

MOTIVATIONAL MEMORANDUM:**Consolidation, Subdivision and
Rezoning application****for****Erven 13923, 13925, 13926, 13927
Kagiso Ext 10 and Erven 12553, 12554
Kagiso Ext 7****on behalf of****JTP Consortium (PTY) LTD****Gauteng Department of Human Settlements and
Mogale City Local Municipality**

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CONTENTS

INTRODUCTION.....	4
1. THE KAGISO HOSTEL REDEVELOPMENT PROJECT	4
2. GENERAL INFORMATION.....	4
2.1. THE APPLICATION.....	5
2.2. LAND DEVELOPMENT AREA.....	5
2.2.1. Site Locality	5
2.3. AGENT AND CLIENT	5
2.3.1. Agent.....	5
2.3.2. Client	6
2.4. LEGAL ASPECTS	6
2.4.1. Ownership for Erven 12553 and 12554 Kagiso Extension 7.....	6
2.4.2. Ownership for Erven 13293, 13295, 13296 & 13297 Kagiso Extension 10.....	6
2.4.3. Size	6
2.4.4. Power of Attorney.....	7
2.4.5. Registered Mortgage Bonds	7
2.5. EXISTING LAND USE.....	7
2.6. SURROUNDING LAND USE	7
2.7. EXISTING ZONING AND DEVELOPMENT CONTROLS	7
3. THE APPLICATION.....	8
3.1. PROPOSED CONSOLIDATION	8
3.1.1. Kagiso Extension 7	8
3.1.2. Kagiso Extension 10	9
3.2. PROPOSED SUBDIVISION	10
3.3. PROPOSED LAND USE RIGHTS	11
4. WETLAND BUFFER ZONE.....	12
5. SERVICE INFRASTRUCTURE.....	12
5.1. ELECTRICAL.....	12
5.2. WATER AND SEWER.....	13
5.2.1. Water.....	13
5.2.2. Sewer.....	14

5.3. ROADS AND STORMWATER	15
5.3.1. Roads.....	15
5.3.2. Road Stormwater Drainage	15
6. TRAFFIC	15
7. SPATIAL PLANNING ENVIRONMENT.....	17
7.1. SPATIAL DEVELOPMENT FRAMEWORK 2011.....	17
8. MOTIVATION.....	18
8.1. NEED AND DESIRABILITY.....	18
9. SPLUMA DEVELOPMENT PRINCIPLES	19
10. RECOMMENDATION	19

ANNEXURES

Annexure A	–	Kagiso Hostel Redevelopment Plan
Annexure B	–	Locality Plan 1 And 2
Annexure C	–	Title Deed (Kagiso Ext 7)
Annexure D	–	Title Deed And Court Documents (Kagiso Ext 10)
Annexure E	–	Power Of Attorneys
Annexure F	–	Aerial Photograph Of Properties
Annexure G	–	Land Use Plan
Annexure H	–	Zoning Certificates
Annexure J	–	Electrical Report
Annexure K	–	Sewer & Water Report
Annexure L	–	Roads & Stormwater
Annexure M	–	Traffic Impact Assessment

INTRODUCTION

The purpose of this memorandum is to introduce, elaborate upon and motivate the application for consolidation, subdivision and rezoning of Erven 13923, 13925, 13926, 13927 Kagiso Ext 10 and Erven 12553, 12554 Kagiso Ext 7. The application seeks to obtain land use rights for residential uses.

The full extent of the application is set out in this memorandum, which comprises of the following:

- ❖ Chapter 1: General Information
- ❖ Chapter 2: The Application
- ❖ Chapter 3: Policy Environment
- ❖ Chapter 4: Motivation
- ❖ Chapter 5: Conclusion

1. THE KAGISO HOSTEL REDEVELOPMENT PROJECT

In 2019, the Mogale City Local Municipality and the Gauteng Department of Human Settlements identified the Kagiso Hostel for redevelopment. V&H Consulting structural engineers were appointed to do an evaluation on the general conditions of the structures. The findings of the investigation were that the Kagiso Hostel is not suitable for human habitation and is structurally condemned.

The professional team being JTP Consortium then was appointed by the Gauteng Department of Human Settlements to redevelop the hostel with new units and to increase the density.

The project not only includes Kagiso Extension 7 and 10 but also Erven 1 and 2 Sinqobile, adjacent west of the subject properties, and a portion of the Remainder of Portion 209 of the farm Luipaardsvlei 246-IQ and a portion of the Remainder Portion 3 of the farm Witpoortjie 245-IQ, located adjacent north of the subject properties. Separate land use applications have been submitted for the adjacent land. In total the project aims to construct ± 10 000 new dwelling units in various phases.

(Annexure A – Kagiso Hostel Redevelopment Plan)

2. GENERAL INFORMATION

KiPD (Pty) Ltd, the authorised agent, has been appointed by JTP Consortium Pty Ltd, on behalf of the Gauteng Department of Human Settlements, as mandated by Mogale City Local Municipality, the registered owner of the property, to lodge an application for consolidation, subdivision and rezoning of the erven to allow for an increased density for residential development. The properties will be referred to as “the site”, “the subject properties” and/or “the proposed development” in this memorandum.

