

**Application in terms of Sections 27 (1)(a), (b), (e), (g)
and (i) of the uMhlathuze Spatial Planning and Land
Use Management By-Law, 2019, for the development
of the eSikhaleni Fitness (Community Sports)
Centre**

IN THE

uMHLATHUZE MUNICIPAL AREA, REGISTRATION DIVISION GU

JUNE 2020

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Application in terms of Sections 27 (1)(a), (b), (e), (g) and (i) of the uMhlathuze Spatial Planning and Land Use Management By-Law, 2017, for the development of the eSikhaleni Fitness (Community Sports) Centre

1. THE LAND DEVELOPMENT APPLICATION

- 1.1 The land development application is submitted to the uMhlathuze Municipality.
- 1.2 The purpose of this document is to provide the motivation to enable the Municipal Planning Approval Authority to consider the following application/s in terms of the uMhlathuze Spatial Planning and Land Use Management Bylaw, 2017:
- a) In terms of Section 27(1)(e) for the subdivision of Erf 1071 Esikhawini-H into Designated Portion 2 of Erf 1071 and the Remainder;
 - b) In terms of Section 27(1)(i), read with the provisions of Sections 211 and 212 of the KZN Local Authorities Ordinance, 1974, for the permanent closure of public open spaces, being Designated Portion 2 of Erf 1071 Esikhawini-H and Erf 1073 Esikhawini-H;
 - c) In terms of Section 27(1)(a) for the rezoning of Designated Portion 2 of Erf 1071 Esikhawini-H from “Passive Open Space” and Erf 1073 Esikhawini-H from “Active Open Space” to “Municipal and Government”;
 - d) In terms of Section 27(1)(g) for the consolidation of Designated Portion 2 of Erf 1071 Esikhawini-H and Erf 1073 Esikhawini-H into one erf (Designated Erf 4283, Esikhawini-H); and
 - e) In terms of Section 27(1)(b), read with Clause 1.13.4 of the uMhlathuze Land Use Scheme, for consent to operate an “Informal Trade Area”.
- 1.3 The application is supported by various documents and specialist studies, which are attached to this application and discussed in more detail in this motivation.

2. THE APPLICANT

- 2.1 Niphile Consulting Engineers was appointed by the land owner, the uMhlathuze Municipality, to prepare a planning application to develop the proposed eSikhaleni Community Sports Centre. Niphile Consulting Engineers commissioned Asime Development Consult (PTY) Ltd. to prepare the planning application on their behalf.
- 2.2 The relevant Power of Attorney and supporting documents are attached as **Annexure A**.

3. THE APPLICATION SITE

3.1 Locality of the Application Site

- 3.1.1 The application sites comprise of two properties. These are Erf 1071 Esikhawini-H (4.7293ha in extent) and Erf 1073 Esikhawini-H (1.7180ha in extent).
- 3.1.2 The application sites are located in eSikhaleni H-Section and bounded by Mdlebe Ntshona on the north, Thokozani Street to the south and west, Ihlokohloko Street to the east and an internal road to the north-west, which provide safe access to the site.

FIGURE 1: LOCALITY OF THE APPLICATION SITE



3.2 Existing Development and Surrounding Land Use

- 3.2.1 The application site is currently used as a sports-field including combo courts, and is developed with change rooms currently in good external structural condition. However, the property exhibits the notion of being dilapidated, as certain portions of the boundary fence have been vandalised, thus in bad condition. Existing soccer-field and courts are in a bad condition. A portion of the site is used for community gardening. To some extent, the property is also used as a meeting place for community meetings (*see Figure 2, 3 and 4 below*).



- 3.2.2 The proposed site is surrounded by a variety of land uses, as shown on the surrounding land use map below (attached as **Annexure B**).

FIGURE 5: SURROUNDING LAND USES



- 3.2.3 On the south and western side of the property, surrounding land uses are mainly single dwelling residential units with pockets of open spaces (*see Figure 6 below*). On the south eastern side, the surrounding land uses are municipal offices with commercial buildings including a hardware shop (Build- It) on the north western side.
- 3.2.4 Directly opposite the hardware there is an unused and dilapidated fresh produce market building, deteriorated park, mixed used centre including a training centre and mini factories.
- 3.2.5 Along Ihlokohlolo Road the land uses include a post office, nursery, a church and public open space.
- 3.2.6 On the south western side of the proposed site, the surrounding land use is municipal offices and a community hall (*see Figure 7 below*).



Figure 6: Surrounding single-storey residential units



Figure 7: Municipal offices

3.2.7 On the northern side of the property (adjacent to the proposed site) the existing surrounding land uses are a petrol filling station and a motor trade centre (*see Figure 8 and 9 below*).



Figure 8: Petrol filling station next to the proposed site



Figure 9: Motor trade centre next to the proposed site

3.3 Existing Zoning

3.3.1 Erf 1071 Esikhawini-H is currently zoned “Passive Open Space” and Erf 1073 Esikhawini-H is currently zoned “Active Open Space”.

3.3.2 The zonings provide for the following free entry and consent uses as set out in the uMhlathuze Land Use Scheme:

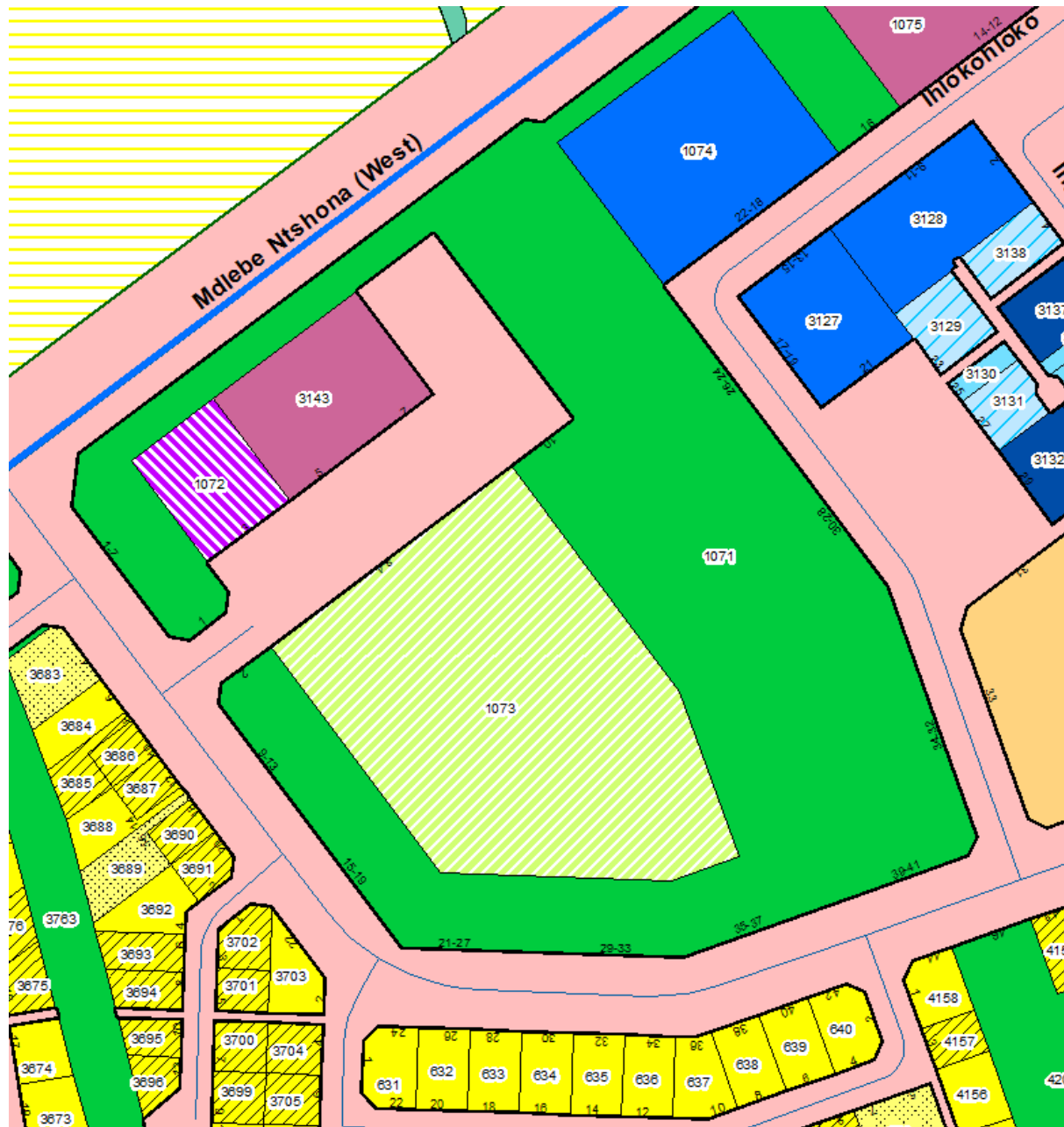
EXISTING SCHEME REQUIREMENTS: ACTIVE OPEN SPACE

