



PROVINCE OF THE EASTERN CAPE  
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PROVINSIE OOS-KAAP

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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**

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**PROVINCIAL NOTICE 144 OF 2020****Municipality of Nelson Mandela Bay (EASTERN CAPE)**

REMOVAL OF RESTRICTIONS in terms of the Spatial Planning and Land Use Management Act, 2013 (ACT 16 OF 2013)

**ERF 5973, UITENHAGE, EASTERN CAPE**

Under Section 47 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and upon instructions by the Local Authority, a notice is hereby given that conditions 2.(e)(b), (c), (d) on page 4 as contained in Deed of Transfer No. T63005/2007 applicable to Erf 5973, Uitenhage are hereby removed.

**PROVINCIAL NOTICE 145 OF 2020****GAZETTE NOTIFICATION OF REMOVAL OF RESTRICTIONS DECISION****NDLAMBE MINICIPALITY****REMOVAL OF RESTRICTIVE CONDITION: PORTION 13 OF THE FARM 230 SOUTHSEAS, BATHURST  
RURAL****NDLAMBE MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW; 2015**

Notice is hereby given that the Municipal Planning Tribunal on the 19<sup>th</sup> of August 2020, Removed condition C as contained in Title Deed No. T000018427/2013 in terms of Section 69 of the Ndlambe Municipality Spatial Planning and Land Use Management By-law; 2015.

**NOTICE NUMBER: 253/2019**

**ADV. R DUMEZWENI  
MUNICIPAL MANAGER**

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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**

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**LOCAL AUTHORITY NOTICE 174 OF 2020****DRAFT LOCAL SPATIAL DEVELOPMENT FRAMEWORK FOR  
THE SETTLERSWAY LOCATED IN THE BUFFALO CITY  
METROPOLITAN MUNICIPALITY**

Notice is hereby given in terms of Section 20 (3)(a) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (hereinafter referred to as SPLUMA), declaring the completion of the Draft Local Spatial Development Framework for Settlersway located within the Buffalo City Metropolitan Municipality (BCMM).

The main objective of the project is to investigate and formulate proposals for future development within the Greenfields / Sunnyridge area within the BCMM. This Local SDF also details the strategies and implementation mechanisms for the project in written up in a manner that includes those components as contemplated in section 21 of SPLUMA.

This Local Spatial Development Framework prepared by the Buffalo City Metropolitan Municipality seeks public comment and input.

Copies of the Draft LSDF will lie open for inspection during normal office hours for 60 days from date of publication of this notice at First Floor BCMM Engineering Building at the corner of Oxford and Caxton Street.

Any comment/representation/objection in respect of the Draft SDF may be submitted in writing for the attention of Mr. Raymond Foster at the BCMM Offices at the above address by hand or by e- mail at raymondf@buffalocity.gov.za, within 60 days from date of publication of this notice. Any enquiries may also be directed to the above persons.

**Ms. Mbali-Majeng**

**HOD SPATIAL PLANNING AND DEVELOPMENT**

**LOCAL AUTHORITY NOTICE 175 OF 2020**  
**DRAFT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK**  
**FOR THE BUFFALO CITY METROPOLITAN MUNICIPALITY**

Notice is hereby given in terms of Section 20(3)(a) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (hereinafter referred to as SPLUMA), declaring the completion of the Draft, Municipal Spatial Development Framework for the Buffalo City Metropolitan Municipality (BCMM).

This review of the BCMM SDF would replace the current 2013 version. The SDF details the spatial policies, strategies and implementation mechanisms that may or may not have been carried over from previous SDFs, as well as those that have been amended or added. It also includes those components as contemplated in section 21 of SPLUMA.

As a result of the review, the Buffalo City Metropolitan Municipality has developed a Draft SDF on which public comment is being sought.

Copies of the Draft SDF will lie open for inspection during normal office hours for 60 days from date of publication of this notice at the BCMM Engineering Building at the Corner of Caxton and Oxford Street, East London.

Any comment/representation/objection in respect of the Draft SDF may be submitted in writing for the attention of **Mr. Raymond Foster at the BCMM Offices at the above address by hand or by e-mail at [raymondf@buffalocity.gov.za](mailto:raymondf@buffalocity.gov.za)**, within 60 days from date of publication of this notice. Any enquiries may also be directed to the above persons.

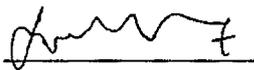
**Ms. Mbali-Majeng**

**HOD SPATIAL PLANNING AND DEVELOPMENT**

LOCAL AUTHORITY NOTICE 176 OF 2020  
**PROVINCE OF THE EASTERN CAPE**

**A FORENSIC INVESTIGATION INTO ALLEGATIONS OF FRAUD, CORRUPTION,  
MALADMINISTRATION, FRUITLESS AND WASTEFUL EXPENDITURE AND  
IRREGULAR EXPENDITURE AT AMATHOLE DISTRICT MUNICIPALITY**

I, **Xolile Nqatha**, in terms of section 106(1)(b) of the Local Government: Municipal Systems Act, 2000 (Act No.32 of 2000), hereby designate **Open Water Risk Solutions** ("the investigator") to investigate allegations of fraud, corruption, maladministration, fruitless and wasteful expenditure and irregular expenditure at Amathole District Municipality with the terms of reference in the Schedule attached hereto



**XOLILE NQATHA**

**MEMBER OF EXECUTIVE COUNCIL  
COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**DATE: 17 / 08 / 2020**

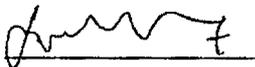
**SCHEDULE****TERMS OF REFERENCE****A FORENSIC INVESTIGATION INTO ALLEGATIONS OF FRAUD, CORRUPTION, MALADMINISTRATION, FRUITLESS AND WASTEFUL EXPENDITURE AND IRREGULAR EXPENDITURE AT AMATHOLE DISTRICT MUNICIPALITY**

