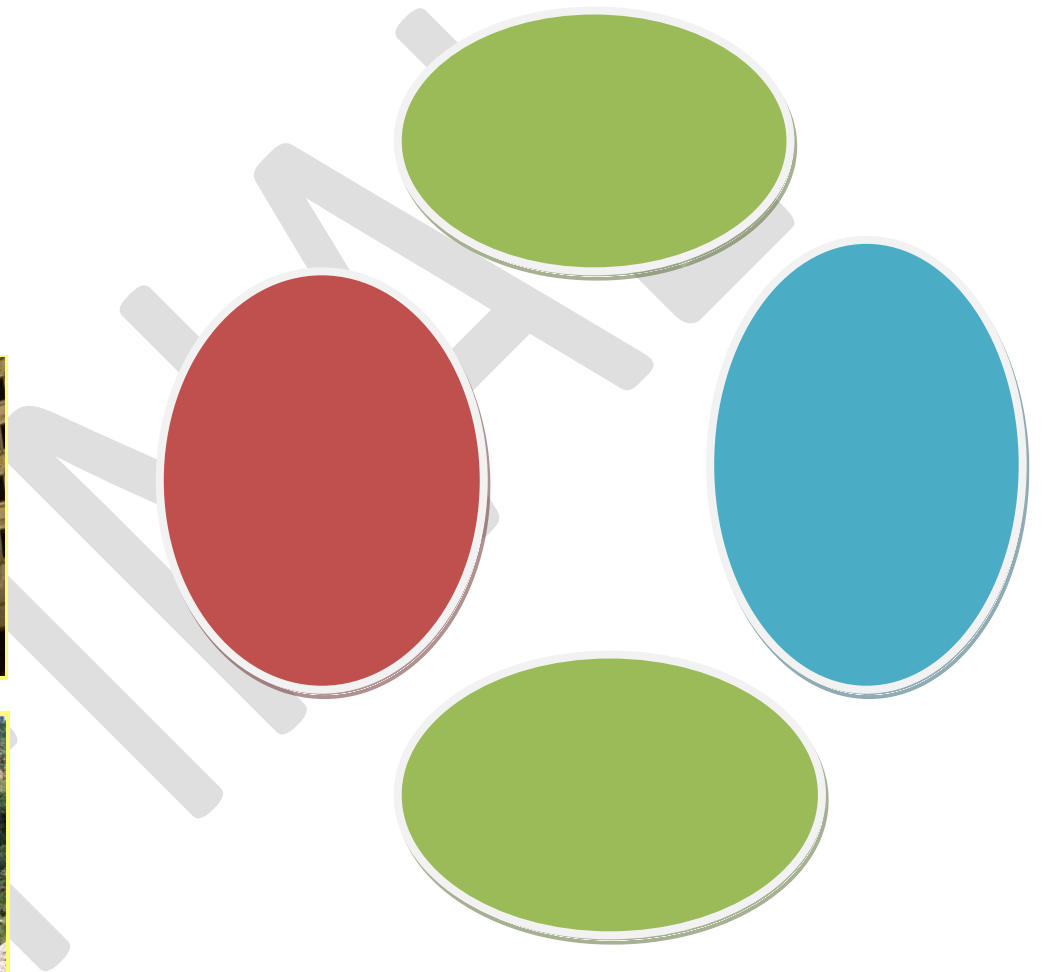
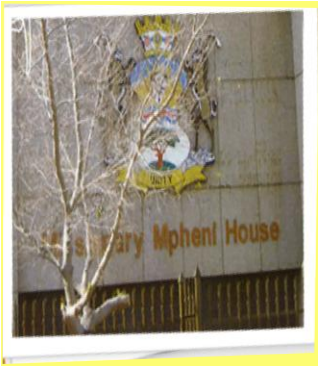




**RUSTENBURG LOCAL MUNICIPALITY**

**DIRECTORATE: PLANNING AND HUMAN SETTLEMENT**



**COMPILED BY: UNIT DEVELOPMENT PLANNING**

***APPROVED TUCK SHOP POLICY***

## FINAL GUIDELINES FOR TUCK SHOP POLICY



### **TABLE OF CONTENTS**

- 1. Background***
- 2. Target areas***
- 3. Functions***
- 4. Main considerations and Principles***
- 5. Related Legislation***
- 6. Town Planning criteria***
  - 6.1 Procedures***
  - 6.2 Standard Conditions of Approval***
  - 6.3 Any other relevant conditions***

# FINAL GUIDELINES FOR TUCK SHOP POLICY

## 1. BACKGROUND:

There are currently unregistered and uncontrolled Spaza Shops within the Rustenburg Local Municipality. The existence of these Spaza/Tuck Shops indicates an existing demand for such a service within residential areas, especially where communities are less mobile and existing business nodes are out of reach.

