

MOTIVATIONAL MEMORANDUM: REZONING

Erf 31023 DAVEYTON

DAVEYTON CLINIC PROJECT



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DAVEYTON CLINIC PROJECT
FOR



ON BEHALF OF



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1. SUMMARY OF APPLICATION

The Ekurhuleni Metropolitan Municipality and the Gauteng Department of Health have appointed Moditi Consortium to undertake the town planning service for the rezoning of the existing Daveyton Clinic, located on **Erf 31023 Daveyton**, as the clinic is to be extended and upgraded.

The property is zoned as "Community Facility". In terms of the Ekurhuleni Town Planning Scheme, 2014, this zoning does not allow for a clinic, and it is thus the intension of the application to ensure that the current land use aligns with the Ekurhuleni Town Planning Scheme, 2014 and allows for an extension to the building.

The Daveyton Clinic is located in an area populated by people with little or no income. It is managed by the Ekurhuleni Department of Health as well as the Gauteng Department of Health. The services it provides aids the immediate community in which it is located as well as surrounding townships.

The existing facility tends to accommodate approximately 14 000 patients a month. It is a small facility with limited space allocated for the waiting area. As a result, many patients are forced to wait and queue outside regardless of weather conditions. The Clinic offers a large variety of health services, thus validating the large volume of patients visiting the clinic each month. It should also be noted that the extreme volumes of patients require that the facility be of a high standard and should meet the core standards and ideal clinic requirements. The proposed upgrade sought to ensure that the clinic abides by the national building regulations as well as abides by the national Ideal Clinic requirements to curb infection control.

Moditi consortium has sub-consulted iNtuthuko Planning and Development South Africa (iPDSA) to undertake the rezoning Application for Erf 31023 Daveyton. iPDSA has awarded the application to be undertaken and administered by Koplan iNtuthuko Planning and Development (KiPD) through Power of Substitution. KiPD is a merger of iPDSA and Koplan Development Facilitation Pty Ltd.

The purpose of this memorandum is to support the application for the rezoning of Erf 31023 Daveyton, hereinafter referred to as "the site", in terms of the Town Planning and Townships Ordinance, (Ordinance 15 of 1986) read together with the Spatial Planning and Land Use Management Act (Act 16 of 2013), to rezone the site from "Community Facility" to "Social Services".

2. GENERAL INFORMATION

The general information concerning the subject property is described below :

2.1. Locality

Daveyton is a township in the Ekurhuleni Metropolitan Municipality of Gauteng South Africa. It borders Etwatwa to the north, Springs to the east, Benoni to the south and Boksburg to the west. The Daveyton clinic is situated on the corner of Hlakwana Street, Bhengu Street and Embusweni Street in Daveyton. The area is bordered by the N12 highway that is located on the south eastern side of the property, and the R51 road is located to the western side of the property. The locality of the subject site is illustrated in the map below:

