



URBAN & REGIONAL PLANNING  
PROPERTY DEVELOPMENT SPECIALISTS

**MOTIVATIONAL MEMORANDUM:  
Consent use application  
for  
Erf 201 West Turffontein**

**on behalf of  
TURF PROP INV PTY LTD**

<b>Date</b>	20 October 2021
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## INTRODUCTION

The purpose of this memorandum is to introduce, elaborate upon and motivate the application for consent use in respect of Erf 201 West Turffontein to allow for a "Place of Instruction".

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: Engineering Services
- ❖ Chapter 4: Policy Environment
- ❖ Chapter 5: Motivation
- ❖ Chapter 6: Conclusion

## 1. GENERAL INFORMATION

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KiPD (Pty) Ltd, the authorised agent, has been appointed by the Turf Prop Inv Pty Ltd, the registered owner of Erf 201 West Turffontein, to lodge an application to obtain a consent for the property to be used as a Place of Instruction (School). Erf 201 West Turffontein will be referred to as "the site", "the subject properties" and/or "the proposed development" in this memorandum.

### 1.1. THE APPLICATION

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Application is made in terms of Section 19 of the City of Johannesburg Metropolitan Municipality Municipal Planning By Laws, 2016, read together with the Spatial Planning and Land Use Management Act (Act 16 of 2013).

### 1.2. LAND DEVELOPMENT AREA

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#### 1.2.1. Site Locality

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West Turffontein is located in the southern suburbs of Johannesburg. Erf 201 West Turffontein is located at 21 O'Hara Street, West Turffontein and measures 1190 m<sup>2</sup>.

### 1.3. AGENT AND CLIENT

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#### 1.3.1. Agent

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

Name	KiPD (Pty) Ltd
Responsible Persons	Saskia Cole
Postal Address	P O Box 52287, Saxonwold, 2132
Contact Number	011 888 8685 / 082 574 9318
Email	saskia@kipd.co.za

### 1.3.2. Client

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The client's contact details are as follows:

Contact name	Dr Muhammed Peer
Contact Number	083 786 5120
Email	drmmpeer@gmail.com

## 1.4. LEGAL ASPECTS

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### 1.4.1. Ownership

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Erf 201 West Turffontein, held under Deed of Transfer T39960/2018, is owned by Turf Prop Inv Pty Ltd.

There are no title conditions affecting the consent use application for this property.

### 1.4.2. Size

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In terms of General Plan A1432/1912, the erf measures 1190 m<sup>2</sup>

### 1.4.3. Power of Attorney and Resolution

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The owner of the property has provided a formal signed Special Power of Attorney and Resolution to enable KiPD to make application for consent use on the subject property as per the requirements of the Municipal Planning By Law, 2016 read together with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013).

### 1.4.4. Registered Bonds

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There is a registered bond held against the property. The bondholder consent letter is attached to this application.

## 1.5. EXISTING LAND USE

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The site is currently being used as a residential building with individual units.

## 1.6. SURROUNDING LAND USE

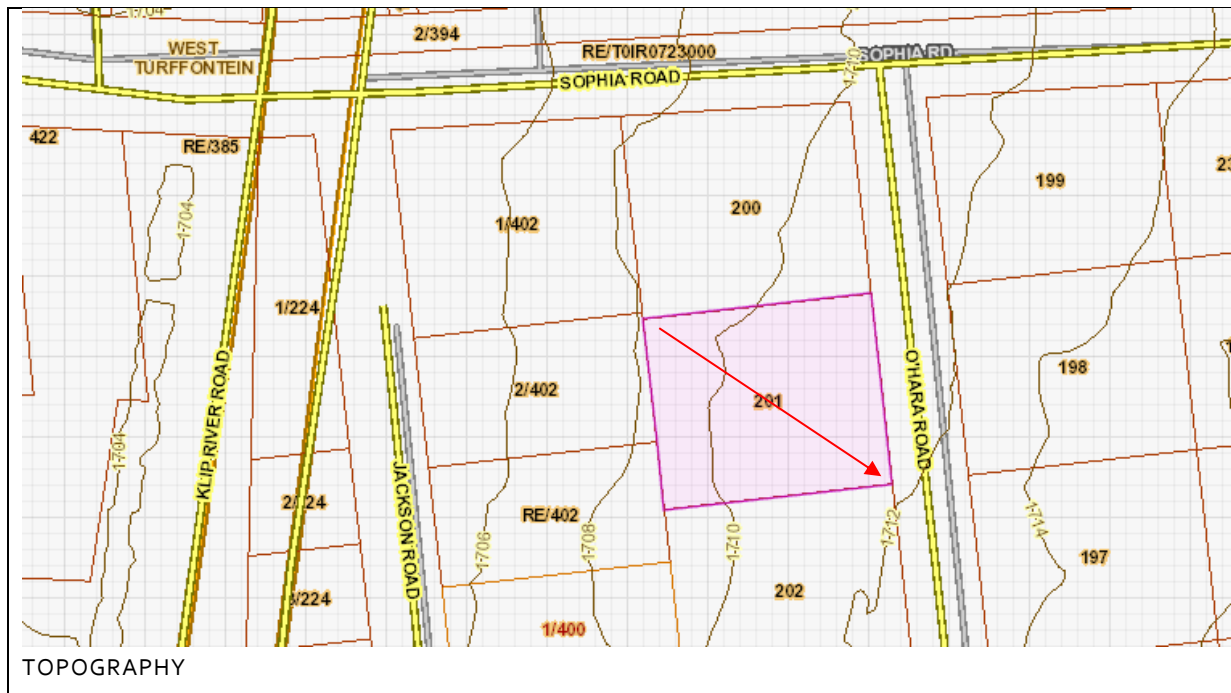
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The property is mainly surrounded by residential dwelling units.

