

Msukaligwa Municipality: Greening and Open Public Space Developmental Policy.



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A. Policy intention

These policies set out broad directions for the Municipality .It indicates high level direction rather than detailed prescriptions.

The proposed policies will assist and guide the municipality on its mission to develop the current existing public open space, identify and the greening of environment for the future.

This policy forms part of the comprehensive management strategy for the department which will also includes this information:-

- ❖ Greening policy
- ❖ Trees policy

A.1. Legislation.

The following list of acts and legislations will guide the policy of Greening policy and Tree policy of the public open space and municipality owned land:-

- ❖ The Constitution of the Republic of South Africa,1996 Chapter 2:Bill of Rights
- ❖ Forest Act [Act No.84of 1998]
- ❖ National Environmental Management Act[Act No.73 of 1989]
- ❖ Conservation of Agricultural Resources Act[Act No.43 of 1983]
- ❖ Water services Act[Act No.108 of 1997]
- ❖ Council By Laws:-Parks By laws
- ❖ Cemeteries By laws

It is the idea of this policy to have all this principles that add value and enhance quality of life such as equity, public participation, accessibility, transparency, fairness, accountability and flexibility.

1. Catergorisation of public open space

The following categories are based on the utilizing of the space, type of land use and the allocation management responsibility to a certain authority. These categories comply with municipality management of public open space and Land Use Management System which deal with zoning of public open space.

Public open space and other related amenities management by community services

LAND ACTIVITY DESCRIPTION	PUBLIC OPEN SPACE TYPE
1. Land set aside for burials and associated activities	Cemetery
2. Land with recreational facilities which serve needs of local communities. Including informal recreational facilities of a small scale such as play grounds, seating areas, open grasses and gardens.	Local Parks
3. Undeveloped land zoned for Public Open Space which are vacant but may be developed some time in the future.	Undeveloped Public Open Space
4. Land occupied by natural water courses, rivers, streams, man –made canals, storm water detention ponds and “green belts “or “green lungs”	Green belts/Green lungs
5. Horticultural activities taking place within road reserves and town streets. Includes trees, shrub planting programme which adhere to be approved Council Greening and Trees policy.	Road Amenities

1.1. Services Level Agreements

Land areas of which are not designated Public Open Space act as a multi –purpose and multi-functional resources with a range of uses and contribute to the green landscape which may be managed or maintained by the Municipality and will be subject to a service level agreement with the relevant authorities. An example of this is the planting of trees.

1.2. Policy proposals

Introduction

The following section sets out the policy proposals under a set of three themes, which are:-

- A. Development planning issues
- B. Provision of informal recreational activities
- C. Provision of infrastructure –soft and hard landscape.
- D. Rehabilitation of an area after use.

Each of the policy includes motivation and argument relating to issues covered in the proposed policy.

1.3. Planning issues

1.3.1. Hiring of public open space

Msukaligwa Municipality hires out Public Open Space provided that the specific proposal is compatible with existing recreational facilities and where necessary other departments are referred to for input to ensure an integrated approach to the hiring of Council owned land.

1.3.2. Motivation

The existing situation regarding hiring of land is reported as being problematic in many areas of the Municipality due to the following:-

- ❖ Requests from the Public for incompatible activities which are noisy , dirty , polluting and etc
- ❖ Potential for horticultural damage and abuse of soft surfaces such as grass lawns and gravel paving.
- ❖ Excessive noise levels over an extended period of time during operations.

- ❖ Excessive litter and rubbish removal management issues.

Policy is required to determine what type of economic and human development opportunities and trading is compatible with recreational facilities and can therefore take place on Public Open Space and how this activity will be managed.

These opportunities should be encouraged as they are regarded as important to the upliftment of local communities and are income generating in accordance with the annual Council approved tariff schedule. Decisions will be made based on a set of criteria which ensure an integrated planning process where necessary community and other stakeholder will be consulted.

Detailed restrictions and regulations will be included in lease and hiring agreements.

A balanced approach to the use of Public Open Space by individuals or organisation hiring of the land. This will ensure that there is continued adequate access to Public Open Spaces.

2. Leasing or disposal of public open space

Council may recommend the lease or disposal of Public Open Space provided that an integrated assessment procedure is followed and that there is a benefit to the Citizens of the town and the environment either in terms of financial gain and /or resources. **[Provided, in a case of disposal Council complies with the provisions of section 14 (2) of Local Government Municipal Finance Management Act 56 of 2003]**

2.1. Motivation

It is recognized that council are the custodians of public land and that they play an important role in conserving open space and undeveloped land for the benefit of future generations as well as for the Public .

All applications for informal developments on public open space will be considered by the responsible department.

Integrated assessments are based on a set of criteria (including intensity of usage levels) which identify the benefits and constraints to Council, the community and environment.

An integrated approach to land use planning must be followed to ensure that all potential open space is used sustainably.

3. Community partnerships

Municipality should adhere to Council Policy on community partnerships and will perform in line with the Integrated Development Plan for the Council.