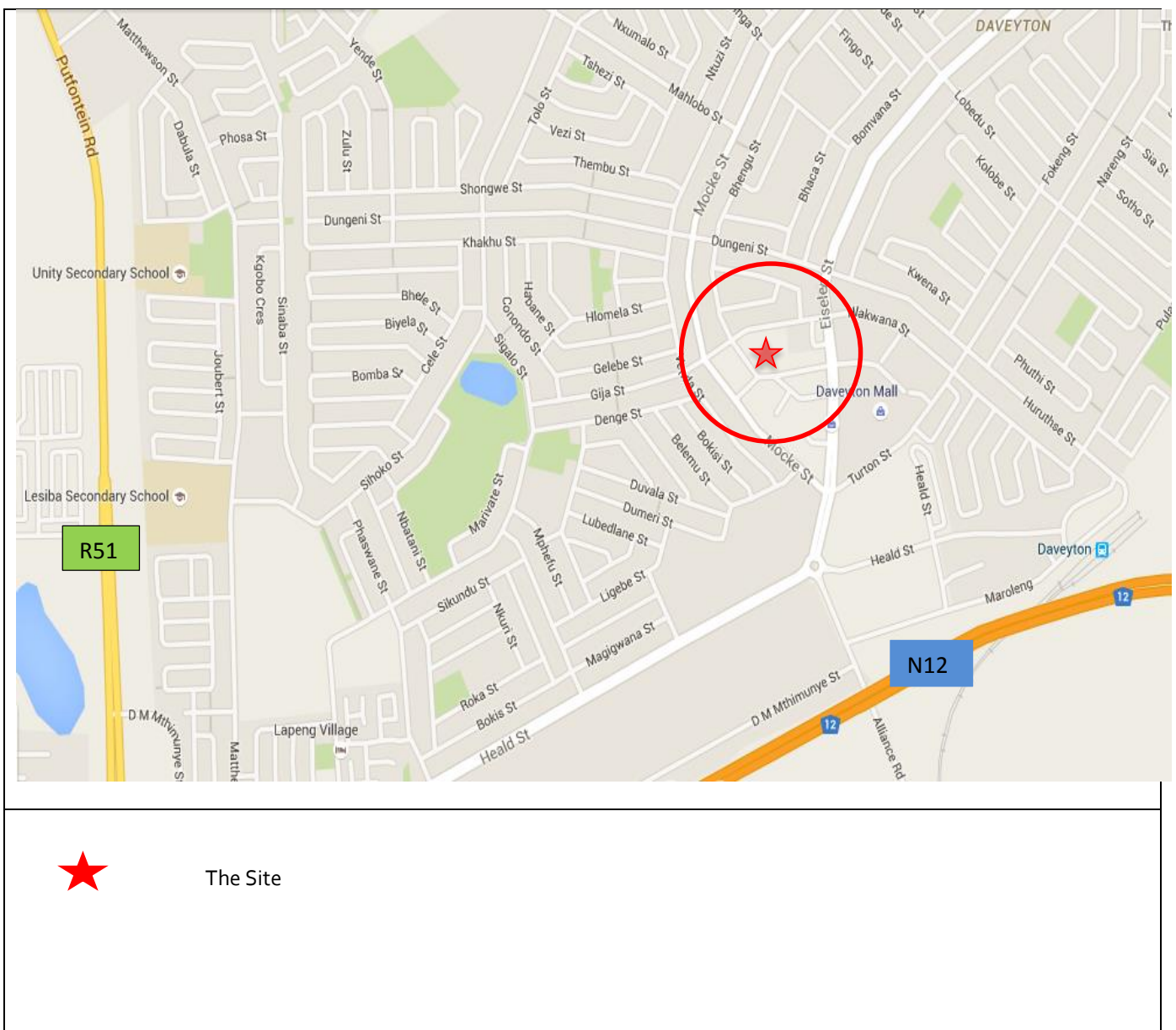


Figure 1 : Locality

2.2. The Site

The composition of the site is as follows:

Site Particulars	
Street Address	C/o Bhengu and Hlakwana Street
Extent/Size	9615 m ²
Shape	Semi-square
Orientation	Slightly north east



Figure 2: Site Particulars

3. LEGAL DETAILS

The legal details of the property are as follows :

3.1. Ownership

The property is under ownership of the Ekurhuleni Metropolitan Municipality, details on the site are given in the table below:

Property Description	Registered Owner	Title Deed
Erf 31023 Daveyton	Ekurhuleni Metropolitan Municipality	T49753/2000

It must however be noted that title deed T49759/2000 is for Portion 89 of the farm Daveyton 73-IR. This is the farm portion on which the township of Daveyton was established. The farm portion was owned by the local authority and the local authority established the township on the farm portion. As and when the erven were sold or transferred to new owners, they were removed from the farms title deed. However, as Erf 31023 Daveyton is still owned by the local authority, it was never registered in its own right with its own title deed. It therefore still appears on the farm portions title deed.

