the motion.

39. Point of order

A Councillor may raise a point of order to call attention to a departure from these Rules by stating the particular rule such Councillor relies on, whereupon such Councillor shall immediately be heard.

40. Point of explanation

The Speaker may allow a Councillor to raise a point of explanation: Provided that such explanation shall be confined to some material part of the debate which may have been misunderstood.

41. Withdrawal of motion, amendment or question

- (1) A motion or amendment may without debate and with the permission of the seconder and Council, be withdrawn by the mover.
- (2) A Councillor may not speak upon such motion or amendment after the Council has agreed to the withdrawal of such motion.
- (3) A question may be withdrawn by the Councillor intending to put it.

42. Speaker's ruling on points of order and explanation

- (1) The ruling of the Speaker on a point of order or an explanation shall be final and not open to discussion.
- (2) The ruling of the Speaker upon any point of order raised as to the interpretation of these Rules shall be entered in the minutes.

43. Order of debate

When a motion is under debate at any meeting of the Council, no further motion shall be received except the following, that –

- (a) the motion be amended;
- (b) the consideration of the matter be postponed;
- (c) the public and the media be excluded;

- (d) the public and the media be re-admitted;
- (e) the Council do now adjourn;
- (f) the Council adjourn for a specified time;
- (g) the debate be adjourned;
- (h) the matter be put to the vote;
- (i) the Council proceed to the next business.

44. That the motion be amended

- (1) Every amendment shall be relevant to the motion on which it is moved.
- (2) An amendment shall, if required by the Speaker, be in writing, signed by the mover and handed to the Speaker.
- (3) An amendment shall be read before being moved.
- (4) An amendment shall not be discussed or put to the Council until it has been seconded.
- (5) If there is more than **1 (one)** amendment to a motion, the amendment last proposed shall be put to the vote first and if carried the question shall be resolved accordingly.
- (6) If the amendment last proposed is rejected, the amendment proposed immediately prior to the last amendment shall be put to the vote.
- (7) No further amendment shall be moved to a motion or amendment after the Speaker has put such motion or amendment to the vote.

45. That consideration of the matter be postponed.

- (1) A Councillor may at the conclusion of a speech, move that the consideration of the matter be postponed to a fixed or undetermined date.
- (2) Such motion must be seconded but need not be in writing: Provided that the seconder shall not be permitted to speak.
- (3) Upon such motion being made, the mover of the matter under debate may, without prejudice to his or her ultimate right of reply if the motion that the matter be postponed be not carried, be heard in reply for 3 (three) minutes, after which the motion shall be put without further debate.
- (4) If the motion is carried, the matter shall be placed first on the agenda of matters to be considered at the meeting to which it has been postponed: Provided that sub-Clauses 5(2) and (3) shall not apply to such matter.

46. That the Council now adjourn

- (1) A Councillor who has not already participated in the debate on the matter then before the meeting, may at any time, except during the course of a speech by another Councillor or while a vote is being taken, move that the Council do now adjourn to another date.
- (2) Such motion must be seconded but need not be in writing.
- (3) The mover shall be permitted to speak to the motion for a period not exceeding 3 (three) minutes but the seconder shall not speak except for seconding the motion.
- (4) If the motion is carried the Council shall forthwith adjourn: Provided that the Speaker may direct that the meeting proceed first to dispose of business other than opposed business.
- (5) If the motion that the Council do now adjourn is not carried, the Speaker may not accept another such motion until the period of 30 (minutes) has elapsed thereafter.

- (6) Save as is provided in sub-Clause (3), no discussion may take place upon a motion for the adjournment, except that a Councillor who first indicates his or her intention to speak, may speak in opposition to such motion for a period not exceeding 3 (three) minutes.
- (7) No amendment to such motion may be moved except in relation to the period of adjournment.
- (8) If a motion to adjourn a meeting has been carried during a debate and prior to the conclusion thereof then upon consideration of the matter forming the subject of such debate, the Councillor who moved the adjournment shall be entitled to speak first.
- (9) No business shall be transacted at an adjourned meeting except such as was set out in the agenda for the meeting of which it is an adjournment.

47. That the Council adjourn for a specified time

- (1) A Councillor may at any time except during the course of a speech by another Councillor or while a vote is being taken, move that the Council adjourn for a specified time for caucus or any other purposes: Provided that adjournments shall be permitted for a maximum period of time up to 1 (one) hour per request.
- (2) Such motion need not be in writing.
- (3) If the motion is carried, the Council shall forthwith adjourn for the specified time: Provided that the business of Council shall be resumed promptly at the lapsing of the period of time permitted for the adjournment.
- (4) The Speaker may limit the number of such motions.

48. That the debate be adjourned

- (1) A Councillor who has not yet participated in a debate, may at the conclusion of any speech, move that the debate be adjourned.
- (2) Such motion must be seconded but need not be in writing.
- (3) The mover of such motion may speak to it for 3 (three) minutes, but the seconder may not speak beyond formally seconding it.
- (4) Save as is provided in sub-Clause (3), no discussion may be permitted on such motion except in relation to the period of adjournment and that the Councillor who first indicates for that purpose, may speak in opposition thereto for **3 (three) minutes**.
- (5) If such motion is carried, the meeting proceeds to the next business on the agenda, and the discussion of the adjourned debate, unless otherwise resolved, is resumed at the next ordinary meeting.
- (6) On the resumption of the adjourned debate, the Councillor who moved the adjournment is entitled to speak first.
- (7) If a motion that a debate be adjourned is not carried, the Speaker may not accept another such motion until 30 (thirty) minutes has elapsed.
- (8) A Councillor may not move or second more than 1 (one) motion for the adjournment of the debate during the course of that debate.

49. That the matter be put to the vote

- (1) A Councillor who has not yet participated in a debate on a matter, may during such debate, at the conclusion of any speech, move that the matter be now put to the vote.
- (2) Subject to the provisions of sub-Clause (3), no motion put in terms of sub-Clause (1) shall be open to discussion.

- (3) The mover of a matter under discussion may, when a motion has been put in terms of sub-Clause (1), speak on such motion for not more than 3 (three) minutes, whereupon the said motion shall be put to the vote without any further discussion.

50. That the matter be removed from the agenda

- (1) A Councillor who has not yet participated in the debate on a matter may during such debate, at the conclusion of any speech, move that the matter be removed from the agenda.
- (2) Subject to the provisions of sub-Clause (3), no motion put in terms of sub-Clause (1) shall be open to discussion.
- (3) The mover of a matter under discussion may, when a motion has been put in terms of sub-Clause (1), speak on such motion for not more than 3 (three) minutes, whereupon the said motion shall be put to the vote without any further discussion.
- (4) If such a motion is carried, the matter under discussion shall not be further pursued.

51. Rescission of resolution

- (1) If a Councillor wishes to give notice of his or her intention to move the rescission of a resolution (or part thereof) of Council, he or she shall give such notice by delivery to the Municipal Manager of a notice of motion in writing, which notice of motion shall be signed and dated by such Councillor and shall state at which meeting of Council it will be introduced, and it shall be in the hands of the Municipal Manager at least six clear days before the said meeting. Such notice of motion shall further state that the Councillor will move that the existing resolution (or part thereof) be reviewed for the purpose of alteration or rescission, as the case may be, and that the Councillor will further move that the same be rescinded or altered, as the case may be, stating, in the case of an alteration, the exact alteration desired.
- (2) If a committee has resolved to recommend to Council that a resolution (or part thereof) of Council be rescinded or altered, notice of intention to move such rescission or alteration shall be given by the inclusion of such recommendation in a report of the committee to Council, and the Municipal Manager shall send a copy of such report to each Councillor, to reach him or her at least twelve hours before the meeting at which the recommendation will be considered. The copies of such report thus sent to all Councillors, or documents which accompany them, shall indicate, at which meeting such report will be considered.
- (3) Except upon the recommendation of a committee, a resolution (or part thereof) shall not be reviewed at any meeting of Council unless the permission of the majority of Councillors present at such meeting has been obtained.
- (4) There shall be no debate on such motion to review save that the Councillor or the Chairperson of the committee giving notice shall have the right to state the reasons therefor.

PART 8: LEGISLATIVE PROCESS

52. Introduction of draft by-laws

A draft by-law is introduced into Council by the Executive Mayor.

53. Procedure for introduction of by-laws into Council

- (1) A draft by-law is submitted by the Municipal Manager to the Executive Mayor together with a report containing –
 - (a) a memorandum with an explanatory summary of the contents of the by-law, the objects of the by-law and the reasons for the need to regulate the proposed conduct in a by-law;
 - (b) an indication of other by-laws that must be repealed or amended if the proposed by-law is passed;
 - (c) any other relevant documentation and proposals that may be required.
- (2) The Executive Mayor together with the Mayoral Committee must consider the draft by-law for purposes of making a recommendation to Council and may request that the by-law be amended and resubmitted.
- (3) The Executive Mayor together with the Mayoral Committee must submit the draft by-law to Council for consideration within 3 (three) months after the date of submission by the Municipal Manager as supra referred to herein with a recommendation that –
 - (a) the draft by-law be passed by Council;
 - (b) the draft by-law be rejected by Council.
- (4) The Executive Mayor submits a draft by-law to the Speaker for inclusion in the agenda of a Council meeting scheduled after date of submission by the Executive Mayor, with 1 (one) of the recommendations as supra referred to herein.

54. First introduction to Council

- (1) The Speaker must give all Councillors reasonable notice of the intention to introduce a draft by-law for consideration.
- (2) A draft by-law is introduced and tabled by the Executive Mayor for consideration by Council in the form of a report accompanied by –
 - (a) a memorandum containing an explanatory summary of the contents of the by-law, the objects of the by-law and the reasons for the need to regulate the conduct proposed in a by-law;
 - (b) the draft by-law;
 - (c) an indication of other by-laws that must be repealed or amended if the proposed by-law is passed;
 - (d) comments, remarks and elucidations by the Executive Mayor.
- (3) After considering the draft by-law and report referred to in Clause 54(2), Council must decide to –
 - (a) provisionally pass the by-law, subject thereto that should no public comment and/or representations be received on the draft by-law after the process envisaged in Clause 55 has been followed, the by-law be considered as having been duly passed by Council; or
 - (b) reject the proposed by-law.
- (4) When a draft by-law has been provisionally passed, it must be advertised for public comment and/or representations in accordance with Clause 55.

55. Notice in local newspapers

- (1) The Municipal Manager must, as soon as possible after Council has provisionally passed a by-law in terms of Clause 54(3)(a), publish a notice regarding the availability of the draft by-law for perusal and comment in local newspapers in circulation within the area of jurisdiction of the Breede Valley Municipality, which affords the public the opportunity to comment and/or make representations on the draft by-law.

- (2) The notice must be in the 3 (three) official languages of the Province, namely Afrikaans, English and Xhosa.

56. Second introduction to Council

- (1) The Municipal Manager must, as soon as possible after the closing date for public comment and/or representations, submit a report to the Executive Mayor accompanied by –
 - (a) the draft by-law;
 - (b) copies of the notice in which the public was invited to comment and/or make representations;
 - (c) any written comments and/or representations received from the public.
- (2) The Executive Mayor together with the Mayoral Committee must consider the report by the Municipal Manager and make a recommendation to Council to –
 - (a) pass the by-law;
 - (b) pass the by-law in an amended form; or
 - (c) reject it.
- (3) When a proposed by-law has been rejected by the Council, no by-law of the same substance may be introduced within a period of 6 (six) months from the date of rejection.

57. Commencement

- (1) When a draft by-law has been passed by Council it must be advertised in the Provincial Gazette.
- (2) A draft by-law becomes effective on the date it is published in the Provincial Gazette in terms of Clause 57(1) or on a date stipulated in the by-law.

58. Debate procedure

The Rules pertaining to debate also apply to the legislative procedure.

ORDEREËLS

VIR DIE HOU VAN VERGADERINGS VAN DIE MUNISIPALE RAAD VAN DIE BREEDEVALLEI MUNISIPALITEIT

Deur die Raad aangeneem op 30 Mei 2012

Raadsbesluit Nr. C24/2012

Hierdie Verordening heet die Verordening op die Ordereëls vir Interne Reëling, 2012.

Om voorsiening te maak vir ordereëls wat geld vir die interne reëlings en sake en verrigtinge van die Raad van die Munisipaliteit; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

DEEL 1: ALGEMEEN

1. Woordomskrywing

In hierdie Reëls, tensy dit uit die samehang anders blyk, beteken –

"Afvaardiging" 'n groep mense wat aangewys is om ander te verteenwoordig vir 'n bepaalde doel;

"Dringende mosie" 'n skriftelike mosie deur enige Raadslid om 'n saak te oorweeg wat nie op die sakelys verskyn nie maar uiters dringend is, wat motivering bevat waarom die saak as dringend beskou moet word en dus 'n afwyking regverdig van die reël dat daar vooraf kennis gegee moet word;

"Grondwet" die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet 108 van 1996);

"Kennisgewing van vraag" 'n skriftelike kennisgewing deur 'n Raadslid wat vrae oor enige saak van die Raad bevat met die doel om ('n) antwoord(e) te kry;

"Kode" die Gedragskode vir Raadslede uiteengesit in Bylae 1 van die Stelselwet;

"LUR" die Lid van die Uitvoerende Raad verantwoordelik vir plaaslike regering in die Provinsie Wes-Kaap;

"Mosie" 'n mosie waarvan daar vooraf skriftelik kennis gegee is deur 'n Raadslid, maar nie 'n mosie soos in reëls 39 en 40 bedoel word;

"Munisipale Bestuurder" die persoon wat deur die Raad aangestel is ingevolge artikel 54A van die Stelselwet of 'n persoon wat deur die Munisipale Bestuurder benoem is;

"Ordemosie" mosies wat in die loop van 'n debat sonder kennisgewing vooraf deur enige Raadslid ingedien word;

"Party" 'n party wat in die woordomskrywings van die Strukturewet bedoel word;

"Raad" die Munisipale Raad van die Breedevallei-munisipaliteit;

"Raadslid" 'n lid van die Raad, insluitende 'n politieke ampsbekleër soos in artikel 1 van die Stelselwet bedoel;

"Reëls" die bepalings van hierdie Ordereëls;

"Speaker" die Raadslid wat tot voorsitter van die Raad verkies is of enige ander Raadslid wat as voorsitter van die Raad waarneem;

"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);

"Sweep" 'n Raadslid van 'n party in die Raad wat deur daardie party as Sweep aangestel is om te help met die gladde werking van die verrigtinge van die Raad ingevolge hierdie Reëls;

"Vergadering" die amptelike vergaderings van die Raad en sy komitees, soos bepaal deur onderskeidelik die Speaker of voorsitters van komitees van die Raad.

