



**RAYMOND
MHLABA**
MUNICIPALITY
.....
UMANYANO KUPHILISO

ADDENDUM

ORDINARY EXCO MEETING

DATE: 18 MARCH 2022

TIME: 10H00

VENUE: MAYOR'S BOARDROOM, ALICE



**RAYMOND
MHLABA**
MUNICIPALITY

Hhantsoho ephelile

NOTICE OF THE MEETING

ADDENDUM NOTICE IS HEREBY GIVEN THAT AN ORDINARY EXECUTIVE COMMITTEE MEETING OF RAYMOND MHLABA LOCAL MUNICIPALITY WILL BE HELD ON FRIDAY, THE 18TH MARCH 2022 AT 10H00 IN THE MAYOR'S BOARDROOM, ALICE

CLLR. ZM. RASMENI
CHAIRPERSON:
EXECUTIVE COMMITTEE

16/03/22
DATE

ITEM 47/2022

STATUS REPORT – PROJECT MANAGEMENT UNIT (PMU)

Author: Project Manager: A. Tunce
Director: Engineering Services: February 2022
Management: February 2022
Stg Comms: March 2022
Exco: March 2022
Council: March 2022

1. PURPOSE

To report to EXCO to NOTE the progress achieved by the Project Management Unit (PMU) department in executing its responsibilities for the 2nd Quarter of the 2021/22 Financial Year.

2. LEGAL FRAMEWORK BACKGROUND

- Local Government: Municipal Systems Act 32 of 2000 as Amended
- Local Government: Municipal Financial Management Act 56 of 2003
- Division of Revenue Act

3. BACKGROUND

The Project Management Unit (PMU) is responsible for the implementation and monitoring of all Municipal Infrastructure Grant (MIG) funded projects. The MIG programme is part of government's overall strategic programmes to eradicate poverty and create conditions for local economic development. It is aimed at maximising opportunities for employment creation and enterprise development. The programme is demand-driven, and service delivery is decentralized to municipalities. Municipalities play a central role in coordinating development activity and the delivery of municipal infrastructure in their jurisdictions

4. FINANCIAL IMPLICATIONS

None

5. ANNEXURES

Annexure 1 – Project Management Unit Report

6. RECOMMENDATIONS

The Standing Committee **RECOMMENDED** that:

- (a) EXCO recommends to Council to note the report.

ANNEXURE 1

PROJECT MANAGEMENT UNIT REPORT

1. Background

There are 15 projects approved in the 2021/22 Financial Year and they are spread throughout the municipality. There are 8 multi- year projects and 7 once-off projects being implemented as approved by Council. The challenges on the programme can be summed up as the following;

- Trench transfer not paid on time as per DoRa which causing delays on project completion.
- Revised 2021/22 FY PIP not yet approved by CoGTA.
- The expenditure incurred in November 2021 not recognized by CoGTA due to PoP's not accepted by CoGTA.
- Tax non-compliance by some Service Providers leading to invoices approved by the verification team not being processed.
- Lack of resources by PMU staff i.e transport which causing poor monitoring and reporting.
- Slow performance from Service Providers which lead to termination of contracts.
- Delays in material delivery by Suppliers and Covid-19 National lockdown regulations that affected production of materials and resulted in late practical completion of projects.
- Delays in sitting of District Appraisal Committee meetings for Registration and approval of Projects due to Covid -19.

2. MIG Spending

FY	Allocation (R)	Amount Received (R)	Expenditure (R)	(%) Against transfer	Balance to be transferred (R)	(%) on the MIS against Allocation
2021/22	41,333,000	14,721,000	14,442,701.93	98%	26,612,000	12%

3. Progress of MIG 2021/2022 projects

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No	Projects	Budget (R)	Project Status	Progress %	Challenges	Remedial Actions
1	Bedford Access Road Phase 3	5,000,000	Construction	64%	Delays in delivery of materials.	Purchase materials in bulk.
2	Paving of Seymour Internal Street Phase 2	3,000,000	Practically Complete	90%	None	None
3	Installation of High mast lights in Raymond Mhlaba Townships Phase 3	5,000,000	Site establishment	2%	None	None
4	Installation of High mast lights in Raymond Mhlaba Townships Phase 2	4,528,455	Construction	95%	Delays in Eskom connection.	Engaging Eskom to speed up the connection process
5	Fort Beaufort Sport Complex Ward 21	1,800,000	Construction	79%	Protests and labour issues	Meetings held to resolve the issues.
6	Construction of Mayipase Day Care Centre	390,730	Complete	100%	None	None
7	Construction of Gqadushe Community Hall	1,355,501	Construction	85%	Slow progress on site, lack of resources	Project to be completed before end of March 2022.
8	Construction of Chris Hani Day Care Centre	465,288	Complete	100%	None	None
9	Paving & Greening of Newtown Internal Streets Phase 2	4,000,000	Construction	80%	None	None
10	Alice Driver's License Testing Centre	1,000,000	Practical Complete	100%	None	None
11	Paving of Takalani, Tyoks and Mpolweni Internal Streets Phase 3	3,500,000	Complete	100%	None	None
12	Fort Beaufort Driver's License Testing Centre	2,000,000	Practical Complete	99%	None	None
13	Paving of Jampa Street	3,000,000	Construction	42%	Slow progress on site due to SMME and labour issues	Termination notice sent to the contractor
14	Paving of Goma-Goma, Mike Valley and Kuwait Internal Streets	4,500,000	Construction	80%	None	None
15	Construction of Rhwantsana Community Hall	2,500,000	Complete	100%	None	None

ITEMS 48/2022

STATUS REPORT - EPWP REPORT

Author: EPWP Co-Ordinator: N. Mpahlwa
Director: Eng Services: February 2022
Management: February 2022
Stg Comms: March 2022
Exco: March 2022
Council: March 2022

1. PURPOSE

The purpose of this report is for EXCO to NOTE the progress achieved by the Expanded Public Works Programme (EPWP) Unit for the 2nd Quarter of the 2021/22 Financial Year. Also attached as part of this report is the Amathole Region Performance Report for information

2. LEGAL FRAMEWORK

- The Constitution of the Republic of SA as Amended (01 February 2013);
- Local Government Municipal Systems Amendment Act (Act No. 7 of 2011)
- Local Government Municipal Finance Management Act (Act No 56 of 2003).
- Division of Revenue Amendment Act (Act No 29 of 2013)
- Expanded Public Works Programme Policy

3. AUTHORITY

EPWP Recruitment Guidelines is to provide guidance in the selection of participants to be employed in the EPWP project, to eliminate any unfair and biased processes in the recruitment of beneficiaries and to provide fair, transparent, equitable and ambiguous process to be adhered to by all implementing bodies through their own developed EPWP Policies aligned with all EPWP all documents.

4. BACKGROUND

The EPWP program is a key government initiative which contributes to Government Policy Priorities in terms of decent work and sustainable livelihoods in education, health, rural development, food security & land reform and the fight against crime. The purpose of this program is to create work opportunities according to the set targets and cross all its four sectors: Infrastructure, Non-State, Environment & Culture and Social Sectors. One of the prescripts of the EPWP is to use labour intensive methods which allow the drawing significant number of participants into the program to do work and aims to provide poverty and income relief through temporary work for the unemployed to carry out socially useful activities through EPWP.

5. STRATEGIC IMPLICATIONS

- To provide poverty income relief through temporal employment opportunities for the unemployed.
- To improve skill levels through training and development.

6. HUMAN RESOURCES IMPLICATIONS

None

7. ANNUAL TARGETS

- Municipal target for jobs to be created 200
- Provincial target for jobs to be created 527

8. FINANCIAL IMPLICATIONS

EPWP Grant Allocation for the 2021/22 FY is **2,900 000.00**

9. ANNEXURES

Annexure 2 - EPWP Report

Annexure 3 - EPWP Provincial Performance Status

10. RECOMMENDATIONS

The Standing Committee **RECOMMENDED** that:

- 1) EXCO recommends to Council to note the report.

ANNEXURE 2

EPWP REPORT

1. Background

The EPWP programme is a key government initiative which contributes to Government Policy Priorities in terms of decent work and instability livelihoods on education, health, rural development, food security, land reform and the fight against crime. The purpose of this programme is to create work opportunities according to the set targets and cross all its four sectors: Infrastructure, Non-State, Environment & Culture and Social Sectors. One of the prescripts of EPWP is to use labour intensive methods which allow the drawing of a significant number of participants into the programme to do work, to reduce level of poverty and unemployment.

2. Employment

The municipality has created 654 job opportunities by the end of December 2021. The table below shows the work opportunities created for the period of three months:

PROJECT NAME	SECTOR	WORK OPPORTUNITIES	TARGET
Raymond Mhlaba Waste Management	Environment & Culture	292	218
EPWP Stormwater	Infrastructure	201	210
EPWP Internship programme	Social	161	99
Care Givers Support Proof of Address			
TOTAL		654	527

Project Allocation Per Area

NAME OF PROJECT	AREA	NO.ALLOCATED
Waste Management	Fort Beaufort	35
	Alice	35
	Middledrift	10
	Adelaide	20
	Seymour	10
	Hogsback	10
	Bedford	10
Care givers and support	Alice	45
	Fort Beaufort	15
	Balfour	10
Proof of Address	Balfour	1
	Debe Nek	1
	Fort Beaufort	1
	Hogsback	1
	Adelaide	1
Infrastructure	Fort Beaufort	15

(Stormwater)	Alice	15
	Adelaide	13
	Seymour	10

3. EPWP ALLOCATION AND EXPENDITURE 20/21 FY

The allocation for 21/22 FY is R2.900.000.
All funds allocated are exhausted.

4. ACTIVITY AREAS

The projects have been implemented in all wards across Raymond Mhlaba Municipal area

Area	Month	Number of Stormwater drainages cleaned
Bedford	October	46
	November	30
	December	14
Adelaide	October	38
	November	42
	December	28
Fort Beaufort	October	6
	November	10
	December	12
Alice	October	12
	November	26
	December	16

5. TRAINING

All caregivers were trained, and the training was conducted in all areas across Raymond Mhlaba.



REGIONAL STEERING COMMITTEE

AMATHOLE/BCMM REGIONS REPORT

19 JANUARY 2022



2021/22 PERFORMANCE STATUS

PUBLIC BODY	TARGET	ACTUAL	PERCENTAGE
AMAHLATHI	347	299	86%
AMATHOLE	2520	2471	97.9%
GREAT KEI	215	94	43.7%
MBHASHE	783	713	91%
MQUMBA	497	397	79.8%
NGQUSHWA	326	344	105.5%
RAYMOND MHLABA	527	654	124%
TOTAL	5215	4972	95%

PUBLIC BODY	TARGET	ACTUAL	PERCENTAGE
BCMM	5037	4058	80.6%

2021/22 PERFORMANCE STATUS - INFRASTRUCTURE

PUBLIC BODY	TARGET	ACTUAL
AMAHLATHI	150	160
AMATHOLE	784	1636
GREAT KEI	59	44
MBHASHE	322	26
MQUMBA	337	181
NGQUSHWA	120	35
RAYMOND MHLABA	210	201
TOTAL	1982	2283

PUBLIC BODY	TARGET	ACTUAL
BCMM	4308	4148

2021/22 PERFORMANCE STATUS - SOCIAL

PUBLIC BODY	TARGET	ACTUAL
AMAHLATHI	3	77
AMATHOLE	28	552
GREAT KEI	18	14
MBHASHE	38	49
NGQUSHWA	61	206
RAYMOND MHLABA	99	161
TOTAL	248	1059

PUBLIC BODY	TARGET	ACTUAL
BCMM	63	183

2021/22 PERFORMANCE STATUS -EAC

PUBLIC BODY	TARGET	ACTUAL
AMAHLATHI	194	62
AMATHOLE	180	283
GREAT KEI	138	36
MBHASHE	423	638
MQUMA	161	216
NGQUSHWA	145	103
RAYMOND MHLABA	218	292
TOTAL	1459	1630

PUBLIC BODY	TARGET	ACTUAL
BCMM	1287	327

ITEM 49/2022

STATUS REPORT – LAND AND HOUSING

Author: Land & Housing Officer: L. Mtyundyutho
Director: Engineering Services: February 2022
Management: February 2022
Stg Comms: March 2022
Exco: March 2022
Council: March 2022

1. PURPOSE

The purpose of this report is for EXCO to note the progress achieved by the Land and Housing Unit in executing its responsibilities for the 2nd Quarter of the 2021/22 Financial Year.

2. LEGAL FRAMEWORK

- SPLUMA Act no 16 of 2013.
- Land Reform and Settlement plan
- Land Use Planning Ordinance 15 of 1985.
- RULA and,
- Municipal Systems Act 32 of 2000.

3. AUTHORITY

- SPLUMA

4. STAFF IMPLICATION

Land and Housing Staff

5. FINANCIAL IMPLICATIONS

None

6. ANNEXURES

Annexure 4: Land and Housing Report

7. RECOMMENDATIONS

The Standing Committee **RECOMMENDED** that:

- 1) EXCO recommends to Council to note the report.

ANNEXURE 4

LAND & HOUSING REPORT

1. BUILDING CONTROL

The section helps in ensuring compliance with the applicable statutory framework, thus also ensuring coordinated development within the municipal urban areas, according to the National Building Regulations and Standards Act 103 of 1977 for every permanent structure to be erected in an urban area, building plans should be submitted for considerations by the relevant local authority.

1.1 BUILDING PLANS APPROVAL LIST.

PLAN NO.	RECEIVING DATE	REGISTERED OWNER	ERF/ FARM No.	PHYSICAL ADDRESS	BUILDING PLAN FEE (INCL VAT)	STATUS	COLLECTION DATE
RA/FBF/21/22/16	29/09/2021	Nomabhongo Koyo	568	568 Caleb Street, Fort Beaufort	R 7805.43	Approved	02/11/2021
RA/FBF/21/22/17	07/10/2021	Simpiwe Eric Lento	588	588 Ntsizana Street, Group 5, Fort Beaufort	R 2396.47	Approved	02/11/2021
RA/FBF/21/22/18	21/10/2021	Nomonde Adelaide Nkewana	3245	14 Grey Street, Fort Beaufort	R 783.63	Not Yet Approved	Still Circulating
RA/ALC/21/22/19	28/10/2021	Bulelwa Boqwana	1090	1090 Recreation Street, Alice	R 13392.01	Approved	Waiting for collection
RA/FBF/21/22/20	03/11/2021	Clemlen Investment	3868	Shop No.23, The Groove Plaza, 56 Campbell Street, Fort Beaufort.	R 3681.91	Not yet Approved	Still Circulating
RA/FBF/21/22/21	10/11/2021	Nolifi J Mdila	1108	No.8 Pedlar Street, Fort Beaufort.	R 2511.36	Approved	10/11/2021
RA/FBF/21/22/22	17/11/2021	Ntombomzi Nqandela	6442	Cathcart Street, Fort Beaufort	R 6674.51	Not Yet Approved	-
RA/FBF/21/22/23	17/11/2021	Sizwe Mfafa	1215	Nditha Street, Fort Beaufort	R 4586.76	Not Yet Approved	-
RA/FBF/21/22/24	17/11/2021	Amanda Mlenze	2115	Mlonyeni Street, Fort Beaufort	R 4678.04	Not Yet Approved	-
RA/HGB/21/22/25	22/11/2021	Ryan Brear	Farm	Stockenstrom Road, Hogsburg.	R 0.00	Not Yet Approved	Waiting for Proof of Payment
RA/FBF/21/22/26	26/11/2021	Nosisi Lufundo	1630	No.115 Durban Street, Fort Beaufort.	R 3306.77	Approved	17/01/2022

RA/FBF/21/22/2 7	09/12/2021	P.N Hermanus	550		R870.00	Approve d	18/01/2022
TOTAL INCOME FOR QUARTER 2					R 49 816.89		

ITEMS 50/2022

STATUS REPORT – CIVIL WORKS

Author: Civil Works Manager: Mr. UF Shange
Director: Engineering Services: February 2022
Management: February 2022
Stg Comms: March 2022
Exco: March 2022
Council: March 2022

1. PURPOSE

The purpose of this report is for EXCO to note the progress achieved by the Civil Works Unit in executing its responsibilities for the 2nd Quarter of the 2021/22 Financial Year.

2. LEGAL FRAMEWORK

- National Road Traffic Act (No. 93 of 1996)
- Environmental Management Act (No. 107 of 1998)
- Occupational Health and Safety Act of 1993
- Eastern Cape Roads Act (No. 3/2003) gazette No. 1027 – 5 June 2003

3. BACKGROUND

This section is dealing with maintenance of stormwater and roads in Bedford, Adelaide, Fort Beaufort and Alice as well as gravel road maintenance and painting. The objectives of this section are to ensure that municipal infrastructure assets are maintained time out and accordingly.

4. AUTHORITY

The constitution of the republic of South Africa states that a municipality must:

- (a) Structure, manage its administration, budget and planning process to give priority to basic needs of the community such as roads.
- (b) Participate in national and provincial development programs

5. PROGRESS MADE

A detailed report on the achievements of the section is attached as the Annexure 5.

6. HUMAN RESOURCE IMPLICATIONS

Civil Works Unit Employees

7. STRATEGIC IMPLICATIONS

Improves the access to amenities
Improves economic activities
Improves safety

8. FINANCIAL IMPLICATION

Maintenance Budget (Own Revenue)

9. ANNEXURES

Annexure 5 – Civil Works 2nd Quarter Report

10. RECOMMENDATIONS

The Standing Committee **RECOMMENDED** that:

- 1) EXCO recommends to Council to note the report the status of civil works.
- 2) The Finance department to expedite the procurement of material required carry out the actual work.

ANNEXURE 5

CIVIL WORKS UNIT REPORT

1. STORMWATER MAINTENANCE

1.1 Bedford

October			
No	Road Name	Number of Stormwater drain cleaned L/R	Distance (m)
1	Caledon Street	2	210
2	Circular Drive	2	170
3	Cole Street	2	210
4	Durban Street	2	210
5	Durban Street	2	210
6	Dyadyies Street	2	198
7	Dyasi Street	2	190
8	Dyasi Street	2	170
9	Ernist Nal Street	2	210
10	Hart Street	2	210
11	Hope Street	2	210
12	Hutton Street	2	210
13	Khangela Street	2	200
14	Lindani Street	2	200
15	Maitland Street	2	200
16	Masakhane Street	2	200
17	Mdeni Street	2	200
18	Mphuphu Street	2	180
19	New Castle Street	2	210
20	School Street	2	179
21	Thutyana Street	2	200
22	Van Riebeck Street	2	210
23	Zingisani Street	2	190
	Total No of Stormwater Drain Cleaned	46	

November			
No	Road Name	Number of Stormwater drain cleaned L/R	Distance (m)
1	Andrew Turpin Street	2	210
2	Cole Street	1	10
3	Domain Street	2	200
4	Donkin Street	5	60
5	Durban Street	1	10
6	Graham Street	2	200
7	Hart Street	1	10
8	Hutton Street	1	10
9	Maitland Street	1	10
10	Ntlama Street	3	30
11	Phola Park	5	60
12	Porter Street	2	210

13	Stockholm Street	2	210
14	Van Riebeeck Street	2	20
	Total No of Stormwater Drain Cleaned	30	

December			
No	Road Name	Number of Stormwater drain cleaned L/R	Distance (m)
1	Ernist Nal Street	2	20
2	Hope Street	3	30
3	Caledon Street	2	20
4	New Castle Street	1	10
5	Porter Street	4	40
6	Graham Street	2	20
	Total No of Stormwater Drain Cleaned	14	

1.2 Adelaide

October			
No	Road Name	Number of Stormwater drain cleaned L/R	Distance (m)
1	Bonaccord Street	2	149
2	Buitekant Street	2	94
3	Church Street	2	42
4	Grey Street	2	142
5	Lee Street	2	158
6	Market Square	2	83
7	Market Street	2	168
8	Marres Street	2	79
9	Pohl Street	2	126
10	Potter Street	2	53
11	Princess Street	2	173
12	Queen Street	2	6
13	Smith Street	2	56
14	Tompson Street	2	54
15	Town Hall	2	29
16	Vil Joen Street	2	130
17	Welsh Street	2	10
18	William Street	2	206
19	Winterburg Street	2	168
	Total No of Stormwater Drain Cleaned	38	

November			
No	Road Name	Number of Stormwater drain cleaned L/R	Distance (m)
1	Bonaccord Street	2	106
2	Buitekant Street	2	142
3	Church Street	2	74
4	Lee Street	2	0
5	Magaret Street	2	0
6	Magwa Street	2	0

7	Magwa Street	2	39
8	Makhenyana Street	2	120
9	Makhenyana Street	2	0
10	Market Square	2	156
11	Market Street	2	94
12	Mtati Street	2	39
13	New Area	2	49
14	Pohl Street	2	134
15	Princess Street	2	129
16	Queen Street	2	20
17	Sam Botha Street	2	72
18	Smith Street	2	56
19	Stockestroom Street	2	0
20	String Fellow Street	2	78
21	William Street	2	206
	Total No of Stormwater Drain Cleaned	42	

December			
No	Road Name	Number of Stormwater drain cleaned L/R	Distance (m)
1	Bonaccord Street	2	0
2	Buitekant Street	2	75
3	Chuech street	2	95
4	Grey Street	2	49
5	Jongilanga Street	2	157
6	Magwa Street	2	48
7	Market Square	2	84
8	Market Street	2	146
9	Marres Street	2	53
10	Stockestroom Street	2	63
11	String Fellow Street	2	84
12	Thompson Street	2	46
13	Van Street	2	69
14	Welsh Street	2	0
15	William Street	2	532
	Total No of Stormwater Drain Cleaned	28	

1.3 Fort Beaufort

October			
No	Road Name	Number of Stormwater drain cleaned L/R	Distance (m)
1	Durban Street	2	142
2	Mbewu Street	2	315
3	Nohashe Street	2	388
	Total No of Stormwater Drain Cleaned	6	

November			
No	Road Name	Number of Stormwater drain cleaned L/R	Distance (m)

1	Barkly Street	2	243
2	Church Street	2	345
3	Dagmore Street	2	295
4	Lorenz Street	2	95
5	Somerset Street	2	100
	Total No of Stormwater Drain Cleaned	10	

December			
No	Road Name	Number of Stormwater drain cleaned L/R	Distance (m)
1	Alice Street	2	165
2	Bridge Street	2	105
3	Caley Street	2	395
4	Dickason Street	2	275
5	Lorenzo Street	2	170
6	Somerset Street	2	370
	Total No of Stormwater Drain Cleaned	12	

1.4 Alice

October			
No	Road Name	Number of Stormwater drain cleaned L/R	Distance (m)
1	Main Street	2	250
2	Bridge Street	2	90
3	Robetson Street	2	170
4	Smith Street	2	190
5	Long Market	2	140
6	Gaga Street	2	100
	Total No of Stormwater Drain Cleaned	12	

November			
No	Road Name	Number of Stormwater drain cleaned L/R	Distance (m)
1	Chris Hani Street	2	100
2	Gaga Street	2	290
3	Garden Street	2	80
4	Golf Course	2	200
5	Happy Rest	2	100
6	Long Market	2	100
7	Main Street	2	100
8	Robetson Street	2	160
9	Smith Street	2	100
10	Taxi Rank	2	150
11	Tomas Street	2	150

12	Tyume Street	2	70
13	Wienand Road	2	100
	Total No of Stormwater Drain Cleaned	26	

December			
No	Road Name	Number of Stormwater drain cleaned L/R	Distance (m)
1	Catherine Street	2	40
2	Chris Hani Street	2	250
3	Garden Street	2	100
4	Main Street	2	210
5	Robetson Road	2	290
6	Tomas Street	2	70
7	Tyume Street	2	460
8	Wienand Road	2	300
	Total No of Stormwater Drain Cleaned	16	

ITEM 51/2022

STATUS REPORT – ELECTRICITY SERVICES

Author: Senior Electrician: Mr. R Giqi
Director: Engineering Services: February 2022
Management: February 2022
Stg Comms: March 2022
Exco: March 2022
Council: March 2022

1. PURPOSE

The purpose of this report is for EXCO to note the progress achieved by the Electrical Services Unit in executing its responsibilities for the 2nd Quarter of the 2021/22 Financial Year.

2. BACKGROUND

The electricity eservices department is responsible for the maintenance of the electrical infrastructure. The maintenance entails of the following:

- Maintenance of both Streetlights and Highmast Lights,
- Maintenance of the Electrical Network
- Installation of Meters,

3. LEGAL IMPLICATIONS

- National Energy Regulator of South Africa (NRS 048-6)
- Occupational Health and Safety Act of 1993 and regulations
- Local Government: Municipal Systems Act, No. 32 of 2000 as amended
- Local Government: Municipal Financial Management Act, No. 56 of 2003
- Division of Revenue Act

4. AURTHORITY

The Division of Revenue Acts requires the Receiving officer to ensure that the conditional grant is properly managed and accounted for, that the funds are spent with purpose and conditions. Ensure compliance with agreed reporting and monitoring. The national energy regulator act 2006 mandates the electricity supplier to provide generation, transmission, distribution, trading and the import and export of electricity.

5. PROGRESS MADE

A detailed report on the progress of the section is attached as the Annexure 6 of this item.

6. HUMAN RESOURCE IMPLICATIONS

Municipal Electricity Employees
External Contract Employees

7. STRATEGIC IMPLICATIONS

- Improve electrical infrastructure
- Improve living standards of local communities
- Improve safety of communities and reduces crime
- Enhances business and generates revenue for the municipality

8. FINANCIAL IMPLICATIONS

- Maintenance Budget (Internal)

9. ANNEXURES

Annexure 6 – Electrical Services Report

10. RECOMMENDATIONS

The Standing Committee **RECOMMENDED** that:

- 1) EXCO recommends to Council to note the report.

ANNEXURE 6

ELECTRICAL SERVICES REPORT

1. Background

The report outlines the activities of the department from October 2021 to the end of December 2021. In the report, the following areas are covered;

- Installation of Meters,
- Maintenance of both Streetlights and Highmast Lights,
- Maintenance of the municipality's Electrical Network

2. In-House Maintenance Progress

The summary report for electricity activity during this quarter from January 2021 to March 2021 is shown below.

Streetlights, highmasts, and infrastructure maintenance is conducted throughout with challenges on material procurement and old infrastructure which leads to regular power outages. See the table below;

Town	No of Electricity Meters Installed	Number of Faults Attended	Number of Tamper\Meter disconnections	Number of Street Lights Attended	High Mast Lights Attended
Fort Beaufort	0	900	0	0	6
Adelaide	0	260	0	7	0
Bedford	0	416	2		0
Alice	N/A	N/A	N/A	42	3
Seymour	N/A	N/A	N/A	0	0
Middledrift	N/A	N/A	N/A	0	0

Table below shows areas where we have replaced electrical poles and conductors at Fort Beaufort

Street Name	Number of Poles Replaced	Length of Conductors Replaced	No of Transformers Replaced
Mitchel Street	7 poles	500m of Areal Bundle Cable	n/a
Alice Street	2 Poles	200m of Areal Bundle Cable	n/a
Dickson	3 Poles	50m Of Areal Bundle cable	n/a
Frazer Street	4 Poles	500m of Areal Bundle Cable	n/a
Bell Street	1 Pole	50m of Areal Bundle Cable	n/a
Grahams town Road	4 Poles	300m of Areal Bundle Cable	n/a
Durban Street	1 Pole	200m of Areal Bundle Cable	n/a
Parliament Street	n/a	300m of Mink conductor	n/a
Scott Street	6 Poles	350m Of Fox conductor	1
Alice Main Road	n/a	n/a	1
Nazo Street	4 poles	200m of Areal Bundle Cable	n/a
Takalani Location	5 poles	350m of fox conductor	1

Jackson Street	n/a	n/a	1
Dubu Location	3	n/a	n/a

ITEM 52/2022

STATUS REPORT - UPGRADING OF THE HEALDTOWN ACCESS ROAD

Author: Director: Engineering Services: Mr. D Mlenzana
Director: Engineering Services: February 2022
Management: February 2022
Stg Comms: March 2022
Exco: March 2022
Council: March 2022

1. PURPOSE

The purpose of this report is for EXCO to note the progress achieved by the municipality in the implementation of the Upgrading of Healdtown Access Road Project for the 2nd Quarter of the 2021/22 Financial Year.

2. LEGAL FRAMEWORK

- National Road Traffic Act (No. 93 of 1996)
- Environmental Management Act (No. 107 of 1998)
- Occupational Health and Safety Act of 1993
- Eastern Cape Roads Act (No. 3/2003) gazette No. 1027 – 5 June 2003

3. BACKGROUND

The Raymond Mhlaba Municipality received a request and an allocation from the Eastern Cape Department of Transport for the upgrading of the Healdtown Access Road. A Service Level Agreement was signed between the department and the municipality for the duration of the project. Detailed progress of the project is contained on Annexure 7.

4. AUTHORITY

The Division of Revenue Acts requires the Receiving officer to ensure that the conditional grant is properly managed and accounted for, that the funds are spent with purpose and conditions. Ensure compliance with agreed reporting and monitoring mechanism.

5. FINANCIAL IMPLICATIONS

Total grant allocation for the project is R44m

6. HUMAN RESOURCE IMPLICATIONS

Civil Works Employees
External Contract Workers

7. STRATEGIC IMPLICATIONS

- To provide Basic Services
- To eradicate infrastructure backlogs
- To promote social and economic development to communities

8. ANNEXURES

Annexure 7 – Upgrading of Healdtown Access Road Project Progress Report

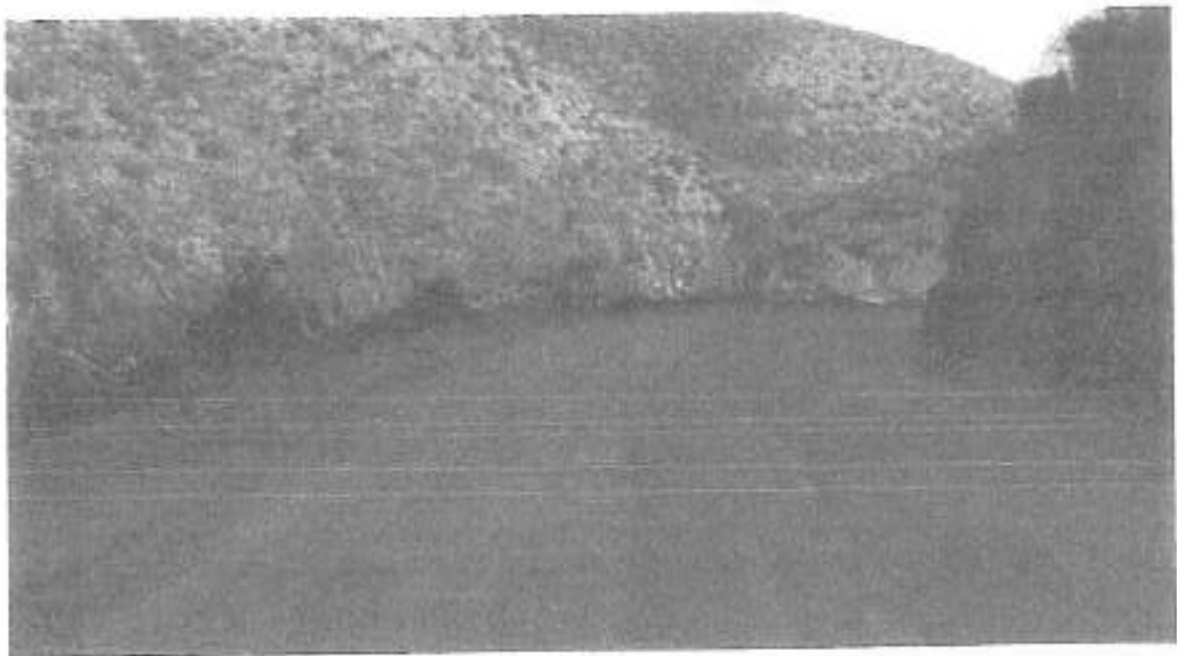
9. RECOMMENDATIONS

The Standing Committee **RECOMMENDED** that:

- 1) EXCO recommends to Council to note the report.



**MONTHLY PROGRESS REPORT NO. 08
FOR
UPGRADING OF HEALDTOWN ACCESS ROAD (TURN
KEY PROJECT): SCMU13/PMU/20/21**



December 2021

PREPARED FOR:

**RAYMOND MHLABA MUNICIPALITY
P.O. Box 13
Fort Beaufort
5720**

**Contact Person: Mr D. Mlerzana
Tel: 046 648 7411**

PREPARED BY:



**Contact Person: Mr Vuyani Hoyi
Tel: 041 582 1739
Cell: 083 558 8739
Email: vuyani@gilgaleng.co.za**

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1.2	<i>Scope of Works</i>	3
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1. PROJECT DETAILS

1.1 CONTRACT INFORMATION

The contractual information pertaining to the project is summarized in Table below:

Client	Raymond Mhlaba Municipality
Service Provider	Gilgal / Mtawelanga Consortium
Client's Project Number	SCMU13/PMU/20/21
Project Name	Upgrading of Healdtown Access Road
Appointment Date	01 February 2021
Service Level Agreement Date	09 February 2021
Awarded Amount	R 36 567 693.00
Approved Amount	R 41 105 142.53
Site Handover Date	19 February 2021
Estimated Construction Period	12 months
Original Completion Date	07 February 2022
Approved EoT	27 days
Revised Completion Date	16 March 2022

Introductory meeting with relevant stakeholders was held on 18 March 2021.

1.2 SCOPE OF WORKS

The scope of works is as follows:

- Site Establishment and Site clearance;
- Special maintenance or asphalt resurfacing 3km of the Cape College Road;
- Construction of 6m wide of 7km of 80mm block paving road and kerbing;
- Road stormwater drainage improvement;
- Installation of guardrails;
- Installation of subsoil drains and 600mm pipe crossings with new headwalls
- Replacement of damaged and additional signage

2. PROGRESS TO DATE

2.1 CONSULTANT:

	Service	Progress / Challenges / Recommendations	% Complete
1	Geotechnical Investigation	Appointed on 22 February 2021, report received on 18 March 2021.	100%
2	Topographic Survey	Appointed on 23 February 2021, data received on 08 March 2021.	100%
3	Road Visual Assessment	Commenced on 19 February 2021, completed on 26 February 2021.	100%
4	Designs & Report	Prelim design submitted to on 06 April 2021, got approval on 12 May 2021. Detail design submitted on 24 May 2021, still await formal approval of detail design.	100%
5	Contract Administration	On progress	70%
6	Construction Monitoring	On progress	70%
7	Close out		0%

GENERAL COMMENTS ON CONSULTANT'S PROGRESS:

Considering the timelines indicated above, consultant is on programme.

2.2 CONTRACTOR:

	Portion of Works	Progress / Challenges / Recommendations	% Complete
1	Site Establishment	Completed on 21 April 2021.	100%
2	Site Setting Out	Completed	100%
3	Surfaced Section	Line marking outstanding	99%
4	Paved Section - earthworks	Completed	100%
5	Paved Section – roadbed preparation	On progress	100%
6	Paved Section – sub-base	On progress	97%
7	Paved Section - stormwater	On progress	50%
8	Paved Section - paving	Not yet started	00%
9	Paved Section - kerbing	Not yet started	00%
10	Paved Section - guardrails	Not yet started	00%
Overall Progress on the Project			63%

GENERAL COMMENTS ON CONTRACTOR'S PROGRESS:

- The community strikes due to unhappiness of the PSC and selection of local labour is affecting the project progress and budget.
- Contractor moved off site in November due to delay in payment of supplier which resulted to non-delivery of material on site.

3. CHALLENGES AND RISKS

Risks and challenges are listed in Table below:

No	Challenge and Risk	Impact	Mitigation plan
01	Community uprising	3 weeks delay on production and Extension of Time with cost	Project introduction to the community
02	Community uprising	1 week delay on production and Extension of Time with cost	ISD intervention
03	Community uprising	1 week delay on production and Extension of Time with cost	Client intervention
04	Delays to deliver material	Late completion	Suppliers to be paid on time

4. OUTSTANDING INFORMATION

Outstanding information related to the project is listed in Table below:

No	Description	Requested by	Responsible	Sorted
01	Approval of Prelim Design	Gilgal	Raymond Mhlaba	Yes
02	Approval of Detail Design	Gilgal	Raymond Mhlaba	No
03	Extension of Time Claim 01	Mtawelanga	Raymond Mhlaba	Yes
04	Extension of Time Claim 02	Mtawelanga	Raymond Mhlaba	Yes

5. PROJECT EXPENDITURE

Direct and indirect expenditure up to the end of December 2021 is summarized in Table below:

5.1 INDIRECT COSTS – PROFESSIONAL FEES (ALL INCLUSIVE)

Total Professional Value	Variation Orders	Claims Certified to date	Payments to date	Balance
R 4 822 497.00	R 0.00	R 4 143 688.81	R 3 779 179.9	R 678 808.19

5.2 DIRECT COSTS – CONSTRUCTION (ALL INCLUSIVE)

Total Construction Fees	Variation Orders	Claims Certified to date	Payments to date	Balance
R 36 282 645.53	R 0.00	R 27 202 257.79	R 27 202 257.79	R 9 080 387.74

6. EXPENDITURE REPORTS

EXPENDITURE – INDIRECT COST						
Date	Inv No	Invoice Amount	Cumulative Amount	%	Balance	Invoice Paid
06 Apr 21	01	R 906 740.94	R 906 740.94	18.8%	R 3 915 756.06	Yes
25 May 21	02	R 1 45 604.13	R 2 452 346.07	50.9%	R 2 370 150.93	Yes
28 Jun 21	03	R 364 508.83	R 2 816 684.90	58.4%	R 2 005 812.10	No
28 Jul 21	04	R 278 579.77	R 3 095 264.67	64.2%	R 1 727 062.33	Yes
20 Aug 21	05	R 242 244.36	R 3 337 679.03	69.2%	R 1 484 817.97	Yes
22 Sep 21	06	R 262 161.89	R 3 599 840.92	74.7%	R 1 222 656.08	Yes
29 Oct 21	07	R 343 747.89	R 3 943 588.81	81.77%	R 878 908.19	Yes
23 Nov 21	08	R 105 800.00	R 4 049 388.81	83.97%	R 773 108.19	Yes
07 Dec 21	09	R 94 300.00	R 4 143 688.81	85.92%	R 678 808.19	Yes

EXPENDITURE – DIRECT COST						
Date	Cert No	Invoice Amount	Cumulative Amount	%	Balance	Invoice Paid
21 Apr 21	01	R 4 301 177.26	R 4 301 177.26	11.8%	R 31 981 468.27	Yes
14 Jun 21	02	R 2 208 032.43	R 6 509 209.69	17.9%	R 29 773 435.84	Yes
28 Jun 21	03	R 11 817 176.91	R 18 326 386.60	50.5%	R 17 956 258.93	Yes
27 Jul 21	04	R 2 290 434.90	R 20 616 821.50	56.8%	R 15 665 824.03	Yes
20 Aug 21	05	R 1 539 515.20	R 22 156 336.70	61.1%	R 14 126 308.83	Yes
22 Sep 21	06	R 1 991 366.89	R 24 147 703.59	66.6%	R 12 134 941.94	Yes
29 Oct 21	07	R 1 360 014.20	R 25 507 717.79	70.30%	R 10 774 927.74	Yes
08 Dec 21	08	R 1 894 540.00	R 27 202 257.79	74.97%	R 9 080 387.74	Yes

7. SITE PROGRESS PHOTOGRAPHS



Photo 1: Processed G5 layer



Photo 2: G5 material tipped

Report prepared by: V. Hoyi

14 January 2022

Vuyani Hoyi
Project Manager

Date

For Gilgal Development Consulting Engineers and Project Managers

ITEM 53/2022

STATUS REPORT - UPGRADING OF R63 BETWEEN FORT BEAUFORT AND ALICE

Author: Director: Eng Services
Standing Committee: March 2022
Exco: March 2022
Council: March 2022

2. PURPOSE

The purpose of this report is for EXCO to NOTE the progress made in the implementation of R63 between Fort Beaufort and Alice by SANRAL for the period ending February 2022.

3. LEGAL FRAMEWORK

- Constitution of the Republic of South Africa
- Division of Revenue Act

4. AUTHORITY

The Division of Revenue Act requires the Receiving officer to ensure that the conditional grant is properly managed and accounted for, that the funds are spent with purpose and conditions. Ensure compliance with agreed reporting and monitoring mechanism.

5. BACKGROUND

SANRAL funded the construction of the R63 between Fort Beaufort and Alice. The project implementation started in August 2020. This project is in the province of the Eastern Cape in the district municipality of Amatole and local municipality of Raymond Mhlaba. The approximate construction duration is 36 months. It is a CIDB contractor grading designation of 9CE. The upgrading comprises amongst others:

- The upgrading of the existing road and construction of a new carriageway including passing lanes
- Major cuts and fills
- Replacement of old culverts, and construction of additional culverts
- Widening of 2 river bridges and construction of 3 new bridges (2 road-over-rail and 1 river bridge)
- Upgrading of water, sewer and storm water services and roadworks in Fort Beaufort main road (Campbell Street)

To this far, the progress sits at 51% construction work. The positive of the project is the appointment of the local SMME's. As at February 2022, the main contractor appointed 62 SMME's which translates to;

- 46 TE's from Fort Beaufort Area and from Alice Area
- 57 TE's from RMLM
- 5 TE's from outside RMLM, but in the EC
- 23 Women owned
- 17 Youth owned
- 1 Military owned
- 1 Disabled owned

In addition, 1 Community Liaison Officer (CLO) has been appointed from within the municipality and also 473 general workers from within the municipality.

6. FINANCIAL IMPLICATIONS

R 714 782 500.00 – Funded by SANRAL

1. HUMAN RESOURCE IMPLICATIONS

None

1. STRATEGIC IMPLICATIONS

- To provide Basic Services
- To eradicate infrastructure backlogs
- To promote social and economic development to communities

8. ANNEXURES

Annexure 13 – Progress Report from SANRAL

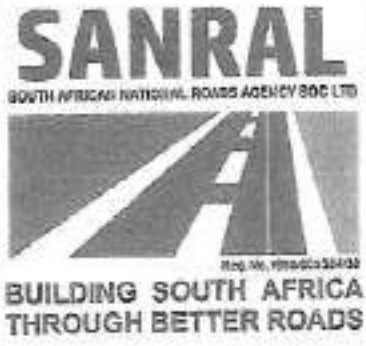


9. RECOMMENDATIONS

The Standing Committee **RECOMMENDED** that:

- 1) EXCO NOTES the report.

PROGRESS REPORT
February 2022

CONTRACT No. SANRAL R.063-130-2015/1
THE UPGRADING OF NATIONAL ROUTE R63 SECTION 13
BETWEEN FORT BEAUFORT (KM 35.77) AND ALICE (KM 59.86)

<p align="center">EMPLOYER</p>	<p align="center">SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED</p> <p align="center">Southern Region</p>	
<p align="center">CONSULTING ENGINEERS</p>	<p align="center">V3 / KABE Consulting Engineers</p> <p align="center">Port Elizabeth</p>	
<p align="center">CONTRACTOR</p>	<p align="center">Rumdel Cape (Pty) Ltd</p>	

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6	TE Contractor's	6
	6.1 TE Work Packages Summary	6
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1 Introduction

This project is in the province of the Eastern Cape in the district municipality of Amatole and local municipality of Raymond Mhlaba. The approximate construction duration is 36 months. It is a CIDB contractor grading designation of 9CE. The upgrading comprises amongst others:

- the strengthening of the existing road and construction of a new carriageway including passing lanes
- major cuts and fills
- replacing of and additional culverts to be constructed
- Widening of 2 river bridges and construction of 3 new bridges (2 x road-over-rail and 1 x river bridge)
- Upgrading of water, sewer and storm water services and roadworks in Fort Beaufort main road (Campbell Street)

2 Project Information

2.1 Client information

Client : SANRAL SR
Project Manager : C Hendricks

2.2 Contractor information

Company Name : Rumdel Construction Cape
Contracts Manager : D Howell
Site Agent : A De Lacy

2.3 Consultant information

Company Name : V3 Consulting Engineers
Project Engineer : M Botha
Resident Engineer : P Pretorius

2.4 Contractual information

<p>Employer: <i>The South African National Roads Agency SOC Ltd</i> <i>PO Box 24210</i> <i>Bay West</i> <i>6034</i></p> <p>Southern Region</p> <hr/> <p>V3 Consulting Engineers: <i>66 Newton Street</i> <i>Newton Park</i> <i>Port Elizabeth</i> <i>6045</i> <i>Emergency Tel No:</i> <i>083 400 7016 - Marné</i> <i>083 449 1632 - Pieter</i></p> <hr/> <p>Contractor: <i>Rumdel Cape (Pty) Ltd</i> <i>Emergency Tel No:</i> <i>082 498 4785 – David</i></p>	<p>Tendered amount (Inc. 15% VAT) R 714 782 500.00</p> <p>Anticipated Contract Amount (Inc. CPA, VAT+WAF) R 712 999 999.21</p> <p>Commencement date: 02 July 2020 Time for completion: 39 Months Contractual Completion date: 01 October 2023</p> <p>Time extension granted to date</p> <p>Weather: 0 days Variations to contract: 0 days Other agreed: 0 days Total: 0 days</p> <p>Revised completion date: 01 October 2023 Anticipated completion date: 01 October 2023</p>				
Contract information to date					
Time lapsed (%):	<table border="0"> <tr> <td style="padding-left: 20px;">Mobilization</td> <td style="text-align: right;">100%</td> </tr> <tr> <td style="padding-left: 20px;">Construction</td> <td style="text-align: right;">44%</td> </tr> </table>	Mobilization	100%	Construction	44%
Mobilization	100%				
Construction	44%				
Work Complete (%):	51%				
Funds spent (%):	52.1%				
Contract Participation Goal					
Labour Tendered (%):	8.0%				
Labour Project (%):	3.8%				
BEE / SMME Utilisation tendered (%):	30.0%				
BEE / SMME Utilisation Project (%):	12.1%				
	Contract to date: 47.3%				
	Contract to date: 40.3%				
Occupational Health & Safety					
Number of accidents & incidents (notifiable):	9				
Number of accidents & incidents (non-notifiable):	38				

3 Programme and Progress

3.1 Programme

Tendered document completion duration	:	39 months
Extensions granted to-date	:	0
Revised completion date (contractual)	:	Oct 2023
% Time elapsed	:	44%
% Work complete (original scope of works)	:	51%
% Work complete (scope extension)	:	51%
% Total Expenditure to date	:	52.1%

3.2 Progress on Site

3.2.1 Comments on Progress

Urban section:

- Water Line 99 % Completed
- Storm water 85 % Completed
- Streets 20 % Completed
- Sewer Line 95 % Completed

Rural Section:

- Earthworks: 96% Completed
- Drainage: 90% Completed
- Layerworks: 20% Completed
- Fencing: 50% Completed

Bridges:

- Kat river – Widening RHS completed. Staging for widening LHS completed. A little bit behind program, but not on critical path.
- Brak river – Wingwalls and Abutments LHS completed. Excavations on the abutments RHS has started.
- Kwatinidubu rail bridge – Busy with reinforcing steel on deck. To be casted within the following week.
- Mxelo river – Deck completed. Started with balustrades.
- Kwezana rail bridge – Deck completed. Balustrades outstanding.

The contractor is over all on program. Program to be updated with emphasis on Town Section.

Milestones:

- To finish the bridge decks before January 2022
- To finish earthworks before end of the year
- To start with the layer work within the next month
- To complete most of the services in Campbell Street

3.2.2 Rain Days Recorded

Month	Rain days
Nov-20	0.0
Dec-20	0.5
Jan-21	3.5
Feb-21	4.5
Mar-21	4.5
Apr-21	6.5
May-21	7.5
Jun-21	6.5
Jul-21	6.5

4 Finance

4.1 Summary

4.1.1 Approved funding

Description	Amount (incl. VAT)
PROJECT Cost	R 713 000 000.00
TE Estimated spending	R162 035 000.00

4.1.2 Project Expenditure to date

Description	Amount (incl. VAT)
Expenditure to date	R 394 828 678.86
TE Tenders awarded	R 103,704,656.23
TE Expenditure to date	R 68,729,774.72
Labour Expenditure to date	R 19,511,483.39

5 Contractor Returns

5.1 Staff and Labour

(a) The staff and labour that were on site are as follows:

- 4 Site agents
- 3 Safety Officer & Quality Officer
- 10 Foreman
- 1 Community Liaison officer
- 78 Plant operators
- 203 Labours (Non-Local)
- 473 Labours (Local)

5.2 Plant

(a) The plant currently on site is as follow:

- Local: 29
- Non-Local: 27
- Internal: 22

6 TE Contractor's

6.1 TE Work Packages Summary

The approximate TE package values are inclusive of P&G's.

Description of Work No of Packages	No. of TE's appointed	Subcontracts Awarded Value	Approximate combined total of Subcontract Spent	EME CIDB Grading Designation
81	62	R103,704,656.23	R68,729,774.72	
	39			1 CE & 2 CE
	13			N/A
	2			3CE
	4			4CE
	3			5CE
	1			6CE

46 TE's from Fort Beaufort Area and from Alice Area
57 TE's from RMLM
5 TE's from outside RMLM, but in the EC
23 Women owned
17 Youth owned
1 Military owned
1 Disabled owned

The evaluation of the 7th round is completed, approved by SANRAL and acknowledged by the PLC.

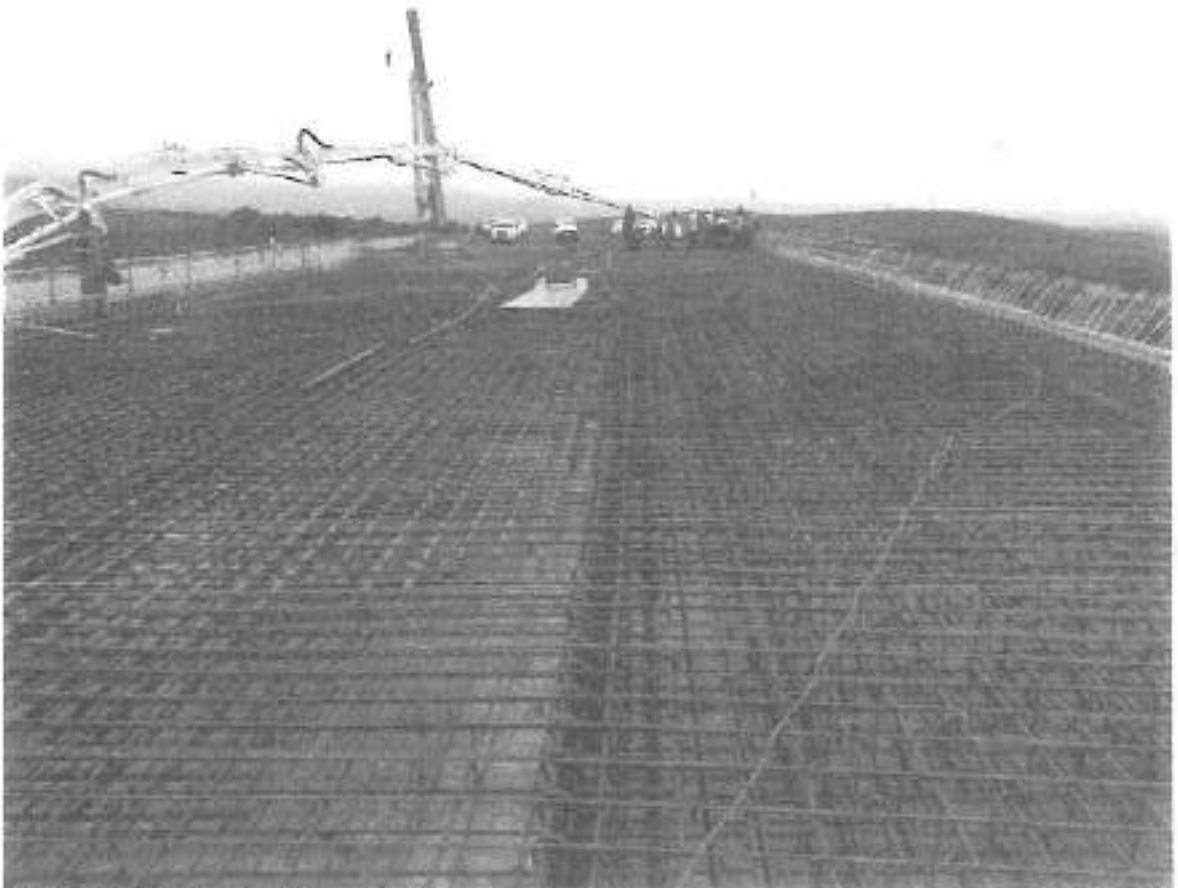
The 8th round (T8) of TE tenders is in the process of advertising. The Round T7 also includes tenders for concrete side drains (X2), Pedestrian walkways (X2), Down chutes (x2), Cement Supply (X4), Landscaping, Guardrails, Supply of block pavers, Supply of fuel.