3.2. Mortgage Bond

There is no mortgage bond registered against the property.

3.3. Title Restrictions

There are no restrictions in the title deed which negatively impact the development of the site.

3.4. Authorisation

The power of attorney is signed to Musa Ngwenya of iNtuthuko Planning and Development South Africa CC (iPDSA). Mr. Ngwenya has through the power of substitution, signed the Power of Attorney to KiPD (Pty) Ltd, giving them the power to sign all necessary documentation for the application. Reasons constituting the need for the power of substitution is that, iNtuthuko Planning and Development South Africa CC has merged companies with Koplan Development Planning and Facilitation Pty Ltd into Koplan iNtuthuko Planning and Development (KiPD). KiPD is the town planning consultancy undertaking the town planning services for the Daveyton Clinic Project and therefore require authority from Musa Ngwenya in order to submit the rezoning application to the Local Authority.

4. SURROUNDING AREA

The details of the surround area as follows :

4.1. Land Use

The land use on the site and its surrounding land uses are indicated on the figure below. The site itself is characterised by an existing clinic. The properties to the north of the site are mainly residential dwelling units, and the rest of the property is bordered by a mix of land uses, predominantly community supportive uses such as the extension to the Daveyton Clinic opposite the subject site, and the SAPS located to the south. To the west of the subject site there is a vacant site which is neighboured by the taxi rank. The land use map below indicates the information stated:



Figure 3 : Land use

4.2. Surrounding Zoning

The zoning of the site and its surroundings are illustrated below. The map indicates that the property is surrounded by a mix of zonings, with residentially zoned properties concentrated to the northern side of site. The site is currently zoned community facility.



Figure 4 : Zoning

5. LAND USE RIGHTS

The details on the current and proposed land use rights are as follows :

5.1. Current Land Use Rights

As per the attached zoning certificate, the site has the following zoning in terms of the Ekurhuleni Town Planning Scheme, 2014:

Development Control	Limitation
Zoning	Community Facility
Floor Area	Null
Coverage	50% Coverage
Height	3 Storeys
Density	As determined by Municipality
Building Lines	5m street boundary 3m other boundaries

In terms of the Ekurhuleni Metropolitan Municipality, 2014, "Community Facility" has the following primary rights:

Places of Instruction, Places of Education, Social Halls, Places of Public Worship, Libraries, Child Care Facilities, Sport and Recreation Clubs, Sports Grounds, Monasteries, Convents.

The current rights on the property do not include the use of Clinics under the zoning. This thus creates the need to rezone the property to "Social Services" which allows for this particular use under the Ekurhuleni Town Planning Scheme, 2014.

5.2. Proposed Land Use Rights

Application is hereby made for the following land use rights : .

Development Control	Limitation
Zoning	" Social Services"
Consent	As per Scheme
Floor Area	0.5
Coverage	60%
Height	3 storeys
Density	N/A
Building Lines	As per scheme 5m street boundary 3m other boundaries
Parking	As per scheme – 2 bays per 100m ²

In terms of the Ekurhuleni Town Planning Scheme, 2014 the development controls, specifically for height, coverage and parking, applicable to a "Social Services" zoning is indicated as "As determined by the Municipality". We have specified specific land use rights in these categories with the following in mind.

5.2.1. Structural Restrictions

As the existing development controls according to the zoning certificate allow for coverage of 50% and a height of 3 storeys, we are however requesting for an increase in coverage, to 60%, as this will allow for future development and will also cater for covered parking.

A specific floor area has been applied for given the proposed plan for the Clinic. The F.A.R of 0.5 is requested, as this will accommodate the proposed development and allow for any future developments on the property.

5.2.2. Parking

In terms of the Ekurhuleni Town Planning Scheme, 2014 the parking restrictions applicable to a “Social Services” zoning is indicated as “To the satisfaction of the Municipality”.

According to the site layout plan as prepared by the architects, the building floor area will measure 4013m² and there are 83 parking bays marked on the plan, this is a ratio of 2 parking bays per 100m² of floor area.