DEEL 2: TOEPASSING VAN REËLS

2. Toepassing

- (1) Hierdie Reëls is van toepassing op alle amptelike vergaderings van die Raad en sy komitees, uitgesonderd vergaderings van die Burgemeesterskomitee of komitees waarvoor spesiale ordereëls aangeneem is.
- (2) Uitgesonderd waar dit klaarblyklik ontoepaslik is, is 'n reël wat in enige verrigtinge op Raadslede van toepassing is, ook van toepassing op 'n nie-Raadslid wat met goedkeuring van die Speaker aan daardie verrigtinge deelneem.

3. Aanvulling

- (1) Die Speaker kan 'n beslissing gee ten opsigte van enige gebeurlikheid waarvoor hierdie Reëls nie voorsiening maak nie en geen verdere bespreking word daaroor toegelaat nie.
- (2) Die beslissing van die Speaker moet in die notule aangeteken word.

INHOUDSOPGAWE

DEEL 3: VERGADERINGS

4. Begin van vergaderings van Raad
5. Sakelys
6. Funksie van die Speaker
7. Behandeling van agenda
8. Vergaderings
9. Bywoning van vergaderings
10. Afwesigheidsverlof
11. Sanksie vir versuim om vergadering by te woon
12. Notule
13. Kworum

DEEL 4: BESLUIE

14. Onbestrede sake
15. Bestrede sake
16. Wyse van stemming
17. Besluite

DEEL 5: TOEGANG VIR PUBLIEK

18. Toelating van publiek
19. Hertoelating van lede van publiek
20. Afvaardigings

DEEL 6: ORDE OP VERGADERING

21. Gedrag van nielede en lede van publiek
22. Handhawing van orde op vergaderings van Raad
23. Misdryf

DEEL 7: DEBATSREËLS

24. Raadslid spreek stoel aan
25. Voorrangorde
26. Voorrang van die Speaker
27. Tersaaklikheid
28. Reg van praat
29. Duur van toesprake
30. Herindiening van mosie of vraag
31. Kennisgewing van mosie
32. Kennisgewings van vraag

33. Afwesigheid van voorsteller of vraesteller
34. Mosies en vrae oor sake deur komitee hanteer
35. Aanbeveling van komitee as mosie beskou
36. Vrae
37. Dringende mosie
38. Ordemosie
39. Punt van orde
40. Punt van verduideliking
41. Terugtrekking van mosie, amendement of vraag
42. Speaker se beslissing oor punte van orde en verduideliking
43. Orde van debat
44. Dat die mosie geamendeer word
45. Dat oorweging van die saak uitgestel word
46. Dat die Raad nou verdaag
47. Dat die Raad vir 'n spesifieke tyd verdaag
48. Dat die debat verdaag word
49. Dat die saak tot stemming gebring word
50. Dat die saak van die agenda geskrap word
51. Herroeping van resoluëie

DEEL 8: WETGEWENDE PROSES

52. Indiening van konsepverordeninge
53. Prosedure vir indiening van verordeninge in Raad
54. Eerste indiening in Raad
55. Kennisgewing in plaaslike koerante
56. Tweede indiening in Raad
57. Inwerkingtreding
58. Debatsprosedure

DEEL 3: VERGADERINGS

4. Begin van vergaderings van Raad

Die Speaker moet die voorsitterstoel inneem op die tyd wat in die kennisgewing van die vergadering vermeld word of so gou daarna as wat redelikerwys moontlik is: Met dien verstande dat die vergadering nie later as 30 (dertig) minute na die tyd wat in die kennisgewing van die vergadering vermeld is, moet begin nie en onmiddellik met die sake van die vergadering voortgaan, behoudens reël 13.

5. Sakelys

- (1) Die sake van vergaderings van die Raad verskyn in die volgende volgorde op die agenda:
 - (a) Opening
 - (b) Verkiesing van (waarnemende) Speaker, indien nodig
 - (c) Aansoeke vir toestemming tot afwesigheid
 - (d) Onderhoude met of voorleggings deur afvaardigings
 - (e) Goedkeuring van die notule
 - (f) Verklarings en mededelings deur die Speaker
 - (g) Verklarings en mededelings deur die Uitvoerende Burgemeester
 - (h) Verslag deur die Uitvoerende Burgemeester oor besluite geneem deur die Uitvoerende Burgemeester, die Uitvoerende Burgemeester saam met die Adjunk Uitvoerende Burgemeester en die Uitvoerende Burgemeester saam met die Burgemeesterskomitee
 - (i) Sake ter oorweging, wat insluit:
 - Items voorgelê deur amptenare van die Raad
 - Dringende sake voorgelê deur die Munisipale Bestuurder
 - Sake vir kennisname
 - Oorweging van kennisgewings van mosie
 - Oorweging van kennisgewings van vrae
 - Oorweging van dringende mosies
 - (j) Afsluiting.
- (2) Die Speaker kan uit eie beweging die volgorde van die sake op die agenda verander.
- (3) 'n Raadslid wat wil hê die volgorde van die sake op die agenda moet verander word, moet die Speaker voor die vergadering nader.

6. Funksie van die Speaker

- (1) Die Speaker moet die stoel inneem presies op die tyd waarvoor die vergadering gereël is.
- (2) Benewens die funksies in artikel 37 van die Strukturewet en enige ander wet na verwys –
 - (a) moet die Speaker etiket handhaaf op vergaderings;
 - (b) moet die Speaker 'n beslissing gee ten opsigte van 'n punt van orde wat deur 'n Raadslid geopper word, insluitende 'n vraag betreffende die voorrang van die saak; en
 - (c) kan die Speaker 'n beslissing gee ten opsigte van enige prosedurele gebeurlikheid waarvoor hierdie Reëls nie voorsiening maak nie.
- (3) Die beslissing in subreël (2) na verwys, moet in die notule aangeteken word.

7. Behandeling van agenda

Uitgesonderd soos in hierdie Reëls bepaal, mag geen saak wat nie in die agenda van 'n vergadering van die Raad vermeld word nie, op sodanige vergadering behandel word nie.

8. Vergaderings

- (1) Die Raad moet ten minste kwartaalliks vergader.
- (2) Die Speaker besluit waar en wanneer die Raad vergader, maar as 'n meerderheid van die Raadslede die Speaker skriftelik versoek om 'n vergadering te belê, moet die Speaker 'n vergadering belê so na moontlik aan die tyd in die versoek vermeld, maar nie later nie as 7 (sewe) dae daarna.
- (3) Die Munisipale Bestuurder moet, in opdrag van die Speaker, aan elke Raadslid skriftelik kennis gee van elke vergadering waarop daar ingevolge subreël (2) besluit word.
- (4) Die Munisipale Bestuurder moet aan die publiek kennis gee van die dag, tyd en plek van elke vergadering deur kennisgewings van vergaderings op opvallende plekke by al die kantore van die Raad te vertoon.

9. Bywoning van vergaderings

- (1) Elke Raadslid wat 'n vergadering van die Raad bywoon, moet sy of haar naam teken in die bywoningsregister wat vir daardie doel gehou word.
- (2) 'n Raadslid moet elke vergadering bywoon, uitgesonderd wanneer –
 - (a) afwesigheidsverlof ingevolge reël 10 toegestaan is; of
 - (b) die Raadslid wetlik verplig is om hom of haar te onttrek.

10. Afwesigheidsverlof

- (1) 'n Raadslid wat hom of haar van vergaderings wil verskoon, moet, voordat hy of sy, aldus onttrek, voor 'n vergadering via die Sweep van die betrokke politieke party verlof tot afwesigheid verkry van die Speaker of die voorsitter van 'n komitee: Met dien verstande dat die Speaker of voorsitter van 'n komitee by aanvoering van gegronde redes ná die vergadering verlof tot afwesigheid kan toestaan aan 'n Raadslid wat deur spesiale omstandighede verhinder is om voor die vergadering sodanige verlof te bekom.
- (2) Waar dit as gevolg van omstandighede nodig is, moet Raadslede behoorlik aansoek doen vir afwesigheidsverlof –
 - (a) in die geval van die Raad – by die Speaker;
 - (b) in die geval van vergaderings van komitees van die Raad – by die voorsitter van die betrokke komitee, en die Administrasie moet ook betyds in kennis gestel word sodat die plaasvervanger van die betrokke Raadslid betyds in kennis gestel kan word, teneinde 'n kworum te verseker;
 - (c) in die geval van werkwinkels, kongresse, funksies en ander byeenkomste as dié in (a) en (b) hierbo beoog – by die Speaker om goedkeuring te verleen in sulke gevalle, en die Administrasie moet ook betyds in kennis gestel word indien Raadslede nie werkwinkels, kongresse, vergaderings, funksies en dies meer kan bywoon nie, sodat kansellasiereëlings getref kan word om vrugtelose uitgawes te vermy.
- (3) Indien Raadslede nie betyds vir afwesigheidsverlof aansoek gedoen het nie soos in (a) tot (c) hierbo beoog en die niebywoning lei tot uitgawes betreffende die bywoning van werkwinkels, kongresse, vergaderings, funksies en dies meer wat nie verhaal kan word nie, sal sodanige uitgawes vrugtelose uitgawes wees wat ernstige implikasies en strawwe inhou.

- (4) Indien Raadslede subreëls (1) en (2) oortree, sal die oortreding onderskeidelik:
 - (a) ingevolge die Gedragskode vir Raadslede (Bylae 1, Item 4, in die Stelselswet) as 'n oortreding van die Kode hanteer word;
 - (b) as 'n oortreding van artikel 32 van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003), hanteer word en sal enige nieverhaalbare koste van die betrokke Raadslid verhaal word.

11. Sanksie vir versuim om vergadering by te woon

- (1) 'n Raadslid wat hom of haar aan 'n vergadering onttrek, of wat versuim om by die begin van die vergadering teenwoordig te wees of versuim om op so 'n vergadering teenwoordig te bly, sonder dat verlof tot afwesigheid vooraf ingevolge reël 10 verleen is, begaan 'n oortreding van hierdie Reëls.
- (2) 'n Komitee wat deur die Raad verkies is (Dissiplinêre Komitee), moet ondersoek instel en 'n bevinding maak oor enige oortreding in subreël (1) bedoel ooreenkomstig die Beleid oor die Prosedure vir Ondersoek na Bewerings van Oortredings van die Gedragskode van Raadslede.
- (3) 'n Raadslid wat sonder 'n geldige verskoning van 3 (drie) of meer opeenvolgende vergaderings van die Raad afwesig is, word uit die amp ontslaan.

12. Notule

- (1) Die notule van die verrigtinge van vergaderings moet in gedrukte vorm saamgestel word en moet op die volgende vergadering deur die Raad goedgekeur en deur die Speaker onderteken word.
- (2) Die notule moet vir die doel van goedkeuring as gelees beskou word indien 'n afskrif daarvan aan elke Raadslid gestuur is minstens agt en veertig uur voor die volgende vergadering, behoudens die bepalings van subreël (4).
- (3) Geen mosie of bespreking oor die notule word toegelaat nie, uitgesonderd in verband met die korrektheid daarvan.
- (4) Die notule, soos geformuleer en nagegaan tydens vergaderings, maak besluite uit vir doeleindes van die implementering daarvan

13. Kworum

- (1) 'n Meerderheid van die Raadslede maak 'n kworum uit.
- (2) Indien daar nie 'n kworum is nie op die tyd waarvoor die vergadering belê is, word die vergadering vir hoogstens 20 (twintig) minute uitgestel, en indien daar aan die einde van daardie tydperk steeds nie 'n kworum is nie, moet die Speaker die vergadering verdaag tot dieselfde tyd 'n week later op 'n beskikbare plek, en die tyd van sodanige verdaging, asook die name van die Raadslede teenwoordig, moet in die notule aangeteken word.
- (3) Wanneer die Speaker nie teenwoordig is nie en daar nie 'n kworum is nie, word die begin van die vergadering vir hoogstens 20 (twintig) minute uitgestel, en indien daar aan die einde van daardie tydperk steeds nie 'n kworum is nie, moet die Munisipale Bestuurder die vergadering verdaag tot dieselfde tyd 'n week later op 'n beskikbare plek, en die tyd van sodanige verdaging, asook die name van die Raadslede teenwoordig, moet in die notule aangeteken word.

- (4) Wanneer daar tydens 'n vergadering nie 'n kworum is nie, moet die Speaker die verrigtinge opskort totdat daar weer 'n kworum teenwoordig is: Met dien verstande dat indien daar na 15 (vyftien) minute steeds nie 'n kworum is nie, die Speaker die vergadering verdaag tot dieselfde tyd 'n week later op 'n beskikbare plek, en die tyd van sodanige verdaging, asook die name van die Raadslede teenwoordig, moet in die notule aangeteken word.
- (5) Die Speaker moet die name van die afwesige Raadslede aanmeld by die komitee wat ingevolge reël 11.2 (Dissiplinêre Komitee) ingestel is vir die doel van 'n ondersoek na 'n oortreding van hierdie Reëls.

DEEL 4: BESLUIE

14. Onbestrede sake

Wanneer die Raad 'n saak voor hom moet oorweeg en daar geen teenkanting van enige Raadslid is nie, moet 'n eenparige stemming aangeteken word.

15. Bestrede sake

- (1) Die Speaker moet elke bestrede saak tot stemming bring deur Raadslede te versoek om deur die opsteek van hande, tensy enige wet anders voorskryf of die Raad anders besluit, aan te dui of hulle daarvoor of daarteen is, waarna die Speaker die uitslag van die stemming moet aankondig.
- (2) By die aankondiging van die uitslag van 'n stemming kan 'n Raadslid eis dat sy of haar stem teen die betrokke besluit aangeteken word.
- (3) As daar oor enige saak 'n staking van stemme is, moet die Speaker 'n beslissende stem uitbring soos bepaal ingevolge artikel 30(4) van die Strukturewet.
- (4) 'n Saak op die agenda word as 'n bestrede saak beskou as 'n Raadslid sy voorneme om die saak te bespreek, aandui onmiddellik nadat die Speaker aan die vergadering te kenne gegee het dat die saak oop is vir bespreking. Geen saak word as bestrede beskou slegs omrede vrae in verband daarmee gestel word nie.