STATEMENT OF INTENT: A zone that provides for sporting and recreational needs and permits a limited range of associated development and parking space.					Fill: Chartreuse 2; R 188, G 238, B 000			
USE OF LAND AND BUILDINGS								
COLUMN 1		COLUMN 2		COLUMN 3		ADDITIONAL CONTROLS		
PERMITTED USES		CONSENT USES		PROHIBITED USES				
<ul style="list-style-type: none">• Agricultural Land• *Community Garden• Heritage Purposes• Municipal/Government Purposes• Periodic Events• Plant Nursery• Play Lots• Public Park• Public Recreational Use• Recreational Building• Utilities Facility• Caretaker’s Accommodation• Freestanding Telecommunication Infrastructure		<ul style="list-style-type: none">• Camping and Caravan Park• Coffee Shop / Tea Garden• Dwelling House• Educational Building• New Servitude, 15m or Wider• Parking Area/ Parkade• Place of Public Assembly• Place of Worship• Public / Private Street• Restaurant• Special Use		Buildings and land uses not included in Columns 1 and 2.		<ul style="list-style-type: none">• Land use within the Active Open Space zone may not be changed without the prior consent of the Department of Environmental Affairs.• *Refer to Clause 4.1.3.2.• For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5.		
DEVELOPMENT CONTROLS								
MINIMUM ERF SIZE	UNITS PER HECTARE	FRONTAGE (WIDTH)	STREET BUILDING LINE	SIDE BUILDING LINES	REAR BUILDING LINES	HEIGHT	COVERAGE	FAR
N/A	N/A	N/A	7m	4,5m or 1,5m per storey, whichever is the greater		At the sole discretion of Council		

EXISTING SCHEME REQUIREMENTS: PASSIVE OPEN SPACE

STATEMENT OF INTENT: To provide land for the sustainable open space system consisting of isolated and linked open space areas as part a sustainable open space system and the municipality's environmental services.						Fill: Forest Green; R 034, G 139, B 034			
USE OF LAND AND BUILDINGS									
COLUMN 1		COLUMN 2			COLUMN 3		ADDITIONAL CONTROLS		
PERMITTED USES		CONSENT USES			PROHIBITED USES				
<ul style="list-style-type: none">• Agricultural Building• *Community Garden• Municipal Purposes• Private Recreational Use• Recreation Building• Freestanding Telecommunication Infrastructure		<ul style="list-style-type: none">• Agricultural Land• Caravan Park and Camping Site• Dwelling House• Educational Building• Place of Amusement• Place of Assembly• Public/Private Street• Special Use• Utilities Facility			Buildings and land uses not included in Columns 1 and 2.		<ul style="list-style-type: none">• Land use within the Active Open Space zone may not be changed without the prior consent of the Department of Environmental Affairs.• *Refer to Clause 4.1.3.2.• For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5.• For additional provisions refer to Clause 4.1.3.1		
DEVELOPMENT CONTROLS									
MINIMUM ERF SIZE	UNITS PER HECTARE	FRONTAGE (WIDTH)	STREET BUILDING LINE	SIDE BUILDING LINES	REAR BUILDING LINES	HEIGHT	COVERAGE	FAR	
N/A	N/A	N/A	7,5m	4,5m or 1,5m per storey, whichever is the greater		2	15%	0,15	

FIGURE 10: EXISTING SITE AND SURROUNDING ZONING MAP



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3.4 General Plan and Title Deed Information

- 3.4.1 Erf 1071 Esikhawini-H and Erf 1073 Esikhawini H are 4,7293ha and 1,7180ha in extent respectively. The properties are indicated on General Plan 4187/1996, attached as **Annexure C**.
- 3.4.2 The properties are subject to the conditions and restrictions as set out in Certificate of Registered Title T 52530/99. There are no conditions in this Title Deed that would prevent the Municipality from considering this application.
- 3.4.3 The title deed does, however, refer to the conditions as contained in the original Government Grant No. 7638/1909. Both deeds are attached as **Annexure D**. Annexure "A" of the Government Grant requires that the OWNER gives and grants ESKOM, its successors, assigns or licensees, the right in perpetuity to convey electricity across the PROPERTY by means of power transmission lines and for telecommunication and other related purposes in so far as it relates to the operational requirements of the powerline by means of conductors mounted on poles or structures with such structure supporting mechanisms as may be necessary or convenient. The electricity shall be transmitted by means of 1 [ONE] transmission line consisting of conductors mounted on poles or structures with such supporting structures as may be necessary or convenient.
- 3.4.4 This condition is, however, not applicable to the application sites.
- 3.4.5 No further restrictive conditions of title could be identified that would prevent the applicant from subdividing, closing, rezoning, consolidating or developing the property as proposed.

4. DETAILS OF THE LAND DEVELOPMENT APPLICATION

4.1 The Proposed Development

- 4.1.1 The uMhlathuze Municipality procured the services of Niphile Consulting Engineers to design and develop the application sites for a community sports centre.
- 4.1.2 The proposed development concept is shown below, and the Site Development Plan is attached as **Annexure E**.

FIGURE 11: SITE DEVELOPMENT PLAN (GENERAL LAYOUT PLAN)



4.1.3 The proposed development will be two storeys high, and will make provision for the development of a community sports field, multipurpose arena, change rooms, facilities for indigenous games such as umlalalaba, sheltered recreational area, high performance centre, outdoor gymnasium area, guard house, futsal courts, combo courts, grand stands with shelter and vending stalls and a cycling track.

4.1.4 The proposal also includes the upgrading of the driveway, provision of on- site parking and loading bays and pedestrian crossings have been provided within the site.

