

MEMORANDUM

SIMULTANEOUS SUBDIVISION, CONSOLIDATION AND SPECIAL CONSENT APPLICATION IN TERMS OF SECTION 71(2), SECTION 77, SECTION 80(1) AND CHAPTER 6 OF THE EMALAHLENI SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016, READ WITH THE PROVISIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, ACT 16 OF 2013,
ON

ERVEN 20,21 & 22 PRESIDENT PARK EMALAHLENI EXTENSION 6 TOWNSHIP,
REGISTRATION DIVISION J.S., PROVINCE MPUMALANGA

3 DECEMBER 2020

Private Bag X 7260 • Suite 293 • Witbank • 1035 • Phone 013 650 0408
Fax 086 663 6326 • E-mail laurette@korsman.co.za



Stads- & Streekbeplanners • Town & Regional Planners

INDEX

	Page
1. INTRODUCTION	3
2. PROPERTY INFORMATION	5
2.1 Locality	5
2.2 Present Zoning	6
2.3 Land Uses	6
2.4 Ownership	7
2.5 Bonds	7
2.6 Restrictive Title Conditions	7
2.7 Local Authority	7
2.8 Notices	7
2.9 Open Space/Environmental Sensitivities	8
2.10 Surrounding Land Uses	8
3. MOTIVATION	9
3.1. Background	9
3.2. Proposed Subdivision	10
3.3. Proposed Consolidation	11
3.4. Proposed Site Development Plan	12
3.5 Professional Studies	15
3.5.1 Civil Services Report	15
3.5.2 Electrical Services Report	20
3.5.3 Filling Station Feasibility Study (Traffic Impact Study with Assumptions)	21
3.5.4 Geotechnical Report	26
3.6. Town Planning View	29
3.7. Need	33
3.8. Desirability	36
4. CONCLUSION	38

1. INTRODUCTION

This memorandum is submitted in support of an application for a simultaneous subdivision, consolidation and special consent in terms of Section 71(2), Section 77, Section 80(1) and Chapter 6 of the Emalahleni Spatial Planning and Land Use Management By-Law, 2016, read with the provisions of the Spatial Planning and Land Use Management Act, Act 16 of 2013, on Erven 20, 21 & 22 President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga.

In terms of the Emalahleni Land Use Scheme, 2020, the present zonings Erven 20,21 & 22 President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga are "Business 2".

The purpose of the application is to **subdivide Erven 20 & 21** President Park Emalahleni Extension 6 Township into 2 portions, respectively. And simultaneously **consolidate proposed Portion 1 of Erf 20 with proposed Portion 1 of Erf 21** President Park Emalahleni Extension 6 Township to create **newly consolidated Erf 23** President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga. And to also **consolidate proposed Remainder of Erf 20, proposed Remainder of Erf 21 and Erf 22** President Park Emalahleni Extension 6 Township to create **newly consolidated Erf 24** President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga.

An application for a **special consent** is also made to accommodate a filling station on **Erf 23 (being a consolidation of Portion 1 of Erf 20 and Portion 1 of Erf 21)** President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga.

In terms of the Emalahleni Land Use Scheme 2020, the following definition is applicable:

FILLING STATION: "Land used or a building designed or used for the purposes of fueling, washing, polishing and lubricating of motor vehicles, including incidental and routine maintenance but excluding any normal and major mechanical repairs, sale of motor vehicles and spares, panel beating and spray painting". "The following uses are included: The storage of fuels and the retail selling of vehicle fuel and lubricants; One working bay for emergency repairs to vehicles but excluding panel beating, spray-painting and major repairs; A convenience store including a confectionery and take away facility including a kitchen, with a maximum floor area, accessible to the general public, of 250 m², which floor area shall include the floor area accessible to

the public as well as any store room, office, fridge area, safe which is used for the operation of the convenience store; An automatic teller machine; and The sale of LP Gas".

PROPERTY INFORMATION			
Property Description	Erven 20,21 & 22 President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga		
Application Applied for	Subdivision of Erven 20 & 21 President Park Emalahleni Extension 6 Township into two portions, respectively.		
	Consolidation of Portions 1 of Erven 20 and 21 President Park Emalahleni Extension 6 Township to create newly consolidated Erf 23 President Park Emalahleni Extension 6 Township		
	Consolidation of Erf 22 with the Remainders of Erven 20 and 21 President Park Emalahleni Extension 6 Township to create newly consolidated Erf 24 President Park Emalahleni Extension 6 Township		
	Special consent on Erf 23 President Park Emalahleni Extension 6 Township to accommodate a filling station.		
Size of Properties	Erf 20 President Park Emalahleni Extension 6 Township	9862 m ²	
	Erf 21 President Park Emalahleni Extension 6 Township	9793 m ²	
	Erf 22 President Park Emalahleni Extension 6 Township	10 799 m ²	
APPLICATION INFORMATION		YES	NO
Restrictive Title Conditions			√
Bond registered over property			√
SDP in line with controlling measures as per LUS 2020		√	
In line with SDF, 2015/2016		√	

2. PROPERTY INFORMATION

2.1 Locality

The properties are situated at the corner of Mandela Drive and Nita Street within President Park Emalahleni Extension 6 Township. Refer to Annexure F for the locality map.

Figure 1: Locality Maps



2.2 Present Zoning

In terms of the Emalahleni Land Use Scheme, 2020, the current zonings of the properties are "Business 2". Refer to Annexure H for the zoning map and certificate.

2.3 Land Uses

The application sites are currently vacant and are situated in an area with a mixed land use character and will therefore fit in perfectly with the surrounding land uses.

Figure 2: Photos of the site



2.4 Ownership

The properties are registered at the deeds office as follows:

Table 1: Property Description

PROPERTY DESCRIPTION	REGISTERED OWNERS	TITLE DEED NO	EXTENT
Erf 20 President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga	Meronox Proprietary Limited Reg No.: 2009/015785/07	T11826/2019	9862 m ²
Erf 21 President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga	Meronox Proprietary Limited Reg No.: 2009/015785/07	T11826/2019	9793 m ²
Erf 22 President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga	Meronox Proprietary Limited Reg No.: 2009/015785/07	T11826/2019	10 799 m ²

See "Annexure C" for the Title Deed.

2.5 Bonds

There is no bond registered over the said properties. Refer to Annexure E for the letter of no bond.

2.6 Restrictive Title Conditions

According to the Deed of Transfer, there are no conditions restrictive to the proposed development on the application sites.

2.7 Local Authority

The application site is situated within the jurisdiction of Emalahleni Local Municipality.

2.8 Notices

A site notice will be placed in front of the property and maintained for 21 days according to Chapter 6 Section 101(2)(a) of the Emalahleni Municipal By-law on SPLUMA, 2016 and the surrounding property owners will be notified via registered post once council has given feedback within 30 days that the application is complete.

Proof that the applicant has complied with the public participation procedure will be submitted after the objection period has lapsed.

2.9 Open Space/Environmental Sensitivities

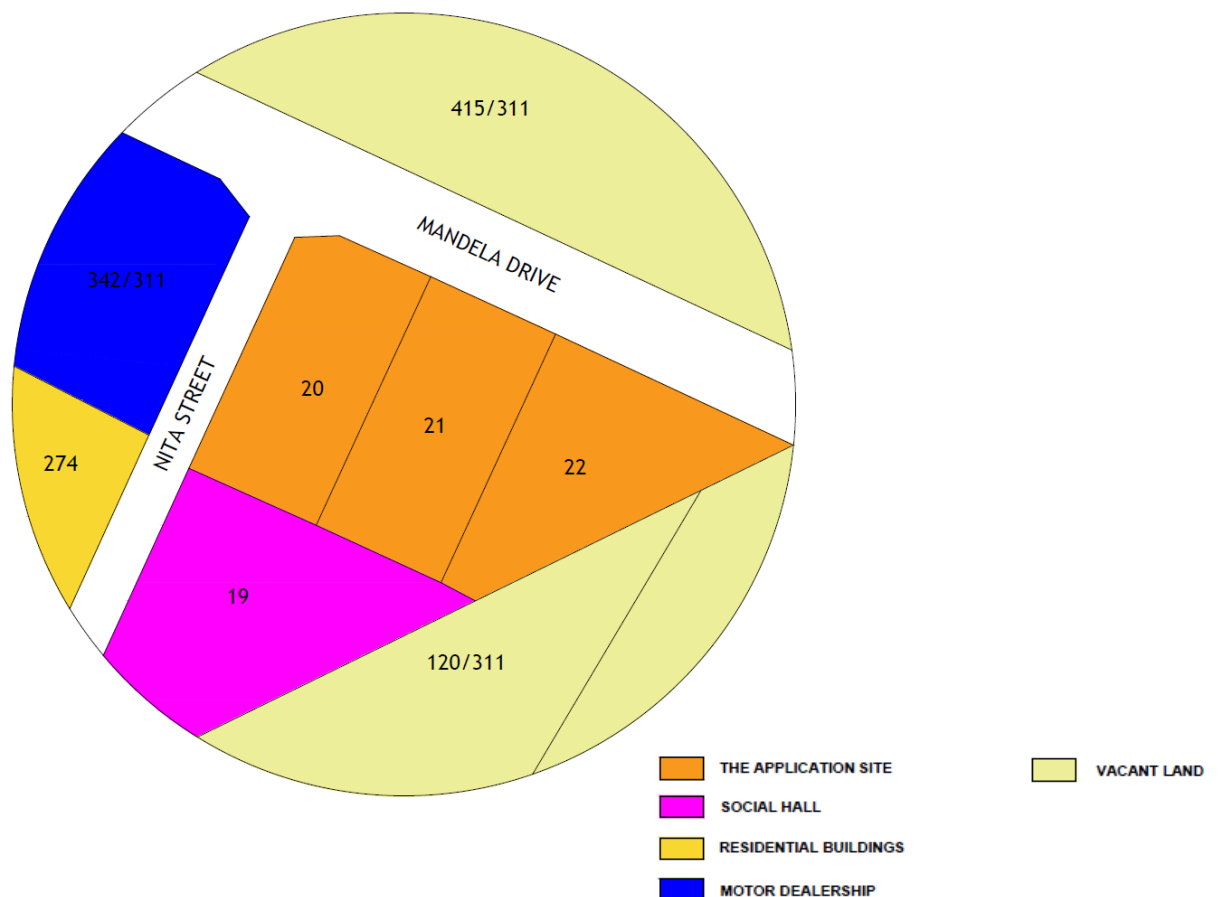
The proposed application is a listed activity in terms of the National Environmental Management Amended Act, 2004 (Act 8 of 2004). Adie Environmental consultants has been appointed to submit a Basic Assessment Report to obtain approval for the filling station development. Environmental Authorization will be submitted to council once it has been obtained.