16. Wyse van stemming

- (1) 'n Meerderheid van die Raadslede moet teenwoordig wees voordat daar oor enige saak gestem kan word.
- (2) Die Speaker moet elke bestrede saak tot stemming bring deur die Raadslede te versoek om deur die opsteek van hande, tensy die Raad anders voorskryf, aan te dui of hulle vir of teen sodanige saak is, waarna die Speaker die uitslag van die stemming moet aankondig.
- (3) Wanneer die Speaker die uitslag van 'n stemming aankondig, kan 'n Raadslid eis dat sy of haar stem teen die betrokke besluit aangeteken word en die Munisipale Bestuurder moet verseker dat sodanige stem in die notule aangeteken word.
- (4) As daar 'n staking van stemme is ten opsigte van 'n saak waaroor daar ooreenkomstig subreël (1) gestem word, moet die Speaker sy of haar beslissende stem uitbring benewens sy of haar gewone stem.

17. Besluite

- (1) In ooreenstemming met die Grondwet word 'n ondersteunende stem van 'n meerderheid van die Raadslede vereis om te besluit oor –
 - (a) die aanneem van verordeninge;
 - (b) die goedkeuring van die begrotings;

- (c) die oplê van eiendomsbelasting en ander belastings, heffings en vorderings;
- (d) die aangaan van lenings.
- (2) Ooreenkomstig die Strukturewet is 'n ondersteunende stem van ten minste 2/3 (twee derdes) van die Raadslede nodig om 'n besluit aan te neem om die Raad te ontbind.
- (3) Alle ander sake word deur 'n meerderheid van die uitgebragte stemme beslis.

DEEL 5: TOELATING VAN PUBLIEK

18. Toelating van publiek

- (1) Die Speaker moet –
 - (a) redelike stappe doen om die bywoning en gedrag van lede van die publiek op vergaderings te reguleer; en
 - (b) verseker dat vergaderings toeganklik is vir persone met gestremdhede.
- (2) Die Speaker kan redelike tyd toewys aan enige lid van die publiek wat die Raad wil toespreek, met inagneming van –
 - (a) die aard van die saak wat bespreek staan te word;
 - (b) prioriteite met betrekking tot ander sake van die Raad;
 - (c) ander lede van die publiek teenwoordig wat ook die Raad wil toespreek, en
 - (d) of so 'n geleentheid reeds aan die lid van die publiek toegestaan is.
- (3) 'n Lid van die publiek wat die Raad wil toespreek, moet skriftelik by die Speaker aansoek doen, met vermelding van die saak waaroor hy of sy wil praat.
- (4) Indien die Speaker van mening is dat lede van die publiek van 'n vergadering uitgesluit moet word, of op 'n mosie van 'n Raadslid te dien effekte, moet die Speaker –
 - (a) gelas dat alle lede van die publiek die lokaal van die vergadering verlaat; en
 - (b) gelas dat die Raad 'n mosie oorweeg of dit redelik is om die publiek van die vergadering uit te sluit met inagneming van die aard van die saak wat behandel word, insluitende of –
 - (i) daar andersins onredelike openbaarmaking van persoonlike inligting betreffende enige persoon kan wees;
 - (ii) handelsgeheime van enige persoon andersins openbaar gemaak kan word;
 - (iii) finansiële, kommersiële, wetenskaplike of tegniese inligting, afgesien van handelsgeheime, van enige persoon andersins openbaar gemaak kan word en die openbaarmaking waarskynlik benadeling van die kommersiële of finansiële belange van daardie persoon sal veroorsaak;
 - (iv) inligting wat vertroulik deur enige persoon verstrekkend is, openbaar gemaak kan word en daar redelikerwys verwag kan word dat die openbaarmaking daardie persoon in kontraktuele of ander onderhandelinge sal benadeel of daardie persoon in kommersiële mededinging sal benadeel;
 - (v) inligting openbaar gemaak kan word wat aanleiding kan gee tot 'n aksie vir skending van 'n vertroulikheidsplig wat ingevolge 'n ooreenkoms aan enige persoon verskuldig is;

- (vi) inligting openbaar gemaak kan word waarvan daar redelikerwys verwag kan word dat dit die lewe of fisiese veiligheid van enige persoon in gevaar kan stel of die sekuriteit van 'n gebou, struktuur, stelsel, manier van vervoer of enige ander eiendom kan benadeel of in die gedrang kan bring;
 - (vii) inligting openbaar gemaak kan word wat geprivilegeer is teen voorlegging in regsverrigtinge;
 - (viii) inligting openbaar gemaak kan word wat finansiële, kommersiële, wetenskaplike of tegniese inligting bevat –
 - (aa) waarvan die openbaarmaking waarskynlik nadelig sal wees vir die finansiële belange van die munisipaliteit; of
 - (bb) ten opsigte waarvan daar redelikerwys verwag kan word dat openbaarmaking die munisipaliteit in kontraktuele en ander onderhandelinge sal benadeel;
 - (ix) inligting openbaar gemaak kan word oor navorsing wat gedoen word of gedoen gaan word deur of namens enige persoon of die munisipaliteit en die openbaarmaking van die inligting waarskynlik enige persoon of die munisipaliteit of die onderwerp van die navorsing aan ernstige benadeling sal blootstel; of
 - (x) die betrokke item op die agenda betrekking het op enige ander saak wat redelikerwys van die publiek weerhou kan word.
- (5) Indien die mosie om die publiek van die vergadering uit te sluit in subreël (4)(b) bedoel, gesekondeer word, moet die mosie tot stemming gebring word na debat oor die redes vir die uitsluiting van die publiek, maar sonder debat oor die betrokke item op die agenda.
 - (6) Indien die mosie in subreël (4)(b) bedoel nie aangeneem word nie, moet die Speaker verseker dat lede van die publiek weer tot die vergadering toegelaat word.
 - (7) Indien die mosie in subreël (4)(b) bedoel aangeneem word, mag geen lid van die publiek, insluitende die media, die betrokke verrigtinge bywoon nie.
 - (8) Die motivering vir die uitsluiting van die publiek moet in die notule aangeteken word en die notule moet die tyd toon waarop die geslote sessie begin en eindig.
 - (9) Hierdie reël is onderhewig aan artikel 20(1) en (2) van die Stelselwet.

19. Hertoelating van lede van die publiek

- (1) 'n Raadslid kan in die loop van 'n vergadering waarvan die publiek uitgesluit is, 'n mosie voorstel "dat die vergadering weer oopgestel word" en die redes vir die mosie stel.
- (2) Indien sodanige mosie gesekondeer word, moet dit onverwyld en sonder debat tot stemming gebring word.
- (3) Indien die mosie aangeneem word, moet die Speaker verseker dat lede van die publiek weer tot die vergadering toegelaat word.

20. Afvaardigings

- (1) 'n Afvaardiging wat 'n onderhoud met die Raad wil hê, moet aan die Munisipale Bestuurder 6 (ses) dae skriftelike kennis van sy voorneme gee en besonderhede verstrek van die vertoë wat hy wil rig en die bron van die afvaardiging.
- (2) Die Munisipale Bestuurder moet 'n versoek deur 'n afvaardiging vir 'n onderhoud met die Raad aan die Speaker voorlê, wat kan besluit om 'n onderhoud toe te staan of te weier en op welke voorwaardes.

DEEL 6: ORDE OP VERGADERINGS

21. Gedrag van nielede en lede van die publiek

Indien 'n nielid of lid van die publiek nie hierdie Reëls nakom nie, op 'n onbetaamlike wyse optree of die sake van enige vergadering van die Raad dwarsboom, kan die Speaker gelas dat hy of sy uit die vergadering verwyder word.

22. Handhawing van orde op vergaderings van Raad

- (1) Indien 'n Raadslid nie hierdie Reëls nakom nie, op 'n onbetaamlike wyse optree of die afhandeling van die agenda van enige vergadering van die Raad of enige komitee van die Raad belemmer, of die beslissing van die Speaker oor enige punt van orde betwis, of weier om enige uitdrukking terug te trek wanneer die Speaker dit vereis, of langdragtige herhaling of onbetaamlike taal gebruik, of enige oortreding van hierdie Reëls begaan, moet die Speaker sodanige Raadslid gelas om hom of haar behoorlik te gedra en as hy of sy praat, sy of haar toespraak te staak en onmiddellik te gaan sit.
- (2) Geen Raadslid, amptenaar of ander persoon mag toegelaat word om enige voedsel, drank of alkohol na die vergadering te bring nie en die gebruik van 'n selfoon wat tot steuring van die vergadering kan lei, asook die lees van 'n koerant of tydskrif terwyl 'n vergadering aan die gang is, is streng verbode.
- (3) In die geval van 'n aanhoudende verontagsaming van die lasgewings van die Speaker moet die Speaker sodanige Raadslid gelas om die vergaderlokaal te verlaat vir die res van die vergadering en kan die Speaker, indien nodig, hom of haar uit die lokaal laat verwyder.

23. Misdryf

Enige Raadslid, nielid of lid van die publiek wat –

- (a) weier of versuim om te voldoen aan 'n lasgewing van die Speaker wat ingevolge reëls 21 en 22.1 gegee is; en
- (b) na die vergaderlokaal terugkeer voor die einde van die vergadering wat hy of sy gelas is om te verlaat; of
- (c) weerstand bied terwyl hy of sy uit die vergaderlokaal gesit word; begaan 'n misdryf en is by skuldigbevinding deur 'n geregshof strafbaar met:
 - 'n boete van hoogstens R1 000,00 (een duisend rand); of
 - gevangenisstraf vir 'n tydperk van hoogstens 6 (ses) maande.

DEEL 7: DEBATSREËLS

24. Raadslid spreek stoel aan

'n Raadslid wat op 'n vergadering van die Raad praat, moet die stoel aanspreek en kan dit doen in enige van die 3 (drie) amptelike tale van die Provinsie Wes-Kaap.

25. Voorrangorde

Wanneer 'n Raadslid die Raad wil toespreek, moet hy of sy eers die toestemming van die Speaker kry.

26. Voorrang van die Speaker

Wanneer die Speaker die vergadering toespreek, moet alle Raadslede stil bly sodat die Speaker sonder onderbreking aangehoor kan word.

27. Tersaaklikheid

- (1) 'n Raadslid wat praat, moet sy of haar toespraak streng beperk tot die onderwerp of saak onder bespreking of tot 'n verduideliking van 'n punt van orde.
- (2) Geen bespreking word toegelaat nie –
 - (a) wat enige saak op die agenda sal vooruitloop;
 - (b) oor enige saak ten opsigte waarvan 'n besluit deur 'n geregtelike of kwasi-geregtelike liggaam of 'n kommissie van ondersoek hangende is.

28. Reg van praat

- (1) 'n Raadslid mag net een keer praat –
 - (a) oor die saak voor die Raad;
 - (b) oor enige mosie voor die Raad;
 - (c) oor enige amendemente van die saak voor die Raad;
 - (d) oor 'n saak of 'n amendement wat deur homself of haarself voorgestel is of gaan word;
 - (e) oor 'n punt van orde of 'n vraag van privilegie;tensy hy of sy deur die Speaker gemagtig is of soos hierdie Reëls bepaal.
- (2) Die voorsteller van 'n oorspronklike mosie kan egter oor die mosie praat en repliek lewer, maar in sy of haar repliek moet hy of sy hom of haar streng daartoe bepaal om op vorige sprekers te antwoord en mag hy of sy geen nuwe saak in die debat inbring nie.
- (3) Die reg van repliek geld nie vir die voorsteller van 'n amendement nie wat, nadat dit aangeneem is, die substantiewe mosie geword het.

29. Duur van toesprake

- (1) Uitgesonderd met toestemming van die Speaker mag geen Raadslid langer as 3 (drie) minute oor enige onderwerp of saak praat nie.
- (2) Die voorsteller van 'n oorspronklike mosie of van enige amendement kan egter 10 (tien) minute lank oor sodanige mosie of amendement praat.

30. Herindiening van mosie of vraag

Geen mosie wat deur die Raad verwerp is en geen vraag wat ingevolge die Reëls gestel en behandel is op enige vergadering, mag weer ingedien of gestel word nie binne 'n tydperk van 3 (drie) maande na sodanige vergadering, uitgesonderd met toestemming van die Speaker.

31. Kennisgewing van mosie

- (1) Die Speaker mag nie 'n mosie, uitgesonderd 'n dringende mosie of 'n ordemosie, aanvaar nie tensy kennis daarvan ingevolge subreël (2) gegee is.
- (2) Elke kennisgewing van voorneme om 'n mosie in te dien, moet skriftelik wees, geteken en gedateer deur die Raadslid wat dit indien en moet motivering vir die mosie bevat.
- (3) 'n Kennisgewing van voorneme om 'n mosie in te dien soos in subreël (2) beoog, moet aan die Munisipale Bestuurder gelewer word ten minste 6 (ses) werkdag voor die datum van die vergadering waarop dit ingedien staan te word.

32. Kennisgewing van vraag

- (1) Behoudens reël 38 mag die Speaker geen vraag aanvaar nie tensy kennis daarvan ingevolge subreël (2) gegee is.

- (2) Elke kennisgewing van voorneme om 'n vraag te stel, moet skriftelik wees, geteken en gedateer deur die Raadslid wat dit voorlê en moet motivering vir die vraag bevat.
- (3) 'n Kennisgewing van voorneme om 'n vraag te stel, moet aan die Munisipale Bestuurder gelewer word ten minste 6 (ses) werkdade voor die datum van die vergadering waarop dit gestel staan te word.
- (4) Kennisgewings van vrae moet deur die Munisipale Bestuurder na die Speaker verwys word minstens 4 (vier) werkdade voor 'n Raadsvergadering.
- (5) Die Speaker moet die vraag onverwyld aan die Uitvoerende Burgemeester voorlê.
- (6) Die Uitvoerende Burgemeester of 'n Raadslid van die Burgemeesterskomitee wat deur die Uitvoerende Burgemeester benoem is, kan die vraag soos volg beantwoord:
 - (a) Die vraag kan mondeling op die volgende Raadsvergadering beantwoord word; of
 - (b) indien inligting van die administrasie nodig is met die doel om die vraag te beantwoord, of as meer tyd nodig is om die antwoord op te stel, moet die Uitvoerende Burgemeester of Raadslid wat die vraag beantwoord, die Raad op die Raadsvergadering waar die vraag gestel word, meedeel dat die vraag op die volgende Raadsvergadering skriftelik beantwoord sal word.

