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LAND-USE MANAGEMENT AND HOME-BASED TOWNSHIP BUSINESSES: THE CASE OF MHLUZI, STEVE TSHWETE

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A research report submitted to the Faculty of Engineering and the Built Environment, School of Architecture and Planning, at the University of Witwatersrand, Johannesburg, in partial fulfilment of the requirements for the degree of Master's in Urban Studies (Housing and Human Settlements).

Johannesburg, September 2022

DECLARATION

I declare that this research report is my own unaided work. It is being submitted for the degree of Master's in Urban Studies (Housing and Human Settlements) to the University of Witwatersrand, Johannesburg. It has not been submitted before for any degree of examination to any other University.



……. (Signed by candidate Nomfundo Skhosana) ……27…… day of …September 2022……

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- To everyone else who played any role in contributing to my research study.

“Philippians 1 verse 6”

Abstract

Township economies play an important role within low-income human settlements, through providing supplemented or primary income from offering valuable goods and services to the community. Land use schemes and their regulations are fundamental in the operation of these township economies as they offer the guiding regulations of what is permissible and not. This study seeks to assess the adequacy and relevance of the Steve Tshwete Land Use Scheme, 2019 in regulating home-based township economies in Mhluzi, Middelburg. The study is interested in finding out the extent to in which implementation of the post-SPLUMA land use scheme presents limitations or supports the growth of township economies as it may constrain the legality of the operating businesses. Home-based business owners are part of the participants in the study, along with their neighbours.

The two groups were interviewed to gain an understanding of the current impact of the land use scheme. Employees from the localmunicipality are participants of the study to provide insight on the formulation of the land use scheme. The data is collected by conducting interviews, assessing the land use scheme and observing the economic activity in Mhluzi Middelburg. Some of the main findings in the study included the lack of knowledge of the land use scheme andthe inflexibility of some of the regulations contained within the scheme. The main argument of the study is that land use management regulations have the power to become either supportive or unsupportive towards the operation and success of township economies. It is therefore important for the municipality to ensure that theseregulations reflect the needs and current landscape of Mhluzi to ensure that the land use scheme yields not only their intended outcomes but further yields a community with sustainable businesses and economy.

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Acronyms

ECD – EARLY CHILDHOOD DEVELOPMENT

GVA – GROSS VALUE ADDED

HBB – HOME-BASED BUSINESS

HSRC – HUMAN SCIENCES RESEARCH COUNCIL

IDP – INTEGRATED DEVELOPMENT PLAN

LED – LOCAL ECONONIC DEVELOPMENT

LUMS – LAND USE MANAGEMENT SYSTEMS

LUS – LAND USE SCHEMES

MSDF – MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK

NPO – NON-PROFIT ORGANISATION

PIS – PARTICIPATION INFORMATION SHEET

PPE – PERSONAL PROTECTIVE EQUIPMENT

SLF – SUSTAINABLE LIVELIHOODS FOUNDATIONS

SMME – SMALL MEDIUM AND MICRO ENTERPRISES

SPLUMA – SPATIAL PLANNING AND LAND USE MANAGEMENT ACT

STLM – STEVE TSHWETE LOCAL MUNICIPALITY

1. Chapter One: Introducing the Study

1.1. Introduction

Land use management regulations are put in place for various reasons, the most important one being protecting people and the environment from negative impacts of development (Nel, 2016). There is a growing literature on township economies (i.e., economic activities in townships) and the impact land-use regulations have on them. Charman (2020) and Sustainable Livelihoods Foundation (2020) have an extensive series on township economies which includes land use management and planning. They note the significance of micro-enterprises in townships, the inappropriateness of land use management systems which operate there, and the need for reform in this regard. Charman (2020) and Sustainable Livelihoods Foundation (2020), having studied township economies in Cape Town, Gauteng, and Durban, recognize that these home-based businesses largely serve the owner and the community, which emphasizes their findings regarding the location of these businesses. In their reports, they write that these home-based businesses are not always found on high streets or main roads, but rather within residential neighborhoods which they serve. The authors come to conclusions that policies have to move towards promoting township economies and have to come to terms with the reality of these home-based businesses and their operations.

The Spatial Planning and Land Use Management Act (SPLUMA) was introduced in 2013, bringing in new principles that are expected to support township economies. With the introduction of the legislation, municipalities were required to upgrade their land use/town planning schemes. This research seeks to assess the adequacy and relevance of the Steve Tshwete Land Use Scheme, 2019 in regulating home-based township economies in Mhluzi, Middelburg. The study therefore focusses on assessing the responsiveness and supportiveness of the local municipality's land use scheme post-SPLUMA.

This research study examines land use management systems and their impacts on township economies within a township in the Steve Tshwete Local Municipality,

Mhluzi. Home-based businesses in Mhluzi contribute to the economic well-being of its residents and there is a visible trend of the home being used as an income-generating asset. This research study, therefore, adds into the existing literature the assessment of the adequacy of a post-SPLUMA land use scheme in regulating home-based township economic activities led by scholars such as Philip, (2018), Scheba and Turok (2019) and Charman *et al.,* (2017). As mentioned above, some studies look at land use management regulations in townships such as Soweto (Johannesburg), Mamelodi (City of Tshwane) and Khayelitsha (Cape Town), this research contributes to the existing literature by looking at a smaller township in a secondary city.

1.2. Background

Government legislation and policy often do not recognise the extent, distinctiveness and nature of township economic activities: this, therefore, leads to the formulation of inappropriate and irrelevant land use regulation. The most considerable impairment then becomes the disconnection between land use planning and what currently exists on the ground. SPLUMA encourages a relationship between spatial planning and land use management, where it forces municipalities to make decisions on land development issues that are consistent with the spatial development framework (Nel, 2016). Land use schemes can be seen as a master plan for guiding the regulation of activities within the municipal jurisdiction. Nel (2016) highlights that traditional master plans have been criticized for their inflexibility and inability to deal with change as growth or decline occurs.

The research takes place in Mhluzi, a township in a secondary city named Middelburg in Steve Tshwete Municipality, Mpumalanga. Assessing the impact of the Steve Tshwete Land Use Scheme on township economies is important at a local government level. The study focuses on home-based businesses, specifically tuckshops and day-care centres. Various studies focus on the impacts of land use planning on township economies in larger metropolitan cities: an example is a study conducted by the Western Cape Economic Development Partnership and Human Science Research Council (2019) in the City of Cape Town. The Sustainable Livelihoods Foundation

(SLF) has significantly contributed with their research and projects on the inclusion of township economy and how legislation could be supportive. Authors such as Görgens and Denoon-Stevens (2012) suggest ways in which land- use regulations can be more flexible to become inclusive towards township economies. This research, therefore, contributes to the existing literature on understanding how land-use regulations impact the structure of the existing economic activities in the township and highlight the disconnection between existing land uses and land use management regulations.

SPLUMA was implemented with the requirement that there should be holistic spatial planning systems which include development principles, policy, spatial planning on all levels of government, land use management and control (Nel, 2016). The principles that came with the introduction of SPLUMA include spatial justice, redress, inclusion, resilience, efficiency, sustainability and good administration. Among these principles is spatial justice which is meant to encourage the inclusion of communities or areas which were previously excluded or disadvantaged. This principle, therefore, relates to the municipality's ensuring that the land use regulations they enforce the betterment of disadvantaged areas, which are townships in this case. The land use scheme being assessed in this research is a post-SPLUMA scheme. The assessment of this scheme contributes to research that looks at how land use schemes post-SPLUMA have adjusted their thinking towards township economies and the principle of spatial justice. This will help to assess whether the post-SPLUMA regulations are adequate or effective in enabling the success of township economies.

1.3. Problem Statement

"The current regulatory framework and administrative processes are in many ways unsupportive and inappropriate, which results in "enforced informality"" (Scheba and Turok, 2019, p. 82). Township way of living is essentially mixed-use, where a multitude of usages can occur on a single property, the mixed-use characteristics are a direct reply to the economic relegation and reality of unemployment within townships (Ferreira *et al*., 2017). Land use management regulations may act as a way to uphold order in the townships, and indirectly as a way to limit the operation of township

economies. Land use management regulations provide a legal framework that plays a role in upholding property values and safeguarding that municipalities receive taxes and are attractive to investment (Nel, 2016). There are recommendations from Nel (2016) that land use management should place its attention on encouraging economic development by becoming more flexible, increasing certainty for new investments and limiting the haphazardness of decision-making. Authors such as Petersen (2020) argue that land use and zoning regulations around township economies can be seen as demanding and inelastic. Due to these rigid land use management regulations, a majority of micro-entrepreneurs within the townships run their businesses informally. This is on an unintentional basis due to barriers that exist within the land-use systems (Ferreira, Nel and Nel, 2017). Land-use zoning and development controls usually include elements that are a contrast of diversity and signify a suburban standpoint. Business operators such as street traders, unlicensed house taverns and micro-enterprises operating from containers face the consequence of being subject to giving out bribes, getting their business stock impounded and harassment from the local law enforcement (Charman *et al.,* 2017).

Home-based businesses have strong ties with dwelling houses and subsequently the neighborhood; this is because they began the business at home, therefore having their roots within that specific residential area (Schutjens, Mackloet and Korteweg, 2006). Home-based businesses are a good example of mixed uses within the township which should be considered when drafting land use policy, as the businesses embrace the combination of work and living accommodation (Smit and Donaldson, 2011). The regulation systems have to actively address the variety of economic activities which are allowable within single residential properties to enable the success of township economies, home-based businesses in particular.

A significant percentage of township economies are home-based businesses, which depend on housing and the support of the human settlement they are within. Schutjens' (2006) study in the Netherlands revealed that home-based businesses have a strong attachment to home and housing, as they see the dwelling houses as a mixture of work and living space. Including ease of mixed-use activities is therefore significant in land use planning, especially in townships. The research contributes to

land use regulation literature, emphasizing policies and legislation around housing and township economies.

1.4. Objectives of the Study

This study explores the effects of current land use scheme regulations on home-based township economies within Mhluzi Middelburg.

The Primary Objectives are as follows:

-To evaluate the overall impact of the Steve Tshwete Land Use Scheme on the specific home-based township economic activities of tuckshops and day-care centres.

-To understand the elements of land use management systems and the compliance it requires from the home-based township economies.

-To evaluate the home-based business owners' experiences and perceptions of the current Steve Tshwete Land Use Scheme's regulations and which factors affect or challenge them the most.

The Secondary Objectives are to:

-Understand township economies within South Africa and Mhluzi and understand their characteristics.

-Determine if the land use management systems act as a tool to formally enable township economies or not.

-Outline any disconnection between the Steve Tshwete land use planning and what currently exists within the township.

1.5. Research Question

- How adequate is the Steve Tshwete Land Use Scheme in regulating township economic activities, specifically home-based day-care centres and tuckshops in Mhluzi?

1.5.1. Sub-Questions

- How does land use management affect home-based township economies?
- What are the challenges presented by land use management regulations within township economies in Mhluzi?
- How does the Steve Tshwete Land Use Scheme address home-based businesses in townships, and specifically day care centres and tuck shops?
- How do home-based businesses and residents within Mhluzi experience the Steve Tshwete Land Use Scheme regulations?

1.6. Research Methods and Design

The research focuses on a particular area in Mhluzi Township, where numerous economic activities exist and are mostly viewed as informal. Economic activities which are legally registered with the municipality and some which are not have been assessed, seeking to recognize the locality and formality of the activities. A qualitative research method was followed in this research study, as it played a role in understanding the impacts of the Steve Tshwete Land Use Scheme on township economies in Mhluzi. Qualitative research can be viewed as a collection of perspectives, which are dissimilar from one another within the same subject (Manson, 2002).

The primary data collection method used in the study involved interviews conducted in a face-to-face dialogue with ten home-based business owners and the directly impacted neighbours of the businesses. Key respondent interviews were conducted with three municipal officials directly involved in the preparation and draft of the land use scheme. The second method of gathering primary data used was observation. Kabir (2016) specifies that the observation method can be piloted either in a natural

or constructed setting. I observed the location of the businesses and how they follow guidelines such as the size of the business and the building structure they operate in. Secondary data was an essential component for the study: therefore, I gathered data from previously published sources such as literature regarding the study, newspaper articles, and municipal documents.

1.7. Outline of Report

This research report consists of seven chapters. This chapter introduces the background of the study, the research rationale and research questions, it further indicates the study's objectives, and outlines research methods.

Chapter 2 draws on applicable scholarship to understand the interfaces between the land use management regulations, home-based township economies, and how the regulations influence the businesses and the communities in which they operate.

Chapter 3 outlines the research methodology and approach used in the study, following discussions on data collection methods. The chapter then outlines ethical considerations and limitations found throughout the study.

Chapter 4 provides a brief background of the Steve Tshwete Local Municipality, the case study area, giving context to township economies' history and current status. It outlines what the land use management regulation processes in Steve Tshwete Local Municipality entail.

Chapter 5 highlights findings from the field study on how the Land Use Scheme impacts home-based township economies in Mhluzi.

Chapter 6 presents a thematic analysis of the findings as viewed through the lens of the key conceptions within the literature review, further conflicting the findings against the existing literature.

Chapter 7 lastly summarizes the main findings of the research study and presents some recommendations and future research possibilities.

2. Chapter Two: Land Use Management, Township Economies and Home-Based Businesses

2.1. Introduction

This chapter investigates the linkage between land use management regulations and the operation of home-based township economies, particularly looking at the impact of land use management on township economies, focusing on tuckshops and day-care centres. It is structured in three sections, the first section focuses on land use management by firstly giving an overview of planning and land use management systems, the overall purpose of land use management systems and further goes into planning and land use management in South Africa with the example of SPLUMA. The second section of the chapter focuses on township economies in South Africa by first looking into how townships are defined and going on to define township economies. The section further goes on to highlight the significance of township economies, land use management regulating township economies and challenges brought forth by the regulations. The final section of the chapter looks at home-based economic activities, linking them to township economic activities. The section focuses on the importance of home-based businesses and the challenges they face, especially with the relevant land-use regulations. Finally, the chapter goes on to suggests ways in which their challenges can be addressed and goes into the specific home- based businesses which are discussed in the research study.

2.2. Land Use Management Regulations and Approaches

2.2.1. Planning and Land Use Management Systems

Industrialization and urbanization in the late 1850s brought about rapidly growing, heavily polluted and chaotic cities in Western Europe (UNHABITAT, 2009). This, therefore, influenced the adoption of urban planning in the cities in response to the negative externalities. Planning influencers such as Ebenezer Howard brought forth

plans to bring back green spaces into towns through controlling their growth and size (UNHABITAT, 2009). Ebenezer Howard focused on preserving the traditional way of planning and ensuring that the towns were aesthetically pleasing. Le Corbusier was another influencer of urban planning with the vision of neat cities with high control and order, he had the vision of slum eradication and city designs with no mixed-use areas (ibid). This formed part of Modernist planning, which heavily prioritized the aesthetic appearances of cities, which were ordered, green, spacious, uncluttered and offered grand views (Watson, 2009). The idea of these cities did not include or take into consideration poor city dwellers or any informal activities. The critique of modernist planning then came about, accused of directly contributing to social and spatial marginalization as it failed to accommodate the poor and informality in the city (ibid). Modernist planning, therefore, enforced social and spatial exclusion and inequality. The master planning tool was further too rigid and brought spatial oppression to some parts of the city.

Master planning spread to the global south in the latter part of the 20th century and persisted in many parts of the world. The direct vehicle for spatial translation of planning systems in this instance was colonialism, more especially in parts of the world that were under the colonial rule of countries such as the United Kingdom, Germany and France (Watson, 2009). Watson (2009) argues that these ideas of planning transported in the global South from the global North were ill-suited in Southern contexts. Controls accompanying master planning, which included zoning ordinances that stipulated building standards and housing materials remained in the post-colonial planning period. The new ways of urban planning, therefore, proved to have traditional ways of planning and did not adequately address past grievances.

Therefore, planning systems in the 1970s received a critique of being inappropriate for the global South. The argument was that planning from the global North did not recognize the way of living and livelihoods of the poor in the city. In the late 1960s and 1970s, land use planning started evolving from a top down, expert-driven approach to one uniform and customized land use approach (Metternicht, 2017). It then shifted towards an integrated approach in the 1980s, involving planning experts, ordinary

citizens and decision-makers (Metternict, 2017). With the introduction of new planning systems, there was still much trial and error in the ways of planning, where some methods were more suitable than others. However, traditional planning is still prevalent in today's land use management systems and there is an argument that it should be phased out and replaced by urban planning systems that take account of the real dynamics of human settlements.

Kola *et al.,* (2018) mentioned that the traditional planning approach in the Kisumu Municipality (Kenya) suburbs is usually stagnant, technocratic and ambitious. In most cases, it further provides inefficient and insufficient guidance on land use development and management. In effect, the old development planning in the municipality encouraged unplanned land uses due to insufficient and outdated zoning regulations, inconsistent and complex legal structures and outdated administrative structures in land use management (Kola *et al.*, 2018). The land-use planning approaches in Kisumu Municipality did not fully embrace the residents' participation, and residents were not aware of it (ibid). Kola *et al.,* (2018) further mentioned that the lack of participation led to the residents not seeing any benefit from the modern land use administration which the Kisumu Municipality implemented. Within the municipality and the Kenyan government, collaboration should be the center stage when dealing with land use planning. Omollo (2018) mentions that the collaboration would involve different stakeholder departments coming together and building a cohesive vision that relates to the preparation and implementation of development plans, the approval of building plans and the approval of Environment Impact Assessments.

Kola *et al.,* (2018) found that the Kenyan government implemented a piecemeal approach to addressing and regulating development in the unplanned communities. The piecemeal land use planning in this context, therefore, further contributed to unplanned land use development in these suburbs. This could be because communities rarely understand the government's development plans and so don't follow them (ibid). Another land-use approach used to embrace the unplanned communities is the preparation of the Part Development Plans, which are intended to be prepared when there is a portion of land which is meant to be alienated for specific

use (Kola *et al*, 2018). The alienation was meant to occur before any community moved onto the land and was further meant to be guided by an approved physical development plan for a specific zone.

2.2.2. Purposes of Land Use Management

Land Use Management is defined as a "system of legal requirements and regulations that apply to land to achieve desirable and harmonious development of the built environment" (Zack and Silverman, 2007, pp. 2). Charlton (2008) stated that land use management activities are concerned with ensuring the improvement of health and safety of urban residents who are affected by conditions such as overcrowding, environmental pollution, and a lack of services, facilities and amenities. Land use management regulations at face value can be seen as a protection of the urban environments and their residents. She notes that town planning schemes are largely used to ensure that land use management regulations are put in place and monitored. Each scheme further provides a legal basis and definitions which allow for the rights to develop and use any parcel of land within a municipality's boundaries.

This makes it clear that every piece of land is governed by local municipalities. Charman (2017) highlights that land use management provides essential legal and institutional frameworks to ensure that property values do not drop and to safeguard the municipal tax base and external investment opportunities. Some of the main mechanisms of land use management include the desire to control density or the intensity of land use in hopes that the control will stop any negative impacts on people, the environment and wealth generation. Nel (2016) argues that land use management regulations play a role in shaping the social, financial and political values of urban land. They further influence the extent to which households can gain financial value from their investments which are their home and land.