2.1. THE APPLICATION

Application is hereby made in terms of Sections 45 and 58 of the Mogale City Spatial Planning and Land Use Management By-Law, 2018, hereinafter referred to as the “By-Law”, read together with the provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA), for the following :

Kagiso Extension 7 :

- 1 The consolidation of Erven 12553 and 12554 Kagiso Ext 7; and
- 2 The rezoning of the consolidated erf.

Kagiso Extension 10 :

- 3 The consolidation of Erven 13923, 13925, 13926 and 13927 Kagiso Ext 10 into what will be known as Erf 20846 Kagiso Ext 10;
- 4 The subdivision of the consolidated Erf 20846 Kagiso Ext 10 into fifteen (15) portions including road; and
- 5 The rezoning of the subdivided erven.

Extension of town planning scheme boundaries :

As the townships were established in terms of the Black Communities Development Act, 1984 (Act 4 of 1984), application is made to have the townships incorporated into the Krugersdorp Town Planning Scheme, 1980.

2.2. LAND DEVELOPMENT AREA

2.2.1. Site Locality

(Annexure B: Plan 1 and 2)

The properties are bound by Dastile Road to the North and Kagiso Drive to the east in Kagiso, West Rand. Kagiso Ext 10 is located adjacent to Chamdor to the east and Singobile to the west. It is in the northern section of Kagiso.

2.3. AGENT AND CLIENT

2.3.1. Agent

The authorised town planning agent acting on behalf of the client is:

Name	KIPD (Pty) Ltd
Responsible Persons	Saskia Cole
Postal Address	47 Third Street, Linden, 2195
Contact Number	011 888 8685 / 082 574 9318
Email	saskia@kipd.co.za

2.3.2. Client

The client’s details are as follows:

Name	JTP Consortium Pty Ltd
Responsible Persons	Linda Mahlaba
Contact Number	082 331 3067
Email	linda@junda.co.za

2.4. LEGAL ASPECTS

2.4.1. Ownership for Erven 12553 and 12554 Kagiso Extension 7

The properties are owned by the Mogale City Local Municipality. However, the township register for this township has not been opened yet. Kagiso Extension 7 Township was established on Portion 19 of the farm Kagiso 273 - IR, which is a subdivision from the Remaining Extent of the farm Kagiso 273-IR, held by the Mogale City Local Municipality by virtue of Deed of Transfer T163600/2006

(Annexure C : Title Deed)

2.4.2. Ownership for Erven 13293, 13295, 13296 & 13297 Kagiso Extension 10

The properties are owned by the Mogale City Local Municipality.

In 2008, the erven were registered in the name of Homeveld Homes Pty Ltd, in terms of Certificate of Registered Grant of Leasehold TL47892/2008. However, the court ruled that this leasehold be cancelled on 28 August 2019, therefore ownership has reverted back to the township owner, the Mogale City Local Municipality, which now holds ownership by virtue of the township title for Kagiso Extension 10 Township, namely Certificate of Registered Title T5145/2011.

(Annexure D : Title Deeds and Court documents)

2.4.3. Size

The property sizes are indicated as below, as per the respective SG diagrams.

SG diagram 958/1990	Erf13923 Kagiso Ext 10	4,9937ha
	Erf 13925 Kagiso Ext 10	2,7202ha
	Erf 13926 Kagiso Ext 10	3,0899ha
	Erf 13927 Kagiso Ext 10	4,6104ha
SG diagram 195/1989	Erf 12553 Kagiso Ext 7	4537 m ²
	Erf 12554 Kagiso Ext 7	3694 m ²

2.4.4. Power of Attorney

The Mogale City Local Municipality has mandated the Gauteng Department of Human Settlement to submit the various applications to allow for the Kagiso Hostel Redevelopment Project. In turn the Head of Department of the Gauteng Department of Human Settlements , Mr Phindile Mbanjwa has authorised the Professional Resource Team for the project, being JTP Consortium Pty Ltd, who have further authorised KiPD to submit a formal consolidation, subdivision and rezoning application on the subject properties as per the requirements of the Mogale City SPLUMA By-Law, 2018.

(Annexure E – Power of attorneys)

2.4.5. Registered Mortgage Bonds

There are no mortgage bonds registered against the property.

2.5. EXISTING LAND USE

The properties are currently used for the old Kagiso Hostels, some informal structures and businesses.

(Annexure F – Aerial photograph of properties)

2.6. SURROUNDING LAND USE

(Annexure G: Land Use Plan)

Kagiso Ext 10 and 7 are located on the northern most portion of the Kagiso residential area. The properties are surrounded by a variety of and uses, including residential, community and sports facilities and the industrial township of Chamdor south east of the subject properties.

