

# JOE GQABI DISTRICT MUNICIPALITY



## AGENDA

**OF THE SECOND JOE GQABI DISTRICT MUNICIPAL PLANNING TRIBUNAL MEETING TO  
BE HELD ON WEDNESDAY, 28 OCTOBER 2020 AT 12H00 AT THE STERKSPRUIT  
LIBRARY BOARDROOM**

### **MEMBERS:**

Ms F. Sephton (Chairperson)  
Ms N. Mshumi (Deputy Chairperson)  
Mister T. Phintshane  
Ms N. Libazi  
Ms P. Bushula  
Ms N. Eddie  
Mister W. Nodwele  
Ms A. Qinisile  
Mister M. Coleman  
Doctor T. Williams

### **SECRETARIAT**

Ms T. Ntwanambi  
Ms S. Mbekushe  
Ms Z. Nonkula  
Mister D. Muthelo  
Ms N. Khethwa

**Notice and confirmation of Members**

This serves as a notice of the second meeting of the Joe Gqabi District Municipal Planning Tribunal to be held at the Sterkspruit Library Boardroom on the 28 October 2020 at 12h00.



**F. SEPHTON**  
**MPT CHAIRPERSON**

**BARKLY EAST**

**DATE:**

# AGENDA

1.	<b>OPENING AND WELCOME</b>
2.	<b>ATTENDANCE</b>
2.1	Members: Present
2.2	Members: Absent with leave (Please see appendix A)
2.3	Members: Absent without leave
2.4	Officials present
2.5	Members of the public present
3.	<b>ADOPTION OF THE AGENDA</b>
4.	<b>NOTING OF RULES OF ENGAGEMENT</b>
5.	<b>DECLARATION OF INTEREST BY MEMBERS AND OFFICIALS</b> (Declaration forms issued to each member during the meeting)
6.	<b>MINUTES OF THE PREVIOUS MEETING</b>
6.1	<b>CONFIRMATION OF MINUTES</b>
6.2	<b>MATTERS ARISING</b>
7.	<b>NEW APPLICATIONS FOR CONSIDERATION</b>
7.1	Application for the Special Consent for the purpose of a Service Station on Erf 107 Sterkspruit <b>Decision Required: Approval</b>
7.2	Application for the Rezoning and Relaxation of Building Lines of Erf 1779, Maclear <b>Decision Required: Approval</b>
9.	<b>DATE OF THE NEXT MEETING</b>
10.	<b>CLOSURE</b>



# JOE GQABI DISTRICT MUNICIPALITY



## MINUTES

### OF THE JOE GQABI DISTRICT MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON FRIDAY, 14 FEBRUARY 2020 AT 10H00 AT THE MOUNT FLETCHER CRAFT CENTRE

#### MEMBERS

Ms F. Sephton (Chairperson) – Director Community Services (JGDM)  
Ms N. Mshumi (Deputy Chairperson) – COO (JGDM)  
Mister T. Phintshane – Manager IDP/PMS (JGDM)  
Ms N. Libazi – Manager Legal (JGDM)  
Ms P. Bushula – Director: Dev. & Town Planning Services (SLM)  
Ms N. Eddie – Director: Planning & Economic Dev (ELM)  
Mister W. Nodwele – Manager IDP (WSLM)  
Ms A. Qinisile (DEDEAT)  
Mister M. Coleman (External)  
Doctor T. Williams (External)  
Ms Y. Mabentsela (External)

#### SECRETARIAT

Ms T. Ntwanambi – Town Planner (JGDM)  
Ms S. Mbekushe – Town Planner (SLM)  
Ms Z. Nonkula – Town Planner (ELM)  
Mister D. Muthelo – Town Planner (ELM)  
Ms N. Khethwa (WSLM)

JOE GQABI DISTRICT MUNICIPAL PLANNING TRIBUNAL MEETING  
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1.	<b>OPENING</b>	<b>AND</b>	<b>WELCOME</b>
<p>Ms N. Mshumi, as Deputy Chairperson, opened and welcomed members of the Joe Gqabi District Municipal Planning Tribunal, officials and the service provider in attendance to the first meeting of the Tribunal. The Deputy Chairperson highlighted the significance of having a functional Tribunal in assisting municipalities to raise revenue through the developments that are going to be processed in the Tribunal as well as to ensure that land use for its potential and sustainable development is achieved. The Deputy Chairperson highlighted the importance of the experience and expertise of the members to ensure that the integrity of the Tribunal upheld. The Deputy Chairperson allowed for brief introductions.</p>			
2. <b>ATTENDANCE</b>			
2.1. <b>Members Present</b>			
<p>Ms N. Mshumi (Deputy Chairperson) Mister T. Phintshane Ms N. Eddie Mister W. Nodwele Ms A. Qinisile Mister M. Coleman Doctor T. Williams</p> <p>(See attendance register: Annexure A)</p>			
2.2. <b>Members/Officials Absent with leave</b>			
<p>Applications for leave of absence were received and accepted from the following members:</p> <p>Ms F. Sephton (Chairperson) Ms N. Libazi Ms P. Bushula Ms Y. Mabentsela</p> <p>(Written apologies: Annexure B)</p> <p>Mister T. Phintshane clarified that Ms Y. Mabentsela has requested cancellation of her membership as upon appointment she was consulting privately. Ms Y. Mabentsela has since been appointed by the Western Cape Government and therefore cannot participate in activities outside of the Province of the Western Cape. Communication from Ms Y. Mabentsela is attached and the matter will be tabled to the District Council for a resolution.</p> <p>(Communication from Ms Y. Mabentsela: Appendix C)</p>			
2.3. <b>Members/Officials</b>			
<b>Absent</b>			
<b>without</b>			
<b>leave</b>			

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	<p>Ms S. Mbekushe (SLM) Ms Z. Nonkula (ELM)</p>
2.4.	<p><b>Officials Present</b></p> <p>Ms T. Ntwanambi (JGDM) Mister D. Muthelo (ELM) Ms M. Skaap (ELM)</p>
2.5.	<p><b>Consultant Present</b></p> <p>Mister P. Jonas (Town Planning Consultant acting on behalf of Elundini Local Municipality)</p>
2.6.	<p><b>Members of the public present</b></p> <p>None.</p>
3.	<p><b>ADOPTION OF THE AGENDA</b></p> <p>The agenda was proposed for adoption by Mr Coleman and seconded by Dr Williams.</p>
4.	<p><b>TABLING OF THE DRAFT STANDARD OPERATING PROCEDURES (SOP)</b></p> <p>Mister T. Phintshane tabled the SOP and indicated that its intention is to regulate the manner in which MPT meetings will be conducted and as such the document required an approval by the MPT. This will be followed by the tabling of the SOP before Council.</p> <p>The following points were highlighted from the SOP:</p> <p>Mister T. Phintshane indicated that the Town Planners of the Local Municipalities, led by the District, will be the secretariat to record proceedings of the MPT at every meeting.</p> <p><b>Section 3.5:</b> Interpretation of the rules. Doctor Williams enquired that in the event the Chairperson discovering that the interpretation of the rules was incorrect in the time that a ruling was made on an application; does this reverse the decision of the Tribunal? This matter should be flagged for the next meeting. The definition of “owner” on SOP should be defined as contained in the Act as there are major land rights issues underlying SPLUMA currently.</p> <p><b>Section 4:</b> Principles to be applied in decision making: Doctor Williams indicated that the Development Principles contained in Chapter 2 as well as Chapters 42, 43 and 44 of the SPLUMA must be added as additional criteria for deciding on an application under Section 4 of the SOP. It was however advised that the SOP should not duplicate the Act.</p> <p><b>Section 6:</b> Notice of meetings: The meeting agreed that only written and signed apologies will be accepted and these shall be communicated electronically to the Secretariat. This</p>

must be indicated in the SOP.

**Section 8:** Site inspections: Mister Phintshane indicated that, as per the current meeting, it is appropriate to have the sitting close to where the proposed development is located. Mister P. Jonas advised that there will be instances where there will be multiple items on the agenda and therefore in such instances it would make both financial and logistical sense to have the sitting at a central location between site locations. He further suggested that in some cases members of the Tribunal need not physically go to the site; the applicant can provide a Google earth place-mark to view the site. Doctor Williams indicated that, if a member wants to see a site, this should be arranged for all members, especially in the case that there is an objection. It was agreed that each case should be treated on its own merit.

**Section 10:** Record of decision and correspondence: The Secretariat is to finalise minutes within 7 days (days as prescribed in the SOP) of the Tribunal Meeting. The Members are given 3 days to provide comments on the minutes. In the event that there are no comments received within the prescribed timeframe, the minutes will be deemed as correct and final. The decision of the Tribunal will be final once the Chairperson has signed the minutes. No communication will be made to the applicant until the minutes have been signed off by the Chairperson.

Doctor T. Williams and Mister M. Coleman emphasised the importance of having a strong secretariat to record and to accurately minute and frame decisions and conditions correctly as this will assist in the case that there is an appeal. Doctor Williams indicated that the Tribunal is only as good as the officials; officials must prepare comprehensive reports in order for the MPT to make an informed decision. Report will be sent back if incomplete and inadequate, thereby delaying matters and increasing costs.

Mister W. Nodwele indicated that it is important to consider each application as urgent and applicants must be informed timeously.

Mister P. Jonas advised that the decision letter issued to the Surveyor General's office, together with the Layout Plan should contain the same dates. The Plan needs to get some form of endorsement on it that says it has been approved. So it is suggested that there needs to be a text box on the Plan and the Letter that is signed off by the Chairperson with a date and reference to the relevant legislation to minimise plans from being rejected and ultimately causing unnecessary delay.

Mister P. Jonas also made reference to the dual approvals challenge in the Eastern Cape due to the outstanding repeal of the Provincial legislation. He noted that a number of applications as a result, cannot be implemented because of this challenge. He further noted that the Provincial Bill will be going to Cabinet in March 2020 and by May 2020 all planning Provincial legislation will be repealed. So any approval that pre-dates May 2020 will not be approved by the SG because the SG wants dual approval. Mr Jonas then suggested that soon after the Provincial legislation has been repealed, the applications would have to be put back on the Tribunal roll for them to be reconsidered under a single legislation, SPLUMA. The onus will therefore lie on the applicant to bring the application back on the roll of the Tribunal.

Doctor T. Williams therefore suggested that the above be put in as a condition of approval in

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	<p>applicable cases, that the application be brought back to the Tribunal for approval in terms of the new legislation.</p> <p>The Chairperson then cautioned the members not to be tempted to discuss the merits of the application in the agenda as that would happen at an appropriate time during the course of the meeting.</p> <p><b>Section 10 &amp; 11:</b> Mister M. Coleman sought clarity on the difference between the minutes and notification of decision on why they were contained in separate headings in the SOP. Mister T. Phintshane clarified that the two were separated because the heading on minutes deals with the confirmation and approval of the minutes and the latter deals with the communication of the decision to the applicants/objectors. It was then suggested that the Section 11 should be section 10 and section 10 be section 11 on the SOP. Dr Williams noted that the Item "Confirmation of Minutes" on the agenda will just be for noting that the minutes were circulated and confirmed by members, as members will have had the chance to check and confirm the minutes after the sitting. Mister T. Phintshane concurred that the item will remain on the agenda as a matter of procedure.</p>
5.	<p><b>NOTING OF RULES OF ENGAGEMENT</b></p> <p>Following the presentation of the SOP, members agreed in principle to approve the SOP as the basis for conducting the meeting. Members were also encouraged to provide written inputs on the content of the SOP within 5 days of receipt. (Annexure D).</p>
6.	<p><b>DECLARATION OF INTEREST BY MEMBERS AND OFFICIALS</b></p> <p>All members and officials signed declaration of interest forms. No members/official indicated interest with regards to the item on the agenda.</p>
7.	<p><b>MINUTES OF THE PREVIOUS MEETING</b></p> <p>None</p>
7.1.	<p><b>CONFIRMATION OF MINUTES</b></p> <p>None</p>
7.2.	<p><b>MATTERS ARISING</b></p> <p>None</p>
8.	<p><b>NEW APPLICATION FOR CONSIDERATION</b></p> <p><b>Application for the Rezoning and Subdivision on Erf 318, Mount Fletcher Extension 3 (Elundini Local Municipality) – Ethembeni Housing Development</b></p> <p><b>REF. NO.: MPT20/01/01ELM</b></p> <p>Mister P. Jonas from Umhlaba Consulting made a brief presentation of the application (See Annexure E). He gave a background of the application in that it was not a new application; the application was approved 10 years ago. The development was surveyed and portions of it were</p>

implemented but not registered in terms of the GP that was prepared. Part of the development that was not implemented was invaded and occupied inconsistently with the plan that was previously prepared and surveyed.

Therefore the purpose of the application is to formalise (in-situ upgrade) part of the previous development that was invaded as there is pressure from the community to develop services.

## **DISCUSSIONS**

Mister M. Coleman raised his concerns on the Hydrological Report and the various other reports in that there were no plans in place in the motivational report to respond to the issues raised. He advised that the Municipality needs to be aware of the implications that the VIP toilets will have on overflow or ground water pollution.

He noted his overall concern on the monitoring of SPLUMA approvals particularly when the applicant is the Municipality – situation of judge and jury of the same case. The MPT will not be monitoring the implementation of its decision but the Municipality will, albeit in this case the Municipality is the applicant.

Mister P. Jonas responded to Mister M. Coleman's concerns by highlighting that the application is an upgrade of an area that is already occupied. He noted that the current services might not conform to environmental standards because of the circumstances in which the Municipality finds itself. What the Municipality normally does in the case of a land invasion is to provide humanitarian level of services in order to avoid any kind of environmental health risks. He therefore emphasised that to be able to upgrade the existing services, the municipality needs an approved plan. The formalization will enable the Municipality to access additional funding to upgrade the existing infrastructure. In terms of the situation where the Municipality is the applicant and enforcer at the same time, Mister P. Jonas indicated that when the application is approved, the application is approved with conditions. These conditions must be adhered to before the township can be registered at the Deeds Office, which is the leverage that the Tribunal can have with the Municipality. He suggested that these conditions can be confirmed by means of an affidavit or a legal document that confirms that these conditions have been adhered to. It was agreed that the MPT needs to propose a mechanism of dealing with this situation.

Doctor Williams raised a question on whether the Municipality has a policy in place to guide how the municipality goes about an in-situ upgrade so that the issue of encroachment does not come up again, as well as ensuring that the processes of service provision is managed correctly. He noted that there are many cases of land invasions and these set huge obligation towards the municipality. Ms N. Eddie responded in that there is no policy currently that speaks to areas affected by land invasion, however the Municipality is looking package plans on the areas that are not affected. Doctor T. Williams therefore suggested that a policy on land invasion and settlement be put in place to assist the Municipality in dealing with complex issues.

Doctor T. Williams raised his concerns that the Tribunal takes a decision without prior approval from Council in a form of a Council Resolution, especially in the case where the Municipality is the owner of the land. Mister W. Nodwele concurred with Doctor T. Williams' concern. Mister P.

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Jonas responded in that the Municipal Council cannot approve a development application but can only recommend. He indicated that SPLUMA was a redirection of planning in South Africa, in that it took planning out of the political sphere and made it a technical function. He emphasised that the Act together with its Regulations do not require that there be a prior Council resolution for a proposed development. Mister M. Coleman indicated that the Tribunal's decision can be taken to Council for noting only and not for approval. Mister P. Jonas indicated that the municipality has signed the application form which indicated the agreement of the municipality for the application to go ahead. Mister T. Phintshane added that in file there is an application letter to the Tribunal that is signed by the Municipal Manager. The Tribunal agreed that the application documents are suffice to demonstrate the municipality's support for the development.

The meeting took a unanimous decision in that an application that is to be presented before a Tribunal need not be approved by the Council, the Council will only be notified of the Tribunal's decision on an application at an appropriate time.

**THE JOE GQABI DISTRICT MUNICIPAL PLANNING TRIBUNAL RESOLVED:**

That the application for Rezoning and Subdivision of Erf 318 Mount Fletcher Extension 3 (Elundini Local Municipality) – Ethembeni Housing Development be **APPROVED** in terms of the Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA), as follows:

Use	Zoning	No of erven	Area (m <sup>2</sup> )	% allocation
Residential	Special Residential	322	327095.02	38,72%
Business	General Business	10	28435.38	3,37%
School	Educational	2	27743.46	3,28%
Technical College	Educational	2	62944.99	7,45%
Hospital	Institutional	1	53038.97	6,28%
Institution	Institutional	2	14097.24	1,67%
Government Offices	Government	1	33903.09	4,01%
Sportsfield	Municipal	1	20641.42	2,44%
Cemetery	Municipal	1	3359.48	0,40%
Open Space	Open Space	9	160255.68	18,97%
Reservoir	Municipal	1	1000.00	0,12%
Sewer Ponds	Municipal	1	11424.44	1,35%
Taxi Rank	Municipal	1	9624.77	1,14%
Public Roadway	Roadway	2	91248.07	10,80%
<b>TOTAL</b>		<b>356</b>	<b>844812.00</b>	<b>100.00</b>

The approval is subject to the following conditions:

- i.) no building may commence without approved building plans by Elundini Local Municipality;
- ii.) the development must comply with the provisions of the existing Elundini Local

- Municipality Land Use Scheme;
- iii.) the applicant be liable for applicable development charges for provision and installation of external engineering services at a fair and reasonable cost to be determined in agreement with the responsible authorities;
  - iv.) the applicant be liable for the costs of provision and installation of all internal engineering services and specifications are to be approved by the responsible authorities;
  - v.) the Municipality shall be entitled to reasonable access to the land adjoining the servitude area for construction, maintenance or removal of such servitudes;
  - vi.) indication of the water demand of the total housing development to be furnished to the Water Service Authority;
  - vii.) all conditions of approval of the Environmental Authorisation from the Department of Economic Development and Environmental Affairs dated 19 October 2010 be complied with;
  - viii.) the approval is only valid for a period of 5 years and all the conditions of approval must be complied with within the 5 year period and failing which the approval lapses;
  - ix.) the approval does not exempt the applicant from adherence to any and all other legal procedures, applications and/or approvals related to the intended land use, as required by other statutes.

**REASONS FOR DECISION**

1. The proposed development is in line with the Spatial Development Framework and the Integrated Development Plan of Elundini Local Municipality;
2. The proposed development is in line with the Development Principles as set out in Chapter 2 of the Spatial Planning and Land Use Management Act; and
3. The proposed development is consistent with the provisions of Section 40 and 42 of the Spatial Planning and Land Use Management Act.

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**Attached Annexures:**

1. Annexure A: Attendance Register
2. Annexure B: Applications for Leave of Absence
3. Annexure C: Ms Y. Mabentsela cancellation of membership
4. Annexure D: SOP
5. Annexure E: Presentation of application

The meeting closed at 12h40.

This is to confirm that I NANDIPHA MSHUMI, the ~~Chairperson~~ Deputy Chairperson of the Joe Gqabi District Municipal Planning Tribunal confirm that these minutes are correct and final.

Signed at BARKLY EAST on this 27<sup>TH</sup> day of MARCH 2020

Signature: 

This is to confirm that I TSEPISO NTWANAMBI, the Administrative Officer of the Joe Gqabi District Municipal Planning Tribunal confirm that I received the final approved minutes.

Signed at BARKLY EAST on this 23<sup>RD</sup> day of MARCH 2020

Signature: 



**MPT20/02/01SLM**

**STERKSPRUIT ERF 107 SPECIAL CONSENT APPLICATION**

**PURPOSE**

The purpose of this land development application is to seek approval for the consent use for the proposed filling station on erf 107 Sterkspruit.

**BACKGROUND**

A Special Consent application has been submitted by DBP planners on behalf of Vananco Wholesalers (PTY) LTD to utilise erf 107 in Sterkspruit as a filling station. The property has been used for business activities (Vananco building) for years.

**DISCUSSION**

The property on which the filling station is proposed is in the CBD, on the main road. The property is currently zone Commercial, and has been utilised for business purposes. The access to the property is on R392, which is a provincial road.

The surrounding zonings include General Business, Open Space, Residential and Government. There is also communal land in close proximity to the property, which is currently used for business activities. Other surrounding land uses include residential, vacant land, shops and a funeral parlour.

The zoning of the property does accommodate a filling station by consent from the municipality. The Spatial Development Framework of the municipality identifies the area as the CBD, it also encourages development away from the CBD in order to decongest the town of Sterkspruit.

The filling stations that are currently available in Sterkspruit are in a congested area in the middle of the CBD. The development of another filling station at the entry of the town will ease the decongestion in the CBD. A traffic study has been conducted for the proposed development.

**PROPOSAL**

The intention of this application is to seek approval for the consent use of a Service Station on erf 107 in Sterkspruit. This development will also include retail services. The proposed retail development is 1800m<sup>2</sup>. The property owners is intending to supply 98 parking bays and public transport stops. The Senqu Land Use Scheme requires 6 parking bays per 100m<sup>2</sup>.

All services including water, sanitation and electricity are available on the property. The property is easily accessed from the R392.

**FINANCIAL IMPLICATIONS**

The applicants have paid land use application fees for the Special Consent application to the municipality.

## **LEGAL IMPLICATIONS**

Spatial Planning and Land Use Management Act 16 of 2013

Senqu Spatial Development Framework 2016

Senqu SPLUM bylaw 2016

Senqu Land Use Scheme 2017

## **CREDIBILITY**

Report prepared by Manager: Housing, Town Planning and Land Use Management and verified by Acting Municipal Manager.

## **RECOMMENDATIONS**

That the application for the special consent for a Service Station on Erf 107, Sterkspruit be approved with the conditions listed under Annexure G and Annexure H.

## **ANNEXURES**

Annexure A:	Land Use Application Form
Annexure B:	SLM Fees PoP
Annexure C:	Title Deed
Annexure D:	Power of Attorney & Resolution
Annexure E:	SG Diagram
Annexure F:	Traffic Impact Study
Annexure G:	Approval from the Department of Transport
Annexure H:	EIA Authorisation
Annexure I:	Comments from the District
Annexure J:	Public Notices

## **PLANS**

Plan 1:	Locality Plan
Plan 2:	Land Use Plan
Plan 3:	Zoning Plan
Plan 4:	Site Plan
Plan 5:	Site Development Plan



Our ref.: 154  
Enquiries: 9 MBEKUSHE

Date: 21/10/2020

Joe Gqabi District Municipality  
Cnr Cole and Graham Street  
Barkly East  
9786

**SUBMISSION OF ITEMS TO THE JOE GQABI DISTRICT MUNICIPAL PLANNING TRIBUNAL**

Reference is made to the above mentioned matter.

Senqu Local Municipality would like to submit to the planning tribunal, for the consideration and approval, the following items;

1. Special Consent application for erf 107 Sterkspruit (Filling Station).

For further clarity, contact the Housing and Town Planning and Land Use Management office on 0516031370/1400.

Yours faithfully,



**M M YAWA**  
**MUNICIPAL MANAGER**

MPT Meeting Date :

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Venue : JOE GOABI DISTRICT MUNICIPALITY

Application : SPECIAL CONSENT USE TO PERMIT A SERVICE STATION

Property Description : ERF 107, STERKSPRUIT

Reference Number	Application Submission Date	Date Report Finalised

Status of Application									
Received		Confirmed as complete		Circulation		Advertised		All comments received	
Responded to comments		Assessment report		Decision		Applicant / Objectors notified		Appeal received	
Appeal hearing		Final decision		Other					

SECTION A: AUTHOR DETAILS	
First name(s)	Simnikiwe
Surname	Mbekushe
Job title	Manager: Housing and Town Planning
Prof body registration number (if applicable & supported by the relevant by-law)	SACPLAN:A/2793/2019 SAPI:12096
Directorate/Department	Development and Town Planning Services
<b>Contact details</b>	
Physical Address	19 Murray Street, Lady Grey, 9755
Postal Address	P/Bag X03, Lady Grey, 9755
Tel no:	0516031400
Fax:	0516030445
E-mail address	mbekushes@senqu.gov.za
SECTION B: APPLICANT DETAILS	
First name(s)	James
Surname	Terblanche

Company name / CC	DBP Consulting	
Company / CC Reg. Nr.	2007/190773/23	
Cipro documents		
SACPLAN Registration Number	A/1299/2004 °	
Is the applicant authorised to submit this application	<b>Yes</b>	<b>No</b>
Power of Attorney & Minutes		
Registered owner(s)	Vananco (PTY) LTD	
<b>Contact details</b>		
Physical Address	92 Smartt Road, Nahoon, East London, 5217	
Postal Address	P.O. Box 15168, Beacon Bay, 5205	
Tel no:	0437350949	
Fax:	0865513778	
E-mail address	dbpconsult1@gmail.com	
<b>SECTION C: PROPERTY DETAILS</b>		
Property description (in accordance with Title Deed)	Erf 107 Sterkspruit	
Physical address	Sterkspruit	
Town / City	Sterkspruit	
Current zoning	Commercial	
Extent (m <sup>2</sup> /ha)	6229m <sup>2</sup>	
Are there existing buildings on the property?	<b>Yes</b>	<b>No</b>
Applicable zoning scheme	Senqu Land Use Scheme	
Current land use	Business	
Title Deed number & date	T2160/2002	
Any restrictive title conditions applicable (if yes, list condition below)	<b>Yes</b>	<b>No</b>
Any third party conditions applicable? (if yes, specify below)	<b>Yes</b>	<b>No</b>
Any unauthorised land use/building work (if yes, explain below)	<b>Yes</b>	<b>No</b>

<b>SECTION D: PRE – APPLICATION CONSULTATION OR WRITTEN ENQUIRY (ATTACHED MINUTES)</b>							
Has pre-application consultation been undertaken? (if yes, provide a brief summary of the outcomes below)						<b>Yes</b>	<b>No</b>
The applicant consulted the municipality to enquire about the zoning of the property and the applicable fees for the submission of the application.							
<b>SECTION E: TYPE OF APPLICATIONS (TICK APPLICABLE)</b>							
Rezoning		Removal suspension or amendment of restrictive conditions		Subdivision		Temporary departure	
Permanent departure		Consent use	<input checked="" type="checkbox"/>	Township Development / Division of land		Division of an approved township	
Cancellation of General Plan		Extension of the validity period of an approval		Permissions in terms of the zoning scheme		Closure of public place	
Determination of zoning		Disestablish a home owner's association		Rectify failure by home owner's association to meet obligations		Occasional use	
<b>SECTION F: APPLICATION DESCRIPTION</b>							
The application is for the special consent use of erf 107 Sterkspruit as a Service Station							
<b>SECTION G: BACKGROUND</b>							
A Special Consent application has been submitted by DBP planners on behalf of Vananco Wholesalers (PTY) LTD to utilise erf 107 in Sterkspruit as a filling station. The property has been used for business activities (Vananco building) for years.							
<b>SECTION H: SUMMARY OF APPLICATIONS MOTIVATION</b>							
<p>The intention of this application is to seek approval for the consent use of a Service Station on erf 107 in Sterkspruit. This development will also include retail services. The proposed retail development is 1800m<sup>2</sup>. The property owners is intending to supply 98 parking bays and public transport stops. The Senqu Land Use Scheme requires 6 parking bays per 100m<sup>2</sup>.</p> <p>All services including water, sanitation and electricity are available on the property. The property is easily accessed from the R392. The property is currently zone Commercial, and has been utilised for business purposes. The access to the property is on R392, which is a provincial road.</p> <p>The surrounding zonings include General Business, Open Space, Residential and Government. There is also communal land in close proximity to the property, which is currently used for business activities. Other surrounding land uses include residential, vacant land, shops and a funeral parlour.</p>							
<b>SECTION I: SUMMARY OF PUBLIC PARTICIPATION</b>							

<u>Method of advertising:</u>				<u>Date published:</u>	<u>Closing date comments:</u>		
Press	Yes	No	N/A	04/10/2019	04/11/2019		
Gazette	Yes	No	N/A				
Notices	Yes	No	N/A	03/10/2019	04/11/2019		
Site notice	Yes	No	N/A	03/10/2019	04/11/2019		
Community organisation(s)	Yes	No	N/A	03/10/2019	04/11/2019		
Public meeting	Yes	No	N/A				
Third parties	Yes	No	N/A				
Other							
Total valid comments / objection				0			
Total comments & petitions refused				0			
Valid petition(s)	Yes	No	If yes, number of signatures				
Community organisation(s) response					Yes	No	N/A
Ward councillor response					Yes	No	N/A
Total letters of support					0		
Was public participation undertaken in accordance with the relevant By-law & policies					Yes	No	
<b>SECTION J: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION</b>							
<u>In support:</u>							
No letters of support have been received.							
<u>Objections:</u>							
No objections have been received.							
<b>SECTION K: COMMENTS FROM ORGANS OF THE STATE AND/OR MUNICIPAL DEPARTMENTS</b>							
<u>State/Municipal Department Name:</u>	<u>Date Received:</u>	<u>Comments (Attached Annexure?):</u>	<u>Recommendations (V):</u>				
			Supported	Not Supported	N/A		
Department of Transport	13/09/2019		✓				
JGDM water and sanitation	14/01/2020		✓				
Senqu Electricity	16/10/2019		✓				
Department of Economic Development,	02/07/2020		✓				

Environmental Affairs & Tourism					
<b>SECTION L: APPLICANT'S REPLY TO COMMENTS</b>					
<b>SECTION M: MUNICIPAL ASSESSMENT OF COMMENTS</b>					
	Comments were only received from municipal departments and other state departments. There were no objections received for the application.				
<b>SECTION N: MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)</b>					
Was the application processed correctly (if no, elaborate below):			<b>Yes</b>	<b>No</b>	
<i>All procedures were adhered to within the prescribed time periods.</i>					
Is the proposal consistent with the principles referred to in chapter 2 of SPLUMA & decision guideline in relevant By-law			<b>Yes</b>	<b>No</b>	
<u>Application History:</u>					
The application was received by the municipality in July 2019. The site was visited three times by the municipal officials. The application was then forwarded to departments. The municipality received some of the feedback immediately from the internal departments, however some external departments only responded 6 months after the application had been circulated. The Department of Mineral and Energy did not respond after numerous communication.					
(In)consistency with the IDP/Various levels of SDF's/Applicable policies?					
The application is consistent with the Municipal Spatial Development Framework as this area is identified for commercial activity.					
Outcomes of investigations/applications i.t.o other applicable legislation					

Existing and proposed zoning comparisons and considerations
The proposal does not require a change in the zoning of the property.
The desirability of the proposal
The proposed development will allow for the decongestion of the Sterkspruit CBD, it will also have a positive impact on the growth of the economy of Sterkspruit and the Joe Gqabi district as a whole.
<b>SECTION O: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS</b>
<b>SECTION P: SUMMARY OF EVALUATION</b>
<b>SECTION Q: RECOMMENDATION</b>
We recommend that the application gets approve by the JGDM municipal tribunal.
<b>SECTION R: REASONS FOR RECOMENTATION</b>
The proposed development is consistent with the Municipal SDF. All services are available such as roads, electricity, water, sanitation. No objection to the proposal has been received. However the approval should be inclusive of the conditions from the JGDM water and sanitation, Department of Transport and the Department of Economic Development, Environmental Affairs and Tourism.
<b>SECTION S: ANNEXURES</b>

**SECTION T: SIGNATURES**

Author Name : Simnikine Mbekeushe

Author Signature : [Signature]

Date : 20/10/2020

Director Name : Kenneth Soudete Chanyani

Director Signature : [Signature]

Date : 21/10/2020

*\*\*(Section to be completed post Tribunal)*

APPROVED		APPROVED CONDITIONALLY		APPROVED IN PART		REFUSED	
----------	--	---------------------------	--	---------------------	--	---------	--

If in Part-Outline Details : \_\_\_\_\_

Decision Maker Name : \_\_\_\_\_

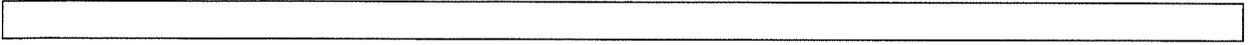
Decision Maker Signature : \_\_\_\_\_

Date : \_\_\_\_\_

**CONDITIONS OF APPROVAL**

Provide details of all Department conditions imposed as well as the supporting legislative context:





**SLM City Planning Division (Sterkspruit)**  
Technical Planner  
Simnikiwe Mbekushe

OUR REF: Erf 107 Sterkspruit  
DATE: 8 July 2019  
PAGES: 1

Dear Madam

**LAND DEVELOPMENT APPLICATION: SOCIAL CONSENT USE TO PERMIT SERVICE STATION ON ERF 107, STERKSPRUIT**

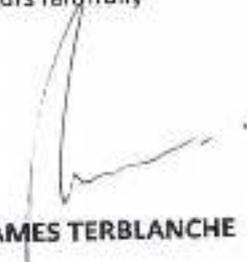
Application is hereby made in terms of the Spatial Planning and Land Use Management Act of 2013 and the Townships Ordinance 33 of 1934, as read with the SLM Land Use Scheme Regulations of 2017 for:

- a) Consent Use to permit Service Station.

In support of the application please find attached the land development application with all Plans and Supporting Annexures.

Should you require any further information, please do not hesitate to contact the undersigned on 061 4555 714 and via email on jamesrterblanche@gmail.com.

Yours faithfully



**JAMES TERBLANCHE**

**061 4555 714**



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# LAND USE APPLICATIONS

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6. Comments of The Council
7. Annexures

# APPLICATION DETAILS

## 1. Type of Application (Place a cross in all the appropriate blocks)

<input type="checkbox"/>	Rezoning to subdivisional area (LUPO)
<input type="checkbox"/>	Rezoning which does not comprise a rezoning to subdivisional area
<input type="checkbox"/>	Departure
<input type="checkbox"/>	Subdivision and consolidation
<input checked="" type="checkbox"/>	Consent use
<input type="checkbox"/>	Extension of approval (Ordinance 33 of 1934)
<input type="checkbox"/>	Any other application, give details:

## 2. Type of Legislation Applicable (Place a cross in all the appropriate blocks)

<input checked="" type="checkbox"/>	SPLUMA of 2013
<input type="checkbox"/>	Land Use Planning Ordinance 15 of 1985 (Former CPA areas)
<input checked="" type="checkbox"/>	Townships Ordinance 33 of 1934 (Former Transkei areas)
<input type="checkbox"/>	Land Use Regulation Act 15 of 1987 (Former Ciskei areas)
<input type="checkbox"/>	Townships Proclamation R293 of 1962
<input type="checkbox"/>	Black Communities Development Act 4 of 1984 (Regulations)

## 3. Land Description and Contact Information

Local Authority	Senqu Local Municipality		
Description of land	Erf 107, Sterkspruit		
Registered owner(s)	Vananco Wholesalers PTY (LTD)		
Postal address	107, Hershel Road, Sterkspruit		Code
Applicant	DBP Consulting		
Postal address	92 Smartt Road, Nahoon, East London		Code 5241

# **INSTRUCTIONS**

(These instructions should be read before completing this form)

## **1. General Remarks**

- 1.1. If an application requires approval in terms of various types of legislation and two or more of the applications have to be advertised, the applicant must inform the town clerk, secretary or executive officer accordingly so that all applications may be advertised and submitted for approval simultaneously.
- 1.2. All applications should comply with the Chapter one Principles of the Development Facilitation Act of 1995.
- 1.3. All application should take cognizance of the requirements for the change of land use in terms of the Environment Conservation Act of 1997.
- 1.4. Incorrect and incomplete applications will be returned to the Applicant. The Applicant's attention is drawn to the plans and other documentation that must accompany their application.
- 1.5. Applicants must note that until such time that an approval has been approved in writing, any correspondence or discussions pertaining to this application must not be regarded as an indication that it will in fact be approved and do not bind the local authority, or the Premier, in any way.
- 1.6. The Premier reserves the right to have an approval declared null and void if it was based on wrong information supplied by an applicant. Applicants must therefore ensure that information about restricting factors that could influence the application is provided.
- 1.7. Applications in terms of Land Use Regulation Act 15 of 1987 and the Townships Ordinance 33 of 1934 require 10 copies for the Land Use Planning Board and Townships Board respectively.
- 1.8. Applicants may supply any additional information, on a particular issue, if they want to.

## **2. Prior Liaison with other Interested Parties**

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

### 3. Submissions of Application

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

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

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

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

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

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

3.3.1. Details in respect of the application

- A locality sketch showing clearly the details of the application;
- A description of the site that is to be developed;
- What does the owner intend to do with the land;
- What are the envisaged development parameters (for instance the proposed floor area and coverage);
- What portion of the site is to be developed;
- What is the existing zoning and use of the subject land;
- A copy of the advertisement of the proposal;
- A site development plan.

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

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

- 3.3.3. Details in respect of the planning proposals for the subject area
- what is the existing and proposed conditions applicable to the subject land (servitudes, title deed and / or zoning scheme conditions);
  - relevant details contained in Land Development Objectives, or any other policy proposal for the area.
- 3.3.4. Motivation given in the application and in the objections
- the applicant's motivation and comments on the objections and / or the appeal;
  - the comments of relevant government departments;
  - details of the objections received.
- 3.3.5. Evaluation of the application by the Council
- The evaluation of the application in relation to the DFA principles, Land Development Objectives, desirability, precedents, the council's policies et criteria;
  - In the case of land zoned for public purposes, the reasons why such land is no longer required for the use by the public;
  - Desirability is usually considered in terms of the following:
    - o Physical characteristics of the area;
    - o Potential of the site;
    - o Character of the surrounding area;
    - o Planning proposals for the area (LDO / Framework / Structure Plan etc.);
    - o Location and accessibility of the site;
    - o Provision of services;
    - o Environmental impact of the proposal;
    - o Impact of the construction phase.
- 3.3.6. The decision of the Council
- Council's decision, including the conditions that must be imposed if the application is approved. (Note that the application must contain these conditions, even if the relevant council recommends that the application be refused by the Premier).

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

**SECTION A**

TO BE COMPLETED BY THE APPLICANT

**1. Personal Particulars of Applicant**

Your reference number	STK 107		
Name of person to whom correspondence should be addressed	James Terblanche		
Address	92 Smartt Road, Nahoon, East London		
	Code	5241	
Telephone number	061 4555 714		
Facsimile number	043 735 0949		

- 1.1. Is the applicant the only registered owner of the property?  YES  NO  X  N/A

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

Name of the registered owner(s):

Vananco Wholesalers PTY (LTD).....

- 1.2. Is the property encumbered with a bond?  YES  NO  X  N/A

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

## **2. Details of the Land Unit**

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

Erf 107 Sterkspruit, Senqu Municipality, District of Herschel, Province of the Eastern Cape

.....

.....

Number and date of the title deed: T2160/2002 on 28 June 2002

.....

Area of land: 6229 Square Meters.....

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

Business Zone III (Commercial).....

- 2.3. Are any departures applicable to the land unit?

YES

NO

X

N/A

If so, give a full explanation: .....

.....

.....

.....

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

YES

X

NO

N/A

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

Current building structures will be incorporated into the development.....

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

YES

X

NO

N/A

If not, how is the land being utilized? .....

.....

.....

### 3. Details of Application

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

Application for the Special Consent Use to permit a Service Station

(Current Zoning: Business Zone III, Commercial)

See motivation report.....

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

- 3.2. Does the proposal development involve the entire land unit?

YES

X

NO

N/A

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

.....  
.....

- 3.3. Is a departure being applied for in order to obtain a temporary change of use on the land unit?

YES

NO

X

N/A

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

.....  
.....

#### 4. Restricting Factors

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

- 4.1. Are there any title deed restrictions which may have an effect on this application in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967)  YES  NO  N/A

*if so, furnish full details:*

.....

.....

.....

- 4.2. Is any portion of the land unit subject to tidal flow or situated under the high-water mark?  YES  NO  N/A

*if so, furnish full details:*

.....

.....

.....

- 4.3. Is any portion of the land unit situated in a flood-plain of a river under the 1 and 50 years flood-line or subject to any floods?  YES  NO  N/A

*if so, furnish full details:*

.....

.....

.....

- 4.4. Are there any physical restrictions (such as steep slopes, unstable soil formations, swamps, etc.) which could effect the development?

YES

NO

X

N/A

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

.....

.....

.....

- 4.5. Are there any other restrictions of which you are aware, but which were not mentioned above?

YES

NO

X

N/A

*If so, furnish full details:*

.....

.....

.....

## 5. Possible Referral To Other Bodies

- 5.1. Does the application fall within the area of a Land Development Objective (LDO) and / or Policy Plan (Structure Plan, Framework Plan etc.)?

YES

X

NO

N/A

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

Senqu Local Municipality Spatial Development Framework.....

.....

.....

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

YES

NO

X

N/A

- 5.3. Is the land situated within the boundaries of a nature area reserved in terms of section 4 of the Physical Planning Act, 1967 (Act 88 of 1967), or a mountain catchment-area reserved in terms of the Mountain

YES

NO

X

N/A

Catchment Areas Act, (Act 63 of 1970), or a nature reserved, reserved in terms of the former Nature and Environmental Conservation Ordinance, 1974 (Ordinance 19 of 1974), or a national park reserved in terms of the Nature Parks Act, 1978 (Act 57 of 1976)?

*If so, furnish full details:* .....

.....

.....

.....

- 5.4. Does the land unit abut on the area of jurisdiction of another local authority or does any other local authority have an interest in this application?

YES

NO

X

N/A

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

.....

.....

- 5.5. Does the property abut on any national, trunk, main or divisional road or such proposed road?

YES

X

NO

N/A

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

Site abuts R392 .....

..... TIA has been completed.....

.....

- 5.6. Is the land situated in a metropolitan transport area in terms of the Urban Transport Act, 1977 (Act 78 of 1977)?

YES

NO

X

N/A

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

.....

.....

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

YES

NO

X

N/A

*If so, furnish full details:* .....

.....

.....

.....

- 5.8. Are there any conservation worthy buildings / graves / rock engravings / archaeological finds on the property including those that have not been declared national monuments?

YES

NO

X

N/A

*If so, furnish full details:* .....

.....

.....

.....

- 5.9. Is the land unit situated within 1000m from the high-water mark of the sea or tidal river?

YES

NO

X

N/A

*If so, has nature conservation been consulted?* .....

.....

.....

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

YES

NO

X

N/A

*If so, please supply details:* .....

.....

.....

## 6. Annexures

- 6.1. Have the following annexures been attached?

