

LAND USE MANAGEMENT: ETHEKWINI MUNICIPAL LAND USE SCHEME

CENTRAL SUB-SCHEME

166 KE Masinga Road, Durban

APPLICATION NO: LUMS20260250002CN

**CENTRAL REGION: ETHEKWINI MUNICIPAL LAND USE SCHEME: CENTRAL
SUBSCHEME:**

**CENTRAL PLANNING REGION: (SPECIAL CONSENT: CENTRAL PLANNING REGION) ON
REMAINDER OF ERF 1397 DURBAN SITUATED AT 66 LILIAN NGOTI ROAD: WINDERMERE:
FOR PROPOSED CONVERSION OF THE EXISTING DWELLING UNIT TO AN EDUCATION
ESTABLISHMENT FOR A MAXIMUM OF 12 ADULT STUDENTS.**

Date Application Advertised: 13 MARCH 2026

Date Application Closes for objections: 16 APRIL 2026

Members of the public are invited to lodge written objections as follows:

To the Manager Land Use Management (Central Region), Land Use Management Branch,

- By hand to; Ground Floor, 166 KE Masinga Road, Durban, or;
- By registered post to P O Box 680, Durban, 4000, or;
- By e-mail to; Uriel.Thomas@durban.gov.za, Tel No. 031-311 7091 • Central
Regional Office Telephone No. 031-311 7309.

NB: An objection MUST contain the following information to be considered as valid

- the name and physical address of the person making the objection
- the address at which the person shall receive service of any notice, which may include a facsimile or e-mail address
- the interest of the person in the application
- the reason for the objection

APPLICANT'S DETAILS:

Ms. Vilbro, represented by
PROPLAN Town & Regional Planning Consultants

Tel. No. 0761252544

E-mail: krishenb@yahoo.com

**MOTIVATION REPORT FOR THE SPECIAL CONSENT
APPLICATION FOR USE OF THE REMAINDER OF ERF
1397 DURBAN AS AN “EDUCATIONAL
ESTABLISHMENT” IN TERMS OF THE SPLUMA
MUNICIPAL BY-LAWS READ IN CONJUNCTION WITH
THE CENTRAL SCHEME OF THE MUNICIPALITY**

PLANNING ENQUIRY



JUNE 2025



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Submitted to:
eThekweni Municipality
Land Use Management Unit
Central Entity
166 KE Masinga Road
Durban
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DOCUMENT MANAGEMENT & CONTROL

Document Name	MOTIVATION REPORT FOR THE SPECIAL CONSENT APPLICATION FOR USE OF THE REMAINDER OF ERF 1397 DURBAN AS AN “EDUCATIONAL ESTABLISHMENT” IN TERMS OF THE SPLUMA MUNICIPAL BY-LAWS READ IN CONJUNCTION WITH THE NORTH SCHEME OF THE MUNICIPALITY
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EXECUTIVE SUMMARY

New Generation Skills is a company that was founded by Ms. Brenda Vilbro with the sole intention to hold a positive impact on society through the provision of learning, development and skills upliftment courses for companies and the general public.

This company conducts training in a two-fold manner where the business owner and facilitators travel to clients' premises to conduct training programs and training courses are conducted at the company's premises two days a week at 66 Lilian Ngoyi Road.

The business owner Ms. Vilbro is well equipped to facilitate training programs as she has achieved accreditations with Services SETA, ETDP SETA and MERSETA that is recognized both locally and internationally. She also prides herself in improving her professional skills to offer more locally required training that holds strong application and high standards.

In business since the year 2025, she has achieved numerous accolades, developed a database of clients and built a reputation that is well known in the industry. Her career in learning and development stems from her passion for people and holds a positive impact in the world of work and the minds of individuals. Since inception, the business has positively impacted our employment.

After completing a masters' degree in Education, she ventured into the field of critical skills with a focus on management development. This is a core area companies are utilizing to maximize their performance and functionality. She now aims to register with the department of higher education to maintain compliance to requirements and legislative standards.

Having gained experience in the government sector, an NGO and across diverse settings she saw it fit to harness and direct her energy towards her own business that encourages and empowers learners to upskill themselves. This is made possible as the courses offered by New Generation Skills are free of cost and at a venue that is centrally located.

Previously renting office space, the business owner has now opted for purchasing her own property to utilize for facilitating her training and development programs. A suitable property on Lilian Ngoyi Road, Durban, seen as an apt property for such programs, has been purchased for this very purpose.

The property purchased does not support the use of conducting teaching and learning over it, as it is currently zoned for residential purposes. This situational circumstance has been conveyed to the owner who is keen to rectify this error and achieve the appropriate rights to facilitate learning and development programs on the property.

Accordingly, the business owner has appointed PROPLAN Town & Regional Planning Consultants to compile and submit to the local authority the required documents for achieving the necessary approvals to enable the continued functioning of the business. This motivation report is prepared and submitted to you for consideration to amend the central scheme to award the special consent for use of the property in question as an "Educational Establishment".

The site of this application is a property with the address of 66 Lilian Ngoyi Road, Durban. This property forms the well-known suburb of Windermere also known to be part of the Berea suburb. This report will throw some light to changes to the suburb to demonstrate the suitability of the land use to this suburban location in particular.

The first quarter of this report provides the relevant information for the understanding of the site. Attached herein is the introduction, the applicant and the purpose of this report. The next quarter delves into the details of the site enabling a full assessment of the site and suburb structure. The development control table inserted to this report is an extraction of the local authority's land use scheme.

The next quarter presents the status quo about the site and surrounds. Valuable information being the title deed and its conditions, zoning and development controls, surrounding land uses, accessibility and parking and other pieces of knowledge are inserted herein. These aspects are critical and enables the efficient assessment of the locality for this special consent application.

The quarter following is composed in an analytical manner where the legislative, policy and municipal plan-based assessments are undertaken including an outline of the impacts of the proposed land use. From a municipal perspective, the plans to which alignment is made is the integrated development plan 2023/2024 version and the spatial development framework June 2022 version.

This report, for the benefit of easy assessment, provides in a point form the pros and cons for the proposed "Educational Establishment" use of the property to form a simple understanding of this application to guide its decision-making aspect.

The last portion discusses the need and desirability of the land use for reflection by the local authority. Here, some parts are tied to the prior aspects of the report for consideration by the local authority.

Recommendations by the consultant are also inserted and finally the report ends with concluding remarks. The attention and cooperation by the local authority is requested for this application.

1. INTRODUCTION

New Generation Skills is a B-BBEE level one company that has been established with the intention to provide quality learning and development programs to the public and especially the indigent. These courses are tailor made for application in the corporate and business sector. With a strong family ethos and passion for teaching, various methods are adopted for achieving the highest potential.

The company began as the director, Brenda Ann Vilbro, a master's graduate in Education, saw the need for improved leadership skills and various critical workplace skills. This need is also tied to her strong passion for people development and her strong desire to bring about improved competence, applicability, skills and value across communities.

The company's training programs are diverse and very well structured into courses that are tied to current needs of the workplace ensuring that the potential to achieve employment by students remains a high one and that the knowledge gained holds daily use. The training conducted at the property is free of charge as the owner is well aware of the inability of students to pay fees.

In establishing her own business Ms. Vilbro has granted and allowed herself the opportunity to hand pick the technical and most qualified facilitators she considers worthy to carry out the training and development programs. In doing so she's set her own standards and positioned herself to carry out the effect she desires for the students that will positively impact the region.

To run her business, Ms. Vilbro recently purchased a property within the Windermere area and currently utilize the property for this purpose. However, she understands and is aware that this property cannot be utilized for this purpose until the appropriate approvals from the local authority has been acquired. Her intention and willingness to formalize this land use is an indication of great character.

Accordingly, the company appointed PROPLAN Town and Regional Planning Consultants to submit to the local authority the required application in the pursuit of achieving the necessary approval to ensure the continued existence of the business. The use of the property to function as an educational establishment has been studied and checked against municipal plans and policies and ascertained to be in compliance.

The site and the surrounding locality are well suited to accommodate the existing land use function and this function is considered non-impactful, especially considering the small quantity of learners it accommodates. The educational establishment land use function is within the parameters of the local authority's land use scheme as a special consent and is favorable in an administrative perspective. All administrative procedures for this special consent application are to be adhered to fully.

The site is zoned "General Residential 2" wherein an educational establishment function may be performed with the acquisition of the special consent for an "Educational Establishment" and is the basis of this application. This motivation document identifies all aspects that relates to the functioning of an educational establishment and provides a discussion for consideration by the local authority. It also presents the merits of this application in the hope that its value is understood, appreciated and will be the basis for its approval and the continued use of the property.

Following this intro, is the purpose of this report, the site characteristics, a review of legislation, policy and plans, analysis of impacts, and others. Outlined then is the need and desirability in a comprehensive manner and finally ends with a conclusion.

2. THE APPLICANT

Ms. Vilbro the business owner is a very passionate and ambitious individual who gained experience, numerous accolades and developed a skill and talent to teach, that records her existence and success to the industry for many years. She gained respect among both competitors, education and training bodies globally, and the department of education, adding to her list of career highlights.

Her skill and methods of teaching are unique, reflect understanding and bottom up ensuring her reach into the minds of learners are a lasting one conducive for results. Having gained extensive experience of the NGO sector, her knowledge and understanding of people of this sector is deep and succinct. Her training and development modules are technical but its facilitation has consideration to the under privileged so that development is achievable and especially growth full for the under privileged.

The courses that the company runs are executed by facilitators whom are hand-picked by the business owner. Ms. Vilbro, therefore has taken time and effort to build and develop her facilitators to become experts in the field of education so that working with students is of the highest caliber possible. Through this medium her hope for a better more prosperous, educated and well-developed society where application of knowledge is every day, is made possible. The pillars of this training company are to build more competent communities by educating the under privileged.

Ms. Vilbro has developed a team of facilitators that are creative, energized, resourceful, professional and practical ready to tackle any technical challenge of students. Their drive to create solutions and be responsive to student's needs and queries is fueled by an urgency to note the transformative powers of education and be part of a world that is better than today. The world that they are creating is one where people are empowered by knowledge to create their own incomes and hold a more powerful impact to our national GDP and especially the communities people reside in.

This application is considered in a time where numerous ill legal land uses are prevalent and employment availability is a scarce one. It's also a period where little value is given to the law as illegal development practices are pervasive and visible from suburb to suburb. The company sees it essential to uphold its image in the industry and society while performing an imperative service for the functioning of society, sees great need and value for this report.

Accordingly, this special consent application is hereby submitted to the eThekweni Municipality in terms of chapter 7(21) (4) (b) of the municipality's Spatial Planning and Land Use Management Bylaws which outlines that "A land development application can be submitted by – a person acting on behalf of a land owner in terms of a written consent to that effect or in any other capacity. Therefore, the agent being PROPLAN Town & Regional Planning Consultants applies for this special consent on behalf of the business and the property owner (Ms. Vilbro) for New Generation Skills, as authorized.

The types of training courses offered by this company are multifold and targets growth of the corporate sector mainly. Some of them are selling skills, conflict management, coaching and mentoring, finance for non-financial managers and supervisory management among others. Some services they offer are training needs analysis, assessment, moderation and others. This thinking generated enables students to apply their knowledge on an everyday basis across various settings. The company also runs courses for other companies where facilitators travel to such companies to execute training courses.

This company has a footprint in other cities and with accreditations to both national and international bodies is expected to grow further, and is therefore considered sustainable. The course times are between normal working hours and all programs are facilitated indoors; no training is done exterior to the building. The key focus of this organisation is to help those that can't afford to upskill and educate themselves to bring about their personal performance and functionality as this training is free of cost. This is a critical trait in this day and age and it must be acknowledged.

