

Dr. Ralph Links
Acting Municipal Manager
Tel – 044 501 3000
Bitou Local Municipality
Private Bag X1002
PLETTENBERG BAY, 6600
Municipal Notice No:206/204

#### NOTICE OF LAND USE APPLICATIONS/ GRONDGEBRUIKAANSOEK KENNISGEWING/ ISAZISO NGESICELO SOKUSETYENZISWA KOMHLABA

#### BITOU MUNICIPALITY (WC047) NOTICE NUMBER:206/2024

Property description/ Grondbeskrywing/ Inkcazo yepropati	Type of Application/Aansoek/ Uhlobo lweSicelo
Erf 468, Plettenberg Bay	<ol> <li>The subdivision of 'Erf 468' in terms of Section 15(2)(d) of the 'Planning By-Law' into two portions in accordance with the proposed subdivision plan no. P468/SUB, dated February 2024. The proposed portions are as follows:         <ol> <li>Portion A (+/- 1339 sqm); and</li> <li>The Remainder (+/- 1339 sqm).</li> </ol> </li> <li>The removal of the following restrictive conditions of title in terms of Section 15(2)(f) of the 'Planning By-Law':         <ol> <li>Restrictive condition V(5)(a), that states that the property may not be subdivided; and</li> <li>Restrictive condition V(5)(b), that limits the use of the property for the purposes of erecting thereupon one dwelling together with such outbuildings as would ordinarily have been required therewith.</li> </ol> </li></ol>
Erf 468, Plettenbergbaai	<ol> <li>Die onderverdeling van 'Erf 468' ingevolge Artikel 15(2)(d) van die 'Beplanningsverordening' in twee gedeeltes in ooreenstemming met die voorgestelde onderverdelingsplan no. P468/SUB, gedateer Februarie 2024. Die voorgestelde gedeeltes is soos volg:         <ol> <li>Gedeelte A (+/- 1339 vkm); en</li> <li>Die Restant (+/- 1339 vkm).</li> </ol> </li> <li>Die opheffing van die volgende beperkende titelvoorwaardes ingevolge Artikel 15(2)(f) van die 'Beplanningsverordening':         <ol> <li>Beperkende voorwaarde V(5)(a), wat bepaal dat die eiendom nie onderverdeel mag word nie;</li> <li>Beperkende voorwaarde V(5)(b), wat die gebruik van die eiendom beperk vir die doeleindes om daarop een woning op te rig saam met sodanige buitegeboue as wat gewoonlik daarmee vereis sou word.</li> </ol> </li> </ol>
Isiza 468, Plettenberg Bay	<ol> <li>Ukwahlulwa-hlulwa kwe 'Siza-468' ngokweCandelo le-15(2)(d) 'loMthetho kaMasipala woCwangciso' ukuba libe zizahlulo ezibini ngokuhambelana nesicwangciso esicetywayo sokwahlulwa-hlulo nomb. P468/SUB, yomhla kaFebruwari 2024. Izahlulo ezicetywayo zezi zilandelayo:         <ol> <li>ISahlulo A (+/- 1339 sqm); kunye</li> <li>INtsalela (+/- 1339 sqm);</li> <li>Ukususwa kwale miqathango ilandelayo yetayitile ngokwemigaqo yeCandelo 15(2)(f) 'loMthetho kaMasipala woCwangciso':</li> <li>Umqathango osisithintelo V(5)(a), othi ipropati ayinakwahlulwa; kunye</li> <li>Umqathango osisithintelo V(5)(b), othintela ukusetyenziswa kwepropati ngeenjongo zokwakhiwa kwendawo yokuhlala enye kunye nezakhiwo ezingaphandle njengoko beziya kufuneka ngokwesiqhelo.</li> </ol> </li> </ol>

Application is available for viewing at Municipal office, 50 Melville's Corner, during office hours/ Aansoek kan bestudeer word by Kantoor 50, Melville's Corner gedurende kantoorure/ Ikopi yesicelo iyafumaneka ukuze ijongwe kwi-ofisi kaMasipala kwiyunithi engu-50 Melville's Corner, ngamaxesha omsebenzi aqhelekileyo.

Enquiries may be directed to/ Navrae kan gerig word na/ Imibuzo inokubhekiswa kuyo Town planning at 044 501 3303/ townplanning@plett.gov.za

Comments/objections with reasons must be delivered or e-mailed to townplanning@plett.gov.za within 30 days from the date of publication of this notice, and must include the name & contact details of the person concerned. Kommentare/ besware kan na townplanning@plett.gov.za gerig word binne 30 van publikasie van hierdie kennisgewing en moet 'n naam en kontakbesonderhede insluit./ Naziphi na izimvo/izichaso ezinezizathu mazisiwe okanye zithunyelwe nge-imeyile apha townplanning@plett.gov.za zingadlulanga iintsuku ezingama-30 ukususela kumhla wokupapashwa kwesi saziso, kwaye mazibandakanye igama neenkcukacha zoqhagamshelwano zaloo mntu uchaphazelekayo.