ANNEXURE	YES	NO	N/A
Power of attorney	X		
Authorisation from mortgagee			X
Flood-line certificate			X
Regional map	X		
Locality map	X		
Extract from zoning map	X		
Land-use map	X		
Layout plan	X		
Motivation report	X		
Title deed	X		
Copy of advertisement			X
Any other annexures, give details:	X		
SG Diagram, Site Development Plan			

- 6.2. If any of the above questions' answers are **NO**, give reasons:

.....

.....

.....

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

SIGNATURE: ..... DATE: 5 July 2019

FULL NAME: JAMES TERBLANCHE

DATE ON WHICH APPLICATION WAS SUBMITTED TO THE LOCAL AUTHORITY

9 July 2019

## SECTION B

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

### 1. Details of Local Authority

<b>Name</b>			
<b>Address</b>			
		<b>Code</b>	
<b>Name of contact person</b>			
<b>Telephone number</b>			
<b>Facsimile number</b>			
<b>Reference number</b>			

### 2. Details of Previous or Accompanying Applications

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

<b>YES</b>	<b>NO</b>	<b>N/A</b>
------------	-----------	------------

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

.....

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

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

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

.....

.....

.....

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

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	<input type="checkbox"/>
-----	--------------------------	----	--------------------------	-----	--------------------------

- 2.5. Have any of the above applications already been submitted to the Eastern Cape Provincial Administration?

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	<input type="checkbox"/>
-----	--------------------------	----	--------------------------	-----	--------------------------

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

.....

.....

.....

### 3. Advertising

- 3.1. Have notices been served on the owners of the adjacent properties?

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	<input type="checkbox"/>
-----	--------------------------	----	--------------------------	-----	--------------------------

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

- 3.2. Indicate whether it was necessary to advertise in the press and the Provincial Gazette?

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	<input type="checkbox"/>
-----	--------------------------	----	--------------------------	-----	--------------------------

*If so, attach a copy of the advertisement.*

- 3.3. Have any objections been received?

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	<input type="checkbox"/>
-----	--------------------------	----	--------------------------	-----	--------------------------

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

#### 4. Land Development Objectives and Policy Plans

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

 YES

 NO

 N/A

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

.....  
 .....

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

.....  
 .....

- 4.3. To what extent does the proposal comply with the Land Development Objectives or Policy Plans?

.....  
 .....

#### 5. Applicant's Information

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

 YES

 NO

 N/A

*If not, provide the correct information: .....*

.....  
 .....

- 5.2. Are any problems envisaged with the provision of the following services?

	YES	NO	N/A
Water			
Electricity			
Sewerage			
Storm water drainage			
Refuse removal			
Roads			

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

.....

.....

.....

## 6. Comments of the Council

- 6.1. Does the Council recommend the application for approval?

YES		NO		N/A	
-----	--	----	--	-----	--

- 6.2. Date of Council resolution:

.....

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

.....

.....

.....

.....

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

## 7. Annexures

7.1. Have the following annexures been attached?

ANNEXURE	YES	NO	N/A
Map indicating those persons on whom notices have been served			
Copy of notice			
Copy of press notice			
Map of objectors properties			
Copies of objections received			
Comments of applicant on objections			
Comments of Council on objections			
List of conditions			
Scoping report if required			
Comments from other government departments			
Any other documents / correspondence Please give full details:			

I certify that the application is complete and correct.

.....  
Signature

CHIEF EXECUTIVE OFFICER; LOCAL AUTHORITY

NAME: .....

DATE: .....



---

## TOWN PLANNING MOTIVATION REPORT FOR THE SPECIAL CONSENT USE

ERF 107 STERKSPRUIT

**SUBMITTED TO:**

*Senqu Local Municipality*

Registered Member of the South African Council for Planners (SACPLAN)

Professional Planner A/1299/2004

June 2019

Email: [dbpconsult1@gmail.com](mailto:dbpconsult1@gmail.com)  
Fax: 086 551 3778  
No 92 Smart Road, Nahoon, East London 5217

Cell: 079 887 3454  
Tel: 043 735 0949  
PO Box 15188, Beacon Bay, 6205

Research | Project Management | Property Development | Development Planning | Strategic Intervention | NAI

Goodwin legal trading as DBP Consulting cc  
Reg No: 2007/150773/03

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**PLANS:**

1. Locality Plan
2. Land use Plan
3. Zoning Plan
4. Site Plan
5. Site Development Plan

**SUPPORTING ANNEXURES:**

**Annexure A** – Land Use Application Form

**Annexure B** – SLM Fees PoP

**Annexure C** – Title Deed

**Annexure D** – Power of Attorney & Resolution

**Annexure E** – SG Diagram

**Annexure E** - Traffic Impact Study

## 1 INTRODUCTION

Our company, DBP CONSULTING has been appointed by **Vananco Wholesalers (PTY) LTD** to prepare and submit an application for the special consent use, of **Erf 107 Sterkspruit** to the Senqu Local Municipality in terms of the Spatial Planning and Land Use Management Act of 2013 or Townships Ordinance 33 of 1934 with a view to gaining approval thereof.

The purpose of this report is to motivate for the land development rights and necessary land development approval to enable the development of a service station which will accompany the redevelopment of retail space on the property. The site falls within the primary business district within Sterkspruit and represents an intensification of business use in a prime location.

## 2 NATURE OF APPLICATION

The land owner has instructed us to proceed and submit a formal application in terms of the Spatial Planning and Land Use Management Act of 2013 and/or Townships Ordinance 33 of 1934, and read with the Senqu Land Use Scheme of 2017, and consists of the following:

1. *Consent Use for a Service Station.*

## 3 THE SUBJECT PROPERTY

### 3.1 Property Particulars

The table below indicates the description, ownership, extent & title deed number of the subject properties.

Description	Ownership	Extent	Title Deed no.
Erf 107, Sterkspruit	Vananco Wholesalers (PTY) LTD	6229m <sup>2</sup>	T2160/2002

*(See Annexure C: Title Deed)*

### 3.2 Locality

The property is located in Sterkspruit within Senqu Municipality. Erf 107 is situated on the R392 route, 107 Hershel Road.

*(See Locality Plan: 01)*

### 3.3 Authority

The applicant is DBP Consulting, acting on behalf of the registered owners **Vananco Wholesalers (PTY) LTD**. A copy of the Power of Attorney & Resolution, as an instruction from the owner, has been submitted with this application.

*(See Annexure D: Power of Attorney)*

### 3.4 Bondholders consent

The bondholders consent is not required.

## 4 SITE ANALYSIS

### 4.1 Existing & Surrounding Land Uses

The existing land use on the subject erf is for warehousing. The site is located along R392 (Hershel Road) and has a variety of land uses which surround it. The proposed development application will not be out of character in these surroundings.

Surrounding land uses include:

- Vacant Land;
- Residential Neighborhood;
- Shops;
- Informal Settlement;
- Funeral Parlour; and
- Mixed Use erven

*(See Land Use Plan: 02)*

### 4.2 Existing & Surrounding Zonings

In terms of the Senqu Local Municipality Land Use Scheme, the subject site is currently zoned Commercial.

The surrounding zonings include: General Business, Open Space, Residential, Government, and Undetermined.

*(See Zoning Plan: 03)*

### 4.3 Current Access and parking

The site currently gains access from the R392, Hershel Road and meets parking demands for its current use as warehousing.

*(See Site Plan: 04)*

### 4.4 Topography, slopes and drainage

The site is fairly flat with no significant slope to consider within the site boundaries. There are no significant topographical and drainage constraints that hinder the proposal in any way.

*(See Site Plan: 04)*

### 4.5 Floodline

There is a no watercourse in the vicinity and no floodline is required.

### 4.6 Servitudes

The title deed and SG Diagram for the property does not refer to any servitudes transgressing the site. The table below shows the current situation in terms of servitudes.

Erf number	Title Deed no.	Servitudes noted
Erf 107, Sterkspruit	T2160/2002	None

*(See Annexure D: SG Diagrams)*

## 5 DEVELOPMENT PROPOSAL

### 5.1 Proposal

As determined in section 2 of this report, this application is to obtain approval for the special consent use for a service station, which will accompany a retail development on the property. The intention is to provide a service station and retail, with job creation and economic growth at its core. The main aims of the development in terms of the planning are to:

- Establish a service station on the site;
- Maintain rights for retail on the site;
- Adequate parking (98 bays) as well as public transport stops;
- Create employment in a key area;
- Comply with existing spatial plans for the area;
- Plan for the creation of a sustainable, vibrant and supportive urban environment;

- Promote an environmentally sensitive and economically sustainable development that benefits not only local residents, but the area as a whole.

The existing infrastructure and buildings will be used for this development.

## 5.2 Development Parameters

The following developmental parameters are per the SLM Zoning Scheme;

SLM LAND USE RESTRICTIONS		
Business Zone III - Commercial		
RESTRICTION	AS PER SLM ZONING SCHEME 2017	SDP RIGHTS APPLIED FOR
PRIMARY USE	Commercial Premises, Commercial Workshop, Car Wash, Place of Worship, Funeral Parlour, Public Garage, Adult Shop and Adult Entertainment, Mortuary, Place of Entertainment, Parking Garage, Utility Services.	N/A
CONSENT USE	Transport Facility, Telecommunication Installation, Other uses over and above uses listed as primary uses.	Service Station
DEPARTURE	N/A	None
FLOOR AREA RATIO	At most 3	At most 3
COVERAGE	100%	Less than 100%
STREET BUILDING LINE	Zero	0 m
SIDE & REAR BUILDING LINE	Zero	0 m

SLM LAND USE RESTRICTIONS		
Business Zone III - Commercial		
RESTRICTION	AS PER SLM ZONING SCHEME 2017	SDP RIGHTS APPLIED FOR
PARKING	(i) <i>Business (including office use):</i> 6 bays/100m <sup>2</sup> G.L.A. (ii) <i>Manufacturing:</i> 1 bay/100m <sup>2</sup> G.L.A. (iii) <i>Warehousing:</i> 1 bay/100m <sup>2</sup> G.L.A. (iv) <i>Dairies, Bakeries and Laundries:</i> 1 bay/100m <sup>2</sup> G.L.A. (v) <i>Storage Yards:</i> 1 bay/100m <sup>2</sup> G.L.A. (vi) <i>Car Wash:</i> 3 bays/wash-bay	*Refer TIA  98 bays provided per Traffic Engineer
LOADING	As per the Guidelines for Off-Street Loading Facilities in Section 4.13.2 and Annexure F.	Sufficient loading facilities provided.
HEIGHT	3 storeys	2 Storeys

## 6 INFRASTRUCTURE/ENGINEERING SERVICES

### 6.1 Sanitation

The sites are currently serviced by the municipality in terms of waterborne sewerage and the status quo is to remain.

### 6.2 Water

The water supply authority for the area is the Senqu Local Municipality and water infrastructure is in place to allow for the development to proceed.

### 6.3 Electricity

Per current status quo, there is electricity available on the property.

### 6.4 Proposed Roads & Access

The site in its current state has two access/egress points via the R392, Hershel Road. In order to maintain road safety traffic flow upgrades have been made by the traffic engineer.

## 6.5 Traffic Impact Study

### CONCLUSIONS

Following the investigation and analysis it is concluded that:

- i. The current operating conditions on the road network within the study area are found to be acceptable with no LOS or capacity failures.
- ii. The posted speed limit of 40 km/h along the DR08605, in the vicinity of the site accesses, is appropriate for the current and expected future traffic conditions.
- iii. The existing critical peak, in terms of traffic volume, was found to be the PM peak hour while the SAT peak hour tested similarly but with marginally lower demands.
- iv. Once developed and fully occupied, the proposed development may be expected to generate in the order of 150 and 170 vehicle trips in PM and SAT commuter peak hours respectively.
- v. The combined critical peak hour of existing and development trips is found to be the PM peak hour.
- vi. The network is not overloaded when development trips are assigned for any of the given tested peak hours, subject to the recommended road network improvements being undertaken.
- vii. The proposed changes to the layout and road network, as shown in Figure 5.1, the site layout and road network adequately serve the proposed development.
- viii. The average light traffic volumes passing the site are 6,450 veh/day.
- ix. The average heavy traffic volumes passing the site are 200 veh/day.
- x. The anticipated current fuel sales are 304,000 l/month based on 6% of passing traffic stopping for fuel.
- xi. The annual growth rate is approximately 2.5%, thus increasing the 2025 fuel sales to approximately 344,000 l/month.

### RECOMMENDATIONS

Based on the investigation and conclusions it is recommended that:

- i. This Traffic Impact Study (TIS) be submitted to the Senqu Local Municipality (SLM) and the Department of Mineral and Energy (DME) for their perusal with the complete development proposal, and that the SLM in turn forward the TIS, with their comments, to the Eastern Cape Department of Transport (ECDOT) for their perusal.
- ii. The development proposal, that is the re-development of Erf 107 Sterkspruit, as submitted and reflected herein, being approved in principle from a traffic impact perspective by the SLM, the DME and the ECDOT.

iii. The site layout changes, as shown in Figure 5.1, being made a condition of approval. The required internal road network improvements to be made by the development are as follows:

- a. control strategy,
- b. parking layout,
- c. disabled bays, and
- d. access control.

iv. The road network improvements, as listed below and shown in Figure 5.1, to being made a condition of approval. It should however be noted that these improvements may change subject to subsequent investigations in consultation with the road authority. The required public road network improvements to be made to accommodate the development are as follows:

- a. The construction of two public transport facilities along the northern side of the DR08605 in close proximity to the development.
- b. A 5m building line being imposed along the DR08605.
- c. No direct vehicular access being permitted onto the DR08605 other than at the proposed/exiting accesses.
- d. The relocation of the sidewalk adjacent to the site due to the proposed on-street parallel parking.
- v. Parking and loading bays being provided as per Table C.1.
- vi. All costs associated with the internal roads, as indicated in Figure 5.1, being solely to the Developer's account.
- vii. All costs associated with the recommendations, as listed in "iv", being solely to the Developer's account.

## **7 MOTIVATION & DESIRABILITY**

### **7.1 Motivation**

The motivation in support of the proposed special consent of Erf 107, Sterkspruit is based on the principle of creating business in a strategic area within the Sterkspruit CBD and the municipality as a whole. This will ensure that the use of the site is efficient, appropriate, feasible, and compatible with the general land uses and city needs.

The service station will be located on a strategic road, the R392, Hershel Road, and will contribute to the Senqu Local Municipality SDF development goals. This development will contribute to job creation and business promotion within Sterkspruit.

The proposed special consent application is desirable, based on the following main points extracted from this application:

- Existing Infrastructure is available on site;
- The development achieves the goals of social, economic and environmental sustainability;
- Will assist with land use efficiency;
- Protects environmental resources;
- Promotes economic growth;
- Promotes private investment in the town;
- The proposed use is compatible with local needs and surrounding uses;
- The application will remain within infrastructural guidelines and capacity;
- Demand and need for a facility of this nature;
- Employment creation; and
- Promote efficient use of land and existing infrastructure;

The general principles which have been formulated to guide spatial development, as contained in the Spatial Planning and Land Use Management Act, and which is applied nationally, have been considered in the formulation of the proposal.

The principle of this application relates to opportunity, choice efficiency, and accessibility as key components and integration hereof is an important factor.

## 7.2 Senqu Local Municipality Spatial Development Framework

The table below highlights the various roles played by the settlements within Senqu Local Municipality. Sterkspruit has been identified as a higher order service center. It is a major settlement within the municipality being identified as one of only three formal towns in the area. It therefore has a core urban function within the local context and will play a vital role in the economic drive within the municipality.

Sterkspruit has been identified as a retail node and service center to the hinterland. Thus, it is vital to ensure a positive relationship with the town and hinterland. Our proposal can achieve this by providing a service station which will benefit the transport industry allowing for ease of access around the greater Sterkspruit area.

SETTLEMENT HIERARCHY		
<b>PRIMARY</b>	These are <b>high order service centres</b> which provide retail, tourism, as well as administrative nodes of importance. These provide commercial, financial, government and administrative services to the SLM.	<b>STERKSPRUIT LADY GREY BARKLY EAST</b>
<b>SECONDARY</b>	<b>Minor service node.</b> Service centre to the rural hinter land. Serves a function. For example Rhodes is the gateway to Tiffendeli and the Drakensberg. Rhodes has a tourism emphasis. Herschel and Roussouw are service centres to the surrounding rural community.	<b>RHODES  HERSCHEL  ROUSSOW</b>
<b>TERTIARY</b>	<b>Peri-urban areas or "urban influenced areas"</b> Typically, areas that may be described as peri-urban or, perhaps more accurately, urban-influenced settlements, can be defined as ones from which people are able to commute daily to an urban centre. Such settlements often develop on the fringes of larger urban centres and along main routes leading to such centres. In many cases, peri-urban settlements were developed in the study area as a result of the settlement development	<b>QOBOSHANE PALMIETFONTEIN MAJUBA – A HILLSIDE – E UPPER TELLE – A</b>

### 7.2.1 Sterkspruit

#### Sterkspruit

Sterkspruit, is a town located within the Senqu Local Municipality, within the Joe Gqabi District Municipality in the Eastern Cape.

The town of Sterkspruit is the primary economic node of the Senqu Local Municipality servicing a large area and large population. Sterkspruit is surrounded by the Drakensberg Mountain range, a World Heritage site.

The town sits at an elevation of 1 292 meters above sea level. The high altitudes mean that this area has short summers and extreme winter temperatures, with snowfalls at high elevations common.

Sterkspruit has approximately 1 894 inhabitants within the town itself but the actual effective population is a lot higher when considering the densely populated villages on the outskirts of town. It is calculated that the town of Sterkspruit serves ± 31 750 households and a population of ± 111 300 people. The service radius of the town exceeds 30km and protrudes into the Free State province. The greater Sterkspruit area is thus home to ± 85% of the Senqu LM population.

The town suffers from a number of development issues which motivated for the need for a Small Town

## Development Plan focused on Sterkspruit:

- Increased migration from farms into urban areas
- Lack of middle income housing
- Lack of mixed use land
- Underutilised residential sites
- Need for social infrastructure
- Lack of urban design and restoration
- Need for cultural development
- Lack and sub-optimal dispersion of cemeteries
- Limited space / opportunities for new business investment
- Town structure too small / poorly designed to accommodate booming local economy
- Social ills on the rise
- Lack of public transport facilities
- Lack of public amenities and restrooms
- Crime in the CBD
- Town surrounded by villages & informal settlements restricting outward expansion.

## The three primary nodes can be defined as follows:

<b>Sterkspruit</b>	<p><b>Retail and commercial service centre Node</b></p> <p>High order service centre and retail node. Sterkspruit serves both the urban centre and the surrounding rural communities. Good linkages between rural settlements and Sterkspruit are important. Approximately 74.3% of the municipal population live in the</p>
<b>Lady Grey</b>	<p><b>Administrative node, small service node and tourism node</b></p> <p>The base of the Senqu Municipal offices. The town is distanced from major industrial and/or commercial urban centres as well as major inter-provincial road linkages. Its locational disadvantage means that it has not attracted much industrial investment nor a significant regional urbanisation focus. The town retains its historical function as a service node secondary to Aliwal North, within a largely rural sub-region.</p>
<b>Barkly East</b>	<p><b>Tourism node, minor commercial service centre and administrative Node</b></p> <p>Scenic beauty and niche tourism opportunities, the home of some small commercial businesses and financial services institutions and the headquarters of the Joe Gqabi District Municipality.</p>

## 7.2.2 Transport

The land use make up of Sterkspruit shows a linear development of business uses along the major road running through the town with residential units spread around this core. This structure highlights the importance of the main road and by extension transport. As a rural service center

Sterkspruit relies on the movement of people seeking goods and services into and out of the town. This further emphasizes the importance of transit oriented development and a highly functioning transport industry.

The provision of public transport has been identified as an issue within Sterkspruit and SLM as a whole. Our application seeks to assist the transport system as a whole by adding private investment into the transport market. Well-functioning transit systems rely heavily on the involvement of both the private and public sectors. The private taxi industry has been identified as key to public transport within SLM with key inputs needed from both public and private sectors. Sterkspruits Main Taxi Rank will receive upgrades. A large minibus rank with all the additional facilities, which is to cater for both long distance and commuter services, is to be constructed in the center of the town. A large percentage of the population is dependent on public transport. For this industry to function well and benefit the people, a service station is a key contributor.

The following strategies have been defined by the National Land Transport Strategic Framework and these policies set the tone for implementation of the Joe Gqabi Integrated Transport Plan:

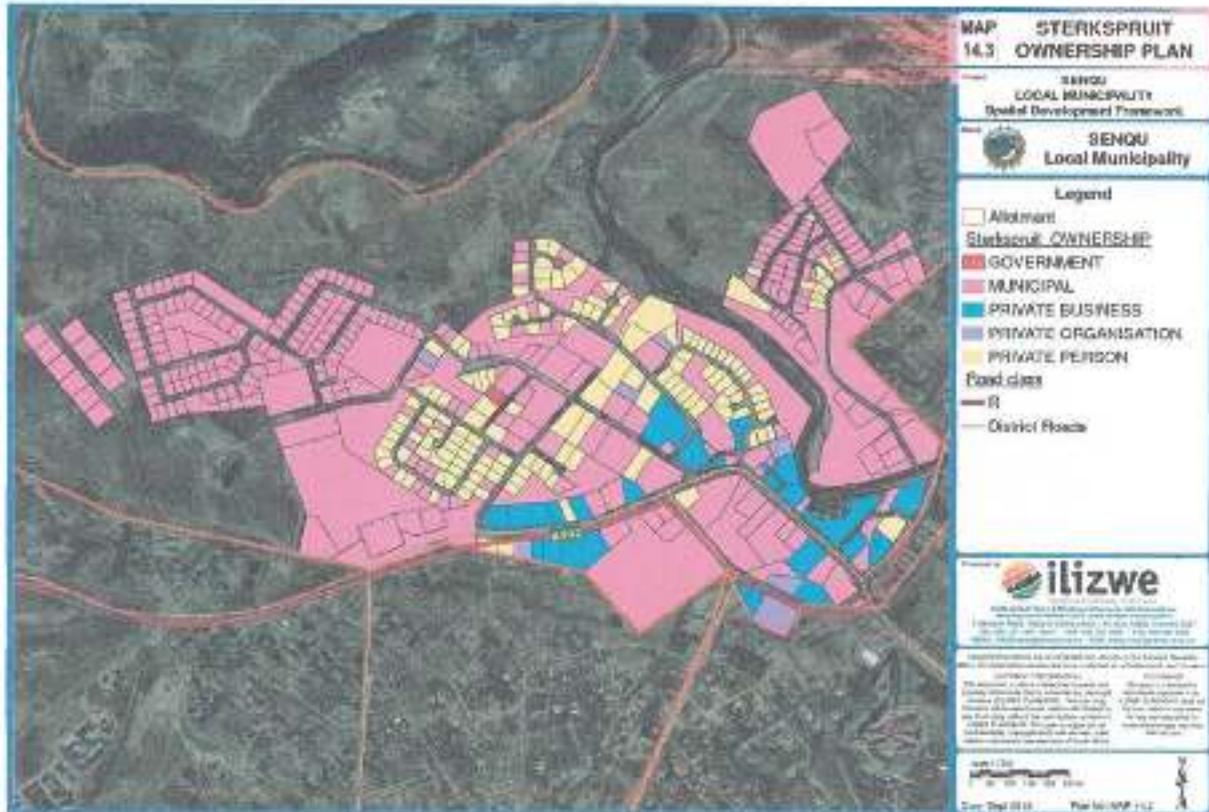
- Public transport will be promoted over private transport.
- Transport plans will be developed in all three spheres of government.
- Transport authorities will be promoted in selected municipalities.
- Public transport services will become safer for passengers.
- Selected public transport infrastructure will be upgraded.
- Appropriate information systems will be introduced.

Based on SLM policy, the transport sector is in need of upgrade with various strategies and plans promoted. Our application falls in line with this policy by assisting with infrastructural needs. The proposed service station will provide the necessary refueling infrastructure needed for transport upgrades and the extra amount of vehicles on the roads.

### 7.2.3 Land Ownership

The land ownership statistics show that a majority of Sterkspruit is owned by the Local Municipality. This can be largely attributed to the historical policies of land ownership. It is therefore key to promote investment through land owners and encourage land ownership in general.

There is a limited amount of privately owned businesses located in key areas of the town. The implications of this structure could mean a limited stream of private investment into the town and therefore a limited creation of new wealth. Our application represents a private business land owner who wishes to pour investment into Sterkspruit. Given the limited ownership within the town it is important for the municipality to adopt a pro-development bias for land owners. This will encourage future investment for other land owners which will increase municipal revenues.



#### 7.2.4 Development Corridors

Corridors have been identified as key structuring elements for spatial planning in Sterkspruit. A majority of the small towns can be classified as small corridor based developments, with Sterkspruit as an example. The main function of corridor developments is to intensify development along key routes in order to establish large scale transit based networks. This works to funnel people and development toward a smaller number of areas to create agglomeration economies and provide ease of access to consumers and workers. The subject property falls within a major corridor within Sterkspruit on the R392. Our application will seek to provide a service station and other business on the property. This proposed development will positively contribute to the planned corridor development network within SLM.

### 7.2.5 Sterkspruit Spatial Proposals

The spatial proposals developed for Sterkspruit are based on its role as a service center town, addressing current planning constraints and promoting economic growth. Shown below is the spatial logic and future development trends for the Sterkspruit. Our proposal falls in line with these outcomes in the following ways:

- Service station will promote traffic plans;
- Promotes business in a limited market;
- CBD expansion;
- Aligns with Sterkspruits role as a service center;
- Creates meaning employment;

### STERKSPRUIT: SPATIAL LOGIC

The spatial logic which has informed the development of the plan below has been mainly the fact that Sterkspruit is the economic hub of SLM. Sterkspruit also has to accommodate a large amount of people from the surrounding rural and peri-urban settlements who come to buy goods and services in the town. Hence, a great deal of thought has and still needs to go into the movement system in and around Sterkspruit with regard to pedestrian and vehicular traffic.

The following spatial trends and issues have been identified.

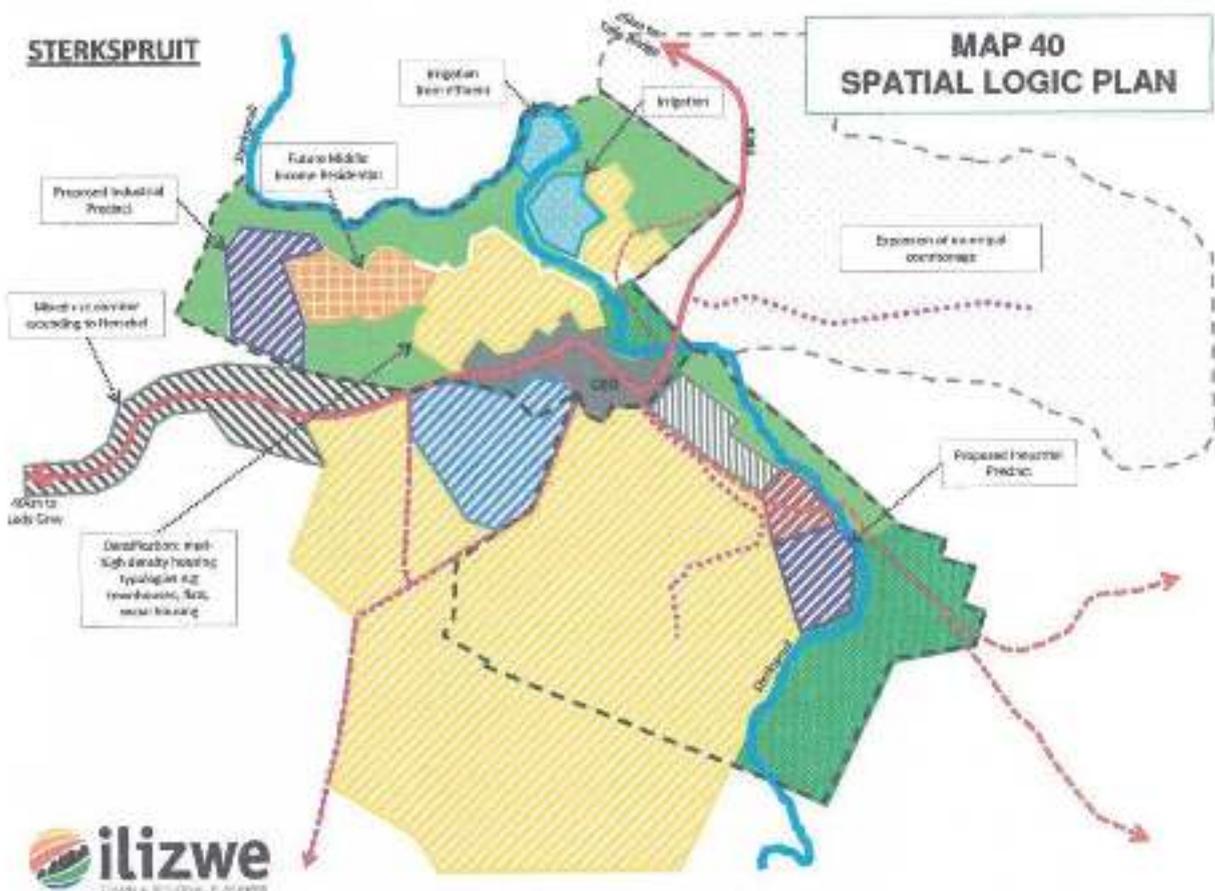
- The historical legacy has left a glaring scar in the spatial structure of Sterkspruit; it is clearly obvious that no planning was done in the early development of this town in comparison to Lady Grey and Barkly East, which are traditionally so called 'white towns';
- A lack of middle income housing in general, but also a lack in the variety of available housing;
- Infill planning and development is possible within the allotment area;
- There is opportunity for extension of the CBD and a new mixed use development precinct;
- There are limited business land uses;
- There is a lack of agro-industry as well as other industries/manufacturing considering the Sterkspruit River water source as well as proximity to labour and the existing road network;
- Absence of a coherent spatial structure to the location of public facilities.
- Lack of access roads into the informal settlements hindering access for ambulances, fire engines, police cars and refuse trucks;
- There is a range of land uses within the allotment area with undeveloped municipal commonage being the largest land use followed by residential land uses;
- Accessibility and movement is adequate for the most part but traffic and pedestrian congestion on the main roads becomes very problematic during peak hour and on certain days of the month;

### Development Trends

Sterkspruit is the economic hub of SLM and thus needs to provide more opportunities for people to gain meaningful employment within this town. Sterkspruit also caters for a lot of people coming from smaller towns who can only access certain goods and services here. Thus, the future development of Sterkspruit needs to be along the lines of meeting the needs of consumers, while simultaneously providing economic opportunities for the locals to gain employment, and creating a conducive environment for doing business.

Spatial provision has been made for the future expansion of the CBD further south of the current CBD, as indicated on the plan. Provision has also been made to the east of Sterkspruit Plaza to accommodate retail, offices, banking services and other related land uses. Further down the main road, onto the gravel road is an area which is currently underutilised. The land in this area has vast potential to becoming economically productive land, it is thus proposed that the gravel road be upgraded to tar and mixed use precinct be developed in order to encourage more businesses to invest in the local economy. Immediately adjacent to the mixed use precinct is the proposed industrial precinct. The industrial precinct is relatively close to a number of residential settlements which will supply a labour pool and provide people with job opportunities within close proximity to their places of residence.

As per the plan below as well as the previous SDF, land has been allocated for industrial purposes. This land is currently being unlawfully invaded by people and structures have already started being built. The municipality needs to work speedily to address this issue before it spirals out of control.





for as they are the sector that contributes most to employment and this needs to be understood and acknowledged by creating a conducive environment for them to operate.

The land to the south-east of the mall needs to be acquired by SLM in order for future growth to be projected in the desired direction. For this reason we have proposed that services and infrastructure be put in place on this land parcel in order to facilitate the desired mixed use development which would redirect growth along a linear pattern.

Decentralisation needs to be a core theme in the conceptualisation of a reformed town centre and CBD. Large retailers, wholesalers and shops which receive bulk goods should not be allowed to receive inventory along the main road where there are major traffic flows. These stores should rather

allow for deliveries to come in from the back streets. In areas where this is not possible space should be made for trucks, lorries and goods vehicles to park and off done on the main roads.

The location of the industrial precinct which has been planned is illegal inhabitants with illegal structures / invasion of an informal/formal settlement.

### 7.3 Consent Use for Service Station

Currently, the site is comprised of a single warehousing building. Per the Site Development Plan, this structure will be redeveloped to allow for a service station as well as retail space in the remainder of the existing structure.

A service station is currently not a primary right of the Business Zone III zoning. It is indicated in Table B of the Senqu Municipality Land Use Scheme that a consent use may be approved by the Municipality to allow for Service Station rights on properties zoned Business Zone III (commercial).

The site currently holds a service station which is formalized under the erf's current zoning of Business Zone 5. A service station is not a primary right of the Business Zone 1, should the application be accepted. An application has thus been made to maintain the rights for the current service station through the granting of a consent use.

This application is desirable as it will result in the maintenance of a currently successful business model and thus continuance of business as usual. Loss of jobs and income in the area will not be a concern. The current success of this business means that there is no reason to prohibit the continuation of this land use.

## 7.4 Policy compliance:

<b>Senqu Local Municipality Spatial Development Framework</b>	Aligns with the principles and land use management guidelines within the Spatial Development Framework (SDF) of SLM. The spatial component of the proposal complies with the SDF policy and proposals of the <i>Senqu Local Municipality Spatial Development Framework</i> . Land use management guidelines contained within the SLM Spatial Development Framework is intended to enable sound consideration of applications to change the use of land, subdivide properties and develop according to the social compact with communities regarding the future spatial vision that they wish to see in their municipality.
<b>Eastern Cape Provincial SDF of 2011</b>	Aligns with the principles and land use management guidelines of the Eastern Cape Provincial SDF of 2011
<b>Eastern Cape Growth and Development Plan</b>	Aligns with the objectives of the Eastern Cape Growth and Development Plan 2004-2014.
<b>National Spatial Development Framework</b>	Aligns with the principles and land use management guidelines of the National Spatial Development Framework Plan.
<b>National Growth Plan</b>	Aligns with the National Growth Plan in terms of urban renewal, opportunity and job creation.
<b>Townships Ordinance 33 of 1934</b>	The proposal and application aligns with the Townships Ordinance 33 of 1934.
<b>SLM Land Use Management (Land Use Scheme of 2017)</b>	The proposal and application aligns with the SLM Land Use Scheme of 2017.
<b>Local Economic Development (LED)</b>	The proposal aligns with the vision and key priorities of the SLM and Provincial Local Economic Development Plan.
<b>Building Controls</b>	All buildings will be constructed in terms of the National Building Regulations.

#### 7.4.1 Current Planning Principles:

The proposal complies with the development principles set out in terms of *Chapter 2 of the Spatial Planning & Land Use Management Act of 2013* in that the proposal will;

Principle
1. Promote land development that is within the fiscal, institutional & administrative means of the Republic.
2. Uphold consistency of land use measures in accordance with environmental management instruments.
3. Promote & stimulate the effective & equitable functioning of land markets.
4. Consider all current & future costs to all parties for the provision of infrastructure & social services in land developments.
5. Promote land development in locations that are sustainable and limit urban sprawl.
6. Result in communities that are viable.
7. Optimise the use of existing resources & infrastructure.
8. Minimise negative financial, social, economic or environmental impacts.

#### 7.4.2 Development and Spatial Planning Policy

##### National Spatial Development Plan 2012

The National Development Plan (NDP) introduces the long-term vision for the future development of South Africa. It acknowledges the spatial inefficiencies that characterizes existing settlements and commits the national government to developing a National Spatial Framework (NDP 2011: 117).

National policy on spatial planning currently focuses on the rationalization of a fragmented system of land use and related laws. The current fragmented spatial pattern of human settlement and the associated urban sprawl is a direct consequence of the skewed and inappropriate planning legislation of the past. The government has identified 10 priority areas in its programme of action, with an intention to turn around the global economic slowdown, whilst at the same time ensuring that the needs of all its citizens are met. The priority areas developed are intended to do the following:

1. Speed up **economic growth and transform the economy** to create decent work and sustainable livelihoods;
2. Introduce a massive programme to **build economic and social infrastructure**;

3. Develop and implement a comprehensive rural development strategy linked to land and agrarian reform and food security;
4. Strengthen the skills and human resource base;
5. Improve the health profile of all South Africans;
6. Intensify the fight against crime and corruption;
7. Build cohesive, caring and sustainable communities;
8. Pursue African advancement and enhanced international cooperation;
9. Ensure sustainable resource management and use;
10. Build a developmental state, improve public service and strengthen democratic institutions.

In essence, the NSDP proposes that an approach be followed in spatial and development planning, which acknowledges the realities of the economic development potential of an area to be planned and the likelihood that the legacies of Apartheid spatial planning have ensured a fragmented pattern of spatial development so that the majority of people live in areas removed from such economic development potential.

The NSDP suggests that economic development potential may be classified in terms of broad categories (i.e. Categories of Development Potential) and that, moreover, such potential will not be uniformly distributed but is likely to be associated with certain conditions that enhance development potential. Such conditions would include current economic activities and associated scales of economy, natural endowments such as climate, soils and water availability (for agricultural and/or industrial development), and tourism potential based on competitive advantages (which may be historical, social, or natural in character).

Therefore, whilst acknowledging the ongoing imperative to roll-out a basic level of service to all residents, based on available resources, the NSDP proposes that development planning be directed by an understanding of the economic development potential of a given locality.

In this, the explicit notion is set out that a strategic approach to development would imply targeting investment and planning strategies in areas where economic development potential is identified, in order to realise a sustainable return on investments and generate a surplus (in the form of service charges, rates and taxes levied, and/or tax payments to the national fiscus).

### **NSDP principles:**

In order to contribute to the broader growth and development policy objectives of government, the NSDP puts forward a set of five normative principles:

Principle 1: Rapid economic growth that is sustained and inclusive is a pre-requisite for the achievement of other policy objectives, among which poverty alleviation is key.

Principle 2: Government has a constitutional obligation to provide basic services to all citizens (e.g. water, energy, health and educational facilities) wherever they reside.

Principle 3: Beyond the constitutional obligation identified in Principle 2 above, government spending on fixed investment should be focused on localities of economic growth and/or economic potential in order to gear up private-sector investment, to stimulate sustainable economic activities and to create long-term employment opportunities.

Principle 4: Efforts to address past and current social inequalities should focus on people, not places. In localities where there are both high levels of poverty and demonstrated economic potential, this could include fixed capital investment beyond basic services to exploit the potential of those localities. In localities with low demonstrated economic potential, government should, beyond the provision of basic services, concentrate primarily on human capital development by providing education and training, social transfers such as grants and poverty-relief programmes. It should also reduce migration costs by providing labour-market intelligence to give people better information, opportunities and capabilities, to enable them to gravitate - if they choose to - to localities that are more likely to provide sustainable employment and economic opportunities.

Principle 5: In order to overcome the spatial distortions of apartheid, future settlement and economic development opportunities should be channelled into activity corridors and nodes that are adjacent to or that link the main growth centres. Infrastructure investment should primarily support localities that will become major growth nodes in South Africa and the SADC region to create regional gateways to the global economy.

## **8 CONCLUSION**

Based on the research undertaken and report findings, it is submitted that this application for the special consent use of **Erf 107, Sterkspruit** to the Senqu Local Municipality in terms of the Townships

Ordinance 33 of 1934 and/or the Spatial Planning and Land Use Management Act of 2013, is desirable and has merit.

***The application consists of the following:***

- a) Special Consent Use to permit a service station.

**Key Points:**

- Assists with land use efficiency;
- Optimise the use of existing resources including such resources relating to roads, transportation and social facilities;
- Assists in meeting the current demand for economic growth in an impoverished area;
- Aligns with corridor and mixed use development plans for the area;
- No negative impacts on the environment are anticipated to arise from the proposed development of the property;
- Create employment opportunities during the construction & maintenance of such a development;
- A development of such a nature will enhance the visual character of the town;
- Infrastructure is available; and
- That the objectives of the Senqu Local Municipality Spatial Development Framework are adhered to and enhanced.