5.2 Training

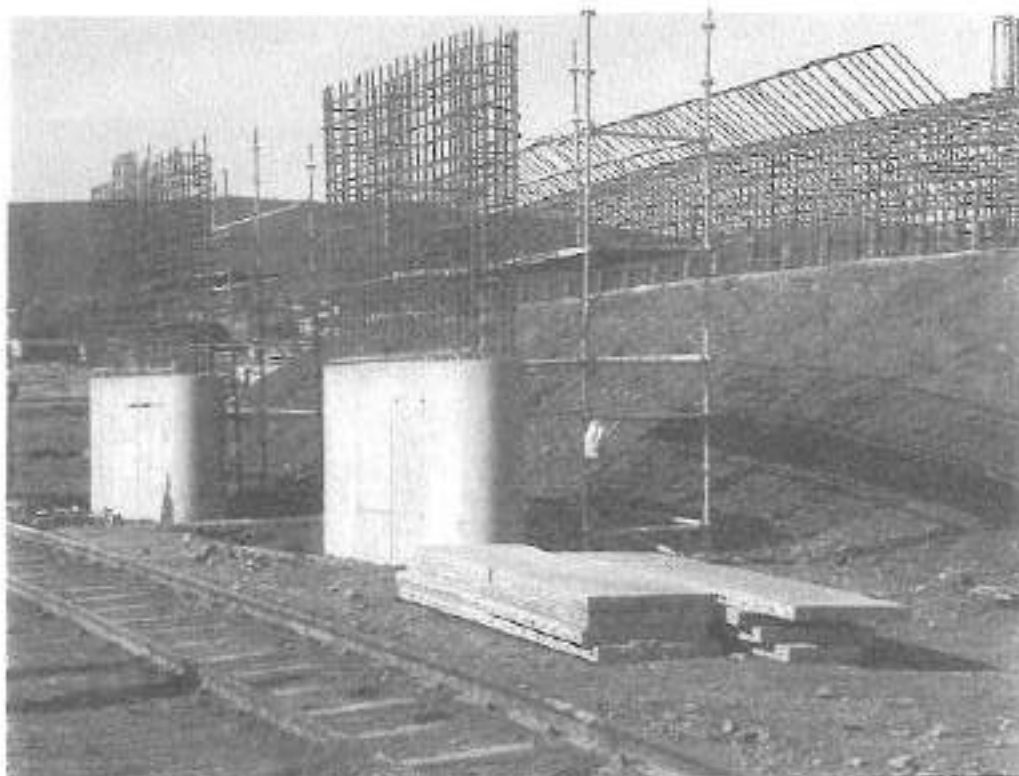
Total local people trained to date: 403 employed and 123 non-employed locals.

7 Project Photos.

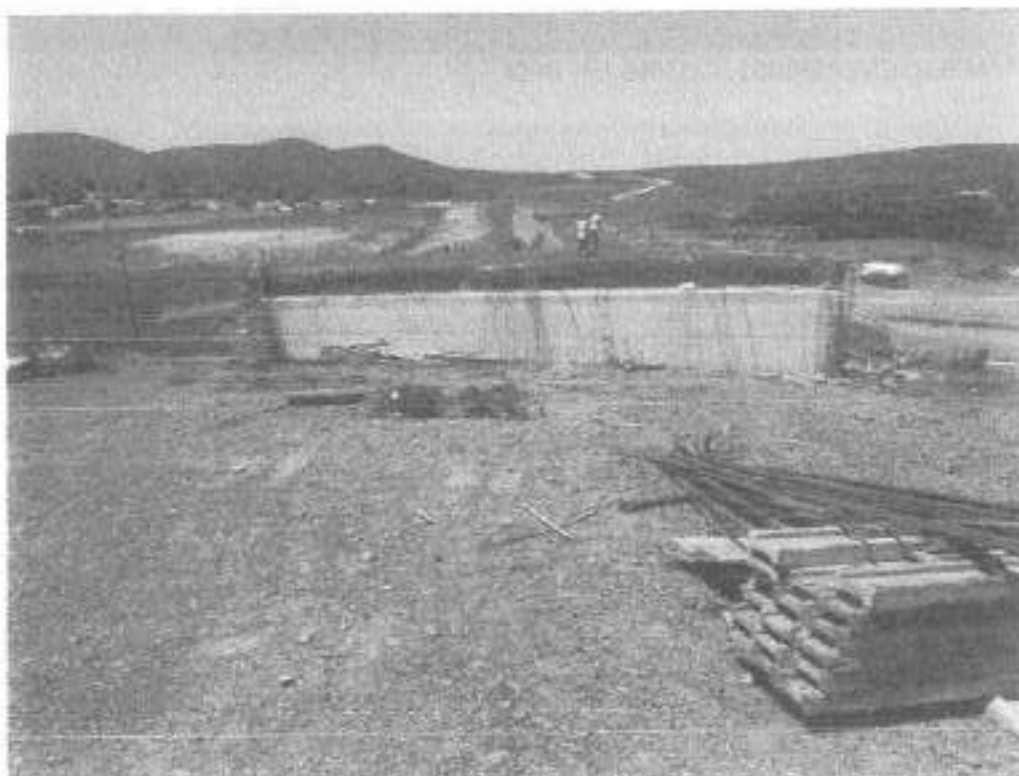
STRUCTURES



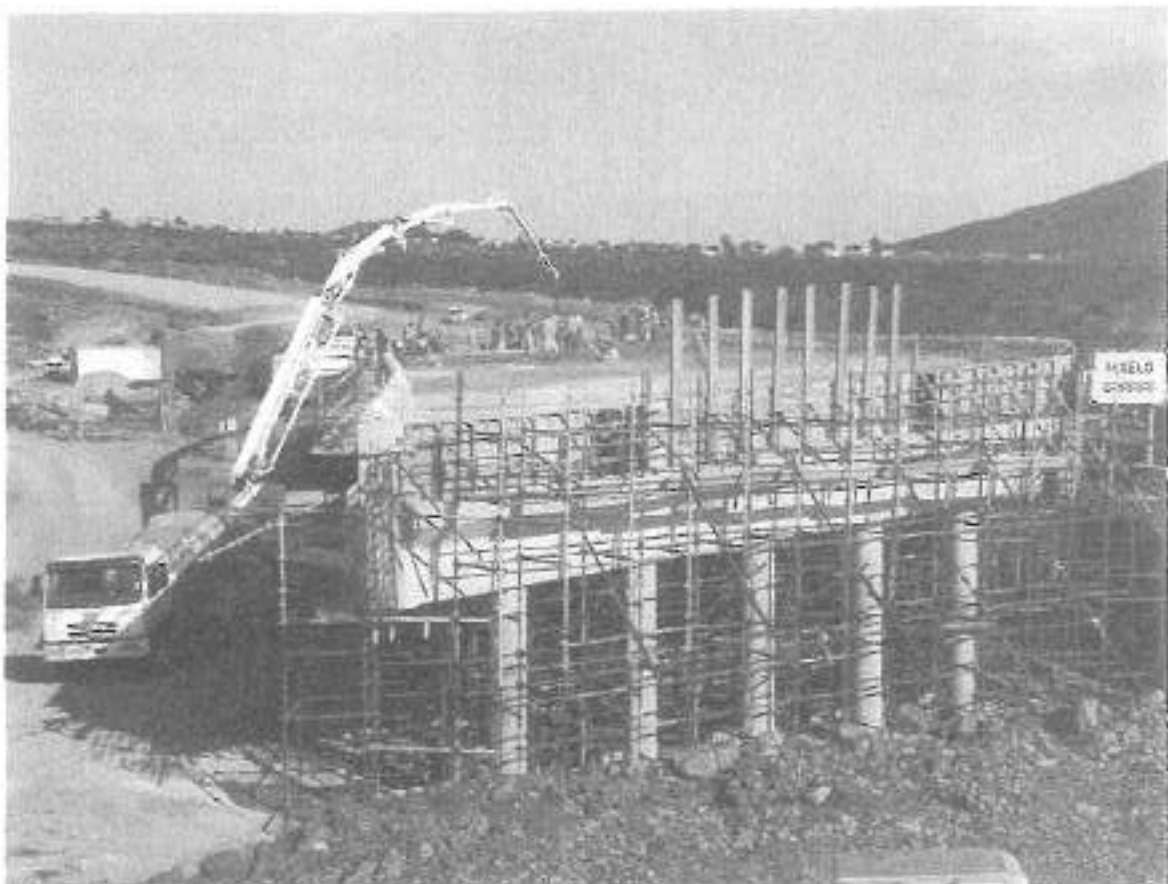
KWEZANA RIVER BRIDGE



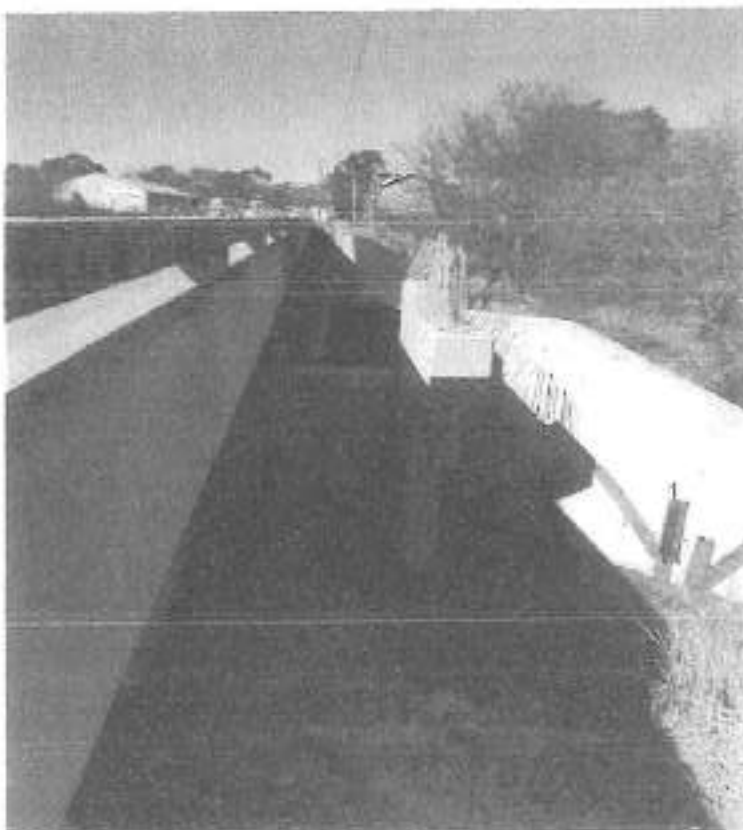
KWATINIDUBU RAIL BRIDGE: REINFORCING FOR PIERS AND ABUTMENTS



KWATINIDUBU RAIL BRIDGE: REINFORCING FOR DECK



MXELO RIVER BRIDGE: CASTING THE DECK



KAT RIVER BRIDGE: WIDENING OF RHS



POURING CONCRETE ON KAT RIVER WIDENING RHS



WIDENING OF BRAK RIVER BRIDGE LHS



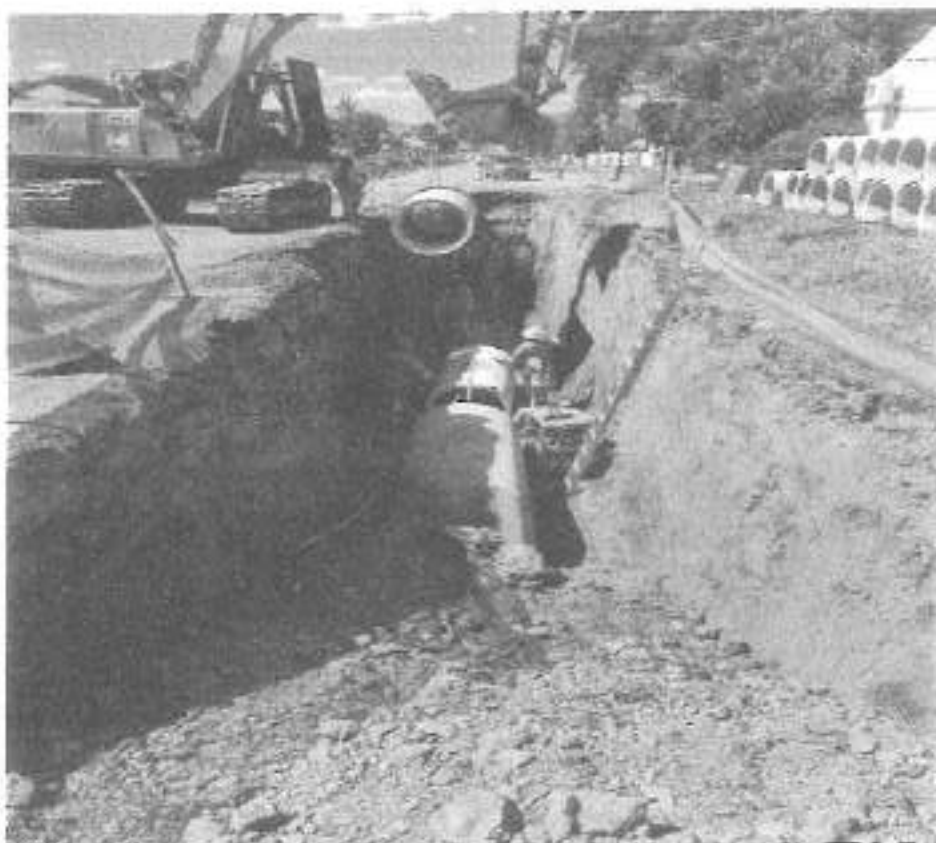
BRAK RIVER FOUNDATIONS RHS

STORM WATER



IN SITU CULVERT UNDER CONSTRUCTION

SERVICES



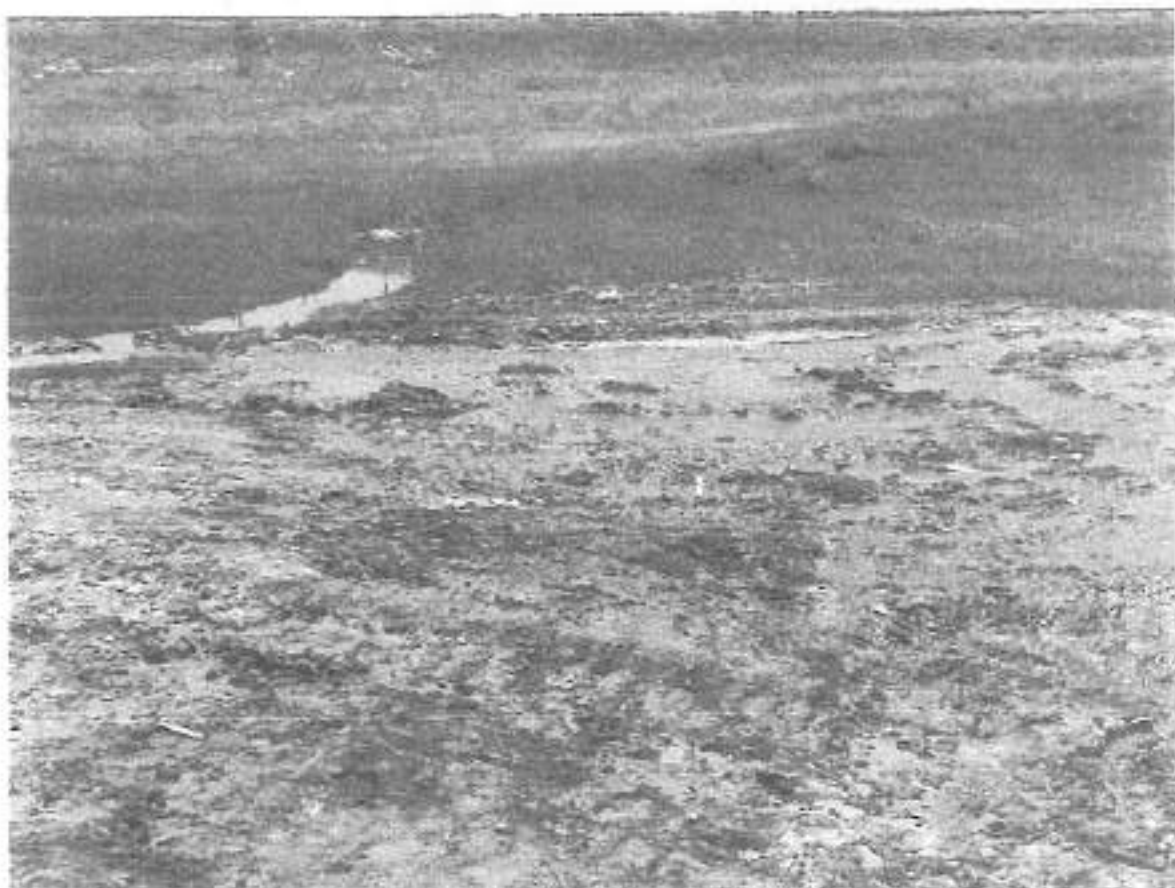
LAYING STORMWATER PIPES IN CAMPBELL STREET



GRAHAMSTOWN ROAD: UNMARKED EXISTING SERVICES



EXISTING BLOCKED WATER PIPES



SEWER LEEKING ONTO ROAD RESERVE: HEALTH HAZARD TO WORKERS

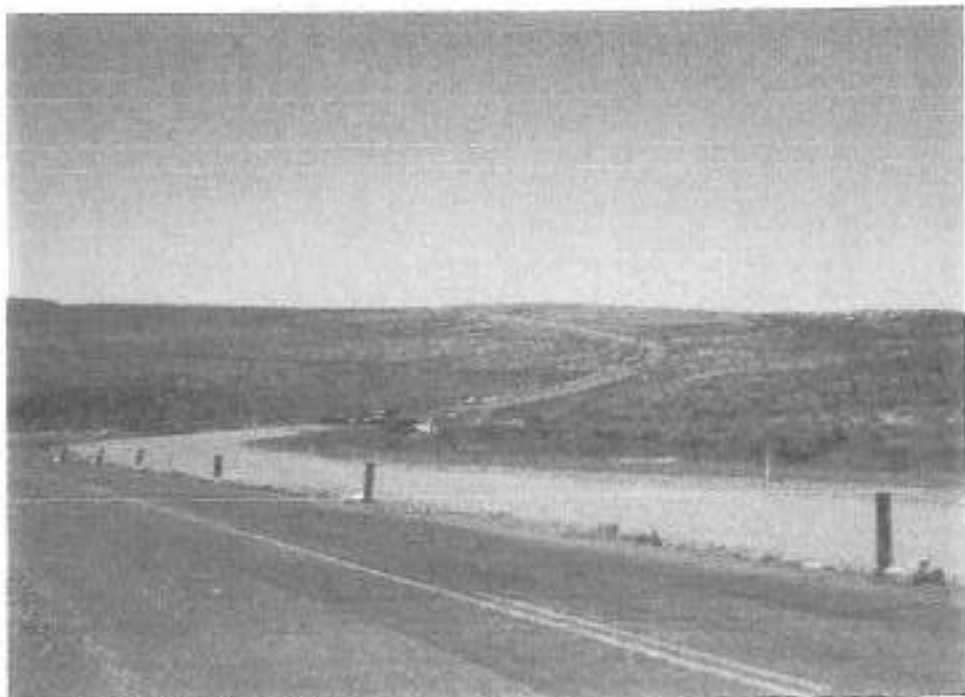
EARTH WORKS



CAMPBELL STREET LAYER WORKS



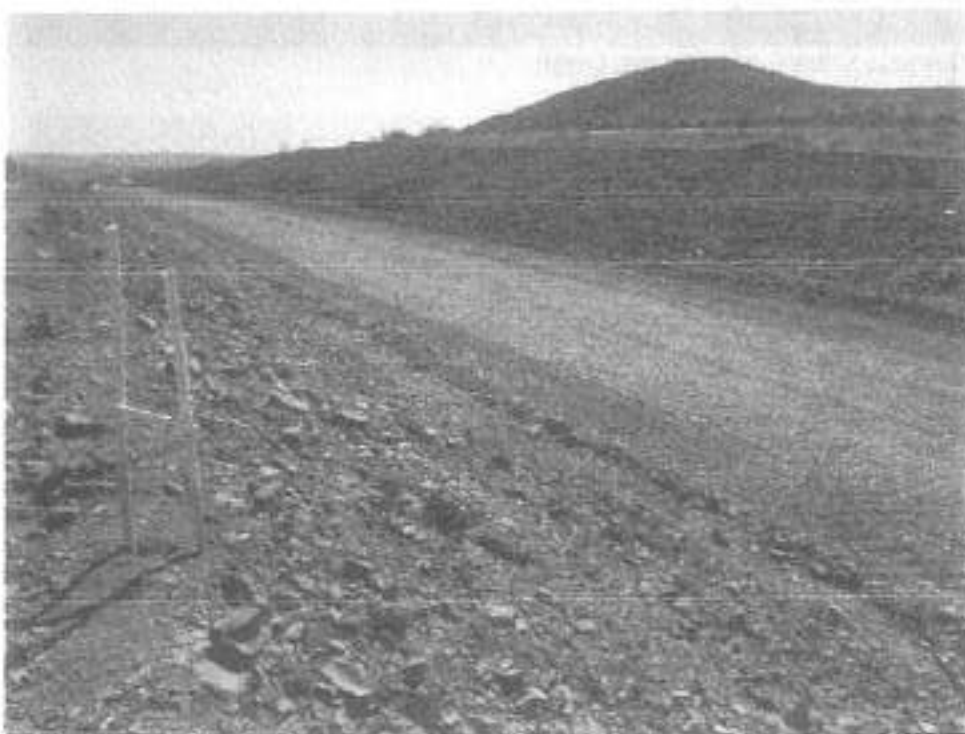
CAMPBELL STREET: PROCESSING LAYER



LAYERWORKS IN PROGRESS



DISTRUBUTING THE CEMENT FOR SUBBASE STABILISATION



BLASTED ROCK CUTTINGS: IN SITU TREATMENT DONE

ITEM 54/2022

APPLICATION FOR CONSENT TO ERECT A CELLULAR TELEPHONE MAST AND THE BASE STATION ON THE ON ERF 1537 IN ADELAIDE

Author: Land Use Officer – L. Mtyundyutho
Director: Eng. Services – February 2022
Management – February 2022
Stg Comms: March 2022
Exco- March 2022
Council: March 2022

1. PURPOSE

The purpose of this report is for EXCO to **APPROVE** the application for consent to erect a cellular telephone mast and the base station on the on erf 1537 in Adelaide.

2. LEGAL FRAMEWORK

- SPLUMA Act no 16 of 2013;
- Land Reform and Settlement plan
- Land Use Planning Ordinance 15 of 1985;
- RULA and,
- Municipal Systems Act 32 of 2000;

3. BACKGROUND / REASONING

The section received applications from SFP Town Planners for application for consent in terms of Land Use Planning Ordinance No.15 of 1985 and The Spatial Planning and Land Use Management Act 16 of 2013 with the Section 8 of Scheme regulations. The application is to erect a cellular telephone mast and the base station on the on erf 1537 in Adelaide.

4. STAFF IMPLICATION

None.

5. FINANCIAL IMPLICATIONS

None

6. RECOMMENDATIONS

The Standing Committee **RECOMMENDED** that:

- 1) EXCO **APPROVES** the application for consent to erect a cellular telephone mast and the base station on the on erf 1537 in Adelaide.

Gyro Ref: Adelaide Ext (Gyro)



Director: Strategic Planning & LED
Town Planning Department
Raymond Mhlaba Local Municipality
P.O. Box 38
Fort Beaufort
5720

012 346 2340
admin@splan.co.za
www.splan.co.za

371 Melk Street
Nieuw Muckleneuk
0181

PO Box 908
Groenkloof
0027

Dear Sir/Madam

CONSENT USE APPLICATION WITH THE SIMULTANEOUS PERMANENT DEPARTURE FROM THE SIDE AND STREET BUILDING LINE IN TERMS SECTION 72 AND 74 OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW RAYMOND MHLABA LOCAL MUNICIPALITY, 2016 IN ORDER TO OBTAIN PERMISSION FOR THE ERECTION OF A CELLULAR TELEPHONE MAST AND BASE STATION ON ERF 1537, ADELAIDE TOWNSHIP.

Gyro Group (Pty) Ltd instructed Smit & Fisher Planning (Pty) Ltd to submit an application to Raymond Mhlaba Local Municipality to obtain permission to construct a new cellular telephone mast and base station on the abovementioned property.

Attached please find the following documents for your attention:

- A copy of the Application Form,
- A copy of the Special Power of Attorney from Gyro Group;
- A copy of the Special Power of Attorney from Property Owner;
- A copy of the Deed Search,
- A copy of the Motivational Memorandum,
- A copy of the CAA Inquiry,
- A copy of the Letter from the Department of Health,
- A copy of the SG-Diagram, and
- A copy of the Proposed Building Plans.

If you have any enquiries, please contact the writer

Kind Regards

A handwritten signature in black ink that reads 'Ivan Vorster'.

Ivan Vorster
Email: ivan@splan.co.za
Cell: 061 662 0123
Office: 012 346 2340

**DEPARTMENT OF LOCAL GOVERNMENT AND
TRADITIONAL AFFAIRS**



LAND USE APPLICATIONS

(Place a cross in all the appropriate blocks)

TYPE OF LEGISLATION APPLICABLE

	Land Use Planning Ordinance 15 of 1985 (Former CPA Areas)
	Townships Ordinance 33 of 1934 (Former Transkei Areas)
	Land Use Regulation Act 15 of 1987 (Former Ciskei Areas)
	Townships Proclamation R293 of 1962
	Regulations framed under former Black Communities Development Act 4 of 1984
X	Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA)

TYPE OF APPLICATION

	Rezoning to Sub-divisional Area (LUPO)
	Rezoning which does not comprise a rezoning to sub-divisional area
X	Departure
	Subdivision
	Consolidation
X	Consent Use
	Extension of approval (Ordinance 33 of 1934)
	Removal of Restrictive Conditions of Title Deed
	Any other application, please provide details: e.g. Amendment of GP

COMPLETE THE FOLLOWING:

Municipality: Raymond Mhlaba Local Municipality
Description of land: Erf 1537, Adelaide
.....
Applicant: Smit & Fisher Planning (Pty) Ltd
Postal Address: P.O. Box 908, Groenkloof, Pretoria
.....
..... Code: 0027
Registered owner(s): Nonkululeko Judith Lumani
Postal Address: 135 Mabindisa Street, Lingelethu, Adelaide
.....
..... Code: 5760

INSTRUCTIONS

(These instructions should be read before completing this form)

1. GENERAL REMARKS

If an application requires approval in terms of various types of legislation and two or more of the applications have to be advertised, the applicant must inform the Municipal Manager accordingly so that all applications may be advertised and submitted for approval simultaneously.

All applications should comply with the Principles of the Spatial Planning and Land Use Management Act No 16 of 2013.

All applications should take cognisance of the requirements for the change of land use in terms of the Environment Conservation Act of 1997.

Incorrect and incomplete applications will be returned to the Applicant. The applicant's attention is drawn to the plans and other documentation that must accompany their application.

Applicants must note that until an application has been approved/ dismissed in writing, any correspondence or discussions pertaining to this application must not be regarded as an indication that it will in fact be approved/ dismissed. Such correspondence/discussions do not bind the Municipality or the Department in any way.

The Department reserves the right to have an approval declared null and void if it was based on wrong information supplied by an applicant. Applicants must therefore ensure that information about restricting factors that could influence the application is provided.

Applications in terms of Land Use Regulation Act 15 of 1987, the Land Use Planning Ordinance 15 of 1985 and Spatial Planning and Land Use Management Act 16 of 2013 require 10 copies for the Land Use Planning Board and Townships Board respectively.

Applicants may supply any additional information, on a particular issue, if they want to.

2. PRIOR LIAISON WITH OTHER INTERESTED PARTIES

Prior liaison with interested bodies, including National and Provincial Departments, is strongly recommended as the processing of applications will be expedited in this way. Where an applicant submits proof that an interested party is satisfied with a proposal, it will not be necessary to again approach such interested party for comments.

A list of the different authorities and other interested parties affected by the development, together with the names, telephone numbers and addresses of contact persons may be available from the local authority.

3. SUBMISSION OF APPLICATION

The application must be submitted in duplicate, together with all the required annexes, to the local authority in whose area of jurisdiction the land unit is situated. If the land is to be incorporated within the jurisdiction of a local authority, the application form must also be submitted to the local authority concerned.

If the relevant local authority does not have the delegated powers to finalize the application, a copy of the application must also be submitted to :

The Manager: Land Use Management
Department of Local Government & Traditional Affairs
Private Bag X0035
BHISHO, 5605

Lack of information leads to delays and adds to the workload of the Department. It is essential that all applications that are submitted for consideration contain all of the information necessary for the relevant authority to take a rational decision. Ideally applications should include the following information :

Details in respect of the application

- A locality sketch showing clearly the details of the application;
- A description of the site that is to be developed;
- What the owner intends to do with the land;
- What are the envisaged development parameters (for instance the proposed floor area and coverage);
- What portion of the site is to be developed;
- What is the existing zoning and use of the subject land;
- A copy of the advertisement of the proposal;
- A site development plan.
- Comments from the relevant Stakeholder Departments i.e. Mineral and Energy Affairs, DEDEA (environmental impact) Education, Dept of Transport etc.

Details in relation to the existing and proposed development of the land in the vicinity of the subject land

- The existing uses and zonings to be shown on separate map;
- The visual or historical characteristics of the area;
- Topographical and physical features;
- Details of illegal and non-conforming uses.

Details in respect of the planning proposals for the subject area

- What are the existing and proposed conditions applicable to the subject land (servitudes, title deed and/or zoning scheme conditions);
- Relevant details contained in Spatial Development Framework or any other policy proposals for the area.

Motivation given in the application and in the objections

- The applicant's motivation and comments on the objections and/or the appeal;
- The comments of relevant government departments;
- Details of the objections received.

Evaluation of the application by the Municipal Planning Tribunal (MPT)

- The evaluation of the application in relation to the SPLUMA principles, the proposals contained in the Spatial Development

SPECIAL POWER OF ATTORNEY

I,

NAME: Nonkululeko Judith Lumani

IDENTITY NO: 600924 0650 080

the undersigned, hereby nominate, constitute and appoint:

SMIT AND FISHER PLANNING (Pty) Ltd Reg. no 1999/025363/07

herein represented by Ferdi Schoeman and any person employed by the company

with the power of substitution to be my lawful Agent(s) in my name, place and stead to apply for:

the necessary approvals, permissions and consents and generally for effecting the purposes aforesaid (cellular mast construction/rooftop antenna installations/electricity connections),

at Erf 1537, Adelaide Township


at the Local Municipal Authority and in general to do everything to effect the application and to do whatever I would do if I was present in person and acting in the matter; and I hereby ratify, allow and confirm, and promise and agree to ratify, allow and confirm everything and anything my Agent(s) may do or may permit to be done legally in terms of this power of attorney and where I wish to withdraw and/or cancel the necessary approvals, permissions, consents, building plans and removal of restrictive conditions, SMIT AND FISHER PLANNING (Pty) Ltd Reg. no 1999/025363/07 has power to withdraw and cancel the application, actions or representations on behalf of the owner.

Signed at Adelaide on this 15 day of JUNE 2021

in the presence of the undersigned witnesses.

AS WITNESSES:

1.  _____


Owner: Nonkululeko Judith Lumani

2.  _____

- Framework, desirability, precedents, MPT and municipal policies etc.;
- In the case of land zoned for public purposes, the reasons why such land is no longer required for the use by the public;
- Desirability is usually considered in terms of the following :
 - physical characteristics of the area;
 - potential of the site;
 - character of the surrounding area;
 - planning proposals for the area (IDP/ Spatial Development Framework etc.
 - location and accessibility of the site;
 - provision of services;
 - environmental impact of the proposal;
 - impact during the construction phase.

The decision of Municipal Planning Tribunal (MPT)/ Authorizing Officer(AO)

MPT/ AO's decision, including the conditions that must be imposed if the application is approved. (Note that the application must contain these conditions, even if the MPT recommends that the application be refused by the MEC).

Note that applications that are submitted to municipalities for a decision must also contain all the relevant details.

A copy of the item that served before Municipal Planning Tribunal must be attached to any application that is submitted to this department.

The above information serves as a checklist for the purpose.

SECTION A

TO BE COMPLETED BY THE APPLICANT

(*ANSWER YES, NO OR NOT APPLICABLE)

1. PERSONAL PARTICULARS OF APPLICANT

Your reference number	Gyro_Adelaide_Ext
Name of person to whom correspondence should be addressed	Ivan Vorster on behalf of Smit & Fisher Planning
Address:	371 Melk Street, Nieuw Muckleneuk, Pretoria, 0181
Telephone number	012 346 2340
Facsimile number	012 346 0638

Is the applicant the only registered owner of the property? ...No.....*

If not, attach the power of attorney from the registered owner(s) to the application. This is also applicable if the person who is applying is still in the process of obtaining the land unit, or if the land is owned by a company or more than one person.

Name the registered owner(s): Nonkululeko Judith Lumani.....

Is the property encumbered with a bond? ...No.....*

If so, please attach the authorisation of the mortgage holder to the application.

2. DETAILS OF LAND UNIT

Registered description of the property, as is shown on the title deed :

Erf 1537, Adelaide
.....
.....
.....

Title Deed No: T97847/2001CTN.....

Area of land: 300 sqm.....

What is the present zoning of the land unit?

Residential.....
.....

What is the proposed zoning of the land unit?

Yes.....
.....

What is the existing land use of the land unit?

Residential.....
.....

What is the proposed land use of the land unit?

The additional use of a telecommunications mast.....
.....

Are any departures applicable to the land unit?

Yes.....
.....

If so, give a full explanation:

Proposed development is encroaching on the side and street building line.....
.....

Is there any building or other development on the land unit?

* Yes.....
.....

If so, what are the nature and conditions of the improvements? Good.....
.....
.....

Is the site being used in accordance with its present zoning?

* Yes.....
.....

if not, how is the land being utilised?

.....
N/A
.....

3. DETAILS OF APPLICATION

3.1 Describe the proposed development in detail.
(a separate motivational report may be added)

.....
See attached Motivational Memorandum.
.....
.....
.....

3.2 Does the proposal involve the entire land unit?
No.....*

If not, indicate the position and size of the portion of the
land unit that is not included in the proposed development
and for what purpose it is, or will be used

.....
See attached site development plans.
.....
.....

3.3 Is a departure being applied for in order to obtain a
temporary change of use on the land unit? No.....*

If so, explain why rezoning is not being considered and
supply reasons for the proposed period of the departure :

.....
.....
.....
.....
.....
.....

3 RESTRICTING FACTORS

(A separate report may be added to address the restricting factors)

.....
See attached Motivational Memorandum.
.....
.....

4.1 Are there any title deed restrictions which may have an effect on this
application in terms of the Spatial Planning and Management Act,
2013 (Act 16 of 2013)? Land Use TBC.....*

If so furnish full details:

.....
.....
.....
.....
.....

- 4.2 Is any portion of the land unit subject to tidal flow or situated under the high-water mark? ..No.....*

If so furnish full details:

.....
.....
.....
.....
.....

- 4.3 Is any portion of the land unit situated in a floodplain or a river under the 1 in 100 year floodline or subject to any floods?
..No.....*

If so, furnish full details:

.....
.....
.....

- 4.4 Are there any physical restrictions (such as steep slopes, unstable soil formations, swamps, etc) which could affect the development?
..No.....*

If so, furnish details and state how the problem can be solved:

.....
.....
.....
.....
.....
.....

- 4.5 Are there any other restrictions of which you are aware, but which were not mentioned above? ..No.....*

If so, furnish full details:

.....
.....
.....

5 POSSIBLE REFERRALS TO OTHER BODIES

- 5.1 Does the application fall within the area of a Spatial Development Framework or other Policy Plan (such as a Structure Plan, Framework Plan etc.)? **Yes.....***

If so, please give details in so far as they affect the application under consideration:

.....
See attached Motivational Memorandum.
.....

- 5.2 Are the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) applicable in case of this application? **No.....**

- 5.3 Is the land unit situated within the boundaries of a nature area reserved in terms of Section 4 of the Physical Planning Act, 1967 (Act 88 of 1967), or a mountain catchment area reserved in terms of the Mountain Catchment Areas Act, 1970 (Act 63 of 1970), or a nature reserve reserved in terms of the former Nature and Environmental Conservation Ordinance, 1974 (Ordinance 19 of 1974), or a national park reserved in terms of the Nature Parks Act, 1978 (Act 57 of 1976) ? **TBC.....***

If so, furnish full details:

.....
Awaiting on feedback from the Environmental Department.
.....

- 5.4 Does the land unit abut on the area of jurisdiction of another local authority or does any other local authority have an interest in this application? **No.....***

If so, state the name of the local authority and its interest in the application:

.....
.....

- 5.5 Does the property abut on any national, trunk, main or divisional road or such proposed road? **No.....***

If so, furnish full details (including status of the road and full statutory width):

.....
.....
.....

5.6 Is the land situated in a metropolitan transport area in terms of the Urban Transport Act, 1977 (Act 78 of 1977)? ..No.....*

If so, has it been referred to the relevant transport authority?

.....
.....

5.7 Is the land unit close to, or is it affected by a power line, a power station, a railway line, a railway station, airport or harbour?
..No.....*

If so, furnish details:

.....
.....
.....

5.8 Is there any conservation worthy building, graves, rock engravings, archaeological finds on the property including those that have not been declared national monuments? ..No.....*

If so, furnish details:

.....
.....
.....
.....

5.9 Is the land unit situated within 1000m from the high-water mark of the sea or tidal river? ..No.....*

If so, has nature conservation been consulted?

.....
.....

5.10 Does the land unit abut on, or is it in any way influenced by any property belonging to the S.A. National Defence Force?
..No.....*

If so, please supply details:

.....
.....
.....

ANNEXURES

HAVE THE FOLLOWING ANNEXURES BEEN ATTACHED?

(*ANSWER YES, NO OR NOT APPLICABLE)

ANNEXURE	YES	NO	NOT APPLICABLE
Power of Attorney	X		
Authorisation from mortgagee			X
Floodline Certificate			X
Regional Map			X
Locality Map	X		
Extract from zoning map			X
Land Use Map			X
Layout Plan	X		
Motivation Report	X		
Title Deed (Aktex Printout)	X		
Copy of advertisements		X	
Any other annexures, give details : <ul style="list-style-type: none"> - Departmental approval with structure plan - Planning report to Council - Municipal resolution 			

If any of the above answers are no and not applicable, give reasons:

Annexures which is ticked as not applicable is not a requirement for the submission of permission application.
 Public Participation will commence once application is submitted to the local Municipality.

I, the undersigned, certify that the information appearing in this section of the form and the information in the annexures is correct and complete, and that I understand the application. (Please note the contents of paragraph 1.6 of the Instructions).

SIGNATURE:  DATE: 24/06/2021

FULL NAME: Ivan Vorster

DATE ON WHICH THE APPLICATION WAS SUBMITTED TO THE MUNICIPALITY:

SECTION B

TO BE COMPLETED BY THE MUNICIPALITY WHEN APPLICATIONS ARE SUBMITTED TO THE DEPARTMENT IN TERMS OF SECTION 2.2 BELOW

(*ANSWER YES, NO OR NOT APPLICABLE)

1. DETAILS OF MUNICIPALITY

Name :	
Address:	
Name of contact person:	
Telephone number:	
Facsimile number:	
Reference number:	

2. DETAILS OF PREVIOUS OR ACCOMPANYING APPLICATION

2.1 Has there been previous correspondence with the Department of Housing and Local Government in respect of this land unit or a land unit of which this one forms part?

If so, furnish all reference numbers of the Department and the date of the most recent correspondence:

2.2 Does the current application also involve an application for :

	YES	NO	NOT APPLICABLE
The removal of restrictions in terms of SPLUMA 16 of 2013?			
The expropriation/sale/long term lease of land by a local authority?			
The closure of street/public places?			
Application for land that is within 1000m of the high water mark of the sea?			
A rezoning which may not be approved by the local authority in terms of the General Structure Plan?			

If the answer is YES to any of the above questions, please supply details and the motivation for the application:

.....
.....
.....

2.3 If the answer is YES to any of the above questions, were these applications advertised simultaneously? (It is required that advertising should be done simultaneously in such cases)

2.4 Have any of the above applications already been submitted to the Department?
If so, state which applications were given and furnish the relevant Department's reference number(s) in respect of each such application and the date of submission:

3 ADVERTISING

3.1 Were notices served on the owners of adjacent properties?
If so, attach a map indicating the names of those property owners on who notices have been served and a copy of the notice.

3.2 Indicate whether it was necessary to advertise in the press and/or the Provincial Gazette? If so, attach a copy of the advertisement.

3.3 Were any objections received? :
If so, attach a map indicating the name of every objector on his erf as well as copies of the objections and the comments of the applicant and the municipality on each issue or objection.

4 SPATIAL DEVELOPMENT FRAMEWORK AND OTHER RELEVANT POLICY PLANS

4.1 Is there a Spatial Development Framework or any other policy plan for the municipality's area of jurisdiction, or the area within which the subject erf is situated?

4.2 If so, what is the status of such SDF?
.....
.....

4.3 Furnish any applicable reference number(s) of the Department of Local Government & Traditional Affairs in respect of the plans concerned and the date of the most recent correspondence :

4.4 To what extent does the proposal comply with the SDF or other Policy Plans?

.....
.....

5 APPLICANT'S INFORMATION

5.1 Is the information supplied by the applicant correct and complete?

.....*

5.2 If not, provide the correct information:

.....
.....
.....

5.3 Are any problems envisaged with the provision of the following services?

	YES	NO	NOT APPLICABLE
Water			
Electricity			
Sewerage			
Stormwater drainage			
Refuse removal			
Roads			

If the answer to any of the above is YES, furnish full details regarding the problem and how it will be resolved:

.....
.....

6 COMMENTS OF THE MUNICIPAL PLANNING TRIBUNAL (MPT)

6.1 Does the MPT recommend the application for approval?

.....

6.2 Date of MPT's resolution:

6.3 Furnish a copy of the item considered by MPT and the reasons for the above-mentioned resolution (on a separate sheet, if necessary).

A copy of the proposed conditions of approval must be attached, irrespective of whether or not the **MPT** supports the application.

7 ANNEXURES

7.1 Are the following Annexures attached?

	YES	NO	NOT APPLICABLE
Map indicating those persons on whom notices have been served			
Copy of notice			
Copy of press notice			
Map of objectors properties			
Copies of objections received			
Comments of applicant on objections			
List of conditions			
Scoping report if required			
Comments from other government departments			
Any other documents/correspondence Please give full details. See page 11 Any other annexures			

I CERTIFY THAT THE APPLICATION IS COMPLETE AND CORRECT

.....
MUNICIPAL MANAGER

NAME:

DATE:



Gyro

SPECIAL POWER OF ATTORNEY

I, the undersigned,

Koenehelo Thejane
Full Name

7408076078086
Identity Number

Executive: Projects
Capacity

for and on behalf of

Gyro Group (Pty) Limited
Registration Number: 2016/522400/07
("Gyro Group"),

and by virtue of a delegation of authority of the said Gyro Group,

do hereby nominate, constitute and appoint -

Smit & Fisher Planning (Pty) Ltd
Company Registration Number: 1999/025363/07,
(the "Vendor")

with power of substitution and sub delegation, to be our true and lawful agent, and in our name, place and stead, to act on behalf of Gyro Group:

1. to negotiate lease agreements for and on behalf of Gyro Group with the property owners for the construction of a mast subject to final approval and signature of a lease agreement by Gyro Group;
2. to appoint sub-contractors to obtain approvals, permits and authorisations from relevant statutory authorities as may be required for the construction of the mast on properties;
3. to make application for the purposes of obtaining the approvals, permits and authorisations referred to in 2 above; and
4. to do all that necessary to give effect to 1 and 2 above.

The powers granted above exclude any right to appeal or take on review any review of any statutory authority as well as to sign any contract of whatsoever nature on behalf of Gyro Group.

This Special Power of Attorney is effective from 10 September 2019 until 10 September 2022.

Signed at Centurion on this 11th day of September 2019.



Signature

Witness

SEARCH INFORMATION

Summary

Search Type	DEEDS OFFICE PROPERTY ERF
Search Description	ERF 1537, ADELAIDE (KING WILLIAMS TOWN)
Reference	MARIUS
Date	28/08/2020

ERF INFORMATION

Summary

Deeds Office	KING WILLIAMS TOWN
Property Type	ERF
Township	ADELAIDE
Erf Number	1537
Portion Number	0
Previous Description	-
Registration Division	NOT AVAILABLE
Municipality	ADELAIDE MUN
Province	EASTERN CAPE
Diagram Deed	T97847/2001
Size	300.0000 SQM
LPI Code	C025000100000153700000
Street Address	-

OWNER SUMMARY

Owner Name	ID / Reg. Number	Purchase Price	Purchase Date
LUMANI NONKULULEKO JUDITH	6009240650080	R1.00	10/08/2001

OWNER INFORMATION

Owner 1 of 1

Owner Name	LUMANI NONKULULEKO JUDITH
ID / Reg. Number	6009240650080
Owner Type	PERSON
Title Deed	T97847/2001CTN
Purchase Date	10/08/2001
Registration Date	05/12/2001
Purchase Price	R1.00
Multiple Owners	NO
Multiple Properties	NO
Share	-
Microfilm Reference No.	-

REFERENCES

Document Number	Microfilm Reference Number	Institution	Value
CONVERTED FROM CTN	-	-	UNKNOWN
GENERAL PLAN FROM	11	TOWN ADELAIDE ,ERF 1284 ,PRTN 0	UNKNOWN

HISTORY INFORMATION

Document Number	Microfilm Reference Number	Owner	Value
T97847/200ICTN	-	-	UNKNOWN
T43408/200ICTN	-	MUN NXUBA	G/P

INTERNAL ENQUIRY HISTORY

Company Name	Contact Person	Contact Number	E-mail Address	Enquiry Date
No information available.				

REPORT INFORMATION

Date of Information	26/08/2020 11:12	
Print Date	26-08-2020 11:12	
Generated By	MARIUS OOSTHUIZEN	
Reference	MARIUS	
Report Type	DEEDS OFFICE PROPERTY ERF	

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Erf

**Gyro**

**CONSENT USE APPLICATION WITH THE SIMULTANEOUS
PERMANENT DEPARTURE FROM THE SIDE AND STREET BUILDING
LINE IN TERMS SECTION 72 AND 74 OF THE SPATIAL PLANNING
AND LAND USE MANAGEMENT BY-LAW OF RAYMOND MHLABA
LOCAL MUNICIPALITY, 2016 IN ORDER TO OBTAIN PERMISSION
FOR THE ERECTION OF A CELLULAR TELEPHONE MAST AND BASE
STATION ON**

ERF 1537, ADELAIDE TOWNSHIP.

1. APPLICATION

Application is being made in terms of in Section 72 and 74 of the Spatial Planning and Land Use Management By-Law Raymond Mhlaba Local Municipality, 2016 in order to obtain consent for the erection of a cellular telephone mast and base station on Erf 1537, Adelaide Township.

2. THE BRIEF

Gyro Group (Pty) Ltd instructed Smit & Fisher Planning (Pty) Ltd to submit the above-mentioned application to Raymond Mhlaba Local Municipality to obtain permission for the installation of cellular telephone mast and base station on Erf 1537, Adelaide Township, and such uses as the Local Authority may permit in writing.

The town planning considerations and objectives will be discussed in order to describe the site and surroundings and to familiarize and motivate the application. The memorandum will show the need and desirability as well as the suitability for the proposed establishment area.

3. BACKGROUND INFORMATION

3.1 LOCAL AUTHORITY:

The application site falls within the jurisdictional area of the Raymond Mhlaba Local Municipality.

3.2 PROPERTY DESCRIPTION (TITLE DEED):

Erf 1537, Adelaide.

3.3 REGISTERED OWNER (TITLE DEED):

Nonkululeko Judith Lumani

3.4 EXISTING ZONING (ZONING INFORMATION):

The zoning of the property is still to confirmed by the Municipality.

3.5 EXISTING LAND USE (AERIAL PHOTOGRAPH):

The erf is currently being used for Residential purposes.

3.6 TITLE DEED (TITLE DEED):

The property is registered by virtue of Title Deed T97847/2001CTN. Copy of the Title Deed have been requested from the King Williams Town Deed office and will be forwarded to respective personal as soon as received.

3.7 TOPOGRAPHY:

There are no indications from a topographical and geological point of view available that shows that problems might arise due to the proposed development. The surrounding development in the area indicates that there will be no problem with the approval of the proposed development in the area, concerning topographical and geological aspects.

4. LOCALITY

4.1 The property is located at Stand 1537, Unnamed Road, New Area, Bez' ville.

4.2 The proposed position of the cellular telephone mast is on:

Latitude:	-32.677930°
Longitude:	26.296084°

The following is taken into consideration when identifying a new location:

- o Areas in need of improved capacity and/or coverage is identified. Areas in which the current telecommunications infrastructure have been developed does not always provide suitable coverage or is busy reaching its maximum data carrying capacity. A telecommunication mast has a limited number of calls and transactions it can accommodate at any given time. If the number of calls, transactions or capacity are exceeded, it results in calls and transactions being cut-off. It should be noted that with the introduction of smart phones, additional data-intensive applications such as e-mails and MMS together with an increase in the usage of portable card machines (petrol and credit card machines) resulted in an exponential increase in data transactions handled by telecommunication masts. The previously mentioned need is also determined by the number of subscribers that contact and complain about poor signal strength and the dropping of calls (cut-off of calls). Therefore, a need arises for improved telecommunication infrastructure in the area.

Currently, a telecommunication mast only covers a maximum radius of 1 km and is believed to reduce even more in the future with 5G network capability.

5. MOTIVATION FOR STRUCTURE

5.1 Type of Mast

The visual impact of the proposed base station is argued to be acceptable and measures has been implemented to mitigate the visual impact of the proposed base station. The height of the mast is kept to a height of 36 meters, this height will provide the most sufficient coverage for all network providers.

A Lattice mast design was chosen for the proposed base station at it is deemed to be acceptable within the urban environment.

5.2 Noise made by cellular masts

New Cellular mast containers do not generate any noise. Generators is only used in extreme power failure circumstances and is usually silent generators.

5.3 Health Factors

The Department of Health states that: *"The Department is satisfied that the health of the general public is not being compromised by their exposure to the microwave emissions of cellular base stations. This also means that local and other authorities, in considering the environmental impact of any particular base station, do not need to and should not attempt, from a public health point of view, to set any restrictions with respect to parameters such as height of the mast, distance to the mast and duration of exposure"*

The radio frequency waves generated by a GSM base station are non-ionizing in nature and therefore, is distinct from X-rays and is incapable of breaking chemical bonds in biological tissue. The scientifically determined safe threshold for RF exposure is based entirely upon the known biological effects associated with thermal heating of tissue and to date there is no conclusive scientific evidence to indicate any association between below threshold exposure levels and negative health effects (ICNIRP). Cell-phone handsets used in areas of poor signal strength expose users to 1000 times or more radio frequency power (RF power) than a cell-phone base station 20m away. The World Health Organisation (WHO) has classified prolonged cell phone usage as "possibly carcinogenic to humans". Cell-phones are now classified in the same category as coffee and pickled vegetables; note that this applies to the use of the cell phone and not the base station. The radiation effect which a mobile base station has on a human is much less than that of cell phones. Over the years, a lot of scientific experimentation has tried to prove the negative impact of the cellular infrastructure on the surrounding area and the effects on human health. However, at the moment, no conclusive evidence has been found regarding the effect of cellular transmissions on the human health, and no relation has been established to cancer. Therefore, arguments against the placement of cellular telephone infrastructure in residential areas cannot be

based on health issues, and in addition, the residents of the area need the cellular infrastructure for effective communication.

5.4 Civil Aviation Authority.

The Civil Aviation Authority is needed when a mast is higher than 15m and all the necessary approvals is obtained from them before approval of the building plans. Please find attached the CAA inquiry with application.

5.5 Surrounding Land Uses

The surrounding land uses are residential housing and government entities.

6. SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 DEVELOPMENT PRINCIPLES (CHAPTER 2: SECTION 7)

- **Principle of Spatial Justice (Section 7. (a))**
 - In terms of the principle of spatial justice, a cellular mast will operate in terms of connecting different localities via cell network operators whereby people will have access to better communication signals and also forms part of the upgrading of an essential infrastructure of an area in terms of required functional infrastructure development.
- **Principle of Spatial Sustainability (Section 7. (b))**
 - Given that cellular masts will not be erected on any property which is deemed environmentally sensitive, the mast will be placed strategically in locations where gaps in signals are prominent and in terms of longevity of these masts, they will be able to be used as parts of new, sophisticated type of networks, to provide better service quality to the surrounding recipients. Given that a lot of people make use of cellphones and networks to communicate, having this type of infrastructure in place will allow for more effective communication within cities and towns. The general public expects and demands effective cellular telephone coverage.
- **Principle of Efficiency (Section 7. (c))**
 - In terms of integrating cities and towns, the strategic location of cellular masts will create an effective environment for people to work and communicate without any disruptions in signal which could begin to cause problems in terms of communication. Having such infrastructure in place will then also attract people to cities and towns where they may engage in business or leisure knowing that no telecommunication disruptions may occur. Effective cellular telephone coverage is a requirement for daily necessity.
- **Principle of Spatial Resilience (Section 7. (d))**
 - Cellular telephone infrastructure is considered as infrastructure and forms part of the urban fabric. With more than 32 000 cellular telephone masts in operation in South Africa today, it

can be considered as part of the urban landscape and have spatial resilience in cities and towns, empirical analysis of real infrastructure networks have indicated that an optimal infrastructure network is the one with the most short average path length (APL) links between network receptors. In the case of a technical disruption or electrical outage, other telecommunication receptors will be able to take over the capacity of that area and will spring back into shape as soon as the disruption is gone.

- **Principle of Good Administration (Section 7. (a))**
 - As can be seen from the aforementioned is that all of the necessary investigations, i.e. applications, CAA and EIA is undertaken for every site to ensure that an optimal position for a cellular telephone mast is identified. All required permits are then obtained from all relevant departments. When applying for permission/consent and/or building plan approval from the municipality, the correct channels are followed in terms of obtaining the necessary comments from the respective departments, notice of new construction is to be placed at the site in question, public participation is done to ensure that the adjacent land owners are aware of the proposed development and they have a set period of time in which they may lodge any objections, construction and building plans are done with reference to relevant restrictions such as servitudes and building lines. In cases where building line relaxation is required, an application is done to obtain approval before any form of construction may commence.

7. SECTION 42 OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013

1. Public Interest

Cellular telephones have become an integral part of the South African way of life and fulfill an important role in most people's daily life. Cellular telephones have become of utmost importance, due to the fact that communication is made much easier and more readily available due to cellular telephones. In order to provide effective cellular telephone communications, cellular telephone masts have to be provided, and they have to be placed at specific localities.

Cellular telephones have made a positive impact on people's lives, as it has provided better access to emergency services and better security in many situations. The demand and popularity of cellular telephones surpassed all expectations and subsequently the existing networks are insufficient to handle daily calls in certain areas. Presently cellular telephones are an everyday use article with a large percentage of subscribers throughout the country.