33. Afwesigheid van voorsteller of vraesteller

Indien die voorsteller of vraesteller nie op die vergadering van die Raad teenwoordig is nie wanneer hy of sy deur die Speaker versoek word om 'n mosie voor te stel of 'n vraag te stel wat teenoor sy of haar naam op die agenda staan, verval sodanige mosie of vraag tensy die oorspronklike voorsteller of vraesteller die Speaker skriftelik in kennis gestel het van 'n plaasvervanger om die mosie in te dien of die vraag te stel.

34. Mosies en vrae oor sake deur 'n komitee hanteer

- (1) 'n Raadslid mag nie kennis van 'n mosie gee nie ten opsigte van enige saak wat aan 'n komitee opgedra is, tensy sodanige mosie voorheen aan sodanige komitee voorgelê is of tensy dit in die vorm van 'n verwysing na sodanige komitee vir oorweging en verslagdoening is.
- (2) Die voorsitter van 'n komitee kan, indien hy of sy van mening is dat die saak dringend is, kennis gee van sy of haar voorneme om 'n mosie voor te stel of 'n vraag te stel oor 'n saak wat aan sodanige komitee opgedra is, ondanks die feit dat sodanige mosie of vraag nie vooraf deur sodanige komitee oorweeg is nie.

35. Aanbeveling van komitee as mosie beskou

- (1) Die aanneem van 'n aanbeveling vervat in 'n verslag wat deur 'n komitee aan die Raad voorgelê is, word geag voorgestel te wees deur die voorsitter van sodanige komitee of, in sy of haar afwesigheid of, wanneer hy of sy teen sodanige aanbeveling gekant is, deur 'n Raadslid van sodanige komitee wat deur hom of haar afgevaardig is om dan waar te neem, wanneer die Speaker van die vergadering te kenne gee dat sodanige aanbeveling oop is vir bespreking, geen sodanige mosie hoef gesekondeer te word nie en die voorsitter van sodanige komitee word nie daardeur verhinder om sy of haar reg om daaroor te praat, uit te oefen nie.

- (2) Die voorsitter in subreël (1) bedoel, kan egter oor die saak praat en repliek lewer, maar in sy of haar repliek moet hy of sy hom of haar streng daartoe bepaal om op vorige sprekers te antwoord en mag hy of sy geen nuwe saak in die debat inbring nie.

36. Vrae

- (1) Nadat enige mosie of amendement voorgestel en gesekondeer is of aan die einde van enige toespraak daaroor kan 'n Raadslid enige vraag stel wat op sodanige mosie of amendement betrekking het.
- (2) Geen aanvullende vrae mag gestel word nie, uitgesonderd deur die Raadslid wat die oorspronklike vraag gestel het en dan net ten opsigte van sake voortspruitend uit die antwoord op sodanige oorspronklike vraag.
- (3) Die Speaker mag geen sodanige vraag weier nie: Met dien verstande dat die Raadslid aan wie sodanige vraag gerig word, onverwyld daarop kan antwoord of vereis dat kennis daarvan ingevolge reël 32 gegee word.

37. Dringende mosie

- (1) 'n Raadslid kan die aandag van die Raad vestig op enige saak wat nie op die agenda verskyn nie en waarvan daar nie voorheen kennis gegee is nie, deur kortliks die onderwerp van die saak te stel en sonder kommentaar daarop voor te stel dat die mosie waarop die aandag gevestig is, onverwyld as 'n dringende saak beskou word.
- (2) Sodanige mosie word hierin 'n dringende mosie genoem.
- (3) Indien sodanige mosie gesekondeer word en aangeneem word deur 'n meerderheid van die Raadslede teenwoordig, moet die voorsteller toegelaat word om die saak sonder kennisgewing te laat oorweeg deur middel van 'n mosie of vraag.

38. Ordemosie

Benewens dié waarvoor daar elders in hierdie Reëls voorsiening gemaak word, word die volgende as ordemosies beskou:

- (a) dat voorrang gegee word aan die oorweging van enige bepaalde item wat op die agenda verskyn;
- (b) dat enige verslag wat in die agenda bedoel word, aangeneem word of terugverwys word of dat daaraan uitvoering gegee word of daarvan kennis van geneem word,
- (c) dat daar aan enige dokument voor die Raad uitvoering gegee word op die wyse in die mosie gespesifiseer;
- (d) dat daar met betrekking tot enige item wat vir oorweging voorgelê is, stappe gedoen word op die wyse in die mosie gespesifiseer.

39. Punt van orde

'n Raadslid kan 'n punt van orde opper om die aandag te vestig op 'n afwyking van hierdie Reëls deur die bepaalde reël te noem waarop sodanige Raadslid steun, waarna sodanige Raadslid onmiddellik sy of haar saak kan stel.

40. Punt van verduideliking

Die Speaker kan 'n Raadslid toelaat om 'n punt van verduideliking te opper: Met dien verstande dat sodanige verduideliking beperk word tot 'n wesenlike deel van die debat wat moontlik verkeerd verstaan word.

41. Terugtrekking van mosie, amendement of vraag

- (1) 'n Mosie of amendement kan sonder debat en met die toestemming van die sekondeerder en die Raad deur die voorsteller teruggetrek word.
- (2) 'n Raadslid mag nie oor sodanige mosie of amendement praat nie nadat die Raad tot die terugtrekking van sodanige mosie ingestem het.
- (3) 'n Vraag kan teruggetrek word deur die Raadslid wat voornemens is om dit te stel.

42. Speaker se beslissing oor punte van orde en verduideliking

- (1) Die beslissing van die Speaker oor 'n punt van orde of 'n verduideliking is finaal en nie oop vir bespreking nie.
- (2) Die beslissing van die Speaker oor enige punt van orde wat oor die vertolking van hierdie Reëls geopper is, moet in die notule aangeteken word.

43. Orde van debat

Wanneer 'n mosie onder bespreking is op enige vergadering van die Raad, word geen verdere mosie ontvang nie, uitgesonderd die volgende:

- (a) dat die mosie geamendeer word;
- (b) dat die oorweging van die saak uitgestel word;
- (c) dat die publiek en die media uitgesluit word;
- (d) dat die publiek en die media hertoegelaat word;
- (e) dat die Raad nou verdaag;
- (f) dat die Raad vir 'n spesifieke tyd verdaag;
- (g) dat die debat verdaag word;
- (h) dat die saak tot stemming gebring word;
- (i) dat die Raad tot die volgende agendapunt oorgaan.

44. Dat die mosie geamendeer word

- (1) Elke amendement moet tersaaklik wees vir die mosie waarop dit voorgestel word.
- (2) 'n Amendement moet, indien die Speaker dit vereis, skriftelik wees, deur die voorsteller onderteken word en aan die Speaker oorhandig word.
- (3) 'n Amendement moet gelees word voordat dit ingedien word.
- (4) 'n Amendement mag nie bespreek of aan die Raad gestel word voordat dit gesekondeer is nie.
- (5) As daar meer as 1 (een) amendement op 'n mosie is, word die amendement wat laaste voorgestel is, eerste tot stemming gebring, en as dit aanvaar word, word die vraag dienooreenkomstig opgelos.
- (6) As die amendement wat laaste voorgestel is, verwerp word, word die amendement wat onmiddellik voor die laaste amendement voorgestel is, tot stemming gebring.
- (7) Geen verdere amendement op 'n mosie of amendement mag voorgestel word nie nadat die Speaker sodanige mosie of amendement tot stemming gebring het.

45. Dat oorweging van die saak uitgestel word

- (1) 'n Raadslid kan aan die einde van 'n toespraak voorstel dat die oorweging van die saak uitgestel word tot 'n bepaalde of onbepaalde datum.
- (2) Sodanige mosie moet gesekondeer word maar hoef nie skriftelik te wees nie: Met dien verstande dat die sekondeerder nie toegelaat word om te praat nie.

- (3) Wanneer sodanige mosie voorgestel word, kan die voorsteller van die saak onder bespreking, sonder benadeling van sy of haar uiteindelijke reg van repliek indien die mosie dat die saak uitgestel word nie aanvaar word nie, 3 (drie) minute lank repliek lewer, waarna die mosie sonder verdere bespreking tot stemming gebring word.
- (4) As die mosie aanvaar word, word die saak eerste op die agenda geplaas van sake wat oorweeg moet word op die vergadering waarheen dit uitgestel is: Met dien verstande dat reël 5(2) en (3) nie op sodanige saak van toepassing is nie.

46. Dat die Raad nou verdaag

- (1) 'n Raadslid wat nog nie aan die debat oor die saak wat dan voor die vergadering is, deelgeneem het nie, kan te eniger tyd, uitgesonderd in die loop van 'n toespraak deur 'n ander Raadslid of terwyl daar gestem word, voorstel dat die Raad nou tot 'n ander datum verdaag.
- (2) Sodanige mosie moet gesekondeer word maar hoef nie skriftelik te wees nie.
- (3) Die voorsteller moet toegelaat word om vir 'n tydperk van hoogstens 3 (drie) minute oor die mosie te praat, maar die sekondeerder mag nie praat nie uitgesonderd om die mosie te sekondeer.
- (4) As die mosie aanvaar word, verdaag die Raad onverwyld: Met dien verstande dat die Speaker kan gelas dat die vergadering eers sake afhandel wat nie bestrede sake is nie.
- (5) As die mosie dat die Raad nou verdaag nie aanvaar word nie, mag die Speaker nie nog so 'n mosie aanvaar nie totdat 'n tydperk van 30 (dertig) minute daarna verstryk het.
- (6) Uitgesonderd soos in subreël (3) bepaal, mag daar geen bespreking oor 'n mosie vir die verdaging wees nie, uitgesonderd dat 'n Raadslid wat eerste sy of haar voorneme om te praat aandui, vir 'n tydperk van hoogstens 3 (drie) minute teen sodanige mosie kan praat.
- (7) Geen amendement op sodanige mosie mag voorgestel word nie, uitgesonderd met betrekking tot die tydperk van verdaging.
- (8) As 'n mosie om 'n vergadering te verdaag, aangeneem is gedurende 'n debat en voor die afsluiting daarvan, dan by oorweging van die saak wat die onderwerp van sodanige debat is, is die Raadslid wat die verdaging voorgestel het, daarop geregtig om eerste te praat.
- (9) Geen sake word op 'n verdaagde vergadering afgehandel nie, uitgesonderd dié wat uiteengesit is in die agenda vir die vergadering waarvan dit 'n verdaging is.

47. Dat die Raad vir 'n spesifieke tyd verdaag

- (1) 'n Raadslid kan te eniger tyd, uitgesonderd in die loop van 'n toespraak deur 'n ander Raadslid of terwyl daar gestem word, voorstel dat die Raad vir 'n vermelde tyd verdaag vir koud- of enige ander doeleindes: Met dien verstande dat verdagings beperk word tot 'n maksimum tydperk van 1 (een) uur per versoek.
- (2) So 'n mosie hoef nie skriftelik te wees nie.
- (3) As die mosie aanvaar word, verdaag die Raad onverwyld vir die vermelde tyd: Met dien verstande dat die Raad se sake stiptelik hervat word by verstryking van die tydperk wat vir die verdaging toegelaat is.
- (4) Die Speaker kan die aantal sodanige mosies beperk.

48. Dat die debat verdaag word

- (1) 'n Raadslid wat nog nie aan 'n debat deelgeneem het nie, kan aan die einde van enige toespraak voorstel dat die debat verdaag word.
- (2) Sodanige mosie moet gesekondeer word maar hoef nie skriftelik te wees nie.
- (3) Die voorsteller van so 'n mosie kan 3 (drie) minute lank daaroor praat, maar die sekondeerder mag nie praat nie behalwe om dit formeel te sekondeer.
- (4) Uitgesonderd soos in subreël (3) bepaal, mag geen bespreking oor sodanige mosie toegelaat word nie uitgesonderd met betrekking tot die tydperk van verdaging en dat die Raadslid wat eerste vir daardie doel aandui, 3 (drie) minute lank daarteen kan praat
- (5) As sodanige mosie aanvaar word, gaan die vergadering oor tot die volgende saak op die agenda, en die bespreking van die verdaagde debat, tensy dit andersins opgelos word, word op die volgende gewone vergadering hervat.
- (6) Met die hervatting van die verdaagde debat is die Raadslid wat die verdaging voorgestel het, daarop geregtig om eerste te praat.
- (7) As 'n mosie dat 'n debat verdaag nie aanvaar word nie, mag die Speaker nie nog so 'n mosie aanvaar nie voordat 30 (dertig) minute verstryk het.
- (8) 'n Raadslid mag nie meer as 1 (een) mosie vir die verdaging van die debat in die loop van daardie debat voorstel of sekondeer nie.

49. Dat die saak tot stemming gebring word

- (1) 'n Raadslid wat nog nie aan 'n debat oor 'n saak deelgeneem het nie, kan gedurende sodanige debat, aan die einde van enige toespraak, voorstel dat die saak nou tot stemming gebring word.
- (2) Behoudens die bepalinge van subreël (3) is geen mosie wat ingevolge subreël (1) gestel is, oop vir bespreking nie.
- (3) Die voorsteller van 'n saak onder bespreking kan, wanneer 'n mosie ingevolge subreël (1) gestel is, hoogstens 3 (drie) minute lank oor sodanige mosie praat, waarna genoemde mosie sonder enige verdere bespreking tot stemming gebring word.

50. Dat die saak van die agenda geskrap word

- (1) 'n Raadslid wat nog nie aan die debat oor 'n saak deelgeneem het nie, kan gedurende sodanige debat, aan die einde van enige toespraak, voorstel dat die saak van die agenda geskrap word.
- (2) Behoudens die bepalinge van subreël (3) is geen mosie wat ingevolge subreël (1) gestel is, oop vir bespreking nie.
- (3) Die voorsteller van 'n saak onder bespreking kan, wanneer 'n mosie ingevolge subreël (1) gestel is, hoogstens 3 (drie) minute lank oor sodanige mosie praat, waarna genoemde mosie sonder enige verdere bespreking tot stemming gebring word.
- (4) As so 'n mosie aangeneem word, word die saak onder bespreking nie verder gevoer nie.