Dr. Ralph Links ACTING MUNICIPAL MANAGER Bitou Local Municipality

Customer Care: 0800 212 797 (Toll-Free)
Emergency Services: 044 533 5000
www.bitou.gov.za - communications@plett.gov.za



to be the best together

Private Bag X1002 Plettenberg Bay 6600 Tel+27 (0)44 501 3000 Fax +27(0)44 533 3485

LAND USE PLANNING APPLICATION FORM BITOU MUNICIPALITY: LAND USE PLANNING BY-LAW					
KINDLY NOTE: Please	e complete	this form using BLOC	K capitals and tid	cking the app	ropriate boxes.
PART A: APPLICANT	DETAILS				
First name(s)	PHILL	p GEORGE			
Surname	TEGG	w			
South African Coun	cil for Plann	ers (SACPLAN)			
registration number	(if applicab	ole)			
Company name (if applicable)	BEA	con Surve	<b>3</b> √		
Postal Address	₹0 <sup>-</sup>	Box 350			
rosidi Addiess		TTENBER		Postal Code	6600
E-mail		con sured	,	•	-역,
Tel		Cell 0737	67697	14	044-2332230

	PART B: REGISTERED OWNER(S) DETAILS (If different from applicant)				
Name of	THE TRUTECS INTERTYD VAN STROEBEL FAMILY TRUST (PORTIONS 2 & SOF HARRERULLE 42)				
registered	FAMILY TRUST (PORTIONS 22) SOF HARKERULG 427				
owner(s)	THE TRUSTEES INDERTYD UNINTRUTER TRUIT.				
	(LUKU 100 HAI)				
E-mail	ht@touters.co.za &				
Tel	Cell				

PART C: PROPERTY DETAILS (in accordance with title deed)					
Property Description ( <del>Erf No</del> / Farm No):	PORTIONS 2 & SOF HARICEROILLE NO. 427 & FARM NO-491.				
Physical/ Street Address (if available)	HARKGEOILLE				
Town	PLETTENBERG BAY				
Current Zoning	AGRECULTURE - Land Use				

316

									45,81
Extent			Ptn 2=96,8461	19	<del>m² /                                   </del>	0 An8=53,8	343 PAR	7491	,
Applic	cable		Plettenberg Báy Zonin	g Sch	ieme	Section 7			
Zoning	g Scheme		LUPO Scheme Regula	ions	: Sec	lion 8			
Are th	ere existing	g buildings?	YXN						
Title D	eed numb	er and date	170849/94,	108	08/	458 11750	4/97		
Are th	ere anv re	strictive cond	itions in the title deed th	nat n	rohihi	t the proposed use.	/ development	ś l A	TNX
7 ((0) 111	icro driy ro	31101110 00110		idi p	011101	Tille proposed esc,	<u>acvelopment</u>	·	1 1 7 1
If Yes,	list such co	ondition(s)							
Are th	e restrictiv	e conditions i	n favour of a third party	(ies) (	)			Y	NX
If Yes,	list the par	ty(ies)							
Is the	property b	onded?	T11754/9	7				Y <b>&gt;</b>	0 N
If yes,	(attach pr	oof)							
	•	rovided upon							
	ssion a cop	oy ot nsent must be							
	ded prior to								
	taken.								
			. 11 (11)		<del></del>	Tie · u · · ·	17 1 1 12.		<del> </del>
		asting unauth e subject proj	orized buildings and/or	l Y	$\triangleright$	If yes, is this applic the building / land	<del>-</del>	e Y	12
					<del> </del>	Are there any land			'
			case(s) / order(s)	Y	X	registered on the	• •	Y	
relatir	ng to the su	ubject proper	ry(ies) \$			property(ies)?	-		
		LICATION CO					-1	1- 11-	1
		cation consulunicipality?	X   1   1		•	the information be cation consultation.		:h the m	ninutes
Officia	al's name	MRW	Busices.	Dat	e of o	consultation			
			APPLICATIONS IN TERMS icable application/s)	OF S	ECTIC	N 15 (2) OF THE BITC	OU MUNICIPALIT	Y : LAN	D USE
Tick	Section	Type of app							
	2(a)	a rezonina c							

Page 2 o
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terms of the primary rights of the zoning applicable to the land;

a consolidation of land that is not exempted in terms of section 24;

a servitude or lease agreement;

a permanent departure from the development parameters of the zoning scheme; a departure granted on a temporary basis to utilise land for a purpose not permitted in

a subdivision of land that is not exempted in terms of section 24, including the registration of

a removal, suspension or amendment of restrictive conditions in respect of a land unit;

2(b)

2(c)

2(d)

2(e)

2(f)

	ż	

1.	2(g)	a permission required in terms of the zoning scheme;
1.	2(h)	an amendment, deletion or imposition of conditions in respect of an existing approval;
N.	2(i)	an extension of the validity period of an approval;
	2(j)	an approval of an overlay zone as contemplated in the zoning scheme;
	2(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a
	Z.(K.)	general plan or diagram;
	2(1)	a permission required in terms of a condition of approval;
1.	2(m)	a determination of a zoning;
	2(n)	a closure of a public place or part thereof;
1.	2(0)	a consent use contemplated in the zoning scheme;
	2(p)	an occasional use of land;
	2(q)	to disestablish a home owner's association;
	040	to rectify a failure by a home owner's association to meet its obligations in respect of the
	2(r)	control over or maintenance of services;
		a permission required for the reconstruction of an existing building that constitutes a non-
1.	2(s)	conforming use that is destroyed or damaged to the extent that it is necessary to demolish
		a substantial part of the building.