4.2 Proposed Subdivision, Closure and Consolidation

4.2.1 In order to create a large, developable property, it is proposed to:

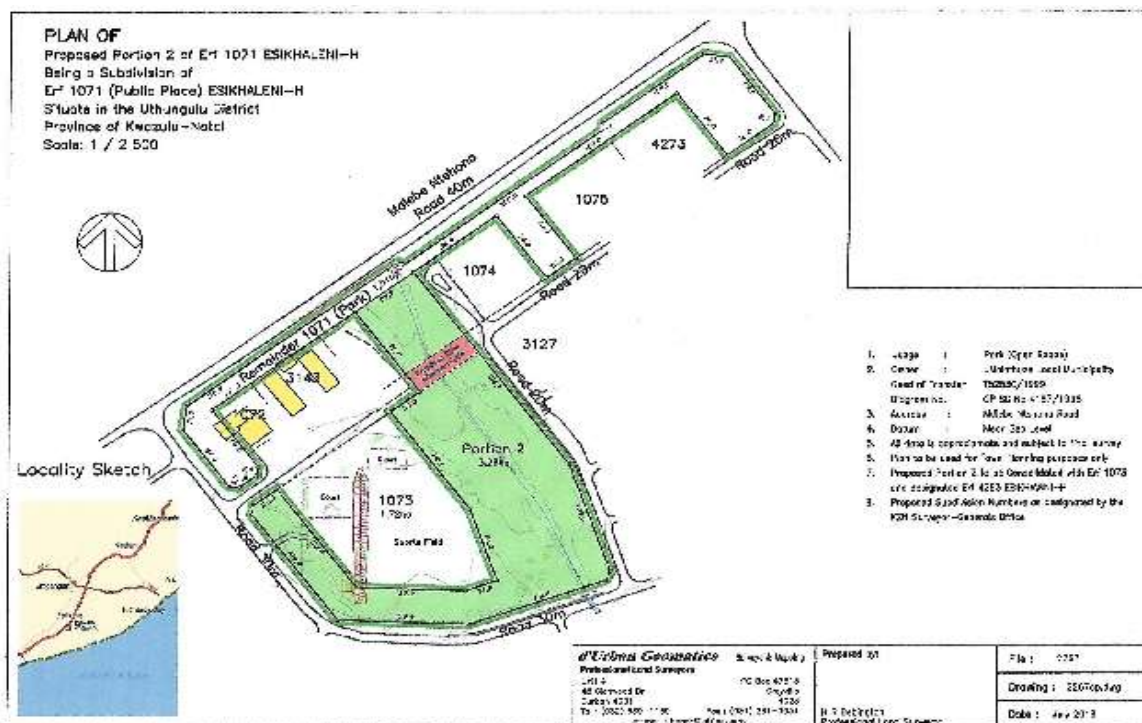
- Subdivide Erf 1071 Esikhawini-H into Designated Portion 2 and the Remainder of Erf

1071 Esikhawini-H;

- Permanently close Designated Portion 2 of Erf 1071, Esikhawini-H, and Erf 1073 Esikhawini-H as public places in order to implement the rezoning of the properties; and
- Consolidate Designated Portion 2 of Erf 1071, Esikhawini-H, and Erf 1073 Esikhawini-H into one erf (Designated Erf 4283, Esikhawini-H).
- The 2.0m right of way (R.O.W.) servitude is proposed to remain unclosed to provide easy access for pedestrians.

4.2.2 The layout plan indicating the proposed subdivision, closure and consolidation is shown below (attached as **Annexure F**):

FIGURE 12: SUBDIVISION, CLOSURE AND CONSOLIDATION PLAN



4.3 Proposed Zoning and Consent

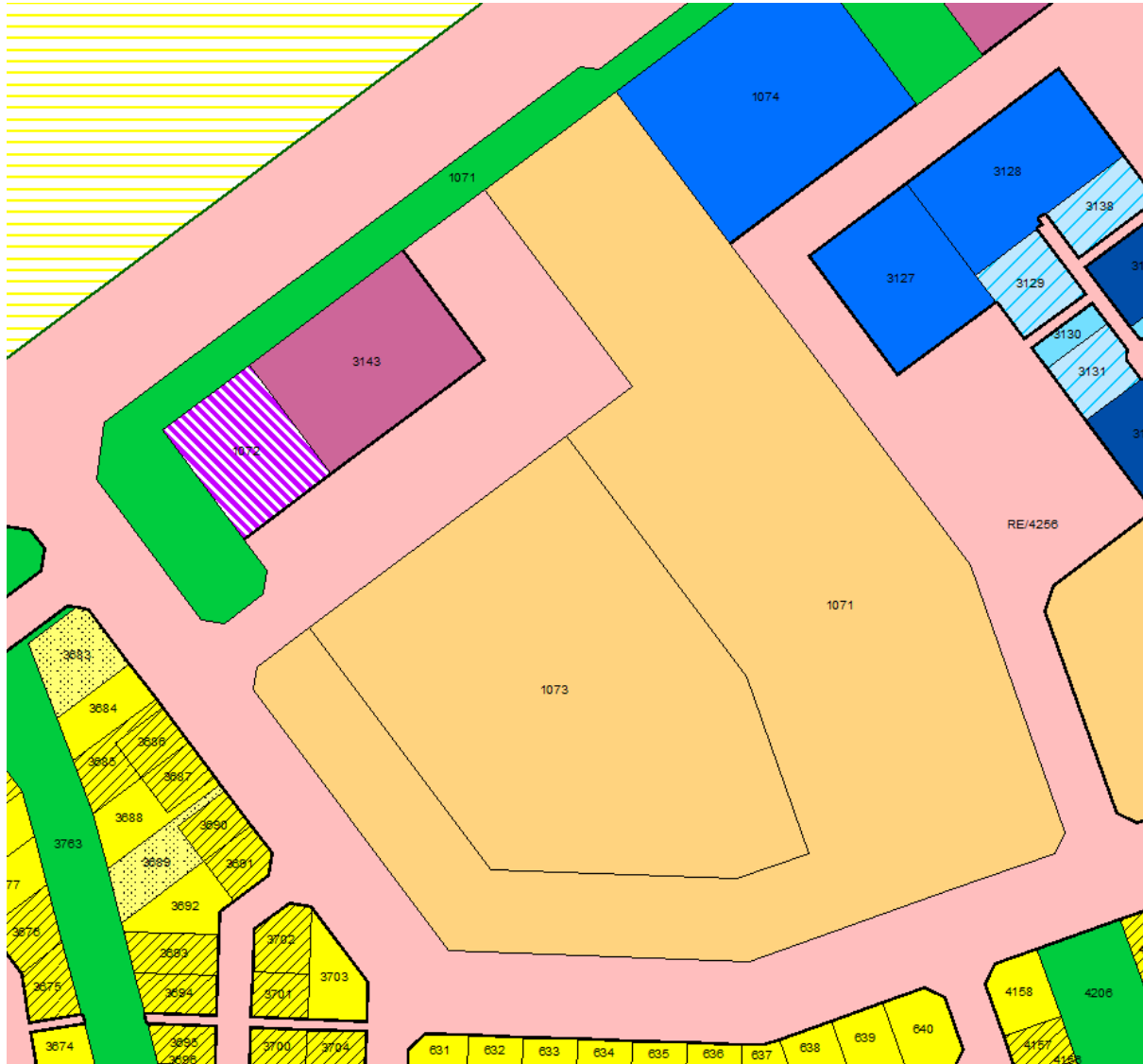
4.3.1 The existing land use and zoning are discussed under Section 3.3 of this report.

4.3.2 As part of this application, it is proposed to rezone Portion 2 of Erf 1071 Esikhawini-H from “Passive Open Space” and Erf 1073, Esikhawini-H from “Active Open Space” to “Municipal and Government”. Although the existing zonings do make provision for the development of sport facilities, the proposed zoning is more robust and flexible in terms of free entry and

consent uses.