51. Herroeping van resoluë

- (1) Indien 'n Raadslid kennis wil gee van sy of haar voorneme om die herroeping van 'n resoluë (of 'n deel daarvan) van die Raad voor te stel, moet hy of sy sodanige kennis gee deur 'n skriftelike kennisgewing van mosie aan die Munisipale Bestuurder te lewer, welke kennisgewing van mosie deur sodanige Raadslid onderteken en gedateer moet wees en moet meld op watter vergadering van die Raad dit ingedien sal word, en dit moet in die hande van die Munisipale Bestuurder wees ten minste ses volle dae voor genoemde

- vergadering. Sodanige kennisgewing van mosie moet voorts meld dat die Raadslid sal voorstel dat die bestaande resoluëie (of deel daarvan) hersien word met die doel van wysiging of herroeping, na gelang van die geval, en dat die Raadslid voorts sal voorstel dat genoemde resoluëie herroep of gewysig word, na gelang van die geval, met vermelding, in die geval van wysiging, van die presiese wysiging wat verlang word.
- (2) Indien 'n komitee besluit het om by die Raad aan te beveel dat 'n resoluëie (of deel daarvan) van die Raad herroep of gewysig word, moet kennis van voorneme om sodanige herroeping of wysiging voor te stel, gegee word deur die insluiting van sodanige aanbeveling in 'n verslag van die komitee aan die Raad, en die Munisipale Bestuurder moet 'n afskrif van sodanige verslag aan elke Raadslid stuur sodat dit hom of haar bereik ten minste twaalf uur voor die vergadering waarop die aanbeveling oorweeg gaan word. Die afskrifte van sodanige verslag wat aldus aan alle Raadslede gestuur word, of dokumente wat dit vergesel, moet aandui op watter vergadering sodanige verslag oorweeg sal word.
- (3) Uitgesonderd op aanbeveling van 'n komitee word 'n resoluëie (of deel daarvan) op geen vergadering van die Raad hersien nie tensy die toestemming van die meerderheid van die Raadslede teenwoordig op sodanige vergadering verkry is.
- (4) Daar mag geen bespreking oor sodanige mosie om te hersien gevoer word nie behalwe dat die Raadslid of die voorsitter van die komitee wat kennis gee, die reg het om die redes daarvoor te vermeld.

DEEL 8: WETGEWENDE PROSES

52. Indiening van konsepverordeninge

'n Konsepverordening word deur die Uitvoerende Burgemeester by die Raad ingedien.

53. Prosedure vir indiening van verordeninge in Raad

- (1) 'n Konsepverordening word deur die Munisipale Bestuurder aan die Uitvoerende Burgemeester voorgelê saam met 'n verslag wat die volgende bevat:
- (a) 'n memorandum met 'n verklarende opsomming van die inhoud van die verordening, die oogmerke van die verordening en die redes vir die behoefte om die voorgestelde optrede in 'n verordening te reguleer;
 - (b) 'n aanduiding van ander verordeninge wat herroep of gewysig moet word indien die voorgestelde verordening aangeneem word;
 - (c) enige ander tersaaklike dokumentasie en voorstelle wat nodig kan wees.
- (2) Die Uitvoerende Burgemeester saam met die Burgemeesterskomitee moet die konsepverordening oorweeg met die doel om 'n aanbeveling aan die Raad te doen en kan versoek dat die verordening gewysig en weer voorgelê word.
- (3) Die Uitvoerende Burgemeester saam met die Burgemeesterskomitee moet die konsepverordening aan die Raad voorlê vir oorweging binne 3 (drie) maande na die datum van voorlegging deur die Munisipale Bestuurder soos supra na verwys met 'n aanbeveling dat –
- (a) die konsepverordening deur die Raad aangeneem word;
 - (b) die konsepverordening deur die Raad verwerp word.

- (4) Die Uitvoerende Burgemeester moet 'n konsepverordening aan die Speaker voorlê vir insluiting in die agenda van 'n Raadsvergadering wat deur die Uitvoerende Burgemeester belê is na die datum van voorlegging, met 1 (een) van die aanbevelings soos supra na verwys .

54. Eerste indiening in Raad

- (1) Die Speaker moet aan alle Raadslede redelike kennis gee van die voorneme om 'n konsepverordening vir oorweging in te dien.
- (2) 'n Konsepverordening word deur die Uitvoerende Burgemeester ingedien en ter tafel gelê vir oorweging deur die Raad in die vorm van 'n verslag wat vergesel gaan van –
- (a) 'n memorandum met 'n verklarende opsomming van die inhoud van die verordening, die oogmerke van die verordening en die redes vir die behoefte om die voorgestelde optrede in 'n verordening te reguleer;
 - (b) die konsepverordening;
 - (c) 'n aanduiding van ander verordeninge wat herroep of gewysig moet word indien die voorgestelde verordening aangeneem word;
 - (d) kommentaar, opmerkings en toeligting deur die Uitvoerende Burgemeester.
- (3) Na oorweging van die konsepverordening en verslag in reël 54(2) bedoel, moet die Raad besluit om –
- (a) die verordening voorlopig aan te neem, onderhewig daaraan dat indien geen kommentaar en/of vertoë oor die konsepverordening van die publiek ontvang word nie nadat die proses in reël 55 beoog gevolg is, die verordening geag word behoorlik deur die Raad aangeneem te wees; of
 - (b) die voorgestelde verordening te verwerp.
- (4) Wanneer 'n konsepverordening voorlopig aangeneem is, moet dit ooreenkomstig reël 55 geadverteer word vir kommentaar en/of vertoë van die publiek.

55. Kennisgewing in plaaslike koerante

- (1) Die Munisipale Bestuurder moet so gou moontlik nadat die Raad 'n verordening voorlopig aangeneem het ingevolge reël 54(3)(a), 'n kennisgewing oor die beskikbaarheid van die konsepverordening vir insae en kommentaar publiseer in plaaslike koerante in sirkulasie in die regsgebied van die Breedevallei-munisipaliteit wat aan die publiek 'n geleentheid bied om kommentaar te lewer en/of vertoë te rig oor die konsepverordening.
- (2) Die kennisgewing moet in die 3 (drie) amptelike tale van die Provinsie wees, naamlik Afrikaans, Engels en Xhosa.

56. Tweede indiening in Raad

- (1) Die Munisipale Bestuurder moet, so gou as moontlik na die sluitingsdatum vir kommentaar en/of vertoë deur die publiek, 'n verslag aan die Uitvoerende Burgemeester voorlê, vergesel van –
- (a) die konsepverordening;
 - (b) afskrifte van die kennisgewing waarin die publiek genooi is om kommentaar te lewer en/of vertoë te rig;
 - (c) enige skriftelike kommentaar en/of vertoë wat van die publiek ontvang is.

- (2) Die Uitvoerende Burgemeester saam met die Burgemeesterskomitee moet die verslag deur die Munisipale Bestuurder oorweeg en 'n aanbeveling aan die Raad doen om –
 - (a) die verordening aan te neem;
 - (b) die verordening in gewysigde vorm aan te neem; of
 - (c) dit te verwerp.
- (3) Wanneer 'n voorgestelde verordening deur die Raad verwerp is, mag geen verordening met dieselfde strekking binne 'n tydperk van 6 (ses) maande na die datum van verwerping ingedien word nie.

57. Inwerkingtreding

- (1) Wanneer 'n konsepverordening deur die Raad aangeneem is, moet dit in die *Provinsiale Koerant* geadverteer word.
- (2) 'n Konsepverordening word van krag op die datum waarop dit ingevolge reël 57(1) in die *Provinsiale Koerant* gepubliseer word of op 'n datum wat in die verordening bepaal word.

58. Debatsprosedure

Die Reëls rakende debat is ook op die wetgewende prosedure van toepassing.



(Notice 26/2013)

**PUBLIC NOTICE CALLING FOR INSPECTION OF SUPPLEMENTARY VALUATION ROLL
AND LODGING OF OBJECTIONS**

Notice is hereby given in terms of Section 49(1)(a)(i) read together with section 78(2) of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), hereinafter referred to as the "Act", that the second supplementary valuation roll for the financial year 2012/2013, is open for public inspection at the Municipal Head Office and its satellite offices, or on the website: www.overstrand.gov.za from 18 April 2013 to 22 May 2013.

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 supplementary valuation roll as such. The form for the lodging of an objection is obtainable from the Municipal offices at the following addresses:

Hangklip/Kleinmond:	33 Main Road, Kleinmond	028 271 8400
Hermanus:	1 Magnolia Street, Hermanus	028 313 8000
Stanford:	15 Queen Victoria Street, Stanford	028 341 8500
Gansbaai:	Main Road, Gansbaai	028 384 8300

or on the municipal website: www.overstrand.gov.za. The completed forms must be returned to the municipal offices or the Municipal Manager, PO Box 20, Hermanus, 7200 on or before 22 May 2013.

For enquiries please contact Carien de Beer at telephone number 028 313 8000 or send an e-mail to enquiries@overstrand.gov.za.

C. Groenewald
Municipal Manager
11 April 2013

PO Box 20
HERMANUS
7200



(Kennisgewing 26/2013)

**KENNISGEWING VAN UITNODIGING VIR INSPEKSIE VAN DIE AANVULLENDE
WAARDASIELYS EN INDIEN VAN BESWARE.**

Kennis geskied hiermee ingevolge die bepalings van Artikel 49(1)(a)(i) saam gelees met Artikel 78(2) van die Plaaslike Regering: Munisipale Eiendomsbelastingwet, 2004 (Wet No. 6 van 2004), hierna verwys as die "Wet", dat die tweede aanvullende waardasielys vir die 2012/2013 finansiële jaar, beskikbaar is vir publieke inspeksie by die Munisipale Hoofkantoor en sy administrasiekantore asook op die amptelike webtuiste: www.overstrand.gov.za, vanaf 18 April 2013 – 22 Mei 2013.

'n Uitnodiging word hiermee gerig in terme van Artikel 49 (1)(a)(ii), saam gelees met Afdeling 78(2) van die Wet dat die eienaar van eiendom, of enige ander persoon wat dit verlang, 'n beswaar kan indien by die Munisipale Bestuurder rakende enige aangeleentheid wat vervat word in, of weggelaat is uit die aanvullende waardasielys binne die bogenoemde tydperk.

Aandag word daarop gevestig dat in terme van Afdeling 50(2) van die Wet, 'n beswaar betrekking to 'n spesifieke individuele eiendom moet hê, en nie op die aanvullende waardasielys as sodanig nie. Die vorm vir die aantekening van 'n beswaar is beskikbaar by die volgende Munisipale kantore:

Hangklip/Kleinmond:	Hoofstraat 33, Kleinmond	028 271 8400
Hermanus:	Magnoliastraat 1, Hermanus	028 313 8000
Stanford:	Queen Victoriastraat 15, Stanford	028 341 8500
Gansbaai:	Hoofstraat, Gansbaai	028 384 8300

asook op die amptelike webtuiste: www.overstrand.gov.za. Voltooide vorms moet op of voor 22 Mei 2013 terugbesorg word aan die munisipale kantore of die Munisipale Bestuurder, Posbus 20, Hermanus, 7200.

Rig u navrae asb aan Carien de Beer by telefoonnommer 028 313 8000 of stuur 'n e-pos aan enquiries@overstrand.gov.za.

C. Groenewald
Munisipale Bestuurder
11 April 2013

Posbus 20
HERMANUS
7200



(Isaziso 26/2013)

**ISAZISO ESIYA KULUNTU SOKUHLOLWA KOXWEBHU OLONGEZELELEKILEYO
LOKUHLOLWA KWEXABISO LOMHLABA NOKUFAKWA KWEZIMVO EZICHASENE NAKO**

Apha senza isaziso ngokweCandelo 49(1)(a)(i) elinokufundwa lidibene necandelo 78(2) likaRhulumente wezeKhaya: uMthetho WeeRhafu ZoMhlaba kaMasipala, wowama-2004 (uMthetho wesi-6 wowama-2004), ekuza kubhekiselwa kuwo apha nakamva ngokuthi “lo Mthetho”, eyesibini sokuba uxwebhu olongezelelekileyo lokuhlolwa kwexabiso lomhlaba lonyaka-mali wama-2012/2013, luvulelekile kuluntu ukuba luluhlele kwi-Ofisi eliKomkhulu likaMasipala nakwii-ofisi ezingaphantsi kwalo kwanakwimizi yogcino-zincwadi, okanye kweli jelo: www.overstrand.gov.za ukususela kumhla 18 April 2013 ukuya kutsho kumhla 22 May 2013.

Kananjalo sikwenza nesimemo ngokwecandelo 49(1)(a)(ii) elinokufundwa lidibene necandelo 78(2) lalo Mthetho sokuba nawuphi na umnini mhlaba okanye omnye umntu onqwenela ukwenjenjalo ufanele afake izimvo zakhe ezichasene noku kuMphathi kaMasipala ngawo nawuphi na umba olapha, okanye ositheleyo, kuxwebhu olongezelelekileyo lokuhlolwa kwexabiso lomhlaba ngeli xesha lichazwe ngasentl’ apha.

Sifuna ukutsalela ingqalelo yenu ngokukhethekileyo kwicandelo 50(2) lalo Mthetho elithi izimvo ezingaphesheya kule nto zifanele zityumbe loo mhlaba zingabi zezichasene nje noxwebhu lokuhlolwa kwexabiso lomhlaba. limpepha zokukhalaza ezigqityiweyo mazibuyiselwe kungekafiki usuku lwe 22 May 2013, kwii-ofisi ezikhankanywe ngezantsi onkanye kwi-ofisi kaMphathi kaMasipala, PO Box 20, Hermanus, 7200. Ifomu yokufaka izimvo zakho ezichasene noku ungayifumana kwii-ofisi zikaMasipala kwezi dilesi zilandelayo:

Hanglip/Kleinmond:	33 Main Road, Kleinmond	028 271 8400
Hermanus:	1 Magnolia Street, Hermanus	028 313 8000
Stanford:	15 Queen Victoria Street, Stanford	028 341 8500
Gansbaai:	Main Road, Gansbaai	028 384 8300

okanye kweli jelo likaMasipala: www.overstrand.gov.za.

Xa ufuna ukubuza nxibelelana noCarlen de Beer kwinombolo yefoni u- 028 313 8000 okanye nge-imeyile enquiries@overstrand.gov.za.

C. Groenewald
UMphathi kaMasipala
11 April 2013

PO Box 20
HERMANUS
7200

BERGRIVIER MUNICIPALITY**BY-LAW ON LIQUOR TRADING DAYS AND HOURS**

To provide guidelines for trade in liquor by licensed undertakings that sell liquor to the public; and to provide for matters related thereto.