## APPLICATION AND NOTICE FEES (please note the following)

- 1. Application fees are determined by Council annually in terms of the approved Municipal tariffs. An invoice will be sent to the applicant after an application is confirmed to be complete.
- 2. Application fees that are paid to the Municipality are non-refundable. Applications will only be processed after the application fees are paid in full and proof of payment is submitted to the Municipality.
- 3. The applicant is liable for the cost of publishing and serving notice of an application by.
- 4. The Municipality may request the applicant to undertake the publication and serving of notices
- 5. The Municipality will be responsible to serve notices to External Commenting Authorities, if necessary.

## PART F: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION [section 15(2)(a) to (s) of the Bitou Municipality Land Use Planning By-Law]

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete. It will not be considered complete until all required information and documentation has been submitted.

<u>Primary</u>	Primary Documentation			
YF	N	Power of Attorney		
YX	Ν	Company Resolution		
Y X	Ν	Motivation (based on the criteria in section 65 of the Bitou Planning By-law)		
Υ	NX	Executive Summary of the Motivation		
ΥX	Ν	Locality plan		
YX	Ν	Site development plan or conceptual layout plan		
Y XC	Ν	Full copy of Title Deed		
ΥX	Ν	S.G. diagram / General plan extract		
Y	NX	Bondholders Consent		

Suj	Supporting Information & Documentation (if applicable)				
Υ		NX	Land use plan / Zoning plan		
Y	メ	N	Consolidation plan		
Υ	X	N	Proposed subdivision plan		
Υ		NX	Proof of agreement or permission for required servitude		
Y		N X	Copy of any previous land development approvals (i.e. Rezoning, consent use departures)		

Υ	IN X	Abutting owner's consent
Y	NC	Services Report or indication of all municipal services / registered servitudes
Y	NX	Conveyancer's certificate
Υ	NX	Street name and numbering plan (Applicable to Subdivision Only)
Υ	NX	1:50 / 1:100 Flood line determination (plan / report)
Υ	NX	Landscaping Plan(if applicable)
Y	NK	Home Owners' Association consent
Υ	NX	Proof of failure of Home owner's association
Y	NL	Other (Specify)

PART	G: AUTHORI	SATION(S) OBTAINED IN TERMS OF OTHER LEGISLATION
Υ	Nχ	National Environmental Management Act, 1998 (Act 107 of 1998)
Y	N X	Specific Environmental Management Act(s) (SEMA)  (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989), National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004),  National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008), National Environmental Management: Waste Act, 2008 (Act 59 of 2008),  National Water Act, 1998 (Act 36 of 1998)
Υ	NX	National Heritage Resources Act, 1999 (Act 25 of 1999)
Y	NX	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)
Υ	NX	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)
Y	NX	If required, has application for EIA / HIA / TIA / TIS / approval been made? If yes, attach documents / plans / proof of submission etc.
Υ	NX	If required, do you want to follow an integrated application procedure in terms of section 44(1) of Bitou Municipality: Land Use Planning By-Law ? If yes, please attach motivation.
Υ	NX	Other (specify)

### PART H: SUBMISSION OF APPLICATION

The application together with supporting information and documentation should be electronically lodged on the AFLA PORTAL system. This AFLA PORTAL has been designed and developed by Esri South Africa to assist Bitou Municipality to diminish queues and promote faster turnaround times on land development applications.

The AFLA system is accessible to members of the public, enabling online submission of town planning applications at Bitou Municipality using GIS.

A profile by either the owner of agent needs to be created before an application can be lodged on the Portal. Below is a link to the AFLA Portal.

#### https://maps.bitou.gov.za/aflaportal/

Hard copies will not be accepted by the Municipality unless supporting documentation and information may only be provided upon request by the Municipality.

#### **SECTION I: DECLARATION**

I hereby confirm the following:

SUBMISSION REQUIREMENTS

- 1. That the information contained in this application form and accompanying documentation is complete and correct.
- 2. I'm aware that it is an offense in terms of section 86(1) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
- 3. I am properly authorized to make this application on behalf of the owner and (where applicable) that a copy of the relevant power of attorney or consent are attached hereto.
- 4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
- 5. That this submission includes all necessary land use planning applications required, by Bitou Municipality: Land Use Planning By-Law to enable the development proposed in terms of the Bitou Municipality: Land Use Planning Bylaw (2015) as amended.
- 6. I am aware that development charges to the Municipality in respect of the provision and installation of external engineering services may be payable by the owner as a result of the proposed development.
- 7. I am aware that by lodging an application, the information in the application and obtained during the process, may be made available to the public.

