

MOTIVATIONAL MEMORANDUM:**Township Establishment****Application****for****Portion 55 of the Farm Klipriviersoog****299-IQ****To be known as KLIPRIVIERSOOG EXT.7****on behalf of****Johannesburg Development Agency****(Pty) Ltd**

Date	14 March 2022
Prepared by	Raeesa Soomar Cassim (Pr Pl. A/1852/2014) raeesa@kipd.co.za 084 440 5957
	Saskia Cole (Pr Pl.A/1554/2012) saskia@kipd.co.za 082 574 9318
File number	R/20/K/1010

TABLE OF CONTENTS

INTRODUCTION	4
1. GENERAL INFORMATION	4
1.1. THE APPLICATION	4
1.2. LAND DEVELOPMENT AREA	4
1.2.1. Site Locality	4
1.3. AGENT AND CLIENT	5
1.3.1. Agent	5
1.3.2. Client	5
1.4. LEGAL ASPECTS	5
1.4.1. Ownership	5
1.4.2. Power of Attorney	5
1.4.3. Registered Bonds	5
1.5. EXISTING LAND USE	5
1.6. SURROUNDING LAND USE	6
1.7. TOPOGRAPHY	6
1.8. EXISTING ZONING AND DEVELOPMENT CONTROLS	6
1.9. SURROUNDING ZONING	6
2. THE APPLICATION	7
2.1. TOWNSHIP LAYOUT	7
2.2. PROPOSED DEVELOPMENT CONTROLS	7
2.3. TITLE CONDITIONS	8
2.4. Proposed Land Use	8
2.5. ACCESS	9
2.6. GEOTECHNICAL ENGINEERING	9
3. SPATIAL PLANNING ENVIRONMENT	10
3.1. SPATIAL DEVELOPMENT FRAMEWORK 2040 AND NODAL REVIEW, 2020	10
4. MOTIVATION	11

4.1. NEED AND DESIRABILITY	11
5. SPLUMA DEVELOPMENT PRINCIPLES	13
6. RECOMMENDATION	13

ANNEXURES

Annexure A – Locality

Annexure B- Sales Agreement

Annexure C – Title Deed

Annexure D – Power of attorney

Annexure E – Township layout plan

Annexure F – Land use plan

Annexure G – Zoning plan

Annexure H – Nodal and density plan

Annexure I – Zoning certificate

INTRODUCTION

The purpose of this memorandum is to introduce, elaborate upon and motivate the application for the establishment of a township in respect of **A PORTION OF PORTION 55 KLIPRIVERSOOG 299-IQ** to be known as **KLIPRIVERSOOG EXT.7**.

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

KiPD (Pty) Ltd, the authorised agent, has been appointed by the Johannesburg Development Agency (JDA), a municipal owned entity of the City of Johannesburg Metropolitan Municipality (COJ), and Sapphire Cove Investments 4 (Pty) Ltd the registered owner of Ptn 55 Klipriviersoog 299-IQ, to lodge an application for the establishment of a township in order to acquire the land use rights for municipal purposes to allow for the development of a Rea Vaya Bus Station.

The City of Johannesburg Metropolitan Municipality (COJ) has purchased a portion of Ptn 55 Klipriviersoog 299-IQ, the portion on which application is being made.

The signed sales agreement is attached to this application.

The station will be referred to as “the site”, “the subject property” and/or “the proposed development” in this memorandum.

1.1. THE APPLICATION

Application is hereby made in terms of Section 26 of the City of Johannesburg Municipal Planning By-Law, 2016, 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 establishment of a township.

1.2. LAND DEVELOPMENT AREA

1.2.1. Site Locality

Ptn 55 Klipriviersoog 299-IQ is located in the southern most region of Soweto, just north of Lenasia. The property is intersected by Abubakr Asvat Drive, north of the N12. The portion which is the subject of this application is east of Abubakr Asvat Drive.

