



**TERMS OF REFERENCE FOR THE REVIEW OF THE NYANDENI LOCAL MUNICIPALITY
SPATIAL DEVELOPMENT FRAMEWORK PLAN (SDF)
BID NO: (SDF/10/001)**

1. INTRODUCTION

In terms of the Section 26 (e) of the Municipal Systems Act (Act No.32) of 2000, the Spatial Development Framework (SDF) is a statutory requirement of the Municipality's Integrated Development Plan. According to this Act, the purpose of an SDF is to provide general direction to guide decision making on an ongoing basis, aiming at the creation of integrated, sustainable and habitable regions, towns and residential areas.

The current SDF is the first SDF for the Municipality and dates back to September 2005. In order to ensure integrated and sustainable development, the Spatial Development Framework Plan must be reviewed regularly and aligned with the Municipality's Integrated Development Plan.

2. PROJECT BACKGROUND

Nyandeni Local Municipality is one of the seven local municipalities located in the OR Tambo District Municipal area. To the east is Port St Johns Local Municipality, to the north is Mhlontlo Local Municipality and to the south is KSD Local Municipality. The municipality comprises of an amalgamation of two towns under its jurisdiction, Libode and Ngqeleni. Both small towns serve as economic and service hubs of a vast number of rural communities. Furthermore, the Municipality is largely rural with 79% of its households residing in traditional or village type settlements while only 20% reside in urban formal.

The current SDF illustrates gaps and amongst other things fails to be a strategic, indicative and forward planning tool that guides land development decisions. The update and refinement of the Nyandeni Local Municipality SDF is critical in order to comply with the legislative requirement and be conversant with recently emerging land use development demands in the area.

The spatial pattern within the urban area of the two service centers includes small pockets of undetermined, un-surveyed commonage. The commonage has high potential for the growth and development of the area. Furthermore communal owned land is located in close proximity to the undefined urban area.

It is of critical importance to incorporate an URBAN EDGE STUDY in the review of Nyandeni Local Municipality Spatial Development Framework Plan.

3. STATUTORY REQUIREMENTS OF SDF's

The Recent Paradigm Shift

In the planning sphere, legislation has shifted from being control-orientated towards being normatively-based with the passing of the DFA. This means that the law introduces substantive principles (norms) that must guide land development and decision-making in South Africa.

Normative legislation calls for a proactive integrated planning system which places the emphasis on considered judgments and the discretion of decision makers, as opposed to the application of standardized rules and regulations.

Requirements of the Municipal Systems Act

Section 26(e) and the subsequent regulations in terms of the Municipal Systems Act (Act No. 32 of 2000) stipulate the following requirements of a Spatial Development Framework :-

A spatial development framework reflected in a municipality's integrated development plan must :-

- (a) give effect to the principles contained in Chapter 1 of the Development Facilitation Act, 1995 (Act No. 67 of 1995);
- (b) determine spatial priorities;
- (c) set out objectives that reflect the desired spatial form of the municipality;
- (d) contain strategies and policies regarding the manner in which to achieve the objectives referred to in paragraph (c), which strategies and policies must :-
 - (i) set out basic guidelines for a land use management system in the municipality;
 - (ii) address the spatial reconstruction of the municipality and
 - (iii) provide for decision-making processes relating to the location and nature of development within the municipality;
- (e) set out basic guidelines for a land use management system in the municipality;
- (f) set out a capital expenditure framework for the municipality's development programs;
- (g) contain a strategic assessment of the environmental impact of the spatial development framework;
- (h) identify programs and projects for the development of land within the municipality;
- (i) be aligned with the spatial development frameworks reflected in the integrated development plans of neighboring municipalities and
- (j) provide a visual representation of the desired spatial form of the municipality, which representation :-

- (i) must indicate where public and private land development and infrastructure investment should take place;
- (ii) may indicate desired or undesired utilization of space in a particular area;
- (iii) may delineate the urban edge;
- (iv) must identify areas where strategic intervention is required; and
- (v) must indicate areas where priority spending is required.

Requirements of the Proposed Land Use Bill

Broad Guidelines

The Land Use Bill requires a SDF to :-

- (a) give effect to the directive principles;
- (b) be consistent with the national spatial development land use framework;
- (c) be consistent with the provincial spatial development framework applicable in the area of the municipality;
- (d) be consistent with any applicable national or provincial legislation on environmental management; and
- (e) give effect to any national and provincial plans and planning legislation.

4. PROJECT TITLE

The project will be termed Nyandeni Local Municipality Spatial Development Framework Plan Review.

5. SUMMARY OF PROJECT BRIEF

Proposals are requested from service providers to assist Nyandeni Local Municipality with the development of a credible Spatial Development Framework Plan.