Soft copy of the application submitted on the AFLA PORTAL (see Part H)

Applicant's signature:	Date: 30 04 2024
Full name:	PHILIP GEORGE TEGGIN
Professional capacity:	PLS 1118 LAND SURVEYOR

### MOTIVATION REPORT

PROPOSED AMENDMENT OF COMMON BOUNDARIES - CONSOLIDATION OF PORTIONS 2 AND 8 OF THE FARM HARKERVILLE No. 427 AND SUBDIVISION OF FARM No. 491 - ADMINISTRATIVE DISTRICT OF KNYSNA

### THE PROPERTY

Portion 8 of Harkerville No. 427 is 53,8343 hectares in extent and Portion 2 of Harkerville No. 427 is 96,8461 hectares in extent. Portions 2 & 8 is a large agricultural holding situated approximately 12km west of Plettenberg Bay. Farm No. 491 is 45,8631 hectares in extent situate in the Stofpad area.

#### **THE PROPOSAL**

The proposal is: 1) to consolidate Portions 2 & 8 of Harkerville No. 427. The intention is to make the two properties more agriculturally viable and to create one large sustainable farm. 2) To subdivide Farm No. 491 into 2 portions namely Ptn. A of +/- 18,14 hectares leaving a Remainder of +/- 27,72 hectares. There are similar size farms in the area. No change in the zoning for any of the properties is proposed.

### MOTIVATION FOR THE PROPOSAL

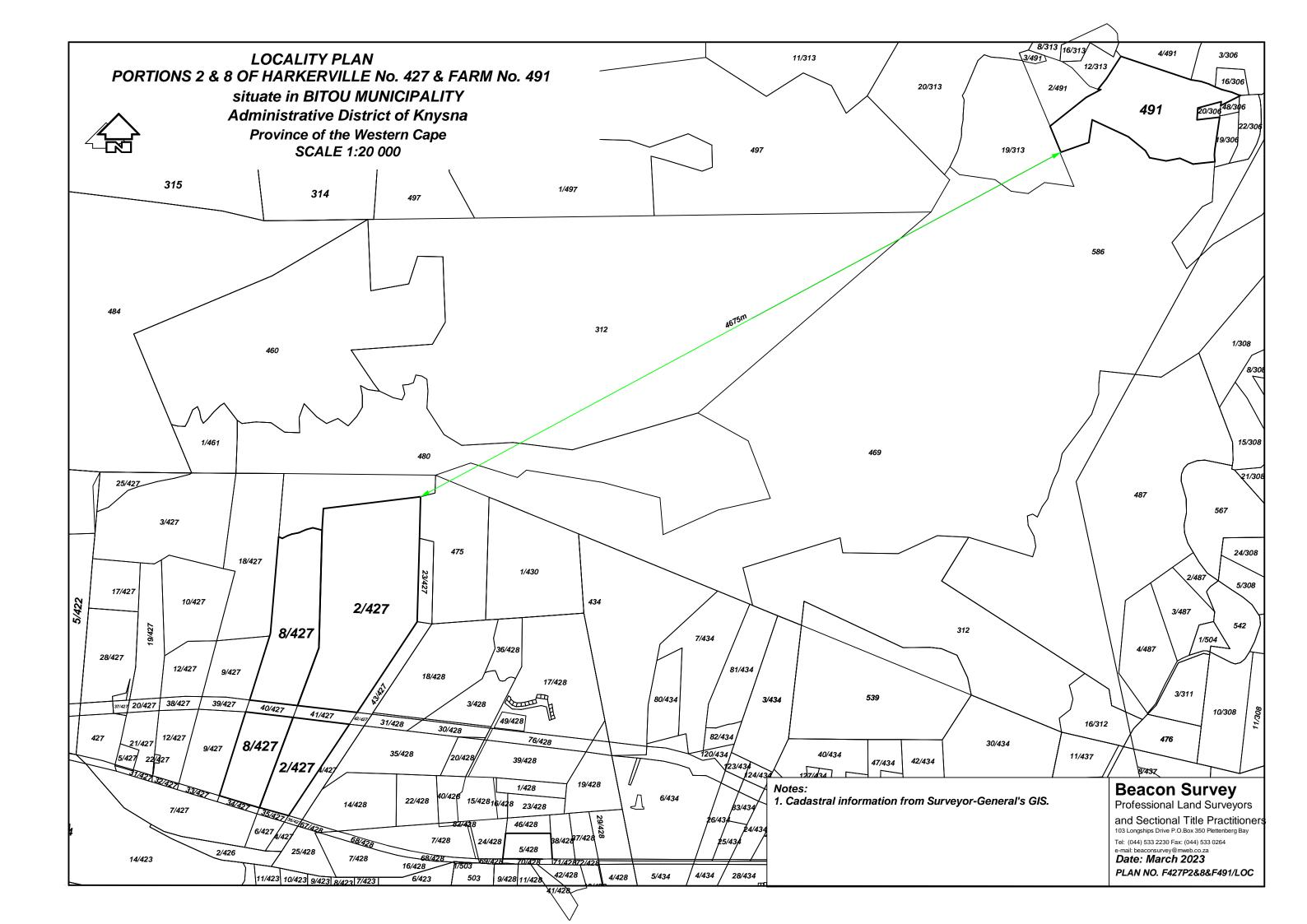
We submit the following in motion of the proposal:

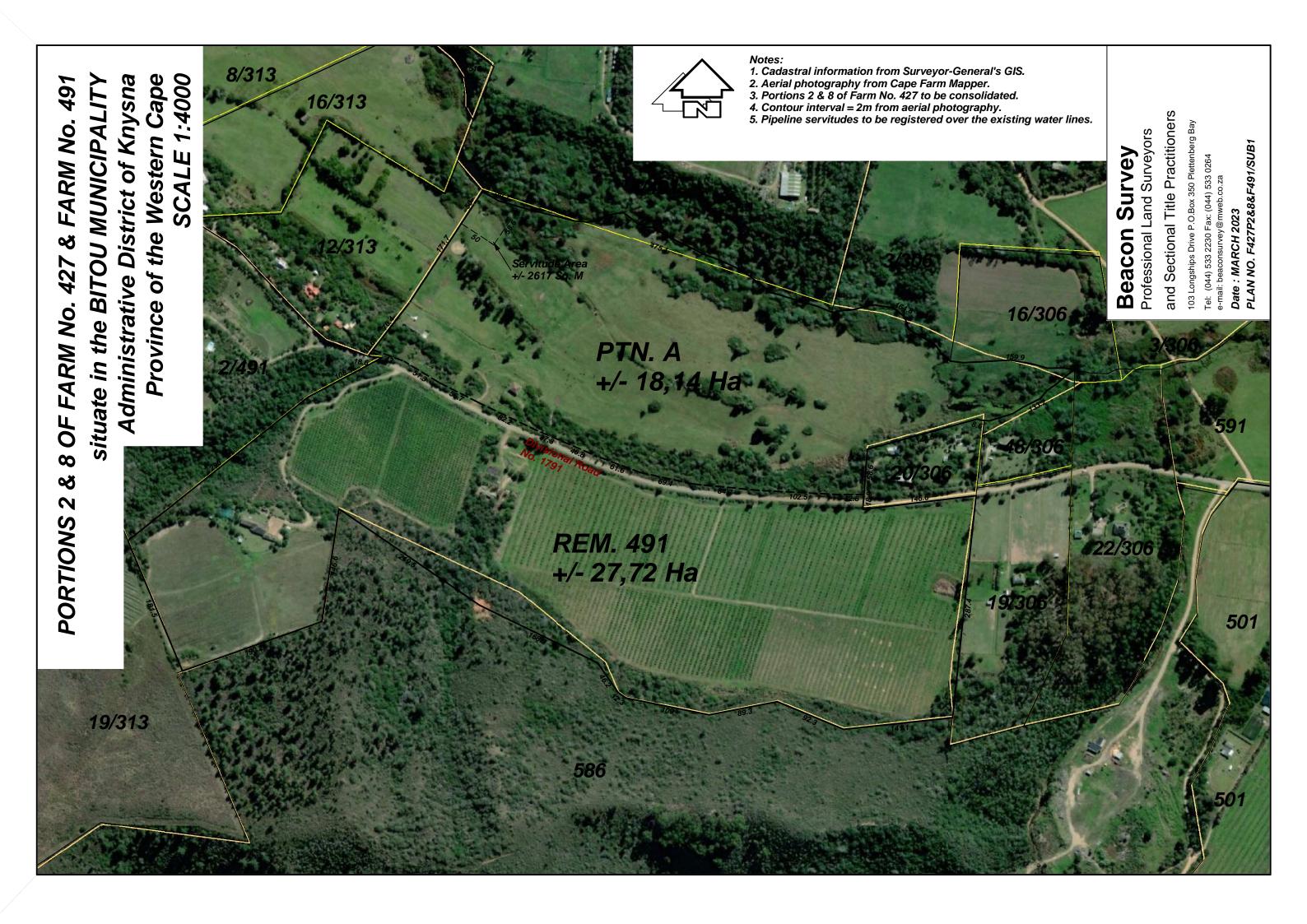
- 1) No change in the zoning is proposed.
- 2) No additional services will be required for the proposal.
- 3) No additional development rights are being applied for in the proposal.
- 4) The resultant properties will be more agricultural viable.
- 5) The resultant farms will all benefit.
- 6) Portion A consists of grazing land which does not add to the agricultural viability of the Remainder which is farmed with Macadamia & Avocado.
- 7) Portions 2 & 8 have large areas of grazing land and will benefit from the consolidation.
- 8) Although the proposed consolidated property is large it will not be possible to motivate an agricultural subdivision because the properties do not have registered water rights.
- 9) Please see SANRAL approval ref. W11/3/3-2/8-198 dated 5 May 2023 attached. Condition 2.5 says that no direct access from the existing or future national road will be approved. It will therefore not be possible to motivate a subdivision because of the national road cutting the property. These conditions will be inserted into the title deed of the consolidated property.