## 1.7. TOPOGRAPHY

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The slope of the site falls diagonally from the northwest to southeast. The slope is extremely gentle as can be seen on the contour map below. The land slopes less than 2m over the entire extent of the property.



### 1.8. EXISTING ZONING AND DEVELOPMENT CONTROLS

In terms of the City of Johannesburg Land Use Scheme, 2018, the property is currently zoned as follows:

Zoning	Residential 4
Primary rights	Dwelling house and residential buildings
Secondary Rights	Religious purposes, place of instruction, child care centre, social halls, institutions, special buildings, sport and recreation clubs, public or private parking areas, medical consulting rooms, tavern/shebeen, guest house.
Floor Area	As per scheme – 1.2
Coverage	As per Scheme - 50%
Height	As per scheme - 3 storeys
Building lines	As per scheme – 3m street boundaries
Parking	As per scheme

In terms of the City of Johannesburg Land Use Scheme, 2018, application can be made for consent to allow a “Place of Instruction”.

### 1.9. SURROUNDING ZONING

In terms of the City of Johannesburg Land Use Scheme, 2018, the erven in West Turffontein are mainly zoned “Residential 4”.

## 2. THE APPLICATION

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### 2.1. PROPOSED LAND USE

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Application is hereby made for consent for Erf 201 West Turffontein to be used for a "Place of Instruction", which will allow for the property to be used for a School accommodating Grades 1 – 12.

The School, Israel Christian School, is registered as an Independent School with the Gauteng Department of Education. The school accommodates children from impoverished communities who travel with public transport. There are currently 335 children registered at the School.

The school offers the major subjects as well as religious and moral education. It also offers students free computer classes.

The fees for the school range from R800 to R1050 per month, depending on the grade.

## 3. SPATIAL PLANNING ENVIRONMENT

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In terms of Section 5(2) of the City of Johannesburg Municipal Planning By-Law, 2016 – "any land development application in terms of said By-Law shall be guided and informed by the City's Integrated Development Plan and Municipal Spatial Development Framework as adopted and approved in terms of Section 20 of SPLUMA and Section 10 of said By-Law."

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

The following spatial planning documents have been reviewed :

- City of Johannesburg Spatial Development Plan, 2040 (2016);
- The Nodal Review, 2020.

### 3.1. SPATIAL DEVELOPMENT FRAMEWORK 2040

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The Spatial Development Framework 2040 (SDF) is a city wide spatial policy document that identifies the main challenges and opportunities for the City, 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, the subject property falls within a "Metropolitan Node". The nodal areas, specifically the Metropolitan Node should support urban structure for economic growth, job creation and poverty alleviation.

The underlying objective of a Metropolitan Node is to foster economic growth and provide social services. This can be done by applying the Compact City model. The Compact City model concentrates the factors of production, capital, people (with varied skills), social services and resources close together in a shared space. High density mixed use living and a wider range of transport options eliminates the need for long travel distances between home and work. The concentration of a variety of skills, services and resources as well as quality public environments not only creates vibrant and innovative cities, it also has substantial efficiency gains for the economy.

It is imperative to have educational facilities in close proximity and within residential spaces to alleviate the need for students to travel far distances. The time taken away from students in travelling could be used for studying, playing and or resting. The provision of educational facilities must be prioritized, especially in impoverished communities.

This application will enable the provision of an educational facility (place of instruction) that caters for all ages upto grade 12, is well located within a metropolitan node and in close proximity to public transport infrastructure.

The application conforms to the vision of the SDF.

