



**RAYMOND  
MHLABA**  
MUNICIPALITY  
\*\*\*\*\*  
UMANYANO KUPHUTHISO

## ***AGENDA***

### ***ORDINARY ENGINEERING SERVICES STANDING COMMITTEE MEETING***

**DATE:** 27<sup>th</sup> MAY 2022

**TIME:** 10H00

**VENUE:** COUNCIL CHAMBER  
BOARDROOM, ALICE



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1. OPENING

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2. NOTICE OF THE MEETING

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3. CONSIDERATION OF APPLICATIONS FOR LEAVE OF ABSENCE

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4. ADOPTION OF THE AGENDA

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5. COMMUNICATION BY CHAIRPERSON

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6. CONFIRMATION OF MINUTES

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7. REPORTS

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8. CLOSURE





**RAYMOND  
MHLABA**  
MUNICIPALITY  
UMANYANO KUPHILELISO

**NOTICE IS HEREBY GIVEN THAT AN ORDINARY ENGINEERING SERVICES STANDING COMMITTEE MEETING OF RAYMOND MHLABA LOCAL MUNICIPALITY WILL BE HELD ON FRIDAY, THE 27<sup>th</sup> MAY 2022 AT 10H00.**

**CLLR. N. B. SANGO**  
**CHAIRPERSON: ENGINEERING SERVICES**  
**STANDING COMMITTEE**

19/05/22  
DATE:



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**ORDINARY ENGINEERING SERVICES STANDING COMMITTEE MEETING OF  
RAYMOND MHLABA MUNICIPALITY  
27 MAY 2022**

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ITEM 14/2022

**CONFIRMATION OF PREVIOUS MINUTES OF A MEETING HELD ON MONDAY,  
14<sup>th</sup> MARCH 2022.**

**1. PURPOSE**

To table before the Standing Committee minutes of the meeting that was held on the 14<sup>th</sup> March 2022 to be confirmed as a true reflection of what was discussed.

**2. BACKGROUND**

The Standing Committee meetings sit monthly to discuss the items tabled in the agenda and resolve accordingly. Such meetings are recorded and the minutes are tabled in the next meeting to be confirmed.

**3. LEGAL IMPLICATIONS**

Standing Rules of the Council  
Local Government: Municipal Structures Act No. 117 of 1998

**4. FINANCIAL IMPLICATIONS**

None

**5. RECOMMENDATION**

It is **RECOMMENDED** that:

- 1) The Standing Committee considers the minutes tabled for the meeting held on 14<sup>th</sup> March 2022 and confirm them as the true reflection of what was discussed

## MINUTES

### ORDINARY ENGINEERING SERVICES STANDING COMMITTEE MEETING

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Held on Monday, the 14<sup>th</sup> March 2022 at 10h00, COUNCIL CHAMBER Boardroom in Alice.

#### PRESENT:

Cllr N. B. Sango - Chairperson  
Cllr L. Matyholo  
Cllr Z. Lento  
Cllr E. Lombard  
Cllr N. Quilie  
Cllr K. Siduli

#### IN ATTENDANCE:

Mr. D. Mlenzana - Director: Engineering Services  
Mr. A. Tunce - Manager: PMU  
Mr. U. Shange - Manager: Civil Works  
Ms L. Mtyundyutho - Acting Manager: Housing & Land Use  
Ms. B. Mpahlwa - Coordinator: EPWP  
Mr. M. Dywili - Council Support Officer

#### 1. OPENING

A moment of silence Prayer and meditation was observed at 11h12.

#### 2. NOTICE OF THE MEETING

The Director: Engineering Services read the notice convening the meeting.

#### 3. CONSIDERATION OF APPLICATIONS FOR LEAVE OF ABSENCE

##### 3.1 Leave with apology

None

##### 3.1 Leave without apology

None

#### 4. ADOPTION OF THE AGENDA

Cllr. Matyholo moved for adoption of the agenda with amendments, seconded by Cllr. Siduli.

#### 5. COMMUNICATION BY CHAIRPERSON

Following his welcoming address, the Chairperson reminded members that the Standing Committee was supposed to sit on the 03<sup>rd</sup> of March but it didn't meet the quorum. There were no apologies from Councillor's and it must be noted that when a member is not going to be present, he or she must write an apology prior to the meeting and submit it to the Office of the Speaker. Lastly, she reminded the meeting that Officials should be 15 Minutes earlier before the actual time of the meeting.

**ITEM 02/2022**

**STATUS REPORT – PROJECT MANAGEMENT UNIT (PMU)**

The Chairperson elaborated on the report.

The Standing Committee Resolved to RECOMMEND:

- 1) To note the Project Management Unit report.

**ITEMS 03/2022**

**STATUS REPORT - EPWP REPORT**

The Chairperson elaborated on the report.

The Standing Committee Resolved to RECOMMEND:

- 1) To note the EPWP report.

**ITEM 04/2022**

**STATUS REPORT – LAND AND HOUSING**

The Chairperson elaborated on the report.

The Standing Committee Resolved to RECOMMEND:

- 1) To note the Land and Housing report.

**ITEMS 05/2022**

**STATUS REPORT – CIVIL WORKS**

The Chairperson elaborated on the report.

The Standing Committee Resolved to RECOMMEND:

- 1) To note the Civil Works report.

**ITEM 06/2022**

**STATUS REPORT - ELECTRICITY REPORT**

The Chairperson elaborated on the report.

The Standing Committee Resolved to RECOMMEND:

- 1) To note the Electricity report.

**ITEM 07/2022**

**STATUS REPORT - UPGRADING OF THE HEALDTOWN ACCESS ROAD**

The Chairperson elaborated on the report.

The Standing Committee Resolved to RECOMMEND:

- 1) To note the Upgrading of the Healdtown Access Road report.

**ITEM 08/2022**

**STATUS REPORT - UPGRADING OF R63 BETWEEN FORT BEAUFORT AND ALICE**

The Chairperson elaborated on the report.

The Standing Committee Resolved to RECOMMEND:

- 1) To note the Upgrading of R63 between Fort Beaufort and Alice report.

**ITEM 09/2022**

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

The Chairperson elaborated on the report.

The Standing Committee Resolved to RECOMMEND:

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

**ITEM 10/2022**

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

The Chairperson elaborated on the report.

The Standing Committee Resolved to RECOMMEND:

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

**ITEM 11/2022**

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

The Chairperson elaborated on the report.

The Standing Committee Resolved to RECOMMEND:

- 1) To approve 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.

**ITEM 12/2022**

**REZONING APPLICATION FOR ERF 418 ALICE, FROM RESIDENTIAL CLASS 1 TO INSTITUTIONAL CLASS 2 FOR THE PURPOSES OF DEVELOPING A SCHOOL**

The Chairperson elaborated on the report.

The Standing Committee Resolved to RECOMMEND:

- 1) To approve the rezoning application of erf 418 Alice from Residential Class 1 to Institutional Class 2 for the purpose of developing a school.

**ITEM 13/2022**

**REZONING APPLICATION FOR ERF 5556 ALICE, FROM RESIDENTIAL CLASS 1 TO INSTITUTIONAL CLASS 2 FOR THE PURPOSES OF DEVELOPING A CHURCH**

The Chairperson elaborated on the report.

The Standing Committee Resolved to RECOMMEND:

- 1) To approve the rezoning application of erf 5556 Alice from Residential Class 1 to Institutional Class 2 for the purpose of developing a church.

**6. CLOSURE**

The Chairperson thanked members for their presence in the meeting.  
(The meeting adjourned at 12h09)

MINUTES WERE CONFIRMED AND SIGNED BY:

\_\_\_\_\_  
Cllr. N. B. SANGO  
CHAIRPERSON: ENGINEERING SERVICES  
STANDING COMMITTEE

\_\_\_\_\_  
DATE

## ITEM 15/2022

### STATUS REPORT - EPWP REPORT

#### 1. PURPOSE

This report seeks to inform and update the Standing Committee for noting on the progress on Expanded Public Works Programme (EPWP) for the 3<sup>rd</sup> quarter of the 2021/22 FY.

#### 2. BACKGROUND

Raymond Mhlaba Municipality has the responsibility to facilitate, promote and to co-ordinate the implementation of EPWP compliant projects within the municipality.

EPWP 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 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.

#### 3. PROGRESS REPORT

- a) The municipality has created 100 job opportunities by the end of March 2022 from the internal funds since grant funding finished in December 2021. The tables below show work opportunities and areas where those have been created in the three months under Waste Management Sector.

PROJECT NAME	SECTOR	WORK OPORTUNITIES
Raymond Mhlaba Waste Management	Environment & Culture	100

##### Project Allocation Per Area

NAME OF PROJECT	AREA	NO. ALLOCATED
Waste Management	Fort Beaufort	25
	Alice	25
	Middledrift	10
	Adelaide	10
	Seymour	10
	Hogsback	10
	Bedford	10

- b) The municipality received letters of appreciation for the EPWP Caregivers project from the Department of Health, appreciating the municipal intervention in assisting clinics namely Gxwederha in Ward 18 and Lulama Kama in Ward 3. The program provided care givers to assist elderly people to fetch medication from clinics to their homes.

#### 4. 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

## **5. ANNEXURE**

Annexure A - EPWP Letters of Appreciation from Department of Health (Clinics)

## **6. RECOMMENDATIONS**

It is **RECOMMENDED** that:

- 1) The Standing Committee notes the EPWP report for the 3<sup>rd</sup> quarter of the 2021/22 FY.

ANNEXURE A



Province of the  
**EASTERN CAPE**  
HEALTH

Department of Health - Gxwedera Clinic - Jani Location  
Alice - Eastern Cape - 5700 - REPUBLIC OF SOUTH AFRICA  
Tel: +27 87 0867 111 - Email: Gxwedera@ecdhah.gov.za - Website: www.eastcap.gov.za

GXWEDERA CLINIC  
JANI LOCATION  
ALICE  
5700  
31 January 2022

THE MUNICIPAL MANAGER  
RAYMOND MHLABA SUBDISTRICT  
FORT BEAUFORT

Dear Sir/Madam

LETTER OF APRECIATION FROM GXWEDERA CLINIC

Thank you ever so much for helping us with human resource from last year.

They have been of much help in this Clinic as this Clinic suffers a lot of short staff of community health care workers for 4 villages, community is suffering for Medication, Disease prevention assistance and also under 5yr olds who need monitoring and assistance in immunization and nutrition.

- We have no Lay Councilors to assist in HIV Counselling in the clinic
- We no dispensary assistance.
- We have no Data Capturer for capturing, more especially in Covid19.

These young ladies you borrowed us assisted us a lot in Covid19 paper work.

- clients counselling on Covid19 up to registering them.
- counting stats.
- receiving medication with professional nurse and packing them accordingly.

- Visiting Clients in their homes in their spare time and bring back the report to the Clinic.
- They triage in waiting area.
- We taught them client observation and reception.

Madam I so wish your program could not stop as it is uplifting these Clinics like Gwedera Clinic.

Thanking you in advance

Yours faithfully

M. Fitane  
Operational Manager,

*M. Fitane*

WONKOWE SUB-DISTRICT  
VICTORIA EAST P.H.C  
GWEDERA CLINIC  
DEPT. OF HEALTH  
DATE 12/02/2020

## ITEM 16/2022

### **STATUS REPORT – ELECTRICITY SERVICES**

#### **1. PURPOSE**

The purpose of this report is for the Engineering Services Standing Committee to note the progress achieved by the Electrical Services Unit in executing its responsibilities for the Third 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 High mast Lights,
- Maintenance of the Electrical Network
- Installation of Meters

#### **3. PROGRESS MADE**

For the the quarter in question, the following activities were achieved by the Electrical Services Unit;

- 28 new electricity meters were installed
- 663 electrical faults were attended
- 8 meters were disconnected for tampering
- 62 streetlights were attended to
- 7 highmast lights were attended to

#### **4. FINANCIAL IMPLICATIONS**

Maintenance Budget (Internal)

#### **5. 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

#### **6. ANNEXURES**

Annexure B – Electrical Services Report

#### **7. RECOMMENDATIONS**

It is **RECOMMENDED** that:

- 1) The Standing Committee notes the Electricity report for the 3<sup>rd</sup> quarter of the 2021/22 FY.

## ANNEXURE B

### Electrical Services Report

#### 1. Background

The report outlines the activities of the department as from January 2022 to the end of March 2022. In the report the following areas are covered.

- Installation of electricity meters
- Maintenance of both Street Lights and High Mast Lights
- Maintenance of municipality 's Electrical network

#### 2. In House Maintenance Progress

The summary report for electricity activities during this quarter from January 2022 to March 2022 is shown below.

Streetlights, High mast lights and infrastructure maintenance is conducted though out with challenges on material procurement and shortage of electricity vehicles which leads to a lot of unresolved complaints from the communities.

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	17	138	3	30	5
Adelaide	4	120	5	5	0
Bedford	7	405	0	2	0
Alice	N/A	N/A	N/A	25	2
Seymour	N/A	N/A	N/A	0	0
Middle drift	N/A	N/A	N/A	0	0

#### 3. Maintenance on Medium Voltage Electrical Network

The electrical network and infrastructure require proper maintenance and currently the infrastructure is giving us unexpected major power outages. The unit performed network repairs on the following areas:

- Faults on old underground Medium Voltage cable supplying Newtown at Fort Beaufort
- Underground Medium Voltage cable supplying Santa Hospital at Fort Beaufort
- Faults on old M.V bundle cable at Adelaide.

## ITEM 17/2022

### STATUS REPORT – CIVIL WORKS

#### 1. PURPOSE

This is to report to the Engineering Services Standing Committee to note the progress made by the Civil Works Section in the 3<sup>rd</sup> quarter of the 2021/22 Financial Year.

#### 2. BACKGROUND

This progress report gives an outlook about the progress made by the Civil Works Section during the period of January 2022 to March 2022. The section is responsible for the maintenance of roads (both surfaced and gravel roads), the maintenance of stormwater drainage system.

#### 3. PROGRESS MADE

The following towns stormwater drainage system was cleaned in the 3<sup>rd</sup> quarter. The table below shows the meters that were cleaned per town.

Bedford	Adelaide	Fort Beaufort	Alice
1238m	3036m	1009m	1591m

With road maintenance, challenges in the form of unavailability of material, unavailability of vehicles, and the breakdowns of yellow plant, has been experienced for most of the quarter.

#### 4. FINANCIAL IMPLICATION

Maintenance Budget (Own Revenue) that is Employees' salaries

#### 5. 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

#### 6. ANNEXURES

Annexure C – Civil Works 3<sup>rd</sup> Quarter Report

#### 7. RECOMMENDATIONS

It is **RECOMMENDED** that:

- 1) The Standing Committee notes the Civil Works report for the 3<sup>rd</sup> quarter of the 2021/22 FY.

## ANNEXURE C

### Civil Works Unit Report

#### 1. Stormwater Maintenance

##### 1.1 Bedford

January			
	Road Name	No. of Stormwater drains cleaned L/R	Distance (M)
1	Adderly Street	2	20
2	Calana Street	2	49
3	Donkin Street	1	41
4	Dyadyies Street	2	22
5	Dyasi Street	2	45
6	Khangela Street	2	50
7	Lindani Street	2	30
8	Lukhanyiso Street	2	40
9	Makhaphela Street	2	61
	<b>Total Cleaned</b>	<b>18</b>	

February			
	Road Name	No. of Stormwater drains cleaned L/R	Distance (M)
1	Field Street	2	20
2	Graham Street	2	91
3	Hart Street	2	48
4	Maitland Street	2	71
5	Napier Street	2	65
6	Ntlama Street	2	41
7	Porter Street	2	55
8	Stockholm Street	2	40
9	Victoria Prospect Street	2	85
	<b>Total Cleaned</b>	<b>26</b>	

March			
	Road Name	No. of Stormwater drains cleaned L/R	Distance (M)
1	Ernist Nal Street	2	71
2	Hope Street	3	81
3	Caledon Street	2	80
4	New Castle Street	1	40
5	Porter Street	4	52
6	Graham Street	2	40
	<b>Total Cleaned</b>	<b>14</b>	

## 1.2 Adelaide

January			
	Road Name	No. of Stormwater drains cleaned L/R	Distance (M)
1	Bonaccord Street	2	60
2	Buitekant Street	2	69
3	Church Street	2	81
4	Thomson Street	2	71
5	Grey Street	2	50
6	Market Square	2	100
7	Market Street	2	97
8	Marres Street	2	67
9	Queen Street	2	91
10	String Fellow Street	2	92
	<b>Total Cleaned</b>	<b>24</b>	

February			
	Road Name	No. of Stormwater drains cleaned L/R	Distance (M)
1	Bonaccord Street	2	100
2	Buitekant Street	1	80
3	Church Street	2	70
4	Dinge Street	2	50
5	Grey Street	1	50
6	Market Square	2	99
7	Pohl Street	1	100
8	Queen Street	2	160
	<b>Total Cleaned</b>	<b>20</b>	

March			
	Road Name	No. of Stormwater drains cleaned L/R	Distance (M)
1	Bonaccord Street	2	200
2	Buitekant Street	2	150
3	Church street	2	90
4	Grey Street	2	99
5	Magwa Street	2	180
6	Market Street	2	150
7	Market square	2	100
8	Marres Street	2	160
9	Queen Street	2	70
10	String Fellow Street	2	100
11	Van Street	2	100
12	Welsh Street	2	150
	<b>Total Cleaned</b>	<b>26</b>	

### 1.3 Fort Beaufort

January			
	Road Name	No. of Stormwater drains cleaned L/R	Distance (M)
1	Ordinance Street	2	100
2	Alice Street	2	140
	<b>Total Cleaned</b>	<b>4</b>	

February			
	Road Name	No. of Stormwater drains cleaned L/R	Distance (M)
1	Somerset Street	2	109
2	Durban Street	2	160
	<b>Total Cleaned</b>	<b>4</b>	

March			
	Road Name	No. of Stormwater drains cleaned L/R	Distance (M)
1	Somerset Street	2	100
2	Durban Street	2	190
3	Jacaranda Street	2	120
4	Mitchell Street	2	90
	<b>Total Cleaned</b>	<b>8</b>	

### 1.4 Alice

January			
	Road Name	No. of Stormwater drains cleaned L/R	Distance (M)
1	Taxi Rank	2	99
2	Happy Rest	2	182
3	Garden Street	2	120
4	Tyume Street	2	80
	<b>Total Cleaned</b>	<b>8</b>	

February			
	Road Name	No. of Stormwater drains cleaned L/R	Distance (M)
1	Chris Hani Street	2	90
2	Bridge Street	2	70
3	Robertson Street	2	120
4	Main Street	2	150
5	Gaga Street	2	80
	<b>Total Cleaned</b>	<b>10</b>	

March			
	Road Name	No. of Stormwater drains cleaned L/R	Distance (M)
1	Catherine Street	2	150
2	Tyume Street	2	100
3	Taxi Rank	2	160
4	Garden Street	2	190
	<b>Total Cleaned</b>	<b>8</b>	

## ITEM 18/2022

### STATUS REPORT – PROJECT MANAGEMENT UNIT (PMU)

#### 1. PURPOSE

The purpose of this report is for the Engineering Services Portfolio Committee to note the progress achieved by the Project Management Unit (PMU) department in executing its responsibilities for the 3<sup>rd</sup> Quarter of the 2021/22 Financial Year.

#### 2. 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 maximizing 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.

#### 3. PROGRESS MADE

Out of the allocation of R41.3m, an amount of R14.7m had been transferred to the municipality and R15.4m has been expended. The expenditure therefore of the transferred amount is 105% and the overall is 37%. All projects for this Financial Year are on implementation stage and are progressing well, though challenges are experienced in some. A detailed report is attached as Annexure D.

#### 4. FINANCIAL IMPLICATIONS

None.

#### 5. 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

#### 6. ANNEXURES

Annexure D – Project Management Unit Report

#### 7. RECOMMENDATIONS

It is **RECOMMENDED** that:

- 1) The Standing Committee notes the PMU report for the 3<sup>rd</sup> quarter of the 2021/22 FY.

## ANNEXURE D

### 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	Amount Received	Expenditure	(%) Against transfer	Balance to be transferred	(%) on the MIS against Allocation
2021/22	R41,333,000	R14,721,000	R15,411,979.81	105	R26,612,000	37%

#### 3. Progress of MIG 2021/2022 projects

No	Projects	Budget (R)	Status	Progress %	Challenges	Remedial Actions
1	Bedford Access Road Phase 3	5,000,000	Construction	90%	Progressing well	None
2	Paving of Seymour Internal Street Phase 2	3,000,000	Practically Complete	95%	None	None
3	Installation of High mast lights in Raymond Mhlaba Townships Phase 3	5,000,000	Construction	30%	Materials scarcity	Suppliers to deliver on time
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	90%	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	92%	Slow progress on site, lack of resources	Project to be completed before end of June 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	90%	None	None
10	Alice Driver's License Testing Centre	1,000,000	Practical Complete	95%	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	95%	None	None
13	Paving of Jampa Street	3,000,000	Construction	35%	Slow progress on site due to SMME and labour issues.	Acceleration plan submitted and approved.
14	Paving of Goma-Goma, Mike Valley, and Kuwait Internal Streets	4,500,000	Complete	100%	None	None

15	Construction of Rhwantsana Community Hall	2,500,000	Complete	100%	None	None
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## ITEM 19/2022

### **STATUS REPORT - UPGRADING OF INFORMAL SETTLEMENT WITHIN ADELAIDE, BEDFORD, BALFOR AND FORT BEAUFORT TOWN**

#### **1. PURPOSE**

The purpose of this report is for the Engineering Services Portfolio Committee to note the progress achieved by the municipality in the implementation of the Upgrading of Informal Settlements through the Department of Human Settlements and Housing Development Agency.

#### **2. BACKGROUND**

The Raymond Mhlaba Municipality received a request and an allocation from the Department of Housing for the upgrading of all informal settlement within affected towns of Adelaide, Bedford, Balfour, and Fort Beaufort. A Service Level Agreement was signed between the department and the municipality and the fund manager is Housing Development Agency (HDA). The fund manager for the project is HDA as appointed by the DHS 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.

#### **3. PROGRESS MADE**

Consultants for the project have appointed and work in the respective areas of Fort Beaufort, Adelaide, and Bedford, has taken place. Community meetings in all the areas have taken place. Detailed progress of the project is contained on Annexure E.

#### **4. FINANCIAL IMPLICATIONS**

Housing Development Agency is the one that is accounting with funds

#### **5. LEGAL FRAMEWORK**

- National Housing Code 2000
- Breaking New Ground 2004
- Environmental Management Act (No. 107 of 1998)
- SPLUMA 16 of 2013

#### **6. ANNEXURES**

Annexure E – Upgrading of Informal Settlement Project Progress Report

#### **8. RECOMMENDATIONS**

It is **RECOMMENDED** that:



- 1) The Standing Committee notes the Upgrading of Informal settlement (NUSP) through the Department of Human Settlement and HDA.



**FORMALIZATION OF VARIOUS INFORMAL SETTLEMENTS SITUATED IN RAYMOND MHLABA MUNICIPALITY RAYMOND MOHLABA LOCAL MUNICIPALITY**

**PROGRESS REPORT**

**10 DECEMBER 2021**

CONSULTANT:	PREPARED FOR:
	
<b>FVTE (PTY) LTD</b> 678 NU15 Mdantsane East London 5219	<b>RAYMOND MHLABA MUNICIPALITY, HOUSING DEVELOPMENT AGENCY, EASTERN CAPE DEPARTMENT OF HUMAN SETTLEMENTS</b> 8 Somerset Street Fort Beaufort 5720
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<b>Document Name:</b>	<b>INCEPTION REPORT: FORMALIZATION OF VARIOUS INFORMAL SETTLEMENTS SITUATED IN RAYMOND MHLABA MUNICIPALITY</b>
<b>Document Author/Owner:</b>	<b>FVTE</b>

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<b>Document Sign-off</b>	<b>Name</b>	<b>Position/Work Stream Role</b>	<b>Date Signed</b>
	Musiiwa Nemaunguhwi	Project Director	10/12/2021
	Vusi Mahlangu Windus Madubanya,	Project Managers	10/12/2021

**DOCUMENT CONTROL INFORMATION**

<b>Effective from</b>	<b>Version Number &amp; Amendment Details</b>	<b>Nature of the Change</b>	<b>Amended By</b>	<b>Reviewed By</b>	<b>Approved By</b>
10.12.2021	V000	-	-	-	-

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## 1. INTRODUCTION

### 1.1. Purpose of this Document

The Purpose of this document is to report on the progress of the Project that the Municipality has tasked FVTE to execute. This document must be read in conjunction with the following related Documents:

- Service Level Agreement
- Project Inception report

### 1.2. Audience

This document is intended for the following audience:

- I. The **RAYMOND MHLABA LOCAL MUNICIPALITY, EASTERN CAPE PROVINCIAL DEPARTMENT OF HUMAN SETTLEMENT, THE HOUSING DEVELOPMENT AGENCY**
- II. The FVTE Project Team

## 2. PROJECT DEFINITION

### 2.1. Background

FVTE was appointed by the Raymond Mhlaba Local Municipality in collaboration with the Eastern Cape Provincial department of human settlements to formalize in 11 informal settlements situated in Bedford Town, Balfour Town, Fort Beaufort Town and Adalaide Town.

Preceding this report is an Inception Report which outlined the phases of the project and the necessary deliverables.

The second activity of the project entails as outlined in the scope of work is the assessment and categorisation of the informal settlements and development of the upgrading

The assessment and categorisation of each of the informal settlements, lays the basis of the informal settlement upgrading plans, policy, strategy and programme. The foundation of which is the specific purpose for this report. This process is also the first step towards developing a more viable strategy and programme.

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It was necessary to conduct this assessment and categorisation first, in order to determine the current status of the informal settlements. This is because it establishes the appropriate development response.

Furthermore, Enumeration of all settlements (100%) to create and register a list of people residing on the informal settlements. Enumeration consisted of field Work Preparation, recruitment and training of field workers and household survey.

## 2.2. Tasks undertaken

The following task were undertaken as per our Inception Report;

- Topographical/Topographical Survey (base map)
- Desktop Geotechnical study
- Household registration
- Structure count
- Desktop environmental study
- Services report (existing interim services and availability of bulk services)
- Engagements with relevant councillors
- Cadastral descriptions

## 3. ENGAGEMENTS

The following are a series of activities that have been engaged on the project:

- On the 19th of July 2021 a meeting with Mrs Luntu took place at the Municipality 's office. The meeting paved a way which was followed to visit the Ward councillors of the 4 affected regions. Bedford town region, Balfour Town Region, Fort Bedford Region and Adelaide Town Region were represented by Councillor Mahleza, Councillor Jezile, Councillor Black and Councillor MJ Jabula respectively during the site visits.
- Further engagements took place between the 7<sup>th</sup> and the 8<sup>th</sup> of December 2021 with the currently inducted councillors.

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## 4. ACQUIRED INFORMATION FROM THE ACTIVITIES THAT TOOK PLACE

### 4.1 Topographical/Aerial Survey (base map)

The topographical survey took place with the sole aim of obtaining the following information with the sole purpose of using it to create a base map;

#### General

- Relationship of site levels to mean sea level.
- Level datums on benchmarks near the site with descriptions.
- National cadastral grid.
- Building lines at ground level.
- Stand boundaries.
- Position, size and extent of power line servitudes / restricted zones.
- Stand numbers including adjacent sites.
- Township name.
- Street names.

#### Topographic

- Position and level at each beacon
- Position and level at every change of slope.

#### Physical features

- On the site or on any boundary or on an adjoining site within a minimum of ten metres
- Full river profile, including the tops and bottoms of river banks, high and low points,

#### Structures

- Rock outcrops, dongas, borrow pits
- Positions of pylons for overhead power lines
- Major trees.
- Existing buildings including ground floor and foundation levels.
- Roads, fences, foundations, pits, etc.
- Nature and extent of existing hard standings.

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#### **4.2 Desktop Geotechnical and environmental study**

Desktop Geotechnical and environmental investigations studies conducted includes the geological, geotechnical, land Facet as well as environmental sensitivities, The existence of low laying areas which could be subjected to flooding and swamp, potential slope instability conditions and unstable ground subject to formations were checked. The existence/nonexistence of the afore mentioned geotechnical and environmental constraints were used to categorise the informal settlements.

#### **4.3 Household registration and structure count**

A household register bearing the names, surnames, identity numbers, number of structures as well as their employment status has been compiled.

#### **4.4 Services report (existing interim services and availability of bulk services)**

Information relating to the types, conditions of services which are currently available on site was acquired and recommendations with regards to additional interim services which are needed were made

#### **4.5 Engagements with relevant councillors**

Meetings with the councillors of affected wards took place. During these meetings councillors were briefed about the project and identification and training of field workers to help with the enumeration took place.

#### **4.6 Cadastral descriptions**

An investigation was conducted to acquire the cadastral property descriptions of the properties which are affected by the informal settlements.

### **COMMUNITY UPLIFTMENT**

members of the community were employed during the project. Their involvement on the project was for a period of 3 to 4 days and they were required to work for 7 hours a day at remuneration rate of R 250.00 per day. Their rate per hour was R 35.70 which is R 15.70 more than the recommended national minimum wage per hour. FVTE pride its self in adhering to fair labour processes thus there two employed general workers were paid in full and on time as per agreement.

## 5 NEXT MILESTONES

Next Milestone to be achieved as indicated in the table below.