1. The investigator, **Open Water Risk Solution cc** is hereby appointed in terms of section 106 (1)(b) of the Local Government: Municipal Systems Act, 2000. The investigator is appointed to conduct a forensic investigation into allegations of fraud, corruption, maladministration, fruitless and wasteful expenditure and irregular expenditure at Amathole District Municipality. The investigator shall:
  - 1.1. investigate any matters in relation to the procurement processes of the Municipality within the year 2018 till date, by ascertaining the process that was followed from Bid Specification, Bid Evaluation until Bid Adjudication thereof during the specified process. The investigator should focus on Committees, etc.
  - 1.2. investigate the establishment of a selection committee (outside of the Legislative Framework) that has seem to override the procurement process committees like Bid Specification, Bid Evaluation and Bid Adjudication Committees respectively.
  - 1.3. investigate the procurement plan, budgets and the actual tenders that were advertised, processes for filling such tenders and delivery as per specifications.
  - 1.4. investigate all projects in relation to plant hire, water tankers and ablution and sanitation.
  - 1.5. investigate all emergency procurements done due to strike by ascertaining the processes followed for appointment etc.
  - 1.6. investigate all appointments in relation to security services of the Municipality, and the processes followed while outsourcing services.

- 1.7. verify of all deviations done by the Municipality to outsource services and goods, to ensure they were in line with the Treasury prescripts.
- 1.8. investigate all goods and services acquired using Regulation 32, if they were in line with the requirements as set within the MFMA.
- 1.9. verify any form of Nepotism and Favouritism and processes followed in awarding two tenders in relation to Amathole District Municipality Economic Development and Growth Strategy. This includes the consultancy services thereof and its sector plans.
- 1.10. investigate the profile of all the Service Providers used to verify if there are any links with the Municipality, its staff and political office.
- 1.11. verify the authenticity of the Training Companies used by the Municipality during the period stipulated, the registrations with the accreditation bodies, unit standards and certification.
- 1.12. investigate Fruitless and Wasteful Expenditure incurred by the Municipality during the period for suspending employees with pay at Mnquma.
- 1.13. investigate allegations of illegal salary increment of Directors and Municipal Manager without any Council resolution and approval by the MEC of COGTA.
- 1.14. investigate allegations of abusing of the Municipal resources by the Municipal Manager, i.e. staying in Hemmingway's Hotel for a number of years and use of Protectors while there was no eminent threat and or danger.
- 1.15. investigate possible disregarding of the collective Agreement and Bargaining Council salary increment by the Director Corporate Services and the MM which can lead to unnecessary back pays with interest (wasteful and fruitless expenditure)
- 1.16. investigate continuous outsourcing of unrequired skills while the Municipality has capacity, like Job Evaluations etc.

- 1.17. investigate allegations of favouritism and flouting of Recruitment policy in placing certain Directors and extending the contracts without following the processes as set by the policies of ADM.
- 1.18. Interview all the relevant parties, possible suspects as displayed in the complainant letter and witnesses as well.
- 1.19. Obtain and review all the payment vouchers for payments made to suppliers and / or sub-contractors and identify irregularities, if any, determine the extent of unauthorized, irregular and fruitless and wasteful expenditure.
- 1.20. investigate any matters in relation to the procurement processes of the Municipality within the year 2018 till date, by ascertaining the process that was followed from Bid Specification, Bid Evaluation until Bid Adjudication thereof during the specified process. The investigator should focus on Committees, etc.
- 1.21. investigate the establishment of a selection committee (outside of the Legislative Framework) that has seem to override the procurement process committees like Bid Specification, Bid Evaluation and Bid Adjudication Committees respectively.
- 1.22. investigate all projects in relation to plant hire, water tankers and ablution and sanitation.
- 1.23. investigate all emergency procurements done due to strike by ascertaining the processes followed for appointment etc.
- 1.24. investigate all appointments in relation to security services of the Municipality, and the processes followed while outsourcing services.
- 1.25. verify of all deviations done by the Municipality to outsource services and goods, to ensure they were in line with the Treasury prescripts.
- 1.26. investigate all goods and services acquired using Regulation 32, if they were in line with the requirements as set within the MFMA.

- 1.27. verify any form of Nepotism and Favouritism and processes followed in awarding two tenders in relation to Amathole District Municipality Economic Development and Growth Strategy. This includes the consultancy services thereof and its sector plans.
  - 1.28. verify the authenticity of the Training Companies used by the Municipality during the period stipulated, the registrations with the accreditation bodies, unit standards and certification.
  - 1.29. investigate allegations of illegal salary increment of Directors and Municipal Manager without any Council resolution and approval by the MEC of COGTA.
  - 1.30. investigate allegations of favouritism and flouting of Recruitment policy in placing certain Directors and extending the contracts without following the processes as set by the policies of ADM.
  - 1.31. Obtain and review all the payment vouchers for payments made to suppliers and / or sub-contractors and identify irregularities, if any, determine the extent of unauthorized, irregular and fruitless and wasteful expenditure.
2. The municipality will be required to cooperate fully with the investigation.
  3. The provisions of section 2,3,4,5 and 6 of the Commissions Act, 1947 (Act 8 of 1947), and the regulations made in terms of that Act apply, with the necessary changes as the context may require.
  4. The investigator must submit a written report to the MEC within 14 days of approval of Terms of Reference, which is to indicate the progress and or findings of the Preliminary Investigation together with a Recommendation.



**XOLILE NQATHA**

**MEMBER OF EXECUTIVE COUNCIL**

**COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**DATE: 17 / 08 / 2020**