2.10 Surrounding Land Uses

The properties are situated within a residential area, consisting of a mixed density and land use character and the site is also situated next to Mandela Drive (an activity spine) and close to the N4 highway. The surrounding land uses are as follow:

North	Vacant Land
East	Vacant Land and Highveld Mall
South	Social hall and Del Judor Ext 4 Township
West	Motor Dealership and Residential Buildings

Figure 3: Surrounding area



3. MOTIVATION

3.1. Background

The application sites are situated on the corner of Mandela Drive (an activity spine) and Nita Street (a highly travelled road for residents of Del Judor Extension 4 and 12 Townships and Cambridge Private School). The site is also close to the N4 highway and major business nodes such as Save Ways and River Crescent center.

The owner identified the need for a filling station in the surrounding area, due to the application site's excellent location next to an activity spine and its close proximity to major business nodes and residential neighborhoods.

A filling station serves a dual purpose, not only for the fueling of motor vehicles but also as a convenience shop where an individual can buy basic goods anytime of the day.

An application is made in order to:

1. **Subdivide Erven 20 & 21** President Park Emalahleni Extension 6 Township into **2 portions**, respectively.
2. **Consolidate** proposed **Portion 1 of Erf 20 with proposed Portion 1 of Erf 21** President Park Emalahleni Extension 6 Township to create newly consolidated **Erf 23** President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga.
3. **Consolidate** proposed **Remainder of Erf 20, proposed Remainder of Erf 21 and Erf 22** President Park Emalahleni Extension 6 Township to create newly consolidated **Erf 24** President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga.
4. Apply for a **special consent** to accommodate a **filling station on Erf 23** (being a consolidation of Portion 1 of Erf 20 and Portion 1 of Erf 21) President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga.

The subdivision and consolidation of the mentioned land units are made in order to operate the filling station and shopping centre as two individual entities.

3.2. Proposed Subdivision

Erven 20 & 21 President Park Emalaheni Extension 6 Township are proposed to be subdivided into two portions, respectively. The application sites are situated structurally well and will form part of the proposed filling station and retail development.

The approval of the proposed subdivision will create four separate erven. The Remainders of Erven 20 & 21 President Park Emalaheni Extension 6 Township will both be consolidated with Erf 22 in order to accommodate a shopping center and Portions 1 of Erven 20 and 21 President Park Emalaheni Extension 6 Township will be consolidated in order to accommodate a filling station.

The proposed subdivision is indicated on the plan below:

Figure 4: Proposed Subdivision Plan

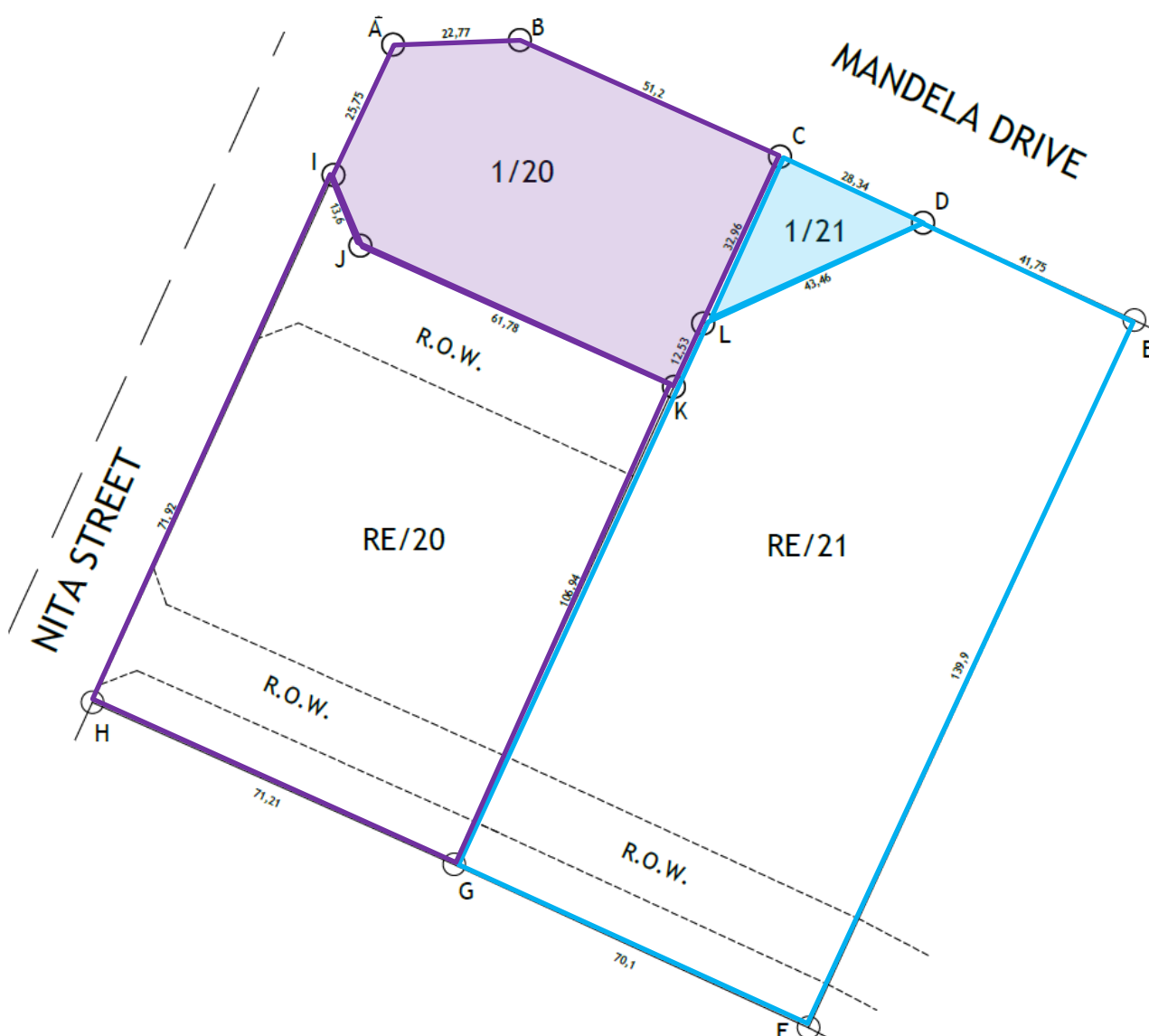


Table 2: Subdivision diagram of Erf 20 President Park Extension 6 Township

Proposed Portions	Extent
The Remainder of Erf 20 President Park Extension 6 Township	6 761 m ²
Portion 1 of Erf 20 President Park Extension 6 Township	3 101 m ²
Erf 20 President Park Extension 6 Township	9 862 m²

Table 3: Subdivision diagram of Erf 21 President Park Extension 6 Township

Proposed Portions	Extent
The Remainder of Erf 21 President Park Extension 6 Township	9 326 m ²
Portion 1 of Erf 21 President Park Extension 6 Township	467 m ²
Erf 21 President Park Extension 6 Township	9 793 m²

3.3. Proposed Consolidation

Proposed Portion 1 of Erf 20 President Park Emalahleni Extension 6 Township will be consolidated with proposed Portion 1 of Erf 21 President Park Emalahleni Extension 6 Township in order to form newly consolidated Erf 23 President Park Emalahleni Extension 6 Township. The consolidation will enable the owner to accommodate a filling station on the newly consolidated property. The proposed consolidation is indicated on the plan below.

Erf 22 President Park Emalahleni Extension 6 Township will be consolidated with proposed Remainers of Erven 20 & 21 President Park Emalahleni Extension 6 Township in order to form newly consolidated Erf 24 President Park Emalahleni Extension 6 Township. The consolidation will enable the owner to accommodate a shopping centre on the newly consolidated property. The proposed consolidation is indicated on the plan below:

Table 4: Consolidation diagrams

Proposed Portions	Extent
Portion 1 of Erf 20 President Park Extension 6 Township	4 012 m ²
Portion 1 of Erf 21 President Park Extension 6 Township	467 m ²
Erf 23 President Park Extension 6 Township	4 479 m²

Table 5: Consolidation diagram

Proposed Portions	Extent
Remainder of Erf 20 President Park Extension 6 Township	6 761 m ²
Remainder of Erf 21 President Park Extension 6 Township	9 326 m ²
Erf 22 President Park Extension 6 Township	10 799 m ²
Erf 23 President Park Extension 6 Township	26 886 m²