In terms of the Rustenburg Land Use Management Scheme, 2005, reference is made to the "Tuck Shop"- see Spaza.

"A Spaza/Tuck shop- means land or a building designed for or a portion of a building used for the purposes of selling and providing basic groceries (daily convenience goods) and fresh produces, excluding alcoholic refreshments, where the residential use of the property remains the primary use of the property. The area used for a spaza shall not exceed a total floor area of 40m<sup>2</sup> (storage area included), and is further subject to the policy of the Local Authority as amended from time to time". Hence the development of this policy.

In essence this could be interpreted as follows: An area of a dwelling unit and or associated immovable outbuilding not more than 40m<sup>2</sup> in extent, used by the occupant of such a dwelling unit for the purposes of selling basic household goods.

## TARGET AREA:

Existing records indicate that most established townships lack community facilities such as tuck shops, or convenience shops; as a result communities convert parts of their properties to cater for the demand. A strategy or a uniform approach should therefore be adopted in order to address this challenge. It must be noted that the Rustenburg Local Municipality has one umbrella Land Use Management Scheme and therefore it is a challenge to evaluate individual townships in isolation depending on the economic dynamics of individual areas. It is therefore imperative to evaluate the applications in terms of merit, need and desirability. The policy is primarily aimed at residential areas where basic household goods can be obtained within a walking distance.

## FUNCTIONS:

The primary function of a Tuck/Spaza Shop is to provide the occupant of a residential unit with an opportunity to use his/ her property for a small-scale economic activity and thus generating income without negatively impacting on adjoining properties. Another function is to provide a range of household goods to the surrounding communities, within walking distance.

Given the functions above, it is clear that a Tuck/Spaza shop must not be confused with retail /business facilities on stands located along activity streets or nodes and serving a wider community at a larger scale. In addition, an ERF on which a Tuck/Spaza shop is operated should retain its primary use as residential.

## **FINAL GUIDELINES FOR TUCK SHOP POLICY**

### **PRINCIPLES:**

- Neighborhoods are allowed an opportunity to determine, within specific guidelines, their need acceptance for Tuck/Spaza shops.
- The needs of communities are placed before “planning control”.
- Community participation at a neighborhood level.

### **RELATED LEGISLATION:**

The proposed guidelines are to be incorporated into the Rustenburg Land Use Management Scheme, 2005 as reviewed, in order to address the needs of the communities.

### **TOWN PLANNING CRITERIA FOR EVALUATION / ASSESSMENT**

#### **PROCEDURE:**

The following procedures should be followed by the applicant when submitting an application for a Tuck/Spaza Shop:-

A Tuckshop will not be permitted by the Rustenburg Local Municipality's jurisdiction in close proximity (200 meters) to each other.

- A Tuck/Spaza Shop must be operated from a building or associated immovable measuring 40m<sup>2</sup> structure approved in terms of the National Building Regulations and Building Standards Act 103 of 1977. i.e operate from an approved structure that complies with all Council by-laws and relevant policies Building regulations.
- The applicant shall obtain written comments from the surrounding neighbors. Where the municipality will determine the affected neighbors.
- A small scale site plan (A4 or any acceptable size) shall be submitted with the application.
- A motivating memorandum stipulating the intentions of the applicant together with a locality plan shall form part of the application.
- The Title Deed of the property must form part of the application.
- If the applicant is not the owner of the property, a Power of Attorney must be submitted.
- All objections lodged or representations made shall be dealt with at the Development Tribunal.
- Advertisement of the intentions of the applicant must be placed on site for 14 days, and 28 days newspaper advertisement.

## FINAL GUIDELINES FOR TUCK SHOP POLICY

### STANDARD CONDITIONS OF APPROVAL:

- i. The main use of the property shall remain residential and the occupant shall reside only in the dwelling unit.
- ii. The size of a Tuck/Spaza Shop shall not exceed 40m<sup>2</sup> in extent.
- iii. The activity shall not be noxious.
- iii. The activity shall not interfere with or negatively influence the amenities of the surrounding area.
- v. All vehicular and pedestrian access shall be to the satisfaction of the Municipality.
- vi. No food shall be prepared and sold on the erf unless such is approved by the Health Services Department.
- iv. The Municipality may impose any other condition/s that it deems necessary to protect the amenities of the area or neighborhood.
- v. No alcoholic drinks/ beverages shall be sold from Tuck/Spaza Shops.
- viii. A notice or sign displayed on the property to indicate and advertise the business being conducted from the dwelling shall be to the satisfaction of the municipality in terms of size, position and design.
- ix. A trading license be obtained from the relevant department.
- x. All Health by-laws shall be adhered to and complied with.
- xi. No hazardous and/or flammable substances shall be sold in the tuck shop.
- xii. A tuck shop shall be used for purposes of basic groceries excluding hardware, electrical appliances and meat products.

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