It may be well said that this company's focus to develop people is larger than their commitment to generating an income. In this sense, this company can be judged as one of great character as they hold the dispersion of knowledge greater than utilizing it to earn an income. It's hoped that the value and depth of the service performed by this company to society be seen by the local authority as to pen down this full value is beyond the scope of this report.

3. PURPOSE OF THE REPORT

The need for education, learning and development, skills training and other aspects of knowledge will always be a necessity in society. This report then presents how the extended and unique offering of knowledge is benefitting both the young and old across society. Given that this service is carried out across an urban based property, certain factors require consideration.

Accordingly, this report presents in full all the details of the site, surrounds legislative and policy context of the proposed land use for the stipulated property and other components. It discusses the need and desirability of the proposed use and outlines the merits of this land use function. By an insertion of this information, a significant amount of analysis is made possible by the local authority.

Also constructing this report are the alignment of the development proposal to the existing municipal town planning scheme, municipal development strategies and policies as well as the national and provincial legislation requirements where applicable. It also states the value of the business towards the community and how they stand to benefit in a socio-economic manner. To aid the assessment of this report, its pros and cons have been inserted for reference.

It is well understood that a precedent case is one that holds value when it comes to development and statutory applications. In regards, some precedent cases have been identified for this special consent application, is displayed later in this report. The photo essay appended to this application depicts the property to which the precedent case is evidence of and attention by the local authority towards the existence of this precedence is requested.

In a spatial sense, many benefits that are identified by the existence of this land use function are also presented herein for assessment and reflection by the local authority. The benefits identified in a spatial sense are seen as a key element for its approval. This value then progresses to the recommendations submitted by the consultant for contemplation and finally the report ends with concluding remarks. All annexures relating to this motivation immediately follows this report itself.

This report is submitted with the intention of gathering the local authority's support for an important function performed by this site for society. The practicality, affordability and other advantageous aspects identified highlights this land use and are expounded on. These aspects are seen as grounds for its support and it is expected that the local authority sees it favorably.

4. STRUCTURE OF THIS REPORT

Section one (1)	:	introduction
Section two (2)	:	applicant
Section three (3)	:	purpose of this report
Section four (4)	:	structure of this report
Section five (5)	:	site details
Section six (6)	:	development proposal
Section seven (7)	:	precedent sites
Section eight (8)	:	contextual framework alignment
Section eight (9)	:	analysis of potential impacts of land use
Section nine (10)	:	need and desirability
Section ten (11)	:	summary
Section eleven (12)	:	conclusion

5. SITE DETAILS

5.1 STATUS QUO

5.1.1 LOCATION

The application site is located on Windermere Road otherwise known to be Lilian Ngoyi Road. This area forms the Berea suburb which is a popular coastal part of Durban with exclusive properties and vast sea views. This suburb, similar to surrounding suburbs is home to various types of land use activity that contributes significantly towards the functioning of the wider Berea suburb.

The north of the Windermere vicinity is bounded by the popular Innes Road that is well known for its exclusive properties, sea views due to its high elevation and the well-kept Mitchell Park. The east of this suburb holds the industrial Umngeni route and the Matthews Meyiwa Road or Stamford hill Road. This road was once a critical one that held many factories in the past which was a strong attraction to many for investments in property and employment.

The west of this location is the high intense Sandile Thusi or Argyle Road, one which connects the eastern part of Windermere to the Overport suburb. The south of Windermere is tied by the road named Kolling street which is a minor road holding few land use functions. This suburb is well known for its diversity and character especially since it's holding a quantity of uses.

Within this suburb can be found numerous restaurants, hotels, factories on its eastern edge, offices, shops, various boarding and lodging facilities and a host of others. Plots of land are generously sized and together with the wide and well-structured network of roads, are seen as key reasons for the change of land uses regularly observed.

5.1.2 PROPERTY DESCRIPTION

The site of this application is formally registered with the Kwazulu Natal surveyor general office and therefore holds a cadastral description. As a result, and owing to its location at the heart of the town, this property is recognized by the local authority and has a physical address accrued to it.

Accordingly, the cadastral description of the property of this application site is the Erf 1397 Durban and according to the municipal zoning certificate, its street address is 66 Lilian Ngoyi Road. For a copy of the full title deed registered with the KZN deeds office, please refer to the deed document attached.

5.1.3 OWNERSHIP

This property holds a single double storey building that has a residential appearance. The title deed for this property lists a company called Brenda Ann Vilbro CC as the owner who is also the owner of the New Generation Skills training company. The title deed of the property has the registered number of T 4920 25. This has been attached to this submission and may be referred to when required.

5.1.4 TITLE DEED CONDITIONS AND ZONING

No restrictive conditions prevent the use of the site as an "Educational Establishment". The site is zoned as "General Residential 2" in the central land use scheme and below is its development facilitation table. Reference may be made to the title deed attached to this submission for a perusal of its conditions.

5.1.5 ZONING & DEVELOPMENT CONTROLS

The zoning table below is an extract of the local authority's central entity's land use scheme.

Table 1: Zoning Table

ZONE: GENERAL RESIDENTIAL 2		
<p>SCHEME INTENTION: To provide, preserve, use land or buildings for:</p> <ul style="list-style-type: none"> - Higher density on all types of residential accommodation - A wide range of ancillary uses, which service the day to day needs of a residential community 		
PRIMARY	SPECIAL CONSENT	PRECLUDED
<ul style="list-style-type: none"> • Boarding House • Chalet Development • Dwelling House • *Flat 	<ul style="list-style-type: none"> • Agricultural Land • Crèche • Educational Establishment • Hotel • Parkade 	<ul style="list-style-type: none"> • All other uses not indicated in the Primary and Special Consent columns

<ul style="list-style-type: none"> • Multiple Unit Development • Retirement Centre 	<ul style="list-style-type: none"> • Place of Public Worship • Institution • Laundry • Reform School • Special Building • Student Residence • Telecommunication Infrastructure • Any other use authorised in terms of Sub-section 1.13 	
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ADDITIONAL CONTROLS

1. *Flat:

Where the floor area exceeds 10 000m², adequate provision, to the satisfaction of the Municipality shall be made for;

a. indoor facilities available to all residents for active and passive recreation, for the care of children, and for the launderette and washing facilities.

b. the horticultural and recreational development of the site for the benefit or use of residents.

2. * Hotel;

In the Merewet, Chatsworth and Austerville South and North areas a Hotel may be erected without Special Consent on a site marked by the symbol “H” in red.

3. Height:

i) No portion of any building on any Erf shall project above the height above mean sea level indicated upon the map in relation to that Erf.

4. Coverage:

A. An area in extent not less than 20% of the Erf area and free of all buildings, parking spaces and driveways, shall be set aside for garden and recreation purposes

5. On the portions 115 of 690 Brickfield;

All development within this zone shall comply with the provisions applicable to a General Residential 2 zone provided that-

1. the maximum number of units permitted in this zone shall be 74;

2. no building shall exceed a height of 116 metres above mean sea level; provided that no building fronting the south eastern boundary of the site shall exceed three storeys in height or 116 metres above mean sea level, whichever is the lesser;

3. no building shall be erected within 7,2 metres of the south eastern boundary of the site;

4. on-site parking shall be provided to the satisfaction of the Head: EThekweni Traffic Authority

On the property described as Lot 2599 of Mobeni No. 13538.

Development of the land comprising this Site shall be based on a General Residential 2 zone; provided that-

1. The development shall be restricted to a maximum of 232 units;

2. The height of any building within this site shall not exceed two storeys;

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MUNIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDE SPACE					
7.5m	3m	The maximum number of dwelling units permissible on an Erf shall be determined by dividing the permissible floor area by 55, the resultant quotient being taken to the nearest unit or, if there is a fraction of one-half, to the next highest unit the resultant quotient being taken to the nearest unit or, if there is a fraction of one-half, the next highest unit.	900	N/A	50%	1.2

5.1.6 SURROUNDING LOCALITY ZONING

The Windermere suburb can be said to houses some land use types namely residential, industrial, mixed use and commercial. No water bodies are identified within the suburb as its fully developed. Relatively, no sensitive environmental features are found within the suburb therefore no DMOSS layer applies to the Windermere suburb.

This suburb lends itself to the jurisdiction of the municipality, therefore the land use scheme of the central entity and all its clauses applies to this suburb. In reference to the above land use types of the area various zonings are recorded. Some of these are agriculture, airport/trade-port, business, cemetery, commercial, industry, landfill, mixed use, public open space, railway reserve, recreation, residential and rural to name few. The zonings surrounding the site are recreation, fueling and service station and general residential 2.

In reflection, it is noted that this suburb is one of a mixture of land uses that function at different scales. However, it is interesting to note that the bulk of zonings of this suburb are general residential 2, even though many properties may not hold such appearance and perform such function. This could be a reflection of illegal land uses prevalent or execution of free entry uses to zones.

The Berea region holds a more diverse range of zonings as it encompasses a significantly larger portion of the city. Due to this suburb performing functions at a local, regional and national level zonings are applied accordingly. Further, scheme amendments that apply to specific properties takes cognizance of these aspects in the pursuit of development and urban management.

5.1.7 SURROUNDING LAND USES

The road of the application site Lilian Ngoyi is popularly known for a mix of uses. Many properties similar to the application site holds a traditional residential structure and appearance but its function is different. Lilian Ngoyi is a long road that dissects the Windermere suburb into east and west observed to house uses related to various business types and different residential types, largely.

It is observed that the general residential function of the suburb is intact and uninterrupted while opportunity for its further densification has been identified. Relatively some parts of the suburb have no such densification and this could be an opportunity for considering by property developers. An extent of informality and safety related issues are recorded for the suburb.

It is noted that the area also has a strong business presence that is widespread but is supportive to residential living in many cases. In this sense, many people have benefited by employment credited to this presence and activity. Restaurants are a traditional form of business to the area attracting much tourists and locals while office use have also been identified. Restaurants contribute to much of the night life of the area and are also seen as a reason for their own proliferation.

A fine observation made is that of local neighborhood business centres. These are of different scales but are spread evenly and done so in a manner that has brought about harmony to its surrounding location. It is commonly observed that areas immediate to business centres have also recorded land use changes from property to property. The quality of spaces in and around business centres is decent and provides a pleasing experience to be in such spaces.

The east of Windermere has the Metrorail railway system. This system together with the provision of taxis throughout the suburb has encouraged and permitted the access of people from all parts of the city to this suburban location. The proximity of this suburb to the CBD permits easy and efficient travel to places of work while easy access to a host of recreation activities across this suburb is also easily and efficiently facilitated. This suburb is fully developed so very little land is available for future development.

The road network structure to the region is very well laid out and, in some cases, wide enough to permit roadside parking. Due to a strategic road network structure, access to each property and to surrounding suburbs is easily accommodated. Street furniture is of decent quality and has been strategically placed so that no safety issues occur and free flowing movement is generated.

During the 70's and 80's the structure and core residential presence of this area was pure and standardized. The progression of time saw huge changes to our economy forcing many to initiate their own business for survival and is today a key reason why so many residential properties of this area transformed from its initial function. Many properties of this suburb are older than 60 years that became listed properties and accrued to them heritage status.

However, the architectural appearance of many properties is still the same since its development and are wonders for the city. The influence for the design of many buildings is international as many properties reflect design elements of the Edwardian, Victorian and Neo-classical eras. Listed properties that undergo changes by law are required to achieve KZN AMAFA approvals that I consider a common requirement for this and surrounding suburbs.

