CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

INGCACISO NEZIKHOKELO NGOKUMALUNGA NENKQUBO ENGOBONELELO NGEZIMVO NEZIPHAKAMISO NGOKUJOLISWE KUPHENGULULO OLUZAYO LWENKQUBO ENGOLAWULO LOPHUHLISO YESIXEKO SASEKAPA

1. OKUFUNEKAYO KWINKQUBO ENGOPHENGULULO

1.1. Uluhlu olutsha locwangciso lomthetho luye lwaqulunqwa kwaye lamiselwa siSixeko saseKapa ukususela kowo 1 kweyeKhala 2015, ngale ndlela:

- UMthetho ongoLawulo loCwangciso leMihlaba engamaBala noSetyenziso loMhlaba ongunomb.16 wango2013 (SPLUMA);
- UMthetho ongoCwangciso lokuSetyenziswa koMhlaba waeNtshona Koloni ongunomb.3 wango-2014 (LUPA); kwakhona
- UMthetho kaMasipala weSixeko saseKapa ongezoCwangciso wango2015 (MPBL) (I MPBL yathi yaphunyezwa liBhunga ngowama 25 kweyoKwindla 2015 nezilungiso zexeshana zaye zaphunyezwa liBhunga ngowama26 kuCanzibe 2016 nowama26 kweyeDwarha 2016 nowama29 kweyoKwindla 2017) (iMPBL iquka iNkqubo yoLawulo loPhuhliso yeSixeko saseKapa (DMS) njengeShedyuli 3).

1.2. ICandelo 27 leMPBL lithetha ukuba ubuncikane rhoqo kwiminyaka emihlanu emva kokuba kuqaliswe uMthetho kaMasipala weSixeko saseKapa ongezoCwangciso wango2015 (MPBL), kufuneka kuphengululwe iNkqubo engoLawulo loPhuhliso yeSixeko saseKapa (DMS);

"Uphengululo lwenkqubo engolawulo lophuhliso

UMphathi weSixeko kufuneka, ubuncinane, rhoqo kwiminyaka emihlanu emva kokuba kuqalise lo Mthetho kaMasipala, aphengulule inkqubo yolawulo lophuhliso.
UMphathi weSixeko kufuneka anikezele ngesaziso koonondaba, ngokungqinelana necandelo 21 loMthetho ongeeNkqubo zikaMasipala, ngokumalunga nenjongo yeSixeko yokuphengulula inkqubo engolawulo lophuhliso kwakhona anike iinkcukacha zalo mntu apho kuyakuthi kungeniswe kuye umhla apho naziphina izimvo okanye iziphakamiso kufuneke zithathelwe ingqalelo, zingeniswe khona.
Umphathi weSixeko kufuneka angenise ingxelo engophengululo ejoliswe kwiBhunga likaMasipala, equlunqwe kwisithuba eso sophengululo, ubuncikane -

Iziphakamiso zezilungiso kwinkqubo yolawulo lophuhliso kuquka isiphakamiso seezowuni ezingumqukumbelo, ezijoliswe kulungelelaniso lwenkqubo yolawulo lophuhliso ekunye nesakheko sophuhliso lomhlaba ongamabala kamasipala;

Inani leziphambuko ukususela kwisakheko sophuhliso lemihlaba engamabala kamasipala nobume kunye nezizathu zophambuko ngalunye;

Impendulo kwizimvo ezifunyenwe ngenxa yesaziso esibhengezwe koonondaba, ngokungqinelana necandelwana (2).

Ukuba iBhunga likaMasipala liphumeza izindululo kwingxelo engophengululo, iSixeko kufuneka siqalise inkqubo yokulungisa inkqubo engolawulo lophuhliso, ngokufanelekileyo.
Isixeko kufuneka sipthobele imimiselo yecandelo 27 loMthetho ongoCwangciso lokuSetyenziswa koMhlaba ngaphambi kokuba kumiselwe naluphina ulungiso kwinkqubo engolawulo lophuhliso.
Uphengululo olubonakaliswe ngokweli candelo, alufuneki ngokumalunga nezilungiso zexeshana kwinkqubo engolawulo lophuhliso."

2. INJONGO NESIQULATHO SENKQUBO ENGOLAWULO LOPHUHLISO

2.1. IDMS apho iyishedyuli yeMPBL, ijolise kuyo yonke imihlaba ephantsi kolawulo lommandla weSixeko, kuquka umhlaba olawulwa nguRhulumente.