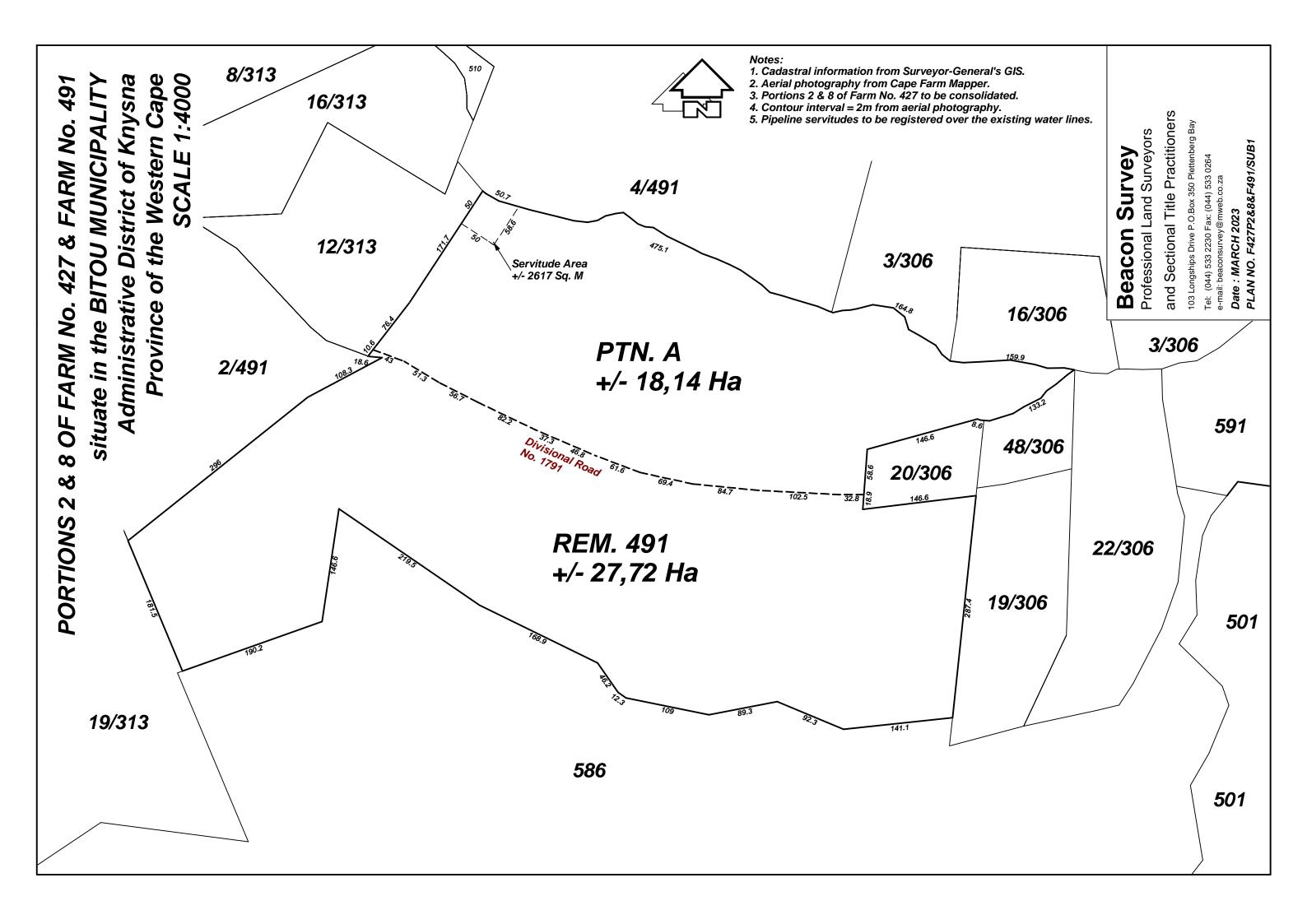
- 10) The proposed consolidated farm will always be consolidated and can therefore allow the subdivision of Farm No. 491.
- 11) Please see the Western Cape Department of Agriculture letter ref. 20/9/2/4/6/337, 20/9/2/4/6/241 & 20/9/2/4/6/573 dated 2023-08-23.

SIGNED: DATED: April 2024

P.G. TEGGIN (for Beacon Survey)



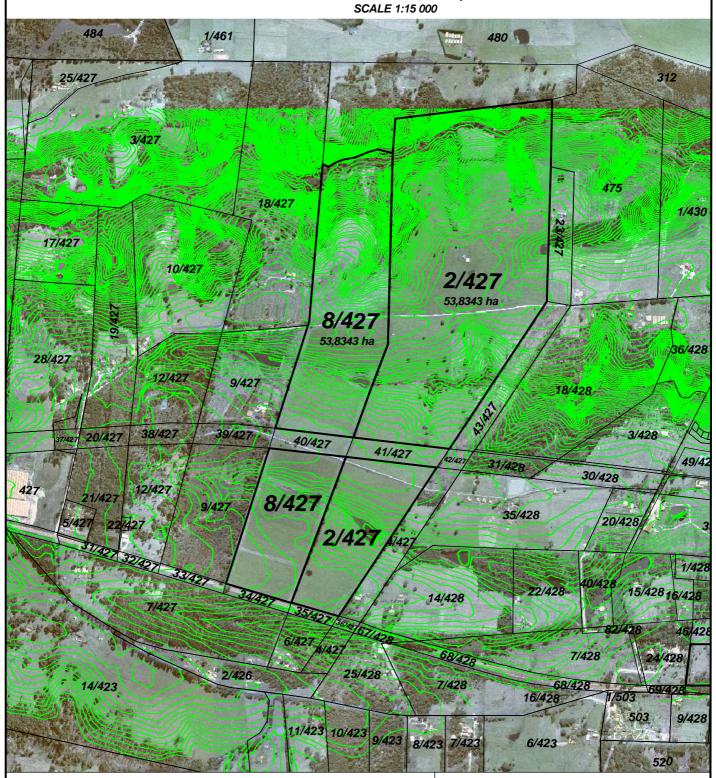




## PROPOSED CONSOLIDATION PORTIONS 2 & 8 OF HARKERVILLE No. 427



situate in BITOU MUNICIPALITY Administrative District of Knysna Province of the Western Cape



### Notes:

- 1. Cadastral information from Surveyor-General's GIS.
- 2. Contour intervals = 2m intervals.