4.3.3 The proposed zoning map is shown as figure 13 below.

FIGURE 13: PROPOSED ZONING MAP



4.3.4 The zoning “Municipal and Government” provides for the following free entry and consent uses as set out in the uMhlathuze Land Use Scheme:

PROPOSED ZONING REQUIREMENTS: MUNICIPAL AND GOVERNMENT

STATEMENT OF INTENT: A zone that is intended for buildings erected and used for National, Provincial and Municipal administration and services. Fill: Peach Puff; R 255, G 218, B 185									
USE OF LAND AND BUILDINGS									
COLUMN 1		COLUMN 2			COLUMN 3		ADDITIONAL CONTROLS		
PERMITTED USES		CONSENT USES			PROHIBITED USES				
<ul style="list-style-type: none">Arts and Crafts Workshop*Community Garden**Educational BuildingHeritage PurposesInstitutionOffice – GeneralOffice – ProfessionalParking Erf /ParkadePlace of AmusementPlace of AssemblyPlace of WorshipPrivate Recreational UsePublic OfficePublic Recreational UseRecreational Building**Residential BuildingTuck ShopUtilities Facility***Rooftop Telecommunication Infrastructure		<ul style="list-style-type: none">Agricultural BuildingAgricultural LandDwelling House***Freestanding Telecommunication InfrastructureHarbour InfrastructureHarbour ManagementImpoundment AreaInformal Trade AreaRestricted BuildingShop – GeneralSpecial UseTerminal – Intermodal FacilityVehicle Testing StationWarehouseWaste Transfer / Recycling CentreWaste Transfer and/or Drop-Off Station			Buildings and land uses not included in Columns 1 and 2.		<ul style="list-style-type: none">No Institutional building or Public Office shall be erected on an erf of less than 2000m².**Educational building and Residential building shall be restricted to Municipal and Government uses only.*Refer to Clause 4.1.3.2.For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5.***All telecommunication infrastructure are subject to submission of Building plans for municipal approval.		
DEVELOPMENT CONTROLS									
MINIMUM ERF SIZE	UNITS PER HECTARE	FRONTAGE (WIDTH)	STREET BUILDING LINE	SIDE BUILDING LINES	REAR BUILDING LINES	HEIGHT	COVERAGE	FAR	
N/A	N/A	18m	7,5m	4,5m or 1,5m per storey, whichever is the greater		UR	60%	2	

- 4.3.5 It is further proposed to apply for consent for an “Informal Trade Area”. This is to make provision for the proposed vending stalls as shown on the Site Development Plan.
- 4.3.6 In terms of the proposed gym, the uMhlathuze Land Use Scheme defines “Recreational Building” as follows:
“Means a clubhouse, gymnasium, squash court, pavilion, change room, stadium and any similar facility used in conjunction with a sport or recreational activity. A clubhouse may include dining facilities and lounges. It may include an open space or reserve which the public has a right to use and enjoy, and includes any ancillary facilities but excludes a commercial gymnasium, which is defined under “Shop”.”
- 4.3.7 The application for consent for “Shop-General” is not required for the proposed gym, as it is not proposed to be operated as a commercial gym but rather a gym open to the sportsmen/women making use of the facility.

5 MOTIVATION FOR THE DEVELOPMENT

The motivation for the proposed development is supported by a number of factors and specialist studies, which are summarized below:

5.1 Need for the Development

- 5.1.1 Generally, the application is based on the assumption that community sports centres are and will continue to be one of the most important aspects in the promotion and enhancement of the overall human health, lifestyle and recreation for current and future generation.
- 5.1.2 There is currently no community sports centre within the vicinity of the proposed development sites to serve the community, visitors and the surrounding areas.
- 5.1.3 The proposed development will take advantage of the existing road network in the area. The proposed facilities will complement the residential character of the area by improving the existing sports facility and adding new recreational facilities.
- 5.1.4 The proposed subdivision, closure, rezoning and consolidation is necessary in order to allocate

appropriate land use rights in order to develop the community sports centre.

5.2 Impact on Access and Traffic Generation

- 5.2.1 The application sites are located within an existing good road network, which gives direct access to the proposed sites. The main entrance to and exit from the site would be via Thokozani street as shown on the Site Development Plan.
- 5.2.2 The sidewalk on the south eastern side of the site is adequately wide for pedestrian movement (*see Figure 14 below*). The western portion of the entrance to the site, the sidewalk is used for community gardening, which will unfortunately be removed as part of the development of the site (*see Figure 15 below*).



- 5.2.3 Currently, traffic volumes and impact within the area are relatively low and this could be attributed to the current level of existing development in the area, which is predominantly residential in nature with some low-impact commercial uses, municipal offices and community facilities and this traffic pattern will obviously change once the site is developed and used as a community sports centre.

During weekends, the area opposite the proposed site becomes an informal trading node and

traffic volumes increase with trucks loading and off-loading in the area (*see Figure 16 and 17 below*).



Figure 16: Flea market and Trucks off-loading on the street



Figure 17: Flea market directly opposite the proposed site- intense trading activities and traffic within the area

5.2.4 NSA Consulting Engineers were commissioned to undertake the traffic impact assessment (TIA) for the proposed development. The detailed findings of the traffic impact assessment are included as **Annexure G**.

5.2.5 The traffic impact assessment recommendations for the combined site area of approximately 46 722m² with a proposed 720 seat sporting facility on 19 321m² of the site are summarised below:

- (a) All parking facilities, accesses and driveways are to be designed and dimensioned in accordance with the schedule of guidelines for off-street parking. Parking and loading to be in accordance with the uMhlatuze Land Use Scheme requirements.
- (b) The proposed developments will gain access via Thokozani Road. The access will need to be a minimum of 6 meters wide to accommodate two-way vehicle movements. All gates to remain open during normal operating hours
- (c) All driveway ramps to have a maximum gradient of 15% with a minimum 30m vertical curve radius
- (d) All internal roads are to be designed in conjunction with the Guidelines for Human Settlement planning and Design (Red Book).

5.2.6 All proposed traffic related proposals and recommendations including any required traffic calming measures to be implemented. These include the upgrade of the intersection of Mlebe Ntshona Road and Thokozani Road from a stop intersection to a roundabout intersection during the existing conditions.

- 5.2.7 In terms of pedestrian safety, it is indicated that all roads surrounding the proposed development have adequate grassed verges and street lighting.
- 5.2.8 In terms of access to public transport and public transport facilities it is indicated that the road network surrounding the proposed development operates as public transport routes. There is a significant amount of public transport vehicles that service the area. There is a taxi rank situated on Mthombathi Street within the local shopping centre, which is less than 1.0km away. The Municipality requires bus/taxi parking on site and drop-off facilities and shelters next to the Thokozani Road. Bus parking has also been provided on site as shown on the Site Development Plan.
- 5.2.9 A right of way servitude is also depicted on the subdivision and consolidation plan to ensure pedestrian access to the property.

5.3 Impacts on Engineering Services

The application sites are currently serviced. The following impacts on engineering services are anticipated:

5.3.1 Impact on Existing Services

- 5.3.1.1 As shown in the image below, Designated Portion 2 of Erf 1071 Esikhawini-H has an existing stormwater canal flowing from north to south. The impact on the existing stormwater system is discussed in detail below.
- 5.3.1.2 A water pipeline and electricity cables transect the property. These existing services must be taken into account during construction, or must be relocated. With regards to the water and electricity services that transect the existing stormwater canal, these will impact mostly on the proposed outdoor gym as shown on the Site Development Plan.

FIGURE 18: EXISTING SERVICES



The following specific impacts are anticipated:

5.3.2 Internal roads

- 5.3.2.1 The application site is adequately serviced from a road's perspective, as the application site/s would continue to gain access from Thokozani street.
- 5.3.2.2 The roads must be upgraded as identified in the relevant TIA and as discussed above.

5.3.3 Fire and Water Reticulation

- 5.3.3.1 The level of service required for the development will be determined by the Engineer in consultation with the City of uMhlathuze. The fire and water reticulation plan is attached as **Annexure H**.