Phase	Duration (in Weeks)	Deliverable	Start	End
Phase 1	1	Inception Report	27 September 2021	01 October 2021
	4	Assessment and Categorization Report	11 October 2021	13 December 2021
	4	Settlement Upgrading Plans	08 November 2021	17 December 2021
Phase 2	2	Sustainable Livelihoods Programme	10 January 2021	21 January 2021
	2	Integrated Settlements Upgrading Programmes	24 January 2022	31 January 2022
	8	Detailed Land investigation reports	31 January 2022	18 March 2022
	2	Layout Plans	21 March 2022	01 April 2022
Phase 3	4	Pegged stands	04 April 2022	29 April 2022
	4	Issuing of occupation permits	02 May 2022	27 May 2022
	78	Approved Townships	02 June 2022	17 December 2023
Phase 4	26	Engineering services	10 January 2024	10 August 2024
	13	Issuing of title deeds	01 September 2024	17 December 2024

<u>Conveyancers</u>	<u>Project Name</u>	<u>Project Number</u>	<u>Local Municipality</u>	<u>Region</u>
DM Lukhozi Attorneys	Dutywa Ext 8 753 Units	C06120001/1	Mbashe LM	ADM
Pumla Mncwango INC.	Butterworth 282	C01030015/1	Mnquma LM	ADM
"	Dimbaza Blind	C13020022/1	Bcmm	Bcmm
"	KWT Golf Course	C01050003/1	Bcmm	Bcmm
"	Potsdam North Kanana 924	C14070004/1	Bcmm	Bcmm
"	EL - R/Land Ph1 (Reeston)4264 Ph 1B - 606 subs	C04080003/1	Bcmm	Bcmm
"	Orange Groove 3500	C15050003/1	Bcmm	Bcmm
Makombe Bunyonyo	East London - Duncan Village - 352 units	C00110001/1	Bcmm	Bcmm
"	EL - R/Land Ph1 (Reeston)4264 Ph 1C Motheo 500 subs	C07020001/1	Bcmm	Bcmm
Taleni Godi Kupiso INC.	Molteno Airstrip - 1127 subs	C09070006/2	Enoch Mgijima LM	Chris Hani
Mandy Miller Attorneys INC.	Petason 450	C04020002/1	Sundays River LM	SB
"	Pearston 50	C09100005/1	Sundays River LM	SB
De Wet & Stryder	Moses Mabhidha 250 subs	C03100009/1	Sundays River LM	SB
"	Addo Valencia 426 subs	C01100010/1	Sundays River LM	SB
"	Addo Valencia 246 subs	C03100007/1	Sundays River LM	SB
Neave Stotter INC.	Kenton on Sea 564	C10060002/1	Ndlambe LM	SB
Jolwana Mgidlana INC.	East London - Reeston Phase 3 Stage 3 - 1137 subs	C13020023/2	Bcmm	Bcmm
Magqabi Seth Zita Incorporated	East London - Reeston Phase 3 Stage 3 - 1137 subs	C13020023/2	Bcmm	Bcmm
NC Mjamba Attorneys INC.	Mbizana 188 10 Units	C99080002/1	Mbizana LM	Alfred Nzo
"	Mbizana 800 20 Units	C00070008/1	Mbizana LM	Alfred Nzo
"	Mt Ayliff 700 subs 333 Units	C99110003/1	Urmzimvubu LM	Alfred Nzo
M. Tshiki and Sons (PTY)LTD	Ngqeleni - 420 subs 87 Units	C97120010/1	Nyandeni LM	OR Tambo
"	Libode - 833 subs 12 Units	C98070005/1	Nyandeni LM	OR Tambo
"	OR Tambo - Military Veterans Urban 57 subs 40 Units	C12120004/1	Ksd LM	OR Tambo
"	Matatiele - Harry Gwala 583 subs 28 Units	C08090003/1	Matatiele LM	Alfred Nzo
"	Mount Frere 341 subs 333 Units	C00070010/1	Urmzimvubu LM	Alfred Nzo
Sityana Brittain INC.	Aliwal North 140 subs 140 Units	C11110001/1	Walter Sisulu LM	Joe Gqabi
"	Aliwal North - Hilton 94 subs 59 Units	C14100004/1	Walter Sisulu LM	Joe Gqabi
"	Burgsdorp 123 subs 82 Units	C09090011/2	Walter Sisulu LM	Joe Gqabi
"	Burgsdorp - Destitutes 30 subs 30 Units	C15070004/1	Walter Sisulu LM	Joe Gqabi
"	Venterstad - R/Land Ph 2 - 360 subs	C08060001/1	Walter Sisulu LM	Joe Gqabi
"	Aliwal North 140	C11110001/1	Walter Sisulu LM	Joe Gqabi

Nolufefe Felicia samalenge	Molteno Airstrip - 1127 subs	C09070006/2	Enoch Mgijima LM	Chris Hani
Bax Kaplan Russel Incorporated	Alice - R/Land Ph 2 (Golf Course) - 1233 subs	C01100050/1	Raymond Mhlaba LM	ADM
Malusi and Company	Kei Road - Northern Node 421 subs (144 units)	C17070013/1	Great Kei LM	ADM
"	Komga - 1140 units Komga Zone 10 - 570 subs 248 units	C18080016/1	Great Kei LM	ADM
"	Komga - R/Land Ph 1 - 231 subs 58 units	C01020001/1	Great Kei LM	ADM
Clayton Mkhululi Manxiwa & CO	Peddie - 500 subs 50 units	C97090009/1	Ngqushwa LM	ADM
Khaya Dywantsi Attorneys	Herschel - R/Land Ph 2 - 700 subs 500 units	C02100001/1	Senqu LM	Joe Gqabi
"	Alice - R/Land Ph 2 (Kuntselamantzi) - 228 subs	C01100051/1	Raymond Mhlaba LM	ADM
"	Alice - Ntzelelantzi/Hilcrest - 818 subs	C97100005/1	Raymond Mhlaba LM	ADM
"	Bedford - Goodwill Park - 200 subs	C00120017/1	Raymond Mhlaba LM	ADM
"	Bedford - Nyarha - 161 subs	C96060001/1	Raymond Mhlaba LM	ADM
"	Bedford 172 subs	C03110006/1	Raymond Mhlaba LM	ADM
"	Adelaide - Mud Houses 428 subs	C05040001/1	Raymond Mhlaba LM	ADM
"	Adelaide - R/Land Ph 2 - 481 subs	C01100031/1	Raymond Mhlaba LM	ADM
"	Adelaide - R/Land Ph 1 - 624 subs	C00120016/1	Raymond Mhlaba LM	ADM
Matwa Nongogo INC	Bushmans River - Marselle 269 subs 25 units	C04040020/1	Raymond Mhlaba LM	ADM
"	Bushmans River - 230 subs 19 units	C00090008/1	Ndlambe LM	SB
"	Alexandria - Wentzelpark - 401 subs 9 Units	C00120002/1	Ndlambe LM	SB
"	Kenton on Sea - 600 subs 9 Units	C97090008/1	Ndlambe LM	SB
"	Port Alfred - 1095 subs 86 Units	C10120007/1	Ndlambe LM	SB
"	Port Alfred - Nemato 120 subs 115 Units	C09080001/1	Ndlambe LM	SB
"	Port Alfred - Thornhill 509 subs 63 Units	C09020002/5	Ndlambe LM	SB
"	Port Alfred - Phase 3 - 846 subs 52 Units	C02100003/1	Ndlambe LM	SB
"	Port Alfred - Trappes Valley 50 subs 47 Units	C11100001/1	Ndlambe LM	SB
"	Grahamstown - Kings Flats 122 subs 25 Units	C04040005/1	Makana LM	SB
"	Grahamstown - R/Land Ph 2 (Thantyi) - 250 subs 43 Units	C02020001/1	Makana LM	SB
"	Alicedale Destitutes 27 subs 7 Units	C15030001/1	Makana LM	SB
Zibi Attorneys J.V	Grahamstown - Eluxolweni 176 subs 150 Units	C08050002/2	Makana LM	SB
"	Grahamstown - Fingo Village 577 subs (Topstructure) 198 U	C07110013/1	Makana LM	SB
"	Grahamstown - Fort Brown 250 subs 97 Units	C10080005/1	Makana LM	SB
"	Grahamstown - Makana 161 subs Emergency units 40 Units	C11100005/1	Makana LM	SB
"	Grahamstown - R/Land Ph 2 (Newtown) - 90 subs 13 Unit:	C01120003/1	Makana LM	SB
"	Grahamstown - R/Land Ph 1 (Kings Flats) - 234 subs 1 Unit	C010300008/1	Makana LM	SB

"	Grahamstown - Kopkes Farm 393 subs 1 Unit	C96090010/1	Makana LM	SB
L. Guzana INC. Attorneys	Grahamstown - Seven Fountains 229 subs 223 Units	C10080004/1	Makana LM	SB
"	Grahamstown - R/Land Ph 2 (Victoria Rd) - 99 subs 26 Uni	C01100059/1	Makana LM	SB
"	Woodlands - 423 subs 26 Units	C97020006/1	Kou - Kamma LM	SB
"	Tsitsikamma Stormsriver - 470 subs 71 Units	C00090001/1	Kou - Kamma LM	SB
"	Louterwater - R/Land Ph 2 - 589 subs 17 Units	C01100008/1	Kou - Kamma LM	SB
"	Kreedouw - R/Land 447 subs 27 Units	C00110003/1	Kou - Kamma LM	SB
"	Hankey Centerton 160 subs 67 Units	C04010004/1	Kou - Kamma LM	SB
"	Hankey Centerton 150 subs 43 Units	C04010003/1	Kou - Kamma LM	SB
Enzo Meyers Attorneys	Mcbride Village 678 subs 500 Units	C03040005/1	Enoch Mgijima LM	Chris Hani
"	Mcbride Village 678 subs	C03040005/1	Enoch Mgijima LM	Chris Hani
Mda Mncedane INC. & Graham				
Mpeto & associates	Who Can Tell 708 subs 500 Units	C03040007/1	Enoch Mgijima LM	Chris Hani
"	Who Can Tell 708 subs	C03040007/1	Enoch Mgijima LM	Chris Hani
Mase & Mukoyi INC.	Alexandria - R/Land Ph 2 - 714 subs 272 Units	C01100023/1	Ndlambe LM	SB
"	Kenton on Sea - 221 units 109 Units	C04020001/1	Ndlambe LM	SB
"	Klipfontein - 220 subs 82 Units	C01030006/1	Ndlambe LM	SB
"	Bathurst 157 subs 37 Units	C06110002/1	Ndlambe LM	SB
BNI Attorneys	Tsitsikamma Clarkson -575 subs 500 Units	C97040003/1	Kou - Kamma LM	SB
TP Dunywa Attorneys	KWT - Ilitha 177 subs 108 Units	C15090001/1	BCMM	BCMM
"	East London - Mdantsane Zone CC - 427 subs 160 Units	C97120014/1	BCMM	BCMM
"	KWT - Ginsberg West - 859 subs 232 Units	C01050002/1	BCMM	BCMM
C Mabunda INC	East London - Mdantsane Infill Area - 1459 subs 500 Units	C14100005/1	BCMM	BCMM
K Gcolothela and Peter				
Incorporated	East London - Mdantsane Infill Area - 1459 subs 500 Units	C14100005/1	BCMM	BCMM
G.N Moabelo Inc.	East London - Cambridge Ext 3 - 198 Php subs 58 Units	C02070002/1	BCMM	BCMM
"	East London - Chris Hani - 304 subs 229 Units	C01080001/1	BCMM	BCMM
"	East London - Chris Hani Park - 105 subs USDG 97 Units	C12070007/1	BCMM	BCMM
"	East London - Duncan Village DVRI - 323 subs - 116 units	C10110025/1	BCMM	BCMM
Total				

<u>Scope of Work</u>	<u>Amount</u>	<u>Total</u>
500 Title Deeds	R655.500.00	R655.500.00
27 Title Deeds	R35.397.00	
27 Title Deeds	R35.397.00	
90 Title Deeds	R117.990.00	
250 Title Deeds	R327.750.00	
106 Title Deeds	R138.966.00	R655.500.00
Opening of T/Register	R1.457.155.00	R1.457.155.00
209 Title Deeds	R273.999.00	
291 Title Deeds	R381.501.00	R655.500.00
500 Title Deeds	R655.500.00	R655.500.00
450 Title Deeds	R589.950.00	
50 Title Deeds	R65.550.00	R655.500.00
96 Title Deeds	R125.856.00	
363 Title Deeds	R475.893.00	
41 Title Deeds	R53.751.00	R655.500.00
500 Title Deeds	R655.500.00	R655.500.00
500 Title Deeds	R655.500.00	R655.500.00
500 Title Deeds	R655.500.00	R655.500.00
10 Title Deeds	R13.110.00	
20 Title Deeds	R26.220.00	
470 Title Deeds	R616.170.00	R655.500.00
87 Title Deeds	R114.057.00	
12 Title Deeds	R15.732.00	
40 Title Deeds	R52.440.00	
28 Title Deeds	R36.708.00	
333 Title Deeds	R436.563.00	R655.500.00
140 Title Deeds	R183.540.00	
59 Title Deeds	R77.349.00	
82 Title Deeds	R107.502.00	
30 Title Deeds	R39.330.00	
189 Title Deeds	R247.779.00	R655.500.00
Opening of T/Register	R58.286.20	R58.286.20

500 Title Deeds	R655.500.00	R655.500.00
500 Title Deeds	R655.500.00	R655.500.00
144 Title Deeds	R188.784.00	
248 Title Deeds	R325.128.00	
58 Title Deeds	R76.038.00	
50 Title Deeds	R65.550.00	R655.500.00
500 Title Deeds	R655.500.00	R655.500.00
99 Title Deeds	R129.789.00	
123 Title Deeds	R161.253.00	
5 Title Deeds	R6.555.00	
16 Title Deeds	R20.976.00	
50 Title Deeds	R65.550.00	
153 Title Deeds	R200.583.00	
26 Title Deeds	R34.086.00	
28 Title Deeds	R36.708.00	R655.500.00
25 Title Deeds	R32.775.00	
19 Title Deeds	R24.909.00	
9 Title Deeds	R11.799.00	
9 Title Deeds	R11.799.00	
86 Title Deeds	R112.746.00	
115 Title Deeds	R150.765.00	
63 Title Deeds	R82.593.00	
52 Title Deeds	R68.172.00	
47 Title Deeds	R61.617.00	
25 Title Deeds	R32.775.00	
43 Title Deeds	R56.373.00	
7 Title Deeds	R9.177.00	R655.500.00
150 Title Deeds	R196.650.00	
198 Title Deeds	R259.578.00	
97 Title Deeds	R127.167.00	
40 Title Deeds	R52.440.00	
13 Title Deeds	R17.043.00	
1 Title Deeds	R1.311.00	

1 Title Deeds	R1.311.00	R655.500.00
223 Title Deeds	R292.353.00	
26 Title Deeds	R34.086.00	
26 Title Deeds	R34.086.00	
71 Title Deeds	R93.081.00	
17 Title Deeds	R22.287.00	
27 Title Deeds	R35.397.00	
67 Title Deeds	R87.837.00	
43 Title Deeds	R56.373.00	R655.500.00
500 Title Deeds	R655.500.00	R655.500.00
Opening of T/Register	R282.271.74	R282.271.74
500 Title Deeds	R655.500.00	R655.500.00
Opening of T/Register	R294.761.64	R294.761.64
272 Title Deeds	R356.592.00	
109 Title Deeds	R142.899.00	
82 Title Deeds	R107.502.00	
37 Title Deeds	R48.507.00	R655.500.00
500 Title Deeds	R655.500.00	R655.500.00
108 Title Deeds	R141.588.00	
160 Title Deeds	R209.760.00	
232 Title Deeds	R304.152.00	R655.500.00
500 Title Deeds	R655.500.00	R655.500.00
500 Title Deeds	R655.500.00	R655.500.00
58 Title Deeds	R76.038.00	
229 Title Deeds	R300.219.00	
97 Title Deeds	R127.167.00	
116 Title Deeds	R152.076.00	R655.500.00
	<u>R20.446.474.58</u>	<u>R20.446.474.58</u>

## UPGRADING OF INFORMAL SETTLEMENTS PROGRAMME IN AMATHOLE DISTRICT MUNICIPALITY

RAYMOND MHLABA LOCAL MUNICIPALITY PMT MEETING NO: 2

### MINUTES

<b>Date :</b>	04 March 2022
<b>Time :</b>	10h00
<b>Venue :</b>	<b>Adelaide</b> (Lingelethu Community Hall)
	GPS Coordinates: -32.69631 S, 26.30634 E
<b>Affected Settlements</b>	<b>Mpolweni, Emabaleni, Kuwait, &amp; Spoonet</b>

<b>Attendees</b>			
<b>Name &amp; Surname</b>	<b>Organisation</b>	<b>Email Address</b>	<b>Contact Number</b>
Luntu Mtyundyutho	R M Local Municipality	Luntu8@gmail.com	
Masixole Tukani	Ward Councillor	masixoleshilembe@gmail.com	
Zintombi Jantjie	PSC		
Tsepo Maset	PSC		
Patricia Ntengu	PR Cllr	padayile@gmail.com	
Benjamin Sletshe	PSC		
Xola Best	PSC		
Andile Jebe	PSC		
Simphiwe Mtwehana	PSC		
Xolani Kiti	Yoruba Solar		
Musiiwa Nemaunguhwi	FVTE	musiiwa@fvte.co.za	
M Nemaunguhwi'	FVTE	mashudu@fvte.co.za	
W Madubanya	FVTE	windus@fvte.co.za	
N. Mqadi	KMSD	Mqadinhlanya@gmail.com	
T Dlamini	KMSD	teluyengod@kmsd.co.za	
<b>Apologies</b>			
Mr Goba from the Department of Human Settlements	ECDHS		

#### Minutes

<b>Item</b>	<b>Description</b>	<b>Action</b>
<b>1</b>	<b>Opening and Welcoming</b> Mr Nemaunguhwi (Social Facilitator) welcomed all meeting attendees	
<b>2</b>	<b>Meeting Agenda</b> To give progress update on the implementation of Interim Services	
<b>3.</b>	<b>Discussion on Interim Services</b>	

Item	Description	Action
	<ul style="list-style-type: none"> <li>• A total of (4) four boreholes have been drilled to date in Adelaide in the following areas: Mpolweni, Emabaleni, Fairview and Spoornet.</li> <li>• Two (2) boreholes have been equipped. Equipping of borehole including four (4) water tanks, 4 solar panels and fencing has been completed in Spoornet</li> <li>• all areas have no sewer reticulation system except for Spoornet</li> <li>• Roads have been re-gravelled in all four areas, however there are issues of access , graders cannot access some areas such as Mpolweni</li> <li>• Toilets are being piloted in all areas ,10 in Total</li> </ul>	
4	<p><b>Matter for Discussion</b></p> <ul style="list-style-type: none"> <li>• Community requested sewer reticulation in areas where its non-existent</li> <li>• Areas of concern were around the provision of toilets. The Municipality responded that the request would be escalated to District (Amatole). Further engagements to be done with Amatole</li> <li>• Electricity issues- community raised the issue of electricity. It was explained that 56 houses are without electricity within the settlements in Adelaide. ( the municipal representative was engaged in the meeting and she requested the list actioning)</li> <li>• the councillor alluded to providing a list of houses without electricity per informal settlement</li> <li>• The PRT explained that there is an approved layout out plan for Emabaleni. Emabaleni is at an advanced stage as far town planning is concerned and permanent designs have started. the PRT further explained that plans awaiting SG Approval for permanent sewer connection for each stand</li> <li>• it was explained that no structures will be moved only boundaries (fences) will be affected where necessary</li> <li>• The PRT explained why no borehole has been drilled in Kuwait. Kuwait to be relocated. The meeting resolved that taps connecting from water tanks in the interim connecting water from the closest borehole which is Mpolweni</li> <li>• Relocation plan for Kuwait has been submitted for approval</li> <li>• Community engagements will be done in parallel to the surveying and pegging. the importance of not removing pegging was stressed and the Municipality alluded to this</li> <li>• A maintenance plan for sanitation to be adopted. the PRT explained that no budget was allocated for maintenance, however the project will be handed over to the Municipality and the District thereafter</li> </ul>	

Item	Description	Action
5	<b>Summary Actions</b>  Amathole District to be invited to the next PMT meeting to discuss issues around project handover	
6	<b>Closure &amp; Date of Next Meeting</b> The meeting was adjourned at 13h30. The next meeting will be held on the first week of April 2022	

**Approval of Minutes**

Raymond Mhlaba Local Municipality

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Name & Surname

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Date

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Name & Surname

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Date

KMSD Engineering Consultants

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Name & Surname

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Date

## UPGRADING OF INFORMAL SETTLEMENTS PROGRAMME IN AMATHOLE DISTRICT MUNICIPALITY

RAYMOND MHLABA LOCAL MUNICIPALITY PMT MEETING NO:2

### MINUTES

<b>Date :</b>	04 March 2022
<b>Time :</b>	14h00
<b>Venue :</b>	Bedford Community Hall
	GPS Coordinates: 32°46'09.7S, 26°39'22.7 E
<b>Affected Settlements</b>	New Rest, Ndlovini, Sizakhele and Tyoksville

<b>Attendees</b>			
<b>Name &amp; Surname</b>	<b>Organisation</b>	<b>Email Address</b>	<b>Contact Number</b>
Luntu Mtyundyutho	R M Local Municipality	Luntu8@gmail.com	
M Mahleza	Ward Councillor	Mphomahleza@gmail.com	
Princess Jebi	PSC	Princess.jebe@gmail.com	
Sigxibo Bawa	PSC		
S Vena	PSC	Vena.siya@gmail.com	
Linda Mlomo	PSC	lindomlomo@gmail.com	
Elina Slatsha	PSC		
Andile Tawule	PSC		
P Jack	PSC		
Q Ndamase	PSC		
Musiiwa	FVTE	<a href="mailto:musiiwa@fvte.co.za">musiiwa@fvte.co.za</a>	
Nemaunguhwi			
M Nemaunguhwi'	FVTE	<a href="mailto:mashudu@fvte.co.za">mashudu@fvte.co.za</a>	
W Madubunya	FVTE	<a href="mailto:windus@fvte.co.za">windus@fvte.co.za</a>	
N. Mqadi	KMSD	<a href="mailto:Mqadinhlaha@gaail.com">Mqadinhlaha@gaail.com</a>	
. Dlamini	KMSD	<a href="mailto:teluyengod@kmsd.co.za">teluyengod@kmsd.co.za</a>	
<b>Apologies</b>			
Mr S Goba	Department of Human Settlements (ECDHS)		

### Minutes

<b>Item</b>	<b>Description</b>	<b>Action</b>
<b>1</b>	<b>Opening and Welcoming</b>  Mr Nemanguhwi (Social Facilitator) welcomed all meeting attendees	
<b>2</b>	<b>Meeting Agenda</b>  To give progress update on the implementation of Interim Services	

Item	Description	Action
3.	<p><b>Discussion on Interim services</b></p> <ul style="list-style-type: none"> <li>• Four (4) boreholes have been drilled in Bedford in 4 area namely Sizakhele, Tyoksville, New Rest and Ndlovini.</li> <li>• Two (2) out of 4 boreholes have been equipped; water tanks installed and fenced off.</li> <li>• The PRT is currently piloting toilets within the settlement. The community wanted explanation why some household have not received toilets yet. it was explained that the toilets are used specifically as a pilot to determine whether they will work or not, illuminating products that did not work in the past</li> <li>• A grader has completed widening internal roads in Sizakhele and Ndlovini</li> <li>• Concerns raise by the community over kids playing around the two incomplete drilled boreholes. The PRT explained that the stones placed as a cover were a temporary safety measure and explained that equipping was to follow shortly.</li> </ul>	
4	<p><b>Discussion</b></p> <p>Community Remarks</p> <p>Community acknowledged there was work on the ground being done by the PRT. Surveyors have been on site and a lot has been regarding the provision of interim services</p> <p>Visibility of PRT gives confidence to the community</p> <p>The PRT gave an update on progress of the project. The following was explained;</p> <ul style="list-style-type: none"> <li>• Two areas were at an advanced stage in terms of town planning. The town planning application were approved for Sizakhele and Tyoksville, however, New Rest and Ndlovini had no layout plans approved .</li> <li>• Engineering designs have been done for Sizakhele and Tyoksville</li> <li>• Other areas will follow as far as town planning is concerned</li> </ul> <p>The importance of safety for the installed infrastructure was briefly explained to the community. The PRT emphasised the importance of ensuring safety of the newly installed infrastructure provided in their communities. The PRT explained further that provision of fencing and razor wire and lighting would be done, however it is insufficient. and the community need to protect their own infrastructure</p> <p>Matters arising</p>	

Item	Description	Action
	<ul style="list-style-type: none"> <li>Concerns raised by the community of the inconsistencies in the pace of town planning development within the 4 areas in Bedford. Community explained it would create commotion in areas that behind.</li> <li>the PRT explained that no areas are being prioritised, however some areas already had layout plans approved when the project started</li> <li>The meeting resolved that a public meeting will be set up where the community will be addressed by the PRT to explain the issues around development inconsistency</li> <li>It was resolved that a project status matrix to be presented in the public meeting</li> </ul>	
	<p><b>Summary Actions</b></p> <p>A public meeting to be set up by PSC</p> <p>A project status matrix to be presented</p>	
	<p><b>Closure &amp; Date of Next Meeting</b></p> <p>Meeting was adjourned at 15h47. Date of the next meeting will be on the first week of April</p>	

**Approval of Minutes**

Raymond Mhlaba Local Municipality

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Name & Surname

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Date

KMSD Engineering Consultants

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Name & Surname

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Date

FVTE

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Name & Surname

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Date

## UPGRADING OF INFORMAL SETTLEMENTS PROGRAMME IN AMATHOLE DISTRICT MUNICIPALITY

RAYMOND MHLABA LOCAL MUNICIPALITY PMT MEETING NO: 2

### MINUTES

<b>Date :</b>	03 March 2022
<b>Time :</b>	14h00
<b>Venue :</b>	Balfour Community Hall
	GPS Coordinates: 32,54254°S, 26, 67971° E
<b>Affected Settlement</b>	<b>Balfour</b>

<b>Attendees</b>			
<b>Name &amp; Surname</b>	<b>Organisation</b>	<b>Email Address</b>	<b>Contact Number</b>
S Goba	ECDHS	SamkeleG@ecdhs.gov.co.za	
Luntu Mtyundyutho	R M Local Municipality	Luntu8@gmail.com	
Nkuthalo Qule	Ward Councilor	l.kheswa@gmail.com	
Lazola Kheswa	PSC		
Mlandeli Mkonto	PSC	mlandelimkonto@gmail.com	
Wendoline Mentoor	PSC		
Sabelo Seti	PSC		
Gcobisa Mandlake	PSC		
R.S Mkonto	PSC		
Lindelwa Mango	PSC		
Sivenathi Maxhontana	PSC		
Musiiwa Nemaunguhwi	FVTE	musiiwa@fvte.co.za	
M Nemaunguhwi'	FVTE	mashudu@fvte.co.za	
W Madubunya	FVTE	windus@fvte.co.za	
N. Mqadi	KMSD	Mqadinhlanya@gmail.com	
T Dlamini	KMSD	teluyengod@kmsd.co.za	
<b>Apologies</b>			
None			

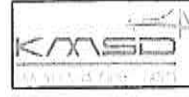
#### Minutes

<b>Item</b>	<b>Description</b>	<b>Action</b>
<b>1</b>	<b>Opening and Welcoming</b>  The meeting was welcomed and facilitated by Mr Nemaunguhwi (Social Facilitator) who welcomed all meeting attendants	
<b>2</b>	<b>Meeting Agenda</b>  To give progress update on the implementation of Interim Services	

Item	Description	Action
3.	<ul style="list-style-type: none"> <li>• <b>Interim services installation</b></li> <li>• A total of two (2) boreholes have been drilled in Balfour</li> <li>• A total of ten (10) local people were hired for borehole drilling</li> <li>• Ten (10) pilot toilets dug in Balfour</li> <li>• PRT has erected all interim services that were promised</li> <li>• Installation of Water tanks to commence on the 4th of March 2022</li> <li>• Solar panels and windmills to be installed later</li> </ul>	
4	<p><b>Matters for Discussion</b></p> <ul style="list-style-type: none"> <li>• Councillor indicated that materials for toilets were delivered on the morning of the 3rd of March 2022</li> <li>• Training was done on the usage of toilet. It was alluded that a woman was training the community in this regard.</li> <li>• Issues around the safety of infrastructure were raised. The PRT explained that infrastructure will fenced off, razor wire installed and lighting as a security measure. However, it was advised that the municipality together with the community jointly partake in the protection of the newly installed infrastructure.</li> <li>• The community raised the issue of full toilets. the PRT indicated that chemical solutions/ drainage solutions would be implemented as an interim measure to combat the matter</li> </ul> <p>Community wanted to be informed about the total budgets reserved for sanitation. Human settlements responded by ensuring that the programme will be implemented until the end.</p>	
5	<p><b>Closure &amp; Date of Next Meeting</b></p> <p>The meeting was adjourned at 16h00. The date of the next meeting will be on the first week of April, which will be communicated in due course.</p>	



MHLABA



### Approval of Minutes

Department of Human Settlements

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Name & Surname

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Date

Raymond Mhlaba Local Municipality

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Name & Surname

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Date

FVTE

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Name & Surname

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Date

KMSD Engineering Consultants

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Name & Surname

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Date

## UPGRADING OF INFORMAL SETTLEMENTS PROGRAMME IN AMATHOLE DISTRICT MUNICIPALITY

RAYMOND MHLABA LOCAL MUNICIPALITY PMT MEETING NO: 2

### MINUTES

<b>Date :</b>	03 March 2022
<b>Time :</b>	10h00
<b>Venue :</b>	Fort Beaufort Community Hall
	GPS Coordinates: 32°46'09.7S, 26 °39'22.7 E
<b>Affected Settlements</b>	Chris Hani & Thambo

<b>Attendees</b>			
<b>Name &amp; Surname</b>	<b>Organisation</b>	<b>Email Address</b>	<b>Contact Number</b>
S Goba	ECDHS	<a href="mailto:SamkeleG@ecdhs.gov.co.za">SamkeleG@ecdhs.gov.co.za</a>	
L Mtyundyutho	R M Local Municipality	<a href="mailto:lmtundyutho@raymondmhlaba.gov.a">lmtundyutho@raymondmhlaba.gov.a</a>	
Sinovuyo Kley	Ward Councilor	<a href="mailto:Sinovuyokley04@gmail.com">Sinovuyokley04@gmail.com</a>	
T. Mkonto	PSC		
S. Tantsi	PSC		
V Makesi	PSC		
W. Daleki	PSC		
P. Bonani	PSC		
A Ningi	PSC		
Musiiwa Nemaunguhwi		<a href="mailto:musiiwa@fvte.co.za">musiiwa@fvte.co.za</a>	
W Madubunya	FVTE	<a href="mailto:windus@fvte.co.za">windus@fvte.co.za</a>	
Malibongwe Godfrey	Yoruba Solar	<a href="mailto:yorubasolar@gmail.com">yorubasolar@gmail.com</a>	
'olani Kiti	Yoruba Solar	<a href="mailto:yorubasolar@gmail.com">yorubasolar@gmail.com</a>	
Siyabulela Mbunge	Yoruba Solar	<a href="mailto:yorubasolar@gmail.com">yorubasolar@gmail.com</a>	
M Nemaunguhwi'	FVTE	<a href="mailto:mashudu@fvte.co.za">mashudu@fvte.co.za</a>	
N. Mqadi	KMSD	<a href="mailto:Mqadinhlaha@gmail.com">Mqadinhlaha@gmail.com</a>	
T Dlamini	KMSD	<a href="mailto:teluyengod@kmsd.co.za">teluyengod@kmsd.co.za</a>	
<b>Apologies</b>			
None			

### Minutes

<b>Item</b>	<b>Description</b>	<b>Action</b>
1	<p><b>Opening and Welcoming</b></p> <p>The meeting was chaired and facilitated by the Mr Nemaunguhwi (Social Facilitator) who welcomed all meeting attendants.</p>	

Item	Description	Action
2	<p><b>Meeting Agenda</b></p> <p>To give progress update on the implementation of Interim Services</p>	
3.	<p><b>Interim services installation</b></p> <p>Boreholes have been drilled in both Chris Hani and Thambo Settlements</p>	
4	<p><b>Matters for Discussion</b></p> <ul style="list-style-type: none"> <li>• The community raised issues of electricity being non-existent in Chris Hani</li> <li>• Chris Hani had 10 toilets installed, However the community had 18 houses which do have sanitation</li> <li>• local community will be hired</li> <li>• The community raised the issue of their toilets being full. There is no maintenance plan regarding sanitation.</li> <li>• The Councillor requested the budget for Chris Hani from the Department. Mr Goba from the Department responded that R1 Million was reserved for Chris Hani. It was further indicated that no additional budget will be added in the current R1 million that's planned</li> <li>• It was further explained that Thambo is rocky, and will be expensive to develop, therefore relocation is inevitable. 50 Households will be relocated to Chris Hani</li> <li>• The meeting resolved that temporary solutions be exploited such as the provision of chemical and or drainage solutions regarding full toilets.</li> </ul>	
5	<p><b>Closure &amp; Date of Next Meeting</b></p> <p>The meeting was closed by the Social Faciliatory from the PRT</p>	

**Approval of Minutes**

Department of Human Settlements

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Name & Surname

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Date

Raymond Mhlaba Local Municipality



MHLABA



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Name & Surname

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Date

Housing Development Agency

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Name & Surname

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Date

( ) ISD Engineering Consultants

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Name & Surname

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Date

## ITEM 20/2022

### **STATUS REPORT – RESTORATION OF TITTLE DEEDS AND HAND OVER OF COMPLETED TITTLE DEEDS**

#### **1. PURPOSE**

The purpose of this report is for the Engineering Services Portfolio Committee to note the progress achieved by the municipality in the implementation of the Restoration of Tittle Deeds within Raymond Mhlaba Municipality through the Department of Human Settlement (DHS).

