

MOTIVATIONAL MEMORANDUM:**Rezoning application****for****Portion 412 Hekpoort 504-JQ****on behalf of****Gloster Farm Pty Ltd**

Date	28 October 2021
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INTRODUCTION

The purpose of this memorandum is to introduce, elaborate upon and motivate the application for rezoning in respect of Portion 412 of the Farm Hekpoort 504-JQ.

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. GENERAL INFORMATION

KiPD (Pty) Ltd, the authorised agent, has been appointed by Gloster Farm (Pty) Ltd, the registered owner of the property, to lodge an application for the rezoning of Portion 412 of the Farm Hekpoort 504-JQ to allow for the development of a game farm with accommodation and ancillary uses. The properties will be referred to as “the site”, “the subject properties” and/or “the proposed development” in this memorandum.

2. THE APPLICATION

Application is hereby made in terms of Section 45 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 rezoning of the property.

2.1 AGENT AND CLIENT

2.1.1. 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

2.1.2. Client

The client's contact details are as follows:

Name	Marty Jasper
Position	Real Estate Development Project Manager
Contact Number	082 888 8856
Email	Marty.Jasper@standardbank.co.za

2.2. SITE LOCALITY

(Locality Plan)

The property is located within the Cradle of Human Kind World Heritage Site, adjacent north of the visitor centre, Maropeng, ± 14km north west of Krugersdorp and ± 10 km north east of the town Magaliesberg. The entrance to the property is off the R563.

2.3. LEGAL ASPECTS

2.3.1. Ownership

The ownership details of the properties are reflected in the table below:

Property Description	Registered Owner	Size	Title Deed Nr
Ptn 412 Hekpoort 504-JQ	Gloster Farm (Pty) Ltd	443,2750 Ha	T91512/1992

2.3.2. Company Resolution

The Directors of Gloster Farm (Pty) Ltd have provided a resolution authorising the nominated individual to provide a power of attorney to enable KiPD to submit a formal application as per the requirements of the Planning By-Law

2.3.3. Power of Attorney

The authorised individual has in turn provided a signed power of attorneys to enable KiPD to submit a formal application as per the requirements of the Planning By-Law.

2.3.4. Restrictive Title Conditions

There are no restrictive title conditions contained in the title deed T 91512/1992 restricting the rezoning of the subject property.

2.3.5. Registered Mortgage Bonds

There is no mortgage bond registered against the property.