The location of this facility is in an area where car ownership is at a mere 20% of the total population (StatsSA, Census, 2011). It is clear that 80% of the population are reliant on public transport and as a result, infrastructure and support services accessing public transport should be provided, as opposed to infrastructure for private cars.

As there is a taxi rank transporting people to and from the hospital in close proximity to the property, the property can accommodate parking at a ratio of 2 bays per 100m². Based on the car ownership statistics, location and availability of public transport within the vicinity of the clinic, this ratio is sufficient.

5.2.3. Access

Access to the site is currently and will remain from Bhengu Street and Embusweni Streets.

6. ENGINEERING SERVICES

The impact on sewerage, storm water and traffic on the development is not expected to cause any capacity change to the provision of these municipal services as no additional floor area is being applied for. In addition, the development is existing and the current infrastructure is expected to be sufficient for the upgrade of the facility on the site. However, the final feedback on the requirements of any of these reports will be indicated by the Ekurhuleni Metropolitan Municipality.

7. ENVIRONMENTAL CONSTRAINTS

The development is not listed in terms of listing Notice 1, 2 and 3 of Environmental Impact Assessment Regulations, 2014 published under the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 98, as amended) and therefore does not legally require Environmental Authorisation from the Gauteng Department of Agriculture and Rural Development.

8. MOTIVATION

The motivation for the extension and upgrade of the Daveyton Clinic is expressed in terms of the need and desirability below:

8.1. The Clinic

The existing facility tends to accommodate approximately 14 000 patients a month. It is a small facility with limited space allocated for the waiting area. As a result, many patients are forced to wait and queue outside regardless of weather conditions. The services offered at the Daveyton Clinic include:

- i. Antenatal Care
- ii. Acute Illnesses
- iii. Mother and child health services
- iv. Family planning
- v. TB services
- vi. AART
- vii. Immunizations (EPI)
- viii. IMCI
- ix. Mental Health services
- x. Dental Services
- xi. Chronic diseases

As can be seen in the list above, the Clinic offers a large variety of health services, thus validating the large volume of patients visiting the clinic each month. It should also be noted that the extreme volumes of patients require that the facility be of a high standard and should meet the core standards and ideal clinic requirements. The proposed upgrade sought to ensure that the clinic abides by the national building regulations as well as abides by the national Ideal Clinic requirements to curb infection control.

The proposed upgrade will allow for the following additional administrative facilities to maximize the Daveyton Clinic as a social facility and result in optimum service to the community and surrounding communities:

- i. Reception area
- ii. Help desk
- iii. Admissions/Registrations area
- iv. Communication infrastructure
- v. Acute illness services
- vi. Additional ablution facilities
- vii. Shared services for staff (including dining areas, rest room, and additional administrative areas)

8.2. Need

This application seeks to procure the necessary development rights required for the extension of the existing municipal clinic, as commissioned by the Gauteng Department of Infrastructure and Development. Social and health facilities of this nature are provided by Government as a service to the community. The extension of the clinic is warranted in order to provide added services which are currently not available in the existing clinic. It will provide a comprehensive health care service to the community, where they will be providing additional services such as the youth care center. The new facilities will assist in affording the community a wider variety of health services at affordable costs within a closer perimeter.

Daveyton was established during the Apartheid era as a “Black Township” and was as such, not afforded much investment from the government. As a previously disadvantaged area, the Gauteng Department of Infrastructure Development has earmarked it as a priority area in which to invest public facilities for the upliftment of the community. The development of a public facility such as a clinic will improve the living standards of this previously disadvantaged community. The proposed clinic includes a multitude of services and will relieve the burden on the patients whom had previously needed to travel out of the community for primary healthcare. Thus the provision of a social amenity such as a clinic will aid in the redistribution of social resources and improve access to basic healthcare in the area.