In terms of municipal spatial planning, the suburban area has parts that need attention. For some parts illegal land uses are noted and in other parts there's an excess in supply of certain land uses. The overall provision of community facilities by both the public and private sector is sufficient and needs no further attention. The area has potential to accommodate some more mixed use that could be a benefit for employment but requires strict consideration in each context. In places, industrial activity is in proximity to residences and the heritage status of the area in general must be rigidly preserved and protected.

The immediate land uses surrounding the application site is a training company, a service lane to the rear, offices, a surgery and a fueling service station across the road. In walking distance is the popular Argyle or Sandile Thusi Road and in proximity are other land uses supportive to those of the area. The training conducted at the site is done indoors by only few students and is therefore considered an activity that poses no interference to anybody and harmonizes to its surroundings.

5.1.8 SITE STRUCTURE

The site is structured in a simple manner and developed across its area is one double storey building, residential in appearance. At the rear is ample parking space and shaded awnings for use while the entire property is fenced. The bottom of the building holds 3 rooms or areas utilized to facilitate training and development courses and the upper floor is used for administration of the business.

The building developed is compliant to the scheme in terms of its development controls. A study check of the schedule on the plans attached to the scheme's controls will comfortably reflect this compliance. Lavatories for students are located along the ground floor and the rear of the building is used for rest

and breaks. The property is well maintained and shows no sign of decay and no further development of the building is envisioned. In this manner, the heritage status of the building remains unaffected.

5.1.9 ACCESS, ACCESSIBILITY AND PARKING

The application site is located along the road named Windermere or Lilian Ngoyi Road. This road takes access of Sandile Thusi or Argyle which is connected to the M4 and the rest of the CBD. The Windermere suburb is well structured servicing access to all roads of the vicinity. All roads are in decent quality and are to engineering standards as trucks and other large vehicles regularly traverse this vicinity.

Access is obtained directly of Lilian Ngoyi Road and is also permitted via a service land located rear to the site. Accessibility, to the site is simple and convenient as this road is a public transport route where buses and taxis are regularly operational. The site facilitates egress and ingress directly of this street which is a class 3 road giving access to all properties. This application is for use of the building that does not cover its entire area. Also, sufficient curtilage is left for all round circulation of the site.

In terms of parking no issue exists, more than sufficient parking bays are allocated on site for staff and students. Only 4 staff parking bays are taken up and the balance is considered extra. Counting confirms that there are 11 parking bays provided on site. Students arrive at the venue mainly via public transport and leave in this manner as well. In this manner access, accessibility and parking holds no issues.

5.1.10 INFRASTRUCTURE SERVICES

The site as mentioned before forms part of a built suburb where the necessary infrastructure facilities to service properties have been provided in full capacity. As such the site benefits by the provision of the following services namely, electricity, water, sewerage, stormwater, telecommunications etc. The plans attached shows the location of servitudes on site.

In this perspective, reference may also be made to the sg diagram attached if required. In addition, this report will be circulated to all line function departments for their comments. Accordingly, should any technical service need provision or updating, this will be carried out to ensure the site is enabled to function at optimum operational capacity and safely.

5.2 LOCAL AREA CONTEXT

The eThekweni Municipality is found along the east coast and is the largest municipality in the province and is therefore termed a metropolitan municipality. Some other local authorities surrounding it are the Ilembe (north), Ugu (south) and uMgungundlovu (west) municipality. The municipal area is divided into 4 spatial regions of which 5 land use schemes emerge being the north, south, central, inner west and outer west schemes. The source of its municipal planning is its own (IDP) of which its SDF is developed. There's spatial planning for each entity and a product of that is the land use scheme also for each entity.

The municipal area is approximately 2555m² and stretches from Tongaat, to Cato Ridge to Umkomaas. The eThekweni region is also home to various government departments and is a source of employment for the province's residents. The Durban port is the main port to the country that's as a key point of distribution of goods contributing greatly to our gross domestic product. The regions historic, cultural

amenities, tourist attractions, industries, leisure, business and sporting activities are a regular attraction to visitors growing its popularity to the country, strengthening investment for the region.

The character of each entity is somewhat similar in that they all perform residential, commercial, industrial and environmental functions but the manner in which each entity does differs. The application site is found within the central entity which covers the area of Phoenix, parts of Durban North, the CBD, Reservoir Hills, Chatsworth and areas around the Bluff. This region is the most-dense in a developmental sense and this is due to the densification opportunities identified in the SDF. Relatively, the regions environmental features are of least quantity in this entity.

This entity houses the CBD that is the largest in the province and the port being the largest on the east coast of the country. The urban blight, decay and derelict state of the CBD has led to the development of plans and strategies for its redevelopment and upgrades. To boost our GDP and impact unemployment, proposed for the Durban port is its deepening to facilitate the entry and exit of larger ships with more cargo. Catalytic projects also play a key role in advancing our region’s growth and development.

To protect all natural environmental systems, the city has studied the location and function of all of these features and implemented the DMOSS layer to ensure its existence and preservation. The city has also embarked on a number of strategies to improve the performance and functioning of the central region. To note, these are the Back of Port Interface LAP, C3 Integrated Development Corridor Plan, Central Densification Implementation Plan, Clermont Kwadabeka Regeneration Project, Inner City LAP and Regeneration Plan, Pinetown CBD Node Precinct Plan and Pinetown South LAP FAP and Scheme review.

These plans are at different stages where some are still in development phases while others are complete. They target many aspects being the performance of an area, improve density and operational levels, impact unemployment, maximize connectivity between suburbs as part of planning and functioning, upgrade areas in terms of urban planning and heighten investment into the built environment and land markets that will raise standards of areas. While these plans and strategies are in implementation, future plans take cognizance of interim challenges for consideration.

5.2.1 DEMOGRAPHIC PROFILE

The local authority has demarcated its area of jurisdiction into wards. The application site is a little south of ward 27 which can be found in the central portion of the city. In 2001, the population of the region was at 3.09 million and was growing at 1.13% per annum. These and related socio-economic statistics pertaining to the municipal region are provided within this section for an understanding of its status quo.

Table 2: Population Projection

Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Number	4080930	4122885	4167531	4212570	4258383	4304140	4349821	4395584	4441861	4480834

Table 3: Education

HIGHEST EDUCATION	
No schooling	720792
Some primary education	2540146
Primary education completed	471590
Some secondary education	2723785
Grade 12 complete	1934764
Higher education	551452
Education N/A	1308153
Education unspecified	16629

Table 4: Employment

EMPLOYMENT PROFILE	
Employed	992560
Unemployed	430319
Discouraged	114229
Not active	873583
Employment n/a	1031671

Table 5: Migration

In-migration	
% of city's population who are in-migrants	8.1
No. of in-migrants	276 988
Out-migration	
% of people who migrated from the city	3.4
No. of out-migrants	193 222
Net Migration	
No. of net migrants to the city	83 766

Table 6: Income

Category	0-2400	2400-6000	6000-12 000	12 000-18 000	18000-30 000	30 000-42 000	42 000-54 000	54 000-72 000
Household Number	897	7932	39 663	54 957	98 927	101 557	87 528	90 856
Category	72 000-96 000	96 000-132 000	132 000-192 000	192 000-360 000	360 000-600 000	600 000-1 200 000	1 200 000-2 400 000	2 400 000+
Household number	81 960	82 279	90 882	124 462	78 529	82 494	16 694	2658

Table 7: Population Movement

	Education		Looking for paid work		Moving as a household		Other		Total
	No.	%	No.	%	No.	%	No.	%	
eThekwini	19 512	14.7	17 176	12.9	62 487	47	33 903	25.5	133 078
Kwazulu Natal	61 701	15.1	42 925	10.5	200 865	49.1	103 525	25.3	409 017

In table 1 population projections have been studied and confirmed and growth for the region is expected as tabulated or 1,1%. Projections for the region have been forecasted using the demographics of fertility rates, life expectancy, mortality rates, hiv/aids and migration. These projections reflect a constant rate of growth, also, the least annual growth identified for the city region is just over 40 000 people. This rate of growth impacts on all other necessary service provisions and is not expected to be kept in check.

According to the education profile, 26% of the population has some secondary education, 25% received primary education, 7% has experienced no schooling, while only 5% earned a tertiary education. For more than 1,3m of the population, education is not applicable which could imply that for approximately 25% of the population, forming part of the formal economy is not a requirement. Where only 5% of the population receives higher education, only that percent will be eligible to attain professional jobs or jobs stemming from the tertiary sector.

An analysis of the employment stats displays extremely poor figures. Accordingly, less than 25% of the population are formally employed in a fully developed city where money is a daily requirement to exist and function. This also means that there's a high level of dependency on households with very low incomes and could be a key reason for extensive illegal actions committed to generate incomes. Despite the diverse nature of the economy, the amount not economically active together with that portion where employment is not applicable is extremely high.

A large set of categories were employed to establish income generation for the city region in a detailed manner. These categories are many as incomes groups are many and has correlation to education levels, meaning, the higher people's education achieved the higher their level of income and vice versa. These stats don't cover grants issues by the department of social development and are therefore incomplete, however, they reflect direct earnings of people. Of the 25% that are formally employed, 897 people earn up to R2400, only 2658 people earn above R2,4 million and the category with the highest quantity of earners earns between R 192 000 and R360 000.

The image of eThekweni, as a source of employment and business for many people has spread widely across the Southern African region and attracted large numbers for this purpose. This has contributed to population growth rates adding to the demand for the provision of essential services. The demand for work and other reasons also caused many to relocate to other cities within the republic and abroad. In-migrants are those not born in the city but now live here and amounts to 8.1% and out-migrants are those that have left the city and amount to 3.4%.

Migrants coming to the city is a good sign as it reflects potential for business, but in our SA context, this has caused much violence. In the table for KZN population movement this information has been gathered by a community survey 2016, Stats SA. This table shows the movement of people for the province and for the city based on two factors for this movement being education, looking for paid work and movement as a household. Even though this table does not show duration of movement meaning per annum or monthly, the extent of movement is thought provoking and questionable.

This section of this report is valuable as it speaks of various realities being experienced and recorded at a city region level. Reference to the municipal IDP and SDF will demonstrate a comprehensive view of each element at maximum length where one can determine how these stats affect society. These elements are important to be brought out as it impacts the process and implementation of planning. Understanding this will position us to respond to our challenges and enhance the status quo of society.

Lifting people out of poverty, providing them with good education, establishing functional and diverse human settlements, transforming existing inequality levels and setting a strong business atmosphere are some key elements that must be high on a region's development agenda and a key requirement for these goals are socio-economic data. It's in this light that socio-economic data are inserted herein.

5.2.2 SPATIAL PLANNING

The eThekweni municipal area is that which covers the city of Durban and earned itself the title as being the city by the sea. The advent of democracy ushered in the implementation of spatial planning for Durban and the rest of the country. Democracy also stemmed local government restructuring where many minor municipalities were consolidated to form large local municipalities, district municipalities and metropolitan municipalities amounting to 267 in total. This saw a relook at the provision of basic services supported by our national treasury and the planning of towns and regions for future growth.

This period was also the birth of the implementation of the integrated development plan or IDP to facilitate the process of service delivery in a comprehensive manner, stemming from the municipal systems act, for a municipality's area of jurisdiction. The Durban city region accommodates a wide range of land uses formal and informal and is complimented by economic, transport, public and social infrastructure. This entity is observed to be in a state of constant change in response to economic, political and other forces and its land use scheme reflects cognizance to this.

The two spatial planning objectives outlined in the 2014 CSDP are to redress imbalances and build for the future. In the first objective two strategies are employed are to respond to existing outstanding needs and to restructure existing settlements. In the second objective, strategies employed are to accommodate population growth, structure new growth, conserve the natural resource asset base and establish more responsive settlement structure and built form. Some of these objectives and strategies are carried out in the latest SDF and is therefore inserted here.