5.3.4 Stormwater

- 5.3.4.1 The proposed site is situated within an area which is well serviced with stormwater. The development of the site as shown on the Site Development Plan will, however, have a major impact on the existing stormwater canal.
- 5.3.4.2 A stormwater management plan was prepared by Niphile Consulting Engineers (attached as **Annexure I**).
- 5.3.4.3 The report states that the recommended proposed storm-water concept design will be in accordance with the existing system conditions, whereby storm water runoff is attenuated, and the downstream peak flows are reduced. In accordance with design guidelines, floods will be attenuated for the 1:50 year recurrence interval, with the maximum outflow limited to the downstream culvert capacity of 5m³/s (1:10). The position of the proposed attenuation facility within the project site area will be at the upstream end with an area of 2400m² inclusive of construction requirements. The design includes a bulk earthworks design for the site to allow for overland and piped storm-water flows, which drains towards the attenuation pond.
- 5.3.4.4 The stormwater design flows are based on an overland flow type, with stormwater from parking areas drained via kerb-inlets, spaced at a maximum of 40m intervals (see Stormwater Management Plan). Storm-water from roofs and impervious areas will be drained via pipes, channels and drains in accordance with the final earthworks bulk design. The sports-field drainage system will consist of sub-soil drains and v-drains which will drain towards the downstream channel. The majority of the sports-field will be grassed and therefore will produce less run-off. All existing infrastructure will be demolished to make way for the new infrastructure requirements.

5.3.5 Sewer Reticulation

- 5.3.5.1 The level of service required for the development will be determined by the Engineer in consultation with the City of uMhlathuze. The sewer reticulation plan is indicated as **Annexure J**.

5.3.6 **Electricity**

- 5.3.6.1 The level of service required for the development will be determined by the appointed Electrician in consultation with the City of uMhlathuze.

5.3.7 **Waste Removal**

- 5.3.7.1 The uMhlathuze Municipality will be responsible for solid waste removal from the development. An appropriate refuse storage area is depicted on the Site Development Plan, and will be provided according to the applicable legislation such as the National Building Regulations and Building Standards Act, 1977 and the King Cetshwayo Environmental Health Bylaws.

5.4 **Geotechnical Conditions and Slope**

- 5.4.1 The topography is flat with a gentle bank towards the western side of the site. The property is covered with grass and there is no significant vegetation and protected trees, however, some of the existing trees may be preserved and incorporated as an integral component of the development. A stream which will have development impacts runs through Designated Portion 2 of Erf 1071, Esikhawini-H (*see Figure 19 below*).



- 5.4.2 A geotechnical investigation for this project was carried out by Ground Africa Consulting Geotechnical Engineers, dated October 2018 (attached as **Annexure K**).
- 5.4.3 The report recommends that the planned new combo court and running track surfaces must

be placed on formal subbase and base course horizons as per the design of the accountable civil design engineer. The pavement surfaces need to be placed on the engineered fill platform and not be placed directly on the underlying natural sand layers.

- 5.4.4 The geotechnical report concludes that the presence of the thick layers of generally loose sands and shallow groundwater are notable geotechnical constraints to the development of the sports facilities at this site. However, problematic post-construction movement of buildings, parking, combo court surfaces and running track could be avoided by a granular engineered fill platform that has to be placed across the site.

5.5 Impact on the Environment and Heritage Resources

5.5.1 *Environmental Impacts*

- 5.5.1.1 The Department of Economic Development, Tourism and Environmental Affairs on 27 February 2019 confirmed that no environmental assessment is required for the planning application, however prior to construction phase an EIA has to be submitted and approved by the Department.

- 5.5.1.2 A Draft Basic Assessment Report for the development of the eSikhaleni Community Centre was prepared by Nzingwe Consultancy dated 13 February 2019 (attached as **Annexure L**). The assessment highlights the following:

- Loss of biodiversity- Post construction rehabilitation is recommended to restore some of the biodiversity which will be lost during construction
- Erosion- To be mitigated by planting of trees and retaining walls after completion of construction. During construction a designated area for stockpiling of topsoil is recommended and soil stockpiles must be done according to the Environmental Management Programme (EMPr).
- Destruction of water course- As construction will destruct the water course the existing drainage line needs to be diverted. The contractor needs to provide an attenuation pond to normalize water flow as the bridge downstream is smaller than the one found upstream and can cause an overflow downstream. The stream bed/ profile of the drainage line must not be lowered.

- 5.5.1.3 A wetland assessment was done by the Environmental consultant and submitted to the

provincial Environmental Department as part of the Basic Environmental Assessment report.

5.5.1.4 Environmental authorisation for the construction of Esikhaleni Community Sports Centre was approved on 11 October 2019 (see **Annexure M**).

5.6 Socio-Economic Impacts

In terms of social desirability, the proposed development has a number of features to its benefit. These are as follows:

5.6.1 Local Benefits

5.6.1.1 The proposed development is well connected and is located within an existing residential area that has already developed with community facilities such as the library, clinic, community hall and commercial activities all within a walking distance from each other to encourage pedestrian movement.

5.6.1.2 The proposed redevelopment of the proposed site has safety and security in mind. The proposal will incorporate some of the key principles of the Crime Prevention through Environmental Design (CPTED) concept to ensure that safety and security of the community is promoted. The following are the key CPTED principles that the redevelopment of the property will focus on to disrupt any acts of crime:

- The proposal will encourage natural surveillance and visibility as it is located within the residential area. A clear view fence is also proposed to ensure visibility to the surrounding properties.
- Access Control will be manned by the security.
- Maintenance of the property will be undertaken in line with the Municipality's maintenance plan.
- Adequate lighting will be provided.

5.6.2 Existing Community Gardens

5.6.2.1 A eastern side portion of Designated Portion 2 of Erf 1071 Esikhawini-H is extensively used for community gardening purposes. It is confirmed that the use of the portion of Municipal land was never formalized through a lease agreement.

5.6.2.2 Unfortunately the development of the eSikhaleni Community Sports Centre will mean that the site is no longer available for community gardening purposes.

5.7 Comment from Relevant Stakeholders

5.7.1 Land Claims

There are no land claims applicable to this application site, as confirmed by the KZN Regional Land Claims Commissioner in their letter dated 6 February 2019 (attached as **Annexure N**).

6. ASSESSMENT OF COMPLIANCE WITH KEY LEGISLATION AND PLANNING GUIDELINES

The following key legislation and guidelines inform the application and development within the uMhlathuze area: -

- Development principles as set out in the Spatial Planning and Land Use Management Act, 2013
- the uMhlathuze Integrated Development Plan (2017-2022)
- the uMhlathuze Spatial Development Framework
- the Integrated Urban Development Framework
- The uMhlathuze Land Use Scheme (2019)
- The National Building Regulations and Building Standards Act (1977)

The following section assesses compliance of the land development application with these documents, and aims to demonstrate how the application would comply with the provisions and guidelines set out in these documents:

6.1 Development Principles as set out in the Spatial Planning and Land Use Management Act, 2013

The following development principles as set out under Section 7 of the Spatial Planning and Land Use Management Act (SPLUMA) would apply to the proposed development:

DEVELOPMENT PRINCIPLES IN TERMS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013				
No	Principle			How the application complies with the principle
(a)	The principle of spatial justice	(i)	past spatial and other development imbalances must be redressed through improved access to and use of land	The proposed development of a new sport/fitness center in eSikhaleni aims to provide improved access to recreational and community sport facilities.
(b)	the principle of spatial sustainability, whereby spatial planning and land use management systems must-	(ii)	uphold consistency of land use measures in accordance with environmental management instruments	The development of the proposed facility would be subject to an environmental impact assessment.
		(iii)	consider all current and future costs to all parties for the provision of infrastructure and social services in land developments	All costs relating to the proposed development would be carried by the uMhlathuze Municipality in line with its budgeting processes.
		(iv)	promote land development in locations that are sustainable and limit urban sprawl	The application site falls within a formal urban area, and would therefore not encourage urban sprawl.
		(v)	result in communities that are viable	The development of the facility would improve access to recreational and sport facilities and encourage a healthy and active community.
(c)	the principle of efficiency, whereby-	(i)	land development optimises the use of existing resources and infrastructure	The application site falls within a formal urban area, in close proximity to existing engineering services.
		(ii)	development application procedures are efficient and streamlined and timeframes are adhered to by all parties	Timeframes for planning applications are set out in the uMhlathuze Spatial Planning and Land Use Management Bylaw, 2017
(e)	the principle of good administration, whereby-	(iii)	the requirements of any law relating to land development and land use are met timeously	Timeframes for planning applications are set out in the uMhlathuze Spatial Planning and Land Use Management Bylaw, 2017
		(iv)	the preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them	Public participation procedures are set out in the uMhlathuze Spatial Planning and Land Use Management Bylaw, 2017

6.2 The uMhlathuze Integrated Development Plan (2017-2022)

- 6.2.1 An Integrated Development Plan (IDP) has been adopted by the uMhlathuze Municipality in terms of Section 35(1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

6.2.2 The purpose of the IDP is:

“to describe the planning and implementation processes that will be followed by the municipality to deliver on the developmental agenda on government pursuant to the below-mentioned strategic objectives: Co-operative governance and informed decision-making, social and environmental sustainability, advanced economic growth, optimised infrastructural services, and organisational excellence.”

6.2.3 According to the IDP, the uMhlathuze Municipality’s long-term vision is:

“The Port City of uMhlathuze offering a better quality of life for all its citizens through sustainable development and inclusive economic growth”.

6.2.4 The IDP provides a summary of the municipal strategies, goals and objectives as well as a summary of the alignment between the municipality, provincial and national government. The following Key Performance Areas would apply to the application:

NATIONAL KPA 3: LOCAL ECONOMIC DEVELOPMENT		
GOALS	OBJECTIVES	STRATEGIES
3.4 Social Cohesion	3.4.1 To promote social cohesion	3.4.1.1 Development of sports and recreation programmes
		3.4.1.2 Development of community facilities
		3.4.1.3 Development of Arts and Culture Strategy

NATIONAL KPA 6: CROSS CUTTING		
GOALS	OBJECTIVES	STRATEGIES
6.1 Integrated Urban and Rural Development	6.1.1 To plan and manage existing and future development	6.1.1.5 Implementation of uMhlathuze Land Use Scheme
		6.1.1.6 Compliance with national SPLUM by-law and National Building Act.
		6.1.1.7 Efficient processing of development application and building plans
6.2 Immovable Property Management	6.2.1 To ensure fair valuation of properties	6.2.1.1 Development and maintenance of valuation roll in line with municipal property rates act.
	6.2.2 Effective Management of Council owned Immovable properties.	6.2.2.1 Update immovable asset register

6.2.5 The application therefore addresses KPA3 which deals with Local Economic Development and KPA 6 dealing with Cross Cutting issues.

6.3 The uMhlathuze Spatial Development Framework

6.3.1 A Spatial Development Framework (SDF) is an integral part of the IDP.

6.3.2 The Municipal Systems Act Regulations (Act 32 of 2000) outline the following specific objectives of an SDF:

- Strategic guidance on the location and nature of development
- Set out basic guidelines for land use management
- Discourage low-density urban sprawl
- Generate social and economic opportunities
- Promote access to opportunities
- Maximize resource efficiency by protecting sensitive environments, protecting productive agricultural land and enhancing the regional identity and character.

6.3.3 In terms of Section 12 and 20 of the Spatial Planning and Land Use Management Act (Act 16 of 2013), each Municipality must prepare and adopt a Spatial Development Framework.

6.3.4 The uMhlathuze Municipality's SDF was adopted for the period 2017-2022. In terms of the application, the following should be noted:

- The application site falls with an area identified as a secondary node;
- In terms of the pillar of spatial transformation, it is indicated that innovative and creative utilization of environmentally sensitive areas for other acceptable socio-cultural eco-friendly activities i.e. recreational, educational & medicinal activities should be promoted; and
- Also, in terms of the incremental approach to planning in township areas, the Municipality is required to provide a wider variety of services and facilities in acceptable places (e.g. recreation) in line with the Municipal Land Use Scheme.

6.3.5 In terms of Section 22(1) of the Spatial Planning and Land Use Management Act, 2013, a Municipal Planning Tribunal or any other authority required or mandated to make a land development decision in terms of the Act or any other law relating to land development, may not make a decision which is inconsistent with a municipal spatial development framework.

6.3.6 It is confirmed that this application is consistent with a municipal spatial development framework.

6.4 The Integrated Urban Development Framework (IUDF)

6.4.1 The Integrated Urban Development Framework (IUDF) is a policy initiative of the Government of South Africa.

6.4.2 The IUDF seeks to foster a shared understanding across government and society about how best to manage urbanisation and achieve the goals of economic development, job creation and improved living conditions. It also builds on various chapters of the National Development Plan (Chapter 8: Transforming human settlements and the national space economy), the New Urban Agenda and the Post 2015 Sustainable Development Goals (SDG's) (Goal 11: Making cities and human settlements inclusive, safe, resilient and sustainable).

6.4.3 The overall objective of the IUDF is **transforming space** in order to:-

- Reduce travel costs and distances
- Aligning land use, transport planning and housing
- Preventing development of housing in marginal areas
- Increasing urban densities and reducing sprawl
- Shifting jobs and investment toward dense peripheral townships
- Improving public transport and the coordination between transport modes

6.4.4 The vision of the IUDF is that *“By 2030 South Africa should observe meaningful and measurable progress in reviving rural areas and in creating more functionally integrated, balanced and vibrant urban settlements.*

6.4.5 *For this to happen the country must:*

- *Clarify and relentlessly pursue a national vision for spatial development*
- *Sharpen the instruments for achieving this vision*
- *Build the required capabilities in the state and among citizens.”*

6.4.6 To achieve this vision, four overall strategic goals were introduced:

- **Spatial integration:** To forge new spatial forms in settlements, transport, social and economic areas.
- **Inclusion and access:** To ensure people have access to social and economic services, opportunities and choices.

- **Growth:** To harness urban dynamism for inclusive, sustainable economic growth and development.
- **Governance:** To enhance the capacity of the state and its citizens to work together to achieve spatial and social integration.