2.7. EXISTING ZONING AND DEVELOPMENT CONTROLS

(Annexure H: Zoning certificates)

In terms Annexure F of the Black Communities Development Act, 1984 (Act 4 of 1984), the properties are currently zoned as follows:

Erf 12553 Kagiso Extension 7 :

Zoning	Business
Primary rights	Shops, business purposes, residential buildings, places of public worship, places of instruction, social halls, sports and recreation purposes, institutions
Floor Area	n/a
Density	n/a
Coverage	70%
Height	3 storeys
Building Lines	3m from street boundary

Erven 13923, 13925, 13926, 13927 Kagiso Ext 10 and Erf 12554 Kagiso Ext 7

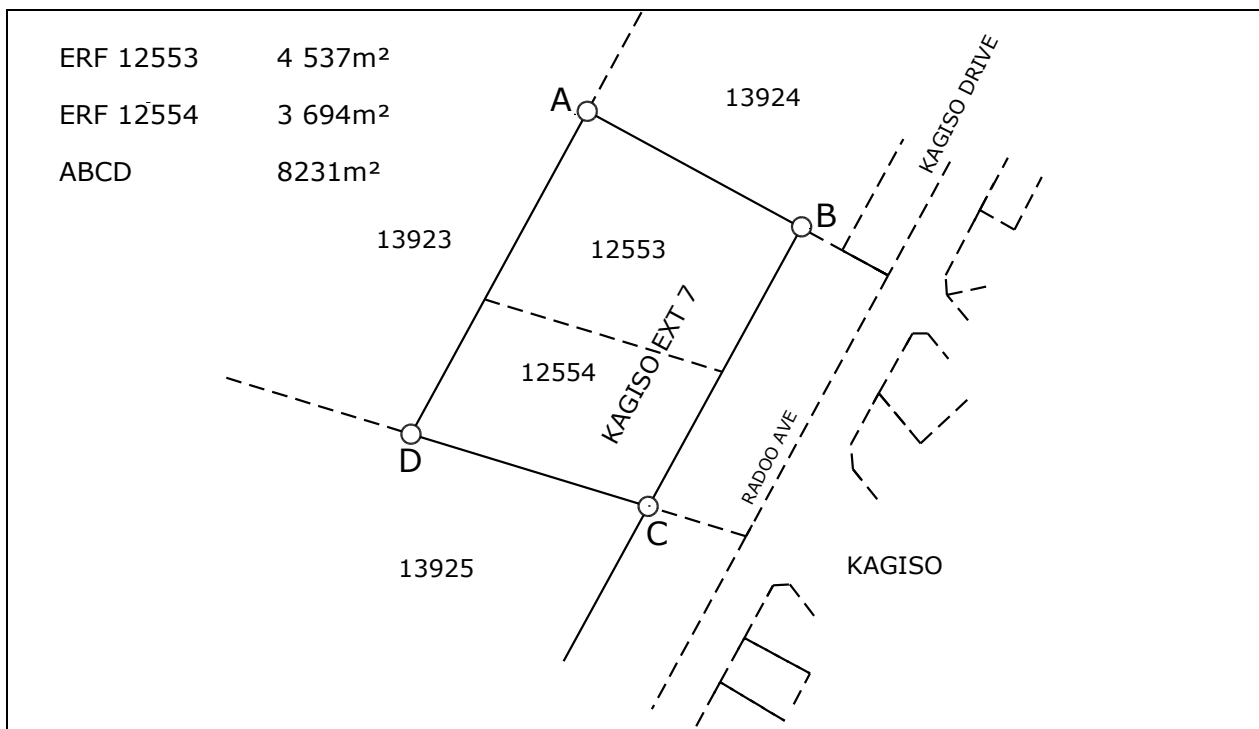
Zoning	Undetermined
Primary rights	No land uses allowed
Floor Area	n/a
Density	n/a
Coverage	n/a
Height	n/a
Building Lines	n/a