2. **The Constitutional and Transformation Imperatives and the Related Duties of the State**
Transformation entails radical change. Transformation based on the ideal to establish a South African constitutional state is envisioned to be the desired state which the Constitution describes as "the need to create a new order in which all South Africans will be entitled to a common South African citizenship in a sovereign and democratic constitutional state in which there is equality between men and women, and people and races so that all citizens shall be able to enjoy and exercise their fundamental rights and freedoms."
3. **The Facts and Circumstances Relevant to the Application**
The details with regard to the application have been addressed under Sections 3 of this memorandum.
4. **The Respective Rights and Obligations of all those Affected**
Community participation will be done as required in terms of the relevant town planning scheme applicable.
5. **The State and Impact of Engineering Services, Social Infrastructure and Open Space Requirements**

Engineering Services

The electrical reticulation network will be upgraded as the relevant cellular telephone company applies for more electricity, and the owner shall be responsible for the cost applicable to the internal electrical network, as well as the costs allocated for contribution payable on the primary and secondary electrical system.

The Proposed cellular telephone mast and base station will not make use of any water or sewerage systems and the impact on the drainage pattern is limited, if any.

Social Services

The Cellular Mast will have no influence on social services.

Open Space Requirements

The Cellular Mast will have no influence on Open Space Requirements.

6. **Promotes the concept of reversing entrenched spatial inequities:**
Cellular infrastructure is based on network coverage (like a beehive) and can therefore not be biased against certain areas. Areas of high-density dwelling units will increase density usage and therefore increase cellular infrastructure in the area, while low density rural areas will decrease the need of cellular coverage and subsequently its need for cellular infrastructure.

8. NATIONAL SPATIAL DEVELOPMENT FRAMEWORK (SOUTH AFRICA)

One of the objectives of the National Spatial Development Framework is to create a faster and more inclusive economic growth rate for South Africa. One of the strategic goals, as set out by the National Spatial

Development Framework is to create more efficient and competitive infrastructure in South Africa: "Infrastructure is to facilitate economic activity that is conducive to growth and job creation. An approach will be developed to strengthen key services such as commercial transport, energy, telecommunications and water, while ensuring their long-term affordability and sustainability."

Cellular telephone infrastructure is seen as infrastructure, which is the same as lamp poles, power lines etc. All credit card transactions, WI-FI etc. is now being provided by cellular telephone infrastructure and therefore there is a need for effective cellular coverage telephone capacity. Thus, good and effective cellular coverage and capacity facilitate and promote economic activity and growth, and effective telephone infrastructure is therefore required for economic growth and job creation.

It is mentioned in the National Spatial Development Framework that telecommunication of which cellular telephone infrastructure forms part of, must be strengthened.

9. ENVIRONMENTAL IMPACT

An independent Environmental Impact Assessment query is undertaken for every site to ensure that cognizance has been taken of all the relevant Environmental criteria. In terms of Regulation No. R543 of National Environmental Management Act (Act No. 107 of 1998: Environmental Impact Assessment Regulation 2010) an inquiry is done to determine if this activity is considered as "Listed" or "Not Listed". When the site is listed in terms of the National Environmental Management Act (Act No. 107 of 1998: Environmental Impact Assessment Regulation 2010) a basic assessment report will be done according to the prescribed legislation.

Cellular telephone masts create no pollution or adverse effect on the traffic or activities in the area.

10. NEED AND DESIRABILITY

Cellular telephones have become an integral part of the South African way of life and fulfill an important role in most people's daily life. Cellular telephones have become of utmost importance, due to the fact that communication is made much easier and more readily available due to cellular telephones. In order to provide effective cellular telephone communications, cellular telephone masts have to be provided, and they have to be placed at specific localities.

Cellular telephones have made a positive impact on people's lives, as it has provided better access to emergency services and better security in many situations. The demand and popularity of cellular telephones surpassed all expectations and subsequently the existing networks are insufficient to handle daily calls in certain areas. Presently cellular telephones are an everyday use article with a large percentage of subscribers throughout the country.

Data is the most important service required by the public. All credit card transactions and Wi-Fi etc. requires data via cellular telephone towers. The problem is that due to this higher data usage, the effective range of

cellular telephone masts has decreased substantially. Therefore, more and more cellular telephone masts are required.

The development of an effective cellular telephone network is of national interest because it promotes communications and economic activity and places telephone communication within reach of the entire population. Cellular telephone companies attempt to allocate masts on non-residential properties. In this case the proposed mast will be placed at an optimal position as per the proposed radio planning.

The current cellular telephone infrastructure in this area is reaching their maximum carrying capacities. Cellular telephone masts have a limited number of calls it can handle at any given time. If the number of calls are exceeded, it results in calls being cut off. The previously mentioned need is also determined by the amount of subscribers that contact service providers and complain about poor signals and calls being cut off (drop calls). Therefore, a need arises for more cellular telephone infrastructure in this area.

11. DEVELOPMENT PROPOSAL

The development proposal is a 36-meter-high Lattice mast within a developed area. A Color toned container will be placed on the site next to the cellular telephone mast. The site will not be fenced off as the site is within a property which is fenced, and the site will be kept neat at all times.

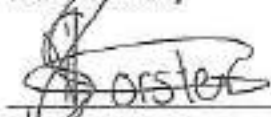
Please note that the abovementioned specifications are preliminary and subject to change.

12. CONCLUSION

Raymond Mhlaba Local Municipality currently does not make exception for any telecommunication infrastructure thus Application is being made in terms of in Section 72 and 74 of the Spatial Planning and Land Use Management By-Law Raymond Mhlaba Local Municipality, 2016 in order to obtain consent for the erection of a cellular telephone mast and base station on Erf 1537, Adelaide Township.

We trust that you find the above in order. For any further queries, please feel free to contact the writer.

Yours faithfully



Ivan Vorster

Smit and Fisher Planning (Pty) Ltd

Cell: 051 662 0123

ivan@sfplan.co.za



CAA Obstacle ID

Form Number: CA 139-27

Section/Division:
Telephone number:
Physical address:
Postal address:

Aeronautical Obstacles and GIS, ANS
011-545-1000
Ibhaya Letendisa, 18 Truar Close, Waterfall Park, Bulwer Street, Midrand, Gauteng
Private Bag 273, Halfway House 1685

Website: www.caa.co.za

DETAILS OF BANK ACCOUNT FOR PAYMENT OF PRESCRIBED FEE		
BANK: GUARANTY BANK OF SA LTD	Branch: Brooklyn, P.O. Box 171	Branch Code: 011545
COMPULSORY CLIENT PAYMENT CODE (to be completed on deposit slip)		Account Number: 013091971
Service/transaction	Over the counter payments	EFT, internet, wire, electronic payments
Fee: See CAR Part 167 for prescribed fees		

APPLICATION FOR APPROVAL OF OBSTACLES

Details of applicant		Details of owner	
Name of Company	Smit & Fisher Planning (Pty) Ltd	Name of Company	Gyro Group
Contact Person	Cara Terblanche	Contact Person	Mbavhalelo Raedani
Telephone Number	+27 (0)12 346-2340	Telephone Number	+27 (0)12 311-0005
Cell Number	+27 (0)83 383-4137	Cell Number	+27 (0)81 789-4795
email address	cara.terblanche@sfplan.co.za	email address	Mbavhi.Raedani@gyrogroup.co.za
Billing Address	371 Melk Street, Nieuw Muckleneuk		
City	Pretoria	Province	Gauteng
Code	0181	VAT Number	4390206979

The applicant herewith applies for assessment and approval by the SACAA for the following proposed structure.

		Proposed Construction	
Type of Structure	Tower	Start Date	
Site Name	Adelaide Ext	End Date	
Site ID Number	Adelaide Ext	Coordinate Data Source	Handheld GPS (non survey)
Latitude (S) <small>(DD°MM'SS" format only)</small>	D 32 M 40 S 40.55	If Other:	
Longitude (E) <small>(DD°MM'SS" format only)</small>	D 26 M 17 S 45.9	Elevation Data Source	Handheld GPS (non survey)
Site Elevation (m) <small>(Ground Elevation)</small>	606	If Other:	
Structure Height (m) <small>(Structure height, including base/finish)</small>	36	Datum	WGS84
Sub-Structure Height (m) <small>(Roof/plate height above ground)</small>	0	Types of Structure	<input type="checkbox"/> Replacement <input type="checkbox"/> Shared <input checked="" type="checkbox"/> New
Height to top of structure <small>(Sun ft above vertex)</small>	642	Application Date	24 Jun 2021
Guy-wire/Jib Radius (m)		Attached Documents (if applicable)	<input type="checkbox"/> Survey Report <input type="checkbox"/> Plan/Engineer's Drawing <input type="checkbox"/> Google/GIS File <input type="checkbox"/> Other

FOR RECORD USE ONLY

Conditions of approval

- None
 Day Markings
 Night Markings
 Day & Night Markings
 Other/Special

Notes

1. A SACAA conditional approval, valid for 3 years from date approval, will be issued subject to the application being successful.
 2. A Final Approval will be issued subject to the Applicant/Owner providing "As built" information on completed project.

CA 139-27

11 November 2018

Page 1 of 1

Reset Form

Submit by Email

Print Form



Department of Health

Directorate: Radiation Control
Private Bag X62
BELLVILLE
7535

☎: 021 957 7493
Fax: 021 946 1599
E-mail: Leon.DuToit@health.gov.za

Enquiries: LL du Toit
Date: 11 March 2019

To whom it may concern

HEALTH EFFECTS OF CELLULAR BASE STATIONS AND HANDSETS

The Directorate: Radiation Control is the section within the National Department of Health that is responsible, from the viewpoint of human health, for regulating electronic products producing non-ionising electromagnetic fields (EMF), i.e. where the frequency of such EMF is less than 300 GHz. In carrying out this responsibility, the Directorate has been utilising the World Health Organization's (WHO) International EMF Project (www.who.int/peh-emf/en/) as its primary source of information and guidance with respect to the health effects of EMF. The International EMF Project was established by the WHO in 1996 to (i) assess the scientific evidence for possible adverse health effects of non-ionising electromagnetic fields on an on-going basis, (ii) initiate and coordinate new research in this regard, and (iii) compile health risk assessments for different parts of the electromagnetic spectrum. The Department of Health has been a member of the International Advisory Committee of the International EMF Project since 1998.

In June 2005 the International EMF Project hosted a workshop that was specifically aimed at considering the possible health consequences of the emissions from cellular base stations and wireless networks. The findings of this workshop were summarised in a 2-page Fact Sheet (<http://www.who.int/peh-emf/publications/facts/fs304/en/>). The following extract from this Fact Sheet is still considered by the WHO as a summary of the findings to date, i.e. *"Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF signals from base stations and wireless networks cause adverse health effects."*

Another WHO Fact Sheet was published in June 2011 and reviewed in October 2014, i.e. *Electromagnetic fields and public health: mobile phones*. This Fact Sheet can be found at <http://www.who.int/mediacentre/factsheets/fs193/en/> and the conclusion is stated as follows:

"A large number of studies have been performed over the last two decades to assess whether mobile phones pose a potential health risk. To date, no adverse health effects have been established as being caused by mobile phone use."

The WHO recommends utilising internationally recognised exposure guidelines such as those published in 1998 by the International Commission on Non-Ionizing Radiation Protection (ICNIRP) and reconfirmed in 2009 for the frequency range 100 kHz – 300 GHz (i.e. including all the frequencies employed by the cellular industry). The Department of Health likewise recommends the use of these ICNIRP guidelines to protect people against the known adverse health effects of EMF.

The numerous measurement surveys, which have been conducted around the world and in South Africa, have shown that the actual levels of public exposure as a result of base station emissions invariably are only a fraction of the ICNIRP guidelines, even in instances where members of the public have been really concerned about their exposure to these emissions. At present there is no confirmed scientific evidence that points to any health hazard associated with the very low levels of exposure that the general public would typically experience in the vicinity of a cellular base station. The Department is therefore satisfied that the health of the general public is not being compromised by their exposure to the microwave emissions of cellular base stations. This also means that local and other authorities, in considering the environmental impact of any particular base station, do not need to and should not attempt, from a public health point of view, to set any restrictions with respect to parameters such as distance to the mast, duration of exposure, height of the mast, etc.

The Department of Health is not able to make any pronouncements about the specific levels of EMF that a member of the public would experience at any particular base station site when it is in operation. However, generally-speaking unless a person would climb to the top of a mast (or other structure supporting an antenna) and position him/herself not more than a few meters away right in front of the active antenna, such a person would have no real possibility of being exposed to even anywhere near the afore-mentioned ICNIRP guideline limits. Since these base stations are typically cordoned off by means of barbed wire fencing and locked gates/doors in order to protect the sensitive and expensive technology, getting to a mast and actually climbing it despite the afore-mentioned security measures would certainly not be considered responsible behaviour. Even then the only real threat to the health of the person would be falling at any height from the structure in question. Based on the results of numerous global and local surveys, the experience has been that the exposure to base station EMF at ground level is typically in the range of between 0.001 – 1.0 % of the afore-mentioned ICNIRP guideline limits. Against this background of available data, there

would be no scientific grounds to support any allegation that adverse health effects might be suffered by a responsible member of the public due to the EMF emitted by a base station.

Although the Department of Health currently neither prescribes nor enforces any compulsory exposure limits for electromagnetic fields, the Department does advise all concerned (whether they be a government department, the industry or the public) that voluntary compliance with the afore-mentioned ICNIRP exposure guidelines is the recommended and science-based way to deal with any situation involving human exposure to the non-ionising electromagnetic fields emitted by cellular base stations and handsets.

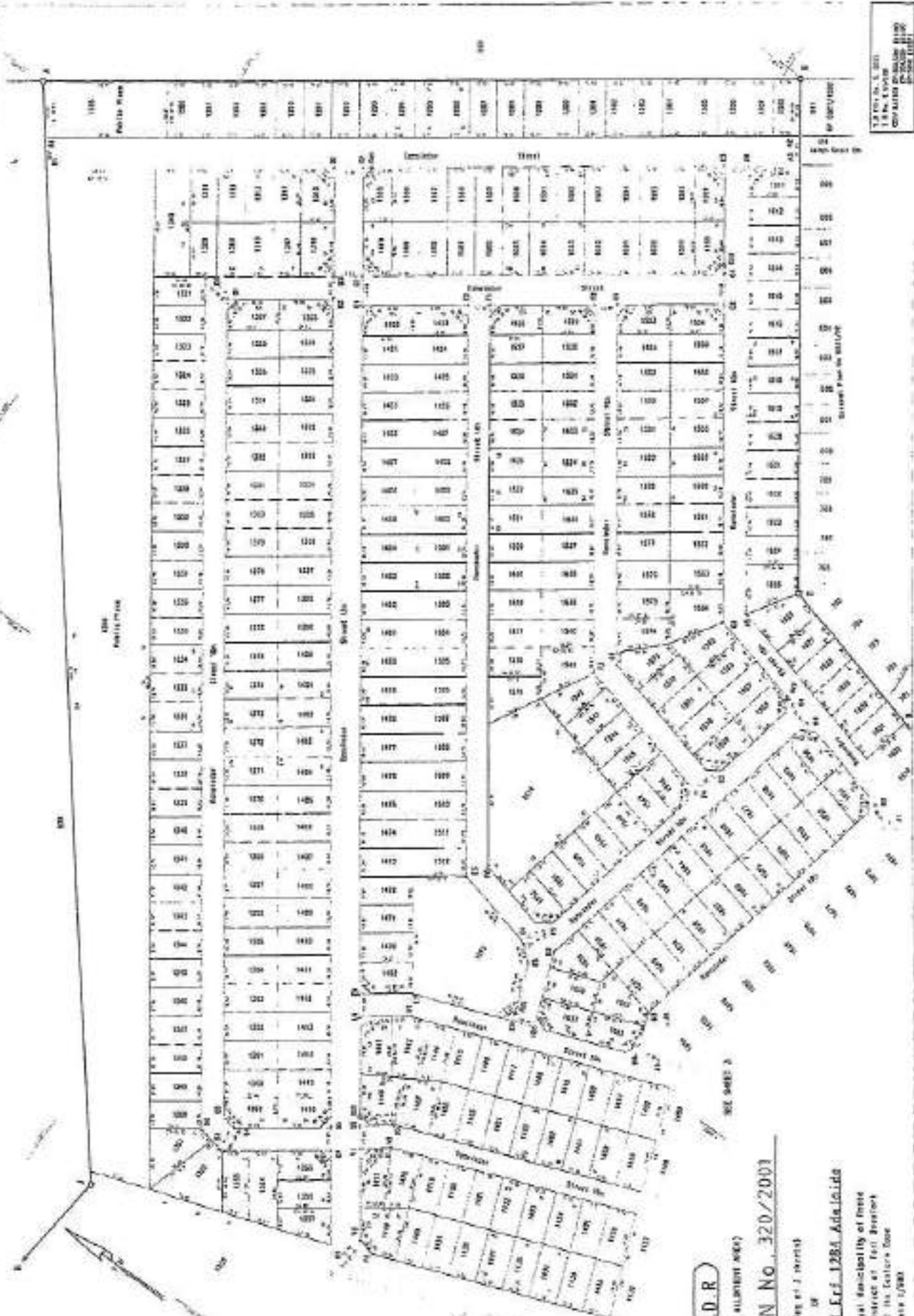
Yours sincerely,

A handwritten signature in black ink, appearing to read 'LL du Toit', written in a cursive style.

LL du Toit
DEPUTY DIRECTOR: RADIATION CONTROL

S.D. No. 320/2001
 SHEET No. 2 OF 3 SHEETS
 1:1
 Date: 3.08.2001

S.D. No. 320/2001
 SHEET No. 2 OF 3 SHEETS
 1:1
 Date: 3.08.2001



Prepared by
 Surveyor
 Date: 3.08.2001

C.D.R.

(RELATIVE ALIGNMENT NEAR)

GENERAL PLAN No. 320/2001

Consisting of 2 parcels

of
 Subdivision of Tr. 1284, Adalinda

located in the local municipality of these
 administrative district of Foz de Iguaçu
 Province of It. Carlos Dade

Sheet 2/3

Gyro

SITE NAME:
ADELAIDE EXT
SITE NUMBER:

REV	DATE	NOTES
0	2020-09-09	1st Issue

DATE: 01/09/2020
DRAWN: A. HELM
AD

APPROVED BY: 18m LATTICE MAST

NOTES:

- A) NEW 30m LATTICE MAST TO BE ERECTED
- B) 4x 18m BASE STATION
- C) 2.4m HIGH PALISADE FENCE
- D) SITE TO BE CUT & FILL
- E) POWER EXISTING TRANSFORMER
- F) EXISTING PEDESTRIAN GATE TO BE REVERSE

It is the responsibility of the contractor to ensure that all materials and workmanship are in accordance with the relevant standards and specifications. The contractor is to ensure that all materials and workmanship are in accordance with the relevant standards and specifications. The contractor is to ensure that all materials and workmanship are in accordance with the relevant standards and specifications.

PROPERTY DESCRIPTION:

Lot 1537,
ADDRESS

COORDINATES:
Lat: -32.877530
Long: 151.255034
ELEV: 608m

PROJECT:

New Tower Site

ADDRESS:

Unnamed Street,
Adelaide, Zealandia Cape



DESIGNER: SFP TOWNPLANNING
PROJECT NO: 18010
DATE: 01/09/2020
SCALE: 1:1000

LOCALITY MAP

SCALE	DATE	PAGE
N/A	2020-09-09	1 of 7

DWG NO: A18160-02-01 R0



Reserven vastelle

1:1000

Gyro

SITE NAME:
ADLAIDE EXT
SITE NUMBER:

REV	DATE	NOTES
0	2020-09-09	1st Issue

DATE: 08/07/20
DRAWN: A. HELM AS

APPROVED: [Signature] **NEW LATTICE MAST**
NOTES:

NEW 30M LATTICE MAST TO BE ERRECTED
 10M x 4M BASE STATION
 0.2-0.4M HIGH POLYESTER FENCE
 0.5M TO BE CUT & FILL
 0.5M POWER EXISTING TRANSFORMER
 EXISTING PROTECTIVE GATE TO BE MOVED
 1. ALL REGULATIONS AND APPROVALS REFERRED TO FINAL JOURNAL

PROPERTY DESCRIPTION:
GPT 1507, Adelaide

CO-ORDINATES: **EASEL:**
 Lat: -32.677930
 Long: 151.2061064
 605m

PROJECT: New Tower Site

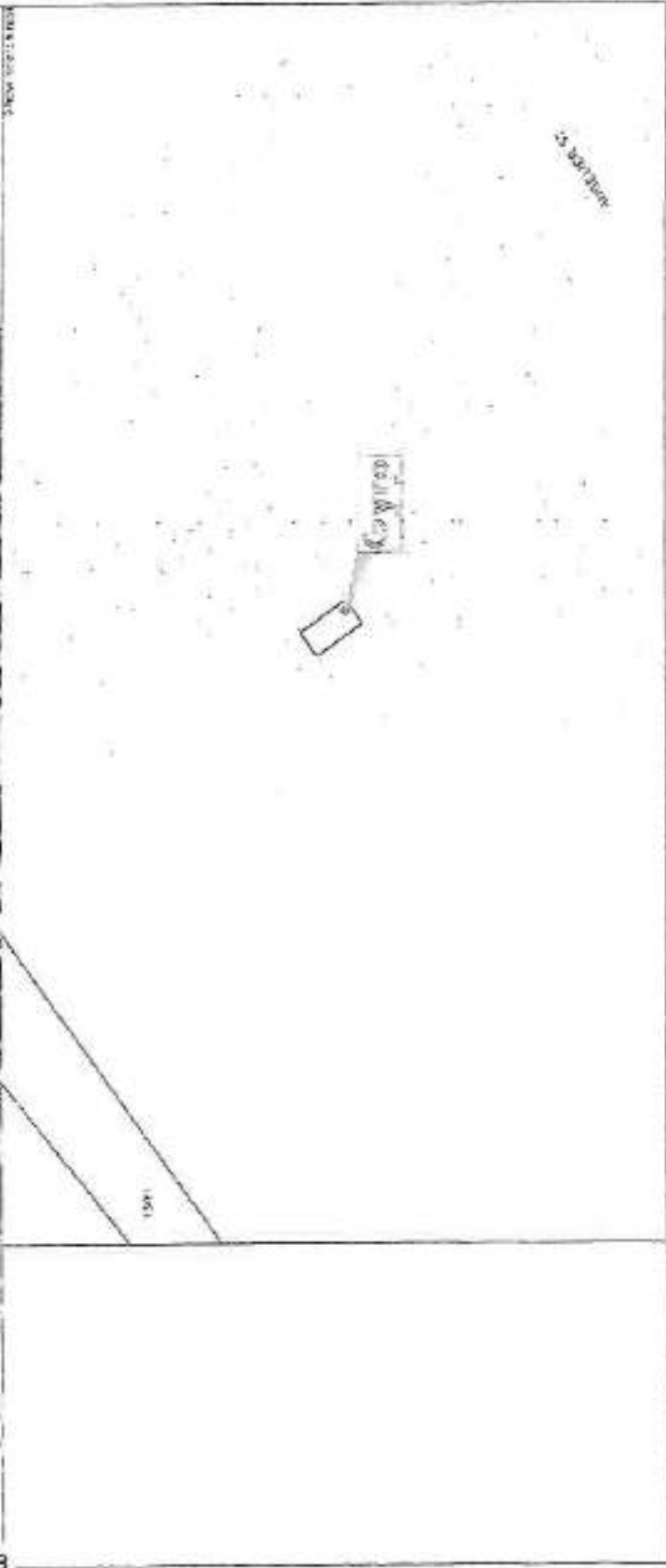
ADDRESS: Unions Street, Adelaide, Eastern Cape



SFP
Townplanning

100-101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

CADASTRAL
SCALE: N/A **DATE:** 2020-08-09 **PAGE:** 2 of 7
DWG NO.: Adelaide ext - 02 **R0**



Gyro

SITE NAME:
ADELAIDE EXT

SITE NUMBER:

REV	DATE	NOTES
0	2020-09-09	1st Issue

DATE: 06/05/2020
DRAWN: A. HELM
A3

APPROVED BY: 36m LATTICE MAST

NOTES:

- A) NEW 36m LATTICE MAST TO BE ERECTED
- B) 6m x 6m BRIDGE STATION
- C) 3.4m HIGH PALISADE FENCE
- D) SITE TO BE CUT & FILL
- E) POWER, EXISTING TRANSMOWER
- F) EXISTING PEDESTRIAN GATE TO BE MOVED

1x 6m BOP (two sub-towers on each side) & to be installed, anchored & supported in accordance with SANS 1015-4 & SANS 1008 Part 11/2015

ALL WORK TO BE ACCORDING TO APPROVED AND SUBJECT TO THE ZONING

PROPERTY DESCRIPTION:

Er1 1037
Agriculture

COORDINATES:
Latitude: -33.677930
Longitude: 26.261694

HSBL:
608m

PROJECT:
New Tower Site

ADDRESS:

Learned Street,
Arlahah, Eastern Cape

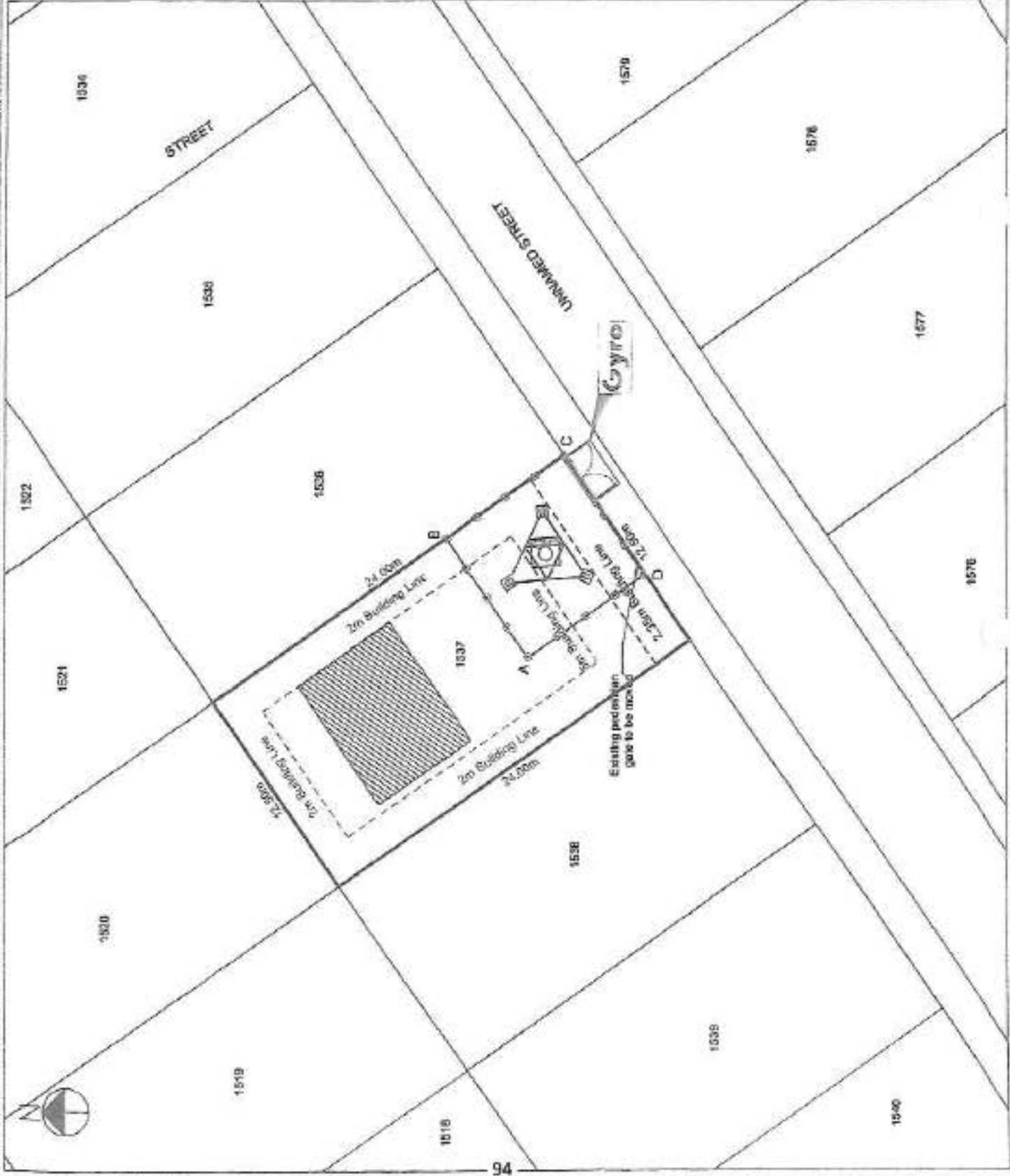


South African Planning & Surveying
No. 2020/10/10/10
No. 2020/10/10/10
No. 2020/10/10/10

SITE PLAN

SCALE: 1:200
DATE: 2020-09-09
PAGE: 3 of 7

DWG NO.: ADELAIDE EXT - 03
R0



Gyro

SITE NAME:
ADELAIDE EXT
SITE NUMBER:

REV	DATE	NOTES
0	2000-09-09	1st Issue

DATE: 09/09/2000
DRAWN: A. HELM
AD

APPROVED MAST: 36m LATTICE MAST
NOTES:

- 1. APPROVE 36m LATTICE MAST TO BE ERECTED IN 10m x 10m BASE STATION
- 2. 12.4m HIGH PALISADE FENCE SYSTEM TO BE CUT & FILL
- 3. POWER, EXISTING TOWER-TO-TOWER FEEDING PEDIESTRIAN GATE TO BE MOVED

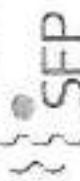
To sign off the extinguisher on each container & to be locked, individual & serviced to compliance with OHS 1472-1 & SAHS 10000 Part 10(1)(1) & 10(1)(2).
1. ALL WORK MUST BE APPROVED AND SUBJECT TO FINAL CHECK.

PROPERTY DESCRIPTION:
E1 1507,
A80340

COORDINATES:
Easting: 32,877930
Northing: 23,238084

PROJECT:
New Tower Site

ADDRESS:
Unnamed Street,
Adelaide, Eastern Cape

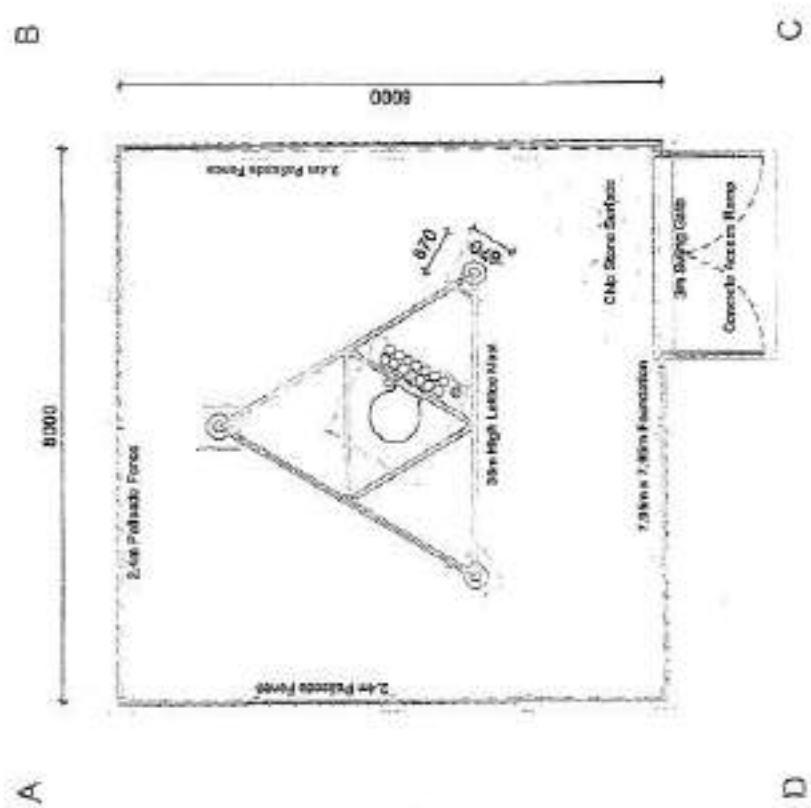


SFP
Townplanning

2001 115, 116 & 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

SCALE: 1:75
DATE: 2000-08-09
PAGE: 5 of 7

DWG NO: Adelaide ext - 05
R0



LEGEND:
 FIRE EXTINGUISHER

Gyro

SITE NAME:
ADELAIDE EXT
SITE NUMBER:

REV	DATE	NOTES
0	2020-09-09	1st Issue

DATE: 09/09/2020
DRAWN: A. HELM A3

APPROVED MAST: 36m LATTICE MAST
NOTES:

- 01 NEW 36m LATTICE MAST TO BE ERRECTED 24m x 6m SHABE STATION
 - 02 2.4m HIGH PALISADE FENCE
 - 03 SITE TO BE CUT & FILL
 - 04 POWER, EXISTING TRANSFORMER
 - 05 EXISTING PEDESTRIAN DATE TO BE MOVED
- To Rig out the existing tower on each condition it is to be levelled, reinforced & serviced to accord with with SHAB 147-1 & SHAB 147-2 (Part 7000) FINAL SUBJECT.

PROPERTY DESCRIPTION:
011 1327 Adelaide

CO-ORDINATES: LABEL
Lats: -32.677630
Long: 150.296084
ELEVATION: 600m

PROJECT: New Tower Site

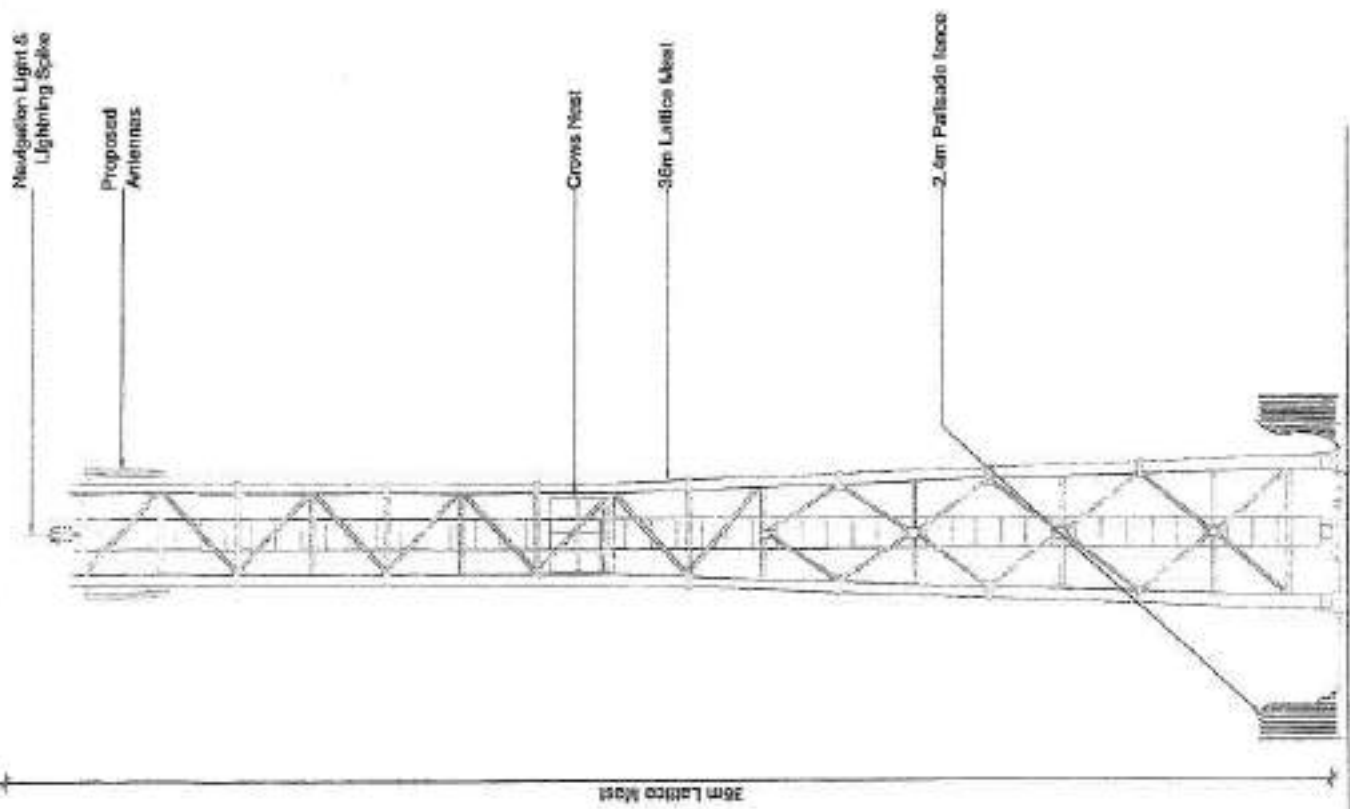
ADDRESS: Unnamed Street, Adelaide, Eastern Cape



2012 114 111 111 111 111
08 111 111 111 111
111 111 111 111 111
111 111 111 111 111
111 111 111 111 111
111 111 111 111 111

ELEVATION

SCALE: N/A	DATE: 2020-09-09	PAGE: 6 of 7
DWG NO: Adelaide ext - 00		R0



SITE NAME:
ADELAIDE EXT
SITE NUMBER:

REV	DATE	NOTES
0	2020-09-09	1st Issue

DATE: 09/09/2020
DRAWN: A. HELM
AS

APPROVED/MST: 3m LATTICE MAST
NOTES:

- A) NEW 3m LATTICE MAST TO BE ERECTED
 - B) 8m x 8m BASE STATION
 - C) 2.4m HIGH PALISADE FENCE
 - D) SITE TO BE CUT & FILL
 - E) POWER EXISTING TRANSMISSIONS
 - F) EXISTING PEDESTRIAN GATE TO BE MOVED
- 1x 0.9m x 0.9m sign exchanger on each corner 4.6m to be installed, equipped with 4.6m x 4.6m panels with 1600 x 1600 pixels & 4.6m x 4.6m panels (12800 pixels)
- * ALL TRADE AND SERVICES TO BE APPROVED BY THE LOCAL COUNCIL

PROPERTY DESCRIPTION:
EY 1537,
Adelaide

COORDINATES: **BASE:**
Lat: -32.677930
Long: 151.289064
900m

PROJECT:
New Tower Site

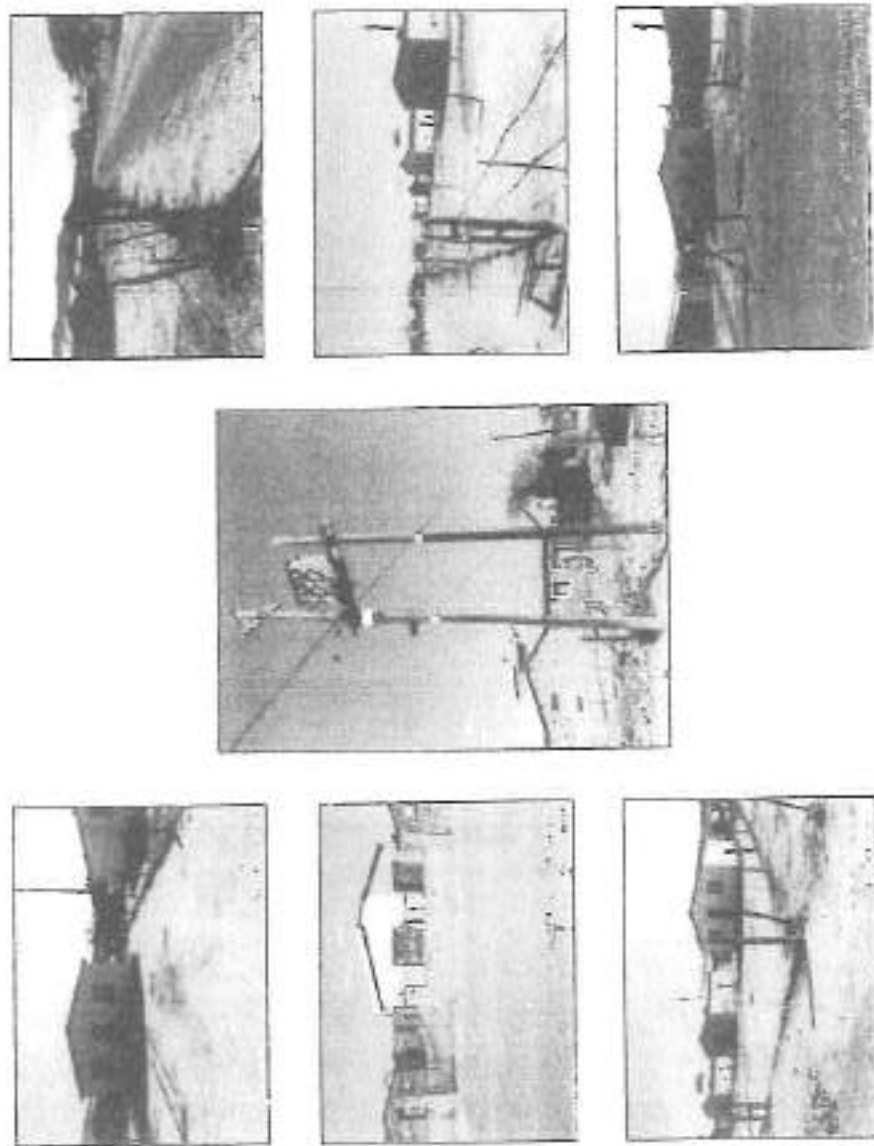
ADDRESS:
Unverred Street,
Adelaide, Eastern Cape



REGISTERED TOWNPLANNERS
26 TO 28 BUCKINGHAM
ROAD, BUCKINGHAM, MK18 1JQ
01295 244444
www.sfp.co.uk

SITE PHOTOS

SCALE:	DATE:	PAGE:
N/A	2020-09-09	7 of 7
DWG NO: Aesthetics	or	R0



ITEM 55/2022

APPLICATION FOR SPECIAL CONSENT TO ERECT CELLULAR MAST ON PORTION 2 OF THE FARM REITMOND, NO 175 IN FORT BEAUFORT

Author: Land Use Officer – L. Mtyundyutho
Director: Eng. Services – February 2022
Management – February 2022
Stg Comms: March 2022
Exco- March 2022
Council: March 2022

1. PURPOSE

The purpose of this report is for EXCO to **APPROVE** the application for special consent to erect cellular mast on Portion 2 of Farm Reitmond, No.175 in Fort Beaufort.

2. LEGAL FRAMEWORK

- SPLUMA Act no 16 of 2013;
- Land Reform and Settlement plan
- Land Use Planning Ordinance 15 of 1985;
- RULA and,
- Municipal Systems Act 32 of 2000;

3. BACKGROUND / REASONING

The section received applications form SFP Town Planners for application for consent in terms of Land Use planning ordinance no 15 of 1985 and The Spatial Planning and Land Use Management Act 16 of 2013 with the Section 8 of Scheme regulations. The application is to erect a cellular telephone mast and the base station on the Portion 2 of the Farm Reitmond, No.175 Fort Beaufort.

4. STAFF IMPLICATION

None.

5. FINANCIAL IMPLICATIONS

None.

6. RECOMMENDATIONS

The Standing Committee **RECOMMENDED** that:

- 1) EXCO **APPROVES** the application for special consent to erect cellular mast on Portion 2 of Farm Reitmond, No.175 in Fort Beaufort.

Our Ref: X1000993 Honeyville TX (Ericsson)



Director: Strategic Planning & LED
Town Planning Department
Raymond Mhlaba Local Municipality
P.O. Box 36
Fort Beaufort
5720

012 346 2340
admin@sfpplan.co.za
www.sfpplan.co.za

371 Milk Street
Mauritius Muckleneuk
0151

PO Box 908
Groenkloof
0022

Dear Sir/Madam

CONSENT USE APPLICATION IN TERMS OF THE LAND USE AND PLANNING ORDINANCE NO. 15 OF 1985 IN ORDER TO OBTAIN PERMISSION FOR THE ERECTION OF A CELLULAR TELEPHONE MAST AND BASE STATION ON PORTION 2 OF THE FARM RIETMOND, NO.: 175 – FORT BEAUFORT RD.

Ericsson (Pty) Ltd instructed Smit & Fisher Planning (Pty) Ltd to submit an application to Raymond Mhlaba Local Municipality to obtain permission to construct a new cellular telephone mast and base station on the abovementioned property.

Attached please find the following documents for your attention:

- A copy of the Application Form,
- A copy of the Special Power of Attorney;
- A copy of the Deed Search & Title Deed,
- A copy of the Motivational Memorandum,
- A copy of the CAA Approval,
- A copy of the EIA Non-Listed Letter,
- A copy of the Letter from the Department of Health,
- A copy of the SG-Diagram, and
- A copy of the Proposed Building Plans.

If you have any enquiries, please contact the writer

Kind Regards

A handwritten signature in black ink, appearing to read 'Ivan Vorster', written over a horizontal line.

Ivan Vorster
Email: ivan@sfpplan.co.za
Cell: 061 662 0123
Office: 012 346 2340

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS



LAND USE APPLICATIONS

(Place a cross in all the appropriate blocks)

TYPE OF LEGISLATION APPLICABLE

<input checked="" type="checkbox"/>	Land Use Planning Ordinance 15 of 1985 (Former CPA Areas)
<input type="checkbox"/>	Townships Ordinance 33 of 1934 (Former Transkei Areas)
<input type="checkbox"/>	Land Use Regulation Act 15 of 1987 (Former Ciskei Areas)
<input type="checkbox"/>	Townships Proclamation R293 of 1962
<input type="checkbox"/>	Regulations framed under former Black Communities Development Act 4 of 1984

TYPE OF APPLICATION

<input type="checkbox"/>	Rezoning to Sub-divisional Area
<input type="checkbox"/>	Rezoning which does not comprise a rezoning to sub-divisional area
<input type="checkbox"/>	Departure
<input type="checkbox"/>	Subdivision
<input type="checkbox"/>	Consolidation
<input checked="" type="checkbox"/>	Consent Use
<input type="checkbox"/>	Extension of approval (Ordinance 33 of 1934)
<input type="checkbox"/>	Any other application, please provide details: e.g. Amendment of GP

COMPLETE THE FOLLOWING:

Municipality: Raymond Mhlaba Local Municipality
.....

Description of land: Portion 2 of the farm Rietmond, No.: 175 - Fort Beaufort RD
.....
.....

Applicant: Smit & Fisher Planning

Postal Address: P.O. Box 908, Groenkloof, Pretoria
.....
.....
..... Code: 0027

Registered owner(s): Pierre Leon Le Roux

.....

Postal Address: P.O. Box 78, Fort Beaufort

.....
..... Code: 5720

INSTRUCTIONS

(These instructions should be read before completing this form)

1. GENERAL REMARKS

If an application requires approval in terms of various types of legislation and two or more of the applications have to be advertised, the applicant must inform the Municipal Manager accordingly so that all applications may be advertised and submitted for approval simultaneously.

All applications should comply with the Chapter One Principles of the Development Facilitation Act of 1995.

All applications should take cognisance of the requirements for the change of land use in terms of the Environment Conservation Act of 1997.

Incorrect and incomplete applications will be returned to the Applicant. The applicant's attention is drawn to the plans and other documentation that must accompany their application.

Applicants must note that until an application has been approved/ dismissed in writing, any correspondence or discussions pertaining to this application must not be regarded as an indication that it will in fact be approved/ dismissed. Such correspondence/discussions do not bind the Municipality or the Department in any way.

The Department reserves the right to have an approval declared null and void if it was based on wrong information supplied by an applicant. Applicants must therefore ensure that information about restricting factors that could influence the application is provided.

Applications in terms of Land Use Regulation Act 15 of 1987 and the Townships Ordinance 33 of 1934 require 10 copies for the Land Use Planning Board and Townships Board respectively.

Applicants may supply any additional information, on a particular issue, if they want to.

2. PRIOR LIAISON WITH OTHER INTERESTED PARTIES

Prior liaison with interested bodies, including National and Provincial Departments, is strongly recommended as the processing of applications will be expedited in this way. Where an applicant submits proof that an interested party is satisfied with a proposal, it will not be necessary to again approach such interested party for comments.

A list of the different authorities and other interested parties affected by the development, together with the names, telephone numbers and addresses of contact persons may be available from the local authority.

3. SUBMISSION OF APPLICATION

The application must be submitted in duplicate, together with all the required annexes, to the local authority in whose area of jurisdiction the land unit is situated. If the land is to be incorporated within the jurisdiction of a local authority, the application form must also be submitted to the local authority concerned.

If the relevant local authority does not have the delegated powers to finalize the application, a copy of the application must also be submitted to :

The Manager: Land Use Management
Department of Local Government & Traditional Affairs
Private Bag X0035
BHISHO

Lack of information leads to delays and adds to the workload of the Department. It is essential that all applications that are submitted for consideration contain all of the information necessary for the relevant authority to take a rational decision. Ideally applications should include the following information :

Details in respect of the application

- A locality sketch showing clearly the details of the application;
- A description of the site that is to be developed;
- What the owner intends to do with the land;
- What are the envisaged development parameters (for instance the proposed floor area and coverage);
- What portion of the site is to be developed;
- What is the existing zoning and use of the subject land;
- A copy of the advertisement of the proposal;
- A site development plan.
- Comments from the relevant Stakeholder Departments i.e. Mineral and Energy Affairs, DEDEA (environmental impact) Education, Dept of Transport etc.

Details in relation to the existing and proposed development of the land in the vicinity of the subject land

- The existing uses and zonings to be shown on separate map;
- The visual or historical characteristics of the area;
- Topographical and physical features;
- Details of illegal and non-conforming uses.

Details in respect of the planning proposals for the subject area

- What are the existing and proposed conditions applicable to the subject land (servitudes, title deed and/or zoning scheme conditions);
- Relevant details contained in Spatial Development Framework or any other policy proposals for the area.

Motivation given in the application and in the objections

- The applicant's motivation and comments on the objections and/or the appeal;
- The comments of relevant government departments;
- Details of the objections received.

Evaluation of the application by the Council

- The evaluation of the application in relation to the DFA principles, the proposals contained in the Spatial Development Framework, desirability, precedents, Council's policies etc.;
- In the case of land zoned for public purposes, the reasons why such land is no longer required for the use by the public;
- Desirability is usually considered in terms of the following :
 - physical characteristics of the area;
 - potential of the site;
 - character of the surrounding area;
 - planning proposals for the area (IDP/ Spatial Development Framework etc.
 - location and accessibility of the site;
 - provision of services;
 - environmental impact of the proposal;
 - impact during the construction phase.

The decision of Council

Council's decision, including the conditions that must be imposed if the application is approved. (Note that the application must contain these conditions, even if the Council recommends that the application be refused by the MEC).

Note that applications that are submitted to municipalities for a decision must also contain all the relevant details.

A copy of the item that served before Council must be attached to any application that is submitted to this department.

The above information serves as a checklist for the purpose.

SECTION A

TO BE COMPLETED BY THE APPLICANT

(*ANSWER YES, NO OR NOT APPLICABLE)

1. PERSONAL PARTICULARS OF APPLICANT

Your reference number	X1000993 Honeyville TX
Name of person to whom correspondence should be addressed	Ivan Vorster
Address:	371 Melk Street, Nieuw Muckleneuk, Pretoria, 0181
Telephone number	061 662 0123 / 012 346 2340
Facsimile number	012 346 0638

Is the applicant the only registered owner of the property?No.....

If not, attach the power of attorney from the registered owner(s) to the application. This is also applicable if the person who is applying is still in the process of obtaining the land unit, or if the land is owned by a company or more than one person.

Name the registered owner(s): ..Pierre Leon Le Roux.....

Is the property encumbered with a bond? ..No.....

If so, please attach the authorisation of the mortgage holder to the application.

2. DETAILS OF LAND UNIT

Registered description of the property, as is shown on the title deed :

Portion 2 of the farm Rietmond, No.: 175 - Fort Beaufort RD

.....
.....
.....
.....
Title Deed No: T5341/1977CTN.....

Area of land: 257,7375 HA

.....
What is the present zoning of the land unit?

.....
Agricultural Zone
.....

What is the proposed zoning of the land unit?

.....
To remain the same.
.....

What is the existing land use of the land unit?

.....
Agricultural
.....

What is the proposed land use of the land unit?

.....
The additional use of a telecommunications mast.
.....

Are any departures applicable to the land unit?

.....
No
.....

If so, give a full explanation:

.....
Is there any building or other development on the land unit?

.....
Yes
.....

If so, what are the nature and conditions of the improvements?

.....
Good
.....

Is the site being used in accordance with its present zoning?

.....
Yes
.....

If not, how is the land being utilised?

.....
For agricultural purposes.
.....

3. DETAILS OF APPLICATION

3.1 Describe the proposed development in detail

(a separate motivational report may be added)

See attached motivational memorandum and proposed site development plans.

3.2 Does the proposal involve the entire land unit?

No

If not, indicate the position and size of the portion of the land unit that is not included in the proposed development and for what purpose it is, or will be used

See attached site development plans.

3.3 Is a departure being applied for in order to obtain a temporary change of use on the land unit? No

If so, explain why rezoning is not being considered and supply reasons for the proposed period of the departure :

4RESTRICTING FACTORS

(A separate report may be added to address the restricting factors)

4.1 Are there any title deed restrictions which may have an effect on this application in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967)? No

If so furnish full details:

4.2 Is any portion of the land unit subject to tidal flow or situated under the high-water mark? No

If so furnish full details:

4.3 Is any portion of the land unit situated in a floodplain or a river under the 1 in 100 year floodline or subject to any floods? ..No

4.4

4.5*

If so furnish full details:

.....
.....
.....

4.6 Are there any physical restrictions (such as steep slopes, unstable soil formations, swamps, etc) which could affect the development?

..No.....*

If so, furnish details and state how the problem can be solved:

.....
.....
.....
.....
.....

4.7 Are there any other restrictions of which you are aware, but which were not mentioned above? ..No.....*

If so furnish full details:

.....
.....
.....

5 POSSIBLE REFERRAL TO OTHER BODIES

5.1 Does the application fall within the area of a Spatial Development Framework or other Policy Plan (such as a Structure Plan, Framework Plan etc.)? ..No.....*

If so, please give details in so far as they affect the application under consideration:

.....
.....

