

## POLICY : SPAZA SHOPS

Item B-DP (1-2003)      STANDARDISATION OF DEVELOPMENT PLANNING POLICIES : SPAZA  
MC 12.6.2003            SHOPS

### RESOLVED:

1. **That** the contents of the report regarding the Standardization of the Development Planning Policy relating to Spaza Shops attached as Annexure "A" to the report, **BE NOTED** and that the said policy **APPROVED** subject to the following amendment:

That the following Condition (xi) **BE INCLUDED** under 6(b) of the policy:-

"xi. No tobacco products shall be sold to persons under the age of 18."

2. **That** all provisions in existing Town-planning Schemes which are in conflict with the Spaza Shops Policy, **BE AMENDED** in accordance with the policy within a period of one year.
3. **That** the provisions of the policy **BE APPROPRIATELY COMMUNICATED** to Ward Committees and relevant stakeholders by the Development Planning Department.

ANNEXURE 'A'

# SPAZA SHOPS POLICY

## JUNE 2003

### PREPARED BY: DEVELOPMENT PLANNING DEPARTMENT

*Approved at Mayoral Committee  
2003.06.12  
ITEM B-DP (1-2003)*



## TABLE OF CONTENTS

1. Problem statement
2. Purpose
3. Definition
4. Main considerations and principles
  - 4.1 Target area
  - 4.2 Functions
  - 4.3 Principles
5. Related legislation
6. Town planning criteria
  - 6.1 Procedure
  - 6.2 Conditions of approval

## 1. PROBLEM STATEMENT

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

Our records indicate that all Service Delivery Centres (SDC's) have various methods for assessing applications for Spaza Shops. A uniform approach should therefore be developed to address this phenomenon.

## 2. PURPOSE

The policy is aimed at the following:

- Setting guidelines to evaluate applications for Spaza Shops.
- Integrating various policies and procedures operative within the Ekurhuleni Metropolitan Municipality without taking away any existing rights.
- Promoting harmonious development and protecting the residential character of the surrounding areas.
- Promoting small businesses and boosting the economic status of the City.

## 3. DEFINITION

An area of a dwelling unit and or associated immovable outbuilding not more than 20m<sup>2</sup> in extent, used by the occupant of such a dwelling unit for the purposes of selling basic household goods.

## 4. MAIN CONSIDERATIONS AND PRINCIPLES

### 4.1 TARGET AREA

The policy is primarily aimed at residential areas where basic household goods can be obtained within a walking distance.

### 4.2 FUNCTIONS

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

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

### 4.3 PRINCIPLES

- Neighbourhoods are allowed an opportunity to determine, within specific guidelines, their need acceptance for spaza shops.
- The needs of communities are placed before “planning control”.
- Public participation at a neighbourhood level.

## 5. RELATED LEGISLATION

The policy is to be incorporated into the new Town planning Scheme for the Ekurhuleni Metropolitan Municipality to be compiled at a later stage.

## 6. TOWN PLANNING CRITERIA

### 6.1 PROCEDURE

The following procedure should be followed when submitting an application for a Spaza Shop:-

- i. A Spaza Shop must be operated from a building or associated immovable structure approved in terms of the National Building Regulations Act.
- ii. The applicant shall obtain written comments from the surrounding neighbours. The municipality will determine the affected neighbours.
- iii. A small scale site plan (A4 or any acceptable size) shall be submitted with the application.
- iv. A motivating memorandum stipulating the intentions of the applicant together with a locality plan shall form part of the application.
- v. The applicant must present written comments of the Ward Councillor.
- vi. The Title Deed of the property must form part of the application.
- vii. If the applicant is not the owner of the property, a Power of Attorney must be submitted.
- viii. All objections lodged or representations made shall be dealt with at the Development Tribunal.
- ix. Advertisement of the intentions of the applicant must be placed on site for 14 days.

### 6.2 CONDITIONS OF APPROVAL

- i. The main use of the property shall remain residential and the occupant shall reside in the dwelling unit.
- ii. The size of a Spaza Shop shall not exceed 20m<sup>2</sup> in extent.
- iii. The activity shall not be noxious.
- iv. The activity shall not interfere with or negatively influence the amenities of the surrounding area.
- v. All vehicular and pedestrian access shall be to the satisfaction of the Municipality.
- vi. No food shall be prepared and sold on the erf unless such is approved by the Health Services Department.

- vii. The Municipality may impose any other condition/s that it deems necessary to protect the amenities of the area or neighbourhood.
- viii. No alcoholic drinks/ beverages shall be sold from Spaza Shops.
- ix. 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.
- x. A trading license be obtained from the relevant department.
- xi. No tobacco products shall be sold to persons under the age of 18.