3. THE APPLICATION

3.1. PROPOSED CONSOLIDATION

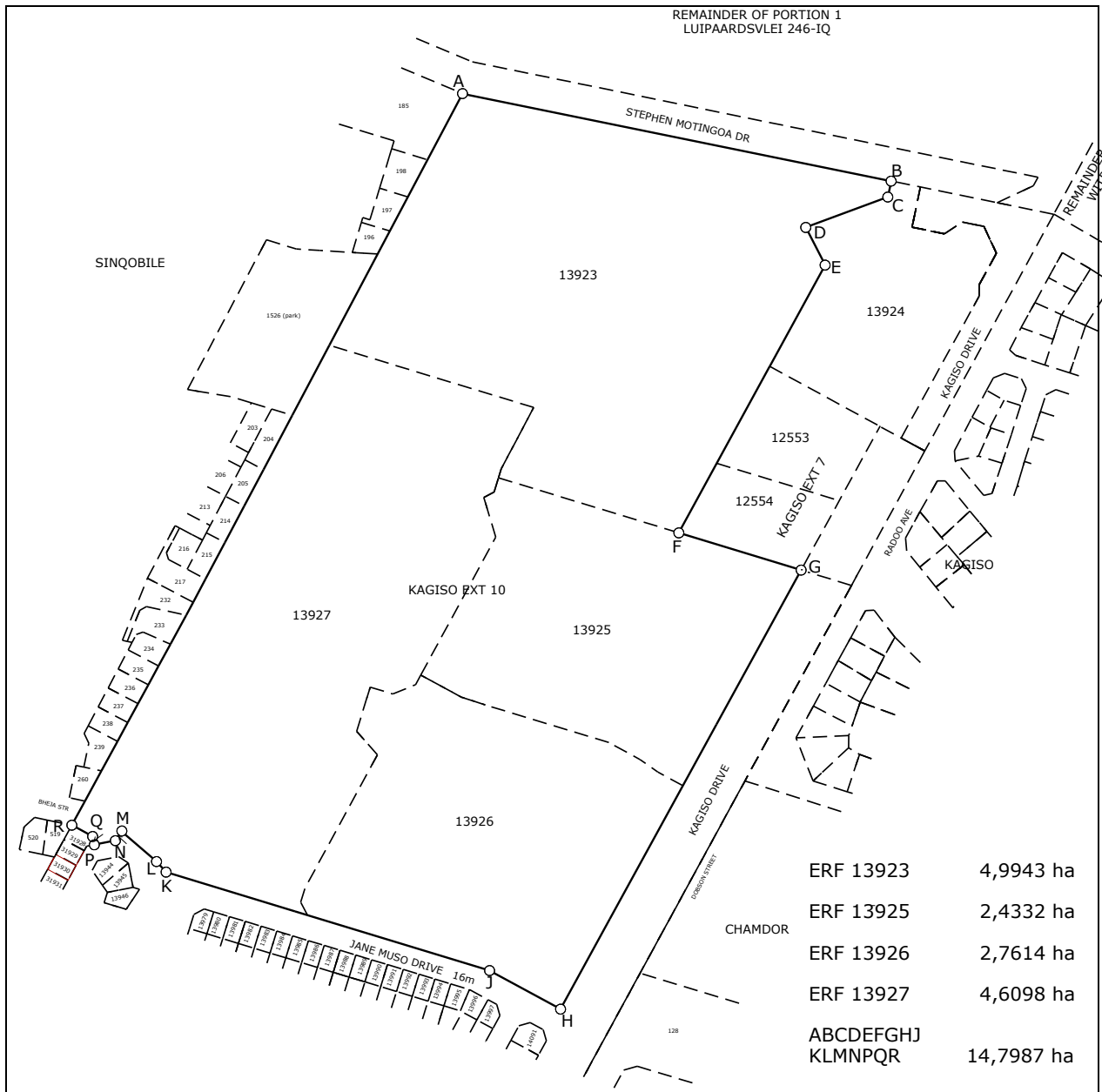
3.1.1. Kagiso Extension 7

Application is made for the consolidation of Erven 12553 and 12554 Kagiso Ext 7 as follows :