5.2 Are the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) applicable in case of this application?

..No.....*

5.3 Is the land unit situated within the boundaries of a nature area reserved in terms of Section 4 of the Physical Planning Act, 1967 (Act 88 of 1967), or a mountain catchment area reserved in terms of the Mountain Catchment Areas Act, 1970 (Act 63 of 1970), or a nature reserve reserved in terms of the former Nature and Environmental Conservation Ordinance, 1974 (Ordinance 19 of 1974), or a national park reserved in terms of the Nature Parks Act, 1978 (Act 57 of 1976)? ..No.....*

If so furnish full details:

.....
.....
.....

- 5.4 Does the land unit abut on the area of jurisdiction of another local authority or does any other local authority have an interest in this application? ..No.....*

If so, state the name of the local authority and its interest in the application:

.....
.....

- 5.5 Does the property abut on any national, trunk, main or divisional road or such proposed road? ..No.....*

If so, furnish full details (including status of the road and full statutory width):

.....
.....
.....

- 5.6 Is the land situated in a metropolitan transport area in terms of the Urban Transport Act, 1977 (Act 78 of 1977)? ..No.....*

If so, has it been referred to the relevant transport authority?

.....
.....

- 5.7 Is the land unit close to, or is it affected by a power line, a power station, a railway line, a railway station, airport or harbour?

..No.....*

If so, furnish details:

.....

- 5.8 Is there any conservation worthy building, graves, rock engravings, archaeological finds on the property including those that have not been declared national monuments? ..No.....*

If so, furnish details:

.....
.....
.....
.....

- 5.9 Is the land unit situated within 1000m from the high-water mark of the sea or tidal river? ..No.....*

If so, has nature conservation been consulted?

.....
.....

5.10 Does the land unit abut on, or is it in any way influenced by any property belonging to the S.A. National Defence Force?

..No.....*

If so, please supply details:

.....

ANNEXURES

HAVE THE FOLLOWING ANNEXURES BEEN ATTACHED?

(*ANSWER YES, NO OR NOT APPLICABLE)

ANNEXURE	YES	NO	NOT APPLICABLE
Power of Attorney	X		
Authorisation from mortgagee			X
Floodline Certificate			X
Regional Map			X
Locality Map	X		
Extract from zoning map			X
Land Use Map			X
Layout Plan	X		
Motivation Report	X		
Title Deed (Aktex Printout)	X		
Copy of advertisements	X		
Any other annexures, give details : - Departmental approval with structure plan - Planning report to Council - Municipal resolution			

If any of the above answers are no and not applicable, give reasons:

.....

I, the undersigned, certify that the information appearing in this section of the form and the information in the annexures is correct and complete, and that I understand the application. (Please note the contents of paragraph 1.6 of the Instructions).

27-01-2015



SIGNATURE: **DATE:** 14/01/2022

FULL NAME: Ivan Vorster

**DATE ON WHICH THE APPLICATION WAS SUBMITTED TO THE
MUNICIPALITY:**

SECTION B

TO BE COMPLETED BY THE MUNICIPALITY WHEN APPLICATIONS ARE
SUBMITTED TO THE DEPARTMENT IN TERMS OF SECTION 2.2 BELOW

(*ANSWER YES, NO OR NOT APPLICABLE)

1. DETAILS OF MUNICIPALITY

Name :	
Address:	
Name of contact person:	
Telephone number:	
Facsimile number:	
Reference number:	

2. DETAILS OF PREVIOUS OR ACCOMPANYING APPLICATION

2.1 Has there been previous correspondence with the Department of Housing and Local Government in respect of this land unit or a land unit of which this one forms part?

If so, furnish all reference numbers of the Department and the date of the most recent correspondence:

2.2 Does the current application also involve an application for :

	YES	NO	NOT APPLICABLE
The removal of restrictions in terms of Act 84 of 1967?			
The expropriation/sale/long term lease of land by a local authority?			
The closure of street/public places?			
Application for land that is within 1000m of the high water mark of the sea?			
A rezoning which may not be approved by the local authority in terms of the General Structure Plan?			

If the answer is YES to any of the above questions, please supply details and the motivation for the application:

.....
.....
.....

2.3 If the answer is YES to any of the above questions, were these applications advertised simultaneously? (It is required that advertising should be done simultaneously in such cases)

2.4 Have any of the above applications already been submitted to the Department?
If so, state which applications were given and furnish the relevant Department's reference number(s) in respect of each such application and the date of submission:

3 ADVERTISING

3.1 Were notices served on the owners of adjacent properties?
If so, attach a map indicating the names of those property owners on who notices have been served and a copy of the notice.

3.2 Indicate whether it was necessary to advertise in the press and/or the Provincial Gazette? If so, attach a copy of the advertisement.

3.3 Were any objections received? :
If so, attach a map indicating the name of every objector on his erf as well as copies of the objections and the comments of the applicant and the municipality on each issue or objection.

4 SPATIAL DEVELOPMENT FRAMEWORK AND OTHER RELEVANT POLICY PLANS

4.1 Is there a Spatial Development Framework or any other policy plan for the municipality's area of jurisdiction, or the area within which the subject erf is situated?

4.2 If so, what is the status of such SDF?
.....
.....

4.3 Furnish any applicable reference number(s) of the Department of Local Government & Traditional Affairs in respect of the plans concerned and the date of the most recent correspondence :

4.4 To what extent does the proposal comply with the SDF or other Policy Plans?

.....

5 APPLICANT'S INFORMATION

5.1 Is the information supplied by the applicant correct and complete?

.....*

5.2 If not, provide the correct information:

.....

5.3 Are any problems envisaged with the provision of the following services?

	YES	NO	NOT APPLICABLE
Water			
Electricity			
Sewerage			
Stormwater drainage			
Refuse removal			
Roads			

If the answer to any of the above is YES, furnish full details regarding the problem and how it will be resolved:

.....

6 COMMENTS OF THE COUNCIL

6.1 Does the Council recommend the application for approval?

.....

6.2 Date of Council's resolution:

6.3 Furnish a copy of the Item considered by Council and the reasons for the above-mentioned resolution (on a separate sheet, if necessary).

A copy of the proposed conditions of approval must be attached, irrespective of whether or not the Council supports the application.

7 ANNEXURES

7.1 Are the following Annexures attached?

	YES	NO	NOT APPLICABLE
Map indicating those persons on whom notices have been served			
Copy of notice			
Copy of press notice			
Map of objectors properties			
Copies of objections received			
Comments of applicant on objections			
List of conditions			
Scoping report if required			
Comments from other government departments			
Any other documents/correspondence Please give full details. See page 11 Any other annexures			

I CERTIFY THAT THE APPLICATION IS COMPLETE AND CORRECT

.....
MUNICIPAL MANAGER

NAME:

DATE:

SPECIAL POWER OF ATTORNEY

I/We,

NAME: Pierre Leon Le Roux

IDENTITY NO: 4212095008089

the undersigned, hereby nominate, constitute and appoint:

SMIT AND FISHER PLANNING (Pty) Ltd Reg. no 1999/025363/07

herein represented by Ferdi Schoeman and any person employed by the company

with the power of substitution to be my/our lawful Agent(s) in my/our name, place and stead to apply for:

the necessary approvals, permissions and consents and generally for effecting the purposes aforesaid (cellular mast construction/rooftop antenna installations/electricity connections),

at Portion 2 of the Farm Rietmond, No.: 175 – Fort Beaufort RD

at Raymond Mhlaba Local Municipality and in general to do everything to effect the application and to do whatever I/we would do if I/we were present in person and acting in the matter; and I/we hereby ratify, allow and confirm, and promise and agree to ratify, allow and confirm everything and anything my/our Agent(s) may do or may permit to be done legally in terms of this power of attorney and where I/we wish to withdraw and/or cancel the necessary approvals, permissions, consents, building plans and removal of restrictive conditions, SMIT AND FISHER PLANNING (Pty) Ltd Reg. no 1999/025363/07 has power to withdraw and cancel the application, actions or representations on behalf of the owner.

Signed at Kedoeskloof on this 5 day of APRIL 2020

in the presence of the undersigned witnesses.

AS WITNESSES:

J. C. Le Roux
J. C. Le Roux

P. L. Le Roux
Pierre Leon Le Roux

SEARCH INFORMATION

Summary

Search Type	DEEDS OFFICE PROPERTY FARM
Search Description	175 RIETMOND, FORT BEAUFORT RD, P:2 (KING WILLIAMS TOWN)
Reference	KELVIN
Date	16/01/2020

FARM INFORMATION

Summary

Deeds Office	KING WILLIAMS TOWN
Property Type	FARM
Farm Name	RIETMOND
Farm Number	175
Portion Number	2
Previous Description	PTN OF 1
Registration Division	FORT BEAUFORT RD
Municipality	SMALDEEL DC
Province	EASTERN CAPE
Diagram Deed	T6264/1938
Size	257,7375HA
LPI Code	C0250000000017500002

OWNER SUMMARY

Owner Name	ID / Reg. Number	Purchase Price	Purchase Date
ROUX PIERRE LEON LE	4212095008089	-	UNKNOWN

OWNER INFORMATION

Owner 1 of 1

Owner Name	ROUX PIERRE LEON LE
ID / Reg. Number	4212095008089
Owner Type	PERSON
Title Deed	T6341/1977CTN
Purchase Date	UNKNOWN
Registration Date	15/03/1977
Purchase Price	-
Multiple Owners	NO
Multiple Properties	NO
Share	-
Microfilm Reference No.	-

INSTRUMENT(S)

Document Number	Microfilm Reference Number	Institution	Value
CONVERTED FROM CTN	-	-	UNKNOWN
FARM FB 175/2	-	-	UNKNOWN

HISTORY INFORMATION

Document Number	Microfilm Reference Number	Owner	Value
BC19278/2006CTN	-	-	UNKNOWN
B63483/1990CTN	-	LANDBANK	UNKNOWN
BC3161/2004CTN	-	-	UNKNOWN
B32084/1988CTN	-	LAND & LANDBOU BANK	UNKNOWN
BC90091/2006CTN	-	-	UNKNOWN
B66229/1993CTN	-	LANDBANK	UNKNOWN

INTERNAL ENQUIRY HISTORY

Company Name	Contact Person	Contact Number	E-mail Address	Enquiry Date
STONEMASTERIALS.CO				

REPORT INFORMATION

Date of Information	16/01/2020 08:17
Print Date	16-01-2020 08:27
Generated By	KELVIN KOCH
Reference	KELVIN
Report Type	DEEDS OFFICE PROPERTY FARM



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HENOLD, GIE & BROADHEAD,
PERMANENT-GEROU,
HOEK VAN OARLWO EN PARLIAMENT STRATE, KAAPSTAD.

1644
JOHANN H. COE ZEE INC.
4 CHURCH SQUARE
KAPSTAD 8001
TEL: 483 2880

T 5341	1977
--------	------

TRANSPORTAKTE

Opgedrek deur


Transporteurges

By dit aan Almal Kennelik

Dat DAVID ERIC LOTE

voor my, Registrateur van Aktes te Kaapstad, verskyn het, behoortlik daartoe gemaak-
sig deur 'n Prokureur geteken op 13 Oktober 1976

te ADELAIDE

deur

BKN/PM

MADE/MAE 6
ENCUMBRANCE OR
ENCUMBRANCE ON 1 5341 77
BENEFICIARY PROPERTY Geel 2
(Geel van Geel 1)
vd. Plaas. Westmond
no 175 of 19.

B 4509 1979
Landbank mae 22888
18-03-1977 BC 11978
Rizoppo
CANCELLED
GEKANSLEER 8-11-1978
REGISTRAR
REGISTRAR

door

ALETTA ELIZABETH LE ROUX (gebore Malan),
ISAK VAN HEERDEN MALAN, en
STEPHANUS JOHANNES DE BEER

in hul hoedanigheid as Eksekuteurs in die
Boedel van wyle

JACOBUS DU TOIT LE ROUX

Blanke Groep

EN die Komparant het verklaar oet op

sy ~~esse-voornamde~~ die volgende alendom verkoop het aan die
-ondergenoemde-TRANSPORTONTVANGER

krachtens die testament van die oorledene gedateer 26
Maart 1976 is hierna genoemde alendomme aan die Transport-
ontvanger beneak onderhevig aan die betaling van 'n
jaargeld van R800,00 (Agt Honderd Rand) per jaar aan
ALETTA ELIZABETH LE ROUX (gebore Malan), weduwee, solank
sy 'n weduwee bly

NOU verklaar die gesegde Komparant in sy hoedanigheid voormeld hier-
by GESEDEER en GETRANSPORTEER in volle en vrye alendom aan en ten behoeve
van

PIERRE LEON LE ROUX
(gebore op 9 Desember 1942)

- BLANKE GROEP -

sy Erfgename, Eksekuteurs, Administrateurs of Gemagtigdes

1. seker/...

BLADSY/PAGE 1
 ENDOSSEMENT OF Tsali / 17
 ENDORSEMENT ON
 BENDON/PROPERTY Geo. 2 (Geo. 1)
Geo. 1) 210 2011 200000
2. 116 - 210 - 2011 200000

n.a.e. Lubbek

BC 68175 95	B 34729 1190
GEKANSLEER CANCELLED	VERDINE MORTGAL ID
<i>[Signature]</i>	vir 116 000,00 2-11-95
KWESSTRATEUR/REGISTRAR	<i>[Signature]</i>
17-11-95	<i>[Signature]</i>

Foot Receipt

PARA 2

Receant geëskied 1 Vol.
die Plant Zeven Forten
 Nr. 174

[Signature]

VIR ENDOSSEMENTE KYK BLADSY
 FOR ENDORSEMENTS SEE PAGE 1 ET SEQ

1. SEKER stuk afgeskafte erfpaargrond, genoem Gedeelte 2 (Gedeelte van Gedeelte 1) van die Plaas Rietmond No. 175, geleë in die Afdeling van Port Beaufort

GROOT: Tweehonderd Sewe-en-Vyftig komma Sewe Drie Sewe Vyf (257,7375) Hektaar

UITSTREKKENDE soos blyk uit Transportakte met Kaart aangeheg, gemaak ten gunste van N.F. Casely op 23 Junie 1938, No. 6264, en laastens besit deur gesegde oorledene Jacobus Du Toit La Roux kragtens Transportakte gedateer 8 November 1963, No. 17774.

OMDERHEWIG aan sulke voorwaardes waarna verwys word in Transportakte gedateer 27 November 1928, No. 12141, en aan die voordele van Artikel 4 van die Proklamasie van Sir John Cradock gedateer 8 Augustus 1813 soos uiteengesit aan die einde van Paragraaf 3 hiervan.

2. SEKER stuk afgeskafte erfpaargrond, geleë in die Afdeling van Port Beaufort, synde Restant Gedeelte 1 van die Plaas Seven Fontein No. 174

GROOT as sulks: Agthonderd en Drie komma Twee Een Een Vyf (803,2115) Hektaar

UITSTREKKENDE soos die Transportakte met 'n Kaart aangeheg gemaak ten gunste van G.W. Ayton en D.C.L. Fitzwilliam op 1 September 1864, No. 7, en laastens besit deur gesegde oorledene Jacobus Du Toit La Roux kragtens

/ Transportakte.

BLADSPAGE 7.4
ENDOSSEMENT OP
ENDORSEMENT ON T 5341 / 27
EIENDOM/PROPERTY Ged. 2 Ged.
van Ged. 1 tot 2003
Rustoord No. 175.

52963194

Landbank.
B 28737/84

VERBIND MORTGAGED
1986-07-18
R 230 000.00
y. b. b. d. e. f. g. h. i. j. k. l. m. n. o. p. q. r. s. t. u. v. w. x. y. z.

MAE
BC 28737/84
GEKANSELLEER
CANCELLED
REGISTRATEUR/REGISTRAR
05-09-07

Et

Landbank.
B 32084-88

VERBIND MORTGAGED
1988-06-18
R 198 700.00
y. b. b. d. e. f. g. h. i. j. k. l. m. n. o. p. q. r. s. t. u. v. w. x. y. z.

MAE
BC 00315 / 2004
GEKANSELLEER
CANCELLED
REGISTRATEUR/REGISTRAR
21 JAN 2004

TOE VOEGT HET MOMENT 8.8
VAN TOEGANG ENKELINGEN TOE
Bladsp. 8

Transportakte gedateer 8 November 1963, No. 17774.

ONDERWEG aan sulke voorwaardes waerna verwys word in Transportakte gedateer 27 November 1928, No. 12142, en aan die voordele van Artikel 4 van die Proklamasie van Sir John Cradock gedateer 6 Augustus 1813 aan die voorbehoud ten gunste van die Staat van die regte tot myne van goud, silwer en edelgesteentes, sook die regte tot die gebou en herstel van openbare paaie en die versameling van materiale vir hierdie doel op die eilandom.

/ WESHALME

BC 9378
 GEKANSLEI
 CANCELLED
Clas
 17 MAR 2008

Landbank

83489.90

MAE

VERBIND MORTGAGED 26 10 96
 R 150 000
Plilla

Landbank

W.O.F.

BC 90091 2006
 GEKANSLEI
 CANCELLED
Clas
 3 OCT 2008
 VERBIND MORTGAGED
 R 245 000,00
 66229 93
 03 09 93

GETRASPORTEER AAN	TRANSFERRED TO
RESANT/REMONDER	
<i>T. N. R.</i>	

WESHALWE die Komparant, alstondende van al die reg en titel wat by die gesegde BOEDEL soos voormeld hierin op gemelde onroerende eiendom gehad het, gevolglik ook erken het dat die voormelde BOEDEL daerby heillemal ontrent is en geen reg of titel daarop het nie; en dat uit krag van hierdie Akte die gesegde TRANSPORTONTVANGER tans en voortaan op die titel daarvan geregtig sal wees ooreenkomstig plaaslike gebruik; onder voorbehoud nogiens van die regie van die Staat; En die Komparant het eindslik erken dat die-Koopster-~~is~~ ~~betreft~~ die eiendomme gawardeer vir boedelbelasting doeleindes teen R67 385,00.

AS GETUENIS waarvan, ok, die gesegde Registrateur van Aktes tesame met die Komparant hierin akte onderteken het en met die Amptelike lant bekragtig het. ALDUS gedoen en verig ten kantore van die Registrateur van Aktes, te KAMPSTAD, Kaap die Goeie Hoop, op hierdie 15 dag van Maart Een Duizend Negen Honderd ~~en~~ -en-Sewentig (1977).

Geregistrueer in die Boek

Boek Folio R:- 175/2/1
R:- 174/1/2

In ooreenstemming met

REGISTRATEUR VAN AKTES

Verantwoordelike Klark



**CONSENT USE APPLICATION IN TERMS OF THE LAND USE AND
PLANNING ORDINANCE NO. 15 OF 1985 IN ORDER TO OBTAIN
PERMISSION FOR THE ERECTION OF A CELLULAR TELEPHONE MAST
AND BASE STATION ON A PORTION OF**

**PORTION 2 OF THE FARM RIETMOND, NO.: 175 – FORT
BEAUFORT RD**

1. APPLICATION

Application is being made in terms of in terms Land Use and Planning Ordinance No. 15 Of 1985 in order to obtain consent for the erection of a cellular telephone mast and base station on portion of Portion 2 of the Farm Rietmond, No.: 175 – Fort Beaufort RD.

2. THE BRIEF

Ericsson (Pty) Ltd instructed Smit & Fisher Planning (Pty) Ltd to submit the above-mentioned application to Raymond Mhlaba Local Municipality to obtain permission for the installation of cellular telephone mast and base station on Portion 2 of the Farm Rietmond, No.: 175 – Fort Beaufort RD, and such uses as the Local Authority may permit in writing.

The town planning considerations and objectives will be discussed in order to describe the site and surroundings and to familiarize and motivate the application. The memorandum will show the need and desirability as well as the suitability for the proposed establishment area.

3. BACKGROUND INFORMATION

3.1 LOCAL AUTHORITY:

The application site falls within the jurisdictional area of the Raymond Mhlaba Local Municipality.

3.2 PROPERTY DESCRIPTION (TITLE DEED):

Portion 2 of the Farm Rietmond, No.: 175 – Fort Beaufort RD.

3.3 REGISTERED OWNER (TITLE DEED):

Pierre Leon Le Roux

3.4 EXISTING ZONING (ZONING INFORMATION):

The zoning of the property is still to confirmed from the Municipality.

3.5 EXISTING LAND USE (AERIAL PHOTOGRAPH):

The erf is currently being used for Agricultural purposes.

3.6 TITLE DEED (TITLE DEED):

The property is registered by virtue of Title Deed T5341/1977CTN. Copy of the Title Deed have been attached with the application.

3.7 TOPOGRAPHY:

There are no indications from a topographical and geological point of view available that shows that problems might arise due to the proposed development. The surrounding development in the area indicates that there will be no problem with the approval of the proposed development in the area, concerning topographical and geological aspects.

4. LOCALITY

4.1 The property is located of the R344.

4.2 The proposed position of the cellular telephone mast is on:

Latitude:	-32.894784°
Longitude:	26.491459°

The following is taken into consideration when identifying a new location:

- o Areas in need of improved capacity and/or coverage is identified. Areas in which the current telecommunications infrastructure have been developed does not always provide suitable coverage or is busy reaching its maximum data carrying capacity. A telecommunication mast has a limited number of calls and transactions it can accommodate at any given time. If the number of calls, transactions or capacity are exceeded, it results in calls and transactions being out-off. It should be noted that with the introduction of smart phones, additional data-intensive applications such as e-mails and MMS together with an increase in the usage of portable card machines (petrol and credit card machines) resulted in an exponential increase in data transactions handled by telecommunication masts. The previously mentioned need is also determined by the number of subscribers that contact and complain about poor signal strength and the dropping of calls (cut-off of calls). Therefore, a need arises for improved telecommunication infrastructure in the area.

Currently, a telecommunication mast only covers a maximum radius of 1 km and is believed to reduce even more in the future with 5G network capability.

5. MOTIVATION FOR STRUCTURE

5.1 Type of Mast

The visual impact of the proposed base station is argued to be acceptable, and measures has been implemented to mitigate the visual impact of the proposed base station. The height of the mast is kept to a height of 54 meters, this height will provide the most sufficient coverage for all network providers.

A Lattice mast design was chosen for the proposed base station at it is deemed to be acceptable within the urban environment.

5.2 Noise made by cellular masts

New Cellular mast containers do not generate any noise. Generators is only used in extreme power failure circumstances and is usually silent generators.

5.3 Health Factors

The Department of Health states that: *"The Department is satisfied that the health of the general public is not being compromised by their exposure to the microwave emissions of cellular base stations. This also means that local and other authorities, in considering the environmental impact of any particular base station, do not need to and should not attempt, from a public health point of view, to set any restrictions with respect to parameters such as height of the mast, distance to the mast and duration of exposure"*

The radio frequency waves generated by a GSM base station are non-ionizing in nature and therefore, is distinct from X-rays and is incapable of breaking chemical bonds in biological tissue. The scientifically determined safe threshold for RF exposure is based entirely upon the known biological effects associated with thermal heating of tissue and to date there is no conclusive scientific evidence to indicate any association between below threshold exposure levels and negative health effects (ICNIRP). Cell-phone handsets used in areas of poor signal strength expose users to 1000 times or more radio frequency power (RF power) than a cell-phone base station 20m away. The World Health Organisation (WHO) has classified prolonged cell phone usage as "possibly carcinogenic to humans". Cell-phones are now classified in the same category as coffee and pickled vegetables; note that this applies to the use of the cell phone and not the base station. The radiation effect which a mobile base station has on a human is much less than that of cell phones. Over the years, a lot of scientific experimentation has tried to prove the negative impact of the cellular infrastructure on the surrounding area and the effects on human health. However, at the moment, no conclusive evidence has been found regarding the effect of cellular transmissions on the human health, and no relation has been established to cancer. Therefore, arguments against the placement of cellular telephone infrastructure in residential areas cannot be based on health issues, and in addition, the residents of the area need the cellular infrastructure for effective communication.

5.4 Civil Aviation Authority.

The Civil Aviation Authority is needed when a mast is higher than 15m and all the necessary approvals is obtained from them before approval of the building plans. Please find attached the CAA approval with application.

5.5 Surrounding Land Uses

The surrounding land uses are agricultural.

6. SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 DEVELOPMENT PRINCIPLES (CHAPTER 2: SECTION 7)

- **Principle of Spatial Justice (Section 7. (a))**
 - In terms of the principle of spatial justice, a cellular mast will operate in terms of connecting different localities via cell network operators whereby people will have access to better communication signals and also forms part of the upgrading of an essential infrastructure of an area in terms of required functional infrastructure development.
- **Principle of Spatial Sustainability (Section 7. (b))**
 - Given that cellular masts will not be erected on any property which is deemed environmentally sensitive, the mast will be placed strategically in locations where gaps in signals are prominent and in terms of longevity of these masts, they will be able to be used as parts of new, sophisticated type of networks, to provide better service quality to the surrounding recipients. Given that a lot of people make use of cellphones and networks to communicate, having this type of infrastructure in place will allow for more effective communication within cities and towns. The general public expects and demands effective cellular telephone coverage.
- **Principle of Efficiency (Section 7. (c))**
 - In terms of integrating cities and towns, the strategic location of cellular masts will create an effective environment for people to work and communicate without any disruptions in signal which could begin to cause problems in terms of communication. Having such infrastructure in place will then also attract people to cities and towns where they may engage in business or leisure knowing that no telecommunication disruptions may occur. Effective cellular telephone coverage is a requirement for daily necessity.
- **Principle of Spatial Resilience (Section 7. (d))**
 - Cellular telephone infrastructure is considered as infrastructure and forms part of the urban fabric. With more than 32 000 cellular telephone masts in operation in South Africa today, it can be considered as part of the urban landscape and have spatial resilience in cities and

towns, empirical analysis of real infrastructure networks have indicated that an optimal infrastructure network is the one with the most short average path length (APL) links between network receptors. In the case of a technical disruption or electrical outage, other telecommunication receptors will be able to take over the capacity of that area and will spring back into shape as soon as the disruption is gone.

- Principle of Good Administration (Section 7. (e))
 - As can be seen from the aforementioned is that all of the necessary investigations, i.e. applications, CAA and EIA is undertaken for every site to ensure that an optimal position for a cellular telephone mast is identified. All required permits are then obtained from all relevant departments. When applying for permission/consent and/or building plan approval from the municipality, the correct channels are followed in terms of obtaining the necessary comments from the respective departments, notice of new construction is to be placed at the site in question, public participation is done to ensure that the adjacent land owners are aware of the proposed development and they have a set period of time in which they may lodge any objections, construction and building plans are done with reference to relevant restrictions such as servitudes and building lines. In cases where building line relaxation is required, an application is done to obtain approval before any form of construction may commence.

7. SECTION 42 OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013

1. Public Interest

Cellular telephones have become an integral part of the South African way of life and fulfill an important role in most people's daily life. Cellular telephones have become of utmost importance, due to the fact that communication is made much easier and more readily available due to cellular telephones. In order to provide effective cellular telephone communications, cellular telephone masts have to be provided, and they have to be placed at specific localities.

Cellular telephones have made a positive impact on people's lives, as it has provided better access to emergency services and better security in many situations. The demand and popularity of cellular telephones surpassed all expectations and subsequently the existing networks are insufficient to handle daily calls in certain areas. Presently cellular telephones are an everyday use article with a large percentage of subscribers throughout the country.

2. **The Constitutional and Transformation Imperatives and the Related Duties of the State**
Transformation entails radical change. Transformation based on the ideal to establish a South African constitutional state is envisioned to be the desired state which the Constitution describes as "the need to create a new order in which all South Africans will be entitled to a common South African citizenship in a sovereign and democratic constitutional state in which there is equality between men and women, and people and races so that all citizens shall be able to enjoy and exercise their fundamental rights and freedoms."
3. **The Facts and Circumstances Relevant to the Application**
The details with regard to the application have been addressed under Sections 3 of this memorandum.
4. **The Respective Rights and Obligations of all those Affected**
Community participation will be done as required in terms of the relevant town planning scheme applicable.
5. **The State and Impact of Engineering Services, Social Infrastructure and Open Space Requirements**

Engineering Services

The electrical reticulation network will be upgraded as the relevant cellular telephone company applies for more electricity, and the owner shall be responsible for the cost applicable to the internal electrical network, as well as the costs allocated for contribution payable on the primary and secondary electrical system.

The Proposed cellular telephone mast and base station will not make use of any water or sewerage systems and the impact on the drainage pattern is limited, if any.

Social Services

The Cellular Mast will have no influence on social services.

Open Space Requirements

The Cellular Mast will have no influence on Open Space Requirements.

6. **Promotes the concept of reversing entrenched spatial inequities:**
Cellular infrastructure is based on network coverage (like a beehive) and can therefore not be biased against certain areas. Areas of high-density dwelling units will increase density usage and therefore increase cellular infrastructure in the area, while low density rural areas will decrease the need of cellular coverage and subsequently its need for cellular infrastructure.

8. NATIONAL SPATIAL DEVELOPMENT FRAMEWORK (SOUTH AFRICA)

One of the objectives of the National Spatial Development Framework is to create a faster and more inclusive economic growth rate for South Africa. One of the strategic goals, as set out by the National Spatial

Development Framework is to create more efficient and competitive infrastructure in South Africa: "Infrastructure is to facilitate economic activity that is conducive to growth and job creation. An approach will be developed to strengthen key services such as commercial transport, energy, telecommunications and water, while ensuring their long-term affordability and sustainability."

Cellular telephone infrastructure is seen as infrastructure, which is the same as lamp poles, power lines etc. All credit card transactions, Wi-Fi etc. is now being provided by cellular telephone infrastructure and therefore there is a need for effective cellular coverage telephone capacity. Thus, good and effective cellular coverage and capacity facilitate and promote economic activity and growth, and effective telephone infrastructure is therefore required for economic growth and job creation.

It is mentioned in the National Spatial Development Framework that telecommunication of which cellular telephone infrastructure forms part of, must be strengthened.

9. ENVIRONMENTAL IMPACT

An independent Environmental Impact Assessment query is undertaken for every site to ensure that cognizance has been taken of all the relevant Environmental criteria. In terms of Regulation No. R543 of National Environmental Management Act (Act No. 107 of 1998: Environmental Impact Assessment Regulation 2010) an inquiry is done to determine if this activity is considered as "Listed" or "Not Listed". When the site is listed in terms of the National Environmental Management Act (Act No. 107 of 1998: Environmental Impact Assessment Regulation 2010) a basic assessment report will be done according to the prescribed legislation.

Cellular telephone masts create no pollution or adverse effect on the traffic or activities in the area.

10. NEED AND DESIRABILITY

Cellular telephones have become an integral part of the South African way of life and fulfill an important role in most people's daily life. Cellular telephones have become of utmost importance, due to the fact that communication is made much easier and more readily available due to cellular telephones. In order to provide effective cellular telephone communications, cellular telephone masts have to be provided, and they have to be placed at specific localities.

Cellular telephones have made a positive impact on people's lives, as it has provided better access to emergency services and better security in many situations. The demand and popularity of cellular telephones surpassed all expectations and subsequently the existing networks are insufficient to handle daily calls in certain areas. Presently cellular telephones are an everyday use article with a large percentage of subscribers throughout the country.

Data is the most important service required by the public. All credit card transactions and Wi-Fi etc. requires data via cellular telephone towers. The problem is that due to this higher data usage, the effective range of

cellular telephone masts has decreased substantially. Therefore, more and more cellular telephone masts are required.

The development of an effective cellular telephone network is of national interest because it promotes communications and economic activity and places telephone communication within reach of the entire population. Cellular telephone companies attempt to allocate masts on non-residential properties. In this case the proposed mast will be placed at an optimal position as per the proposed radio planning.

The current cellular telephone infrastructure in this area is reaching their maximum carrying capacities. Cellular telephone masts have a limited number of calls it can handle at any given time. If the number of calls are exceeded, it results in calls being cut off. The previously mentioned need is also determined by the amount of subscribers that contact service providers and complain about poor signals and calls being cut off (drop calls). Therefore, a need arises for more cellular telephone infrastructure in this area.

11. DEVELOPMENT PROPOSAL

The development proposal is a 54-meter-high Lattice mast within a developed area. A Color toned container will be placed on the site next to the cellular telephone mast. The site will not be fenced off as the site is within a property which is fenced, and the site will be kept neat at all times.

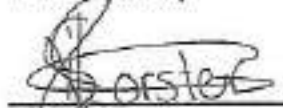
Please note that the abovementioned specifications are preliminary and subject to change.

12. CONCLUSION

Raymond Mhlaba Local Municipality currently does not make exception for any telecommunication infrastructure thus an Consent Use application is being made in terms of The Land Use And Planning Ordinance No. 15 of 1985 in order to obtain permission for the erection of a cellular telephone mast and base station on portion of Portion 2 of the Farm Rietmond, No.: 175 – Fort Beaufort RD.

We trust that you find the above in order. For any further queries, please feel free to contact the writer.

Yours faithfully



Iven Vorster

Smit and Fisher Planning (Pty) Ltd

Cell: 061 662 0123

iven@sfplan.co.za



Physical Address
 Postal Code
 Name
 Telephone
 Email
 Website

Postal Code
 Phone No. 1
 Telephone No. 2
 Email

Telephone No. 1
 Phone No. 2
 Fax Number
 Email

Physical Address
 Postal Code
 Name
 Telephone
 Email

OBSTACLE APPROVAL

CAA Obstacle ID: CAA_2020_4_488

APPLICANT		OWNER	
Applicant Name	Smil & Fisher Tomplanning	Owner Name	Ericsson (Pty) Ltd
Contact Person	Ivan Vorelal	Contact Person	Fren Nel
Cell Nr	(081) 602-0123	Cell Nr	0605858463
Tel Nr	(012) 346-2340	Tel Nr	0605858463
Email	ivan@smil.co.za	Email	fran.nel@ericsson.com
VAT Nr	4380209867	Application Date	2020/04/08
Address	P.O Box 906, Groenkloof	Received Date	2020/04/24
City	Pretoria	Application Type	<input checked="" type="checkbox"/> New <input type="checkbox"/> Shared <input type="checkbox"/> Replacement
Province	Gauteng	Attachments:	GIS/Google File <input type="checkbox"/> Survey Report <input type="checkbox"/>
Postal Code	0027		Plan/Eng Drawing <input type="checkbox"/> Other <input type="checkbox"/>

DETAILS OF PROPOSED STRUCTURE

Type of Structure	Tower	Construction Start Date	
Site Name	Honeyville TX	Construction End Date	
Site ID	X1000993		
LAT (Degrees)	32	LAT (Minutes)	53
		LAT (Seconds)	41.22
LONG (Degrees)	26	LONG (Minutes)	29
		LONG (Seconds)	28.25
Site Elevation (m)	603	Notes:	
Substructure Height (m)	0	Coord Data Source	Handheld GPS (non s)
Superstructure Height (m)	54	Other (specify)	
Structure Elevation (m)	657	Elevation Data Source	Handheld GPS (non s)
		Other (Specify)	

APPROVAL STATUS: CONDITIONALLY APPROVED

Note: 1. Conditional Approval only valid for 5 years from date of signature.
 2. Final approval subject to applicant/owner providing 'As-Built' data.

Approval Conditions:

- No Markings
 Day Markings
 Night Markings
 Day/Night Markings
 UPS
 Other/Special

Other/Special Conditions:

FOR THE SACAA

28/04/2020

Ndileka Nazo
Cellphone: 063 690 8878
Ndileka.Mjacu@dedea.gov.za



Earth n sky
P.O. Box 5419,
Rietvalleirand,
Pretoria, 0174

Attention: Lizette Kloppers

E-mail: lizette.earthnsky@gmail.com

ENQUIRY REGARDING ENVIRONMENTAL REQUIREMENTS IN TERMS OF THE EIA REGULATIONS 2014 AS AMENDED: PROPOSED CONSTRUCTION OF A COMMUNICATION MAST 54M ON PORTION 2 OF THE FARM RIETMOND NO. 175 – FORT BEAUFORT RD, WITHIN THE RAYMOND MHLABA MUNICIPALITY.

Refer to your email enquiring about possible environmental requirements for the proposed construction of a 54m communication mast and associated base station and infrastructure at coordinates 32°53'41.22"S; 26°29'29.25"E on Portion 2 of the Farm Rietmond No. 175 – Fort Beaufort RD, Raymond Mhlaba Local Municipality.

From the information provided it is evident that the site on which it is proposed to construct the communication mast and associated infrastructure is located outside the urban area and it is understood that Portion 2 of the Farm Rietmond No. 175 is zoned Agricultural Zone and not Open Space. Therefore, the site where it is proposed to construct the proposed communication mast is deemed to be outside of any of the geographical areas as contemplated in Listing Notice 3 of the 2014 NEMA EIA Regulations as amended. No other listed activities are triggered by the proposed construction. It is thus confirmed that no Environmental Authorisation is required for the proposed construction of the communication mast.

Please note that in the event that the zoning is incorrectly reflected and the site is zoned as Open Space, an Environmental Authorisation will be required from the Department prior to commencement of construction of the communication mast.

You are reminded that the project proponent is required to be cognizant of the general principles of NEMA, the provisions of Section 28 of NEMA (Duty of Care) and general principles of environmental management and to inform relevant persons of such principles and provisions and their obligation in that regard.

.....
HLOMELA HANISE
ASSISANT MANAGER: EQM
AMATHOLE REGION

DATE: 27 July 2021

Page 1 of 1



Department of Health

Directorate: Radiation Control
Private Bag X02
BELLVILLE
7835

☎: 021 957 7483
Fax: 021 948 1589
E-mail: Leon.DuToit@odhpra.org.za

Enquiries: LL du Toit
Date: 4 February 2021

To whom it may concern

HEALTH EFFECTS OF CELLULAR BASE STATIONS AND HANDSETS

The Directorate Radiation Control is the section – previously within the National Department of Health and currently as part of the South African Health Products Regulatory Authority (SAHPRA) – that is responsible, from the viewpoint of human health, for regulating electronic products producing non-ionising electromagnetic fields (EMF), i.e. where the frequency of such EMF is less than 300 GHz. In carrying out its responsibility, the Directorate has been utilising the World Health Organization's (WHO) International EMF Project (www.who.int/peh-emf/) as its primary source of information and guidance with respect to the health effects of EMF. The International EMF Project was established by the WHO in 1986 to (i) assess the scientific evidence for possible adverse health effects of non-ionising electromagnetic fields on an on-going basis, (ii) initiate and coordinate new research in this regard, (iii) compile health risk assessments for different parts of the electromagnetic spectrum, and (iv) advise national authorities on EMF radiation protection. The Department of Health has been a member of the International Advisory Committee of the International EMF Project since 1998.

In June 2005 the International EMF Project hosted a workshop that was specifically aimed at considering the possible health consequences of the emissions from cellular base stations and wireless networks. The findings of this workshop were summarised in a 2-page Fact Sheet (<http://www.who.int/peh-emf/publications/facts/fs304/en/>). The following extract from this Fact Sheet is still considered by the WHO as a summary of the findings to date, i.e. *"Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF signals from base stations and wireless networks cause adverse health effects."*

Another WHO Fact Sheet was published in June 2011 and reviewed in October 2014, i.e. *Electromagnetic fields and public health: mobile phones*. This Fact Sheet can be found at

<http://www.who.int/mediacentre/factsheets/fs193/en/> and the conclusion is stated as follows: *"A large number of studies have been performed over the last two decades to assess whether mobile phones pose a potential health risk. To date, no adverse health effects have been established as being caused by mobile phone use."*

The WHO recommends utilising internationally recognised exposure guidelines such as those that were published in 1998 by the International Commission on Non-Ionizing Radiation Protection (ICNIRP) and reconfirmed in 2009. The 1998 guidelines were replaced by the updated 2020 version for the frequency range 100 kHz – 300 GHz (i.e. including all the frequencies employed by the cellular industry). The Directorate Radiation Control likewise recommends the use of these ICNIRP guidelines to protect people against the known adverse health effects of EMF.

On 27 January 2020 the WHO published a statement on their website with respect to *"Radiation: 5G mobile networks and health"*. Below are extracts from the Q&A section of that statement:

"5G, or fifth Generation, is the latest wireless mobile phone technology, first widely deployed in 2019. 5G is expected to increase performance and a wide range of new applications, including strengthening e-Health (telemedicine, remote surveillance, telesurgery).

5G represents an evolution in telecommunication standards. To enable increased performance, 5G will extend into higher frequencies around 3.5 GHz and up to a few tens of GHz. The higher frequencies are new to mobile phone networks, but are commonly used in other applications, such as point-to-point radio links and body-scanners for security checks.

To date, and after much research performed, no adverse health effect has been causally linked with exposure to wireless technologies. Health-related conclusions are drawn from studies performed across the entire radio spectrum but, so far, only a few studies have been carried out at the frequencies to be used by 5G.

Tissue heating is the main mechanism of interaction between radiofrequency fields and the human body. Radiofrequency exposure levels from current technologies result in negligible temperature rise in the human body.

As the frequency increases, there is less penetration into the body tissues and absorption of the energy becomes more confined to the surface of the body (skin and eye). Provided that the overall exposure remains below international guidelines, no consequences for public health are anticipated.

WHO is conducting a health risk assessment from exposure to radiofrequencies, covering the entire radiofrequency range, including 5G, to be published by 2022."

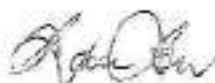
The numerous measurement surveys, which have been conducted around the world and in South Africa, have shown that the actual levels of public exposure as a result of base station emissions invariably are only a fraction of the ICNIRP guidelines, even in instances where members of the public have been really concerned about their exposure to these emissions. At present there is no confirmed scientific evidence that points to any health hazard associated with the very low levels of exposure that the general public would typically

experience in the vicinity of a cellular base station. The Department is therefore satisfied that the health of the general public is not being compromised by their exposure to the microwave emissions of cellular base stations. This also means that local and other authorities, in considering the environmental impact of any particular base station, do not need to and should not attempt, from a public health point of view, to set any restrictions with respect to parameters such as distance to the mast, duration of exposure, height of the mast, etc.

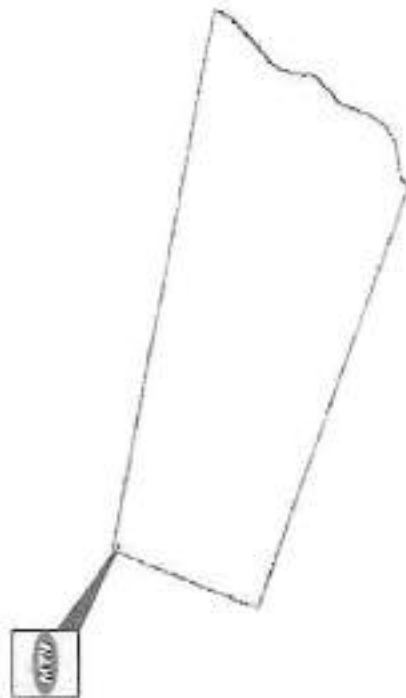
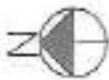
The Directorate Radiation Control is not able to make any pronouncements about the specific levels of EMF that a member of the public would experience at any particular base station site when it is in operation. However, generally speaking unless a person would climb to the top of a mast (or other structure supporting an antenna) and position him/herself not more than a few meters away right in front of the active antenna, such a person would have no real possibility of being exposed to even anywhere near the afore-mentioned ICNIRP guideline limits. Since these base stations are typically cordoned off by means of barbed wire fencing and locked gates/doors in order to protect the sensitive and expensive technology, getting to a mast and actually climbing it despite the afore-mentioned security measures would certainly not be considered responsible behaviour. Even then the only real threat to the health of the person would be falling at any height from the structure in question. Based on the results of numerous global and local surveys, the experience has been that the exposure to base station EMF at ground level is typically well below the afore-mentioned ICNIRP guideline limits. Against this background of available data, there would be no scientific grounds to support any allegation that adverse health effects might be suffered by a responsible member of the public due to the EMF emitted by a base station.

Although the Directorate Radiation Control currently neither prescribes nor enforces any compulsory exposure limits for electromagnetic fields, the Directorate does advise all concerned (whether they be a government department, the industry or the public) that voluntary compliance with the afore-mentioned ICNIRP exposure guidelines is the recommended and science-based way to deal with any situation involving human exposure to the non-ionising electromagnetic fields emitted by cellular base stations and handsets.

Yours sincerely,



LL du Toit
DEPUTY DIRECTOR: RADIATION CONTROL



MTN SITE NAME:
HONEYMILE TX
T.B. PROJECT NUMBER:
X1000993

REV	DATE	NOTES
0	2020-01-16	Issued for sale

DATE: 10/01/2020
DRAWING: K.WOCH
NOTES:

- A) 4m LATTICE MAST
- B) NEW MTN OUTDOOR UNIT
- C) 11.35m x 11.35m SITE (10.25m x 10.15m PALISADE ENCLOSURE)
- D) POWER CONNECTION - FROM #616
- E) 2.4m PALISADE FENCE -32.0003, 28.4873



PROPERTY DESCRIPTION:
Portion 2 of Farm Retained 175
Fort Reservoir RD

CO-ORDINATES: UTM
Easting: 28.481459
Northing: 6003m

PROJECT: New MTN Site
ADDRESS: The Farm Retained
Enclosure Gate



SFP Projects Online
Service: 1902 200 00 00
Tel: 021 231 243 243
Fax: 021 231 243 243
www.sfp.com.au
SFP PROJECTS ONLINE
1902 200 00 00
Tel: 021 231 243 243
Fax: 021 231 243 243

LOCALITY PLAN		
SCALE	DATE	PAGE
1:40000	2020-01-16	1 of 6
DWG NO:	01	RO



MTN SITE NAME:
 HONEYVILLE TX
 T & PROJECT NUMBER:
 X1000993

REV	DATE	NOTES
0	2020-01-16	1st Issue

DATE: 10/16/2023
 DRAWING: K ROCH
 NOTES:

- A) 9x6 LATTICE MAST
- B) NEW MM OUTDOOR UNIT
- C) 11.2m x 11.2m SITE (19.35m x 19.35m)
- D) PALISADE ENCLOSURE
- E) POWER CONNECTION - KROCH 8074
- F) 2-IN PALISADE FENCE - 32.00000, 28.45000



PROPERTY DESCRIPTION:
 Portion 2 of Farm Roadside 175
 Fort Belknap RD

COORDINATES:
 UTM: -32,894,784
 Long: 28,491,459

PROJECT: New MTN Site
 ADDRESS: The Farm Roadside
 Eastern Cape

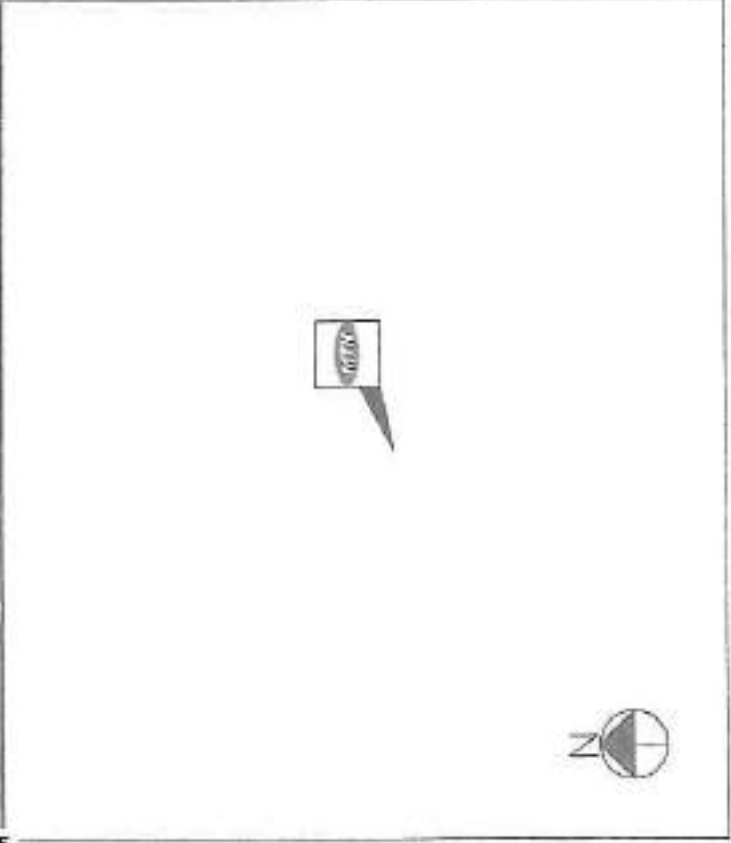
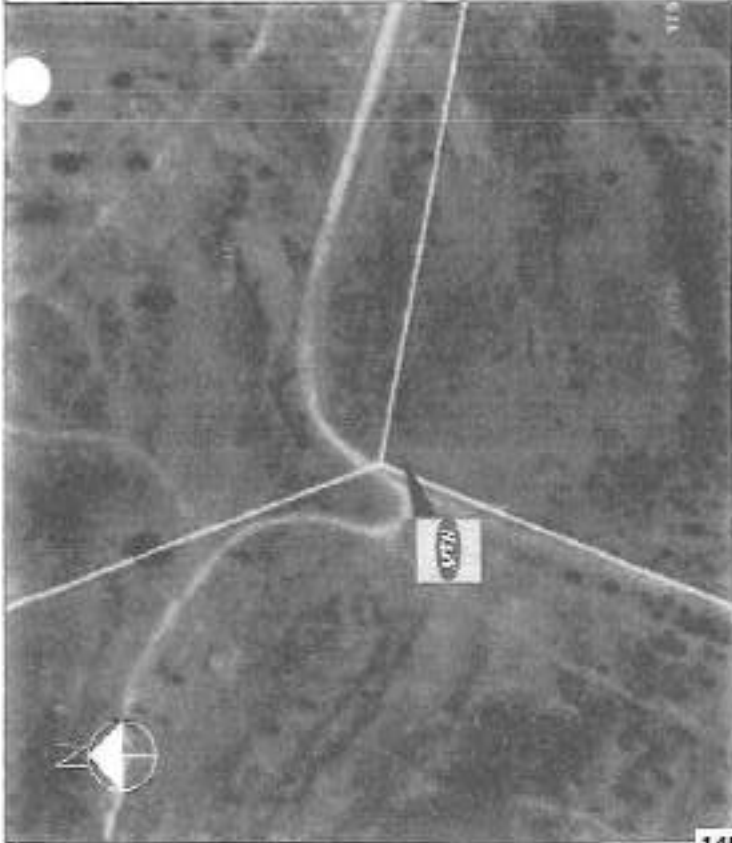
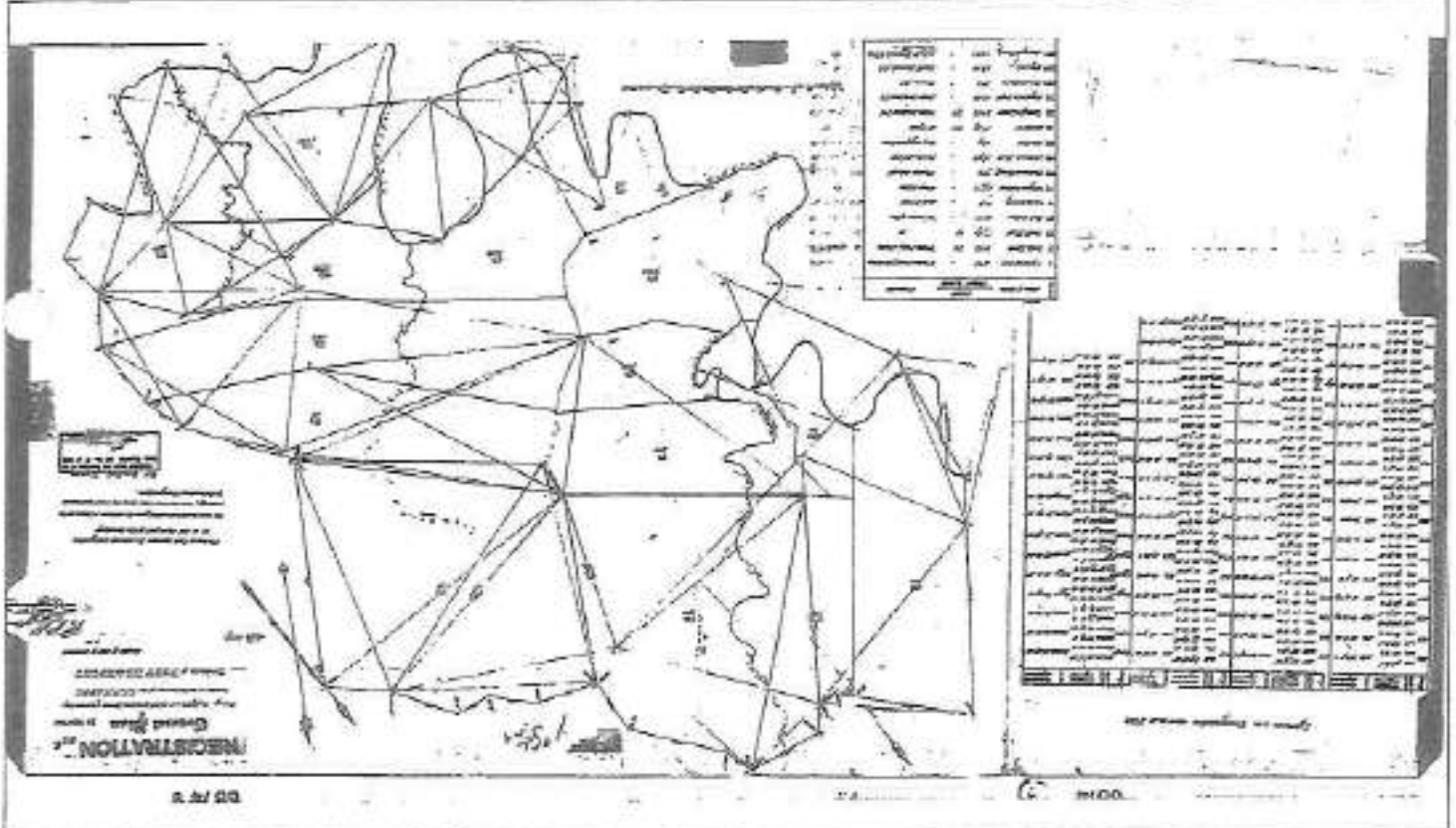