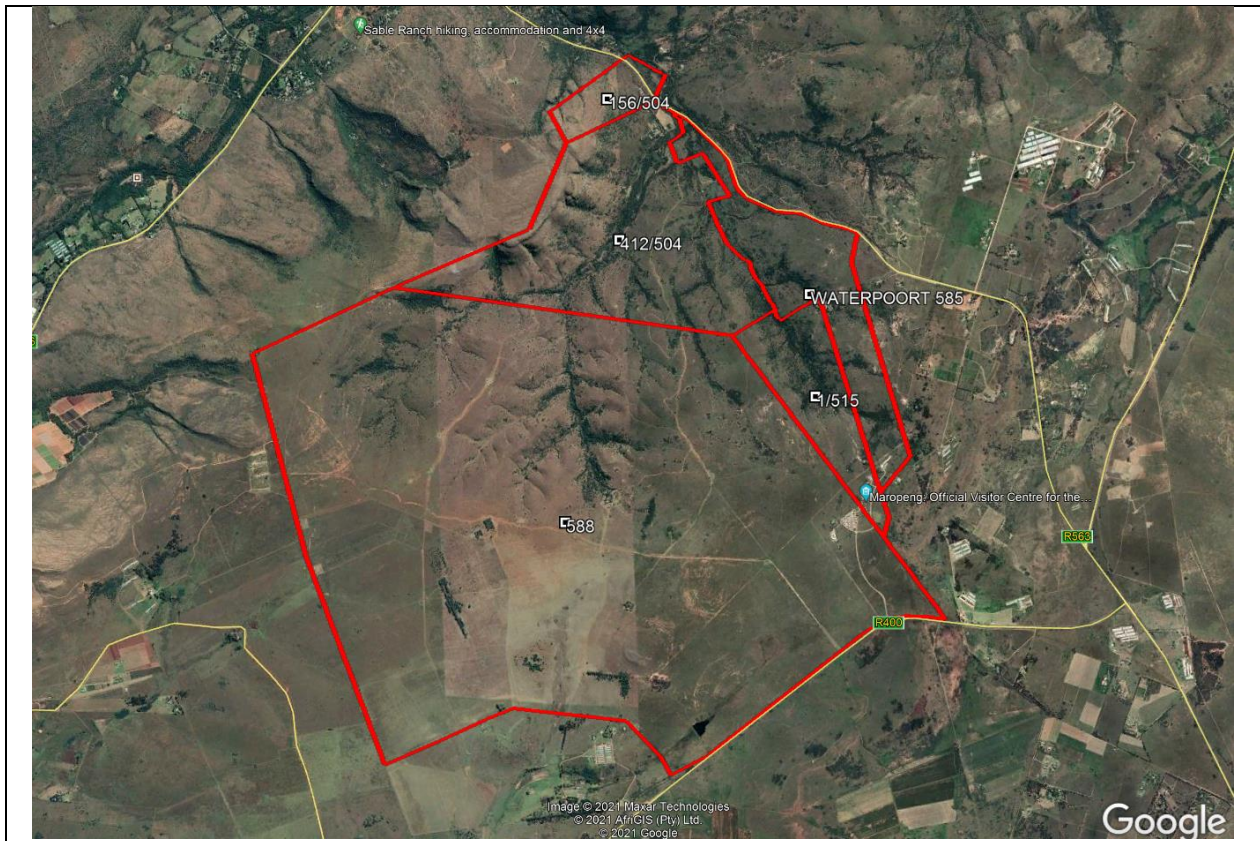
3. MOGALES GATE

Mogales Gate is a game farm which consists of the following farm portions :

- Re Farm Spring Farm 588-JQ (± 2248 ha)
- Ptn 156 Hekpoort 504-JQ (± 45 ha)
- Ptn 412 Hekpoort 504-JQ (± 443 ha)
- Re Farm Waterkloof 515-JQ (± 96 ha)
- Re Farm Waterpoort 585-JQ (± 202 ha)

The total amalgamated size of all five properties is ± 3034ha. The company that owns the property is a subsidiary of Standard Bank South Africa. Standard Bank mainly use the game farm as a corporate retreat for staff.

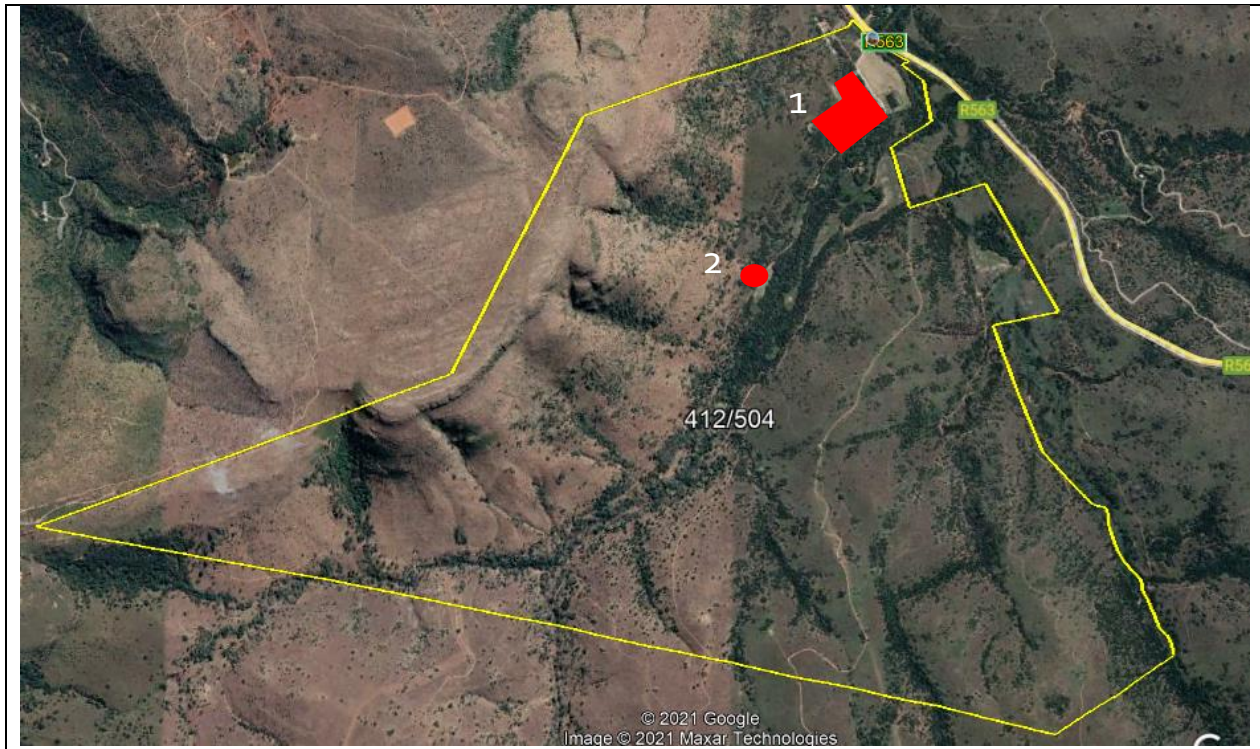
The facilities are only located on Portion 412 of the Farm Hekpoort 504-JQ and the Remainder of the Farm Spring Farm 588-JQ and thus only those portions are being rezoned. A separate application for the rezoning of the Remainder of the Farm Spring Farm 588-JQ has been submitted.