PREAMBLE

WHEREAS a municipality may, in terms of section 156 of the Constitution, make and administer by-laws for the effective administration of the matters which it has the right to administer; and

WHEREAS it is the intention of the municipality to set trading days and hours for all licensed premises, business or outlets situated within the Bergrivier municipal area;

AND NOW THEREFORE, BE IT ENACTED by the council of the Bergrivier Municipality, as follows:

1. Definitions

(1) In this by-law, unless the context indicates otherwise—

“agricultural area” means an area predominantly zoned agriculture or any other equivalent zoning, with the purpose to promote and protect agricultural activity on a farm as an important economic, environmental and/or cultural resource, where limited provision is made for non-agricultural uses to provide owners with an opportunity to increase the economic potential of their properties;

“authorised official” means any employee of the municipality authorised to enforce or implement the provisions of this by-law;

“Authority” means the Western Cape Liquor Authority established in terms of the Western Cape Liquor Act, 2008 (Act 4 of 2008), as amended;

“backpackers lodge” means a building where lodging is provided per bed or room and such lodging may incorporate cooking, dining and communal facilities or communal areas for the use of lodgers, together with such outbuildings which are normally used therewith, but does not include a hotel, dwelling, second dwelling or group house;

“bed and breakfast” means a dwelling or second dwelling attached to the main dwelling in which the owner provides lodging and or meals for compensation by transient guests who have permanent residence elsewhere, provided that –

- (a) in the case where the second dwelling is attached to the main dwelling, the primary use of the main dwelling shall remain for the accommodation of a single family;
- (b) no more than five rooms per land unit may be used for the accommodation of paying guests or lodgers; and
- (c) the property complies with the applicable zoning scheme for a bed and breakfast establishment;

“bar” a retail establishment that mainly serves alcoholic beverages;

“club” includes a sports club, community of service club, night club or facility;

“general business zoned area” means an area zoned in terms of the Zoning Scheme designed to promote economic activity in business districts and development corridors, and included a wide range of land uses such as business, residential and community uses;

“general industrial zoned area” means an area zoned to accommodate all forms of industry, but does not include noxious trade and risk activity;

“general residential zoned area” means a zone designed to provide a healthy, safe and pleasant environment for urban living at higher densities;

“guest house” means a dwelling or second dwelling consisting of not more than 15 rooms or 30 guests and which –

- (a) is in an establishment which exceeds the restrictions of a bed and breakfast establishment;
- (b) is used for the purposes of providing lodging and meals to transient guests for compensation; and
- (c) may include facilities for business meetings or training sessions of guests on the property;

“hotel” means a property used as a temporary residence for transient guests where lodging or meals are provided for compensation, and includes–

- (a) a restaurant or restaurants forming part of the hotel;
- (b) conference and/or entertainment facilities that are subservient and ancillary to the dominant use of the property as a hotel; and
- (c) premises which are licensed to sell liquor for consumption on or off the property, but excludes a bed and breakfast establishment, guest house, off-consumption facility, back packers lodge or similar lodge or dwelling;

“karaoke bar” means an establishment providing interactive entertainment where amateur singers sing with the assistance of a sound system;

“licensee” means any person or judicial who is licensed to sell liquor in terms of the Act from premises with appropriate land use rights and includes any manager, agent or employee of the licensee;

“liquor” means any liquid or substance containing more than 1% of alcohol by volume or mass, but excludes –

- (a) methylated spirits;
- (b) medicine which is subject to registration in terms of the medicines and related Substances act, 1965 (Act 101 of 1965); and
- (c) products which are not intended for human consumption;

“local business zoned area” means an area zoned to provide an intermediate zone which can act as a buffer or interface between general business zoned areas or other high intensity non-residential uses and residential zoned areas;

“municipality” means the Municipality of Bergrivier established in terms of Section 12 of the Act on Local Government : Municipal Structures Act, 1998 (Act 117 of 1998);

“nightclub” means an entertainment venue which provides entertainment mainly in the form of music, dance and exhibition but excludes a pub, bar or tavern;

“place of entertainment” means a place used predominantly for commercial entertainment which may attract relatively large numbers of people, or generate noise from music or revelry on a regular basis, but is not limited to, a cinema, theatre, dance hall, gambling hall, karaoke bar and nightclub, but excludes a casino;

“pub” means a drinking establishment of which the primary function is the serving of alcoholic beverages for consumption on the premises, but may also serve food or have entertainment;

“premises” means a place, land, building and/or part of a building;

“Regulation” means the Western Cape Liquor Regulations, 2011 promulgated in terms of the Western Cape Liquor Act, 2008, as amended;

“room service facility” means a mini bar or self-help facility for the consumption of liquor in guest rooms and a call-up service for resident guests;

“residential area” means an area predominantly zoned informal, single or general residential or any other equivalent zoning, with the purpose to accommodate predominantly single-family dwelling houses in low to medium density neighbourhoods, as well as higher density living accommodation and which includes controlled opportunities for home employment, additional dwellings and low intensity mixed use development;

“resort” means a place or establishment used for relaxation or recreation, attracting visitors for holidays or vacations, which attempts to provide for most of a vacationer's needs while remaining on the premises, such as food, drink, lodging, sports, entertainment and/or shopping;

“restaurant” means an establishment which prepares and serves food and drinks to customers, which meals are generally served and eaten on premises, but may also offer take-out and food delivery services;

“small holding or rural area” means an area predominantly zoned rural or any other equivalent zoning, with the purpose to accommodate smaller rural properties that may be used for agricultural purposes, but may also be used primarily as places of residence in a more country or rural setting;

“special event” means a public activity which a scheduled time, location and duration which may include, but is not limited to: sporting events, concerts, festivals, parades and/or exhibitions, at fixed venues or temporary venues;

“sports and community club” means premises or a facility used for the gathering of community, civic organisations or associations, sports clubs or other social or recreation clubs run mostly not for profit and may include community service clubs and community centres or similar amenity facilities, but excludes a night club;

“tavern” means a place or business where people gather to drink alcoholic beverages and be served food;

“the Act” means the Western Cape Liquor Act, 2008 (Act No. 4 of 2008) as amended;

“wine” means wine as defined in section 1 of the Liquor Products Act, 1989 (Act 60 of 1989);

“winery” means premises or facilities which are used in the production of liquor products which may include, but are not limited to –

- (a) wine;
 - (b) an alcoholic fruit beverage;
 - (c) a spirit;
 - (d) a grape-based liquor;
 - (e) a spirit-based liquor;
 - (f) a specially authorised liquor;
- and such premises or facilities may –
- (i) be specifically designed to include facilities for the production of liquor; or
 - (ii) include tasting room, barrel and storage rooms, bottling rooms, tank rooms, laboratories or offices and other accessory or ancillary facilities incidental to the production of liquor, which may include –
 - (aa) restaurants and other food services; or
 - (bb) subsidiary retail facilities to tourists or visitors.

“zone” means zoned and zoning as the case may be in terms of the applicable zoning scheme or any applicable law and **“zoning”** has a corresponding meaning; and

“zoning scheme” means the zoning scheme or schemes applicable to the area and in force within the area of jurisdiction of the municipality.

2. Application of the By-law

This by-law applies to all –

- (a) licensees who apply for and/or are licensed to sell liquor in terms of the Act or any other applicable legislation;
- (b) licences renewed in terms of the Liquor Act, 1989 (Act No. 27 of 1989), within the jurisdiction of the municipality.”

3. Procedures

- (1) An applicant that wishes to apply for a liquor licence at the Authority must obtain a zoning certificate from the municipality as well as the applicable trading hours;
- (2) The applicant must obtain the permission in (1) above in terms of Section 36 of the Act and submit it to the Authority together with an application for a liquor licence.

4. Trading days and hours for sale and consumption of liquor on licensed premises

- (1) A licensee may sell liquor for consumption on the licensed premises on the following days and hours:
 - (a) on any day of the week; and
 - (b) during the hours of trade as set out in the Schedule
- (2) Despite subsection (1), a hotel or guest house licensed to sell liquor may offer a room service facility at any time of the day or night.

5. Trading days and hours for sale of liquor off licensed premises

A licensee may sell liquor for consumption off the licensed premises on the following days and hours:

- (a) on any day of the week with the exception of Sundays and religious public holidays, unless otherwise indicated in the Schedule; and
- (b) during the hours of trade as set out in the Schedule.

6. Appointment of authorised officials

The municipality may appoint any official to implement and enforce the provisions of this by-law.

7. Determination of licensed premises type

Where the definition or description of any licensed premises type as reflected in items 1 to 7 of the Schedule to this by-law is uncertain or difficult to determine, an authorised official as contemplated in section 6 may determine the definition thereof in order to determine the trading hours applicable thereto.

8. Enforcement

- (1) An authorised official may, in the performance of his or her functions in terms of this by-law –
 - (a) at all reasonable times enter –
 - (i) any licensed premises;
 - (ii) any premises in terms of which an application in terms of the Western Cape Liquor Act, 2008 has been made; and

- (iii) any premises on which he or she on reasonable grounds suspects that liquor is being sold contrary to the provisions of this by-law; and make such investigation, enquiries or inspections as he or she may deem necessary.
- (2) When entering premises in terms of this section, the authorised official must identify himself or herself to the person in charge of the premises.
- (3) An authorised official may issue and serve a notice of compliance on the licensee or any person in control of licensed premises, calling upon such person to comply with the provisions of this by-law.
- (4) A compliance notice must stipulate –
 - (a) the provisions of the by-law that must be complied with;
 - (b) the act or omission constituting non-compliance;
 - (c) the measures which must be taken to comply;
 - (d) the date or time by which compliance must be achieved, where applicable; and
 - (e) the possible consequences of non-compliance.

9. Application for extended trading hours

- (1)(a) Notwithstanding the trading hours determined in section 4 and 5, a licensee of premises may, upon payment of the required fee, submit an application to the municipality for an extension of the hours during which they may trade.
- (b) The municipality, in considering the application referred to in paragraph (a) can –
 - (i) obtain the input of the relevant ward committee;
 - (ii) consult adjacent residents which may be affected;
 - (iii) obtain the input of the local Community Police Forum; or
 - (iv) obtain the input or any relevant community organisation such as church groups, ratepayers or business forums.

10. Annual renewal of licenses

- (1) The municipality and or any of the institutions or persons contemplated in section 9(1)(b) shall have the right to lodge representations against the automatic renewal of a liquor licence within its jurisdictional area of the municipality where the licensee has, since the last renewal of such license, been the subject of a complaint received by the municipality;
- (2) The Municipal Manager and/or duly authorised representative of the community institutions contemplated in section 9(1)(b) must lodge the representations in writing with the designated liquor officer in whose area the licensed premises is situated before 31 October of the year preceding the year in respect of which the renewal will apply.

11. Appeal

A person or judicial entity whose rights are affected by a decision of the municipality in terms of delegated authority 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.

12. Offences and penalties

- (1) A licensee who contravenes sections 4 and 5 of this by-law commits an offence.
- (2) A person who hinders or obstructs an authorised official in execution of his/her duties commits an offence.
- (3) Any person contravening the provisions of this by-law shall upon conviction be liable to –
 - (a) a fine or imprisonment, or either such fine or imprisonment or to both such fine and such imprisonment as determined by the Magistrate;
 - (b) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued; and
 - (c) a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as result of such contravention or failure.

13. Short title

This by-law is called the Bergrivier Municipality By-law on Liquor Trading Days and Hours and shall come into operation on the date of publication thereof in the Provincial Gazette.

SCHEDULE

Trading hours on licensed premises

Location category (with predominant land use character as indicated below) and licensed premises type	Permitted maximum trading hours	
	On-consumption	Off-consumption
1. Residential (including single, general and informal residential) areas		
B&B's/guest houses permitted as of right (i.e. without need for any separate zoning approval)	09:00 – 23:00	
B&B's/guest houses/backpackers lodges (whether conference facilities/events/functions centres included or not)		
Pub/bar/tavern/restaurant		
Night club/karaoke bar/place of entertainment/theatres		
Sports and community clubs/service clubs/amenity facilities/community centres (excluding special events/temporary licences)		
Hotel	09:00 – 23:00	
2. Local or neighbourhood business areas (including mixed use areas consisting of single, residential zones 1 to 6, general, special, informal residential interspersed with business uses)		
B&B's/guest houses/backpackers lodges (whether conference facilities/events/functions centres included or not)	09:00 – 24:00	
Pub/bar/tavern/restaurant		
Night club/karaoke bar/place of entertainment/theatres		
Sports and community clubs/service clubs/amenity facilities/community centres (excluding special events/temporary licences)	09:00 – 24:00	
Hotel	09:00 – 24:00	
Resort	09:00 – 24:00	
Liquor/bottle stores/wine shops/retail foods stores		09:00 – 20:00 (Mon – Fri) 09:00 – 17:00 (Saturdays)
3. General business areas (e.g. areas zoned general business (central business areas) or any other equivalent zoning)		
B&B's/guest houses/hotels/backpackers lodges (whether conference facilities/events/functions centres included or not)	Sun – Thu : 09:00 – 24:00 Fri and Sat : 09:00 – 02:00 next day	
Pub/bar/tavern/restaurant		
Night club/karaoke bar/place of entertainment/theatres		
Sports and community clubs/service clubs/amenity facilities/community centres (excluding special events/temporary licences)		
Liquor/bottle stores/wine shops/retail food stores		09:00 – 20:00 (Mon – Fri) 09:00 – 17:00 (Saturdays)
Resort	09:00 – 24:00	
4. Industrial areas (e.g. areas zoned general industry use or any other equivalent zoning)		
Pub/bar/tavern/restaurant	Sun – Thu : 09:00 – 24:00 Fri and Sat : 09:00 – 02:00 next day	
Night club/karaoke bar/place of entertainment/theatres		
Sports and community clubs/service clubs/amenity facilities/community centres (excluding special events/temporary licences)		

Location category (with predominant land use character as indicated below) and licensed premises type	Permitted maximum trading hours	
	On-consumption	Off-consumption
Liquor/bottle stores/wine shops		09:00 – 20:00 (Mon – Fri) 09:00 – 17:00 (Saturdays)
Resort	09:00 – 24:00	
Winery	09:00 – 24:00	09:00 – 20:00 (Mon – Fri) 09:00 – 17:00 (Saturdays)
5. Agricultural areas (e.g. areas zoned agriculture or any other equivalent zoning)		
Guest accommodation (whether conference facilities/events/function centres included or not)	09:00 – 02:00	
Pub/bar/tavern/restaurant		
Night club/karaoke bar/place of entertainment/theatres		
Sports and community clubs/service clubs/amenity facilities/community centres (excluding special events/temporary licences)		
Hotel	09:00 – 02:00	
Resort	09:00 – 02:00	
Winery	09:00 – 02:00	09:00 – 20:00 (Mon – Fri) 09:00 – 17:00 (Saturdays)
6. Small holding or rural area		
Guest accommodation (whether conference facilities/events/function centres included or not)	09:00 – 02:00	
Pub/bar/tavern/restaurant		
Night club/karaoke bar/place of entertainment/theatres		
Sports and community clubs/service clubs/amenity facilities/community centres (excluding special events/temporary licences)		
Resort	09:00 – 24:00	
Winery	09:00 – 02:00	09:00 – 20:00 (Mon – Fri) 09:00 – 17:00 (Saturdays)
7. Other locations		
Vehicles or mobile undertakings used for tourist or entertainment or recreational purposes as per definition of “premises” in section 1, except where the municipality determines otherwise	09:00 – 24:00	
8. Special events or temporary licensed premises	As determined by event permit in terms of Section 46 of the Act	

Note : Determination of applicable location category

Where the location category as set out above is unclear or in dispute or difficult to determine or areas are not zoned homogenously (e.g. a business zoned premises in the middle of a residential zoned area), the actual zoning, consent or departure use rights of the subject licensed premises will take precedence in order to determine the category.