2.2. Iyunithi nganye yomhlaba kwiSixeko inezowuni kwaye iDMS ithi, phakathi kweizinye izinto, ukusetyenziswa komhlaba nemigaqo yophuhliso kuzo zonke iizowuni, kuthetha injongo apho umhlaba ungasetyenziswa okanye ungasetyenziswa ngokusemthethweni nemimiselo, izithintelo okanye imiqathango apho ithi iqulunqe umlinganiselo wosetyenziso lomhlaba ngokungqinelana nokuzowunwa kwawo.

2.3. Kwakhona ibonelela ngeenkcazelo ezifanelekileyo, utoliko, imimiselo ngokuthe gabalala nozowuno olungumqukumbelo apho lungajolisa kwiiyunithi zomhlaba.

2.4. IDMS yahlulwahlulwe ngolu hobo:

2.4.1. Isahluko 1 sijongene nazo zonke iinkcazelo notoliko olujoliswe kwiDMS, umzekelo ithi ichaze okuqulathwe yikliniki apho ilusetyenziso oluvunyelwe kwizowuni ethile:

'ikliniki' ithetha indawo yokuxilongela nonyango lwezifo zabantu okanye ukuphuculwa kwempilo yoluntu, apho ithi ibenezixhobo zoncedo ezishokoxekileyo kwaye iye igxile ukwamkela izigulana ezingazukulala, ngaphandle kokuba ikliniki leyo isenokuquatha izixhobo zokulala ezingekho ngaphazuu kwabantu abangamashumi amabini kuquka izigulana nabasebenzi; kwakhona ikliniki ingaquka amagumbi okuxilongela, igumbi loqhaqho, iziko lokwamkela izigulana ezingazukulala neendawo ezilincedisayo;

Iinkcazelo notoliko lubaluleke kakhulu ukuqinisekisa ukuba akukho kungaqondakali ngokwenjongo yomthetho.

2.4.2. Isahluko 2 sicacisa isicelo nemiqathango engokuphunyezwa apho ijolise kwimigaqo engophuhliso ngokujoliswe kwimvume ephunyeziweyo yosetyenziso.

2.4.3. Isahluko 3 sicacisa ukuzowuna, uzowuno olungeneno nosetyenziso apho ipropati leyo inesetyenziselwa yona. Siye siigqithele kusetyenziso lokuqala, kumalungelo awongeziweyo osetyenziso nosetyenziso oluncedisayo, lonke usetyenziso apho oluvumelekileyo njengelungelo kuzowuno. Kwakhona sithi sigqithele kusetyenziso apho luvumelekileyo kuphela kunye nesiphumezo seSixeko – umzekelo usetyenziso ngemvume, usetyenziso ngamaxesha athile nosetyenziso olulodwa. Okokugqibela, sithi sijongane nozowuno lwengqiqo okanye uzowuno oluqiqiweyo.

2.4.4. Kuzowuno ngalunye iye idwelise usetyenziso olufumanekayo kolo zowuno, isenokuba lusetyenziso olusisiseko, ilungelo losetyenziso olongeziweyo okanye imvume yosetyenziso. Kwakhona ithi icacise imigaqo yophuhliso ejoliswe kolo setyenziso apho umzekelo ingaquka imigaqo emalunga nemimiselo yobiyelo, umlinganiselo wobude ofanelekileyo nemida esusela kwisakhiwo efanelekileyo, phakathi kweminye imigaqo. Izizo zonke ziizowuni ezingama 23. Ezinye kuzo zikwanezowuni ezingaphantsi kwazo apho usetyenziso lomhlaba oluvumlekileyo luhlala lulunye nelezowuni ephambili kodwa imigaqo yona yophuhliso ayifani enjengommandla ongumgangatho ovumelekileyo okanye ubude.

2.4.5. Isahluko 14 sona siqulathe imimiselo ngokuthe gabala, okuthethwa yimimiselo apho ingafaneleka kulo lonke usetyenziso nozowuno umzekelo imimiselo yonyenyiso lomda osembindini wesitrato, imimiselo yokuskrinwa nemimiselo engesakhiwo esiphumela ngaphandle nomda wodonga, naphakathi kweminye imigaqo.

2.4.6. Isahluko 15 sibonelela ngokupakwa kwezithuthi, imimiselo engokothulwa kwemithwalo neyezakheko ezingundoqo, okumalunga nalo lonke uzowuno nosetyenziso.

2.4.7. Isahluko 16 sijongene nolwahlulwahlulo oluthile lobonelelo ngomhlaba.

2.4.8. Izahluko 17 ukuya kuma 20 zithi zidwelise kwaye zicacise lonke usetyenziso, imigaqo nemimiselo emalunga nozowuni lemiqukumbelo apho lungajoliswe kwimimandla ethile nakwiiyunithi zomhlaba. Uzowni olungumqukumbelo luthetha uzowuno olongezeleke kuzowuno olusisiseko lweyunithi yomhlaba, kudandalaziswa injongo apho loo mhlaba ungasetyenziselwa khona nemigaqo engophuhliso apho ingangaphezulu okanye ngeneno kuthintelo ukodlula imigaqo engophuhliso lozowuno olusisiseko.