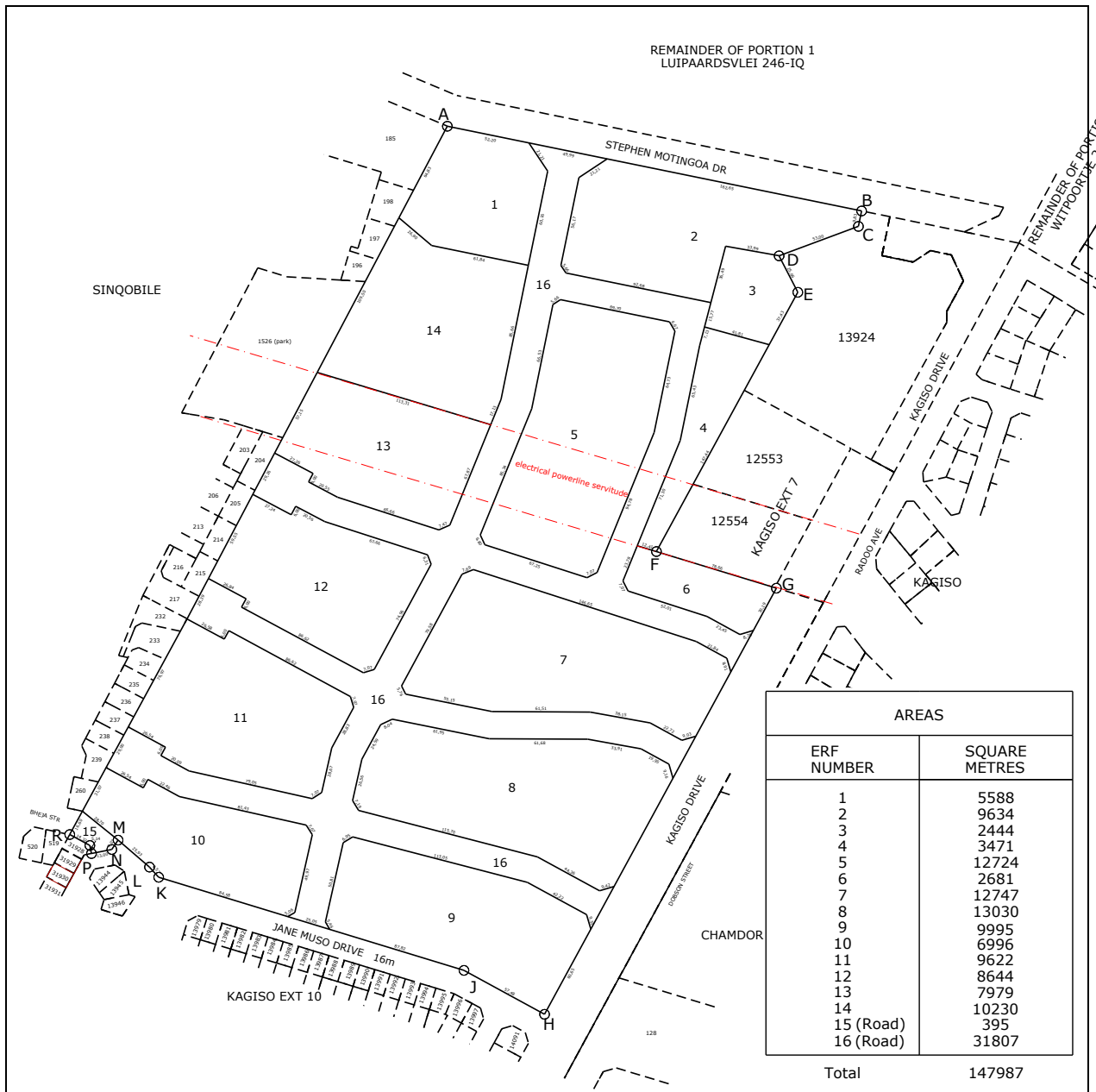
3.1.2. Kagiso Extension 10

Application is made for the consolidation of **Erven 13923, 13925, 13926, 13927 Kagiso Ext 10** as follows. The consolidated erf will be known as Erf 20846 Kagiso Ext 10.



3.2. PROPOSED SUBDIVISION

Application is made for the subdivision of Erf 20846 Kagiso Extension 10, as follows :



3.3. PROPOSED LAND USE RIGHTS

Application is hereby made for the following land use rights :

Portion 1 of Erf 20846 Kagiso Extension 10

Proposed Zoning	Business 2
Primary rights	Shops, offices use, residential use, hotel and dwelling units
Coverage	As per scheme - 60%
Height	As per scheme - 3 storeys
Density	n/a
Floor Area Ratio	As per scheme – 1.5
Building Lines	As per approved site development plan
Parking	As per scheme

Portions 2, 4 to 14 of Erf 20846 Kagiso Ext 10 as well as the consolidated erf of Erven 12553 and 12554 Kagiso Ext 7:

Proposed Zoning	Residential 3
Primary rights	Dwelling units with or without outbuildings, residential use
Coverage	As per scheme - 80%
Height	As per scheme - 4 storeys
Density	As per scheme - 380 dwelling units per hectare
Floor Area Ratio	As per scheme – 3.0
Building Lines	As per approved site development plan
Parking	As per scheme – 1 bay per every 8 dwelling units

Portion 3 of Erf 20846 Kagiso Ext 10 :