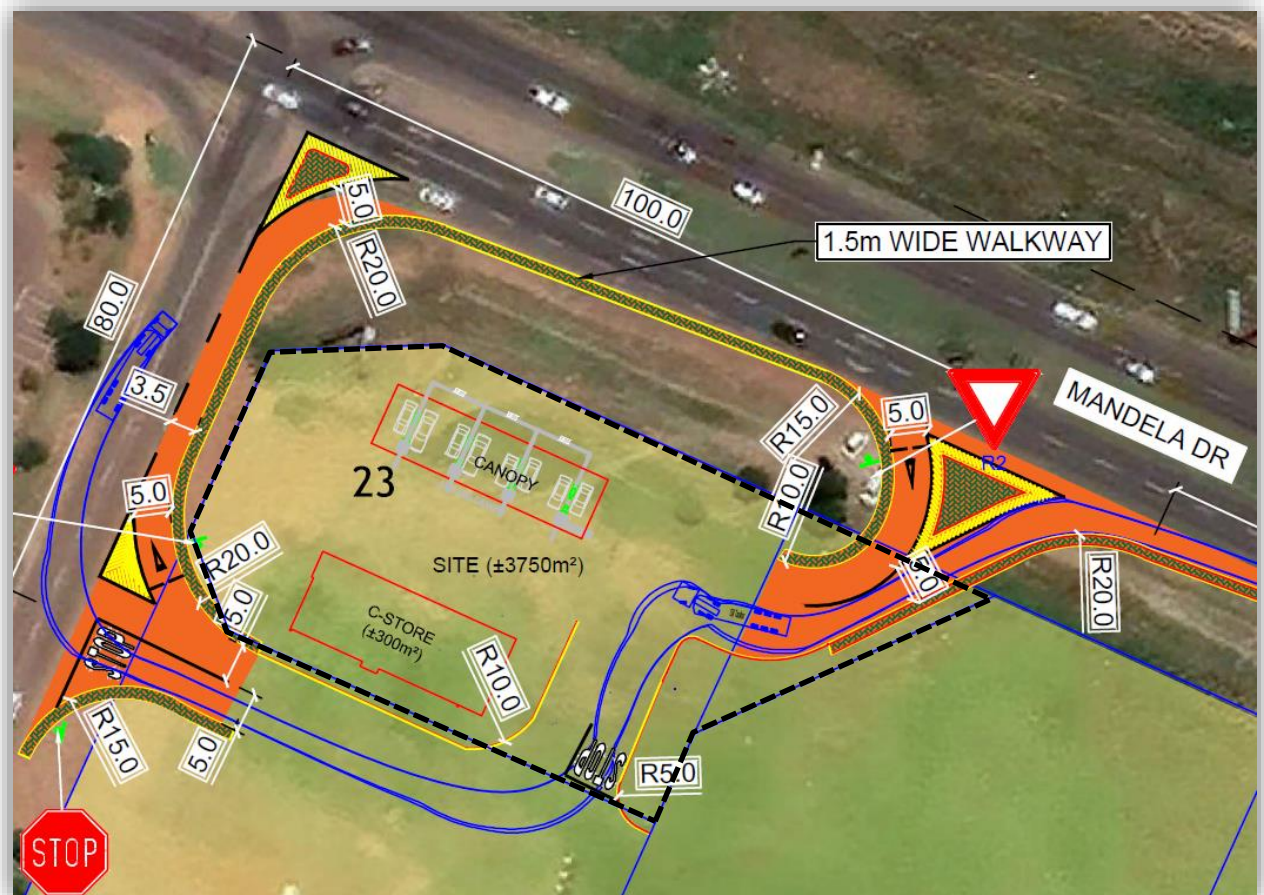
3.4.2. Proposed Development

The Site Development Plan indicate that there will be approximately (4) Fuel Pumps, sufficient parking bays and (1) Convenience Shop, which will include a quick service restaurant / take-away with limited seating, toilets and an information centre.

The application site will also consist of two access points, one access point will be provided at Mandela Drive, serving as a slipway, which will accommodate only eastbound traffic from Mandela Drive and the other access point will be provided at Nita Street (right of way servitude registered in favour of Erf 23 President Park Emalahleni Extension 6 Township), which will serve as the main entrance for the proposed filling station.

The access point in Nita Street is developed in such a way, to serve as an access point for the future retail development on the proposed Erf 24 (being a consolidation of Erf 22 and the Remainders of Erven 20 & 21) President Park Emalahleni Extension 6 Township. Therefore, the access point in Nita Street will serve as a dual purpose in the future, to not only accommodate the traffic of the filling station but to also accommodate the traffic for the future developments on the neighbouring sites.

Figure 6: Site Development Plan



3.4.3. Proposed Development Controls

Proposed development conditions on **Erf 24 (being a consolidation of Erf 22 and the Reminders of Erven 20 and 21) President Park Emalahleni Extension 6 Township**, as per the Emalahleni Land Use Scheme, 2020:

Table 7: Development Control Conditions

USE ZONE	BUSINESS 2	SITE DEVELOPMENT PLAN
Height	3 Storeys	2 Storeys
Coverage	70 %	50 %
FAR	1.2	0.6
Parking ratio	6 per 100 m ²	As per approved plan
Building Lines:		
Rear & Side	2 m	2 m
Street	5 m	5 m

It is evident from the table above that the proposed land use falls perfectly within the development controls as determined within the Emalahleni Land Use Scheme, 2020.

3.4.4. Proposed Development

The Site Development Plan indicate that Erf 24 President Park Emalahleni Extension 6 Township will accommodate a retail building consisting of approximately 6 shops, 15-line shops and a coffee shop, together with three separate buildings for drive thru restaurants.

The application site will also consist of three access points, one access point will be provided at Mandela Drive, serving as a slipway, which will accommodate only eastbound traffic from Mandela Drive, the second access point will be provided at Nita Street (right of way servitude registered in favour of Erf 23 President Park Emalahleni Extension 6 Township), which will serve as the main entrance for the proposed filling station and retail development, and the other access point will also be provided in Nita Street and will only be utilised by delivery vehicles making drop offs at the back of the shopping centre.

Therefore, the access point in Nita Street will serve as a dual purpose in the future, to not only accommodate the traffic of the filling station but to also accommodate the traffic for the future retail development.

The number and placement of the required parking bays will be in line with the guidelines as determined by Council. application site consists of ample space to accommodate enough parking bays for the proposed retail development.

Figure 6: Site Development Plan



For more information regarding the Site Development Plans, refer to Annexure I.

3.5 Professional Studies

3.5.1 Civil Services Report

EDL Engineers (Pty) Ltd was appointed to conduct a Civil Services Report, refer to "Annexure Q" for the full report addressing Bulk & internal services regarding the proposed development.

❖ Existing Bulk Water Infrastructure

The nearest existing bulk water supply pipe is situated along the western boundary of the study site in Nita Avenue. This is an old 150mm diameter AC water main connected to a larger 400mm diameter AC water main running parallel to and north of Mandela Drive. It was mentioned however, that the water pipe in Nita Avenue is old and not reliable enough for a new development.

It was proposed that a section of 350m in length, between Del Judor X4 and Mandela Drive, be replaced with a Class 16 160mm uPVC pipe. This needs to be confirmed on site once construction to the development commences.

❖ **Proposed Water Infrastructure**

The development is proposed to comprise a filling station with a minimum of four (4) pump islands, along with a convenience store of about 300m² and a total of 23 parking bays on site.

As per the standards set out within Section J, Table J.4 of the Neighbourhood Planning and Design Guide, the projected Annual Average Daily Demand (AADD) for a typical Filling Station is, as a worst case taken at 0.8 kiloliters / 100m². It is expected that, for developments with a Business / Commercial or Industrial type of land use, a Peak Hourly Factor of about 3 is normally adopted. It is therefore calculated that a total of 7.2 kiloliters / day is expected as a worst case for this development.

This development falls into a moderate risk category for firefighting, and therefore the water infrastructure must be capable of delivering a total fire flow of 25 liters / second / hydrant for 4 hours with a minimum pressure head at the fire node of 15m. A total of two (2) hydrants are proposed for the development. It is therefore proposed that this development be serviced by means of a 110mm diameter uPVC pipe running from the existing water main in Nita Avenue, entering the site from the west.

From this pipe, a 75mm diameter pipe is proposed to service each of the two (2) hydrants situated on the site. A 50mm diameter pipe is proposed for water reticulation to the building. A rational fire design will also be required to be submitted to the council for approval and this includes the appropriate fire hydrant / hose reel numbers and positions and will also include testing for fire flow conditions.

❖ **Existing Sewerage Infrastructure**

The nearest sewer main is a 160mm diameter uPVC pipe which runs along the western side of Nita Avenue, northwards to Mandela Drive, where it connects to another 160mm diameter uPVC sewer main, which supplies sewerage services to the Highveld Mall and other developments as well.

❖ **Proposed Sewerage Infrastructure**

Sewerage production at the development originates from daily activities such as the usage of latrine facilities etc. from the employees on site. Sewage effluent discharge will include 15% stormwater infiltration as required by the Waterborne Sanitation Design Guidelines.

As per the Waterborne Sanitation Design Guidelines as well as Section K of the Neighbourhood Planning and Design Guide, an average daily sewage production (outflow) rate is taken at 0.52 kiloliters / 100m². Considering a peak factor of 1.3, and allowing for a stormwater infiltration of 15%, this calculates to an Average Daily Dry Weather Sewage Flow (AADWF) of 2 380 l/day.

It is therefore proposed that the sewage on site be transported from the site by means of a 110mm diameter Class 34 uPVC pipe at minimum gradients of 1:60, connecting to the proposed 110mm diameter pipe running from the oil separator (described in the paragraph below) by means of a manhole. Manholes are proposed as set out on the attached drawing. Invert levels of the proposed pipes and manholes will be determined during the detailed design and can therefore not be confirmed within this study but must be a minimum depth of 0.8m.

An oil separator is proposed near the northern erf boundary. From this oil separator, another 110mm diameter Class 34 uPVC pipe is to be installed to run toward the existing sewer pipe in Mandela Drive.