3. IZIKHOKELO EZINGOKUVAKALISA ULUVO NEZIPHAKAMISO KUPHENGULULO LWE DMS

3.1. Kuye kukhuthazwe izimvo neziphakamiso ngokujoliswe kuphuculo nokuhlaziywa komxholo kwiDMS ecaciswe ku2.4.1 – 2.4.8. Umzekelo, ukuphuculwa kweenkcazelo, ukwandisa okanye ukucutha ibhaskithi yamalungelo kuzowuni oluthile, ukulungelelanisa imigaqo yophuhliso ukuze ilungelelane nobume bakalokunje, usetyenziso olutsha olufunekayo, uyilo lwedolophu, usetyenziso lomhlaba ngeyona ndlela ilungileyo, imimiselo yokupaka izithuthi ephuculweyo nezinye.

3.2. Izizathu ezivakalayo ekufaneleke zigcinwe ngokwengqiqo ukuxhasa iziphakamiso okanye izimvo zingaquko kodwa kungekho ngeneno: ekucutheni iindleko (ixesha nemali) ngokujoliswe kuthobelo lomthetho; ukuhlaziywa kophuhliso ngendlela egqibeleleyo, ulungelelwaniso nemozulu nobume bolwakhiwo oluluqilima, ukudalwa kwemigaqo yocwangciso ebandakanyayo neendlela zokusebenza kwakhona kulungelelwaniswe kwaye kushwankathelwe iDMS.

3.3. Izimvo okanye iziphakamiso akufunekanga ukuba zingquzulane nemigaqonkqubo yeBhunga ephunyeziweyo, izicwangciso, izicwangciso buchule neSicwangciso soPhuhliso ngokuHlangeneyo.

3.4. Izimvo okanye iziphakamiso kufuneka zibonelele ngengcaciso eyaneleyo ukuze idandalazise imfuneko yotshintsho, kwaye iziphakamiso apho kufanelekileyo kufuneka zibenesiphakamiso esithile sesilungiso kwinkcazelo okanye kumgaqo wophuhliso.

Umzekelo, ukutshintshwa kommiselo ovumelekileyo wobude kuzowuno lweSR1 ukususela kuXm ukuya kuYM ngokwezi zizathu zilandelayo: Izizathu okanye isizathu

3.5. Inkqubo ezayo engophengululo ayinakutshintsha uzowuno lwayo nayiphina iyunithi yomhlaba weSixeko.

3.6. Nangona amakhwelo angomthetho ukuba kuvakaliswe izimvo neziphakamiso ngokumalunga nophengululo lweDMS, izimvo neziphakamiso zisenokuthathelwa ingqalelo ukuba kufanelekile.

3.7. Oku kungentla akuthinteli nangayo nayiphina indlela naziphina izimvo okanye iziphakamiso ezingangeniswa.

4. INKQUBO EMVA KOKUBA KUQUKUNJELWE INKQUBO ENGOVAKALISO LWEZIMVO NEZIPHAKAMISO

4.1. Emva kokuba zonke izimvo neziphakamiso zithe zaphengululwa kwaye zahlolwa siSixeko, ingxelo engophengululo iyakuthi ingeniswe kwiBhunga apho phakathi kwezinye izinto, iimpendulo kwizimvo neziphakamiso ezithe zafunyanwa. IBhunga liyakuthi lenze isindululo apho ezo zimvo neziphakamiso ziyakuthi ngokusesikweni zigqithiselwe kwenye inkqubo yentathonxaxheba yoluntu apho iyakuthi iqhutywe emva kokuba kuye kwalungiswa umthetho kamasipala olungisiweyo oluyilo.

5. INGCACISO ETHE XHAXHE NEMIBUZO

5.1. Ezinye iinkcukacha ngokumalunga nenkqubo yophengululo, ziyafumaneka kweli khonkco (ilinki) elandelayo: www.capetown.gov.za/haveyoursay

5.2. Izimvo neziphakamiso ngokujoliswe kuphengululo oluzayo, zingangeniswa ngeimeyile ku S De Jager: kwa lums@capetown.gov.za okanye www.capetown.gov.za/haveyoursay

5.3. Eminye imibuzo ingajoliswa kuSchalk de Jager kwa schalk.dejager@capetown.gov.za