6. SCOPE OF WORK

6.1. Objectives

The objectives of a SDF review are as follows:

- ✓ To provide a strategic and indicative forward planning tool to guide decisions on land development.
- ✓ To provide a set of policies, principles and directives for spatial development.
- ✓ To provide a clear and logical framework for private and public sector investment.
- ✓ To promote sustainable development in terms of the natural and built environment.

- ✓ To facilitate social, economic and environmental sustainability.
- ✓ To provide a framework for dealing with key issues such as natural resource management, land reform and land use management.
- ✓ To facilitate the development of aesthetic urban form and landscape.

Beyond the above mentioned generic objectives of an SDF, the review process of the Nyandeni Local Municipality's SDF must include amongst others the following:

- ✓ Updating and refinement of the current SDF document in order to comply with legal requirements and be conversant with recent developments within the area;
- ✓ Co ordinate and harmonies policies, programmes and plans with those of the District Municipality and the Province.
- ✓ Provide integrated plans for all existing spatial economic development projects in the area.
- ✓ Provide detailed integrated and sustainable forward plans for all special spatial development nodes and corridors such as Ntlaza Junction, and the 20 km stretch of coastal line from Mthatha Mouth to Mnenu River with tourism nodes such as Mdumbi, Mthatha Mouth and Hluleka Nature Reserve and Presley Bay.
- ✓ It is of critical importance to ensure maximum participation of all relevant Departments, stakeholders and role-players such as Traditional Authority.
- ✓ Review, set objectives and design sustainable development and environmentally friendly strategies and determine the actions that need to be undertaken in response to the analysis.

7. PROJECT MANAGEMENT AND CO ORDINATION

The overall management of the project will be the responsibility of the of the team/consortium and a person nominated by the Municipality who will ensure the integration, alignment, co-ordination of all existing Municipal sector plans in such a manner so as to come out with a credible Spatial Development Framework Plan (SDF).

More specifically, it will be the responsibility of the team/consortium to ensure that;

- The consortium works as a team,
- Involve all relevant role players in decision making processes taking into account the interests, values and needs of all interested and affected parties (IAPs).
- Ensure a clearly defined urban edge for the two towns. This must be clearly distinguished and integrated into the SDF.
- Identify the environmental constraints and opportunities to development including alternative best environmental options available.

- Confirm the alignment of the SDF with national and provincial policies and frameworks.
- Identify the risks of the proposed land uses, service expansion and developments that may have adverse effect on the environmental issues associated with the present methods/mechanism engaged by the municipality in service delivery.
- Develop sustainable criteria and indicators for use in future strategic planning of the municipality.
- Assess the long term sustainability of the proposed land uses, services expansion and developments.
- Recognize and use traditional knowledge and information where any other verifiable information is not available.
- Consult regularly with the municipality from project inception till project completion.

9. SUMMARY OF PROPOSED PROJECT PHASES AND ACTIVITIES

Please See Attached Table A.

The service provider may make suitable additions to the proposed phases, activities, and timeframes of the SDF process.

10. DOCUMENTATION AND INFORMATION BRIEF

- The service provider is expected to review and take into account all relevant national, provincial, district and local legislation, policies and planning frameworks.
- All reports should be submitted to the municipality in both hard copy and electronic format in quantities as may be required by the Municipality.
- The service provider is to ensure that the spatial information is able to be captured in the district municipality's (ORTDM) GIS System.

11. REPORTING REQUIREMENTS AND STRUCTURE FOR PARTICIPATION

- The service provider will work closely and cooperatively with the Planning and Development Department and will render regular progress reports at agreed upon times and when requested to do so, through this department.
- The Municipality will nominate a person who will contribute to the project management as well as be the contact person between the Municipality and the Service Provider.
- The service provider will further report to the Planning and Development Standing Committee which will, in turn reflect on the recommendations arising from the project, and then be channeled through the Executive Committee before final submission to Council for approval.

The following structures may be considered to make an input into the project:

- IDP Steering Committee
- IDP Representative Forum
- Project Steering Committee and Technical Task Team.
- The interested and affected parties (IAP's)

12. CONTENT OF THE SPATIAL DEVELOPMENT FRAMEWORK PLAN

The Final SDF for Nyandeni Local Municipality must contain the following:

- Overall spatial strategy report;
- Socio-Economic Report;
- Infrastructure and Environmental Framework;
- Programme and budget;
- Component of land use management systems

13. CRITERIA FOR EVALUATION

CRITERIA	POINTS
1.Price	60
3.Functionality/Experience	30
4. Gender (woman)	2
5. Other	
5.1 HDI	3
5.2 Disability	2
5.3 Youth	1
5.4 Eastern Cape	2
TOTAL	100

14. SPECIAL INSTRUCTIONS

The Service Provider or Consultant will be responsible for producing and distributing the minutes of all meetings and workshops to all role players and parties. The consulting team will be required to make at least one presentation to Council once the final Draft has gone to Council for approval.