❖ **Existing Stormwater Infrastructure**

Considering that this is an undeveloped Erf, there is currently no form of stormwater mitigation measures nor infrastructure on the study site. Given the existing topography and slope across the erf, and from information gathered during a site inspection held by EDL Engineers (Pty) Ltd in September of 2020, it can be concluded that the stormwater currently flows over the site, towards the north, to Mandela Drive. The nearest stormwater kerb inlet and associated pipe (450mm diameter) is in Nita Avenue, in front of the Nissan Dealership. This stormwater pipe discharges the stormwater onto the undeveloped land just north of the intersection of Mandela Drive and Nita Avenue.

❖ **Proposed Stormwater Infrastructure**

The site measures 4 479m² in extent and is currently undeveloped. It can be concluded that the stormwater infrastructure on site will have to be sized to accommodate a total flow of 0.227m³/s during the 25-year storm event. A total of two (2) 5m long kerb inlets are proposed on strategic positions on this site. The site is therefore proposed to be sloped.

Furthermore, regarding proposed stormwater infrastructure on the study site, the following is proposed:

- Running from each kerb inlet, two (2) 375mm diameter concrete stormwater pipes are proposed to assist in the runoff of stormwater from the site.
- A shallow channel is proposed in the paving on the northern side of the convenience store to guide stormwater from the site to the north eastern kerb inlet near the access from Mandela Drive.
- The proposed stormwater pipe, running from the two (2) proposed kerb inlets on the study site, is proposed to be connected to the existing stormwater pipe in Nita Avenue, with an associated manhole, and by means of a proposed 450mm 100D concrete pipe.
- To minimise any risk of possible capacity restraints and overflow, the existing stormwater pipe in Nita Avenue is proposed to be upgraded to a 600mm 100D concrete pipe from the position of the proposed manhole in front of the Nissan Dealership, running north toward the existing outlet structure north of Mandela Drive. All pipes are to be installed at the existing slopes present on the study site as these gradients are more than the minimum required gradients for these stormwater pipes.

❖ **Roads and Accesses**

The existing road network includes Mandela Drive, running in a north west / south east direction, along the northern boundary of the study site. Nita Avenue, which borders the study site to the west, runs in a north east / south west direction past the site. The site is envisaged to be accessed by means of a Left-in, Left-out access from Mandela Drive, with 5m wide IN and OUT lanes, respectively. This access is proposed about 100m south east of the intersection of the two abovementioned roads.

A 45m taper lane is required on Mandela Drive to accommodate traffic turning left into the site, ultimately promoting safety on site and on Mandela Drive. A new lane of 3.5m wide is proposed on the eastern side of Nita Avenue, which is proposed to run from the intersection of Mandela Drive and Nita Avenue, forming a left slip lane for the full access into the study site. This full access, which is planned opposite the existing access to the Nissan Dealership, is proposed to have 5m wide IN and OUT lanes as well and is proposed 80m south west of the intersection of the abovementioned two roads. This full access is proposed to have a "STOP" condition at Nita Avenue, with the latter having the Right-of-Way.

Both accesses have bell-mouth radii large enough to account for the maneuvering of larger vehicles such as fuel tanker trucks. Both accesses must be surfaced and must have road markings and signage complying with the most relative standards of the Emalahleni Local Municipality and the South African Road Traffic Signs Manual (SARTSM).

❖ Conclusion

It can therefore be concluded that all services including water, sewer, stormwater and roads (accesses) can be provided (acceptably and economically) for the filling station development located on proposed Erf 23, President Park X6, Emalahleni, Mpumalanga, with the proposed improvements to the infrastructure required by the filling station development as set out in this report.

Figure 7: Water & Sewerage network layout plan

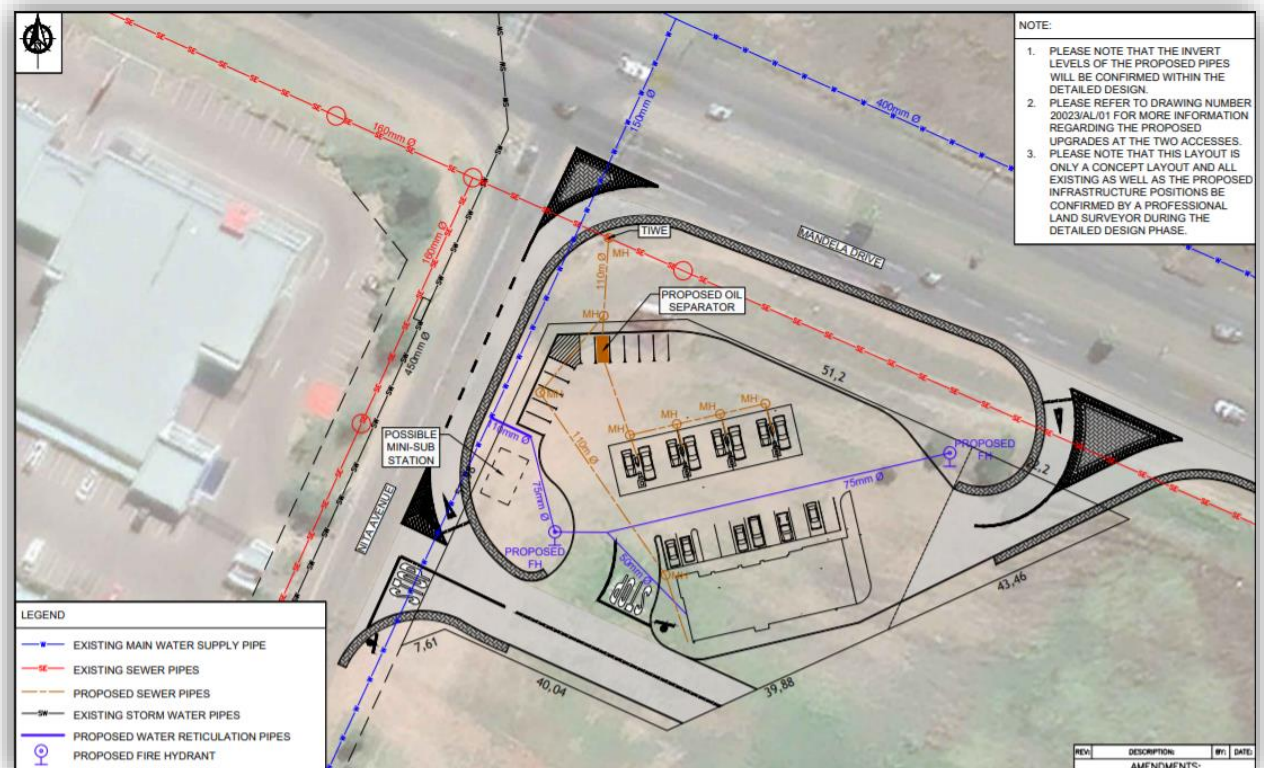
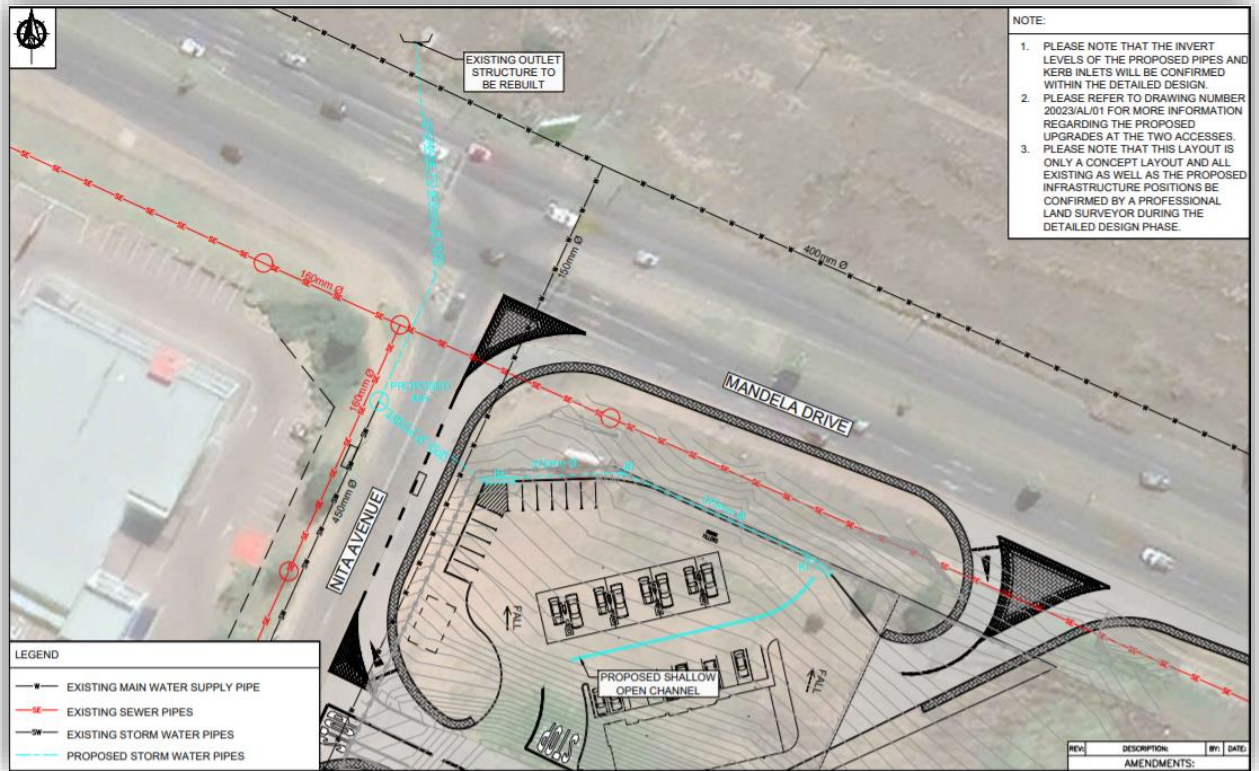


Figure 8: Stormwater infrastructure layout plan



3.5.2 Electrical Services Report

RDV Consulting Electrical Engineers was appointed to conduct an Electrical Engineering Basic outline scoping report. Refer to "Annexure P" for the full report.