### 3.2. NODAL REVIEW

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In terms of the Nodal Review, 2020, Erf 201 West Turffontein is located within a metropolitan node and has been earmarked for residential densities of 80 units per hectare and higher. The proposed use is an educational facility, a residential support use and the application for consent for "place of instruction" fits well in the area.

It is important to provide educational facilities within residential areas as it supports the residential space. All residential areas must be supported with educational facilities so as to reduce the travelling distances for children to travel to and from school. Most children would walk or use public transport and the safety is of utmost importance.

The application therefore supports this policy and does not initiate any contradictions to the vision for the City.

## 4. MOTIVATION

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### 4.1. NEED AND DESIRABILITY

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The school, Israel Christian School is an established school which has been registered with the Gauteng Department of Education. It offers classes from Grade 1 to Grade 12. The subject offered at the school include:

- English
- Afrikaans
- Isizulu

- Mathematics
- Life Skills
- Religious Studies and Moral Education
- Social Science (History and Geography)
- Natural Science (Physical Science and Biology)
- Technology
- Life Orientation
- Creative Arts
- Computer Classes (free)

The fees charged at the school are relatively low and range from R800 to R1050 per month. The full curriculum is offered at the school at a fraction of the price, due to affordability.

Moreover, Israel Christian School offers primary and high school classes. The class sizes are relatively small and are indicated as follows:

	NUMBER ENROLLED PER GRADE		
GRADE R	11	11	22
GRADE 1 A	18	11	29
GRADE 1B	15	13	28
GRADE 2	18	18	36
GRADE 3	11	19	30
GRADE 4	11	30	41
GRADE 5	10	19	19
GRADE 6	18	9	27
GRADE 7	3	18	27
GRADE 8	10	12	22
GRADE 9	9	9	18
GRADE 10	10	9	19
GRADE 11	4	9	13
TOTALS	158	177	335

Public school in general are battling to keep up with the demand and the imbalance of available facilities vs number of students creates overcrowded schools. The need for both primary and high schools is extremely high.

The number of students, educators and learners in public and independent schools are illustrated in the tables below:



**Table 1: Number of learners, educators and schools in the ordinary public school sector, by province, in 2016**

Province	Learners	Educators	Schools
Eastern Cape	1 898 723	58 372	5 468
Free State	671 712	22 465	1 214
<b>Gauteng</b>	<b>2 048 558</b>	<b>63 092</b>	<b>2 083</b>
KwaZulu-Natal	2 808 207	84 810	5 895
Limpopo	1 706 725	51 650	3 867
Mpumalanga	1 046 234	34 034	1 725
Northern Cape	287 435	8 841	544
North West	811 340	24 876	1 472
Western Cape	1 063 349	33 254	1 450
<b>South Africa</b>	<b>12 342 283</b>	<b>381 394</b>	<b>23 718</b>

Source: 2016 SNAP Survey.

**Table 2: Number of learners, educators and schools in the ordinary independent school sector, by province, in 2016**

Province	Learners	Educators	Schools
Eastern Cape	62 824	3 257	208
Free State	16 637	1 058	68
<b>Gauteng</b>	<b>278 026</b>	<b>18 986</b>	<b>730</b>
KwaZulu-Natal	69 337	4 989	247
Limpopo	58 830	2 768	151
Mpumalanga	28 118	370	122
Northern Cape	4 080	295	30
North West	19 207	1 232	63
Western Cape	53 223	4 264	237
<b>South Africa</b>	<b>590 282</b>	<b>37 219</b>	<b>1 856</b>

Source: 2016 SNAP Survey.

As can be seen from the above data from Stats SA, Gauteng has an enormous demand for schools. Although the large majority of schools in Gauteng are Public schools, the pressure on these schools to accommodate all the learners is extremely high, thus the need for additional independent schools.

Public schools are also bound by requirements in terms of size of property, fields, etc and thus the available land to provide additional schools is rare. Independent schools such as Israel Christian School is able to provide an educational facility in close proximity to residential areas, as the size requirement of the facilities do not apply. The Israel Christian School is able to provide facilities for the entire primary and high school spectrum and keep classroom sizes fairly small and manageable.

The proposed facility is social and residential support facility ideally located within an established residential area, as well as in close proximity to public transport infrastructure.

## 5. 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 social amenities.
7 (b)	Spatial Sustainability	The principle of spatial sustainability is addressed in respect to 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 and will operate in the existing structures.

7 (d)	Spatial Resilience	By providing a the social facility of a school in Turffontein, 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 in previously disadvantaged townships within South Africa.

## 6. RECOMMENDATION

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The application is in line with the City of Johannesburg's vision for this area and supports the policy and the proposed development would align with the surrounding area. The City is in dire need of educational facilities that can accommodate both primary and high schools in close proximity to residential areas as the need for schools will continue to grow.

We therefore recommend that the application be approved.