**In conclusion, the proposed land development will result in a positive and sustainable development which is compatible to the surrounding area.**

**The applicant has demonstrated that the proposal finds support in adopted policies and development principles relevant to the area in which the subject land is located.**

**It is considered that, in view of the above, there are no apparent impediments against the application being approved by the Senqu Local Municipality.**

# **1. Locality Plan**

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## **2. Land Use Plan**

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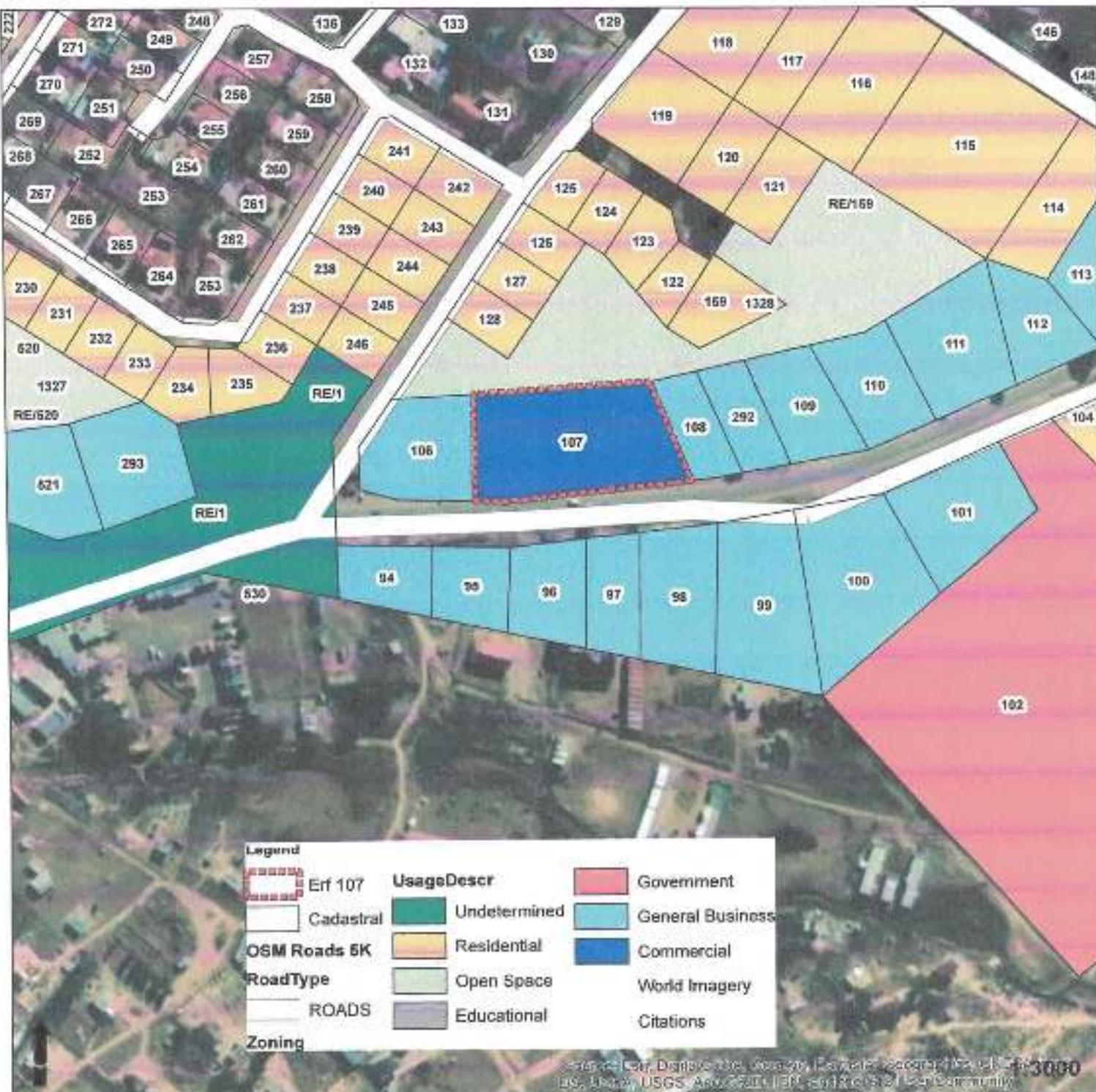
## Land Use Plan: Erf 107, Sterkspruit R392



### **3. Zoning Plan**

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## Zoning Plan: Erf 107, Sterkspruit R392



## **4. Site Plan**

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## **5. Site Development Plan**

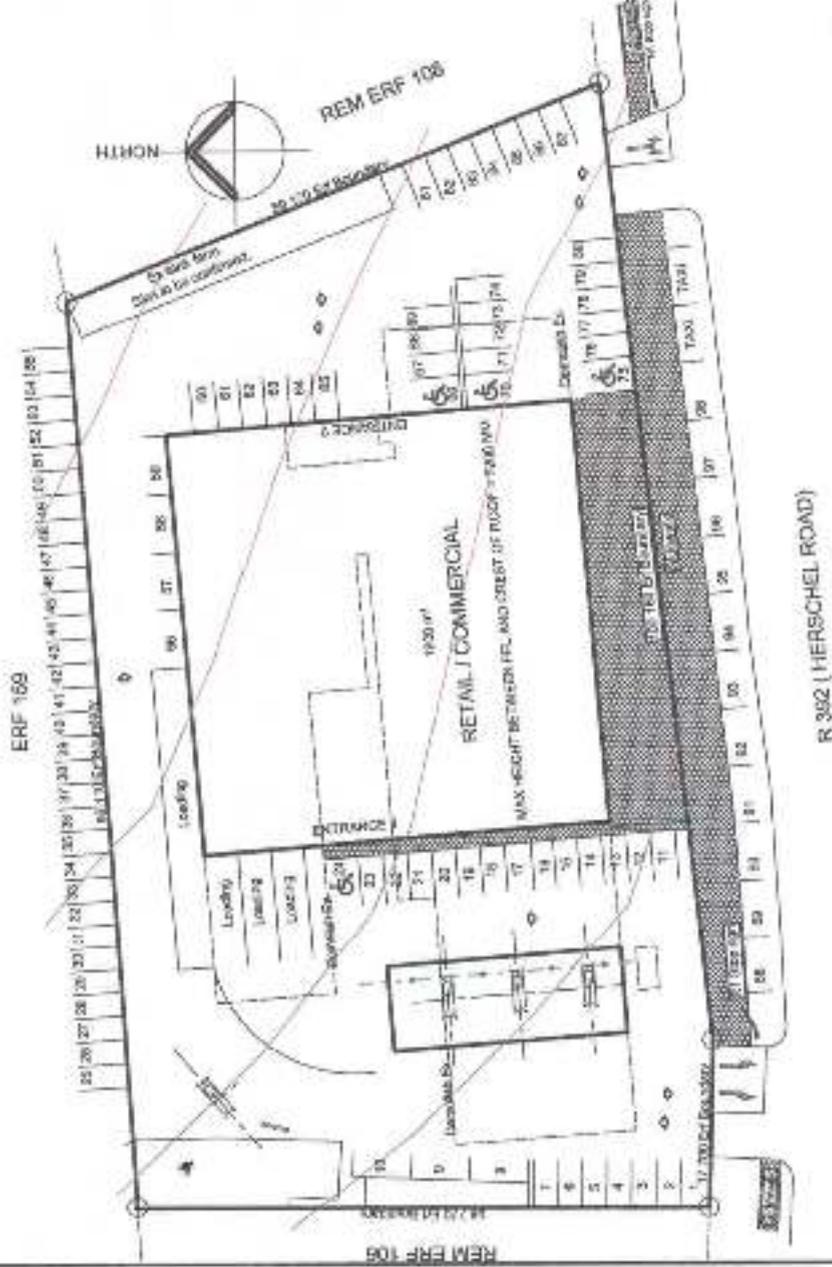
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# SLM LAND USE RESTRICTIONS

Business Zone III - Commercial

RESTRICTION	AS PER SLM ZONING SCHEME 2017	SDP RIGHTS APPLIED FOR
PRIMARY USE	Commercial Premises, Car Wash, Place of Worship, Funeral Parlour, Public Garage, Adult Shop and Adult Entertainment, Montuury, Place of Entertainment, Parking Garage, Utility Services.	N/A
CONSENT USE	Transport Facility, Telecommunication Installation, Other uses over and above uses listed as primary uses.	Service Station
DEPARTURE	N/A	None
FLOOR AREA RATIO	At most 3	At most 3
COVERAGE	100%	Less than 100%
STREET BUILDING LINE	Zero	0 m
SIDE & REAR BUILDING LINE	Zero	0 m
PARKING	(i) Business (including office use): 6 bays/100m <sup>2</sup> G.L.A. (ii) Manufacturing: 1 bay/100m <sup>2</sup> G.L.A. (iii) Warehousing: 1 bay/100m <sup>2</sup> G.L.A. (iv) Dairies, Bakeries and confectioneries: 1 bay/100m <sup>2</sup> G.L.A. (v) Storage Yards: 1 bay/100m <sup>2</sup> G.L.A. (vi) Car Wash: 3 bays/wash bay	*Refer TIA Parking's provided 94 standard bays 4 disabled bays 2 Taxi bays Total = 100 bays.
LOADING	As per the Guidelines for Off-Street Loading Facilities in Section 4.13.2 and Annexure F.	Sufficient loading facilities provided.
HEIGHT	3 storeys	1 Storey

ERF 107  
Size 8229 m<sup>2</sup>



**SITE PLAN**  
scale 1 : 750

<b>MPONEY / VANCO</b> E-MAIL <b>VANCO UPGRADE ERF 107</b> STERKSPOORT FAC 007		SENQU MUNICIPALITY LOCAL COUNCIL	
		1-758/44 40015 18A/15 1800000000	04/01/2019 DATE 001 PLAN NO 000 REV. NO
ANY AND EVERY APPROVALS REQUIRED EXCEPT WHERE SPECIFIC NOTED TO THE CONTRARY SHALL BE VOID.		And the line	
NATURAL IMPRINTS (Pty) Ltd 414 Industrial Precinct, Coedredia & Computer Aided Drawing Avenue 07/1, 97 - 97, 98, 99 P.O. BOX 111, Grahamstown, 6165		853 941 838, 840 034 838	

## **Annexure A**

### **Land Use Application Form**

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---

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

SIGNATURE:  ..... DATE: 05-07-2019 .....

FULL NAME: James Terblanche .....

DATE ON WHICH APPLICATION WAS SUBMITTED TO THE LOCAL AUTHORITY  
08-07-2019

## **Annexure B**

### **SLM Fees PoP**

---

# **Annexure C**

## **Title Deed**

---

2002-06-21  
LIMITATA  
REGISTRAR OF DEEDS

2002-06-21

ORIGINAL SUBMITTED  
TRUE COPY EXTRACTS  
FOR FNB - BRANCH OF FNB STRAND BANK LIMITED  
BRANCH ADMINISTRATOR  
ORIGINAL RECEIVED  
CUSTOMER'S SIGNATURE

Handwritten notes in a box: "5/20/07" and "Rosh"

**DEED OF TRANSFER**

Passed by

**PIONEER VOEDSEL (PROPRIETARY) LIMITED**  
No.1957/000634/07

In favour of

**VANANCO WHOLESALERS (PROPRIETARY) LIMITED**  
No.1978/004388/07

PREPARED BY

**John C. Blakeway & Leppan Inc.**  
Attorneys, Notaries and Conveyancers

18 Blakeway Road  
P.O. Box 50  
Docex 1  
UMTATA 5100  
Tel.: (047) 531-2346/778  
Fax: (047) 532-5856

PIERRE DU PLESSIS AND MOSTERT  
CONVEYANCERS  
MALMESBURY  
EM/cm/P81

Prepared by me

Conveyancer

VAN JAARSVELD W J

VERBIND		MORTGAGED	
VST		R 700 000 00	
E 51548		2002	
2002-09-05		CONTRACTS DEEDS REGISTRAR	

## DEED OF TRANSFER

BY VIRTUE OF POWER OF ATTORNEY

BE IT HEREBY MADE KNOWN:

THAT WILLEM JACOBUS VAN JAARSVELD  
appeared before me, Registrar of Deeds, at Unitata, he the said Appearer, being  
duly authorised thereto by a Power of Attorney executed at Paarl on the 16th day  
of May 2002 by

PIONEER VOEDSEL (PROPRIETARY) LIMITED  
(Number 1957/000634/07)

which power, witnessed in accordance with law, was exhibited to me on this day:

AND THAT...

AND THAT APPEARER DECLARED THAT his said principal on 3 May 2002 had truly and legally sold, and that, in his capacity as Attorney aforesaid, did by these presents, cede and transfer, in full and free property to and behalf of

VANANCO WHOLESALERS (PROPRIETARY) LIMITED  
(Number 1978/004388/07)

Its Successors in Title or Assigns in full and free property,

ERF 107 Sterkspruit, Senqu Municipality, District of Herschel, Province of the Eastern Cape;

IN EXTENT 6229 (Six Thousand Two Hundred and Twenty Nine) square meters.

FIRST transferred by Deed of Grant No. G.389/1989 with General Plan No. 1018/1982 relating thereto and held by Deed of Transfer No. T.692/2001.

SUBJECT to the special conditions created in Deed of Grant No. G.389/1989, reading:

1. (i) All rights to every mineral, metal or precious stone of whatever nature and to any oil in or on the land held hereby are reserved to the Government together with the right of access to any mines or works undertaken for mining or prospecting purposes by any person duly authorised in that behalf;
- (ii) The said land is subject to such further rights as the public or the government may now or may hereafter have or be entitled to obtain under or by virtue of any law relating to the prospecting or digging for, or the mining or exploitation of any mineral, metal or precious stone of whatever nature and any oil in or on the said land, which rights shall not be impaired of in any way affected by this Deed of Grant;

(iii) Further the...

W

- (iii) Further the right is reserved to the said Government to occupy or to authorise the occupation of so much of the land and to use or to authorise the use of so much water on such land as may be required for the prospecting for or mining of any mineral, metal, precious stone or oil, on payment of such sum of money in compensation as may be mutually agreed upon, or failing agreement, as may be determined by arbitration.
2. The Government shall at all times have the right of resuming the whole or any portion of the land held hereby if required for public purposes on payment to the registered holder of such sum of money in compensation as may be mutually agreed upon, or failing agreement, as may be determined by arbitration.
  3. All roads and thoroughfares being or existing on the land shall remain free and uninterrupted in perpetuity unless closed or altered by competent authority.
  4. The Government shall at all times have the right to make or authorise the making of roads, railways, dams, aqueducts and drains and to conduct telegraph, telephone or electricity lines or cables over, along or under the land held hereby for the benefit of the public on payment to the owner of such sum of money in compensation as may be mutually agreed upon, or failing agreement, as may be determined by arbitration.
  5. The Government or its duly authorised representative shall at all times have the right of access to the land hereby granted for any official reason.
  6. The registered holder shall be bound to enclose the land held hereby, failing which he shall not be entitled to claim compensation for trespass by stock.

WHEREFORE the...

M<sup>4</sup>

WHEREFORE the Appearer, renouncing all the Right and Title the TRANSFEROR heretofore had to the premises, did, in consequence, also acknowledge the TRANSFEROR to be entirely dispossessed of, and disentitled to, the same, and that, by virtue of these Presents, the said TRANSFEREE or Assigns, now and henceforth shall be entitled thereto, conformably to local custom, the State, however, reserving its Rights; and finally acknowledging the TRANSFEROR to have been satisfactorily paid the whole of the purchase price amounting to the sum of R500 000,00 (Five Hundred Thousand Rands)

IN WITNESS whereof I, the said Registrar, together with the Appearer, q.q.: have subscribed to these Presents, and have caused the Seal of Office to be affixed hereto,

THUS DONE AND EXECUTED at the Office of the Registrar of Deeds, at Umtata, on 28 JUNE 2002.



In my presence,



REGISTRAR OF DEEDS

Register of Eerkespruit

Folio 107

Registered in the *erven*  
Book  
CLERK IN CHARGE *[Signature]*

*W.*

## **Annexure D**

### **Power of Attorney & Resolution**

---

# Vananco Wholesalers cc

16 Gustavo's street  
PO box 181  
Zastron  
9950

Tel: 051 6731 346  
Fax: 051 6731 179

To whom it may concern.

I would like confirm on behalf of Vananco wholesalers, 107 Hershel road, Sterkspruit we give consent and Authority to Tshawe consultants to complete and application for the development of a fuel station on our property.

I would like to confirm Mark Povey will be acting on our behalf as a partner and he is authorized to do so.

Regards

  
Ryan van Tonder  
Vananco Wholesalers cc





# SPECIAL POWER OF ATTORNEY

I, the undersigned Ryan van Tonger duly authorised hereto by a resolution of the members of **VANANCO WHOLESALERS (PROPRIETARY) LIMITED WITH DEED OF TRANSFER NO. T2160/2002** adopted on the 24 of June, 2019, a copy of which is attached marked Annexure A, do hereby nominate, constitute and appoint the firm **DBP Consulting cc / Deon Barry Poortman & James Terblanche** with Power of Substitution, to be our Lawful Attorney and Agent in our name, place and stead, to make application on Erf 107, Sterkspruit for the following:

## 1. Special Consent

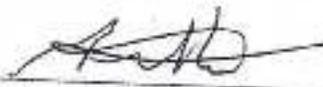
and generally for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as I/we might or could do if personally present and acting herein - hereby notifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all whatsoever my/our said Attorney(s) and Agent(s) shall lawfully do, or cause to be done, by virtue of these present.

SIGNED AT EAST LONDON

on the 24 of June, 2019 IN THE PRESENCE OF THE UNDERSIGNED WITNESSES.

SIGNED	
NAME	<u>Ryan van Tonger</u>

## WITNESSES

SIGNED		SIGNED	
NAME	<u>R.W.S. Van Tonger</u>	NAME	<u>M.S. Smith</u>
DATE	<u>24/6/19</u>	DATE	<u>24/6/19</u>

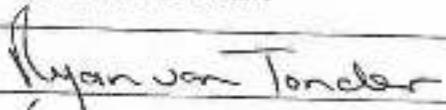
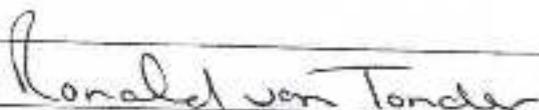


# ANNEXURE A: RESOLUTION

MINUTES OF A MEETING OF  
VANANCO WHOLESALERS (PROPRIETARY) LIMITED WITH DEED OF TRANSFER NO.  
T2160/2002

HELD IN EAST LONDON ON 24 OF June 2019

## SHAREHOLDERS PRESENT:

1		2	
---	---	---	--

IT WAS RESOLVED that DBP Consulting cc / Deon Barry Poortman & James Terblanche be appointed to act on behalf of the company to prepare and submit the required application on Erf 107:

### 1. Special Consent

IT WAS FURTHER RESOLVED that Mark Povey is hereby authorized to sign any documents necessary to give effect to this resolution.

### CERTIFIED A TRUE COPY

SIGNED		SIGNED	
NAME	Ryan van Tonder	NAME	R.W.S. VAN TONDER
DATE	24/06/19	DATE	24/6/19

## WITNESSES

SIGNED		SIGNED	
NAME	M. S. SMITH	NAME	
DATE	24/6/19	DATE	



## **Annexure E**

### **SG Diagram**

---

52

S.S. No. TR 191982  
 Approved  
 Date  
 SHEET NO. 3

GENERAL PLAN No. T 1018  
 AMENDED by Ordinance  
 STERNSPLOT TOWNSHIP  
 BOARD OF TOWNSHIP

Ordinance No. 1018, Amended Ordinance No. 1018

DATE: 11-11-1988  
 BY: [Signature]  
 FOR: [Signature]

SECTION	AREA	PERCENTAGE
1	1.0000	100.00
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3	1.0000	100.00
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97	1.0000	100.00
98	1.0000	100.00
99	1.0000	100.00
100	1.0000	100.00

Scale: 1" = 100'

FILE NO. 11182  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]



# **ANNEXURE F**

## **Traffic Impact Study Report**

## **Annexure F**

### **Traffic Impact Study**

---

**TRAFFIC IMPACT STUDY**  
**FOR PROPOSED DEVELOPMENT**  
**OF**  
**ERF 107**  
**STERKSPRUIT**  
  
**WITHIN**  
**SENQU LOCAL MUNICIPALITY**

**JULY 2019**

**PREPARED FOR:**

**Imperium Developments CC**

P O Box 19853  
Tecoma  
East London  
5214

Telephone: 043 726 4454  
Cellular: 082 449 7521

**PREPARED BY:**

**EMONTI**  
**CONSULTING**  
**Engineers cc**

31 Galway Road  
Nahoon  
East London  
5241

Telephone: 043 735 0890  
Facsimile: 086 556 1154  
Cellular: 083 465 1558  
E-mail: [deonmoquirk@telkomsa.net](mailto:deonmoquirk@telkomsa.net)

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2. EXISTING OPERATING CONDITIONS.....	2
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2.2 Capacity along access roads.....	2
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FIGURE 1.2	Proposed site layout
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TABLE D.2	Anticipated fuel sales

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APPENDIX D	Traffic volumes and anticipated fuel sales

## LIST OF ABBREVIATIONS

CBD	Central Business District
DME	Department of Mineral and Energy
ECDOT	Eastern Cape Department of Transport
GLA	Gross Leasable Area
HCM	Highway Capacity Manual
/	litres
/month	litres per month
LOS	Level of Service (as defined by Highway Capacity Manual)
NA	Not Analysed
ped	pedestrian
SAT	Saturday
SIDRA	Software for the design and evaluation of traffic/ pedestrian intersections
SLM	Senqu Local Municipality
TIS	Traffic Impact Study
veh/day	vehicles per day
veh/h	vehicles per hour

## **1. INTRODUCTION AND BACKGROUND**

### **1.1 Introduction**

Emonti Consulting Engineers CC was approached to prepare a Traffic Impact Study (TIS) for the proposed further development of the following property: Erf 107 Sterkspruit – situated within Senqu Local Municipality (SLM).

Following the investigation and study, recommendations regarding site access from the public road network, road network improvements, internal site layout, traffic safety, on-site circulation, parking and any loading facilities, will be made.

The approach and methodology followed in conducting this study were in terms of the references included in Chapter Ten.

### **1.2 Proposed development**

The site is located in Sterkspruit, a town situated within the SLM. A site locality map can be seen in Figure 1.1.

The current use of the site, coupled with the existing structures found thereon, generate moderate trips for the peak hours.

The proposed development comprises retail and a filling station, and will commonly be referred to hereafter as "the site" and/or "the development". It should be noted that an existing retail development exists on the site and there are a number of above ground fuel tanks. The proposal is to expand the fuel component on the property and to have them formalised into a "standard" filling station forecourt setup. The retail components changes very slightly (in fact reduces in GLA) and additional parking bays are to be developed.

The proposed land uses of the property in question are given in Table C.1 in Appendix C. The proposed site layout is illustrated in Figure 1.2.

## 2. EXISTING OPERATING CONDITIONS

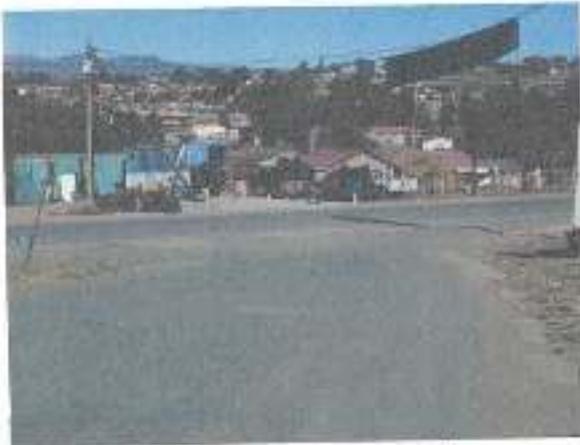
### 2.1 Intersection control

Control strategies at the existing intersections relevant to this study are presented in Table 2.1.

Table 2.1: Control strategies

No.	Intersection	Control
1	Mjeko Street/DR08605	Priority /stop
2	DR08605/Primary access	Priority /stop
3	DR08605/Secondary access	Priority /stop

The following photographs reveal a number of intersections that will be utilised by traffic generated by the development.



*Mjeko Street/DR08605 intersection*



*DR08605/Primary access intersection*



*DR08605/Secondary access intersection*

### 2.2 Capacity along access roads

The DR08605, also referred to as the R392, is a road of provincial significance and provides access to Sterkspruit Road in the east and the R58 in the west.

From on-site observations sufficient spare capacity appears to exist along the road network to cater for the medium to long term future regarding anticipated traffic growth, including future trips relating to this development. This will however be analysed and commented on later in this report.

### 2.3 Traffic calming

Traffic calming in the form of speed humps and pedestrian tables exist along the DR08605 in the vicinity of the proposed/existing accesses. As a result of the traffic calming the observed vehicular speeds in the vicinity of the traffic calming rarely exceed the posted speed limit.

The following photographs illustrate the traffic calming measures mentioned.



*Speed humps along the DR08605*



*Raised pedestrian table along the DR08605*

### 2.4 Pedestrian and cycle facilities

No formalised cycle facilities are currently available on the surrounding road network. However, formalised pedestrian facilities are available. These include the surfaced sidewalks and raised pedestrian tables along the DR08605. It should however be noted that the height of the sidewalk adjacent to the site is incorrect as it is lower than the adjacent road, thus resulting in regular flooding of the sidewalk. As a result pedestrians have created an informal pathway closer to the property boundary as illustrated below.

Pedestrian sidewalk



*Formal sidewalk along the DR08605*

Informal pathways



*Informal pathways along the DR08605*

## **2.5 Public transport facilities**

No formalised public transport facilities are currently available on the surrounding road network. It should however be noted that the majority of transport in the area is undertaken by means of public transport in the form of kombi taxis and bakkie taxis.

### 3. EXISTING TRAFFIC VOLUMES

In order to establish the current traffic conditions relevant traffic count information was used. This traffic count information is available in Appendix D.

Table 3.1 provides a summary of the traffic count information utilised in this study.

Table 3.1: Traffic count data used

No.	Location	Data Type	Time		Day	Date
			From	To		
1	Mjeko Street/DR08065	Manual classified (light and heavy) traffic volume	08:00	00:00	Thursday	23-May-19
2			00:00	08:00	Friday	24-May-19
3			08:00	18:00	Friday	24-May-19
4			08:00	18:00	Saturday	25-May-19

The analysis of current traffic performance is based on the observed traffic data that, when necessary, have been adjusted and smoothed in order to represent a balance network of traffic volumes for 2020. The balanced peak hour traffic flow volumes are displayed as network diagrams in Figures 4.1 to 4.5.

## 4. FUTURE TRAFFIC VOLUMES

For purposes of this study it was assumed that the development will be functional in 2020 and therefore a design horizon of five years (i.e. 2025) was used for the future operational LOS analysis.

The recommended critical peak hours for analysing retail developments are weekday PM and SAT peak hours and weekday AM and PM peak hours for most other land uses. In this study the analyses were made for both the future weekday PM and SAT peaks to address anticipated capacity problems in the peak hours most relevant to the development.

It is acceptable to project future traffic volumes by taking the recorded growth history of traffic counts into consideration. The generally accepted growth rate in the study area is 2.5% per annum. Applying the growth rate of 2.5% from the base year to the design horizon year the growth factor would be 1.13, meaning an increase in background traffic volume of 13% over the five year design horizon.

For the future scenario analysis the current traffic volumes were maintained as background traffic and increased by an annual growth factor. New trips relating to the proposed development were added to obtain the future estimated traffic volumes for 2025.

### 4.1 Traffic generation

The recommended vehicle trip generation rates (as per References One and Four) for the land uses listed in Table C.1 were used to calculate the estimated number of trips for the various peak hours in order to determine the critical peak hour. Note the values used are based on Reference Four.

The recommended vehicle trip generation rates were then adjusted to take into account site specifics. The following factors, amongst others, were considered when making the trip generation adjustments:

- i. public transport,
- ii. predicted car ownership, and
- iii. land use mix.

Based on these factors trip reductions, as illustrated in Table C.1, were assumed. The recommended in/out split for the peak hours can be seen in Table C.1 which also shows details of trip generation calculations for the various peak hours.

Further, for business developments, the trip generation and assignment depends on whether the trips are primary, diverted, pass-by or transferred. Based on the current traffic volumes on the adjacent roads and road network pass-by and transferred trips have been considered and the resultant volumes are regarded as new trips as reflected in Table C.1.

From Table C.1 it can be seen that the SAT peak hour, in terms of trips generated, is greater than the PM peak hour for a regular week day. When the projected future traffic volumes and predicted traffic generated are added together, the combined effect does not change the critical peak period which remains PM peak hour.

The following are the scenarios that were analysed, where necessary:

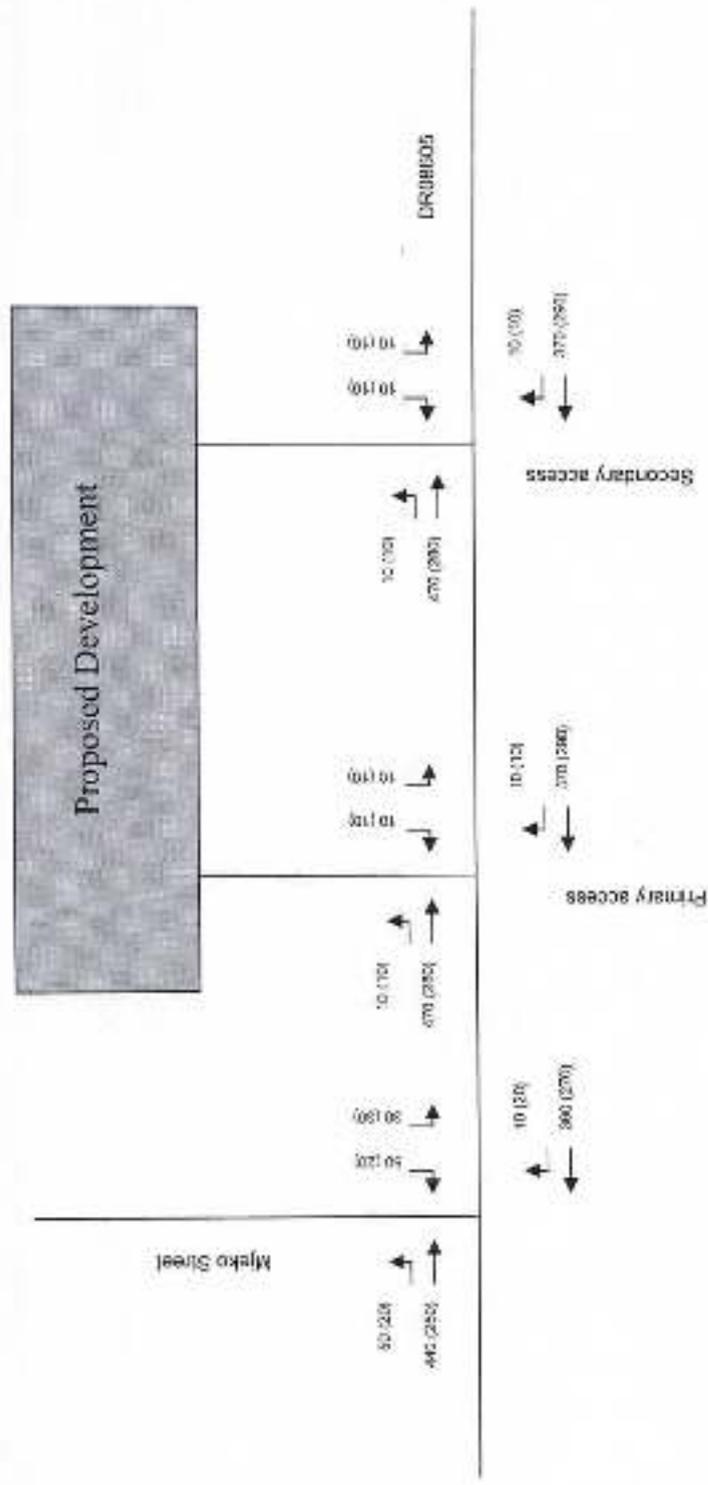
- i. existing 2020 critical peak hour traffic,
- ii. existing 2020 critical peak hour traffic **with development** traffic,
- iii. projected 2025 critical peak hour **without development** traffic, and
- iv. projected 2025 critical peak hour **with development** traffic.

#### **4.2 Trip assignment/distribution**

The generated trips, as identified in Section 4.1, have been distributed to the road network manually, based on the principles of the gravity model and taking into account knowledge of local conditions, Reference Five.

The resultant trip assignments are illustrated as network diagrams in Figures 4.1 to 4.5 for the various scenarios and time horizons tested.

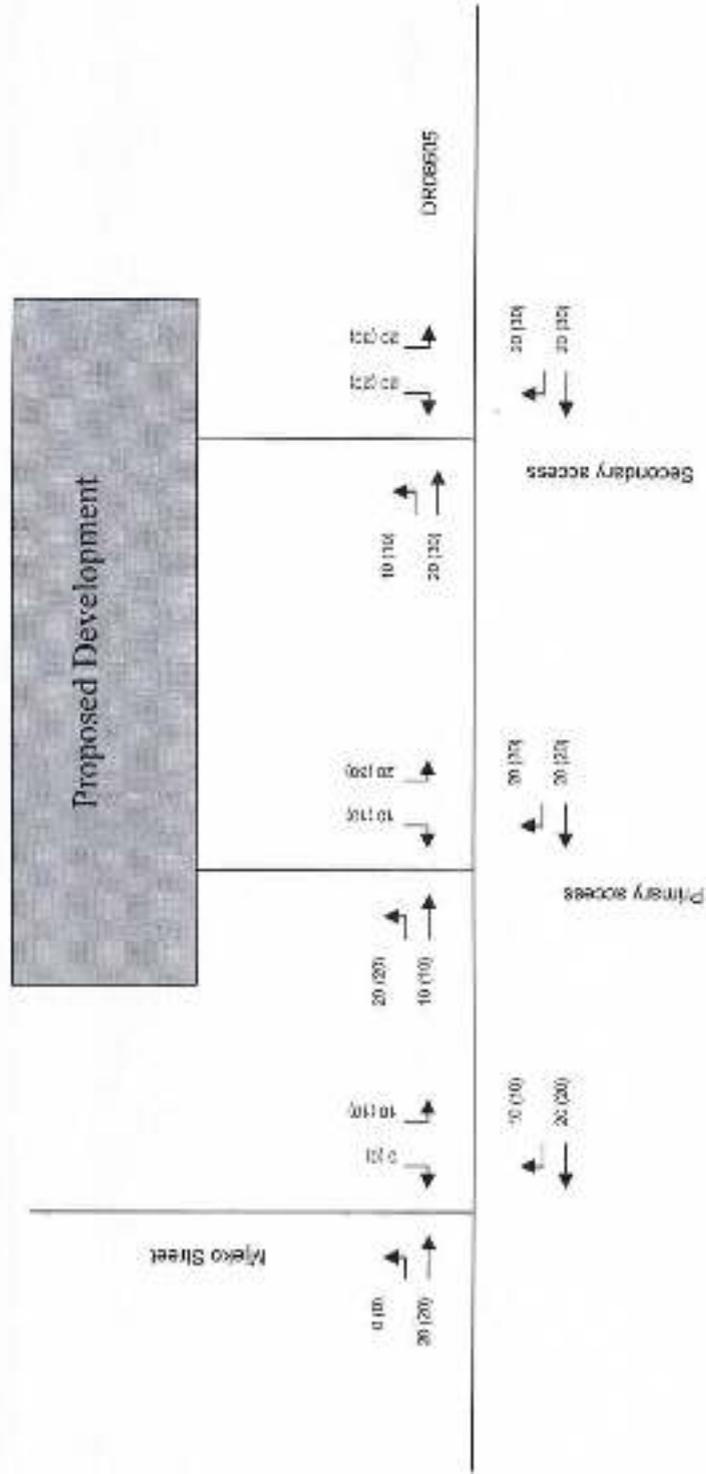
4



Traffic Volume key:  
PM (SAT) = 1234 (1234) veh/h

Figure 4.1: PM and SAT 2020, without development trips...

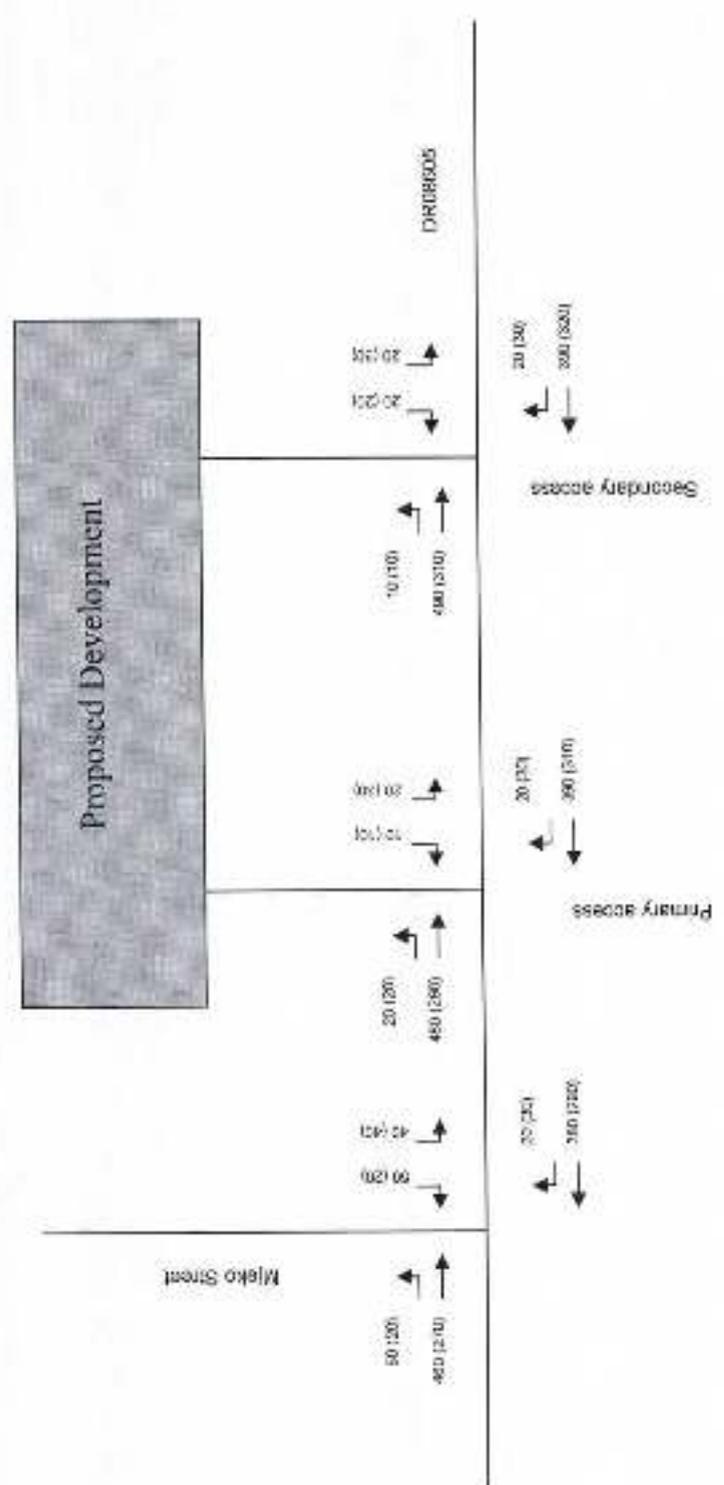
4



Traffic Volume Key:  
PM (SAT) = 1234 (1234) veh/h

Figure 4.2: PM and SAT 2020, development generated trips.

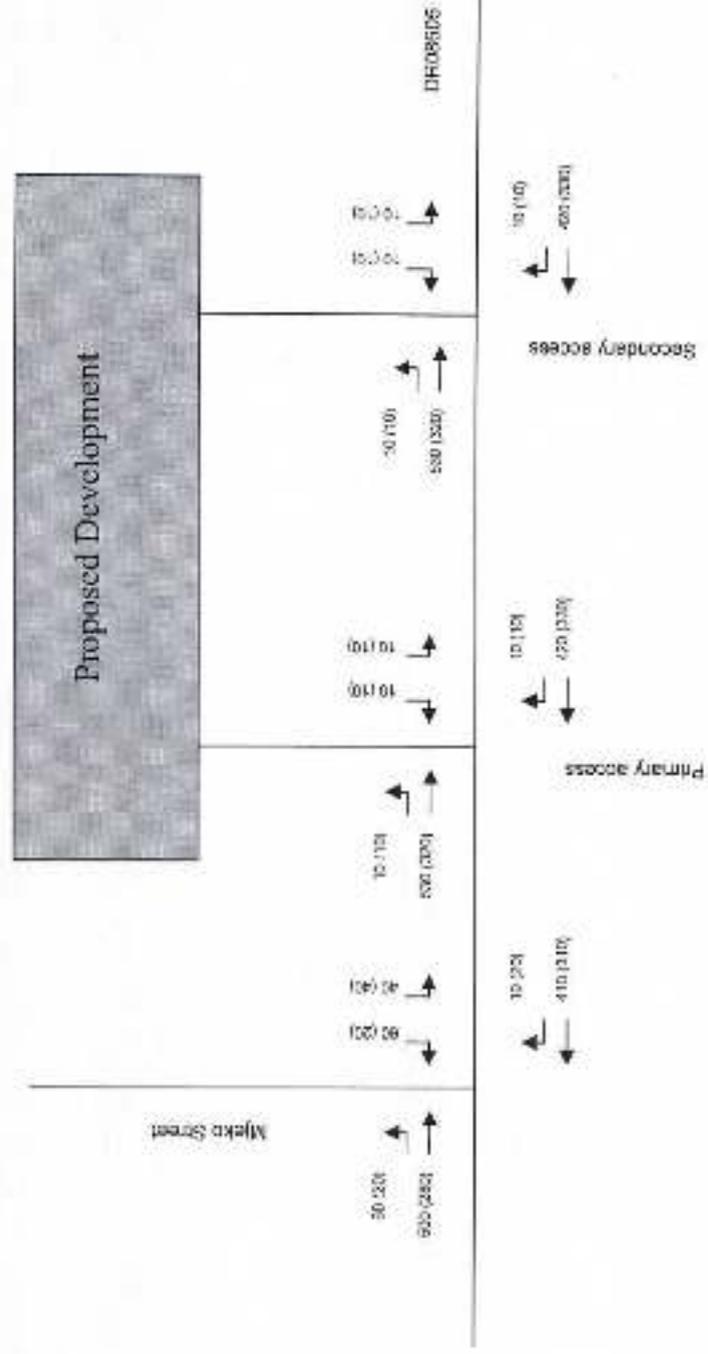
4



Traffic Volume key:  
PM (SAT) = 1234 (1234) veh/h

Figure 4.3: PM and SAT 2020, development with generated trips.