❖ Bulk Supply to the stand

A 315kVA\11kV, 420V\242V miniature substation, to be installed by the owner of the property. The miniature substation shall be installed on the stand boundary and shall be connected by means of a T3 Ring Main Unit into an existing 70mm², 11 kV, XLPE municipal cable that feeds the "Nissan Substation" (Behind Nissan) as indicated on the drawing. Since there are a number of cables installed at this position, the developer will be responsible, with the aid of the municipality, to locate and identify the correct cable.

The 315kVA miniature substation that will be installed by the Developer, will be handed over to the Emalahleni Municipality once the miniature substation has been installed and connected to the electrical network. The municipality will be at liberty to make use of any surplus miniature capacity not utilized by the developer. At such time, that the developer decides to move forward with the development of the balance of the stands, the developer will be required to lodge a new application with the municipality.

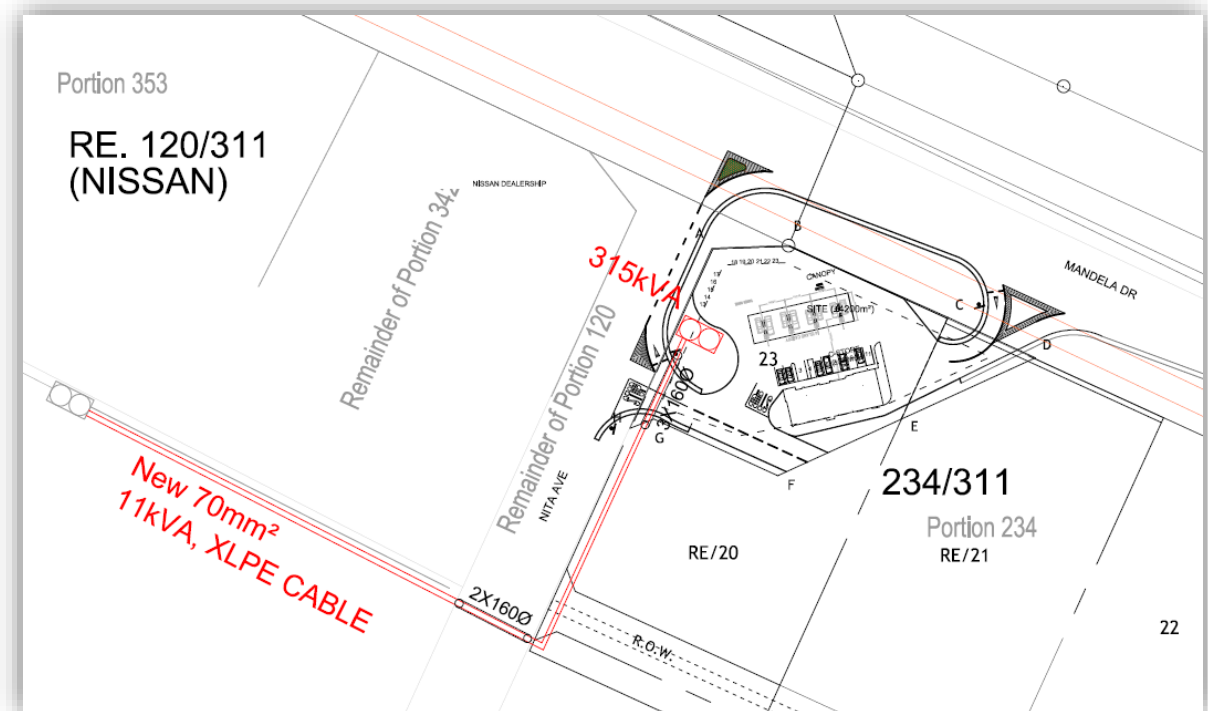
❖ Load Requirements

Currently there is no electrical supply to the stand. The estimated load required by the filling station is 200kVA.

❖ Energy Efficient Requirements

The Developer will, as far as possible, install low wattage energy saving LED light at the filling station and will comply with the energy efficient requirements of the Municipality. All outside lights and area lighting will also be of LED type.

Figure 7: Electrical supply diagram



3.5.3 Filling Station Feasibility Study (Traffic Impact Study with Assumptions)

❖ Introduction

EDL Engineers (Pty) Ltd was appointed to investigate a site for the development of a new and modern filling station. An investigation was therefore undertaken to prepare a study for the opening and operation of a new filling station on the proposed site, refer to Annexure N for the full report.

The purpose of the study is to determine whether the site is feasible for the opening and operation of a medium sized modern filling station and to estimate the Litres of Fuel that will be sold monthly.

❖ **Evaluation of the study site**

The subject site was investigated, and a qualitative assessment was made, and the site was ranked according to the following descriptions:

VERY POOR	POOR	AVERAGE	GOOD	VERY GOOD
Visibility	Being located next to a Class 3 route that connects several suburbs and places of interest as mentioned before, with no natural obstructions or topography that impairs the visibility, the site is easily visible to passing traffic from a good distance away. The visibility can thus be described as VERY GOOD.			VERY GOOD
Location	The study site is located at an Intersection, next to Mandela Drive, a minor arterial (Class 3) road which feeds traffic to-and from Emalahleni and the N4 Freeway. It is also close to several commercial developments as well as a large shopping centre (Highveld Mall) situated about 500m to the east of where the filling station is proposed. Therefore, the location of the site is VERY GOOD.			VERY GOOD
Access	A 'Left-in, Left-out' access is proposed from Mandela Drive and a full access from Nita Avenue is proposed for the proposed filling station (with a right turn lane for the full access and with a left-slip lane at the intersection of these mentioned roads). It can hence be concluded that seeing as this site will be able to serve both east and westbound traffic travelling on Mandela Drive and both directions of travel on Nita Ave, the access layout can be described as GOOD.			GOOD
Trading Market	Considering that this filling station relies on daily commuters traveling to-and-from Emalahleni (Witbank) and the N4 Freeway as well as traffic to-and-from the nearby shopping centre, the Nissan dealership located opposite the site and local traffic on Nita Ave, during weekdays and weekends, the trading market is described as VERY GOOD.			VERY GOOD
Competitor Stations	There are a few existing filling stations situated on Mandela Dr (but are located on the opposite side of Mandela Dr, serving mainly eastbound traffic) and several existing filling stations within Emalahleni, of which none are within 1km radius from the site. There is a total of 7 sites within a 1 - 3km radius.			GOOD

	There are also 16 sites within a 3 - 5km radius, but these mainly serve different traffic streams and markets. The study site is thus rated GOOD in terms of competitors.	
Traffic Volumes	The survey indicated high traffic volumes (around 25 296vpd) passing the proposed site in all directions. The exposure to traffic can thus be described as VERY GOOD.	VERY GOOD

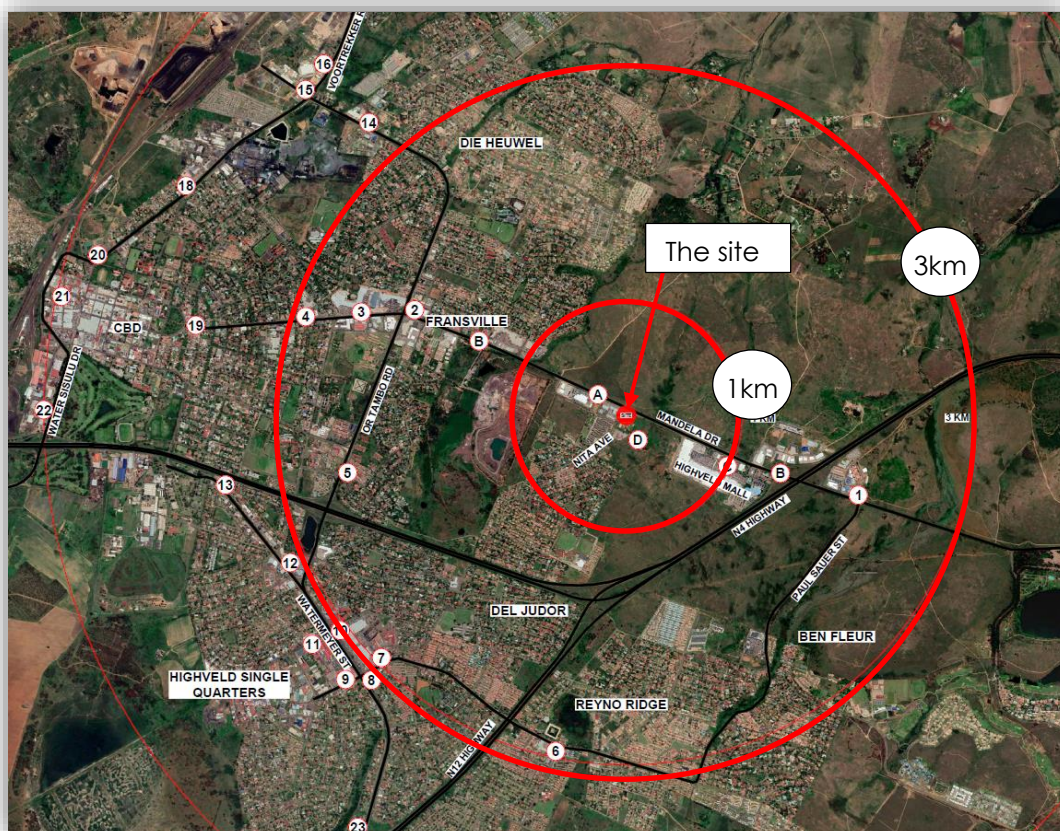
Considering the criteria discussed above, it can be concluded that the study site has VERY GOOD trading potential.