The eThekweni Municipality's Integrated Development Plan 2012/2016 (Review 2013/2014) is the business plan that will guide development and growth of the eThekweni Municipal area over the next 5 years between 2012/2013 to 2016/17. It focuses on helping to realize the vision that "By 2030 eThekweni will enjoy the reputation of being Africa's most caring and livable City, where all citizens live in harmony." This is a key municipal policy plan adopted for the delivery of services.

The central entity is also known as the urban core extends over an area of 677 km² (67772.33 ha). It is characterized by dense residential development along the periphery with high concentrations of economic and employment opportunities and relatively high levels of services. There are 9 Local Areas identified which were defined by their role and functionality at both local and regional context in a catchment planning sense. It is also understood that LAP boundaries could include or cut across more than one political ward boundary.

The population estimated for the central entity is just below 1,2 million being somewhat just above a third of the region's population. It holds the largest development density and population levels to the region. It is also the largest within the municipal area and considered the entity with the largest exposure to the sea/coastal area. This entity contributes the largest to the regions GDP being 56% and plays a critical role as a trade route for importing and exporting of goods. The Central entity's economy is comprised of: Industrial (noxious, manufacturing, port, maritime, light and service industries), logistics, warehousing, business, commercial, retail and financial services as well as tourism sectors.

The central entity being home to two of our key national routes has seen much industrial development take place along and in proximity to these routes. These routes dissect the city regions and filter traffic into lower order provincial routes spread across the city's entities and ultimately enabling access to each

property. The regions infrastructure is very well established and because of this diverse network of infrastructure, this connectivity permits a vast extent of activity across industries, sectors and suburban areas and is the heartbeat of the region.

The region has witnessed a proliferation of informal settlements inherited from our past and saw new informal settlements develop. Strategies are adopted for effective service delivery in this regard that also ties with methods to respond to safety and security across the city. The cities spatial planning departments are hard at work conceptualizing and regularly putting forth catalytic projects to effectively advance our socio-economic state and maintain a thriving regional force.

To guide and manage development in the city a package of plans structure has been conceptualized and adopted for reference. This package of plans depicts the hierarchy of plans shedding light into the source of each plan and their individual time frames of application. The highest order plan being the long-term development framework has a lifespan of 20 years filtering down to land use schemes with a lifespan of 5 years. It's imperative to note that these plans are reviewed and amended after each period of application which reflects its allowance for change and improvement.

The spatial plans of the above encompass the entire municipal area but also allows for each entity to develop their own spatial plans so that it can respond to specific issues and scenarios of such entities. Further, in the planning of each entity public participation is permitted and encouraged so that the voices of the people are heard and noted. This means, that planning for the region is done in a bottom-up method, that considers people, ensuring that planning is done in a meaningful manner.

6. THE PROPOSAL

As stated, the application site was purchased with the intention to be used as a training centre to serve the poor. The students that opt for these courses cannot afford them and are allowed to pursue them free of cost. The property only has a single double storey building with parking located to the rear. The ground floor has 3 class rooms for the courses while the upper floor is used for administration of the business. The classes are run on Mondays and Tuesdays and online on other days.

The existing use of the site by New Generation Skills to conduct training and teaching for this application is inconsistent to the land use scheme. Accordingly, this application arises out of a need to align the land use of the property to the land use scheme of the municipality that will permit the existing land use function to be performed over the site.

Figure 1: The Site



6.1 APPLICATION DETAILS

This application entails the following:

MOTIVATION REPORT FOR THE SPECIAL CONSENT APPLICATION FOR USE OF THE REMAINDER OF ERF 1397 DURBAN AS AN “EDUCATIONAL ESTABLISHMENT” IN TERMS OF THE SPLUMA MUNICIPAL BY-LAWS READ IN CONJUNCTION WITH THE CENTRAL SCHEME OF THE MUNICIPALITY

As required, this special consent application is submitted in terms of the spatial planning and land use management by-laws 2016 read in conjunction with the land use scheme of the north entity. All processes and procedures relating to this by-law are to be strictly adhered to for the purpose of legislative compliance, transparency and fairness.

An **Educational Establishment** as defined by the town planning or land use scheme of the central entity means a Premises used as a place of instruction and may include uses ancillary thereto inclusive of Student Accommodation.

Reference may be made to the attached plans for the detailed learning of the building of application and site plan and to the photo module for your contextual understanding. The zoning certificate of this property is also attached to this submission for reference.

6.2 DEVELOPMENT CONTROLS

The site of this application (of the central entity) is zoned “General Residential 2” and its related development controls applies. An extract of this zoning is placed in this report under section 5.1.5 to display its zoning information and associated development controls. Upon study of the site, it is deduced that no contravention to the local authority’s land use scheme is identified for all development controls of this zoning. Accordingly, this application is a single one for the use of a portion of the site as an “Educational Establishment” over the application site only.

7. PRECEDENT SITES

The Windermere suburb (suburb of the site) is one out of others that forms the larger Berea residential suburb. This suburb is a coastal one that has been subject to the processes of gentrification and urbanization as derelict properties with illegal residents are observed. What was once a home for residents only has now changed significantly catering for a wide variety of land uses that both compliment and restrict harmonious, simple and quiet urban living. Being a coastal location, its sea views are also a sought-after feature to experience for many.

Accordingly, properties saw changes from single residential to intermediate and general residential, from residential use to office and restaurant use. Certain parts of the area are also noted for illegal activities such as drugs and prostitution resulting in safety issues and a reduced standard of living. Business activity is widely spread across the vicinity while parts record a mix of uses along streets. The suburb is home to a number of listed buildings that were also subject to various conversions both legally and illegally. The character of the neighborhood has significantly diversified since its past.

The business and shopping centres found within this suburb also stimulated minor changes along their boundaries owing to the altered residential structure and appearance. While some of these changes

were isolated, some clustered together structuring an area. Relative to the above, it is also noted that some properties of the vicinity are utilized for office/business use and few are also used for training and education purposes. Seen as these are equally applicable and relevant precedents to note, they are selected and inserted herein for reflection.

However, it must be clearly noted that the application sites use is not a public demand one that could carry a high level of intensity with a potential to cause a significant impact to its surroundings. Only few learners two days a week attend classes for their upliftment and upskilling. The application site can therefore be seen in a significantly less light than the precedent sites inserted herein. Few depictions are made herein to present land use changes to the vicinity. This is done to point out that if impactful land uses such as restaurants and others can be permitted within the suburb, then a low impact use should also be allowed.



Figure 2: 113 Madeline Road – Hotel



Figure 3: 118 Madeline Road – BnB

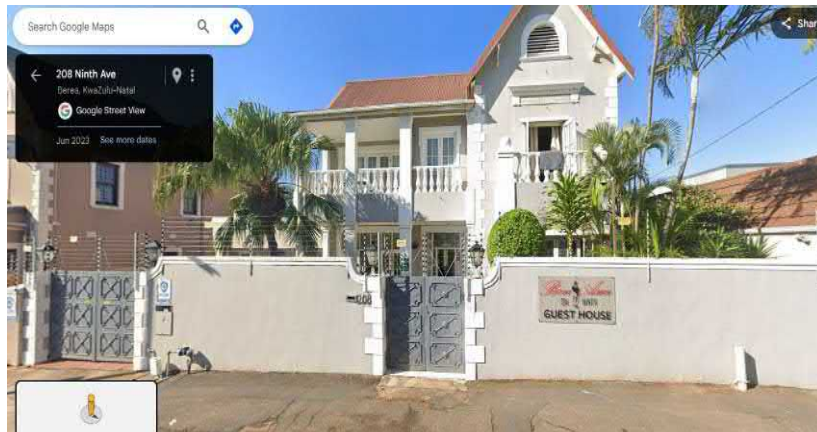


Figure 4: 208 Ninth Avenue – Guesthouse

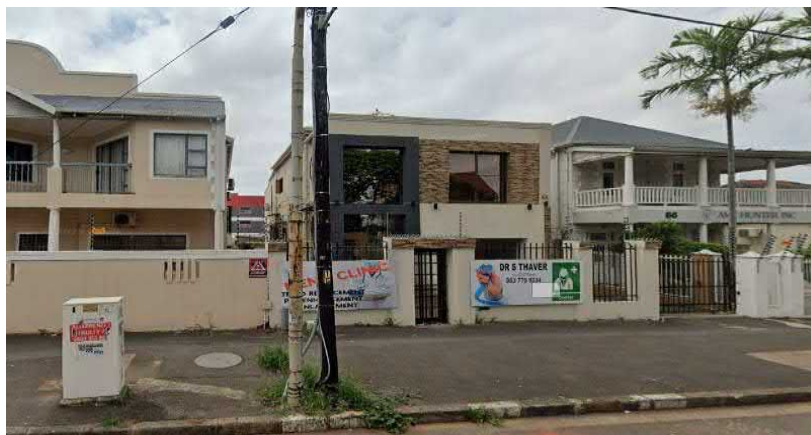


Figure 5: 68 Lilian Ngoyi – Surgery (next door)

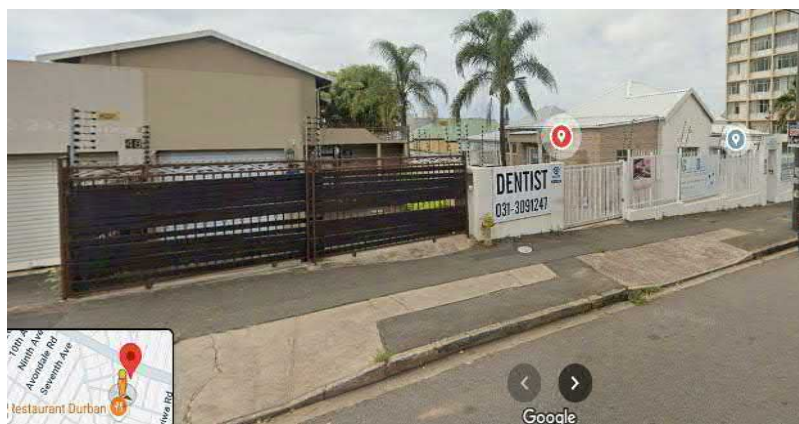


Figure 6: 42 Lilian Ngoyi Road – Dentist



Figure 7: Florida Road – Restaurants

The innumerable quantity of land uses found within this suburb is an indication of a strong mix of uses in a lateral sense. Many of these uses have been formalized and approved and is proof that this suburb works well with these changes. Many are supportive to residents of the neighborhood and others are regional attractions like Florida Road. The use of the application site was for offices in the past and is its own precedent. Its current use holds no potential to stimulate further change to its receiving environment and is therefore a viable use for its location.

8. CONTEXTUAL FRAMEWORK ALIGNMENT

This portion of the report outlines in details how the site has been aligned to various policies, plans and pieces of legislation at a local and international level that governs how land is to be used. It also outlines acceptable development standards and practices and accrues credibility to the site.