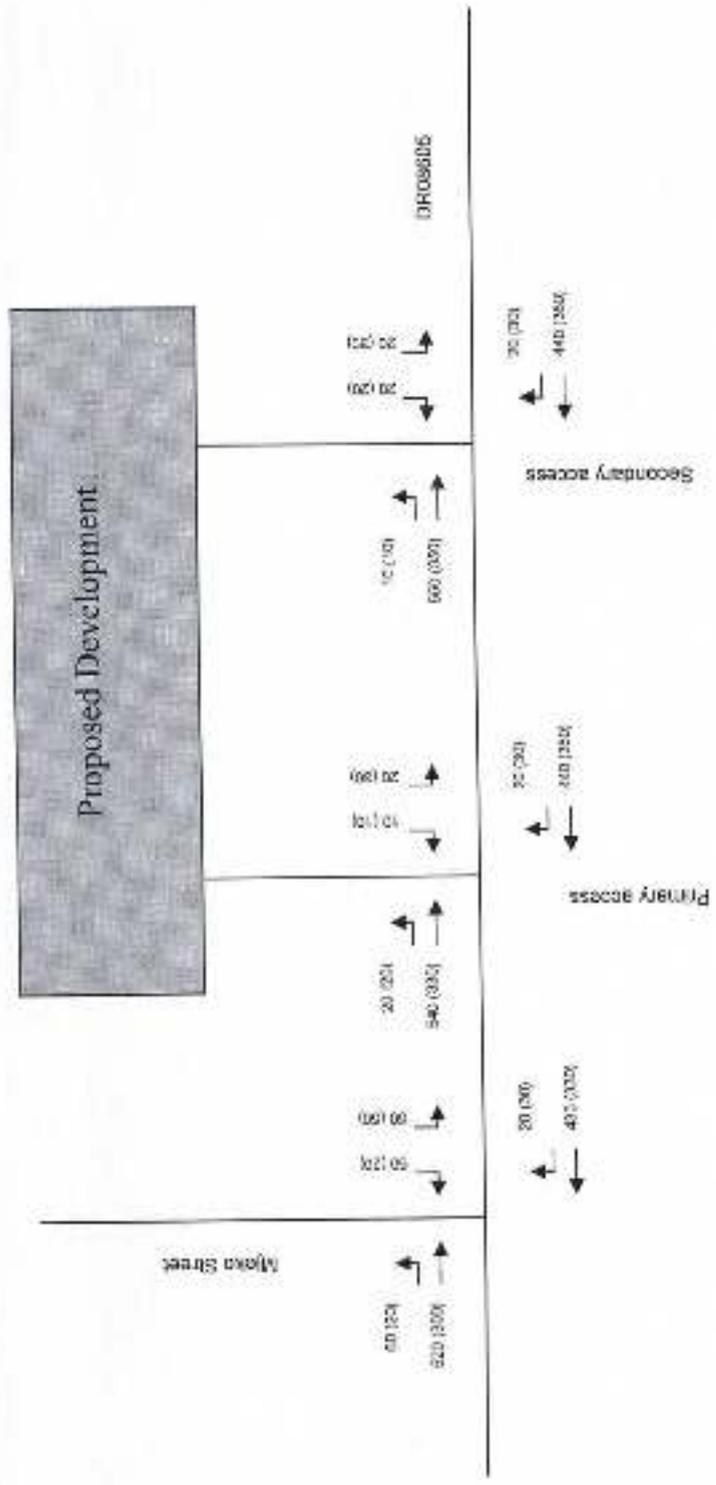
4



Traffic Volume key:  
PM (SAT) = 1234 (1234) veh/h

Figure 4.4: PM and SAT 2025, without development trips.

4



Traffic Volume key:  
PM (SAT) = 1234 (1234) veh/h

Figure 4.5: PM and SAT 2025, development with generated trips.

## **5. INTERNAL CIRCULATION AND PARKING**

### **5.1 Internal circulation**

The internal circulating network proposed is shown in Figure 1.2 and the recommended layout in Figure 5.1. Some minor changes to improve the overall efficiency of the development, as listed below, have been included in Figure 5.1.

- i. control strategy,
- ii. parking layout,
- iii. disabled bays, and
- iv. access control.

It would be advisable for the Developer to plan, design and build the internal layout to a standard acceptable by the municipality in order to allow for accessibility of service and emergency vehicles, etc. The layout, as recommended in Figure 5.1, should meet these requirements and provides acceptable internal circulation.

### **5.2 Parking and loading facilities**

Refuse loading and other loading associated with deliveries, removals etc. will occur from the dedicated loading bays indicated. All parking and loading requirements are to be catered for on the site.

The Department of Transport Parking Standards (Reference Six), make allowance for parking reductions. The following are some of the factors that can be considered when applying for a parking reduction:

- i. public transport,
- ii. bicycle utilisation,
- iii. mixed land use,
- iv. predicted car ownership, and
- v. location of development.

In terms of Reference Six, the required minimum parking and loading bays are as set out in Table C.1, which also includes recommended reductions that may be granted.

Based on the above the Developer should approach the Municipality to reduce the required number of parking bays as indicated in Table C.1 by providing two on-street taxi bays in lieu of standard parking bays.

## 6. ACCESS PROPOSALS

### 6.1 Vehicular access

The proposed primary and secondary accesses to the site are onto the DR08605 via the existing accesses, the positions of which are shown in the photographs below.



The intersection sight distance for turning manoeuvres associated with the specific posted speed limit of 40 km/h and the site gradients experienced are approximately 100m. Both approaches on the DR08605 at the proposed/existing primary and secondary accesses meet this minimum requirement.

### 6.2 Pedestrian and bicycle access

Pedestrian and bicycle access to the site is via the proposed/existing accesses.

Due to the location and nature of the development it is expected to generate local pedestrian traffic. The current pedestrian facilities are adequate to accommodate the additional pedestrian traffic and therefore no additional pedestrian facilities are recommended. It is however necessary to relocate the sidewalk adjacent to the site due to the proposed on-street parallel parking.

### 6.3 Access control

The development indicates that the internal parking area will be zoned private. The proposed access controls are illustrated in Figure 5.1. The proposed positions of the access controls should provide security to the development while keeping the relevant road network open to traffic.

The access gates are to remain open during business hours and only closed after business hours for security reasons.

## 7. ANALYSIS RESULTS

Tables 7.3.1 to 7.3.3 contain a summary of some of the SIDRA analysis results. More detail may be viewed in Appendix B. This includes all aspects of the input data used in the analyses including items such as lane configuration, control strategy, etc. The colour coding used in the graphic representations found in Appendix B is explained in Table 7.1.

**TABLE 7.1: SIDRA LOS colour codes**

Colour	Rating	Level of Service
Used in displays		Control delay, LOS
Green	Excellent	LOS A
Light blue	Very good	LOS B
Dark blue	Good	LOS C
Magenta	Acceptable	LOS D
Orange	Poor	LOS E
Red	Very poor	LOS F

The presented Level of Service (LOS) results are based on control delay and are illustrated in Table 7.2.

**TABLE 7.2: Level of service definitions - HCM Method**

Level of Service	Control delay per vehicle in seconds (d) (including geometric delay)	
	Signals and roundabouts	Stop and yield
A	$d \leq 10$	$d \leq 10$
B	$10 < d \leq 20$	$10 < d \leq 15$
C	$20 < d \leq 35$	$15 < d \leq 25$
D	$35 < d \leq 55$	$25 < d \leq 35$
E	$55 < d \leq 80$	$35 < d \leq 50$
F	$80 < d$	$50 < d$

*Note: Above Tables 7.1 and 7.2 and explanation courtesy of Reference Three.*

Tables 7.3.1 to 7.3.2 contain a summary of the SIDRA analysis results as undertaken at the various intersections where Table 7.3.3 shows the control types assumed for the analysis for the various scenarios.

From the results it is clear that while the two peak periods test similarly, the current critical peak hour is the PM peak hour. On completion of the development the PM peak hour remains the more critical in terms of volume and LOS at intersections.

The anticipated impact of the proposed development varies depending on the road segment under review. From the SIDRA analyses results, together with on-site observations, the following road segments require mentioning.

**TABLE 7.3.1: Intersection Level of Service (PM peak)**

		KEY <span style="color: green;">A-C</span> <span style="color: purple;">D</span> <span style="color: orange;">E</span> <span style="color: red;">F</span> <span style="color: grey;">NA</span>									
No.	Intersections	Level of Service									
		2020 PM <i>status quo</i>		2020 PM <i>develop.</i>		2020 PM <i>improved</i>		2025 PM <i>option 1</i>		2025 PM <i>option 2</i>	
		APPR.	INTERS.	APPR.	INTERS.	APPR.	INTERS.	APPR.	INTERS.	APPR.	INTERS.
1	Mjeko Street/DR08605	NA	NA	NA	NA	NA	NA	C	B	NA	NA
2	DR08605/Primary access	NA	NA	NA	NA	NA	NA	C	B	NA	NA
3	DR08605/Secondary access	NA	NA	NA	NA	NA	NA	C	B	NA	NA

**TABLE 7.3.2: Intersection Level of Service (SAT peak)**

		KEY <span style="color: green;">A-C</span> <span style="color: purple;">D</span> <span style="color: orange;">E</span> <span style="color: red;">F</span> <span style="color: grey;">NA</span>									
No.	Intersections	Level of Service									
		2020 SAT <i>status quo</i>		2020 SAT <i>develop.</i>		2020 SAT <i>improved</i>		2025 SAT <i>option 1</i>		2025 SAT <i>option 2</i>	
		APPR.	INTERS.	APPR.	INTERS.	APPR.	INTERS.	APPR.	INTERS.	APPR.	INTERS.
1	Mjeko Street/DR08605	NA	NA	NA	NA	NA	NA	B	A	NA	NA
2	DR08605/Primary access	NA	NA	NA	NA	NA	NA	B	A	NA	NA
3	DR08605/Secondary access	NA	NA	NA	NA	NA	NA	B	A	NA	NA

**TABLE 7.3.3: Intersection control type**

No.	Intersections	Intersection control type				
		2020 <i>status quo</i>	2020 <i>develop.</i>	2020 <i>improved</i>	2025 <i>option 1</i>	2025 <i>option 2</i>
1	Mjeko Street/DR08605	NA	NA	NA	Priority/stop	NA
2	DR08605/Primary access	NA	NA	NA	Priority/stop	NA
3	DR08605/Secondary access	NA	NA	NA	Priority/stop	NA

Note: LOS is indicated per approach and per intersection. Movement LOS are reflected in Appendix B.

### Mjeko Street/DR08605 intersection

Based on traffic volumes this intersection does not require any upgrading.

### DR08605/Primary and Secondary accesses intersection

Based on traffic volumes these intersections do not require any upgrading and will operate at an acceptable LOS as standard priority/stop controlled intersections. It is however proposed to erect stop signs at each of the accesses.

### Public transport bays

Due to the location and nature of the development it is expected to generate public transport. It is essential to introduce public transport bays. It is therefore recommended that two public transport bays be constructed on the northern side of the DR08605.

### Limited access

It is essential to ensure that no vehicular accesses are permitted onto the DR08605 other than at the proposed/existing accesses.

### **Building lines and road reserves**

Due to the DR08609 being a road of provincial significance within an urban area, a 5m building line will most likely to be imposed along this road.

### **Pedestrian facilities**

Due to the location and nature of the development it is expected to generate local pedestrian traffic, particularly along the DR08605. Owing to the expected pedestrian volumes the appropriate pedestrian facilities have been recommended as illustrated in Figure 5.1.

## 8. CONCLUSIONS

Following the investigation and analysis it is concluded that:

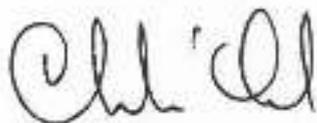
- i. The current operating conditions on the road network within the study area are found to be acceptable with no LOS or capacity failures.
- ii. The posted speed limit of 40 km/h along the DR08605, in the vicinity of the site accesses, is appropriate for the current and expected future traffic conditions.
- iii. The existing critical peak, in terms of traffic volume, was found to be the PM peak hour while the SAT peak hour tested similarly but with marginally lower demands.
- iv. Once developed and fully occupied, the proposed development may be expected to generate in the order of 150 and 170 vehicle trips in PM and SAT commuter peak hours respectively.
- v. The combined critical peak hour of existing and development trips is found to be the PM peak hour.
- vi. The network is not overloaded when development trips are assigned for any of the given tested peak hours, subject to the recommended road network improvements being undertaken.
- vii. The proposed changes to the layout and road network, as shown in Figure 5.1, the site layout and road network adequately serve the proposed development.
- viii. The average light traffic volumes passing the site are 6,450 veh/day.
- ix. The average heavy traffic volumes passing the site are 200 veh/day.
- x. The anticipated current fuel sales are 304,000 l/month based on 6% of passing traffic stopping for fuel.
- xi. The annual growth rate is approximately 2.5%, thus increasing the 2025 fuel sales to approximately 344,000 l/month.

## 9. RECOMMENDATIONS

Based on the investigation and conclusions it is recommended that:

- i. This Traffic Impact Study (TIS) be submitted to the Senqu Local Municipality (SLM) and the Department of Mineral and Energy (DME) for their perusal with the complete development proposal, and that the SLM in turn forward the TIS, with their comments, to the Eastern Cape Department of Transport (ECDOT) for their perusal.
- ii. The development proposal, that is the re-development of Erf 107 Sterkspruit, as submitted and reflected herein, being approved in principle from a traffic impact perspective by the SLM, the DME and the ECDOT.
- iii. The site layout changes, as shown in Figure 5.1, being made a condition of approval. The required internal road network improvements to be made by the development are as follows:
  - a. control strategy,
  - b. parking layout,
  - c. disabled bays, and
  - d. access control.
- iv. The road network improvements, as listed below and shown in Figure 5.1, to being made a condition of approval. It should however be noted that these improvements may change subject to subsequent investigations in consultation with the road authority. The required public road network improvements to be made to accommodate the development are as follows:
  - a. The construction of two public transport facilities along the northern side of the DR08605 in close proximity to the development.
  - b. A 5m building line being imposed along the DR08605.
  - c. No direct vehicular access being permitted onto the DR08605 other than at the proposed/exiting accesses.
  - d. The relocation of the sidewalk adjacent to the site due to the proposed on-street parallel parking.
- v. Parking and loading bays being provided as per Table C.1.
- vi. All costs associated with the internal roads, as indicated in Figure 5.1, being solely to the Developer's account.
- vii. All costs associated with the recommendations, as listed in "iv", being solely to the Developer's account.

*It should be noted that all figures represented in this Traffic Impact Study are concept drawings only and are not to be used for construction purposes. These concept drawings are to be developed into engineering drawings by the Developer's appointed civil engineer. The engineering drawings are then to be approved by the relevant road authority officials prior to construction.*



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## 10. REFERENCES

- Reference 1 South African Trip Generation Rates. 2<sup>nd</sup> Edition, June 1995.  
Reference 2 Manual for Traffic Impact Studies RR93/635, October 1995.  
Reference 3 SIDRA operators manual.  
Reference 4 South African Traffic Impact and Site Traffic Assessment Manual, Volumes 1 and 2 (TMH16) August 2012.  
Reference 5 South African Trip Data Manual, Volume 1 (TMH 17), September 2012.  
Reference 6 Department of Transport Parking Standards, November 1985.

## APPENDIX A

### FIGURES



**EMONTI**  
 CONSULTING  
**Engineers cc**

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 Nahoon  
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 Telephone: 043 736 0880  
 Facsimile: 043 556 1154  
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 E-mail: [doonmcquik@telkomsa.net](mailto:doonmcquik@telkomsa.net)

Project / Drawing Title:

**Traffic Impact Study for  
 Erf 107, Sterkspruit  
 SITE LOCALITY PLAN**

Scale:

N.T.S.

Drawn By:

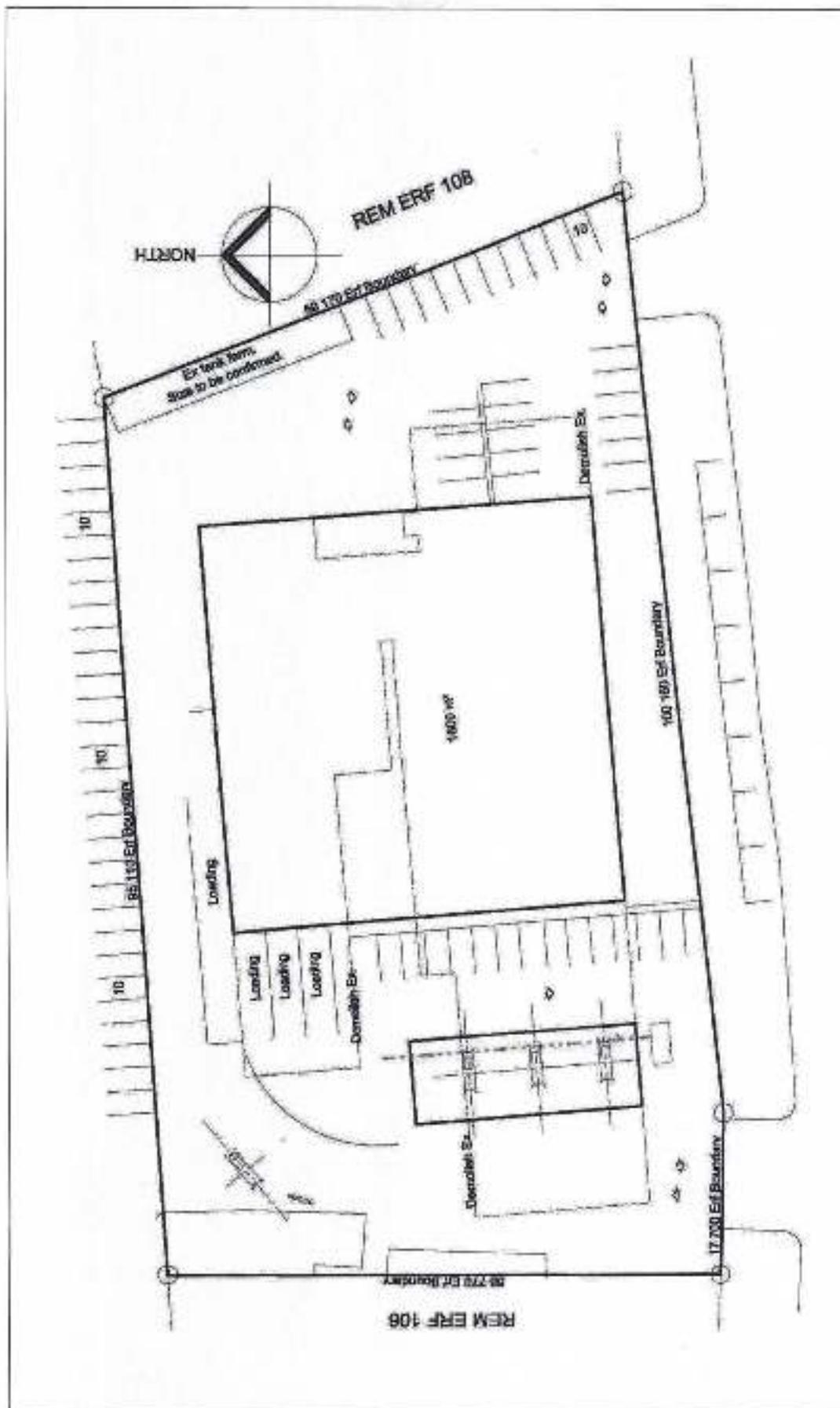
D. McQuirk

Drawing Number:

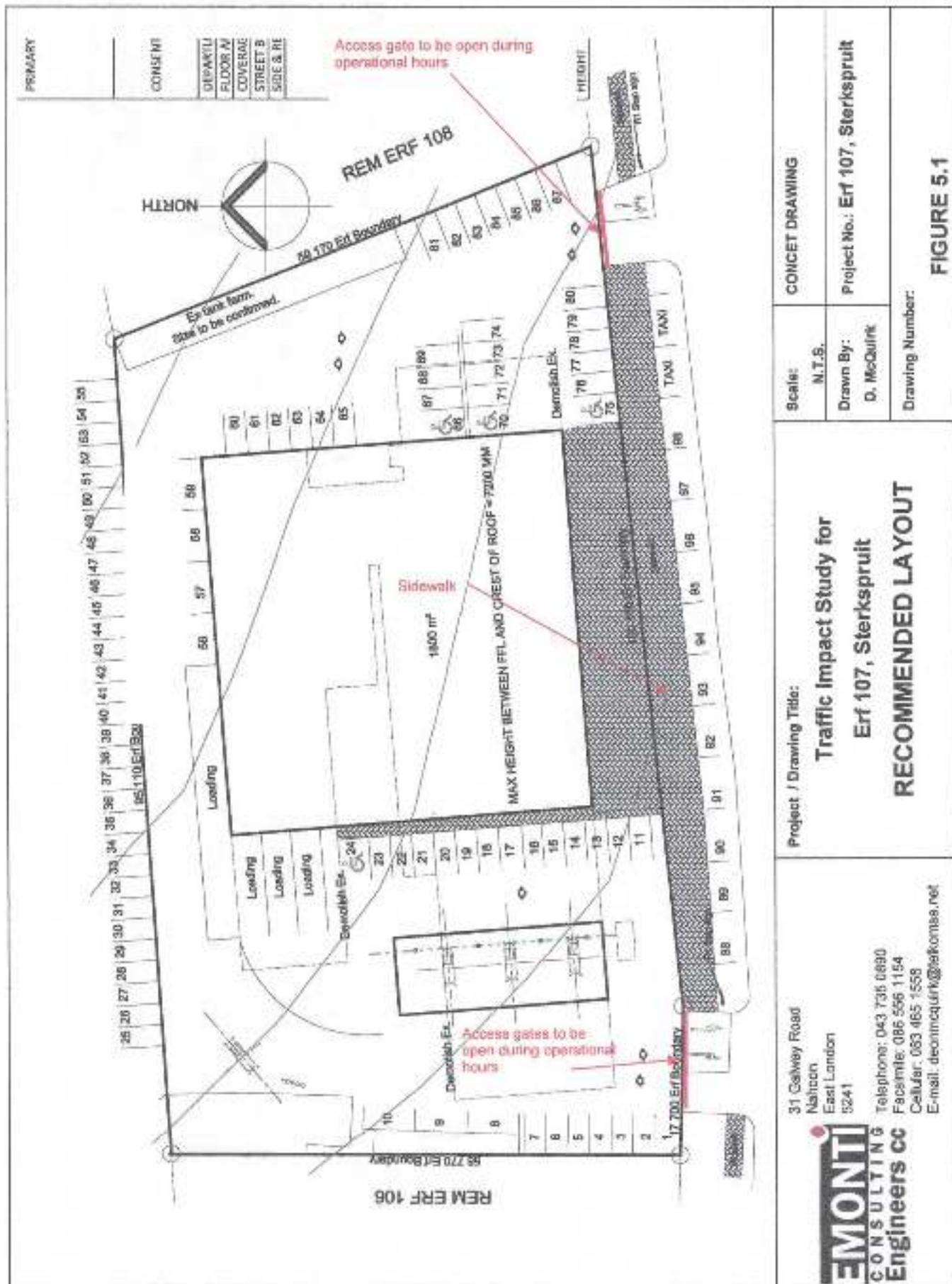
CONCET DRAWING

Project No.: Erf 107, Sterkspruit

**FIGURE 1.1**



<p>31 Gateway Road Nahoon East London 5241</p> <p><b>EMONTI</b> CONSULTING Engineers cc</p> <p>Telephone: 043 735 0890 Facsimile: 086 556 1154 Cellular: 083 465 1558 E-mail: deumroquik@telkomsa.net</p>		<p>Project / Drawing Title: <b>Traffic Impact Study for Erf 107, Sterkspruit PROPOSED SITE LAYOUT</b></p>	
Scale:	N.T.S.	CONCET DRAWING	
Drawn By:	D. McQuirk	Project No.:	Erf 107, Sterkspruit
Drawing Number:			<b>FIGURE 1.2</b>



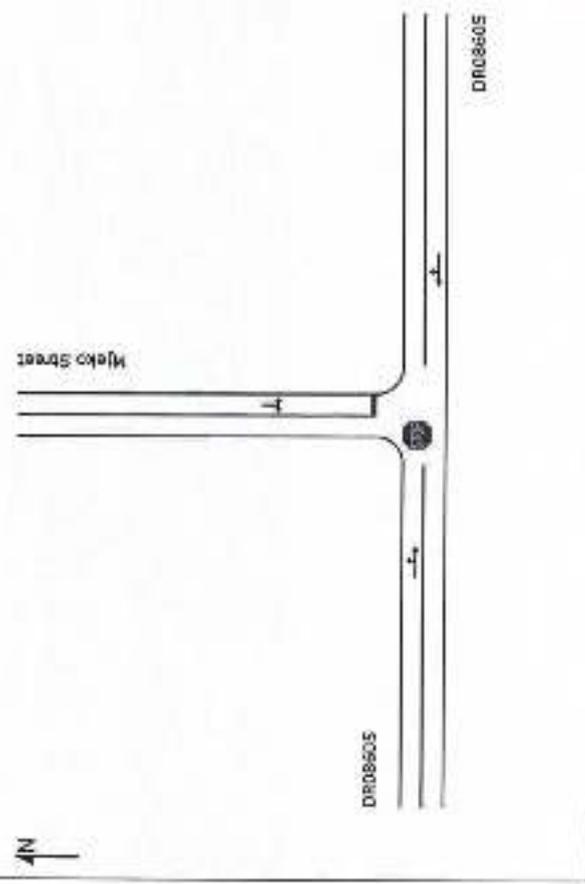
## APPENDIX B

### SIDRA INTERSECTION LOS RESULTS

FIGURE B.1.A: Level of Service (LOS)

Intersection: **Mjeko Street/DR08605**

Without improvements



Design year

2020

2025

PM (with development trips)

NA



Peak

PM (without development trips)

SAT (without development trips)

SAT (with development trips)

2020

NA

NA

NA

Design year

2025

NA

NA



FIGURE B.2.A: Level of Service (LOS)

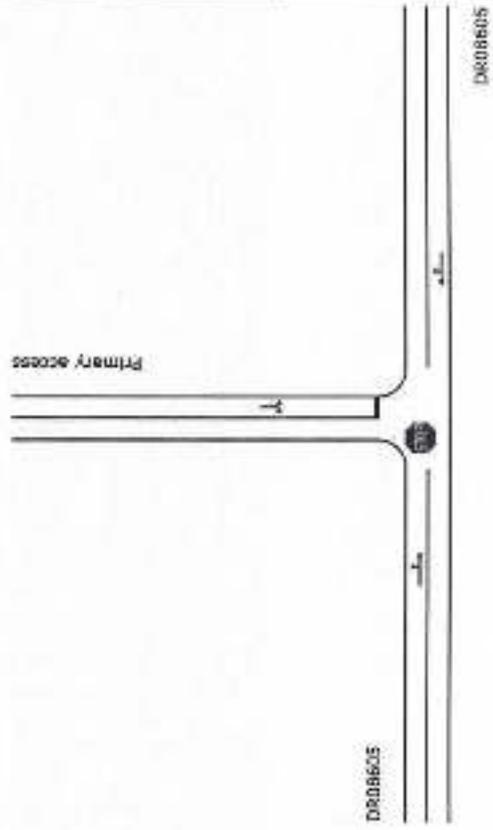
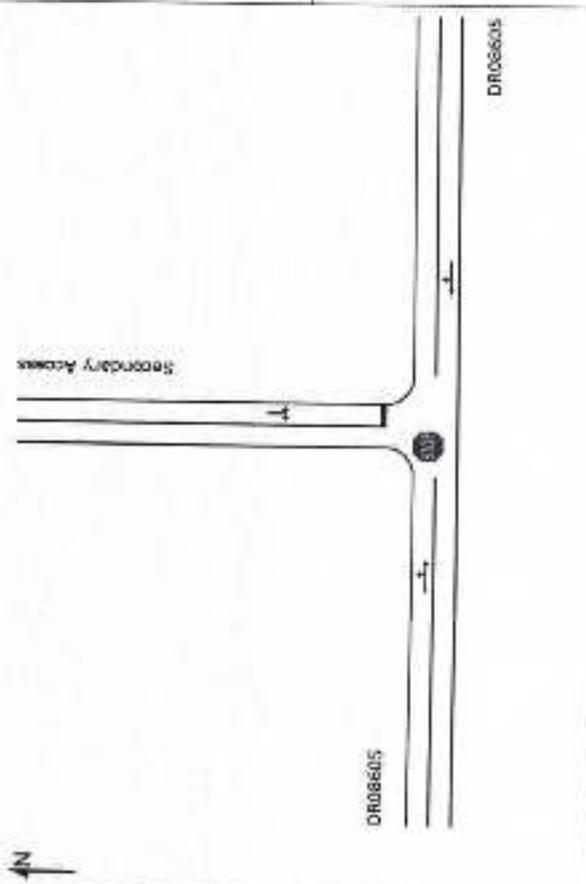
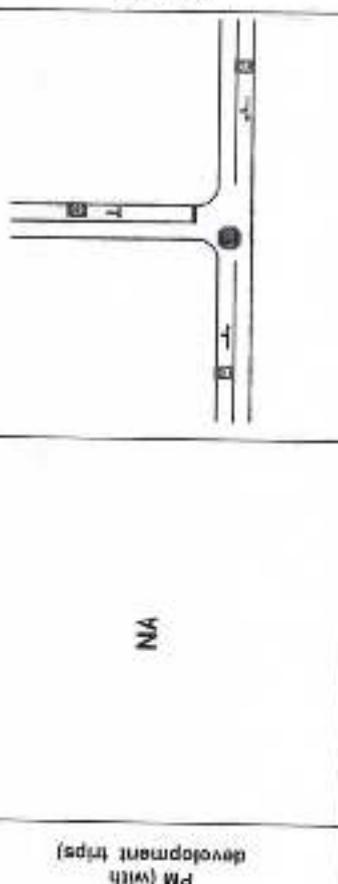
Intersection: DR08605/Primary access	Design year		Peak
	2020	2026	
<p>Without improvements</p> 	NA	NA	PM (without development trips)
	NA	NA	SAT (without development trips)
<p>Design year</p>	2025		SAT (with development trips)
	2020	2025	
PM (with development trips)	NA		SAT (with development trips)
			

FIGURE B.3.A: Level of Service (LOS)

Intersection: DR08605/Secondary access

Without improvements

	Design year		Peak
	2020	2025	
	PM (with development trips)	NA	PM (without development trips)
	SAT (with development trips)	NA	SAT (without development trips)
	Design year		
	2020	2025	
	NA	NA	

**APPENDIX C**

**LAND USE, TRIP GENERATION, PARKING AND LOADING**



**APPENDIX D**

**TRAFFIC VOLUMES AND ANTICIPATED FUEL SALES**

### **D.1 Type of traffic counts**

Typically a seven day count would be used to determine the average daily traffic volumes. These counts can either be done automatically or manually.

Automatic (i.e. machine) counts are normally used in rural areas for passing traffic. These automatic counts are ideal in these situations as they generally count straight through movements only. Secondly, the rural areas are generally remote making it unsafe to make use of enumerators to count, particularly at night.

However, in the urban area when vehicle movements are not all straight, particularly at an intersection and/or where motorists are changing lanes, manual traffic counts are far more practical than automatic counts. It is for these reasons that manual traffic counts were conducted for the proposed fuel station.

### **D.2 Duration of traffic counts**

As the traffic count was in the urban area and manual traffic counts were undertaken it was not necessary to do a seven day traffic count. In this case the following traffic counts were conducted:

- i. Thursday from 06:00 to 24:00.
- ii. Friday from 00:00 to 18:00.
- iii. Saturday from 06:00 to 18:00.

These days/periods were chosen so as to determine a relatively accurate traffic volume for the week. A Thursday was counted as it is regarded as one of the "typical days" and represents what can be expected from Monday to Thursday. Friday is generally a slightly different day as motorists leave early for the weekend, schools often end earlier, etc. and therefore was also counted. Saturday was included as it is a day when traffic volumes associated with retail/commercial areas are higher. The night time traffic was counted from 18:00 on Thursday evening to 06:00 of Friday morning. This was done over two days (i.e. one night for practical reasons) and represents a typical night time traffic count.

Sunday was not counted as the traffic volumes are considerably less on a Sunday. Here it is assumed (based on permanent traffic count sites) that the Sunday traffic volumes are 70% of a typical day.

All traffic counts were recorded in 15 minute intervals and converted to 12 hour and 24 hour counts which were required.

### **D.3 Vehicle types counted**

All the traffic counts were recorded as both light and heavy vehicles. This was required as the volume of fuel generally purchased by the two vehicle classes differ substantially.

#### D.4 Traffic count data used

The traffic counts, as listed in Table 3.1, were undertaken and are included as full counts hereafter and in summary format in Table D.1 (converted to an average traffic volume per day).

Table D.1: Traffic volume summary

Intersection : Moko Street and DRC8505																	ORIENTATION	
Day	Moko Street Westbound				DRC8505 Northbound				Moko Street Eastbound				DRC8505 Southbound				MTER SECTION	Passing site
	1	2	3		4	5	6		7	8	9		10	11	12			
	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total		
Light vehicles only																		
Thursday (20:00 to 19:00)	143	2636	0	2779	3	3	3	9	0	2374	164	2538	253	0	175	428	6281	5647
Friday (06:00 to 18:00)	153	2636	0	2789	3	3	3	9	0	2714	163	2877	161	0	133	294	6290	5203
Saturday (06:00 to 18:00)	76	1737	0	1813	2	2	2	6	0	1862	99	1961	76	0	32	108	3615	3763
Sunday (advised)	81	1690	0	1771	2	2	2	6	0	1692	165	1857	111	0	85	206	3795	3309
Transit Night (18:00 to 05:00)	0	337	0	337	2	2	2	6	0	248	0	248	0	0	0	0	595	635
Average for 7 days	1302	21649	0	23351	2	2	2	6	0	21531	1338	22869	1468	0	1700	2668	47662	46351
Average per day	147	2878	0	3222	2	2	2	6	0	2392	160	2552	210	0	171	381	6236	6418
Heavy vehicles only																		
Thursday (20:00 to 19:00)	0	0	0	0	3	3	3	9	0	36	4	40	4	0	0	4	52	182
Friday (06:00 to 18:00)	0	0	0	0	3	3	3	9	0	75	3	78	6	0	2	8	108	179
Saturday (06:00 to 18:00)	0	0	0	0	3	2	2	7	0	43	0	43	0	0	0	0	48	46
Sunday (advised)	2	47	0	49	3	3	3	9	0	46	2	48	2	0	2	4	90	96
Transit Night (18:00 to 05:00)	0	12	0	12	2	2	2	6	0	6	0	6	0	0	0	0	28	30
Average for 7 days	20	711	0	731	2	2	2	6	0	649	25	674	20	0	29	49	1472	1619
Average per day	4	102	0	106	2	2	2	6	0	93	4	97	4	0	4	8	210	233
Light or Heavy vehicles																		
Thursday (20:00 to 19:00)	148	2751	0	2899	3	3	3	9	0	2760	168	2928	257	0	175	432	6333	5829
Friday (06:00 to 18:00)	153	2737	0	2890	3	3	3	9	0	2789	166	2955	167	0	135	302	6393	5382
Saturday (06:00 to 18:00)	78	1742	0	1820	2	2	2	6	0	1905	101	2006	78	0	34	112	3687	3875
Sunday (advised)	83	1687	0	1770	2	2	2	6	0	1740	167	1907	113	0	87	200	3897	3409
Transit Night (18:00 to 05:00)	0	349	0	349	2	2	2	6	0	254	0	254	0	0	0	0	623	665
Average for 7 days	1032	22328	0	23360	2	2	2	6	0	21063	1363	22426	1487	0	1720	2607	49135	47966
Average per day	147	3189	0	3336	2	2	2	6	0	2395	194	2589	214	0	175	389	6236	6418

24 hour total (light vehicles per day)				24 hour total (heavy vehicles per day)				24 hour total (light & heavy vehicles per day)			
4	5	6		4	5	6		4	5	6	
3079	2180	147	5306	102	106	4	212	3181	2286	151	5518

#### D.5 Assumptions for calculating fuel sales

It should be noted that fuel sales depend on a number of factors and it is difficult to accurately calculate anticipated fuel sales. In order to simplify the calculation thereof, the Department of Mineral and Energy (DME) derived the following formula:

$$\text{Total Fuel Volume (l/month)} = \text{Fuel Volume}_{\text{light}} + \text{Fuel Volume}_{\text{heavy}}$$

where,

Fuel Volume<sub>light</sub> (l/month) = 4% of Traffic Volume<sub>light</sub> (veh/day) x 30 (day/month) x 20 (l/veh)

Fuel Volume<sub>heavy</sub> (l/month) = 4% of Traffic Volume<sub>heavy</sub> (veh/day) x 30 (day/month) x 200 (l/veh)

As can be seen from the formula, the fuel sales are related directly to the volume of both light and heavy vehicles passing the site. It assumes that 4% of all vehicles will stop for fuel. However, as Sterkspruit can be assumed as a regional destination, the 4% has been increased to a more realistic 6%. It further assumes that each light vehicle stopping will purchase on average 20l of fuel, whereas each heavy vehicle will purchase on average 200l of fuel per stop.

#### D.6 Current anticipated fuel sales per month

The DME, as a guide, requires an approximate minimum fuel sales figure of about 300,000l/month before considering a site for a potential fuel station. It should be noted that there are a number of other factors that also determine whether the DME will support a fuel station. These unfortunately do not form part of this TIS and will be considered by the DME.

Table D.2 indicates the anticipated fuel sales for a typical month, based on the traffic volumes recorded and the assumptions referred to herein.

Table D.2: Anticipated fuel sale (based on 6%)

Vehicle type	Average traffic volume per day (veh/day)	Average traffic volume per 30 day month (veh/month)	Fuel volumes per 30 day month (l/month)
Light	6 450	193 500	232 200
Heavy	200	6 000	72 000
Total	6 650	199 500	304 200

As can be seen from Table D.2, the proposed fuel station will generate in the order of 304,000l/month, which is slightly higher than the 300,000l/month used as a guide by the DME.

#### D.7 Future anticipated fuel sales per month

The generally accepted growth rate in the area is 2.5% per annum. Applying the growth rate of 2.5% from the base year (2020) to the design year (five years, i.e. 2025) the growth factor would be 1.13, meaning an increase in traffic volumes of 13% over the five year design horizon. Applying this to the current anticipated fuel sales, suggests that the fuel sales in 2025 would be in the order of 344,000l/month.

#### D.8. Summary of traffic volumes and anticipated fuel sales

Following the investigation it is concluded that:

- The average light traffic volume passing the site is 6,450 veh/day.
- The average heavy traffic volume passing the site is 200 veh/day.
- The anticipated current fuel sales are 304,000 l/month based on 6% passing traffic.
- The annual growth rate is approximately 2.5%, thus increasing the 2025 fuel sales to approximately 344,000 l/month.