❖ Impact on existing sites

To determine the impact on surrounding sites, it is typical to look at the filling stations sharing the same and adjacent local markets as well as filling stations located along the same routes. According to the latest published draft guidelines (Jan 2020) by DoE, based on the Amended Petroleum Products Act of 1977, an urban site must evaluate the competitors within a 5km radius.

As this site is located within a portion of a large town (urban area), twenty-three (23) existing sites within a 5km radius were deemed relevant for this study as per the requirement by DoE. The figure below depicts these competitor filling stations in relation to the proposed site, as well as the applicable catchment markets.

Figure 8: Locality of competitor sites



Research indicates there are several factors that influence the moving market between competing filling stations. Different petrol brands play a very small role in consumer motivations. The price of the convenience store goods plays a limited role in patronage. Aesthetic factors impact on re-patronage and total customer experience (i.e. the interception rate factors mentioned previously) lead people to become more frequent patrons of a filling station.

In the past few years rewards programs such as Clicks Clubcard Points, e-bucks and uCount rewards (among others) also became more important for customers and does influence the interception rate, when two filling stations are located near each other. In short, it is the filling station that delivers the best overall experience and service to customers that outperforms the competitors.

The assessment of the impact the proposed filling station will have on other filling stations in the area, was mainly based on the shared traffic streams, but all other factors discussed have also been considered. It is important to note that shared traffic only gives an indication of the daily traffic movement patterns between stations.

A summary of the potential loss in fuel sales is indicated in the Table below.

SITE	FILLING STATION	MOVING MARKET FACTOR (%)
1	TOTAL Route N4 Business Park	10%
2	SHELL OR Tambo	8%
3	SHELL Saveways	7%
4	TOTAL President	6%
5	ENGEN Del Judor	5%
14	SASOL Gordon Rd	5%
19	CALTEX Park Motors	5%
	TOTAL Plaza, ENGEN Kana FS, SASOL Watermeyer St, CALTEX Motors, SASOL Klipfontein, TOTAL Stevenson St, CALTEX Nova Motors, ENGEN Watermeyer St, SASOL Voortrekker Rd, SHELL Midwit Diesel, ENGEN Joubert St, SASOL Leyds Ave, CALTEX Elizabeth Ave, SASOL CBD, SASOL Walter Sisulu, ENGEN CG Gypsy	<5%

From the Table above, it can be concluded that the impact of the competitors will be low, mainly due to the competitor sites serving different markets and located on the opposite side of the street. The existing TOTAL N4 Business Park is also located on the opposite side of Mandela Drive and will be the most affected (10% impact) but will be able to recover most of the lost sales within 3 to 4 years after the proposed filling station is constructed, due to the positive traffic growth in Emalahleni.

The balance of the expected fuel sales in a month, that is not gained from the mentioned competitors will be gained from the commuter traffic, daily passing the site (mainly westbound on Mandela Drive), specifically vehicles that currently fill-up elsewhere (outside the study area). All the other sites affected on Mandela Drive closer to the CBD are located on the opposite side of the road, and therefore mainly serve different traffic streams (including eastbound traffic on Mandela Drive).

Figure 9: Estimated Fuel Sales per month

President Park X6, Emalahleni (Mandela Dr & Nita Ave)						
MONTHLY SALES POTENTIAL		ALL VEHICLES				
MOVEMENT		Mandela Dr		Nita Ave		New Retail
		EAST	WEST	NORTH	SOUTH	
Traffic Flow (Vehicles per Day)		9 960	10 947	2 921	1 468	4 200
Average Fill (Litres per Day)		22,0	22,0	22,0	22,0	22,0
Trading Days (Days per Month)		28	28	28	28	28
Interception Rate (%)		1,00%	4,00%	3,00%	6,00%	3,00%
SUB-TOTAL		61 354	269 734	53 980	54 257	77 616
SALES POTENTIAL		331 088		108 237		77 616
						516 941
ANNUAL FORECAST - MONTHLY SALES POTENTIAL						
PERIOD		POTENTIAL GROWTH		ESTIMATED LITRES		TOTAL
YEAR		Percentage of Potential	Growth Rate	Petrol	Diesel	LITRES PER MONTH
1	2021	90%	3,00%	431 284	47 920	479 204
2	2022	95%	3,00%	468 901	52 100	521 002
3	2023	100%	3,00%	508 388	56 488	564 875

Major fuel companies generally regard a new urban site feasible if the fuel sales volume forecast indicates that more than 300 000 litres of fuel will be sold per month. Considering the expected fuel sales tabulated in Table 4 to OVER 564 000 litres in the 3rd year of operations, it can be concluded that the proposed site will be feasible for the development of a filling station for all the larger fuel companies, (such as SASOL, TOTAL, ENGEN, BP, SHELL, etc.) at the intersection of Mandela Dr and Nita Ave.

3.5.4 Geotechnical Report

❖ Introduction

A Geotechnical investigation was conducted by Johann van der Merwe (Pty) Ltd, refer to Annexure O for the report.

❖ Site Investigation

The property consists of a vacant stand that is partly covered by imported fill some 1,0m thick. Surface cover consists of veld grass, weeds and isolated Black Wattle trees towards the north-eastern part whilst no rock outcrops were observed on site. The general slope of the property is towards the northeast grading from an elevation 1 571m to 1568m at an average gradient of roughly 3% to 4%.

The site is blanketed by a thin to moderate veneer of transported soils and imported fill overlying a prominent horizon of residual soils over felsite bedrock (termed rhyolite in later publications) belonging to the Rooiberg Group, Transvaal Supergroup. The site has been apportioned into two prominent Geotechnical Zones, Soil Zones "A" and "B" as shown on the Geotechnical Map below.

Soil Zone "A" covers the northern portion of the property and a very generalized description of the typical soil profile which may be encountered here, is as follows (represented by test pits PP/1 to PP/3 & PP/6):

- 0,0 – 0,2: Moist, dark greyish brown, dense, voided, silty SAND containing roots; colluvium.
- 0,2 – 0,4: Abundant coarse medium and fine, sub-rounded QUARTZ GRAVELS and NODULAR FERRICRETE in a matrix as above and containing roots; pebble marker. Overall consistency is medium dense.
- 0,4 – 1,2: Moist, pinkish brown to reddish brown blotched grey and yellow, dense, voided,
- silty SAND containing numerous angular FELSITE GRAVELS and runnels of grey SAND with fine roots; reworked residual felsite.

- 1,2 – 1,8: Abundant coarse medium and fine, sub-rounded and sub-angular FELSITE GRAVELS and COBBLES clast supported in a matrix as above; residual felsite. Overall consistency is dense.
- 1,8 – 4,0: Moist, pinkish brown to greenish brown blotched yellow and red, dense, intact, silty SAND containing numerous FELSITE GRAVELS; residual felsite.

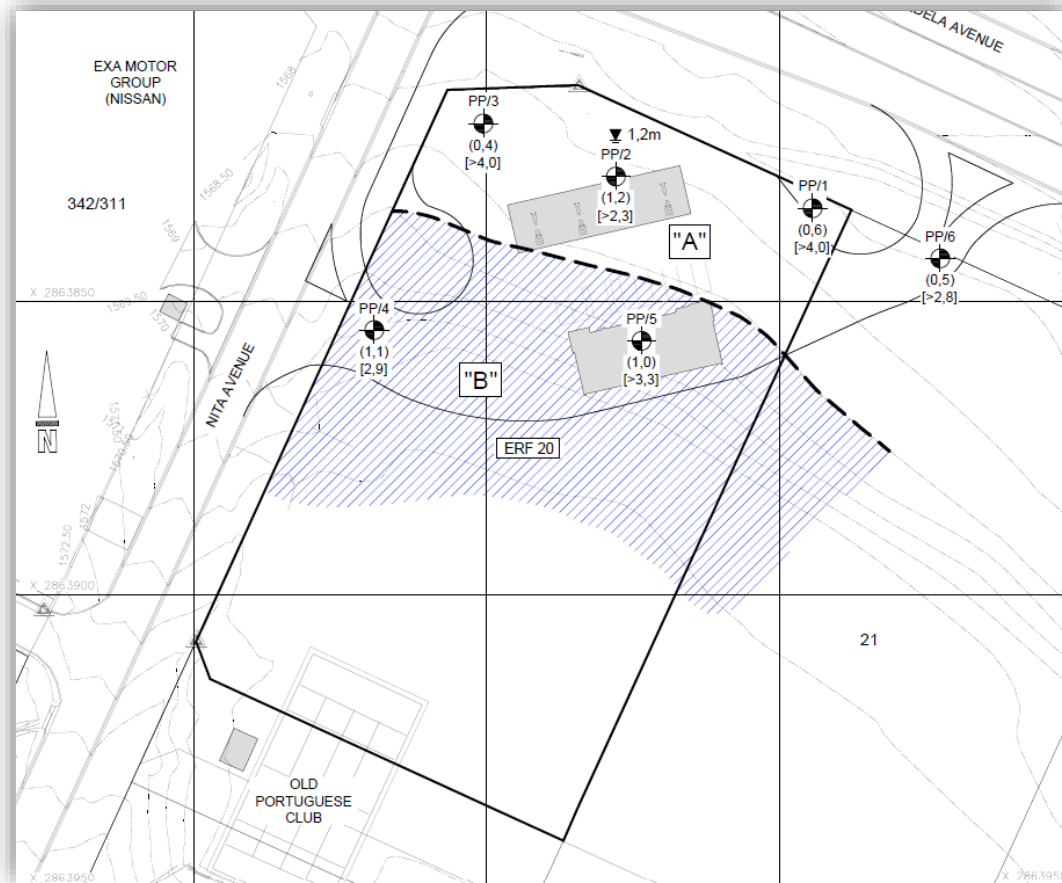
Soil Zone “B” covers the southern portion of the property and is characterized by a moderate horizon (1,0m to 1,1m thick) of imported fill overlying transported and residual soils over felsite bedrock with depth. A generalized description of the typical soil profile which may be encountered here, is as follows (represented by test pits PP/4 and PP/5):

- 0,0 – 0,6: FILL; Slightly moist, dark brown blotched pink, medium dense, silty SAND containing minor GRAVELS and COBBLES with roots and foreign material.
- 0,6 – 1,1: FILL; Slightly moist, dark brown, loose, silty SAND containing minor COBBLES, roots and foreign material.
- 1,1 – 2,1: Moist becoming very moist, brown blotched pink, yellow and purple, medium dense containing loose pockets, slightly voided, silty SAND containing numerous fine FELSITE GRAVELS; residual felsite.
- 2,1 – 2,9: Moist to very moist, purplish brown blotched yellow, medium dense, intact, silty SAND containing numerous fine and medium FELSITE GRAVELS; residual felsite.
- 2,9+ Purple stained black and white, highly weathered, very closely jointed, very soft rock FELSITE.