Public health facilities in South Africa are usually reasonably well equipped and staffed, however are often overcrowded with patients, therefore requiring them to wait long periods of time to receive services or in worse instances, going home without having been attended to. The South African public sector health system is trying to improve its services, by alleviating the long term shortages of facilities, and placing attention on service delivery, reduction of waiting times, improvement of human resources, and infrastructure.

8.3. Desirability

The existence of public clinics in communities is important as public health is a part of the infrastructure that keeps our communities safe and healthy. The department of health has the overall responsibility to provide health care services for the public sector, mainly prioritizing the improvement of the health status of the entire population. The proposed development will ensure that this vision is realized in the community of Daveyton. The desirability of extending the health care facility in this area is expressed in terms of the Regional Spatial Development Framework.

8.4. Development Policy

The Ekurhuleni Spatial Development Framework 2011 aims to optimize

The subject site falls within Region B in terms of the Draft Regional Spatial Development Framework (still to be approved). The Regional Spatial Development Framework as well the Spatial Planning and Land Use Management, 2013 (Act No. 16 of 2013) development principles, are discussed below:

The Ekurhuleni Regional Spatial Development Framework for Region B covering the area of Daveyton, indicate that the Municipality aims to develop the area in a sustainable manner. The RSDF suggests that all social facilities and services as well as other uses as may be required to achieve sustainable urban life, which is inclusive of health facilities, must relate to the residential environment densities that prevail in the immediate area surrounding the intended support services. This will be provided through the incorporation of key government services, and therefore rendering the expansion of the Daveyton Clinic a relevant development that is necessary and beneficial to the Daveyton community.

The proposed development is to enhance access to social facilities and satisfy the basic need of the inhabitants that reside in Daveyton by providing additional healthcare facilities. Not only will the additions to the clinic provide the much needed healthcare, but will also be an opportunity for local residents to obtain employment. The development thus adheres to the aims of the RSDF for this area.

8.5. Spatial Development Principles

The proposed development takes into consideration the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013)

SPLUMA Referral		Proposed Development Compliance
7 (a)	Spatial Justice	The locality of the Daveyton Clinic is situated at the center of the Daveyton area. This benefits the residents of the area in that the accessibility is optimized from all areas. There is further an informal taxi rank by the clinic which further assists in optimizing mobility to and from the clinic. Since it is a social facility located in a previously disadvantaged area, the principles of social justice are completely adhered to.
7 (b)	Spatial Sustainability	The Clinic is a service provided by the government on government owned land, therefore this development is fully within the fiscal, institutional and administrative means of the Republic of South Africa.

7 (c)	Efficiency	The public provision of bulk services will be provided from one source. This will improve the service provision on the site. Additionally, the proposed development will aim at optimally using the existing infrastructure, thus ensuring the efficiency of the development.
7 (d)	Spatial Resilience	Not applicable to this development
7 (e)	Good Administration	This application is in line with the governmental policy affecting the spatial development of the area and does not deviate from it.

9. CONCLUSION

Under the new Ekurhuleni Town Planning Scheme, 2014 the subject site is zoned under “Community Services”, this current zoning does not incorporate the uses of hospitals and clinics, and hence the need for this particular application. The application is applying in terms of the Town Planning and Townships Ordinance, (Ordinance 15 of 1986) read together with the Spatial Planning and Land Use Management Act (Act 16 of 2013), to rezone the site from “Community Facility” to “Social Services”.

The extension of the Daveyton Clinic is necessary, as the existing services offered currently are not meeting the requirement needed by the community. The Daveyton Clinic is expanding its facilities and bringing in more services that would assist the clinic in functioning much more efficiently.

The Region B RSDF is in agreement with this development in the area, and the application has further placed for the reasons of how the development adheres to the SPLUMA development principles.

The rezoning of the property will result in the provision of a public facility and will be to the benefit of the community. It is not in conflict with the developmental policy applicable to the site and will further align the Clinic’s land use rights with the new Ekurhuleni Town Planning Scheme 2014.