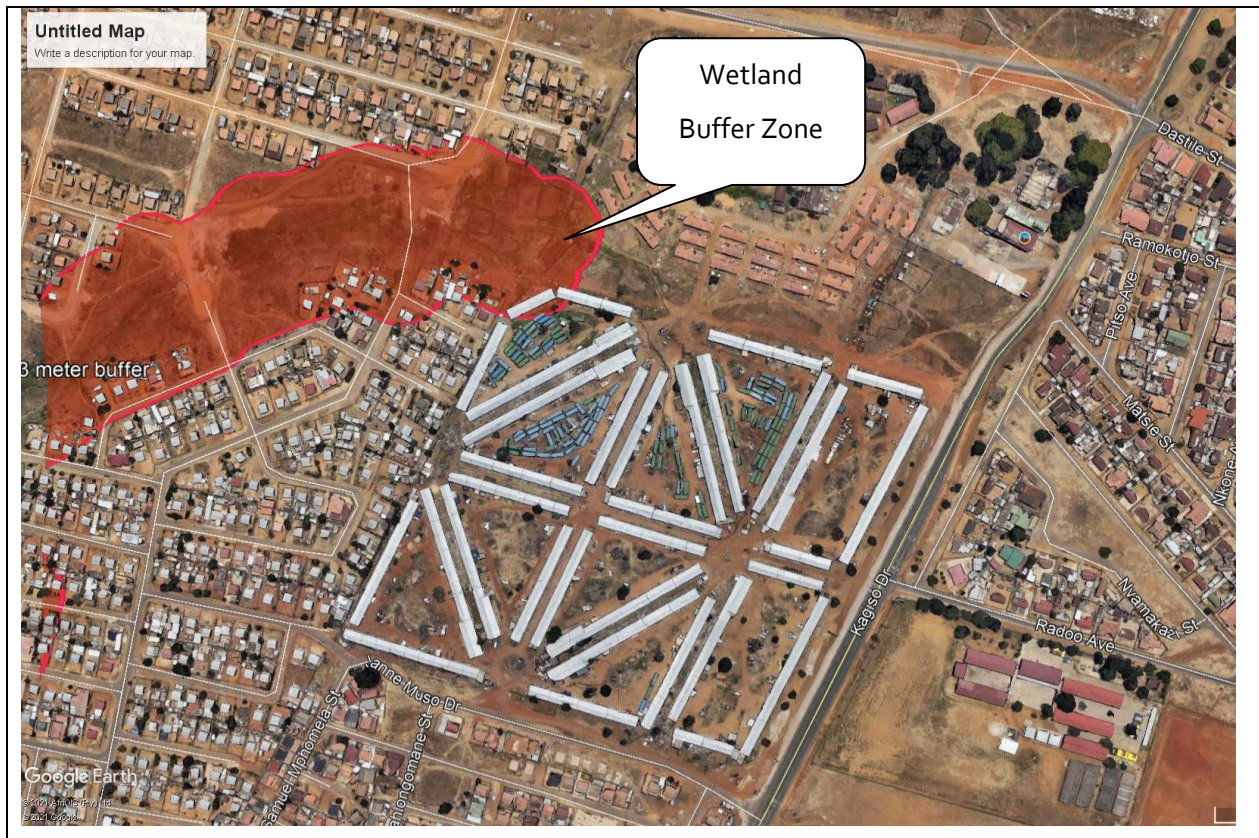
Proposed Zoning	Residential 3
Primary rights	Dwelling units with or without outbuildings, residential use, place of public worship
Coverage	As per scheme - 80%
Height	As per scheme - 4 storeys
Density	As per scheme - 380 dwelling units per hectare
Floor Area Ratio	As per scheme – 3.0
Building Lines	As per approved site development plan
Parking	As per scheme – 1 bay per every 8 dwelling units

Portion 15 and 16 of Erf 20846 Kagiso Ext 1

Proposed Zoning	Existing Public Roads
Primary rights	As per scheme

4. WETLAND BUFFER ZONE

Newtown Landscape Architects were appointed to prepare an environmental assessment. They have identified a wet land in the township of Sinqobile, adjacent west of the subject properties. The wetland is subject to a 32m buffer zone which affects the proposed development as follows :



The buffer zone has been included on the Annexure plans of the proposed amendment scheme as an area where only landscaping and open space may be developed.

5. SERVICE INFRASTRUCTURE

NOTE : All reports on infrastructure have been prepared for the Kagiso Hostel Redevelopment Project as a whole, thus on all the land mentioned in paragraph 1. above for ± 10 000 new dwelling units.

5.1. ELECTRICAL

(Annexure J – Electrical report)

An electrical capacity report was compiled by JTP Consortium (Pty) Ltd in October 2020. In terms of the report, there are 7 x 200kVA transformers shared between the current Kagiso and Madala hostels, giving a total installed capacity of 1.4MVA. The existing infrastructure will be decommissioned as it is not in line with the new development.

The total supply capacity required will be 25MVA for the anticipated 10,000 dwelling units using an ADMD of 2.5kVA per unit. The municipality has confirmed that there is no adequate capacity on the existing electricity distribution network in the vicinity of the planned Kagiso Hostel Re-Development to supply the development requirements.

ITEM	ZONING HOUSING TYPE	No of Units	DEMAND (kVA)	TOTAL DEMAND (kVA)
1	RDP / Low Cost	10,800	2.5	27000
2	Common Areas (Blocks)	625	0.16	100
3	Community Areas	11	10	110
4	Street & Area lighting	350	0.1	35
5	TOTAL			27,245

In order to provide adequate electricity supply for the Kagiso Housing Development, Mogale City would have to construct the following:

- Construct a 132/11kV 2 x 40MVA substation around the Kagiso Hostel development (the “Sinqobile 132/11kV Substation”);
- Construct 2 x 132kV lines of about 10km in length; and
- Establish 11 kV feeders for the development.

The electricity distribution systems will be designed for the anticipated maximum load to avoid the need for future upgrading of the electricity distribution systems.

5.2. WATER AND SEWER

(Annexure K – Sewer & water report)

The water and sewer report was compiled by PHB Engineers in November 2020.

5.2.1. Water

The average water demand for the proposed development is indicated in the table below:

Average Water Demand	
Dwelling: Residential II and III	300 ℓ /dwelling/day
Peak factor	4.0 based on equivalent erven
Provision of Water for Fire Fighting	
Fire flow criteria	Res Zone II and III - 15 ℓ / s
	Hydrant spacing 240m (maximum)
Other Criteria	
Absolute minimum static pressure	20m (2 Bar)
Position	In road reserve /residential internal services
Pipe material	uPVC class 12
Pipe size minimum	110mm ø uPVC
Maximum pipe velocity ≤ 160mm Ø	1.0 m/s – 3.5 m/s

It is proposed that the new development be supplied from the Lewisham Reservoir

Details of the reservoir are as follows:

- Volume: 12 500 kL
- TWL: 1772.2
- BWL: 1764.7

A 450Ø feeder main is routed from the res towards the development, becoming a 315Ø in the vicinity of the eastern most end of the site and continues between Phase 2 and 3 routed before terminating in a short segment of 250Ø located within the western most portion of Phase 1.