Gradual refusal of the back actor was experienced in one pit only at a depth of 2,9m below surface in very soft rock felsite in test pit PP/4. Point water seepage was encountered in two test pits: PP/2 from below 1,2m and in PP/4 from below 2,1m below surface. The fill material occupying Soil Zone “B” acts as a sponge for collecting water due to its loose and permeable nature. Water percolating through the fill eventually perches on top of the underlying less permeable residual felsite thereby creating a seasonal perched water table.

A seasonal wetland is indicated to the east of this site by the environmental consultant, however, no signs of a wetland was observed on this site, a wetland is usually indicated by mottling of the soil, saturated soil conditions, water plants and reeds and none of these conditions are present on this site.

Figure 10: Geotechnical Map



3.5.5 Environmental Authorization

Adi Environmental CC was appointed as independent environmental consultant to conduct the required Basic Assessment and compile the necessary documentation.

The public participation process as required in terms of the EIA Regulations, 2014 (as amended) was initiated and the project advertised in the Witbank News (Friday, 4 September 2020) and on site (see attached). A Background Information Document (see attached) was also forwarded to identified Interested and Affected Parties. Refer to Annexure R for the abovementioned Notice.

The filling station will comprise of underground petrol and diesel tanks (5 x 23 000ℓ), fuel pumps, a canopy covered forecourt and a convenience store. The filling station will be accessed from Nita Avenue as well as from a left-in left-out road from Mandela Drive.

In terms of the Environmental Impact Assessment Regulations, 2014 (as amended), the proposed development of a filling station on proposed Erf 23 President Park Emalahleni Extension 6 Township would trigger the following listed activities:

EIA REGULATIONS LISTING NOTICE 1 OF 2014 (as amended): REQUIRES A BASIC ASSESSMENT	
NO	Description
14	The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.

In order to obtain environmental authorisation, a Basic Assessment must be conducted as described in Regulations 19 and 20 of the Environmental Impact Assessment Regulations 2014 (as amended) as promulgated in terms of Section 24(5) and 44 of the National Environmental Management Act, 1998 (Act 107 of 1998).

3.6. Town Planning View

The owner of Erven 20, 21 and 22 President Park Emalahleni Extension 6 Township recognized the opportunity to subdivide the properties into two portions, respectively and simultaneously consolidate Portion 1 of Erf 20 and Portion 1 of Erf 21 President Park Emalahleni Extension 6 Township in order to develop a filling station on the consolidated erf. A consolidation of Erf 22 and the Reminders of Erven 20 & 21 President Park Emalahleni Extension 6 Township is also proposed in order to develop a shopping centre on the consolidated erf. The proposed subdivision and consolidation will enable the owner to sell each erf individually, to gain capital from his investment and to operate the filling station from its own site.

The property is located at the corner of Mandela Drive (an activity spine) and Nita Street (a highly travelled road). The filling station and shopping centre will gain access from Mandela Drive (a slip way for east bound traffic) and Nita Street (a full access point for traffic in both directions). Mandela Drive is a major east to west linkage road between the CBD and the N4 Highway.

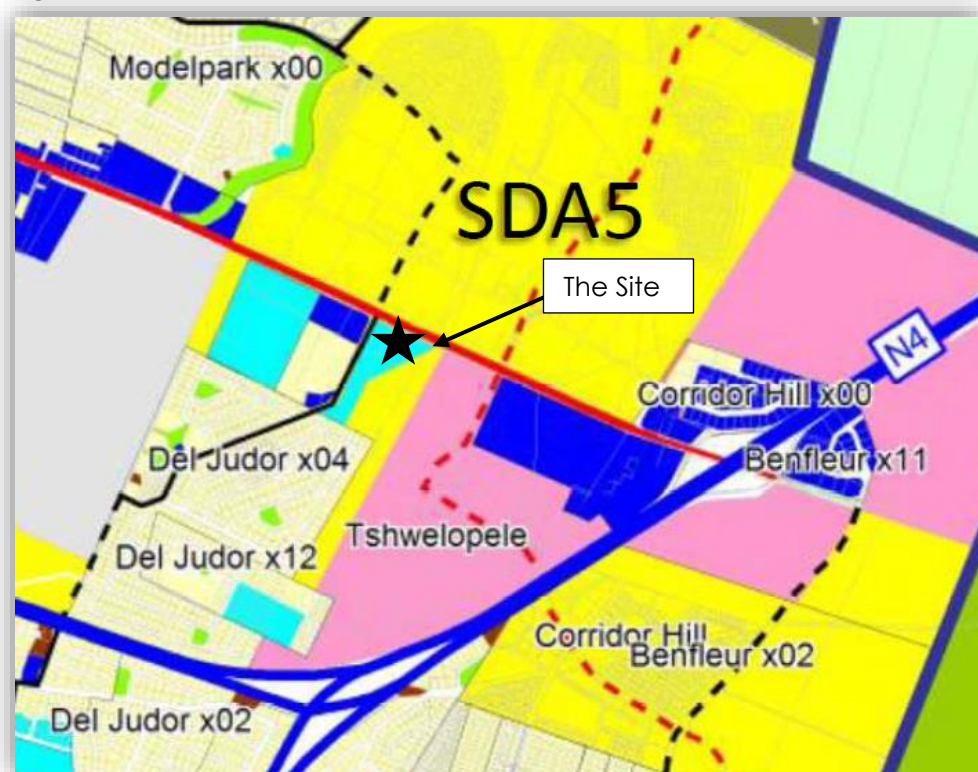
Given the amount and scale of developments in the area, and with very few existing filling stations in the immediate area to cater for such a growing demand, the site has excellent potential for a filling station development. The property is highly accessible and highly visible, situated in close proximity to the N4 Highway and Highveld Mall.

A filling station along a key public transport route plays a pivotal role in the creation of sustainable development to accommodate immediate eastbound traffic along Mandela Drive close to the N4 Highway but also to service future surrounding developments.

From the figure below it is evident that the site is surrounded by a variety of land uses, consisting mainly of residential and business-related activities. The site is also situated next to an activity spine, increasing accessibility for the clients of the filling station and retail development

The land use character along Mandela Drive has changed significantly over the years. Land uses along Mandela Drive evolved from residential dwellings to a variety of shops, offices and businesses. Mandela Drive is earmarked as an activity spine due to the locational advantages and excellent connectivity to major business nodes it holds.

Figure 11: Clip from the Emalahleni SDF 2015/2016



The figure below clearly indicates that no filling station exist within a 1-kilometer radius of the site. The vacant area north of the site is earmarked by the SDF 2015/16 for residential development, suggesting that the population in the direct vicinity will increase in the future, supporting the proposed filling station and retail development in the future.

The application site is surrounded by a mix of land uses and are located along Nifa Street, a highly travelled road for residents commuting from home to work and also parents dropping off their children at Cambridge Private School, increasing the favourability of a filling station in the area.