# **Beacon Survey**Professional Land Surveyors

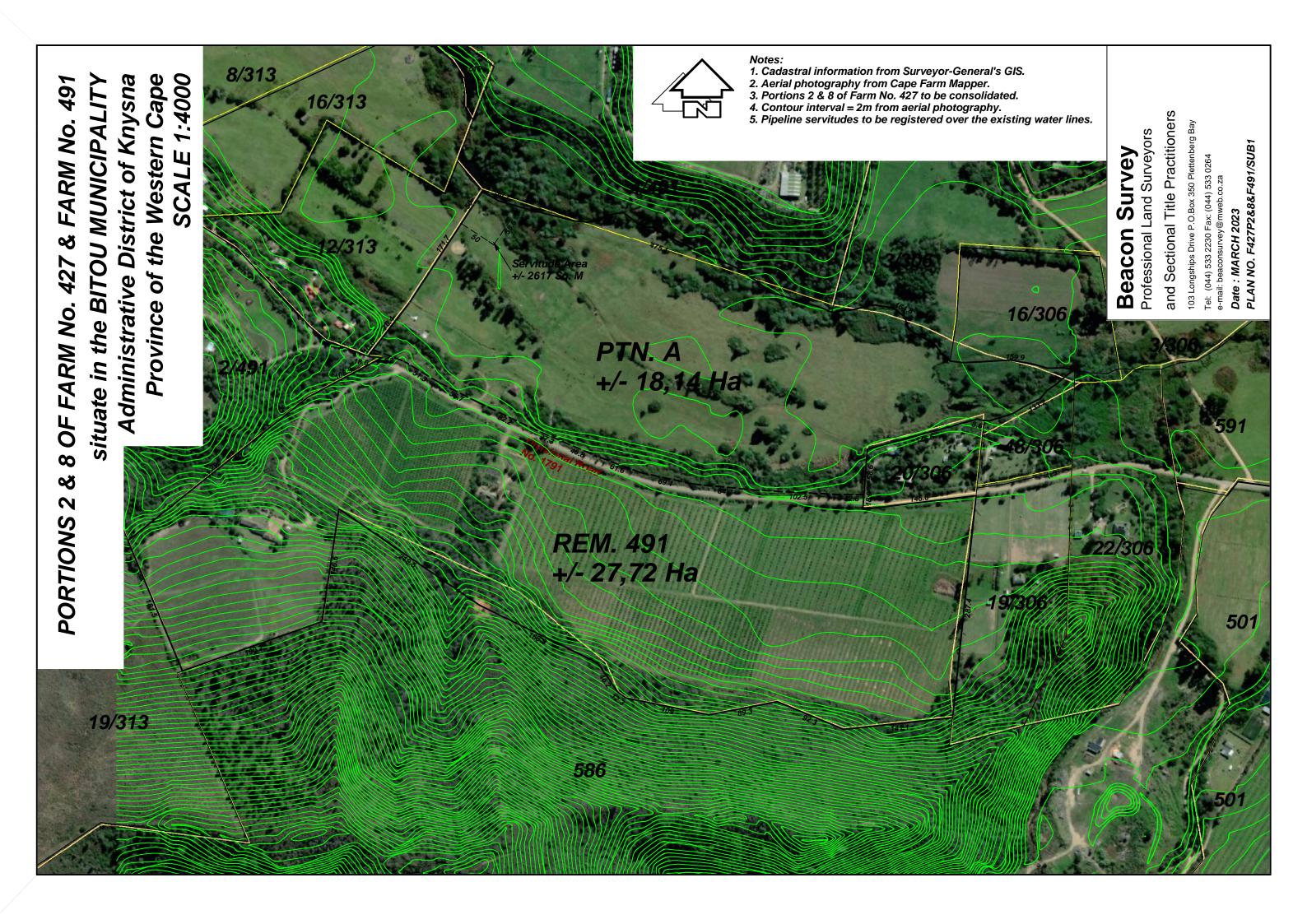
and Sectional Title Practitioners

103 Longships Drive P.O.Box 350 Plettenberg Bay

Tel: (044) 533 2230 Fax: (044) 533 0264 e-mail: beaconsurvey@mw eb.co.za

Date: March 2023

PLAN NO. F427P2&8&F491/CONIMCP



Reference:

W11/3/3-2/8-198

Date:

5 May 2023

Email:

dekockr@nra.co.za

Fax Number:

+27 (0) 21 910 1699

Direct Line:

+27 (0) 21 957 4600

Website:

www.nra.co.za



Mr PG Teggin BEACON SURVEY PO Box 350 PLETTENBERG BAY 6600

Email: beaconsurvey@mweb.co.za

Dear Mr Teggin,

## NATIONAL ROUTE 2 SECTION 8: PROPOSED CONSOLIDATION OF PORTIONS 2 & 8 OF FARM HARKERVILLE NO 427, ADMINISTRATIVE DISTRICT OF KNYSNA