Project: TIS for Erf 107 Sterknapuit  
 Intersection: DR0805 and Meko Street No.: 1 Date: 23/05/2019  
 Time period: 6:00-18:00  
 Day: Thursday

Light vehicles  
 only

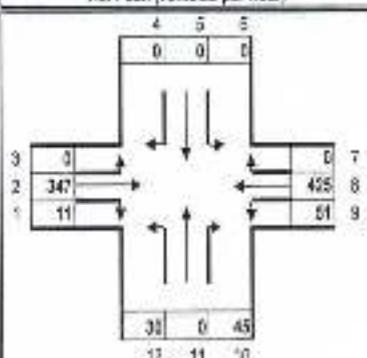
**EMONTI**  
 CONSULTING  
 Engineers cc

ENDING TIME	DR0805 Westbound				Meko Street Northbound				DR0805 Eastbound				Meko Street Southbound				INTERSECTION	
	1	2	3		4	5	6		7	8	9		10	11	12		Left	Thru
	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total	Left	Thru
06:15	1	3		4				4	2	6	4			4	6	23	23	
06:30	2	11		13				13	3	16	4			1	5	34	57	
06:45	3	22		25				25	2	27	2			0	2	55	113	
07:00	3	48		51				48	6	54	7			4	17	112	222	
07:15	1	62		63				62	5	67	7			6	13	131	363	
07:30	1	72		73				67	5	72	8			9	19	151	507	
07:45	3	135		138				111	14	125	13			9	22	254	728	
08:00	4	136		140				146	17	163	10			5	15	288	864	
08:15	3	68		71				62	15	77	13			7	20	136	308	
08:30	2	48		50				62	3	65	11			5	17	121	352	
08:45	2	35		37				36	2	38	5			3	8	71	362	
09:00	3	31		34				36	2	38	4			3	7	81	475	
09:15	4	32		36				36	1	37	3			3	6	82	371	
09:30	1	45		46				62	2	64	3			3	6	117	357	
09:45	4	57		61				36	3	39	3			3	6	127	407	
10:00	5	62		67				65	3	68	0			3	3	88	424	
10:15	2	48		50				54	2	56	1			2	3	112	454	
10:30	0	45		45				43	1	44	3			0	3	82	426	
10:45	2	55		57				33	3	36	2			1	3	107	446	
11:00	1	30		31				42	1	43	0			1	1	75	426	
11:15	1	43		44				54	3	57	1			5	4	102	416	
11:30	3	45		48				64	0	64	3			5	8	125	444	
11:45	0	47		47				24	6	30	1			0	1	82	373	
12:00	2	28		30				29	0	29	1			2	3	72	375	
12:15	3	45		48				58	0	58	3			5	8	95	52	
12:30	1	34		35				43	3	46	3			2	2	82	174	
12:45	1	34		35				38	0	38	3			0	9	119	253	
13:00	5	40		45				14	2	16	5			1	6	91	236	
13:15	1	30		31				46	4	50	0			2	2	116	472	
13:30	1	30		31				51	2	53	4			2	6	122	457	
13:45	1	47		48				35	2	37	1			2	3	83	421	
14:00	4	53		57				40	6	46	1			3	4	115	437	
14:15	4	67		71				49	3	52	3			3	6	126	449	
14:30	9	77		86				64	7	71	1			1	2	136	468	
14:45	7	70		77				55	8	63	8			5	13	153	551	
15:00	4	65		69				46	3	49	15			3	23	143	551	
15:15	7	35		42				61	5	66	1			3	13	182	537	
15:30	5	47		52				134	10	144	1			4	11	205	703	
15:45	7	24		31				30	3	33	13			7	17	152	746	
16:00	5	37		42				45	1	46	4			1	3	124	627	
16:15	11	62		73				30	3	33	4			7	15	163	634	
16:30	2	63		65				46	4	50	3			7	15	123	632	
16:45	5	70		75				30	1	31	6			1	15	160	579	
17:00	2	70		72				46	4	50	7			6	7	125	614	
17:15	1	64		65				54	3	57	3			6	3	112	600	
17:30	2	69		71				52	6	58	4			3	7	162	622	
17:45	3	75		78				38	1	39	2			1	3	121	553	
18:00	6	75		81				45	2	47	3			3	6	134	555	
AM Peak (vehicles per hour)																		
Peak hour	11	341	0	358	3	0	0	0	3	425	21	475	40	3	38	75	530	
PM Peak (vehicles per hour)																		
Peak hour	21	350	0	351	3	0	0	0	3	257	19	263	17	3	28	45	575	
12 hour (06:00 to 18:00) total vehicles																		
Total	145	2055	0	2199	3	0	0	0	3	2674	194	2858	223	3	170	355	6261	

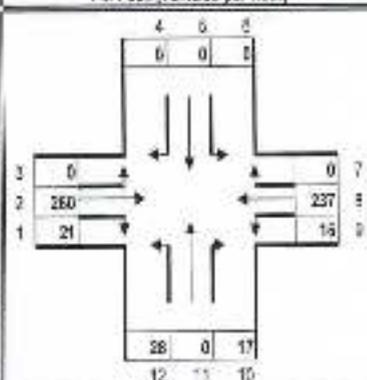
ORIENTATION



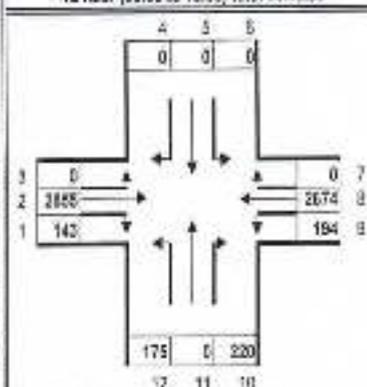
AM Peak (vehicles per hour)



PM Peak (vehicles per hour)



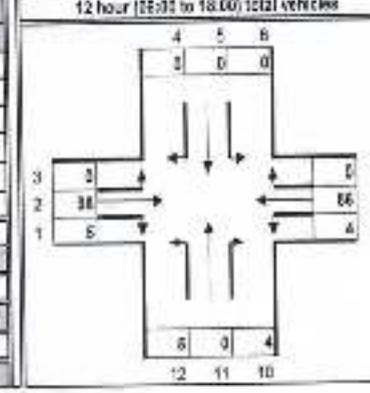
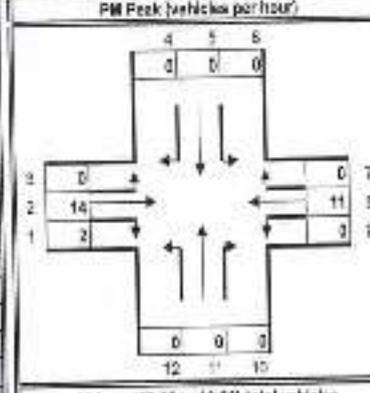
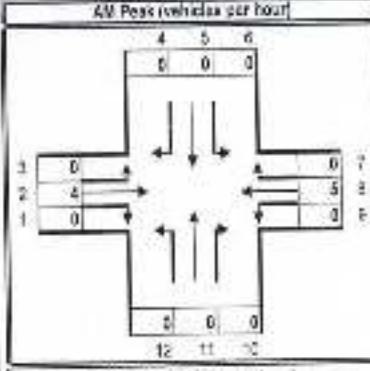
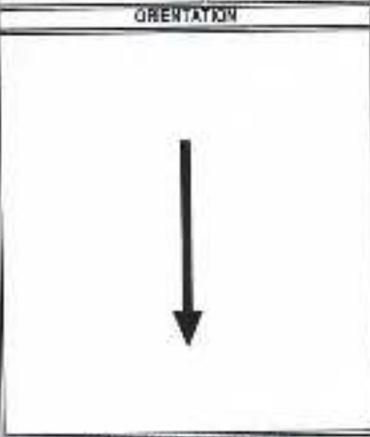
12 hour (06:00 to 18:00) total vehicles



Project: TIS for ERF 107 Sterkspruit  
 Intersection: DR2885 and Njelo Street No.: 1  
 Date: 22/05/2019  
 Time period: 6:00-18:00  
 Day: Thursday

**Heavy vehicles only**  
**EMONTI CONSULTING Engineers cc**

ENHANC TIME	DR2885 Westbound				Mjelo Street Northbound				DR2885 Eastbound				Mjelo Street Southbound				WIND-SECTION	
	1	2	3		4	5	6		7	8	9		10	11	12		Total	Hour
	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total	Total	Hour
06:15		2		2				0				0				0	2	4
06:30		1		1				0				1				1	0	4
06:45				0				0				2				2	0	6
07:00	1	2		3				0				0				0	2	9
07:15		1		1				0				1				1	2	3
07:30		1		1				0				2				2	1	4
07:45		1		1				0				1				1	2	5
08:00				0				0				0				0	3	6
08:15		2		2				2				1				1	0	8
08:30				0				1				1				1	0	9
08:45		1		1				0				1			2	0	3	12
09:00		2		2				0				2			2	0	4	11
09:15		4		4				0				3			3	0	7	15
09:30		1		1				0				2			2	0	3	17
09:45		1		1				0				1			1	0	2	16
10:00				0				2				2			3	1	1	15
10:15	1	1		2				1				4		2	6	1	1	18
10:30	1	3		4				0				2		2	4	1	1	22
10:45		2		2				0				2			2	1	1	25
11:00		4		4				0				2			2	0	6	27
11:15		4		4				2				2			2	1	1	29
11:30				0				1				1			1	0	1	23
11:45		2		2				0				4			4	0	3	22
12:00				0				0				1			1	0	1	13
12:15		2		2				0				0			0	0	0	2
12:30		4		4				2				2			2	1	1	9
12:45		7		7				0				0			0	0	7	19
13:00		1		1				0				2			2	0	2	18
13:15		2		2				0				4			4	0	3	24
13:30		6		6				0				2			2	0	8	20
13:45		2		2				2				2			2	0	4	22
14:00		1		1				0				1			1	0	2	21
14:15		1		1				0				5			5	0	6	20
14:30		1		1				0				3			3	0	3	16
14:45				0				0				2			2	0	2	14
15:00		2		2				0				2			2	0	4	15
15:15		1		1				0				2			2	0	2	14
15:30		2		2				0				5			5	1	6	16
15:45		2		2				0				2			2	0	4	18
16:00		2		2				0				1			1	0	3	17
16:15		7		7				0				3			3	0	10	26
16:30	1	2		3				0				2			2	0	5	21
16:45	1	2		4				0				2			2	0	7	27
17:00		3		3				0				1			1	0	3	27
17:15		3		3				0				1			1	0	5	20
17:30		3		3				0				0			0	0	3	18
17:45		1		1				0				1			1	0	2	12
18:00		2		2				0				3			3	0	2	12



Project : TIS for Erf 107 Sterkspruit  
 Intersection : DR2686 and Meko Street No.: 1  
 Date : 23 - 24/05/2019  
 Time period: 6:00 - 18:00  
 Day : Thurs. to Fri.

Light vehicles  
only

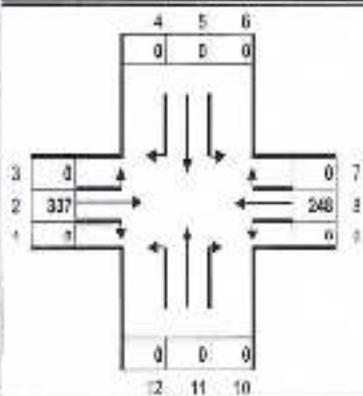


ENGLING TIME	DR2686 Westbound				Meko Street Northbound				DR2686 Eastbound				Meko Street Southbound				RT27 SECTION			
	1	2	3		4	5	6		7	8	9		10	11	12		13	14		
	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total	15	16		
18:15		51		51				0				40			40			0	34	64
18:30		36		36				0				21			21			0	37	161
18:45		28		28				0				25			25			0	33	214
19:00		35		35				0				19			19			0	51	268
19:15		30		30				0				33			33			0	59	333
19:30		8		8				0				2			2			0	30	178
19:45		27		27				3				12			12			0	39	193
20:00		17		17				3				6			6			0	23	131
20:15		8		8				0				5			5			0	11	85
20:30		11		11				3				15			15			0	27	130
20:45		8		8				0				8			8			0	17	78
21:00		8		8				0				7			7			0	16	71
21:15		8		8				0				5			5			0	14	74
21:30		3		3				0				7			7			0	13	62
21:45		5		5				0				1			1			0	8	48
22:00		5		5				0				3			3			0	8	41
22:15		8		8				0				2			2			0	10	37
22:30		2		2				0				1			1			0	3	27
22:45		1		1				0				2			2			0	3	24
23:00		2		2				0				1			1			0	3	15
23:15		2		2				0				0			0			0	2	11
23:30		1		1				0				2			2			0	2	10
23:45		1		1				0				2			2			0	3	10
00:00		1		1				0				1			1			0	2	8
00:15		2		2				0				3			3			0	7	7
00:30		0		0				0				1			1			0	1	8
00:45		1		1				0				1			1			0	2	10
01:00		1		1				0				1			1			0	2	12
01:15		0		0				0				3			3			0	0	5
01:30		0		0				0				2			2			0	0	4
01:45		1		1				0				3			3			0	1	5
02:00		0		0				0				1			1			0	1	2
02:15		0		0				0				2			2			0	2	2
02:30		0		0				0				0			0			0	2	2
02:45		1		1				0				0			0			0	1	2
03:00		1		1				0				0			0			0	1	2
03:15		3		3				0				0			0			0	2	2
03:30		3		3				0				0			0			0	0	2
03:45		2		2				0				0			0			0	0	1
04:00		3		3				0				1			1			0	1	1
04:15		1		1				0				0			0			0	1	2
04:30		1		1				0				0			0			0	1	3
04:45		2		2				0				3			3			0	3	5
05:00		2		2				0				3			3			0	5	10
05:15		2		2				0				2			2			0	4	13
05:30		1		1				0				3			3			0	4	18
05:45		2		2				0				2			2			0	5	18
06:00		2		2				0				4			4			0	6	19
12 hour (18:00 to 06:00) total vehicles																				
Totals	8	337	3	337	0	8	8	3	0	248	0	248	8	8	8	0	0	0	585	

ORIENTATION



12 hour (18:00 to 06:00) total vehicles



Project : TIS for Erf 107 Sterkspruit  
 Intersection : DR08626 and Meko Street No.: 1  
 Date : 23 - 24/05/2019  
 Time period: 8:00- 18:00  
 Day : Thurs. to Fri.

Heavy vehicles only

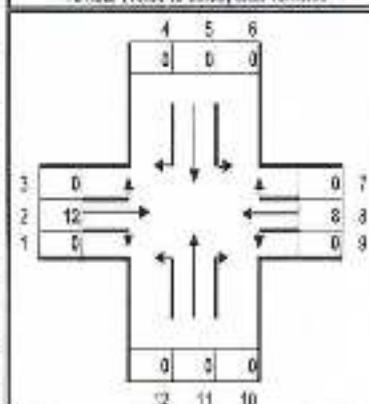


OBSERV TIME	DR08626 Westbound				Meko Street Northbound				DR08626 Eastbound				Meko Street Southbound				INTERSECTION		
	1	2	3	Total	4	5	6	Total	7	8	9	Total	10	11	12	Total	Total	Left	
	Right	Through	Left		Right	Through	Left		Right	Through	Left		Right	Through	Left				
16:15				0				0				0				0	0	0	
16:30		1		1				0				2			2		0	0	0
16:45				0				0				0			0		0	0	0
17:00		2		2				0				0			0		0	0	0
16:15		1		1				0				0			0		0	0	0
16:30		1		1				0				0			0		0	0	0
16:45				0				0				0			0		0	0	0
20:00				0				0		1		1			0		0	0	0
20:15				0				0				0			0		0	0	0
20:30				0				0				0			0		0	0	0
20:45				0				0		1		1			0		0	0	0
21:00				0				0				0			0		0	0	0
21:15		1		1				0				0			0		0	0	0
21:30				0				0				0			0		0	0	0
21:45				0				0				0			0		0	0	0
22:00				0				0				0			0		0	0	0
22:15				0				0				0			0		0	0	0
22:30				0				0				0			0		0	0	0
22:45				0				0				0			0		0	0	0
23:00				0				0				0			0		0	0	0
23:15				0				0				0			0		0	0	0
23:30				0				0				0			0		0	0	0
23:45				0				0				0			0		0	0	0
00:00				0				0		1		1			0		0	0	0
00:15				0				0				0			0		0	0	0
00:30				0				0				0			0		0	0	0
00:45		1		1				0				0			0		0	0	0
01:00		1		1				0				0			0		0	0	0
01:15				0				0				0			0		0	0	0
01:30				0				0				0			0		0	0	0
01:45				0				0				0			0		0	0	0
02:00		1		1				0				0			0		0	0	0
02:15				0				0				0			0		0	0	0
02:30				0				0				0			0		0	0	0
02:45				0				0				0			0		0	0	0
03:00				0				0				0			0		0	0	0
03:15				0				0				0			0		0	0	0
03:30				0				0				0			0		0	0	0
03:45				0				0				0			0		0	0	0
04:00				0				0				0			0		0	0	0
04:15				0				0				0			0		0	0	0
04:30				0				0				0			0		0	0	0
04:45				0				0				0			0		0	0	0
05:00				0				0				0			0		0	0	0
05:15				0				0				0			0		0	0	0
05:30		2		2				0				0			0		0	0	0
05:45				0				0				0			0		0	0	0
06:00				0				0				0			0		0	0	0
06:15				0				0				0			0		0	0	0
06:30				0				0				0			0		0	0	0
06:45				0				0				0			0		0	0	0
07:00		1		1				0				0			0		0	0	0
12 hour (18:00 to 08:00) total vehicles																			
Totals	0	12	0	12	0	0	0	0	0	8	0	8	0	0	0	0	0	0	0

ORIENTATION



12 hour (18:00 to 08:00) total vehicles



Project: TIS for Erf 107 Sterkspruit  
 Interaction: DR08004 and Njejo Street No.: 1  
 Date: 24/05/2019  
 Time period: 0:00 - 18:00  
 Day: Friday

Light vehicles  
only



END-OF-TIME	DR08004 Westbound				Mjejo Street Northbound				DR08004 Eastbound				Mjejo Street Southbound				TOTAL	
	1	2	3		4	5	6		7	8	9		10	11	12		Total	Peak
	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total		
06:15	0	14		14				0		14	2	16	2		2	32	30	
06:20	0	9		9				0		1	1	2	2		1	14	14	
06:25	1	16		17				0		26	3	29	3		3	47	50	
06:30	5	27		32				0		51	5	56	5		5	99	102	
06:35	2	30		32				0		54	8	62	6		6	125	129	
06:40	1	26		27				0		26	3	29	3		3	180	187	
06:45	4	35		39				0		130	5	135	5		5	251	261	
06:50	1	130		131				0		116	12	128	1		1	281	293	
06:55	4	68		72				0		68	11	79	4		4	178	186	
07:00	2	58		60				0		43	2	45	3		3	134	141	
07:05	2	28		30				0		44	4	48	3		3	88	93	
07:10	2	34		36				0		47	3	50	2		2	91	95	
07:15	2	43		45				0		44	2	46	1		1	100	105	
07:20	4	44		48				0		27	3	30	1		1	112	118	
07:25	1	33		34				0		41	3	44	2		2	62	65	
07:30	2	45		47				0		45	2	47	3		3	69	73	
07:35	3	37		40				0		62	2	64	3		3	106	111	
07:40	1	47		48				0		34	1	35	2		2	107	111	
07:45	2	38		40				0		34	3	37	4		4	84	89	
07:50	2	24		26				0		34	1	35	1		1	72	75	
07:55	4	43		47				0		20	1	21	3		3	109	114	
08:00	0	31		31				0		34	2	36	4		4	60	64	
08:05	1	35		36				0		39	2	41	3		3	63	67	
08:10	2	49		51				0		41	4	45	2		2	104	109	
08:15	4	46		50				0		51	3	54	1		1	117	123	
08:20	1	67		68				0		41	2	43	2		2	121	126	
08:25	5	38		43				0		36	2	38	0		1	82	87	
08:30	4	30		34				0		36	1	37	1		4	74	78	
08:35	2	70		72				0		35	3	38	10		5	152	160	
08:40	1	40		41				0		38	3	41	8		1	124	132	
08:45	3	57		60				0		42	0	42	2		1	136	142	
08:50	3	75		78				0		140	15	155	10		3	190	211	
08:55	1	64		65				0		119	0	119	8		2	224	233	
09:00	1	62		63				0		64	5	69	3		3	141	149	
09:05	3	63		66				0		66	5	71	4		7	151	159	
09:10	10	63		73				0		68	5	73	4		5	153	164	
09:15	4	31		35				0		42	0	42	0		1	86	91	
09:20	1	54		55				0		32	3	35	5		4	131	138	
09:25	2	32		34				0		36	5	41	2		3	113	120	
09:30	7	53		60				0		36	4	40	6		5	144	154	
09:35	5	35		40				0		21	2	23	7		2	143	153	
09:40	1	71		72				0		31	2	33	3		3	133	140	
09:45	5	40		45				0		35	3	38	7		4	122	130	
09:50	2	74		76				0		38	3	41	6		5	163	172	
09:55	1	57		58				0		36	3	39	0		3	138	145	
10:00	4	54		58				0		44	3	47	1		3	141	148	
10:05	5	85		90				0		38	3	41	3		1	128	137	
10:10	3	36		39				0		18	3	21	3		3	122	128	

AM Peak (vehicles per hour)																						
		4	5	6			7	8	9			10	11	12			13	14				
3	0				4	0	0		7	0				10	0	14		13	0			
2	343								8	417								14	39			
1	11								9									15				
		12	11	10																		

PM Peak (vehicles per hour)																						
		4	5	6			7	8	9			10	11	12			13	14				
3	0				4	0	0		7	0				10	0	18		13	0			
2	245								8	242								14	11			
1	16								9									15				
		12	11	10																		

12 hour (06:00 to 18:00) total vehicles																						
		4	5	6			7	8	9			10	11	12			13	14				
3	0				4	0	0		7	0				10	0	181		13	0			
2	2638								8	2714								14	189			
1	130								9									15				
		12	11	10																		

AM Peak (vehicles per hour)																	
Peak hour	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27
	343	0	354	0	0	0	0	0	417	58	456	34	0	23	57	363	

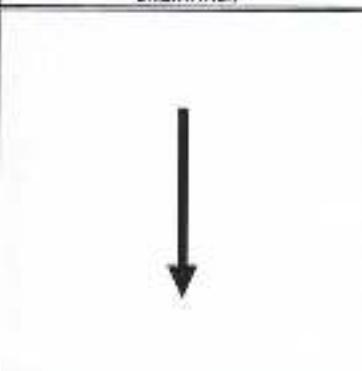
  

PM Peak (vehicles per hour)																	
Peak hour	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
	249	0	287	0	0	0	0	0	242	11	232	16	0	16	32	282	

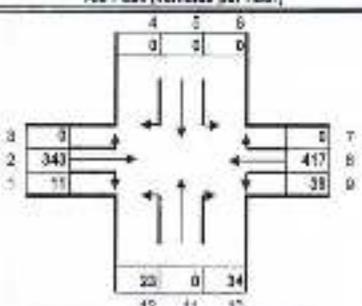
  

12 hour (06:00 to 18:00) total vehicles																	
Total	133	2638	0	2769	0	0	0	0	2714	106	2681	141	0	131	219	2463	

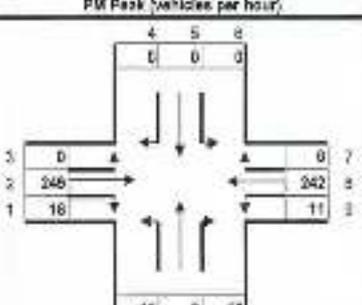
ORIENTATION



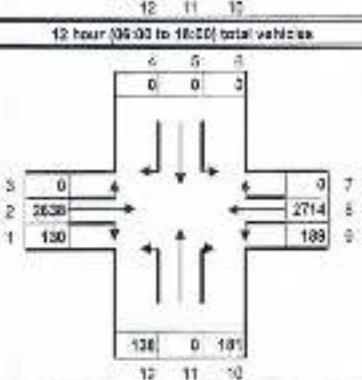
AM Peak (vehicles per hour)



PM Peak (vehicles per hour)



12 hour (06:00 to 18:00) total vehicles

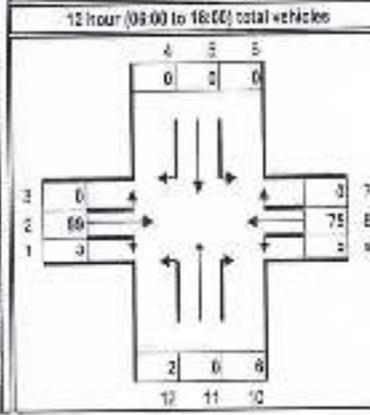
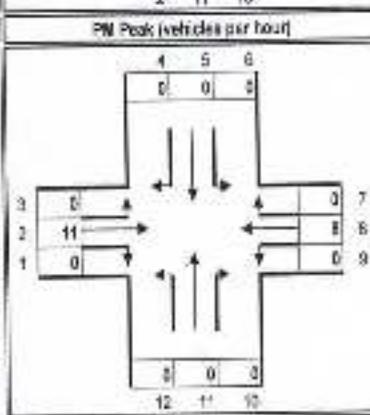
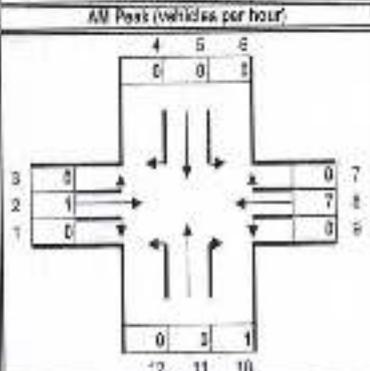
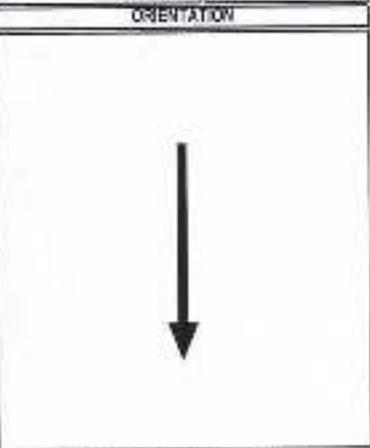


Project: TIS for Erf 107 Sterkspruit  
 Intersection: DR09606 and Mjoko Street No.: 1  
 Date: 24/05/2019  
 Time period: 6:00-18:00  
 Day: Friday

Heavy vehicles only



ENDING TIME	DR09606 Westbound				Mjoko Street Northbound				DR09606 Eastbound				Mjoko Street Southbound				INTERSECTION	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	Total	Total
	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total	Total	Total
06:15				0			0				0				0	2	2	
06:30				0			0				0				0	1	1	
06:45				0			0		1		1				0	1	2	
07:00				0			0		2		2				0	2	4	
07:15				0			0		2		2				0	4	4	
07:30	1			1			1		2		2				0	1	4	
07:45				0			0		2		2				1	2	5	
08:00				0			0		4		4				1	4	8	
08:15				0			0		1		1				1	2	3	
08:30	5			5			5		2		2				0	7	15	
08:45	1			1			1		1		1				0	2	4	
09:00	1			1			1		1		1				0	2	4	
09:15	1			1			1		1		1				0	2	4	
09:30	5			5			5		1		1				0	6	12	
09:45	1			1			1		1		1				0	2	4	
10:00	1			1			1		1		1				0	2	4	
10:15	4			4			4		1		1				0	5	9	
10:30	2			2			2		1		1				0	3	5	
10:45	2			2			2		2		2				1	5	7	
11:00	1			1			1		3		3		1		1	2	6	
11:15	2			2			2		3		3		1		1	4	7	
11:30	2			2			2		1		1				0	3	5	
11:45	3			3			3		1		1				0	4	5	
12:00	4			4			4		1		1		1		1	6	9	
12:15	1			1			1		1		1			1	1	3	3	
12:30	2			2			2		3		3				0	5	8	
12:45	2			2			2		0		0				0	2	4	
13:00	5			5			5		2		2		1		1	8	15	
13:15	4			4			4		2		2				0	6	10	
13:30	4			4			4		2		2				0	6	10	
13:45	2			2			2		1		1				0	3	5	
14:00				0			0		1		1				0	1	2	
14:15	2			2			2		3		3				0	5	7	
14:30	4			4			4		3		3				0	7	11	
14:45	4			4			4		2		2				0	6	10	
15:00	4			4			4		1		1				0	5	9	
15:15	4			4			4		2		2				0	6	10	
15:30				0			0		2		2				0	2	4	
15:45	1			1			1		2		2		1		0	4	7	
16:00	4			4			4		2		2				0	6	10	
16:15	3			3			3		2		2				0	5	8	
16:30	1			1			1		0		0				0	1	2	
16:45	3			3			3		4		4				0	7	11	
17:00	4			4			4		5		5				0	9	13	
17:15	3			3			3		0		0				0	3	6	
17:30	3			3			3		2		2				0	5	8	
17:45	3			3			3		1		1				0	4	7	
18:00	1			1			1		0		0				0	1	2	

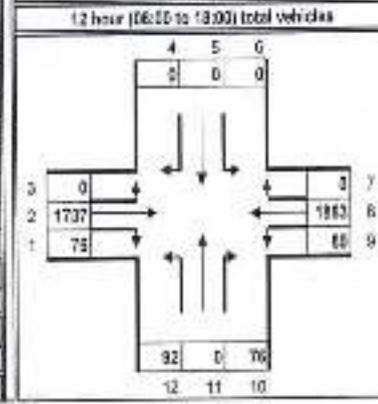
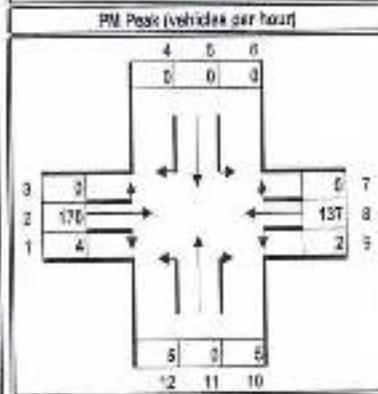
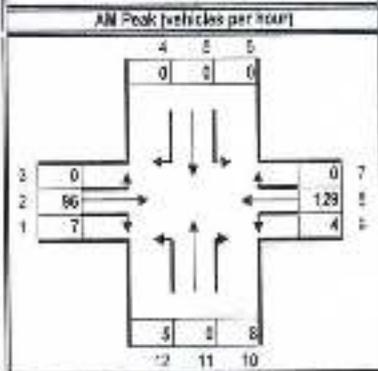
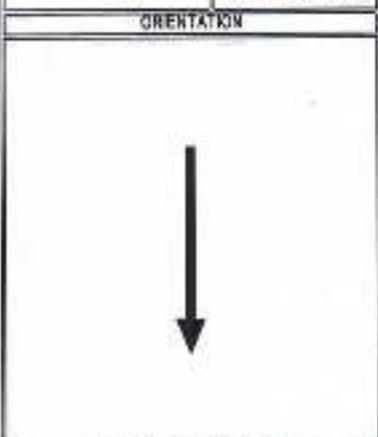


Project: TIS for Erf 107 Sterkspruit  
 Intersection: DR0805 and Meko Street No.: 1  
 Date: 25/05/2019  
 Time period: 06:00-18:00  
 Day: Saturday

Light vehicles only

**EMONTI**  
 CONSULTING  
 Engineers cc

ENDING TIME	DR0805 Westbound				Meko Street Northbound				DR0805 Eastbound				Meko Street Southbound				TOTAL	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	Total	Peak
	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total		
06:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
06:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
06:45	1	12	13	0	0	0	0	13	4	17	0	0	0	1	0	1	24	
07:00	2	10	12	0	0	0	0	17	3	20	0	0	0	6	7	13	33	
07:15	2	12	14	0	0	0	0	20	2	22	0	0	0	3	3	6	28	
07:30	0	13	13	0	0	0	0	27	0	27	0	0	0	3	3	30	30	
07:45	0	23	23	0	0	0	0	24	0	24	0	0	0	2	2	26	26	
08:00	1	41	41	0	0	0	0	41	2	43	0	0	0	1	6	6	49	
08:15	1	15	16	0	0	0	0	27	2	29	0	0	0	3	1	4	34	
08:30	1	15	17	0	0	0	0	43	1	44	0	0	0	4	7	11	58	
08:45	3	28	31	0	0	0	0	52	1	53	0	0	0	2	2	55	58	
09:00	3	30	33	0	0	0	0	47	1	48	0	0	0	4	5	9	57	
09:15	3	27	30	0	0	0	0	44	1	45	0	0	0	5	6	11	56	
09:30	4	30	34	0	0	0	0	38	0	38	0	0	0	0	0	38	38	
09:45	3	30	33	0	0	0	0	36	4	40	0	0	0	2	5	7	43	
10:00	1	40	41	0	0	0	0	53	2	55	0	0	0	2	2	57	57	
10:15	2	41	43	0	0	0	0	36	2	38	0	0	0	5	7	12	50	
10:30	3	43	46	0	0	0	0	52	2	54	0	0	0	0	2	56	56	
10:45	2	39	41	0	0	0	0	55	2	57	0	0	0	1	2	58	58	
11:00	3	44	47	0	0	0	0	52	4	56	0	0	0	4	6	60	60	
11:15	1	42	43	0	0	0	0	53	2	55	0	0	0	3	3	58	58	
11:30	0	41	41	0	0	0	0	44	1	45	0	0	0	7	3	10	53	
11:45	0	38	38	0	0	0	0	48	0	48	0	0	0	4	3	51	51	
12:00	0	38	38	0	0	0	0	48	3	51	0	0	0	5	3	54	54	
12:15	2	38	40	0	0	0	0	36	2	38	0	0	0	5	3	43	43	
12:30	1	35	36	0	0	0	0	40	2	42	0	0	0	1	3	44	44	
12:45	4	35	39	0	0	0	0	34	1	35	0	0	0	1	1	36	36	
13:00	1	32	33	0	0	0	0	35	2	37	0	0	0	2	4	39	39	
13:15	2	42	44	0	0	0	0	44	1	45	0	0	0	2	2	47	47	
13:30	1	47	48	0	0	0	0	43	1	44	0	0	0	0	0	44	44	
13:45	1	43	44	0	0	0	0	42	1	43	0	0	0	5	0	47	47	
14:00	5	55	60	0	0	0	0	42	1	43	0	0	0	1	7	8	50	
14:15	1	44	45	0	0	0	0	48	1	49	0	0	0	2	4	51	51	
14:30	1	44	45	0	0	0	0	35	1	36	0	0	0	1	3	38	38	
14:45	1	42	43	0	0	0	0	51	1	52	0	0	0	1	5	56	56	
15:00	1	40	41	0	0	0	0	49	1	50	0	0	0	1	4	54	54	
15:15	1	43	44	0	0	0	0	28	0	28	0	0	0	3	4	32	32	
15:30	2	41	43	0	0	0	0	28	0	28	0	0	0	1	2	29	29	
15:45	2	37	39	0	0	0	0	42	1	43	0	0	0	1	2	44	44	
16:00	1	42	43	0	0	0	0	35	0	35	0	0	0	1	2	36	36	
16:15	2	40	42	0	0	0	0	36	1	37	0	0	0	1	3	38	38	
16:30	1	42	43	0	0	0	0	34	2	36	0	0	0	2	4	38	38	
16:45	1	40	41	0	0	0	0	30	1	31	0	0	0	1	2	32	32	
17:00	0	39	39	0	0	0	0	29	0	29	0	0	0	0	1	30	30	
17:15	1	29	30	0	0	0	0	29	1	30	0	0	0	1	1	31	31	
17:30	0	34	34	0	0	0	0	33	1	34	0	0	0	3	1	36	36	
17:45	1	31	32	0	0	0	0	28	0	28	0	0	0	1	1	29	29	
18:00	1	27	28	0	0	0	0	25	1	26	0	0	0	2	1	27	27	
<b>AM Peak (vehicles per hour)</b>																		
Peakhour	2	48	50	103	0	0	0	0	129	4	133	5	0	0	13	248		
<b>PM Peak (vehicles per hour)</b>																		
Peakhour	4	173	174	347	0	0	0	0	137	2	139	5	0	5	10	322		
<b>12 hour (06:00 to 18:00) total vehicles</b>																		
Total	75	1737	1742	3479	0	0	0	0	1832	89	1921	10	0	52	169	2610		

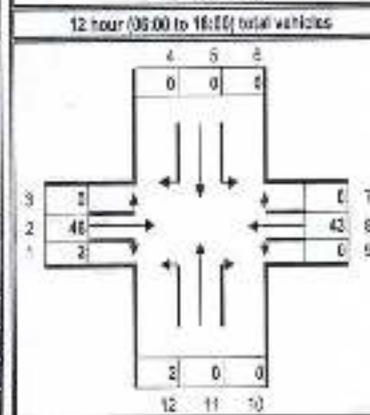
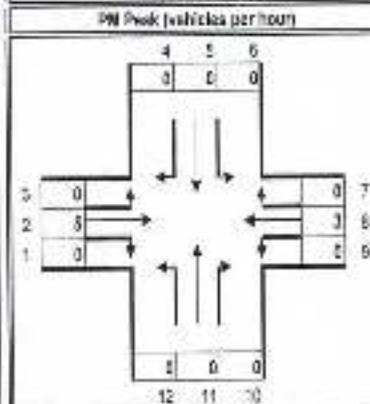
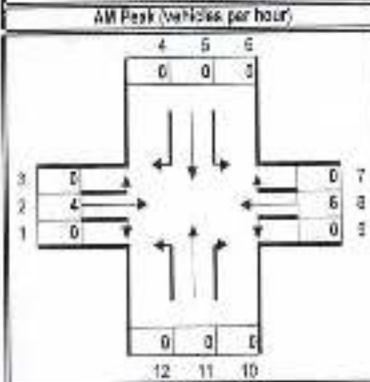
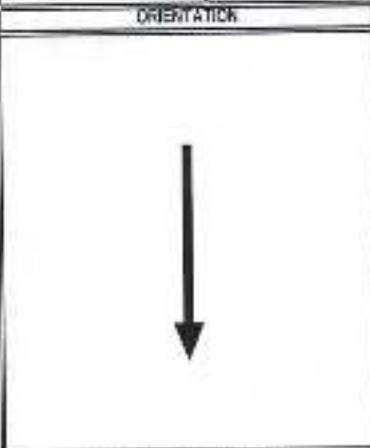


Project: TIS for Erf 107 Sterkspruit  
 Intersection: DR03605 and Meko Street No: 1  
 Date: 25/05/2019  
 Time period: 8:00- 18:00  
 Day: Saturday

Heavy vehicles only



ENTERING TIME	DR03605 Westbound				Meko Street Northbound				DR03605 Eastbound				Meko Street Southbound				TOTAL SECTION	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16		
	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total	Right	Through	Left	Total		
06:15		1		1				0		2		2				3	3	3
06:30				0				0				1				1	0	1
06:45				0				0		1		1				1	1	4
07:00				0				0		1		1				0	1	5
07:15				0				0		1		1				0	1	3
07:30				0				1		2		2				0	2	3
07:45				0				1		2		2				0	2	3
08:00	3			3				0		1		1				1	4	8
08:15	1			1				0		1		1				1	2	10
08:30	2			2				0		2		2				1	2	10
08:45	1			1				0		2		2				1	1	8
09:00	1			1				0		2		2				1	1	8
09:15				0				0		1		1				0	1	6
09:30	3			3				1		3		3				0	5	9
09:45	2			2				1		1		1				0	3	11
10:00	1			1				1		2		2				0	3	12
10:15	1			1				1		2		2				0	3	12
10:30				0				1		1		1				0	1	10
10:45	2			2				0		3		3				2	2	8
11:00	2			2				0		1		1		1		1	4	10
11:15	1			1				0		1		1				0	2	9
11:30				0				0		0		0				0	0	8
11:45				0				2		1		1				0	1	7
12:00				0				1		1		1				0	1	4
12:15	2			2				0		2		2				0	4	4
12:30				0				0		3		3				1	0	4
12:45	1	1		2				0		3		3				2	2	8
13:00				0				0		2		2				1	4	10
13:15	2			2				0		1		1				1	1	7
13:30	1	1		2				0		1		1				0	3	10
13:45				0				0		0		0				1	1	9
14:00				0				0		2		2				0	2	7
14:15	2			2				2		1		1				0	2	9
14:30				0				2		1		1				0	1	7
14:45				0				0		0		0				0	0	6
15:00	1			1				0		0		0				3	1	5
15:15	1			1				0		0		0				3	1	3
15:30	1			1				0		1		1				2	2	4
15:45	2			2				0		1		1				1	3	7
16:00	1			1				3		1		1				0	1	7
16:15	1			1				1		1		1				0	2	6
16:30	2			2				1		1		1				0	3	9
16:45	1			1				1		1		1				0	2	8
17:00	1			1				1		1		1				0	2	8
17:15	2			2				0		1		1				0	3	9
17:30	1			1				0		1		1				0	2	8
17:45	2			2				0		3		3				3	5	8
18:00	1			1				0		1		1				2	2	8
AM Peak (vehicles per hour)																		
Peak hour 0 4 2 4 0 8 3 0 0 8 8 8 3 0 0 0 1 18																		
PM Peak (vehicles per hour)																		
Peak hour 0 5 8 5 0 8 2 3 0 3 6 2 3 3 0 0 3																		
12 hour (08:00 to 18:00) total vehicles																		
Total 2 48 6 48 0 0 8 8 3 45 0 45 8 8 2 2 90																		





# **ANNEXURE G**

## Comments from State Organs



cnr Cole & Graham Streets  
Private Bag X102  
Barkly East, 9786

An improved quality of life for all residents

Tel : (045) 979 3000  
Fax: (045) 971 0251  
[www.jgdm.gov.za](http://www.jgdm.gov.za)

**Our Reference** : 165/P/Er1107Sterkspruit  
**Date** : 14 January 2020  
**Enquiries** : Siceo Pongoma  
**E-mail** : [siceo@jgdm.gov.za](mailto:siceo@jgdm.gov.za)  
**Contact details** : 045 979 3000/3141

The Municipal Manager  
Senqu Local Municipality  
Private Bag X03  
Lady Grey  
9755

Dear Mr Kawa

CC: Ms S. Mbekushe

### **FEEDBACK TO THE APPLICATION FOR SPECIAL CONSENT ERF 107 STERKSPRUIT**

This letter serves as feedback on request for comments on the "Application for a Special Consent: erf 107 Sterkspruit" dated June 2019 and received on the 20 August 2019.

The Joe Gqabi District Municipality is:

- A Water Services Authority (WSA) thus responsible for the provision of water supply and sanitation services within its area of jurisdiction as mandated by the Water Services Act (Act 108 of 1997). The function entails development, operations and maintenance of water and sanitation infrastructure.
- A Fire Authority as per Section 84(1) of the Municipal Structures Act (Act 117 of 1998);
- Implementing the National Health Act (Act 61 of 2003) and its regulations relating to Municipal Health Services; and
- Responsible for Disaster Management in terms of the National Disaster Management Act (Act 57 of 2002) in the region.

In terms of the aforementioned application, the outcomes of the District evaluation of the proposed application for Special Consent are:

- Correction in Section from "water supply authority" to "water services authority", and "Senqu Local Municipality" to "Joe Gqabi District Municipality";
- The Locality, Land Use, Zoning and Site Plans were not provided as indicated in Page 3, 4 and 5 of the report;

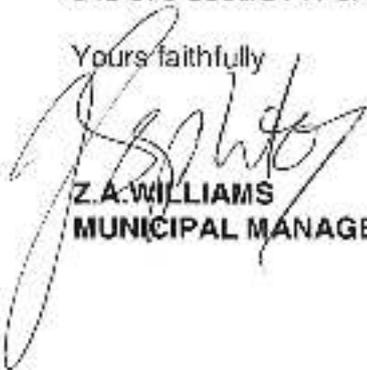


- The following were also noted to be outstanding on the application:
  1. Power of attorney
  2. Title deed
  3. Comments from the Department of Transport as well as the Department of Minerals & Energy
  4. Outcomes of public participation
  5. Environmental Impact Assessment (EIA)
  
- Indication of the water demand and sewer loads of the proposed development as there is a change in water usage and sewer generation. This must be provided as part of development plans which must be approved by the JGDM prior to any development;
- Approval of the specifications for water and sewer fittings, pipelines and other installations;
- Evaluation and commenting on the building plans before the construction commences to ensure the incorporation of water, sewer and fire services requirements in line with the National Building Regulations;
- The outcomes of the environmental impact assessment especially on how ground water resources will be protected from pollution.

**Based on the above issues and recommendations, the Joe Gqabi District Municipality does not object to the application for the special consent and would request the consideration, incorporation and feedback on the above conditions, measures and corrections.**

All enquiries regarding the contents of the letter can be directed to Mr. Sicelo Pongoma at 045 979 3000/3141 or 060 555 8506.

Yours faithfully



**Z.A. WILLIAMS  
MUNICIPAL MANAGER**

☎ Athenkosi. Ntshinka  
☎  
☎ 0664850454  
☎ Athenkosi.Ntshinka@dedea.gov.za  
Ref: EC 142/JG/LN1/87/19/09



Province of the  
**EASTERN CAPE**  
ECONOMY DEVELOPMENT,  
ENVIRONMENTAL AFFAIRS & TOURISM

Attention: Mr. Mark Povey  
Sterkspruit Fuel Centre (Pty) Limited  
30B Tecomma Arcade  
Scherwitz Road  
Berea  
East London  
5214  
Tel No: 043 726 4454

PER FACSIMILE

Dear Sir

**ENVIRONMENTAL AUTHORISATION ISSUED IN TERMS OF LISTING NOTICE 1 GN R.327  
ACTIVITY 67 OF 2014 EIA REGULATIONS PROMULGATED UNDER SECTION 24 OF NEMA  
1998 AS AMENDED IN ERF 107 STERKSPRUIT WITHIN SENQU LOCAL MUNICIPALITY**

With reference to the above-mentioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation and reasons for the decision are attached herewith.

In terms of regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 as amended, you are instructed to notify all registered interested and affected parties, in writing and within 14 days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the National Appeal Regulations, 2014.

Your attention is drawn to Regulation 4 of the National Appeal Regulations, 2014 which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge an appeal with the MEC as per sections 6.1 to 6.7 of the attached authorisation, within twenty (20) days from the date the decision was sent. Appeals may be lodged **ONLY** by email in order to comply with **Covid 19 Protocol**

Should you decide to appeal, you must serve a copy of your appeal to all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Yours Sincerely;

**MR S. GQALANGILE**  
**MANAGER: ENVIRONMENTAL IMPACT MANAGEMENT (DEDEAT)**

02/07/2020  
DATE



**Joe Gqabi Regional Office**  
**P/Bag x 1016, Aliwal North, 9750**

## **Environmental Authorisation**

**Authorisation register number :** EC 142/JG/LN1/67/19/09

**NEAS number :** ECP/EIA/0000844/2019

**Last amended :**

**Holder of authorisation :** Sterkspruit Fuel Centre (Pty) Limited

**Location of activity :** Sterkspruit, Erf 107, Sterkspruit  
Town, Senqu Local Municipality, Joe  
Gqabi District, Eastern Cape.