There is sufficient capacity in the Lewisham reservoir to meet the needs of the proposed development, however various upgrades will be required by the municipality to meet the demands.

5.2.2. Sewer

The following preliminary demands have been calculated for sewer usage:

- AADD 3 683 kl
- Peak Flow Demand – 87 l/s

The area drains to the Flip Human Wastewater Treatment Works, approximately 5.3 km to the south of the proposed development. The Flip Human WWTW has a design capacity of 50 ML/d, but with a current operational capacity of 27 ML/d due to various operational constraints. An action plan has been developed by council to address the risks and implement the required works at the Flip Human

WWTW to regain the design capacity of 50 ML/d. Council has indicate this plan is in progress. However, no indication was provided as to when the required works are expected to be completed.

5.3. ROADS AND STORMWATER

(Annexure L – Roads & Stormwater)

A roads and stormwater management plan was compiled by PHB Engineers in November 2020.

5.3.1. Roads

The site surrounded by the following road:

- James Muso Drive along the southern Boundary
- Kagiso Drive along the eastern Boundary
- Dastille Street along the north boundary of Portion 1 / southern Boundary of Portion 2 and 3)

There are therefore adequate access roads in the vicinity, as discussed further in traffic engineer's impact assessment.

The roads are being upgraded from a gravel road to a surface standard and are based on a design speed of 40 km/h or 60 km/h were technically feasible.

5.3.2. Road Stormwater Drainage

Based on the size of the development it is recommended that sustainable urban drainages practices as implemented in the detailed design, these include

- On-site Attenuation to reduce the post-development peak flow to equal or less than the pre-development peak flow.
- Rainwater Harvesting and re-use where possible.
- Bio-swales / retention design / rain gardens to promote infiltration and storage.

Stormwater from the buildings will be directed to open areas and should be maintained and sheet flow and directed to open swales or bio-retention swales where possible only where not possible and where capacity is reached should stormwater be directed into an underground piped stormwater management system on the roads. The underground system should be directed to purpose-designed and built attenuation or retention structure to provide temporary storage and ultimately outlet into the natural flow. The full criteria for the stormwater design are indicated in the report.

6. TRAFFIC

(Annexure M – Traffic Impact Assessment)

The Traffic Impact Assessment was compiled by Koleko Transportation Engineering and Planning in December 2020.

The following roads will be impacted by the new trips to be generated by the proposed development

- **Tudor Road** is a Class 3 urban collector street with a north-south road alignment. This road is a paved, dual carriageway with two lanes per direction.
- **Kagiso Drive** is a Class 3 urban collector street. This road is orientated in the north-south road alignment and merges into Tudor Road. This road is a paved, single carriageway with one lane per direction.
- **Janne Muso Drive** is a Class 5 urban local street. This street is orientated in the east-west road alignment and intersects with Kagiso Drive. This road is a paved, single carriageway with one lane per direction.
- **Mclean Street** is a Class 3 collector street. This road is orientated in the east-west road alignment and merges into Tudor Road. This road is a paved, single carriageway with one lane per direction.
- **Botes Avenue** is a Class 5 urban local street. This road is orientated in the east-west road alignment and intersects with Kagiso Drive. This road is a paved, single carriageway with one lane per direction.

Access to the proposed development will be obtained from Tudor/Kagiso Drive. Two access points are proposed, one access will be obtained off Dastile Street, and the other access off Janne Muso Drive.

The **total** trip generation by the proposed development is likely to be as follows:

- Approximately 1934 vehicle trips during the Weekday AM peak hour; and
- Approximately 1934 vehicle trips during the Weekday PM peak hour.

	Weekday AM Peak Hour	Weekday PM Peak Hour
Phase 1	622	622
Phase 2	732	732
Phase 3	580	580
Total	1934	1934

All intersections analysed for all the scenarios, except for Scenarios 3 and 5, operated at an acceptable LOS and below capacity. During Scenario 3, the Kagiso Drive/ Dastile Avenue and Kagiso Drive/ Janne Musso Avenue intersections operated at an unacceptable LOS. These intersections could be signalized to improve the intersection operating conditions. During Scenario 5, the Tudor Street/ Mclean Street and the Kagiso Drive/ Dastile Avenue intersection operated at an unacceptable LOS. The Tudor Street/ Mclean Street intersection could be signalized to improve the intersection operating conditions.

Additional lanes are required to improve the operating conditions of the Kagiso Drive/ Dastile Avenue intersection. The following upgrades are proposed:

- Northbound – Converting the shared through, left, and right lane into a shared through-left lane and an additional exclusive right turn lane.