BERGRIVIER MUNISIPALITEIT**VERORDENING OP DRANKHANDELSDAE EN -URE** ✓

Om voorsiening te maak vir riglyne ten opsigte van drankhandel deur gelisensieerde ondernemings wat drank aan die publiek verkoop; en om voorsiening te maak vir sake wat daarmee verband hou.

AANHEF

AANGESIEN 'n munisipaliteit, kragtens artikel 156 van die Grondwet, verordeninge mag maak en toepas vir die doeltreffende administrasie van aangeleenthede wat dit regtens mag administreer; en

AANGESIEN dit die bedoeling van die munisipaliteit is om handelsdae en -ure vir alle gelisensieerde persele, sakeondernemings of afsetpunte en geleë is binne die Bergrivier munisipale gebied, vas te stel;

WORD DAAR DUS HIERMEE deur die raad van die Bergrivier Munisipaliteit soos volg verorden:

1. Woordomskrywings

- (1) In hierdie Verordening, tensy die konteks anders aandui, beteken:

“algemene industriële gebied” 'n gebied wat gesoneer is om alle vorms van industrieë te akkommodeer, maar sluit nie aanstootlike bedryf en risiko-aktiwiteite in nie;

“algemene residensiële gebied” 'n sone wat ontwerp is om 'n gesonde, veilige en aangename omgewing vir stedelike verblyf teen hoër digtheid te verskaf;

“algemene sakegebied” 'n gebied wat ooreenkomstig die soneringskema gesoneer is om ekonomiese ontwikkeling in sakedistrikte en ontwikkelingskorridors te bevorder, en sluit 'n wye verskeidenheid grondgebruike in soos sake-, residensiële en gemeenskapsgebruike;

“bed-en-ontbyt-onderneming” 'n woonhuis of tweede woning wat aan die hoofwoning vas is en waarin die eienaar teen vergoeding huisvesting en/of maaltye verskaf aan verbygaande gaste wat permanent elders woon, op voorwaarde dat:

- (a) in die geval waar die tweede woning aan die hoofwoning vas is, die primêre gebruik van die hoofwoning steeds sal wees om 'n enkele gesin te huisves;
- (b) nie meer as vyf vertrekke per grondeenheid gebruik mag word om gaste of kamerhuurders te huisves nie; en
- (c) die eiendom voldoen aan die toepaslike soneringskema vir 'n bed-en-ontbyt-onderneming;

“die Wet” die Wes-Kaapse Drankwet, 2008 (Wet No. 4 van 2008), soos gewysig;

“drank” enige vloeistof of middel wat meer as 1% alkohol per volume of massa bevat, met uitsluiting van –

- (a) brandspiritus;
- (b) medisyne wat onderworpe is aan registrasie ingevolge die Wet op Beheer van Medisyne en Verwante Stowwe, 1965 (Wet 101 van 1965); en
- (c) produkte wat nie vir menslike verbruik bedoel is nie;

“drinkplek” ’n drinkplek waarvan die primêre funksie is om alkoholiese drank vir verbruik op die perseel te bedien, maar kan ook voedsel bedien of vermaak verskaf;

“gastehuis” ’n woonhuis of tweede woning wat uit nie meer as 15 kamers of akkommodasie vir 30 gaste bestaan nie en wat –

- (a) in ’n onderneming is wat die beperking vir ’n bed-en-ontbyt-onderneming oorskry;
- (b) gebruik word vir die doel om teen vergoeding huisvesting en maaltye aan verbygaande gaste te verskaf; en
- (c) mag fasiliteite vir sakebyeenkomste of opleidingsessies vir gaste op die perseel insluit;

“gelisensieerde” enige persoon of regsentiteit wat ingevolge die Wet gelisensieer is om drank te verkoop vanaf persele met gepaste grondgebruiksregte en sluit enige bestuurder, agent of werknemer van die gelisensieerde in;

“gemagtigde beampte” enige werknemer van die munisipaliteit wat gemagtig is om die bepalings van hierdie verordening af te dwing of te implementeer;

“gesoneer” gesoneer en sonering na gelang die geval ingevolge die toepaslike soneringskema of enige toepaslike wet en **“sonering”** het ’n ooreenkomstige betekenis;

“hotel” ’n eiendom wat gebruik word as tydelike residensiële huisvesting vir verbygaande gaste waar verblyf of maaltye teen vergoeding verskaf word, en sluit in –

- (a) ’n restaurant of restaurante wat deel uitmaak van die hotel;
- (b) konferensie- en/of vermaaklikheidsfasiliteite wat ondergeskik is aan en bykomstig is tot die hoofgebruik van die eiendom as ’n hotel;
- (c) persele wat gelisensieer is om alkoholiese drank te verkoop vir verbruik op of weg van die eiendom af, maar sluit ’n bed-en-ontbyt-onderneming, gastehuis, buiteverbruikfasiliteit, oornagplek vir rugsakreisigers of soortgelyke verblyfplek of wooneenheid uit;

“karaoke-kroeg” ’n onderneming wat interaktiewe vermaak verskaf waar amateursangers met behulp van klanktoerusting saam met verskafte musiek sing;

“kleinhoewe of landelike gebied” ’n gebied hoofsaaklik as landelik gesoneer, of enige ander ekwivalente sonering, met die doel om kleiner landelike eiendomme wat vir landboudoeleindes gebruik kan word te akkommodeer, maar

kan ook in 'n meer plattelandse of landelike opset primêr as woonplekke gebruik word;

“klub” sluit 'n sportklub, gemeenskaps- of diensklub, nagklub of fasiliteit in;

“kroeg” 'n kleinhandelonderneming wat hoofsaaklik alkoholiese drankies bedien;

“landbougebied” 'n gebied hoofsaaklik vir landbou gesoneer of enige ander ekwivalente sonering, met die doel om landbouaktiwiteit op 'n plaas as 'n belangrike ekonomiese, omgewings- en/of kulturele hulpbron te bevorder en te beskerm, waar beperkte voorsiening gemaak word vir nie-landbougebruike om aan eienaars 'n geleentheid te bied om die ekonomiese potensiaal van hulle eiendomme te verhoog;

“munisipaliteit” die munisipaliteit van Bergrivier gestig ingevolge Art. 12 van die Wet op Plaaslike Regering : Munisipale Strukture Wet , 1998 (Wet 117 van 1998);

“nagklub” 'n vermaaklikheidslokaal wat hoofsaaklik vermaak in die vorm van musiek, dans en tentoonstelling verskaf, maar sluit 'n kroeg, drinkplek en taverne uit;

“oornagplek vir rugsakreisigers” 'n gebou waar oornagverblyf per bed of kamer verskaf word en sodanige oornagplek mag kook-, eet- en gemeenskaplike fasiliteite of gemeenskaplike gebiede vir gebruik deur mense wat oornag inkorporeer, saam met sodanige buitegeboue as wat gewoonlik daarmee saam gebruik word, maar dit sluit nie 'n hotel, woonhuis, tweede woonhuis of groepshuis in nie;

“Owerheid” die Wes-Kaapse Drankowerheid wat ingestel is ingevolge die Wes-Kaapse Drankwet, 2008 (Wet 4 van 2008), soos gewysig;

“perseel” 'n plek, grond, gebou en/of deel van 'n gebou;

“plaaslike sakesone” 'n gebied wat 'n tussensone voorsien om as 'n buffer of koppelvlak tussen algemeen sakesones en ander nie-residensiële gebouke met hoë digtheid en residensiële gebiede te dien;

“kamerdiensfasiliteit” 'n minikroeg of selfbedieningsfasiliteit vir die verbruik van drank in gastekamers en 'n oproepdiens vir inwonende gaste;

“residensiële gebied” 'n gebied hoofsaaklik gesoneer as informele, enkele of algemene residensiële gebied, of met enige ander ekwivalente sonering, met die doel om hoofsaaklik enkelgesinwoonhuise in lae- tot mediumdigtheidsbuurte te huisves, asook woongebiede van hoër digtheid en wat insluit beheerde geleenthede vir werkverskaffing van die huis af, addisionele wonings en gemengde gebruiksentwikkeling van lae intensiteit;

“oord” 'n plek of 'n onderneming wat gebruik word vir ontspanning of rekreasie, wat besoekers vir vakansies lok, wat poog om vir die meeste behoeftes van 'n vakansieganger voorsiening te maak terwyl hulle op die perseel bly, byvoorbeeld voedsel, drank, verblyf, sport, vermaak en/of inkopies;

“regulasies” die Wes-Kaapse Drankregulasies, 2011, gepromulgeer ingevolge die Wes-Kaapse Drankwet, 2008, soos gewysig;

“restaurant” ’n onderneming wat voedsel en drank voorberei en aan kliënte bedien, welke maaltye gewoonlik op die perseel bedien en geëet word, maar kan ook wegneemetes en voedselafleweringdienste aanbied;

“spesiale geleentheid” ’n openbare aktiwiteit met ’n geskeduleerde tyd, ligging en tydsduur, wat die volgende kan insluit, maar wat nie daartoe beperk is nie: sportgeleenthede, konserte, feeste, parades en/of uitstallings by vaste persele of tydelike persele;

“sjebeen” ’n drinkplek waarvan die primêre funksie die bediening van alkoholiese drankies vir verbruik op of buite die perseel is;

“soneringskema” die soneringskema of –skemas van toepassing op die gebied en van krag binne die jurisdiksiegebied van die munisipaliteit;

“sport- en gemeenskapsklub” ’n perseel of ’n fasiliteit wat gebruik word vir die byeenkoms van die gemeenskap, burgerlike organisasies of assosiasies, sportklubs of ander sosiale of ontspanningsklubs wat nie vir wins bedryf word nie en kan gemeenskapsdiensklubs en gemeenskapsentrums of soortgelyke fasiliteite insluit, maar sluit ’n nagklub uit;

“taverne” ’n plek van besigheid waar mense byeenkom om alkoholiese drankies te drink en om voedsel te geniet, maar sluit nie ’n sjebeen in nie;

“vermaaklikheidsplek” ’n plek wat oorwegend vir kommersiële vermaak gebruik word en wat relatief groot getalle mense kan lok, of wat op ’n gereelde grondslag lawaai van musiek of joligheid veroorsaak, en sluit ’n bioskoop, teater, danssaal, dobbelsaal, karaoke-kroeg en nagklub in, maar word nie daartoe beperk nie, en sluit ’n casino uit;

“wyn” wyn soos omskryf in artikel 1 van die Wet op Drankprodukte, 1989 (Wet 60 van 1989);

“wynmakery” persele of fasiliteite wat gebruik word vir die vervaardiging van drankprodukte wat die volgende kan insluit, maar wat nie beperk is daartoe nie -

- (a) wyn;
- (b) ’n alkoholiese vrugtedrank;
- (c) ’n spiritualieë;
- (d) drank met druiwebasis;
- (e) drank met ’n spiritualieëbasis;
- (f) ’n spesiaal gemagtigde drank;

en sodanige perseel of fasiliteit mag –

- (i) spesifiek ontwerp wees om fasiliteite vir die produksie van drank in te sluit; of
- (ii) proekamers, vat- en stoorkamers, botteleringskamers, tenkkamers, laboratoriums of kantore en ander bykomende of aanvullende fasiliteite bykomstig tot die produksie van drank hê, wat die volgende kan insluit:
 - (aa) restaurant en ander voedseldienste; of
 - (bb) ondergeskikte kleinhandelsfasiliteit vir toeriste of besoekers.

2. Toepassing van die Verordening

Hierdie verordening is van toepassing op alle –

- (a) gelisensieerdes wat aansoek doen en/of gelisensieer is om drank te verkoop ingevolge die Wet of enige ander toepaslike wetgewing;
- (b) lisensies wat hernieu is ingevolge die Drankwet, 1989 (Wet 27 van 1989), binne die jurisdiksie van die munisipaliteit.

3. Prosedures

- (1) 'n Aansoeker wat om 'n dranklisensie by die Owerheid wil aansoek doen, moet 'n soneringstifikaat by die munisipaliteit bekom en die handelsure wat van toepassing is.
- (2) Die aansoeker moet die toestemmings verkry in (1) hierbo ingevolge artikel 36 van die Wet en indien by die Owerheid saam met 'n aansoek om 'n dranklisensie.

4. Handelsdae en -ure vir verkope en verbruik van drank op gelisensieerde persele

- (1) 'n Gelisensieerde mag op die volgende dae en binne die volgende ure drank verkoop vir verbruik op die gelisensieerde perseel:
 - (a) op enige dag van die week; en
 - (b) gedurende die handelsure soos uiteengesit in die Bylae;
- (2) Ondanks subartikel (1), mag 'n hotel of gastehuis wat gelisensieer is om drank te verkoop 'n kamerdiensfasiliteit enige tyd van die dag of nag aanbied.

5. Handelsdae en -ure vir verbruik van drank buite gelisensieerde persele

'n Gelisensieerde mag drank vir verbruik buite die gelisensieerde perseel op die volgende dae en gedurende die volgende ure verkoop:

- (a) op enige dag van die week met die uitsondering van Sondae en godsdienstige vakansiedae, tensy anders aangedui in die Bylae;
- (b) gedurende die handelsure wat in die Bylae uiteengesit word.