**REF. NUMBER: EC 142/JG/LN1/67/19/09.**

**A.N S.G**



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**1. Decision**

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity specified below.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

**2. Activities authorised**

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2014 as amended the Department hereby authorises –

**Sterkspruit Fuel Centre (Pty) Limited**

With the following contact details –

Mr Mark Povey  
30B Tecomma Arcade  
Scherwitz Road  
Berea  
East London  
5214  
Tel: (043) 726 4454  
Fax: (082) 449 7521  
Email: [admin@impodev.co.za](mailto:admin@impodev.co.za)

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to undertake the following activities (hereafter referred to as "the activities") indicated in Government Notice R 327, listed activity 67.

<b>Listing Notice</b>	<b>Activity Description</b>
<i>GN R 327 Listing Notice 1 Activity 67</i>	<i>Phased activities for all activities—  (i) listed in this Notice, which commenced on or after the effective date of this Notice or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices; where any phase of the activity was below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold.</i>

as described in the Basic Assessment Report (BAR) received on 26 November 2019 and additional information received on 24 March 2020:

<b>List of Co-ordinates</b>	<b>Latitude</b>	<b>Longitude</b>
Site	S 30° 31' 41"	E 27° 21' 54"

Sterkspruit Fuel Centre (Pty) Limited proposes the expansion and related operation of facilities and infrastructure for the storage and handling of dangerous goods. Tshawe Consultants cc was commissioned as Independent Environmental Practitioners to undertake the necessary application for environmental authorization for the project.

The expansion of the filling station will include the installation of two new 23m<sup>3</sup> composite underground tanks (USTS) for Unleaded Petrol (ULP) and one 30m<sup>3</sup> underground composite tanks for Low Sulphur Diesel, with a combined total volume of 76m<sup>3</sup>. The facility already contains an

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existing 46m<sup>3</sup> aboveground tank (AST) for paraffin and an existing 23m<sup>3</sup> AST for diesel. Therefore, the total combined capacity of the existing and new tanks will be 145 m<sup>3</sup>.

### **3. Exemptions**

The granting of this Environmental Authorisation is subject to the conditions set out below.

### **4. Conditions of Environmental Authorisation**

#### **Scope of authorisation**

- 4.1. Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
- 4.2. The holder of the authorisation shall be responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
- 4.3. The activity authorised may only be carried out on the portion of Erf 107 in Sterkspruit, Senqu Local Municipality under jurisdiction of Joe Gqabi District Municipality, Eastern Cape.
- 4.4. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
- 4.5. Conditions of authorization relating to the project are valid in perpetuity.
- 4.6. Relevant legislation that must be complied with by the holder of this authorisation includes, *inter alia*: 

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- i. Provisions contained in the principles of National Environmental Management Act (Act 107 of 1998) as amended and its Regulations (2014 EIA Regulations as amended).
  - ii. National Environmental Management: Waste Act, 2008 (Act No 59 of 2008)
- 4.7. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste shall be disposed of at a landfill site licensed in terms of section 20 (b) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).
- 4.8. The holder of an environmental authorisation has the responsibility to notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

**Management of the activity**

- 4.9. The Environmental Management Programme (EMPr) for the proposed expansion of fuel storage tanks at the Sterkspruit Fuel Centre in Sterkspruit submitted as part of application for Environmental Authorization is hereby approved.
- 4.10. The recommendations and mitigation measures recorded in the Basic Assessment Report received on 26 November 2019 must be adhered to and must be incorporated as part of the EMPr.
- 4.11. Any updates or amendments to the EMPr must be submitted to the Department of Economic Development, Environmental Affairs and Tourism and will be decided upon within a period of 30 days of the submission.
- 4.12. All correspondence with regard to this application must be forwarded for attention of The Deputy Director: Environmental Affairs within the regional office, except an appeal.

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**Monitoring**

- 4.13. The applicant may appoint a suitably experienced Environmental Control Officer (ECO) for the proposed expansion of fuel storage tanks that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this authorisation are implemented.
- 4.14. The ECO shall be appointed before commencement of any construction activities.
- 4.15. The ECO shall keep records of all activities on site, problems identified, transgressions noted and schedule of tasks undertaken by the ECO.
- 4.16. The ECO may remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

**Recording and reporting to the Department**

- 4.17. The holder of the authorisation must submit an environmental audit report to the Department upon completion of the construction and rehabilitation activities. The environmental audit report must –
- i. Indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the EMPr.
  - ii. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

**Commencement of the activity**

- 4.18. **This activity must commence within a period of sixty (60) months from the date of issue. If commencement of the activity does not occur within sixty (60) months this authorisation shall lapse. The holder of the authorisation may apply for an extension before the authorisation lapses.**

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- 4.19. If no extension is applied for and granted, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken; and
- 4.20. Should you be notified by the MEC of a suspension of the authorisation pending appeal procedures, you shall not commence with the activity unless authorised to do so by the MEC in writing.

**Notification**

- 4.21. Fourteen (14) days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence.

**Operation of the activity**

- 4.22. Fourteen (14) days written notice must be given to the Department that the activity's operational phase will commence.
- 4.23. The applicant must compile an operational EMPr for the operational phase of the activity or alternatively, if an operational EMPr exists for the area, it must be amended to include the proposed activity as applied for authorisation.

**Site closure and decommissioning**

- 4.24. Should the activity cease or become redundant, the applicant shall undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.

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**Specific conditions**

- 4.25. Prior to any construction taking place, the Environmental Control Officer (ECO)/ Authorisation Holder may conduct environmental awareness training programmes to staff on environmental compliance, environmental impacts related to construction, environmental precautions to mitigate the effects and implications of non-compliance with environmental authorization conditions.
- 4.26. The storage area for fuel or any flammable material must be demarcated and fenced off with cautions labelling and colour coded chevrons as per dangerous and hazardous colour coding requirements written in official languages that are used in the area.
- 4.27. The storage areas for all fuels, refilling station, and parking area of all fuel using equipment (generators, motor vehicles) must be provided with impermeable surface and must be provided with soil bundles to prevent any spillage from escaping to the outside environment. Drip trays or any other collecting equipment may be used to collect any drip from the machineries.
- 4.28. A leak detection system should be installed, including observation and monitoring wells situated around the tank to facilitate early warning that a leak has occurred.
- 4.29. The underground storage tanks must be fitted with an overfill protection system and leak detectors on the pressure systems.
- 4.30. The storage fuel tanks must be dipped monthly and reconciled against volume to check for losses due to leakage.
- 4.31. Pressure testing of the fuel tanks must be performed annually from the day of installation.
- 4.32. If pressure testing of the fuel tanks is not a viable option, an alternative method of testing leaks must be available and submitted to the Department.
- 4.33. The condition of the storage fuel tanks, associated piping and the monitoring wells must be inspected on a monthly basis.
- 4.34. The installation of the fuel storage tanks must include a spill containment slab. Both the spill slab and the bund wall must be connected to a SANS specified separator pit.

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- 4.35. Spillages occurring at the filler point and dispensing area must be contained and cleaned up immediately.
- 4.36. Any water containing waste (wastewater) generated as a result of the spillage and associated clean-up must be disposed of safely and in a way that will not be harmful to the environment.
- 4.37. A spill contingency plan must be drawn up and must include but not be limited to the following action plans; stop spill at source, contain spill, report spill to site manager.
- 4.38. The forecourt area must be provided with a roof cover and pumps must be protected from overheating and provided with collection sump.
- 4.39. The forecourt area must be provided with storm water diversion drain or trench.
- 4.40. The Contractor must prevent the discharge of any pollutants, such as cement, concrete, lime, chemicals, fuels or contaminated water which might infiltrate into the ground, resulting in deterioration of groundwater quality.
- 4.41. Mixing of cement must take place on an impermeable surface (e.g. concrete slab or plastic tarpaulin) and not directly on bare soil.
- 4.42. Chemical toilets for the working staff must be provided on site at a ratio of 1:10 and must be emptied on authorised municipal ponds. No spills from the toilets are allowed on site. The toilets must be placed 32 metres away from any water course. If no abluion existing abluion facilities existing within or nearby
- 4.43. Construction camps and staff accommodation facilities on site may be established prior to commencement of construction, within already disturbed areas.
- 4.44. Construction site must be kept clean at all times. Waste bins with lids must be provided to control litter on site and the construction camp. The waste bins must be emptied regularly and disposed in a permitted waste disposal site. Burning of waste is not allowed on site and in the construction camp.
- 4.45. Construction site must be provided with firefighting equipment.
- 4.46. No fires are allowed on site. Cooking must be done in demarcated areas that are safe from runaway fires. Operational firefighting equipment must be available on site and the construction camp at all times. Emergency fires must be reported to the local authority.

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- 4.47. Construction must be limited to normal working hours in order to reduce noise. No construction must take place on Sunday and public holidays. Heavy vehicles must be routed away from noise sensitive areas.
- 4.48. Construction activities must be confined to the designated working areas. The work area must be demarcated with a danger tape and marked as a NO-GO area for the duration of the project.
- 4.49. Areas susceptible to erosion must be monitored regularly and protected by construction of drains to control runoff. All areas affected by erosion must be rehabilitated immediately after the construction activities are completed.

**General**

- 4.44 A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.**
- 4.45 The underground fuel tanks must comply with the relevant South African National Standard/South African Bureau of Standard (SANS/SABS) Codes of Practice.
- 4.46 Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 4.47 The holder of the authorisation must notify the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance. Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.
- 4.48 You are advised to consider vulnerability of the project infrastructure to the climate change i.e. infrastructure of the project should be installed and constructed to resist impacts of the climate change.**

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- 4.49 This authorisation does not negate the holder of the authorisation from responsibility to comply with other statutory requirements that may be applicable to the undertaking of the activity.
- 4.50 Construction vehicles must be maintained regularly in order to prevent gaseous emissions and leakages. Movement of construction vehicles must be restricted to demarcated areas and a speed limit of 30km/h must not be exceeded on dirt roads.
- 4.51 The provincial government shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

**5. Reasons for Decision**

**1. Background**

The application from Sterkspruit Fuel Centre (Pty) Limited is for Government Notice R 327, listed activity 67.

Listing Notice	Activity Description
<p><i>GN R 327 Listing Notice 1</i> <i>Activity 67</i></p>	<p><i>Phased activities for all activities—</i></p> <p><i>(i) listed in this Notice, which commenced on or after the effective date of this Notice or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices;</i></p> <p><i>where any phase of the activity was below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold.</i></p>

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**Joe Gqabi Regional Office  
P/Bag x 1016, Aliwal North, 9750**

The proposed expansion of fuel storage tanks on Erf 107, Sterkspruit at Senqu Local Municipality in Joe Gqabi District Municipality in the Eastern Cape.

Sterkspruit Fuel Centre (Pty) Limited appointed Tshawe Consultants cc to undertake BAR process as required by Regulation 16 of the EIA Regulations, 2014 as amended.

**2. Information considered in making the decision**

In reaching its decision, the Department took, *inter alia*, the following into consideration-

- a) The information contained in the application form received on 03 October 2019.
- b) Information contained in the BAR and EMPr received on 26 November 2019.
- c) The findings from the site visit that was conducted on 23 October 2019 by Mr. Athenkosi Ntshinka (DEDEAT), Ms. Esethu Mgxekwa (DEDEAT) and Mr. Gavin Tshawe from Tshawe Consultants cc.
- d) The mitigation measures as proposed in the EMPr submitted with the BAR received on 26 November 2019.
- e) The Traffic Impact Study (TIS) and comments received from the Department of Transport submitted with the BAR received on 26 November 2019.
- f) The additional information submitted to the Department on 24 March 2020.
- g) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

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**3. Key factors considered in making the decision**

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below:

- a) Details provided about the qualifications of the EAP indicate that the EAP is competent to carry out the environmental impact assessment procedures.
- b) The area to be used as the fuel storage facility is fenced off on all sides and has access control at the main entrance gate to control all incoming/outgoing traffic.
- c) The facility already contains an existing 46m<sup>3</sup> aboveground tank (AST) for paraffin and an existing 23m<sup>3</sup> AST for diesel. provision was made for possible fuel tanks as the off-take volume was not an absolute.
- d) The property is already being used for this type of activity and the additional fuel storage tanks will be an expansion on the existing fuel tanks.
- e) The objections to the proposed development received from the interested and affected parties have been addressed by the EAP to the satisfaction of the department.
- f) The mitigation measures and rehabilitation plans contained in the EMPr.
- g) A sufficient public participation process was undertaken, and the applicant has satisfied the minimum requirements as prescribed in the EIA regulations, 2014 as amended for public involvement.

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**4. Findings**

After consideration of the information and factors listed above, the Department made the following findings –

- The increase in tank volumes will result in less large bulk delivery vehicles on the roads and this will reduce road accidents involving tankers thereby reducing the risk of spillage and contamination to the environment.
- The installation of the additional fuel tanks will ease the congestion both in town and at the existing filling station and standards set for installation of underground tanks will ensure the environment is protected from pollution.
- Community members will get temporary jobs during the construction phase and thus improving the economy of the area and the standard of living for the beneficiaries.
- The majority of impacts on the natural environment associated with the proposed development are considered to be of low significance compared to impacts that are faced by the affected communities currently.
- The procedure followed for impact assessment is adequate for decision making process.
- All legal and procedural requirements have been met.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels.

**The application is accordingly granted.**

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**Joe Gqabi Regional Office**  
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**6. Appeal of authorisation**

- 6.1 The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 days of the date of this environmental authorisation, of its decision to authorise the activity.
- 6.2 The notification referred must –
- a) specify the date on which the authorisation was issued;
  - b) inform the interested and affected party of the appeal procedure provided for by the Appeals regulations;
  - c) advise the interested and affected party that a copy of the authorisation will be furnished on request; and
  - d) give the reasons for the decision.
- 6.3 The holder of the authorisation must publish a notice –
- a) informing interested and affected parties of the decision;
  - b) informing interested and affected parties where the decision can be accessed;
  - c) drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision; and
  - d) in the newspapers contemplated and used in terms of regulation 41(2)(c) (i) and which newspaper was used for the placing of advertisements as part of the public participation process.
- 6.4 An appeal against the decision contained in this authorization must be addressed in writing, to the MEC for Economic Development, Environmental Affairs and Tourism (hereinafter referred to as "the MEC") in terms of Regulation 4(1)b of the National Appeal Regulations, 2014 and within 20 (twenty) days after the appellant has been notified.
- 6.5 An appeal submission must be made in the form obtainable from the Departmental website on [www.dedea.gov.za](http://www.dedea.gov.za) or relevant Regional Office.
- 6.6 The appellant must also serve a copy of the appeal to the decision maker in the relevant office.

REF. NUMBER: EC 142/JG/LN1/67/19/09.

A.N S.G



**Joe Gqabi Regional Office**  
**P/Bag x 1016, Aliwal North, 9750**

- 6.7 The address, to which the **original** copies of any such appeal must be mailed, is outlined below. Please note that originals may also be delivered per hand or courier.

Department	Department of Economic Development & Environmental Affairs
Attention	Office of the Appeal Administrator
Address	Bag X0054, <b>BHISHO</b> , 5605
In order to facilitate efficient administration of appeals <b>copies</b> of the notice of intention to appeal and any subsequent appeal documentation must also be submitted as follows:	
Office of Appeal Administrator	<a href="mailto:phumeza.qxala@dedea.gov.za">phumeza.qxala@dedea.gov.za</a>
<b>It is strongly recommended that electronic copies of all appeal documentation also be e-mailed</b>	

REF. NUMBER: EC 142/JG/LN1/67/19/09.

A.N S.G



**Joe Gqabi Regional Office  
P/Bag x 1016, Aliwal North, 9750**

In the event that an appeal is lodged in regard to this authorization, the listed activities described in this authorization may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence.

**Mr Athenkosi P. Ntshinka**

**Environmental Officer EQM (Joe Gqabi Region)**

**DEDEAT**

**Mr. S Gqalangile**

**Manager (Environmental Impact Management)**

**DEDEAT**

**Date of issue of environmental authorisation**

**02/07/2020**

**REF. NUMBER: EC 142/JG/LN1/67/19/09.**

**A.N S.G**



32 Cowan Close | Stellenbosch Park | Schomville | King William's Town | Eastern Cape  
Private Bag X0023 | Bisho | 5805 | REPUBLIC OF SOUTH AFRICA  
Tel: +27 43 604 7427 | Fax: 086 550 7230 | Website: [www.ectransport.gov.za](http://www.ectransport.gov.za)  
Enquiries: Mr. P. Mbira Cell: 064 890 3018 E-mail: Petros.Mbira@ectransport.gov.za

Our Ref: 30/5/35/2/3/18 Your Ref: Erf 107 TIS Date: 13 September 2019

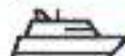
Emonti Consulting Engineers  
31 Galway Road  
Nahoon  
EAST LONDON  
5241

**Attention: Mr. D. M<sup>C</sup>QUIRK**

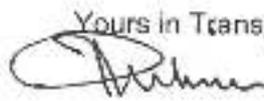
Dear Madam

**TRAFFIC IMPACT STUDY: PROPOSED DEVELOPMENT OF REMAINDER OF ERF 107, STERKSPRUIT.**

1. We refer to the Traffic Impact Study (TIS) for the Proposed Development of Erf 107, Sterkspruit, dated July 2019.
2. The Conclusions and Recommendations of the TIS are acceptable to the Department subject to:
  - 2.1. The site layout changes, as shown in Figure 5.1 of the Traffic Impact Study being made a condition of approval.
  - 2.2. The construction of two public transport facilities along the northern side of the DR08605 in close proximity to the development.
  - 2.3. A 5 meter building line being imposed along the DR08605;
  - 2.4. Provision of on-site parking at least in terms of the Department of Transport Parking Standards;
  - 2.5. No direct vehicular access being permitted onto the DR08605 other than at the proposed/exiting accesses;
  - 2.6. The relocation of the sidewalk adjacent to the site due to the proposed on-street parallel parking;
3. The Council and/or the Developer bearing the account for any roadwork improvements required as a result of approval of the application.

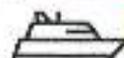
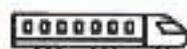


Yours in Transportation Excellence



pp I N MPOLWENI

HEAD OF DEPARTMENT OF TRANSPORT



An efficient, safe, sustainable, affordable and accessible transport system

# **ANNEXURE I**

## Public Notices



# **NOTICE**

**ADJOINING NEIGHBOUR**

**ERF 106 STERKSPRUIT**

Dear Sir / Madam

## **APPLICATION FOR SPECIAL CONSENT OF ERF 107 STERKSPRUIT**

Notice is hereby given in terms of the Townships Ordinance 33 of 1934 and the Senqu Spatial Planning and Land Use Management Bylaw for the special consent application of erf 107 Sterkspruit, physical address 107 Herschel Road. The property is currently zoned Commercial and utilised as a Wholesale, the Special Consent application is for a Service Station. The application is submitted by DBP Consulting on behalf of Vananco Wholesalers (PTY) LTD.

A copy of the application may be inspected in the Town Planning and Land Use Management Office during normal office hours in the Town Planning and Land Use Management office, Senqu Municipality, 19 Murray Street, Lady Grey.

Members of the public are invited to submit written comments, objections or representations together with the reasons therefor in respect of the application. Submissions must be lodged with the Municipal Manager by no later than 30 days following the date of this mail.

Any person who cannot write may during office hours attend at the municipal offices on 19 Murray Street, Lady Grey where Ms Simnikiwe Mbekushe will assist the person to transcribe his/her objections, comments or representations.

Technical inquires may be directed to Simnikiwe Mbekushe on 0516031400/ mbekushes@senqu.gov.za for queries

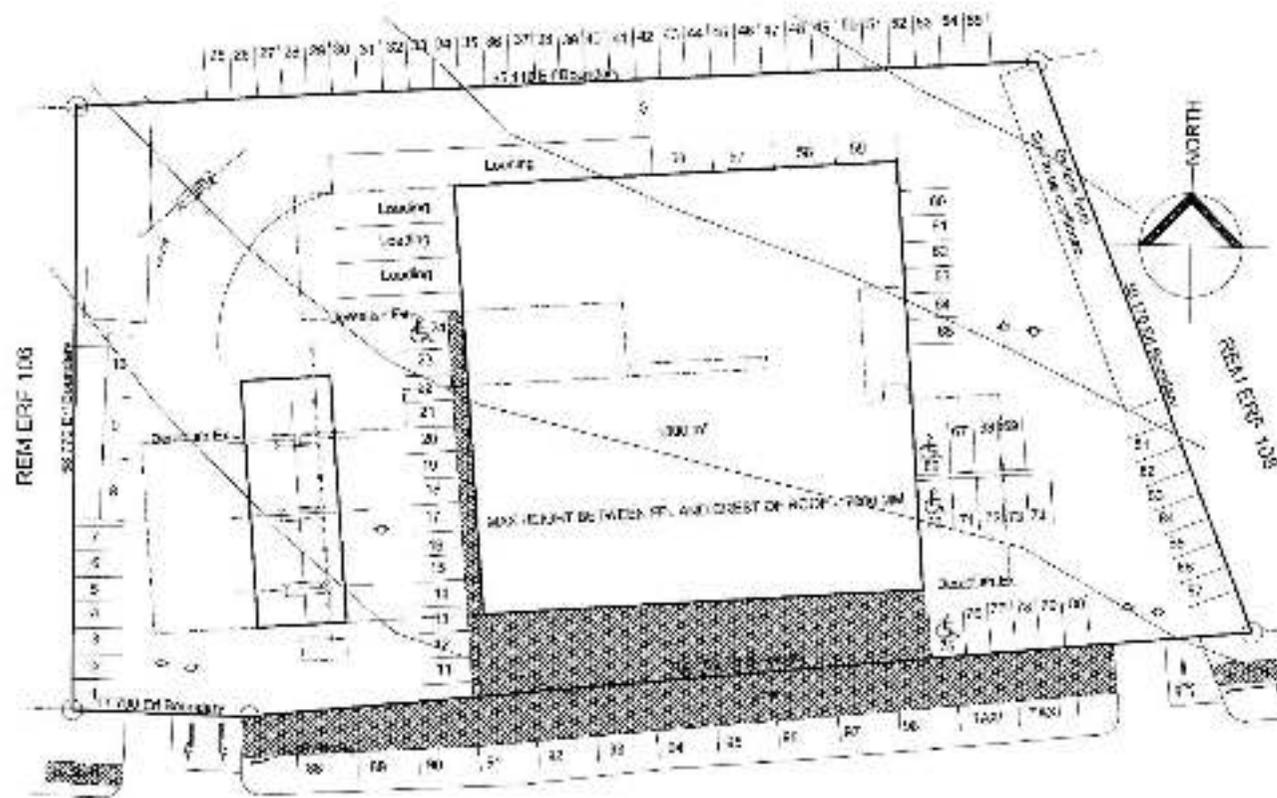
Yours faithfully

**MUNICIPAL MANAGER**



## SLM LAND USE RESTRICTIONS

RESTRICTION	AS PER SLM ZONING SCHEME 2017	SOP RIGHTS APPLIED FOR
PERMISSIBLE USE	Commercial Premises, Community Facilities, Car Wash, Place of Worship, Funeral Parlour, Public Garage, Adult Shop and Adult Entertainment, Mortuary, Place of Cremation, Petting, Storage, Utility Services	N/A
CONSENT USE	Travellers Facility, Telecommunication Facilities, Other uses (see and above use listed as primary uses)	Service station
DEFAULT	N/A	None
FLOOR AREA RATIO	0.1m <sup>2</sup> /m <sup>2</sup>	40m <sup>2</sup> /m <sup>2</sup>
COVERAGE	100%	Less than 100%
SHEET OUT PRODUCE	Yes	Yes
SIDE SETBACK MINIMUM	2m	0m
FRONT SETBACK	(1) Residential (excluding office) 10m/100m <sup>2</sup> G.L.A. (2) Manufacturing 10m/100m <sup>2</sup> G.L.A. (3) Warehousing 10m/100m <sup>2</sup> G.L.A. (4) Offices, shops and services 10m/100m <sup>2</sup> G.L.A. (5) Storage 10m/100m <sup>2</sup> G.L.A. (6) Car Wash 3m/any floor area	10m/100m <sup>2</sup>
LOADING	As per the SLM for Off-street loading facilities in Section 6.2.2 and Appendix 4	Sufficient load on both as provided
HEIGHT	4 storeys	4 storeys



**SITE PLAN**  
scale 1 : 500

**NATURAL IMPRINTS (Pty) Ltd**  
 10000 10th Street, Suite 101, St. Albans, Victoria 3011  
 Tel: 03 9499 1000 Fax: 03 9499 1001  
 www.naturalimprints.com.au

**D3P consulting**  
 10000 10th Street, Suite 101, St. Albans, Victoria 3011  
 Tel: 03 9499 1000 Fax: 03 9499 1001  
 www.d3pconsulting.com.au

**W. POWER / VANCO**  
 10000 10th Street, Suite 101, St. Albans, Victoria 3011  
 Tel: 03 9499 1000 Fax: 03 9499 1001  
 www.wpower.com.au

**SENQU MUNICIPALITY**  
 Local Council Office  
 10000 10th Street, Suite 101, St. Albans, Victoria 3011  
 Tel: 03 9499 1000 Fax: 03 9499 1001  
 www.senqu.gov.za



# NOTICE

**ADJOINING NEIGHBOUR**

**ERF 108 STERKSPRUIT**

Dear Sir / Madam

## **APPLICATION FOR SPECIAL CONSENT OF ERF 107 STERKSPRUIT**

Notice is hereby given in terms of the Townships Ordinance 33 of 1934 and the Senqu Spatial Planning and Land Use Management Bylaw for the special consent application of erf 107 Sterkspruit, physical address 107 Herschel Road. The property is currently zoned Commercial and utilised as a Wholesale, the Special Consent application is for a Service Station. The application is submitted by DBP Consulting on behalf of Vananco Wholesalers (PTY) LTD.

A copy of the application may be inspected in the Town Planning and Land Use Management Office during normal office hours in the Town Planning and Land Use Management office, Senqu Municipality, 19 Murray Street, Lady Grey.

Members of the public are invited to submit written comments, objections or representations together with the reasons therefor in respect of the application. Submissions must be lodged with the Municipal Manager by no later than 30 days following the date of this mail.

Any person who cannot write may during office hours attend at the municipal offices on 19 Murray Street, Lady Grey where Ms Simnikiwe Mbekushe will assist the person to transcribe his/her objections, comments or representations.

Technical inquires may be directed to Simnikiwe Mbekushe on 0516031400/ mbekushes@senqu.gov.za for queries

Yours faithfully

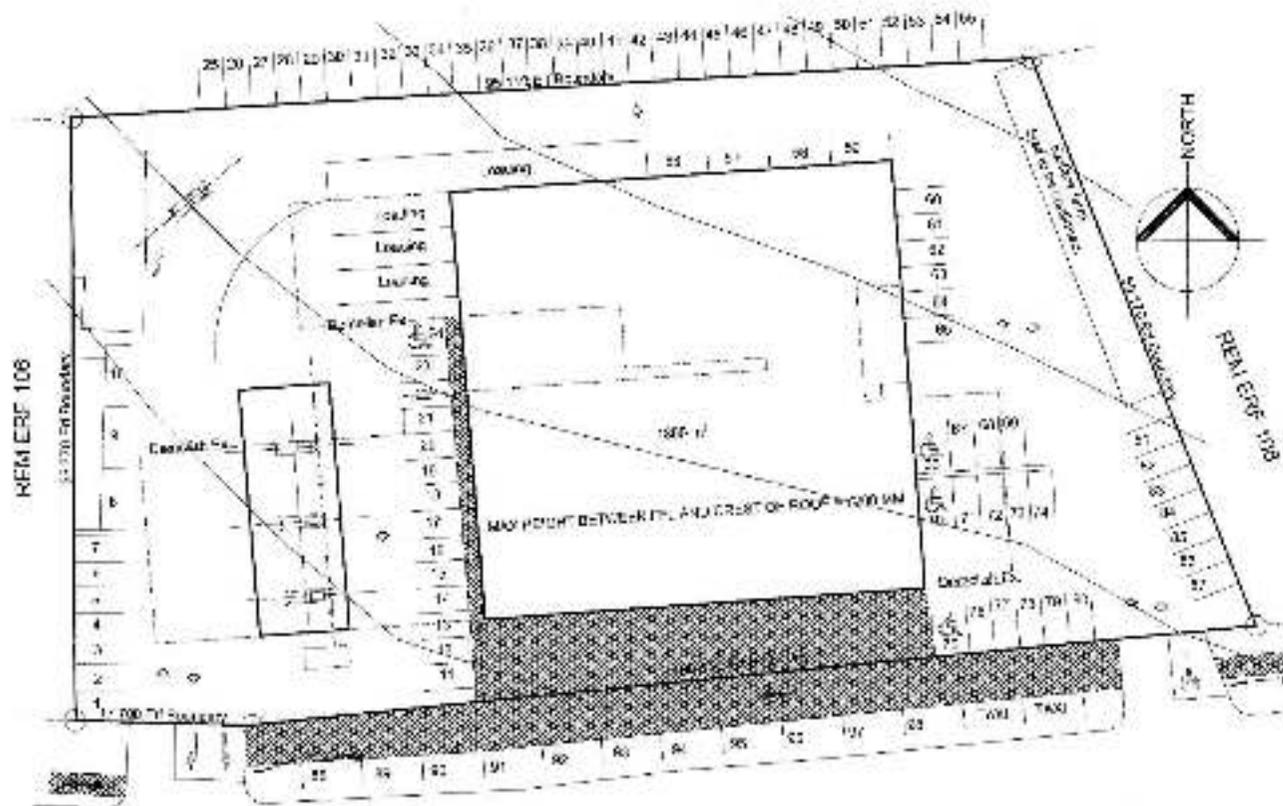
**MUNICIPAL MANAGER**

## Locality Map: Erf 107, Sterkspruit R392



## SLM LAND USE RESTRICTIONS

RESTRICTION	AS PER SLM ZONING SCHEME 2017	SOP RIGHTS APPLIED FOR
PRIMARY USE	Commercial, Professional, Workshop, Bar, Retail, Fleets, or Workshops, School, Factory, Public Garage, Adult Shop and other Entertainment, Markets, Fiscal Enforcement, Parking Garage, Utility Services.	R1A
CONCRETE USE	Transport and/or Telecommunication installation, Other uses one and above Low Level as primary use.	Service Station
DEVELOPMENT	SP	None
LOT AREA RATIO	20% max	20% max
COVERAGES	100%	As per 100%
STREET FRONTAGE LINE	Same	0m
SOC & REAR SET BACKS	Same	0m
PERMITS	(a) Access (including vehicle) to road, (b) Motor Vehicle (M.V.) Manufacturing, (c) Road Transport, (d) Wholesale, (e) Retail, (f) Games, (g) Amusement, (h) "Specialty" Retail, (i) Storage Yards, (j) Boat Storage, (k) Car Wash, (l) Boat Wash, (m) Car Wash	*R1A, R1B
LOADING	As per the Conditions for C11 Goods Loading, see Table 1 in SLM and Appendix 1	Subject to loading facilities provided
HEIGHT	5.0m up	7 Storeys



**SITE PLAN**  
scale 1 : 500



# **NOTICE**

**ADJOINING NEIGHBOUR**

**ERF 95 STERKSPRUIT**

Dear Sir / Madam

## **APPLICATION FOR SPECIAL CONSENT OF ERF 107 STERKSPRUIT**

Notice is hereby given in terms of the Townships Ordinance 33 of 1934 and the Senqu Spatial Planning and Land Use Management Bylaw for the special consent application of erf 107 Sterkspruit, physical address 107 Herschel Road. The property is currently zoned Commercial and utilised as a Wholesale, the Special Consent application is for a Service Station. The application is submitted by DBP Consulting on behalf of Vananco Wholesalers (PTY) LTD.

A copy of the application may be inspected in the Town Planning and Land Use Management Office during normal office hours in the Town Planning and Land Use Management office, Senqu Municipality, 19 Murray Street, Lady Grey.

Members of the public are invited to submit written comments, objections or representations together with the reasons therefor in respect of the application. Submissions must be lodged with the Municipal Manager by no later than 30 days following the date of this mail.

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Technical inquiries may be directed to Simnikiwe Mbekushe on 0516031400/ mbekushes@senqu.gov.za for queries

Yours faithfully

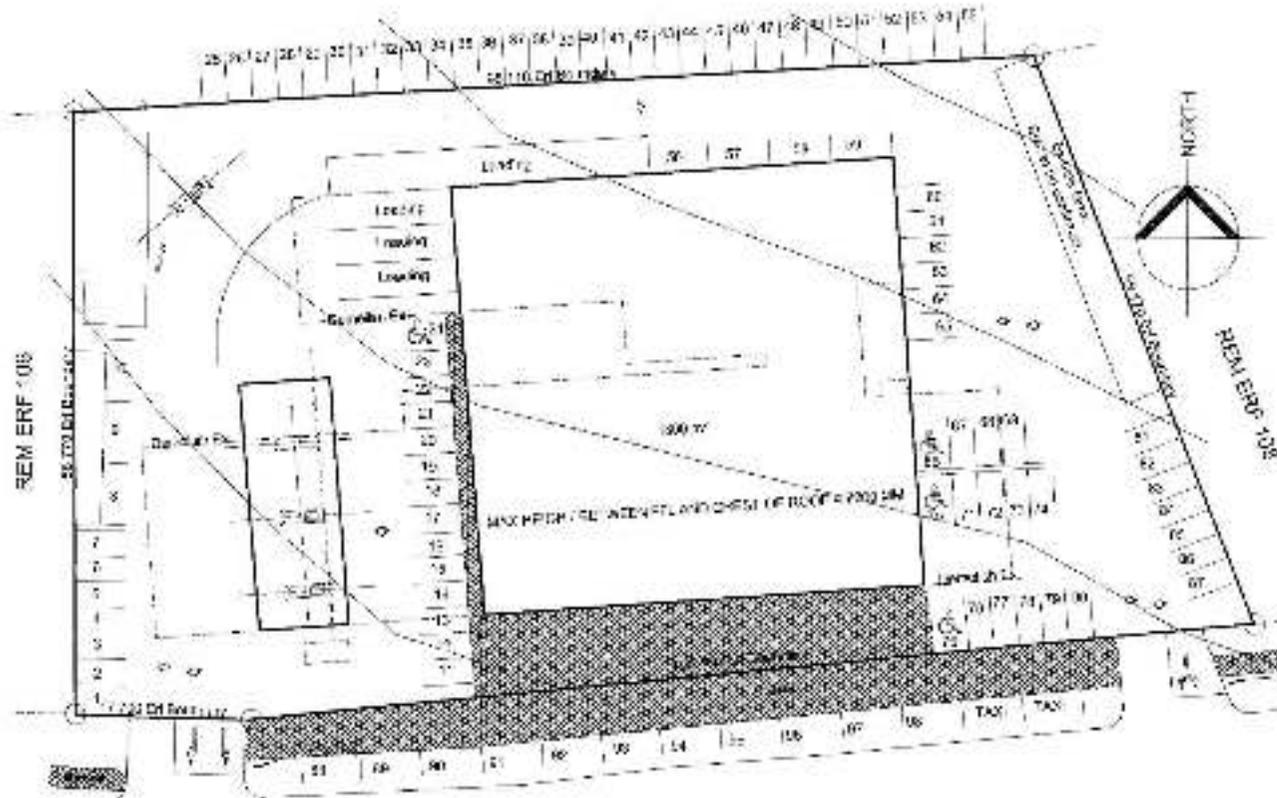
**MUNICIPAL MANAGER**

## Locality Map: Erf 107, Sterkspruit R392



### SLM LAND USE RESTRICTIONS

RESTRICTION	AS PER SLM ZONING SCHEME 2017	SIF RIGHTS APPLIED FOR
PERMITTED USE	Commercial, Residential, Community, Workshop, Office, Warehouse, Light Industrial, Public Garage, Food Shop and Adult Development, Motor Vehicle of any kind, Parking Garage, Utility Services.	R14
CONSISTENT	Transport Facility, Truck terminal or on-trailer, Pet services, new and above ground agricultural use.	Service Station
DEPTH	40%	None
FLOOR AREA RATIO	4000m <sup>2</sup>	4000m <sup>2</sup>
COVERAGE	20%	Less than 100%
STREET BUILDING LINE	Zero	2m
SEFFR BUILDING LINE	Zero	2m
MAXIMUM	(i) Maximum building height 11.5m (38ft) G.L. (ii) Maximum lot coverage 100% G.L. (iii) Maximum lot coverage 100% G.L. (iv) Maximum lot coverage 100% G.L. (v) Maximum lot coverage 100% G.L. (vi) Maximum lot coverage 100% G.L. (vii) Maximum lot coverage 100% G.L. (viii) Maximum lot coverage 100% G.L.	Water T &
MINIMUM	As per the zoning scheme	Sufficient loading facilities provided
HEIGHT	11.5m and 4000m <sup>2</sup>	3 stories



**SITE PLAN**  
scale 1 : 500

Architectural



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

100% COMPLIANCE WITH THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL ELECTRICAL REGULATIONS

Town Planning



DBP consulting

V POEY / VANDU  
D.L.M.

VANDU UPGRADE ERF 107  
STERKSPRUIT

PROJECT

SFM00 MUNICIPALITY  
MUNICIPALITY

1500/03 ZONING	Boonsh ZONING	DN 02/010 ZONING
136/15 PROJECT NO.	001 PLANNING	000 REVISION



# **NOTICE**

**ADJOINING NEIGHBOUR**

**ERF 96 STERKSPRUIT**

Dear Sir / Madam

## **APPLICATION FOR SPECIAL CONSENT OF ERF 107 STERKSPRUIT**

Notice is hereby given in terms of the Townships Ordinance 33 of 1934 and the Senqu Spatial Planning and Land Use Management Bylaw for the special consent application of erf 107 Sterkspruit, physical address 107 Herschel Road. The property is currently zoned Commercial and utilised as a Wholesale, the Special Consent application is for a Service Station. The application is submitted by DBP Consulting on behalf of Vananco Wholesalers (PTY) LTD.

A copy of the application may be inspected in the Town Planning and Land Use Management Office during normal office hours in the Town Planning and Land Use Management office, Senqu Municipality, 19 Murray Street, Lady Grey.

Members of the public are invited to submit written comments, objections or representations together with the reasons therefor in respect of the application. Submissions must be lodged with the Municipal Manager by no later than 30 days following the date of this mail.

Any person who cannot write may during office hours attend at the municipal offices on 19 Murray Street, Lady Grey where Ms Simnikiwe Mbekushe will assist the person to transcribe his/her objections, comments or representations.

Technical inquires may be directed to Simnikiwe Mbekushe on 0516031400/ mbekushes@senqu.gov.za for queries

Yours faithfully

**MUNICIPAL MANAGER**

## Locality Map: Erf 107, Sterkspruit R392







# **NOTICE**

**ADJOINING NEIGHBOUR**

**ERF 97 STERKSPRUIT**

Dear Sir / Madam

## **APPLICATION FOR SPECIAL CONSENT OF ERF 107 STERKSPRUIT**

Notice is hereby given in terms of the Townships Ordinance 33 of 1934 and the Senqu Spatial Planning and Land Use Management Bylaw for the special consent application of erf 107 Sterkspruit, physical address 107 Herschel Road. The property is currently zoned Commercial and utilised as a Wholesale, the Special Consent application is for a Service Station. The application is submitted by DBP Consulting on behalf of Vananco Wholesalers (PTY) LTD.

A copy of the application may be inspected in the Town Planning and Land Use Management Office during normal office hours in the Town Planning and Land Use Management office, Senqu Municipality, 19 Murray Street, Lady Grey.

Members of the public are invited to submit written comments, objections or representations together with the reasons therefor in respect of the application. Submissions must be lodged with the Municipal Manager by no later than 30 days following the date of this mail.