Zack and Silverman (2007) explain the essential principles underlying land use regulation. The first principle ensures that dangerous nuisance uses which ordinarily

fall under industrial activities, are excluded from residential areas. The second principle is to ensure that land is not misused or treated in a harmful manner (ibid). These principles essentially highlight why land use management is necessary within the local government, as it has close ties to ensuring that citizens are safe within communities they reside in, and that land is used to its potential and intention.

2.2.3. Planning and Land Use Management in South Africa

Land Use Management Systems and planning have seen a shift in how it is thought about and approached. Post-apartheid thinking with regards to land management noted that cities had to be densified and infilled while focusing on upgrading and renewing areas that had been ignored or disregarded in the past (Rubin, 2008). LUMS can play various roles and some importance and should embrace the context of the areas they regulate. The apartheid government presented differentiated systems of land use management, where former white, colored and Indian areas were governed and regulated by town planning ordinances, while black African areas were governed by Administration boards and later other agencies and laws such as the Group Areas Act (1950). Separate development was meant to allow Africans to govern themselves, however, the economic structure made it impossible (South Africa History Online, 2011). The apartheid government left South Africa's land use management and development control system quite fragmented and disjointed.

With the beginning of democracy in 1994, a plethora of new legislation was brought forth by the new democratic parliament to attempt to reverse Apartheid laws and offer new freedoms. A few changes occurred regarding land use planning and legislation before 2013, except for the Development Facilitation Act of 1995 (Nel, 2016). Land Use Management Systems (LUMS) in South Africa were meant to be guided by a set of principles which were developed by the Development Facilitation Act (67 of 1997), and later followed by SPLUMA. Since then, there has been the task of developing land- use systems that are more appropriate across all municipalities.

Nel (2015) notes normative principles for land-use management, including, firstly, addressing South Africa's challenges of spatial fragmentation and exclusion and focusing on inclusion and integration. Land Use Management principles should, secondly, promote environmental, social and economic sustainability as well as resilience (Ibid.). In designing relevant policies for townships, the municipality should include the communities in the process to educate them about spatial sustainability and resilience and allow them to take responsibility in enforcing it. Thirdly, the principles should provide opportunities for local livelihoods and support the diverse fabric of the township (ibid). Nel's (2015) final principle is that the challenge of capacity in municipalities should be solved by encouraging communities to responsibly self-regulate when it comes to health, safety and investment. This could become a success if municipal councilors act as reliable middlemen between the communities they serve and the local municipality. These recommendations are not completely new, as they are closely related to the SPLUMA principles.

2.2.3.1. Spatial Planning and Land Use Management Act, 2013

SPLUMA came into effect repealing the Development Facilitation Act (67 of 1997) and Urban Development Framework (1997) to become the first piece of legislation that provides a cohesive spatial planning and land use management system for the South African government (Nel, 2015). The DFA was intended to introduce measures that would facilitate and speed up the implementation of the reconstruction and development programs and projects concerning land (South African Government, 1995). The objectives of the apartheid government included enabling the state to exercise maximum political control, preventing the encroachment of township settlements onto adjacent land and preserving a residential dormitory characteristic to township settlements (Charman *et al.*, 2017). Unlike the apartheid approach to land use management, SPLUMA emphasizes redress, social justice, equity and inclusion, community participation and transparent decision making (Nel, 2015). These goals are reflected in the SPLUMA principles which include spatial justice, spatial resilience, spatial sustainability, spatial efficiency and good administration. Nel (2015) notes that SPLUMA includes certain provisions that allow the incremental introduction of land

use management and regulation, largely permissible in areas that did not operate under land use schemes.

Nel (2015) argued that SPLUMA should address South Africa's existing challenges of spatial fragmentation and exclusion and focus on integration and inclusion. It should further promote environmental, social and economic sustainability and resilience and finally, it should ensure that it provides opportunities for local livelihoods and support diversity. Lastly, SPLUMA should ensure that the capabilities of municipalities are addressed to have cohesive land use management systems in place.

2.3. Township Economies in South Africa

2.3.1. A Brief Look into Townships

Having a brief understanding of what townships are is important in obtaining a well-rounded understanding of township economies. Older townships in South Africa are labelled apartheid townships, which were created as dormitory settlements for black workers, who provided cheap labour to the formal economy under the South African apartheid government (HSRC, 2019). McGaffin *et al.,* (2015) indicate some common characteristics of townships, which are that they often fall under the low-income group and are spatially disadvantaged in terms of accessing economic nodes and job opportunities. McGaffin (2015) further indicate that townships generally have higher percentages of lower-income households and lower skills levels.

South Africa currently has over 500 townships, which are home to an estimated 40% of the country’s urban population (Hume *et al.*, 2021). The apartheid government significantly expanded a majority of townships in South Africa after 1950. The non-white urban population was forced to reside in these townships by the apartheid government, using the Group Areas Act (1950) (TTRI, 2009). Townships were major areas of exclusion, control and containment for non-white residents (TTRI, 2009). This exclusion affected every aspect of the residents' lives, it limited their access to

economic centres and educational institutions. The effects are still prevalent post-apartheid, but there are positive changes such as the increased opportunity to have small businesses due to relaxed government control.

2.3.2. Defining Township Economies

To an extent, the history and current fabric of townships play a role in enabling township economies. The term township economy has been defined in varying ways across the literature. The Gauteng Province (2014) defines it as enterprises and markets based in townships, noting that they primarily cater to the needs of township communities. Scheba and Turok (2020) mention that the term township economy refers to all economic activities which occur in formally promulgated urban areas which are known as townships. The authors further note that 'township economies' is a spatial concept, unlike 'informal economies' which generally refers to unregulated economic activities. McGaffin *et al.,* (2015) simply defined township economies as microeconomic and related activities taking place within areas broadly defined as townships. This definition by McGaffin (2015) places township economic activities in a box of them solely being micro activities, which may not always be the case. Township economies comprise entrepreneurial activities which include spaza shops, hair salons, early childhood development centres, taverns and car mechanics to name a few (HSRC, 2019). The economic activities occurring in the townships could be said to be motivated by the needs identified in their respective locations.

A study by Charman and Peterson (2015), looking at the spatiality of township economies, argues that township economies are distributed everywhere in the township. Charman and Peterson (2015) go on to reveal that the high population densities in township communities are served by these township enterprises that are placed in immediate proximity to the residents (ibid). Township economic activities such as tuckshops and day-care centres are said to be predominantly survivalist in nature, resulting in low productivity and low-income generation. Kasibiz (2020) emphasizes that existing township economies do not focus on producing and manufacturing the products they sell. Characteristics of township economies outlined

by Scheba and Turok (2020) therefore include restricted linkages with formal value chains elsewhere, high levels of unemployment and poverty which encourage the operation of these township enterprises. Entrepreneurs in townships identify a gap in the provision of goods and services which are affordable and in close vicinity within their communities. Township enterprises such as tuckshops, day-care centres and salons for example, therefore, become prevalent. These townships have a variety of economic activities, however, both Charman and Peterson (2015) and Scheba and Turok (2020) indicate in their studies that liquor shops, spaza shops and house shops make up the majority of the township enterprises.

2.3.3. Significance of Township Economies

Township economies play a vital role in their contribution to employment levels and the economic development of the country. They ensure that economic growth occurs in areas often characterized by high levels of poverty and unemployment where very large numbers of South Africans reside. Township economies then foster job creation in these communities, which provide tailored services and products for then local communities (Rogan, 2019). Home-based businesses, which fall under township economies, largely provide unique services and products because they know their exact target market as opposed to larger anchor stores. Niselow (2019) indicated that the spaza shop sector is estimated to be worth around R250-billion, providing necessary services and offering goods at cheaper prices than what could be classified as low-cost grocery giants like Shoprite and Boxer stores.

Township economic activities can produce the main source of income for those involved in it, be supplementary, or even provide some sort of survivalist income. Charman (2017) highlights linear pathways that encourage township entrepreneurs to go into business. There are three pathways, they begin with the desire to create livelihood strategies for themselves by creating these enterprises to make ends meet; followed by creating businesses to increase business development skills through access to the entrepreneurial economic market; finally, the last pathway is through a

strategic investment to establish the business (Charman, 2017). These pathways into establishing businesses within townships demonstrate that township economies play an important role in uplifting township communities. Participation in these economic activities empower the communities by equipping them with business skills, providing employment and income and further affording communities with investment opportunities

2.3.4. Land Use Management Regulation within Township Economies

Sheba and Turok (2020) emphasize the fact that land-use planning systems currently do not serve the communities' development needs and realities. They further note that the systems do not recognize the centrality of the economic activities of township communities. This emphasizes that there is a visible disconnection between land use policy and what currently exists. Lamb, Kunene and Dyili, (2019) note that most township tuckshops do not comply with the municipality's land-use regulations and they remain unregistered. This is due to the apparent gap previously mentioned. Scheba and Turok (2020) have termed the informality of township enterprises as “enforced informality”, as regulations do not easily support their formalization. The compliance required from the municipality with business laws and regulations imposes unrealistic costs on the township enterprises. The township businesses that have been enforced into informality cannot afford formal trading spaces within malls and shopping centres, leaving them to remain unregistered and subject to fear of being forced to close, pay bribes or experience forms of police harassment (Scheba and Turok, 2020).

The existing zoning regulations and land use systems do not often consider the structure of mixed-use development which is dominant within existing spatial patterns in townships (Philip, 2019). These regulations need to recognize and acknowledge the mixed-use pattern within townships, as a lot of businesses are operated at private residential homes. The findings from the SLF (2013) study indicate that these existing regulatory barriers within townships hinder business development and the transition of township economies into the formal sector, including registration with relevant

authorities. The study further indicates that approaches to regulations should entail a process of progress, allowing businesses to adjust to regulations and expand with time.

2.3.4.1. Challenges Surrounding Township Economies within the Land Use Framework

Township economies are faced with various challenges, one of the most evident being land use management regulations (HSRC, 2019). Land-used management legislation relating to businesses in South Africa is said to be stringent and inappropriate, this is because the legislation is based on the usual high-income enterprises and environments (Democratic Alliance, 2021). Democratic Alliance (2021) identified that official building and zoning regulations are difficult to comply with in most cases and they make it difficult and impossible for entrepreneurs to comply. It argued that township entrepreneurs have limited financial capabilities, which force them to rely on low-cost building materials and methods that are not in compliance with municipal regulations. Further due to the complex and inflated application and approval procedures related to compliance with business law and regulations, enterprise owners get discouraged from approaching the formalisation processes, which leads to their businesses being hindered from growth (Democratic Alliance, 2021).

Research conducted by the HSRC (2019) similarly mentioned challenges faced by township enterprises, where it is mentioned that businesses within township economies face hurdles which are largely related to administrative processes linked to land use applications, land-use management systems, zoning regulations and the stringent building norms and standard. The prevention of the enterprises from being able to operate formally excludes them from receiving government support and subsidies (HSRC, 2019).

2.4. Home-based Economic Activities

A home-based business refers to work that is conducted from a residential dwelling on a full or part-time basis and is compensated (Smit and Donaldson, 2011). Creating communities or urban areas which allow for residents to be able to combine work and living accommodation has grown to be a necessity with the high levels of unemployment and the recent global pandemic. Home-based businesses were traditionally considered to require low running costs, to become businesses with minimum income generation. That notion has however evolved as the changes in demographics and lifestyles in urban areas have occurred (Smit and Donaldson, 2011). Juries and Campell (2001) note that people establish home-based businesses for various reasons. Their study of Greater Bloemfontein found that people sought to cut down on business overheads by operating their businesses at home. They also found that most of their businesses were survival businesses (Juries-Whiteman and Campbell, 2001).

A study conducted by Gough, Tipple and Napier (2003) looks at the contrast which exists between home-based businesses in low-income settlements in Ghana and South Africa. The study looks at the type of home-based businesses which operated in these settlements, along with their contribution to income generation and further seeks to understand any limitations faced by these businesses. They note the prevalence and demand for home-based businesses in Mamelodi township and that the governing City of Tshwane, therefore, encouraged residents to start their home-based businesses. They found that in Madina, Ghana, some residents started home-based businesses to gain some independence and self-esteem. For example, a 76-year-old woman was able to make money from selling sugar and cocoa and required less financial help from the church. Food retailing and processing has become popular in Africa, as it caters to large local demand and requires a small starting cost and skills (Gough *et al.*, 2003).

Households or residential homes play an important role in the economic survival of families, as Gough *et al.,* (2003) found. In some cases, households operate more than one home-based business, and most of these businesses hire employees for assistance. Home-based businesses have self-employed workers who purchase their

raw material and sell their finished goods to largely local consumers. Some sub-contracted workers produce goods for firms further up in the value chain, both to national and global value chains (Chen and Sinha, 2016).

2.4.1. Importance of Home and Community to Township Economies

As previously mentioned, a majority of township enterprises are operated from private residential properties. The house in this case has more than one function and is viewed as an income-generating asset. Oldfield (2004) conducted a study where a low-income township in Cape Town is analysed, looking at the importance of small businesses in communities and how they not only serve the owner of the business but the township residents as well. In that study, she indicates that linkages to the community play a role in sustaining home-based township enterprises. Her work emphasises the importance of community and neighbourhood within the success of township economies. Social relationships and networks are important, owners of home-based businesses are offered greater support when they contribute positively to the community.

In their study looking at the complexity of home-based businesses in the city of George, Western Cape, Smit and Donaldson (2011) state that home-based businesses have a high potential to stimulate entrepreneurship, further outlining the importance of reviews of the current zoning schemes for home-based businesses to ensure that the legislation is supportive and relevant. They highlight that improved access to housing and some form of social security plays an important role in enabling the disadvantaged to generate income through Home-Based Business (HBB). In poorer Cape Town townships, HBB owners are often reluctant to change the way they operate their businesses as their operations are closely linked to their lives and identities within the community and how the community relates to them. A participant in the Oldfield (2014) study reveals that their businesses which include tuckshops, day-care centres and places of entertainment serve the poor within the community and they look after each other. The community, home and identity of micro-businesses

play an important role in the economic development of townships and subsequently play an equally important role in ensuring that social networks are kept alive.

2.4.2. Challenges Surrounding Home-Based Businesses

A few authors expressed concerns with how the neighbours perceive home-based businesses right next to them. Juries-Whiteman and Campbell (2001) mention in their study conducted in the greater Bloemfontein, South Africa, that some respondents who were neighbours of the business to their study had a few complaints about the business. The complaints ranged from customers of the home-based businesses causing traffic in the streets as there was a lack of parking provision within the home-based business premises (Juries-Whiteman and Campbell, 2001; South Africa). The neighbors further complained that the home-based businesses sometimes led to untidy yards due to their building design and/or building materials. The disturbed aesthetics which are implied to be caused by these home-based businesses were also linked to negative resale value of the residential properties in the neighborhoods. Finally, there were complaints about the decreased safety in neighborhood due to the increasing number of customers supporting the home-based businesses (ibid). Respondents revealed that they were informed of their neighbour's intention to establish and operate a home business. The neighbours further indicated that they were not aware of any regulations relating to HBB, some even showed no interest in being involved in the formulation of land-use regulations.

2.4.2.1. Methods to Improve Land-Use Regulation Support Towards Home- Based Businesses

Smit and Donaldson (2011) mention that local government can ensure that the regulatory processes implemented within communities consider and reflect the needs of home-based businesses. The local municipality needs to ensure that they have a comprehensive database of home-based businesses, which can be used to analyse the type of home-based businesses which exist and how they adapt in their locations. This will can play an important role in designing an updated municipal Spatial

Development Framework. Smit and Donaldson (2011) therefore call for local authorities to become proactive and creative in formalising the linkages between informal and formal business spaces. Juries-Whiteman and Campbell (2001) suggest that the policy regarding home-based businesses should be revised and an integrated approach should be introduced. Gough *et al* (2003) found that in South Africa, (focusing on Mamelodi, City of Tshwane) and Accra, Ghana, official regulation on HBB is far from comprehensive and the HBB owners stated that they were not affected by official legislation.

This could reiterate Jain and Courvisanos' (2013) point that HBB is ignored by the government because they are difficult to identify. Another reason could be that government officials overlook the unplanned nature of these settlements because it would be difficult to address. Gough *et al* (2003) further mention that in these human settlements, HBB takes up a very small space which is easy to miss. Chen and Sinha (2016) indicate that because HBB today remains invisible and undervalued, the businesses tend to be overlooked by policymakers when they design policy and land use regulation. Jain and Courvisanos (2013) therefore call for better access to public information, advice and support from the state as that is crucial for their survival. Jain and Courvisanos (2013) further suggest that policies are needed to provide guidance rather than only information. The land-use policy should be formulated for HBB, not to limit their growth, but to support them and ensure their survival.

To provide support to home-based township economies, municipal land use management systems need to be simplified and made more adaptable to accommodate the mixture of residential, business, cultural and social uses (SLF, 2013). SLF (2013) further advocates that mixed land use should be permitted without a long list of rigorous preconditions which entail only permitting business uses on residential land as ancillary uses or requiring that the owner remain the main resident of the property. Finally, where land-use related applications are concerned, the processes should be made as affordable and quick as possible.

2.4.3. Home-based Businesses Observed at in this Study

2.4.3.1. Tuckshops/ Spaza Shops Businesses

This research will focus on two home-based township enterprises, the first home-based enterprise is tuckshops/ spaza shops. Tuckshops historically began in private residential homes where the residents began selling a few items, incrementally increasing the size of the shop (Lamb, Kunene and Dyili, 2019). The primary aim of tuckshops was to assist communities with their immediate needs, and they later evolved to bring additional income to owners. Tuckshops are largely described as a grocery entity that provides the community with essential grocery items, typically located within a township (Mukwarami, Tengeh and Mukwarami, 2020). A study conducted by the Sustainable Livelihoods Foundation describes tuckshops as micro-convenience stores which operate in residential areas within a township, further indicating that these stores largely sell groceries, bread, cool drinks, snacks and cigarettes (SLF, 2012). The spatial distribution of tuckshops is highly localised, as they operate in locations where there is a high demand for the enterprise within the neighbourhood. SLF (2012) therefore notes that tuckshops operate close to the consumers they are serving, with long operating hours, enabling consumers to cut transport costs, easing accessibility.

Tuckshops play an important role in township economies, aside from providing necessities for the community. In addition, they facilitate the flow of money within townships. Tuckshops may be hard to expand or make large profits from as there appears to be limited price competition amongst the businesses, this is largely due to the fact they act as convenience shops that operate on providing savings and they are competing with more alike businesses (SLF, 2015).

2.4.3.2. Day-Care Centres Businesses

The second home-based business looked at is day-care centres. These home-based businesses fulfil an important social function in communities by accommodating the children of working parents and further providing an educational aspect (SLF, 2013). A study by the Sustainable Livelihood Foundation (2013) looking at day-care centres within the township economy revealed that the Edu-care centres are commonly scattered throughout township communities and are not specifically located along major transport routes or nearby shopping centres.

Furthermore, a large majority of the Edu-care centres are located within private residential homes, with varying types of accommodation ranging from being in the main house to a shack, backroom, garages and Wendy houses (SLF, 2013). The list of accommodation is not exhaustive, as township entrepreneurs can be inventive and creative, the type of accommodation is however important when applying to formalise these Edu-care centres. Formalising Edu-care centres is important as it can enable the business to get financial assistance from the government. SLF (2013) mentioned that most of the Edu-care centres in the townships are unable to formalise their business because they cannot entirely fulfil requirements such as having a fit-for-purpose building, meeting certain safety standards and providing an adequate business plan. This, therefore, forces the enterprises to operate informally. It suggests that it is important that the process of registration or formalisation should allow the owners to incrementally meet the requirements necessary for formalisation.