#### **2. BACKGROUND**

The Raymond Mhlaba Municipality is faced with the backlog when it comes to tittle deeds, most of RDP houses are still registered under the municipality, which make it difficult for the municipality to bill the RDP houses correctly and the Owners have been coming to the municipality for the collection of tittle deed. DHS is the custodian of the issuing of tittle deeds.

- List of tittle deed ready to be handed over to people: Annexure F.
- List of areas that tittle deed will be restored: Annexure G.

#### **3. PROGRESS MADE**

DHS has appointed conveyancers to undertake the transfer of the RDP houses to their owners. All the appointed conveyancers are on site undertaking the work. Batches of tittle deeds are time and again submitted to the municipality for signature and sent back to the Deeds Office for final registration.

#### **4. FINANCIAL IMPLICATIONS**

Department of Human Settlement is the one that is accounting with funds.

#### **5. LEGAL FRAMEWORK**

- National housing Code 2000
- Breaking new ground 2004
- Environmental Management Act (No. 107 of 1998)
- SPLUMA 16 OF 2013

#### **6. ANNEXURES**

Annexure F - List of tittle deed ready to be handed over to people  
Annexure G - List of areas that will be restored

## 7. RECOMMENDATIONS

It is **RECOMMENDED** that:

- 1) The Standing Committee notes Restoration of title deed and hand over of completed title deed.

## Plans For Title Deeds Handover 2022

<u>Project</u>	<u>Region</u>	<u>Reason for Engagement</u>
Seymour	Amathole	Beneficiary Verification
Idutywa Ext 753	Amathole	Beneficiary Verification
Butterworth 376	Amathole	Beneficiary Verification
Bizana 188 & 800 Units	Alfred Nzo	Beneficiary Verification
Tambo Village	Chris Hani	Beneficiary Verification
Ezibeleni	Chris Hani	Beneficiary Verification
Lady Frere 700	Chris Hani	Beneficiary Verification
Indwe	Chris Hani	Beneficiary Verification
Dordrecht	Chris Hani	Beneficiary Verification
Lady Grey 1000	Joe Gqabi	Beneficiary Verification
Barkly East	Joe Gqabi	Beneficiary Verification
Ksd 1317	OR Tambo	Beneficiary Verification
Alexandria	Sarah Bartman	Beneficiary Verification
Kruisfontein	Sarah Bartman	Beneficiary Verification
Rietbron	Sarah Bartman	Beneficiary Verification
Graaf - Reinet	Sarah Bartman	Awaiting verification report
HANKEY	Sarah Bartman	Beneficiary Verification
KRUISFONTEIN	Sarah Bartman	Beneficiary Verification
OCEAN VIEW	Sarah Bartman	Beneficiary Verification
KWANOMZAMO	Sarah Bartman	Beneficiary Verification
THORNHILL	Sarah Bartman	Beneficiary Verification
PATENSIE	Sarah Bartman	Beneficiary Verification
PELLSRUS	Sarah Bartman	Beneficiary Verification
SEA VISTA	Sarah Bartman	Beneficiary Verification
OLD ARCADIA	Sarah Bartman	Beneficiary Verification
YOUTH CAMP		
KRUISFONTEIN	Sarah Bartman	Beneficiary Verification

## ITEM 21/2022

### **STATUS REPORT – DEVELOPMENT OF LAND USE SCHEME OF RAYMOND MHLABA MUNICIPALITY**

#### **1. PURPOSE**

The purpose of this report is for the Engineering Services Standing Committee to note the progress achieved by the municipality in the development and implementation of the Land Use Scheme.

#### **2. BACKGROUND**

According to the Spatial Planning and Land Use Management Act, Act 16 of 2013 (SPLUMA), Chapter 5, the Land Use Management Section 23(1) Role and Executive Authority, that the municipality must, in the development, preparation and adoption or amendment by the municipality of its land use scheme, subject to the provision of this act, provide general policy and other guidance. According to Section 24(1) of the same act, a municipality must, after public consultation, adopt, and approve a single land use scheme for its entire area within 5 years from the commencement of this act. The municipality has according to the act, acts as such and appointed service provider to develop a land use scheme

The municipality is having draft documents of Land Use Scheme, which was previously referred as town planning scheme or land use management scheme as defined as a statutory document which divides municipality into zones. These zones are used to indicate the desired able future development of an area with the aim to promote economic growth, social inclusion, efficient land development and minimal impact on public health, the environment, and natural resources. Zones can be classified according to the use of land and building such as commercial, industrial, residential, or other purpose. The height and bulk of building and other structures, as well as the areas of lot which may be occupied, and the size of open space must be considered as an indicator to determine the zoning.

A consultant was appointed in 2019 and the process started in January 2020, the office had some engagement with them in February and the Covid-19 also stall the process because all the necessary processes were not done like public consultations and workshop to the council. The process will be done with the new council so that the LUS can be approved and adopted by the council.

#### **3. FINANCIAL IMPLICATIONS**

Budget - R285,562.00

#### **4. LEGAL FRAMEWORK**

- National housing Code 2000
- Breaking new ground 2004
- Environmental Management Act (No. 107 of 1998)
- SPLUMA 16 OF 2013

#### **5. ANNEXURES**

Annexure H - Draft Land Use Scheme

## 6. RECOMMENDATIONS

It is **RECOMMENDED** that:

- 1) The Standing Committee notes the Development and implementation of the Land Use Scheme within Raymond Mhlaba Municipality.

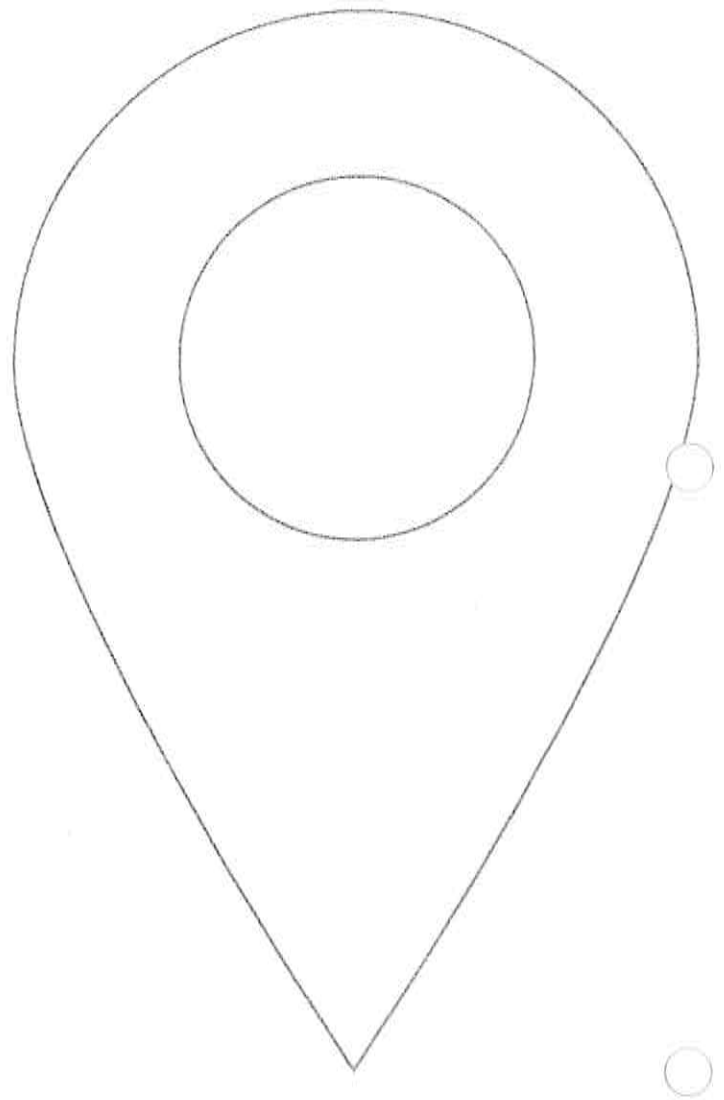
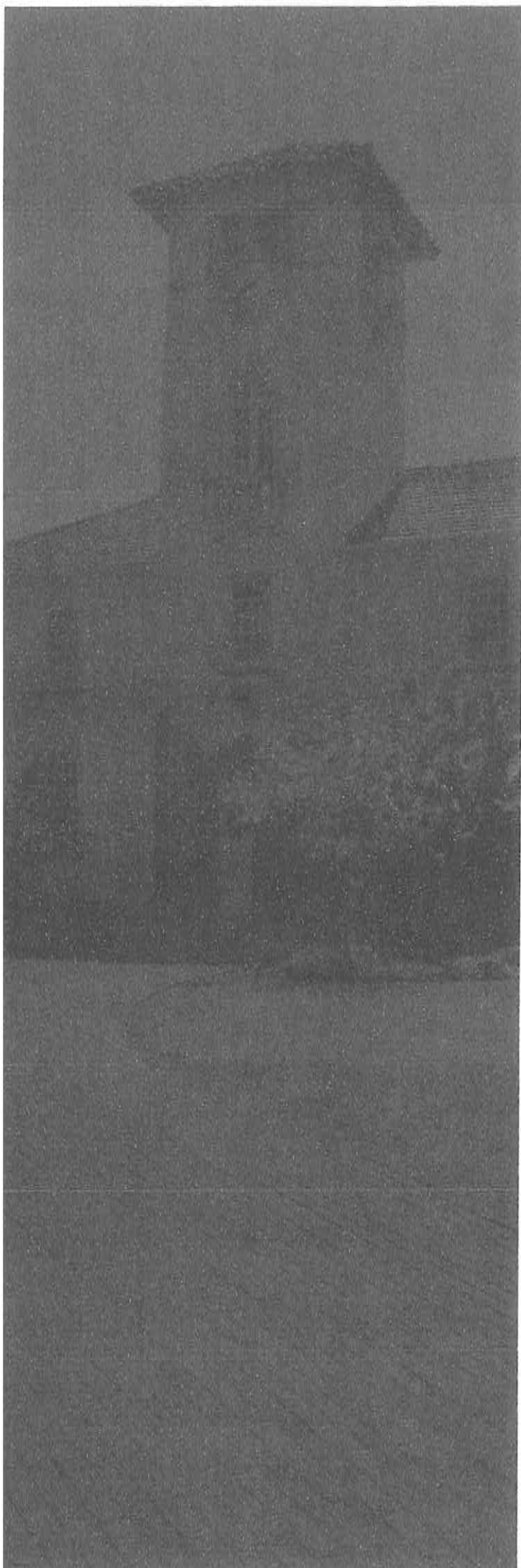


**RAYMOND  
MHLABA**  
MUNICIPALITY  
\*\*\*\*\*  
UMANYANO KUPHULISO

# DEVELOPMENT OF A LAND-USE SCHEME FOR RAYMOND MHLABA MUNICIPALITY

JULY 2021

**TSHANI**  
CONSULTING C.C.



# Kreason Naidoo



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## INTRODUCTION

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This document presents a Draft Raymond Mhlaba Land Use Scheme Regulations. It seeks to translate the SDF to a more detailed set of detailed zoning categories. In that, it serves as a linking element between the SDF and Scheme and bridges the gap between these two land use management tools and enable the comprehensive management of all erven (both private and public sector) within the Municipality; promote and implement the applicable planning and development legislation and principles as adopted by the relevant National, Provincial and Municipal spheres of government from time to time and lastly to promote and implement the Vision and Strategies of the Integrated Development Plan in the realization of quality environments.

## BACKGROUND

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The Raymond Mhlaba Local Municipality (RMLM) initiated a process towards the preparation of a land use scheme that will cover the RMLM municipal jurisdiction in terms of the Spatial Planning and Land Use Management Act (SPLUMA). Act no. 16 of 2013. The alignment of the Town Planning Scheme is reflected in the diagram below. It is to be noted that the RMLM scheme is to be read in conjunction with the Integrated Development Plan, Spatial Development Framework, Municipal Spatial Planning and Land Use Management By-laws and the Spatial Planning Planning and Land Use Management Act.

## 1. GENERAL PROVISIONS

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### 1. PREAMBLE

Chapter 5 of the Spatial Planning and Land Use Management Act (SPLUMA) (Act No. 16 of 2013) and Chapter 3 of the Municipality's Spatial Planning and Land Use Management By-laws were used in developing the regulations. The regulations are intended to assist the municipality with better understanding allowed use rights and promote control over use rights as well as manage the utilisation of land. The regulation developed will be applicable to the Raymond Mhlaba Local Municipality.

Section 25(1) of the Spatial Planning and Land Use Management Act provides direction of the preparation of Town Planning Schemes. As indicated in SPLUMA the purpose of a scheme is to give effect to and be consistent with the municipal spatial development framework. The

intention of the town planning scheme is to also determine the use and guide the development of land within the municipal area. In doing so, the scheme aims to promote -

- economic growth;
- social inclusion;
- efficient land development; and
- Minimal adverse impact on public health, the environment and natural resources.

In addition to Section 25(1) of the SPLUMA, Section 16 of the Municipality's Spatial Planning and Land Use Management By-laws 2016 stipulate that the Municipality must determine the use and development of land within the municipal area to which it relates to promote.

- harmonious and compatible land use patterns;
- aesthetic considerations;
- sustainable development and densification;
- the accommodation of cultural customs and practices of traditional communities in land use management; and
- a healthy environment that is not harmful to a person's health.

The preparation of this scheme includes a range of legislative and policy frameworks of National and Provincial Government as well as relevant principles have been acknowledged. Consideration was given to the unique characteristics of Raymond Mhlaba Local Municipality in order to respond to land use management techniques in areas under traditional leadership and communal land.

## 2. TITLE

The regulations contained in this document shall be known as the **Raymond Mhlaba Land Use Scheme Regulations** in terms of Chapter 5 of the Spatial Planning and Land Use Management Act (Act No. 16 of 2013) and Chapter 3 of the Municipality's Spatial Planning and Land Use Management By-laws.

## 3. THE NEED FOR THE MUNICIPAL LAND USE SCHEME

The absence of land use schemes has resulted in the disempowering of municipalities to adequately deal with effective land use management. It has further had impacts on management, rating, and regularization of land use activities. It has been found that municipalities use multiple land use / town planning schemes to manage and regulate

development which are not synergised with one another. The schemes which are been used are often outdated and do not address the complex land use management scenarios facing parts of the Eastern Cape. A shortfall of many schemes are their poor alignment with the municipal SDF as per SPLUMA requirement.

Traditionally, Schemes are usually biased to urban/established areas and often do not address the rural component. It must also be noted that despite having guidelines municipalities without Land Use Schemes are also without both human and financial resource to prepare their own Land use scheme.

#### 4. WRONGFULLY ALLOCATION OF ZONING

Should any property be assigned a zoning which has been wrongly converted from previous zoning maps which preceded these regulations, the owner of an affected property is entitled to submit an application to the municipality to rectify the identified discrepancy. The following process is to be followed:

- The applicant must submit documentary proof of the error and proof of the lawful land use rights;
- No application fees will be charges for such application.

#### 5. SCHEME CONSIDERATIONS

It to be noted that the scheme regulation applies to all land within the jurisdiction of Raymond Mhlaba Local Municipality. However, the scheme does not apply to resource areas where aspects of the management of such areas are regulated by the provision of:

- The National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003); and/or
- he National Environmental Management Biodiversity Act, 2004 (Act 10 of 2004);
- regulations under these Acts; and
- approved management plans implemented by the management authority in such areas (such as a National and Provincial Parks authority);
- Subdivision of Agricultural Land Act, 1970;
- Guidelines developed for land used for mining and mineral resources areas;
- National and Provincial water resource acts;
- Heritage conservation Acts.

## 6. CONFLICT OF LAWS AND LEGISLATIVE COMPLIANCE

- (a) When any provision of this Land Use Scheme is in conflict with a municipal by-law or any other subordinate legislation, these regulations shall prevail, subject to the provisions of regulation (b) (i) and (ii).
- (b) Other by-laws and supporting legislation which relate to erection of structures within a specified distance of the boundaries or centre line will take preference above the scheme except where the scheme:
  - i. Requires a road width greater than that determined by such other by-laws;
  - ii. Requires structures set back from boundary or centre line or road at a greater distance than that determined by such other by laws;
- (c) Should the scheme regulation be in conflict with national or provincial legislation the provisions of the more onerous regulation shall prevail. This includes (but is not limited to) the provisions of the National Building, Regulations and Building Standards Act, 1977 (Act 103 of 1977) and Act 21 of 1940, in so far as they require buildings to be erected at a greater distance from the boundaries of an erf than is required in terms of these regulations, shall have preference above the provisions of the Land Use Management Scheme.
- (d) Nothing in these regulations shall be construed as permitting any person to do anything that is in conflict with the conditions registered against the Title Deed or Deed of Grant of the land.
- (e) No person may use or commence with, carry on or cause the commencement with or carrying on of land development which is not permitted in the land use scheme or for which an approval is granted in terms of this By-Law;
- (f) When an applicant or owner exercises a land use right granted in terms of an approval he or she must comply with the conditions of the approval and the applicable provisions of the land use scheme;
- (g) In addition to the provisions of this Chapter, the provisions of Chapter 6 apply to any application submitted to the Municipality in terms of this Chapter;
- (h) Any reference to the Municipality in this Chapter includes a reference to the Municipal Planning Tribunal and the Authorised Official, as the case may be.

## 7. TRANSITIONAL PROVISIONS

In the event of outstanding applications which require attention and are impacted by legislation which has been repealed, SPLUMA provides some guidance in such regard.

- (a) Decisions on applications made in terms of laws repealed by section 59 of SPLUMA (DFA, LeFTEA, etc) may still be outstanding; or
- (b) Decisions on development applications made in terms of provincial laws (Land Use Planning Ordinance 15 of 1985 or the Town Planning and townships ordinance no. 15 of 1986);

The above situations will need to be dealt with in the following manner:

- (a) The repeal of laws referred to in section 59 of the municipal planning by law or by a provincial legislature in relation to provincial or municipal planning does not affect the validity of anything done in terms of that legislation;  
All applications, appeals or other matters pending before a tribunal established in terms of section 15 of the Development Facilitation Act, 1995 at the commencement of this Act that have not been decided or otherwise disposed of, must be continued and disposed of in terms of this Act.

## 8. COMPONENTS OF THE LAND USE SCHEME

The Land Use Scheme consists of three components, namely:

- (a) Scheme Regulations;
- (b) Land use Scheme map (s), in so far as the scheme is mapped;
- (c) Scheme register, in so far as zonings have been allocated to the captured land use categories of the surveyed towns;

## 9. APPLICATION FOR DEVELOPMENT ON OR CHANGE TO LAND USE PURPOSE OF COMMUNAL LAND

1. An applicant who wishes to develop on or change the land use purpose of communal land located in the area of a traditional council where such development will have a high impact on the community or such change requires approval in terms of a land use scheme applicable to such area, must apply to the Municipality in the manner provided for in the municipal planning by-law.

2. No application pertaining to land development on or change of the land use purpose of communal land may be submitted unless accompanied by power of attorney signed by the applicable traditional council.

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## 2. DEFINITIONS

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The definitions below comprise of the land use categories and terminologies that are to be read in conjunction with the scheme to correctly identify the scheme regulations:

### 2.1 GENERAL DEFINITIONS

In this Scheme, unless the context otherwise indicates, any word shall, when used in this Scheme, have the same meaning as in these definitions, otherwise it shall have the meaning assigned to it in the Raymond Mhlaba Spatial Planning and Land Use Management By-Laws 2016 and the Spatial Planning and Land Use Management Act No.16 of 2013.

#### **Agricultural Building**

Means a building used in connection with, or which would ordinarily be incidental to, or reasonably necessary in connection with the use of the site of that building as agricultural land.

#### **Ancillary Use**

Means a use incidental to and customarily associated with a specific principal use, located on the same erf.

#### **Arcade**

Means an area forming part of a building which may or may not be covered, reserved exclusively for pedestrian traffic, but may include fountains, benches and other similar features and shall nowhere have a total width of less than 4 metres and an unobstructed width of less than 2 metres, such measurements shall be subject to the discretion of the Municipality.

#### **Associated Structures and Activities:**

A premise used in the name of a company that is made up of a number of smaller companies which have joined together.

#### **Authorised Official**

Means an official who may consider and determine applications as contemplated in terms of Section 35(2) of the Spatial Planning and Land Use Management Act No.16 of 2013.

#### **Authority**

Is the written authority given by the Municipality in terms of its statutory powers.

#### **Basement**

Is the lowest part of any building, which part is constructed with more than 50% of its volume below the mean finished ground level immediately surrounding the building.

**Boarding House**

Means a structure where lodging and/or meals is/are provided for 7 or more lodgers and who are accommodated for a period longer than those on a transient basis (i.e. longer than 2 weeks).

**Building**

Is any structure or erection of an immovable nature for whatever purpose used including any tank, swimming pool or radio-mast and any wall, retaining wall or closed-boarded fence more than two metres in height at any point, but excluding any open fence, post, steps, pier, ramp, fountain, statue, fish-pond, pergola or other garden ornamentation.

**Building Line**

Is the line parallel to any boundary of an erf, which is conterminous with a street, public right of way or proposed road; or in the case of "hatchet shaped" erven, a line parallel to the boundary nearest to the street, which is not a boundary of the access strip. Building Line shall also apply as a line parallel to any service infrastructure demarcating the area where the service authority has determined no development should take place.

**By-Law**

Means the bylaws or regulations of the Municipality in force in the area of the Scheme.

**Caravan**

Means any vehicle permanently fitted out for use by persons for living and sleeping purposes whether or not such vehicle is a trailer.

**Clinic**

means a facility providing medical, psychiatric, or surgical service for sick or injured persons, including emergency treatment, diagnostic services and services to outpatients, employees or visitors and may include a day-ward.

**Commercial Purposes**

means purposes normally or otherwise reasonably associated with the use of land for distribution centres, wholesale trade, storage warehouses, carriage and transport services, laboratories, or computer centres, including offices and other facilities that are subordinate and complementary to such use.

**Commercial Workshop**

Means a light industrial workshop, wherein the primary purpose is the selling of goods and services by retail, and where the processes are operated specifically in conjunction with a shop

or office to which the general public has access as customers, and it includes such uses as a watch repairer, shoe repairer, electronic equipment repairer and an electrician, but excludes a garage or petrol filling station.

#### **Communal Farming**

Means a portion of land that is used for agricultural purposes with the intention of selling the harvested goods to support life in rural areas. This use may also include a chicken coop.

#### **Communal Land**

land contemplated in section 4 (of Communal Land Tenure Bill), owned, occupied or used by members of a community subject to shared rules or norms and customs of that community and includes land owned by the State but used by communities as communal land;

#### **Communications Tower**

a structure on which an antenna or dish is installed for the transmission, broadcasting or receiving of radio, television, radar or microwaves, and similar types of devices.

#### **Community**

a group of persons whose rights to land are derived from shared rules determining access to land held in common by such group regardless of its ethnic, tribal, religious, or racial identity and includes a traditional community.

#### **Community Hall**

a facility that is used for cultural activities, social meeting, funeral proceedings, and gatherings in traditional communities.

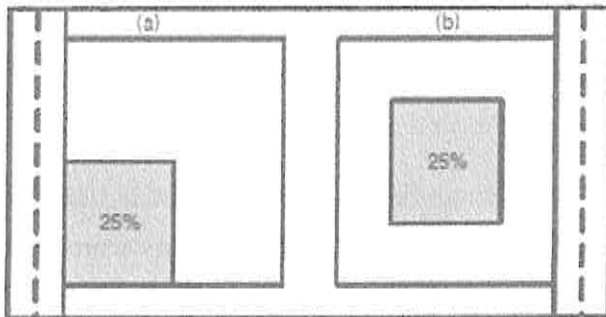
#### **Conference Centre**

a building including the land associated therewith, used for conferences, gatherings, indoor recreation, commercial exhibition hall, related catering facilities, and such other uses considered by the municipality to be ancillary thereto, or reasonably for the use of the building as a conference centre.

**Conservation Area:** an area of land and/or water within which the conservation of the scenic beauty, indigenous flora and fauna, other naturally occurring material, water courses, topographical features and places of historic or scientific interest is of primary importance.

### Coverage

Is the proportion of an erf covered by buildings and is expressed as a percentage of the erf area as defined. Thus, 25% coverage means that only one quarter of the erf may be covered by buildings.



### Crematorium

Means a building where the dead are reduced to ash and includes facilities for associated religious and administrative functions.

### Develop Land or Development

In relation to any land, means the erection of buildings and structures, the carrying out of construction, engineering, mining or other operations on, under or over land, and a material change to the existing use of any building or land for non-agricultural purposes, but does not include the construction or use of any dwelling unit and outbuildings usually associated therewith for the settlement of a traditional household on land on which a traditional community lawfully resides.

### Doctors Surgery

Means a facility providing medical or surgical service for sick or injured persons, including diagnostic services and services to patients.

### Duplex Flat

Means a dwelling unit in a building, each such unit consists of a ground floor and one upper floor connected by an internal staircase and has direct access to a private open area.

### Dwelling House

Means a building constructed, used or adapted to be used, as a dwelling unit to accommodate one household and which includes not more than one kitchen, habitable rooms for the accommodation of bona fide domestic staff, outbuildings and accessories as are ordinarily

used therewith. Only in the case of Agricultural land can a dwelling unit allow for more than one family and kitchen.

#### **Dwelling Unit**

Means a set of inter-leading rooms including bathroom(s) and not more than one kitchen, designed as a self-contained unit for occupancy by a single household for living and sleeping purposes, but shall not include a building which in the opinion of the Municipality is designed in such a way as to enable it to be utilised by two or more separate households.

#### **Dwelling Unit Curtilage**

Means a single defined area of land forming part of a medium density housing site comprising the land upon which a dwelling unit is erected or is intended to be erected, together with such private open areas and other areas as are reserved for the exclusive use of the occupants of the dwelling unit.

#### **Environmental Screening Report**

Is a preliminary environmental assessment of the potential impacts of a proposed development on the environment; and, in particular on the ecosystems and the conservation status of the site and the biodiversity objectives of the Municipality.

#### **Erection of a building**

means the construction of a new building or structure or the structural alteration of, or the making of any addition to, a building.

#### **Erf**

Means any piece of land registered in the Deeds Registry as an erf, lot, plot, stand or farm and includes a portion of an erf, lot plot, stand or farm; provided that where, as a provision of the Scheme, a proposed road or a change in zoning divides a registered piece of land into two or more portions, the term "Erf" shall apply to each of such portions as if they had been separately registered.

#### **Erf Area**

Is the area of an erf, less the area of a panhandle, any public right of way, road servitude, land set aside as a new road or road widening to which the erf may be subject, but shall include any registered servitude for overhead or underground services.

#### **Existing Building**

Means a building lawfully erected before the date of adoption or a building erected in accordance with plans, which were approved by the Municipality prior to that date.

### Existing Use

Means in relation to any building or land, a continuous use of that building or land after the date of adoption for the purpose for which it was designed and lawfully authorised by the Municipality at that date.

### Flood Line

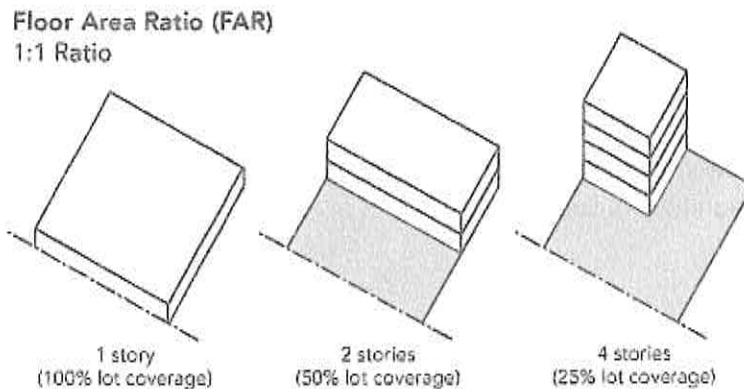
Means the lines indicating the maximum level likely to be reached by floodwaters on the land in question in a specified event.

### Floor Area

The floor area of a building shall be taken as the sum of the roofed areas of the building at each floor level, measured over and including wall thicknesses, lift shafts and staircases.

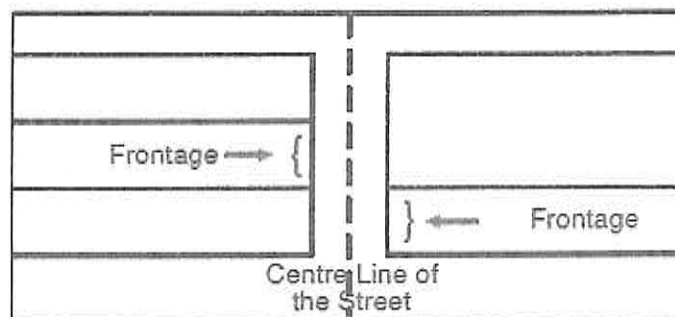
### Floor Area Ratio

Subject to Clause 2.6, is the ratio of the total floor area of the buildings on an erf to the erf area and is expressed as a decimal, e.g. a Floor Area Ratio of 0,5 means that the floor area of the buildings on a particular lot is half the erf area.