8.1 LEGAL & POLICY FRAMEWORK

Table 8: Legislative & Policy Compliance Table

No.	Legislation/Policy/Plan	Relevant Aspect	Compliance
1.	Spatial Planning & Land Use Management Act (Act No. 16 of 2013)	<p>Section 7: The following principles apply to spatial planning, land development and land use management.</p> <p>(a) The principle of spatial justice whereby</p> <p>(i) past spatial and other imbalances must be redressed through improved access to and use of land;</p> <p>(ii) spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and</p>	<p>Access to property is easily facilitated as the suburb has roads to reach the property.</p> <p>Noted. Historically, Apartheid located work far from where people lived, modern day spatial planning takes work opportunities close to where people live. The site located in a residential suburb</p>

		<p>areas characterized with widespread poverty and deprivation;</p> <p>(iii) spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons;</p> <p>(iv) land use management systems must include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas;</p> <p>(v) land development procedures must include provisions that accommodate access to secure tenure and the incremental upgrading of informal areas; and</p> <p>(vi) a Municipal Planning Tribunal considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the grounds that the value of the property is based on the outcome of the application;</p> <p>(b) the principle of spatial sustainability, whereby spatial planning and land use management systems must –</p> <p>(i) promote land development that is within the fiscal, institutional and administrative means of the republic;</p> <p>(ii) ensure that special consideration is given to the protection of prime and unique agricultural land;</p> <p>(iii) uphold consistency of land use measures in accordance with environmental management instruments;</p> <p>(iv) promote and stimulate the effective and equitable functioning of land markets</p>	<p>close to the CBD (an area of poverty) attends to this.</p> <p>The scheme does permit access to land through the road networks developed over the suburb. The option to purchase a private property is common these days. Windermere forms part of the central entity of the municipality which is managed by the spatial planning of this entity, including disadvantaged areas, informal settlements and homeland areas.</p> <p>As per the local authority’s bylaws, one who owns land and one who uses land can develop and use land. The existing use of the property is by the owner of the property.</p> <p>The site is fully developed, the use of the property for teaching and learning is the basis of this submission and it doesn’t restrict or impede the tribunal from performing its functions as part of application procedures. The outcome of the application won’t affect the value of the property.</p> <p>This land use function is accommodated by the scheme and administered by its by-laws.</p> <p>Noted. However, the site forms part of a developed suburb this therefore does not apply.</p> <p>Noted. The site is already in use but development of the entity takes these elements into consideration.</p> <p>N/A. The site is developed, any future change to the building will support such markets.</p>
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		<p>(v) consider all current and future costs to all parties for the provision of infrastructure and social services in land developments;</p> <p>(vi) promote land development in locations that are sustainable and limit urban sprawl; and</p> <p>(vii) result in communities that are viable</p> <p>(c) the principle of efficiency, whereby –</p> <p>(i) land development optimizes the use of existing resources and infrastructure;</p> <p>(ii) decision making procedures are designed to minimize negative financial, social, economic or environmental impacts; and</p> <p>(iii) development application procedures are efficient and streamlined and timeframes are adhered to by all parties;</p> <p>(d) the principle of spatial resilience, whereby flexibility in plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks; and</p> <p>(e) the principle of good administration, whereby –</p> <p>(i) all spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act;</p> <p>(ii) all government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks;</p> <p>(iii) the requirements of any law relating to land development and land use are met timeously;</p>	<p>N/A. The site forms part of a suburb that is already serviced, no further service provision is required.</p> <p>The site is located in a suburb central to the city. This contributes to its sustainability.</p> <p>This land use adds to the competency of people that raises their income ability.</p> <p>The location of the site benefits by existing roads and services.</p> <p>Noted. The efficient by-law procedure brings effect to this aspect.</p> <p>Provision for this is outlined in the city’s bylaws and will be adhered to for this application.</p> <p>Noted. These are considerations made in the development of the entity’s spatial plans. Further, the scheme has allowances catered for the existence of people and possible changes to occur. This use implements this aspect as it supports many livelihoods.</p> <p>Noted. N/A. However, the development of municipal spatial planning is not done in isolation but in cooperation with other spheres, resulting in its land use scheme, as directed by SPLUMA.</p> <p>Noted. N/A. As mentioned above.</p> <p>This application is processed and subjected to the time restrictions outlined in the city’s by-laws.</p>
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		<p>(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 input on matters affecting them and;</p> <p>(v) policies, legislation and procedures must be clearly set in order to inform and empower members of the public.</p>	<p>This submission will be circulated to various line function departments for their technical input. It will further be advertised, offering the public, an opportunity to also submit their input, as part of the by-law procedure.</p> <p>Noted. The municipal bylaws effectively carry out this function.</p>
2.	The National Development Plan	<p>This plan proposes a long-term vision for SA that also focuses on sustainable and inclusive development. However, the following aspects of the plan identified tie to the site.</p> <p>The overview of the plan outlines 6 priorities that are as follows:</p> <ul style="list-style-type: none"> - Uniting all South Africans around a common program to achieve prosperity and equity. - Promoting active citizenry to strengthen development, democracy and accountability. - Bringing about faster economic growth, higher investment and greater labour absorption. - Focusing on key capabilities of people and the state. - Building a capable and developmental state. - Encouraging strong leadership throughout society to work together to solve problems. <p>Section 3 states that jobs are to be created by the private sector, requiring entrepreneurs to be vibrant and seize opportunities. They are encouraged to</p>	<p>The site is functional contributing towards some of these priorities.</p> <p>The company does youth training especially and is a platform for students to achieve prosperity.</p> <p>By virtue of the training, people will growth into a better version of themselves contributing to a more functional and active citizenry.</p> <p>Training programs will upskill and technically advance students to become independent and more competent at the workplace.</p> <p>The training offered is curtailed to the needs of the workplace and has a focus on management which is related to administration of the state.</p> <p>The company offers various types of training that hones the technical abilities of people.</p> <p>Through the medium of education, people are better positioned to solve problems.</p> <p>The site is one that offers learning opportunities to students that will better position them to act in an educated manner and create an</p>

		<p>commit to technological change, innovation and establish private public partnerships and various strategies to impact job creation.</p> <p>Structural challenges relating to South Africa are also identified in the plan.</p> <ul style="list-style-type: none"> - High levels of inequality - Skewed ownership and control - Insufficient progress in advancing human development - Extreme pressure on natural resources - Energy constraints acting as a cap on growth - Spatial misalignment to urban/rural divide or within urban areas. - Distance from global markets 	<p>income for themselves. In this manner people are groomed to become mature individuals. Online classes are also carried out by the organisation and the knowledge gained has the possibility to stimulate entrepreneurship by students that will create jobs. This company is building a stronger work force which will positively impact on our regional economy. This is conducive to the achievement of many municipal targets and goals.</p> <p>The inequality levels of society can be impacted on by creating jobs and through learning opportunities this is possible.</p> <ul style="list-style-type: none"> - N/A. <p>The training programs of the organisation is directed towards this very goal itself. The more developed people become the more functionality they achieve.</p> <ul style="list-style-type: none"> - N/A. <ul style="list-style-type: none"> - Noted. However, post May 2024 elections this has reduced significantly. - Site is strategically located to receive benefits of urbanity. - Has access to such markets. <p>The site is in conformance to the plan as the owner conducts charity work to society which is about social cohesion, societal interaction towards community building, providing learning opportunities, executing activities to alleviate poverty, by providing jobs livelihoods are made and is notable support for the region's growth.</p>
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8.2 MUNICIPAL COMPLIANCE

The municipal IDP is underpinned by global, regional and national policy to influence the development of the strategic direction of the municipality. The IDP is considered a comprehensive document and reflects vertical and horizontal alignment to various policies, as depicted, and alignment to this plan is seen as alignment to all such policies.

Table 9: Municipal Compliance Table

No.	Legislation/Policy/ Plan	Relevant Aspect	Compliance
1.	Municipal Integrated Development Plan (IDP)	<p>Chapter one of the plan enlists the below challenges.</p> <ul style="list-style-type: none"> • High rates of unemployment and low economic growth; • High levels of poverty; • Low levels of skills development and literacy; • Limited access to basic household and community services; • Increased incidents of HIV/AIDS and communicable diseases; • Loss of Natural Capital; • Unsustainable developmental practices • High levels of crime and risk; • Ensuring adequate energy and water supply; • Ensuring food security; • Infrastructure degradation; • Climate change; • Ensuring financial sustainability; <p>The municipality also adopted the Economic Recovery and Shared Growth Path through the strategic focus areas and aims to become: A compact, productive, and livable city that connects citizens with economic opportunities</p> <p>2. A re-industrialized economy through localization and investment in targeted industries</p>	<p>The main purpose of the site is to offer training and development programs for the poor. Attached to this submission is the company's profile outlining the various types of courses offered. These courses are designed to improve one's technical abilities that maximize their ability to enter the job market. It educates students that holds universal application and further enables them to utilize this education to start a business to generate an income. In this manner, unemployment levels are targeted and poor people from marginalized backgrounds that can't afford university education are given a chance at making a life for themselves. In addition, poverty levels are reduced and skills levels are raised.</p> <p>The site relates in many ways to this part of the plan as given below.</p> <p>The location of the site aligns to a compact and functional use of property in the city. The site is developed and is connected to the WWW. Through this medium, students have access to economic and employment opportunities. The courses raise the capacity and skills of students developing their competence. Through heightened capacity our economy can be enhanced and re-industrialized.</p>

		<p>3. An inclusive and shared economy</p> <p>4. A government that is capable, customer centric, enabling, efficient and integrated</p> <p>5. A vibrant tourism destination that celebrates its cultural and creative endowment</p> <p>The plan under section 2.2.3 points out priorities formed in the medium-term strategic framework of government. These are:</p> <p>P1: Building a capable, ethical and developmental state.</p> <p>P2: Economic transformation and job creation.</p> <p>P3: Education, skills and health</p> <p>P4: Consolidating the social wage, through reliable and quality basic services.</p> <p>P5: Spatial integration, human settlements & local government.</p> <p>P6: Social cohesion and safe communities.</p> <p>P7: A better Africa and world.</p> <p>The delivery of the municipality's IDP is through an 8-point plan. Some of these ties to the site being:</p> <ol style="list-style-type: none"> 1. Develop and sustain our spatial, natural and built environment 2. Develop a prosperous, diverse economy and job creation. 	<p>Many people in society will benefit by the site's functioning. N/A. However, government providing services to the suburb performs this. N/A.</p> <p>Students educating themselves is a sign of improvement and a step towards becoming developmental.</p> <p>The learning itself and accreditation are means for earning and income whether via a job or business. This land use performs an education-based function and is contributing to educating the regions poor. N/A</p> <p>The site is integrated into a suburb where all facilities are present to support it and its students can also benefit by getting jobs in the vicinity and have access to future clients as well.</p> <p>The site is being used for teaching and learning which brings people closer to engage and develop relationships for business and earning incomes. There's no better way to improve the world than by use of education.</p> <p>The site is found in a developed suburb hence it's aligned to this. Through accreditations job prospects for students are significantly raised and when the</p>
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		<p>5. Create a platform for growth, empowerment and skills development Stemming from this plan are 6 strategic priority areas. These are:</p> <ul style="list-style-type: none"> - Creating sustainable livelihoods - A socially cohesive city - A financially sustainable city - A safer city - An accessible city - An environmentally sustainable city 	<p>business grows it will create employment.</p> <p>The company's core function is to carry out this purpose where students and learners are subjected to a process where they grow, develop skills and enhance their technical capacity to secure themselves future employment. Through the medium of education and learning, alignment to this sub-condition of the councils IDP is achieved.</p>
2.	Spatial Development Framework (SDF)	<p>This framework also subscribes to the sustainable development goals listed in the next subsection. The municipality attempts addressing its issues in the effort to achieve these goals as they reflect a common globally accepted vision for a just, safe and sustainable space for all.</p> <p>Section 2.6.9 of the report tabulates economic trends and issues. Those related are as follows:</p> <ul style="list-style-type: none"> - Jobless growth in the formal economy and its cause being decline in labour of the industry resulting in closure of businesses. <p>Subsection 4.1.2 promotes the principle of spatial efficiency by using existing resources and infrastructure and encourage employment opportunities. Under this the municipality must strive to:</p> <ul style="list-style-type: none"> - promote compact development in urban centres along public transport routes and reduce the need to travel long distances. - reduce the separation to where people work and live. - optimize development in area of greatest opportunity/encourage efficient use of infrastructure - promote a spatial form that supports a financially efficient region. 	<p>The site is aligned to the sustainable development goals as it carries out some functions conducive to the achieving of such goals. These goals are listed in the next subsection.</p> <p>The company is in existence since 2005, has more than 3 branches nationwide with many staff. The company is stable and addresses this issue.</p> <p>The site is located on a public transport route (Windermere Rd) in the centre of the city, effectively reducing long distance travelling.</p> <p>This function is achieved as the suburb boasts many places of work, through the use of public transport and strategic spatial planning. The site is located in a bustling suburb where opportunities are spread out and existing infrastructure is supplied for use. In the heart of the city, Windermere was developed a long</p>

			time ago and won't affect city form. The sites use has no impact and won't change its surroundings also. Alignment to this sub-condition is achieved. The existing infrastructure for the site greatly supports this goal.
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Figure 8: Policy & Plan Alignment Structure

8.3 SUSTAINABLE DEVELOPMENT GOALS

The UN sustainable development goals are targets that have been set at the United Nations Development Summit for the purpose of ending global poverty, fighting inequality and injustice, and tackling climate change among other challenges. These targets are universal but also have regionally specific application upon careful consideration. As a whole, its achievement will take a considerable extent of time but its outcomes are extensive and progressive. It therefore must be made a priority by all cities across the world, especially cities of the global south.