In a study conducted by Moussié, (2020), the importance of Edu-care centres in townships was highlighted by the participants, where a participant who is a parent noted Edu-care centres with fewer facilities and formalisation are easier to afford and easier to negotiate with when money to pay is unavailable. This, therefore, reiterates that these centres are a necessity in the township and provide an important service to residents who are struggling to make ends meet. Moussié, (2020) mentioned that informal home-based Edu-care centres which provide quality services exist and are proven to be more flexible than registered centres. Early childhood development centres have restrictive land-use regulations, which relate more to the size of the centre. Van Niekerk, Atmore and Ashley-Cooper (2012) identify some of the minimum

standards which apply to home-based ECD centres and centre-based ECD centres, these regulations are standard around municipalities in South Africa. These standards which largely relate to infrastructure are set out by the national Department of Social Development and UNICEF, they are required to be contained in the Municipal land use regulations for ECD (Van Niekerk, Atmore and Ashley-Cooper, 2012).

The standards are as follow:

- Have at least 1.5m² of indoor space per child;
- Have at least 2m² of outdoor space per child;
- Be disability friendly;
- Be weatherproof and well ventilated;
- Have a separate area for any food preparation;
- Have safe and hygienic toilet facilities available to children and centre staff

These regulations should be tailored for each municipality to fit their needs and human settlements, specifically settlements located in townships as they have limited resources. It is important to note that the above-mentioned standards are not exhaustive. Standard land use regulation guidelines within countries set the tone for how municipalities manage ECD. South African standards for day-care centres have some similarities with international regulations, this can therefore emphasise that land-use regulations focus on the safety of people. Below are international regulations which are compatible with national regulations.

Some of the standard zoning regulations in New South Wales, Australia include:

- The compatibly of the proposal with the operations and nature of the community or private recreational facilities
- If the existing premises is licensed for alcohol or gambling
- If the use requires permanent or casual occupation of the premises or site

- The availability of on-site parking
- Compatibility of proposed hours of operation with surrounding uses, particularly residential uses
- The availability of appropriate and dedicated sanitation facilities for the development (New South Wales State, 2017).

2.5. A Synthesis of Land Use Regulations and the Successes/Failures of Township Economies

The previously cited literature highlights what land use management entails and provides a few points of how it plays a role within township economies. This section attempts to link land use management directly to township economies. A study conducted by the HSRC (2019) mentions that policymakers are largely recognising townships as urban areas buzzing with entrepreneurial activity such as spaza shops, informal traders, hair salons, early childhood development centres and more. A study conducted by the SLF (2012) however argues that careful attention should be given to how policy can play a role in stimulating economic development within and around townships. This supports the fact that blanket approaches will not always yield positive results for townships and their economic development. Blanket land-use management approaches largely support entrepreneurs with greater resources to understand and approach land use regulation requirements. The SLF (2012) study advocates for regulations being made simple and easy to understand for everyone including township residents.

Irrelevant standards and strict approval procedures currently hinder the formalisation and expansion of many townships' enterprises, as currently emphasised. The Democratic Alliance (2021) indicates that numerous township enterprise owners have the desire to operate legally and are open to paying business taxes to receive security and improved support services. The Gauteng Province (2014) identifies strategies which land-use regulations should focus on to initiate the success of township economies. The strategy suggests that an appropriate legal and regulatory framework

should be ensured within township economies. It advocates for the financing of and investing in the township economy, the promotion of entrepreneurship development, the promotion of innovation and indigenous knowledge systems and the promotion of manufacturing and productive activities (Gauteng Province, 2014). The study identifies these aspects as pieces that should be focused on and contained within land use management regulations which are specially designed for townships, this will go further to support and strengthen township economies.

2.6. Conclusion

Townships are largely filled with varying land-use and economic activities, which are accompanied by vibrancy and uniqueness. This research has so far highlighted the importance of township economies. Home-based businesses offer homeowners the opportunities to use their residential properties to generate income and have some sort of financial security and independence. Home-based businesses, therefore, play an integral role in townships by supporting the community's needs and providing income for households. Jain and Courvisanos (2013) emphasise the importance of government intervention in supporting the success of these businesses.

This study focuses on highlighting any land-use regulation which disables the operation, legality and support of home-based townships. Highlighting their importance within the community and ways in which municipalities can improve land-use management regulations might play an important role in bringing light to the relevance of land use schemes within townships. Land-use management has to evolve with the people it seeks to guide, land-use regulations need to reflect what currently exists on the land it administers.

3. Chapter Three: Research Methodology

3.1. Introduction

This chapter focuses on the research methodology of the study. A qualitative research method is used within the study to obtain an understanding of how the Mhluzi community has experienced the impact of the Steve Tshwete Land Use Scheme, 2019 on home-based township economies through assessing the scheme. Steve Tshwete's land use scheme is further assessed in this research study to discover its impact on home-based township economies. It is important to analyse the regulations of this particular land use scheme as it is post-SPLUMA and is therefore assumed to be altered in a manner that considers the SPLUMA principles. This chapter discusses the research study, research method, research approach, how the data is collected, and which tools are employed to collect the data, indicating how participants are selected, the research process, data analysis techniques, ethical considerations and limitations of the study. The chapter starts with a brief introduction of the data collection methods which are utilised by the researcher in conducting fieldwork.

3.2. Research Strategy: Case Study

"A case study is an empirical inquiry that investigates a contemporary phenomenon within its real-life context when the boundaries between phenomenon and context are not evident, and in which multiple sources of evidence are used" (Yin, 1991:23). Case studies allow the researcher to investigate a topic in more depth than what might be possible if a researcher was trying to deal with a large variety of research possibilities (Kabir, 2016). In my research, I use the case study strategy as it will be useful in analysing how a land-use policy impacts communities in the Mhluzi Township. Yin (1984) indicated that the case study research attempts to examine a contemporary phenomenon in its real-life context, this research study as mentioned attempts to examine the impacts of land use management regulations on home-based township economic activities. Undertaking the case study strategy will allow for a more holistic view to be gained of a phenomenon and can further provide a round picture since

various sources of evidence will be used. Methods used include observation, document analysis and semi-structured interviews.

3.3. Research Methods

A qualitative research methodology is adopted for this research study. The method is concerned with getting the meaning, feeling and real description of a situation or study (Goundar, 2012). Goundar (2012) indicates that qualitative researchers are interested in understanding meanings constructed by society, for example, how people make sense of their world and how they experience the world around them. This research study is interested in finding out how specific groups of people perceive and are affected by land-use regulations surrounding home-based businesses. Qualitative research is flexible, is highly focused, and allows the readers to relate to the findings more easily (Ibid.). Qualitative research is not without weaknesses, researchers tend to get obsessed with the data-rich results, where they then do not accurately analyse the data and assume that the results are projectable (Ibid.). These assumptions are not always correct and that could cause issues with the validity of the research.

Qualitative research has been used in this research report due to its strengths which include the ability to raise more issues through broad and open-ended inquiry. This allows the research to have room for expansion of their topic of research and possibly branch into more broader and varied research paths. Qualitative research methodology provides the researcher with the ability to understand the behaviors of the targeted communities, their values, beliefs, and assumptions. This allows the researcher to understand why certain phenomenon exist within the communities of study and how they can potentially have an impact. This research methodology is appropriate for this research study because it seeks to gain a deeper understanding of the adequacy of the Steve Tshwete Land Use scheme from the most affected parties, which in this case are the home-based business owners.

This methodology allows for the use of open-ended question interviews, which allows the study's respondent to expand further on their lived experiences, their thoughts and feelings about the land use scheme and land use management as whole. Essentially, the qualitative research methodology allows the researcher to gain knowledge from academic text and journals and offers room to expand the knowledge through conducting interviews and/or surveys. As stated above, qualitative research has some weaknesses and challenges to the researcher, which Mashizha (2014) has outlined as being time consuming during interview processes and requiring an intensive categorization process to allow analysis. A challenge to the researcher that was identified is that the research method requires skillful interviews, as the interview questions must be structured and asked in a manner that will extract useful and relevant information which can be used to draw conclusions. A final weakness to the research methodology is the reliability of information, which is presented, normally extracted from interview data. In this research study, I made certain that all the respondent's feedback was captured as soon as I was done with the interviews. This assisted with ensuring that a clear and accurate picture of the current situation regarding township economies was painted in the most reliable and accurate manner.

3.4. Research Approach

The research approach that is being followed in this research is an inductive one. Inductive reasoning works by moving from specific observations to wider generalizations and theories (Burney and Saleem, 2008). This approach used through the study is a bottom-up approach. In this research study, I observed home-based businesses in Mhluzi, intending to understand the study area. The research then collected information and data relevant to assessing the impact of land use management on township economies. The information and data collected are then thematically assembled and analysed to find connections between land use regulations and the success of home-based township economies. Finally, I then conclude on the impact of land use regulations on home-based township economies in Mhluzi.

3.5. Data Collection Methods and Tools

For this research, three data collection methods are used. The first data collection method is document analysis, where I analyse municipal documents and relevant academic literature to gain an understanding of the impact of land use management regulations on home-based township businesses. Kabir (2016) indicates that documentary evidence can act as a method to cross-validate information gathered from interviews, participants and observations. Kabir (2016) further notes that documents provide guidelines in assisting the researcher with their investigation during the interview. Document analysis assists the researcher with a distinct direction to take when conducting interviews and observations of the research topic. The municipal document analysis focused on finding out the regulations for the township home-based businesses and how the businesses are expected to comply with the regulations. It also enabled a view of how these documents present and see the home-based businesses in townships.

Semi-structured interviews[1] formed the second data collection method, where I engaged with various participants. Three groups of participants contribute to the fieldwork study, the participants were chosen either for their professional and expert knowledge or their on-ground experience with the home-based businesses. The first group of participants were three municipal officials who provided expert knowledge with regards to the land uses schemes' formulation, the motivation behind the regulations and how they perceive the impact of the scheme on home-based businesses in townships. The second group of participants were ten home-based business owners. Interviews focused on finding out their engagement with land use scheme regulations, with further interest in understanding their experience with applying for relevant rights for their businesses. The final group in the study are eight of the neighbours of the home- based businesses, where the focus was placed on how the businesses impact on a first-hand basis. I was also interested in finding out the

[1] Kindly refer to Annexure 1 for the questionnaires.

neighbour's knowledge of land use management regulations concerning the said businesses.

The interviews lasted for approximately 30- 50 minutes, depending on the availability of the participant. Due to the participating business owners and neighbours indicating that they were uncomfortable with being voice recorded, no voice recording was done, only note-taking. A set of pre-prepared questions were used as an interview guide to ensure that all necessary topics were covered during the interview. A semi-structured interview allows the researcher to stray from the questionnaires and engage in deeper conversations about the topic to gain more insight. Kabir (2016) mentions that a semi-structured interview guide gives a clear set of instructions for interviewers and can provide reliable, comparable qualitative data. Kabir (2016) further adds that semi-structured interviews are often followed by observation and informal and unstructured lines of interviewing to allow the researcher to gain a full understanding of the topic and area of interest. During and after the interview process, note-taking is a tool used to collect the raw data. Linking to Kabir's (2016) point, the final method used is the observation method where I observed what exists around the selected township home-based businesses. I focused on the building type, set-up of the business, employees, customers, neighbours, proximity to high streets and services provided. The casual observation was employed in this case, observing the right thing at the right place and right time by a matter of chance or luck (Kabir, 2016). The natural setting and operation of the business were monitored to gain a deeper understanding of home-based township economies and how land-use regulations may affect them. Pictures and note-taking were used to accurately capture raw data.

3.5.1. Data Collection

The data collection was conducted by the convenience sampling method, where I approached willing participants to become respondents in the research study. The business owners (participants) were chosen on the basis that they had a visible tuckshop or day-care centre business and were willing to contribute to the study. Consequentially, the immediate neighbour of the business was then chosen to

become a participant. The municipal officials were chosen on the basis that they provided comments during the land use scheme drafting process and were willing to contribute to the study. The purpose of the research was then explained to the participants and their involvement in the study was further indicated to them. The respondents all signed a consent form agreeing to their participation in the research. All of the involved respondents were above the age of 18. Permission was granted by the owners of the businesses to use photographs of their shops. To ensure that confidentiality was maintained, I presented the photos in greyscale. There were several reluctant possible participants, one being that they did not own the home-based business, and they were employees. In the case of reluctance and unwillingness to participate, I moved on to another potential contributor. Two neighbours of the businesses rejected participating in the research study, in one case after I disclosed that I was a previous employee of the municipality the neighbours also did not want to start any trouble with the home-based business owner.

3.6. Data Analysis

Qualitative data analysis in research is interested in discovering the bigger picture by using different techniques to discover it. Qualitative research analysis further involves summarizing the mass of data collected and presenting the results in a manner that outlines the most important features (Hancock, Windridge and Ockleford, 2007). Ensuring that the collected data is analyzed in an impactful manner, that the data is well organized, and records of the interviews and observations are stored correctly is important. I scanned the notes I recorded from the interviews I conducted and stored them on a password-protected laptop. A thematic data analysis method was used to analyze the gathered data, which is defined as a method for systematically identifying, organizing and offering insight into patterns of meaning within a dataset (Braun and Clarke, 2012). The key themes which are used to analyze the data emanating from the research questions, allows the analysis to follow a structure where there is a fair attempt to answer the research questions.

3.7. Ethical Considerations

An ethical clearance form was submitted to the faculty of Engineering and Built Environment to receive permission to conduct fieldwork such as conducting interviews. When collecting my data in the form of interviews, I made sure that I explained how the information respondents provide will be used and where it will be useful. I further ensured that I followed the ethics guidelines of the University of the Witwatersrand, which includes providing participant information sheets and consent forms that the participants are required to sign. These are contained in Annexure 2.

Some of the other ethical considerations were conducting the fieldwork safely and healthily, following strict COVID-19 regulations and providing participants with One-pager info-leaflets on the proper use of masks, proper handwashing, and physical distancing and cough etiquette to distribute to participants (Higher Health and Universities South Africa, 2019). Guidelines according to the Higher Health and Universities South Africa (2019), such as wearing a mask on the field, maintaining a social distance and sanitizing all surfaces within contact were followed.

3.8. Research Limitations

During the fieldwork study, I came across unwilling potential participants, which meant I had to change locations to seek out other potential participants. This became a limitation because some direct neighbours to the businesses were not willing to participate, forcing me to interview a new business participant with willing neighbours. Another limitation was the unavailability of some neighbours of the tuckshop, as I went to conduct fieldwork during the week and peak working hours.

3.9. Conclusion

This research methodology and the data collection methods have presented the researcher with an extensive body of knowledge on the impacts of land-use regulations within township economies. The study has provided a clear picture of the participants and the roles they played in the formulation of the land use scheme. The participants in this study have furthermore provided valuable information on how land-use regulations impact home-based businesses along with the importance and need to have these businesses operating in their neighbourhoods.

4. Chapter Four: Land Use Management Systems in Mhluzi, Middelburg

4.1. Introduction

This chapter looks at what the land use management regulation processes in Steve Tshwete Local Municipality (STLM) entail. A brief background of the Steve Tshwete Local Municipality and the Mhluzi Township as the case study area is given, to provide context to the history and current status of township economies. Within the chapter, the department responsible for land use management is introduced. The Steve Tshwete Land Use Scheme, 2019 and the Steve Tshwete Local Municipality Township Economic Revitalisation Strategy, 2019 will be highlighted with regards to the impact of the policy on township economies and their prominence in the Mhluzi township. Further, relevant policies and land use planning structures are highlighted within the chapter.

4.2. Steve Tshwete Local Municipality

Steve Tshwete Local Municipality (STLM) is in the centre of the Nkangala District Municipality region. The municipality is approximately 3,976 square kilometres in extent and forms 23.7% of the Nkangala District region (Steve Tshwete Local Municipality, 2017). The intersection between the two national transport corridors, the N4 (Maputo Development Corridor) and the N11 (Middelburg/ Bethal/ Ermelo and Richards Bay Corridor) is located in the centre of the Municipality, the intersection is viewed as one of the most important features of the Steve Tshwete Local Municipality (Steve Tshwete LM, 2016). Middelburg is the largest town compared to towns within the municipal area which has a population of 278 749 in 2016 (STLM IDP, 2021), followed by Hendrina towards the south-eastern area. The municipality is home to several large industries such as Columbus Steel, Eskom, the Nkangala District Municipality's head office and various government departments which are located in Middelburg.

The Steve Tshwete Municipality area is broken up into four functional areas:

1) Middelburg Town which includes Middelburg and Mhluzi.

2) Steve Tshwete Mining Belt Towns which include Rietkuil, Arnot, Pullenshope, Komati, Blinkpan, Goedehoop, Douglas, Lesedi, Schoongezicht and Bank.

3) Steve Tshwete Power Station towns which include Kwazamokuhle and Hendrina,

4) Steve Tshwete Rural which includes Kwamakalane, Mafube, Doornkop (STLM, 2013).

4.2.1. Mhluzi

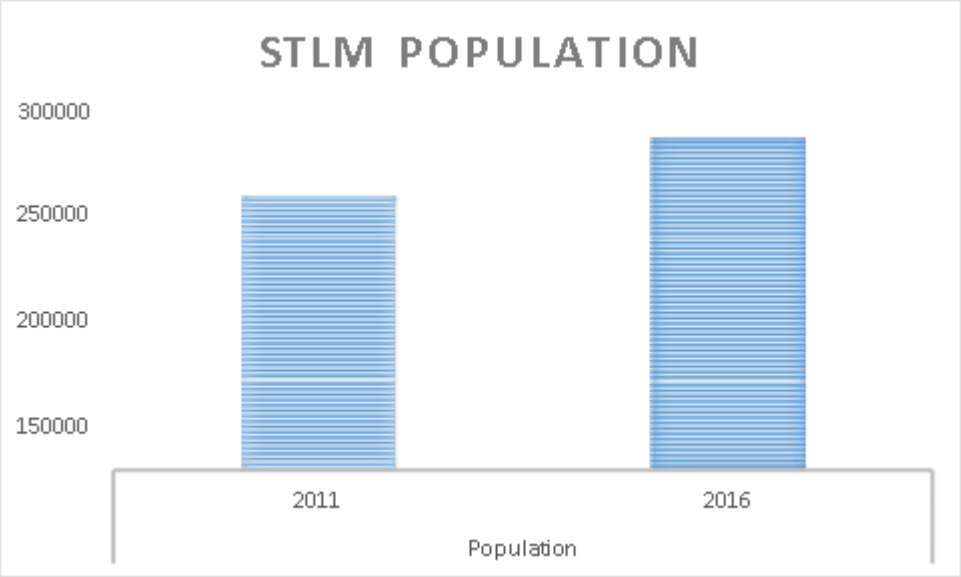
Mhluzi is a township in Middelburg, it was established a few years after the town of Middelburg in 1879 (STLM, 2016). The township was later incorporated into Middelburg in 1994. The township had a population of 76 460 while Middelburg's suburban area has a population of 87 348 as per (StatsSA, 2011), with an area of approximately 10, 29 km². The township is approximately 5, 3 Km from the Middelburg Town centre which falls under the Steve Tshwete Local Municipality. There is a large group of commuters commuting from Mhluzi to Middelburg town for various reasons such as employment, some retail shopping as the Mhluzi mall has a limited number of shops.