6. Aanstelling van gemagtigde beamptes

Die munisipaliteit mag enige beampte aanstel om die bepaling van hierdie verordening te implementeer en af te dwing.

7. Bepaling van tipe gelisensieerde perseel

Waar die definisie of beskrywing van enige gelisensieerde perseeltipe, soos weerspieël in items 1 tot 7 van die Bylae tot hierdie verordening, onseker is of moeilik bepaal kan word, mag 'n gemagtigde beampte, soos bedoel in artikel 6, die definisie daarvan bepaal ten einde die handelsure wat daarop van toepassing is, te bepaal.

8. Afdwinging

- (1) 'n Gemagtigde beampte mag, in die uitvoering van sy of haar funksies ingevolge hierdie verordening –
 - (a) op alle redelike tye –

- (i) enige gelisensieerde perseel;
 - (ii) enige perseel ten opsigte waarvan 'n aansoek ingevolge die Wes-Kaapse Drankwet, 2008, ingedien is; en
 - (iii) enige perseel waarop hy of sy redelike gronde het om te vermoed dat drank strydig met die bepalings van hierdie verordening verkoop word,
- binnegaan en sodanige ondersoek instel, navraag doen of inspeksies doen as wat hy of sy nodig mag ag.
- (2) Wanneer die gemagtigde 'n perseel ingevolge hierdie artikel binnegaan, moet hy of sy hom- of haarself aan die persoon in beheer van die perseel identifiseer.
- (3) 'n Gemagtigde beampte mag 'n nakomingskennisgewing aan die gelisensieerde of enige persoon in beheer van 'n gelisensieerde perseel bedien en 'n beroep op sodanige persoon doen om die bepalings van hierdie verordening na te kom.
- (4) 'n Nakomingskennisgewing moet die volgende stipuleer –
 - (a) die bepalings van die verordening wat nagekom moet word;
 - (b) die handeling of versuim wat op nie-nakoming neerkom;
 - (c) die stappe wat geneem moet word om die bepalings na te kom;
 - (d) die datum of tyd waarop die bepalings nagekom moet word, waar van toepassing; en
 - (e) die moontlike gevolge van nie-nakoming.

9. Aansoek om verlengde handelsure

- (1)(a) Ondanks die handelsure soos bepaal in artikels 4 en 5, mag 'n gelisensieerde, teen betaling van die voorgeskrewe fooi, by die munisipaliteit aansoek doen om verlenging van sodanige ure.
- (b) By oorweging van die aansoek bedoel in paragraaf (a) kan die munisipaliteit –
 - (i) die insette van die betrokke wykskomitee verkry;
 - (ii) oorleg pleeg met omliggende inwoners wat geaffekteer mag word;
 - (iii) die insette van die plaaslike Gemeenskaps Polisiëringsforum verkry; of
 - (iv) die insette van enige relevante gemeenskapsorganisasie soos kerkgroepe, belastingbetalers organisasies en sakeforums verkry.

10. Jaarlikse hernuwing van lisensies

- (1) Die munisipaliteit en/of enige van die instellings of persone soos in artikel 9(1)(b) na verwys sal die reg hê om verhoë te rig teen die outomatiese hernuwing van 'n dranklisensie binne die jurisdiksiegebied van die munisipaliteit waar die gelisensieerde sedert die laaste hernuwing van sodanige lisensie, die onderwerp was van 'n klagte wat deur die munisipaliteit ontvang is.
- (2) Die Munisipale Bestuurder en/of 'n behoorlik gemagtigde verteenwoordiger van die gemeenskapsinstellings soos na verwys in artikel 9(1)(b) moet die verhoë voor 31 Oktober van die jaar voor die jaar ten opsigte waarvan die hernuwing van toepassing sal wees, skriftelik indien by die aangewese drankbeampte in wie se gebied die gelisensieerde perseel geleë is.

11. Appèl

'n Persoon of regsentiteit wie se regte deur 'n besluit van die munisipaliteit ingevolge 'n gedelegeerde gesag geraak word, mag appèl aanteken teen daardie besluit deur binne 21 dae van die datum van kennisgewing van die besluit skriftelik aan die Munisipale Bestuurder kennis te gee van die appèl en die redes daarvoor ingevolge artikel 62 van die Wet op Plaaslike Regering : Munisipale Stelselswet, Wet 32 van 2000.

12. Oortredings en boetes

- (1) 'n Gelisensieerde wat artikel 4 en 5 van hierdie verordening oortree, begaan 'n oortreding.
- (2) 'n Persoon wat die uitvoering van 'n gemagtigde beampte se pligte verhinder of belemmer, begaan 'n oortreding.
- (3) Enige persoon wat die bepalinge van hierdie verordening oortree, sal by skuldigbevinding blootgestel wees aan –
 - (a) 'n boete of gevangenisstraf, of aan òf sodanige boete òf gevangenisstraf, of aan sodanige boete sowel as sodanige gevangenisstraf soos bepaal deur die Landdros;
 - (b) in die geval van 'n voortgaande oortreding, aan 'n addisionele boete of aan 'n addisionele tydperk van gevangenisstraf of aan sodanige addisionele boete en gevangenisstraf sonder die opsie van 'n boete, of aan sodanige addisionele boete en gevangenisstraf vir elke dag waarop sodanige oortreding voortgaan; en
 - (c) 'n verdere bedrag gelyk aan enige kostes en uitgawes wat volgens die hof as gevolg van sodanige oortreding of versuim deur die munisipaliteit aangegaan is.

13. Kort titel en inwerkingtreding

Hierdie verordening word die Bergrivier Munisipaliteit se Verordening insake Drankhandelsdae en –ure genoem en tree in werking op die datum waarop dit in die Provinsiale Koerant gepubliseer word.

BYLAE

Handelsure op gelisensieerde persele

Liggingskategorie (met aard van grondgebruik oorwegend soos hieronder aangedui) en tipes gelisensieerde persele	Toegelate maksimum handelsure	
	Binneverbruik	Buiteverbruik
1. Residensiële gebiede (insluitend enkel, algemeen en informele residensiële gebiede)		
Regtensvergunde bed-en-ontbyt-ondernemings/gastehuse (dit wil sê sonder dat enige afsonderlike sonerings-goedkeuring nodig is)	09:00 – 23:00	
Bed-en-ontbyt-ondernemings/gastehuse/oornagplekke vir rugsakreisigers (hetsy fasiliteite vir konferensies/geleenthede/funksies ingesluit is of nie)		
Kroeg/drinkplek/taverne/restaurant		
Sjebeen		
Nagklub/karaoke-kroeg/vermaaklikheidslokaal/teaters		
Sport- en gemeenskapsklubs/diensklubs/nutsbedryfsfasiliteite/gemeenskapsentrums (met uitsluiting van spesiale geleenthede en tydelike lisensies)		
Hotel	09:00 – 23:00	
2. Plaaslike of buurtsakegebiede (insluitend gemengde gebruiksareas bestaande uit enkel, residensiël sone 1 tot 6, algemeen, spesiale, informeel residensiël afgewissel met sakegebruike)		
Bed-en-ontbyt-ondernemings/gastehuse/oornagplekke vir rugsakreisigers (hetsy fasiliteite vir konferensies/geleenthede/funksies ingesluit is of nie)	09:00 – 24:00	
Kroeg/drinkplek/taverne/restaurant		
Sjebeen		
Nagklub/karaoke-kroeg/vermaaklikheidslokaal/teaters	09:00 – 24:00	
Sport- en gemeenskapsklubs/diensklubs/nutsbedryfsfasiliteite/gemeenskapsentrums (met uitsluiting van spesiale geleenthede/tydelike lisensies)		
Hotel		
Oord	09:00 – 24:00	
Drankwinkel/bottelstoor/wynwinkel/kleinhandelvoedselwinkels		09:00 – 20:00 (Maan – Vry) 09:00 – 17:00 (Saterdag)
3. Algemene sakegebiede (byvoorbeeld gebiede wat vir algemene sake gesoneer is (sentrale besigheidsareas) of enige ander ekwivalente sonering)		
Bed-en-ontbyt-ondernemings/gastehuse/hotelle/oornagplekke vir rugsakreisigers (hetsy fasiliteite vir konferensies/geleenthede/funksies ingesluit is of nie)	Son – Don : 09:00 – 24:00 Vry en Sat : 09:00 – 02:00 volgende dag	
Kroeg/drinkplek/taverne/restaurant		
Sjebeen		
Nagklub/karaoke-kroeg/vermaaklikheidslokaal/teaters		
Sport- en gemeenskapsklub/diensklubs/nutsbedryfsfasiliteite/gemeenskapsentrums (met uitsluiting van spesiale geleenthede/tydelike lisensies)		
Drankwinkel/bottelstoor/wynwinkel/kleinhandelvoedselwinkel		09:00 – 20:00 (Maan – Vry) 09:00 – 17:00 (Saterdag)
Oord	09:00 – 24:00	

4. Industriële gebiede (byvoorbeeld gebiede wat vir algemeen-industriële gebruik gesoneer is of enige ander ekwivalente sonering)		
Kroeg/drinkplek/taverne/restaurant	Son – Don : 09:00 – 24:00 Vry en Sat : 09:00 – 02:00 volgende dag	
Sjebeen		
Nagklub/karaoke-kroeg/vermaaklikheids- of onthaalplek/Teater		
Sport- en gemeenskapsklubs/diensklubs/nutsbedryfsfasiliteit/gemeenskapsentrums (met uitsluiting van spesiale geleenthede/tydelike lisensies)		
Drankwinkel/bottelstoor/wynwinkels		
Oord	09:00 – 24:00	09:00 – 20:00 (Maan – Vry) 09:00 – 17:00 (Saterdag)
Wynmakery	09:00 – 02:00	09:00 – 20:00 (Maan – Vry) 09:00 – 17:00 (Saterdag)
5. Landbougebiede (byvoorbeeld gebiede wat vir landbou gesoneer is met enige ander ekwivalente sonering)		
Gaste-akkommodasie (hetsy fasiliteite vir konferensies/geleenthede/funksies ingesluit is of nie)	09:00 – 02:00	
Kroeg/drinkplek/taverne/restaurant		
Sjebeen		
Nagklub/karaoke-kroeg/vermaaklikheidsplek/teaters		
Sport- en gemeenskapsklubs/diensklubs/nutsbedryfsfasiliteite/gemeenskapsentrums (met uitsluiting van spesiale geleenthede/tydelike lisensies)		
Hotel	09:00 – 02:00	
Oord	09:00 – 02:00	
Wynmakery	09:00 – 02:00	09:00 – 20:00 (Maan – Vry) 09:00 – 17:00 (Saterdag)
6. Kleinhoewe of landelike gebied		
Gaste-akkommodasie (hetsy fasiliteite vir konferensies/geleenthede/funksies ingesluit is of nie)	09:00 – 02:00	
Kroeg/drinkplek/taverne/restaurant		
Sjebeen		
Nagklub/karaoke-kroeg/vermaaklikheidsplek/teaters		
Sport- en gemeenskapsklubs/diensklubs/nutsbedryfsfasiliteite/gemeenskapsentrums (met uitsluiting van spesiale geleenthede/tydelike lisensies)		
Oord	09:00 – 24:00	
Wynmakery	09:00 – 02:00	09:00 – 20:00 (Maan – Vry) 09:00 – 17:00 (Saterdag)
7. Ander liggings		
Voertuie of mobiele ondernemings wat vir toeriste-, vermaaklikheids- of ontspanningsdoeleindes gebruik word, soos per definisie van “persele” in artikel 1, buiten waar die munisipaliteit anders bepaal	09:00 – 24:00	
8. Spesiale geleenthede of persele met tydelike lisensies	Soos bepaal deur geleentheidspermit ingevolge Artikel 48 van die Wet	

Nota: Bepaling van toepaslike liggingskategorie

Waar die liggingskategorie, soos hierbo uiteengesit, onduidelik is of indien daar 'n dispuut daaroor is of indien dit moeilik is om te bepaal, of indien gebiede nie homogeen gesoneer is nie (bvvoorbeeld 'n perseel wat vir sakedoeleindes gesoneer is in die middel van 'n residensiële gebied), sal die werklike sonering, toestemming of afwykingsgebruikregte van die gelisensieerde perseel voorkeur geniet vir die bepaling van die kategorie.

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CONTENTS—(Continued)	Page	INHOUD—(Vervolg)	Bladsy
City of Cape Town Municipality (Table Bay District): Removal of restriction.....	705	Stad Kaapstad Munisipaliteit (Tafelbaai-distrik): Opheffing van beperking	705
Drakenstein Municipality: Consent use	706	Drakenstein Munisipaliteit: Vergunningsgebruik	706
Drakenstein Municipality: Rezoning and consent use.....	707	Drakenstein Munisipaliteit: Hersoneringsgebruik	707
Drakenstein Municipality: Rezoning, departure and consolidation.....	708	Drakenstein Munisipaliteit: Hersoneringsgebruik, afwyking en konsolidasie.....	708
George Municipality: Removal of restrictions and consent use	709	George Munisipaliteit: Opheffing van beperkings en vergunningsgebruik	709
Overstrand Municipality: Removal of restrictions, departure and encroachment	710	Overstrand Munisipaliteit: Opheffing van beperkings, afwyking en oorskryding	710
Overstrand Municipality: Departure	707	Overstrand Munisipaliteit: Afwyking	707
Overstrand Municipality: Public notice calling for inspection of supplementary valuation roll and lodging of objections	752	Overstrand Munisipaliteit: Kennisgewing van uitnodiging vir inspeksie van die aanvullende waardasielyste en indien van besware	753
Swartland Municipality: Rezoning and departure	708	Swartland Munisipaliteit: Hersoneringsgebruik	708
Swartland Municipality: Departure.....	709	Swartland Munisipaliteit: Afwyking.....	709
Swartland Municipality: Subdivision.....	712	Swartland Munisipaliteit: Onderverdeling.....	712
Swartland Municipality: Subdivision, rezoning and consolidation.....	711	Swartland Munisipaliteit: Onderverdeling, hersoneringsgebruik en konsolidasie.....	711
Theewaterskloof Municipality: Rezoning.....	712	Theewaterskloof Munisipaliteit: Hersoneringsgebruik.....	712
Theewaterskloof Municipality: Consent use	712	Theewaterskloof Munisipaliteit: Vergunningsgebruik	712
Theewaterskloof Municipality: Temporary departure	713	Theewaterskloof Munisipaliteit: Tydelike afwyking	713