6.4.7 The nine policy levers inform key areas for intervention and action to achieve the strategic goals and objectives of the IUDF. These are:

- **Policy lever 1:** *Integrated urban planning and management*
- **Policy lever 2:** *Integrated transport and mobility*
- **Policy lever 3:** *Integrated and sustainable human settlements*
- **Policy lever 4:** *Integrated urban infrastructure*
- **Policy lever 5:** *Efficient land governance and management*
- **Policy lever 6:** *Inclusive economic development*
- **Policy lever 7:** *Empowered active communities*
- **Policy lever 8:** *Effective urban governance*
- **Policy lever 9:** *Sustainable finances*

6.4.8 In terms of this land development application, the following policy levers would be addressed:

POLICY LEVER	DESCRIPTION OF POLICY LEVER	HOW THE APPLICATION COMPLIES WITH THE POLICY LEVER
Policy lever 1: <i>Integrated urban planning and management</i>	Integrated urban planning is essential for coherent development. It stimulates a more rational organisation and use of urban spaces, guides investment and encourages prudent use of land and natural resources to build sustainable communities.	The application complies by providing supporting land uses (active recreational areas), which complement the residential area of eSikhaleni
Policy lever 2: <i>Integrated transport and mobility</i>	Integrated transport and mobility is a vital component of South Africa's economic infrastructure investment. It contributes to a denser and more efficient urban form, supports economic and social development, and is crucial for strengthening rural-urban linkages.	In terms of access, transportation and parking, the application makes provision for public transport, vehicular and pedestrian traffic.
Policy lever 3: <i>Integrated and sustainable human settlements</i>	Integrated and sustainable human settlements are key to redressing the prevailing apartheid geography, restructuring cities, shifting ownership, and creating more humane (and environment-friendly), safe living and working conditions.	The addition of a robust sports complex in the residential suburb of eSikhaleni will promote a more sustainable human settlement.
Policy lever 7: <i>Empowered active</i>	Cities cannot succeed without the	The development of a sports complex

<i>communities</i>	energy and investment of their citizens. In fact, the very power of cities stems from their unique capacity to bring together a critical mass of social and cultural diversity. This conception of democratic citizenship, at the core of the 'active citizenship' agenda advocated by the NDP, empowers communities to share and contribute to the development of spaces and will transform quality of urban life.	will add to the development of spaces and will transform quality of urban life.
Policy lever 9: Sustainable finances	Cities work within an intergovernmental scale framework and are affected by the decisions and actions taken by provincial and national government. Furthermore, with well-managed revenue and expenditure, cities are able to expand their resources, thereby meeting expenditure demands, and to access capital markets, allowing them to achieve greater scale and efficiency when investing in infrastructure.	The Municipal project is needed and budget has been provided.

6.5 The uMhlathuze Land Use Scheme (2019)

- 6.5.1 In terms of the uMhlathuze Land Use Scheme, a property zoned "Municipal and Government" has no minimum prescribed erf size.
- 6.5.2 A minimum street frontage of 18m is prescribed, which is maintained.
- 6.5.3 The Site Development Plan indicates compliance with the required 7,5m building lines and 4,5m side and rear spaces.
- 6.5.4 In terms of parking the proposed development will where possible comply with the provisions of the scheme set as follows:

USE	LUS PROVISIONS	PARKING BAYS REQUIRED	PARKING PROVIDED
Athletic track	1 bay/ 6 seats (fixed) and/or 25m ² or part thereof if seats are not fixed with additional parking requirement of 1 bay/ 25m ²	48	127 parking bays are provided for the overall land use activities for the proposed Fitness (Community Sports) Centre
Soccer field: 10346m ²			
2m Wide running track			

Gymnasium: 335m ²	1 bay/ 15m ² floor area or part thereof with no additional or alternative parking requirements	22	
Office- Professional	1 bay/ 30m ²	6	
Office- General	1 bay/ 30m ²	12	
Multi-purpose arena-Sports Club	1 bay/20m ²	26	
2No Futsal courts: 1351m ²	1 bay/ 6 seats	48	
2No Combo courts:1509m ²	1 bay/ 6 seats	48	
Informal Trading Area	At the sole discretion of Council		
	TOTAL NO. OF BAYS REQUIRED =	210 Bays	
PARKING PROVIDED	TOTAL NO. OF BAYS PROVIDED =		
118 bays for Light/ Passenger Vehicles			127 Bays
4 bays for Buses			
5 bays for Mini-buses			
1 loading facility			

6.5.5 A total of 127 parking bays for the overall development is provided on site.

6.5.6 Provision for on-site taxi and bus parking has been made, as depicted on the Site Development Plan. As highlighted in the rezoning report that the existing verge is wide enough to be rationalized and upgraded for the provision of additional on-street parking bays or a drop-off area.

6.5.7 In terms of loading facilities it is required that a loading zone inclusive of maneuvering shall be 85m². A loading facility has been provided (see the attached Site Development Plan).

6.6 The National Building Regulations and Building Standards Act of 1977

6.6.1 The property is currently developed with the combo courts, ablution facilities and a soccer field and any proposed demolition will be undertaken in compliance with the National Building Regulations and Building Standards Act, 1977.

6.6.2 All future buildings plans shall be submitted for approval prior to construction, in line with the requirements as set out in the Act.

7. DRAFT CONDITIONS OF ESTABLISHMENT

7.1 The following draft Conditions of Establishment are proposed for the development:

With reference to the application submitted on behalf of the uMhlathuze Municipality, the Municipality is pleased to approve the application in terms of Section 42(3)(b) of the uMhlathuze Spatial Planning and Land Use Management Bylaw, 2017, and in accordance with the accompanying Layout Plan No. 2267ap dated July 2019, subject to the following conditions imposed in accordance with Section 43(2)(c) of the uMhlathuze Spatial Planning and Land Use Management Bylaw, 2017:

A. REGISTRATION ARRANGEMENTS

1. Lodging of General Plan and/or Diagrams with the Surveyor General's Office

The owner shall lodge relevant documents and diagram/s and/or general plan/s relating to the proposed subdivision, closure and consolidation with the Surveyor General for approval and submit a certified copy of the approved diagram/general plan to the Municipality within 30 days after the date on which the Surveyor-General has approved the diagram/general plan.

2. Lodging in the Deeds Office

When registration is sought, a copy of this decision, the approved diagrams/general plans together with the deeds and other documents that the Registrar of Deeds may require for the registration of the subdivision and consolidation of the land, as well as the certificate contemplated in Section 53 of the Spatial Planning and Land Use Management Act, 2013, read with Section 48(1) of the uMhlathuze Spatial Planning and Land Use Management Bylaw, 2017, are to be lodged with the Registrar of Deeds.

3. Subdivision and Subsequent Consolidation

Simultaneously with the registration of Designated Portion 2 of Erf 1071, Esikhawini-H, such Portion and Erf 1073, Esikhawini-H are to be transferred into common ownership and a Certificate of Consolidated Title registered in respect of the consolidated figure, which is to be Designated Erf 4283, Esikhawini-H.

B. CONDITIONS TO BE MET PRIOR TO REGISTRATION

Prior to the issuing of the certificate contemplated in Section 53 of the Spatial Planning and Land Use Management Act, 2013, read with Section 48(1)(a) of the uMhlathuze Spatial Planning and Land Use Management Bylaw, 2017, the owner must comply with the following conditions, to the satisfaction of the local municipality:

1. Acceptance of Conditions

The owner is to signify in writing to the Municipality, formal acceptance of the conditions subject to which the application is approved.

2. Permanent Closure

Designated Portion 2 of Erf 1071 and Erf 1073 Esikhawini-H shall be permanently closed in accordance with the provisions of the KZN Local Authorities Ordinance, 1974.

3. Lodging of Diagrams with the Surveyor-General's Office

The owner shall lodge relevant documents and diagram/s and/or general plan/s relating to the proposed subdivision, closure and consolidation with the Surveyor General for approval and submit a certified copy of the approved diagram/general plan to the Municipality within 30 days after the date on which the Surveyor-General has approved the diagram/general plan.

4. Rezoning

Designated Portion 2 of Erf 1071 Esikhawini-H shall be rezoned from Passive Open Space to Municipal and Government. Erf 1073 Esikhawini-H shall be rezoned from Active Open Space to Municipal and Government.

C. CONDITIONS TO BE MET PRIOR TO DEVELOPMENT AND TRANSFER

Prior to the issuing of the certificate contemplated in Section 53 of the Spatial Planning and Land Use Management Act, 2013, read with Section 48(1)(b) of the uMhlathuze Spatial Planning and Land Use Management Bylaw, 2017, the owner must comply with the following conditions, to the satisfaction of the local municipality:

1. Environmental Authorisation

The owner shall comply with the conditions of approval of the relevant Environmental Authorisation DC28/0003/2019 issued on 11/10/2019, or such amended authorization as may be required.