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Yours faithfully

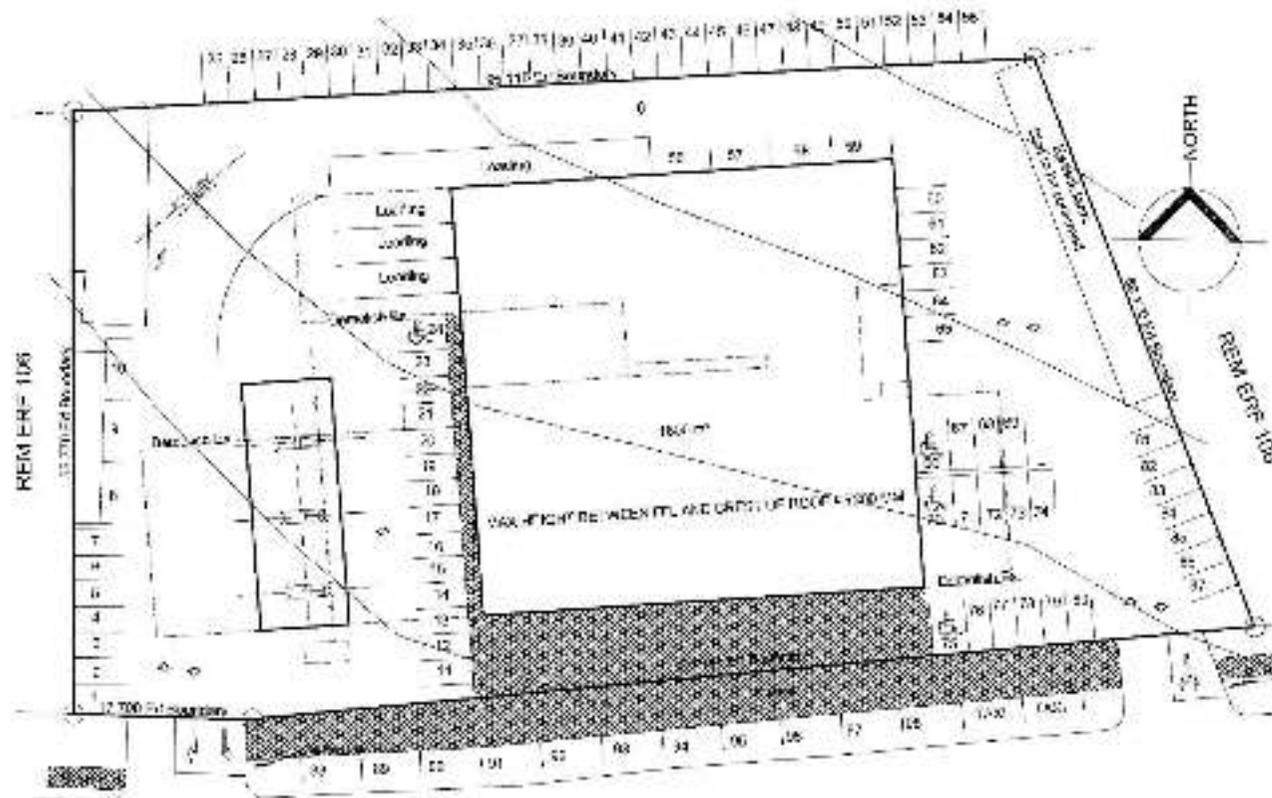
**MUNICIPAL MANAGER**

## Locality Map: Erf 107, Sterkspruit R392



## SLM LAND USE RESTRICTIONS

RESTRICTION	AS PER SLM ZONING SCHEME RULE	SDP RIGHTS APPLIED FOR
PERMITTED USE	Community Services, Community Workshop, Car Wash, Place of Worship, Funeral Parlour, Public Garage, Shop, Shop and Adult Entertainment, Motels, Place of Business, Parking Garage, Utility Services.	N/A
CONSENT USE	Transport, Fuel, Telecommunication, Exhibition, Office uses, Retail and other uses that require consent.	Service Yards
DEFASTURE	N/A	None
FLOOD ZONE 3470	Area 3	Area 1
COVERAGE	20%	Less than 10%
STREET FRONTAGE	75%	2m
SEAL TO A REDUCE LINE	5m	3m
PARKING	<ul style="list-style-type: none"> <li>1) Retail: 1 parking space per 100m<sup>2</sup> G.L.A.</li> <li>2) Wholesale: 1 per 100m<sup>2</sup> G.L.A.</li> <li>3) Warehouse: 1 per 100m<sup>2</sup> G.L.A.</li> <li>4) Office, Business and professional: 1 per 100m<sup>2</sup> G.L.A.</li> <li>5) Storage: 1 per 100m<sup>2</sup> G.L.A.</li> <li>6) Car Wash: 1 per parking bay.</li> </ul>	Retail
LOADING	As per the Guidelines for 2nd Street loading facilities in Section 417.2 and Annexure 2	Subsidiary loading facilities
HEIGHT	3 stories	2 stories



**SITE PLAN**  
scale 1 : 500



# **NOTICE**

**ADJOINING NEIGHBOUR**

**ERF 98 STERKSPRUIT**

Dear Sir / Madam

## **APPLICATION FOR SPECIAL CONSENT OF ERF 107 STERKSPRUIT**

Notice is hereby given in terms of the Townships Ordinance 33 of 1934 and the Senqu Spatial Planning and Land Use Management Bylaw for the special consent application of erf 107 Sterkspruit, physical address 107 Herschel Road. The property is currently zoned Commercial and utilised as a Wholesale, the Special Consent application is for a Service Station. The application is submitted by DBP Consulting on behalf of Vananco Wholesalers (PTY) LTD.

A copy of the application may be inspected in the Town Planning and Land Use Management Office during normal office hours in the Town Planning and Land Use Management office, Senqu Municipality, 19 Murray Street, Lady Grey.

Members of the public are invited to submit written comments, objections or representations together with the reasons therefor in respect of the application. Submissions must be lodged with the Municipal Manager by no later than 30 days following the date of this mail.

Any person who cannot write may during office hours attend at the municipal offices on 19 Murray Street, Lady Grey where Ms Simnikiwe Mbekushe will assist the person to transcribe his/her objections, comments or representations.

Technical inquires may be directed to Simnikiwe Mbekushe on 0516031400/ mbekushes@senqu.gov.za for queries

Yours faithfully

**MUNICIPAL MANAGER**

## Locality Map: Erf 107, Sterkspruit R392







# **NOTICE**

**ADJOINING NEIGHBOUR**

**ERF RE/159 STERKSPRUIT**

Dear Sir / Madam

## **APPLICATION FOR SPECIAL CONSENT OF ERF 107 STERKSPRUIT**

Notice is hereby given in terms of the Townships Ordinance 33 of 1934 and the Senqu Spatial Planning and Land Use Management Bylaw for the special consent application of erf 107 Sterkspruit, physical address 107 Herschel Road. The property is currently zoned Commercial and utilised as a Wholesale, the Special Consent application is for a Service Station. The application is submitted by DBP Consulting on behalf of Vananco Wholesalers (PTY) LTD.

A copy of the application may be inspected in the Town Planning and Land Use Management Office during normal office hours in the Town Planning and Land Use Management office, Senqu Municipality, 19 Murray Street, Lady Grey.

Members of the public are invited to submit written comments, objections or representations together with the reasons therefor in respect of the application. Submissions must be lodged with the Municipal Manager by no later than 30 days following the date of this mail.

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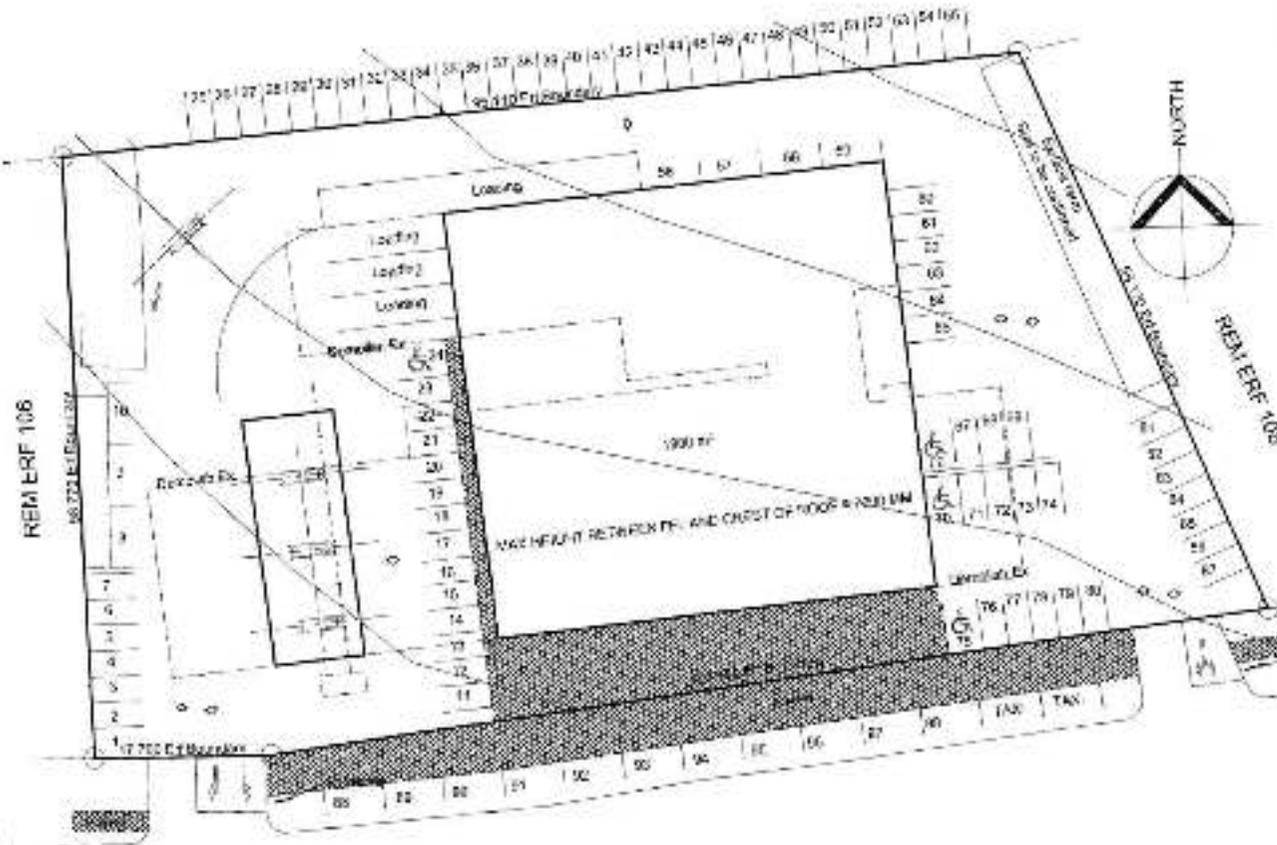
Yours faithfully

**MUNICIPAL MANAGER**



# SLM LAND USE RESTRICTIONS

Business Zone (B1) (General)		
RESTRICTION	AS PER SLM ZONING SCHEME 2017	SDP RIGHTS APPLIED FOR
PRIMARY USE	Commercial Premises, Commercial Workshop, Dry Wash Plant, Workshop, Vehicle Repair, Public Garage, Adult Shop and Adult Entertainment, Maritime, Place of Entertainment, Parking Garage, Utility Services.	N/A
CONSENT USE	Transport Facility, Telecommunication Installation, Other Use over and above that listed as primary uses.	Service Station
DEPARTURE	N/A	None
FLOOR AREA RATIO	At max. 5	At most 3
COVERAGE	300%	Less than 200%
STREET FACING WIDTH	20m	0.71
MAX. YEAR BUILDING HGT.	20m	0 m
PARKING	(i) Maximum (including off-street) 6 cars/100m <sup>2</sup> G.L.A. (ii) Maximum (on-street) 2 cars/200m <sup>2</sup> G.L.A. (iii) Warehouse: 1 bay/200m <sup>2</sup> G.L.A. (iv) Garage, Automobile and Laundry: 1 bay/100m <sup>2</sup> G.L.A. (v) Storage yards: 1 bay/100m <sup>2</sup> G.L.A. (vi) Car Wash: 3 cars/mach-bay	*Refer TMA
LOADING	As per the Guidelines for Off Street Loading Facilities in Section 4.11.2 and Annexure F	Sufficient loading facilities provided.
TERM	30 years	30 years



**SITE PLAN**  
scale 1 : 500

**NATURAL IMPRINTS (Pty) Ltd**  
Architectural Planning & Design  
101, 102 & 103  
17000, 1st Floor, 2011

ANY SECURITY OF TITLE OR OTHER LEGAL MATTERS MUST BE CLARIFIED TO THE CLIENT PRIOR TO COMMENCEMENT OF ANY WORK.

**D3P consulting**

M. POVEY / VANDU  
VANDU UPGRADE ERF 107, STERKSPRUIT

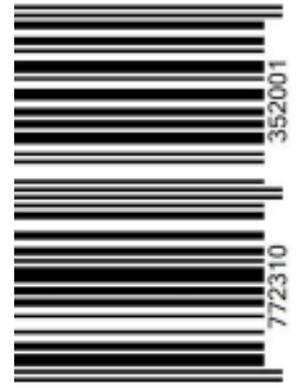
**SENQU MUNICIPALITY**  
LOCAL AUTHORITY

1:500 A3 SCALE	Beaumont DRAWN	04/01/2015 DATE
18415 PROJECT NO.	001 NUMBER	000 VERSION



# EAGLE EYE

UMTHOMBO WENDABA **NEWS**



Friday 4 October 2019

Umthombo Weendaba

R10,00

# STYNSBURG COMMUNITIES TOOK IT TO THE STREET AS USUAL



**Stynsburg:** Communities of Stynsburg in the Walter Sisulu Local Municipality are gaatfol after the Eastern Cape Premier Oscar Mabuyane promised them better service delivery, job creation and equitable tender sharing particularly in the construction project championed by SANRAL.

The stalemate between residence and government is a very old issue since last year communities cried about poor service delivery in Stynsburg in the black township in

particular. The unemployment rate in this small town is sky rocketing.

To exacerbate the problem when SANRAL project of constructing a regional road to Stynsburg local constructors felt being fault played. Many of them cry that they have been side-lined. It is a common law that 30% of constructors must be formed by local residence but in Stynsburg is a completely deferent story.

Local people are left with no option but to vent their anger to public by disrupting motorists and burn tyres.

When Eagle Eye News reporter asked the authorities about the remedy actions there was still no answer to the matter to calm down the situation.

Report  
Lizo Nodada



078 164 6117

[www.eagleeyenewssa.co.za](http://www.eagleeyenewssa.co.za)

MEDIA STATEMENT: 2 OCTOBER 2019



**MEDIA STATEMENT:**

**2 OCTOBER 2019**

**THE MUNICIPALITY IS VINDICATED BY THE HIGH COURT ORDER THAT THE HAWKS MUST PAY R2, 5 MILLION FOR WRONGFUL ARREST:**

**Senqu Municipality** welcomes the ruling of the Grahamstown High Court order which instructs the police to pay R2, 5 million plus costs to the municipality for wrongful arrest, detention and malicious prosecution of its top officials.

The ruling brings to finality a matter that has dragged for six years. The municipality is vindicated by the judgment. At the outset the municipality held a belief that Mr. Lumphumulo Lwana of the Hawks acted ultra vires and outside the scope of the law.

The matter follows an incident that took place on 3 July 2013 whereby Mr. Lumphumulo Lwana tried to arrest the Municipal Manager, Mr. M. Yawa without producing a search warrant. Subsequently a fracas ensued and the municipality called the attorney, Mr. Schoombie to intervene, he arrested and detained him as well together with three (3) municipal officials in Lady Grey Police station.

At the time, the Hawks claimed that Mr. Schoombie had assaulted Mr. Lwana and obstructed the course of justice. Subsequently, he instituted a civil action against the Hawks and won.

The municipality is happy that in the end justice has been served. The ruling strengthens the confidence the municipality has on the justice system. The municipality says when you are a police / investigator/ law enforcement agent do your job within the parameters of the law and don't behave like a bull in the kraal.

**Issued by: Senqu Municipality (051 603 1300)**

**Enquiries: Pheello Oliphant (Head of Communications)**

**1.2 MILLION READERS**



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**THE FAMILY OF EAGLE EYE NEWS**



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## SPECIAL CONSENT APPLICATION

NOTICE No: 99/2019

Notice is hereby given in terms of the Townships Ordinance 33 of 1934 and the Senqu Spatial Planning and Land Use Management Bylaw for the special consent application of erf 107 Sterkspruit, physical address 107 Herschel Road. The property is currently zoned Commercial and utilised as a Wholesale, the Special Consent application is for a Service Station. The application is submitted by DBP Consulting on behalf of Vananco Wholesalers (PTY) LTD.

A copy of the application may be inspected in the Town Planning and Land Use Management Office during normal office hours in the Town Planning and Land Use Management office, Senqu Municipality, 19 Murray Street, Lady Grey.

Members of the public are invited to submit written comments, objections or representations together with the reasons therefor in respect of the application. Submissions must be lodged with the Municipal Manager by no later than 30 Days from the publishing of this notice, to the following address:

The Municipal Manager  
Senqu Municipality  
Private Bag X03  
Lady Grey  
9755

OR

[mbekushes@senqu.gov.za](mailto:mbekushes@senqu.gov.za)

Any person who cannot write may during office hours attend at the municipal offices on 19 Murray Street, Lady Grey where Ms Simnikiwe Mbekushe will assist the person to transcribe his/her objections, comments or representations.

Please contact Simnikiwe Mbekushe on 0516031400/ [mbekushes@senqu.gov.za](mailto:mbekushes@senqu.gov.za) for queries.

**#POWER2PEOPLE**

**SILWA NOLWAPHULO MTHETHO NGEXESHA LOQHANKQALAZO NGABAHLALI**

**PHANTSI NGE TAYARI ELIVUTHAYO KUMZANTSI AFRIKA WETHU!!!**

**NO MORE BURNING TYRE IN OUR BEAUTIFUL SOUTH AFRICA**



# WEEKEND SPECIAL IN STERKSFRUIT



Date Stamp of delivery Datumstempel van aflewering	<b>REGISTERED LETTER GEREGISTREERDE BRIEF 591413</b> (with an insurance option/met 'n versekeringsopsie)		Post Office	Date Stamp of delivery
	Addressed to/Gedreë aan <b>Herschell United taxi holdings 97 Herschel Rd Stekerspruit 9762</b>			Initial of receiving office Paras van ontvangsaampte
Initial of delivery office Paras van afleweringssampte	Signature of recipient Handtekening van ontvanger		Post Office	Date Stamp of delivery
Please collect at Haal asseblief af by		Post Office, counter No Poskantoor, toonbankno		
Official proof of identification essential Amptelike bewys van identiteit noodsaaklik		within 30 days of date received at delivery office/ binne 30 dae vanaf datum ontvang by afleweringkantoor		701280

ALBION PRESS (021) 511-2244

Date Stamp of delivery Datumstempel van aflewering	<b>REGISTERED LETTER GEREGISTREERDE BRIEF 591414</b> (with an insurance option/met 'n versekeringsopsie)		Post Office	Date Stamp of delivery
	Addressed to/Gedreë aan <b>Amadwa trading 108 herschel Rd Stekerspruit 9762</b>			Initial of receiving office Paras van ontvangsaampte
Initial of delivery office Paras van afleweringssampte	Signature of recipient Handtekening van ontvanger		Post Office	Date Stamp of delivery
Please collect at Haal asseblief af by		Post Office, counter No Poskantoor, toonbankno		
Official proof of identification essential Amptelike bewys van identiteit noodsaaklik		within 30 days of date received at delivery office/ binne 30 dae vanaf datum ontvang by afleweringkantoor		701280

ALBION PRESS (021) 511-2244

Date Stamp of delivery Datumstempel van aflewering	<b>REGISTERED LETTER GEREGISTREERDE BRIEF 591415</b> (with an insurance option/met 'n versekeringsopsie)		Post Office	Date Stamp of delivery
	Addressed to/Gedreë aan <b>Vincent hobo 98 herschel Rd Stekerspruit 9762</b>			Initial of receiving office Paras van ontvangsaampte
Initial of delivery office Paras van afleweringssampte	Signature of recipient Handtekening van ontvanger		Post Office	Date Stamp of delivery
Please collect at Haal asseblief af by		Post Office, counter No Poskantoor, toonbankno		
Official proof of identification essential Amptelike bewys van identiteit noodsaaklik		within 30 days of date received at delivery office/ binne 30 dae vanaf datum ontvang by afleweringkantoor		701280

ALBION PRESS (021) 511-2244

Date Stamp of delivery Datumstempel van aflewering	<b>REGISTERED LETTER GEREGISTREERDE BRIEF 591416</b> (with an insurance option/met 'n versekeringsopsie)		Post Office	Date Stamp of delivery
	Addressed to/Gedreë aan <b>Bbz inv trust 96 Herschel Rd Stekerspruit 9762</b>			Initial of receiving office Paras van ontvangsaampte
Initial of delivery office Paras van afleweringssampte	Signature of recipient Handtekening van ontvanger		Post Office	Date Stamp of delivery
Please collect at Haal asseblief af by		Post Office, counter No Poskantoor, toonbankno		
Official proof of identification essential Amptelike bewys van identiteit noodsaaklik		within 30 days of date received at delivery office/ binne 30 dae vanaf datum ontvang by afleweringkantoor		701280

Date Stamp of delivery Datumstempel van aflewering	<b>REGISTERED LETTER GEREGISTREERDE BRIEF</b> 591410 (with an insurance option/met 'n versekeringsopsie)		Post Office	Date Stamp of delivery Datumstempel van aflewering
	Addressed to/Geadresseer aan Thabiso Mantlile 106 Herschel Rd Stev Krui			
Initial of delivery office Paras van afleweringsoomsple	Postcode 9762		REGISTRATION NO RC3694960522A	Initial of receiving office Paras van ontvangsoomsple
Official proof of identification essential Amptelike bewys van identiteit noodsaaklik		Please collect at Haal asseblief af by		Post Office, counter No Poskantoor, toonbankno
		within 30 days of date received at delivery office/ binne 30 dae vanaf datum ontvang by afleweringkantoor		

ALBION PRESS (021) 511-2244

Date Stamp of delivery Datumstempel van aflewering	<b>REGISTERED LETTER GEREGISTREERDE BRIEF</b> 591411 (with an insurance option/met 'n versekeringsopsie)		Post Office	Date Stamp of delivery Datumstempel van aflewering
	Addressed to/Geadresseer aan Mesuli dandolo 95 Herschel Rd Stev Krui			
Initial of delivery office Paras van afleweringsoomsple	Postcode 9762		REGISTRATION NO RC372624763ZA	Initial of receiving office Paras van ontvangsoomsple
Official proof of identification essential Amptelike bewys van identiteit noodsaaklik		Please collect at Haal asseblief af by		Post Office, counter No Poskantoor, toonbankno
		within 30 days of date received at delivery office/ binne 30 dae vanaf datum ontvang by afleweringkantoor		

ALBION PRESS (021) 511-2244

Date Stamp of delivery Datumstempel van aflewering	<b>REGISTERED LETTER GEREGISTREERDE BRIEF</b> 591417 (with an insurance option/met 'n versekeringsopsie)		Post Office	Date Stamp of delivery Datumstempel van aflewering
	Addressed to/Geadresseer aan Municipal Manager Senau Municip Private bag x23 Lady Grey 9755			
Initial of delivery office Paras van afleweringsoomsple	Postcode 9755		REGISTRATION NO RC372624777ZA	Initial of receiving office Paras van ontvangsoomsple
Official proof of identification essential Amptelike bewys van identiteit noodsaaklik		Please collect at Haal asseblief af by		Post Office, counter No Poskantoor, toonbankno
		within 30 days of date received at delivery office/ binne 30 dae vanaf datum ontvang by afleweringkantoor		

ALBION PRESS (021) 511-2244

TAX INVOICE

48 BEACH ROAD  
 South African Post Office Limited  
 Netaji

04-OCT-2018 12:43:53  
 Session Id: 710-76517-2-2297432-1  
 Inv No: 05/24  
 Teller Id: YARDISA RUSOH  
 TAX INVOICE VAT #4650101142  
 ALL PRICES VAT INCLUSIVE  
 VAT DOES NOT APPLY TO ITEMS MARKED \*

Receipt For SA Post Office  
 Products Or Services

PRODUCT	QTY	UNIT PRICE	VAT	R AMOUNT
*STAMP/REG LE1 MEDIUM RATE/06	7 x	R36.40	15%	R254.80
VAT TOTAL @15%				R33.23
Sub Total				R254.80
VAT TOTAL @15%				R33.23
Total				R254.80
Credit Card				R254.80
-----EFTPOS-----				
XXXXXXXXXXXX3042		CREDIT		2204 EPN
04/10/18	12:41:23	TERM		3140360
TRANS NO	138641	AUTH CODE	445576	
PURCHASE	R254.80			
ACCEPTED				

\* Refunds are only allowed within 7 days of purchase.

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 Crime Buster hotLine 0800 033 554

**MPT20/02/02ELM**

**APPLICATION FOR REZONING AND RELAXATION OF BUILDING LINES ON ERF 1779  
MACLEAR**

**PURPOSE**

For the Joe Gqabi Municipal Planning Tribunal to approve the Rezoning and Relaxation of Building Lines on erf 1779 Maclear.

**BACKGROUND**

The site is located in the town of Maclear within the jurisdiction of Elundini Local Municipality. The site is currently zoned residential zone 1 and is vacant. Surrounding land uses include flats single dwelling units and a bed and breakfast.

**DISCUSSION**

The application is consistent with the approved municipal SDF, Land Use By-Law and SPLUMA principles. All essential engineering services are available and have the capacity to accommodate the proposed development. The development will be compatible with the surrounding land uses.

**PROPOSAL**

Flats; 2 storeys; a total of 14 units.

**LEGAL IMPLICATIONS**

Planning Ordinance 15 of 1985

Spatial Planning and Land Use Management Act

Elundini SPLUMA By-Law

Maclear Zoning Map

**RECOMMENDATIONS**

It is recommended that the application for rezoning be approved.

It is not recommended that the application for relaxation of building lines be approved

**The approval is subject to the following conditions:**

- a. The number of units to be reduced from 14 to 10 units to ensure sufficient parking on site for residents and visitors;
- b. Rate to be paid in full before the construction of the proposed development; and
- c. An association/body or agreement to regulate the behaviour of tenants to prevent nuisance and protect surround property owners.

## **ANNEXURES**

Annexure A: Land Use Application Form

Annexure B: Zoning Certificate

Annexure C: Surveyor General Diagram

Annexure D: Press Notice

Annexure E: Title Deed

Annexure F: Proof of Payment

Annexure G: Comments from Organs of State



Elundini Local Municipality

1 Celler Street • Maclear • 5480 • PO Box 1 • Maclear • 5480

Tel: +27 (0) 45 932 6100 • Fax: +27 (0) 45 932 1094 • Email: [info@elundini.gov.za](mailto:info@elundini.gov.za)

Enq : N.C. Eddle: [ntomboxolce@elundini.gov.za](mailto:ntomboxolce@elundini.gov.za)

The Municipal Manger  
Joe Gqabi District Municipality  
Private Bag X102  
Barkley East  
9786

**Attention: Joe Gqabi District Municipality Planning Tribunal Chairperson**

Sir/Madam,

**PROPOSED REZONING AND RELAXATION OF BUILDING LINES, ERF 1779 MACLEAR**

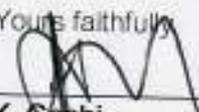
The above-mention matter refers

We hereby submit an application for Rezoning and Relaxation of Building Lines on erf 1779 Maclear in terms of Spatial Planning and Land Use Management Act, 2013(Act 16 of 2013) and its Regulations. Included herewith please find the following documents.

ANNEXURE A: LAND USE APPLICATION FORM  
ANNEXURE B: ZONING CERTIFICATE  
ANNEXURE C: SURVEYOR GENERAL DIAGRAM  
ANNEXURE D: PRESS NOTICE  
ANNEXURE E: TITLE DEED  
ANNEXURE F: PROOF OF PAYMENT

I trust that you will find this in order. Should there be any questions or problems regarding the above, feel free to contact the applicant at anytime.

Yours faithfully

  
\_\_\_\_\_  
**K. Gashi**  
**Municipal Manager**

If you are aware of any instances of fraud and/or corruption within the municipality, these matters may be reported, anonymously, to:

FreeCall: 0800 117 644 • FreeFax: 0800 007 786 • SMS: 32840 • Email: [elundini@tip-offs.com](mailto:elundini@tip-offs.com)

FreePost: FreePost KZN136, Umhlanga Rocks, 4320

All correspondence must be addressed to the Municipal Manager

MPT Meeting Date :

--	--	--	--	--	--

Venue : \_\_\_\_\_ Virtual Meeting

Application : Application for Rezoning and Relaxation of Building lines

Property Description : \_\_\_\_\_ : Erf 1779 Maclear

Reference Number	Application Submission Date	Date Report Finalised

Status of Application							
Received		Confirmed as complete		Circulation		Advertised	All comments received
Responded to comments		Assessment report		Decision		Applicant / Objectors notified	Appeal received
Appeal hearing		Final decision		Other			

SECTION A: AUTHOR DETAILS	
First name(s)	Tolokazi Zamazulu
Surname	Nonkula
Job title	Town Planner
Prof body registration number (if applicable & supported by the relevant by-law)	Pr. Pln A/2363/2016
Directorate/Department	Planning and Economic Development
<b>Contact details</b>	
Physical Address	Municipal Office, 1 Seller Street, Maclear
Postal Address	Municipal Office, 1 Seller Street, Maclear, 5480
Tel no:	045 932 8214
Fax:	
E-mail address	zamazulun@elundini.gov.za
SECTION B: APPLICANT DETAILS	
First name(s)	Phindile
Surname	Kula

Company name / CC	n/a	
Company / CC Reg. Nr.	n/a	
Cipro documents	n/a	
SACPLAN Registration Number	n/a	
Is the applicant authorised to submit this application	<b>Yes</b>	<b>No</b>
Power of Attorney & Minutes	The owner is the applicant	
Registered owner(s)	P. Kula	
<b>Contact details</b>		
Physical Address		
Postal Address		
Tel no:	083 700 3950	
Fax:		
E-mail address	<a href="mailto:phindile.kula@gmail.com">phindile.kula@gmail.com</a>	
<b>SECTION C: PROPERTY DETAILS</b>		
Property description (in accordance with Title Deed)	Erf 1779 Maclear	
Physical address	Unnamed Street	
Town / City	Maclear	
Current zoning	Residential Zone 1	
Extent (m <sup>2</sup> /ha)	975m <sup>2</sup>	
Are there existing buildings on the property?	<b>Yes</b>	<b>No</b>
Applicable zoning scheme	Maclear Zoning Map	
Current land use	Vacant	
Title Deed number & date	T008676/11	
Any restrictive title conditions applicable (if yes, list condition below)	<b>Yes</b>	<b>No</b>
Any third party conditions applicable? (if yes, specify below)	<b>Yes</b>	<b>No</b>
Any unauthorised land use/building work (if yes, explain below)	<b>Yes</b>	<b>No</b>

**SECTION D: PRE – APPLICATION CONSULTATION OR WRITTEN ENQUIRY (ATTACHED MINUTES)**

Has pre-application consultation been undertaken? (if yes, provide a brief summary of the outcomes below)	Yes	No

**SECTION E: TYPE OF APPLICATIONS (TICK APPLICABLE)**

Rezoning	X	Removal suspension or amendment of restrictive conditions	Subdivision	Temporary departure
Permanent departure	X	Consent use	Township Development / Division of land	Division of an approved township
Cancellation of General Plan		Extension of the validity period of an approval	Permissions in terms of the zoning scheme	Closure of public place
Determination of zoning		Disestablish a home owner's association	Rectify failure by home owner's association to meet obligations	Occasional use

**SECTION F: APPLICATION DESCRIPTION**

Spatial Planning and Land Use Act, of 2016 (SPLUMA) for rezoning and relaxation of building lines to enable the establishment of rental residential units.

**SECTION G: BACKGROUND**

Mr P Kula the owner of erf 1779 Maclear has lodged an application for the rezoning of the said erf from residential zone 1 to residential 4. This is the first land use application lodged on the property.

**Site Observations**

Land Use and Zoning Extracts reflect "dwelling units" and "residential zone 1" zoning respectively. Site visits confirmed diverse residential uses including a double storey Bed and Breakfast (Mantlapho Bed and Breakfast) and rental units/flats in the area. The physical environment is generally not visually appealing. Roads are unsurfaced and some structures do not appear to have been built observing the National Building Regulations Act.

**Locality**

Erf 1779 Maclear is situated in the town of Maclear (Refer to figure 1: Locality Map).

**Zoning**

Erf 1779 Maclear is zoned "Residential Zone 1".

**Land Use**

Erf 1779 Maclear is currently vacant. Surrounding land uses will be discussed under "Desirability"

**SECTION H: SUMMARY OF APPLICATIONS MOTIVATION**

- The development is desirable because the proposed land use is compatible to the surrounding land uses
- Due to the growth in the retail and government sectors there has been significant migration into Maclear. This has translated into an increase in demand for rental accommodation.
- The development will have a positive impact on the visage of the area.
- Infrastructure and services are available to accommodate this development.

**SECTION I: SUMMARY OF PUBLIC PARTICIPATION**

<u>Method of advertising:</u>				<u>Date published:</u>	<u>Closing date comments:</u>	
Press	Yes	No	N/A			
Gazette	Yes	No	N/A			
Notices	Yes	No	N/A			
Site notice	Yes	No	N/A			
Community organisation(s)	Yes	No	N/A			
Public meeting	Yes	No	N/A			
Third parties	Yes	No	N/A			
Other	Notices were circulated door to door, available land owners signed receipt of notice.					
Total valid comments / objection				None		
Total comments & petitions refused				None		
Valid petition(s)	Yes	No	If yes, number of signatures			
Community organisation(s) response				Yes	No	N/A
Ward councillor response				Yes	No	N/A
Total letters of support						
Was public participation undertaken in accordance with the relevant By-law & policies				Yes	No	

**SECTION J: COMMENTS RECEIVED DURING PUBLIC PARTICIPATION**In support:

None

Objections:

None

**SECTION K: COMMENTS FROM ORGANS OF THE STATE AND/OR MUNICIPAL DEPARTMENTS**

<u>State/Municipal Department Name:</u>	<u>Date Received:</u>	<u>Comments (Attached Annexure?):</u>	<u>Recommendations (✓):</u>		
			Supported	Not Supported	N/A
Elundini Community Services Department: Waste Removal Unit	18-11-2019	The Manager for Waste N. Tshabeni had the following comments via email: As verbally communicated, the owner would have to contact the department.			

		<p>through me for the disposal of their construction waste. This they can write in a detailed letter to the municipality stating all types of waste they will produce and they request approval for disposal. I will then inspect the site and respond in writing and grant or deny disposal based on the situation presented.</p> <p><b>Post construction, it's the same procedure like any other resident or business, they will pay rates which should include refuse collection services. The onus is upon the owner of the property how he/she recoups the rates stated above but the bill will be in the owner's name.</b></p>			
Elundini Infrastructure and Planning Development Electricity Unit	18-09-2019	Available capacity for that ERF is 60A( 13.8 kva) anything above that the customer will pay for the costs			
Elundini Infrastructure and Planning Development: Roads and Stormwater Management Unit	23-09-2019	From the diagram it looks like the site can be accessed from the Culda sec. May I ask who should the developer make provisions for storm water flowing out? I want need to pass the comments to them as well.			
<b>SECTION L: APPLICANT'S REPLY TO COMMENTS</b>					
Response to Waste Removal comment	<p>On the 19th of November 2019 client responded to comments via email:</p> <p><b>1. If I read carefully Ms Tshabeni's</b> comments, "the owner would have to contact the department through me for the disposal of <b>their construction waste"</b>, <b>Im i safe to assume this communication address this comment.</b></p> <p>2. The building to be erected, structure is that of brick and mortar, roofing to use concrete roof tile, windows that of aluminum. Waste to be generated during construction is that of broken bricks, isabhunge debri, river sand debri, concrete stone debri,</p>				

	<p>dry cement debri, timber debri, pvc cutout pipes/plumbing and electricity, empty paper cement and plastic wraps, empty boxes . All this debri will be kept into the yard in a mobile skip bin in which when the bin gets filled up a pick truck will come and transport it to the nearest approved disposal/landmill site. We would also appreciate the municipality if it would confirm if there are any recycling initiatives that we will be subject to comply with.</p> <p>3. Post construction side, this is a residential development and domestic waste will be generated, upon finish and building being brought to commercial, like any other residence, waste would be collected per municipality regulation based on agreed collection rates service. "The onus is upon the owner of the property how he/she recoups the rates stated above but the bill will be in the <b>owner's name.</b>" <b>This comment is noted.</b></p>
Response to Roads and Stormwater comment	The Roads and Storm water Manager had an issue with the layout of the site Development Plan and the provision for Stormwater. After a site visit on the 11th of October 2019 with the owner, it was agreed that the layout would be reworked and submitted to the municipality and that Stormwater would be channelled to the rear of the site. On the 22nd of October, the revised layout plan was received.

**SECTION M: MUNICIPAL ASSESSMENT OF COMMENTS**

Waste Removal Comment	Waste removal comments were responded to satisfactorily
Roads and Stormwater Management comment	Roads and stormwater management comments were responded to satisfactorily
Joe Gqabi District Municipality	<p>Numerous emails where sent to Sicelo Mpongana for a comment on water and sanitation, there has been no response. Dates whereby emails and follow up emails were sent are as follows:</p> <ul style="list-style-type: none"> <li>• 27th September 2019</li> <li>• 23rd October 2019</li> <li>• 31 October 2019</li> </ul> <p>A number of telephonic were also conducted in-between the dates where the emails where sent. The matter has been escalated to the Director of Planning and Economic Development on the 5th of November 2019.</p>

**SECTION N: MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)**

Was the application processed correctly (if no, elaborate below):	<b>Yes</b>	<b>No</b>	
Is the proposal consistent with the principles referred to in chapter 2 of SPLUMA & decision guideline in relevant By-law	<b>Yes</b>	<b>No</b>	
<u>Application History:</u>			
None			
<b>(In)consistency with the IDP/Various levels of SDF's/Applicable policies?</b>			
Yes- In line with SDF			
Outcomes of investigations/applications I.t.o other applicable legislation			
<b>Existing and proposed zoning comparisons and considerations</b>			
<b>PARAMETER</b>	<b>RESIDENTIAL ZONE 1</b>	<b>RESIDENTIAL ZONE 4</b>	<b>PROPOSED DEVELOPELEMENT</b>

Floor Factor	0.7	0.66	0.37
Coverage	50%	40%	37%
Height	2 Storeys	2 Storeys	2 Storeys
Street Building Line	8m	8m	Street access is a cul-de-sac, the 8m building has been observed.
Rear Building Line	2m	2m	2m has been observed, a relaxation of 1.5m in the rear building line has been made
Side Building Line	2m	4m	3 m
Parking	1 parking bay per land unit	1,25 parking bay per land unit	16 parking spaces have been provided

#### The desirability of the proposal

##### Need

Maclear is a town that is currently experiencing growth in the retail and service sectors. In the last 10 years the town has accommodated, a new bank branch, retail stores and various small-scale rental residential developments. Increase in the labour force of Government Departments and municipal offices can be clearly observed. This growth has translated to an increased demand for residential rental accommodation/flats in Maclear.

##### Desirability

As previously discussed under *site observations*. Surrounding land uses include, a variety of residential uses including, single dwelling houses and a bed and breakfast. This development will fit with the character of the area. In this context the development can be regarded desirable.

The development is also aligned to the densification principles highlighted in the Council approved Elundini Spatial Development Framework 2018 and remains within the residential intent of the Maclear Zoning Scheme.

The Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) contains the following development principles:

##### **Spatial justice**

The owner of the property and target market of the development are part of the communities that have been previously discriminated against based on race by the Apartheid Government. The approval of the application for the proposed development will assist redressing the past imbalances in that, it will allow the owner an opportunity to accumulate wealth, which was prohibited for the African community, and allow the target market to occupy spaces that are well planned, built and dignified.

##### **Spatial sustainability**

The subject property is within the urban edge of Maclear. A development of this nature within the urban edge limits urban sprawl.

**Efficiency**

The subdivision, which resulted in the existence of this erf that was approved by the municipality. The erf has sufficient access through an unsurfaced road; provision can be made for storm water at the rear of the site; the municipal electricity supply can be accessed from the site and a conservancy tank will be constructed, as there is currently no sewer infrastructure.

**Good administration**

A Notice was placed in on the Barkley Eastern Reporter on the 31st of July 2019 to inform the community of the application and 30 days to comment or lodge objections was given. The Town Planning Unit received one verbal request for clarity, no objections were received by the Town Planning Unit concerning the application. The neighbours within the 100m radius were notified by registered mail, no objections were received concerning this application. The application was circulated to relevant stakeholders, a significant portion of the stakeholders has responded with comments on the application.

**SECTION O: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS****SECTION P: SUMMARY OF EVALUATION****SECTION Q: RECOMMENDATION**

It is recommended that the rezoning application be approved.

It is recommended that the relaxation of building lines application not be approved

**SECTION R: REASONS FOR RECOMENTATION**

Rezoning Application

- a. The application is in line with the character of the area since the area has mixed residential uses.
- b. There is a demand for rental accommodation in Maclear.
- c. The approval application will work towards redressing discrimination of African communities.
- d. Adequate infrastructure exists to accommodate the proposed development and any additional infrastructure will be at the cost of the owner/developer.
- e. No objections were received with regards to the application.

Relaxation of building lines application

- a. Due to the subdivision that occurred to result in Erf 1779 Maclear and the lack of observation of building lines on the site below the erf, stormwater provision will not be effective on site.

**1.1. Recommended Conditions**

- a. Number of unites to be reduced from 14 to 10 to ensure sufficient parking on site for residents and visitors.
- b. Rate to be paid in full in before the construction of the proposed development.
- c. An association/body or agreement to regulate the behaviour of tenants to prevent nuisance and protect surrounding property owners.

**SECTION 5: ANNEXURES**

Annexure A- Land Use Application Form  
Annexure B- Zoning Certificate  
Annexure C- Surveyor General Diagram  
Annexure D- Press Notice  
Annexure E- Title Deed  
Annexure F- Proof of Payment

**SECTION T: SIGNATURES**

Author Name : \_\_\_\_\_

Author Signature : \_\_\_\_\_

Date : \_\_\_\_\_

Director Name : \_\_\_\_\_

Director Signature : \_\_\_\_\_

Date : \_\_\_\_\_

*\*\* (Section to be completed post Tribunal)*

<b>APPROVED</b>		<b>APPROVED CONDITIONALLY</b>		<b>APPROVED IN PART</b>		<b>REFUSED</b>	
-----------------	--	-----------------------------------	--	-----------------------------	--	----------------	--

If in Part-Outline Details : \_\_\_\_\_

Decision Maker Name : \_\_\_\_\_

Decision Maker Signature : \_\_\_\_\_

Date : \_\_\_\_\_

**CONDITIONS OF APPROVAL**

Provide details of all Department conditions imposed as well as the supporting legislative context:

**SECTION U: ANNEXURES ( COMMENTS FROM ORGANS OF STATE)**





# Application for Rezoning and Relaxation of Building Lines on erf 1779 Maclear.

MOTIVATION REPORT

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### Plans

1. Locality Plan
2. Land Use Plan
3. Zoning Plan
4. Site Development Plan

### Supporting Annexures

Annexure A- Land Use Application Form

Annexure B- Zoning Certificate

Annexure C- Surveyor General Diagram

Annexure D- Press Notice

Annexure E- Title Deed

Annexure F- Proof of Payment

## **1. Introduction**

Pindile Kula the owner of erf 1779 Maclear hereby lodges an application for the rezoning of erf 1779 Maclear from "residential zone 1" to "residential zone 4" to permit the establishment of flats. This application is being lodged in terms of section 28 of the Spatial Planning and Land Use Management Act 16 of 2018 and the council approved Maclear Zoning Scheme.

## **2. Background**

The subject property is situated on an unnamed street and is zoned "Residential Zone 1" (See Attached Zoning Certificate), there are no previous land use applications that have been lodged on this property.

## **3. Property information**

### **3.1. Locality**

As previously mentioned, the subject property is situated on an unnamed street. Access to the site is gained from Uitsig Street as depicted on the attached Locality Plan. The area in which the property is situated is mixed residential in character. Surrounding land uses include dwelling units, a bed and breakfast and flats. Foot traffic and vehicular traffic on the street is generally low and vehicular traffic on Uitsig fluctuates depending on the use of the conference facility in the Bed and Breakfast.