1.3. AGENT AND CLIENT

1.3.1. Agent

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

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

1.3.2. Client

The client's details are as follows:

Name	Johannesburg Development Agency
Responsible Persons	Zwakele Magagula
Postal Address	P O Box 61877, Marshalltown, 2107
Contact Number	073 278 5722
Email	zmagagula@jda.org.za

1.4. LEGAL ASPECTS

1.4.1. Ownership

Ptn 55 Klipriviersoog 299-IQ is currently owned by the Company, Sapphire Cove Investments 4 (pty) Ltd. The City of Johannesburg Metropolitan Municipality has bought a portion of the farm. The signed sales agreement is attached to this application.

Title deed : T109857/2007

Size of property: 26.322 ha

Size of portion acquired by CoJ: 49757.03 m²

1.4.2. Power of Attorney

Sapphire Cove Investments 4 (Pty) Ltd, the registered owner of the property has a formal signed Special Power of Attorney to enable KiPD to make application for township establishment on the subject properties as per the requirements of the COJ Municipal Planning By-Law, 2016.

1.4.3. Registered Bonds

There is no registered bond held against the property.

1.5. EXISTING LAND USE

The property currently has a number of small buildings with small businesses, a supermarket, doctors rooms, brick sales and car scrapyard.

1.6. SURROUNDING LAND USE

West of the property is residential development, the Protea Gardens Mall is located north west of the site. North is the site industrial development and east and south of the property is vacant.

Annexure E – Land Use Map

1.7. TOPOGRAPHY

The slope of the site falls gently from the north west (1572m) towards the south east (1570m), diagonally across the site. This equates to a 2m drop over $\pm 171\text{m}$ or a slope of 1:86.

1.8. EXISTING ZONING AND DEVELOPMENT CONTROLS

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

Zoning	Industrial 2
Primary rights	Industrial purposes, public garages, public or private parking areas, shops, business purposes, commercial purposes, builders yard, building material storage
Floor Area	2.1
Coverage	70%
Height zone	A : 3 storeys