4. LAND USE AND DEVELOPMENT CONTROLS

4.1. EXISTING LAND USE

The location of the land uses on Portion 412 of the Farm Hekpoort 504-JQ are indicted on the plan below :



Complex 1 above consists of :

- Guard house at the entrance;
- Nine (9) staff houses and two (2) studio type staff accommodations;
- Environmental education centre and conference room with kitchen;
- Abattoir and cold rooms (licensed for 10 small units per day);
- Offices; and
- Various outbuildings - laundry, stores, garages, workshop etc.

Complex 2 indicted above is where the Bush Camp with five (5) rooms, seven (7) chalets, swimming pool, kitchen, dining and entertainment area are located.

Submitted with this application is the site development plan for Mogale Gate, indicating the above buildings. The total floor area of the buildings on the property is approximately 1800m².

4.2. SURROUNDING LAND USE

(Land use plan)

The site is surrounded by conservation land within the Cradle of Humankind. A number of tourism related facilities exist around the Cradle of Humankind, including accommodation, resorts, caravan parks and the like.

Maropeng, the main visitors centre for the Cradle of Humankind World Heritage Site with a hotel and conference centre is located to the south of the property.

4.3. EXISTING ZONING AND DEVELOPMENT CONTROLS

In terms of the Krugersdorp Town Planning Scheme, 1980, the property is currently zoned as follows:

Zoning	Agricultural
Primary rights	Dwelling house (with or without outbuildings) Agricultural use
With consent	Institution, place of public worship, additional dwelling unit (with or without outbuildings, special use
Floor Area	0.2
Density	N/A
Coverage	10%
Height	2 storeys
Building Lines	10m

4.4. PROPOSED DEVELOPMENT CONTROL

Application is hereby made for the following land use rights :

Zoning	Agricultural
Primary rights	Dwelling house (with or without outbuildings), agricultural use and game farm with associated and subservient uses including a place of instruction, an abattoir, conference facilities, accommodation for guests, offices and dwelling houses for staff.
Floor Area	0.2
Density	N/A
Coverage	10%
Height	2 storeys
Building Lines	10m

5. SPATIAL PLANNING ENVIRONMENT

In terms of Section 5 (2) of the Planning By-Law – “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” Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013).

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

5.1. SPATIAL DEVELOPMENT FRAMEWORK 2011

The Spatial Development Framework is a municipal wide spatial policy document that identifies the main challenges and opportunities for the municipality, 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 Municipality’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 Municipality as defined in the SDF.

According to the SDF Hekpoort comprises very little activity, and also do not have a major function within the rural environment other than providing some day-today convenience services to the rural population. Hekpoort should be further developed as a rural service centre that provides a service to surrounding rural communities as well as a potential tourism centre.

The SDF further reiterates the prevalence of tourism in the Mogale City region:

The tourism route will follow along the following roads:

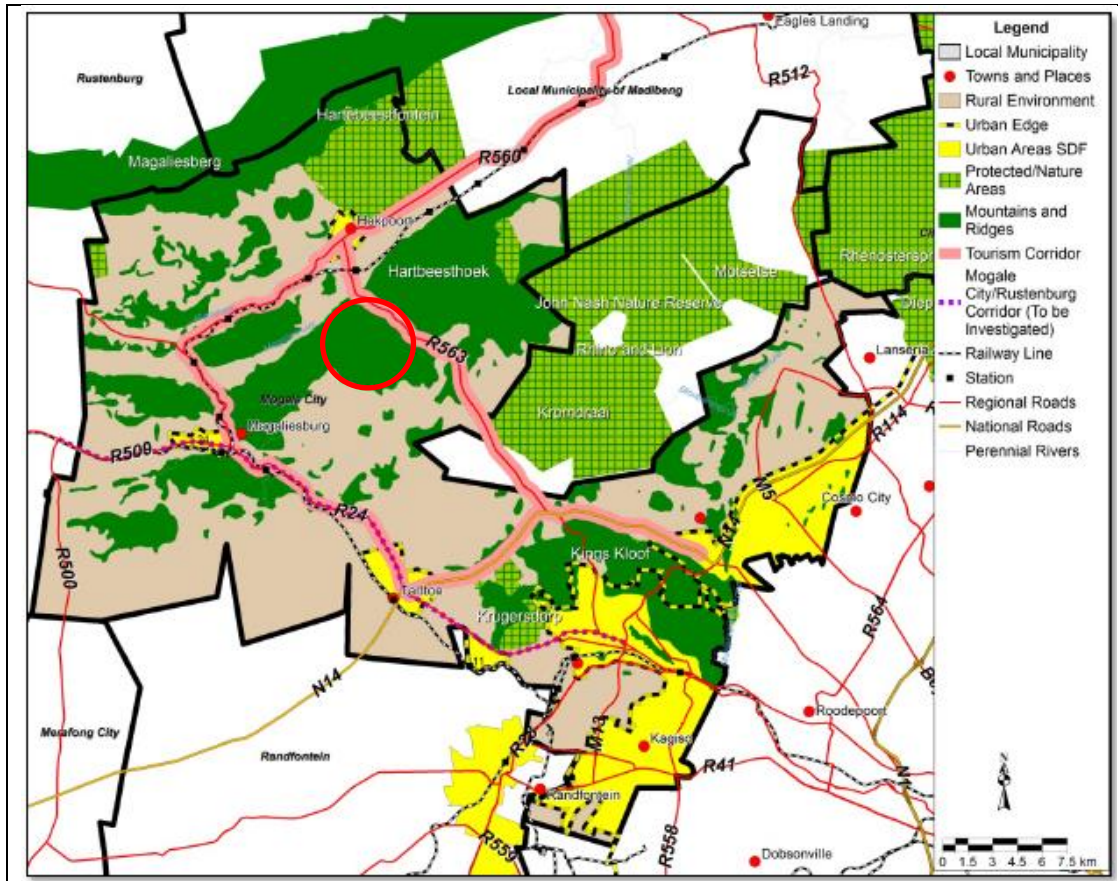
- R28;
- **R563;**
- R24 (north of Tarlton up to the R560) with Magaliesburg as tourism node; and
- R560, with the Hekpoort town as potential tourism node.

The intersections of these routes are considered to be the main gateways into the rural tourism area, and as such should be afforded specific attention insofar as directional signage, environmental quality and the quality of any potential developments are concerned. Typical tourism facilities and services that may be permitted in the tourism focus areas include-

- **Guest Houses** and lodges
- Cultural Villages
- **Environmental education centres**
- Conference centres and **training facilities**
- **Restaurants, tea gardens**
- Wellness centre/spa
- **Infrastructure that serves the tourism facilities**

- **Housing for workers in the tourism industries.**

The map below illustrates that the subject property is located along the R563, and is ideally located for the proposed use. Although, the proposal is to create this facility for private usage, the principles and land uses proposed are wholly in line with the SDF.



6. MOTIVATION

6.1. NEED AND DESIRABILITY

The property is located within the World Heritage Site of the Cradle of Humankind, and offers a unique experience. It is a low impact, low density use that takes into cognisance the importance of environmental conservation.

The proposal to continue the environmental conservation, with additional facilities on the property is in line with the aesthetic of the greater area and further reiterates the rural discourse of the Hekpoort area. The World Heritage site is not compromised, in fact the proposal sets out to ensure the heritage and sanctity of the area is preserved and maintained.

The lodge proposed is not for commercial tourism, but rather for private use for the owners and their guests. Thus, the impact of the facility will still remain low and no further infrastructural support will be required, over and above what currently exists.

The educational facility is aimed at day visits for schools (no accommodation for overnight trips) and is aimed at teaching children about respecting the environment, environmental conservation as well as team building and unity.

The proposed use is in with the Mogale City SDF and ensures the vision of the municipality for this area is maintained.

7. SPLUMA DEVELOPMENT PRINCIPLES

In terms of the Spatial Planning and Land Use Management Act (Act 16 of 2013) (SPLUMA), the following principles 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 making the existing facility multi -functional.
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	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.

8. RECOMMENDATION

The application is in line with the Municipality’s vision for this area and supports the policy and the development aligns with the surrounding area.

We therefore recommend that the application be approved.