The sustainable development goals will ultimately result in cleaner and greener environments, more healthier citizenry, restore a sense of dignity in people by dealing with injustices of the past, and bring light and hope of a better world for all to live in. They also hold the potential to transform how our cities function and perform in many aspects making cities of the global south more competitive, a much-needed transformation. Also, familiar and recognized issues of regions on a global platform are not just a presentation, it's a spotlight and creates an implication forcing governments to place greater energy and effort in pursuing solutions to pressing issues.

Its focus on human centered development will involve the implementation of various programs, energies and initiatives at local levels with the aim of raising education, skills and over-all the living standards of people. Through this and related mediums, stubborn socio-economic issues especially, will be targeted where solutions will be mobilized and actioned. This focus represents a strict value and appreciation for human life where its betterment must be the outcome of its efforts. The basis of these goals is for a world where everybody is considered and factored together with the environment for our protection and advancement and is a praiseworthy mindset by the United Nations.

In essence, these goals challenge the mindset and focus of governments around the world towards achieving a global standard, as set by these goals itself. Where human and environment focused efforts by cities are implemented, its processes and outcomes will stand as good learning streams for the world to consider. Relatively, much progress has been recorded since inception, and in the local case the municipality has imbibed these goals into its SDF principles which is the basis for implementation of municipal programs and spatial projects. The municipal IDP also takes strict consideration of these goals with the emphasis of achieving globally sustainable outcomes and targets.

The sustainable development goals are focused towards the betterment of our socio-economic status and the function of the site as a motor garage to conduct panel beating work stimulates related benefits. The list of these goals is outlined herein and the site's land use that positively ties and contributes to the related goals are easily identifiable. This section is a key element to this report, therefore the local authority's attention to this section is demanded and must be strictly considered as part of the assessment of this application.

The role of the region is to localize these goals and targets of the SDG's with a view to influence the development of programs and projects that the city aims to implement through the IDP. Achieving all of these goals is not possible through the efforts of government alone. The private sector is a key sector of society that holds strong capacity to contribute towards these goals and targets. Establishments that undertake business activities contributes massively towards many of the listed goals. The site, although minor, also has a positive contributing effect to the region and is the key reason for being tied to these goals and targets and must be recognized.

Kindly, note the following sustainable development goals and targets by the United Nations.

- Goal 1. End poverty in all its forms everywhere.
- Goal 2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture.
- Goal 3. Ensure healthy lives and promote well-being for all at all ages.
- Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.
- Goal 5. Achieve gender equality and empower all women and girls.
- Goal 6. Ensure availability and sustainable management of water and sanitation for all.
- Goal 7. Ensure access to affordable, reliable, sustainable and modern energy for all.
- Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.
- Goal 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation.

- Goal 10. Reduce inequality within and among countries.
- Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable.
- Goal 12. Ensure sustainable consumption and production patterns.
- Goal 13. Take urgent action to combat climate change and its impacts.
- Goal 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development.
- Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss.
- Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.
- Goal 17. Strengthen the means of implementation and revitalize the global partnership for sustainable development.

9. POTENTIAL IMPACTS

The identification of potential impacts associated to the site for use as an “Educational Establishment” outlined herein are not comprehensive and future additions are possible. As known, education, teaching and learning is generally done in classrooms however, after school learning is also applicable. Minor effects related to this use are outlined herein for your attention and consideration.

9.1 ENGINEERING SERVICE IMPACTS

As expressed previously, the application site is situated at 66 Lilian Ngoyi Road, Windermere suburb for which various engineering services are supplied. In addition, the necessary facilities to support this suburb have also been spatially provided. Accordingly, the site benefits by the supply of the following services i.e., storm-water run-off, water, electricity, telecommunications and sewerage systems, all of which are fully functional.

Further, the street furniture provided is of acceptable quality and with a suitable road network implies that no improvement in this sense is required. Therefore, no impacts are accrued for engineering services. However, entry will be provided to the local authority and contractors for the maintenance of municipal related infrastructure located on site, as granted by the associated title deed conditions for the property. You may refer to the services plan appended for infrastructure services to the area.

9.2 TRAFFIC, TRANSPORTATION & PARKING IMPACTS

The mixed-use nature of the suburb is the basis for the hive of activity observed and the resultant traffic patterns. But Windermere Road, is a wide road that also permits roadside parking and its wide road structure ensures a smooth free flowing stream of traffic the entire day.

Due to good quality roads and related street scape, public transportation is regularly provided to the area thereby no issues exist for the application site in the sense of traffic and transportation. Also, the roads are designed to accommodate heavy duty vehicles and easily does this.

In terms of parking, the site has parking bays demarcated at the rear to the site for use. The site does not attract vehicles and students regularly use public transport. The students are poor and very rarely will they have their own car for use. Therefore, it is concluded that the parking allocated on site is in excess.

9.3 SOCIO-ECONOMIC IMPACTS

This special consent application is submitted for the purpose of utilizing the application site as an “Educational Establishment” by the company known as New Generation Skills for the execution of free training for the benefit of the poor. This report is functional and expresses numerous benefits that accrues for the use of the site as an “Educational Establishment” and are clearly outlined in this report. Various positive impacts are recorded by the site for its current land use function.

The company of the application site (New Generation Skills) has been in existence since 2005 and is firmly established in the education industry. The company offers education and training where students are given the opportunity to hone their education and skills allowing them to climb the business or corporate ladder. This education and training also has potential to benefit students by stimulating their personal entrepreneurial spirit to boost one’s income and living standard. Since inception, the company has held a positive impact to society and continues to do so till today.

The company is very well aware of the challenges encountered by society for income and employment. The news spread by mainstream, social media and by word of mouth of constant occurrence of attacks, house-break ins, selling of drugs and various other illegalities to earn an income. This has been the basis and key drive for the business owner to take action and employ her skills, knowledge, energies and resources to instill education in the minds of the affected, for a positive and brighter future.

It is often the case that many people experience personal difficulties and at the same time see the need and hold a burning desire for an education, and a better and improved lifestyle but cannot afford the cost to achieve this goal. In such circumstances people do not know who to turn to for help and how they can improve their abilities. This is where New Generation Skills stands tall as its an organisation that takes in students who cannot afford to educate themselves so that a better future can be crafted and made possible for themselves and this must be acknowledged.

Modern day universities, Technikons, colleges, institutes of higher learning, and other smaller private education organizations are known to put a price to their services, much of which is unaffordable. Very rarely do we find an organisation in society where its main type of business and field of activity that is of professional quality, is offered free of any cost. New Generation Skills is one such organisation that holds so much care for the poor and under privileged that it offers no charge for any course.

In a period where survival requires an income and when the education to earn an income costs money, it’s pleasing, comforting and highly necessary to have places that offer their services at no cost such as this. New Generation Skills is providing a massive opportunity for the general public to take advantage of and benefit from so that through the medium of education, the lives of many are made better.

Further, when opportunities for earning are scarce but the resources to help you get to a point of earning are provided then life becomes encouraging, it brings hope that lifts and raises people to a point of positivity that stimulates action and produces results for themselves. This platform is also one where the relationship built between the students and tutors can be a rewarding, fruitful and lifelong one that will hold mutual benefit and great satisfaction.

In essence, this platform is one for people to gain an understanding of effective communication, skills and various other aspects. Enhanced communication and other skills are critical for a successful future and plays a great role in molding and maintaining relationships not just in a professional sense but also a personal light. Relating to people and responding to situations as part of workplace skills is a very important trait one will need. New Generation Skills prides itself in this aspect as this knowledge is dispersed by a qualified and experienced individual and tutors.

The application site can be seen as a haven and home for those who seek an education but can't afford one. It's a venue where the education gained will lead to a job or possibly a venture that can generate an income. It's a platform where the minds of people are enriched and filled with skills and practices that are a daily requirement across the workplace. The organisation is one that holds national and international accreditation that utilizes the venue for carrying out its programs where a positive outcome for students is guaranteed and a better future gained.

The company has three branches across the country and the site of this application is 66 Lilian Ngoyi Road, Windermere. This suburb is central to the city and through the use of public transport, significant relief from extensive travelling costs to large centres of employment is achieved. Work opportunities located in close proximity is seen as a critical benefit recorded by the site. These are just few positive socio-economic benefits enabled by this land use function and it must be acknowledged.

In addition to the above, it can be said that an entity of this nature need not perform any corporate and social responsibility as a significant part of their work, is conducting this very function itself as its courses are free of cost. However, the character and nature of the business owner is to give and therefore selects specific times and groups that could benefit by her training and runs courses such as women's day for a management course etc. It's therefore concluded that this land use function is going above and beyond their call of duty and is an excellent trait to note.

9.4 SPATIAL PLANNING IMPACTS

No negative impact is generated for this aspect as no change to the zoning of the property is applicable. Accordingly, the development controls for the existing zoning still remains enforceable in place, only a single special consent for an "Educational Establishment" will be attached to the property's records in the municipality's registries. Further, no negative impacts are imposed to surrounding land use functions as the education function performed by the site is only for a few students on two days of the week. In this sense, the existing use is impact less and harmonizes with its location.

In essence this is a business that functions indoors in a residential or officelike property. As such the performance of this function is a minor deflection from its initial purpose designed for. But due to the situation being of a highly acceptable one where the classes are only run on two days of the week, the balance done online, and no parking is needed. In this way no impacts in a land use perspective are generated to the surrounding region or one that could cause further change to the area.

The continued existence of the company in its location does imply that this service is also located in proximity to residential areas to whom they may turn to for this service. Parallel to this, the company takes its operation close to the centre of the city thereby reducing travel costs, harmful CO2 emissions and the chances of high traffic levels. The theory of taking jobs closer to people is one that has been emphasized in many parts of the municipal IDP and SDF due to its known benefits, but more so as it reverses Apartheid planning to distance people from work to engender unfair costs of life.

The development and use of the site reflects consideration to the sensitive environmental features of the region that are separated from this site holding no negative impact to those features. Forming part of a built area the use of the site is in keeping with the logic of the SDF where offices and in this case an education based officelike function may be performed on the site as much more intense and impacting land uses such as the restaurants on Florida Road are identified.

The site is also in keeping with the IDP as this planning tool repetitively emphasizes making use of existing infrastructure to avoid unnecessary and additional service costs. The SDF also promotes compact development, the creation of employment opportunities, integration and various other concepts to which the site is in keeping with these planning goals and concepts, holding a positive spatial impact to the society and in line with planning ideology.