Another reason to commute to Middelburg town is to have access to a larger variety of health care services, such as the general government hospital which is located in town, and other medical specialists. The modes of commuting used by Mhluzi residents include private cars, taxis services and even walking, as it is close enough to travel by foot. The location of the tuckshops I interviewed in the study was far away from any existing shopping centres in Mhluzi, giving them a gap to fill and decreasing

travel time for consumers. The crèches interviewed were similarly found in the heart of the community, where larger crèches or educational institutions were not close. As expressed by the SLF (2013) study, the spatial distribution of the crèche is largely found in private residential areas, where there are no large or visible educational institutions.

4.2.2. STLM Demographic

STLM grew from 229 831 in 2011 to 278 749 in 2016, a low growth rate of 2, 13% annually. The population growth within the municipality indicates some signs of interest in the area, which means there are various opportunities to attract migration into the municipal area. Steve Tshwete indicates that 73% of the municipality's population falls within the economically active group.



Graph 1: STLM Population (Steve Tshwete Local Municipality, 2016)

4.2.3. STLM Local Economic Performance

Steve Tshwete is the third largest economy in the Mpumalanga province contributing about 13.7% to the provincial GDP which is measured by the value of goods and

services provided, with an average annual economic growth rate of 1.1% over the period of 2017 to 2021 (STLM IDP, 2021).



Figure 1: GVA Contribution 2018 for STLM (Source: Urban-Econ Calculations based on Quantec Research Database, 2019)

The dominant economic sector in Steve Tshwete is mining, which contributes 38, 4% to the Municipality's GVA (Urban-Econ Development Economists and Regoapele Capital, 2020). All other economic sectors contribute less than 15% each of the GVA of Steve Tshwete. In terms of unemployment, the municipality has seen a slight decrease from 19.7% in 2011 to 16.4% in 2016. According to research done by Urban-Econ Development Economists and Regoapele Capital (2020), Steve Tshwete had an unemployment rate of 19% in the year 2019.

4.3. Department of Town Planning and Human Settlements and Local Economic Development

4.3.1. Town Planning and Human Settlements

The Town Planning and Human Settlements department in the Steve Tshwete LM deals largely with land use and building management. The department deals with all

land use applications, land use management and monitoring, settlement planning, building plan applications and inspections, just to name the most relevant to the study. The town planning department essentially has two wings under it, one being GIS and another being Building Sector. Another relevant department within the municipality is the Local Economic Development department, which they are concerned with decreasing poverty within the municipality, assisting SMMEs and promoting job creation. The department is further concerned with ensuring that the IDP's economic development goals are fulfilled. The public is directed to the town planning department should they have any enquiries regarding illegal land uses, building plans, land use nuisances, zoning of land and building requirements and standards. When seeking assistance with business funding, township economies, youth development and extreme poverty, they are directed to the Local Economic Development department.

4.4. Steve Tshwete Land Use Scheme

The Steve Tshwete Land Use Scheme, 2019 has been prepared in terms of Chapter 5: Section 24 of the Spatial Planning and Land Use Management Act, 2013. The scheme mentions that all legal land use rights in existence before the current scheme will remain effective and in full force (Steve Tshwete LM, 2019). The land use scheme consists of provisions setting out the procedures and conditions relating to the use and development of land in any zone, an indication of the division of the municipal area into land use zones, zoning overlays and procedures applicable to land use applications.

The land use scheme has retained the land use regulations applicable in the scheme pre SPLUMA, regarding home-based businesses in Mhluzi and their stipulated conditions. Mhluzi was however considered in the applicability of the scheme, the municipality acknowledged the small erf sizes within Mhluzi and made adjustments to some regulations accordingly. The two major adjustments made were to the requirements of the building line and the coverage of the erf. This plays an important role in enabling residents of Mhluzi to have home-based businesses, as it allows them to have more leeway to construct their business spaces within their yard and the

allowable municipal regulations. The needs of home-based businesses may not all be addressed or altered in the land use scheme, but the adjustment of the building line and coverage regulation is a step in the right direction.

The revised SPLUMA land use scheme was not compiled in-house at the municipality, private consultants were sourced to do this. When the officials were asked their feelings about the outsourcing, they conceded that it might have not been the best idea to outsource to consultants who are not familiar with Steve Tshwete to formulate the land use scheme. The officials indicated that they had to do considerable adjustments to the land use scheme after receiving it from the consultants. Philip (2019) discusses how existing zoning regulations and LUMS do not often consider the structure of mixed-use development which is usually dominant in spatial patterns in townships. The officials argued that the community of Mhluzi might have been put at a disadvantage with some of the regulations imposed on them such as parking requirements.

4.5. STLM By-Laws 2016

In order to comply with SPLUMA, STLM gazetted their SPLUMA By-Laws in 2016. SPLUMA requires all municipalities to decide on matters about the manner and format of land use applications. This provides the municipality with the freedom to set relevant application and development fees, how they want their public participation to be carried out and all the land use application procedures in greater detail. The main components most relevant to the study contained in the By-Laws include land-use schemes and land use application and development procedures.

4.5.1. Land Use Application Procedures

Should a landowner wish to amend, adjust or change the land use rights on their land, they are required to submit a land-use application to the council of their local municipality. The application process to obtain or alter the land use rights can be complex and have intense administrative processes. A majority of landowners,

therefore, hire town planners to submit the applications on their behalf. The application procedures most relevant to the study are highlighted below.

4.5.1.1. Consent Use

According to the Steve Tshwete Land Use scheme, 2019, a consent use means adding additional use rights which are permitted in terms of this Scheme in a particular zone with the consent of the municipality (Steve Tshwete Local Municipality, 2019). The figure below contains the conditions of approval for consent use for a tuckshop and day-care facility.

4.8. Conditions for the Erection of Spaza Shops on Residential Erven

1) The municipality may grant consent for the erection of a building on an erf for use as a spaza shop subject to municipal policy.

2) Spaza shops shall only be permitted on residential zoned erven in specific areas approved by Council.

3) The main use of the property shall remain residential and the occupant shall reside in the dwelling house.

4) The size of a spaza shop shall not exceed 40m² in extent.

5) The spaza shop shall be conducted from a fixed structure from which building plans have been approved.

6) The activity shall not interfere with or negatively influence the amenities and the environment of the surrounding area.

7) No food shall be prepared for selling and sold on the erf unless such is approved by the Health Services Department.

8) No alcoholic drinks/ beverages shall be sold from spaza shops.

9) 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.

10) A trading license shall be obtained from the Licensing Department.

11) The number of people employed in a spaza shop may not exceed 3 people, including the owner of the property.

12) No amusement machines of any nature will be permitted on the premises.

13) All relevant legislation and Municipal By-laws shall be complied with to the satisfaction of the Municipality.

14) Any condition of this consent may be altered or any new condition added thereto by the Municipality if it is of the opinion that owing to a change in the circumstances or for any other reason such alteration or addition is necessary or desirable from a town planning point of view.

15) The consent shall be subject to termination by the municipality if, after affording the owner of the land to which this consent relates a hearing, it is of the opinion that owing to a change of circumstances or for any other reason it is undesirable for the consent to remain in force.

Figure 2: Consent Use Conditions for Tuckshops (Source: STLM, 2019)

4.14 Conditions for Day Care Facilities, Crèches or Nursery Schools on Residential Erven

1) The Municipality may grant its consent to the erection upon an erf or site upon which a dwelling house or dwelling unit has been erected or to a building for use as a place of instruction for a child care centre.

i. The Municipality shall not grant its consent in terms of sub-clause (1) unless there is sufficient area on site for the activities connected with the proposed child care centre including the necessary on-site parking requirements to the satisfaction of the Municipality as well as the provision of areas for drop off and collection of children.

ii. No consent shall be granted for a child care facility on a property where the required areas stipulated in the relevant Bylaw or other controlling legislation cannot be provided.

iii. In the consideration of an application for a child care facility the necessary attention shall be given to Municipal policy (ies) related to the operation of such facility (ies).

iv. A site development plan shall be submitted together with the application and shall indicate the following:
- Entrance and exit to the site that must be to the satisfaction of the Municipality
- Drop off and pick up areas which may not be located on any sidewalk.
- Play and activity areas for the children,
- The following parking requirements shall be applied:
  - On-site parking for every 3 children shall be provided on the property.
  - A separate area on the property for drop-off and pick-up of children.
  - One parking bay per teacher.

v. The erf shall comply with the conditions and regulations as contained in the standard Health Bylaws as promulgated in the Provincial Gazette.

vi. All poisonous plants and hazardous objects including swimming pools shall be removed from the erf.

Figure 3: Consent Use Conditions for Day Care Facilities (Source: STLM, 2019)

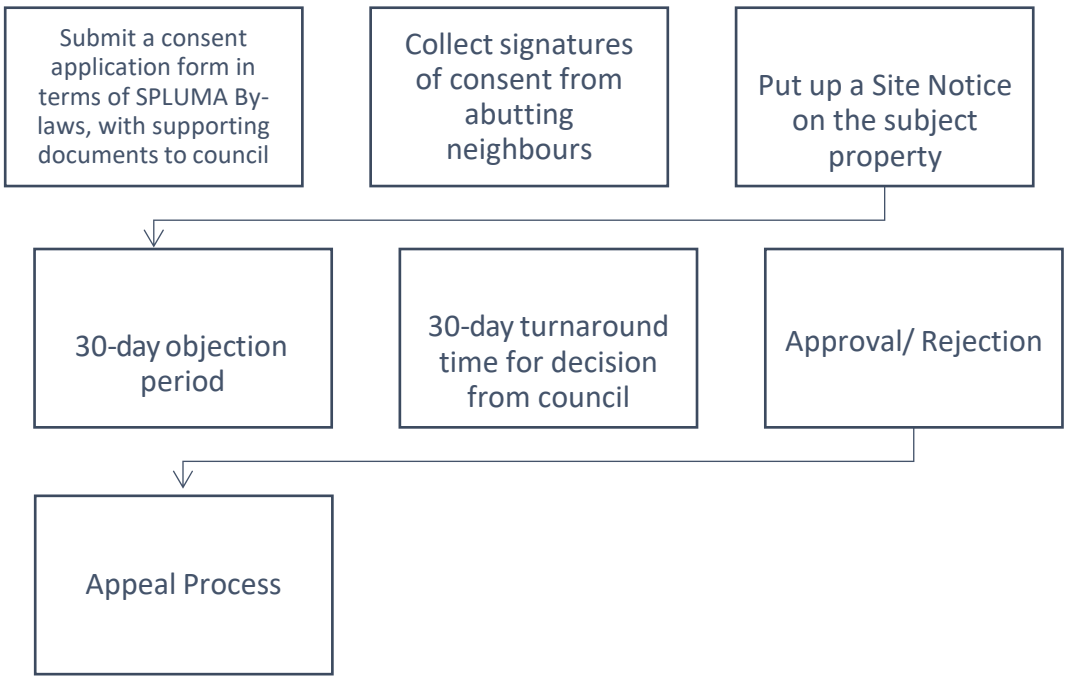


Figure 4: Consent Use Application Process

The diagram above represents the application procedure of applying for consent use within the municipality (See Annexure 3 for a consent use application form).

4.5.1.2. Rezoning

The Steve Tshwete Land Use Scheme, 2019, defines rezoning as a means of amending a zoning scheme in terms of section 62 of the By-Law to effect a change of zoning about particular land (Steve Tshwete Local Municipality, 2019). An applicant wishing to amend the land use rights of their property should apply for rezoning in terms provided in chapter 6 of the municipal by-laws.

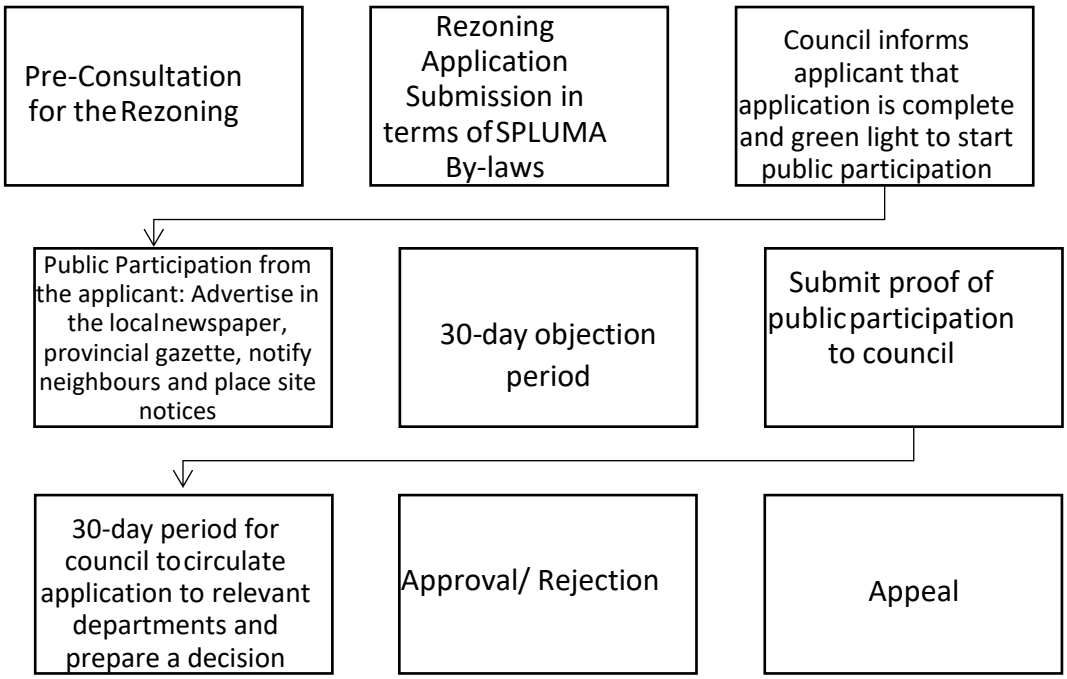


Figure 5: Rezoning Application Process

The diagram above represents the application procedure of applying for consent use within the municipality.

4.6. Township Economic Revitalisation Strategy

The purpose of the Steve Tshwete Township Economic Revitalisation Strategy, 2019 is to present a strategic understanding of the efforts needed to stimulate the Steve Tshwete township economic growth and enhance their development, contributing

towards the transformation of township economies and enhancing the participation of women and the youth. The vision for the strategy focuses on ensuring that the economic development of the STLM pulls along the township economies, addressing inequality within the townships by making concerted efforts to promote socio-economic development and developing the STLM townships into productive economic development nodes.

The first strategy to achieve the goal of the Township Economic Revitalisation Strategy is diversification of the township sectoral base, where the intention is to encourage diversity within township sectors and businesses to ensure that sectors with potential are supported. This strategy aims to have an outcome of increased productivity and a high growth trajectory (Steve Tshwete Local Municipality, 2019). The second strategy is building townships' inclusive economies, where residents and businesses in the township can be able to take advantage of economic opportunities and includes skills empowerment (STLM, 2019). This strategy is intended to ensure that the planning for new markets and informal trading opportunities will be realised, and that land use management favours the entrepreneurs, along with the needs of traders, safety and security and orderly town planning (STLM, 2019). The final strategy is creating institutional and enabling conditions, where establishments such as Township Business Forums are encouraged, as they will ensure that businesses across the townships are represented and further serve as a coordination instrument between STLM and Mhluzi entrepreneurs (STLM, 2019). These strategies seek to play a positive role in ensuring the success of township economies, as they encourage the municipality to support township economic activities by acknowledging their needs and enabling them.

4.7.1. Steve Tshwete LED Strategy 2016/2021

The Steve Tshwete Local Municipality has reviewed its Local Economic Development Strategy, developing a new one in 2015. The LED Strategy is the municipality's key component in implementing Steve Tshwete's IDP economic objectives. The strategy is an important tool that facilitates the creation of sustainable local economies under

the Steve Tshwete Municipality. Township economies will in this case benefit from the creation and focus on sustainable local economies. The strategy further indicated objectives such as soliciting and attracting private investment into the local economy, which encourage the growth and development of the economy in ST. Another relevant objective includes enabling the development of SMMEs and cooperatives, this objective ensures that entrepreneurs are assisted in the inception of their businesses and are equipped with relevant skills and knowledge. Adequate implementation of these objectives should yield a positive impact on the township's economy, as they would be receiving some assistance from the municipality.

4.8. Conclusion

Steve Tshwete LM is experiencing a steady increase in the population and economic growth, the municipality is committed to ensuring that it has healthy economic growth. The municipality is doing well in their infrastructure service delivery, where only a few are not within reach of running water and flushing toilets. The municipality seems to be attempting to improve their local economic performance, this is evident in the two strategies they have implemented which are the Local Economic Development Strategy and Township Economic Revitalisation Strategy. Steve Tshwete LM has a great number of businesses within the mining, manufacturing and agricultural sectors that contribute positively to employment and the overall economic health.

5. Chapter Five: Tuck-Shops, Crèches and Land Use Regulations: Perspective of Businesses and Their Neighbours

5.1. Introduction

This chapter presents the findings from the fieldwork conducted in Mhluzi, Steve Tshwete. The chapter presents data collected from two stakeholders, the first being the home-based business owners of either a tuckshop or a crèche, the second group of stakeholders being the immediate neighbours of the businesses. The findings are divided into two groups, where findings for tuckshops are first discussed, followed by findings for crèches/ day-care centres. The chapter presents a summary of each business, along with the owner's personal experiences, followed by a table summarising the main points of the finding which are relevant to the research study. The chapter then goes on to present key findings from the neighbours of the businesses. It highlights their lived experiences on living next to the businesses and coming across related land-use regulations. This chapter presents an overall presentation of findings from the participants and observations done by the researcher.

5.2. Tuckshop Home-Based Businesses

Several home based tuckshops in Mhluzi have been operational for more than nine years. Two of the tuckshops interviewed have gone through several ownership. Respondents from the fieldwork conducted expressed that it is common practice to sell or buy a tuckshop that is licensed and stocked. The licensed tuckshops were typically those owned by South Africans. Due to a lack of legal documentation, the non-South African owners indicated that they were unable to buy property for their shop hence several tuckshops run by non-South Africans are on rented property.

5.2.1. Owners, Felt Experience and Business Descriptions

TUCKSHOP 1 RESPONDENT:



Photograph 1: Tuckshop 1

Tuckshop owner 1 does not own the property where the shop operates from. The tuckshop owner rents a single standing room. The tuckshop owner however had to obtain rights for the tuckshop on his own and is responsible for electricity charges connected to the tuckshop. The owner, who works alone in the tuckshop, briefly mentioned that he is not South African, he came into the country to get a job and improve his quality of life.

He was met with the harsh reality of not being employable without legal documents to stay and work in the country. The current owner bought his current tuckshop with the existing rights in place, which means he did not have to apply for consent. The motivation of starting the shop, therefore, comes from needing income and not being able to get formal employment. The shop is successful, built according to the Council's guidelines. The owner however mentioned that there are some security issues related to the shop, which forced him to seek out a security company. That expense, however, decreases his profit. The owner further expressed how difficult the Covid-19 shutdown was on him and the business, he was not able to make money and further lost money due to products spoiling and expiring.