3.1. Motivation

Community partnerships have been always encouraged by the municipality and it is recognized that the local neighborhood and wider community must be involved with the planning and design process to ensure continued support as well as maintenance of living landscape and particularly tree planting programmes.

All agreements with the local communities must be in writing and specific to each particular proposed partnership, having taken into account all role players interested and affected parties as well as the specific site and its conditions .It is noted that some communities may need assistance from the Council with the process of preparing a suitable agreement, taking into account the different languages and standards of education amongst communities (refer to Municipal System Act).

Innovative and alternative methods of involving the local community and business sectors must be pursued to ensure an increase in resources made available for the development and management of Public Open Space.

Innovative approaches to accessing additional resources within the community includes:-

- ❖ **[Making arrangement with Correctional Services to use the labour of sentenced prisoners kept in custody or sentenced to do community service.]**
Council will need to liaise with other Law Enforcement agencies to develop an integrated and sustainable approach.
- ❖ Liaising with local sporting bodies that already have access to resources such as machinery and manpower and could benefit from rate rebates if they provided services to the community such as cutting grass or carrying out other horticultural maintenance on public open space.

4. Rehabilitation of the site

Urban open space covers a wide range of areas or habitats and serves a variety of purposes. This approach does not necessarily mean setting aside a large tract of land as wild sanctuaries, rather, it means that we as Municipality we should build into our approach of land management and awareness of the requirement of plants and animals so that the whole matrix of the urban complex becomes suitable for the natural fauna and flora population.

4.1. Motivation

Where a construction of kind takes place on a site, there is damage to the site. The construction could be the building of a road, office complex and open cast mines. The types of damage vary from construction site to construction site.

The rehabilitation principle shall apply to the construction site includes:-

- ❖ No damage to the valuable plants
- ❖ Removal and storing of topsoil
- ❖ Depending on the area, the site should then be covered with grass soars', seeds or other plant material.
- ❖ When the contractor has completed the works the whole area should cleared of all foreign matters.
- ❖ Re-establishment of damaged areas must form part of a top priority of any contractor.

5. Vandalism

Council should combats vandalism by promoting the supply and installation of well designed, robust equipment and facilities in public open space.

5.1. Motivation

Vandalism of property and equipment owned by Council is major problem throughout the town. Councilors and Managers in the municipality must encourage that all equipment and facilities are well maintained and repaired timeously and encourage showing 'zero tolerance of vandalism and theft.

Community partnership and surveillance with the local neighborhood should be encouraged and mechanism set up to assist with reporting incidents and unwanted behavior by vandals. In addition and public awareness process is required to educate the Public and this could be run through schools programmes or sports and Amenities "Come and Play' programme.

6. Signage and advertisement

All signage and advertising in the public open space must compiles with the Outdoor Advertising, Signage By - Laws and Parks By - Laws.

6.1. Motivation

Signage is an important element in ensuring that the public are informed, educated and encouraged to take care of the public open space which they use. However, too many signs on the open space and sidewalks can be a problem when comes to the maintenance.

Council promotes commercial involvement in certain priority areas provided that consultation has taken place with other departments wherever necessary and the involvement is therefore carried out on an integrated basis.

Council promotes creative and sustainable partnerships with the private sector to provide exposure for the appropriate or sponsorship whilst offsetting municipal costs.

7. Landscape plan requirements

Council must require that a landscape plan be submitted for all developments, planning regulation applications and infrastructure improvements which effect public open space.

The landscape plan must be approved prior to any development taking place and must be implemented to the satisfaction of the department.

7.1. Motivation

All site development plans for applications for rezoning and subdivisions must be accompanied by a landscape plan prepared by a registered landscape architect.

In the case of smaller or less significant developments a suitably qualified or experienced person may specifically approved by the director.

An integrated approach must be adopted in terms of design requirements and reference.

8. Playground equipments

Council only provides approved playground equipments. [SABS]

8.1. MOTIVATION

In consultation with communities, standard children play equipment may be provided to playground on public open space .It will supplied on Council tender to ensure consistency of standards and safety requirements. A regular maintenance and monitoring programme is recommended for all equipment to ensure that vandalism or over use is kept to a minimum and that damage to equipments does not cause danger to the public.

9. Planting

One amongst the core function of the Parks section is to green the towns in Msukaligwa municipality and it therefore aims to promote appropriate functional and aesthetically pleasure planting in accordance with available budgets and environmental guidelines.

9.1. Motivation

Council is responsible for the development of public open space, cemeteries and other related amenities in the town including the provision of sustainable planting material which includes the efficient water use and indigenous plants. Development also includes for the provision of urban and cultural landscapes where planting with a particular theme may be necessary and Council therefore intends to promote the use of appropriate plant species.

It therefore needs to encourage a wide range of plants and create interesting, protected and aesthetically pleasing environments .Council will support and promote environmental and planting legislation in terms of preventing the spread of alien invasive plants as listed in CARA regulations under categories 1, 2 and 3.

Planting on the sidewalks, the development guidelines for designing and approving hard and soft landscape in urban road reserves.

Council supports the protection of all plants in the town including **Champion trees** and a group of those plants having conservation values.