117 PLOUERSBLAAT
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 117 PLOUERSBLAAT
 117 PLOUERSBLAAT

SCALE	DATE	PAGE
NA	2020-01-16	2 of 6

CADASTRAL INFO

DWG NO: 02 R0





MTN SITE NAME:
HONEYVILLE TX
T.E. PROJECT NUMBER:
X1000883

REV	DATE	NOTES
0	2300-01-16	1st Issue

DATE: 09/01/2020
DRAWING: K MOOH
NOTES:
A) 5m LATTICE MAST
B) NEW MTR OUTDOOR UNIT
C) 14.25m x 11.25m SITE (10.35m x 10.35m PALISADE ENCLOSED)
D) POWER CONNECTION - 1010V60HZ
E) 2.4m PALISADE FENCE -32.08653, 26.49876



PROPERTY DESCRIPTION:
Portion 2 of Farm Railroad 175
Fort Beaufort RD

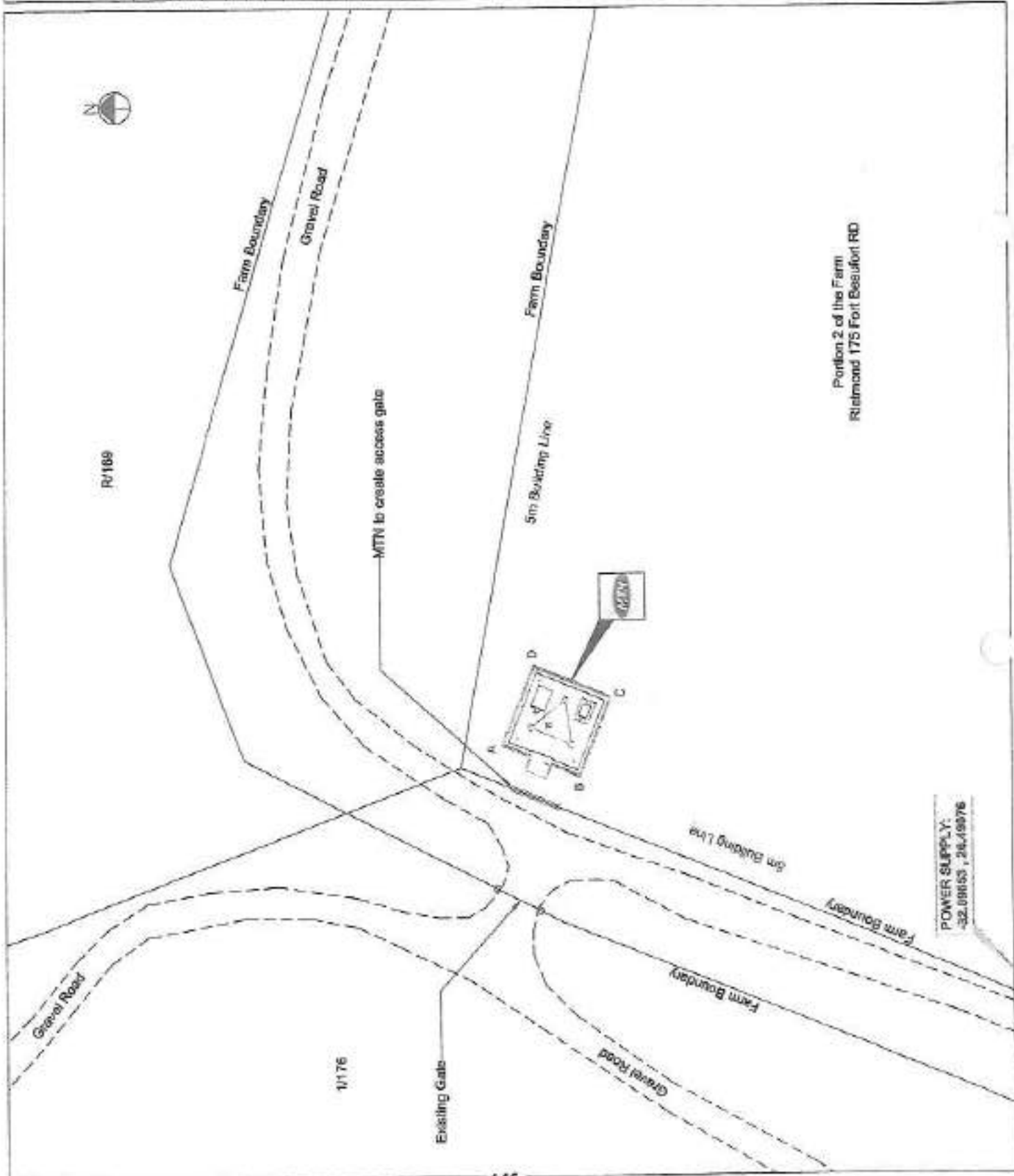
COORDINATES:
Easting: 32.694794
Northing: 26.491459

PROJECT: New MTN Site
ADDRESS: The Farm Railroad
Easton Cape

SFP
Townplanning

107 Westpark Drive, Weston, QLD 4207
Tel: 07 5536 1234
Fax: 07 5536 1235
Email: info@sfp.com.au
Website: www.sfp.com.au

SITE PLAN	
SCALE: 1:500	DATE: 2020-01-16
DWG NO: 03	PAGE: 3 of 6
	R0





MTN SITE NAME:
 HONEYVILLE TX
 PROJECT NUMBER:
 X1000893

REV DATE NOTES

0 2020-01-16 1st Issue

DATE: 18/01/2020
 DRAWN: K NOCH
 NOTES:

- A) 54m LATTICE MAST
- B) 1x MTRM OUTDOOR UNIT
- C) 11.20m x 11.20m SITE (10.30m x 10.30m)
- D) PALISADE ENCLOSURE
- E) POWER CONNECTION - 800V/480V/120V
- F) 2.4m PALISADE FENCE



PROPERTY DESCRIPTION:
 Parcel 2 of Farm Road 175
 FM Road 175

COORDINATES: UTM
 East: 32,894,784
 North: 20,491,459

PROJECT: New MTN Site

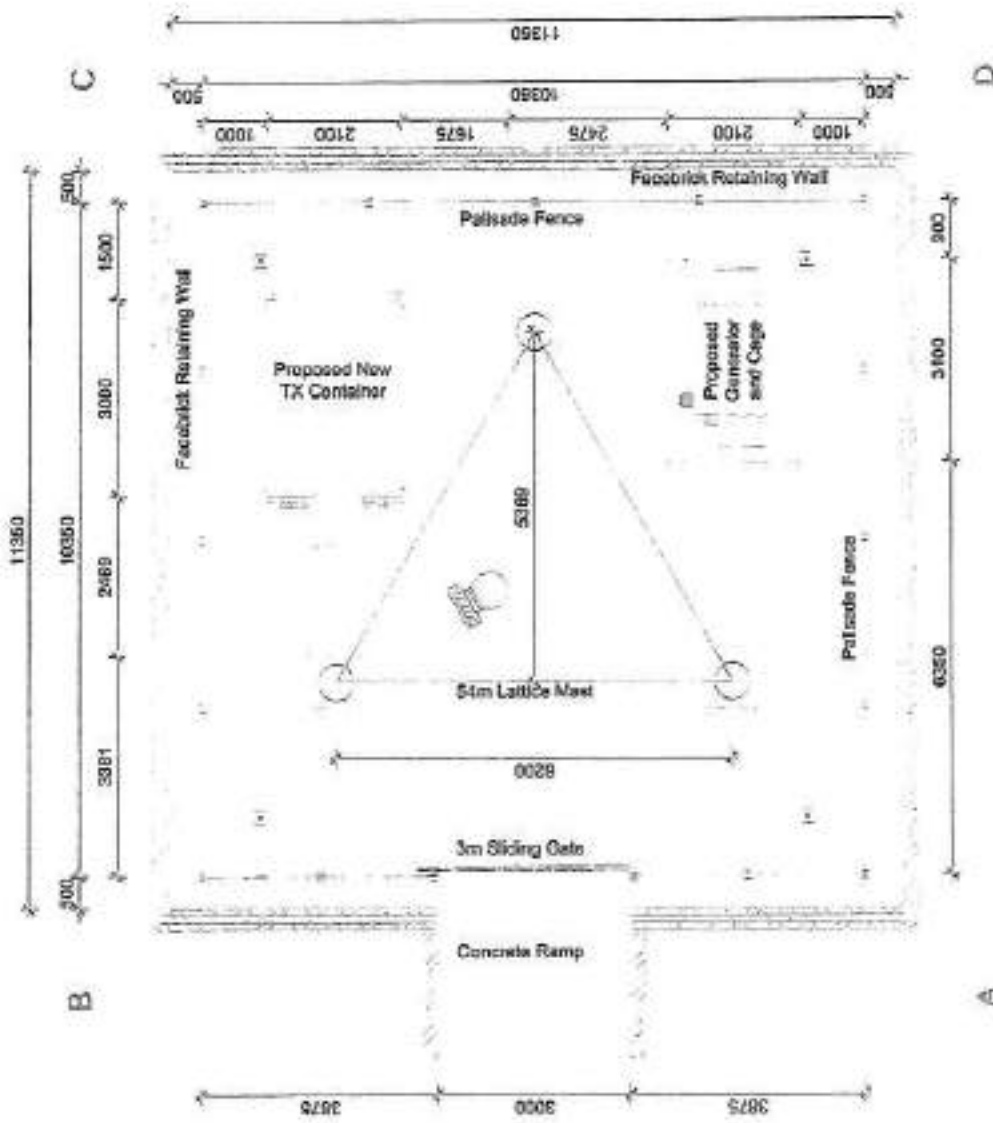
ADDRESS:
 The Farm Road
 Dallas TX



BASE STATION LAYOUT

SCALE: 1:80
 DATE: 2020-01-16
 PAGE: 4 of 5

DWG NO: 04
 R0



LEGEND:
 ● 10kg CO₂ FIRE EXTINGUISHER



SUBSITE NAME:
HONEYVILLE TX
T & PROJECT NUMBER:
X1000993

REV	DATE	NOTES
0	2020-01-16	1st Issue

DATE: 16/01/2020
DRAWN: R HOCH
NOTES:

- A) 54m LATTICE MAST
- B) NEW MTR OUTDOOR UNIT
- C) 11.25m x 11.25m SITE (16.25m x 16.25m PALISADE ENCLOSURE)
- D) POWER CONNECTION - R/WOM 48/16
- E) 2.4m GALVANIZED PALISADE FENCE



PROPERTY DESCRIPTION:
 Parcel 2 of Farm Number 175
 Fort Bowdoin RD

COORDINATE:
 UTM: -32,884784
 Longitude: 26,491459

PROJECT: New MTN Site

ADDRESS:
 Two Farm Road
 Eastham Cape

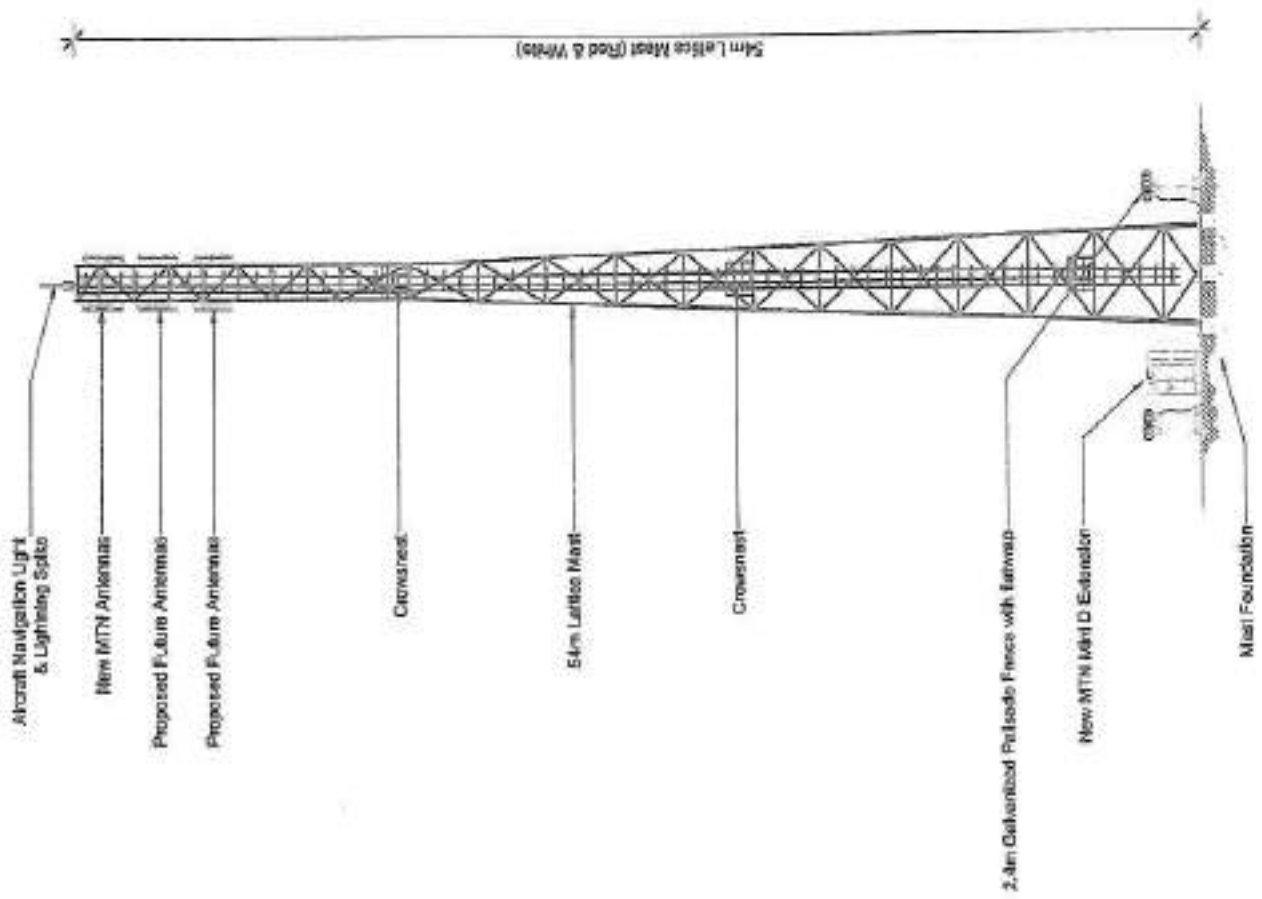


SFP TOWNPLANNING
 107 BROADWAY
 SUITE 100
 WILMINGTON, DE 19801
 TEL: 302.426.1111
 WWW.SFP-TOWNPLANNING.COM

ELEVATIONS

SCALE:	DATE:	PAGE:
N/A	2020-01-16	5 of 8

DWG NO: 05 **RO**





WIRE SITE NAME:
HONEYVILLE TX
T & PROJECT NUMBER:
X1000993

REV	DATE	NOTES
0	2020-01-16	1st Issue

DATE: 10/11/2020
DRAWN BY: KOCH

NOTES:

- A) 8x8 LATTICE MAST
- B) NEW MTR OUTDOOR UNIT
- C) 15.2m x 11.2m SITE (13.5m x 10.5m PALMSIDE ENCLOSURE)
- D) POWER CONNECTION - FROM B316
- E) 2.4m PALMSIDE FENCE



PROPERTY DESCRIPTION:
Parcel 2 of Farm Road 175
Fort Belvoir RD

COORDINATES:
Easting: 32,894794
Northing: 28,481450

PROJECT: New MTN Site

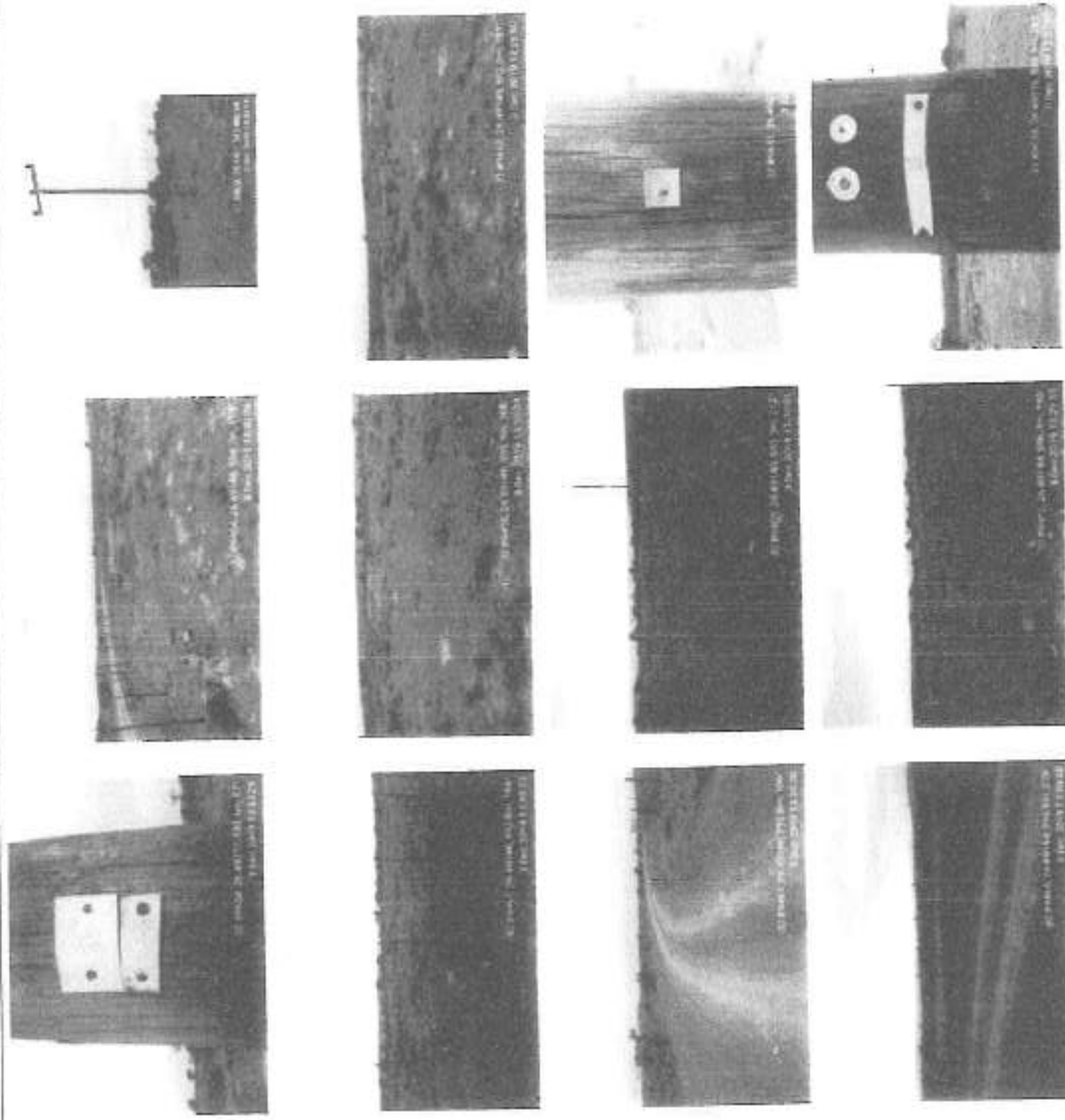
ADDRESS:
The Farm Road
Eastern Cape



SFP Townplanning (Pty) Ltd
104-105 BLOOMFIELD
7th FLOOR, 4000
PO BOX 10000, SANDHURST
10158
Tel: +27 (0)11 800 0000
www.sfp.co.za

SITE PHOTOS

SCALE:	DATES:	PAGE:
N/A	2020-01-16	6 of 6
DWG NO:	06	R0



ITEM 56/2022

APPLICATION OF DEPARTURE OVER A PORTION OF FARM 142 IN FORT BEAUFORT

Author: Land Use Officer – L. Mtyundyutho
Director: Eng. Services – February 2022
Management – February 2022
Stg Comms: March 2022
Exco- March 2022
Council: March 2022

1. PURPOSE

The purpose of this report is for EXCO to **APPROVE** the application of departure over portion of farm 142 in Fort Beaufort.

2. LEGAL FRAMEWORK

- SPLUMA Act no 16 of 2013;
- Land Reform and Settlement plan
- Land Use Planning Ordinance 15 of 1985;
- RULA and,
- Municipal Systems Act 32 of 2000;

3. BACKGROUND / REASONING

The section received applications from Setplan Town Planners for application of Departure over portion of farm 142 in Fort Beaufort in terms of Land Use Planning Ordinance No. 15 of 1985 and The Spatial Planning and Land Use Management Act 16 of 2013 with the Section 8 of Scheme regulations. The application is for departure on 4,9920 hectares of Land (Forming part of Farm 142, Fort Beaufort) that includes an area authorised in terms of Mineral and Energy Department permits in favour of Stutt Quarries CC for the purpose of quarrying and prospecting operations.

4. STAFF IMPLICATION

None.

5. FINANCIAL IMPLICATIONS

R4'390

6. RECOMMENDATIONS

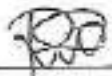
The Standing Committee **RECOMMENDED** that:

- 1) EXCO **APPROVES** the application of departure over portion of farm 142 in Fort Beaufort for an area that includes an area authorised in terms of Mineral and Energy Department permits in favour of Stutt Quarries CC for the purpose of quarrying and prospecting operations.

PLEASE ACKNOWLEDGE RECEIPT OF DOCUMENT SUBMITTED AS BELOW:

Application for a Departure over a portion of Farm 142, Fort Beaufort
 (±4,9920Ha) to allow for quarrying (mining) of stone aggregate as per the
 Mining Right Plan
 As submitted by Setplan

Please sign below:



 Signature


P Madotyeni
 Name

046 645 7451

MUNICIPAL MANAGER : MS MT. MALIPIZI
 mm@office@raymondmhlaba.gov.za

SECRETARY TO THE MUNICIPAL MANAGER
 Position pmadotyeni@raymondmhlaba.gov.za

15/07/20
 Date

RAYMOND MHLABA MUNICIPALITY	
OFFICE OF THE MUNICIPAL MANAGER	
15 JUL 2020	
SIGN:	
RECEIVED:	P. Madotyeni



MOTIVATION REPORT

Departure over a portion of Farm 142,
Fort Beaufort



CLIENT: STUTT QUARRIES CC

PREPARED BY: SETPLAN, EAST LONDON

PROJECT NO.: 1778



March 2020

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4. SUPPLEMENTARY INFORMATION.....	2
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5.1 Existing Land Use	3
5.2 Character of the Surrounding Area	3
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7. DEVELOPMENT PROPOSAL.....	5
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7.2 Departure Proposal	5
8. MOTIVATION / COMPLIANCE WITH DEVELOPMENT PRINCIPLES	7
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FIGURES

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 Figure 2: Locality Image..... 2
 Figure 3: Land Use..... 3
 Figure 4: Zoning..... 4

PLANS

Plan 1: Site Plan 1778 A/1 6

ANNEXURES

ANNEXURE A	<u>APPLICATION FORM</u> Land-Use Planning Ordinance 15 of 1985 Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA)
ANNEXURE B	A.H. DANCKWERTS Special Power of Attorney <u>SETPLAN</u> Trustees Resolution Letter of Authorization
ANNEXURE C	<u>DEED OF TRANSFER</u> T15805/1969
ANNEXURE D	<u>S.G. DIAGRAMS</u> 2804/1908
ANNEXURE E	Mining & Prospecting Right

PROFESSIONAL TOWN PLANNER: Piet Jonas (Pr. Pln A/888/1996)

Application for a Departure over a portion of Farm 142, Fort Beaufort

1. PURPOSE OF THIS REPORT

SETPLAN, East London has been appointed to prepare and submit an application in terms of the provisions of the Land Use Planning Ordinance (Ordinance 15 of 1985) and Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA) for a Departure over a portion of Farm 142, Fort Beaufort to allow for quarrying (mining) of stone aggregate (See Power of Attorneys attached as Annexure B).

2. BACKGROUND

Farm 142, Fort Beaufort was registered to A.H. Danckwerts in June 1969 (See Title Deeds attached as Annexure C).

STUTT QUARRIES CC, are the mining / prospecting permit holder for the quarry which is presently operating on Farm 142 (See Mining right attached as Annexure E). The permit holder being permitted to undertake the quarrying and prospecting activities in terms of the said permit and a lease agreement with the registered owner. It is however the responsibility of the land owner to ensure the necessary departure authorization is granted to enable portions of the farm to be used for quarrying. The permit holder wishes to ensure compliance with land use policy and requested Setplan to assist with the preparation of this application.

3. LOCALITY

The subject site, Farm 142, Fort Beaufort is situated adjacent to the R63 between Adelaide and Fort Beaufort within the Raymond Mhlaba municipal district.

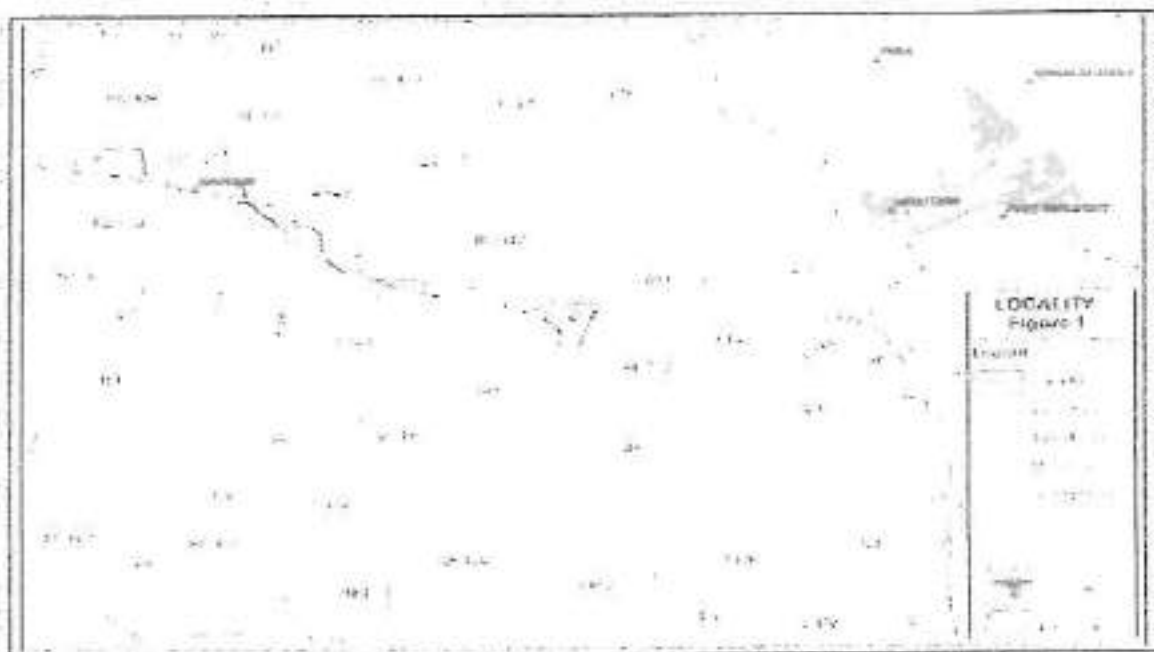


Figure 1: Locality

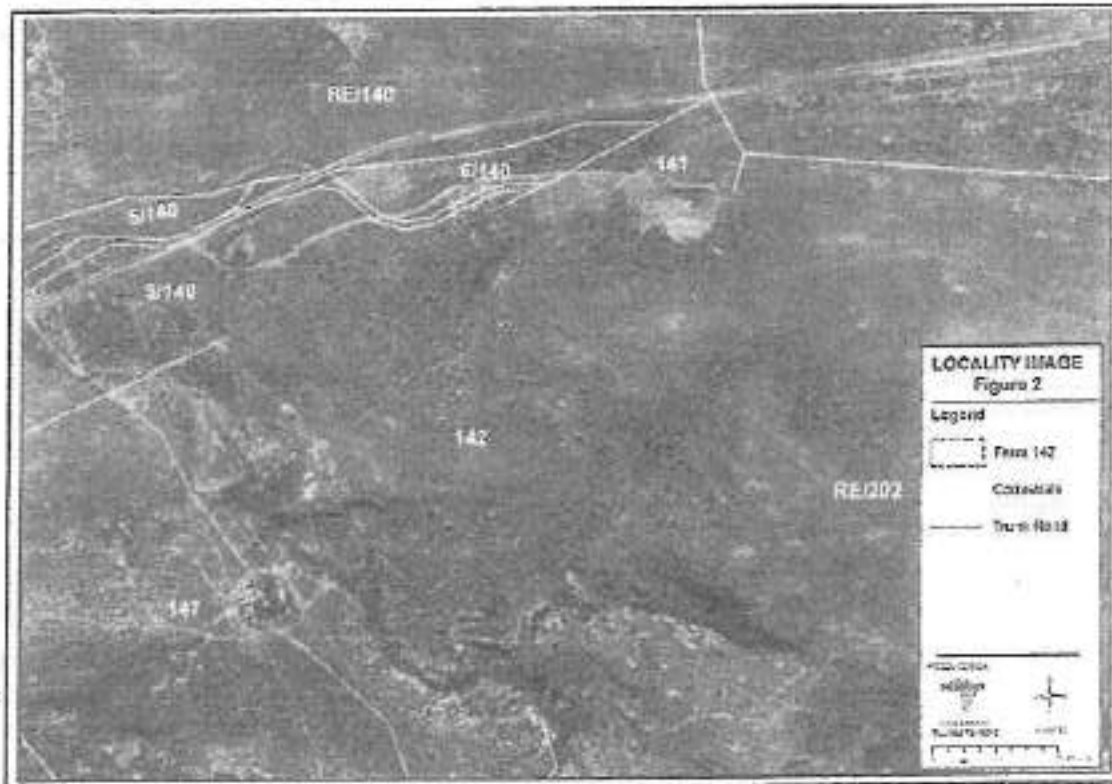


Figure 2: Locality Image

4. SUPPLEMENTARY INFORMATION

Property Description :	Farm 142, Fort Beaufort
Extent :	92,8809Ha
Ownership :	A.H. Danckwerts
Title Deed :	T15805/1969
Restrictive Conditions :	None
Bond :	No
Servitudes :	None
Surveyed Diagram :	Farm 142, Fort Beaufort was surveyed in September 1908 (See S.G. Diagram No. 2804/1908 attached as Annexure D).

4.1 Mining and Prospecting Rights

Our client, STUTT QUARRIES CC, was issued a Mining right on 4 October 2018 valid for 30 years (See Mining right attached as Annexure E).

5. THE SITE IN CONTEXT

5.1 Existing Land Use

As depicted in Figure 3: Land Use, Farm 142, Fort Beaufort is presently operating as a farm.

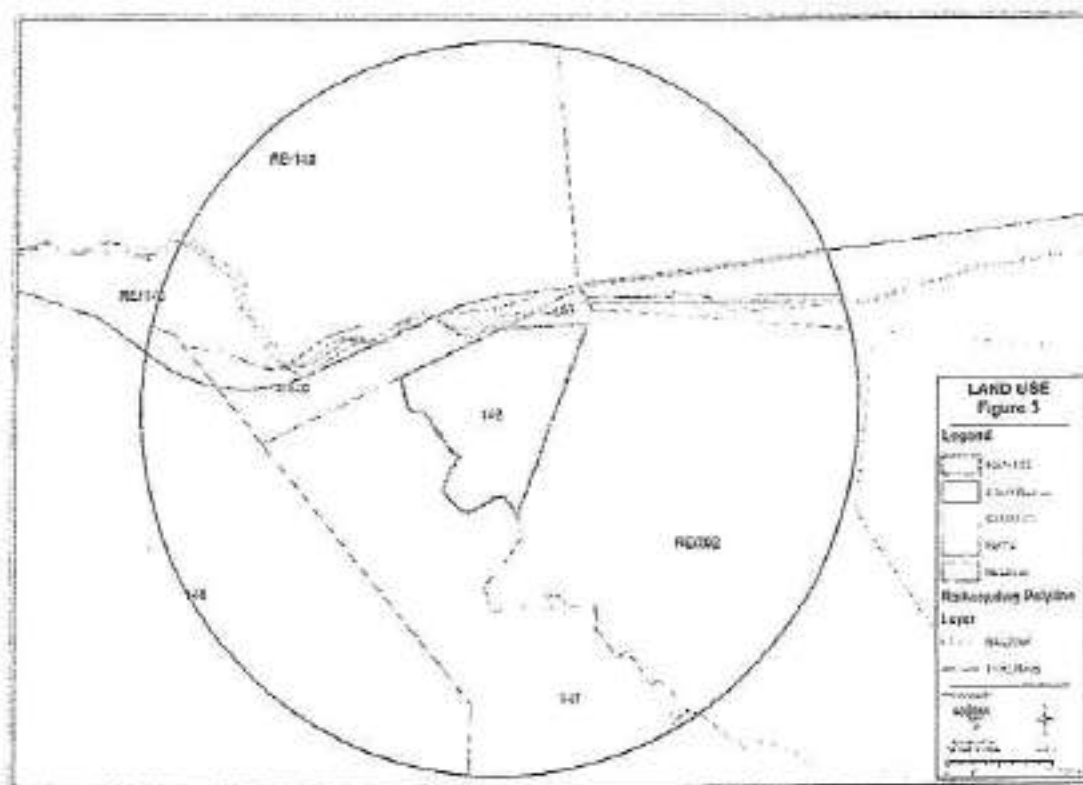


Figure 3: Land Use

5.2 Character of the Surrounding Area

The land uses evident within a 2,5km radius of the subject site is farms with a railway to the north.

6. EXISTING POLICY FRAMEWORKS

6.1 Zoning Scheme

In terms of the Buffalo City Land Use Management Scheme Regulations, Farm 142, Fort Beaufort is currently zoned *Agricultural Zone*.

As depicted in Figure 4, the subject site is surrounded by farms zoned Agricultural Zone and Transport Zone 2 (railway) to the north.

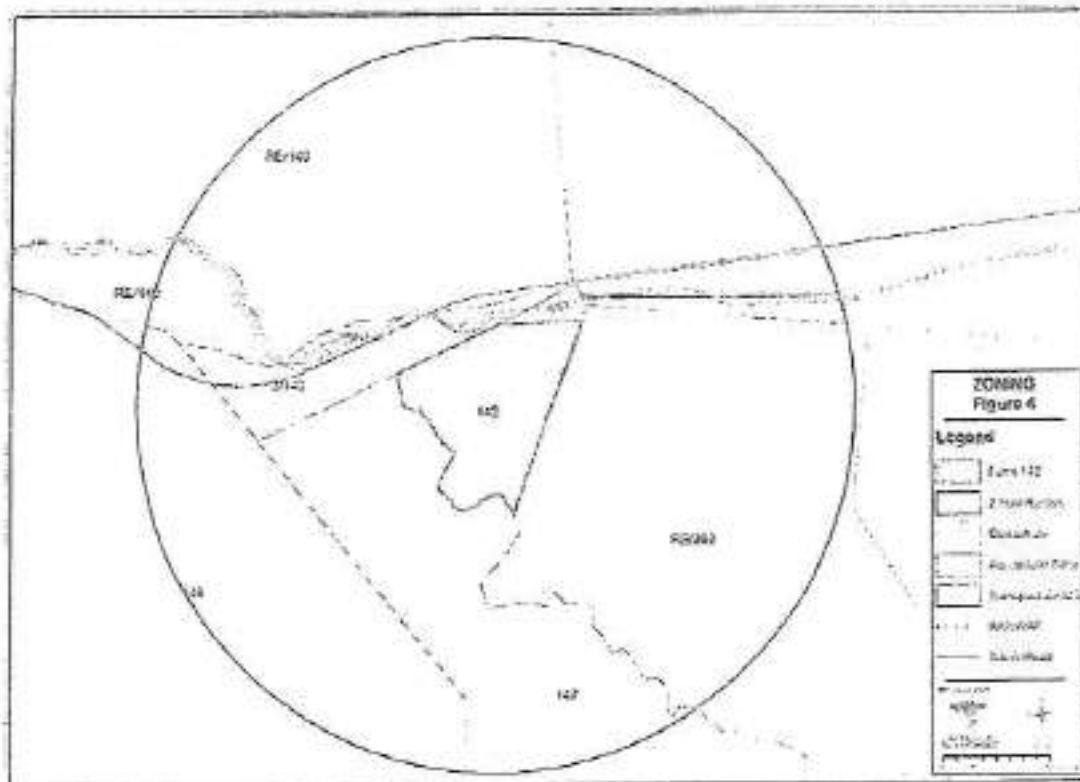


Figure 4: Zoning

7. DEVELOPMENT PROPOSAL

7.1 Design Principles

Design principles which must be taken into account for any development relate to optimal use of existing facilities, development which is sensitive to the environmental constraints and slope of the land and planning for efficient and cost effective provision of services.

The proposal is simply for a Departure for the purpose of quarrying and prospecting operations under the current zoning of Agricultural Zone.

7.2 Departure Proposal

As depicted in Figure 4: Site Plan, the application is for a departure on 4,9920 hectares of land (forming part of Farm 142, Fort Beaufort) that includes an area authorised in terms of Mineral and Energy Department permits in favour of STUTT QUARRIES CC, for the purpose of quarrying and prospecting operations (refer to Annexure E – Mining right).

Access to the quarry is via an existing gravel road and an authorised access point on the R63 road.

8. MOTIVATION / COMPLIANCE WITH DEVELOPMENT PRINCIPLES

The application for Departure is motivated as follows:

- Farm 142, Fort Beaufort is zoned for Agricultural Use, with quarrying presently taking place on a portion of the property.
- The application for a Departure is required to authorise the permitted quarrying activity from a land use management perspective.
- The dolerite deposits on the land make it ideal for quarrying to produce crushed stone, which is required for various purposes in construction projects in the surrounding region and particularly in the nearby urban areas.
- The close proximity of the quarry to the urban areas of Fort Beaufort and Adelaide, as well as the large number of peri-urban settlements, ensures a more affordable product to end users due to savings in terms of transport costs.
- The availability of crushed stone at a source in the local area also creates opportunities for value adding processes such as block and brick making, as well as concrete products for civil infrastructure development (such as pre-cast pipes, beams, curbing etc.).
- The area being quarried is more than 500 meters away from the nearest developed parts of the Fort Beaufort urban areas and is unlikely to have any negative impact on these urban areas.
- The social and environmental impact of the quarrying operation is thoroughly assessed prior to the issuing of a permit by DMR and strict conditions are applied by the permitting process of the Department of Minerals and Energy to ensure that potential negative impacts are mitigated.
- The authorisation of a departure to accommodate the expanded area for crushed stone mining will create adequate long term security for the permit holder to continue to invest in the Fort Beaufort area and generate much needed economic activity and jobs. The associated brick and block making operation owned by the applicant draws its raw materials from this quarry and has resulted in a number of permanent jobs being created. This quarry ensures competitive supply of a product to the surrounding area, and in this particular case also enables further processing and value addition by way of a brick and block production initiative by the permit holder elsewhere in the area.
- It is requested for the departure to be issued for the same term/period as described in the mining right, which is 30 years. It is further recommended that in the event of cancellation of the mining right that the departure authorisation will also cease.

9. CONCLUSION

- The authorisation of a **DEPARTURE** will allow the quarrying of the described mining and prospecting area on Farm 142, Fort Beaufort in line with the existing permit and permit term as Issued by Department of Mineral Resources.
- The proposal is in line with the principles contained in SPLUMA.
- Accordingly, we request that Raymond Mhlaba Municipality favourably consider this application for approval.

ANNEXURE A

Application Form

Land Use Planning Ordinance 15 of 1985 and
Spatial Planning and Land Use Management Act,
16 of 2013 (SPLUMA)

LAND USE APPLICATIONS

(Place a cross in all the appropriate blocks)

TYPE OF APPLICATION:

	Rezoning to subdivisional area (LUPO)
	Rezoning which does not comprise a rezoning to subdivisional area
X	Departure
	Subdivision and consolidation
	Consent Use
	Extension of approval (Ordinance 33 of 1934)
	Any other application, give details:

TYPE OF LEGISLATION APPLICABLE:

X	Land Use Planning Ordinance 15 of 1985 (Former CPA areas)
	Townships Ordinance 33 of 1934 (Former Transkei areas)
	Land Use Regulation act 15 of 1987 (Former Ciskei areas)
	Townships Proclamation R293 of 1962
	Black Communities Development Act 4 of 1984 (Regulations)
X	Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA)

COMPLETE THE FOLLOWING :

Local Authority: **Buffalo City Municipality**
Description of Land: **Farm 142, Fort Beaufort**
Registered owner(s): **A.H. Danckwerts**
Postal address: **c/o P.O. Box 19017**
Tecoma
5214
Applicant: **Setplan**
Postal address: **P.O. Box 19017**
Tecoma
5214

INSTRUCTIONS

(These instructions should be read before completing this form)

1. GENERAL REMARKS

- 1.1 If any application requires approval in terms of various types of legislation and two or more of the applications have to be advertised, the applicant must inform the town clerk, secretary or executive officer accordingly so that all applications may be advertised and submitted for approval simultaneously.
- 1.2 All applications should comply with the Chapter one Principles of the Development Facilitation Act of 1995.
- 1.3 All applications should take cognizance of the requirements for the change of land use in terms of the Environment Conservation Act of 1997.
- 1.4 Incorrect and incomplete applications will be returned to the Applicant. The Applicant's attention is drawn to the plans and other documentation that must accompany their application.
- 1.5 Applicants must note that until such time that an approval has been approved in writing, any correspondence or discussions pertaining to this application must not be regarded as an indication that it will in fact be approved and do not bind the local authority, or the Premier, in any way.
- 1.6 The Premier reserves the right to have an approval declared null and void if it was based on wrong information supplied by the applicant. Applicants must therefore ensure that information about restricting factors that could influence the application, is provided.

- 1.7 Applications in terms of Land Use Regulation Act 15 of 1987 and the Townships Ordinance 33 of 1934 require 10 copies for the Land Use Planning Board and Townships Board respectively.
- 1.8 Applicants may supply any additional information, on a particular issue, if they want to.

2. PRIOR LIAISON WITH OTHER INTERESTED PARTIES

- 2.1 Prior liaison with interested bodies including National and Provincial Departments is strongly recommended, as the processing of applications will be expedited in this way. Where an applicant submits proof that an interested party is satisfied with a proposal, it will not be necessary to again approach such interested party for comments.
- 2.2 A list of the different authorities and other interested parties affected by the development, together with the names, telephone numbers and addresses of contact persons may be available from the local authority.

3. SUBMISSION OF APPLICATION

- 3.1 If the application must be submitted in duplicate, together with all the required annexes, to the local authority in whose area of jurisdiction the land unit is situated. If the land is to be incorporated within the jurisdiction of a local authority the application form must also be submitted to the local authority concerned.
- 3.2 If the relevant local authority does not have the delegated powers to finalize the application, a copy of the application must also be submitted to :

The Regional Director: Department of Housing and Local Government
Private Bag X 6005
PORT ELIZABETH
6000

The Regional Director: Department of Housing and Local Government
2 Floor Metropolitan Life Building
Drury Lane
EAST LONDON
5200

The Regional Director: Department of Housing and Local Government
Private Bag X 5030
UMTATA
5100

The Regional Director: Department of Housing and Local Government
Private Bag X 7086
QUEENSTOWN
5320

- 3.3 Lack of information leads to delays and add to the workload of the Department. It is essential that all applications that are submitted for consideration contain all of the information necessary for the relevant authority to take a rational decision. Ideally applications should include the following information :

3.3.1 Details in respect of the application

- A locality sketch showing clearly the details of the application;
- A description of the site that is to be developed;
- What does the owner intend to do with the land;
- What are the envisaged development parameters (for instance the proposed floor area and coverage) ;

- What portion of the site is to be developed;
- What is the existing zoning and use of the subject land;
- A copy of the advertisement of the proposal;
- A site development plan.

3.3.2 Details in relation to the existing and proposed development of the land in the vicinity of the subject land

- the existing uses and zonings to be shown on separate map;
- the visual or historical characteristics of the area;
- topographical and physical features;
- details of illegal and non-conforming uses.

3.3.3 Details in respect of the planning proposals for the subject area

- what is the existing and proposed conditions applicable to the subject land (servitudes, title deed and / or zoning scheme conditions) ;
- relevant details contained in Land Development Objectives, or any other policy proposals for the area.

3.3.4 Details in respect of the application

- the applicant's motivation and comments on the objections and / or the appeal;
- the comments of relevant government departments ;
- details of the objections received.

3.3.5 Evaluation of the application by the Council

- The evaluation of the application in relation to the DFA principles, Land Development Objectives, desirability, precedents, the council's policies et cetera ;
- In case of land zoned for public purposes, the reasons why such land is no longer required for the use by the public ;
- Desirability is usually considered in terms of the following:
 - physical characteristics of the area ;
 - potential of the site ;
 - character of the surrounding area ;
 - planning proposals for the area (LDO / Framework / Structure Plan etc.) ;
 - location and accessibility of the site ;
 - provision of services ;
 - environmental impact of the proposal ;
 - impact of the construction phase.

3.3.6 The decision of the Council

- Council's decision, including the conditions that must be imposed if the application is approved. (Note that the application must contain these conditions, even if the relevant council recommends that the application be refused by the Premier).

Note that applications that are submitted to District of Local Council's for a decision must also contain all of the relevant details. A copy of the item submitted to the aforementioned authorities must be attached to any application that is submitted to this Department. The above information can serve as a checklist for the purpose.

SECTION A

TO BE COMPLETED BY THE APPLICANT

(* ANSWER YES, NO, OR NOT APPLICABLE)

1. PERSONAL PARTICULARS OF APPLICANT

Your reference number	1778
Name of person to whom correspondence should be addressed :	Piet Jonas
Address :	P.O. Box 19017 Tecoma 5214
Telephone number :	043-721 1424
Facsimile number :	043-721 1423

1.1. Is the applicant the only registered owner of the property? No

If not, attach the power of attorney from the registered owner(s) to the application. This is also applicable if the person who is applying is still in the process of obtaining the land unit, or if the land unit is owned by a company or more than one person. (See Annexure B)

1.2. Name the registered owner(s) : A.H. Danckworts

1.3. Is the property encumbered with a bond? No

If so, please attach the authorization of the mortgage holder to the application.

2. DETAILS OF LAND UNIT

2.1. Registered description of the property, as shown on title deed:

Farm 142, Fort Beaufort

Number and date of the title deed: T15805/1969 Dated: 1969/06/20

Area of land: 92,8809HA

2.2. What is the present zoning of land unit : Agricultural Zone

2.3. Are any departures applicable to the land unit? : No

If so, give a full explanation:

- 2.4. Is there any building or other development on the land unit? : **Yes**
 If so, what are the nature and condition of these improvements?
 (See Motivation Report 1778/1-0 Dated March 2020)
- 2.5. Is the site being used in accordance with its present zoning? **Yes**
 If not, how is the land being utilized?

3. DETAILS OF APPLICATION

- 3.1. Describe the proposed development in detail (A separate motivational report may be added) : (See Motivation Report 1778/1-0 Dated March 2020)
- 3.2. Does the proposal development involve the entire land unit? **No**
 If not, indicate the position and size of the portion of the land unit that is not included in the proposed development and for what purpose it is, or will be used :
 (See Motivation Report 1778/1-0 Dated March 2020)
- 3.3. Is a departure being applied for in order to obtain a temporary change of use on the land unit? **Yes**
 If so, explain why rezoning is not being considered and supply reasons for the proposed period of the departure:
 (See Motivation Report 1778/1-0 Dated March 2020)

4. RESTRICTING FACTORS

(A separate report may be added to address the restricting factors)

- 4.1. Are there any title deed restrictions that, which may have an effect on this application in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967)? **No**
 If so, furnish full details:
- 4.2. Is any portion of the land unit subject to tidal flow or situated under the high-water mark? **No**
 If so, furnish details:
- 4.3. Is any portion of the land unit situated in a flood-plain of a river under the 1 in 50 years flood-line or subject to any floods? **No**
 If so, furnish details:
- 4.4. Are there any physical restrictions (such as steep slopes, unstable soil formations, swamps, etc.) which could affect the development? **No**
 If so, furnish details and state how the problem can be solved:
- 4.5. Are there any other restrictions of which you are aware, but which were not mentioned above? **No**
 If so, furnish full details:

5. POSSIBLE REFERRAL TO OTHER BODIES

- 5.1. Does the application fall within the area of a land Development Objective (LDO) and / or Policy Plan (Structure Plan, Framework Plan etc.)? No

If so, please give details in so far as they affect the application under consideration:

- 5.2. Are the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) applicable in the case of this application? No

- 5.3. Is the land unit situated within the boundaries of a nature area reserved in terms of section 4 of the Physical Planning Act, 1967 (Act 88 of 1967), or a mountain catchment –area reserved in terms of the Mountain Catchment Areas Act, 1970 (Act 63 of 1970), or a nature reserve reserved in terms of the Former Nature and Environmental Conservation Ordinance, 1974 (Ordinance 19 of 1974), or a national park reserved in terms of the Nature Parks Act, 1978 (Act 57 of 1978). No

If so, furnish details:

- 5.4. Does the land unit abut on the area of jurisdiction of another local authority or does any other local authority have an interest in this application? No

If so, state the name of the local authority and its interest in the application:

- 5.5. Does the property abut on any national, trunk, main or divisional road or such proposed road? No

If so, furnish full details (including status of the road and full statutory width):

- 5.6. Is the land situated in a metropolitan transport area in terms of the Urban Transport Act, 1977 (Act 78 of 1977)? No

If so, has it been referred to the relevant transport authority?

- 5.7. Is the land unit close to, or is it affected by, a power line, a power station, a railway line, a railway station, airport or harbor? No

If so, furnish details:

- 5.8. Are there any conservation worthy building / graves / rock engravings / archeological finds on the property including those that have not been declared national monuments? No

If so, furnish details:

- 5.9. Is the land unit situated within 1000 m from the high-water mark of the sea or tidal river? No

If so, has nature conservation been consulted?

- 5.10. Does the land unit abut on, or is it in any way influenced by any property belonging to the S.A. National Defence Force? No

If so, please supply details:

ANNEXURES

HAVE THE FOLLOWING ANNEXURES BEEN ATTACHED ?
 (* ANSWER YES, NO, OR NOT APPLICABLE)

ANNEXURE	YES	NO	NOT APPLICABLE
Power of attorney	✓		
Authorization from mortgagee			✓
Flood-line certificate			✓
Regional map			✓
Locality map	✓		
Extract from zoning map	✓		
Land-use map	✓		
Layout plan	✓		
Motivation report	✓		
Title deed	✓		
Copy of advertisement		*2/✓	
Any other annexures, give details:.....			

If any of the above questions, answers are no, give reasons:

*1 The Municipality will approve the notice for placement by the applicant

I, the undersigned, certify that the information appearing in this section of the form and the information in the annexures is correct and complete, and that I understand the application. (Please note the contents of paragraph 1.6 of the Instructions).

SIGNATURE:  DATE: 20/02/2020

FULL NAME: Piet Jonas

DATE ON WHICH THE APPLICATION WAS SUBMITTED TO THE LOCAL AUTHORITY

.....

SECTION B

TO BE COMPLETED BY THE LOCAL AUTHORITY WHEN APPLICATIONS ARE
SUBMITTED TO THE PREMIER IN TERMS OF SECTION 2.2 BELOW

(* ANSWER YES, NO, OR NOT APPLICABLE)

1. DETAILS OF LOCAL AUTHORITY

Name :
Address : Postal Code :
Name of contact person :
Telephone number :
Facsimile number :
Reference number :

2. DETAILS OF PREVIOUS ACCOMPANYING APPLICATIONS

- 2.1 Has there been previous correspondence with the Department of Housing and Local Government in respect of this land unit or a land unit of which this one forms part ?

..... *

If so, furnish all reference numbers of the Department and the date of the most recent correspondence :

.....

- 2.2 Does the current application also involve an application to the Premier for :

	YES	NO	NOT APPLICABLE
The removal of restrictions in terms of Act 84 of 1967 ?			
The expropriation / sale / long term lease of land by a local authority ?			

The closure of street / public places ?			
Application for land that is within 1000 m of the high water mark of the sea			
A rezoning which may not be approved by the local authority in terms of the General Structure Plan ?			

If the answer is YES to any of the above questions, please supply details and the motivation for the applications :

.....

2.3 If the answer is YES to any of the above questions, were all the applications advertised simultaneously ? (it is required that advertising should be done simultaneously in such cases.)

2.4 Have any of the above applications already been submitted to the Eastern Cape Provincial Administration ?

If so, state which applications were given and furnish the relevant Department's Reference number(s) in respect of each such application and the date of submission :

.....

3. ADVERTISING

3.1 Has notices been served on the owners of adjacent properties ?

If so, attach a map indicating the names of those property owners on whom notices have been served and a copy of the notice.

3.2 Indicate whether it was necessary to advertise in the press and the Provincial Gazette ? * If so, attach a copy of the advertisement

3.3 Have any objections been received ?

If so, attach a map indicating the name of every objector on his erf as well as copies of the objections and the comments of the applicant and the local authority on each issue of objection.

4. LAND DEVELOPMENT OBJECTIVES AND POLICY PLANS

4.1 Is there Land Development Objectives or a Policy Plan for the local authority's Area of jurisdiction, or the area within which the subject erf is situated ?

4.2 If so, what is the status of such objectives / plan ?

.....

4.3 Furnish any applicable reference number(s) of the Department of Housing and Local Government in respect of the plans concerned and the date of the most recent correspondence :

4.4 To what extent does the proposal comply with the Land Development Objectives or Policy Plans ?

6. APPLICANT'S INFORMATION

5.1 Is the information supplied by the applicant correct and complete ?

5.2 If not, provide the correct information :

5.3 Are any problems envisaged with the provision of the following services ?

	YES	NO	NOT APPLICABLE
Water			
Electricity			
Sewerage			
Storm water drainage			
Refuse removal			
Roads			

If the answer to any of the above is YES, furnish full details regarding the problem and how it will be solved :

6. COMMENTS OF THE COUNCIL

6.1 Does the Council recommend the application for approval ?

6.2 Date of Council's resolution :

- 6.3 Furnish a copy of the item considered by Council and the reasons for the above-Mentioned resolution (on a separate sheet, if necessary).