"I continued to pay rent while the shop was closed…"

T 2 RESPONDENT:

The second respondent was not the owner of the tuckshop, he indicated that he is one of two employees in the shop. The respondent did however mention that the owner is renting out the space for the tuckshop. The shop is located on a residential 1[2] stand in a single garage. The employee mentioned that the owner of the shops owns several shops in Mhluzi, the motivation being that he needed to make money to support his family. The respondent was not able to answer any questions regarding the consent application process for the tuckshop, he nonetheless did indicate that it is common for the owners of the property to rent out shops with existing trading rights and licenses approved by the local municipality. The respondent mentioned that there are no evident security threats, which might be because the shop is connected to the main house and there is a retaining wall around the property. The respondent mentioned that the shop lost money because of the Covid-19 pandemic. The owner is still required to pay full rent regardless of the pandemic, which led to their monthly wages being cut down. “We had our wages decreased”.



Photograph 2: 2nd Tuckshop

T 3 RESPONDENT:

[2] Residential 1: Residential 1 is the zoning that stipulates that properties can have a density of only one dwelling per stand or erf, that is, a house (STLM,2019)

The respondent owns the property on which her tuckshop is located. The owner claims that the motivation for starting the shop was to create employment opportunities and earn income for her home too. The shop is run from two separate rooms, where there is a room where they sell vegetables and another where they sell cooked food and other convenient perishables. According to the Steve Tshwete land use scheme, you are not allowed to sell unpackaged food or cooked food on a residential 1 property and under the tuckshop consent use. The owner obtained consent use from the municipality for a tuckshop, however, by selling unpackaged food she is currently conducting an illegal land use on her property as the sale is not an approved condition. The owner further had a seating area within her yard, catering to her customers buying the unpackaged food. The owner mentioned her dissatisfaction with the Municipality and corruption with obtaining licenses, stating that according to the Municipal By-Laws, they are required to constantly renew their licences and are forced to shut down when they do not comply. “You lose money in the process of renewal, renewal is like a new consent use”. The owner argued that there is rising competition with tuckshops in the area, and she suggested that the municipality regulate the number of tuckshops per street or even residential blocks.



Photograph 4: Second Structure of Tuckshop



Photograph 3: 3rd Tuckshop, First Structure

T 4 RESPONDENT:

The respondent is the owner of the tuckshop and the property on which it is on. The owner indicated that he opened the shop back in the 1990s, the shop was opened for his wife to earn income. The owner explained that back then, you were allowed to sell alcohol if you had a trading license, the regulations have therefore changed over time,

rendering his business illegal as he holds a consent use for a tuckshop and not a liquor license. The regulations have since changed and he indicated that he is now required to have a liquor license from the Mpumalanga Economic Regulator department to be able to sell alcohol. The owner said the license takes long to acquire, so he sells alcohol without applicable rights in place and operates under the fear of law enforcement confiscating his alcohol stock. The owner is not in compliance with the Steve Tshwete Land Use Scheme in terms of the items sold in his shop, but he complies with the building regulations for tuckshops. He indicated that because he sells alcohol, the shop faces various security threats because of suspect customers, although it is more profitable. “The business was slow, but better with alcohol sales”. The shop owner argued that Covid-19 slowed down the business but having the alcohol sales boosts their profits.

T 5 RESPONDENT:



Photograph 5: 5th Tuckshop

The respondent was the daughter of the owner of the property and tuckshop, she is an employee at the shop. The tuckshop runs from the family’s double garage on a residential 1 stand. The owner of the tuckshop lost her employment pre-pandemic and resorted to starting the shop to have a steady income. Similar to respondent 3's shop, this tuckshop sells unpackaged food in addition to convenience goods. The sale of unpackaged food such as potato fries is against Municipal regulations. The tuckshop further operates from two garages, which exceeds the allowable size of a tuckshop on a residential 1 property.

The employee indicated how tedious the process of applying and obtaining a consent use is and further indicated that they were initially operating without the rights and obtained them after a couple of months post the opening of the shop. “The beginning of the pandemic was bad, the shop just started and business was flowing”. The

pandemic forced the shop to stop operating due to level five lockdown, which put a damper on the business as it was still in its beginning stages.

5.2.2. Summary of Tuckshop Findings

Township HBB	Application Type	Trading License	Location	Size	Number of Employees
Tuckshop 1	Consent Use	In Progress (Renewal)	Separate Room (Detached from the house)	24 m²	1
T2	Consent Use	Yes	Garage (Attached to the house)	35 m²	2
T3	Consent Use	Yes	Two Separate Rooms (Extension of the house)	15 – 20 m²	2
T4	Consent Use	Yes	Garage (Not directly attached to the house)	45m²	1
T5	Consent Use	Yes	Double Garage (Attached to the house)	70 m²	3

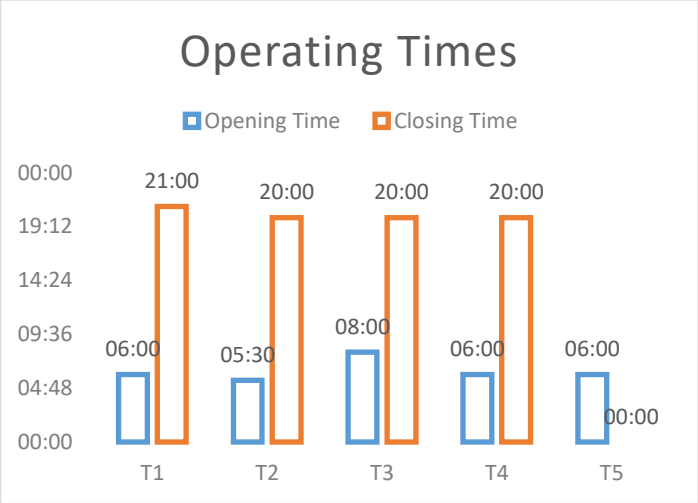
Table 1: Key Findings for Tuckshops

The table above indicates some of the data revealed during the fieldwork process. Section 4 of the Steve Tshwete Land Use Scheme indicates development rules developed by the municipality, these rules are in place to ensure economic sustainability, compliance to planning norms and standards, ensuring the correct mix of land uses within close proximities and compliance of land uses to the applicable legislation (STLM, 2019). Enquiring from the respondents on whether they have applied to relevant land use rights was an important aspect as the study seeks to evaluate the effectiveness of the land use scheme.

All the participants who were operating tuckshops indicated that they or the owner of the shop have applied for consent use from the local municipality. A majority of the tuckshops subsequently had trading licenses obtained once a consent use application is approved. The one owner who did not have a license indicated that he was waiting for the approval of various departments within the municipality. The respondent expressed his dissatisfaction with how you have to go through various municipal departments such as the Town Planning department and Licensing Department to obtain a trading license. The departments include the Town Planning Department where the initial consent to operate the shop is received, then comes the Traffic Department, Fire Department and Health and Safety Department. These departments are in place to ensure that the shop will not negatively impact the community.

Security Issues: Security could be considered an important element when one deals with varied people and money on an everyday basis. The respondents indicated that they have had issues surrounding security and safety, for example, break-ins or even xenophobic threats. T1 indicated that he has experienced a few break-ins into his shop this year due to the protests which took place earlier this year in Middelburg. He indicated that in previous years, break-ins were not been a common occurrence, however, he never felt safe in his shop because of xenophobic threats he received. Due to the threats, he resorted to hiring a security company that patrols the area where his shop is located and are available on any emergency response. This has given him a sense of security, especially when the shop is opened in the night-time. T2 indicated that he has not experienced any security threats, the shop is tucked into a yard with a retaining wall and a gate. Those features might present a much safer environment to operate a home-based business in. The respondent further indicated that the owners of the property usually speak up against any xenophobic behaviour or speech directed at the shop employees or owner. The support of the property owners proves to be of great benefit. T3 indicated that she previously experienced break-ins at her shop, where the stock was stolen and property such as doors and windows were destroyed. She indicated that she didn't feel safe with the break-ins, which led her to install an alarm system on her residential home and tuckshop. She implies that the mere security sign which is displayed outside her shop seems to be having a positive impact on the safety of her shop.

T4 respondent indicated that due to the sale of alcohol and how late they close their shop, they come across various dodgy customers. He further indicated that he has never been directly threatened by the customers. The respondent shared that he knows the community and his customers very well, which therefore makes it easy to diffuse bar brawls and his neighbours' further lookout for the shop. The shop has no security system or company assigned to ensure safety. Furthermore, the respondent did not mention any break-ins in his shop. T5 respondents shared that they have not experienced any security insecurities, this may be because the tuckshop is well within the residential property. The property has a retaining wall and a secured entry gate. The shop has been around for less than two years, which might be the reason for the positive security reports.



Graph 2: Operating Times of Tuckshops

Community Support: The tuckshop respondents highlighted that they have a great relationship with their neighbours and community at large, meaning they all look out for each other in terms of safety. A few tuckshop respondents further indicated that they have implemented a credit system because of the good relationship with neighbours. T1 and T2 mentioned that they like helping their neighbours because they feel they are loyal to the business. They however mentioned that they regret implementing the system because it does lead to profit loss. The owners further have support structures within the community, four out five respondents said they are members of organisations focused on assisting tuckshops. The non-South African owners indicated that their organisation is involved in ensuring the success of the shop, for example, they all agree on price increases to avoid competition and ensure that the shops are always fully stocked.

The South African owners indicated that their organisations are involved in solving their problems as much as they would like. T5 did however indicate that the organisation assisted them in speeding up the process of obtaining a trading license. Another element that the tuckshops offer for the satisfaction of their neighbours and immediate community is their operating time.

T2 indicated that they started opening the shop earlier because they want to accommodate customers who go to work early and would need to buy energy drinks or even airtime before departing. The graphs indicate the opening and closing times of the respondent's tuckshops. T5 indicated that they close late because his customers always request to stay in the shop late consuming alcohol, or some would knock at his house late at night requesting to purchase alcohol or other convenient goods. The tuckshop respondents did however indicate that the pandemic has been dictating their operating time. They all indicated that they did not have a set time where they closed the shop, they would go into the late night. The regulations presented curfew times, which makes it hard for the shop owners to be flexible with the operation times.

Knowledge of the land use scheme: When asked about their knowledge of the land use scheme, only two out five indicated that they are aware of the general rules relating to home-based businesses. The rest indicated that they are not usually aware of the scheme and most of its contents until a municipal official explains the land use regulations. According to table 1, the respondents are aware of the general regulations surrounding regulations because they know that a tuckshop requires a license to operate. All the shops visited seemed to follow most rules such as no more than three employees, the shop may not be larger than 40 m^2 and the type of application required to obtain a trading license. Some of the rules not adhered to by the tuckshops include the selling of alcohol and unpackaged food items. The visits and interaction from law enforcement and other municipal officials seem to be beneficial, as most of the respondents indicated that they learn about the regulations from them.

The items allowable to be traded in a tuckshop are one of the main elements the officials educate the respondents about, followed by health and safety regulations such as covid-19 compliance and ensuring that they are not trading expired goods. The chart indicates the commonly sold items in their shops. The officials however are said to not give much grace when a tuckshop is not in compliance with the land use regulations. When asked about what they expect from the municipality and improved regulations, the respondents brought up their dissatisfaction about the tedious process of formalising their businesses. They indicated that if the municipality made the process easier by liaising with the internal departments themselves, the application and turnaround time would be shorter. The respondents further indicated their dissatisfaction with the yearly renewal process, indicating that it is expensive and discouraging to comply. They indicated that they would rather renew after two to three years without any payment required from their side.

5.3.1. Lived Experiences from Neighbours

Involvement in formalisation: When inquiring with the neighbours of the tuckshop businesses, they seemed to appreciate the convenience of shopping for small groceries next door to them. However, three out of five of the neighbours indicated that they were not consulted before the establishment of the tuckshop. The three out of five further indicated that as a result, they have never participated in the formalisation of the business, for example, they have not signed any consent use form acknowledging the business. It would be easy to assume that they had not been residing on their current properties before the establishment of the businesses. However, four out of five of the respondents reported having been residing on their current property before the establishment of the business. The Steve Tshwete Local Municipality suggests that at least four immediate neighbours sign the consent application form as an acknowledgement of the business. The respondents simply implied that they were never approached with the opportunity to sign the form.

Regardless of the opportunity to acknowledge or be informed of the establishment of the business, none of the respondents has felt the need to report or query the business

to the municipality. The respondents all indicated that they welcome the businesses in their neighbourhoods. None of the respondents reported having any knowledge of the Steve Tshwete Land Use Scheme, 2019 or any of its regulations surrounding tuckshops. Most of the respondents indicated that should one need to know any information, they have to go to the Municipality's main office to find out. It is not clear if they would have reported any activities if they were fully aware of the regulations around home-based businesses.

Impact of the Home-Based Businesses: As indicated earlier, the neighbours are in support of the businesses and they fully embrace them. TN1 and TN2 indicated that the tuckshop has directly impacted their lives by being of assistance in times of need, more specifically by providing credit on certain items when they are unable to pay immediately. The rest of the respondents indicated that it has been easier to buy food. The convenience of not needing transport to buy food or not needing to walk long distances has made their convenience shopping easier and more pleasant. TN3 indicated that as he sometimes works late, he can rely on the tuckshop to sell him fast food in the early hours of the evening. TN5 indicated that the tuckshop at times sells questionable quality of food, which is a serious health problem that can be reported to the Municipality to intervene. TN5 further indicated that there is at times bad blood between her and the business because they refuse to offer credit. TN1 indicated that they at times feel unsafe when the tuckshop owner receives xenophobic threats, as they are constantly supporting his tuckshop. The rest of the respondents did not present any challenges regarding the tuckshops next to them. The respondents further agreed that the home-based business makes their lives easier. However, one out five indicated that they would rather go to the mall or a shopping centre to buy most of their convenience goods because it is mostly cheaper than the tuckshop prices.

5.3. Crèche Home-Based Business

A majority of the interviewed home-based crèches in Mhluzi have operated for over ten years with a few having operated for more than 20 years. Similarly to the home based tuckshops, some of the properties have gone through several different owners.

Three out of the five respondents reported to be renting the property they were operating the crèches on. The respondents indicated that they are renting out the property on an annual basis. The licensed home-based creches were found to be those being rented out whereas the home-based creches run by the property owners were not licensed. One of the respondents that was renting mentioned that renting out a crèche with all the relevant rights and requirements is expensive. The owners who are renting further indicated that they hardly make a profit during the pandemic due to the decreased number of children. All of the respondents reported a near 50% drop in the number of registered children in their crèche.

5.3.1. Owners, Felt Experience and Business Descriptions

CRÈCHE 1 RESPONDENT:

The first respondent is an employee at the crèche, she however indicated that the owner works together with her and owns both the property and the business. The crèche is located on a residential 1 stand, situated at the back of the main house as a backyard room. The crèche is not noticeable when you first enter the yard, as it is neatly tucked in the back. The respondent claims that the crèche is the owner's main source of income, which implied that the motivation for starting the business was to have an income. The employee mentioned that the business has been around for over 20 years but does not seem to have a health certificate or a consent use for the operation. She further mentioned that she has not interacted with any public officials visiting the business.



Photograph 6: Crèche's classrooms in the backyard

C 2 RESPONDENT:

The respondent is the owner of the crèche, but not the owner of the property it is on. The owner



Photograph 7: Playground of the 2nd crèche

is renting out the whole property, which comes with relevant land use rights to operate a crèche. The owner stated that the physical structure of the crèche has been around for over 20 years, with different renters over the years. The owner does not have any direct involvement in the process of rezoning the property. However, they have to constantly renew their health certificate as they provide food on the premises. The crèche is registered as a Non-Profit Organisation, the motivation was to help the community of families that need their children to be taken care of in safe places. As the whole property is used as a crèche and no one sleeps there overnight, the owner indicated that they have had a couple of break-ins, forcing them to install a security system. The property is now zoned "Institutional".

C 3 RESPONDENT:



Photograph 8: Playground Area of the 3rd crèche

The third respondent was the owner of the crèche but did not own the crèche. The owner indicated that she currently rents out the whole property she is operating the business on. The property currently has the relevant rights in place, as it is zoned "Institutional". The property is large and can accommodate all requirements for a fully functional crèche. The owner indicated that interaction with public servants is rather intimidating, but they are graceful in giving her time to adjust areas that are not in line with the land use scheme such as providing an entrance and exit on the property. The owner indicated that she has a passion for teaching, which is the motivation behind the business. She indicated that she does not make much profit as she has to pay rent and has lost much more profit during the Covid-19 pandemic. The owner indicated that her business has lost over half of their registered children, making it difficult to maintain the crèche.

C 4 RESPONDENT:

The fourth respondent is the owner of the property and the crèche on the property. She resides on the property and has built a couple of classes/rooms where the business is conducted. The owner's motivation for starting the crèche was to ensure that children within the community are taken care of when their parents are at work.

She added the classrooms to her residential 1 property and went on to apply for a consent use application for the crèche. Due to the crèche being a large operation, the owner was informed that she would have to rezone her property instead of applying for consent use. The owner indicated that the rezoning process has been long and difficult, she has now gotten help from the Mpumalanga Department of Social Development. The owner highlighted that half of the children registered at her crèche do not pay as she is just lending a helping hand. She mentioned that the municipal officials are however helpful when it comes to explaining how she can improve her crèche.

C 5 RESPONDENT:



Photograph 9: Classroom in a garage at the final crèche

The final respondent owns the crèche and the property where the crèche is situated. The owner revealed that the motivation for starting the crèche was to make extra income. The owner applied for a consent use for the crèche when she started it. However, she has stopped renewing her health certificate and is now operating under the radar since the municipality regulations are too limiting when it comes to the number of children one can have under consent use. The owner currently has almost double the number of allowable children, which is a maximum of 14, registered at her business.

5.2.3. Summary of Crèche/ Day-Care Centres Findings

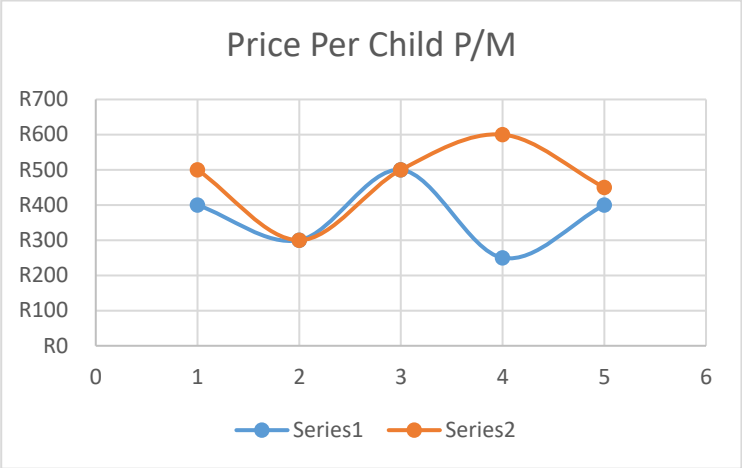
Township HBB	Application Type	Health Certificate	Location	Size	Number of Children	Parking Requirements Met
Crèche 1	Consent	No	Two Backrooms	16 m^2 x2	25	No
C2	Rezoning (Rented)	Yes	Whole Property/ Yard	287 m^2 (According to plan)	50	Yes
C3	Rezoning (Rented)	Yes	Whole Property/ Yard	+250 m^2	50	Yes
C4	Rezoning (Owner)	In Progress	Whole Property/Yard	+350 m^2	34	Yes
C5	Consent	Yes	Single Garage	36 m^2	26	No

Table 2: Key Findings for Crèches

The table above indicates some of the data collected from day-care respondents, the table is formulated following the requirements contained in the Steve Tshwete Land Use Scheme, 2019. These regulations are under section IV in the land use scheme, where specific requirements for day-care centres are indicated. All the respondents indicated that they have one way or another come across these land-use regulations, either by lodging an application or being paid a visit from a municipal official. Three out of five of the respondents have indicated that they comply with the municipal regulations, the compliance is observed by the possession of a health certificate.