### Frontage

Is the length of the boundary of an erf, which is coincident with the boundary of an existing or proposed street.



**Gross Office Area**

Is the sum of the floor areas of the office space in a building including storage, corridors, lift shafts, staircases, kitchens, and conveniences, and shall include wall thicknesses and basements used other than for parking purposes.

**Gross Shop Area**

Is the sum of the floor areas of both the storage and retail areas of a shop and shall include wall thicknesses and basements used other than for parking purposes but shall exclude public conveniences.

**Ground Floor**

means the lowest floor of a building, which is not a basement.

**Hardware**

Means a building used for the sale of tools, machinery, and other durable equipment.

**Height**

Is the height of a building in storeys or floors and is expressed as a number.

**Homeowners Association**

Means a company registered in terms of Section 21 of the Companies Act, No. 61 of 1973, as amended, membership of which shall be exclusive to and compulsory for the freehold or registered leasehold owners of dwelling unit curtilages in a medium density housing site.

**Hotel**

Means a transient accommodation establishment primarily engaged in providing 7 or more rooms and/or suites for temporary lodging by the general public and which provides meals on the premises and which does have a liquor licence and which operates a lounge and/or bar where such liquor is sold and consumed on the premises.

**Household**

Means a group of people who live together, share living and eating expenses, and may consist of one family, together with or without staff and with or without a boarder or boarders.

**Indigenous**

refers to individuals whom originate naturally in a place.

**Industrial Purposes**

Means purposes normally or otherwise reasonably associated with the use of land primarily for the manufacture, altering, repairing, assembling or processing of a product, or the dismantling

or breaking up of a product, or the processing of raw materials including a noxious activity. See also Building and Land Use Definitions of Service, Light, General and Special Industrial Buildings.

#### **Kennels**

Means any erf where dogs, cats, or other small animals or birds in an aviary are kept for profit, breeding, or exhibiting, including places where said animals are boarded, kept for sale, or hire. Such use is regarded as an Agricultural Industry.

#### **Kitchen**

Means any room, all or part of which is designed and/or used for storage, refrigeration, cooking and the preparation of food.

#### **Maisonette (or Pair of Maisonettes)**

Means a two-storey building consisting of 2 dwelling units placed one above the other with separate entrances.

#### **Mall**

Means an area of land open to the air and reserved exclusively for pedestrian traffic but may include fountains, benches and other similar features as well as kiosks for, inter alia, the sale of refreshments.

#### **Medium Density Housing Site**

Means a defined area of land upon which medium density housing is established or is proposed to be established and which comprises dwelling unit curtilages and common land, but excludes any land required by the Municipality for public purpose.

#### **Municipality**

Means the Raymond Mhlaba Municipality or any other subsequently appointed authority.

#### **Net Developable Area**

Means the surveyed area of an erf less that area which by virtue of soil instability, liability to flooding, inaccessibility of topography or slopes steeper than 1:3 or the existence of an environmentally sensitive area, renders such area in the opinion of the Municipality as being undevelopable.

#### **Occupant**

Means any person occupying a building or land irrespective of whether such occupation is legal or not.

### Outbuilding

Means a building or portion of a building ordinarily used in conjunction with a dwelling unit(s), and used for the garaging of private motor vehicles, storeroom, domestic workers' accommodation and ablution facilities, and workroom.

### Premier

means the Premier of the Province of Eastern Cape.

### Primary Use

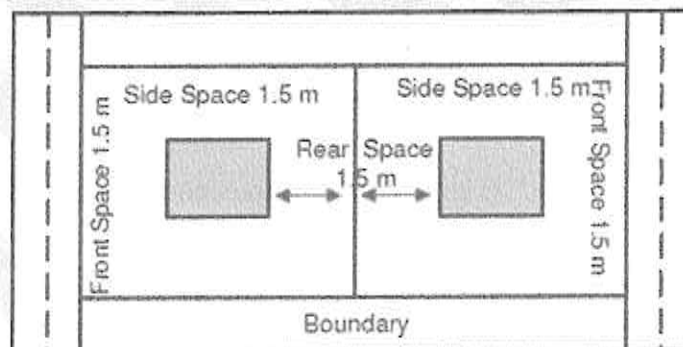
Means the predominant use of any erf, building or structure.

### Private Open Area

Means a usable area, exclusive of utility areas, driveways and parking areas, which is open to the sky and which is adjacent to and has direct access from a dwelling unit on a medium density housing site, such private open area being reserved for the exclusive use of the occupants of the associated dwelling unit, but may include covered open areas (patios) and verandas.

### Rear Boundary

Shall mean that boundary of an erf which is furthest from any street boundary, and which does not meet any street boundary.



### Scheme

Is the Raymond Mhlaba Town Planning Scheme, as amended from time to time.

### Scheme Map

Is the Map forming part of the Scheme as adopted by the Municipality.

### Semi-Detached House

Is a building other than a dwelling house comprising 2 dwelling units contained in one building, both on the ground floor and each provided with a separate entrance.

### **Side Boundary**

Is any boundary of an erf which meets a street boundary and any other boundary and which is neither a street boundary nor a rear boundary.

### **Special Consent**

Is the consent of the Municipality.

### **Storey**

Is a room or set of rooms at one level, including any room, the floor of which is split in two or more levels, and shall have the following implications:

- (a) Basement shall not count as a storey provided it be used for parking vehicles, service installations or storage, and not for residential purposes, or as a shop, factory or work place.
- (b) The ground floor may be on several levels.
- (c) A pitched roof containing a habitable room and any other type or style of roof, which contains or supports any rooms, structures or features over and above those mentioned in paragraph (e) below and which the Municipality considers to be habitable shall count as a storey.
- (d) A storey shall not be higher than 4, 5 metres. If a storey is higher than this, each 4, 5 metres or part thereof shall count as a storey.
- (e) Lift, meter and similar rooms and architectural features, which are in proportion to the building, do not constitute a storey.

### **Street Line**

Means a boundary of an erf, which is coincident with the boundary of an existing or proposed street.

### **Terrace House**

Means a dwelling unit in a building comprising 3 or more dwelling units, each having a separate entrance on the ground floor with direct access to a private open area or areas.

### **Transient**

Means a continuous period of 2 weeks or less.

### **Usable Common Open Space**

Means the usable portion of the common land, which is not occupied by vehicular road carriageway, parking areas and communal facilities of a non-recreational nature, but includes walkways, structures intended for recreational use and a children's playing area or areas.

### **Utility Area**

Means the outdoor private area adjacent to or associated with the kitchen side of a medium density housing unit, the screening of which shall be to the satisfaction of the Municipality and which includes patios, verandas and drying areas.

### **Watercourse**

Means:

- a) a river or spring;
- b) a natural channel in which water flows regularly or intermittently
- c) a wetland, lake or dam into which water flows: and
- d) any collection of water which the Minister may, by notice in the gazette declare to be a watercourse,
- e) a reference to a watercourse includes, where relevant, its bed and banks. (Source: National Water Act (No. 36 of 1998), as amended)

### **Wetland**

Means land which is transitional between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is periodically covered with shallow water, and which land in normal circumstances supports, or would support, vegetation, birdlife, etc. typically adapted to life in saturated soil. (Source: National Water Act (No. 36 of 1998), as amended).

### **Zone**

Means a defined category of land use, which is shown on the zoning map of a land use scheme.

## 2.2 BUILDING AND LAND USE DEFINITIONS

Unless the context of this Scheme clearly indicates to the contrary, the following building types and Land Use types have the meaning and interpretation given below:

**Abattoir:** a place where animals are slaughtered for distribution to retail outlets.

**Additional Dwelling Unit:** Additional Dwelling Unit means a self-contained unit for residential habitation of limited size, which does not form part of medium density housing or chalets. It may be attached or detached to a dwelling house, but must be clearly associated with a dwelling house erected on an erf, and may include such outbuildings, garages and stoep areas as are customary used and incidental thereto, with the understanding that only one additional dwelling unit will be permitted on any one Erf unless Council allows otherwise.

**Adult Entertainment Shop:** a building or part thereof used for the sale, hiring, display, or viewing of material of an adult nature.

**Adult Shop:** a premise where publications and or films, classified as X18 by the Publications Board, or which fall within Schedule 2 (read with Schedule 5) of Act 65 of 1996, are exhibited and/or distributed. Such a shop or premises must also be licensed in terms of Section 2 of the Business Act (Act 71 of 1991) to conduct the business of adult shop or premises; or where the business of making the services of an escort available to any person is carried out, as described in the Business Act (Act 71 of 1991), and where the business is licensed in terms of Section 2 of the Business Act (Act 71 of 1991).

**Agriculture:** the cultivation of land for crops, plants, trees or the breeding of animals, or the operation of a game farm on natural veld or land; it includes only such activities and buildings which are reasonably connected with the main agricultural activity on the land, including a dwelling house(s), traditional dwelling and worker accommodation, but does not include abattoirs, feed-pen farming, aquaculture or defined consent uses.

On state owned land, administered by a Traditional Authority Structure, Agricultural Use includes the following activities:

- Infrastructure and buildings linked to supply of goods, services, advice to such area or the storage of produce from such area;
- Cultural and Social Ceremonies;
- Commonage.

**Agricultural Industry:** an enterprise or concern for the processing of agricultural products on land used for agricultural purposes owing to the nature, perishability and fragility of such products, but does not include service industry, industry or abattoir.

**Agricultural Land:** arable, meadow or pasture land, plantations, market gardens, poultry farm, nursery garden, and may include greenhouses or hydroponics, horticulture, permaculture, orchards and land used for the purpose of breeding or keeping of domestic animals and/or livestock and the grooming of such animals, poultry or bees and includes sale yards and any buildings connected therewith, provided that buildings connected with the housing of cats and/or dogs shall be deemed to be a Special Use. It excludes uses that could be classified/defined under "Agricultural Industry" and "Industry – High Impact".

**Authority Usage:** a use that is practiced by a public authority or on an agency basis on behalf of a public authority, of which the characteristics (including combination of uses) and locality factors are such that it cannot be classified or defined under other uses in these regulations, and includes uses practiced by:

- (a) The National Government, such as military training centres and installations, police stations, correctional facilities and associated utility services and accommodation that are directly related to the operation and maintenance of the primary function;
- (b) The Provincial Government, such as road camps; and
- (c) A Municipality, such as civic centres, municipal depots and fire stations (including associated accommodation that is required for staff to be on standby).

**Bank:** premises designated to a financial institution licensed to receive deposits and make loans.

**Basement:** that portion of a building, where such basement is not a habitable room, the finished floor level of which is at least 2m below, or the ceiling of which is at most 1m above the grade line applicable to the building.

**Bed and Breakfast Establishment:** an owner managed commercial accommodation establishment of not more than 5 guestrooms and which has as its primary source of business the supply of short-term accommodation and breakfast for resident guests.

**Boarding House:** any house, building or premises in which both lodging and either meals or communal cooking facilities are supplied by the proprietor, together with such outbuildings as are normally used therewith.

**Bottle Store:** a shop in which mainly alcoholic beverages are sold in the retail trade and includes an off-sales facility that is part of a hotel and under the same management as the hotel.

**Boundary:** of a land unit – means cadastral boundary, or where a land unit has not been surveyed, a reference or description as generally approved by the Municipality must be used.

**Building:** any structure or erection irrespective of its nature or size, i.e. any structure that complies with the National Building Regulations.

**Bus Depot:** the use of land and/or buildings at public transport facilities such as a bus for the purposes of dropping off and collecting passengers by public and private bus services and mini bus, and may include parking areas, shelter and seating for passengers, a ticket office, offices ancillary to the management of a bus, an informal trade area and ablution facilities.

**Business Premises:** a site or building or structure on or in which retail and wholesale business is done and includes uses such as shops, warehouses, offices, banks, bottle stores, restaurants, nurseries or buildings/structures/premises for similar purposes, but does not include institutions, service stations, industries or noxious trades.

**Camping Site:** a property or part thereof which can be utilised for the erection of tents or parking of caravans and includes ablution, braai, cooking and other facilities which, together with the amenity of the site, serve as features of attraction.

**Caravan:** any vehicle permanently fitted out for use by people for living or sleeping purposes, whether or not such vehicle is a trailer.

**Caravan Park:** any land used or intended to be used for the accommodation of caravans, including mobile homes.

**Car Wash:** land and buildings used for the washing, polishing and cleaning of vehicles.

**Cemetery:** a place, whether public or private, wherein human remains have been or are intended to be interred and includes a crematorium.

**Ceremonial Workshop:** a premise used for religious ceremonies to be carried out.

**Clinic:** a medical care facility for day patients with no overnight accommodation.

**Commercial Premises:** a building or land-usage whether it is a service industry, retail or wholesale, which is primarily involved in the rendering of a service, which can reasonably be regarded as being out of character in the residential or business area of the town. Commercial premises may include a warehouse.

**Commercial Workshop:** an activity which caters specifically for the local customer or provides a service directly to the retail customer and which is directly associated with the business premises to which the public has access and where such business premises comprise the frontage of the whole building except entrances and exits and may include panel beating, spray painting and cleaning of cars.

**Commonage:** land owned by the Municipality or state land under Traditional Authority administration on which residents have acquired / can acquire grazing rights or rights to arable lots, expressly for the purpose to benefit local inhabitants of a settlement or town.

**Communal land:** is held in trust by the Minister of Rural Development and Land Reform but also regarded by government as co-owned by the local community. It is considered to belong legally to the State. It is held by individuals under PTOs, under customary tenure, by quitrent grants, or rarely, by lease. Individuals rights on it are protected by the Interim Protection of Informal Land Rights Act (IPILRA).

**Convenience Shop:** a shop, including storage space, which is used for the purposes of carrying on a retail trade specifically directed at the supply of convenience goods (predominantly foodstuffs) to a localized area.

**Conservation Area:** an area of land and/or water within which the conservation of the scenic beauty, indigenous flora and fauna, other naturally occurring material, water courses, topographical features and places of historic or scientific interest is of primary importance.

**Council:** means a Local Municipal Council.

**Cultural Ceremonies:** means the practice of cultural and social ceremonies by a person or group belonging to a cultural, religious or linguistic community, provided that such ceremonies are lawful in terms of all applicable legislation and bylaws of the Municipality.

**Customary tenure:** persists from pre-colonial times in rural areas. State or trust land is allocated to heads of household by a hierarchy of traditional leaders. Government structures such as Tribal Authorities have been superimposed on the traditional system to administer customary tenure.

**Day Care Centre:** a building or a site, excluding a boarding house or educational institution, which is maintained and utilised on a profit or non-profit basis, for the acceptance, protection, and temporary caring of a maximum of 50 or less children on behalf of their parents and which building, or site is registered as a place of care in terms of the Child Care Act (Act 74 of 1983).

**Dwelling House:** a building containing only one dwelling unit complying with the National Building Regulations. In the event of a second dwelling unit on a Single Residential Erf (Residential Zone II), such dwelling house and second dwelling unit may be attached.

**Dwelling Unit:** a self-contained inter-leading group of rooms with not more than one kitchen, used only for living accommodation and housing at an occupation ratio not exceeding three persons per habitable room, together with such outbuildings as are ordinarily used therewith.

**Dwelling Unit – Second:** means an additional self-contained interleading group of rooms including not more than one kitchen designed for occupation by a single household or family and may include out buildings and domestic staff accommodation but excludes an ancillary unit(s).

**Ecologically Sensitive Areas:** a designated area of land which needs special protection because of its landscape, wildlife or historical value.

**Educational Building:** land and buildings used for instruction purposes such as a university, school, college, technical institute, crèche, nursery school, monastery, convent or similar uses and may include a research laboratory, art gallery, museum, academy, lecture, music or assembly hall or a library within the same site and incidental to such uses. It may further include ancillary uses normally associated with the primary use as an educational building, such as accommodation for students and staff, a canteen/restaurant, tuck shop (limited to 20m<sup>2</sup>) and sport / recreation facilities, but expressly excludes a Restricted Building.

**Fast Food:** premises used for the selling or supplying of meals or refreshments for consumption on or off the premises.

**Flats:** a building containing three or more dwelling units for human habitation, together with such outbuildings as are ordinarily used therewith; provided that in those zones where flats are permissible, fewer than three dwelling units shall also be permissible.

**Funeral Parlour:** the business of an Undertaker and may include a chapel, office, workshop, garage and/or warehouse. A Funeral Parlour does not include a mortuary.

**Garage:** a building for the storage of one or more motor vehicles and includes a carport but does not include a motor repair garage or service station.

**Guest House:** means an owner managed commercial accommodation establishment of not less than 6 guest-rooms and not more than 16 guest-rooms and which has as its primary source of business the supply of short-term accommodation and meals for resident guests.

**Harvesting Medicinal Plants:** means a building used to grow and cultivate medicinal plants for herbal remedies.

**Home Activity:** an activity or use established in, or in conjunction with a Dwelling Unit or a structure erected on the site of an existing Dwelling Unit which –

- (a) shall be restricted to one person who shall reside on the property;
- (b) shall occupy a minor portion of the Dwelling Unit, or shall, in the case of any structure erected for the purpose of the activity, be deemed to be associated with the Dwelling Unit and shall be not larger than 5% of the erf area but shall not, in any event, exceed 40m<sup>2</sup>
- (c) shall not involve any industrial or workshop activity;
- (d) shall not generate traffic sufficient to warrant the provision of additional parking;
- (e) shall not include the storage or display of any goods or items associated with the activity, nor the direct sale of goods or items from the site;
- (f) shall not involve the exhibition on the property of any notice or sign, nor the quoting of the residential address in any advertisement of the activity
- (g) shall, in the case of the keeping of livestock, be subject to the requirements of the Health Bylaws.

**Home Business:** the conduct of an occupational activity in, or in conjunction with, a Dwelling Unit or an approved structure erected on the Site of an existing Dwelling Unit which may be used for a home business, subject to certain conditions. In particular, such business may cause the employment of additional staff, which is necessary to conduct the business, but shall not have a negative impact on the residential character of the area.

**Hospital:** land and buildings used for the care and accommodation of patients, including specialised medical treatment and may include operating theatres, x-ray rooms, a convenience shop, pharmacy, offices and consulting rooms directly related to the hospital and may include staff accommodation and other associated uses.

**Hotel:** a property used as a temporary residence for guests, where lodging and meals are provided, and may include:

- (a) a restaurant;
- (b) conference and entertainment facilities that are secondary and directly linked to the dominant use of the property as a hotel; and

- (c) premises which are licensed to sell alcoholic beverages for consumption on the property but does not automatically include an off-sales facility.

**Industry:** an enterprise for the manufacture, wholesaling, warehousing, distribution, dispatching, assembly or processing of a product or the breaking up of a product or raw materials, which is not included under the definition of "Noxious Trade", and includes any place or site where any such trade is carried on, providing that retail on any such place or site shall be restricted to the selling of goods manufactured, processed or directly associated with the industrial activities on such place or site, as well as a caretaker's dwelling, an office or offices, an industrial café and any other use incidental to an industry.

**Industry – General:** means any other industrial use which is not defined elsewhere in terms of this set of definitions.

**Industry – Light:** means an industry which can be carried out without causing nuisance to other properties or to the public.

**Industry – Service:** means an enterprise which is:

- a) Primarily involved in the rendering of a service for the local community such as the repair of household appliances or the supply of household services; and
- b) Not likely to be a source of disturbance to surrounding properties.
- c) Not liable, in the event of fire, to cause excessive combustion, give rise to poisonous fumes or cause explosions; and
- d) Includes a builder's yard / hardware store and allied trades, laundry, bakery, dairy depot, distribution centres, storage purposes (excluding Bulk Storage as defined in the Scheme), laboratories, grooming parlour, transport and cartage activities and a workshop or other area used for the repair, restoration, lubrication and/or service of motor or leisure vehicles and/or parts thereof and/or electrical and/or mechanical equipment and may include facilities such as service bays, grease pits and wash bays, but shall not include facilities for panel beating or spray painting.

**Informal Trading:** the permitted selling of products in areas demarcated and approved by the Municipality specifically for this purpose, such as markets and other demarcated areas, provided that:

- (a) it does not interfere with pedestrian or vehicular movement, or with any municipal utility services; and

(b) there is no threat to public health or safety.

**Institution:** a property used as a welfare or private care facility such as an old age, frail or handicapped care facility, or a social facility such as a counselling centre, children's home or reformatory; and includes ancillary administrative, health care and support services for these facilities; but does not include a hospital, clinic or conventional correctional facility (prison).

**Launderette:** a building used for the purpose of washing and drying domestic clothing and household linen, where the machines used are electronically operated and quiet, and of the type of which processes each customer's articles individually, and which may be operated by the customer for a fee or be dropped off and picked up. The washing media used shall be of a type that shall not cause harmful effluent to be discharged into the sewerage system. A launderette is differentiated from a laundry in that the customer cannot operate the machines used in a laundry.

**Marine Protected Areas:** an area of the coast that is formally protected by law and managed mainly for biodiversity conservation, as recognised in terms of the National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003).

**Mortuary:** means a place where bodies are stored on a temporary basis.

**Motor Display Area:** premises used for the display, sale and/or hire of vehicles and may include uses incidental thereto but excludes a Motor Garage.

**Motor Garage:** premises used for the major servicing and repair of vehicles such as: the overhauling and testing of engines; the rebuilding and testing of engines; panel beating and spray painting. The following ancillary uses may also be included: display and sale of vehicles; washing, and cleaning of vehicles; and, the sale of motor spares and accessories.

**Motor Vehicle:** a vehicle designed or intended for propulsion by other than human or animal power, and includes a motorcycle and a trailer and caravan, but does not include a vehicle moving exclusively on rails or an aircraft.

**Motor Workshop:** Premises used for the general repair and servicing of light motor vehicles, including auto-electrical repairs, the fitting and sale of fitted motor spares and accessories, auto valet services, storage, and may also include an office, storeroom and display and sale of vehicles, or of towing broken down motor vehicles and excludes a Motor Garage.

**Nature Reserve:** a national park, provincial park or other nature park in public ownership, or that has been declared as such in terms of legislation and remains in private ownership; it includes

an area which is used as a game park or reserve for fauna or flora in their natural habitat and includes the provision of accommodation facilities for tourists or holidaymakers.

**Noxious Use/Trade/Industry:** means a use, trade or industry, performed by a public authority, public utility or private entity which constitutes a nuisance or a risk to health in neighbouring premises arising from vapours, effluvia, fluids, liquid waste matter, solid waste matter, noise, disturbance and dust, including but not limited to:

- (a) waste disposal site, waste-water treatment works;
- (b) enterprises associated with chemical, explosive or nuclear-based manufacturing, warehousing, packaging or distribution; and
- (c) the activities described in Annexure A hereto.

**Occasional Use:** a temporary activity such as craft markets, circuses, religious gatherings, or other outdoor events, even though these are not in accordance with the zoning of the property concerned.

**Occupant:** means any person who physically inhabits a building, a structure or land unit.

**Offices:** a room or set of rooms or a building that is used for the performance of an administrative function but excludes shops and business premises and does not include the storage, handling, distribution or sale of goods.

**Office Building:** a premise used for the administration of any business whether public or private.

**Office District Authority:** a premise designated to elected officials for one specific area for political or administrative purposes.

**Office Government:** premises used by or on behalf of the Government or Municipality for the purpose of carrying out Government or Municipal functions.

**Office Local Authority:** a premises designated for an organization that is officially responsible for all the public services and facilities in a particular area.

**Office Public:** a building used for purposes of Local, District, Provincial and/or National Government offices and includes a Town Hall, Court House, Police Station, Post Office, Public Library, Clinic and buildings ordinarily incidental thereto, but excluding an impoundment area.

**Parking Garage:** a building, or part of a building designed for the parking of motor vehicles with or without a fee and may include parking within a building.

**Place of Assembly:** a public hall, hall for social functions, music hall, concert hall, school hall or exhibition hall which is not directly related to a commercial undertaking, or a town hall or civic centre.

**Place of Public Assembly:** a building or land used for social meetings, gatherings, or indoor recreation, but does not include a place of entertainment.

**Place of Entertainment:** a theatre, dance hall, disco, amusement park, sports centre, billiard room, or similar use, but excludes an adult shop and adult entertainment.

#### **Place of Instruction**

- (a) a school, college, technical institute, industrial school, academy, university, lecture hall or other centre of instruction, whether public or private, and includes a boarding house for learners or students attached to such place of instruction and staff accommodation appertaining thereto, and
- (b) a convent, monastery, library, public art gallery, museum, gymnasium or day care centre, whether public or private, but does not include a building/complex used or intended to be used wholly or primarily as a certified reformatory or industrial school, or as a school for the mentally disabled.

**Place of Worship:** a church, synagogue, mosque, temple, chapel, or other place for practicing religion and includes any building in connection therewith but does not include a funeral parlour

**Private Open Space:** any land which has been set aside in this scheme for use as a primarily private site for club buildings, sport, play, rest or recreational facilities or as an ornamental garden or a pleasure garden and includes public land which is or will be leased on a long-term basis, whether public or private.

**Private Recreational Area:** sport and/or recreation facilities where access area may be reserved, such as a privately owned Golf Course, sports fields and clubs and associated sporting structures. It may include parking areas, club house, restaurant, or shop facilities ancillary to such sport and/or recreational use.

**Professional Services:** a vocation which is governed by the rules and conduct of a professional institution or body, and in which the practitioners offer their time and skills as a particular service to their clients, as distinct from the sale of a tangible commodity (e.g. medical, dental, veterinary, hairdressing and legal).

**Public Authority:** a government department (national or provincial), district or local municipality or other organ of state.

**Public Garage:** a building, including the site, for an undertaking that offers a complete range of services for motor vehicles, including sale of fuel, panel beating, spray-painting and a shop.

**Public Open Space:** land which falls under, or is intended to come under, the ownership of the Municipality, which is not leased or intended to be leased on a long-term basis and which is utilised or will be utilised as an open space, park, garden, playground, sports ground or square.

**Public Parking:** a site or building or part thereof that is accessible to the general public for parking purposes and excludes taxi ranks, bus termini and truck stops.

**Public Road:** any road or street for public use or any land intended for such purposes.

**Public Street** means:

- (a) any street that has at any time been
  - i. dedicated to the public; or
  - ii. used without interruption by the public for a period of at least thirty years; or
  - iii. declared or rendered such by a competent authority; or
- (b) any land with or without buildings or structures thereon, which is shown as a street on:
  - i. any plan or subdivision of a diagram approved by a competent authority and acted upon; or
  - ii. any general plan registered or filed in the Deeds Registry or
  - iii. the office of the Surveyor-General.

**Public Utility:** a company supplying utility infrastructure and/or services required for the proper functioning of the built environment.

**Residential Building:** a building (other than a dwelling-house, town house or block of flats) for human habitation, together with such outbuildings as are normally used therewith, and includes a boarding house, residential rooms, a hotel, a guest house, retirement village and a children's home, but does not include other buildings or uses mentioned whether by way of inclusion or exclusion in the definitions of "place of instruction" or "institution".

**Recreational Area:** sport and/or recreation facilities, such as a Golf Course, sports fields and clubs and associated sporting structures. It may include parking areas, club house, restaurant or shop facilities ancillary to such sport and/or recreational use.

**Recreational Building:** a clubhouse, gymnasium, squash court, pavilion, change room, stadium and any similar facility used in conjunction with a sport or recreational activity. A clubhouse may include dining facilities and lounges. It may include an open space or reserve which the public has a right to use and enjoy and includes any ancillary facilities but excludes a commercial gymnasium, which is defined under "Shop".

**Recycling Depot:** premises which receives, stores and processes pre-sorted single streams of waste and processes it into recycled products.

**Residential Room:** a habitable room, which forms part of a residential building, in which the proprietor provides lodging, but does not provide meals.

**Resort:** a resource-based holiday or recreational development that is accessible to the public (which may be subject to booking and fee arrangements).

**Resort Accommodation:** a number of dwelling or accommodation units belonging to one owner, which are only utilised for short term accommodation by travellers or tourists or holidaymakers and which comprise a single business enterprise, which is accessible to the public and of which the individual dwelling or accommodation units are marketed only by means of renting, and includes a caravan park and a camping site, but does not include a hotel.

**Restaurant:** a business establishment where meals and liquid beverages are prepared and/or served to paying customers for consumption on the property and may include licensed provision of alcoholic beverages for consumption on the premises.

**Retail:** means the sale and supply in any quantities of goods not manufactured nor produced to the order of any person and which are sold to any person for use or consumption by that person, and not for resale.

**Retirement Village:** a retirement community is a residential community or housing complex designed for older adults who are generally able to care for themselves; however, assistance from home care agencies is allowed in some communities

**School:** a premise used as an institutional for educating children.

**Scrap Yard:** means a building or land that is used for one or more of the following purposes:

- (a) the storing, depositing, or collecting of junk or scrap material or articles of which the value depend entirely or partially on the material out of which they are manufactured.
- (b) the dismantling of second-hand vehicles or machines to recover components or material, and

- (c) the storing or sale of second-hand pipes, poles, steel section, wire, lumber, tyres, bricks, containers, or other articles which are suitable to be left in the open without any serious damage being incurred.

**Second Dwelling:** a dwelling that may be erected in addition to the primary dwelling unit, with such an erection being a consent use in Residential Zone II and in Agricultural Zone I.

**Service Industry:** means the utilisation of a building or premises for an enterprise that is –

- (a) primarily involved in the rendering of a service for the local environs, such as the repair of household appliances and the supply of household services; and
- (b) which is not likely, in the event of fire, to cause excessive combustion or explosions, or give rise to poisonous fumes being released; and
- (c) but does not include an abattoir, a brickmaking site, sewerage works, a service station or public garage.

**Service Station:** a business or concern where motor vehicles are provided with fuel for payment or reward and includes trading in motor vehicles, oil, tyres and motor spares, the servicing or washing of motor vehicles or the operation of a restaurant or convenience shop, but excludes spray painting, panel beating or body or blacksmith work.

**Shelter:** a structure and unit of accommodation intended for human occupation, constructed of any material whatsoever, even though such structure or material may not comply with the standards or requirement for durability intended by the National Building Act.

**Shop:** a site or building or structure used for the purpose of carrying on a retail trade and includes a restaurant, launderette, a dry cleaner or a retail concern where goods which are sold in such concern are manufactured or repaired, provided that the floor area relating to such manufacture or repair, comprises not more than one third of the floor area of the shop. Shop does not include an industry, noxious use or trade or industry, service station, bottle store or supermarket.

**Shopping Centre:** a primarily retail development that is planned, built and managed as a single entity, comprising of a single or several retail concerns on a common site with a minimum gross leasable area (GLA) of 4 000 m<sup>2</sup>. The retail space and walkways may be combined under a single or linked roof, separated from vehicular movement and parking (a Retail Mall) or accommodated in separate buildings integrated with the vehicular movement and parking. A shopping centre may include other business uses as permitted under "Business Premises".