2. Provision of Engineering Services

The owner shall, to the satisfaction of the municipality, provide for engineering services in respect of Designated Erf

4283, Esikhawini-H, or where the municipality is not the supplier of a particular service, to the satisfaction of the relevant service authority.

Written proof of compliance from the authority concerned will be required in respect of each condition.

The owner shall act on the advice of a professional engineer in respect of any work done in compliance with the conditions. For the purposes of this condition, a “professional engineer” shall mean: -

“a person who is registered as a professional engineer in terms of the Engineering Professions Act, 2000 (No. 46 of 2000) and who possesses cognate experience in the particular branch of engineering applicable to the service under consideration”.

The recommendations in the Geotechnical Report, prepared by Ground Africa Consulting Geotechnical Engineers dated October 2019 in respect of drainage, excavation, earthworks, foundations and road construction shall be complied with in respect of services designs and during the construction phase.

a) Water and Sanitation

The owner shall provide a supply of potable water and an efficient and sanitary system for the disposal of sewage and waste water to within the normal connection distance of the boundary of Designated Erf 4283, Esikhawini-H, in accordance with the standards acceptable to the Municipality.

The application may be subject to payment of bulk engineering contributions and connection fees, in line with Council’s Policy and Annual Tariff of Charges.

b) Electricity

The owner shall provide an efficient supply of electricity to within the normal connection distance of the boundary of Designated Erf 4283, Esikhawini-H, in accordance with the standards acceptable to the Municipality.

The application may be subject to payment of bulk engineering contributions and connection fees, in line with Council’s Policy and Annual Tariff of Charges.

c) Roads and Access:

The owner shall provide vehicular access to/from the application site/s, in accordance with the standards acceptable to the Municipality.

The outcomes and recommendations as contained in the Traffic Impact Assessment Report prepared by NSA Consulting Engineers (dated 28 February 2019), or such updated version thereof as may be required, shall be implemented.

The application may be subject to payment of bulk engineering contributions and connection fees, in line with Council's Policy and Annual Tariff of Charges.

d) Stormwater Management

The owner shall provide structures necessary for the control and disposal of stormwater from the application site, in accordance with the standards acceptable to the Municipality.

The outcomes and recommendations as contained in the Stormwater Management Plan by Niphile Consulting Engineers (dated 6 December 2018), or such updated version thereof as may be required, shall be implemented.

3. Building Plans

The owner shall submit building plans for approval in accordance with the provisions of the Building Regulations and Building Standards Act, 1977.

D. CONDITIONS OF TITLE

1. Designated Erf 4283, Esikhawini-H shall be subject to the following condition: -

Omnibus Servitude for Services

The land shall be subject to a servitude for the provision of storm-water drainage, water supply, irrigation, sewerage, electricity, gas and/or fuel supply, telecommunications, radio and television services, over or under the land, along any boundary thereof, other than a road frontage and within a distance of 3 metres from such boundary, subject thereto that the Municipality may relax this requirement.

Reasonable access shall be provided to such servitude at all times for the purpose of installation, maintenance, removal or extension of such services. The owner of the land shall, without compensation, be obliged to allow the servicing of any other land or street to be conveyed along such servitude. Maintenance shall include cutting, trimming or otherwise dealing with vegetation so as to prevent interference with any service. The right conferred by this condition shall be exercised by the Municipality or any other body or person legally authorised to provide such services for the benefit of the inhabitants of the township.

E. INSTRUCTIONS AND INFORMATION

1. Selling Prior to Registration of Subdivision/Consolidation

In terms of section 50 of the uMhlathuze Spatial Planning and Land Use Management By-law, an agreement for the alienation of a subdivided or consolidated portion of land that was approved by a Municipality, but for which it has not issued a certificate of compliance with conditions of approval, must contain a clause disclosing –

- (a) that the owner has not yet complied with the conditions of approval; and
- (b) that the property is not registrable as contemplated in Section 2 of the Alienation of Land Act, 1981 (Act No. 68 of 1981).

2. Effect of change of ownership of land to which a land development application relates

In terms of section 115 of the uMhlathuze Spatial Planning and Land Use Management By-law, if land, which is the subject of a land development application, is transferred to a new owner, the new owner may continue with the application as the legal successor-in-title of the previous owner and the new owner shall be regarded as the applicant for the purposes of this By-law. The new owner must inform the Municipality in writing that he or she wishes to continue, or not, with the application and provide the Municipality with his or her contact details.

8. CONCLUSION

As highlighted in the report, the proposal is not in conflict with the SPLUMA, and it has taken into consideration the key SPLUMA development principles in that:

- The development will optimise the use of existing underutilised land and infrastructure.

- The proposed development is aimed at enhancing the existing character of the area, which is mainly residential in nature, by providing a recreational facility in the form of a community sports centre with ancillary uses for the enjoyment of the community, visitors and tourists.

High crime rate was identified as the major challenge in the Ward Base Plan of the area, however, the proposed development and regular use may provide better security and less crime.

The proposed zoning will not detract from the surrounding zonings as the property directly opposite the site is zoned Municipal and Government.

The site has accommodated sporting facilities for many years and no hazardous incidents had been recorded. However, to avoid any future post development problems, specialist reports including Geotechnical, Stormwater Management, Traffic Impact Assessment and Draft Basic Assessment which provide development recommendations for the community sport centre will be adhered to.

Adequate parking bays and a loading facility as required in terms the uMhlathuze Land Use Scheme have been provided. The proposal also makes provision for public transport needs.

Thus:

- 8.1 The motivation clearly sets out the land development application and supports the application by means of various specialist studies.
- 8.2 Compliance with National, Provincial and Local legislation, policies and guidelines have been addressed.
- 8.3 The uMhlathuze Municipality is therefore respectfully requested to consider the application in terms of the following sections of the uMhlathuze Spatial Planning and Land Use Management By-Law:
 - a) In terms of Section 27(1)(e) for the subdivision of Erf 1071 Esikhawini-H into Designated Portion 2 and the Remainder;
 - b) In terms of Section 27(1)(i), read with the provisions of Sections 211 and 212 of the KZN Local Authorities Ordinance, 1974, for the permanent closure of public open spaces, being Designated Portion 2 of Erf 1071 Esikhawini-H and Erf 1073 Esikhawini-H;
 - c) In terms of Section 27(1)(a) for the rezoning of Designated Portion 2 of Erf 1071 Esikhawini-H from "Passive Open Space" and Erf 1073 Esikhawini-H from "Active Open Space" to "Municipal and Government";

- d) In terms of Section 27(1)(g) for the consolidation of Designated Portion 2 of Erf 1071 Esikhawini-H and Erf 1073 Esikhawini-H into one erf (Designated Erf 4283, Esikhawini-H);
and
- e) In terms of Section 27(1)(b) for consent to operate an “Informal Trade Area”.

Annexure A - Power of Attorney

Annexure B - Surrounding land use map

Annexure C - Surveyors General Plan

Annexure D - Government Grant and T 52530/99

Annexure E - Site Development Plan

Annexure F - Subdivision, Closure and Consolidation Layout Plan

Annexure G - Traffic Impact Assessment

Annexure H - Fire and Water Reticulation Plan

Annexure I - Stormwater management plan

Annexure J - Sewer Reticulation Plan

Annexure K - Geotechnical Assessment

Annexure L - Draft Basic Environmental Impact Assessment

Annexure M – Environmental Authorisation

Annexure N - Letter from the KZN Regional Land Claims Commissioner