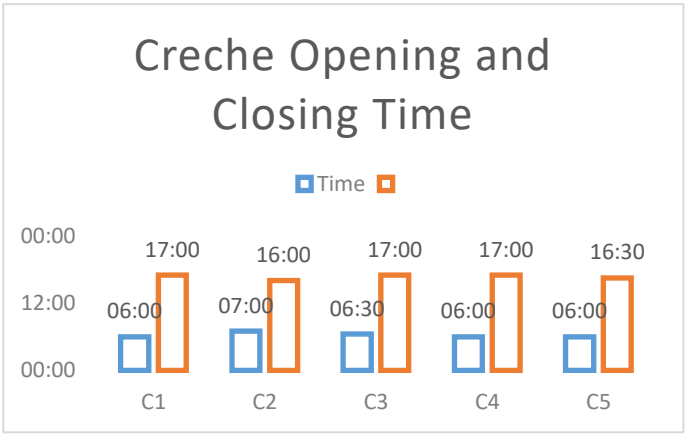
Security Issues: The respondents for the crèches did not indicate much trouble with safety within their establishments. The respondents who reside on the property where the crèche is run indicated that they rarely experienced any break-ins or security threats. T1 indicated that they have not experienced any break-ins or threats, the crèche is however securely placed at the back of the property, which has a retaining wall and secured gate. The crèche is not easy to spot as you walk into the property. T2, however, indicated that as she does not reside on the property, she has had several break-ins in her business. She indicated that recently the crèche was broken into and they had all the month's groceries stolen. The incident has now forced them to buy groceries and other necessities weekly to avoid attracting criminals or losing

money. The crèche has since installed a security system to ensure safety within the property. T3 does not reside on the property and has reported that she has not experienced any break-ins or security threats. The crèche does not seem secure nor does it have any security system installed. T4 similarly indicated that she has not experienced any security threats, the respondent does, however, reside on the property. T3 and T4 are situated near each other, their feeling of security might be an indication of the safety of the area. T5, however, indicated that in her early years of opening her crèche, she experienced a few break-ins where reading material was stolen. The respondent, however, indicated that it has since become better. The owner resides on the property, which is secured with a retaining wall and a secured gate. Security seems to be less of a threat when it concerns crèches in Mhluzi.



Graph 3: Price per Month for One Child

<u>Community Support:</u> A majority of the respondents mentioned their passion for children and assisting the community, which forms part of their motivation for establishing the crèche. The respondents then indicated that they have great relationships with their neighbours and receive support from them. T1 indicated that the neighbour's children are registered at the crèche. The respondents highlighted that their operating times are set based on popular demand by the parents. Most of the respondents further highlighted that they often stay after time to accommodate parents who work late, they indicated that they are happy to go the extra mile to give a helping hand. The target market for these businesses is both working parents and parents who stay at home. The crèche



Graph 4: Operating Times for Crèches

respondents indicated that they rarely make a good profit, as they have to decrease the prices per month to accommodate the parents in the community. T2 indicated that it is easier for them to charge low prices as they receive financial assistance from the Social Development Department. T3 and T4 indicated that they are currently awaiting financial assistance from the department, they can only receive assistance once they have met all the land use regulations recommended by the land use scheme. The respondents all revealed that they are in the ECD group for crèches, these are public groups that are facilitated by ECD officials. This organisation focuses on assisting businesses with obtaining funding and providing them with useful information related to their businesses.

Knowledge of Land Use Scheme: The respondents for the crèches seemed to be well versed with the land use scheme and its regulations relating to their businesses. four out of five of the respondents claimed to know what the land use scheme is and its land-use requirements to obtain the relevant land use rights. T1 claimed to not be aware of the scheme, she indicated that since she is the employee, she had no involvement in the application or formalisation process of the crèche. The four respondents who indicated that they are well versed in the regulation said that this was due to their involvement in the ECD group and their interaction with municipal officials who inspect their crèches. Three out of five of the crèches have met the parking requirements as provided by the scheme, as well as the playground requirements. The establishments which comply with these regulations have applied for a rezoning and not a consent use. The requirements regarding parking, playground, kitchen facilities and classrooms remain similar.

Respondent T2 and T3 had a fully equipped kitchen where the provided meals are prepared. Should a home-based crèche wish to provide food to the registered children, they need to indicate a dedicated kitchen for the preparation of food. All five of the respondents indicated that they provide food, in some of the crèches, it was not open for the researcher to see the food preparation area. The respondents indicated that complying with the regulations can be difficult and expensive, they claim that the public officials allow them to improve incrementally until they meet all the land use regulation

requirements. The formalisation process was therefore reported to be lengthy and expensive for a crèche.

5.3. Lived Experiences from Neighbours

Involvement in formalising: In seeking to interview neighbours of crèches, I found that a few neighbours were reluctant to participate as they did not want to seem as if they are bad mouthing the neighbour's business. As a result, I was only able to interview three out of five neighbours. Two of the three neighbours indicated that they were consulted before the establishment of the crèche. However, only one indicated that they signed the consent use application form as a formal acknowledgement of the establishment of the business. Two out of three further indicated that they were residents on their current property before the establishment of the businesses, the one respondent indicated that he moved into the neighbourhood a few years back and he is renting out the house he resides in. One respondent indicated that she is aware of the land use scheme and its regulations surrounding crèches. The respondent indicated that she is aware of the regulation because her children have attended the crèche and she was informed as a parent at their meetings. The respondent cited examples of regulations such as the adequate play area and health and safety of crèches in terms of the provision of a kitchen that is up to standard with the health requirements. The rest of the respondents indicated that they do not know the land use scheme and its regulations. With great confidence, all the respondents indicated that they have not reported the home-based business nor felt the need to do so.

Impact of the Home-based business: The respondents reported to have not been impacted in any way by the home-based business. They have further indicated that it has never presented any challenges that impact their lives. CN2 indicated that the home-based business does however make her life easier as her child is enrolled in the crèche. She indicated that the ease of her child attending the crèche next door to her house has helped her financially as she does not have to pay for any transport for her child to attend crèche. As previously indicated, the respondents were reluctant to

participate, they all confidently indicated that they would enrol their children in this crèche or even recommend it to any parent seeking a crèche.

5.4. Conclusion

This chapter has discussed the experiences, challenges and effects of the municipality's regulations on home-based business owners and their neighbours. The home-based business owners presented their perspectives about operating their businesses and the municipality's involvement in regulations. They indicated their problems in legalizing their home-based businesses, and the difficulties the regulations presented. It was highlighted in this chapter that the owners of the home-based businesses are not only focused on income generation, but they also valued assisting the communities they reside in. The business owners were all greatly affected by the COVID pandemic and have made adjustments to deal with the pandemic. This research study assessed a land use scheme post SPLUMA implementation, and grace can be given to Municipal officials on how they have navigated the changes in policy. In this chapter, it is highlighted that the officials extended grace to the businesses owners when requirements were not met, and they further attempted to ensure that the business owners understand the land use regulations they were enforcing. The following chapter will provide an analysis of the findings and further recommendations will be presented.

6. Chapter Six: Analysis of Findings: The Link between Land Use Management Regulations and Home-Based Businesses

6.1 Introduction

Chapter 6 provides a thematic qualitative analysis of the data presented in the previous chapter. It discusses and analyses the findings from the participants and municipal documents and assesses the impact of the land use scheme within home-based businesses in Mhluzi, Middelburg. The analysis of the findings will be guided by themes presented in Chapter 2 and the research questions. The first theme focuses on understanding the existing township economies and their significance within the economy and Mhluzi Township. The second theme looks at home-based businesses within the greater context of township economies and the challenges faced. The final theme considers land use management regulations within home-based township economic activities.

6.2 Analysis of Findings

6.2.1 Understanding the Existing Township Economies and their Significance within the Economy and Mhluzi

The businesses interviewed were all located on residential 1 properties, where some of the businesses had been rezoned to acquire relevant land-use rights. The home-based businesses identified are in the heart of the neighbourhood, mostly presenting a central service to each section in Mhluzi. As previously mentioned in Chapter 2, home-based entrepreneurs in townships identify a gap in the provision of essential goods and services which are affordable and in close vicinity to their communities. Scheba and Turok (2020) similarly identified township home-based businesses as fulfilling the need for certain services and goods within their communities. The municipal officials interviewed described the home-based businesses in Mhluzi to be survivalist in nature and further to be helping to address unemployment in the area.

This shows that they recognize the importance of the businesses within the townships. The tuckshops provide the community with goods such as bread, vegetables, and snacks and the crèches provide a safety net for parents to leave their children during the day. The interviewed businesses are located within the urban edge of Steve Tshwete Local Municipality, which is identified in the SDF. The areas have the potential for growth and infill development but are largely characterized as residential zones.

6.2.1.1. Impact and Significance of the Businesses

The majority of the home-based business owners interviewed mentioned that they created the business to support themselves, and their families or to gain extra income. Van Niekerk and Ashley-Cooper (2012) similarly found that one of the reasons for the businesses to operate was to supplement income and/or support their families. These businesses also have a positive impact on the owners' quality of life. The participants further mentioned that they have an interest in providing a helping hand within the community by either providing employment opportunities, ensuring that children in the community have a safe place to be, or by providing convenience to the immediate community members. As discussed by Oldfield (2014) these establishments serve the community and look after each other. The community is the heart of home-based businesses as the owners largely rely on the community's support. The neighbours who were interviewed highlighted that they have good living relationships with the business owners and offer them full support. The community and business owners work hand in hand to ensure that everyone within the community is taken care of. For example, a couple of tuckshops mentioned that they use a credit system for when their neighbours cannot afford certain items and two of the crèche owners indicated that they cook a larger quantity of food to give to children who do not attend their crèche. Home-based businesses have quite a positive impact on the communities they operate in.

6.2.2 Home-Based Businesses Within the Greater Context of Township Economies and Challenges Faced

6.2.2.1. Use of Home as a Business Space

Business owners have moved from utilizing a residential 1 property solely for residential living, the property is now seen as an income-generating asset. As previously mentioned, the home-based businesses in Mhluzi play an important role in community support and in ensuring that certain social networks and ties are kept alive (see also Oldfield, 2014). This shifts the home to no longer being seen as just a residential place, but a safety net for the community and in a way a social space for the immediate community. It is important to note that some of the residential 1 property owners are not the owners of the businesses, they saw an opportunity to create a space where home-based businesses can operate. A couple of the home-based business owners mentioned that they are renting out the space they operate in and reside at a separate location. The rental occurrence, however, opens the opportunity for more than one form of income generation from the home. For example, the property owner makes money from the rent received from the business owner, and the business owner generates income from the enterprise.

Having a home-based business, however, requires more than support from the community, it requires support from the municipality to operate legally and without any disturbances from law enforcement. The municipality's land use regulations need to recognize the advantages of enabling residents to combine work and accommodation on the same property. Smit and Donaldson (2011) discussed the importance of municipalities reviewing their current zoning schemes for home-based businesses to provide relevant support. The home-based business owners interviewed mentioned that they sometimes do not understand the stipulated land use rights, and when informed of the regulations by the officials, they are at times forced to stop their operation. The problem areas which led to the forced stop of operation include the selling of unauthorized goods such as alcohol and cooked food in tuckshops or inadequate provision of amenities within a day-care centre such as a play area or on-site kitchen. The municipality is justified in closing down tuckshops that sell alcohol without a liquor license, as alcohol consumption, especially on the property could cause a great distraction to the neighbours and possibly pose security threats in the neighbourhood.

Alcohol sale and consumption should have no tolerance until one has obtained and met the requirements of a liquor licence. Tuckshops which sell cooked food largely operate on a demand basis from the immediate community, this can be seen as the tuckshop owners and the community working together. One tuckshop owner indicated that they provide cooked food to clients who go to work in the early hours of the morning. Cooked food however should mean that the business owner must comply with health regulations imposed by the Steve Tshwete Municipality. Facilities such as the size of the playground and the size of the kitchen should receive grace, this is because houses and erf sizes in Mhluzi are quite small. The size of the yard should not be a hindrance to the business owners, the municipality should assess the provided facilities and place judgement on them according to the size of the erf. The owners of the crèches indicated that non-compliance delays or blocks their ability to obtain funding from the government.

6.2.2.2. Tuckshop

As much as there is a disconnection between land use regulations and what business owners can achieve, the businesses seem to be following the regulations quite closely excluding the allowable sale items such as alcohol and cooked food. All of the tuckshops have applied for consent use to obtain a trading license. Apart from the disparities in the size of the building occupied by the business, the tuckshops are all operated from permanent structures as required by the municipality. A study by the SFL (2015) mentions that all tuckshops are bound to follow land use regulations which will further force them to follow laws around employment and the residences they reside in. In chapter 2, it is noted that the permanent structure requirement discourages some potential business owners from establishing tuckshops. A tuckshop could be operated from a non-permanent structure such as a shipping container or zinc structure. Allowing these forms of building types has the potential to make it accessible for people to invest in the township and start their businesses.

6.2.2.3. Crèche

According to the field study, the crèches are not all applying for consent use, some of the crèches in the study grew to the extent that they needed to be rezoned from

residential 1 to an institutional zone. The consent use application allows for only 14 children per home-based crèche. The home-based business owners felt that the number was too low, and they all subsequently did not comply with the regulations. The owners felt that they needed to be allowed to accommodate more children without having to rezone their property. Rezoning your property for institutional use would mean that you can no longer reside on the property, and they have to abide by more rigorous regulations by the municipality and the departments governing health and education. This is discouraging to someone who might be looking into making a profit from a crèche. However, regulations on the number of children should be put in place to ensure that safety standards are upheld. The municipality should however liaison with their health department and the business owners to find a higher number of children per crèche which will yield profit. It is important to note that these land-use regulations, although limiting, are in some cases necessary for crèches as they aim to ensure the children's safety.

6.2.2.4. Challenges Faced by Home-based Businesses and Neighbours

Some of the challenges faced by the home-based business owners and neighbours include not being well informed about the regulations set by the municipality (Juries-Whiteman and Campbell, 2001). As previously mentioned, most of the home-based businesses were established before the 2019 Land Use Scheme, so there are some changes in the way in which businesses are expected to operate now. All the home-based business owners interviewed, along with the neighbours, mentioned that they were not aware of the update or new land use scheme, referring to the 2019 land use scheme. The lack of communication between the municipality and community causes friction between the Municipality and community when it comes to understanding the regulations, their advantages, and following them.

Regulating the number of spaza shops per neighbourhood block is one of the suggestions made by the neighbours and some of the business owners. The neighbours indicated that it may sometimes cause some chaos when there are multiple tuck shops nearby because groups of customers loiter around at the tuckshops for long periods. The business owners were concerned about the fighting chance their businesses had against other shops close to them. They indicated that

the competition may at times seem unfair, therefore they would want the municipality to not approve the same businesses near one another. The municipality should regulate the number of tuckshops within a 500m radius to allow fair competition for the businesses. One of the most prominent challenges the crèche owners had was the small number of children they were limited to. The owners mentioned that they do not charge high fees as they want to accommodate everyone. The owners who receive no financial assistance, however, mentioned that they break even or do not make a profit when they follow the recommended number of children in their crèche. The assistance they receive from the Social Development Department does not guarantee that they will generate profit from the business. Some of the crèche owners indicated that the financial support they get assists with ensuring that the business is still operational.

Covid-19 is a common challenge to the majority of businesses in South Africa. Both the tuck shops and crèches were heavily impacted by the Covid-19 virus and lockdown in South Africa. The businesses mentioned that they did not only lose clients and profits but were also required to adjust their operations to fit the Covid-19 regulations. Crèche business owners indicated that they lost almost half of the children registered to their crèche because parents were afraid that the children would contract the virus. The owners of the crèche did not have any control over the decision of the parents. The owners have put up signs and other requirements to ensure that everyone is protected from the virus. This includes sanitizers available on the crèches property and signs alerting one to wear a mask. The tuck shop owners indicated that they lost a lot of money during the lockdown as they were forced to stop operating, so certain products they stocked expired and went to waste. The tuck shop owners try to ensure that they follow covid-19 restrictions by providing their employees with Protective Personal Equipment and alerting customers that they cannot enter the establishment without a mask.

6.2.2.5. Changes desired by interviewees

From the field research, the business owners were happy to be gaining knowledge about the land use scheme from the municipal officials on their visits. Both the business owners and neighbours did not have much expectation from the municipality.

After giving a brief explanation of what the land use scheme is and what it hopes to achieve, the neighbours indicated that even though they have never reported the businesses neighbouring them, they would like the municipality to protect them as clients. For example, they would like to see due diligence in ensuring that both businesses follow health protocols and other safety measures required by the municipality. The neighbours did not seem to point out the most common challenges cited in the literature review such as congestion of people, noise pollution, traffic congestion, and parking issues (Juries-Whiteman and Campbell, 2001). As they are not fully aware of land use regulations for the businesses, it was not easy for them to identify direct land use management issues they face.

6.2.3 Land Use Management Regulations within home-based township economic activities

6.2.3.1. Steve Tshwete Land Use Scheme

The municipal officials mentioned that it is important to note that the land use scheme does not stand alone, it is supported and influenced by various municipal and government policies. This was emphasized as the land use scheme did not separate Mhluzi, a low-income township, from the middle and higher-income neighbourhoods of Middelburg. The umbrella planning was identified as a disadvantage for Mhluzi entrepreneurs as they have smaller stands, so for example, the parking requirements and drive-in and out requirements for crèches were onerous for them. The municipal officials claimed that umbrella planning is not a strategy they used, as they have supporting policies to the land use scheme which provides a clear distinction of human settlement areas within Mhluzi. This is however a contradiction to the current regulations contained within their land use scheme.

Various municipalities provide differentiation within their land-use policies because of their visible variety of contexts across the municipality. These municipalities include the City of Tshwane and the City of Johannesburg. Steven Tshwete municipality's land use regulation approach does not take into consideration the empowerment or support of the existing or upcoming home-based businesses in the Mhluzi Township. The

business owners that participated in the study mentioned that ensuring that all the municipal land use regulations remain in place is challenging to them, as some seem unachievable and irrelevant to their businesses. Some tuckshop owners mentioned that they are not able to maintain the 40 m² size regulations because they carry a lot of stock and sell unpackaged food. Another unachievable land use regulation is the entrance and exit gate for crèche, this is not achievable for the businesses because they do not have a large enough land size for more than one gate and a drive-through.