**Spaza shop/ Tuck Shop:** means a shop that is operated from a dwelling house, provided that:

- (a) such activities are restricted to one room of the principal dwelling or a garage or outbuilding with such an area not exceeding 30m<sup>2</sup>;
- (b) the dwelling is to have a primarily residential function;
- (c) not more than two persons should be involved in the operating of such a shop
- (d) such a shop should not impact negatively on the surrounding neighbours; and
- (e) all signs of trade, including advertising, should be kept to a minimum as specified in item 3 in Annexure C.

**Special Industrial Building:** any buildings other than dwelling houses defines industrial buildings as factories and other premises used for manufacturing, altering, and repairing.

**Special Use:** means a building type or use of land either not included in these definitions or used for any use other than a use for which buildings or land, included in these definitions, may be used.

**Subsistence Agriculture:** the practise of self-sufficiency farming system in which the people focus on growing enough food to feed themselves and their entire families. The output is mostly for domestic requirements with little or no surplus trade.

**Supermarket:** a shop with a net retail floor space of not less than 350 m<sup>2</sup>, which is utilised for sales on a basis of self-service.

**Tavern:** means a home-based business that provides for on-site consumption of food and liquor in a dwelling unit, provided that all provisions described in Annexure B are complied with.

**Taxi Rank:** the use of land and/or buildings at public transport facilities such as a taxi ranks for the purposes of dropping off and collecting passengers by public and private services and metered taxis, and may include parking areas, shelter and seating for passengers, a ticket office, offices ancillary to the management of a taxi rank, an informal trade area and ablution facilities.

**Telecommunication Infrastructure:** any part of the infrastructure of a telecommunication network for fixed line (fibre optic, copper or other cables) or wireless communication, including voice, data and video telecommunications, provided by telecommunication providers, including cellular network operators. This may include:

- (a) Antennas and satellite dish antennas
- (b) Any support structure;

- (c) Equipment room;
- (d) Radio equipment or optical communications equipment (laser or infra-red);
- (e) All ancillary structures needed for the operation of telecommunication infrastructure.

This definition excludes point-to-point fibre optic, copper or other cable installations.

**Telecommunication Installation:** an installation used to accommodate telecommunication infrastructure for the transmitting or receiving of communication signals. Such installation may include a freestanding support structure on land or may be attached to a building or structure.

**Tourist Facilities:** amenities for tourists or visitors such as a function venue, lecture rooms, restaurants, gift shops and restrooms, but does not include overnight accommodation.

**Town House:** a dwelling unit, which forms part of a town-housing scheme.

**Traditional Activities:** premises used for traditional rituals/ceremonies to be carried out.

**Traditional Homestead:** a self-contained inter-leading group of rooms, or free-standing rooms functioning in an integrated manner as a dwelling unit, grouped together on a land unit, with not more than one kitchen, used for living accommodation and housing of a family, together with such outbuildings as are ordinarily used therewith. The definition of Traditional Dwelling excludes free-standing rooms that function as Tenements of Flats.

**Traditional Medicine:** a building used for the sale of traditional remedies that have been developed over generations.

**Transport Facility:** a designated area with associated facilities that serves as a taxi rank, bus terminus or truck stop, but does not include public parking.

**Transport Usage:** a public or private transport undertaking based on the provision of a transport service such as railways, harbours and airports, and includes facilities for the handling and storage of freight.

**Truck Stop:** a building or premises in which, or upon which, a business, service, or industry is conducted mainly involving trucks or similar heavy commercial vehicles, and may include:

- a) the dispensing of motor fuel or other petroleum products, including associated office and storage areas;
- b) the temporary parking of trucks or similar heavy commercial vehicles;

- c) the cleaning, maintenance, servicing, or minor repairs of trucks or commercial heavy vehicles, but excluding panel beating and spray painting.

**Utility Service:** use or infrastructure provided by a public authority, private or public utility, that is required to provide engineering and associated services for the proper functioning of the built environment and includes a water reservoir and purification works, electricity substation and transmission lines, stormwater retention facilities, and a waste-water pump station. It may also include waste processing activities such as transfer stations, recycling centres, and composting installations) and a waste-water treatment works, only if no part of such facility or activity constitute a noxious use. "Utility service" does not include road, or transport use or telecommunication installations.

**University:** a building used for high-level educational institution in which students study for degrees and academic research is done.

**Urban Edge:** means a demarcated line (and interrelated policy) that defines the zone within which the Municipality will endeavour to upgrade levels of infrastructure over a period of time and according to available resources, to support higher densities of residential, industrial, and commercial development.

**Veterinary Clinic:** a place or building dedicated to the science and art of prevention, cure, or alleviation of disease and injury in animals and especially domestic animals.

**Warehouse:** either a site/building/room where goods are stored, or a wholesale business.

**Wholesale:** the sale and supply in any quantity of goods to a bona fide retailer for resale to the public.

### 3. SCHEME SUMMARY OF PRIMARY AND CONSENT USES

The table below illustrates the zoning categories supported by the visual representation to be used in future mapping. The primary uses, and special consent uses also support this table and are to be read in conjunction with the scheme controls.

ZONE	COLOR NOTATION			VISUAL REPRESENTATION	PRIMARY USE	SPECIAL CONSENT
	R	G	B			
AGRICULTURAL ZONE	000	255	000		<ul style="list-style-type: none"> <li>- Agriculture</li> <li>- Cultural Ceremonies</li> <li>- Dwelling House</li> <li>- Traditional Homestead</li> </ul>	<ul style="list-style-type: none"> <li>- Additional Dwelling</li> <li>- Agricultural Industry</li> <li>- Day Care Centre</li> <li>- Place of Assembly</li> </ul>
BUSINESS ZONE I	000	255	255		<ul style="list-style-type: none"> <li>- Banks</li> <li>- Bed and Breakfast Establishment</li> <li>- Bottle Store</li> <li>- Clinic</li> <li>- Doctors Surgery</li> <li>- Dwelling House</li> <li>- Guest House (above ground floor)</li> <li>- Funeral Parlour</li> <li>- Hardware</li> <li>- Hotel</li> <li>- Launderette</li> <li>- Office Building</li> <li>- Place of Assembly</li> <li>- Place of Entertainment</li> <li>- Place of Worship</li> <li>- Public Office</li> <li>- Residential Building (above ground floor)</li> <li>- Residential Rooms</li> <li>- Restaurant</li> <li>- Supermarket</li> <li>- Shop</li> <li>- Shopping Centre</li> </ul>	<ul style="list-style-type: none"> <li>- Adult Shop</li> <li>- Car Wash</li> <li>- Commercial Workshop</li> <li>- Day Care Centre</li> <li>- Mortuary</li> <li>- Parking Garage</li> <li>- Place of Instruction</li> <li>- Service Station</li> <li>- Warehouse</li> </ul>
BUSINESS ZONE II	000	000	255		<ul style="list-style-type: none"> <li>- Dwelling House</li> <li>- Flat</li> <li>- Guest House</li> <li>- Offices</li> <li>- Place of Worship</li> <li>- Professional Services</li> <li>- Public Office</li> <li>- Residential Building</li> </ul>	<ul style="list-style-type: none"> <li>- Bed and Breakfast Establishment</li> <li>- Bottle Store</li> <li>- Clinic</li> <li>- Day Care Centre</li> <li>- Funeral Parlour</li> <li>- Parking Garage</li> </ul>

					<ul style="list-style-type: none"> <li>- Restaurant</li> <li>- Town House</li> <li>- Shop</li> </ul>	<ul style="list-style-type: none"> <li>- Place of Public Assembly</li> <li>- Place of Instruction</li> <li>- Supermarket</li> <li>- Service Station</li> <li>- Warehouse</li> </ul>
BUSINESS ZONE III	176	188	248		<ul style="list-style-type: none"> <li>- Adult Shop</li> <li>- Car Wash</li> <li>- Commercial Workshop</li> <li>- Funeral Parlour</li> <li>- Launderette</li> <li>- Mortuary</li> <li>- Parking Garage</li> <li>- Place of Worship</li> <li>- Warehouse</li> </ul>	<ul style="list-style-type: none"> <li>- Bed and Breakfast Establishment</li> <li>- Day Care Centre</li> <li>- Dwelling House</li> <li>- Educational Building</li> <li>- Home Business</li> <li>- Place of Public Assembly</li> <li>- Recreational Building</li> <li>- Service Station</li> </ul>
BUSINESS ZONE IV	000	077	168		<ul style="list-style-type: none"> <li>- Car wash</li> <li>- Convenience store</li> <li>- Service station</li> <li>- Motor workshop</li> </ul>	<ul style="list-style-type: none"> <li>- Motor Display area</li> <li>- Motor Garage</li> <li>- Restaurant/ Fast Food</li> </ul>
CULTURAL RURAL ZONE	070	040	030		<ul style="list-style-type: none"> <li>- Additional use rights</li> <li>- Agriculture</li> <li>- Dwelling house</li> <li>- Institution</li> <li>- Hospital</li> <li>- Place of instruction</li> <li>- Place of worship</li> <li>- Place of assembly</li> </ul>	<ul style="list-style-type: none"> <li>- Boarding house</li> <li>- Conference facility</li> <li>- Cemetery</li> <li>- Crematorium</li> <li>- Funeral parlour</li> <li>- Freestanding base telecommunication station</li> <li>- Wind turbine infrastructure</li> <li>- Urban agriculture</li> </ul>
COMMUNITY ZONE I	137	112	068		<ul style="list-style-type: none"> <li>- Day Care Centre</li> <li>- Place of Assembly</li> <li>- Private Recreational Area</li> <li>- School</li> </ul>	<ul style="list-style-type: none"> <li>- Institution</li> <li>- Place of Worship</li> <li>- Residential Building</li> </ul>
COMMUNITY ZONE II	158	215	194		<ul style="list-style-type: none"> <li>- Day Care Centre</li> <li>- Place of Assembly</li> <li>- Place of Worship</li> <li>- Private Recreational Area</li> </ul>	<ul style="list-style-type: none"> <li>- Place of Instruction</li> <li>- Institution</li> </ul>
COMMUNITY ZONE III	230	152	000		<ul style="list-style-type: none"> <li>- Clinic</li> <li>- Hospital</li> <li>- Institution</li> <li>- Place of Assembly</li> <li>- Private Recreational Area</li> </ul>	<ul style="list-style-type: none"> <li>- Day Care Centre</li> <li>- Place of Instruction</li> <li>- Place of Worship</li> <li>- Residential Building</li> </ul>
INDUSTRIAL I	246	164	254		<ul style="list-style-type: none"> <li>- Commercial Workshop</li> <li>- Funeral Parlour</li> <li>- Motor Workshop</li> <li>- Mortuary</li> </ul>	<ul style="list-style-type: none"> <li>- Abattoir</li> <li>- Agricultural Industry</li> <li>- Parking Garage</li> </ul>

					<ul style="list-style-type: none"> <li>- Scrap Yard</li> <li>- Service station</li> <li>- Warehouse</li> </ul>	
INDUSTRIAL II	132	000	168		<ul style="list-style-type: none"> <li>- Abattoir</li> <li>- Agricultural Industry</li> <li>- Dwelling House (for caretaker only)</li> <li>- General Industrial Building</li> <li>- Light Industrial Building</li> <li>- Office Building</li> <li>- Public Office</li> <li>- Recycling Depot</li> <li>- Service Industrial Building</li> <li>- Warehouse</li> </ul>	<ul style="list-style-type: none"> <li>- Agricultural Land</li> <li>- Funeral Parlour</li> <li>- Noxious Industry*</li> <li>- Parking Garage</li> <li>- Special Industrial Building</li> </ul>
NATURE RESERVE	034	156	100		<ul style="list-style-type: none"> <li>- Amenity Area</li> <li>- Conservation Area</li> <li>- Conservation Purpose</li> <li>- Game Reserve</li> <li>- Heritage Conservancy</li> <li>- Heritage Purposes</li> <li>- Nature Reserve</li> <li>- Picnic Area</li> <li>- Bird Hide</li> <li>- Camping Ground</li> <li>- Coffee Shop/ Tea Garden</li> <li>- Protected Area</li> <li>- Special Landscapes</li> <li>- Special Nature Reserve</li> <li>- World Heritage Site</li> <li>- Office - General</li> </ul>	<ul style="list-style-type: none"> <li>- Conference Facility</li> <li>- Lodges</li> <li>- Camping and Caravan Park</li> <li>- Dwelling House</li> </ul>
OPEN SPACE ZONE I	118	238	000		<ul style="list-style-type: none"> <li>- Public Open Space</li> <li>- Recreational Area</li> </ul>	Associated Structures and Activities
OPEN SPACE ZONE II	169	214	158		<ul style="list-style-type: none"> <li>- Private Open Space</li> <li>- Private Recreational Area</li> </ul>	<ul style="list-style-type: none"> <li>- Agriculture</li> <li>- Associated Structures and Activities</li> <li>- Cemetery</li> </ul>
RESIDENTIAL ZONE I	255	255	115		<ul style="list-style-type: none"> <li>- Dwelling House</li> <li>- Home Activity</li> <li>- Subsistence Agriculture</li> <li>- Traditional Homestead</li> </ul>	<ul style="list-style-type: none"> <li>- Cultural Ceremonies</li> <li>- Day Care Centre</li> <li>- Second Dwelling House</li> <li>- Tuck Shop/Spaza</li> </ul>
RESIDENTIAL ZONE II	255	209	000		<ul style="list-style-type: none"> <li>- Dwelling House</li> <li>- Home Activity</li> <li>- Subsistence Agriculture</li> <li>- Traditional Homestead</li> </ul>	<ul style="list-style-type: none"> <li>- Day Care Centre</li> <li>- Guest House</li> <li>- Place of Public Assembly</li> <li>- Private Recreation Area</li> <li>- Recreational Building</li> </ul>


						- Tuck Shop / Spaza
RESIDENTIAL ZONE III	230	255	000		<ul style="list-style-type: none"> <li>- Dwelling House</li> <li>- Home Activity</li> <li>- Subsistence Agriculture</li> <li>- Traditional Homestead</li> <li>- Residential Building</li> </ul>	<ul style="list-style-type: none"> <li>- Day Care Centre</li> <li>- Guest House</li> <li>- Place of Public Assembly</li> <li>- Private Recreation Area</li> <li>- Recreational Building</li> </ul>
RESIDENTIAL ZONE IV A	168	056	000		<ul style="list-style-type: none"> <li>- Dwelling House</li> <li>- Home Activity</li> <li>- Private Open Space</li> <li>- Subsistence Agriculture</li> <li>- Town House</li> <li>- Traditional Homestead</li> <li>- Residential Building</li> </ul>	<ul style="list-style-type: none"> <li>- Bed and Breakfast Establishment</li> <li>- Boarding House</li> <li>- Day Care Centre</li> <li>- Guest House</li> <li>- Recreational Building</li> </ul>
RESIDENTIAL ZONE IV B	137	090	068		<ul style="list-style-type: none"> <li>- Dwelling House</li> <li>- Flats</li> <li>- Home Activity</li> <li>- Private Open Space</li> <li>- Residential Rooms</li> <li>- Subsistence Agriculture</li> <li>- Town House</li> <li>- Traditional Homestead</li> </ul>	<ul style="list-style-type: none"> <li>- Bed and Breakfast Establishment</li> <li>- Boarding House</li> <li>- Day Care Centre</li> <li>- Guest House</li> <li>- Hotel</li> <li>- Recreational Building</li> <li>- Retirement Village</li> </ul>
RESIDENTIAL ZONE V	255	236	188		<ul style="list-style-type: none"> <li>- Bed and Breakfast Establishment</li> <li>- Dwelling House</li> <li>- Guest House</li> <li>- Student Accommodation</li> <li>- Hotel</li> <li>- Residential Building</li> <li>- Private Open Space</li> </ul>	<ul style="list-style-type: none"> <li>- Place of Public Assembly</li> <li>- Recreational Building</li> </ul>
RESORT ZONE I	102	255	255		<ul style="list-style-type: none"> <li>- Caravan Park</li> <li>- Camping Site</li> <li>- Private Open Space</li> <li>- Resort</li> <li>- Resort Accommodation</li> <li>- Shop</li> </ul>	<ul style="list-style-type: none"> <li>- Hotel</li> <li>- Place of Assembly</li> </ul>
SPECIAL ZONE	255	102	000		<ul style="list-style-type: none"> <li>- Special Usage</li> </ul>	
TRANSPORT ZONE I	233	150	122		<ul style="list-style-type: none"> <li>- Bus Depot</li> <li>- Taxi Rank</li> <li>- Transport Facility</li> </ul>	<ul style="list-style-type: none"> <li>- Service Station</li> </ul>
TRANSPORT ZONE II	226	115	076		<ul style="list-style-type: none"> <li>- Public Road</li> <li>- Public Street</li> <li>- Public Parking</li> </ul>	<ul style="list-style-type: none"> <li>- Telecommunication Installation</li> </ul>
UTILITY ZONE I	212	207	203		<ul style="list-style-type: none"> <li>- Local Authority Office</li> <li>- District Authority Office</li> <li>- Government Office</li> <li>- Utility Services</li> </ul>	<ul style="list-style-type: none"> <li>- Place of Instruction</li> <li>- Institution</li> <li>- Telecommunication Installation</li> </ul>

## 4. DEVELOPMENT POLICY: LAND USE ZONES

### 4.1 ZONES RELATED TO AGRICULTURE

ZONE: AGRICULTURAL ZONE I						
<p><b>SCHEME INTENTION:</b></p> <p>The objective of the zone is to promote and protect agriculture on large farms as an important economic, environmental and cultural resource. Limited provision is made for non-agricultural uses to provide the rural communities in more remote areas with the opportunity to increase the economic potential for their properties, provided these uses do not present a significant negative impact on the primary agricultural resource.</p>						
<p><b>MAP COLOR REFERENCE:</b></p>						
<p><b>PRIMARY USES</b></p> <ul style="list-style-type: none"> <li>- Agriculture</li> <li>- Cultural Ceremonies</li> <li>- Dwelling House</li> <li>- Traditional Homestead</li> <li>- Conservation Area</li> </ul>			<p><b>SPECIAL CONSENT</b></p> <ul style="list-style-type: none"> <li>- Additional Dwelling</li> <li>- Agricultural Industry</li> <li>- Day Care Centre</li> <li>- Place of Assembly</li> </ul>			
DEVELOPMENT PARAMETERS						
SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	At least 10m	As determined by the municipality	Within the Urban Edge -	As determined by the municipality		
Side Building Line	At least 10m		0,8 ha			
Rear Building Line	At least 10m		Outside the Urban Edge -			
<p><b>ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS</b></p> <ul style="list-style-type: none"> <li>• Refer to Parking Schedule</li> <li>• As permitted by the Municipality in consultation with the Traditional Authority.</li> </ul>						

## 4.2 ZONES RELATED TO BUSINESS

ZONE: BUSINESS ZONE I						
<b>SCHEME INTENTION:</b>						
The objective of the zone is to provide for intensive business and mixed-use development with relatively few restrictions in order to promote Urban Vitality and economic growth.						
<b>MAP COLOR REFERENCE:</b> 						
PRIMARY USES			SPECIAL CONSENT			
<ul style="list-style-type: none"> <li>- Banks</li> <li>- Bed and Breakfast Establishment</li> <li>- Bottle Store</li> <li>- Clinic</li> <li>- Doctors Surgery</li> <li>- Dwelling House</li> <li>- Funeral Parlour</li> <li>- Hardware</li> <li>- Hotel</li> <li>- Launderette</li> <li>- Office Building</li> <li>- Place of Assembly</li> <li>- Place of Entertainment</li> <li>- Place of Worship</li> <li>- Public Office</li> <li>- Residential Room</li> <li>- Restaurant</li> <li>- Supermarket</li> <li>- Shop</li> <li>- Shopping Centre</li> </ul>			<ul style="list-style-type: none"> <li>- Adult Shop</li> <li>- Adult Entertainment</li> <li>- Car Wash</li> <li>- Commercial Workshop</li> <li>- Day Care Centre</li> <li>- Mortuary</li> <li>- Parking Garage</li> <li>- Place of Instruction</li> <li>- Service Station</li> <li>- Warehouse</li> </ul>			
DEVELOPMENT PARAMETERS						
SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	2 m	Unrestricted	Unrestricted	4	80%	Unrestricted
Side Building Line	1 m					
Rear Building Line	1 m					
ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS						
<ul style="list-style-type: none"> <li>• Refer to Parking Schedule</li> <li>• Residential Building (above ground floor)</li> <li>• Guest House (above ground floor)</li> <li>• Activities linked to the Peoples Economy as permitted by the municipality</li> </ul>						

**ZONE: BUSINESS ZONE II**

**SCHEME INTENTION:**

The objective of this zone is to provide for the retail sale of goods and services to the public. The objective of the zone is also to provide an intermediate Zone, which can, if required, act as a buffer or interface between high and medium intensity business zones, retail activities are limited to those which are ancillary to the dominant permitted uses, namely offices and flats. In order to protect the amenity of adjacent residential areas, appropriate levels of landscaping and Environmental Management are required.

**MAP COLOR REFERENCE:**



**PRIMARY USES**

- Dwelling House
- Flats
- Guest House
- Offices
- Place of Worship
- Professional Services
- Public Office
- Residential Building
- Restaurant
- Town House
- Shop

**SPECIAL CONSENT**

- Bed and Breakfast Establishment
- Bottle Store
- Clinic
- Day Care Centre
- Funeral Parlour
- Parking Garage
- Place of Public Assembly
- Place of Instruction
- Supermarket
- Service Station
- Warehouse

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	3 m	As determined by the municipality	450 m <sup>2</sup>	3	80%	2.0
Side Building Line	2 m					
Rear Building Line	2 m					

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

- Refer to Parking Schedule
- Activities linked to the Peoples Economy as permitted by the municipality

**ZONE: BUSINESS ZONE III**

**SCHEME INTENTION:**

The objective of this zone is to create an interface between general business and industrial zones. Certain uses permitted in this zone could have a negative impact on the surrounding area and therefore require to be accommodated in a separate zone from business.



**MAP COLOR REFERENCE:**

**PRIMARY USES**

- Adult Shop
- Car Wash
- Commercial Workshop
- Funeral Parlour
- Launderette
- Mortuary
- Parking Garage
- Place of Worship
- Warehouse

**SPECIAL CONSENT**

- Bed and Breakfast Establishment
- Day Care Centre
- Dwelling House
- Educational Building
- Home Business
- Place of Public Assembly
- Recreational Building
- Service Station

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	3 m	As determined by the municipality	450 m <sup>2</sup>	2	80%	2
Side Building Line	2 m					
Rear Building Line	2 m					

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

- Refer to Parking Schedule
- Activities linked to the Peoples Economy as permitted by the municipality

**ZONE: BUSINESS ZONE IV**  
**SERVICE STATION**

**SCHEME INTENTION:**

The objective of this zone is to provide opportunities in urban areas for petrol filling stations, service stations Motor Repair garages and associated facilities which have specific vehicle access requirements and potential negative impacts on adjoining areas.

**MAP COLOR REFERENCE:**



**PRIMARY USES**

- Car wash
- Convenience shop
- Service station
- Motor workshop

**SPECIAL CONSENT**

- Motor Display area
- Motor Garage
- Restaurant/ Fast Food
- Truck Stop

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	3 m	As determined by the municipality	500 m <sup>2</sup>	2	50%	2
Side Building Line	2 m					
Rear Building Line	2 m					

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

- Refer to Parking Schedule
- Activities linked to the Peoples Economy as permitted by the municipality

#### 4.2 ZONES RELATED TO COMMUNITY

ZONE: COMMUNITY ZONE I						
PLACE OF INSTRUCTION						
<b>SCHEME INTENTION:</b> The objective of design is to provide for educational facilities of all kinds, but controlled provision is made for other compatible community uses.						
<b>MAP COLOR REFERENCE:</b>						
PRIMARY USES			SPECIAL CONSENT			
<ul style="list-style-type: none"> <li>- Day Care Centre</li> <li>- Place of Assembly</li> <li>- Private Recreational Area</li> <li>- School</li> <li>- University</li> </ul>			<ul style="list-style-type: none"> <li>- Institution</li> <li>- Place of Worship</li> <li>- Residential Building</li> </ul>			
DEVELOPMENT PARAMETERS						
SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	5 m	As determine by the municipality	1000 m <sup>2</sup>	2	50%	2.0
Side Building Line	3 m					
Rear Building Line	3 m					
ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS						
<ul style="list-style-type: none"> <li>• Refer to Parking Schedule</li> </ul>						

**ZONE: COMMUNITY ZONE II  
PLACE OF WORSHIP**

**SCHEME INTENTION:**

The objective of this zone is to provide for places where communities can congregate and worship according to the custom of their specific faith or religion.

**MAP COLOR REFERENCE:**



**PRIMARY USES**

- Place of Assembly
- Place of Worship
- Private Recreational Area

**SPECIAL CONSENT**

- Place of Instruction
- Institution

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	5 m	As determined by the municipality	500 m <sup>2</sup>	2	50%	2.0
Side Building Line	3 m					
Rear Building Line	3 m					

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

- Refer to Parking Schedule

**ZONE: COMMUNITY ZONE III  
INSTITUTION**

**SCHEME INTENTION:**

The objective of this zone is to provide for a wide range of institutional uses including facilities for health.

**MAP COLOR REFERENCE:**



PRIMARY USES		SPECIAL CONSENT				
<ul style="list-style-type: none"> <li>- Clinic</li> <li>- Hospital</li> <li>- Institution</li> <li>- Place of Assembly</li> <li>- Private Recreational Area</li> </ul>		<ul style="list-style-type: none"> <li>- Day Care Centre</li> <li>- Place of Instruction</li> <li>- Place of Worship</li> <li>- Residential Building</li> </ul>				
DEVELOPMENT PARAMETERS						
SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	4.5 m	As determined by the municipality	200 m <sup>2</sup>	3	50%	2.0
Side Building Line	4.5 m					
Rear Building Line	4.5 m					
ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS						
<ul style="list-style-type: none"> <li>• Refer to Parking Schedule</li> </ul>						

#### 4.3 ZONES RELATED TO INDUSTRIAL

ZONE: INDUSTRIAL ZONE I						
<p><b>SCHEME INTENTION:</b></p> <p>The objective of this zone is to accommodate industry users and service trades that may be carried out without nuisance to other properties or the general public. Uses may be located next to business uses and in close proximity to residential areas, and do not present a potential negative impact on the character or amenity of such areas.</p>						
<p><b>MAP COLOR REFERENCE:</b></p>						
PRIMARY USES			SPECIAL CONSENT			
<ul style="list-style-type: none"> <li>- Commercial Workshop</li> <li>- Funeral Parlour</li> <li>- Motor Workshop</li> <li>- Mortuary</li> <li>- Scrap Yard</li> <li>- Service station</li> <li>- Warehouse</li> </ul>			<ul style="list-style-type: none"> <li>- Abattoir</li> <li>- Agricultural Industry</li> <li>- Parking Garage</li> </ul>			
DEVELOPMENT PARAMETERS						
SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	3 m	As determined by the Municipality	700	3	70%	1.5
Side Building Line	2 m					
Rear Building Line	2 m					
ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS						
<ul style="list-style-type: none"> <li>• Refer to Parking Schedule</li> </ul>						

**ZONE: INDUSTRIAL ZONE II**

**SCHEME INTENTION:**

The objective of this zone is to accommodate all forms of industry, accept nauseous trade and risk activity, in order to promote the manufacturing sector of the economy. Some allowance is made for non-industrial activity, but these should not compromise the general use of this area zone for industry. It is accepted that the intensive nature of the industrial activity or the scale of the operation could generate some negative impact on adjacent Properties.

**MAP COLOR REFERENCE:**



**PRIMARY USES**

- Abattoir
- Agricultural Industry
- General Industrial Building
- Light Industrial Building
- Office Building
- Public Office
- Recycling Depot
- Service Industry
- Warehouse

**SPECIAL CONSENT**

- Agricultural Land
- Funeral Parlour
- Noxious Use/Trade/Industry
- Parking Garage
- Special Industrial Building
- Veterinary Clinic/Hospital

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	3 m	As determined by the Municipality	1500	3	70%	1.5
Side Building Line	2 m					
Rear Building Line	2 m					

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

- Refer to Parking Schedule
- Dwelling House (for caretaker only)
- \*Location and Intensity to be determined by the local authority.

#### 4.4 ZONES RELATED TO OPEN SPACE

ZONE: OPEN SPACE ZONE I PUBLIC OPEN SPACE						
<p><b>SCHEME INTENTION:</b></p> <p>The objective of this zone is to provide for active and passive recreational areas on the public land, in order to promote Recreation, and enhance the ask the aesthetic of an area.</p>						
<p><b>MAP COLOR REFERENCE:</b></p>						
<p><b>PRIMARY USES</b></p> <ul style="list-style-type: none"> <li>- Public Open Space</li> <li>- Recreational Area</li> </ul>			<p><b>SPECIAL CONSENT</b></p> <ul style="list-style-type: none"> <li>- Associated Structures and Activities</li> </ul>			
DEVELOPMENT PARAMETERS						
SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	10 m	As determined by the Municipality				
Side Building Line	10 m					
Rear Building Line	10 m					
ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS						
<ul style="list-style-type: none"> <li>• Refer to Parking Schedule</li> <li>• The land use restrictions (building lines, floor area ratio, coverage, building lines, parking, height) and additional provisions applicable to this zone shall apply as for every site or use or type of building, as approved by the Municipality.</li> <li>• No structure shall be erected, or use practised except that which is compatible with the definition of "public open space"</li> </ul>						

**ZONE: OPEN SPACE ZONE II**

**PRIVATE OPEN SPACE**

**SCHEME INTENTION:**

The objective of the sun is to provide for active and passive recreational areas on private land, in order to promote Recreation and enhance the aesthetic appearance of an area.

**MAP COLOR REFERENCE:**



**PRIMARY USES**

- Private Open Space
- Private Recreational Area

**SPECIAL CONSENT**

- Agriculture
- Associated Structures and Activities
- Cemetery

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	10 m	As determined by the Municipality				
Side Building Line	10 m					
Rear Building Line	10 m					

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

- Refer to Parking Schedule
- The land use restrictions (building lines, floor area ratio, coverage, building lines, parking, height) and additional provisions applicable to this zone shall apply as for every site or use or type of building, as approved by the Municipality.
- No structure shall be erected or use practised, except that which is compatible with the definition of "private open space"

**ZONE: OPEN SPACE ZONE III  
NATURE RESERVE**

**SCHEME INTENTION:**

The objective of the zone is to provide for conservation of natural resource areas that have been proclaimed as nature areas (statutory conservation), in order to sustain flora and fauna and protect areas if undeveloped landscape including woodlands, ridges, wetlands and the coastline.