Another element that must be known is that the provision of education and learning programs often entails an office like presence and building structure with supporting features. The residential building of this property is sufficient for its function and purpose and an office like building is not required. This application is a simple single one only for the requested use.

9.5 HERITAGE IMPACTS

This application property is one which has passed the sixty-year mark and accrued the title of a listed building. In this sense heritage legislations and processes apply to it at the time of its amendments and additions. Currently, no further development of the site is foreseen, but, compliance to the necessary laws and processes will be made, should this be considered in the future.

10.MOTIVATION

This report has been contemplated, prepared and submitted with the intention of achieving a special consent for use of the site as an “Educational Establishment”. This section of the report outlines the various perspectives for consideration by the local authority for this submission. Your strong attention is drawn to this part of this report.

10.1 NEED

Urban centres are quite often characterized as centres of crime, its cause being the scarcity of jobs. A significant mismatch between the extent of the population and the availability of jobs is noted as a critical challenge. In South Africa, people are resorting to crimes to earn an income and it is out of control. A step back from this reality reflects another reality being affordability issues for education. Education being the primary element for the future is often unaffordable by the masses.

The mismatch between the population and scarce quantity of jobs can greatly be impacted by the provision of education and skills to the poor. Through this they will develop skills that is applicable and useful to generate an income for themselves. The old adage applies “give a man fish and you feed him for a day, teach a man to fish and you feed him for his life”. Rather than bringing some relief to the poor, this organisation aims and strives to make people become self-sufficient by using education to instill empowerment to create a future. Its potential for change is believed fully and must be supported.

The city records various types of educational activity in varying scales educating people in the hope for a better and improved future however all of them come at a cost. Hardly any of these institutions offer their services at no charge which greatly discourages the poor to receive an education for their betterment. However, New Generation Skills is one such organisation that poses no charge to students as the business owner is well aware of society’s affordability issues. In a pursuit to maximize the provision of education to the poor, this facility is necessary and its continued existence must be supported.

Facilities providing education and skills are priceless as they provide the stepping stones and the mediums to achieve success. In the process they are molding and shaping society to be one of capacity, thought, non-violence and various other traits. People who hold these qualities in great volume are considered people of strength and people of strength are people of character and value. New Generation Skills attempts to create this kind of a future and their facility to conduct this, is essential, in this day and age. The local authority needs to acknowledge them in this light.

New Generation Skills is an organisation that has three branches across the country. The business owner holds a masters’ qualification in education and has developed extensive experience working across various sectors. Her team of tutors and trainers are expertly trained and crafted to bring about the best potential from students. In business since 2005, the owner built a database of clients that ensures her business is sustainable. Further, the success rates of students is above industry average earning her great recognition. In regards to quality, this facility is necessary and worthy for the future.

Windermere has been subjected to an extensive amount of change over the years and continues till today. As mentioned, some are legal and acceptable to its surroundings while others are not. Some uses create significant impact where they attract large numbers of vehicles to the site that can’t accommodate such quantity and produce noise and bad behavior (certain restaurants). This application site is only utilized on Mondays and Tuesdays for the courses for approximately 15 learners. The site, comparatively, is non-impactful and is appropriate to support. Refer to precedents in this report.

10.2 DESIRABILITY

This land use function is seen as desirable for various reasons both general and specific which are presented herein and your consideration to these reasons is requested.

This land use function performed by a national company has stood the test of time displaying their business expertise. They protected employment in the advent of covid. It is imperative to perform one’s activities and business in a manner that is growth full especially in a period of time where managing and growing a business is a tough challenge. This organisation has displayed this and in addition, it does charity work for the benefit of people, as mention in this report.

The north entity is known for poor areas such as Phoenix, Chatsworth, Kwa Mashu and various informal settlements that often struggle to survive. The city is also subject to development pressure where supply has not met demand that resulted in the ubiquitous and uncontrolled rise of informal settlements and is often the root of safety and security issues. Theft, robbery and other ills is common where its root is insufficient jobs to accommodate the number of people of these areas.

The existence and functioning of an organisation to support the poor through the provision of knowledge and education and daily use skills that raises their capacity and abilities that positively impacts the demand for jobs cannot be stated clearly enough. Other such organizations are known across the city but are not practical as this. For this reason, the application site is considered a unique one that is desirable and viable.

The encouragement of good asset management practices in all municipal departments is evidenced across various municipal plans. By developing and utilizing land in areas without existing infrastructure, over-committing funds to building new infrastructure which leads to insufficient funding for the maintenance, renewal, rehabilitation/reinforcement and replacement of existing assets is the result. The site located in a suburb that is serviced by infrastructure and therefore avoids this result. This in turn holds a positive impact on service delivery for the city region and is therefore desirable.

The spatial vision of the municipality is that by 2030 eThekweni will be Africa's most caring and livable city. The pursuit of this goal requires a massive effort and the envisaged SDF spatial vision is to have **"by 2030 a socially equitable, environmentally sustainable, resilient and functionally efficient Municipality that bolsters its status as a gateway to Africa and the world"**. The local authority's goal requires a bold and dedicated effort from all sectors of society. This site's land use function will contribute significantly and go a long way in achieving this goal and is therefore desirable.

The SDF offers various strategies, as tools for implementation of the SDF and the IDP. Some progress is recorded, however, to date progress that is visible or meaningful for the region's socio-economic status for safety statistics, confidence to travel, large foreign direct investment and many other critical aspects is still not yet displayed as they are bleak. The site and many other establishments are aiding and contributing to the improvement of such stats lessening the weight of the government in the pursuit of this vision and is therefore desirable.

Numerous objectives are outlined in the municipal authority in its IDP some being to harness technical skills, reduce poverty levels, improve access to learning and education, implement programs for the creation of jobs and many others. In this sense, the use of the site for education purposes ticks these very boxes, as it bolsters people into a better future. Assistance to state functions and aiding in the improvement to the region's socio-economic status but the site is noted and is therefore desirable.

The application site is utilized for a land use function that is in keeping with the intent of the zone and is desirable. This means that this application is a simple one that is considered hassle free in an administrative perspective. Also, alignment of this application to various policies and legislation has been attained and upon reflection, characterizes this land use function as a competent and compliant one.

11. SUMMARY

This summary section acts to generate a simple understanding of this special consent application to guide an effective assessment by the local authority with the ultimate aim of enabling easy decision making accordingly. This summary is structured into pros and cons in a point form and your attention is drawn to the below listed statements for records.

11.1 PRO'S

- The site is zoned for “General Residential 2” in the central scheme and the land use of the property is in keeping with the scheme.
- Very few vehicles enter the site regularly, hence it doesn't require the submission of a TIA, Geotech or any specialist report and is therefore straightforward for its administration.
- The site's use holds no impact at all and is therefore compatible to the surrounding land uses.
- The site's use poses no interference or impact to the road or any public space.
- Site suitability for the existing use is easily accommodated as explained in this report.
- No environmental instruments of the vicinity are impacted upon in any manner by the use of the site as an “Educational Establishment”.
- The establishment has been in existence for a long time but began occupying the application site only since recently. They have however not generated any safety issues or caused any inconvenience to the locality and harmonizes with the vicinity.
- Lifelong relationships will be made with this land use functions.
- Students will utilize their knowledge gained for their own personal and financial gain, ultimately achieving their goals and ambitions.
- No title deed restrictions impact on the use of the property for “Educational Establishment” purposes.
- This report is aligned to legislation, policy and municipal plans.
- The rates for the property may be more accurately charged by this application.
- The locational benefits of the site are expounded in this report.
- This land use function generates jobs and contributes positively to society's functioning.
- The location of work places close to where people reside reduces road time that can significantly improve our standard of living.
- It offers the platform for learners to understand the skill of business which will be beneficial in the long term.
- Future use and development of the property or its maintenance will support local land markets.
- The company adheres strictly to the law of which this application is evidence and will do so for others properties they opt for conducting this land use function.
- The company is a stable and sustainable one and the need for education is a daily demand.
- Work carried out is by a national company that operates from a fully developed facility and no informal methods are employed to run this business function.
- Entry and exit to the property are simple, hassle free and safe.

- Some staff and all students utilize public transport to reach and leave the site, as it's a public transport route.
- The precedent site for this application is next door as the next-door site is used for training.
- This application is for use of the property as an "Educational Establishment". Only the interior of the building on site will perform this function and won't impact on neighboring properties.
- The owner of the brand supports society by doing charity in many ways, the continued existence of this site directly gives extensive support to society through knowledge.
- This land use function doesn't pose any negative land use effect to the surrounding suburb like how a tavern creates a negative change to its surroundings.
- The presence of national companies to the suburb is a good image that will encourage other national or international companies to invest within the suburb.
- This site is performing educational work in a formal manner, its approval will encourage similar credible uses to be formalized and correspondingly, non-formal uses will be discouraged.
- The company doing charity is adding to the cohesion of society.
- The building facility is fully developed and won't require any further changes.
- For safety of students and staff, the premises is locked all the time.
- This land use is in keeping with that of the entity, through the scheme.
- Should the vicinity become more intense, the existing road networks are structured well enough to be extended to support such intensity.
- The company supports local stationary shops aiding in the growth of small businesses.
- The site forms part of a suburb which has a well-defined road network structure which is supportive of accessibility to the rest of the region.
- The application site is in conformance with the projected land uses of the Berea Urban Core Extension Plan.
- The propagation and promotion of education is the way forward for the region.

11.2 CONS

- The property owner has to use the property for this land use function only and not allow any other practice that could jeopardize this special consent.
- Should the scheme be amended and the "Educational Establishment" use not be permissible, another statutory planning applicable may be necessary.
- This application approval is a binding and conditional one to which the property owner will be obligated to uphold.
- Should the owner decide to intentionally alter the use of the premises, she will be required to submit the required application.
- Should a policy be developed for this land use function, it may obligate the owner to be compliant to this policy.

12. CONCLUSION

This report has been submitted for the continued use of the application site as an “Educational Establishment” for facilitating corporate programs by the company known as New Generation Skills. This motivation component has been functional in many ways clearly establishing the value of this use to the municipality and society.

Accordingly, this report has outlined the purpose for the land use. It’s given the status quo of the site using few variables and in detail presented the impacts that may potentially arise by this land use function. It has clearly outlined in detail, alignment to various policies and legislations and municipal plans. A discussion of the need and desirability is made leading to the last portion being the summary of the report in point form to aid decision making by the local authority.

Accordingly, this report must not be perceived as only for scheme alignment and the company’s benefit. Its positive aspects, community support and location-based benefits must be acknowledged and considered. In essence, a significant portion of this company’s functioning is dedicated towards the growth and improvement of society which has been conveyed clearly in this report.

The owner’s character is also worth raising as the company upholds the law in many respects who attended to this site’s issue as soon as she became aware of it. Such attributes should be recognized in the assessment of this application by the local authority, as it reflects a compliant and respectable character, conducting honest business in society. Nonetheless, various practical aspects are realized that is accrued to this application which is necessary for urban centres are outlined in this report.

In conclusion, this motivation report has provided and demonstrated sufficient value and potential with its various logical reasons for its approval. The credits and merits regarding this application has been made clear in its respective sections, accordingly, the local authority is requested to support this special consent for the application site being 66 Lilian Ngoyi Road, Windermere.



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krishenb@yahoo.com

Dear Sir

Re: ENQUIRY FOR PROPOSED SPECIAL CONSENT APPLICATION FOR AN EDUCATIONAL ESTABLISHMENT ON A SITE ZONED GENERAL RESIDENTIAL 2 SITUATED ON REMAINDER OF ERF 1397 DURBAN (66 LILIAN NGOYI ROAD, DURBAN)

Summary:

The aforementioned enquiry has been submitted by Krishen Bodha, on behalf of the registered property owner, Brenda Ann Vilbro CC. The subject site gains access off Lilian Ngoyi Road. The site is occupied by a double storey dwelling house that has been converted into a training centre (New Generation Skills). The ground floor has 3 classrooms for the courses while the upper floor is used for administration of the business. The classes are run on Mondays and Tuesdays and online on other days.