It is further important to identify that the Steve Tshwete land-use approach used in Mhluzi might be disadvantageous to the home-based business owners who wish to operate under the consent use right. It might be a disadvantage as they cannot diversify their businesses through expansion of the space they operate from due to regulations of how big a consent use business can be. The land use scheme gives clear direction on the applicable regulations for business owners who wish to rezone their properties. This is a disadvantage as the rezoning process has much more requirements such as providing more parking for both tuckshops and crèches, and having to obtain a business and liquor license for a tuckshop should they have an intention to sell unpackaged food and alcohol. More rezoning requirements for crèches include creating larger facilities such as play areas to accommodate more children, designated kitchens, and increased sizes of classrooms. Rezoning can then prove to further be expensive for home-based business owners.

6.2.3.2. Challenges Posed by Land Use Management System

The regulations imposed on home-based business owners do not come without challenges to the municipality. The municipal officials who participated in the study indicated that they face various challenges such as refusal to abide by the set land-use regulations. The officials mentioned that they often face resistance from the property owners when they make them aware of the regulations they have to follow. The officials further indicated that the property owners often indicate that they do not agree to the regulations because they are the rightful owners of the stand. Laws surrounding servitudes and the responsibility of the municipality are never explained with clarity to the community. A study conducted by the HSRC (2019) discussed challenges similar to the findings, where it is mentioned that home-based businesses

in townships face hurdles that are largely related to administrative processes linked to land use applications, LUMS, and stringent building norms and standards.

The lack of knowledge of the land use scheme regulations is a recurring problem for the town planning department. The officials within the department shared complaints about the municipality not facilitating much partnership between them and other stakeholders such as ward councillors. The municipal officials mentioned that they are usually tasked to inform the councillors and ward councillors about the new policy and legislation, with the councillors being responsible for relaying the information to their allocated wards. The officials further indicated that the councillors are rarely interested in learning, which negatively impacts the community members and denies them knowledge of relevant land use policy and legislation. There seems to be an apparent communication breakdown between the municipality and the Mhluzi community, which could explain some of the unachievable land use regulations contained in the post-SPLUMA land use scheme. There was minimal to no public consultation conducted during the drafting of the SPLUMA land use scheme, the appointed consultants focused on obtaining information on Mhluzi from Municipal employees.

6.2.3.3. Link to Success and Failure

The essence of the research study is assessing the adequacy of the Steve Tshwete land use scheme, as it plays a significant role in the success and failure of some if not most of the home-based businesses in Mhluzi. The municipality needs to understand how the home-based township economic activities are affected by the land use regulations and how they experience them. The home-based business participants expressed their gratitude regarding the municipal officials allowing some requirements to be met incrementally, as it can often take longer to obtain certain documents or prove to be expensive to complete all the requirements at once. The municipal officials interviewed supported allowing a grace period, stating that they understand that the businesses are usually survivalists and have the intention to supplement income. This strategy by the officials can be compared with an approach discussed by Kola *et al* (2018), where the Kenyan government has implemented a piecemeal approach for unplanned communities and land use activities. The apparent grace period could be seen as a positive in contributing to the success of home-based businesses. The

officials allowing the businesses to complete the formalization process without any penalties such as forced closure of operation allows the business owners to generate income and incrementally improve their lives.

6.3 Conclusion

This chapter explored the themes set out in the literature review, incorporating the empirical data from the field study. The chapter attempted to answer the research question on assessing the adequacy of the ST Land Use Scheme in regulating home-based township economic activities in Mhluzi. Findings indicate that home-based businesses provide valuable services in the community, working together with the community members to improve their quality of life. The awareness of community members realizing the value of their homes and seeing them as more than residential 1 property is also demonstrated. The opportunity to earn money from your property is being slowly realized and accepted by community members. The analysis has presented the impact of home-based businesses on the community, along with presenting some important characteristics of the businesses. This, therefore, allowed an opportunity to expand on viewing housing as an income-generating asset.

7. Chapter Seven: Conclusion

7.1. Introduction

Policymakers and regulators need to understand the area they plan for, as it can either promote positive growth or cause a decline in the community's overall well-being. This chapter provides an overall conclusion to the research study conducted. The study focused on assessing the Steve Tshwete Land Use scheme and understanding how it impacts home-based township businesses in Mhluzi, Middelburg. The overall aim of the empirical study is to find out if the municipality could provide support to home-based businesses by ensuring that their land-use regulations are relevant, adaptable, and flexible for the Mhluzi community. The research further attempted to gain insight into the current standing of home-based township economic activities and the challenges posed by land-use regulations to these activities. The study attempts to understand the specific land use management approach used by the Steve Tshwete local municipality. The data gathered in the study emerged from academic and grey literature, municipal documents, observation, and interviews with various participants in the study.

7.2. Key Findings and Summary

The key themes provided insight into the links between the intended outcome of land use regulations and the actual outcome experienced by community members. The literature coincides with what was found through the interviews and observations made by the researcher. Home-based township businesses were shown to be more than income-generating businesses, it has been indicated that they play a much wider role than providing for their immediate families. The access to or ownership of adequate and enabling housing has played an important role in the success of these home-based businesses, as they can meet certain requirements much easier than a potential business with no accommodation. Finally, against all odds of the land use management regulations being rigid and difficult to understand, it has been indicated that the business owners along with their neighbours take some interest in understanding them and ensuring they adhere to them in the best way they can.

As a reiteration of all that has been found and said in the study, the businesses researched demonstrated that they contribute towards alleviating poverty and fighting unemployment in their way. The land use management regulations imposed by the municipality have the potential to play an important role in assisting economic growth through what is allowable or not according to their land use scheme. The land use scheme can, in a manner that does not harm the environment and community, ease some regulations for consent uses to enable an increased number of township home-based businesses. As previously mentioned, it was found through literature that out-of-touch policies and land-use regulations could potentially be one of the reasons why home-based businesses are not successful. It is therefore important that these land use scheme regulations become responsive to the current state of townships and they are further adaptive to the ever-changing spatial context of these low-income human settlements. Scheba and Turok (2020) mention the term "enforced informality", most home-based businesses might start as illegal and informal in their conception stages, and later take steps to ensure that they are operating legally and formally. The adaptiveness and flexibility of the land use management systems are important at this stage. Through the interaction with the community and municipal officials, it was evident that the potential home-based business owners have a hard time understanding the application process until they obtain a detailed explanation from the government officials, the municipality could ensure that they simplify their application forms to be inclusive.

Land use management processes form part of an important component in the growth, success, or even the conception of home-based businesses. Application processes such as obtaining a consent use from the Municipality and further obtaining a trading license are often lengthy and complicated as more than one Municipal department is included in the process. Therefore, ensuring that they are inclusive and do not impose negative effects such as high costs of applications and lengthy waiting periods on the businesses is important. SPLUMA now requires local municipalities to review their land use scheme and how it is working for their communities every five years. This could allow the municipality to ensure that the complaints received from their communities and faults they find in the scheme are corrected. Through the findings, to a certain extent, we can see that the municipality follows SPLUMA's

recommendations to become flexible in the early stages of the introduction of the scheme. The municipal officials who inspect the businesses were said to be understanding and give the owners an extended period to comply with the land use scheme regulations.

Overall, with the assessment of the Steve Thswete land use scheme, it can be concluded that land use management affects home-based township economic activities by governing their structural operation such as the size of the business and the number of employees it can have. The LUMS can further affect the businesses in ways that are not directly apparent, for example, they can harm them when forced closures are mandated when they do not meet regulations. This effect is not only on the businesses but spills over to the community. The challenges presented by the land use scheme for home-based businesses include inflexibility of regulations such as the yearly renewal of tuckshop's trading licenses, non-inclusive regulations such as the parking spaces required for crèches and LUMS such as applications that are difficult to understand or regulations that prove to be impossible to follow. These LUMS include the requirements of the consent use application such as the public participation procedure. In assessing how the Steve Tshwete Land Use Scheme addresses home-based businesses, a flaw which is the adoption of the previously restrictive and irrelevant conditions was exposed.

Furthermore, the business owners and their immediate neighbours revealed that they had little to no knowledge of the land use scheme. The business owners and neighbours cited ways in which they experience the regulations in vague terms, where the majority of the interviewed business owners and neighbours mentioned that they find it difficult to understand the regulations without help from municipal officials. The land use scheme regulations are not completely inclusive and supportive to home-based businesses in the Mhluzi Township in the manner that they do not consider the limited erf sizes the business owners have and the urgency to establish a legal business in terms of the Municipality. The regulations can be adjusted in ways that would be beneficial to both the municipality and the community. As much as the regulations are in place to protect the community and the people residing within these communities, the municipality should revise these regulations to meet the home-based

business owner's halfway in ensuring that the land-use regulations are inclusive and supportive.

7.3. Contribution of the Research Study

This research study has contributed to existing academic research and a range of grey literature from authors such as Charman *et al.* (2017), Görgens and Denoon-Stevens (2012), Scheba and Turok (2020) McGaffin *et al*. (2015) and Smit and Donaldson (2011) to name a few, which placed a magnifying glass on the operation of township economies and home-based businesses. This study contributed to the understanding of how land use management systems employed by local municipalities affect and shape how home-based businesses and township economies operate. The overall analysis of the research study added a few important insights regarding home-based businesses and land use management to the literature that exists, the first suggesting that land use management systems do at times, act as red tape to members of the public who wish to operate a home-based business. The second is that home-based businesses not only act as an income generation for the owner but also that they largely provide an absent service or product to their immediate community. The study was further unique in the sense that it placed its focus on a secondary city, where as a majority of the studies cited looked at metro cities. This gives insight on the impact of land use management in a smaller city.

The research study has therefore confirmed findings from existing studies while emphasizing points relating to the rigidity of land use management systems and the complexities of the contribution of home-based businesses to the overall community. A post-SPLUMA land use scheme was the centre of the study, where the revisions within the land use schemes and how they impact the communities they govern over were assessed. The study has presented evidence that the disconnection between land use management policy and the towns which the policy is intended for continues. This could be the result of the land use schemes not being adequately revised, as mentioned earlier in the research that the local municipality had initially appointed private consultants to work on revising the pre-SPLUMA land use scheme. The final insight is that policymakers and public officials in charge of land use management

must fully adjust their enforcement “strategies” to accommodate township economies as a whole. The impacts of land use schemes post SPLUMA should be closely examined to ensure that township economies are successful.

7.4. Limitations of the Research Study

The limitations of this research study were mainly regarding the research participants and having enough time to gather a larger sample. When conducting interviews with the home-based business owners and the neighbours of the businesses, I came across potential participants who were skeptical and, in some instances, had no desire to participate in the study. The home-based business owners feared that the information they share with me, might be shared with the local municipality, and used to further disadvantage or contribute to their experienced struggles with dealing with the local municipality. This contributed to interviewing days going on for long hours as I had to conduct research in scattered areas of Mhluzi to avoid drawing attention to myself, and in hopes that community members do not feel like I was targeting their area.

The second limitation came with getting enough expert interviews with the local municipality’s staff. In this research study, it would have been beneficial to interview the Local Economic Development (LED) department. I would have perhaps gained more information on how they assist township economies and how they work together with the Town planning department to ensure the success of these home-based businesses and township economies overall. It was difficult to get interviews with the local municipality’s staff because, during my research period, the Steve Tshwete Municipality has been riddled with illegal strikes and no work mandates due to internal matters. This was indeed a limitation in terms of obtaining more in-depth information regarding this topic.

7.5. Recommendations

The main recommendation for the municipality is to ensure that they distinguish the land use management regulations between low-income and middle/high-income areas

within the municipality. Some of the differentiation could include the amount of parking space, outdoor play areas, and entrance and exit into the property, these are regulations that apply to crèches both in the township and suburban areas of Middelburg. In terms of tuckshops, the municipality should attempt to find ways to incorporate the sale of cooked foods into the allowable conditions of approval. This incorporation can be done by including the District Municipality's health and safety department in suggesting ways in which the sale of the food can be conducted in a safe and non-harmful manner. This will play a role in encouraging township home-based businesses to start and become successful. The second recommendation is for the municipality to take its partnership with other stakeholders linked to the community such as ward committees as an important one. This will ensure that the community is aware of the land use scheme regulations, and they can further make recommendations to the municipality which will inform them about the current state of the spatial structure in Mhluzi and the way the home-based businesses operate.

It is important for policymakers to recognize the current structure of the economy and how it has evolved with time, understanding that some families will have to supplement their income by using parts of their home for income, particularly given current levels of unemployment. Policy, should, therefore, aim to move towards encouraging township economies and their success for sustainable income generation and land use. Finally, the town planning department needs to understand its role in aiding successful businesses and inviting investors to Mhluzi. It is therefore recommended that the municipality maintain good working partnerships with the Local Economic Development department, the License department, and the Health department. The relationships could make it easier for home-based businesses to obtain relevant land use rights and operating licenses in good time.

7.6. Research Possibilities

Possible future research topics are as follows:

- The shortcomings of changes local municipalities have made on their pre-SPLUMA land-use schemes after the Act’s implementation and how much

adaption had to be made to their land-use scheme to comply with SPLUMA principles and its intention. This would be important to study because a more general sense of what the shortcomings of the implemented changes are and adaptations of land use schemes post-SPLUMA would be interesting to see and further know how the Municipalities viewed the compliance process to the Act.

- The importance of housing in facilitating successful home-based businesses, for example looking at the quality of the housing provided and whether or not it can accommodate a specific home-based business. This study can look at to which extent can one call a home in which they reside on an income-generating asset. This would be important to look at as it can act as a guiding mechanism for municipalities when they adjust their land use management regulations to support home-based businesses.

7.7. Conclusion

Home-based business owners have moved towards seeing their homes as income generating assets, where they generate income and serve their immediate community. The research study has examined a land use management system, which is the Steve Tshwete Land Use Scheme, and has attempted to bring light of the impacts the systems have had on township economies within Mhluzi, Middelburg. The land use scheme examined in this study is a post-SPLUMA scheme. It is notable to mention that the local municipality's officials are working towards adjusting to the Act and it has been found that they extend grace to the business owners in terms of fulfilling the land use scheme requirements. The land use management policy has room for improvement in terms of ensuring that it is in support of township economies and their success.

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Annexure 1: Interview Schedule

Business Owners

1. Are you aware of the current Steve Tshwete Land Use Scheme?

2. Have you been involved in any public participation regarding the current land use scheme formulation?

3. How long has your home-based business been operational?

4. Are you in possession of a consent use from the municipality to operate your business?

4.1If not, why?

5. How did you find the process of formalising your business?

6. Does the property you are operating the business belong to you?

7. Have you had any engagement with Municipal officials (law enforcement) regarding your business operation? Explain the engagement.

8. How has the Steve Tshwete Land Use Scheme regulations impacted your business and the process of formalizing it?

9. Do you deem the land use regulations relevant and appropriate for your business? How can the municipality change or improve land use regulations?

10.What do you expect from Municipal Land Use Regulations?

11. How do your neighbours perceive or feel about your business?

12.What was your motivation for starting the home-based business?

13.Are there any community organisations or associations that deal with home-based businesses in the neighbourhood or township?

14. Are there any security issues you face? What are they?

15.Who would you said is your target market?

16.Which group would you say supports your business the most?

Tuckshops

What are the main items sold in the shop?

What are the most popular items bought in the shop?

How big is the shop?

How many employees work in the shop?

What are the operating times of the tuckshop?

Do you, the owner/employee of the shop, live on the property?

How did COVID-19 affect your business?

Day Care Facility

How big is the day care facility area?

How many kids are enrolled in the facility?

How many employees does the facility have?

Does the facility have a health certificate from the District Municipality?

What are the operating hours and days of the facility?

Is food provided within the facility?

How big is the play area of the facility? Where is it located?

Is are there any on-site parking spaces provided?

How did COVID-19 affect your business?

Neighbours

1. Were you consulted before the start of the home-based business?

2. Did you sign a consent form regarding the home-based business neighbouring you?

3. Were you a resident before the start of the home-based business neighbouring your property?

4. Have you reported or felt the need to report any home-based business activity next to your property? Why and how did you report it?

5. What is your knowledge on the municipality regulations on operating a home-based business?

6. How does the home-based business neighbouring your property directly impact your life?

7. Does the home-based business present any challenges to your quality of life? Name them?

8. Does the home-based business make your day to day life easier? How?

9. Would you rather to the tuckshop or the mall to small necessities? Why?

10. Would you recommend any day care facilities around Mhluzi?

Officials

1. How would you define township economies?

2. Would you say township economies were taken into consideration when formulating the current land use scheme?

2.1. If yes, how?

3. Is the Land Use Scheme progress? If yes, how? If no, why not?

4. Are the application procedures relevant to the majority of applicants seeking consent uses? Please explain?

5. What would you say are the most important regulations that township economies need to follow in order to obtain a consent use?

6. According to your experience, what elements does the public struggle the most with in acquiring a consent use?

7. Do you think the scheme has attempted to make it easier for township economies to operate formally?

7.1. If yes, how? No, why?

8. How does the scheme separate regulations for townships and suburban areas?

9. Is the Municipality/ the department aware of the number of existing Home-based businesses in the Mhluzi Township?

10. Would you say the scheme is reactive or rather problem solving, in supporting long term rational investment decisions when it comes to Township Economies?

If yes or no, Why?

11. What role do ward councillors play in ensuring that the community and home-based business owners understand the land use scheme?

12. Does the department collaborate with any external stakeholders within communities to ensure that the communities as a whole understand the land use scheme and its application?

13. How receptive are the business owners to the land use regulations for home-based businesses?

14. Why are the regulations for townships and suburbs similar, for example parking and entrance requirements?

15. How were these requirements to obtain the consent formulated and decided on?

16. What are some of the exceptions or grace that council or the department grants home-based businesses in township, in terms of following the stipulated regulations?

17. Why is it important for neighbours to provide their signatures for the consent application for a tuckshop or day care centres?

Annexure 2: PIS and Consent Forms

Participation Information Sheet (Business Owners)

LAND-USE MANAGEMENT AND HOME-BASED TOWNSHIP BUSINESSES: THE CASE OF MHLUZI, STEVE TSHWETE

Greetings

My name is Nomfundo Skhosana, and I am currently a part-time student at the University of Witwatersrand, studying towards a Masters in Urban Studies (Housing and Human Settlements) under the school of Architecture and Planning. As part of the requirements for my degree, I have to complete a research project. My study seeks to assess the impact and relevance of the Steve Tshwete Land Use Scheme on regulating township economies.

I would like to invite you to participate in this study, sharing your views and experiences. You are selected to be a participant for this research because you are a home-based business owner in the township of Mhluzi, Middelburg. The interview will take place within the boundaries of your business or in a comfortable close distance of the business and it will take approximately 45 to 60 minutes.

I would like to record the interview and will ask for your permission to do so using a recording device. At the end of the interview, I would like to take photographs of your business, if you permit it. You are free to decline permission to record or to take photographs.

Please be aware that you are volunteering to participate, and you may refuse to answer any questions you are uncomfortable with. You have the right to withdraw your participation at any point of the interview. There will be no incentives for volunteering to participate, and there are also no risks or benefits from this participation.

Kindly note that this interview will be conducted under strict COVID-19 protocols. The interview will take place outside, where a safe distance will be maintained between the researcher and participant. The participant will be required to sanitise their hands and

also keep their mask on at all times. A one-pager info-leaflet will be provided to you in order to inform you on ways you can limit the spread of the coronavirus.