**MAP COLOR REFERENCE:**

PRIMARY USES	SPECIAL CONSENT
<ul style="list-style-type: none"> <li>- Nature reserves</li> <li>- Marine protected areas</li> <li>- Conservation areas</li> <li>- Ecologically sensitive areas</li> </ul>	

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	10 m	As determined by the Municipality				
Side Building Line	10 m					
Rear Building Line	10 m					

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

#### 4.5 ZONES RELATED TO RESIDENTIAL

ZONE: RESIDENTIAL ZONE I						
<p><b>SCHEME INTENTION:</b></p> <p>Single residential Zone is to provide for residential development where the predominant type of accommodation is a dwelling house for a single family, where each dwelling has its own land unit, and adequate outdoor space for subsistence agriculture and cultural activities. Limited employment and additional accommodation opportunities are possible as primary, or consent uses, provided that the dominant use of the property remains residential and impacts of such uses do not adversely affect the quality and character of the surrounding living environment.</p>						
<p><b>MAP COLOR REFERENCE:</b></p>						
<b>PRIMARY USES</b>			<b>SPECIAL CONSENT</b>			
<ul style="list-style-type: none"> <li>- Dwelling House</li> <li>- Home Activity</li> <li>- Subsistence Agriculture</li> <li>- Traditional Homestead</li> </ul>			<ul style="list-style-type: none"> <li>- Cultural Ceremonies</li> <li>- Day Care Centre</li> <li>- Second Dwelling House</li> <li>- Tuck Shop/Spaza</li> </ul>			
DEVELOPMENT PARAMETERS						
SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	5 m	75 du/ha	200 m <sup>2</sup>	2	60%	1
Side Building Line	3 m					
Rear Building Line	3 m					
ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS						
<ul style="list-style-type: none"> <li>• Refer to Parking Schedule</li> </ul>						

**ZONE: RESIDENTIAL ZONE II**

**SCHEME INTENTION:**

The objective of this zone is to provide a high degree of low to medium density residential projects which have integrated site and design features, and which require individual design Solutions and individually tailored development control provisions. This zone should not accommodate resort, particularly suitable for residential Estates that are governed by a property Owners Association, with access control and Co-Ordinated design (such as Golf Estates Equestrian Estates and residential marinas)

**MAP COLOR REFERENCE:**



**PRIMARY USES**

- Dwelling House
- Home Activity
- Subsistence Agriculture
- Traditional Homestead

**SPECIAL CONSENT**

- Day Care Centre
- Guest House
- Place of Public Assembly
- Private Recreation Area
- Recreational Building
- Tuck Shop / Spaza

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	5 m	One dwelling house for every 400m <sup>2</sup> of net site area.	500 m <sup>2</sup>	2	40%	1.5
Side Building Line	3 m					
Rear Building Line	3 m					

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

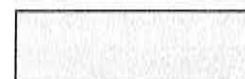
- Refer to Parking Schedule

**ZONE: RESIDENTIAL ZONE III**

**SCHEME INTENTION:**

The objective of this zone is to provide, preserve, use land or buildings for single residential use in a form of a dwelling house and ancillary uses. Protection of the quality and character of residential neighbourhood and the well-being of its residents. Business that comply with residential amenity such as a Bed and Breakfast Establishment, Guest House Establishment and Homes business are permitted at the discretion of the Municipality.

**MAP COLOR REFERENCE:**



**PRIMARY USES**

- Dwelling House
- Home Activity
- Subsistence Agriculture
- Traditional Homestead
- Residential Building

**SPECIAL CONSENT**

- Day Care Centre
- Guest House
- Place of Public Assembly
- Private Recreation Area
- Recreational Building

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	5 m	30 du/ha	1000 m <sup>2</sup>	2	50%	2.0
Side Building Line	3 m					
Rear Building Line	3 m					

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

- Refer to Parking Schedule

**ZONE: GENERAL RESIDENTIAL ZONE IV A**

**SCHEME INTENTION:**

The objective of this Zone is to provide, preserve, use land or buildings for single residential use and medium density housing developments in the form of dwelling houses and ancillary uses. Protection of the quality and character of residential neighbourhood and the well-being of its residents limiting multiple uses of buildings to minimize adverse impact on the residential environment.

**MAP COLOR REFERENCE:**



**PRIMARY USES**

- Dwelling House
- Home Activity
- Private Open Space
- Subsistence Agriculture
- Town House
- Traditional Homestead
- Residential Building

**SPECIAL CONSENT**

- Bed and Breakfast Establishment
- Boarding House
- Day Care Centre
- Guest House
- Recreational Building

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	5 m	50 du/ha	800 m <sup>2</sup>	2	60%	2
Side Building Line	3 m					
Rear Building Line	3 m					

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

- Refer to Parking Schedule

**ZONE: GENERAL RESIDENTIAL ZONE IV B**

**SCHEME INTENTION:**

The objective of this zone is to promote higher density residential development. The dominant use within this zone must be residential, but limited mixed-use development is possible with the municipality's consent. This zone has particular location requirements, such as proximity to transport and amenities, and should not be randomly located without due consideration of the availability of open space and community facilities.



**MAP COLOR REFERENCE:**

**PRIMARY USES**

- Dwelling House
- Flats
- Home Activity
- Private Open Space
- Residential Room
- Subsistence Agriculture
- Town House
- Traditional Homestead

**SPECIAL CONSENT**

- Bed and Breakfast Establishment
- Boarding House
- Day Care Centre
- Guest House
- Hotel
- Recreational Building
- Retirement Village

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	5 m	> 50 du/ha	1000 m <sup>2</sup>	3	70%	3.0
Side Building Line	3 m					
Rear Building Line	3 m					

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

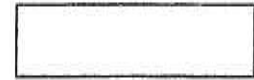
- Refer to Parking Schedule

**ZONE: GENERAL RESIDENTIAL ZONE V**

**SCHEME INTENTION:**

The objective of this Zone is to provide a temporary residence for transient guests in an appropriately skilled establishment where lodging and meals are provided, and which may include a small conferencing or training facility that also caters for business meetings.

**MAP COLOR REFERENCE:**



**PRIMARY USES**

- Bed and Breakfast Establishment
- Dwelling House
- Guest House
- Hotel
- Residential Building
- Private Open Space
- Student Accommodation

**SPECIAL CONSENT**

- Place of Public Assembly
- Recreational Building

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	5 m	As determined by the Municipality	500 m <sup>2</sup>	2	50%	2.0
Side Building Line	3 m					
Rear Building Line	3 m					

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

- Refer to Parking Schedule

**ZONE: RESORT ZONE I**

**SCHEME INTENTION:**

The objective of this zone is to promote tourist and holiday facilities in areas with special environmental or recreational attributes, and to encourage general public access to these facilities. At the same time, care should be exercised to minimise potential negative impacts of development on fragile environment. The Guiding Principles should be that a resort must not detract from the amenity that attracted the holiday facilities in the first place, nor should it cause a public Nuisance for other people living and working in the vicinity. This zone should only be used in exceptional cases and is normally applicable to tourist developments outside established built-up areas.



**MAP COLOR REFERENCE:**

PRIMARY USES	SPECIAL CONSENT
<ul style="list-style-type: none"> <li>- Caravan Park</li> <li>- Camping Site</li> <li>- Private Open Space</li> <li>- Resort</li> <li>- Resort Accommodation</li> <li>- Shop</li> </ul>	<ul style="list-style-type: none"> <li>- Hotel</li> <li>- Place of Assembly</li> </ul>

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	15 m	As determined by the Municipality	As determined by the Municipality	2	50%	As determined by the Municipality
Side Building Line	15 m					
Rear Building Line	15 m					

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

- Refer to Parking Schedule
- The land use restrictions (building lines, floor area ratio, coverage, building lines, parking, height) and additional provisions applicable to this zone shall apply as for every site or use or type of building, as approved by the Municipality.

**ZONE: SPECIAL ZONE**

**SCHEME INTENTION:**

This zone makes provision for situations where economic and spatial factors justify the creation of a "special zone" on the land use scheme map for a site or sites without justifying the creation of a new zone in the scheme regulations. The focus of the special zone is intended to promote economic growth within the identified areas through investment promotion and controlled development.



**MAP COLOR REFERENCE:**

PRIMARY USES	SPECIAL CONSENT
Special Usage	

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	As determined by the Municipality	As determined by the Municipality				
Side Building Line						
Rear Building Line						

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

If special factors justify the creation of a new zone on the land use scheme map for a site or sites without justifying the creation of a new zone in the scheme regulations, such site shall be zoned as a Special Zone on the land use scheme map. Each Special Zone identified will need to conform a distinct set of guidelines as defined for that specific special zone. More than one special zone may be identified within the town based on the nature of land uses wanting to be promoted and the location of the zone.

#### 4.6 ZONES RELATED TO TRANSPORT AND UTILITY

ZONE: TRANSPORT ZONE I						
<p><b>SCHEME INTENTION:</b></p> <p>The objective of this zone is to reserve land for transportation systems, excluding public streets, but including all other transport undertakings such as airports, heliports, harbours, railway lines, bus depots, taxi ranks, cable car stations, and model interchanges.</p>						
<p><b>MAP COLOR REFERENCE:</b></p>						
PRIMARY USES			SPECIAL CONSENT			
<ul style="list-style-type: none"> <li>- Bus Depot</li> <li>- Taxi Rank</li> <li>- Transport Usage</li> <li>- Parking Garage</li> </ul>			<ul style="list-style-type: none"> <li>- Service Station</li> </ul>			
DEVELOPMENT PARAMETERS						
SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	As determined by the Municipality	As determined by the Municipality				
Side Building Line						
Rear Building Line						
ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS						
<ul style="list-style-type: none"> <li>• Refer to Parking Schedule</li> <li>• The land use restrictions (building lines, floor area ratio, coverage, building lines, parking, height) and additional provisions applicable to this zone shall apply as for every site or use or type of building, as approved by the Municipality.</li> </ul>						

**ZONE: TRANSPORT ZONE II**

**SCHEME INTENTION:**

The objective of the zone is to provide for public streets, weather constructed or still to be constructed, as well as infrastructure associated with such streets. Provision is also made for the temporary use of the land unit for other purposes as may be approved by the municipality.



**MAP COLOR REFERENCE:**

**PRIMARY USES**

- Public Road
- Public Street
- Public Parking

**SPECIAL CONSENT**

- Telecommunication Installation

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	As determined by the Municipality	As determined by the Municipality				
Side Building Line						
Rear Building Line						

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

- Refer to Parking Schedule
- The land use restrictions (building lines, floor area ratio, coverage, building lines, parking, height) and additional provisions applicable to this zone shall apply as for every site or use or type of building, as approved by the Municipality.

**ZONE: UTILITY ZONE I**

**SCHEME INTENTION:**

The objective of this zone is to reserve land for use is normally undertaken by Central, provincial and municipal government agencies as well as land for Utility services as electrical substations, and which do not fall into another zoning category. Some flexibility for the use of land and development parameters is provided.



**MAP COLOR REFERENCE:**

**PRIMARY USES**

- Local Authority Office
- District Authority Office
- Government Office
- Utility Services

**SPECIAL CONSENT**

- Place of Instruction
- Institution
- Telecommunication Installation

**DEVELOPMENT PARAMETERS**

		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
<b>SPACE ABOUT BUILDINGS</b>						
Street Building Line	As determined by the Municipality	As determined by the Municipality				
Side Building Line						
Rear Building Line						

**ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS**

- Refer to Parking Schedule
- The land use restrictions (building lines, floor area ratio, coverage, building lines, parking, height) and additional provisions applicable to this zone shall apply as for every site or use or type of building, as approved by the Municipality.

ZONE: CULTURAL RURAL ZONE						
<p><b>SCHEME INTENTION:</b></p> <p>The objective of this zone is to promote the inherent rights of indigenous peoples which derive from their existing political, economic and social (value system, human experience, customs, beliefs) structures and from their cultures, spiritual traditions, histories and philosophies, especially their right to land, territories and resources. This zones further promotes the contribution of indigenous people to the diversity and richness of heritage and civilisation.</p>						
<p><b>MAP COLOR REFERENCE:</b></p> <div style="background-color: #cccccc; width: 100px; height: 20px; margin-left: auto;"></div>						
PRIMARY USES			SPECIAL CONSENT			
<ul style="list-style-type: none"> <li>• Cultural Ceremonies</li> <li>• Traditional activities;</li> <li>• Ceremonial worship;</li> <li>• Traditional Medicine ;</li> <li>• Harvesting Medicinal Plants;</li> </ul>						
DEVELOPMENT PARAMETERS						
SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE (m <sup>2</sup> )	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
Street Building Line	As determined by the Municipality through local consultation					As determined by the Municipality through local consultation
Side Building Line						
Rear Building Line						
ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS						
<ul style="list-style-type: none"> <li>• Cultural rural zone boundaries to be demarcated upon extensive communal mapping exercises.</li> <li>• Controls and consent uses governing the zone to be agreed upon between the local authority, the traditional leadership and any other interested or affected organs of state including customary custodian;</li> </ul>						

This document is also supported by a zoning register and the scheme maps developed for the Zoning Scheme in the supporting annexures document. The intention of this document is to provide the municipality with a concise list of property zoning information which is at the municipality's disposal to

update amend and distribute as and when required. Ensuring that the registry is up to date at all times is vital in ensuring that development applications are monitored, and revenue is generated through monitoring and update of the registry. The ability of the municipality to continually update the registry is imperative in maintaining up to date spatial repository.

The municipal planning by-law states that the Municipality must keep and maintain a land use scheme register in a hard copy and electronic format as approved by the Council and it must contain the following but is not limited to:

- a) Date of application;
- b) name and contact details of applicant;
- c) type of application;
- d) property description and registration division;
- e) previous and approved zoning and existing land use;
- f) a copy of the approved site development plan referred to in section 53(2);
- g) item number;
- h) item date;
- i) decision (approved/on appeal/not approved);
- j) reasons for the decision; and
- k) decision date.

## 5. GENERAL DEVELOPMENT PARAMETERS AND REGULATIONS

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### 5.1. FRONT SETBACKS

- i. The setback lines in respect of all lots and dwelling unit curtilage shall be as reflected in Development Parameters Tables, except where otherwise stated.
- ii. All lots shall be subject to the setback lines as per development controls provided that the Municipality may relax the building line restriction subject to the continuity of the shopping frontage not being disrupted. Notwithstanding the provisions of a) above, and where the applicant submits written support of adjoining property owners, the Municipality may, in its discretion:

**Relax the Front Setback to nil in the Mixed-Use Zones with consideration of: -**

- (i) The continuity of the shopping frontage not being disrupted; and
- (ii) There being no disruption to the free flow of pedestrian movement.

**Relax the Front Setback to such extent as may be requested where: -**

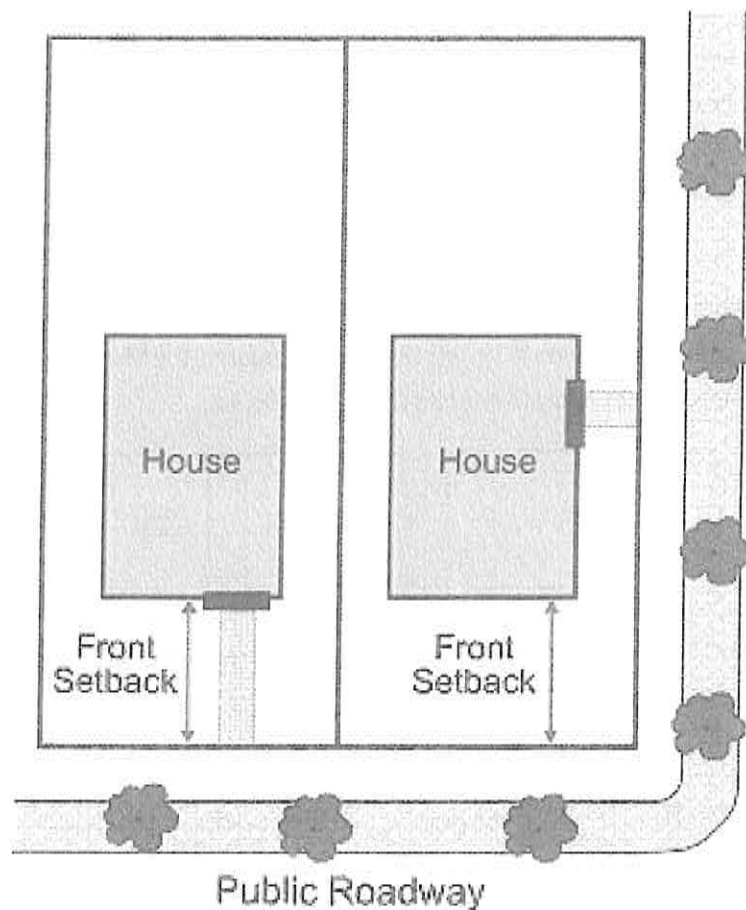
- i. on account of the levels of the lot or adjoining land, or the propinquity of buildings already in front of the Front Setback, or any other special circumstances, compliance with the Front Setback would seriously hamper the development of the lot; or
- ii. if is demonstrated by the applicant that the architectural effect, as a consequence of the relaxation sought, will enhance the appearance of the street and contribute to public amenity;

**Relax the Front Setback on corner lots in Residential only zones to 3 metres, provided that: -**

- i the relaxation is confined to one boundary only; and
- ii any buildings which are erected forwards of the prescribed Front setback of 7,5 metres, as a consequence of the relaxation, may not be closer than 3 metres to the side boundary of the adjoining lot; or

**All walls in excess of 2m require the submission of a relaxation application.**

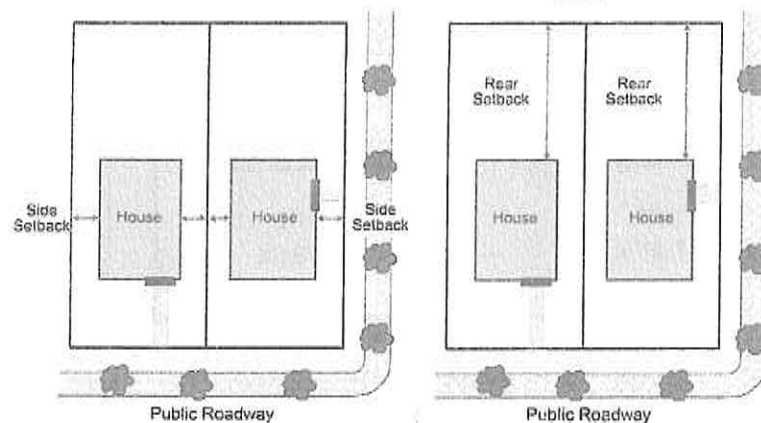
- i. Where a Front Setback is prescribed no building other than boundary walls, fences, pergolas or architectural and garden features, shall be erected between the building and the front boundary; provided that, where a new road or road widening is required, the Front Setback shall be set back in order to take into consideration any new road or road widening.
- ii. In addition, cognisance shall be taken of Front Setbacks imposed in terms of the Eastern Cape Roads Act (No. 3 of 2003 as amended) and the Municipality may not relax any building line below the restriction without first obtaining the consent of the Eastern Cape Department of Transport.



## 5.2. SIDE AND REAR SETBACKS

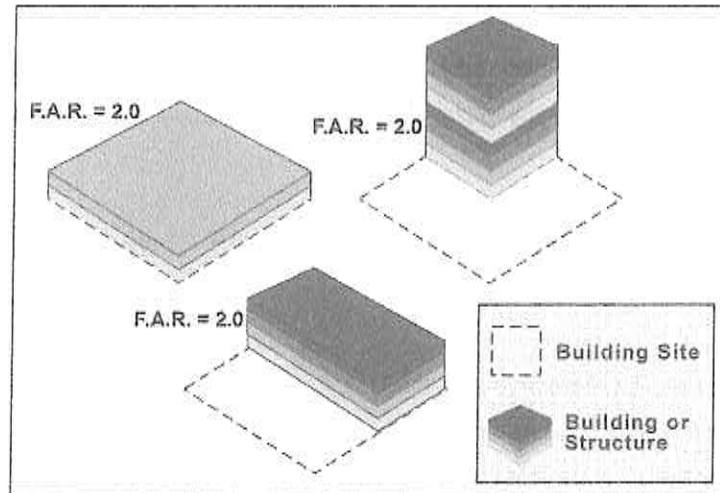
- i. The side and rear spaces in respect of all lots, except where otherwise stated, shall be as reflected in the Development Control Tables in Section Two.
- ii. Properties zoned Medium Density housing, multi-unit and caravan park sites, the side and rear spaces prescribed in Sub-clause b) above shall not apply to the individual lots or curtilages other than in respect of the side and rear boundaries of the sites.
  - (a) authorize the erection of single storey outbuildings in Residential zones, where the applicant demonstrates that the owners of the property or properties contiguous to the common boundary or boundaries, have consented in writing to the relaxation.
  - (b) Relax the side setback to zero where:
    1. the common boundary or boundaries in the development of semi-detached or row houses in the Residential Only Detached zones; provided that the party wall servitudes are registered against the respective properties in the KwaZulu- Natal Deeds Registry; or
    2. Commercial or industrial buildings, except where space is necessary to provide parking and loading areas; or

3. Where buildings adjoins lots zoned for residential purposes; v) any zone if, on account of the siting of existing buildings, or the shape, size and levels of the lot or dwelling unit curtilage, the enforcement of the side and rear setbacks requirements would, in the opinion of the Municipality, render the development of the property unreasonably difficult;
4. Provided that, before granting any relaxation sought, and where it is of the opinion that the relaxation may be detrimental to the amenity of adjoining properties, or that of the neighbourhood in which the lot is situated, the Municipality may call upon the applicant to apply to it for its Consent to do so.



### 5.3. FLOOR AREA RATIO, COVERAGE AND HEIGHT

- i. In any zone, the density of building development and the erection of buildings shall not exceed the maximum Floor Area Ratio (FAR), Coverage and Height figures for the zone as specified in the Development Parameters Tables.
- ii. In calculating the permissible floor area, as defined in area definitions of the General Definitions, "Erf Area, Floor Area, Floor Area Ratio"; the following floor areas are to be excluded:
  - Any area used exclusively for the parking of motor vehicles, except as provided for in the Design and Layout Requirements
  - Garages, carports, swimming pools, squash courts and tennis courts that are for private use only;
  - Covered public arcades and malls in commercial zones which are not used for retail purposes or for the display, sale or storage of goods;
  - The un-walled access ways and driveways covered by canopies of garages and service stations; and
  - Patios, verandas and decks enclosed on two sides only.
- iii. In calculating the permissible coverage as defined in the definitions only roofed or covered areas shall be included; (See the Definitions Coverage, Erf / Erven).



#### 5.4. LOT AREA

- i. In any zone, except in cases where any the lot was in existence prior to the date of adoption, no lot shall be less in area than the minima prescribed in the development Control Tables in respect of the particular zone concerned.
- ii. Notwithstanding the provisions of the Clause above, the Municipality may require the minimum lot be increased where it is of the opinion that the method to be used for the disposal of sewerage and wastewater warrants such an increase. In determining the extent of the increase, the Municipality shall be advised by a professional engineer in accordance with the capabilities of the method of disposal to be used in relation to the particular lot, medium density housing site or curtilage.
- iii. Where, on the date of adoption, two dwelling houses existed lawfully on a single lot which is less in extent than double the minimum prescribed in Development Control Tables for the zone in which the dwelling occur, the Municipality may grant authority for the subdivision of the property into two separate portions, provided that:
  - The area of either of the subdivided portions shall not be less in extent than 12, 5% below the minimum area prescribed for the zone.
  - Each portion conforms to all of the other provisions of the Scheme; and
  - Arrangements for the disposal of sewerage and wastewater can be made to the satisfaction of the Municipality.
- iv. Provided further that, in giving any authority, the Municipality shall take into account the amenity of the locality and of the adjoining properties and it may call upon the applicant to apply to it first for its consent.
- v. Where and existing lot in any zone has been reduced in area by the expropriation or alienation of land for road widening and / or construction or public purposes as reserved in the Scheme, the Municipality may grant its authority for the construction of buildings thereon as contemplated in the zone, provided that :

- The remaining extent of the lot is not less in extent than 12, 5% below the minimum area prescribed for the zone; and
- Arrangements for the disposal of sewerage and wastewater can be made to the satisfaction of the Municipality.

## 5.5. RESTRICTIONS OF THE NUMBER OF DWELLINGS ON A LOT IN RESIDENTIAL ZONES

In the residential zones, not more than one dwelling house shall be erected on any lot or lot, provided that

- (a) if a lot is greater in extent than double the minimum prescribed in the development parameters (controls) for the zone in which it occurs, additional dwelling houses may be erected thereon, the number of which shall be determined by dividing the area of the lot by the prescribed minimum for the zone, any fraction thereof which shall be discounted; provided further that:
  - (i) the applicant shall first submit a drawing to the Municipality for its approval showing that the property on which the additional dwelling (or dwellings) is to be constructed is capable of being subdivided to create an lot for each dwelling which will conform to the provisions of the Scheme;
  - (ii) the applicant furnishes the Municipality with an undertaking to construct and maintain all internal services, roads and storm water drainage as the Municipality shall specify, which shall be to the Municipality's satisfaction until it is able to take over responsibility thereof upon the formal subdivision of the property; and
  - (iii) the applicant furnishes the Municipality with a further undertaking that any land required under the scheme for road construction, road widening or public purposes shall be transferred to the Municipality, and that all servitudes as may be required are registered in favour of the Municipality, or the authority, at dates to be determined by the Municipality and/or authority; and
- (b) A number of dwelling houses or units on individual lots may be grouped on a particular lot in the Residential zones, provided that:
  - (iv) The minimum area of a lot shall not be less than twice the minima specified for relevant zones in Development Control Tables; and
  - (v) the consent of the Municipality is applied for and obtained in respect of the siting of the buildings, the width and standard of all internal roads, access ways, services and landscaping of the property,
- (c) The number of which shall be determined as set out in (a) above.

## 5.6. ADDITIONAL DWELLING UNIT IN RESIDENTIAL ONLY DETACHED ZONES

The Local Municipality may permit the erection of an additional self-contained residential unit on any residential site of 650sqm or more.

- (a) For the purposes of this clause only, such self-contained residential unit shall comprise not more than one bedroom, a combined lounge and dining room, a kitchen, a bathroom and a toilet. The total floor area shall not exceed 90m
- (b) be architecturally compatible with the main dwelling house, attached directly to it or by means of a screen wall which will place the unit at a distance no greater than 5m from the main dwelling house, unless the applicant can demonstrate that exceptional circumstances exist which prevent such attachment;
- (c) be served by the same access to the public street or road which serves the main dwelling house, unless the applicant can demonstrate that exceptional circumstances exist to prevent such shared access; and
- (d) Be provided with adequate sewerage and wastewater disposal to the satisfaction of the Municipality, provided further that the Municipality may waive the need for a consent application where the applicant demonstrates that the owners of adjoining properties have consented in writing, that they would have no objection to the erection of the proposed additional dwelling.

## 5.7. THE SHAPE OF LOTS IN RESIDENTIAL ONLY DETACHED ZONES

Except in special circumstances, the depth of the lot in relation to the frontage shall not exceed the ratio of 3 to 1 in proportion, provided that where a lot is an irregular shape, it shall be capable of containing within its boundaries a rectangle not exceeding the ratio of 3 to 1, having an area of 75% of the minimum prescribed area for the zone in which it is situated.

## 5.8. PARKING, LOADING AND UNLOADING ACCOMMODATION

(This must be read together with Section 6 of this Scheme)

1. A person intending to erect, alter or extend a building, or develop or use any lot, medium density housing site or curtilage, must provide parking accommodation within the boundaries of the lot, site or curtilage and shall submit proposals to the extent specified in the Parking Standards and

Requirements and in accordance with the requirements set out hereunder and to the satisfaction of Municipality

2. In addition to the requirements of Sub-clause 1 above, and other than in respect of single dwellings within the Residential zones, adequate areas for the loading and unloading of vehicles shall be provided, the location, access, demarcation and surfacing of shall be to the satisfaction of the Municipality; provided further that on any lot, Medium Density Housing site or curtilage where commercial vehicles are accommodated shall, in addition, provide sufficient parking accommodation and turning space for such vehicles to the satisfaction of the Municipality.

## 5.9. EXISTING LAND USE RIGHTS

1. Any existing building or existing use which is not in conformity with this Scheme, but for which legal authority was obtained from the Municipality prior to the adoption date of the Raymond Mhlaba wall to wall Scheme, and which continued to be used for the purpose for which it was designed and/or was completed legally and is so used after the said adoption date, may continue to be so used, subject to compliance with any conditions which may have been imposed by the Municipality.
2. Any alteration or addition or change which materially alters the use of land or the character of an existing building shall automatically remove shall a use of land or building from the category of "existing land use" or "existing building" in terms of this Scheme.

## 5.10. NON-CONFORMING LAND USES

1. Any alteration or addition or change of use, which in the opinion of the Municipality alters the character of an existing building or use of land, shall automatically remove such building or land from the category of building or existing use.
2. Where the non-conforming existing use of any building or land is discontinued for a continuous period of 18 months or longer, such an existing use shall be deemed to have lapsed and shall not be recommenced.

## 5.11. THE SITING OF BUILDINGS AND ACCESS POINTS AND PROTECTION OF INDIGENOUS FLORA, FAUNA HABITATS AND NATURAL SYSTEMS

1. The siting of any buildings intended to be erected, or the development or use of any land, shall be subject to the approval of the Municipality.

2. Before commencing with any activity, persons intending to erect buildings or use land shall apply to the Municipality for approval of the siting, use or development and for the identification of this indigenous flora, fauna, habitats and natural systems which must be conserved and protected.
3. In terms of the provisions of this Scheme, the Municipality in considering any application submitted under Chapter 4 of the Spatial Planning and Land Use Management By-Laws (As amended) shall ensure that adequate provisions are made in regard:
  - (a) the siting of buildings and access ways for the conservation of indigenous flora and fauna
  - (b) the protection of habitats and natural systems;
  - (c) the replacement of trees and vegetation, by means of conditions qualifying the approval of such applications.

## 5.12. SITE DEVELOPMENT PLANS

1. In addition to the zonings that specifically require a site development plan, the Raymond Mhlaba Local Municipality may require a site development plan in respect of the following development types:
  - (i) shopping centres and shopping complexes;
  - (ii) business and office park developments;
  - (iii) industrial park developments;
  - (iv) developments in conservation areas;
  - (v) developments that will be sectionalised;
  - (vi) incremental residential developments; and
  - (vii) any other uses that the municipality deems it necessary to have a site development plan submitted;
  - (viii) minor / major developments where there are concerns relating to urban form, heritage, traffic, utility services or spatial planning in general.
  - (ix) Developments that require comments / approval from other sector departments such as the department of transport, department of education etc.