Comment:

In terms of the Spatial Development Framework (SDF 2025/2026) and the Central Spatial Development Plan (CSDP 2014/2015) the area in question has been broadly identified for Residential purposes.

Furthermore, in terms of the Berea Urban Core Extension Plan (BUCEP) (2012), which was prepared by the Land Use Management Branch (LUMS), the site in question, has been identified for Office and Retail/Restaurant uses.

However, given the fact that the proposal is deemed to be complimentary to an all-inclusive, well-functioning residential area, the SPB raises no objection to the proposed application for an educational establishment subject to the developer installing adequate soundproofing in order to prevent any dis-amenity to the neighbouring properties.

Spatial Development Framework / Council Approved Spatial Plans:

The Strategic Planning Branch has no objection to the proposal as it aligns with the Spatial Development Framework (2025-2026) and the Central Spatial Development Plan (2014-2025).

Notwithstanding the above, this Branch's support of the enquiry is subject to the following:

- 1) This Branch's support is subject to the enquirer meeting all sector requirements.
- 2) This support should not be deemed to be an approval of the eThekweni Municipality.
- 3) This comment is based on the information made available to the Branch at the time of submission.
- 4) This Branch reserves the right to comment further should the need arise.

Yours faithfully,

.....
Ms H. Epstein
SNR MANAGER: STRATEGIC PLANNING

ETHEKWINI MUNICIPALITY LAND DEVELOPMENT APPLICATION COMMENT SHEET

DEPARTMENT: Waste Water

LUM ENQUIRY REF: SAENQ 2025 0690 005/CN



COMMENTING DEPARTMENT REF: _____

ERF NO: Remainder Of Erf 1397 Durban

STREET ADDRESS: 66 Lilian Ngoyi Road, Windermere

APPLICATION:

**MOTIVATION REPORT FOR THE SPECIAL CONSENT APPLICATION FOR USE OF
THE REMAINDER OF ERF 1397 DURBAN AS AN "EDUCATIONAL
ESTABLISHMENT" IN TERMS OF THE SPLUMA MUNICIPAL BY-LAWS READ IN
CONJUNCTION WITH THE CENTRAL SCHEME OF THE MUNICIPALITY**

COMMENT	Date
<p style="font-size: 24px; font-family: cursive;">No Objection</p>  <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: fit-content;"> <p style="text-align: center; margin: 0;">THEMBEKA MVUDU <small>(Service No: 20178-00) Inspector of Works Wastewater Department - Critical Tel No: 031 327 0439 Cell No: 084 239 2300 Email: Thembeka.Mvudu@durban.gov.za</small></p> </div>	<p style="font-size: 24px; font-family: cursive;">28/07/25</p>
	Name
	Signature
	

ENQUIRIES: (Applicant Details) - PROPLAN TOWN & REGIONAL PLANNING CONSULTANTS PTY LTD - MR. KRISHEN BODHA - 076 125 2544 - PR. PLN.

This comment is valid for _____ (please include comment expiry date)

ETHEKWINI MUNICIPALITY LAND DEVELOPMENT APPLICATION COMMENT SHEET

DEPARTMENT: Coastal, Stormwater and Catchment Management

LUM ENQUIRY REF: SAENQ 2025 0690 005/CN

COMMENTING DEPARTMENT REF: CSCM

ERF NO: Remainder Of Erf 1397 Durban

STREET ADDRESS: 66 Lilian Ngoyi Road, Windermere

APPLICATION: MOTIVATION REPORT FOR THE SPECIAL CONSENT APPLICATION FOR USE OF THE REMAINDER OF ERF 1397 DURBAN AS AN "EDUCATIONAL ESTABLISHMENT" IN TERMS OF THE SPLUMA MUNICIPAL BY-LAWS READ IN CONJUNCTION WITH THE CENTRAL SCHEME OF THE MUNICIPALITY

COMMENT	Date
<p>All plans are in order regarding stormwater management. CSCM supports this application.</p>	31 July 2025
	Name
	Francesco Govender
	Signature
	

ENQUIRIES: (Applicant Details) - PROPLAN TOWN & REGIONAL PLANNING CONSULTANTS PTY LTD - MR. KRISHEN BODHA - 076 125 2544 - PR. PLN.

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This comment is valid for _____ (please include comment expiry date)

ETHEKWINI MUNICIPALITY LAND DEVELOPMENT APPLICATION COMMENT SHEET

DEPARTMENT: Health Department

LUM ENQUIRY REF: SAENQ 2025 0690 005/CN

COMMENTING DEPARTMENT REF: _____

ERF NO: Remainder Of Erf 1397 Durban

STREET ADDRESS: 66 Lilian Ngoyi Road, Windermere

APPLICATION:

**MOTIVATION REPORT FOR THE SPECIAL CONSENT APPLICATION FOR USE OF
THE REMAINDER OF ERF 1397 DURBAN AS AN "EDUCATIONAL
ESTABLISHMENT" IN TERMS OF THE SPLUMA MUNICIPAL BY-LAWS READ IN
CONJUNCTION WITH THE CENTRAL SCHEME OF THE MUNICIPALITY**

COMMENT	Date
<p>This department raises no objection, in principle, to this application.</p> <p>The applicant is required to ensure that the premises complies with the relevant municipal by-laws.</p>	<p>28/08/2025</p>
	Name
	<p><i>J. Govender</i> <i>Victor Magaal</i></p>
	Signature
	<p><i>[Signature]</i></p>

ENQUIRIES: (Applicant Details) - PROPLAN TOWN & REGIONAL PLANNING CONSULTANTS PTY LTD - MR. KRISHEN BODHA - 076 125 2544 - PR. PLN.

.....

This comment is valid for _____ (please include comment expiry date)



ETHEKWINI TRANSPORT AUTHORITY

30 Archie Gumede Place | Durban | 4001
P O Box 680 | Durban | 4000
Tel: 031 311 7344 | Fax 031 305 5871
www.durban.gov.za

28 October 2025

LUMS Ref: SAENQ20250690005/CN

ETA Ref: TE18710

Enquiries: Leesha Govender Pillay

Email: leesha.govender@durban.gov.za

Phone: 031 322 7617

PROPLAN Town & Regional Planning Consultants PTY (LTD)
73 Foresthaven Drive
Phoenix
4068
krishenb@yahoo.com
076 125 2549

Attention: Krishen Bodha

Dear Sir / Madam

Re: 66 LILIAN NGOYI ROAD, WINDERMERE

REMAINDER OF ERF 1397 DURBAN

PROPOSED SPECIAL CONSENT APPLICATION TO OPERATE AN EDUCATIONAL ESTABLISHMENT LIMITED TO A TRAINING ACADEMY FOR ADULTS ONLY ON REMAINDER OF ERF 1397 DURBAN.

1. The application is **Supported**, subject to the following **Conditions** being included within the **Town Planning Decision Notice**:

- 1.1. The application site is restricted to accommodating a maximum of 12 Students (Adults only) within the establishment.
- 1.2. Parking is to be provided as per the requirements of the Town Planning Department's Land Use Management Branch. In this regard, the Town Planning Department's Land Use Management Branch must confirm the total number of parking bays required to support the proposed development.
- 1.3. Parking of vehicles on or along the verge, and / or on-street are prohibited.
- 1.4. All access, parking bay, aisle width details etc. are to be in accordance with Section 8 of the relevant Town Planning Scheme and the eThekweni Transport Authority (ETA) requirements. These will be assessed in detail at the Pre-Scrutiny Application stage and must conform to the eThekweni's standards.



ETHEKEKWINI TRANSPORT AUTHORITY

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2. Documents considered in the approval:

- 2.1. Town Planning Report Compiled by PROPLAN Town & Regional Planning Consultants PTY (LTD). Report Titled: Motivation Report for the Special Consent Application for Use of The Remainder of ERF 1397 Durban as an “Educational Establishment” In Terms of the SPLUMA Municipal By-Laws Read in Conjunction with the Central Scheme of the Municipality. Report Dated: October 2025 – Version 3.
- 2.2. Site Development Plans Drawn by CTK Engineers (PTY) LTD. Project: Proposed Minor Internal Alterations. Title: Brenda Anne Vilbro cc. – Proposed internal alterations to Rem of ERF 1397, 66 Lilian Ngoyi Road, Durban. Drawing Dated: 06/26/25 (Rev0) (Sheet 1 and 2).

3. Key Factors Considered:

3.1 Development Proposal:

3.1.1. Site Information:

Total Site Area	=	539.00 m ²
Proposed Training Academy	=	12 Students (Adults only)
Proposed Classrooms	=	3 (Ground Floor)
Proposed Offices	=	First Floor

3.1.2. Existing Zoning = General Residential 2

3.1.3. The proposed special consent application seeks permission to operate an educational establishment on a site zoned General Residential 2.

3.1.4. Access to the application site is proposed via Lilian Ngoyi Road, a Class 3 (minor arterial) within the City’s road network. It is noted that the surfaced road width along Lilian Ngoyi Road varies along it’s length.

3.1.5. The application proposes operating a training facility from the existing double-storey building. The training facility will comprise of 3 classrooms on the ground floor, and administration on the first floor and will accommodate 12 students (Adults only) on Monday and Tuesday. It is noted that the training facility will operate via online and/or of site classes for the remainder of the week.

3.1.6. The application site has two road frontages, namely Lilian Ngoyi Road and 122249 Street in Windermere.

3.1.7. The proposed development will generate 10 new vehicular trips in the morning and midday peak hour, and 6 new vehicular trips in the afternoon peak hour.



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3.2 Application Site Access

- 3.2.1. Access to the proposed development sites is off Lilian Ngoyi Road, via the existing approved access.
- 3.2.2. The access will operate via a left-in-left-out configuration in future and must be a minimum of 5.5m wide to accommodate two-way movement of vehicles.
- 3.2.3. Lilian Ngoyi Road is a Class 3 (minor arterial) road within the City's road network and has a road surface width of approximately 12m in the vicinity of the application site.
- 3.2.4. 122249 Street is a Class 5d road (access way) within the City's road network and has a road surface width of approximately 3.5m in the vicinity of the application site.

3.3 Transport Infrastructure Requirements and Responsibilities

- 3.3.1. None.

3.4 Other Factors

- 3.4.1. From the site development plan submitted with the application, it is noted that the application proposes access via the existing approved access off Lilian Ngoyi Road only and has made provision for 8 parking bays at the rear of the property.

4. General

- 4.1. With respect to the parking requirements, it is noted that the Town Planning Department's Land Use Management Branch has not confirmed the total number of parking bays required to support the proposal.
- 4.2. Further to point 4.1. above, Parking is to be provided as per the requirements of the Town Planning Department's Land Use Management Branch.
- 4.3. All parking and loading bay requirements must be contained within the curtilage of the application site. On-Street parking and loading is not supported.
- 4.4. It is advised that the ETA's building plan checklist be utilised prior to submitting the Pre-Scrutiny Application.
- 4.5. The ETA reserves the right to further comment and/or withdraw its acceptance on this application should the need arise.

Yours faithfully,

for **Senior Manager: Traffic Engineering**

CC - Town Planning's Land Use Management Official – **Uriel Thomas / Nonhlanhla Khoza**

TE18710 – 66 LILIAN NGOYI ROAD, WINDERMERE -PROPOSED SPECIAL CONSENT APPLICATION.