.....

.....

.....

.....

.....

.....

A copy of the proposed conditions of approval, must be attached, irrespective of Whether or not the Council supports the application.

7. ANNEXURES

- 7.1 Have the following annexures been attached ?

	YES	NO	NOT APPLICABLE
Map indicating those persons on whom notices have been served.			
Copy of notice			
Copy of press notice			
Map of objectors properties			
Copies of objections received			
Comments of applicant on objections			
Comments of Council on objections			
List of conditions			
Scoping report if required			
Comments from other government Departments			
Any other documents / correspondence Please give full details ? :			
.....			
.....			
.....			

I CERTIFY THAT THE APPLICATION IS COMPLETE AND CORRECT.

.....
SIGNATURE

CHIEF EXECUTIVE OFFICER : LOCAL AUTHORITY

NAME :

DATE :

ANNEXURE B

A.H. DANCKWERTS

Special Power of Attorney

SETPLAN

Trustees Resolution

Letter of Authorization

SPECIAL POWER OF ATTORNEY

I, Andre Hermann Danckwerts, do hereby appoint The Trustees for the time being of SETPLAN E.L. TRUST, IT1262/2000/2, the proprietor of SETTLEMENT PLANNING SERVICES trading as SETPLAN (hereinafter called "the Agent") to be my lawful agent with full power and authority and in my name:

To submit an application in terms of the provision of the Land Use Planning Ordinance, 15 of 1985 and Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA) to Raymond Mhlaba Local Municipality as well as an application in terms of the provisions of Act 70 of 1970 to the National Department of Agriculture should this be necessary for a Departure over a portion of Farm 142/ Fort-Beaufort (±4,9920Ha) to allow for quarrying (mining) of stone aggregate as per the attached proposed mining right plan.

2 To sign all documents as may be necessary in connection therewith.

SIGNED at Fort Beaufort on this 13 day of FEB 2020

Witnesses:

1 [Signature]

2 [Signature]

(Signatures of witnesses)

[Signature]
(Andre Hermann Danckwerts)

RESOLUTION TABLED AT A MEETING OF THE TRUSTEES FOR THE TIME BEING OF
SETPLAN E.L. TRUST IT 1262/2000/2, THE PROPRIETOR OF
SETTLEMENT PLANNING SERVICES TRADING AS SETPLAN

At EAST LONDON

On 16/05/2014

RESOLVED


1. That PETRUS JACOBUS JONAS and JOHAN KARL JONAS as trustees of SETPLAN E.L. TRUST be and are hereby authorized to act on behalf of the trust in any application in terms of the relevant Town Planning Legislation where a power of attorney has been granted appointing SETPLAN to represent a client, and to sign all further documents and perform any acts and make any representations, that may reasonably be required in connection with the matter;
- 2 And that the trustees hereby ratify and adopt as valid, any documentation already signed and acts performed by any of the trustees in connection herewith.



Petrus Jacobus Jonas



Johan Karl Jonas



Gary Brian Klinkrad representing KA Administrators (Pty) Ltd



DEPARTMENT OF JUSTICE & CONSTITUTIONAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

ENDORSEMENT

TRUST SETPLAN E L TRUST
NUMBER : IT 1262/2000

This is to certify that as

ANTONIUS WILHELMUS GEORGE MEULEMAN

is no longer a trustee of the above-mentioned trust,

JOHAN KARL JONAS
(ID: 650423 5008 08 8)

is authorised to act as trustee of the said trust together with

PETRUS JACOBUS JONAS
(ID: 630928 5004 08 0)

and

GARY BRIAN KLINKRADT
(ID: 680701 5046 08 1)

as nominee of

KA ADMINISTRATORS PTY LTD
(Registration No: 2005/018733/07)


ASST. MASTER OF THE EASTERN CAPE HIGH COURT
GRAHAMSTOWN

MEESTER VAN DIE HOOGGEREGSHOF
GRAHAMSTAD
29 MAY 2014
GRADUATE TO THE
HIGH COURT

ANNEXURE C

DEED OF TRANSFER

T15805/1969

by

Elisabeth Catharina Danckwerts,
(born Maude),
and
Lancelot Adolph Donald Danckwerts,
in their capacity as Executors Testamentary
in the Estate of the Late
THOMAS OSCAR DANCKWERTS.

White Group

AND the Appraiser declared that on

his ORIGINAL

~~was also said to hold the following property as also under mentioned TRANSFEREE~~

the hereinafter described property devolves upon the Transferee as sole residuary heir in terms of the deceased's Will dated 5 April 1965, subject to the payment by the Transferee -

- (a) of a bequest price of R10,000.00 to his sister Janet Elspeth Danckwerts (born on 27 November 1950), which has been duly secured.
- (b) of an annuity of R800.00 to his mother, Elisabeth Catharina Danckwerts (born Maude), widow. *and subject to further*
- (c) To the usufruct of Elisabeth Catharina Danckwerts (born Maude), widow, as hereinafter set forth, which usufruct is subject to a condition contained in the Will.

NOW therefore the said Appraiser in his capacity as aforesaid, did, by these Presents CEDE and TRANSFER in full and free property, to and on behalf of

ANDRE HERMANN DANCKWERTS,
(born on 5 April 1947).

White Group.

highairs, Executors, Administrators, or Assigns.

1/...

1. CERTAIN piece of extinguished quitrent land called "ANNEX KLU KLU", situate in the Division of Port Beaufort, being Portion of the farm "SIPTON MANOR".

MEASURING:-

Seventy-Four (74) Morgen,
Fifty-Eight (58) Square Roods.

EXTENDING as appears from the Deed of Transfer (with Diagram) No. 9344 dated 12 December 1914 in favour of M.G. Godlonton, held by the said T.O. Danckwerts (now deceased) by Deed of Transfer No. 10215 dated 25 July 1961, and

SUBJECT to the conditions referred to in Deed of Transfer No. 13515 dated 22 September 1920.

SUBJECT FURTHER to a usufruct in favour of Elizabeth Catharina Danckwerts (born Naude - 26 January 1920), widow, White Group, until her death or re-marriage, in terms of the aforesaid Will dated 5 April 1965, as will more fully appear from the Notarial Deed registered in the Servitude Register this day No. 338/1969

2. CERTAIN piece of land called "KLU KLU OLD OUTSPAN", situate in the Division of Port Beaufort.

MEASURING:-

One Hundred and Eight (108) Morgen,
Two Hundred and Sixty-Three (263) Square Roods.

EXTENDING as the Deed of Grant (with Diagram) made in favour of B.D. Godlonton dated 5 May 1909 (Fort Beaufort Quitrents Volume 29 No. 9), held by the said T.O. Danckwerts (now deceased) by Deed of Transfer No. 10215 dated 25 July 1961, and

SUBJECT to the conditions referred to in Deed of Transfer No. 13515 dated 22 September 1920.

SUBJECT FURTHER to a usufruct in favour of Elizabeth Catharina Danckwerts (born Naude - 26 January 1920), widow, White Group, until her death or re-marriage, in terms of the aforesaid Will dated 5 April 1965, as will more fully appear from the Notarial Deed registered in the Servitude Register this day No. 338/1969

3. THE REMAINING EXTENT of certain extinguished quitrent place called "PAAPKUILSFONTEIN" situate in the Division of Port Beaufort.

MEASURING as such:-

One Thousand Five Hundred and Eighteen decimal Four
Nine Two Six (1518.4926) Morgen.

EXTENDING/...

7

DIE GROND
THE LAND

IS REGISTERED IN THE TRANSVAAL DEEDS REGISTRY AS
IS REGISTERED AS, AND MUST IN FUTURE BE DESCRIBED AS

- (A) Ptn 3 (Annex Kluklu) of the farm Sipton Manor no 140
- (B) The farm Kluklu Old Outspan no 142
- (C) Rem of the farm Paaphuisfontein No 147
- (D) Ptn 5 (Annex Kluklu) of the farm Sipton Manor No 140
- (E) Ptn 6 (Annex Kluklu) of the farm Sipton Manor No 140

ARTENANTOOR,
DEEDS REGISTRY,
KAAPSTAD,
CAPE TOWN.

Rossouw

1/10 19 8.1.1

11/1

EXTENDING as the Deed of Grant (with Diagram) made in favour of E. Fildesley dated 15 August 1850 (Fort Beaufort Quitrents Volume 1 No. 44); held by the said T.O. Danckwerts (now deceased), by Deed of Transfer No. 10215 dated 25 July 1961; and SUBJECT to the conditions referred to in Deed of Transfer No. 13515 dated 22 September 1920.

SUBJECT FURTHER to a usufruct in favour of Elizabeth Catharina Danckwerts (born Naude - 26 January 1920), widow, White Group, until her death or re-marriage, in terms of the aforesaid Will dated 5 April 1965, as will more fully appear from the Notarial Deed registered in the Servitude Register this day No. 338/1969

4. CERTAIN piece of extinguished quitrent land called "ANNEX KLU KLU II", part of the farm "SIPTON MANOR", situate in the Division of Fort Beaufort.

MEASURING:-

Eight (8) Morgen,
Two Hundred and Nine (209) Square Rods.

EXTENDING as appears from the Deed of Transfer (with Diagram) No. 5678 dated 14 July 1923 made in favour of S.H. Painter, held by the said T.O. Danckwerts (now deceased), by Deed of Transfer No. 10215 dated 25 July 1961; and SUBJECT to the conditions referred to in Deed of Transfer No. 5678 dated 14 July 1923.

SUBJECT FURTHER to a usufruct in favour of Elizabeth Catharina Danckwerts (born Naude - 26 January 1920), widow, White Group, until her death or re-marriage, in terms of the aforesaid Will dated 5 April 1965, as will more fully appear from the Notarial Deed registered in the Servitude Register this day No. 338/1969

5. CERTAIN piece of extinguished quitrent land called "ANNEX KLU KLU III", part of the farm "SIPTON MANOR", situate in the Division of Fort Beaufort.

MEASURING:-

Ten (10) Morgen,
Seventy-Five (75) Square Rods.

EXTENDING as appears from the Deed of Transfer (with Diagram) No. 5678 dated 14 July 1923 made in favour of S.H. Painter, held by the said T.O. Danckwerts (now deceased) by Deed of Transfer No/...

BLADSY/PAGE 8

ENDOSSEMENT ON TISBOS 19
ENDORSEMENT ON

EIENDOM/PROPERTY PRO 2

(~~PROOF~~ 1120) OF THE

FACH SYSTEM NUMBER NO 1120

at reg :

521/80
BC...../18.....
CANCELLED
GEKANSLEER
Registrar
1985-01

B 33663 /1951

Signature of bondholder
signed
Bondholder

VERBIND MORTGAGED
vir for R 90 000,00
P.R. BK
P.R. BK
Aankomster, Deeds Office, Registrar, Cape Town.

[Handwritten signature]

DIE GROOTTE VAN BINNEMERDE EIENDOM
THE EXTENT OF THE WITHINMENTIONED PROP-
ERTY IN METRIEKE MATE IS
ERTY CONVERTED TO METRIC MEASURES IS

HEKTAAR / METERS ²
HEKTAARS / METRES ²

REGISTRAR VAN ARRES
REGISTRAR OF DEEDS

- 1. 63, 1462
- 2. 92, 209
- 4. 7, 1607
- 5. 8, 6724

VIR ENDOSSEMENTE KYK BLADSY 9 ET SEQ
FOR ENDORSEMENTS SEE PAGE

No. 10215 dated 25 July 1961, and

SUBJECT to the conditions referred to in Deed of Transfer No. 5678 dated 14 July 1923.

SUBJECT FURTHER to a usufruct in favour of Elisabeth Catharina Danckwerts (born Naude - 26 January 1920), widow, White Group, until her death or re-marriage, in terms of the aforesaid Will dated 5 April 1965, as will more fully appear from the Notarial Deed registered in the Servitude Register this day No. 338/1969

Wherefore.

5
7

WHEREFORE the Apppearer, renouncing ^{Estate} all right and title the ~~TRANSFEROR~~ ^{ESTATE} as aforesaid heretofore had to the Premises, did in consequence also acknowledge the TRANSFEROR as aforesaid to be entirely dispossessed of and disintitied to the same, and that by virtue of these presents the TRANSFEREE as aforesaid now and henceforth shall be entitled thereto, conformably to local custom; the State however reserving its rights; the Apppearer finally acknowledging the ~~Purchase Price~~ ^{to have been paid} properties being valued for Estate Duty purposes at R78,260.00. *Stamp duty being payable on R14646-60 base dominion value.*

IN WITNESS whereof, I, the said Registrar of Deeds, together with the Apppearer, have subscribed to these presents and have caused the Seal of Office to be affixed hereto.

THUS done and executed at the Office of the Registrar of Deeds, in CAPE TOWN, on this 20th day of June One Thousand Nine Hundred and Sixty-Nine (1969).

In my presence,

[Signature]
REGISTRAR OF DEEDS

Registered in the Register of <sup>(Farms
Erven
Townships)</sup>
Port Beaufort
Book Folio

400 P1
132 P2
133 P3
40E P4
40F P5

A. Eksteen
Clerk in Charge

Page Number 10
 Deed Number _____

VERBIND		MORTGAGED	
VIR FOR R <u>1 500 000,00</u>			
B 72538,95	<i>[Signature]</i> REGISTRAR		
30 10 95			

Preference of usufruct waived ifo. bondholder

Sandland

VERBIND		MORTGAGED	
VIR FOR R <u>1 710 000,00</u>			
B 29363,98	<i>[Signature]</i> REGISTRAR		
15 05 98			

W.O.P.

Preference of usufruct waived in b.o. bond
 (ii) This bond ranks prior to B72538/95

B 00058801-2002

GEKANSLEER
 CANCELLED

[Signature]
 REGISTRAR

2002-08-19

[Handwritten notes and signatures]

-9-

BC 28054/98
GEKANSELLEER CANCELLED
<i>[Signature]</i>
REGISTRATEUR/REGISTRAR
1998-05-15

B. 53258/19.05.98
VERBIND/MORTGAGED
vir R. 350000,00
1986-12-08
Aftekantoor Deeds Office KAAPSTAD/CAPETOWN
<i>[Signature]</i> Registruur/Registrar

*Professioneel Oorlog
rekening 1 of 0 Rekening
holder.*

Para 3
Kragters akte van kansellasië van servituut
Nr K. 353/94 /s, is Eskom se regte onder
Akte van servituut Nr. 391/72, ^{soos vermeld hierin} nou gekanselleer.
Aktekantoor 11/4/94 Registrateur van Aktes.
Kaapstad

Para 3

DIE BINNEGEWELDE EIENDOM IS ONDERHEWIG AAN 'N KRAGLYSERWIT- TUUT TEN GUNSTE VAN ESKOM MET BYKOMENDE REGTE.	THE WITHINMENTIONED PROPERTY IS SUBJECT TO A POWERLINE SERVICE IN FAVOUR OF ESKOM WITH ANCILLIARY RIGHTS.
K 354/94	<i>[Signature]</i>
	REGISTRATEUR/REGISTRAR

11 04 94

Vir verdere engasementa sien For further engagements see.....
Page 10

Page Number 11
 Deed Number _____

T15805/09

VERBIND MORTGAGED

VIR FOR R. 4.000.000,00

B 000000080 / 2007

03 JAN 2007

Paul
 REGISTRAR/REGISTRAR

waf
 Pref of usufruct waived i/o. band K6/2007S

DIE ONDRO HIERIN BESKRYWE IS HERNOMMER EN THE LAND DESCRIBED HEREIN HAS BEEN RENUMERATED IN DIE TOEKOMDE BESKRYWE WORD AS: REFERRED TO IN FUTURE BE DESCRIBED AS:

in
errek

REGISTRAR/REGISTRAR

VERBIND MORTGAGED

VIR FOR R. 4.000.000,00

B 000022605 / 2012

17 AUG 2012

[Signature]
 REGISTRAR/REGISTRAR

waf
 Pref of usufruct waived i/o. band vide K740/2012S

VIR TO ENDORSEMENT KYK BLADSY FOR ENDORSEMENTS SEE PAGE 121

ENDORSEMENT KRAGTERS ART. 68 (1) VAN WET 47 VAN 1937 PERSONLIKE SERWITUUT IN VOORWAARDE OP BLADSY 5 ENDORSEMENT GEDATEER 1711 VERVAL. B 000049021 / 2013 2013-11-18 REGISTRAR/REGISTRAR	ENDORSEMENT BY VIRTUS OF SECT 68 (1) OF ACT 47 OF 1937 THE PERSONAL SERVITUDE IN CONDITION ON PAGE 5 ENDORSEMENT DATED 1711 HAS LAPSED. <i>[Signature]</i> REGISTRAR/REGISTRAR
--	---

USUFRUCT HAS BEEN CANCELLED IN RESPECT OF ALL FIVE PARTIES. (REFER TO RC)

Page Number 12

Deed Number TJ.5805/1969-CTN

ALL PARAS

WOP

VERBIND		MORTGAGED	
VIR FOR R <u>3,000,000.00</u>			
B	2458 / 2017		
	14 DEC 2017		
			REGISTRATEUR/REGISTRAR



ANNEXURE D

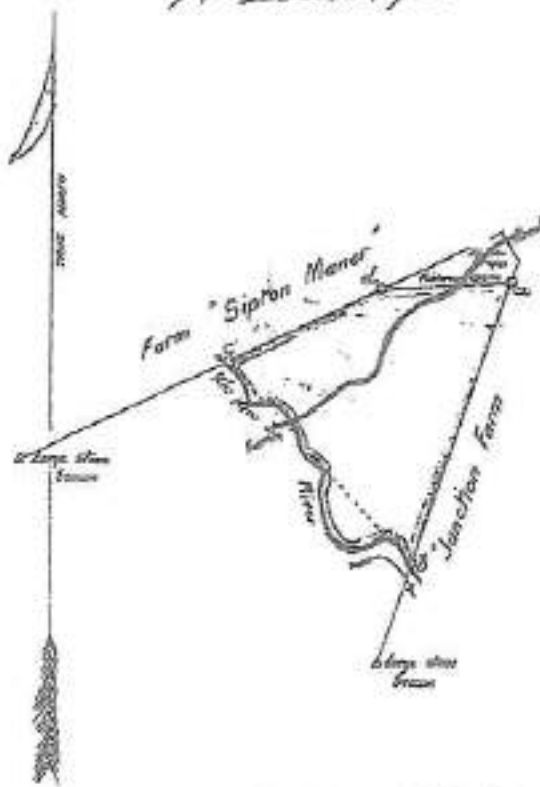
S.G. DIAGRAMS

2804/1908

FA Q: 29-5.

The Numerical data of this diagram are sufficiently consistent
N^o 2804-1908

msd
Examiner

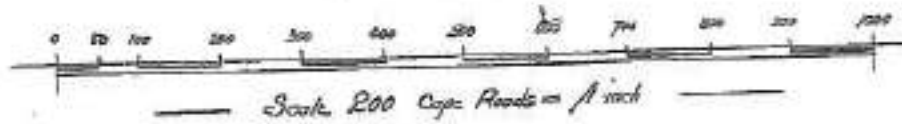


Sides	Angles
ab 306.50	a 87° 58' 40"
bc 337.78	b 61 57 30
cd 205.17	c 72 58 10
da 164.88	d 157 5 40

Coordinates	
a -	1868.83 + 346.28
b -	1745.02 + 883.15
c -	1578.32 + 438.77
d -	1704.07 + 351.85

Rectilinear Area
101 Morgen 463 Sq Rds

THE FARM Klu Klu Old Outspan 142
FORT BEAUFORT



The above diagram lettered a.b. ^{and edge of road} and Klu Klu river, c.d. represents 108 Morgen 263 Sq Rds of Land, situate in the Division of Fort Beaufort, called "Klu Klu Old Outspan".

- Bounded N by "Klu Klu Outspan Railway Reserve,
- E. "Junction Farm", and
- SW. Klu Klu River (south of stream),
- NW. Farm "Sipton Manor"

John 8827

B
S
C

I certify that this diagram belongs to the Title Deed this day issued in favor of P.D. Goddard
Sur: Genl's Office,
May 8th 1909
P. Schalk
An Surveyor General.

Surveyed & measured by me, according to Regulations.
September 1908

Govt Land Surveyor

W.T. Ward

CHECKED DATA CHECKED *ml*

DV.
Farm 142

ANNEXURE E

Mining & Prospecting Right



**DEPARTMENT: MINERAL RESOURCES
REPUBLIC OF SOUTH AFRICA**

MINING RIGHT

Granted in terms of section 23(1) of the Mineral and Petroleum Resources Development Act, 2002
(Act No. 28 of 2002)

DEPT. OF MINERALS RESOURCES
RECEIVED
2018 -11- 29
MINERAL & PETROLEUM TITLES
REGISTRATION OFFICES PRETORIA

S. P. B. e

TABLE OF CONTENTS

Heading	Clause
Preamble	
Definitions	
Description of the Mining Area	1
Granting of Mining Right	2
Commencement, Duration and Renewal	3
Amendment, Variation and Abandonment	4
Payment of Royalties	5
Payment of Interest	6
Restrictions and Obligations imposed on the Holder	7
Conditions on disposal of minerals and or products derived from mining	8
Mortgage, Cession, Transfer, and Alienation	9
Protection of Boreholes, Shafts, Adits, Openings and Excavations	10
Holder's liability for Compensation for Loss or Damage	11
Inspection of Mining Area	12
Cancellation or Suspension of Mining Right	13
Records and Returns	14
Minister's liability for payment of Compensation	15
Compliance with the Laws of the Republic	16
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Social and Labour Plan	18
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Domicilia citandi et executandi	20
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REGISTERED IN THE MINERAL & PETROLEUM TITLES
REGISTRATION OFFICE - PRETORIA

In the register of Mining Right

On the 21st day of SEPTEMBER 2018

Under MPT No. 5020

pp DIRECTOR-GENERAL MINERAL RESOURCES

Protocol No: 185/2018
File Ref No EC 30/6/1/2/2/10030M/R
Application No DI/2018/07/03/001

LET IT HEREBY BE MADE KNOWN:

THAT on this 04th day of October in the year 2018, before me, Lizelle Gosthulzan a Notary Public, duly sworn and admitted, residing and practising at Port Elizabeth, in the Eastern Cape Province of South Africa, and in the presence of the subscribing competent witnesses, personally came and appeared:

Deldre Ann Thompson, Acting, Regional Manager, Eastern Cape Region of the Department of Mineral Resources, and as such in his / her capacity as the duly authorised representative of:

THE MINISTER OF MINERAL RESOURCES

The said Regional Manager, being duly authorised thereto under and by virtue of a Power of Attorney granted by the Acting Deputy Director-General: Mineral Regulation of the Department of Mineral Resources on the 04th day of July in the year 2018 in terms of the powers delegated by the Minister on the 12th day of May 2004 in terms of section 103 (1) of the Act,

Handwritten initials: BW, DS



AND

Christopher Nayanah as a Close Corporation's Member, and as such, the duly authorised representative of Stult Quarries CC. Identification/ Registration number.

2	0	0	1	/	0	1	9	3	1	3	/	2	3	
---	---	---	---	---	---	---	---	---	---	---	---	---	---	--

(Hereinafter together with his/her/its successors in title and assigns referred to as "the Holder", he/she, the said representative, being duly authorised thereto under and by virtue of a power of attorney/resolution of directors/members of the Holder, signed or passed at East London on the 27th day of September in the year 2018 which power of attorney or a certified copy of a resolution has this day been exhibited to me, the notary, and remain filed of record in my protocol with the minutes hereof.)

AND THE MINISTER AND HOLDER DECLARED THAT:

WHEREAS The State is the custodian of the Nation's mineral and petroleum resources in terms of section 3 of the Act.

AND WHEREAS The Holder has applied for a mining right in terms of section 22 of the Act,

AND WHEREAS The Acting Deputy Director-General: Mineral Regulation of the Department of Mineral Resources has by virtue of powers delegated to him, granted to the Holder, a mining right in terms of section 23(1) of the Act.

NOW THEREFORE THE MINISTER GRANTS A MINING RIGHT SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. Description of the Mining Area

The Mining Area shall comprise the following.

Certain. On Part of Farm Klu Klu Old Outspan No. 142 and Klu Klu Outspan Railway Reserve No. 141

Situated: Fort Beaufort Magisterial/Administrative District of Fort Beaufort

Measuring: 7,0832 hectares in extent

(In the case of various farms being involved, a list can be attached and referred to as Annexure N/A);

Which Mining Area is described in detail on the attached Diagram/plan marked Annexure "C".

2. Granting of Mining Right

Without detracting from the provisions of sections 5 and 25 of the Act, the Minister grants to the Holder the sole and exclusive right to mine, and recover the minerals in, on and under the mining area for the Holder's own benefit and account, and to deal with, remove and sell or otherwise dispose of the minerals, subject to the terms and conditions of this mining right, the provisions of the Act and any other relevant law in force for the duration of this right.

3. Commencement, Duration and Renewal

3.1. This mining right shall commence on 04th October 2018 and, unless cancelled or suspended in terms of this clause 13 of this right and or section 47 of the Act, will continue to be in force for a period of thirty (30) years ending on 03rd October 2048.

3.2. The Holder must commence with the mining operations within a year from the date on which the mining right becomes effective in terms of section 23 (5) of the Act, or any later date as may, upon a written request by the Holder, be authorised in writing by the Minister in terms of the Act, failing which this right may be cancelled or suspended.

3.3. Any application for renewal must be submitted to the Regional Manager not later than 60 working days prior to the date of expiry of this right.

4. Amendments, Variation and Abandonment

4.1. The terms of this right (including by extension of the area covered by it or by the addition of minerals or a share or shares or seams, mineralized bodies, or strata, which are not at the time the subject thereof) may not be amended or varied without the written consent of the Minister.

4.2. The Holder shall be entitled to abandon or relinquish the right or the area covered by the right entirely or in part. Upon abandonment or relinquishment of the mining area or any portion thereof the Holder must:

- 4.2.1. Furnish the Regional Manager with all prospecting and/or mining results and/or information, as well as the general evaluation of the geological, geophysical and borehole data in respect of such abandoned area in so far as it applies to the mineral or any other mineral/s obtained in respect of this right and,
- 4.2.2. Apply for a closure certificate in terms of section 43 (3) of the Act.
- 4.3. With effect from the date the Holder has abandoned or relinquished a portion or portions of the mining area, and subject to section 43 of the Act, the Minister is entitled to grant any right, permit, or permission referred to in the Act in, on, or under the portion/s, so abandoned or relinquished, to any person/s.

5. **Payment of Royalties**

- 5.1. The Holder shall as contemplated in section 25 (2) (g) pay to the State throughout the duration of this mining right, royalties payable in terms of any Act or Amendment to an Act of Parliament implemented.

6. **Payment of Interest**

If mining fees, any fees, any levy, royalties or consideration referred to in clause 5 are not paid punctually, the Holder shall be in arrears and shall pay interest thereon at the rate prescribed in terms of section 80 of the Public Finance Management Act, 1999 (Act 1 of 1999) reckoned from the date on which payment is due and payable, to the date of actual payment.

7. **Restrictions and Obligations Imposed on the Holder**

- 7.1. The Holder is entitled to the rights referred to in section 5(2), (3) and section 25 of the Act, and such other rights as may be contained in this mining right or such other right as may be granted to, acquired by or conferred upon the Holder by any other applicable law.
- 7.2. Mining operations in the mining area must be conducted in accordance with the Mining Work Programme and any amendment to such Mining Work Programme and an approved Environmental Management Plan.
- 7.3. The Holder shall not trespass or enter into any homestead, house or its curtilage nor interfere with or prejudice the interests of the occupiers and/or owners of the surface of the Mining Area except to the extent to which such interference or prejudice is necessary for the purposes of enabling the Holder to properly exercise the Holder's rights under this mining right.

8. Conditions on disposal of Minerals and/or Products Derived from Mining

It is a condition of the granting of this mining right that the Holder shall dispose of all minerals and/or products derived from the exploitation of the mineral at competitive market prices which shall mean in all cases, non-discriminatory prices or non-export parity prices. If the minerals are sold to any entity, which is an affiliate or non-affiliated agent or subsidiary of the Holder, or is directly or indirectly controlled by the Holder, such purchaser must unconditionally undertake in writing to dispose of the minerals and any products produced from the minerals, at competitive market prices.

9. Mortgage, Cession, Transfer, Alienation

9.1 This mining right, a shareholding, an equity, an interest or participation in the right or joint venture, or a controlling interest in a company, close corporation or joint venture, may not be encumbered, ceded, transferred, mortgaged, let, sublet, assigned, alienated or otherwise disposed of without the written consent of the Minister, except in the case of a change of controlling interest in listed companies.

9.2 Any transfer, encumbrance, cession, letting, sub-letting, assignment, alienation or disposal of this right or any interest therein or any share or any interest in the Holder, without the consent of the Minister referred to in section 11(1) is of no force, no effect and is invalid.

10. Protection of Boreholes, Shafts, Edits and Openings.

All boreholes, shafts, edits, excavations, and openings sunk or made, by the Holder during the currency of this mining right shall be sealed, closed, fenced, made safe by the Holder in accordance with the approved Environmental Management Programme, the Mine Health and Safety Act, 1996 or any other applicable laws and Regulations.

11. Holder's liability for payment of Compensation for Loss or Damage

11.1 Subject to section 43 of the Act, the Holder shall, during the tenure of this right while carrying out the mining operations under this right, take all such necessary and reasonable steps to adequately safeguard and protect the environment, the mining area and any person/s using or entitled to use the surface of the mining area from any possible damage or injury associated with any activities on the mining area.

- 11.2. Should the holder fail to take reasonable steps referred to above, and to the extent that there is legal liability, the holder shall compensate such person or persons for any damage or losses, including but not limited to damage to the surface, to any crops or improvements, which such person or persons may suffer as a result of, arising from or in connection with the exercise of his/her rights under this mining right or of any act or omission in connection therewith.

12. Inspection of Mining Area

The Minister and/or any person duly authorised thereto in writing by the Minister shall be entitled to inspect the mining area, the Holder's mining operations and the execution of the approved Environmental Management Programme on the Mining Area as provided for in the Act, and any instruction conveyed in writing by the Minister to the Holder requiring the proper performance by the Holder of the Holder's obligations under this mining right shall be put into effect by the Holder in terms of the Act.

13. Cancellation or Suspension

- 13.1 Subject to section 47 of the Act, this mining right may be cancelled or suspended if the Holder:
- 13.1.1 Submits inaccurate, incorrect and or misleading information in connection with any matter required to be submitted under the Act;
 - 13.1.2 Fails to honour or carry out any agreement, arrangement, or undertaking, including the undertaking made by the Holder in terms of the Broad Based Socio Economic Empowerment Charter and Social and Labour plan, on which the Minister relied for the granting of this right;
 - 13.1.3 Breaches any material term and condition of this mining right;
 - 13.1.4 Conducts mining operations in contravention of the provisions of the Act;
 - 13.1.5 Contravenes the requirement of the approved Environmental Management Programme; or
 - 13.1.6 Contravenes any provisions of this Act in any other manner.
- 13.2 Before the Minister cancels or suspends this right, the Minister shall:
- 13.2.1 Give written notice to the Holder indicating the intention to suspend or cancel this right;
 - 13.2.2 Give reasons why the Minister is considering the suspension or cancellation of this right;
 - 13.2.3 Give the Holder 30 days to show reasons why the right should not be suspended or cancelled;
 - 13.2.4 Notify the mortgagee (if any), of the intention to suspend or cancel this right; and
 - 13.2.5 Direct the Holder, where it is possible to remedy any contravention, breach or failure, to comply or to take such specified measures to remedy any contravention, breach or failure to comply.
- 13.3 If the Holder does not take the measures as specified by the Minister to remedy a contravention, breach or failure, the Minister may cancel or suspend this right after considering representations made by the Holder in terms of clause 13.2.3.

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 (2)

14. Records and Returns

- 14.1 The Holder shall maintain all such books, plans and records in regard to mining on the Mining Area as may be required by the Act and shall furnish to the office of the Regional Manager such reports and documents as may be relevant under this right.
- 14.2 The Holder shall furnish to the Regional Manager all such monthly returns contemplated in section 28 (2) A of the Act not later than the 15th day of the month following the month in respect of which it was reported.
- 14.3 The Holder shall furthermore at the end of each year following commencement of this mining right, inform the Regional Manager in writing of any new developments and of the future mining activities planned in connection with the exploitation/mining of the minerals on the Mining Area.

15. Minister's liability for Compensation

The Minister shall not at any time be liable or responsible for the payment of compensation of whatever nature to the Holder, the Holder's successors-in-title or assignee, or any person whomsoever as a result of the granting of this right.

16. Compliance with the Laws of the Republic

The granting of this Right, does not exempt the Holder and its successors in title and/or assigns from complying with the relevant provisions of the Mine Health and Safety Act, (Act No.29 of 1996) and any other law in force in the Republic of South Africa.

17. Provisions relating to section 2(d) and (f) of the Act

In the furthering of the objects of this Act, the Holder is bound by the provisions of an agreement or arrangement dated N/A N/A N/A entered into between the Holder/ empowering partner and 100% HDSA-Controlled (the empowerment partner) which agreement or arrangement was taken into consideration for purposes of compliance with the requirements of the Act and or Broad Based Economic Empowerment Charter developed in terms of the Act and such agreement shall form part of this right.

18. Social and Labour Plan

- 18.1 The holder must annually, not later than three months before the end of its financial year, submit detailed implementation plan to give effect to Regulation 46(c)(i),(ii)and (iii) in line with the Social and Labour Plan.

- 18.2 The holder must annually, not later than three months after finalisation of its audited annual report, submit a detailed report on the implementation of the previous year's social and labour plan.

19. Severability

Notwithstanding anything to the contrary, any provision of this mining right which is contrary to any provision of the Act or which is otherwise ultra vires, null and void, voidable, or unenforceable, shall be severable from the rest of this right, such rest thus being and remaining of full force, effect and enforceable.

20. Domicilia citandi et executandi

- 20.1. The parties hereto choose the following addresses as their *domicilia citandi et executandi* and for all purposes arising from this mining right, in particular for the purposes of serving of any notice in terms of this mining right, and any notice properly addressed to the under mentioned postal addresses of the parties shall be deemed to have been received by the addressee within 14 days if given in writing and posted by prepaid registered post addressed to the addressee at the relevant postal address:

20.1.1. In the case of the Minister:

Physical Address	Postal Address
444 Govan Mbeki Avenue 3rd Floor, Flr 14, North End Code 6001 Tel 041 403 6600 Fax 041 484 1963	Private Bag X 6076 Port Elizabeth 6000 041 403 6600 041 484 1963

20.1.2. In the case of the Holder:

Physical Address	Postal Address
Palm Square, Bonza Bay Road Beacon Bay, East London Code 5241 Tel 043 101 0146 Fax 043 748 3285	P.O. Box 18213 Beacon Bay 6205 043 101 0146 043 748 3285

- 20.2. Notwithstanding anything to the contrary herein contained, a written notice or communication actually received by a party at any place other than the chosen *domicilia citandi et executandi*

shall constitute adequate notice or communication to the party notwithstanding that it was not sent to or delivered at such party's chosen *domicilium citandi et executandi*.

20.3 Either party shall be entitled from time to time to change the *domicilia citandi et executandi* or postal address furnished above after giving at least 14 days prior written notice of such change to the other party, failing which the above mentioned addresses will remain in force.

20.4 Any written notice or communication contemplated in this clause which is forwarded by one party to the other by registered post will be presumed to have been received by the addressee on the fourteenth day following the date of posting from an address within the Republic of South Africa to the addressee at the postal address of the addressee for the time being as determined in accordance with the provisions of this clause.

21. Costs

The Holder shall pay all costs and charges incurred in connection with the execution and registration of this prospecting right.
MINING

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Thus done and signed at Port Elizabeth on the 04th day of October in the year 2018 in the presence of the undersigned witnesses:

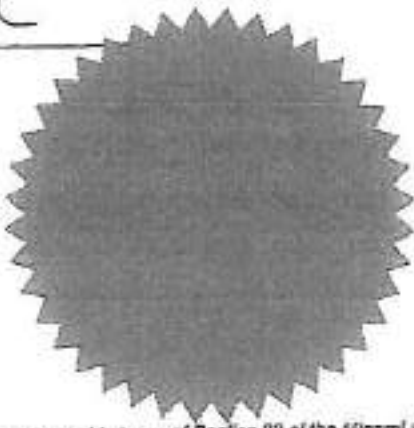
AS WITNESS:

Handwritten signature of a witness.

Handwritten signature of the Minister.
For and on behalf of the Minister

AS WITNESS:

Handwritten signature of a witness.



Handwritten signature of the Holder.
For and on behalf of the Holder

Handwritten signature of the Notary Public.
Notary Public

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ITEM 57/2022

REZONING APPLICATION FOR ERF 418 ALICE, FROM RESIDENTIAL CLASS 1 TO INSTITUTIONAL CLASS 2 FOR THE PURPOSES OF DEVELOPING A SCHOOL

Author: Land Use Officer – L. Mtyundyutho
Director: Eng. Services – February 2022
Management – February 2022
Stg Comms: March 2022
Exco- March 2022
Council: March 2022

1. PURPOSE

The purpose of this report is for EXCO to **APPROVE** the rezoning application for erf 418 Alice, from Residential Class 1 to Institutional Class 2.

2. LEGAL FRAMEWORK

- SPLUMA Act no 16 of 2013;
- Land Reform and Settlement plan
- Land Use Planning Ordinance 15 of 1985;
- RULA and,
- Municipal Systems Act 32 of 2000;

3. BACKGROUND / REASONING

The municipality received an application from Mikhulu Projects Town Planners for the rezoning of erf 418 in Alice from Residential Class 1 to Institutional Class 2 for the purpose of developing a school in terms of Land Use Planning Ordinance No 15 of 1985 and The Spatial Planning and Land Use Management Act 16 of 2013 with the Section 8 of Scheme regulations.

4. STAFF IMPLICATION

None.

5. FINANCIAL IMPLICATIONS

R4'390

6. RECOMMENDATIONS

The Standing Committee **RECOMMENDED** that:

- 1) EXCO **APPROVES** the rezoning application of erf 418 Alice from Residential Class 1 to Institutional Class 2 for the purpose of developing a school.



MIKHULU

4 Maggs Street
Unit 5
East London
5247

21 January 2020

Raymond Mhlaba Local Municipality
8 Somerset Road,
Fort Beaufort,
5720

Attention: Mr L Fata

Dear Sir

APPLICATION FOR THE REZONING OF ERF 418, ALICE FROM "RESIDENTIAL CLASS 1 TO INSTITUTIONAL CLASS 1"

Application is made in terms of the Land Use Regulations Act 15 of 1987 and the Spatial Planning and Land Use Management Act 16 of 2013 read with the Section 8 Scheme regulations for the Rezoning of Erf 418, Alice to permit the use of the site for the development of a School.

Attached hereto please find the following:

- Motivational Memorandum
- Power of Attorney (POA)
- Deed of Transfer
- Site Plan
- Land Use Application Form duly completed

Should you have any queries, please contact the undersigned for any further information.

Yours faithfully

Mr Sinesipho Sicwebu
Professional Town Planner
N. Dip (TRP), B. Tech (TRP), Masters (TRP)
Reg No.: A/2026/2015



MIKHULU

**APPLICATION FOR THE REZONING OF ERF 418
ALICE FROM SINGLE RESIDENTIAL CLASS 1 TO
INSTITUTIONAL CLASS 1**

Mikhulu Projects (Pty) Ltd

4 Maggs Street

Unit 5

East London

5247

Cell: 078 744 6894

Fax: 086 558 6955

January 2019

Report info.

Applicant Information:

Date:	January 2020
Report No:	090
Prepared By:	Mikhulu Projects (Pty) Ltd
Enquiries:	Sinesipho Sicwebu
Email:	sne@mikhuluprojects.co.za/ smsicwebu@gmail.com

Client Information:

Prepared for:	Uniting Presbyterian Church Erf 418 Alice
---------------	---

Authority Information:

Submitted to:	Raymond Mhlaba Local Municipality 8 Somerset Road Fort Beaufort 5720
Enquiries:	Mr Luthando Fata

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January, 2020

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Plan 1	Locality Plan
Plan 2	Land Use Plan
Plan 3	Zoning Plan
Plan 4	Site Plan
Annexures	
Annexure A	Power of Attorney
Annexure B	Deed of Transfer
Annexure C	Land Use Application Form duly completed

1. Introduction

Messrs Milkhulu Projects (Pty) Ltd has been appointed by THE HUMBLE BEGINNING PRE & PRIMARY SCHOOL through written consent from THE UNITING PRESBYTERIAN CHURCH IN SOUTH AFRICA in his own capacity as the registered owner of Erf 418 Alice, to prepare and submit to the Raymond Mhlaba Local Municipality a Rezoning application of Erf 418, Alice from Residential Class 1 to Institutional Class 1.

This report therefore serves as a Motivation for the Rezoning of the afore-mentioned property, which is being applied for in terms of the Land Use Regulations Act 15 of 1987, and the Spatial Planning and Land Use Management Act 16 of 2013 read with the Section 8 Scheme Regulations.

2. Purpose of Application

The purpose of the application is to motivate to council for the approval of the Rezoning of the abovementioned Erf from Residential Class 1 to Institutional Class 1 to permit the use of the site for the development of Church School, this in turn will contribute to the planned and co-ordinated development of Alice as and the greater Raymond Mhlaba Local Municipality as a whole.

Itemised as follows:

- Rezoning of Erf 418 from Residential Class 1 to Institutional Class 1.

3. Confirmation of Appointment and Authority

Messrs Milkhulu Projects (Pty) Ltd has been appointed by THE HUMBLE BEGINNING PRE & PRIMARY SCHOOL through written consent from THE UNITING PRESBYTERIAN CHURCH IN SOUTH AFRICA in his own capacity as the registered owner of Erf 418 Alice, to prepare and submit to the Raymond Mhlaba Local Municipality a Rezoning application of Erf 418, Alice from Residential Class 1 to Institutional Class 1, (See Annexure A, Power of Attorney and letter of consent).

4. Public Participation Process

The application will be advertised in the local newspaper to allow for public comments on the proposed application and a window period of 30 days will be allowed for such comments, this is in line with the most recent town planning legislation.

5. Property Information

5.1 Locality

Erf 418 Alice is situated close to the central Business District of Alice, minutes away (+/-2km) from the Provincial Road Linking King Williams Town and Fort Beaufort (R63) Road. It sits in close proximity to what can be defined as a business precinct with banks and cooperate offices harnessing the road, and an iconic university just minutes away being the University of Fort Hare. (See Plan I, Locality Plan).

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5.1.1 Access

Access to the site is gained from Smith Street.

5.2 Site Description & Ownership

Land Ownership, Deed of Transfer number and site extent are set out in the table below:

Property Description	Title Deed Number	Ownership	Size
Erf 418	Deed of Transfer	The Uniting Presbyterian Church in South Africa	1425m ²

5.3 Title Deed conditions

On analysis of the Deed of Transfer, there seem to be no onerous conditions of title contained in the title deed, which would need to be removed. (See *Annexure B, Deed of Transfer*).

5.4 Servitudes

There are no registered servitudes over the material property against the parent property.

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Access to the site is gained from Smith Street.

5.2 Site Description & Ownership

Land Ownership, Deed of Transfer number and site extent are set out in the table below:

Property Description	Title Deed Number	Ownership	Size
Erf 418	Deed of Transfer	The Uniting Presbyterian Church in South Africa	1425m ²

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On analysis of the Deed of Transfer, there seem to be no onerous conditions of title contained in the title deed, which would need to be removed. *(See Annexure B, Deed of Transfer).*

5.4 Servitudes

There are no registered servitudes over the material property against the parent property.

5.5 Land Use and Surrounding Land Uses

(See Plan 2, Land Use Plan)

The site is currently built up with an existing building.

The site is nestled between a vacant municipal site to the North and South, Businesses and shops to East and Residential buildings to the West boundaries of the study area..

The current uses within close proximity to the site give the area a blend of conforming uses to the proposed development, and the closeness of the other churches, cemeteries, shops, and residential buildings promote the need for increased educational facilities within the area due to its close proximity to the CBD. .

In view of the above, rezoning the site for Institutional Class 1 purposes will not negatively affect the existing uses adjacent to the site, but will rather complement and blend in with the current trends in the area.

5.6 Zoning and Surrounding Zonings

Erf 418, Alice is currently zoned as Residential Class 1, according to the Raymond Mhlaba Zoning Map. *(See Plan 3, Zoning Plan).*

Surrounding the area of interests are sites with various zoning categories which support the proposed rezoning as they conform to it. To the North is Authority Zone, Residential Zone to the South and West of the Study area, and to the East of the area is commercial zones.

5.7 Physical Aspects

5.7.1 Topography

The site is relatively flat, and the gradient gently falls in a northerly direction towards current septic tank and drainage of the site. The slope of the site is therefore not considered as being a constricting factor, and would not hinder any development.

5.7.2 Vegetation

The site is currently zoned as Residential Class 1, this means that the site is set aside for the development of a residential dwelling unit, and there are no hazardous environmental constraints on site.

6. Level of infrastructure

6.1 Water

The site is within a built up area and one that is fully serviced with water infrastructure connections.

6.2 Sanitation

The site is currently serviced with existing sewer lines and connections will be made on the existing infrastructure.

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6.3 Refuse Removal

The municipality is currently responsible for the collection of refuse removal within the urban area of Alice. It is anticipated that there will be sufficient capacity to deal with any refuse produced from the site as it falls within the urban area.

6.4 Roads

The subject site is accessed through Smith Street which is a surfaced road within an urban environment.

6.5 Electricity

Eskom provides electricity to the site and municipal area. It is anticipated that there will be sufficient capacity to provide the subdivided site as connections can be extended from there.

6.6 Stormwater

The area in which the site exists is a residential area that is fully serviced with infrastructure, there are storm water drainages forming part of the bulk service that exist.

6.7 Access Roads

Currently the area is easily accessible via the existing road system and the subject property will gain access from these existing roads.

7. Development Proposal

7.1 Proposal

This report therefore serves as a Motivation for the Rezoning of the afore-mentioned property, which is being applied for in terms of the Land Use Regulations Act 15 of 1987 and the Spatial Planning and Land Use Management Act 16 of 2013 read with the Section 8 Scheme Regulations.

The following is proposed for the development of Erf 418, Alice:

- Rezoning of the Erf from Residential Class 1 to Institutional Class 1.

7.2 Developmental Parameters

It is proposed that the newly created erf have the following development parameters applicable upon it:

	Existing Land Use Rights	Proposed Land Use
Erf Number	418	418
Erf size	1425m ²	1425m ²
Use Zone	Residential Class 1	Institutional Class 1
Primary Use	Dwelling- House	School
Consent Use	Additional Dwelling Unit	Parsonage, place of assembly, place of worship
Side building line	Atleast 2m, subject to regulation 3.3.3	Atleast 10m
Street building line	Atleast 4m, subject to regulation 3.3.3	Atleast 10m
Coverage	At most 50%	50%
Height	At most two storeys	At most 2 Storeys
Parking	At least one parking bay per land unit, on the land unit.	At least one parking bay per 8 seats

(See Plan 5, Site Development Plan).

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7. Development Proposal

7.1 Proposal

This report therefore serves as a Motivation for the Rezoning of the afore-mentioned property, which is being applied for in terms of the Land Use Regulations Act 15 of 1987 and the Spatial Planning and Land Use Management Act 16 of 2013 read with the Section 8 Scheme Regulations.

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Coverage	At most 50%	50%
Height	At most two storeys	At most 2 Storeys
Parking	At least one parking bay per land unit, on the land unit.	At least one parking bay per 8 seats

(See Plan 5, Site Development Plan).

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8. Motivation

It is therefore desirable and is hereby submitted that this application for rezoning of Erf 418, Alice from Residential Class 1 to Institutional Class 1 be approved by the Raymond Mhlaba Local Municipality for the following reasons:

The proposed development is situated within the urban build of Alice where there is a huge demand for more private schools in order to input on the development of young children with Christian values that will enhance future social behaviours as the town is a university hub to manage the ever growing demand for urban living space within the CBD resulting in a rising need for schools.

8.1 Desirability

The application is considered desirable from a town planning point of view in that the:

- The rezoning will complement and enhance the character of the area;
- The property is close to the Central Business District (CBD) of Alice and in an area that would be convenient for all to access as it is within walking distances to places of work, the University and the community at large;
- The proposed development is in line with the Draft Raymond Mhlaba Spatial Development Framework which encourages development of social housing, speedy development, sustainable development, infrastructure investment;
- Compliance is guaranteed of all land use restrictions and development control parameters as contained in the applicable Section 8 Scheme Regulations, the Land Use Regulations Act 15 of 1987 in line with the new Spatial Planning and Land Use Management Act 16 of 2013;
- Approval of the application will promote economic potential in the area and boost investor confidence in the area and the Alice area at large which is in so much need of investment and reinvestment;
- There will be no negative or undesirable effects on the environment;
- Optimise the use of existing resources including such resources relating to bulk infrastructure, roads, transportation and social facilities;
- The proposal puts land that is low utilised, to good economic and social use.
- The development encourages a compact city and discourages the phenomenon of Urban Sprawl;
- The site will be developed in a co-ordinated and planned manner with set land use rights applicable and enforceable by the presiding authority.

January, 2020

8.2 Alignment with Policy

The application aligns with the growth and development of Alice in that it conforms to the draft Raymond Mhlaba Local Municipality SDF and is in accordance with the following Spatial Planning Policies

Land Use Management

The development will be in accordance with the requirements of the Land Use Regulations Act 15 of 1987.

Building Controls

All building will be constructed in terms of the National Building Regulations.

The Draft Municipal (IDP 2017 – 2022) outlines the Alice Regeneration Programme.

The Alice Regeneration Programme identifies Alice as a town that is within the plans of Government in the Eastern Cape for Small Towns Revitalization Strategy, and the following pillars have been identified as part of the Strategy:

- Infrastructure development
- Beautification and environmental management
- Local Economic Development
- Tourism, heritage and marketing
- Small towns are confronted with several problems such as:
 - Infrastructure is overloaded, ageing and collapsing (such as leaking sewers and pot-holed roads; power outages etc.)
 - small towns are not attracting new private investment;
 - new private investment is constrained by lack of public land transfer and (in some cases) tenure issues
- Municipality lack capacity in infrastructure development.

Alice Local Spatial Development Plan 2010.

The Disestablished Nkonkobe Municipality adopted its Spatial Development Framework in 2010. It then embarked on a process of developing an Alice Local Spatial Development Framework. The Alice LSDF covers the following areas: Lack of enforcement of spatial planning and land administration policies and bylaws Creation of an awareness of policies and by-laws 136 Raymond Mhlaba Local Municipality 2017/ 2022 IDP

- Egoifni

January, 2020

- Alice South (Happy Rest)
- Alice East (Hillcrest)
- Ntselamanzi
- Lovedale
- University of Fort Hare

The main features of the Alice Local Spatial Development Framework are:

- Direction of growth
- Major movement routes
- Special Development areas
- Conservation: Built & natural environment
- Areas of intensity of land use

The Alice LSDF proposes a clear implementation framework which focuses on the disposal of state land, funding and partnerships. It lists projects that can be implemented as part of the Regeneration of Alice. The projects are identified as short/Medium and long term.

The Study area is within the Local Spatial Development Framework, and is within the planned and coordinated development of Alice as a whole.

Spatial Planning and Land Use Management Act 16 of 2013

The proposed rezoning is in accordance with the future planning principles that are found in the most recent planning legislation.

Such principles include:

- The Principle of Spatial Justice;
- The Principle of Spatial Sustainability;
- The Principle of Efficiency
- The Principle of Spatial Resilience;
- The Principle of Good Administration

9. Conclusion

In conclusion, the application is submitted in terms of the provisions of Land Use Regulations Act 15 of 1987, the Spatial Planning and Land Use Management Act 16 of 2013 read with the Section 8 Scheme Regulations comprising the following:

- Rezoning of Erf 418 from Residential Class 1 to Institutional Class 1

January, 2020

- Alice South (Happy Rest)
- Alice East (Hillcrest)
- Ntselamanzi
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- The Principle of Spatial Resilience;
- The Principle of Good Administration

9. Conclusion

In conclusion, the application is submitted in terms of the provisions of Land Use Regulations Act 15 of 1987, the Spatial Planning and Land Use Management Act 16 of 2013 read with the Section 8 Scheme Regulations comprising the following:

- Rezoning of Erf 418 from Residential Class 1 to Institutional Class 1

January, 2020

APPLICATION FOR THE REZONING OF ERF 418 ALICE FROM RESIDENTIAL CLASS 1 TO INSTITUTIONAL CLASS 1

There are no significant negative impacts associated with the development in the manner proposed and the site is generally well suited for the proposed new land use.

Accordingly it is recommended that the Raymond Mhlaba Local Municipality council favourably considers the application for approval.