The Raymond Mhlaba Municipality may require some or all of the following information for a site development plan:

- (i) existing bio-physical characteristics of the property
- (ii) existing and proposed cadastral boundaries;
- (iii) the layout of the property, indicating the use of different portions thereof;
- (iv) the massing, position, use and extent of buildings;
- (v) sketch plans and elevations of proposed structures, including information about external finishes;

- (vi) cross-sections of the site and buildings on site;
  - (vii) the alignment and general specification of vehicle access, roads, parking areas, loading areas, pedestrian flow and footpaths;
  - (viii) the position and extent of private, public and communal space;
  - (ix) typical details of fencing or walls around the perimeter of the land unit and within the property;
  - (x) electricity supply and external lighting proposals;
  - (xi) provisions for the supply of water, management of stormwater, and disposal of sewage and refuse;
  - (xii) external signage details;
  - (xiii) general landscaping proposals, including vegetation to be preserved, removed or to be planted, external paving, and measures for stabilising outdoor areas where applicable;
  - (xiv) the phasing of a development;
  - (xv) the proposed development in relation to existing and finished ground levels, including excavation, cut and fill;
  - (xvi) statistical information about the extent of the proposed development, floor space allocations and parking supply;
  - (xvii) relationship of the proposed development to the quality, safety and amenity of the surrounding public environment;
  - (xviii) relationship of the proposed development to adjacent sites, especially with respect to access, overshadowing and scale;
  - (xix) illustrations in a three-dimensional form depicting visual impacts of the proposed development on the site and in relation to surrounding buildings; and
  - (xx) any other details as may reasonably be required by the municipality.
2. The municipality may require that the area covered by a site development plan shall extend beyond the site under consideration if, in its opinion, the proposed development will have a wide impact. The municipality may determine the extent of such area.
  3. When required in terms of this land use management scheme, a site development plan shall be submitted to the municipality for its approval before any development on a land unit may commence.
  4. A site development plan shall be refused / deferred / disapproved if it is not consistent with the development rules of a zoning, overlay zoning, condition of approval or any other external commenting / approving authority.

5. The municipality may require amendments of detail to the site development plan to address reasonable concerns relating to access, parking, architectural form, urban form, landscaping, environmental management, engineering services or similar concerns.
6. The following provisions shall apply with regard to site development plans:
  - i. Development of the property shall be in accordance with an approved site development plan;
  - ii. If the municipality considers it necessary, a transport or traffic impact statement or assessment may be required in conjunction with a site development plan, the extent of which shall be determined by the municipality depending on the magnitude of the development;
  - iii. If the municipality considers it necessary, a stormwater impact assessment and/or stormwater management plan may be required in conjunction with a site development plan, the extent of which shall be determined by the municipality depending on the magnitude of the development;
  - iv. In circumstances where a site development plan is required in terms of this development management scheme, no application for building plan approval in terms of the National Building Act shall be granted by the municipality, unless a site development plan has first been approved,
  - v. An approved site development plan shall be considered as setting additional development rules applicable to the base zoning, and any application for amendment shall comply with the municipality's requirements for such amendments.
  - vi. In the submission of a Site Development Plan, a developer or owner may be required by the Municipality to provide information related to the use of green technology in the development of site or building of the development.
  - vii. The Municipality may request the inclusion of information related to on site water storage and recycling measures in the Site Development Plan
  - viii. The municipality may impose any condition of approval for any Site Development Plan related to any services infrastructure upgrades required for any development related to internal business units comments or any other condition imposed by an external party
  - ix. The municipality reserves the right to refer any specialist studies submitted with any site development plan by the applicant or agent for review.

### 5.13. TELECOMMUNICATION BASE TOWERS

1. An application for the sub-division of land for a Telecommunication Base Tower which falls outside the designated boundary of the scheme adoption boundary is subject to the **Sub-division**

of Agricultural Land Act (No 70 of 1970) and requires approval from the national Department of Agriculture, Forestry and Fisheries.

2. All applications for change of land use are subject to the relevant requirements of the **National Environmental Management Act (Act No. 107 of 1998)** which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).
3. Any application for the establishment of a Telecommunication Base Tower will need to provide documentation and a detailed plan indicating that the facility is compliant with the requirements of **section 24 the National Constitution Act (No. 108 of 1996)**, the Cellular Telecommunications Infrastructure regulated by the Electronic Communications Act (No 36 of 2005), the National Building Regulations and any other relevant legislation, bylaws and municipal policy.
4. Telecommunications Base Towers can be erected under any land use zone through a Special Consent application. Each application will be assessed and processed individually based on individual aspects and characteristics of the property and zone.
5. All applications for the establishment of Telecommunication Base Tower or mast shall submit to the Local Municipality a detailed report which includes the following items: -
  - (a) The proximity to other development.
  - (b) The possibility of using other appropriate structures rather than applying for a new site;
  - (c) The current state and usage of the site;
  - (d) The aesthetic compatibility with surrounding land uses;
  - (e) The proximity of the Telecommunication Base Tower to other communication installations;
  - (f) The proximity of the site to sensitive environment areas, wilderness areas, nature reserves, ecotourism destinations, Special Case Areas, and Nature Conservation or Biodiversity Reserves.
  - Any application for the erection of a cellular mast on the roof of a multi-storey building will show measures taken to reduce the visual impact of the mast.
  - The applicant shall provide a description of what measures are to be taken to improve the aesthetic impact of the Telecommunication Base Tower or mast.
  - The application will address what security measures are to be put in place to prevent the unauthorised access to the Telecommunication Base Tower, including fencing, access points and warning notices on site and along access roads.

Please also refer to Annexure for detail on telecommunication mast requirements.

#### 5.14. ADVERTISEMENTS

- i. No advertisements shall be displayed, or signs or hoardings erected, without the written authority of the Municipality, provided that where it is of the opinion that a proposed advertisement or boards is likely to have a negative impact upon the amenities of the neighbourhood concerned, it may call upon the applicant to lodge a Consent application. Applications shall be accompanied by such drawings of the proposed advertisement, sign or boards and other information, which the Municipality may from time to time require.
- ii. This Clause shall not apply to casual advertisements for fund raising, entertainment, property sales, and auctions to be held on premises or meetings, provided that they are not, in the opinion of the Municipality, to be unduly ostentatious, in which event it may require that they be forthwith removed.
- iii.
- iv. Prior to the approval of any site development plan, the norms and standards of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration. Any conditions imposed by any of the mentioned entities will be enforceable.

#### 5.15. FLOOD LINES

1. No habitable portion of a building intended for residential purposes may be erected below the 1 in 100 years flood line, defined in terms of the relevant provisions of the **National Water Act, 1998 (No.36 of 1998)**, as amended, without the prior approval of the Municipality, to whom shall be produced a certificate, signed by a Professional Engineer, confirming that such proposed buildings are vertically clear of such flood level.

#### 5.16. SUB-DIVISION AND CONSOLIDATION OF LAND

1. Nothing in this Scheme shall prohibit or restrict the subdivision of any lot in any use zone, provided that the effect of any subdivision shall not be contrary to the provisions of this Scheme.
2. Prior to the lodgement of any diagram in respect of the subdivision/consolidation of any lot with the Office of the Surveyor-General, Eastern Cape in terms of the relevant provisions of the Land Survey Act, 1927 (Act No. 9 of 1927, as amended), a plan illustrating said subdivision/consolidation shall first be submitted to Council for its approval.

#### 5.17. DELEGATION OF DECISION MAKING

The delegation of decision making is ultimately up to the Local municipality. Through the establishment of a SPLUMA compliant Municipal Planning Tribunal the municipality has the authority to take decisions on development applications. Supporting the establishment of a tribunal is the need for the adoption of



## 5.18. DEVELOPMENT INCENTIVES

SPLUMA requires that a Land Use Scheme include land use and development incentives to provide the effective implementation of the Land Use Scheme. SPLUMA require municipalities to include land use and development incentive to promote the effective implementation and enforcement of the Land Use Scheme. The following incentivisation ideas come to therefore:

### **Time taken to approve a development application**

The RMLM is to consider the possibility of fast tracking development applications in suitable areas. This is stipulated as a requirement for new SPLUMA compliant SDF's. The SDF is to identify the designation of areas in which shortened land use development procedures may be applicable and Land Use schemes may be so amended. Practically this could mean that these areas are identified in the SDF and then included in the scheme as an overlay.

### **Land Value Capturing**

A key feature of the city is that it is located at a physical point in space, meaning that a city requires land. The value of land in a city or town is considered a good indication of the productive capacity or investment potential of city. Land is particularly unique factor of production. Unlike other factors of production such as capital and human resource, land (and the fixed structures constructed on it, or the mineral resources contained in it) is immovable and fixed in a particular location. Depending on the business cycle and ownership arrangements, land can further be viewed as either a capital investment good (for owners of land) or as consumption good with utility bearing properties. Economic actors will tend to view land a capital investment good in times of rapid growth and property price increases, and as a consumption good when prices are either stable or decline.

Based on this it is imperative that RMLM encourages higher order land use, land value capture and optimum land use. The highest an best use considers only the uses that are legally permissible (meeting zoning, health and public restrictions), physically possible (has adequate size, soil conditions, and accessibility), and is economically feasible (income anticipated). The use that meets these criteria and produces the greatest net earnings (best returns) is the highest and best use.

### **Tax incentives and rates arrangements**

As in most countries, one of the main issues in terms of sustainability is the presence of urban sprawl resulting in extensive urban decay. In order to address these concerns governments internationally and nationally have utilised tax measures to support efforts aimed at regenerating these urban areas by attracting developers with a capital allowances to areas where interest would other wise be lacking with interests. It is advised the RMLM consider such measure to facilitate revenue generation.

### **Municipal Planning Financial Tools for Economic Development**

The Urban Development Zones (UDZ's) programmes is one of the most critical tools that can be used for economic development in South Africa. UDZ's are based on the built environment and uses incentive packages to attract targeted investment and technology in the identified zones for infill development of development in order to prevent the city from future urban sprawl. Local government gives planning commission latitude to waive certain zoning requirements for infill projects. Infill incentives are offered for a number of reasons.

- Infill development reuses properties that may have been underutilised or blighted, helping to catalyse revitalisations;
- It also has the potential to boost jobs, purchasing power, and public amenities in urban core neighbourhoods and generate tax revenue for local governments;
- Infill housing is dense in comparison with housing in suburban areas and represents an effective way to meet a jurisdictions affordable housing or population growth needs;
- Located in proximity to existing transit routes or within walking distances of services and entertainment, infill development can reduce auto use and accompanying congestion and pollution. Prime locations for infill development include town centres, transit corridors and locations near employment, shopping and recreational and cultural amenities.

### **Innovative Development Incentives**

The following are considered to be the most useful and important incentives for the repair of large commercial sites such a regional shopping centres and malls, which will be possible only if the underutilised parking lots are urbanised to support higher density, missed use development. Structured parking will be needed, and the investment for it can be considerable, making government financial support essential.

### **Tax Increment Financing (TIF)**

This is an instrument used to underwrite redevelopment projects. Applied to a district , TIF is typically used to pay for on-site and off-site infrastructure improvements. Bonds are issued based on the projected future increase of the local taxes within a certain redevelopment area.

### **Business Improvement District (BID)**

Also called a BIA (Business Improvement Area). This is an overlay area that can be funded through a special assessment collected from commercial property owners within the district area. The funds will pay for infrastructure improvements in the process of sprawl and repair. They generally require legislative authorization.

### **Reduce lot Sizes, Setbacks and Parking requirements**

Many localities are updating their zoning code to address the challenges of developing smaller parcels. Key incentives to modify regulations to allow for reduced size residential lot sizes, reduced setback requirements, and reduces street and parking standards;

### **Zone for Mixed Use Development**

Local government may put in place residential/mixed-use zoning designation to specifically encourage infill practices such as allowing housing development above stores. This is a strategy that RMLM can use to ensure affordable housing, the jurisdiction can amend the zoning regulation to establish overlay zone for the residential/mixed use district that permits the development for affordable housing "by-right" on the areas covered in the overlay.

### **Upgrading infrastructure and amenities**

A key strategy for encouraging infill development, particularly housing, is a focused public investment strategy to improve antiquated infrastructure and add public amenities such as parks, libraries, and street scape.

### **Lowering of impact fees**

Offering lower impact fees for infill project can more accurately reflect the true costs for providing services through existing infrastructure. The more calibrated approach makes infill parcels more attractive, and builds greater equity into metropolitan growth patterns.

### **Permitting by right**

Fast track permitting, applied within targeted infill development areas, allows developers or infill parcels to get their application processed ahead of non-infill applications. Affordable housing projects with slim profit margins can benefit substantially from speedy development review and approval.

### **Increase density allowances**

Higher densities permit more intensive development of a parcel and allow the developer the opportunity to spread development costs over more units. Local governments can also provide "density bonuses" to developers of infill sites that designate a certain percentage of housing units as affordable. In this way, localities can both encourage efficient use of the land and promote the inclusion of affordable housing units within a project.

## 6. PARKING REQUIREMENTS

USE	STANDARD	ADDITIONAL REQUIREMENTS
<b>AGRICULTURE</b>		
Abattoir	1 car space for every 140 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Agricultural Industry	Up to 25 persons employed: 1 car space for every 5 persons Thereafter, for the next 25 persons employed: 1 car space for every 10 persons.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Farm Stall	1 car space per Stall.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
<b>CIVIC AND SOCIAL / ADMINISTRATIVE</b>		
Cemetery/Crematorium	2 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Clinic	3 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Community Hall / Multi-purpose centre	4 parking bays per 100m <sup>2</sup> G of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Convention Centre	4 parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
<b>Institutional and Educational Building</b>		
College/Technikon	1 Parking Bay per 4 students 1 Parking bay per classroom/ office.	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Primary / Secondary School		

Nursery School/crèche	Onsite drop off and pick up zone to the satisfaction of the Local Authority.	
Old Age Home	1.5 car space for every 2 units 2 car spaces per 100m <sup>2</sup> (administrative) Parking bay dimension to be 2m x 4m	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality
Government Municipal Building	For every public office there shall be provided 6bays/100m <sup>2</sup> and an additional 15 bays for visitors.	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Hospital	2 parking bay per bed and adequate on-site parking for staff together.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Institution	1 car space per 50 m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality.
Place of Instruction	4 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Place of Worship	1 Parking bay per 6 seats	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
<b>ENVIRONMENTAL AND RECREATION</b>		
Camping ground	2 parking bays per unit and a trailer bay facility.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Caravan Park	2 parking bays per unit and a trailer bay facility.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Game Reserve	Adequate parking to be provided to the satisfaction of the Municipality.	On-site loading and unloading accommodation to be provided to

		the satisfaction of the municipality.
Nature Reserve	Adequate parking to be provided to the satisfaction of the Municipality.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Private Recreational Use	1 parking bay per 4 seats.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Recreational building	2 parking bays per unit and a trailer bay facility.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
<b>COMMERCIAL</b>		
Betting depot	35 parking bays per establishment.	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
4 Parking bays per 100m <sup>2</sup> G.L.A	4 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Carwash	Minimum of 6 parking bays.	n/a
Commercial Workshop	4 car spaces per 100m <sup>2</sup> of the Gross Floor Area.	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Conference Centre	4 car space per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Convenience Shop	1 car space per 25 m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Flea Market	1 parking bay per stall	n/a
Funeral parlour:	2 parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be

		provided to the satisfaction of the municipality.
Gambling premises	1 car space per 25m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Garden nursery	1 car space per 50m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Home business	1 car space per 25m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Kennel/Cattery	1 car space per 50m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Laundrette	1 car space per 50m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Motor Car Showroom	4 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality.
Motor repair workshop	4 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality.
Offices (Business Services, Professional, General, and medical)	1 car space per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Pet Shop	1 car space per 50m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.

Place of amusement	4 Parking bays per 100m <sup>2</sup> of the Gross Floor Area.	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality.
Restaurant	6 car spaces per 100 m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality
Restaurant, Fast-food	6 car spaces per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading with suitable access to be provided to the satisfaction of the Municipality.
Service Station	1 car space per 50m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Shop	4 car spaces per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Spaza shop/tavern	1 car space per 25 m <sup>2</sup> of the Gross floor area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Showrooms	4 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality.
Tea garden	1 car space per 25 m <sup>2</sup> of Gross floor area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Tuck-shop	1 car space per 25 m <sup>2</sup> of the Gross floor area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
<b>INDUSTRIAL</b>		

Extractive Industry	1 per 140m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Industry, High Impact Manufacturing	1 car space for every 140 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Industry, Large Scale Manufacturing	1 car space for every 140 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Industry, Large Scale Manufacturing	1 car space for every 140 m <sup>2</sup> or major portion of the floor area.	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Industrial building	Up to 25 persons employed: 1 car space for every 3 persons Thereafter, for the next 25 persons employed: 1 car space for every 5 persons. Thereafter, for any further number of persons employed: 1 car space for every 10 persons In addition, one car space for every commercial vehicle used in the industry.	On-site loading and off-loading accommodation to be provided to the satisfaction of the municipality "Persons employed" shall include management, office staff and factory employees. There shall at all times be a minimum of 2 car spaces and in no case shall the number of car spaces provided exceed the ratio of one car space per 150m <sup>2</sup> gross industrial floor area. The number of car spaces to be provided may be reduced at the discretion of council in the case of unskilled labour and who rely on public transport
Light Industrial Building	1 car space for every 100 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Non Polluting Light Manufacturing	1 car space for every 140 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Noxious industry	1 car space for every 140 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality

Salvage Yard	1 car space for every 140 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Service industrial Building	2 car space for every 100 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Service Workshop	2 car space for every 100 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Warehouse	1 car space for every 140 m <sup>2</sup> or major portion of the floor area.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Vehicle Repair Shop	1 car space for every 140 m <sup>2</sup> or major portion of the floor area.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Wholesaling Shop	4 per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Workshops and service outlets	1 per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality
<b>RESIDENTIAL</b>		
Backpackers / Hostelling Establishment	1 car space for every 2 bedrooms 1 bus bay for every 25 rooms 2 mini-bus bays per 10 rooms 2 bays for the owner/manager/occupier 15 bays minimum for the general public	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality
Bed and Breakfast Facility	1 car space per lettable room	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Student Accommodation/ Boarding House	1 car space for every bedroom 2 bays for the owner/manager/occupier Plus a minimum of 5 additional conveniently located car spaces	On-site loading and unloading access to be provided to the satisfaction of the Municipality.

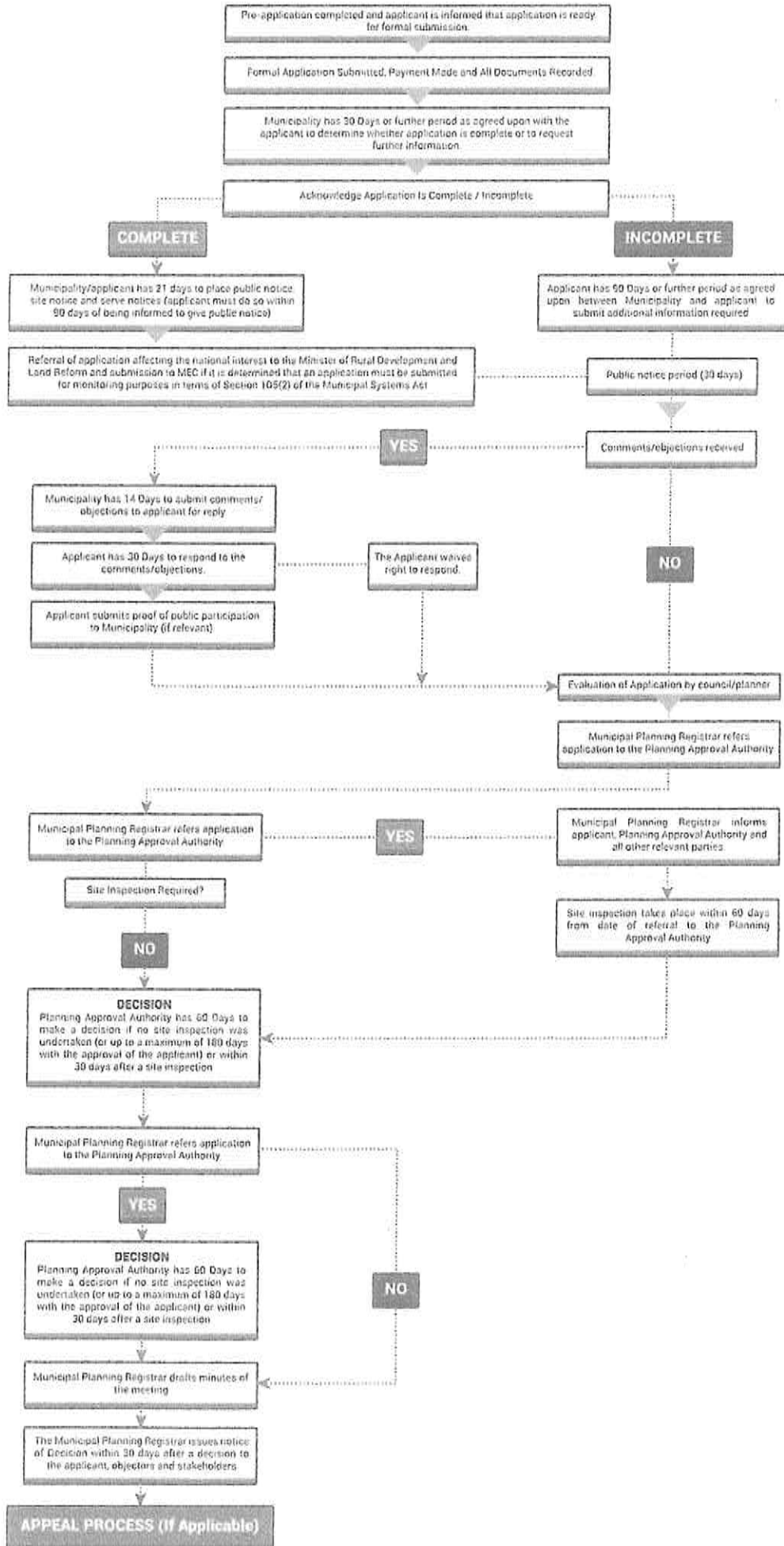
Crèche	1 Parking bays per 6 children 2 Parking bays for office Onsite drop off and pick up zone to the satisfaction of the Local Authority.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Day Care Centre	1 Parking bays per 6 children 2 Parking bays for office Onsite drop off and pick up zone to the satisfaction of the Local Authority.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Dwelling House	1 garage or covered space per dwelling unit 1 garage or covered space per additional self-contained unit.	Site loading and unloading accommodation to be provided to the satisfaction of the municipality Visitor's parking to be conveniently Located to entrance to building
Extended Residential Building	1 garage or covered space per dwelling unit 1 garage or covered space per additional self-contained unit	Site loading and unloading accommodation to be provided to the satisfaction of the municipality Visitor's parking to be conveniently Located to entrance to building
Group Housing	1 parking bays or space per dwelling unit 1 parking bay or car space per 2 dwelling units for visitors	On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality Visitor's parking to be conveniently located to dwelling units and not within private open areas
Guest House	1 car space for every bedroom 2 bays for the owner/manager/occupier 1 bay for every 2 conference seats	Site loading and unloading accommodation to be provided to the satisfaction of the municipality
Lodge	1 car space for every bedroom 1 Bay for every 25% of restaurant space 2 bays for the owner/manager/occupier 15 bays minimum for the public 1 bay for every 25 m <sup>2</sup> of Conference	On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality

Medium Density Housing	1 parking bays or space per dwelling unit 1 parking bay or car space per 2 dwelling units for visitors	On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality Visitor's parking to be conveniently located to dwelling units and not within private open areas
Residential Building	1 parking bays or space per dwelling unit 1 parking bay or car space per 2 dwelling units for visitors	On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality Visitor's parking to be conveniently located to dwelling units and not within private open areas
Retirement Village	1.5 car space for every 2 units 2 car spaces per 100m <sup>2</sup> (administrative)	On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality
Self-Catering Apartments and Villas	2 Parking bays per unit and a Trailer bay facility	On-site loading and unloading accommodation to be provided to the Satisfaction of the Municipality.

# ANNEXURES

## ANNEXURE 1: APPLICATION PROCESS FOR THE MUNICIPAL PLANNING APPROVAL FOR A LAND DEVELOPMENT APPLICATION

**RAYMOND MHLABA LOCAL MUNICIPALITY**  
**APPLICATION PROCESS FOR MUNICIPAL PLANNING APPROVAL FOR LAND DEVELOPMENT OR USE**



## ANNEXURE 2: NOXIOUS USE/TRADE/INDUSTRY

The following activities are classified as noxious use/trade/industry:

- Any use, trade or industry which constitutes a nuisance or a risk to health in neighbouring premises arising from vapours, effluvia, fluids, liquid waste matter, solid waste matter, noise, disturbance and dust – or which carries a high risk in the event of a fire, natural disaster or accident;
- Any installation, which in terms of the Occupational Health and Safety Act No. 85 of 1993 is classified as a "major hazard installation". The act defines a "major hazard installation" as follows:
  - where more than the prescribed quantity of any substance is or may be kept, whether permanently or temporarily; or
  - Where any substance is produced, processed, used, handled or stored in such a form and quantity that it has the potential to cause a major incident.
- Any activities which constitute a nuisance as envisaged in other applicable legislation (or amendments thereof) or new legislation (or regulations promulgated in terms of such legislation), including:

Approval of an application for establishment of a noxious use, trade or industry in terms of this Land Use Scheme does not exempt the owner from applying for permission in terms of other relevant legislation.

## ANNEXURE 3: POLICY FOR INFORMAL ALCOHOL RETAIL OPERATIONS (TAVERNS)

The following activities are classified as noxious use/trade/industry:

Unless a property has the required business zoning that permits the sale of alcohol on the property, no retail of alcohol will be permitted. To accommodate the use of Informal Alcohol Retail, within that is commonly referred to as taverns, the Municipality will consider applications for temporary use of properties for this (where considered desirable):

The following actions are required:

- Application will have to be made as a departure, which is temporary and valid for a period to be determined by the Municipality (maximum five years), after which reapplication has to be made;
- Normal Departure application procedures need to be followed;
- The consent to a departure by the Municipality for a tavern shall apply to the applicant only while he/she resides on the property and operates the business. It is not be transferable in any form or manner;
- If the departure application is granted, the applicant must be advised by the Municipality to apply for a liquor licence within a timeframe agreed to by the municipality.

Detailed provisions:

- Only one room of a dwelling or garage or outbuilding with an area not exceeding 50m<sup>2</sup> is to be converted for tavern use;
- The house needs to retain a primarily residential function;
- The tavern should not impact negatively on the surrounding neighbours and measures should be taken to limit operating hours, to facilitate off-loading of goods and to ensure adequate refuse removal, etc. Operating hours should be controlled by relevant liquor trading bylaws or liquor trading licensing;
- A complete record of all taverns shall be kept by the Municipality;
- All taverns must be inspected on a regular basis to ensure compliance to health regulations.
- Any contravention of the guidelines mentioned above or any written complaints verified by officials of the Municipality could result in the closure of the tavern and the withdrawal of the departure rights.

## ANNEXURE 4: POLICY FOR THE ERECTION OF A SECOND DWELLING UNIT

The erection of a second dwelling unit by way of a special consent application to the local authority shall be subject to the following conditions:

Size of Second Dwelling Unit	<ul style="list-style-type: none"> <li>Maximum size will be determined by the permissible coverage and floor area ratio on the erf/land unit</li> </ul>
Coverage	<ul style="list-style-type: none"> <li>Maximum coverage in terms of the density zone.</li> </ul>
Building Lines	<ul style="list-style-type: none"> <li>As applicable to the prime dwelling unit.</li> </ul>
Height	<ul style="list-style-type: none"> <li>2 Storeys</li> <li>No point of a building shall exceed a vertical distance above the grade line of:             <ul style="list-style-type: none"> <li>6m – in the case of flat roofed buildings,</li> <li>8m – in the case of inclined or pitched roofed buildings, and only the roof structure may exceed 6m above the grade line;</li> </ul> </li> <li>Provided that:             <ul style="list-style-type: none"> <li>Chimneys and flues are exempt from this height restriction.</li> <li>Antennae, satellite dish antennae (of less than 1.5m diameter), external geysers or renewable energy apparatus attached to any surface of a building may not exceed the vertical height of the part of the building to which it is attached by more than 1.5m. If attached to a chimney or flue, it may not exceed the vertical height of the highest part of the building's roof by more than 1.5m</li> </ul> </li> </ul>
Parking	<ul style="list-style-type: none"> <li>At least one on-site parking bay for second dwelling</li> </ul>
Vehicular Access	<ul style="list-style-type: none"> <li>Only one vehicular access per street frontage is to be permitted.</li> </ul>

Outbuildings:	<ul style="list-style-type: none"> <li>• Outbuildings normally incidental to a main dwelling will be permitted with a second dwelling unit on condition that the permissible coverage is complied with.</li> </ul>
Municipal Services	<ul style="list-style-type: none"> <li>• The construction of a second dwelling shall be subject to municipal services departments certifying that capacity is available on the services network in the specific area;</li> <li>• The second dwelling unit is required to make use of the existing Municipal service connections serving the primary unit on the site;</li> </ul>
Ownership	<ul style="list-style-type: none"> <li>• Separate ownership for the main and second dwelling shall not be permitted, except if a subdivision is approved, provided that with subdivisions both dwellings shall have direct access to public roadway and both dwellings shall have direct connections to Municipal infrastructure</li> </ul>

## ANNEXURE 5: POLICY FOR BED AND BREAKFAST ESTABLISHMENT ESTABLISHMENTS AND GUEST HOUSES

To accommodate the establishment of Bed and Breakfast Establishment and Guest Houses, the Municipality will apply the following provisions:

### Definitions

A **B&B** is defined as an owner managed accommodation establishment of not more than 5 guestrooms, which supplies short-term accommodation for guests. Meals may be supplied to guests.

A **Guest House** is an owner managed accommodation establishment of 6 to 16 guestrooms which supplies short-term accommodation for guests. Meals may be supplied to guests.

### Important provisions

- Guestrooms may not include kitchen facilities (should not be operating as self-catering units).
- Guestrooms may form part of the dwelling unit or may be provided as free-standing rooms. 2 persons (with 2 children) shall be allowed per guestrooms.
- Normal application procedures need to be followed for Special Consent or Rezoning approval.
- Health regulations must be complied with where applicable.
- The householder or a manager must be resident on the premises.
- These provisions are for Town Planning purposes only and their coming into effect will not constitute a repeal of other relevant regulations or policies.

### Parking Provision

- Parking bay for the owner/manager
- 2 Additional parking bays shall be provided for every 3 guestrooms.
- The required number of parking bays must be provided for on the property.

Signage shall be in accordance to the Municipality's approved signage policy, or if not in place, one sign with a maximum size of 1 m<sup>2</sup>, stating the name and details relating to the establishment.