Annexure F – Zoning Certificate

1.9. SURROUNDING ZONING

Annexure G : Surrounding zoning

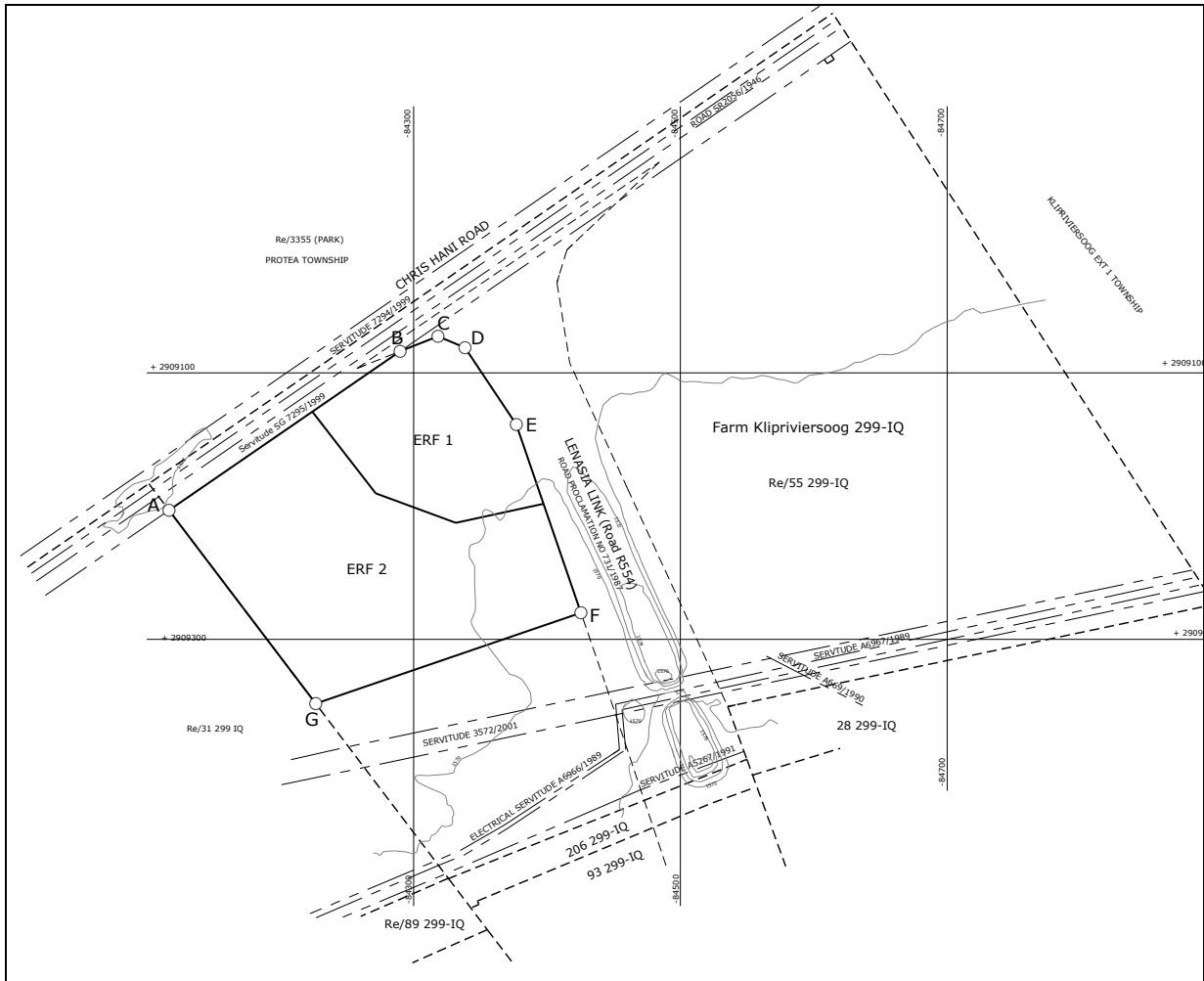
In terms of the City of Johannesburg Land Use Scheme, 2018, the property is surrounded by mostly industrial and residential zoned properties, with some business, institutional and undetermined zoned properties.

2. THE APPLICATION

2.1. TOWNSHIP LAYOUT

Annexure H – Township Layout Plan

It is proposed that the property be established as a township, as follows :



2.2. PROPOSED DEVELOPMENT CONTROLS

The proposed development controls for the new erf is detailed as follows:

Zoning	"Municipal"
Primary rights	Municipal purposes, transport facilities
Height	As per Scheme – 2 storeys
Coverage	As per Scheme – 30%
Floor area ratio	As per Scheme – 0,3
Building lines	As per Scheme – 1m along all street boundaries, provided that all building lines may be

	relaxed by the local authority by way of the approval of a site development plan.
Parking	Parking shall be provided to the satisfaction of the municipality

In terms of the City of Johannesburg Land Use Scheme, 2018, municipal purposes is defined as being “such purposes as the municipality may be authorised to carry out in terms of its powers and functions and shall include all municipal land uses as well as such uses as sewerage works and reservoirs and their related buildings.”

2.3. TITLE CONDITIONS

There are a number of servitudes registered against the title deed. The subject portion is not affected by the servitudes.

2.4. PROPOSED LAND USE

Application is made for municipal purposes, to accommodate a Rea Vaya Bus Depot. The Rea Vaya Bus System was conceptualised and approved in 2006/2007. Since then, 48 stations and 10 median key stations have been created and are currently operational on 59km of trunk routes. To date, Rea Vaya has a fleet of 277 buses and the Phase 1C bus fleet will number between 240 to 260 buses.

It is proposed that the subject property be developed in to a bus depot. In order to obtain the land use rights, a township establishment application must be compiled and submitted to the City of Johannesburg for assessment and approval. The bus depot will be a facility where buses are parked when not use, refuelled, washed and maintained. The depot will also include ablution and rest facilities for drivers.