### **3.2. Site Description**

#### **3.2.1. Topography**

The property is situated on land with a slight gradient and is not subject to flooding

#### **3.2.2. Vegetation**

The vegetation on the site is limited to a manicured lawn. The property is not situated in areas identified as Critical Biodiversity, areas of Ecological Support or Protected Areas and as it does not contain any protected plant species. The development of the site will not trigger any listed activities in terms of the NEMA regulations.

#### **3.2.3. Improvements and land use**

The property is currently vacant. The development will comply with the Building Standards Act 103 of 1977 and Town Planning considerations.

### 3.3. Property Detail

<b>Title Deed Description</b>	Erf 1779 Maclear in Elundini Municipality, Division of Maclear, Eastern Cape Province
<b>Title Deed Number</b>	T5344/1993
<b>Title Deed Restrictions that can prohibit the development</b>	None
<b>Property Size</b>	975 m <sup>2</sup>
<b>Property Owner</b>	Phindile Kula
<b>Bonds</b>	None
<b>Zoning</b>	Residential Zone 1

### 3.4. Infrastructure

#### *Access*

The property be accessed through Fourie street and Uitsg street (See attached locality plan and development plans).

#### *Water and sanitation*

The subject property is connected to the bulk water supply in the town of Maclear. The area in which the property is located does not have sanitation infrastructure. A conservancy tank will be provided for the residents of the development.

#### *Electricity*

The subject property is currently supplied by Elundini Local Municipality, a capacity of 60 A per household is provided and this will be sufficient for the proposed rental units.

## 4. Proposal

The owner of the property intends to optimize the use of the property by developing flats, targeting middle income earners. Reasons for the development include creation of wealth for the owner and the desire of the owner to have a positive contribution to the built environment of their hometown.

The "Residential 1 Zone" of the property allows for the Primary use of a "dwelling house "and consent use of an "additional dwelling". Flats are not accommodated in the zoning, it is thus necessary to lodge an application for rezoning.

The proposed zoning is that of "Residential Zone 4". It is the intention of the owner to construct double storey flats which are a total of 14 units, sufficient parking will be provided for the residents

and visitors. The individual who will be assisting in care taking duties of the property once the desired proposal has been approved will be accommodated onsite.

## 5. Factors to consider

### 5.1. Desirability of the proposed utilisation of land

Desirability in the context of this report refers how suitable the proposed development is to the surrounding environment. As previously mentioned, the proposed development is in line with the residential intent of the Elundini SDF and Land Use Scheme as well as the surrounding land uses.

### 5.2. Need

The town of Maclear is experiencing growth in the retail and government sectors. This has resulted in people coming into the town who need accommodation. There is thus a need for flats in Maclear.

### 5.3. Development Controls

Compliance with zoning parameters

PARAMETER	RESIDENTIAL ZONE 1	RESIDENTIAL ZONE 4	PROPOSED DEVELOPELEMENT
Floor Factor	0.7	0.66	0.37
Coverage	50%	40%	37%
Height	2 Storeys	2 Storeys	2 Storeys
Street Building Line	8m	8m	Street access is a cul-de-sac, the 8m building has been observed.
Rear Building Line	2m	2m	2m has been observed, a relaxation of 1.5.m in the rear building line has been made
Side Building Line	2m	4m	3 m
Parking	1 parking bay per land unit	1,25 parking bay per land unit	16 parking spaces have been provided

### 5.4 Anticipated Impacts of proposal

#### 5.4.1. Impact on the character of the area

This development will have a positive impact on the facia of the area and fit with the surrounding land uses as they are residential in nature.

#### **5.4.2. Impact on municipal services**

The bulk infrastructure of the area has the capacity to sustain the proposed development. Minor upgrades would be required in terms of electricity connections.

Stormwater will be channelled to the rear of the site.

The area currently does not have sanitation and sanitation infrastructure thus there will be no impact on the said infrastructure.

#### **5.4.3. Impact on existing rights of surrounding property owners**

The rights of surrounding property owners will be positively affected in that the proposed development will improve the visage of the area and assist in attracting or encouraging more positive developments. The development will in no way impede on surrounding property owner's rights to fully enjoy their land.

### **5.5. Consideration of applicable forward planning documents**

#### **5.5.1. Elundini Local Municipality Spatial Development Framework (SDF)**

The site is situated within the urban area of Maclear. In general, the SDF promotes densification and intensification of uses within the urban edge where feasible.

### **5.6. Policies, Principles and Planning Development Norms and Criteria set by the National and Provincial Government.**

#### **5.6.1. Spatial Planning and Land Use Management Act**

In considering the application, the decision maker needs to be guided by the development principles contained in (Chapter 2) of Spatial Planning and Land Use Management Act 2013 (Act no 16 of 2013) SPLUMA. Section 7 of the Act describes a set of development principles that need to be considered when evaluating any development application. These principles will be discussed below:

##### **Spatial Justice**

The owner of the subject property is part of the previously disadvantaged communities being referred to in the act.

##### **Spatial Sustainability**

The property is within the urban edge thereby limiting the need for urban sprawl and encouraging the optimal use of existing urban land and services.

### **Spatial Efficiency**

The subject property is located within the urban edge where there is existing infrastructure as previously discussed.

### **Good Administration**

A notice of the application will be placed in the *Barkley Eastern Reporter* and a notice was hand delivered to neighbouring owners.

### **5.6.2. National Environmental Management Act**

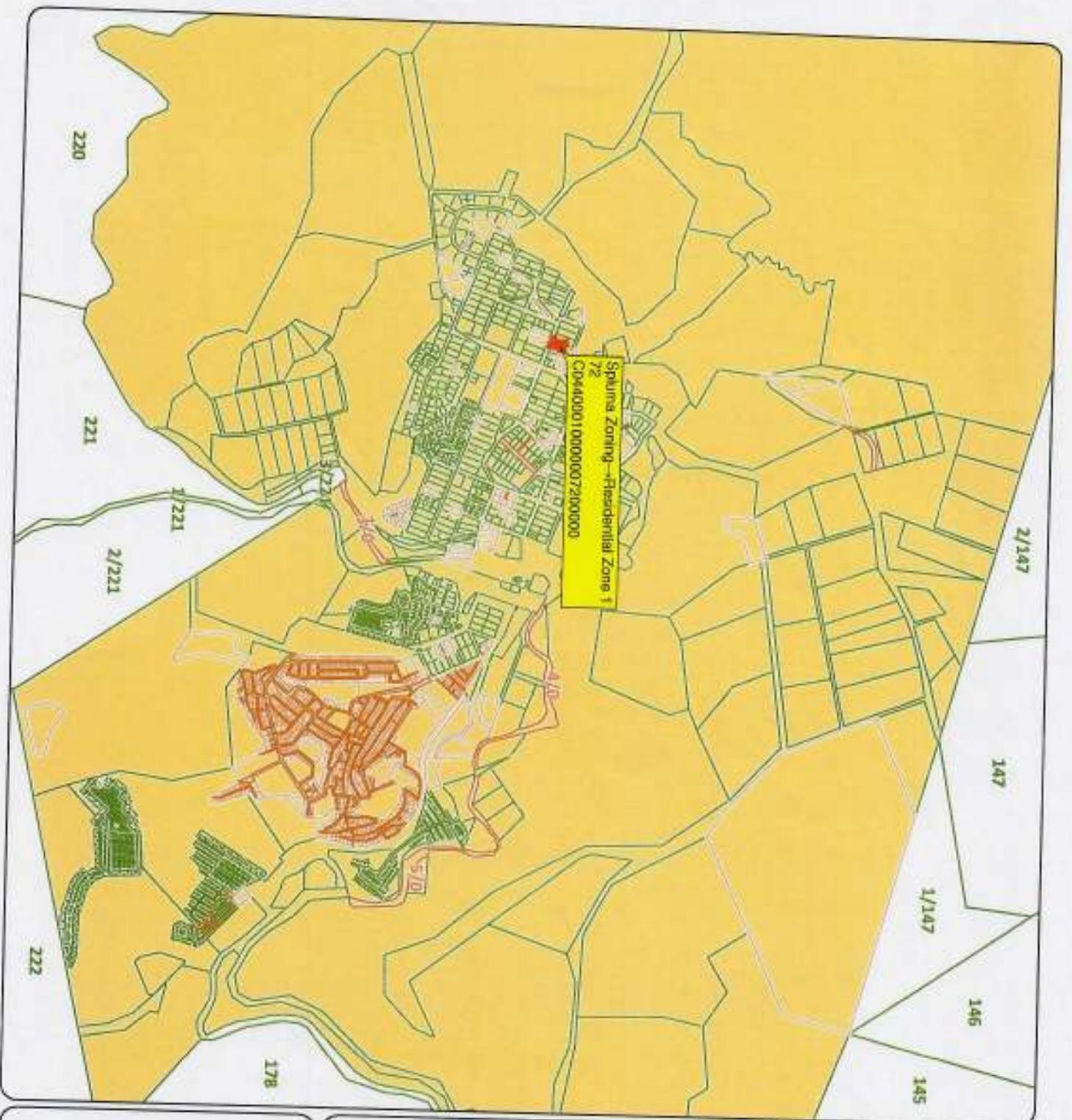
The proposal is in accordance with NEMA.

### **6. Conclusion**

A rezoning and relaxing of building lines application is prepared and lodged to allow P. Kula establish flats on erf 1779 Maclear. The property is currently underutilized. A development of this nature will assist in meeting the demand of rental accommodation in Maclear, provide extra income to the owner, improve the overall facia of the area in terms of establishing attractive structures and is in line with the principles of densification and intensification supported in the Elundini Local Municipality SDF.

# PLANS

## LOCALITY PLAN



### Spatial Information



### Elundini Municipality

#### Legend

- General
- Municipal Boundary
- Towns
- Active Map
- Cadastral Map
- Formal Properties
- Registered
- Registered Erven
- Registered Farm Portions
- Registered Streets
- Surveyed
- Surveyed Erven
- Surveyed Farm Portions
- Surveyed Streets

#### Maps Produced By

Tel: +27 12 981-3834  
 Fax: +27 12 981-6986  
 Email: info@lps.co.za  
 Web: www.lps.co.za



Scale 1:30000



Disclaimer:  
 TGIS can not be held responsible for the quality and accuracy of the data presented in the map.

# ZONING PLAN



# LAND USE PLAN

# SITE DEVELOPMENT PLAN



**Annexure A- Land Use Application Form**



## LAND USE PLANNING APPLICATION FORM

**KINDLY NOTE:** Please complete this form using BLOCK capital and ticking the appropriate boxes.

### SECTION A: APPLICANT DETAILS

First name(s)	Phindile		
Surname	Kula		
South African Council for Planners (SACPLAN) registration number (if applicable)			
Company name (if applicable)			
Postal Address	P O Box 79, Kriel 2271		
		Postal Code	
Email	phindile.kula@gmail.com		
Tel		Fax	Cell

### SECTION B: REGISTERED OWNER(S) DETAILS (if different from applicant)

Registered owner(s)	Phindile Kula		
Physical address	Mbonisweni A/A, Tsoelo		Postal Code
Email	phindile.kula@gmail.com		



Tel		Fax		Cell	0837003950
-----	--	-----	--	------	------------

**PART C: PROPERTY DETAILS** (in accordance with title deed)

Property description [Number(s) of Erf/Erven/Portion(s) or Farm(s), allotment area]	ERF 1779, Maclear				
Physical Address	Maclear Town, undeveloped site				
GPS Coordinates			Town		
Current Zoning	Residential	Extent 975	m <sup>2</sup> /ha	Are there existing buildings?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Applicable Zoning Scheme					
Current Land Use	Vacant plot				
Title Deed number and date	T	008676/11			
Any restrictive conditions?	Y	<input checked="" type="checkbox"/>	If Yes, list the condition(s)		
Are the restrictive conditions in favour of a third party(ies)	Y	<input checked="" type="checkbox"/>	If Yes, list the party(ies)		
Is the property encumbered by a bond?	Y	<input checked="" type="checkbox"/>	If Yes, bondholder(s)		
Any existing unauthorized buildings and/or land use on the subject proper(s)	Y	<input checked="" type="checkbox"/>	If Yes, is this application to legalize the building/land use?	Y	N
Are there any pending court case(s)/order(s) relating to the subject property(ies)?	Y	<input checked="" type="checkbox"/>	Are there any land claim(s) registered on the subject property(ies)?	Y	N

**SECTION D: PRE-APPLICATION CONSULTATION**

Has there been any pre-application consultation?	Y	<input checked="" type="checkbox"/>	If Yes, complete the information below and attach the minutes of the pre-application consultation.
Official's name		Reference Number	Date of consultation

**SECTION E: LAND USE PLANNING APPLICATION FEES PAYABLE**

TICK	Section	Type of application	Cost
<input checked="" type="checkbox"/>		a rezoning of land;	R 2963.39
<input checked="" type="checkbox"/>		a permanent departure from the development parameters of the zoning scheme	R
<input checked="" type="checkbox"/>		a departure granted on a temporary basis to utilize land for a	R



		purpose not permitted in terms of the primary rights of the zoning applicable to the land;	
✓		a subdivision of land;	R
✓		a consolidation of land;	R
✓		a removal, suspension or amendment of restrictive conditions in respect of a land unit;	R
✓		a permission required in terms of the zoning scheme;	R
✓		an amendment, deletion or imposition of conditions in respect of an existing approval;	R
✓		an extension of the validity period of an approval;	R
✓		an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R
✓		a permission required in terms of a condition of approval;	R
✓		a determination of a zoning;	R
✓		a closure of a public place or part thereof;	R
✓		a consent use contemplated in the zoning scheme;	R
✓		an occasional use of land;	R
✓		to disestablish a home owner's association;	R
✓		to rectify a failure by a homeowner's association to meet its obligations in respect to the control over or maintenance of services;	R
✓		a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.	R
<b>TOTAL: A</b>			<b>R</b>

**PRESCRIBED NOTICE AND FEES\*\* (for completion and use by official)**

Tick	Notification of application in media	Type of application	Cost
✓	<b>SERVING OF NOTICES</b>	Delivering by hand; registered post; data messages	R
✓	<b>PUBLICATION OF NOTICES</b>	Local Newspaper(s); Provincial Gazette; site notice; Municipality's website	
✓	<b>ADDITIONAL PUBLICATION OF NOTICES</b>	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
✓	<b>NOTICE OF DECISION</b>	Provincial Gazette	R
✓	<b>INTEGRATED PROCEDURES</b>	T.B.C	R

**TOTAL B:** R

**TOTAL APPLICATION FEES**

**(TOTAL A + B)** R

\*Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany and application.

\*\*The applicant is liable for the cost of publishing and serving notice of an application.

**BANKING ACCOUNT DETAILS**



Name:  
 Bank:  
 Branch no.:  
 Account no.:  
 Payment reference:

**SECTION F: DETAILS OF PROPOSAL**

Brief description of proposed development / intent of application:

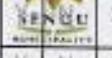
Development of residential structure( Apartments units)

**PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION**

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete. It will not be considered complete until all required information and documentation have been submitted.

<input checked="" type="checkbox"/>	N	Power of attorney / Owner's consent if applicant is not owner	<input type="checkbox"/>	Y	N	Bondholder's consent (if applicable)
<input type="checkbox"/>	N	Resolution or other proof that applicant is authorized to act on behalf of a juristic person	<input type="checkbox"/>	<input type="checkbox"/>	N	Proof of registered ownership or any other relevant right held in the land concerned
<input type="checkbox"/>	N	Written motivation	<input type="checkbox"/>	<input type="checkbox"/>	N	S.G diagram / General plan extract
<input type="checkbox"/>	N	Locality plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N	Site development plan or conceptual layout plan
<input type="checkbox"/>	N	Proposed subdivision plan	<input type="checkbox"/>	<input type="checkbox"/>	N	Proof of agreement or permission for required servitude
<input checked="" type="checkbox"/>	N	Proof of payment of application fees	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N	Full copy of title deed
<input type="checkbox"/>	N	Conveyancer's certificate	<input type="checkbox"/>	<input type="checkbox"/>	N	Minutes of pre-application consultation meeting (if applicable)

Supporting information and documentation:

<input type="checkbox"/>	N	N/A	Consolidation plan Street name and numbering plan		N/A	Land use plan / Zoning plan	
<input type="checkbox"/>	N	N/A	Landscaping / Tree plan		N/A	1:50 / 1:100 Flood line determination (plan / report)	
<input type="checkbox"/>	N	N/A	Abutting owner's consent	<input type="checkbox"/>	N	N/A	Home Owner's Association consent
<input type="checkbox"/>	N	N/A	Copy of Environment Impact	<input type="checkbox"/>	N	N/A	Services report or indication of all



			Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact (MHIA) / Environmental Authorization (EA) / Record of Decision (ROD) (strike through if irrelevant)				municipal services / registered servitudes
Y	N	N/A	Copy of original approval and conditions of approval	Y	N	N/A	Proof of failure of Home Owner's Association
Y	N	N/A	Proof of lawful use right	Y	N	N/A	Any additional documents or information require as listed in the pre-application consultation form / minutes
Y	N	N/A	Required number of documentation copies	Y	N	N/A	Other (specify)

**SECTION H: AUTHORISATION(S) IN TERMS OF OTHER LEGISLATION**

Y	N/A	National Heritage Resources Act, 1999 (Act 25 of 1999) National Environmental Management Act, 1998 (Act 107 of 1998) Subdivision of Agricultural Land Act 1970 (Act 70 of 1970) Spatial Planning and Land Use Management Act, 2013 (Act 116 of 2013) (SPLUMA) Occupational Health and Safety Act, 1993, (Act 85 of 1993): Major Hazard Installations Regulations	Y	N/A	Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989), National Environmental Management: Air Quality Act 2004 (Act 39 of 2004), National Environmental Management: Waste Act, 2008 (Act 59 of 2008), National Water Act, 1998 (Act 36 of 1998) (strikethrough if irrelevant)
Y	N/A	If required, has application for EIA / HIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.			

**SECTION I: DECLARATION**

I hereby wish to confirm the following:

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I am aware that it is an offense to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and (where applicable)



that a copy of the relevant power of attorney or consent are attached hereto.

4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent to the agent and that the owner will regularly consult with the agent in this regard.
5. That this submission includes all necessary land use planning applications required to enable the development proposed herein.
6. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
7. I am aware that development charges to the Municipality in respect of the provision and installation of external engineering services are payable by the application as a result of the proposed development.

Applicant's signature:



Date:

18 Aug 20

Full name:

Phindile Kula

Professional capacity:

Owner

SACPLAN registration  
Number:

**FOR OFFICE USE ONLY**

Date received:

Received by:



Municipal Stamp	
<b>ANNEXURES</b>	



## **Annexure B- Zoning Certificate**



Elundini Local Municipality

1 Coffer Street • Maclear • 5480 • PO Box 1 • Maclear • 5480

Tel: +27 (0) 45 932 8100 • Fax: +27 (0) 45 932 1094 • Email: info@elundini.gov.za

## ZONING CERTIFICATE

ERF No. : 1779  
Town : Maclear  
Extent : 975 m<sup>2</sup>  
Zoning : Residential Zone 1  
Primary Use : Dwelling House  
Consent Use : Additional Dwelling  
Height : 2 Storey  
Coverage : 50%  
Parking : At least 1 parking bay a unit  
Building Lines : - Street - 4m  
- Side - 2m

To whom it may concern

The information is based on the Municipal database.

N.C. Eddie

Director: Planning and Economic Development



If you are aware of any instances of fraud and/or corruption within the municipality, these matters may be reported, anonymously, to:

Freecall: 0800 117 844 • Freefax: 0800 007 788 • SMS: 32840 • Email: elundini@tip-offs.com

Freepost: Freepost KZN136, Umhlanga Rocks, 4320

All correspondence must be addressed to the Municipal Manager

## **Annexure C- Surveyor General Diagram**

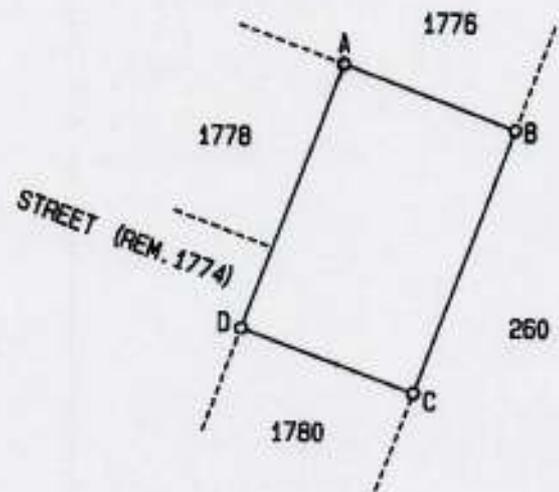
SIDES (metres)		DIRECTIONS		CO-ORDINATES (metres)	
				Y SYSTEM LO 29° DEGREES X	
		CONSTANTS			
AB	25,00	290 00 30	A	+ 61 892,70	+ 39 113,15
BC	39,00	20 00 30	B	+ 61 869,21	+ 39 121,71
CD	25,00	110 00 30	C	+ 61 882,55	+ 39 158,35
DA	39,00	200 00 30	D	+ 61 906,04	+ 39 149,80
		No 1 ADAMS	Δ	+ 77 283,14	+ 44 975,95
		No 36 MACLEAR	Δ	+ 62 561,51	+ 33 974,32

S.G. No.  
8378/92

Approved

*J. A. Y. Haines*  
1992.11.10  
Surveyor-General

DESCRIPTION OF BEACONS  
A B C D            15mm ROUND IRON PEG



Scale 1/1000

The figure A B C D represents 975 Square metres of land being ERF 1779 (PORTION OF ERF 1774) MACLEAR Situate in the Municipality of Maclear Administrative District of PROVINCE OF CAPE OF GOOD HOPE

Surveyed in July - August 1992 by me

*J. A. Y. Haines*  
Land Surveyor  
J A Y Haines

This diagram is annexed to No. T 53443/93 Dated Registrar of deeds	The original diagram is No. 8373/92 Attached to No. 53442/93	File No. S/8808 S.R. No. S 2617/92 Comp DR-IBC/V53(2845)
--	--	--

000

APPROVED IN TERMS OF SECT. 25  
OF ORD. 15/1985

REF. ERVEN 2<sup>5</sup>8 + 259

DATE 1992-07-13

## **Annexure D- Press Notice**

**Annexure E- Title Deed**

**DEED OF TRANSFER NO 8676/2011**

in favour of

**PHINDILE KULA**

**ERF 1779 MACLEAR**

Grayvenstein & Spence  
15 Cole Street  
Barkly East  
9786  
Tel: 045 9710002

GREYVENSTEIN & SPENCE  
P O Box 13, Barkly East 9785

Prepared by me,

Conveyancer  
SPENCE P M

FEE  
R.....7000.....

T 008676 / 11

### DEED OF TRANSFER NO T.

DATA  
23 MAR 2011  
TALIBARTHEE

KNOW ALL MEN WHOM IT MAY CONCERN :

THAT

MARTHINUS CHRISTOFFEL COETZER

appeared before me, Registrar of Deeds, at CAPE TOWN, the said Appearer, being duly authorised thereto by a Power of Attorney, granted to him/her, by

NONCEBA NDABAMBI  
Identity Number 590302 0645 08 1  
Unmarried

DATA / CAPTURE  
07 MAR 2011  
NCAPAI LINDA

dated 7 JANUARY 2011  
and signed at MACLEAR

and the said Appearer declared that the transferor/s had on 6 October 2010 truly and legally sold to, and that he/she, in his/her capacity aforesaid, did by these presents, ceda and transfer to and on behalf of

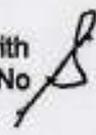
**PHINDILE KULA**  
Identity Number 750606 6576 08 2  
Unmarried

his heirs, executors, Administrators or Assigns

in full and free property

**ERF 1779 MACLEAR**  
in Elundini Municipality  
Division of Maclear, Eastern Cape Province

**IN EXTENT : 975 (Nine Hundred and Seventy Five) Square metres**

FIRST TRANSFERRED by Certificate of Registered Title No. T53443/1993 with Diagram No. 8378/1992 relating thereto and HELD by Deed of Transfer No T80409/1994. 

SUBJECT to the conditions mentioned in Deed of Grant dated 7 March 1922 (Maclear Freeholds Volume 1A, No. 90) No's 3 & 4 of which read as follows:-

- 3. ....
- 4. That the land hereby granted shall be subject to all rights and servitudes which now affect, or at any time hereafter may be found to affect the title of the land hereby granted, or which may be binding on the Government in respect of the said land as at date hereof.

Not subject to Condition 3 on page 2 of Deed of Transfer No. T80409/1994 by virtue of Section 53 of the Mining Title Registration Amendment Act 24 of 2003.



WHEREFORE the Appearer, renouncing all the rights and title  
**NONCEBA NDABAMBI**

heretofore had to the premises, did, in consequence, also acknowledge the transferor/s to be entirely dispossessed of, and disentitled to the same; and that by virtue of these presents the said

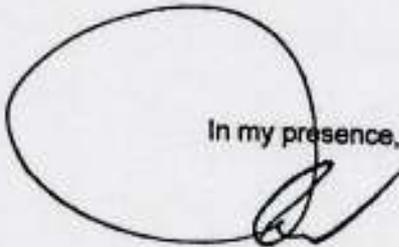
**PHINDILE KULA**

his heirs, executors, Administrators or Assigns, now is/are and henceforth shall be entitled thereto, conformably to local custom; the State, however, reserving its rights; and finally acknowledging the whole of the purchase price amounting to **R63 000,00 (Sixty Three Thousand Rand)** to have been duly paid or secured.

IN WITNESS whereof I, the said Registrar, together with the Appearer, have subscribed to these presents, and have caused my Seal of Office to be affixed thereto.

THUS DONE AND EXECUTED at the Office of the Registrar of Deeds, at CAPE TOWN on *24 February* 2011.

*Maetzer*  
q.q.

In my presence,  
  
REGISTRAR OF DEEDS

*[Handwritten mark]*



TRANSFER DUTY

2

TD2

Receipt or exemption certificate

Transfer Duty Act, 1949

Part 2

Our Reference : 554238

Receipt Number : Unallocated

Details of seller(s) or transferor(s)

Full name: NONCEBA NDA BAMB I

Identity/Trust/CC/Company Number: 005903020645081

Income tax reference number: 3000000000000

If you are a VAT Vendor, state your VAT Registration Number: NO 0000000000

If you are not registered for Income Tax, state your annual income from all sources: R 0.00

Marital Status: N/A

Spouse name:

Marital Notes:

Details of purchaser(s) / Transferee(s)

Full name: PHINDILE KULA

Identity/Trust/CC/Company Number: 007506066576082

Income tax reference number: 30002193117142

If you are a VAT Vendor, state your VAT Registration Number: NO 0000000000

If you are not registered for Income Tax, state your annual income from all sources: R 0.00

Marital Status: N/A

Spouse name:

Marital Notes:

Property Details (As per Deeds registry)

Description of Property (as per deeds registry): ERF 1779 MACLEAR IN ELUNDINI MUNICIPALITY DIVISION OF MACLEAR EASTERN CAPE PROVINCE IN EXTENT: 975 (NINE HUNDRED AND SEVENTY FIVE) SQUARE METRES

Nature of property: Improved

Postal Code: 05480

Details of purchase transaction

Acquisition Date: 08 OCT 2010

Bought By: PRIVATE TREATY

Consideration: R 63000.00

Any other consideration payable: R 0.00

Total Consideration: R 63000.00

Fair Value: R 11500.00

Calculation of Duty and interest payable

Transfer duty payable on: R 63000.00 being fair value: NO

Natural person %	1000 %	False	0.00	% on	R 63000.00	= R	0.00
Non natural person %	000 %	False	5.00	% on	R 0.00	= R	0.00
		False	8.00	% on	R 0.00	= R	0.00

Sub total: R 0.00

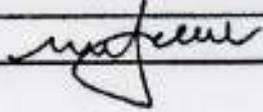
Penalty / Interest: R 0.00

Total Paid: R 0.00

Declaration by Conveyancer

I/ PETER SPENCE

hereby certify that this is a true copy of the transfer duty receipt / exemption certificate, drawn from the SARS web-site (e-filing only)

Signature		Date: ddmmyyy	2011-01-27
-----------	---	------------------	------------

ELUNDINI MUNICIPALITY

AUTHORITY FOR REGISTRATION OF TRANSFER OF IMMOVABLE PROPERTY IN TERMS OF SECTION 118 OF ACT NO 32/2000

AUTHORITY IS HEREBY REQUESTED FOR THE REGISTRATION OF THE TRANSFER OF THE IMMOVABLE PROPERTY HEREIN DESCRIBED.

FULL TITLE DESCRIPTION :

ERF 1779 MACLEAR  
in Elundini Municipality  
Division of Maclear, Eastern Cape Province

IN EXTENT : 975 (Nine Hundred and Seventy Five) Square metres

HELD BY Deed of Transfer No T80409/1994

SELLING PRICE: R63 000,00  
DATE OF SALE: 6 October 2010  
TYPE OF TRANSACTION: Private Treaty  
DATE OF POSSESSION: Date of Registration of Transfer  
CONVEYANCER: GREYVENSTEIN & SPENCE  
ADDRESS: P O Box 13, Barkly East 9786  
TRANSFEROR/S : NONCEBA NDABAMBI  
Identity Number 590302 0645 08 1  
Unmarried  
TRANSFEROR/S ADDRESS P O Box 140, UGIE, 5470  
TRANSFEREE/S : PHINDILE KULA  
Identity Number 750606 6576 08 2  
Unmarried  
TRANSFEREE/S ADDRESS P O Box 79, KRIEL, 2271  
ADDRESS AFTER POSSESSION: P O Box 79, KRIEL, 2271  
THIS AUTHORITY EXPIRES ON: 6 MAY 2011

3

  
SIGNATURE OF APPLICANT

AUTHORITY FOR REGISTRATION OF TRANSFER OF IMMOVABLE PROPERTY IN TERMS OF SECTION 118 OF ACT 32 OF 2000 IS HEREBY GRANTED FOR THE ABOVEMENTIONED IMMOVABLE PROPERTY:

This authority will be:

- (i) valid for 120 days from date of issue hereof
- (ii) invalid if any alteration of the date referred to in paragraph (i) of the particulars relating to the abovementioned immovable property has been made unless every alteration has been intialled by the Treasurer.

  
TREASURER

DATE:

ELUNDINI MUNICIPALITY  
CHIEF FINANCIAL OFFICER  
2011 -01- 10  
P.O. BOX 1, MACLEAR, 5480

## **Annexure F- Proof of Payment**



# Elundini Local Municipality

## **NOTICE**

### **Elundini Local Municipality Applications in terms of Spatial Planning and Land Use Management Act 16 of 2013**

**N**OTICE is hereby given that the Council has received a rezoning application in terms of the Spatial Planning and Land Use Management Act 16 of 2013. An application is lodged for the rezoning of **erf 1779 Maclear** from residential zone 01 to residential zone 04 for the purpose of establishing residential units.

Further details concerning the above applications are available from the undersigned. Any objections thereto must be lodged in writing with the understanding by no later than 12h00 on the day exactly 31 days after the date of publication of this notice being the **12 July 2019**.

Contact person Miss Z. Nonkula 045 932 8214.

**KAYALETU GASHI**  
Municipal Manager  
P.O. Box 1  
Maclear  
5480  
1 Seller Street, Maclear  
Tel.: 045 923 8100  
Fax: 045 932 1094



# Elundini Local Municipality

## **NOTICE**

### **Elundini Local Municipality Applications in terms of Spatial Planning and Land Use Management Act 16 of 2013**

**N**OTICE is hereby given that the Council has received a Consent Use application in terms of the Spatial Planning and Land Use Management Act 16 of 2013. An application is lodged for a consent use on **Erf 72 MACLEAR** for the purpose of operating a **bed and breakfast**.

Further details concerning the above applications are available from the undersigned. Any objections thereto must be lodged in writing with the understanding by no later than 12h00 on the day exactly 31 days after the date of publication of this notice being the **12th of July 2019**.

Contact person Miss Z. Nonkula 045 932 8214.

**KAYALETU GASHI**  
Municipal Manager  
P.O. Box 1  
Maclear  
5480  
1 Seller Street, Maclear  
Tel.: 045 923 8100  
Fax: 045 932 1094



Register for notified abutting adjacent land owners

The signature in this instance indicates the receipt of the notification of the rezoning application lodged on erf 1779 Maclear from residential zone 1 to residential zone 04 for the establishment of rental accommodation. Any objections are to be in writing to be addressed to the Municipal Manager of Elundini Local Municipality. In cases where parties other than the owner have signed, the parties have committed to relaying the notification to the owner of the property.

Erf no	Name	Signature
Erf 1776 Maclear	Nelisa Madikizela Kwandiwe.m@gmail.com	<i>N. Madikizela</i>
Erf 1775 Maclear	Andile Begon Rwexana lythazcuk@mail.com	
Erf 1778 Maclear	Nomabhelu Patiance Nomlala P O Box 116 Maclear 5480	
Erf 1777 Maclear	Mantombi Nonkululeko Dlanjwa 20 Maxesha Bizana Street Mbuqe Extension Mthatha 5099	
Erf 1782 Maclear	Nomthandazo Victoria Mandla P O Box 378 Maclear 5480	<i>N. Mandla</i>
Erf 1781 Maclear	Mandisa Queen Mashiyi P O Box 134 Maclear 5480	<i>M. Mashiyi</i>
Erf 1780 Maclear	Victor Mntuyedwa Makhala P O Box 3643 Maclear 5480	<i>V. Makhala</i>
Erf 260 Maclear	Zolisa Dlova zolisad@yahoo.com	
Erf 3542 Maclear	Elundini Local Municipality	
Erf 3543 Maclear	Elundini Local Municipality	
Erf 249 Maclear	Abashire Nkosinathi Qina 15 Uitseg Street	
Erf 248 Maclear	Whycliffe Bekizitha Delford Nombekela Lindiswa.nombekela@gmail.com	



## NOTIFICATION OF PAYMENT

To Whom It May Concern:

First National Bank hereby confirms that the following payment instruction has been received:

---

Date Actioned : 08 Feb 2019  
Time Actioned : 11:02:01  
Trace ID : VODS9GWH65LF

### Payer Details

Payment From : Zeny Trading (pty) Ltd - Business Account  
Curr/Amount : ZAR2,963.39

### Payee Details

Name : Elundini Municipality  
Bank :  
Branch Code :  
Reference : 0000017790

END OF NOTIFICATION

---

To authenticate this Payment Notification, please visit the First National Bank website at [fnb.co.za](http://fnb.co.za), select Contact Us+Tools and then select "Verify Payment" and follow the on-screen instructions.

Our customer (the payer) has requested FirstRand Bank Limited to send this notification of payment to you. Should you have any queries regarding the contents of this notice, please contact the payer. FirstRand Bank Limited does not guarantee or warrant the accuracy and integrity of the information and data transmitted electronically and we accept no liability whatsoever for any loss, expense, claim or damage, whether direct, indirect or consequential, arising from the transmission of the information and data.

Rezoning and Relaxation of Building Lines on Erf 1779 Maclear

**PURPOSE**

For the Joe Gqabi Municipal Planning Tribunal to approve the Rezoning and relaxation of building lines on erf 1779 Maclear.

**BACKGROUND** - this is covered in the planners report.

Locality

The land parcel is situated in the town of Maclear (Refer to Map No 2: Locality).

Zoning

The zoning of the property is "Residential Zone 1"

Land Use

Land parcel is vacant.

**DISCUSSION**

- there is a planners report and a motivation report, what is the need for  
Please attached town planning report  
this

**PROPOSAL**

Flats

**FINANCIAL IMPLICATIONS**

The Department of Human Settlements has planned and budgeted for this development

**LEGAL IMPLICATIONS**

Planning Ordinance 15 of 1985

Spatial Planning and Land Use Management Act 16 of 2013

Elunduni SPLUMA By-Laws

**CREDIBILITY**

*Ensure the land development is checked by the Municipal Manager*

**RECOMMENDATIONS**

That the application be approved- see attached report for specific recommendations

**ANNEXURES**

Checklist has been completed

# **ANNEXURE G**

## Comments from State Organs

**Subject:** Fwd: FW: Electricity comment on erf 1779 Maclear rezoning application  
**From:** Tsepiso Ntwanambi <tsepiso@jgdm.gov.za>  
**Date:** 2020/10/21, 16:11  
**To:** Linda Mbanga <linda@jgdm.gov.za>

----- Forwarded Message -----

**Subject:**FW: Electricity comment on erf 1779 Maclear rezoning application  
**Date:**Wed, 21 Oct 2020 09:31:15 +0000  
**From:**Zamazulu Nonkula <zamazulun@elundini.gov.za>  
**To:**tsepiso@jgdm.gov.za <tsepiso@jgdm.gov.za>  
**CC:**Ntomboxolo Charlotte Eddie <ntomboxoloe@elundini.gov.za>

**From:** mzolisi zwakala  
**Sent:** Wednesday, 18 September 2019 2:39 PM  
**To:** Zamazulu Nonkula <zamazulun@elundini.gov.za>; Luyanda Rozani <Luvandar@elundini.gov.za>  
**Subject:** RE: Electricity comment on erf 1779 Maclear rezoning application

Good day

Available capacity for that ERF is 60A( 13.8 kva) anything above that the customer will pay for the costs.

**From:** Zamazulu Nonkula  
**Sent:** 18 September 2019 10:44 AM  
**To:** mzolisi zwakala; Luyanda Rozani  
**Subject:** Electricity comment on erf 1779 Maclear rezoning application

Good Day

Please find a site development plan for erf 1779 Maclear to comment on the electricity infrastructure and capacity to accommodate the proposed development.

Regards

Z. Nonkula

\_\_\_\_\_ ESET Endpoint Antivirus \_\_\_\_\_

This email was scanned, no threats were found.

Detection engine version: 19467 (20190604)

<http://www.eset.com>

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Fwd: FW: Inputs on land use application

**Subject:** Fwd: FW: Inputs on land use application  
**From:** Tsepiso Ntwanambi <tsepiso@jgdm.gov.za>  
**Date:** 2020/10/21, 16:10  
**To:** Linda Mbanga <linda@jgdm.gov.za>

----- Forwarded Message -----

**Subject:**FW: Inputs on land use application  
**Date:**Wed, 21 Oct 2020 09:30:11 +0000  
**From:**Zamazulu Nonkula <[zamazulun@elundini.gov.za](mailto:zamazulun@elundini.gov.za)>  
**To:**[tsepiso@jgdm.gov.za](mailto:tsepiso@jgdm.gov.za) <[tsepiso@jgdm.gov.za](mailto:tsepiso@jgdm.gov.za)>  
**CC:**Ntomboxolo Charlotte Eddie <[ntomboxoloe@elundini.gov.za](mailto:ntomboxoloe@elundini.gov.za)>

**From:** Noluvo Tshabeni  
**Sent:** Monday, 18 November 2019 2:40 PM  
**To:** Zamazulu Nonkula <[zamazulun@elundini.gov.za](mailto:zamazulun@elundini.gov.za)>  
**Subject:** RE: Inputs on land use application

Hi Zama

As verbally communicated, the owner would have to contact the department through me for the disposal of their construction waste. This they can write in a detailed letter to the municipality stating all types of waste they will produce and they request approval for disposal. I will then inspect the site and respond in writing and grant or deny disposal based on the situation presented.

Post construction, it's the same procedure like any other resident or business, they will pay rates which should include refuse collection services. The onus is upon the owner of the property how he/she recoups the rates stated above but the bill will be in the owner's name.

Regards,  
Noluvo

**From:** Zamazulu Nonkula  
**Sent:** Monday, 18 November 2019 13:25  
**To:** Noluvo Tshabeni; [noluvo.tshabeni@gmail.com](mailto:noluvo.tshabeni@gmail.com)  
**Subject:** FW: Inputs on land use application

Good Morning Sisi

Please see the attached layout for inputs as discussed.

Hoping this finds you well.

Best Regards.

Z. Nonkula

**From:** Zamazulu Nonkula

**Sent:** 11 November 2019 08:25

**To:** Luther Kokose; Noluvo Tshabeni; '[noluvo.tshabeni@gmail.com](mailto:noluvo.tshabeni@gmail.com)'

**Subject:** Inputs on land use application

Good Morning

Please find attached a layout plan for erf 1779 Maclear. The Town Planning Unit requires a comment on Fire and Waste Removal on the proposed development for 14 flats.

Hoping to hear from you soon.

Best Regards

Z. Nonkula

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**Subject:** Fwd: FW: Inputs on revised list for erf 1779 Maclear  
**From:** Tsepiso Ntwanambi <tsepiso@jgdm.gov.za>  
**Date:** 2020/10/21, 16:11  
**To:** Linda Mbanga <linda@jgdm.gov.za>

----- Forwarded Message -----

**Subject:**FW: Inputs on revised list for erf 1779 Maclear  
**Date:**Wed, 21 Oct 2020 09:33:07 +0000  
**From:**Zamazulu Nonkula <zamazulun@elundini.gov.za>  
**To:**tsepiso@jgdm.gov.za <tsepiso@jgdm.gov.za>  
**CC:**Ntomboxolo Charlotte Eddie <ntomboxoloe@elundini.gov.za>

**From:** Gavin Hall  
**Sent:** Monday, 11 November 2019 2:11 PM  
**To:** Zamazulu Nonkula <zamazulun@elundini.gov.za>  
**Cc:** Sisekho Sako <sisekhos@elundini.gov.za>; Zubenathi Mabandla <mabandla@elundini.gov.za>  
**Subject:** RE: Inputs on revised list for erf 1779 Maclear

Good Day Zama

My view on the revised layout plan is that I am willing to approve the construction as indicated in the plan but it must be noted that the owner that was responsible for the sub-division is responsible for the access and provision of services

**From:** Zamazulu Nonkula  
**Sent:** Monday, 11 November 2019 08:24  
**To:** Gavin Hall  
**Subject:** Inputs on revised list for erf 1779 Maclear

Good Morning

Please find attached the revised layout plan for erf 1779 Maclear as a discussed on the 11<sup>th</sup> of October 2019.

Hoping to hear from you soon.

Best Regards.

Z. Nonkula

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