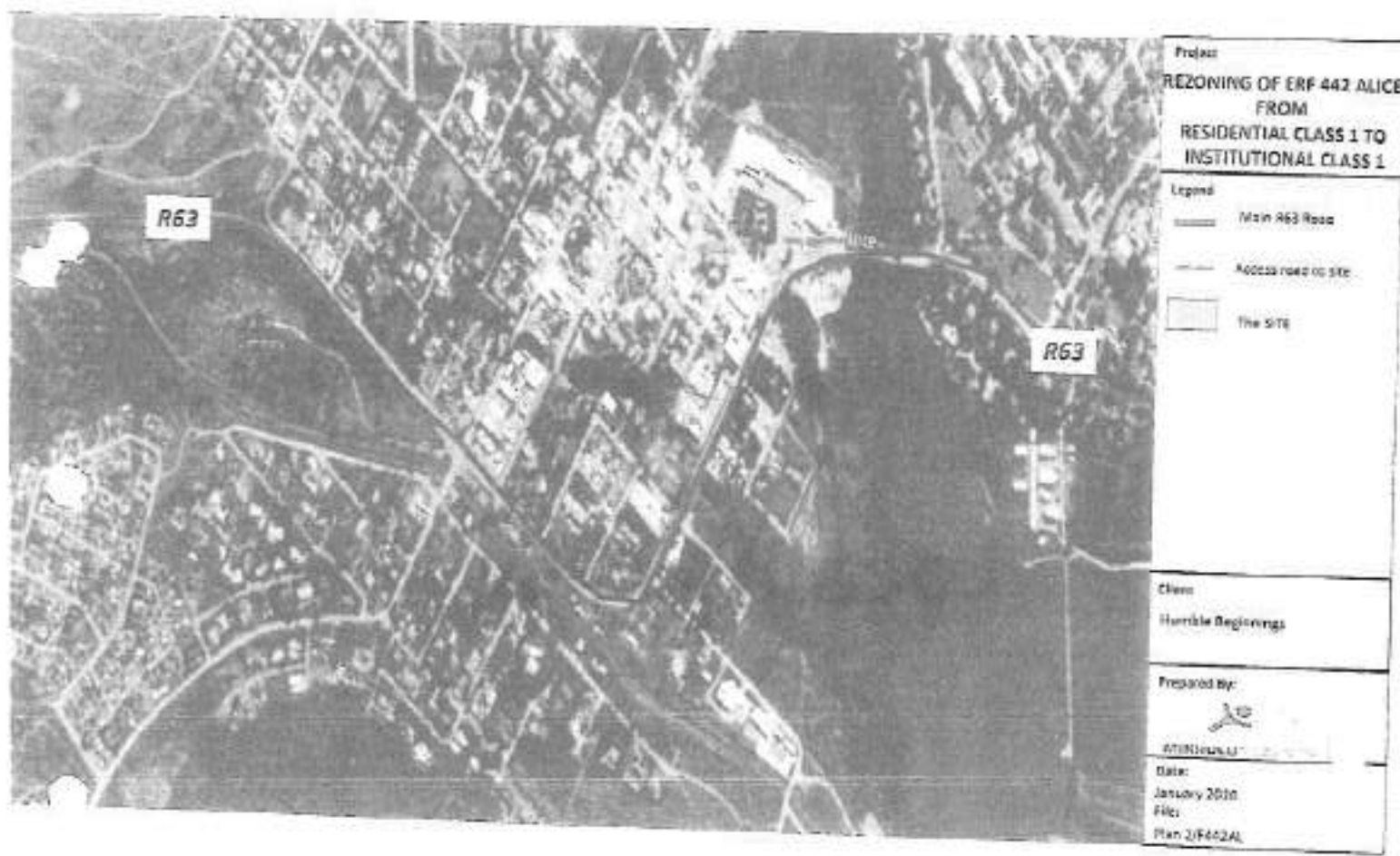
January, 2020

Plan 1

Locality Plan

Plan 1

Locality Plan



Project
**REZONING OF ERP 442 ALICE
 FROM
 RESIDENTIAL CLASS 1 TO
 INSTITUTIONAL CLASS 1**

Legend
 ——— Main R63 Road
 ——— Access road to site
 [Dark Rectangle] The SITE

Client
 Humble Beginnings

Prepared By:
 [Signature]

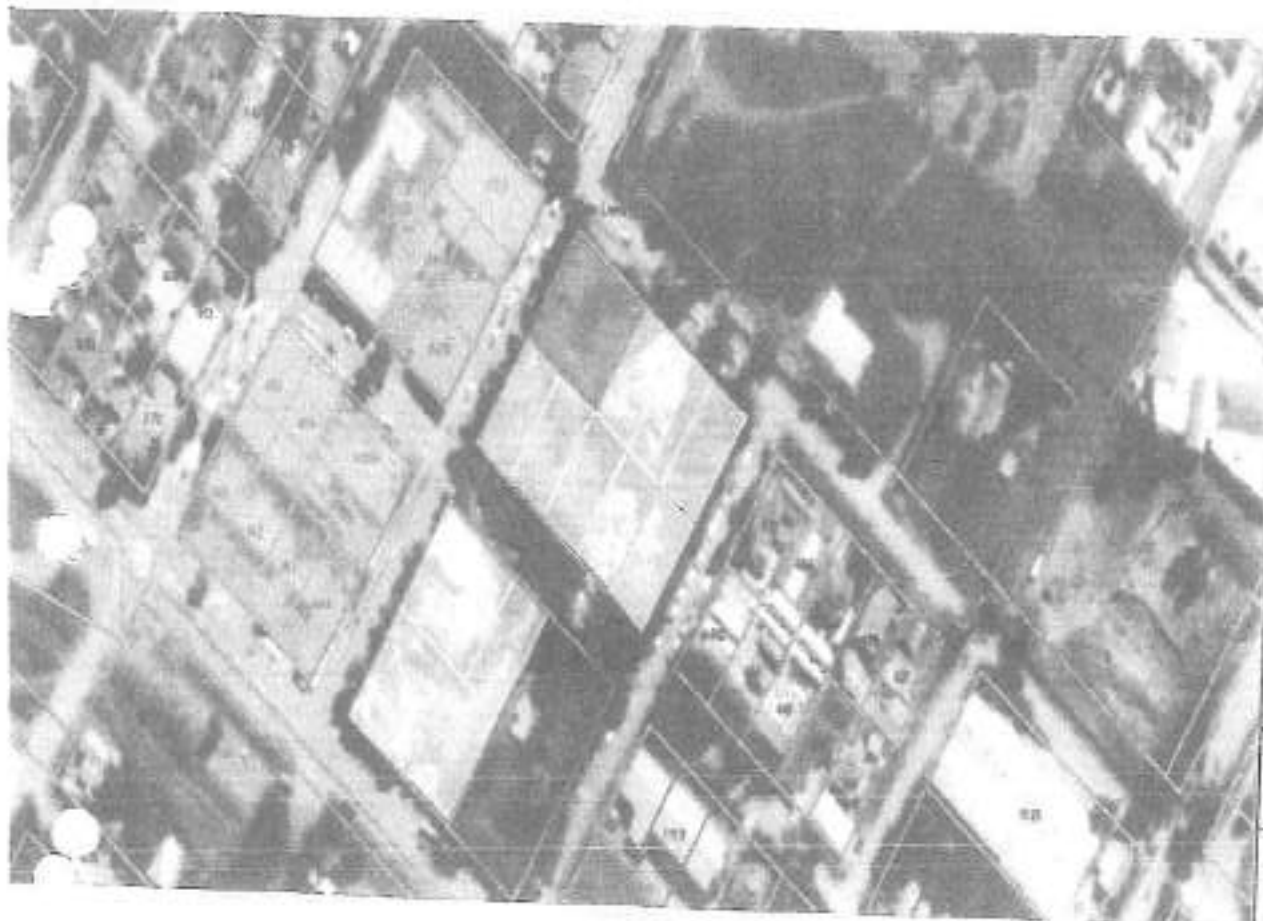
ATI/STANLEY
 Date:
 January 2010
 File:
 Plan 2/F602AL

Plan 2

Land Use Plan



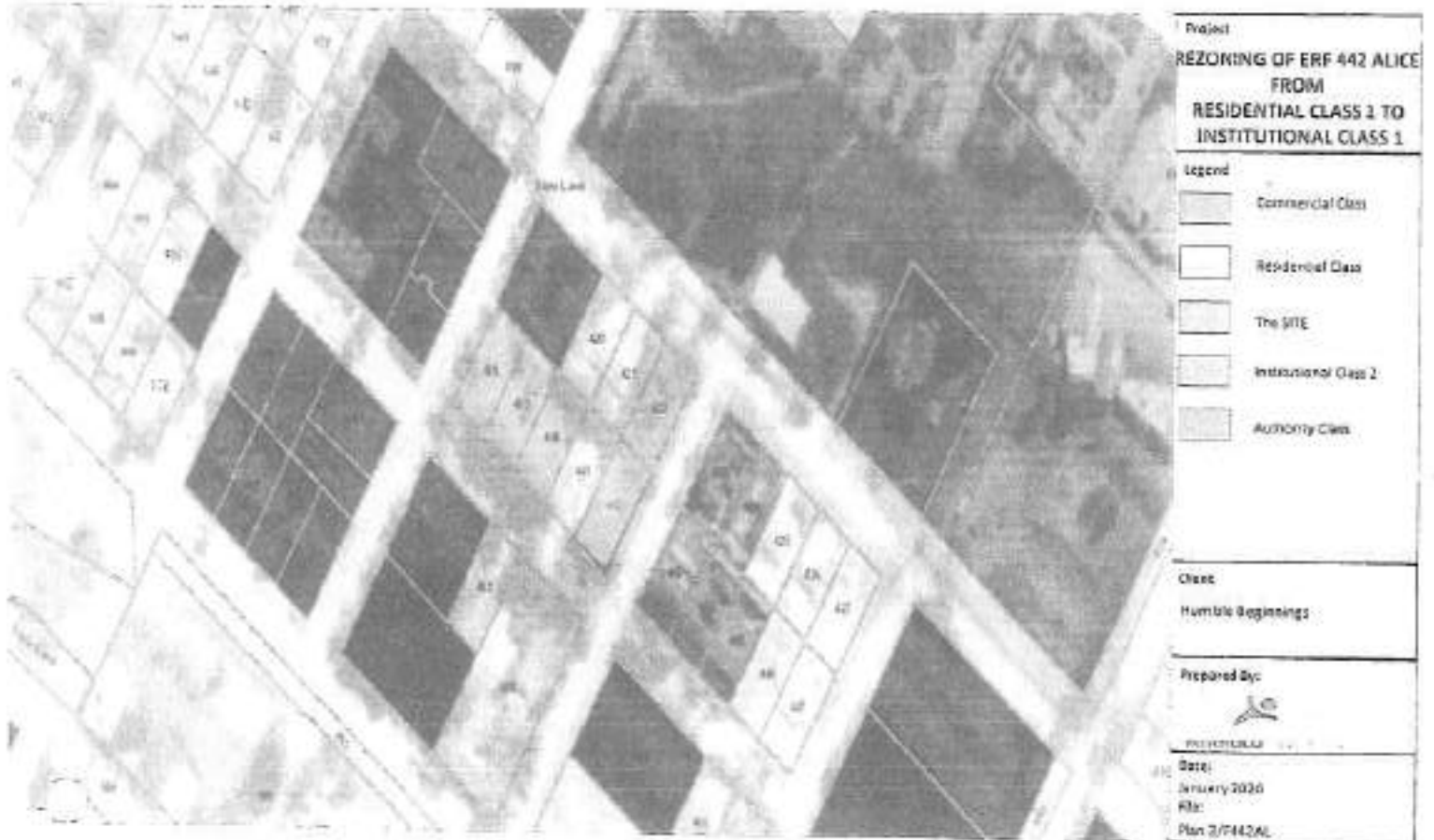
Project REZONING OF ERF 442 ALICE FROM RESIDENTIAL CLASS 1 TO INSTITUTIONAL CLASS 1	
Legend	
	Shade and bare
	Residential buildings
	The SITE
	Municipal land and open spaces
Client Humble Registrars	
Prepared By:  MWANUZULU	
Date: January 2020 File: Plan 3/164241	



Project REZONING OF ERF 442 ALICE FROM RESIDENTIAL CLASS 1 TO INSTITUTIONAL CLASS 1	
Legend	
	Streets and banks
	Residential Buildings
	The SITE
	Municipal land and open spaces
Client Humble Beginnings	
Prepared by: 	
NOI/NOU/12	
Date: January 2020	
File: Plan 2/F442AL	

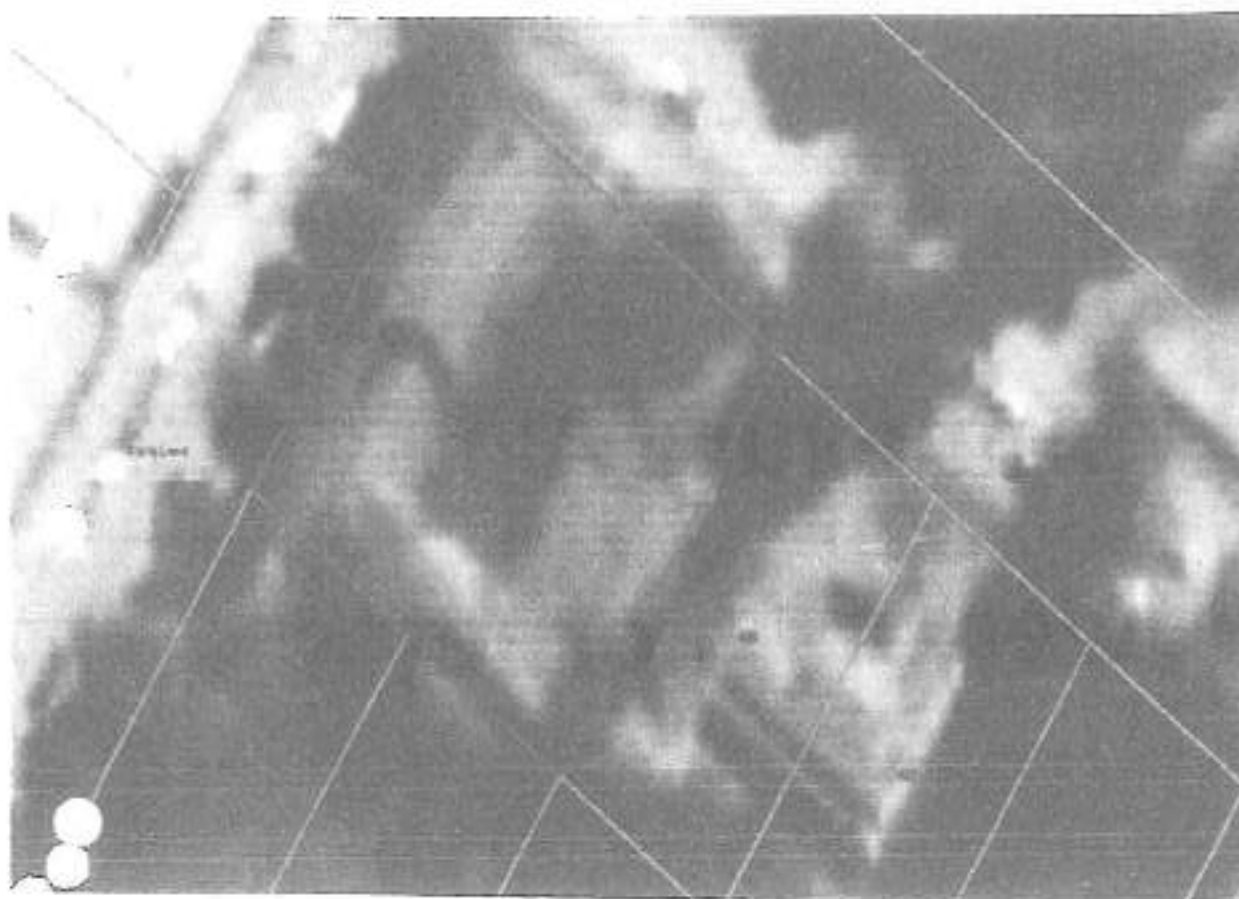
Plan 3

Zoning Plan



Plan 4

Site Plan



Project REZONING OF ERF 442 ALICE FROM RESIDENTIAL CLASS 1 TO INSTITUTIONAL CLASS 1
Legend  The SITE
Client Harble Beginnings
Prepared By:  WERKHULU CONSULTING
Date: January 2020 File: Plan 2/Ford3AL

Annexure A

Power of Attorney

Annexure B

Deed of Transfer

Annexure D

Land Use Application

Form duly completed



DEPARTMENT OF HOUSING AND LOCAL GOVERNMENT

LAND USE APPLICATIONS

(Place a cross in all the appropriate blocks)

TYPE OF APPLICATION :

	Subdivisional (LUPO)
✓	Rezoning
	Departure (Building line)
	Subdivision
	Consent use
	Extension of approval (Ordinance 33 of 1934)
	Any other application, give details :

TYPE OF LEGISLATION APPLICATION :

	Land Use Ordinance 15 of 1985 (Former CPA areas)
	Townships Ordinance 33 of 1934 (Former Transkei areas)
✓	Land Use Regulation act 15 of 1987 (Former Ciskei areas)
	Townships Proclamation R293 of 1962
	Black Communities Development Act 4 of 1984 (Regulations)

COMPLETE THE FOLLOWING:

Local Authority:	RAYMOND MHLABA LOCAL MUNICIPALITY		
Description of land:	ERF 418, ALICE		
Registered owner(s):	UNITING PRESBYTERIAN CHURCH OF SOUTH AFRICA		
Postal address:	ALICE	Code :	5720
Applicant :	MIKHULU PROJECTS (PTY)LTD		
Postal Address :	4 MAGGS STREET		
	UNIT 5		
	EAST LONDON		
		Code :	5247

INSTRUCTIONS

(These instructions should be read before completing this form)

1. GENERAL REMARKS

- 1.1. If an application requires approval in terms various types of legislation and two or more of the applications have to be advertised, the applicant must inform the town clerk, secretary or executive officer accordingly so that all applications may be advertised and submitted for approval simultaneously.
- 1.2. All applications should comply with the Chapter one Principles of the Development Facilitation Act of 1995.
- 1.3. All applications should take cognizance of the requirements for the change of land use in terms of the Environment Conservation Act of 1997.
- 1.4. Incorrect and incomplete applications will be returned to the Applicant. The Applicant's attention is drawn to the plans and other documentation that must accompany their application.
- 1.5. Applicants must note that until such time that an approval has been approved in writing, any correspondence or discussions pertaining to this application must not be regarded as an indication that it will in fact be approved and do not bind the local authority, or the Premier, in any way.
- 1.6. The premier reserves the right to have an approval declared null and void if it was based on wrong information supplied by an applicant. Applicants must therefore ensure that information about restricting factors that could influence the application, is provided.
- 1.7. Applications in terms of Land Use Regulation Act 15 of 1987 and the Townships Ordinance 33 of 1934 require 10 copies for the Land Use Planning Board and Townships Board respectively.
- 1.8. Applicants may supply any additional information, on a particular issue, if they want to.

2. PRIOR LIAISON WITH OTHER INTERESTED PARTIES

2.1. Prior liaison with interested bodies including National and provincial Departments, is strongly recommended, as the processing of applications will be expedited in this way. Where an applicant submits proof that an interested party is satisfied with a proposal, it will not be necessary to again approach such interested party for comments.

2.2. A list of the different authorities and other interested parties effected by the development, together with the names, telephone numbers and addresses of contact persons may be available from the local authority.

3. SUBMISSION OF APPLICATION

3.1. The application must be submitted in duplicate, together with all the required annexes, to the local authority in whose area of jurisdiction the land unit is situated. If the land is to be incorporated within the jurisdiction of a local authority, the application form must also be submitted to the local authority concerned.

3.2. If the relevant local authority does not have the delegated powers to finalise the application, a copy of the application must also be submitted to:

The Regional Director: Department of Housing and Local Government
Private Bag X 6005
PORT ELIZABETH
6000

The Regional Director: Department of Housing and Local Government
2 Floor Metropolitan Life Building
Drury Lane
EAST LONDON
5200

The Regional Director: Department of Housing and Local Government
Private Bag X 5030
UMTATA
5100

The Regional Director: Department of Housing and Local Government
Private Bag X 7086
QUEENSTOWN
5320

3.3. Lack of information leads to delays and add to the workload of the Department. It is essential that all applications that are submitted for consideration contain all of the information necessary for the relevant authority to take a rational decision. Ideally applications should include the following information:

3.3.1 Details in respect of the application

- * A locality plan showing clearly the details of the application;
- * A description of the site that is to be developed;
- * What does the owner intend to do with the land;
- * What are the envisage development parameters (for instance the proposed floor area and coverage);
- * What portion of the site is to be developed;
- * What is the existing zoning and use of the subject land;
- * A copy of the advertisement of the proposal;
- * A site development plan.

3.3.2 Details in relation to the existing and proposed development of the land in the vicinity of the subject land

- the existing uses and zonings to be shown on separate map ;
- the visual or historical characteristics of the area ;
- topographical and physical features ;
- details of illegal and non-conforming uses.

3.3.3 Details in respect of the planning proposals for the subject area

- what is the existing and proposed conditions applicable to the subject land (servitudes, title deed and / or zoning scheme conditions) ;
- relevant details contained in Land Development Objectives, or any other policy proposals for the area.

3.3.4 Motivation given in the application and in the objections

- The applicant's motivation and comments on objections and / or the appeal ;
- The comments of relevant government departments ;
- details of the objections received.

3.3.5 Evaluation of the application by the Council

- The evaluation of the application in relation to the DFA principles, Land Development Objectives, desirability, precedents, the council's policies et cetera ;
- In the case of land zoned for public purposes, the reasons why such land is no longer required for the use by the public ;
- Desirability is usually considered in terms of the following :
 - physical characteristics of the area ;
 - potential of the site ;
 - character of the surrounding area ;
 - planning proposals for the area (LDO/Framework/Structure Plan Etc) ;
 - location and accessibility ;
 - provision of services ;
 - environmental impact of the proposal ;
 - impact of the construction phase.

3.3.6 The decision of the Council

- Council's decision, including the conditions that must be imposed if the application is approved. (Note that the application must contain these conditions, even if the relevant council recommends that the application refused by the Premier).

Note that applications that are submitted to District or Local Council's for a decision must also **contain all of the relevant details**. A copy of the item submitted to the aforementioned authorities must be attached to any application that is submitted to this Department. The above information can serve as check list for the purpose.

3.3.2 Details in relation to the existing and proposed development of the land in the vicinity of the subject land

- the existing uses and zonings to be shown on separate map ;
- the visual or historical characteristics of the area ;
- topographical and physical features ;
- details of illegal and non-conforming uses.

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SECTION A**TO BE COMPLETED BY THE APPLICANT**

(*ANSWER YES, NO, OR NOT APPLICABLE)

1. PERSONAL PARTICULARS OF APPLICANT

Your reference number	090
Name of person to whom correspondence should be addressed:	SINESIPHO SICWEBU
Address:	4 MAGGS STREET , UNIT 5, EAST LONDON
Telephone number :	078 744 6894
Facsimile number :	086 558 6955

1.1 Is the applicant the only registered owner of the property ? **Yes***

If not, attach the power of attorney from the registered owner(s) to the application. This is also applicable if the person who is applying is still in the process of obtaining the land unit, or if the land unit is owned by a company or more than one person.

1.2 Name the registered owner(s) : **UNITING PRESBYTERIAN CHURCH OF SOUTH AFRICA**

1.3 Is the property encumbered with a bond ? **NO.**

If so, please attach the authorization of the mortgage holder to the application.

2. DETAILS OF LAND UNIT

2.1 Registered description of the property, as is shown on the title deed: **ERF 418, ALICE.**

Number and date of the title deed : **DEED OF TRANSFER**

Area of Land : **1425m2 RESPECTIVELY.**

What is the present zoning of land unit ? **RESIDENTIAL CLASS 1.**

2.2 Are any departures applicable to the land unit ? **NO.**

If so, give a full explanation: **N/A.**

2.3 Is there any building or other development on the land unit? **NO** *

If so, what are the nature and condition of these improvements?

N/A.

2.4 Is the site being used in accordance with its present zoning? **YES** *

If not, how is the land being utilised?

3. DETAILS OF APPLICATION

3.1 Describe the proposed development in detail (A separate motivational report may be added):

REFER TO MOTIVATIONAL REPORT.

3.2 Does the proposal development involve the entire land unit? **YES** *
If not, indicated the position and size of the portion of the land unit is not included in the proposed development and for what purpose it is, or will be used :

N/A.

3.3 Is a departure being applied for in order to obtain a temporary change of use on the land unit? **NO** *

If so, explain why rezoning is not being considered and supply reasons for the proposed period of the departure :

N/A.

4. RESTRICTING FACTORS

(A separate report may be added to address the restricting factors)

4.1 Are there any title deed restrictions that, which may have an affect on this application in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967) ? **NO** *
If so, furnish full details :

4.2 Is any portion of the land unit subject to tidal flow or situated under the high water mark ? **NO** *

If so, furnish details :

N/A.

4.3 Is any portion of the land unit situated in a flood-plain of a river under the 1 in 50 years flood-line or subject to any floods? **NO**.

If so, furnish details: N/A.

2.3 Is there any building or other development on the land unit? **NO** *

If so, what are the nature and condition of these improvements?

N/A.

2.4 Is the site being used in accordance with its present zoning? **YES***

If not, how is the land being utilised?

3. DETAILS OF APPLICATION

3.1 Describe the proposed development in detail (A separate motivational report may be added):

REFER TO MOTIVATIONAL REPORT.

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If not, indicated the position and size of the portion of the land unit is not included in the proposed development and for what purpose it is, or will be used :

N/A.

3.3 Is a departure being applied for in order to obtain a temporary change of use on the land unit ? **NO***

If so, explain why rezoning is not being considered and supply reasons for the proposed period of the departure :

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4.1 Are there any title deed restrictions that, which may have an effect on this application in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967) ? **NO***

If so, furnish full details :

4.2 Is any portion of the land unit subject to tidal flow or situated under the high water mark ? **NO***

If so, furnish details :

N/A.

4.3 Is any portion of the land unit situated in a flood-plain of a river under the 1 in 50 years flood-line or subject to any floods? **NO**,

If so, furnish details: N/A

- 4.4 Are there any physical restrictions (such as steep slopes, unstable soil formation, swamps, etc.) which could affect the development? **NO***

If so, furnish details and state how the problem can be solved

N/A.

- 4.4 Are there any other restrictions of which you are aware, but which were not mentioned above? **NO***

If so, furnish full details

N/A.

5. POSSIBLE REFERRAL TO OTHER BODIES

- 5.1 Does the application fall within the area of a land Development Objective (LDO) and / or Policy Plan (Structure Plan, Framework Plan etc.) ? **YES***

If so, please give details in so far as they affect the application under consideration:

ALICE LOCAL SPATIAL DEVELOPMENT FRAMEWORK 2010.

- 5.2 Are the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) Applicable in the case of this application? **NO***

- 5.3 Is the land unit situated within the boundaries of a nature area reserved in terms of section 4 of the Physical Planning Act, 1967 (Act 88 of 1967), or a mountain catchment-area reserved in terms of the Mountain Catchment Areas Act, 1970 (Act 63 of 1970), or a nature reserve reserved in terms of the former Nature and Environmental Conservation Ordinance, 1974 (Ordinance 19 of 1974), or a national park reserved in terms of the Nature Parks Act, 1978 (Act 57 of 1976). **NO***

If so, furnish details: **N/A**

- 5.4 Does the land unit abut on the area of jurisdiction of another local authority or does any other local authority have an interest in this application? **NO***

If so, state the name of the local authority and its interest in the application: **N/A.**

- 5.5 Does the property abut on any national, trunk, main or divisional road or such proposed Road? **NO***

If so, furnish full details (including status of the road and full statutory width):

- 5.6 Is the land situated in a metropolitan transport area in terms of the Urban Transport Act, 1977 (Act 78 of 1977)? **NO***

If so, has it been referred to the relevant transport authority? **N/A.**

- 5.7 Is the land unit close to, or is it affected by, a power station, a railway line, a railway station, Airport or harbour?

NO

- 5.8 Are there any conservation worthy buildings/ graves/ rock engravings/ archaeological finds on the property including those that have not been declared national monuments? **NO***

If so, furnish details

N/A.

- 5.9 Is the land unit situated within 1000m from the high-water mark of the sea or tidal or river? **NO***
If so, has nature conservation been consulted?

N/A.

- 5.10 Does the land unit abut on, or is it in any way influenced by any property belonging to the S.A. National Defence Force? **NO***

If so, please supply details : **N/A.**

ANNEXURES

HAVE THE FOLLOWING ANNEXURES BEEN ATTACHED?

(*ANSWER YES, NO, OR NOT APPLICABLE)

ANNEXURE	YES	NO	NOT APPLICABLE
Power of attorney	✓		
Authorization from mortgagee			✓
Flood-line certificate			✓
Regional map			✓
Locality map	✓		
Extract from zoning map	✓		
Land use-map	✓		
Site Development plan	✓		
Motivation report	✓		
Title deed	✓		
Copy of advertisement			
Any other annexures, give detailsAMENDMENT, SUSPENSION OR REMOVAL OF RESTRICTIVE CONDITIONS OF TITLE APPLICATION FORM DULY COMPLETED.....			✓

If any other above questions, answers are no, give reasons :

..... N/A

I, the undersigned, certify that the information appearing in this section of the form and the information in the annexures is correct and complete, and that I understand the application. (Please note the contents of paragraph 1.6 of the instructions).

SIGNATURE: 

DATE: 21 January 2020

FULL NAME: SINESIPHO SICWEBU

DATE ON WHICH THE APPLICATION WAS SUBMITTED TO THE LOCAL AUTHORITY: _____ JANUARY 2020

ITEM 58/2022

REZONING APPLICATION FOR ERF 5556 ALICE, FROM RESIDENTIAL CLASS 1 TO INSTITUTIONAL CLASS 2 FOR THE PURPOSES OF DEVELOPING A CHURCH

Author: Land Use Officer - L. Mtyunyutho
Director: Eng. Services – February 2022
Management – February 2022
Stg Comms: March 2022
Exco- March 2022
Council: March 2022

1. PURPOSE

The purpose of this report is for EXCO to **APPROVE** the rezoning application for erf 5556 Alice, from Residential Class 1 to Institutional Class 2.

2. LEGAL FRAMEWORK

- SPLUMA Act no 16 of 2013;
- Land Reform and Settlement plan
- Land Use Planning Ordinance 15 of 1985;
- RULA and,
- Municipal Systems Act 32 of 2000;

3. BACKGROUND / REASONING

The municipality received an application from Mikhulu Projects Town Planners for the rezoning of erf 5556 in Alice from Residential Class 1 to Institutional Class 2 for the purpose of Place of Worship (Church) in terms of Land Use Planning Ordinance No 15 of 1985 and The Spatial Planning and Land Use Management Act 16 of 2013 with the Section 8 of Scheme regulations.

4. STAFF IMPLICATION

None.

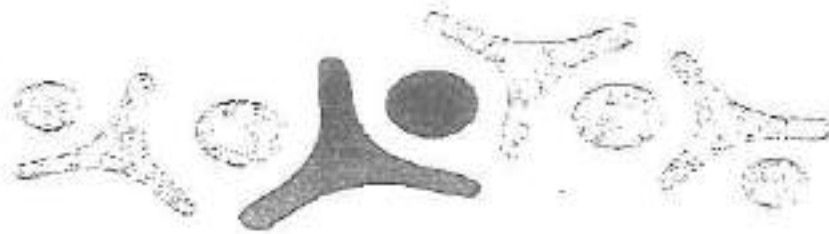
5. FINANCIAL IMPLICATIONS

R4'390

6. RECOMMENDATIONS

The Standing Committee **RECOMMENDED** that:

- 1) EXCO **APPROVES** the rezoning application of erf 5556 Alice from Residential Class 1 to Institutional Class 2 for the purpose of developing a church.



MIKHULU PROJECTS

4 Maggs Street
Unit 5
East London
5247

19 August 2019

Raymond Mhlaba Local Municipality
8 Somerset Road,
Fort Beaufort,
5720

Attention: Ms L Mtyunyutho

Dear Madam

APPLICATION FOR THE REZONING OF ERF 5556, ALICE FROM "RESIDENTIAL CLASS 1 TO INSTITUTIONAL CLASS 2".

Application is made in terms of the Land Use Regulations Act 15 of 1987 and the Spatial Planning and Land Use Management Act 16 of 2013 read with the Section 8 Scheme regulations for the Rezoning of Erf 5556, Alice to permit the use of the site for the development of a Place of Worship (Church).

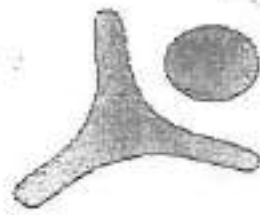
Attached hereto please find the following:

- Motivational Memorandum
- Power of Attorney (POA)
- Deed of Transfer
- Site Plan/ Site Development Plan
- Land Use Application Form duly completed

Should you have any queries, please contact the undersigned for any further information.

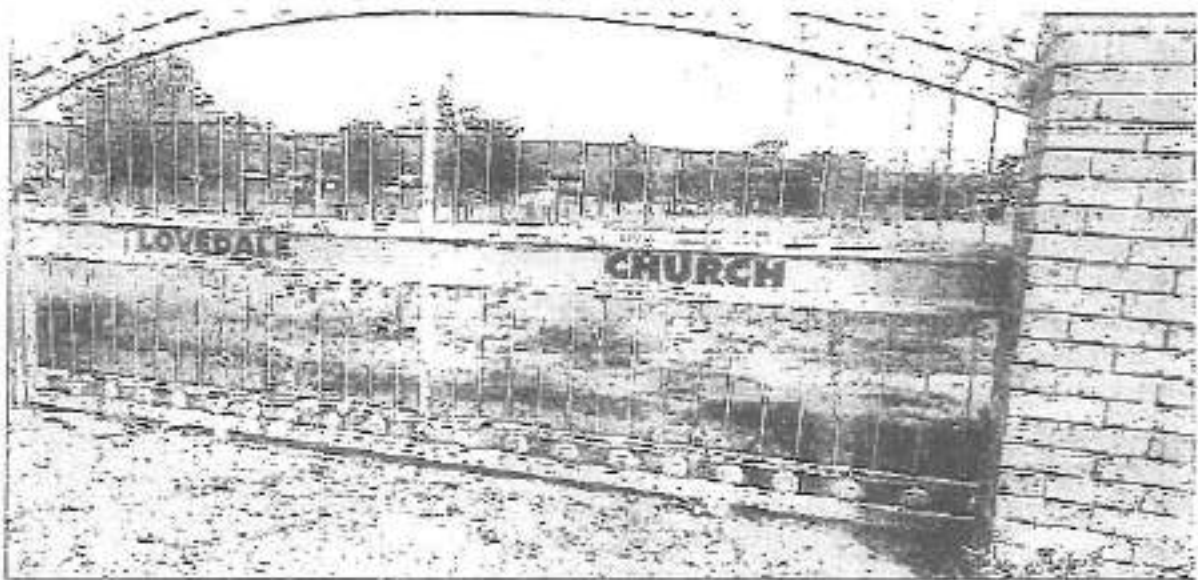
Yours faithfully

Mr Sinesipho Sicwebu
Professional Town Planner
N. Dip (TRP), B. Tech (TRP), Masters (TRP)
Reg No.: A/2026/2015



MIKHULU PROJECTS

**APPLICATION FOR THE REZONING OF ERF
5556 ALICE FROM SINGLE RESIDENTIAL CLASS
1 TO INSTITUTIONAL CLASS 2**



Mikhulu Projects (Pty) Ltd

4 Maggs Street

Unit 5

East London

5247

Cell: 078 744 6894

Fax: 086 558 6955

August 2019

Report Info.

Applicant Information:

Date:	August 2019
Report No:	089
Prepared By:	Mikhulu Projects (Pty) Ltd
Enquiries:	Sinesipho Sicwebu
Email:	sne@mikhuluprojects.co.za/ smsicwebu@gmail.com

Client Information:

Prepared for:	Uniting Presbyterian Church Erf 5552 Alice
---------------	--

Authority Information:

Submitted to:	Raymond Mhlaba Local Municipality 8 Somerset Road Fort Beaufort 5720
Enquiries:	Ms Luntukazi Mtyundiyutho

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Annexure A	Power of Attorney
Annexure B	Deed of Transfer
Annexure C	Land Use Application Form duly completed

1. Introduction

Messrs Mikhulu Projects (Pty) Ltd has been appointed by THE UNITING PRESBYTERIAN CHURCH IN SOUTH AFRICA (LOVEDALE CONGREGATION) in his own capacity as the registered owner of Erf 5556 Alice, to prepare and submit to the Raymond Mhlaba Local Municipality a Rezoning application of Erf 5556, Alice from Residential Class 1 to Institutional Class 2.

This report therefore serves as a Motivation for the Rezoning of the afore-mentioned property, which is being applied for in terms of the Land Use Regulations Act 15 of 1987, and the Spatial Planning and Land Use Management Act 16 of 2013 read with the Section 8 Scheme Regulations.

2. Purpose of Application

The purpose of the application is to motivate to council for the approval of the Rezoning of the abovementioned Erf from Residential Class 1 to Institutional Class 2 to permit the use of the site for the development of student accommodation flats, this in turn will contribute to the planned and co-ordinated development of Alice as a University Precinct and Raymond Mhlaba Local Municipality as a whole.

Itemised as follows:

- Rezoning of Erf 5556 from Residential Class 1 to Institutional Class 2.

3. Confirmation of Appointment and Authority

The applicant is Messrs Mikhulu Projects (Pty) Ltd duly appointed by THE UNITING PRESBYTERIAN CHURCH IN SOUTH AFRICA (LOVEDALE CONGREGATION) the registered owner of Erf 5556 Alice to apply to the Raymond Mhlaba Local Municipality for the Rezoning of the said Erf thereof, (See *Annexure A, Power of Attorney*).

4. Public Participation Process

The application will be advertised in the local newspaper to allow for public comments on the proposed application and a window period of 30 days will be allowed for such comments, this is in line with the most recent town planning legislation.

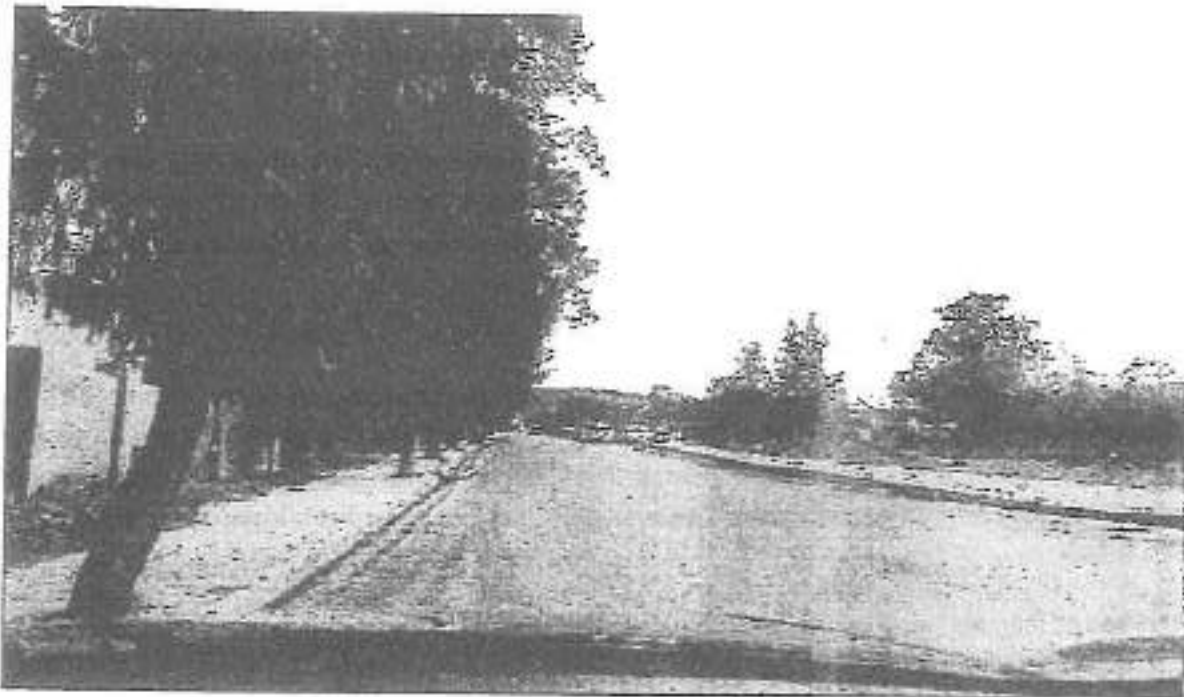
5. Property Information

5.1 Locality

Erf 5556 Alice is situated close to the central Business District of Alice, minutes away (+/-2km) from the Provincial Road Linking King Williams Town and Fort Beaufort (R63) Road. It sits in close proximity to what can be defined as a business precinct with banks and cooperative offices harnessing the road, and an iconic university just minutes away being the University of Fort Hare. (See *Plan 1, Locality Plan*).

5.1.1 Access

Access to the site is gained from Smith Street.



5.2 Site Description & Ownership

Land Ownership, Deed of Transfer number and site extent are set out in the table below:

Property Description	Title Deed Number	Ownership	Size
Erf 5556	Deed of Transfer	The Uniting Presbyterian Church in South Africa	3387m ²

5.3 Title Deed conditions

On analysis of the Deed of Transfer, there seem to be no onerous conditions of title contained in the title deed, which would need to be removed. (See Annexure B, Deed of Transfer).

5.4 Servitudes

There are no registered servitudes over the material property against the parent property.

5.5 Land Use and Surrounding Land Uses (See Plan Z, Land Use Plan)

The site is currently vacant.



The site is nestled between a residential site to the North, South, East and West boundaries, open spaces to the North East, a Shop to the North West and various other churches within the immediate surroundings of the site.

The current uses within close proximity to the site give the area a blend of conforming uses to the proposed development, and the closeness of the other churches, cemeteries, shops, and schools promotes the need for increased congregational activities within the area as the need continues to increase, and due to its close proximity to the CBD. .



In view of the above, rezoning the site for Institutional Class 2 purposes will not negatively affect the existing uses adjacent to the site, but will rather complement and blend in with the current trends in the area.

5.6 Zoning and Surrounding Zonings

Erf 5556, Alice is currently zoned as Residential Class 1, according to the Raymond Mhlaba Zoning Map, (See Plan 3, Zoning Plan).

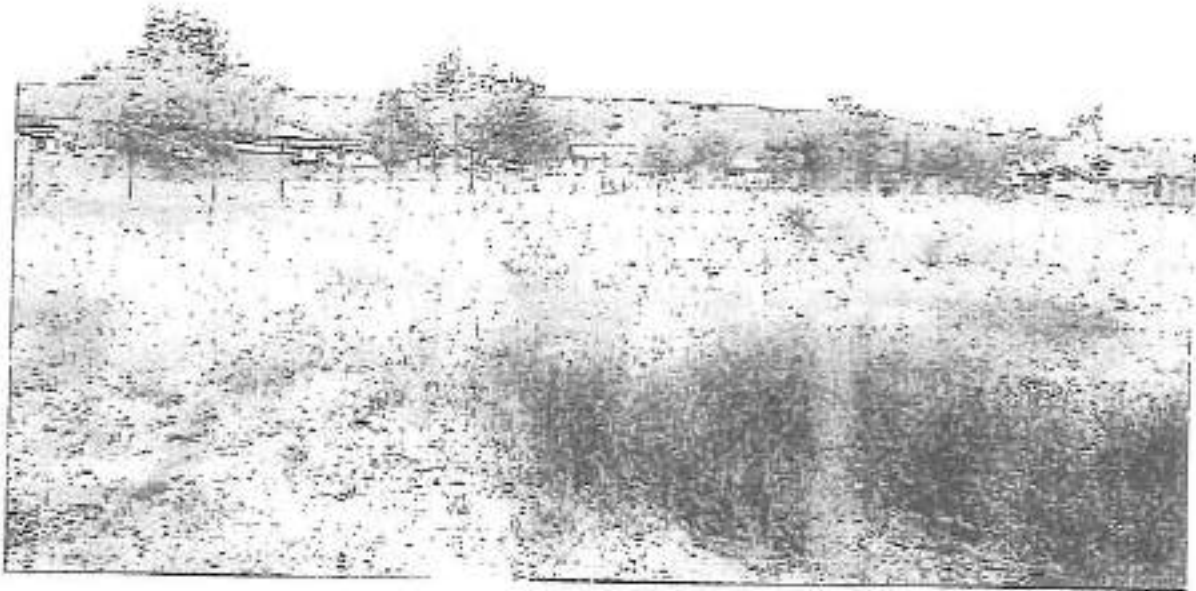
Surrounding the area of interests are sites with various zoning categories which support the proposed rezoning as they conform to it. To the North, South East and West of the Site are Residential Class 1 zones and there are other places of worship zoned Institutional Class 2 within the immediate surroundings of the site identified below with grey hatched lines.



5.7 Physical Aspects

5.7.1 Topography

The site is relatively flat, and the gradient gently falls in a northerly direction towards current septic tank and drainage of the site. The slope of the site is therefore not considered as being a constricting factor, and would not hinder any development.



5.7.2 Vegetation

The site is currently zoned as Residential Class 1, this means that the site is set aside for the development of a residential dwelling unit, and there are no hazardous environmental constraints on site.

6. Level of Infrastructure

6.1 Water

The site is within a built up area and one that is fully serviced with water infrastructure connections.

6.2 Sanitation

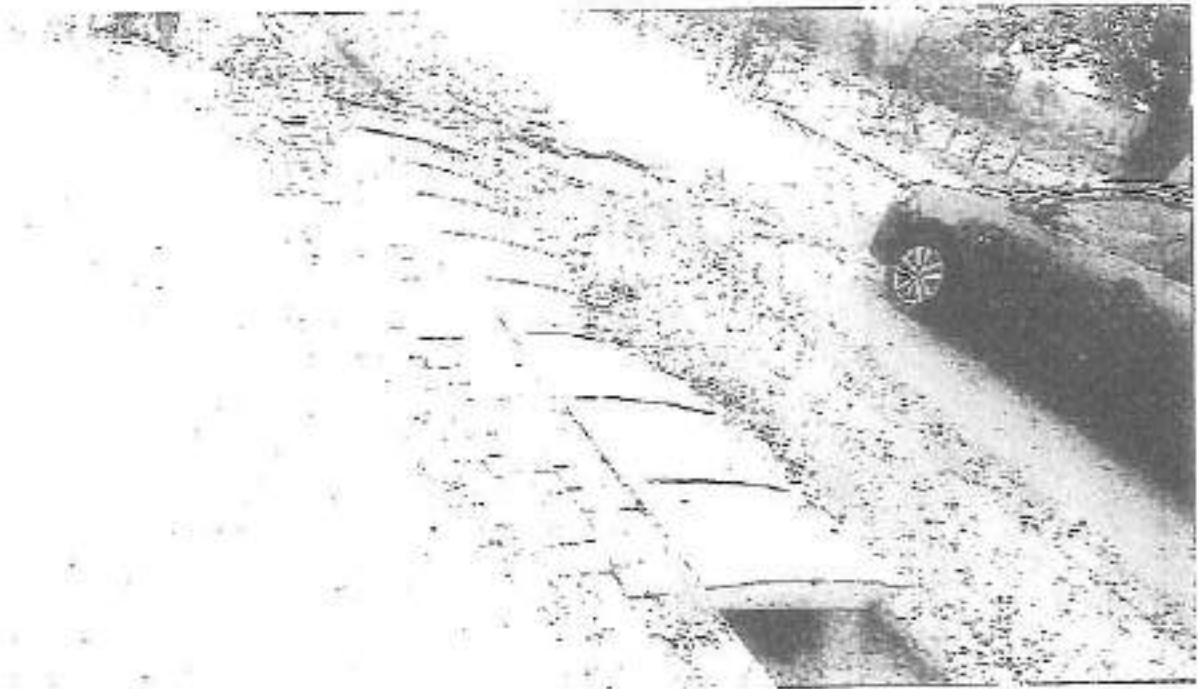
The site is currently serviced with existing sewer lines and connections will be made on the existing infrastructure.

6.3 Refuse Removal

The municipality is currently responsible for the collection of refuse removal within the urban area of Alice. It is anticipated that there will be sufficient capacity to deal with any refuse produced from the site as it falls within the urban area.

6.4 Roads

The subject site is accessed through Smith Street which is a surfaced road within an urban environment.



6.5 Electricity

Eskom provides electricity to the site and municipal area. It is anticipated that there will be sufficient capacity to provide the subdivided site as connections can be extended from there.

6.6 Stormwater

The area in which the site exists is a residential area that is fully serviced with infrastructure, there are storm water drainages forming part of the bulk service that exist.

6.7 Access Roads

Currently the area is easily accessible via the existing road system and the subject property will gain access from these existing roads.



7. Development Proposal

7.1 Proposal

This report therefore serves as a Motivation for the Rezoning of the afore-mentioned property, which is being applied for in terms of the Land Use Regulations Act 15 of 1987 and the Spatial Planning and Land Use Management Act 16 of 2013 read with the Section 8 Scheme Regulations.

The following is proposed for the development of Erf 5556, Alice:

- Rezoning of the Erf from Residential Class 1 to Institutional Class 2.

7.2 Developmental Parameters

It is proposed that the newly created erf have the following development parameters applicable upon it:

	Existing Land Use Rights	Proposed Land Use
Erf Number	5556	5556
Erf size	3387m ²	3387m ²
Use Zone	Residential Class 1	Institutional Class 2
Primary Use	Dwelling- House	House of Worship
Consent Use	Additional Dwelling Unit	Parsonage, place of assembly
Side building line	Atleast 2m, subject to regulation 3.3.3	Atleast 10m
Street building line	Atleast 4m, subject to regulation 3.3.3	Atleast 10m
Coverage	At most 50%	50%
Height	At most two storeys	At most 2 Storeys
Parking	At least one parking bay per land unit, on the land unit.	At least one parking bay per 8 seats

(See Plan 5, Site Development Plan).

8. Motivation

It is therefore desirable and is hereby submitted that this application for rezoning of Erf 5556, Alice from Residential Class 1 to Institutional Class 2 be approved by the Raymond Mhlaba Local Municipality for the following reasons:

The proposed development is situated within the urban build of Alice where there is a huge demand for more churches in order to input on the social behaviours found in our societies as the town is a

university hub to manage the ever growing demand for urban living space within the CBD, providing safe places of worship.

8.1 Desirability

The application is considered desirable from a town planning point of view in that the:

- The rezoning will complement and enhance the character of the area;
- The property is close to the Central Business District (CBD) of Alice and in an area that would be convenient for all to access as it is within walking distances to places of work, the University and the community at large;
- The proposed development is in line with the Draft Raymond Mhlaba Spatial Development Framework which encourages development of social housing, speedy development, sustainable development, infrastructure investment;
- Compliance is guaranteed of all land use restrictions and development control parameters as contained in the applicable Section 8 Scheme Regulations, the Land Use Regulations Act 15 of 1987 in line with the new Spatial Planning and Land Use Management Act 16 of 2013;
- Approval of the application will promote economic potential in the area and boost investor confidence in the area and the Alice area at large which is in so much need of investment and reinvestment;
- There will be no negative or undesirable effects on the environment;
- Optimise the use of existing resources including such resources relating to bulk infrastructure, roads, transportation and social facilities;
- The proposal puts land that is low utilised, to good economic and social use.
- The development encourages a compact city and discourages the phenomenon of Urban Sprawl;
- The site will be developed in a co-ordinated and planned manner with set land use rights applicable and enforceable by the presiding authority.

8.2 Alignment with Policy

The application aligns with the growth and development of Alice in that it conforms to the draft Raymond Mhlaba Local Municipality SDF and is in accordance with the following Spatial Planning Policies

Land Use Management

The development will be in accordance with the requirements of the Land Use Regulations Act 15 of 1987.

Building Controls

All building will be constructed in terms of the National Building Regulations.

The Draft Municipal (IDP 2017 – 2022) outlines the Alice Regeneration Programme.

The Alice Regeneration Programme identifies Alice as a town that is within the plans of Government in the Eastern Cape for Small Towns Revitalization Strategy, and the following pillars have been identified as part of the Strategy:

- Infrastructure development
- Beautification and environmental management
- Local Economic Development
- Tourism, heritage and marketing
- Small towns are confronted with several problems such as:
 - Infrastructure is overloaded, ageing and collapsing (such as leaking sewers and pot-holed roads; power outages etc.)
 - small towns are not attracting new private investment;
 - new private investment is constrained by lack of public land transfer and (in some cases) tenure issues
 - Municipality lack capacity in infrastructure development.

Alice Local Spatial Development Plan 2010.

The Disestablished Nkonkobe Municipality adopted its Spatial Development Framework in 2010. It then embarked on a process of developing an Alice Local Spatial Development Framework. The Alice LSDF covers the following areas: Lack of enforcement of spatial planning and land administration policies and bylaws Creation of an awareness of policies and by-laws 136 Raymond Mhlaba Local Municipality 2017/ 2022 IDP

- Egolfini
- Alice South (Happy Rest)
- Alice East (Hillcrest)
- Ntselamanzi
- Lovedale
- University of Fort Hare

The main features of the Alice Local Spatial Development Framework are:

- Direction of growth
- Major movement routes
- Special Development areas
- Conservation: Built & natural environment
- Areas of intensity of land use

The Alice LSDF proposes a clear implementation framework which focuses on the disposal of state land, funding and partnerships. It lists projects that can be implemented as part of the Regeneration of Alice. The projects are identified as short/Medium and long term.

The Study area is within the Local Spatial Development Framework, and is within the planned and coordinated development of Alice as a whole.

Spatial Planning and Land Use Management Act 16 of 2013

The proposed rezoning is in accordance with the future planning principles that are found in the most recent planning legislation.

Such principles include:

- The Principle of Spatial Justice;
- The Principle of Spatial Sustainability;
- The Principle of Efficiency
- The Principle of Spatial Resilience;
- The Principle of Good Administration

9. Conclusion

In conclusion, the application is submitted in terms of the provisions of Land Use Regulations Act 15 of 1987, the Spatial Planning and Land Use Management Act 16 of 2013 read with the Section 8 Scheme Regulations comprising the following:

- Rezoning of Erf 5556 from Residential Class 1 to Institutional Class 2

There are no significant negative impacts associated with the development in the manner proposed and the site is generally well suited for the proposed new land use.

Accordingly it is recommended that the Raymond Mhlaba Local Municipality council favourably considers the application for approval.