- 1. Your application dated 6 March 2023 has reference.
- 2. The proposed Consolidation as indicated on Plan no F427P2&8&F491/CON dated March 2023 and drawn by Beacon Survey has been approved by the South African National Roads Agency SOC Limited (SANRAL) in terms of The South African National Roads Agency Limited and National Roads Act, 1998 (Act 7 of 1998) [the Act]. The approval is however subject to the following conditions:
- 2.1 With the exception of existing structures, no structure or anything whatsoever shall be erected, constructed, or established within a distance of 60 metres measured from the national road reserve boundary, without the written approval of SANRAL.
- In the event of any of this land being consolidated with any other land, the title to the consolidated land shall be subject to the above mentioned conditions.
- 2.3 The applicant shall, at his own cost and in accordance with the provisions of Section 49(5)(a) and (b) of the Act, insert the foregoing conditions in the Title Deeds in respect of the properties adjacent to the national road.
- 2.4 The applicant shall, within 12 months from the date of this approval, furnish to the Agency with written proof that the aforementioned insertions have been done.
- 2.5 No new direct access from the national road or future national road will be permitted. The existing camp accesses at km 49.4 and km 49.6 are for camp access purposes only. The access gates has to remain close at all times. Any change of Use of the access must be approved by SANRAL.
- 2.6 Any future development on these properties has to be submitted to SANRAL for comment.

Western Region 1 Havenga Street, Oakdale, Bellville, 7530 | Private Bag X19, Bellville, South Africa, 7535 | Tel +27 (0) 21 957 4600 Fax +27 (0) 21 910 1699 Email info@sanral.co.za | Visit us at www.sanral.co.za

Directors: Mr T Mhambi (Chairperson), Mr R Demana (CEO), Ms R Buthelezi, Mr R Haswell, Mr C Hlabisa, Mr E Makhubela, Mr T Matosa, Ms N Noxaka | Company Secretary: Ms A Mathew

Reg. No. 1998/009584/30. An agency of the Department of Transport.

3. Kindly note that this approval does not exempt the applicant from any other provisions of the above-mentioned or any other Act.

**Yours Sincerely** 

Randall Cable

**REGIONAL MANAGER** 

ID 21118000



Chief Directorate: Road Planning Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref:

TPW/CFS/RP/LUD/REZ/SUB-14/65 (Job 30277)

Beacon Survey PO Box 350 PLETTENBERG BAY 6600

Attention: Mr PG Teggin

Dear Sir

## CONSOLIDATION OF PORTIONS 2 & 8 OF FARM HARKERVILLE 427 AND SUBDIVISION OF FARM 491. ADMINISTRATIVE DISTRICT OF KNYSNA

- 1. The following refer:
- 1.1 Your letter F427P2&8&F491PR-1 dated 24 March 2023 to this Branch.
- 1.2 SANRAL's letter W11/3/3-2/8-198 dated 5 May 2023 to you.
- 2. The following roads, for which this Branch is the Road Authority, is affected by your application:
- 2.1 Divisional Road 1791 (DR01791), a narrow gravelled road (along the affected section) within a narrow overgrown road reserve traversing through rolling terrain.
- 2.2 Minor Road 7205 (OP07205), a narrow gravelled road within a narrow overgrown road reserve traversing through flat terrain.
- 3. This Branch offers no objection to this application, provided that the following are adhered to:
- 3.1. SANRAL's conditions in its letter of 5 May 2023.
- 3.2. Accesses off both DR01791 and OP07205 must be cleared on site with the offices of the District Roads Engineer and that information must, for records purposes, be carried over (in writing) to this Chief Directorate for records purposes.
- 3.3. All the required sight lines within the road reserves of both DR01791 and OP07205 must, with the assistance of the District Roads Engineer's offices, be cleared from all vegetation obstructing to achieve this Branch's accepted minimum safe standards.

TPW/CFS/RP/LUD/REZ/SUB-14/65 (Job 30277)

With assistance it is meant that the developer must clear all such vegetation, the District Roads Engineer's offices will only handover the site and approve the temporary traffic accommodation. Should an environmental approval be required to clear such sight lines then it remains the responsibility of the developer to ensure

compliance with such Legislation.

3.4. The respective major- and minor farm accesses, as will be determined by the offices of the District Roads Engineer when the accesses are cleared on site (paragraph 3.2.), must be designed by the developer and approved by the District Roads

Engineer before the developer must construct those accesses to the approval of the District Roads Engineer. Copies of this Branch's standard plans for major and minor

farm accesses are available from the offices of the District Roads Engineer.

3.5. Except for the accesses that will be approved (paragraph 3.2.) off both DR01791 and OP07205 may no other access off either DR01791 or OP07205 be created or

continue to exist.

3.6. The developer must accept to cover all the costs towards the establishment of this

proposed application.

4. This Branch, the Controlling Authority in terms of Act 21 of 1940, approves the

proposed subdivision.

Yours Sincerely

**SW CARSTENS** 

FOR DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE

DATE: 12 SEPTEMBER 2023