Your identity will be kept completely anonymous, and your personal views will not be identified in the final report unless you choose otherwise.

This research being conducted is only for academic purposes and the information you will provide will be kept confidential at all times. It will be stored on a laptop with a password and on google drive, where only I will be able to access it. Once I have gathered all the information I need, it will be used to present and analyse my finding and will be submitted as a report at the end of the year. The final report will be stored electronically on the Wits Library system. If you wish to receive a summary of this report, I will be happy to send it to you.

If you happen to have any further questions, comments or concerns or if you would like to get the final copy of my research, please feel free to contact me at 1131142@students.wits.ac.za. If you would like to communicate with my supervisor, Alison Todes, you can contact her at Alison.Todes@wits.ac.za .

University of the Witwatersrand HREC contact details:

Shaun Schoeman – 011 717 1408/ shaun.schoeman@wits.ac.za

Charmaine Khumalo – 011 717 1788/ Charmaine.khumalo@wits.ac.za

Thank you for your time, participation and most important, interest.

Nomfundo Skhosana

Masters in Urban Studies (Housing and Human Settlements) degree programme


HOW TO PROTECT YOURSELF FROM COVID-19
HOW THE COVID-19 VIRUS SPREADS
DO THIS TO PROTECT YOURSELF AND OTHERS
1m
1m
World Health Organization

Participation Information Sheet (Neighbour of the Home-Based Business)

LAND-USE MANAGEMENT AND HOME-BASED TOWNSHIP BUSINESSES: THE CASE OF MHLUZI, STEVE TSHWETE

Greetings

My name is Nomfundo Skhosana, and I am currently a part-time student at the University of Witwatersrand, studying towards a Masters in Urban Studies (Housing and Human Settlements) under the school of Architecture and Planning. As part of the requirements for my degree, I have to complete a research project. My study seeks to assess the impact and relevance of the Steve Tshwete Land Use Scheme on regulating township economies.

I would like to invite you to participate in this study, sharing your views and experiences. You are selected to be a participant for this research because you are a neighbour of a home-based business in the township of Mhluzi, Middelburg. The interview will take place at your home or in a public area and it will take approximately 45 to 60 minutes.

I would like to record the interview and would like to get your consent to use a recording device to do so. At the end of the interview, I would like to take photographs of your property to indicate its proximity to the home-based business, with permission granted from you. You are free to decline permission to record or to take photographs.

Please be aware that you are volunteering to participate, and you may refuse to answer any questions you are uncomfortable with. You have the right to withdraw your participation at any point of the interview. There will be no incentives for volunteering to participate, and there are also no risks or benefits from this participation. Your identity will be kept completely anonymous, and your personal views will not be identified in the final report unless you choose otherwise.

Kindly note that this interview will be conducted under strict COVID-19 protocols. The interview will take place outside, where a safe distance will be maintained between the researcher and participant. The participant will be required to sanitise their hands and

also keep their mask on at all times. A one-pager info-leaflet will be provided to you in order to inform you on ways you can limit the spread of the coronavirus.

This research being conducted is only for academic purposes and the information you will provide will be kept confidential at all times. It will be stored on a laptop with a password and on google drive, where only I will be able to access it. Once I have gathered all the information I need, it will be used to present and analyse my finding and will be submitted as a report at the end of the year. The final report will be stored electronically in the Wits Library system. If you wish to receive a summary of this report, I will be happy to send it to you.

If you happen to have any further questions, comments or concerns or if you would like to get the final copy of my research, please feel free to contact me at 1131142@students.wits.ac.za. If you would like to communicate with my supervisor, Alison Todes, you can contact her at Alison.Todes@wits.ac.za .

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Participation Information Sheet (Municipal Officials)

LAND-USE MANAGEMENT AND HOME-BASED TOWNSHIP BUSINESSES: THE CASE OF MHLUZI, STEVE TSHWETE

Greetings

My name is Nomfundo Skhosana, and I am currently a part-time student at the University of Witwatersrand, studying towards a Masters in Urban Studies (Housing and Human Settlements) under the school of Architecture and Planning. As part of the requirements for my degree, I have to complete a research project. My study seeks to assess the impact and relevance of the Steve Tshwete Land Use Scheme on regulating township economies.

I would like to invite you to participate in this study, sharing your views and experiences. You are selected to be a participant for this research because you are a municipal official at Steve Tshwete Local Municipality. The interview will take place online or in a public area or Municipal office building and it will take approximately 45 to 60 minutes. I would like to record the interview and would like to get your consent to use a recording device for this purpose.

Please be aware that you are volunteering to participate, and you may refuse to answer any questions you are uncomfortable with. You have the right to withdraw your participation at any point of the interview. There will be no incentives for volunteering to participate, and there are also no risks or benefits from this participation. Your identity will be kept completely anonymous, and your personal views will not be identified in the final report unless you choose otherwise.

Please let me know of a time suitable to you to schedule an online interview. This is to alleviate the spread of COVID-19 and ensure that both the participant and the researcher are safe. Should you not be able to participate through an online meeting and prefer a face-to-face meeting, strict COVID-19 protocols will be adhered to. A safe distance will be maintained between the official and participant; both the official and participant will be required to wear a mask at all times; the official and researcher will be required to sanitise their hands and all surfaces within reach. A one-page info-

leaflet will be provided to you in order to inform you on ways you can limit the spread of the coronavirus.

This research being conducted is only for academic purposes and the information you will provide will be kept confidential at all times. It will be stored on a laptop with a password and on google drive, where only I will be able to access it. Once I have gathered all the information I need, it will be used to present and analyse my finding and will be submitted as a report at the end of the year. The final report will be stored electronically on the Wits Library system. If you wish to receive the report or a summary, I will be happy to send it to you.

If you happen to have any further questions, comments or concerns or if you would like to get the final copy of my research, please feel free to contact me at 1131142@students.wits.ac.za. If you would like to communicate with my supervisor, Alison Todes, you can contact her at Alison.Todes@wits.ac.za .

University of the Witwatersrand HREC contact details:

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Consent Form

LAND-USE MANAGEMENT AND HOME-BASED TOWNSHIP BUSINESSES: THE CASE OF MHLUZI, STEVE TSHWETE

I hereby confirm that the student conducting the research has informed me about the research, the purpose of this research and my rights as a participant towards his/her research. I am aware of and understand everything that is on the Participant Information Sheet.

I have also been informed of:

□ The reason my contribution is needed for the research

□ How useful the research will be

□ How the information I provide will be used

□ Nature of the questions I will be asked

□ My identity will be kept confidential at all times

□ How I can refrain from answering questions I am not comfortable with

□ There will be no incentive for my participation

□ There are no risks or benefits linked to my participation

I AGREE / DO NOT AGREE to participate by undertaking the interview.

I AGREE / DO NOT AGREE to be recorded during the course of the interview.

I AGREE / DO NOT AGREE to my business being photographed during the course of the interview.

_____ _____

Participant signature Date

Annexure 3: Consent Use Application Form

Steve Tshwete
Local Municipality

PO Box 14 | Middelburg | 1050
Cnr Walter Sisulu Str & Wanderers Ave
Middelburg | Mpumalanga
T: +27 (0)13 249 7000 | F: +27 (0)13 243 2550
council@stlm.gov.za

DEPARTMENT OF TOWN PLANNING AND HUMAN SETTLEMENTS

Telephone: 013-249 7068
Email: council@stevetshwetelm.gov.za
Website: www.stevetshwetelm.gov.za

LAND USE MANAGEMENT APPLICATION FORM FOR CONSENT USE APPLICATIONS SUBMITTED IN TERMS OF SECTON 76 (1) READ TOGETHER WITH CHAPTER 6 OF THE STEVE TSHWETE SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016

	Please Tick
1. Guest Rooms	
2. Duets	
3. Granny Flat (Second Dwelling)	
4. Tuck shop	
5. Special Building	
6. Home Office/ Business	
7. Consent Use for other uses(specify)	

1. **Please note the following:**
   - An Application fee of R 777-00 (Vote 176151) **MUST** be paid
   - All sections of this form **MUST** be completed.
   - Block letters **MUST** be used to type *(where applicable)*
   - This form **MUST** be signed by the Registered Owner of the property *and/or* the Agent (*Applicant representative*).

2. **PROPERTY INFORMATION**

Township / Agricultural Holding / Farm	
Erf / Plot / Farm No	
Street address	

Suburb	

Title Deed No T | | | | | | | / | | |

Age of existing buildings | | **Extent of Property** | | **m²**

Any restrictive title deed conditions? **YES** **NO**

If Yes, please specify

Is property encumbered by a bond? **YES** **NO**
If Yes, please specify

Any unauthorized building work / structures on premises? **YES** **NO**

Nature and extent of existing improvements on property:

3. APPLICANT / AGENT DETAILS/ OWNER DETAILS

First Names | |

Surname | |

Company Name	

Business address		**Postal address**	

Postal code		**E-mail**	

Professional Registration No.	

Tel		**Cell**	

4. APPLICATION TYPE (Please √ all the applicable blocks)

Has there been any previous land use application?	**YES**	**NO**

If Yes, reference/application description	

Full details in respect of nature / intent and purpose of application / description of proposed development:

5. APPLICABLE TO REZONING, SPECIAL AND WRITTEN CONSENT USE, SUBDIVISION AND CONSOLIDATION APPLICATIONS

5.1. Present zoning details of property in terms of Land Use Scheme:

Zoning:				
Height:				
Coverage:				
Density:				
FAR:				
Building Lines:	**Street**		**Side**	
Existing development:				

6. ADDITIONAL DOCUMENTS REQUIRED FOR CONSENT USE APPLICATION.

Required Document(s)	Please Tick
Copy of application fee payment receipt	
Proof of ownership (Title deed or water and lights account)	
If the land is encumbered by a bond, the consent of the bondholder	
Building plan	
Proof that notices were placed and maintained on site	
Proof of advertisement	

6.1. Approval of Adjacent Property Owners:

Name of Registered Owner	Residential Address	Signature of Owner

6.2. **Affidavit that the advertisement notices were placed and maintained on site for the period of 21 days.**

I _____ the property owner of Erf _____, hereby declare that notices have been prominently exposed on the erf for 21 days from _____ to _____.

_____	_____	_____
OWNER	**COMMISIONER OF OATH**	**DATE**

STAMP

Main Service Contribution Fees for Duet dwelling only

Middelburg/Hendrina & Surroundings

	M'burg/Hendrina & Surroundings
Water **(Vote 176855)**	4 326, 00
Sewer **(Vote 174845)**	3 480, 75
Electricity **(Vote 171507)**	to be obtained from Electrical Engineering Department

IMPORTANT TO NOTE:

a. **If the owner of land is a trust, this application must be signed by all trustees. Where the property is owned by any other juristic person, a certified copy of the board of directors / members / trustees resolution/masters authority for trustees is required**

b. **Applications which are not complete and in the form required or does not contain the documents required for the submission of such application shall not be accepted. (refer to Sections 88 and 90 of the Steve Tshwete SPLUM By-law of 2016)**

c. **Commencement of application notification procedures as contemplated in Sections 94 and 100 of the Steve Tshwete SPLUM By-law of 2016 are strictly subject to the receipt of a complete application.**

d. **All land use and land development related applications should be submitted to the Steve Tshwete Municipal Buildings, at the 2nd floor, c/o Walter Sisulu and Wanderers Streets, Middelburg.**

e. **Any application requiring approval/consent in terms of another legislation is permitted to submit without having fulfilled that requirement. The applicant will therefore be required to submit such approval/consent during the administrative phase.**

f. **Notices must be visibly displayed on site for a duration of 21 days, excluding public holidays, from the date of first publication of the notice in the newspaper and provincial gazette.**

g. **Notices must also be published on the local newspaper as contemplated by Sections 94(2) and 100 of the Steve Tshwete SPLUMA By-law of 2016.**

h. **The applicant is required to submit 3 copies of the application to the municipality.**

7. DECLARATION

I/we hereby wish to confirm the following:

7.1. That the information contained in this application form and accompanying documents is complete and correct.

7.2. That I/we am/are properly authorized to make this application on behalf of the owner and (where applicable) that copies of such full relevant powers of attorney are attached hereto.

7.3. That where an agent is indeed appointed to submit this application on the owner's behalf, it is accepted that correspondence and formal notification as required in

terms of Planning law will only be sent to such consultant / agent and that the owner will regularly consult with the agent / consultant in this regard.

7.4. I/we specifically confirm that I/we have read the relevant title deed(s) and that there are no restrictive conditions which impact on this application, or alternatively where there are, removal / amendment / suspension of these form part of this submission.

7.5. That, as owner / applicant / developer, I am/we are aware of the state of existing bulk services provision and infrastructure availability in the subject area and any development contributions that might be payable in respect of the development proposed herein (if applicable).

7.6. I hereby acknowledge that, should all the required documentation not be submitted in compliance with the requirements of the Municipality, the Municipality may elect not to consider the application as contemplated in Section 90(2) of this By-law. Should the application found to be incomplete, the application will be returned to the applicant without further consideration or refunding of the application fees.

7.7. I hereby acknowledge that the Municipality has the right to request additional information or documentation should it be deemed necessary to place the Municipality in a position to take an informed decision on the matter.

Registered owner's signature		Date	
Full name			
Agent/Consultant's signature		Date	
Full name			
Professional capacity			
Professional Registration No.			

8. FOR OFFICE USE ONLY

COMPULSORY DOCUMENTS (REFER TO ANNEXURE A)

Application Type Please √ all the applicable blocks to indicate that it is included in your submission **Information / documentation required**	**Special Consent**	**Written Consent/ Exemption**
Completed and signed application form		
Receipt (Application fee)		
Power of attorney		
Copy of Title Deed / water and lights bill		
Bondholder's Consent if applicable		
Body Corporate / Home Owners Association consent		
Building plans		
Proof that notices were placed and maintained on site		

9. RECEIPT OF COMPLETE APPLICATION

Date received	D	D	M	M	Y	Y	Y	Y	Received by	

Application number	

APPLICATION FEE: .....

DATE RECEIVED: .....

RECEIPT NUMBER: .....

PAYMENT RECEIVED BY: .....

DELEGATED PLANNING OFFICIAL: .....

Annexure 4: Ethics Clearance

UNIVERSITY OF THE WITWATERSRAND, JOHANNESBURG

SCHOOL OF ARCHITECTURE PLANNING

28 February 2022

Faculty of Engineering and the Built Environment:

Ethics clearance letter:

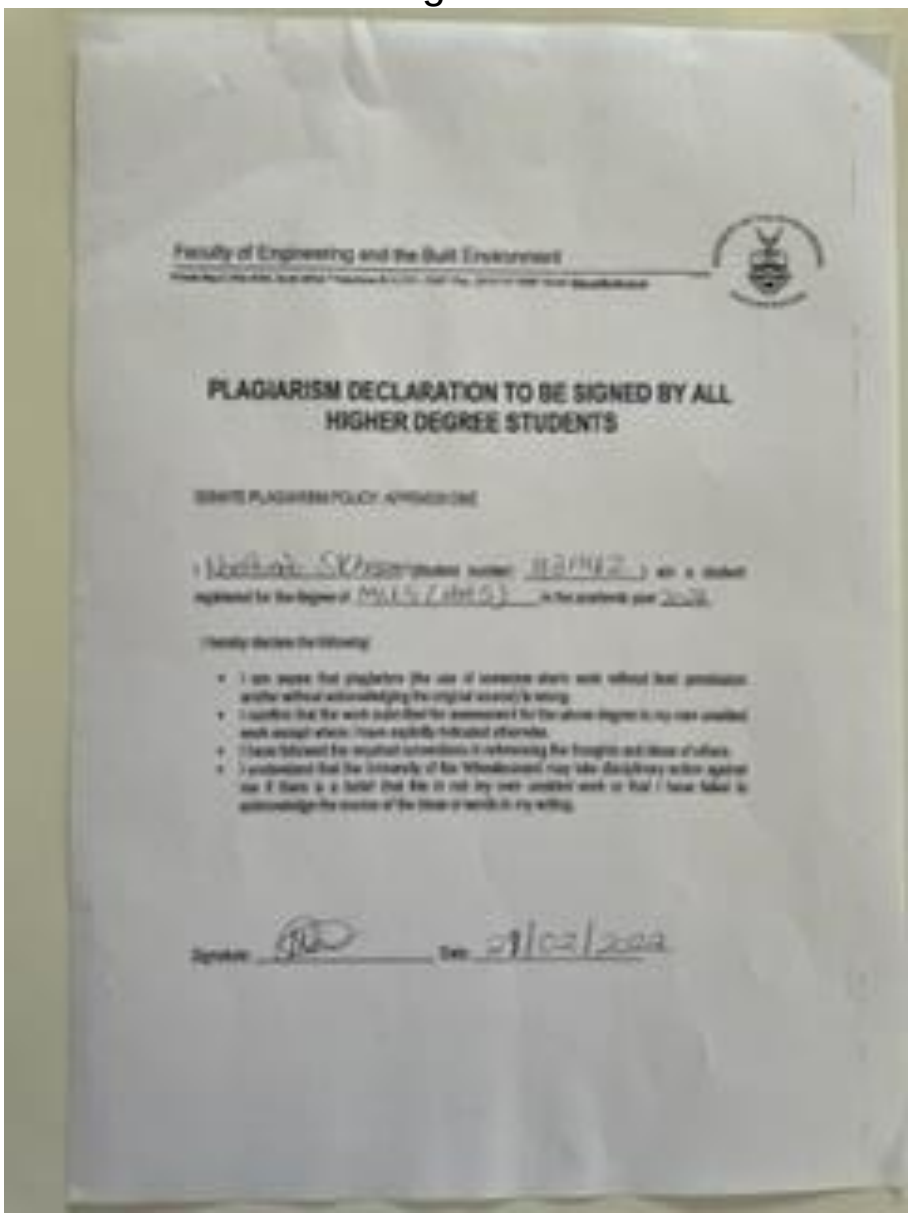
Dear Nomfundo Skhosana (1131142), this letter confirms that your ethics application has been cleared. Your clearance/protocol number is SOAP146/06/2021

Yours sincerely

Lerato Nkosi

School of Architecture and Planning, Faculty of Engineering and the Built Environment, John Moffat Building, Wits, 2050, South Africa
Tel: +27 1 1 717- 76921 Email: lerato.nkosi@wits.ac.za I www.wits.ac.za

Annexure 5: Plagiarism Declaration



Faculty of Engineering and the Built Environment

PLAGIARISM DECLARATION TO BE SIGNED BY ALL HIGHER DEGREE STUDENTS

SENATE PLAGIARISM POLICY APPROVED DEC

I [illegible] (student number [illegible]) am a student registered for the degree of [illegible] in the academic year 2018.

I hereby declare the following:

- I am aware that plagiarism (the use of someone else's work without their permission and/or without acknowledging the original source) is wrong.
- I confirm that the work submitted for assessment for the above degree is my own unaided work except where I have explicitly indicated otherwise.
- I have followed the required conventions in referencing the thoughts and ideas of others.
- I understand that the University of the Witwatersrand may take disciplinary action against me if there is a belief that this is not my own unaided work or that I have failed to acknowledge the source of the ideas or words in my writing.

Signature: [signature] Date: 21/02/2018