Passengers will not be picked up or dropped off at the depot. It is proposed for the depot to be developed as follows:



FIGURE 1: CONCEPTUAL DEVELOPMENT PLAN

2.5. ACCESS

Access to the proposed development will be via Chris Hani Road.

2.6. GEOTECHNICAL ENGINEERING

The Geotech report was undertaken by Dolmatec, dated September 2012 to investigate the dolomitic stability conditions at the proposed Avalon Bus Depot.

The available geological map indicated that the site is situation on the dolomite and chert of the Malmani Subgroup of the Chiniespoort Group of the Transvaal Super Group. The quartzite of the Black Reef formation and basaltic lava of the Klipriviersberg Group is situated northeast of the site. The dolomitic strata in this area dip at an angle of 10° to the southwest.

Thick alluvial deposits containing basaltic material and to a lesser amount chert and dolomite overlie residual and solid dolomite bedrock at this site. This geological profile is highly irregular and was discussed with Prof P. Erickson at the University of Pretoria. The explanation is as follows: The upper two formations of the Malmani Subgroup (the Rooihogte and Eccles Formations) were totally eroded away in the area leaving a typical eroded karst landscape with a highly uneven dolomite rock head. There is a strong possibility that the strata dipped at a much steeper angle towards the southwest in the geological past. The older basaltic lava of the Klipriviersberg Group to the northeast of the site has eroded to be deposited as alluvium on top of the younger karst dolomitic surface in the southwest. The nature of the alluvium resembles that of residual lava with clayey material containing various amounts of amygdales. This results in an apparent reverse order profile in terms of geological age if the basaltic material is not recognised as weathered transported basaltic lava. As the basaltic lava has been eroded

and deposited as alluvium on the site, the geological age of the strata on this site is still in sequence and no geological faulting as occurred.

Groundwater was encountered in all of the boreholes at depths of between 16m (DMT7) and 27m (DMT3). Most of the groundwater strikes were recorded within dolomite bedrock. Boreholes DMT4, DMT5, and DMT 8 recorded groundwater just 1m to 2m above bedrock and in boreholes DMT6 and DMT7 the groundwater was encountered 4m above dolomite bedrock. The groundwater level does not add to the dolomite stability on the site. Similarly, if groundwater drawdown was to take place, it will not have a negative impact on the inherent hazard classification and thus the development potential of the site.

No known sinkholes or other dolomite related instabilities have formed on or close to the site.

The dolomite stability conditions (IH//C) on this site is suitable for the proposed Avalon Bus Depot, provided that all the wet services are tested to zero percent leakage and a dolomite risk management and maintenance plan be adopted by the owner of the development. Foundations should be designed to span sinkholes of 5m in diameter and fuel depots and wash bays are designed as a closed system.

3. SPATIAL PLANNING ENVIRONMENT

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); and
- Nodal Review Policy (2020).

3.1. SPATIAL DEVELOPMENT FRAMEWORK 2040 AND NODAL REVIEW, 2020

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 and the Nodal Review, the subject property falls within an Industrial Node.

The proposed use is a transport facility (bus depot) which would support the industrial as well as residential uses west of Chris Hani Road.

The City of Johannesburg has a massive focus on the creation of developmental corridors which will provide a basis for small such corridors to be created. The concept of development corridors connecting strategic nodes through an affordable and accessible mass public transport system is an integral component of the Compact Polycentric model for future development. Part of the approach is compaction of well-established nodes as well as the creation of new nodes in strategic opportunity areas that have a strong relation to the metropolitan core. This strategy will focus economic investment in well-connected centres and provide adequate space for economic growth.

The SDF makes specific mention of “Unlocking Soweto as a True City District” by diversifying and intensifying Soweto to address its largely residential nature by developing mixed land uses (particularly economically productive, job creating ones) and social services, making use of its good street pattern and **public transport network**. The strategy is to develop Soweto into a series of self-sufficient mixed-use nodes (starting around public transit stations and nodes) as drivers of economic growth and job creation, allowing Soweto to function as a liveable city district in its own right with access to jobs and the full array of urban amenities.