Plan 1

Locality Plan

LOCALITY PLAN

Erf 5556 Alice

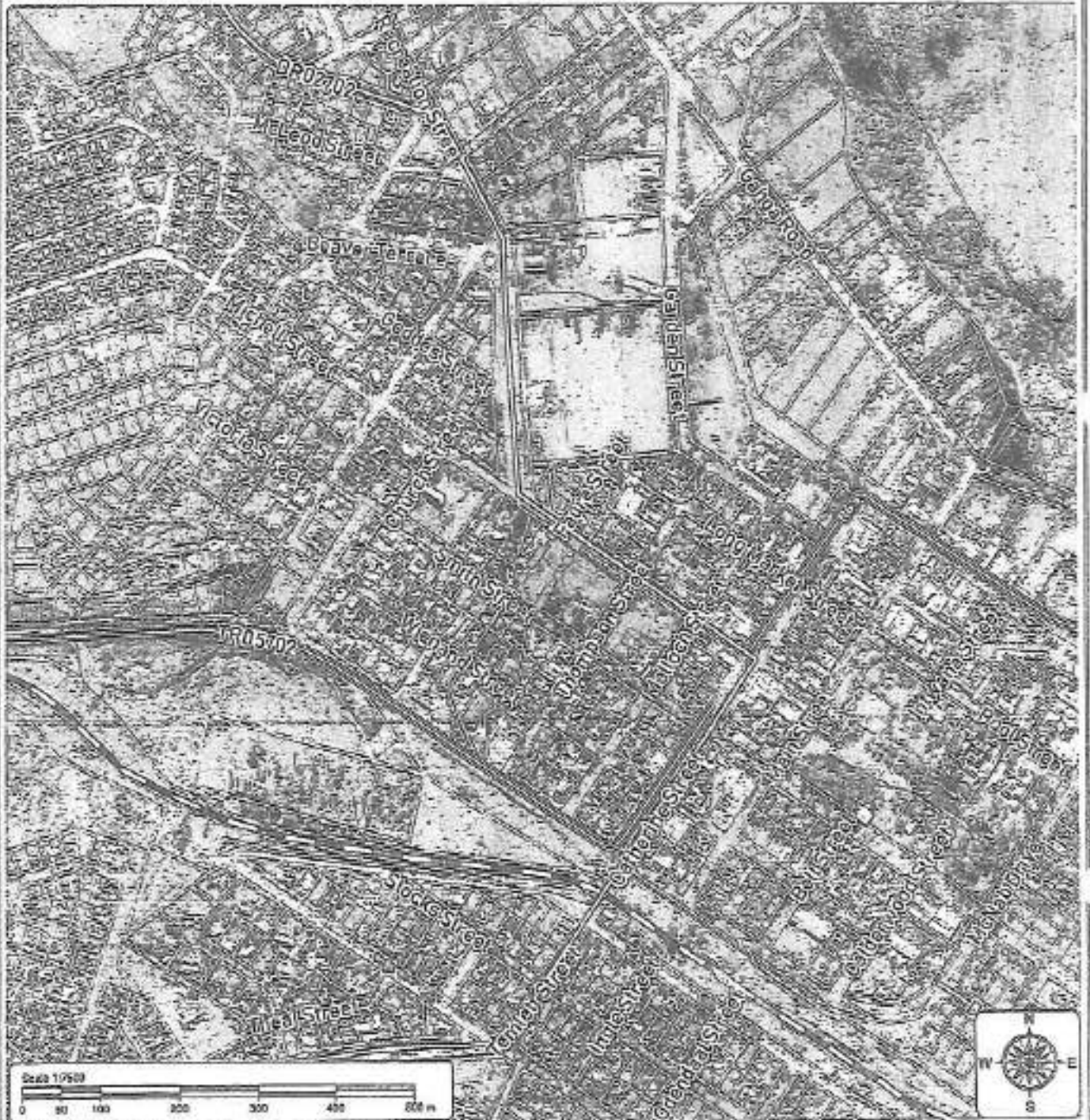
Client:

United Presbyterian
Church

Local Authority
RAYMOND MHLABA MUN.

Administrative District
ALICE

Province:
EASTERN CAPE



Project:

**REZONING
OF ERF 5566
ALICE**

Prepared by:



MIKHULU PROJECTS

LEGEND

Erf 5556 Alice

Road class

Regional

Railways

District Roads

Date:
Aug 2019

Plan No:
1/E55566AL/RM

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Plan 2

Land Use Plan

LAND USE PLAN

Erf 5556 Alice

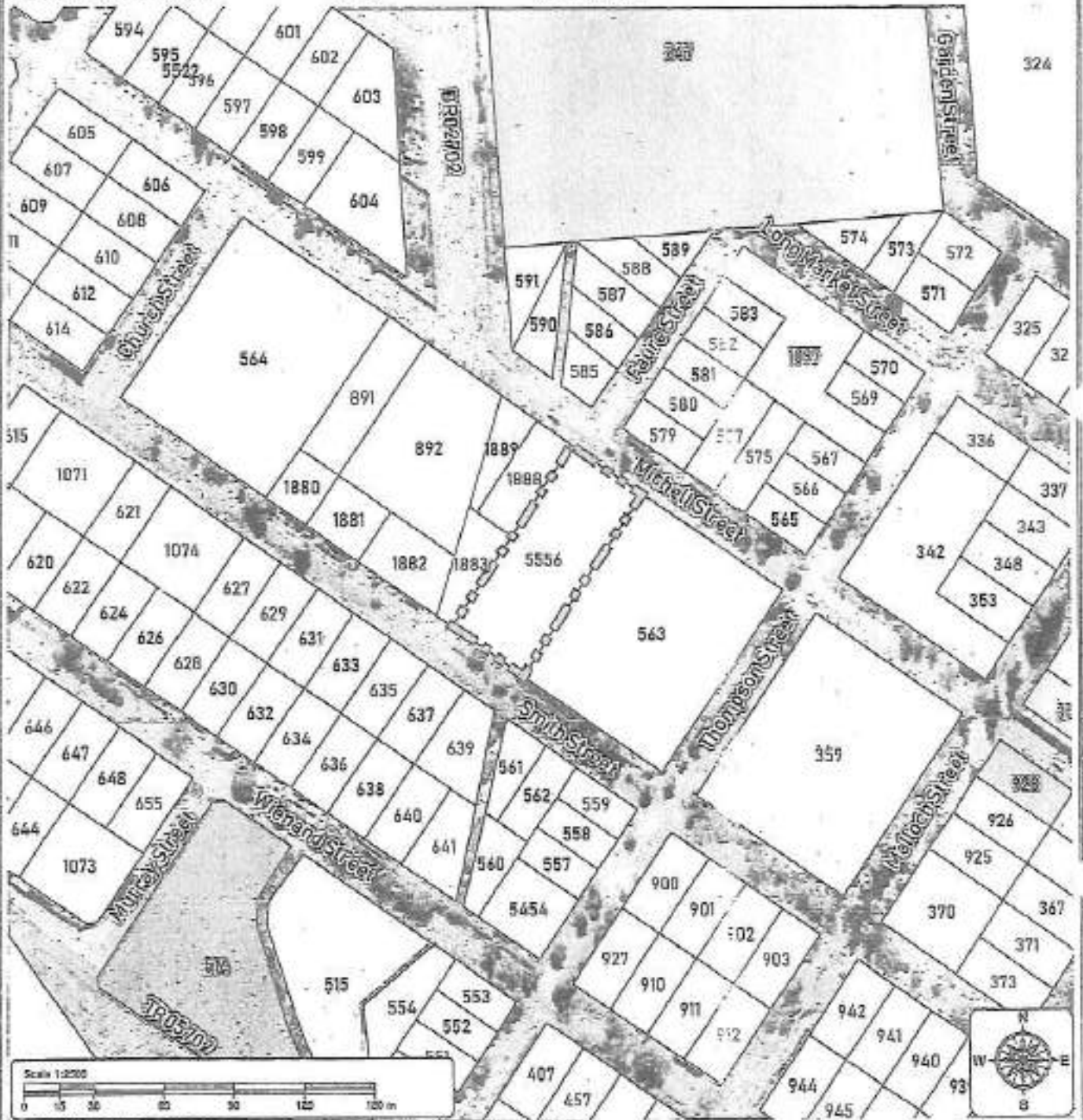
Client:

United Presbyterian Church

Local Authority
RAYMOND MHLABA M.A.N.

Administrative District
ALICE

Province:
EASTERN CAPE



Project:
**REZONING
OF ERF 5566
ALICE**








Prepared by:

MIKHULU PROJECTS

Date: Aug 2019
Plan No: 3/E5566AL/RIA

 Erf 5556 Alice

LEGEND

- | LAND USE | | | |
|---|-------------|---|-------------|
|  | Business |  | Municipal |
|  | Church |  | School |
|  | Educational |  | Sportsfield |
|  | Government |  | Vacant land |

903
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Plan 3

Zoning Plan

ZONING PLAN

Erf 5556 Alice

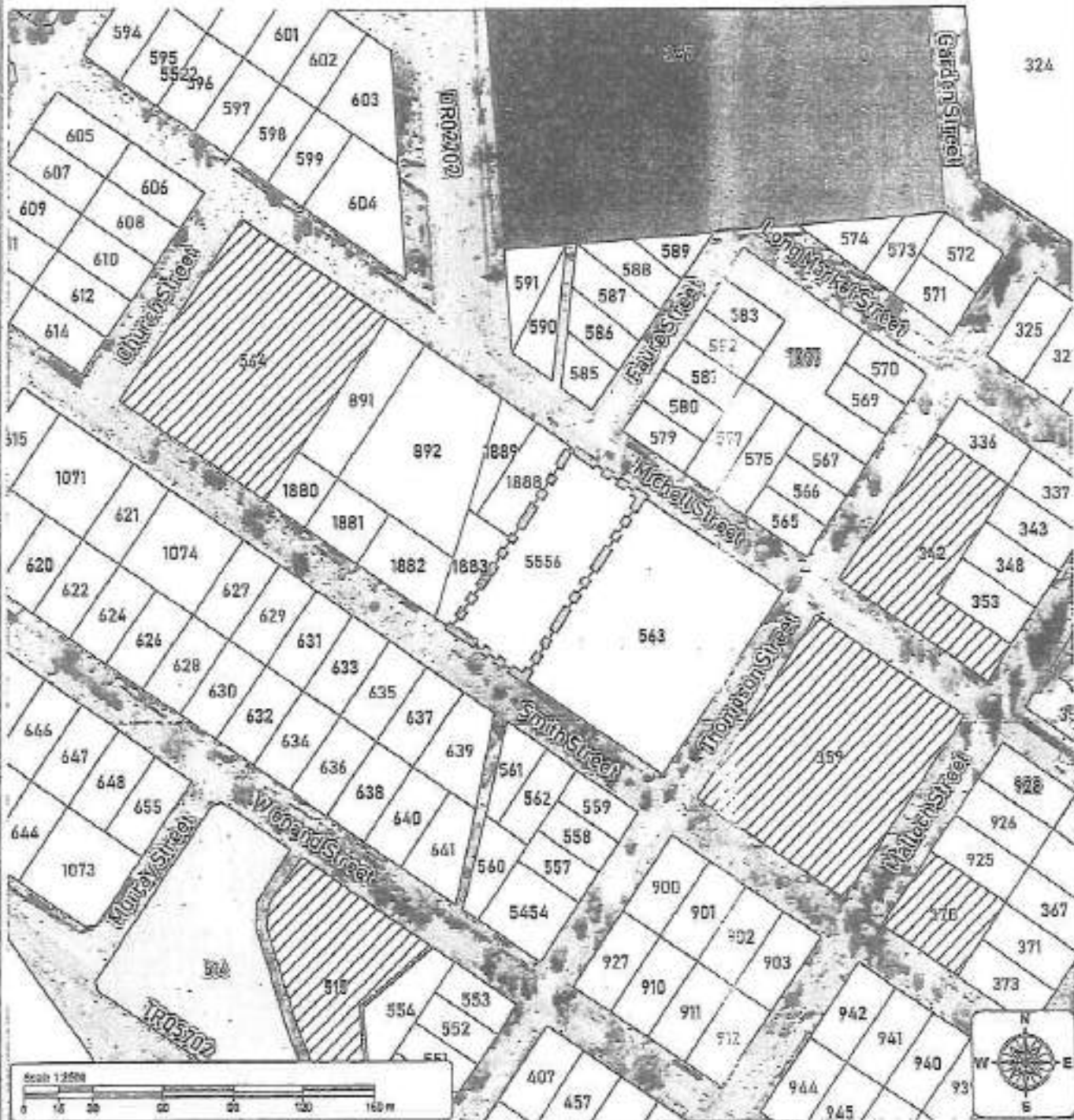
Client:

United Presbyterian Church

Local Authority
RAYMOND MHLABA MUN.

Administrative District
ALICE

Province:
EASTERN CAPE



Project:

REZONING OF ERF 5556 ALICE

Prepared by:



LEGEND

Erf 5556 Alice
ZONING

- Business
- General Residential
- Government
- Municipal

- Place of Instruction
- Place of Worship
- Public Open Space
- Single Residential Class 2
- Undetermined

Date:
Aug 2019

Plan No:
4/E5556AL/RM

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Plan 4
Site Plan/Site
Development Plan

SITE PLAN

Erf 5556 Alice

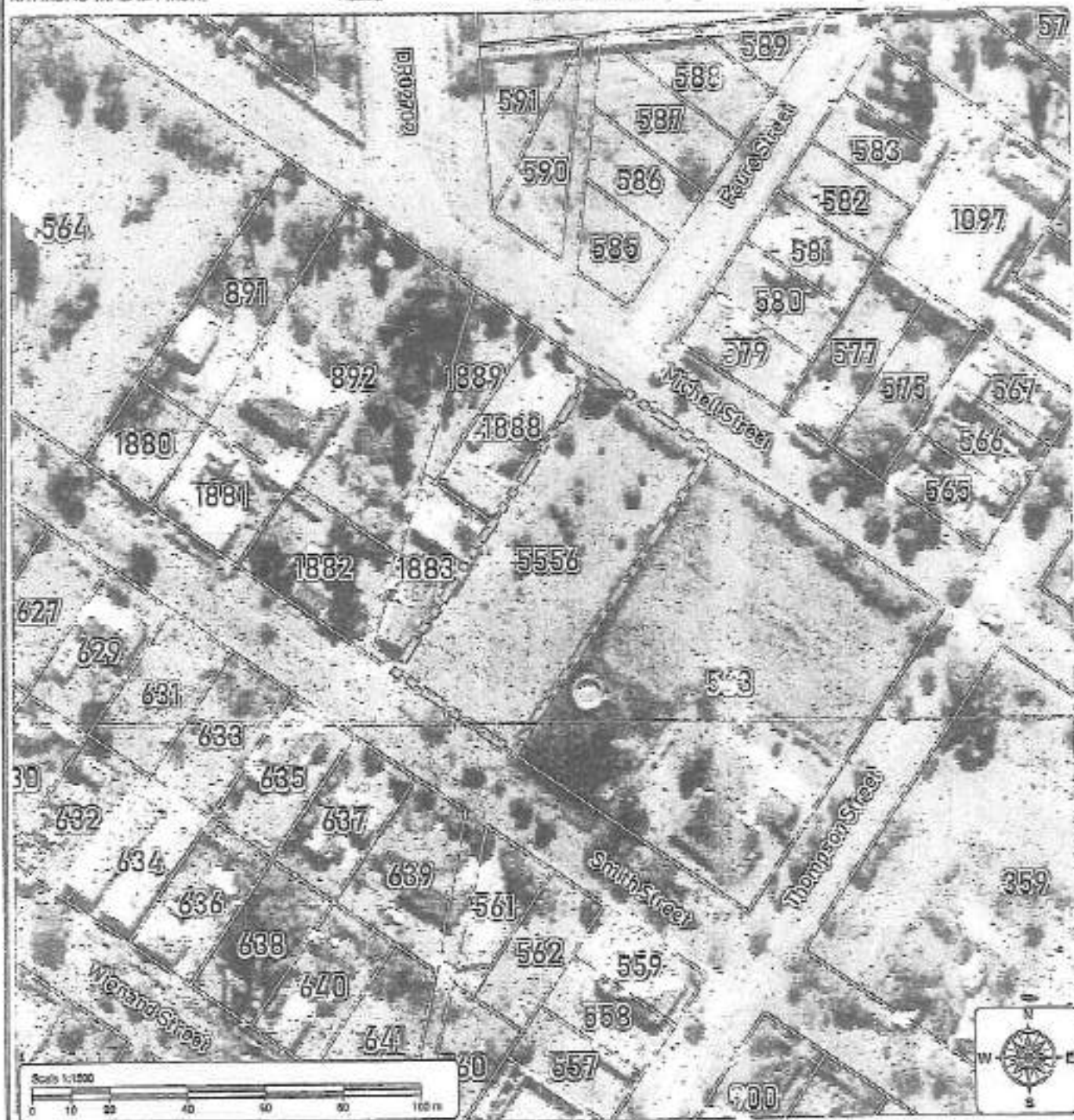
Client:

United Presbyterian
Church

Local Authority
RAYMOND MHLABA MUN.

Administrative District
ALICE


Province:
EASTERN CAPE



Project:

**REZONING
OF ERF 5556
ALICE**

LEGEND

 Erf 5556 Alice

Prepared by:


MIKHULU PROJECTS

Date:
Aug 2019

Plan No:
2/E5556AL/RM

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REZONING OF ERF 5566 ALICE

Title: **SITE DEVELOPMENT PLAN**

TABLE		
SITE	LAND USE	ZONING AREA
5566	PLACE OF WORSHIP	INSTITUTIONAL CLASS 2 + 3307m ²
TOTAL		

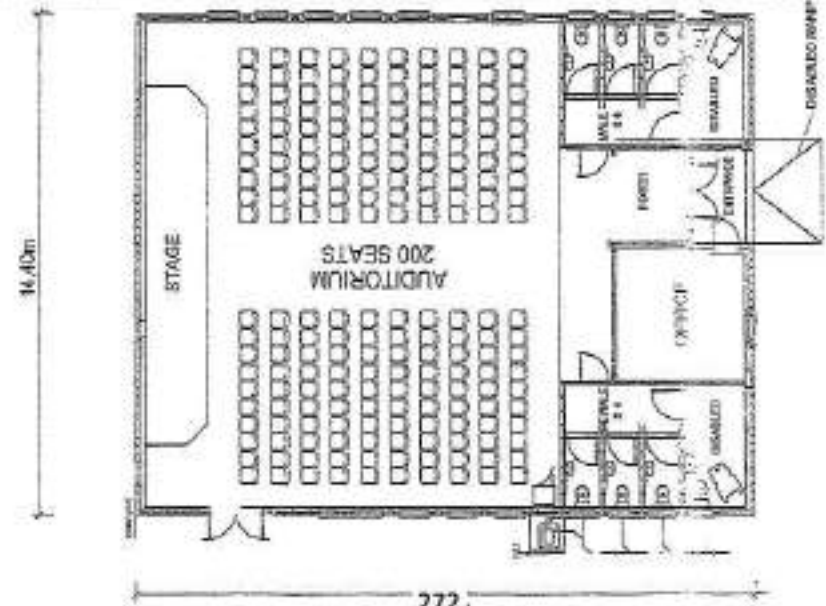
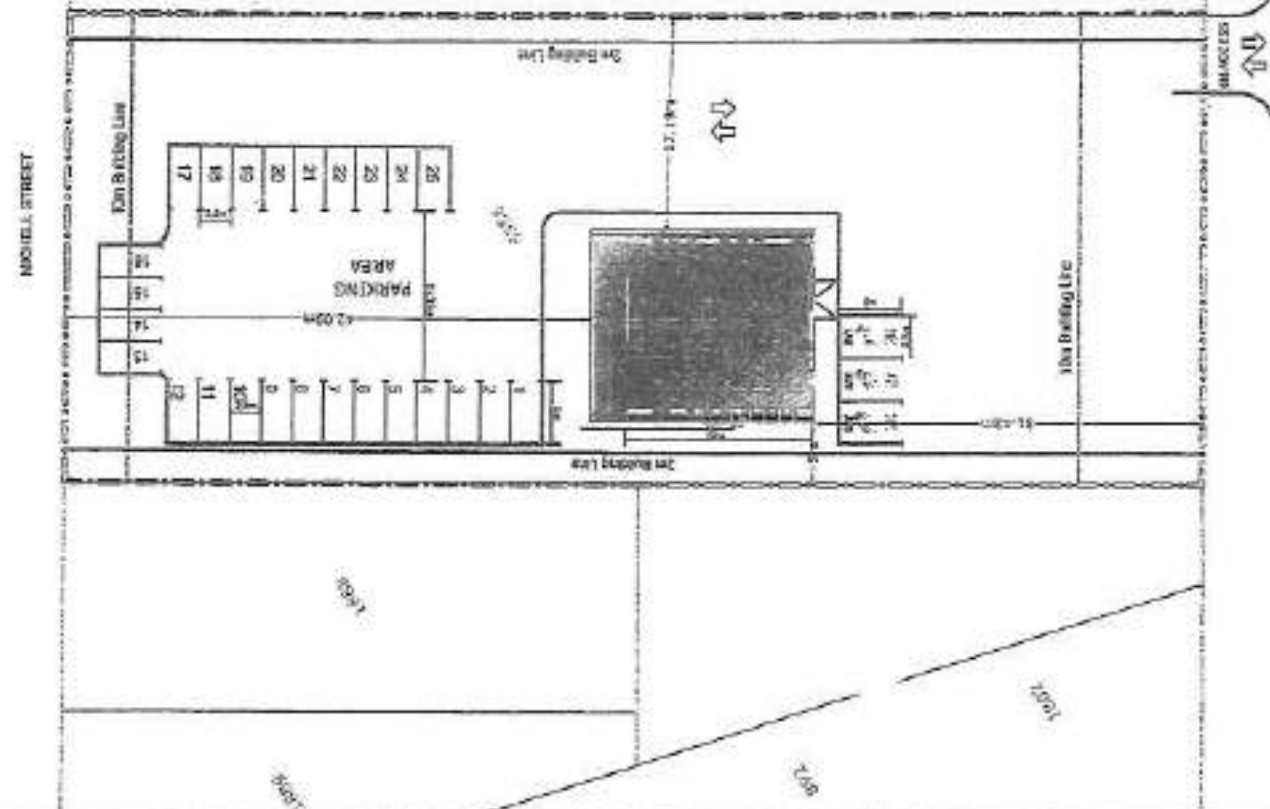
LEGEND
ERF 5566 ALICE

NOTES
- All dimensions are approximate and subject to actual survey.

CALCULATIONS		
ZONING SCHEME	SCHEME	PROVIDED
Total Floor Area	100%	4 259,2m ²
Plot Area	100%	17 000m ²
Height	3	3
Street Building Line	2m	31,42m
Side Building Line	2m	3m & 17,19m
Rear Building Line	10m	42,09m
Parking	3 per 10 seats = 200 ÷ 10 = 20 spaces	28 (10 boys)

Client: **United Presbyterian Church**

Produced by: *[Signature]*
MIMMO CONSULTANTS
Plan No: 5/5566AL/RM Date: AUG 2019
Scale: 1:500 Rev No: 0
CADDIS DRAWINGS WERE OBTAINED FROM THE SURVEYOR GENERAL'S OFFICE JOHANNESBURG
REGISTERED PROFESSIONAL ARCHITECT



Annexure A

Power of Attorney

RE: Donation of Property to Lovedale UPCSA

Geoff Jooste [finance@presbyterian.org.za]

Sent: 10 January 2018 01:54 PM

To: Moses, Zongalle

Good day Brother Thank you for your mail. Here is the extract from Fincom Minutes in November 2017. Please see that the required fencing is addressed. Should you wish to build on the property, you once again need approval. See Manual extract below.

6.2.2 Lovedale press properties The Presbytery has approved the donation of the 3 erfes to Lovedale congregation. Rev Moses has been asked to immediately set about fencing off the property.

Section 6 - procedures for planning for church buildings

9.22 Congregations planning to erect or alter buildings for public worship (including multi-purpose buildings) must contact the Faith and Order Committee before sketch plans are drawn.

9.23 In consultation with the Faith and Order Committee the Congregation should have a brief prepared setting out its understanding of the function and structural needs of the proposed project. The Congregation arranges at its expense for the Convener or the committee's representative to visit the site, if the Committee considers this advisable.

9.24 A qualified Architect, preferably with experience of church architecture, should be engaged.

9.25 Where a building with some pretensions to architectural form and beauty already exists, any new building erected on the site should harmonise as far as possible with the existing structure.

9.26 In the case of an entirely new project, a complete scheme should be envisaged and preliminary sketch plans prepared embracing the entire unit (hall, class rooms, church and possibly manse) even when the intention is to proceed piecemeal with the various buildings.

9.27 Careful consideration should be given to the lay-out of the Church interior, especially to the chancel end of the building, so that a proper balance may be maintained between the pulpit, the communion table, the lectern and the font, as the visual witnesses to the Word and sacraments. Chap 9 Pg 6 Immovable Property

Replacement page 2008

- 9.28 If an organ is to be built, a qualified organ builder should be consulted to ensure that appropriate provision is made to house this instrument.
- 9.29 The Congregation should submit a site plan and sketch plans to scale showing:
 - (a) access roads, on-site parking, any existing buildings and any proposed future development;
 - (b) sections, elevations, the lay-out of the building and its architectural features;
 - (c) the intended internal and external finishing;
 - (d) the position and lay-out of the font, Communion table, pulpit, lectern, Elders' chairs, organ, pews, aisles etc.;
 - (e) true north point, to indicate the orientation of the building.

COMMITTEE ON CHURCH DESIGN

- 13.47 All plans and specifications for new buildings to be used for worship, or for alteration to existing buildings used for worship, must be made in full consultation with the Committee on Church Design.
- 13.48 If, in the opinion of the Committee on Church Design, consultation should be in person and not by correspondence, the Session or the Stewardship Board or Deacons' Board arranges for this to be done. The Session or Board then meets the accommodation and travelling expenses of the Convener of the Committee or his/her deputy.
- 13.49 Presbyteries do not pass plans and specifications for new buildings used for worship, or for alterations to existing buildings used for worship, until the Committee on Church Design has approved them.

Warmest regards

Geoff Jooste

Chief Financial Officer – The Uniting Presbyterian Church in Southern Africa PBO 18/11/13/1612

Office direct (011) 727 3504
 Office switchboard (011) 727 3500
 Cell (Private) 0824472463
 Fax (011) 7273506 (Fax to e-mail 0865028127)

think green



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From: Moses, Zongezile [mailto:Zongezile.Moses@dcs.gov.za]
 Sent: 10 January 2018 01:16 PM
 To: Geoff Jooste
 Subject: RE: Donation of Property to Lovedale UPCSA

Good Mr. Jooster

I bring greetings of the new year from Lovedale Congregation. I hope you have entered 2018 in full strength and great enthusiasm to continue working for the Lord.

This communication is just to check from whether we should continue with using the property or should wait for the official documents that is handing over the property to us. I think that kind of communication will serve as surety to us as we will be starting with processes of building the church hall on the land. Can you please give advise as soon as you receive this mail.

Regards
Rev. Moses Z.

From: Geoff Jooste [finance@presbyterian.org.za]
Sent: 13 November 2017 01:29 PM
To: Moses, Zongezile
Cc: 'lungile mpetsheni'; van.i@liva.co.za
Subject: RE: Lovedale Presbyterian New Church Hall Plan

Good day Moses thank you for this. Please may we have a mail from Presbytery and from the Congregation acknowledging donation of the property for the use of Lovedale congregation. As with all properties it remains the property of UPCSA but while the congregation is a going concern it is the responsibility of Lovedale to pay all costs and maintenance thereof. Please arrange urgently to fence off the property. Please confirm urgently that Lovedale has registered as a PBO and provide us with the number. Being registered as a PBO is a legal requirement plus it has the added benefit that rates and taxes are not payable.

Warmest regards

Geoff Jooste

Chief Financial Officer – The Uniting Presbyterian Church in Southern Africa PBO 18/11/13/1612

Office direct (011) 727 3504
Office switchboard (011) 727 3500
Cell (Private) 0824472463
Fax (011) 7273506 (Fax to e-mail 0865028127)

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From: Moses, Zongezile [mailto:Zongezile.Moses@dcs.gov.za]
Sent: Monday, 13 November 2017 13:10
To: finance@presbyterian.org.za
Subject: Lovedale Presbyterian New Church Hall Plan

Good afternoon Jeff

Kindly received the attached Plan for Lovedale Church Hall to be built on the requested land.

Regards
Rev. Z. Moses

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Annexure B
Deed of Transfer

Annexure D

**Land Use Application
Form duly completed**



DEPARTMENT OF HOUSING AND LOCAL GOVERNMENT

LAND USE APPLICATIONS

(Place a cross in all the appropriate blocks)

TYPE OF APPLICATION :

	Subdivisional (LUPO)
✓	Rezoning
	Departure (Building line)
	Subdivision
	Consent use
	Extension of approval (Ordinance 33 of 1934)
	Any other application, give details :

TYPE OF LEGISLATION APPLICATION :

	Land Use Ordinance 15 of 1985 (Former CPA areas)
	Townships Ordinance 33 of 1934 (Former Transkei areas)
✓	Land Use Regulation act 15 of 1987 (Former Ciskei areas)
	Townships Proclamation R293 of 1962
	Black Communities Development Act 4 of 1984 (Regulations)

COMPLETE THE FOLLOWING:

Local Authority:	RAYMOND MHLABA LOCAL MUNICIPALITY		
Description of land:	ERF 5556, ALICE		
Registered owner(s):	UNITING PRESBYTERIAN CHURCH OF SOUTH AFRICA (LOVEDALE)		
Postal address:	ALICE	Code	5720
Applicant :	MIKHULU PROJECTS (PTY)LTD		
Postal Address :	4 MAGGS STREET		
	UNIT 5		
	EAST LONDON	Code :	5247

INSTRUCTIONS

(These instructions should be read before completing this form)

1. GENERAL REMARKS

- 1.1. If an application requires approval in terms various types of legislation and two or more of the applications have to be advertised, the applicant must inform the town clerk, secretary or executive officer accordingly so that all applications may be advertised and submitted for approval simultaneously.
- 1.2. All applications should comply with the Chapter one Principles of the Development Facilitation Act of 1995.
- 1.3. All applications should take cognizance of the requirements for the change of land use in terms of the Environment Conservation Act of 1997.
- 1.4. Incorrect and incomplete applications will be returned to the Applicant. The Applicant's attention is drawn to the plans and other documentation that must accompany their application.
- 1.5. Applicants must note that until such time that an approval has been approved in writing, any correspondence or discussions pertaining to this application must not be regarded as an indication that it will in fact be approved and do not bind the local authority, or the Premier, in any way.
- 1.6. The premier reserves the right to have an approval declared null and void if it was based on wrong information supplied by an applicant. Applicants must therefore ensure that information about restricting factors that could influence the application, is provided.
- 1.7. Applications in terms of Land Use Regulation Act 15 of 1987 and the Townships Ordinance 33 of 1934 require 10 copies for the Land Use Planning Board and Townships Board respectively.
- 1.8. Applicants may supply any additional information, on a particular issue, if they want to.

2. PRIOR LIAISON WITH OTHER INTERESTED PARTIES

2.1. Prior liaison with interested bodies including National and Provincial Departments, is strongly recommended, as the processing of applications will be expedited in this way. Where an applicant submits proof that an interested party is satisfied with a proposal, it will not be necessary to again approach such interested party for comments.

2.2. A list of the different authorities and other interested parties affected by the development, together with the names, telephone numbers and addresses of contact persons may be available from the local authority.

3. SUBMISSION OF APPLICATION

3.1. The application must be submitted in duplicate, together with all the required annexes, to the local authority in whose area of jurisdiction the land unit is situated. If the land is to be incorporated within the jurisdiction of a local authority, the application form must also be submitted to the local authority concerned.

3.2. If the relevant local authority does not have the delegated powers to finalise the application, a copy of the application must also be submitted to:

The Regional Director: Department of Housing and Local Government
Private Bag X 6005
PORT ELIZABETH
6000

The Regional Director: Department of Housing and Local Government
2 Floor Metropolitan Life Building
Drury Lane
EAST LONDON
5200

The Regional Director: Department of Housing and Local Government
Private Bag X 5030
UMTATA
5100

The Regional Director: Department of Housing and Local Government
Private Bag X 7086
QUEENSTOWN
5320

3.3. Lack of information leads to delays and add to the workload of the Department. It is essential that all applications that are submitted for consideration contain all of the information necessary for the relevant authority to take a rational decision. Ideally applications should include the following information:

3.3.1 Details in respect of the application

- A locality plan showing clearly the details of the application;
- A description of the site that is to be developed;
- What does the owner intend to do with the land;
- What are the envisaged development parameters (for instance the proposed floor area and coverage);
- What portion of the site is to be developed;
- What is the existing zoning and use of the subject land;
- A copy of the advertisement of the proposal;
- A site development plan.

3.3.2 Details in relation to the existing and proposed development of the land in the vicinity of the subject land

- the existing uses and zonings to be shown on separate map ;
- the visual or historical characteristics of the area ;
- topographical and physical features ;
- details of illegal and non-conforming uses.

3.3.3 Details in respect of the planning proposals for the subject area

- what is the existing and proposed conditions applicable to the subject land (servitudes, title deed and / or zoning scheme conditions) ;
- relevant details contained in Land Development Objectives, or any other policy proposals for the area.

3.3.4 Motivation given in the application and in the objections

- The applicant's motivation and comments on objections and / or the appeal ;
- The comments of relevant government departments ;
- details of the objections received.

3.3.5 Evaluation of the application by the Council

- The evaluation of the application in relation to the DFA principles, Land Development Objectives, desirability, precedents, the council's policies et cetera ;
- In the case of land zoned for public purposes, the reasons why such land is no longer required for the use by the public ;
- Desirability is usually considered in terms of the following :
 - physical characteristics of the area ;
 - potential of the site ;
 - character of the surrounding area ;
 - planning proposals for the area (LDO/Framework/Structure Plan Etc) ;
 - location and accessibility ;
 - provision of services ;
 - environmental impact of the proposal ;
 - impact of the construction phase.

3.3.6 The decision of the Council

- Council's decision, including the conditions that must be imposed if the application is approved. (Note that the application must contain these conditions, even if the relevant council recommends that the application refused by the Premier).

Note that applications that are submitted to District or Local Council's for a decision must also contain all of the relevant details. A copy of the item submitted to the aforementioned authorities must be attached to any application that is submitted to this Department. The above information can serve as check list for the purpose.

SECTION A

TO BE COMPLETED BY THE APPLICANT

(*ANSWER YES, NO, OR NOT APPLICABLE)

1. PERSONAL PARTICULARS OF APPLICANT

Your reference number	089
Name of person to whom correspondence should be addressed:	SINESIPHO SICWEBU
Address:	4 MAGGS STREET , UNIT 5, EAST LONDON
Telephone number :	078 744 6894
Facsimile number :	086 558 6955

1.1 Is the applicant the only registered owner of the property ? **Yes***

If not, attach the power of attorney from the registered owner(s) to the application. This is also applicable if the person who is applying is still in the process of obtaining the land unit, or if the land unit is owned by a company or more than one person.

1.2 Name the registered owner(s) : **UNITING PRESBYTERIAN CHURCH OF SOUTH AFRICA (LOVEDALE)**

1.3 Is the property encumbered with a bond ? **NO.**

If so, please attach the authorization of the mortgage holder to the application.

2. DETAILS OF LAND UNIT

2.1 Registered description of the property, as is shown on the title deed: **ERF 5556, ALICE.**

.....

.....

Number and date of the title deed : **DEED OF TRANSFER**

Area of Land : **3387m2 RESPECTIVELY.**

What is the present zoning of land unit ? **RESIDENTIAL CLASS 1.**

2.2 Are any departures applicable to the land unit ? **NO.**

If so, give a full explanation: **N/A.**

2.3 Is there any building or other development on the land unit? **NO ***

If so, what are the nature and condition of these improvements?

N/A.

2.4 Is the site being used in accordance with its present zoning? **YES***

If not, how is the land being utilised?

3. DETAILS OF APPLICATION

3.1 Describe the proposed development in detail (A separate motivational report may be added):

REFER TO MOTIVATIONAL REPORT.

3.2 Does the proposal development involve the entire land unit? **YES***

If not, indicated the position and size of the portion of the land unit is not included in the proposed development and for what purpose it is, or will be used :

N/A.

3.3 Is a departure being applied for in order to obtain a temporary change of use on the land unit? **NO***

If so, explain why rezoning is not being considered and supply reasons for the proposed period of the departure :

N/A.

4. RESTRICTING FACTORS

(A separate report may be added to address the restricting factors)

4.1 Are there any title deed restrictions that, which may have an affect on this application in terms of the Removal of Restrictions Act, 1967 (Act 24 of 1967) ? **NO***
If so, furnish full details :

4.2 Is any portion of the land unit subject to tidal flow or situated under the high water mark ? **NO***

If so, furnish details :

N/A.

4.3 Is any portion of the land unit situated in a flood-plain of a river under the 1 in 50 years flood-line or subject to any floods? **NO.**

If so, furnish details: N/A

- 4.4 Are there any physical restrictions (such as steep slopes, unstable soil formation, swamps, etc.) which could affect the development? **NO***

If so, furnish details and state how the problem can be solved

N/A.

- 4.4 Are there any other restrictions of which you are aware, but which were not mentioned above? **NO***

If so, furnish full details

N/A.

5. POSSIBLE REFERRAL TO OTHER BODIES

- 5.1 Does the application fall within the area of a land Development Objective (LDO) and / or Policy Plan (Structure Plan, Framework Plan etc.) ? **YES***

If so, please give details in so far as they affect the application under consideration:

ALICE LOCAL SPATIAL DEVELOPMENT FRAMEWORK 2010.

- 5.2 Are the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) Applicable in the case of this application? **NO***

- 5.3 Is the land unit situated within the boundaries of a nature area reserved in terms of section 4 of the Physical Planning Act, 1967 (Act 88 of 1967), or a mountain catchment-area reserved in terms of the Mountain Catchment Areas Act, 1970 (Act 63 of 1970), or a nature reserve reserved in terms of the former Nature and Environmental Conservation Ordinance, 1974 (Ordinance 19 of 1974), or a national park reserve in terms of the Nature Parks Act, 1978 (Act 57 of 1976). **NO***

If so, furnish details: *N/A*

- 5.4 Does the land unit abut on the area of jurisdiction of another local authority or does any other local authority have an interest in this application? **NO***

If so, state the name of the local authority and its interest in the application: *N/A.*

B.

- 5.5 Does the property abut on any national, trunk, main or divisional road or such proposed Road ? **NO***

If so, furnish full details (including status of the road and full statutory width):

- 5.6 Is the land situated in a metropolitan transport area in terms of the Urban Transport Act, 1977 (Act 78 of 1977)? **NO***

If so, has it been referred to the relevant transport authority? **N/A.**

- 5.7 Is the land unit close to, or is it affected by, a power station, a railway line, a railway station, Airport or harbour?

NO

- 5.8 Are there any conservation worthy buildings/ graves, rock engravings/ archaeological finds on the property including those that have not been declared national monuments? **NO***

If so, furnish details

N/A.

- 5.9 Is the land unit situated within 1000m from the high-water mark of the sea or tidal or river? **NO***
If so, has nature conservation been consulted?

N/A.

- 5.10 Does the land unit abut on, or is it in any way influenced by any property belonging to the S.A. National Defence Force? **NO***

If so, please supply details : **N/A.**

ANNEXURES

HAVE THE FOLLOWING ANNEXURES BEEN ATTACHED?

(ANSWER YES, NO, OR NOT APPLICABLE)

ANNEXURE	YES	NO	NOT APPLICABLE
Power of attorney	✓		
Authorization from mortgagee			✓
Flood-line certificate			✓
Regional map			✓
Locality map	✓		
Extract from zoning map	✓		
Land use-map	✓		
Site Development plan	✓		
Motivation report	✓		
Title deed	✓		
Copy of advertisement			
Any other annexures, give detailsAMENDMENT, SUSPENSION OR REMOVAL OF RESTRICTIVE CONDITIONS OF TITLE APPLICATION FORM DULY COMPLETED.....			✓

If any other above questions, answers are no, give reasons :

.....N/A.....

I, the undersigned, certify that the information appearing in this section of the form and the information in the annexures is correct and complete, and that I understand the application. (Please note the contents of paragraph 1.6 of the instructions).

SIGNATURE:



DATE: 19 AUGUST 2019

FULL NAME: SINESIPHO SICWEBU

DATE ON WHICH THE APPLICATION WAS SUBMITTED TO THE LOCAL AUTHORITY: ____ AUGUST 2019

3. ADVERTISING

3.1 Have notices been served on the owners of adjacent properties ?

.....*

If so, attach a map indicating the names of those owners on whom notices have been served and a copy of the notice.

3.2 Indicate whether it was necessary to advertise in the press and the Provincial Gazette?* If so, attach a copy of the advertisement.

3.3 Have any objections been received ?*

If so, attach a map indicating the name of every objector on his erf as well as copies of the objections and the comments of the applicant and the local authority on each issue or objection.

4 LAND DEVELOPMENT OBJECTIVES AND POLICY PLANS

4.1 Is there Land Development Objectives or a Policy Plan for the local Authority's area of jurisdiction, or the area within which the subject erf is situated?

.....*

4.2 If so, what is the status of such objectives / plan ?*

.....

4.3 Furnish any applicable reference number(s) of the Department of Housing and Local Government in respect of the plans concerned and the date of the most recent correspondence :

.....

.....

4.4 To what extent does the proposal comply with the Land Development Objectives or Policy Plans?

7. ANNEXURES

7.1 Have the following annexures been attached?

	YES	NO	NOT APPLICABLE
Map indicating those persons on whom notices have been served			
Copy of notice			
Copy of press notice			
Map of objectors properties			
Copies of objections received			
Comments of applicant on objections			
Comments of Council on objections			
List of conditions			
Scoping report if required			
Comments from other government Departments			
Any other documents / correspondence Please give full details :			
.....			
.....			
.....			
.....			

I CERTIFY THAT THE APPLICATION IS COMPLETE AND CORRECT.

.....

SIGNATURE**CHIEF EXECUTIVE OFFICER : LOCAL AUTHORITY**

NAME : DATE :

Red paint marks homes of suspected traffickers

Bangladeshi border guards are painting warnings on the homes of suspected human and drug traffickers in eastern villages in a bid to curb trafficking to India, an official said on Friday.

Houses in villages near the border with northeast India

have been marked in red paint with phrases such as "this is a human trafficker's house", a senior border guard said.

Thousands of Bangladeshis are trafficked to India each year - many of whom are sold into prostitution or domestic servitude - anti-slavery activists say.

Though official data is lacking, about 1,800 victims have returned from India with assistance from the Bangladeshi government since 2011, yet Border Guard Bangladesh regional commander Golam Kabir said the country was struggling to secure justice against human traffickers.

"We arrested many of these [human] trafficking brokers more than once and there are multiple cases filed against them," Kabir said.

"But they still get bail and get involved in the business again."

"We hope our strategy [of painting homes] works well to counter this, there needs to be pressure built against them."

Bangladesh has been on a US state department watchlist for the past three years over its record on trafficking, putting it at risk of a downgrade that would see economic sanctions.

The government has said it is working to resolve issues raised in the annual US Trafficking in Persons report - from a failure to tackle illegal recruitment agents to a lack of probes into potential trafficking crimes against Rohingya refugees.

The tactic of using red paint to denounce suspected traffickers was improper and violated the principle of innocent until proven guilty, Supreme Court lawyer Tajul Islam said, adding it labelled the suspects family members too.

Anti-trafficking advocates were divided over the approach: some questioned the impact of castigating suspects who were unlikely to be the ringleaders of trafficking networks, while others said it was necessary in order to spread a message. - Reuters

Dispatch LIVE.co.za

CLOSING TIME
1st 2018
1:00

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NOTICE

APPLICATION FOR THE REZONING OF ERF 5556 ALICE FROM RESIDENTIAL CLASS 1 TO INSTITUTIONAL CLASS 2

Notice is hereby given in terms of the Spatial Planning and Land Use Management Act 16 of 2013 & the Land Use Regulation Act 15 of 1997 read with the Ciskei Town Planning Scheme that the Raymond Mhlaba municipal council has received an application for Rezoning of Erf 5556 Alice from Residential Class 1 to Institutional Class 2.

Copies of the proposed rezoning and site development plan and supporting documentation will lie for inspection at the office of the Municipal Manager during normal office hours.

Any objections/ comments must be lodged in writing with the Municipal Manager, Raymond Mhlaba Local Municipality, PO Box 36, Fort Beaufort, 5720 within 30 days of the notice. Technical inquiries must be directed to Ms L. Mtyunyutho on 046 492 0037.

ISAZISO

UKUMISELO KAKUTSHA KWESIZA SOMHLABA 5556 ALICE UTSHINTSHELWA UKUSETYENZISELWA INDAWO YOKUKHONZELA (ICAWA)

Isaziso sikhutshwe ngokwesindululu sokucela ngomthatho olemula ukusetyenziswa komhlaba ongu nombolo mbalo 16 ka 2013 kunye no mthetho woMasipala (isicwangciso mhlaba) engu nombolo mbalo 15 ka 1997 ukutshintsha kommiselo ngakutsha kwesiza 5556 Alice.

Incukacha zesisicelo zingalumaneka kwi-ofisi ka-Manejala ngamaxesha omsebenzi.

Naluphi na uchaso kwe sisicelo lungathuyelwa ngembalelwano kwi ofisi ka Masipala, Raymond Mhlaba Local Municipality, PO Box 36, Fort Beaufort, 5720 zingekagqithi lintsuku ezingamehumi amaThathu (30) kusukele ngozuku lokuqala lokubhengezwa kolu cebo. Imibuzo yobuchule ingajongiswa ku Ms L. Mtyunyutho ku 046 492 0037.

Municipal Manager
Ms U T Mailnzi

www.raymondmhlaba.co.za

ITEM 59/2022

RAYMOND MHLABA MUNICIPALITY'S 2022-2027 DRAFT INTEGRATED DEVELOPMENT PLAN (IDP) AND DRAFT MTREF 2022-2023 BUDGET

AUTH: DIR STRAT- DR L.H HANABE AND CFO

EXCO MEETING: MARCH 2022

COUNCIL: MARCH 2022

1. PURPOSE

To request the Executive Committee to recommend to Council the adoption of the Raymond Mhlaba Municipal 2022/2027 Draft Integrated Development Plan (IDP) and Draft MTREF Budget for the period ending 30 June 2023.

2. BACKGROUND

On an annual basis, Raymond Mhlaba Municipality is expected to develop its IDP and MTREF Budget. To this, the RMLM adopted its IDP/Budget Process Plan in August 2021. This was a response to the Municipal Systems Act 32 of 2000 which provides for the process to be followed for the development of the IDP and the Budget.

The development of the IDP took into consideration the National interests contained in the National Development Plan, Provincial Development Plan and the Sustainable Development Goals (SDG's), District Development Model (DDM) and Amathole District Municipal Plans. To this end, municipalities are required to plan and facilitate development in an integrated manner, ensuring that resources are utilised efficiently and effectively to alleviate poverty and inequality, provide basic services and promote sustainable development.

3. LEGAL AUTHORITY

In line with Section 25 of the Municipal Systems Act 2000, which stipulates that each municipal council must, within a prescribed period after the start of its elected term, adopt a single, inclusive and strategic plan for the development of the municipality. Coupled with the provisions of the Municipal Systems Act, the provisions section 16(2) of the Municipal Finance Management states that:

- the council of a municipality must for each financial year approve an annual budget for the municipality before the start of that financial year. The Mayor of the municipality must table the draft annual budget at a council meeting at least 90 days before the start of the budget year and the final budget 30 day before the start of the budget year.

Furthermore, section 14 of the Municipal Budget and Reporting Regulations stipulates that the annual budget prepared by the municipality must be credible and realistic to an extent it is implementable as approved by council. The structure of the 2022/2027 draft IDP document is in line with section 26 of the MSA. The IDP highlights the municipality's vision, areas of review as part of its assessment, the municipality's priorities and strategies, including key performance indicators and performance targets, and spatial development framework.

The Draft Budget is prepared in accordance with both provisions of the Municipal Finance Management and the Municipal Budget and Reporting Regulations. With the compilation of the 2022/23 Medium-Term Revenue and Expenditure Framework (MTREF), during institutional strategic session, each department had to review its business planning processes taking into account their IDP objectives and individual departmental strategies. Business planning links back to priority needs and master planning, and essentially inform the detail operating budget appropriations and three-year capital programme. National Treasury's MFMA Circular No. 89, 91,94, 98, 99,108, 112 and 115 was mainly used to guide the compilation of the 2022/23 MTREF.

IDP OUTLINE

Below is the 2022/2027 structure of the IDP.

CHAPTER 1: Entails the Municipal Vision, mission and values for the long term development of the municipality with emphasis on the municipality's development needs.

CHAPTER 2: Provides the situational analysis of the Raymond Mhlaba, demographic profile and current trends.

CHAPTER 3: Summary of the Key Performance Areas.

CHAPTER 4: Development Objectives and Strategies, Indicators and Targets and 2022/2023 Developmental Projects: This Chapter entails Raymond Mhlaba Local Municipality's strategic objectives and performance deliverables which give directives to the developmental agenda of the Municipality.

CHAPTER 5: Municipality's Sector Plans & Policies - outlines municipal sector plans their status with executive summaries of the newly developed plans, by-laws and policies which guide the municipality in the service delivery provision. These plans present strategic interventions in response to the current status quo of the municipal area.

CHAPTER 6: Outlines the broad financial plan, allocation of resources and the MTREF.

CHAPTER 7: Provides an overview of the municipal Performance Management System, monitoring and evaluation process.

CHAPTER 8: In this chapter, the summary of the SDF outlined including the nature and location of various activities in a manner that best meets agreed objectives.

4. LEGAL IMPLICATIONS

Constitution of the Republic of the South Africa, 1996

Local Government: Municipal Systems Act 2000 (Act 32 of 2000)

Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003)

Local Government: Municipal Budget and Reporting Regulations, 2008

5. FINANCIAL IMPLICATIONS

None

6. RECOMMENDATIONS:

It is **RECOMMENDED** that:

- 1) EXCO recommends to Council to adopt the 2022/2027 draft Integrated Development Plan.
- 2) EXCO recommends to Council to adopt the Draft budget, Budget related policies and Tariffs for 2022/2023 to 2024/2025 financial year.
- 3) That the IDP and Budget, Budget related policies and Tariffs be made public in terms of section 21 (a) of the Local Government Systems Act, No 32 of 2000.
- 4) The IDP and Budget be submitted to the relevant Provincial and National departments responsible for Local Governments.

ITEM 60/2022

LEASING OF FORT BEAUFORT ABATTOIR

**AUTH: DIR: STRAT PLANNING
EXCO: MARCH 2022
COUNCIL: MARCH 2022**

1. PURPOSE

- To request the approval of the EXCO to recommend to council to rescind a resolution taken to lease Fort Beaufort Abattoir to Military Veterans
- To request EXCO to recommend to Council that RMLM to call for expression of interest on leasing of the Fort Beaufort Abattoir

2. BACKGROUND

The RMLM received a request from the RMLM Military Veterans to lease the municipal abattoir situated in Fort Beaufort and subsequently, council approved (October 2018) the request to lease the said property thereof. Since the day of the approval no activity took place in the leased property. The following is the exact resolution of Council taken on the 31 October 2018:

Council Resolved:

- To approve the lease of the Fort Beaufort Abattoir to the Raymond Mhlaba Military Veterans for a ten (10) year renewable lease period.
- To authorize the Municipal Manager to sign the Lease Agreement on its behalf.
- To authorize the Municipal Manager to determine the lease amount to be paid taking into consideration the renovations that would be done on the building by the Raymond Mhlaba Military Veterans.

Subsequently a letter advising the military veterans of the outcome of the council meeting. The office of the municipal manager has since written a numerous letter to the respective organization in this regard, but to date nothing has taken place on site.

In the institutional strategic planning session held on the 8 to 9 March 2022, council resolved that an item to be submitted to council to consider to rescind the resolution taken then.

3. LEGAL IMPLICATIONS

- Local Government: Municipal Financial Management Act, of 2003.
- Raymond Mhlaba Municipality: Immovable Property Policy

4. FINANCIAL IMPLICATIONS

None

5. RECOMMENDATIONS

It is **RECOMMENDED** that:

- (i) EXCO recommends to council to rescind the resolution taken to lease the Fort Beaufort Abattoir to the Raymond Mhlaba Military Veterans.
- (ii) EXCO recommends to council to authorize the Municipal Manager to call for expression of interest for leasing of the Fort Beaufort Abattoir.

ITEM 61/2022

**REQUEST TO ADVERTISE THE POSITION OF THE MUNICIPAL MANAGER
AND THE APPOINTMENT OF THE SHORTLISTING AND INTERVIEWING
PANEL**

**AUTHOR: M NINI
EXCO: MARCH 2022
COUNCIL: MARCH 2022**

1. PURPOSE

To request the approval of the EXCO to advertise and approve the shortlisting and interviewing panel for the position of the Municipal Manager and further recommend to council.

2. BACKGROUND

The current Municipal Manager was appointed in 2017 and her contract will come to an end on the 30 June 2022. In order to ensure that the municipality will function with no gap at the helm and in addition, so that there is a Municipal Manager on the 1 July 2022, it is recommended that this position be advertised in good time to ensure continued service delivery. The Local Government Regulations on Appointment and Conditions of Employment for Senior Managers states that a municipal council must appoint a selection panel to make recommendations for the appointment of candidates to vacant position of the Municipal Manager and that of Senior Managers. In addition, the selection panel for the appointment of a Municipal Manager must consist of at least three but not more than five members.

To this fact, the following panel for both shortlisting and interviews as per the Local Government Regulations on Appointment and Conditions of Employment for Senior Managers is proposed.

- (a) Mayor: Chairperson
- (b) Councillor:
- (c) Representative from COGTA
- (d) Representative from SALGA

It is further proposed that Director Corporate Services to serve as a scribe on both, the shortlisting and interviews.

3. LEGAL IMPLICATIONS

- Local Government: Municipal Systems Act, No. 32 of 2000
- Regulations on the Appointment of Senior Managers as amended.
- Raymond Mhlaba Employee Provisioning Policy

4. FINANCIAL IMPLICATIONS

Costs of advertising in a Local and National Newspaper as required.

5. RECOMMENDATIONS

It is **RECOMMENDED** that:

1. EXCO approve and recommend to council to advertise the position of the Municipal Manager.
2. EXCO recommend to council to appoint the Shortlisting and interviewing panel for the position of the Municipal Manager.
3. EXCO recommends to council to appoint the Director Corporate Services to serve as a scribe on both, the shortlisting, and interviews.