- Southbound – Converting the shared through, left, and right lane into a shared through-left lane and an additional exclusive right turn lane
- Eastbound – Converting the shared through, left, and right lane into an exclusive through lane and additional exclusive left and exclusive right-turn lanes.

7. SPATIAL PLANNING ENVIRONMENT

In terms of Section 5(2) of the Mogale City SPLUMA By-Law, 2018 – “Any land development application in terms of this By-law shall be guided and informed by the municipal integrated development plan and municipal spatial development framework as adopted and approved in terms of section 20 of the Act”

This section therefore reviews all relevant spatial planning documents and plans, to determine the suitability and compliance to the spatial plans of the municipality.

The Mogale City Spatial Development Framework, 2011 has been reviewed as follows :

7.1. SPATIAL DEVELOPMENT FRAMEWORK 2011

The Mogale City Spatial Development Framework, 2011 (SDF) is a municipal wide spatial policy document that identifies the main challenges and opportunities for the municipal area, sets a spatial vision for the future city and outlines a set of strategies to achieve that vision.

Along with providing a spatial vision, the SDF defines the strategic spatial areas to be used in the City’s capital investment prioritisation model. This will ensure that infrastructure investment is directed to areas with the highest potential to positively impact on the development trajectory of the City as defined in the SDF.

In terms of the SDF, Kagiso (inclusive of Sinqobile), along with Krugersdorp has the highest concentration of urban development in the Mogale City local municipality. In terms of the Gauteng Spatial Development Perspective, Kagiso has been identified as one of the top 11 concentrations of poverty in Gauteng.

It is therefore imperative for additional housing opportunities to be made available in order to reduce the level of poverty in the area and aid in improving the quality of life for the residents of the area.

Formalised housing will result in formalised services which will dramatically improve informal housing conditions.

The applications for consolidation, subdivision and rezoning conforms to the vision of the SDF, as it aims at creating formalised residential stands which will aid in reducing the housing backlog as well as house families who would otherwise be living in informal structures.

8. MOTIVATION

8.1. NEED AND DESIRABILITY

It is required for the property to be consolidated, subdivided and rezoned as the current property boundaries and land use rights restrict the development potential of the site. The existing zoning of the property does not allow for multiple residential dwelling units and supporting uses to be built on the property, as it is restricted in terms of its developmental threshold.

The consolidation, subdivision and rezoning of Erven 13923, 13925, 13926, 13927 Kagiso Ext 10 and Erven 12553, 12554 Kagiso Ext 7 form part of the larger Kagiso Hostel Re-Development Project. This project aims at redeveloping the hostel precinct to enable a larger, more efficient development that will not only provide a substantially larger number of dwelling units, but also provide a sustainable living environment for the residents.

It can be seen as somewhat of a mega project as its impact will be far-reaching. Kagiso is a previously disadvantaged community that experiences high levels of poverty. There is a massive demand for formalised housing to be provided in order to reduce the housing backlog, reduce the level of poverty, reduce the need for informal housing and improve the quality of life for the community. This project will directly address these issues on a massive scale.

Properties which were originally earmarked for certain uses, but have not materialised and remain vacant, run the risk of illegal structures being built on the properties. It is therefore of imperative importance to maximise the developmental potential of any vacant and underused/developed sites so as to accommodate as many families as possible.

On plots such as the subject properties, the current use does not maximise the potential of the sites. The existing hostel, although higher in density, does not create a family living environment. The quality of life offered in the existing development is severely underwhelming. This is therefore an excellent opportunity to accommodate more people and create sustainable human settlements with improved quality of life.

The proposed consolidation, subdivision and rezoning does not deviate from the vision of the Mogale City SDF, and in fact promotes the ideals stipulated in the policy.

9. SPLUMA DEVELOPMENT PRINCIPLES

In terms of the Spatial Planning and Land Use Management Act (Act 16 of 2013) (SPLUMA), the following principals apply to spatial planning, land development and land use management and are hereby applied to this application:

SPLUMA Referral		Proposed Development Compliance
7 (a)	Spatial Justice	The development addresses the principle of spatial justice as it answers to the rectification of previous injustices by improving access to residential spaces within previously disadvantaged areas.
7 (b)	Spatial Sustainability	The principle of spatial sustainability is addressed in the fact that the development is being implemented in an area that is considered viable for the development to occur within and addresses the immediate need to the amenity.
7 (c)	Efficiency	The land development optimises the use of existing engineering infrastructure .
7 (d)	Spatial Resilience	By providing more residential opportunities, the principle of spatial resilience applies in that the Spatial Development framework supports the type of development that’s been instituted in the area, therefore adhering to the vision of the City.
7 (e)	Good Administration	The development answers to the broader scope and the microscope of all spheres of government, in that it answers the need of the intention to increase accessibility to necessary social needs within South Africa.

10. RECOMMENDATION

The application is in line with Mogale City’s vision for this area and supports the policy. Kagiso is in dire need of formalised subsidised housing to reduce the level of poverty currently experienced in the area. This application aims at addressing this need and more efficiently utilising well located space in the municipality. We therefore recommend that the application be approved.