Therefore, the development of a bus depot in close proximity to the Rea Vaya Route and within an industrial node is directly in line with the rationale of the SDF. The provision of public transport infrastructure is an investment into the City as it enables further economic growth and as a result, job creation and poverty alleviation.

The application supports the SDF in that it assists the City in subscribing to the Corridor Development theory and bringing social amenities closer to the residential areas and economic hubs.

4. MOTIVATION

4.1. NEED AND DESIRABILITY

The South African Constitution states that municipalities have the responsibility to make sure that all citizens are provided with services to satisfy their basic needs.

The objectives of a municipality are :

- to provide democratic and accountable government for local communities;
- to ensure the provision of services to communities in a sustainable manner;
- to promote social and economic development;
- to promote a safe and healthy environment; and
- to encourage the involvement of communities and community organisations in the matters of local government.

The municipality is the sphere of government closest to the people, they are elected by citizens to represent them and are responsible to ensure that services are delivered to the community. These services include among others technical services such as planning, maintenance of streets and other public areas, construction of buildings and infrastructure, traffic, and water supply and sewerage

systems. In addition, municipalities have official duties such as building control, environmental protection, rescue services and public waste management.

Application is made for "Municipal" rights which include "Transport facilities".

In South Africa, many areas continue to be hampered by a legacy of racial segregation, poverty, and exclusion from social and economic opportunities. The spatial legacy is one of sprawl, low densities, functional segregation between home and work, and overlapping racial and class separations. The spatial mismatch between place of residence and centres of employment, and social and economic opportunities prevents the poor from breaking the cycle of poverty and restricts access to not only job or education destinations, but also to networking about potential opportunities. Despite the successful transition to a democratic system, many public transport users in the country continue to experience long travel times and high travel costs in terms of accessing employment, education and other facilities; factors which are essential for sustainable economic and social development, despite various transport interventions undertaken by government. The results of urban sprawl, of poorly integrated public transport systems, and of infrastructure and planning that has historically privileged private cars are to be seen daily on many of the congested South African roads.

The need for a public transport system which is able to move large quantities of people, over a longer distance and shorter time is undoubtedly large. The social inequalities brought about by spatial apartheid has resulted in a massive distance between places of work and residence for many people. The extended travelling times an impact on people's quality of life as there is a need to wake earlier and arrive home later. The cost of travelling long distances also becomes more expensive, the fewer people there are in a vehicle.

Since the inception of the Rea Vaya system, the City of Johannesburg has seen immense success. The implementation of the public transport system has integrated well into the existing public transport network of taxis, metro busses, metered taxis and even the Gautrain. Phase 1C of the Rea Vaya system is also operational.

Rea Vaya's Phase 1A started running in 2009, with a trunk route operating between Ellis Park in Doornfontein and Thokoza Park in Soweto, linking with several feeder routes in Soweto. This comes the added necessity of the bus depot. The subject property is ideally located in close proximity to the route.

The City owning land which is centrally located, but underutilised does not enable the City to provide such facilities and it is therefore necessary to acquire the land use rights for municipal purposes.

It is there for a necessity to ensure underutilised land is developed to accommodate uses which would serve the community, support economic growth, encourage job creation and reduce transit distances and times. The proposed facility is a support use which will be welcomed within the node.

5. 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 improving access to social amenities.
7 (b)	Spatial Sustainability	The principle of spatial sustainability is addressed in respect to the fact that the land portion being developed belongs to the municipality and is therefore within the fiscal, institutional and administrative means of the municipality. It further answers to spatial sustainability in the aspect that the development is being implemented in an area that may be 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 government resources, as the development is instituted by the JDA.
7 (d)	Spatial Resilience	By implementing the fire station in Alex, the principle of spatial resilience applies in the aspect 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

The proposed use is needed in the area and supports the developmental policy of the City of Johannesburg. The proposed bus depot will align with the surrounding area and should have no negative impact on its surrounds.

We therefore recommend that the application be approved.