## ANNEXURE 6: POLICY FOR INFORMAL RETAILING OPERATIONS: HOUSE SHOPS (SPAZA SHOPS)

To accommodate the establishment of small home-based retail outlets, commonly referred to as spaza shops, the Municipality will consider applications for temporary use of properties for this (where considered desirable):

The following actions are required:

- Application to operate a house shop in a dwelling house will have to be made as a departure, which is temporary and valid for a period to be determined by the Municipality (maximum five years), after which re-application has to be made.
- Normal departure application procedures need to be followed.
- If the departure application is granted, the applicant must be advised to apply for such trade licence or permit as may be applicable.
- The consent to a departure by the Municipality for a house shop shall apply to the applicant only while he/she resides on the property and will not be transferable in any form or manner.

### Detailed provisions

- Only one room of a dwelling, garage or outbuilding with an area not exceeding 30 m<sup>2</sup> may be converted for retail use.
- The dwelling must retain a primarily residential function.
- The house shop should not impact negatively on the surrounding neighbours and measures should be taken to limit operating hours, to facilitate off-loading of goods and to ensure adequate refuse removal.
- Not more than two people should be involved in operating a house shop.
- Should any foodstuffs be prepared for sale from the house shop, the premises need to comply with applicable health regulations of the municipality.
- A complete record of all house shops must be kept by the Municipality in this regard
- Any contravention of the guidelines mentioned above, or any written complaints verified by officials of the Municipality could result in the closure of the house shop and the withdrawal of the departure rights.

## ANNEXURE 7: POLICY FOR PRACTICING OF AN OCCUPATION IN A RESIDENTIAL DWELLING

To accommodate the practicing of an occupation in a residential dwelling / on a residential property, the Municipality will apply the provisions described herein.

Where a portion of a dwelling unit is utilised for the purposes of occupational practice, the following conditions shall apply:

- The person practicing the profession, occupation, enterprise or trade, (excluding employees), whether or not such person is a tenant or owner of the dwelling unit, must reside on the property.
- The primary utilisation must remain as a dwelling unit.
- Such portion of the dwelling unit (dwelling house, flat or residential building) may not be utilised for the purpose of a shop, business premises, industry or noxious industry.
- No goods sold or traded should be openly displayed and the practicing of the occupational practice should not be visible, except for the display of a notice not projecting over the road reserve boundary and not exceeding 1 m<sup>2</sup> in size (indicating only the name and occupation of the occupant).
- No other advertising shall be displayed.
- No activities shall be carried out which are, or are likely to be, a source of disturbance or nuisance to occupants of surrounding properties.
- In Town Housing or Flat developments, prior permission is required from the Home Owner's Association / Body Corporate.
- If any person with a direct interest is of the opinion that any condition referred to in this policy or in the definition of "occupational practice" is being contravened, such person may lodge a written complaint with the Municipality requesting action.
- Adequate off-street parking, as may be required by the Municipality for staff vehicles and other vehicles associated with the occupational practice.

## ANNEXURE 8: POLICY FOR PROVIDING HOME-BASED CARE IN A RESIDENTIAL DWELLING

The following conditions shall apply where a portion of a property is used for home-based care:

- The person providing the home-based care (excluding employees), whether or not such person is a tenant or owner of the dwelling unit, must reside on the property.
- The primary utilisation remains that of a dwelling unit
- In Residential Zone I, III and IV, prior permission from the Home Owner's Association (or Body Corporate) is required.
- No more than 5 persons shall be accommodated at the home-based care facility for elderly, sick or disabled persons at any time and
- no more than 6 children shall be enrolled at the home-based child care facility at any time;
- Services shall be primarily:
- Child day care or educational, or basic health care for disabled, elderly or sick and not medical;
- Services for home based child care shall not operate outside the hours of 07:00 to 18:00 on Mondays to Fridays, and from 08:00 to 13:00 on Saturdays;
- Indoor and outdoor play space shall be provided in accordance with any health requirement or a policy plan as might be approved by the Municipality from time to time, and outdoor play space shall be securely fenced;
- No advertising sign shall be displayed, other than a single un-illuminated sign or notice in accordance with signage policy of the Municipality, not projecting over a public street, and such sign shall not exceed 1 m<sup>2</sup> in area;
- At least one off-street parking bay shall be provided, plus one additional parking bay which is suitable for the use of parents to drop off or collect their children, unless the Municipality's approval is obtained to waive this requirement. The Municipality may at any stage require additional on-site parking where parking is deemed to be insufficient;
- If any person with a direct interest is of the opinion that any condition referred to in this policy or in the definition of "home-based care" has been or is being contravened, such person may lodge a written complaint with the Municipality requesting action; and

- The Municipality shall consider a complaint mentioned in (k) above, and if in the opinion of the Municipality a contravention of any condition referred to in this policy or in the definition of "home-based care" has occurred, the Municipality shall act in terms of its approved bylaws or as otherwise provided for by law.

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## ANNEXURE 9: POLICY FOR TELECOMMUNICATIONS INSTALLATIONS

To accommodate the erecting of Telecommunication Installations (radio communication or cell masts), the Municipality will apply the provisions described herein. The following conditions shall apply:

### Land Use Authorisation

- Permissible as primary right in Industrial Zones and Authority/Utility Zone
- Permissible by way of a Special Consent in all other Zones.
- Authorisation is subject to the relevant requirements of the National Environmental Management Act, Civil Aviation Act and Regulations and other applicable legislation.

### Building Control

- Telecommunication Installations attached to any part of a building, may not extend above the part of the building that it is attached to without the prior approval of the Municipality.
- The following guideline heights will be applied:
  - 3m in height for buildings of 10m or less;
  - 6m in height for buildings of less than 20m;
  - 10m in height for buildings of 20 m or more.
- A freestanding Telecommunication Installation may not extend more than 6m above the maximum permitted height of a building in the zone within which it is approved without prior approval of the Municipality.

### Conditions Applicable to decommissioning of Telecommunication Installations

Unless regulated in terms of other permitting or authorisation conditions, such as an Environmental Authorisation:

- When a Telecommunication Installation is scheduled to be decommissioned or operations have been discontinued or abandoned, the owner of the Telecommunication Installation must notify the Municipality by registered mail and submit timeframes for removal of the structure/s and associated infrastructure within 60 days after the operation ceased.
- The owner shall remove all decommissioned infrastructure. Where the site has been disturbed, the owner shall rehabilitate the site to its original state or to a state acceptable to Municipality.

- Where the owner fails to comply with these provisions or fails to carry out the agreed removal of structures, the Municipality may remove such infrastructure, and rehabilitate the site at the cost of the owner.



## ANNEXURE 10: POLICY FOR RENEWABLE ENERGY APARATUS AND STRUCTURES

To accommodate the establishment of Renewable Energy Installations, the Municipality will apply the provisions described herein. The following conditions shall apply:

### Relevant definitions

The following definitions will be used to describe elements that are associated purely with the establishment of Renewable Energy Facilities:

- **Renewable Energy Apparatus** – means any apparatus which captures and converts wind, hydro, solar radiation, bio mass or other renewable source into energy;
- **“Renewable Energy Structure”** – means any dedicated structure specifically designed and erected to accommodate apparatus such as wind turbines, hydro turbines, solar energy generating panels (including solar-voltaic and concentrated solar thermal) or bio mass equipment, or grouping thereof, which captures and converts wind, hydro, solar radiation, bio mass or other renewable source into energy for local consumption or commercial gain, irrespective of whether it feeds into an electricity grid or not. This may include associated structures, infrastructures or buildings directly related to the operation of the generation, transmission and distribution of electricity generated by the structure or grouping of structures. Associated structures and infrastructure may include pylons, poles, masts, transformers and sub-stations. Associated buildings may include, but are not limited to, workshops and stores, offices, site canteen, medical station, research facility, guard house and recreational facilities for staff.
- **“Renewable Energy Site”** - means the land utilised for the Renewable Energy Structure/s, inclusive of associated structures, infrastructure, buildings, and setback lines applicable to such, regardless of cadastral boundaries.

### Land Use Authorisation

- No permission is required to install or attach a Renewable Energy Apparatus to any surface of a building, provided that it may not exceed the vertical height of the part of the building to which it is attached by more than 1.5m. If attached to a chimney or flue, it may not exceed the vertical height of the highest part of the building's roof by more than 1.5m. If such apparatus exceeds the vertical height provisions, it should be treated in the same manner as Renewable Energy Structures.

- Permission for erecting Renewable Energy Structures in all zonings in terms of these scheme regulations shall be obtained by way of a departure application.
- Such departures will be treated as permanent, unless the Renewable Energy Structure forms part of a commercial electricity generation enterprise that requires a license from the National Electricity Regulator of South Africa (NERSA) or similar body.
- In such event, the period of validity of the Departure will be for the duration of the validity of the license from the Regulator. Conditions of departures granted shall be to the discretion of the Municipality;
- A departure authorisation shall be subject to the relevant requirements of the National Environmental Management Act, Civil Aviation Act and Regulations and other applicable legislation.

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## ITEM 22/2022

### STATUS REPORT – BUILDING PLANS APPROVAL

#### 1. PURPOSE

The purpose of this report is for the Engineering Services Standing Committee to note the progress achieved by the municipality in the development and implementation of the submitted Building Plans within Raymond Mhlaba Municipality.

#### 2. BACKGROUND

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.

#### 3. PROGRESS MADE - BUILDING PLANS APPROVAL LIST.

PLAN NO.	RECEIVING DATE	REGISTERED OWNER	ERF/ FARM No.	PHYSICAL ADDRESS	BUILDING PLAN FEE	STATUS	COLLECTION DATE
RA-FBF/21/22/29	24/01/2022	Mrs & Mr Mlumbi	513	13 Durban Street, Fort Beaufort	R2,821.93	Approved	Not yet Collected.
RA-ALC/21/22/33	31/01/2022	Andisiwe Hempe	902	902 Smith Street, Alice, 5700	R7,400.85	Approved	08/03/2022
RA-FBF/21/22/34	01/03/2022	Mr & Mrs Von Der Decken.	708	49 Campbell Street, Fort Beaufort, 5720	R1,985.21	Approved	21/04/2022
RA-FBF/21/22/35	07/02/2022	Die Apsotolies Geloof Sendings Kerk Van Suid.	509	Mitchell & Durban Street, Fort Beaufort, 5720	R783.00	Not Yet Approved	Still Circulating for Approval
RA-ALC/21/22/36	03/03/2022	Inyama Rama Trust	491	Long market & Garden Street, Alice, 5700	R15,435.01	Not Yet Approved	Still Circulating for Approval.
RA-FBF/21/22/37	17/03/2022	Mzwamadoda Penisi	1484	31 Somerset Street, Fort Beaufort, 5720	R2,182.73	Approved	Waiting for Collection.
RA-FBF/21/22/38	17/03/2022	Nomkhitha Ngweventsha	6250	6250 Jackson Street, Fort Beaufort, 5720	R7,792.69	Not Yet Approved.	Still Circulating.
RA-ALC/21/22/39	31/03/2022	Nkosohlanga M Mkhiva	1378	1378 Dowell Street, Alice.	R3,600.74	Not Yet Approved.	Outstanding Information.
<b>TOTAL AMOUNT FOR QUARTER 3</b>					<b>R38,401.42</b>		

#### 4. LEGAL FRAMEWORK

- National Building Regulations and Standard Act 103 of 1977
- Environmental Management Act (No. 107 of 1998)
- SPLUMA 16 OF 2013

## 5. RECOMMENDATIONS

It is **RECOMMENDED** that:

- 1) The Standing Committee notes the Development and implementation of the Building Plan submission within Raymond Mhlaba Municipality.

## ITEM 23/2022

### **REPORT ON THE ESTABLISHMENT OF THE MUNICIPAL PLANNING TRIBUNAL IN TERMS OF SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (SPLUMA)**

#### **1. PURPOSE**

The purpose of this report is for Council to approve the joint establishment of a planning tribunal in the form of the District Municipal Planning Tribunal (DMPT) with Amathole District Municipality, in terms of Spatial Planning and Land Use Act, Act 16 of 2013 (SPLUMA). This has emanated since the municipality does not have enough staff and financial muscle to fund the whole process of MPT to fully function.

#### **2. BACKGROUND**

The Spatial Development Framework as a strategic instrument for achieving an integrated and sustainable development within the Local Municipality, it is subject to reviews in line with the Integrated Development Planning processes of the Municipality. Raymond Mhlaba Municipality is in the process of reviewing its Spatial Development Framework to take note of the exogenous and endogenous factors that may have a spatial influence.

As such Raymond Mhlaba together with Amathole District Municipality (ADM) are facilitating the implementation of SPLUMA, Act 16 of 2013 with other five Local Municipalities within the District. This being a consultative process with such Municipalities on the implementation.

#### **3. DISCUSSIONS**

As mentioned Amathole District Municipality (ADM) is facilitating the implementation of SPLUMA, Act 16 of 2013 in five Local Municipalities within the District. Chapter 6 Part B of the Act, read with SPLUMA Regulations signed on 18 March 2015 published on Government Gazette Notice No. R239, dated 23 March 2015, mandates municipalities to Establish Municipal Planning Tribunals.

This, in consultation with the Local Municipalities in its area of jurisdiction, ADM resolved to invoke provision of a Joint (District) Municipal Planning Tribunal at District Municipality level in line with provisions of Section 34 of the Act. This process includes Municipal Planning Tribunal and Secretariat Services on a Shared Services Approach, where expenses for the sittings will be shared.

The planned Joint Municipal Planning Tribunal will cover the areas of the 5 Local Municipalities within ADM jurisdiction: - being Mnquma, Great Kei, Ngqushwa, Amahlathi and Raymond Mhlaba Local Municipalities.

In line with the provisions of the Shared Services Centre approach, additional Technical Structures will be in place aimed at providing a guide to the implementation as well as technical input.

The said structure will be the technical Advisory Committee, comprising of all officials from LMs, Provincial Sector Departments and the National Government.

It will have clear Terms of Reference being:

- Advising ADM and LMs on SPLUMA Implementation
- Advising ADM and LMs on activities Departments, Levels of Government and other bodies responsible for planning in so far as their impact on SPLUMA
- Advising ADM, and LMs on SPLUMA Implementation on any other appropriate methods of monitoring compliance with the implementation
- Advising ADM, and LMs on SPLUMA Implementation on how to facilitate and speed up the implementation of SPLUMA; and in so doing to lay down general guidelines governing land development throughout SPLUMA implementation
- Advising on any change in circumstances (legislation, policy or any matter connected with) that may impact on the Implementation of the Act

This process will ensure that no vacuum is left in the consideration of Land Development Applications. It must be noted that the Appeals Authority remains a Local Municipality's responsibility as per Section 51 of SPLUMA.

#### 4. FINANCIAL IMPLICATIONS

None.

#### 5. LEGAL IMPLICATIONS

- Constitution of South Africa of 1996 as amended.
- Spatial Planning and Land Use Management Act 16 of 2013
- Municipal Finance Management Act No. 56 of 2003 and Regulations

#### 6. RECOMMENDATION.

It is **RECOMMENDED** that:

The Engineering Services Standing Committee recommends to Council;

- 1) To approve the joint establishment of the tribunal to the (District) Municipal Planning Tribunal (DMPT) in terms of Chapter 6 of the Spatial Planning and Land Use Act, Act 16 of 2013.
- 2) That Council to delegate authority to the **Accounting Officer** in approving all processes requires in Section 35 (2) DMPT establishment and 36-38 of the Act, SPLUMA.
- 3) That Director responsible for Spatial Planning and Land Development and Engineering in Local Municipalities be recommended and approved as **Authorized Official** in their Council appointing them following Section 35(2) of the Act, SPLUMA
- 4) That the Raymond Mhlaba Municipal Council performs the function of an Appeals Authority

## ITEM 24/2022

### **STATUS REPORT - UPGRADING OF THE HEALDTOWN ACCESS ROAD**

#### **1. PURPOSE**

The purpose of this report is for the Engineering Services Standing Committee to note the progress achieved by the municipality in the implementation of the Upgrading of Healdtown Access Road Project in the 3rd Quarter of the 2021/22 Financial Year.

#### **2. 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, after a commitment by the Premier of the Eastern Cape Province for the upgrading of the access road from Fort Beaufort to Healdtown due to the historic nature of the area. A Service Level Agreement (SLA) was then signed between the department and the municipality for the implementation of the project.

#### **4. PROGRESS MADE**

As at the end of March 2022, the overall progress on the project is sitting 77%, where most of the remaining work on site is the work assigned to the local SMME's. All 9 SMME's for the project have been appointed and allocated their respective work packages. The anticipated completion date for the project is the end of May 2022.

#### **5. 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

#### **6. FINANCIAL IMPLICATIONS**

Total grant allocation for the project is R44m

#### **7. ANNEXURES**

Annexure I – Upgrading of Healdtown Access Road Project Progress Report

#### **8. RECOMMENDATIONS**

It is **RECOMMENDED** that:

- 1) The Standing Committee notes the Upgrading of Healdtown Access Road Project in the 3rd Quarter of the 2021/22 Financial Year.



**RAYMOND  
MHLABA**

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**MONTHLY PROGRESS REPORT NO. 11  
FOR  
UPGRADING OF HEALDTOWN ACCESS ROAD (TURN  
KEY PROJECT): SCMU13/PMU/20/21**

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**March 2021**

**PREPARED FOR:**

**RAYMOND MHLABA MUNICIPALITY  
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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 Mhlabi 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	90%
6	Construction Monitoring	On progress	90%
7	Close out		0%

#### GENERAL COMMENTS ON CONSULTANT'S PROGRESS:

- Late payment of invoices

### 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	100%
7	Paved Section - stormwater	On progress	100%
8	Paved Section - paving	Not yet started	00%
9	Paved Section - kerbing	Not yet started	57%
10	Paved Section - guardrails	Not yet started	00%
<b>Overall Progress on the Project</b>			<b>77%</b>

#### 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.

- Contractor expected to submit claim for the EoT due to delays mentioned above.

### 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 4 296 774.53	R 3 932 265.70	R 525 722.47

#### 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 31 418 140.54	R 27 202 257.79	R 4 864 504.99

## 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
25 Feb 22	10	R 153 085.72	R 4 296 774.53	89.1%	R 525 722.47	No

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 1 694 540.00	R 27 202 257.79	74.97%	R 9 080 387.74	Yes
28 Mar 22	09	R 4 215 882.75	R 31 418 140.54	86.6%	R 4 864 504.99	No

## 7. SITE PROGRESS PHOTOGRAPHS



Photo 1: Kerbing on progress

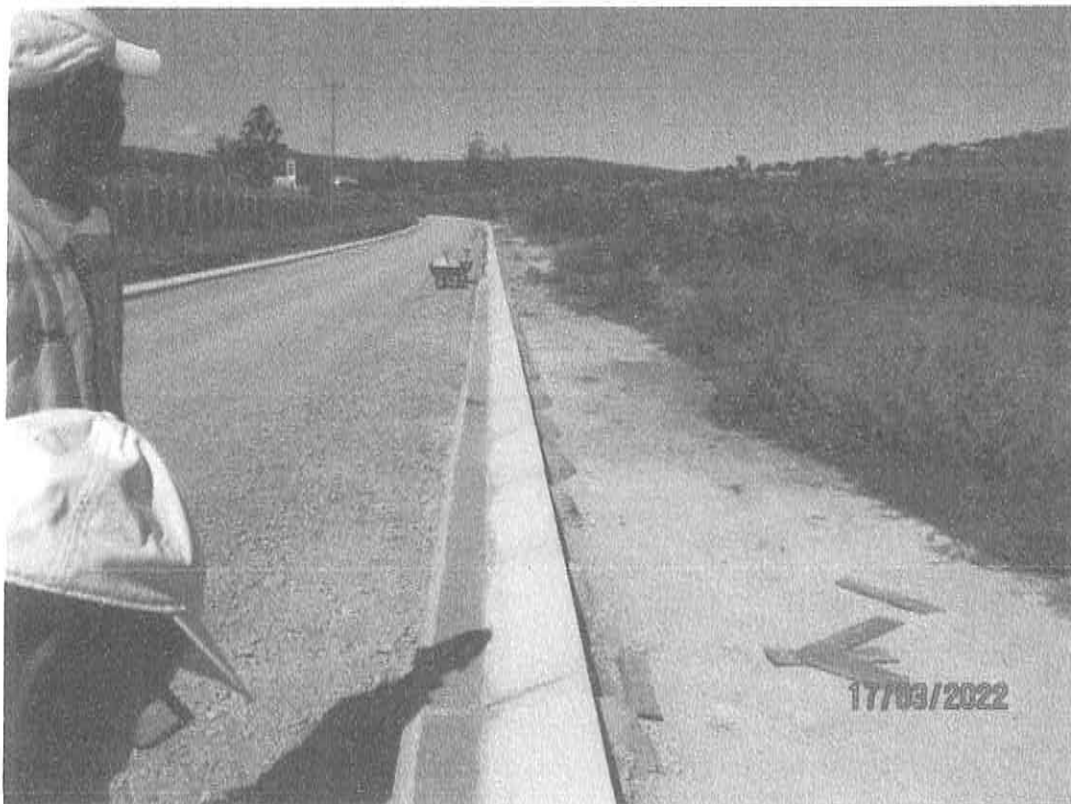


Photo 2: Kerbing and channel on progress

Report prepared by: V. Hoyi



04 April 2022

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**Vuyani Hoyi**

**Project Manager**

**For Gilgai Development Consulting Engineers and Project Managers**

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Date

## ITEM 25/2022

### **STATUS REPORT - UPGRADING OF R63 BETWEEN FORT BEAUFORT AND ALICE**

#### **1. PURPOSE**

The purpose of this report is for the Engineering Services Portfolio Committee to note the progress made in the implementation of R63 between Fort Beaufort and Alice by SANRAL for the 3<sup>rd</sup> Quarter of 2021/22 Financial Year.

#### **2. 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 upgrading includes;

- 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)

#### **3. PROGRESS MADE**

To this far, the progress sits at 55% construction work. The positive of the project is the appointment of the local SMME's. As at March 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 473 general workers from within the municipality.

#### **4. LEGAL FRAMEWORK**

Constitution of the Republic of South Africa  
Division of Revenue Act

## 5. FINANCIAL IMPLICATIONS

R 714 782 500.00 – Funded by SANRAL

## 6. ANNEXURES

Annexure J – Progress Report from SANRAL

## 7. RECOMMENDATIONS

It is **RECOMMENDED** that:

- 1) The Standing Committee notes the Upgrading of R63 between Fort Beaufort and Alice by SANRAL for the 3<sup>rd</sup> Quarter of 2021/22 Financial Year.

### 1. *Where is the project*

This project is in the province of the Eastern Cape in the district municipality of Amatole and local municipality of Raymond Mhlaba. The project is located on the existing National Route R63 Section 13 starting at km 35.77 before Fort Beaufort and ends at km 58.86 at the Galloway Bridge in Alice. The road is part of the National Route R63 running in an easterly direction from the Western Cape Border north of Graaff Reinet to the N2 near Komga where it joins the N2. The approximate construction duration is 39 months. It is a CIDB contractor grading designation of 9CE.

### 2. *Aim of the project*

The project route is an undivided, surfaced, single carriageway road in a rural and urban area. The section of road under consideration was originally constructed in the 1960's by the former Cape Provincial Administration. The road is upgraded from a 6,0m wide cross section to 13,4m with passing lanes to improve the safety of the traveling public.

### 3. *Cost of the project*

The contractor was awarded the project for the amount of R714,000,000.00 inclusive of VAT excluding CPA and contingencies.

### 4. *Status of the project*

The project is currently in the construction phase.

### 5. *Progress (if it had started)*

The project is currently in the construction phase with 55% of the works completed.

### 6. *Number of SMMEs*

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.

### 7. Value earned by SMMEs

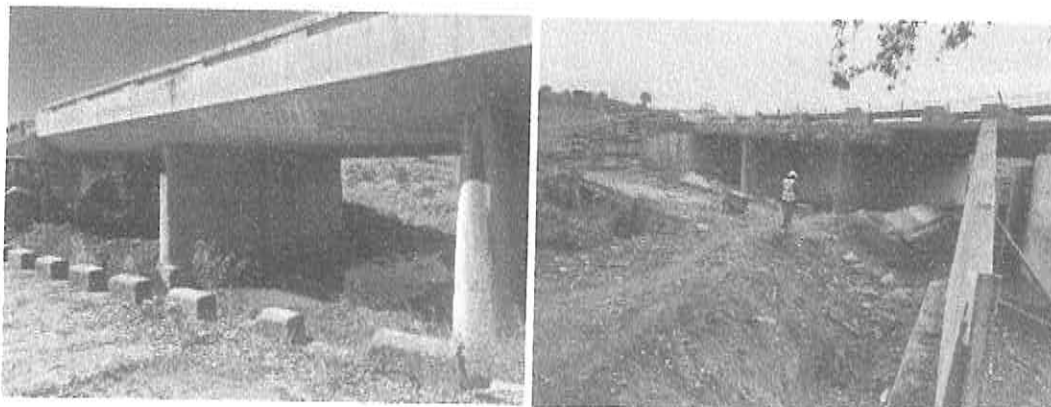
Description	Amount (incl. VAT)
TE Tenders awarded	R 103,213,014.63
TE Expenditure to date	R 72,838,923.35
Labour Expenditure to date	R 19,511,483.39

### 8. Estimated completion date (if not complete).

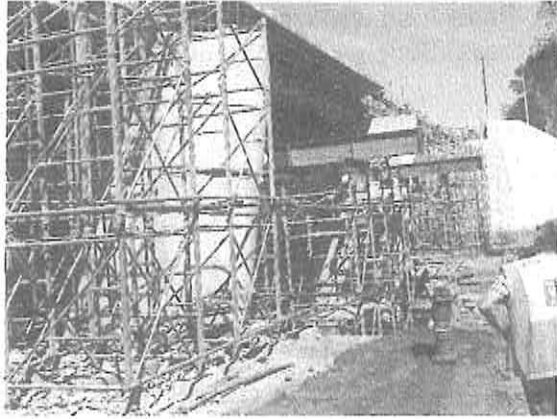
The estimated completion date for the project is 1<sup>st</sup> October 2023.

### 9. Photos

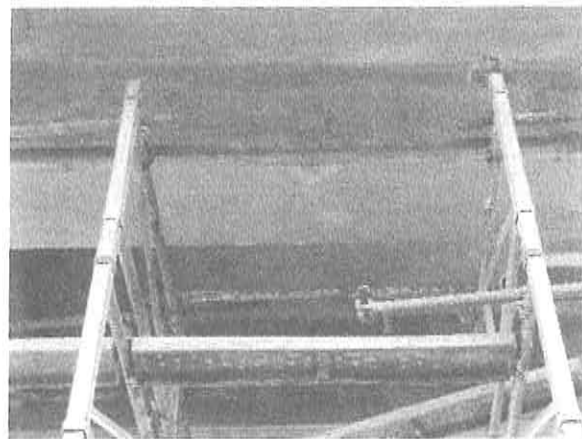
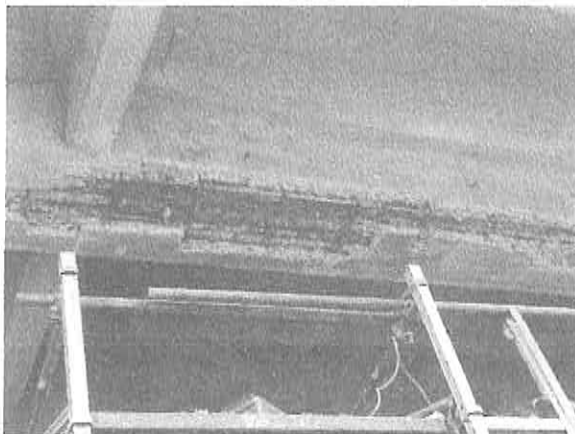
Structures:



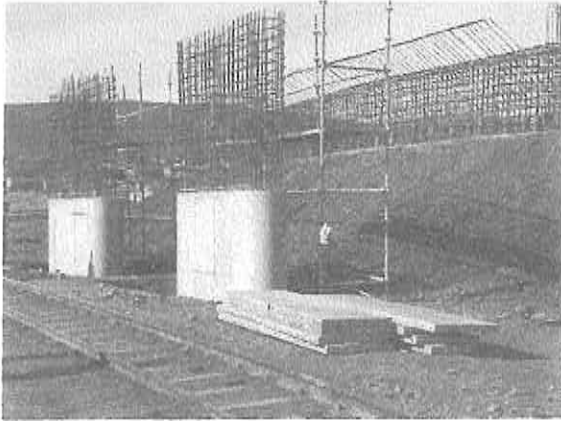
Brak River Widening: Before – Widening in Process



Kat River Bridge: Staging and Widening



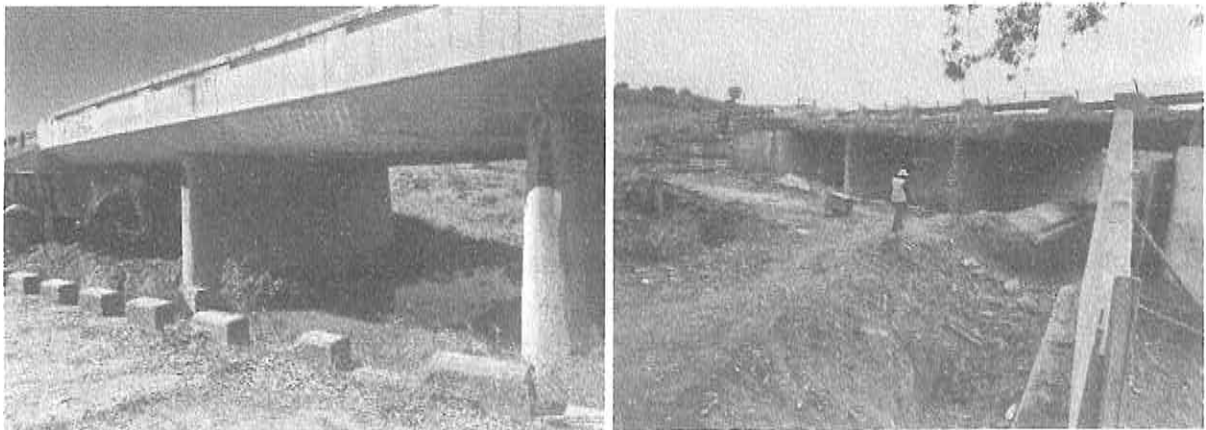
Katriver Bridge Repairs: Before - After



Kwatinidubu Road-over-Rail Bridge Foundations



Mxelo River Bridge



Brak River Bridge: Before – Widening in progress



Campbell Street: Box Cut - Water discharged from premises into street



Campbell Street Box cut done. SSG Layer processed



Grahamstown Road Box Cut and Widening



Stabilising subbase. TE's spreading cement



TE constructing Side Drains



Base Patches on Bypass done by TE Contractor