Figure 12: Aerial photo of site

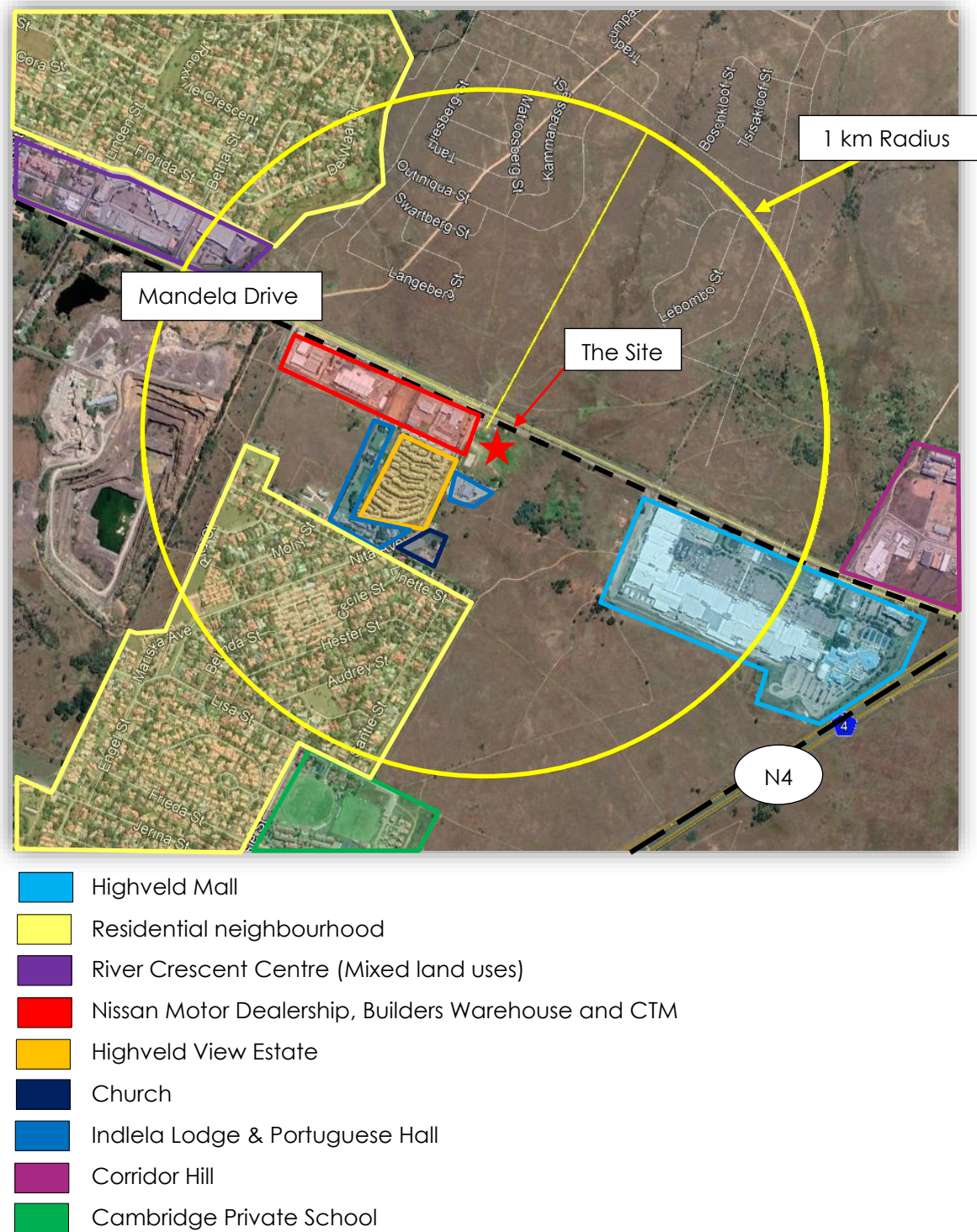
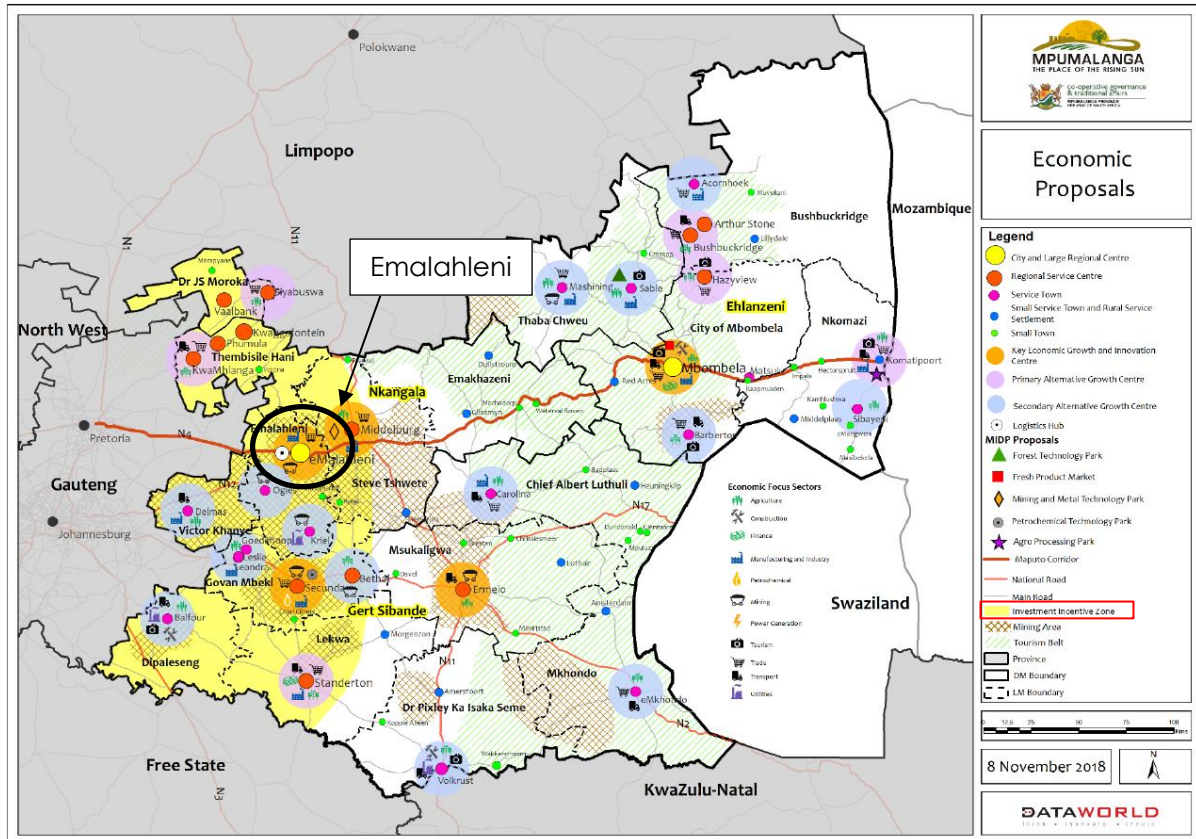


Figure 13: Map from the Mpumalanga SDF 2019



The map above clearly indicate that Emalahleni is earmarked as an investment incentive zone, suggesting that development within Emalahleni will always persist and so will migration of people to the city. The fact that Emalahleni is regarded as a node for potential development, suggests that the population of Emalahleni will continue growing and so will the number of cars demanding fuel to travel to destinations.

According to Section 7 of the Spatial Planning and Land Use Management Act, Act 16 of 2013, spatial planning is underpinned by five primary development principles in order to manage planning in our towns and cities more effectively:

Development principle		Proposed development compliance
7(a)	The principle of spatial justice	This application is being submitted to allow for an additional stand that can be developed for a filling station. The land will be optimally used as it is well located next to an activity spine and in close proximity to major nodes such as Highveld Mall.
7(b)	The principle of spatial sustainability	The proposed application will allow the best possible use of the land in the most efficient and equitable manner without deterring from the mixed land use character of the

		surrounding area. Furthermore, its proximity to the N4 highway, residential areas and business nodes makes the site exceptionally accessible and ideal for redevelopment and reinvestment. It is also ideally located and in close proximity to economic, social, institutional and recreational amenities.
7(c)	<i>The principle of efficiency</i>	The application will ensure the optimisation of the existing resources and infrastructure. The fact that this development is located within an existing neighbourhood strongly supports the notion of optimising existing infrastructure.
7(d)	<i>The principle of spatial resilience</i>	Not applicable to this development
7(e)	<i>The principle of good administration</i>	This application is in line with the governmental policy affecting the spatial development of the area and does not deviate from it.

In view of the above-mentioned, the owners decided that considering the good investment as well as the growing character of the area, they want to develop the stand to its fullest potential, which resulted in this application.

From the town planning merits as stated above the proposed development is well supported and should be encouraged where possible by all spheres of Local Government.

3.7. Need

Filling stations are an integral part of the modern society, South Africans have become more vehicle dependant over the years. According to a report by the South African Petroleum Industry Association (SAPIA) the fuel sector (as a whole) contributes more than 6% to the country's gross domestic product (GDP) and supports employment of over 100,000 people directly or indirectly.

"The South African fuel retail industry has grown considerably in recent years. In fact, it is one of the few sectors to weather the downgrading, rand volatility and negative growth rates recently experienced". ~ Business Insider

Fuel retail specifically is a highly specialised sector, with operating margins that are affected by a multitude of factors such as oil prices, labour costs, exchange rates and regulations, to mention a few. In the current economy, only a small number of industries can claim to be recession proof. The fuel retail sector has proven to be just that, showing healthy profits in times of slow growth cycles.

A fuel retail franchise is no longer just a filling station - it has become a one stop shop catering for many needs and a variety of customers. Convenience stores have become increasingly popular as South Africans find themselves working longer hours with less time to prepare meals.

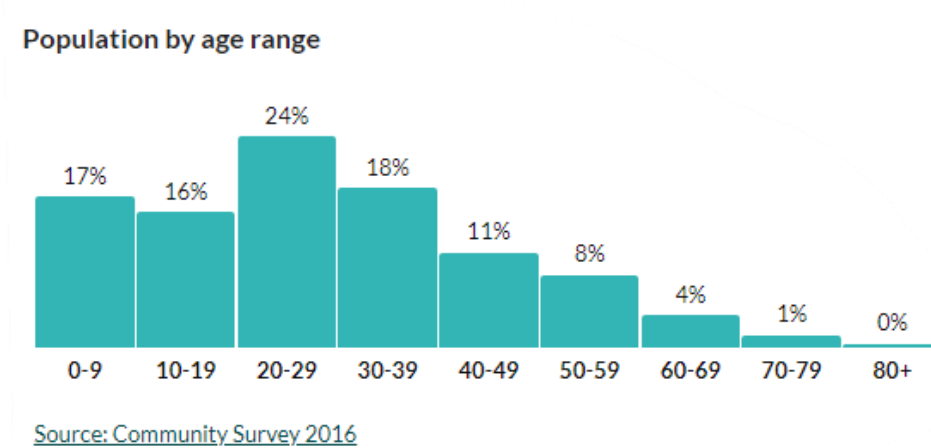
Being able to buy bread and milk or stopping for a quick meal while filling up with fuel allows filling stations to play on convenience more than conventional retailers. This gives fuel retailers a competitive edge – and an additional opportunity to penetrate a developing market. Well known retailers like Woolworths, Pick and Pay, SPAR and OK are partnering with oil companies and non-refinery brands to increase market share. Alternative Profit Opportunities that is key to growing the fuel retail sector includes carwash services, restaurants, quick service restaurants and even ice-cream shops.

According to Stats SA the current unemployment rate of South Africa is 30,1%, suggesting that a third of the workforce is currently unemployed. The proposed filling station will help reduce the unemployment curve by the creation of short term and permanent job opportunities within Emalahleni. The filling station will create job opportunities during the construction phase and will also create permanent long-term job opportunities during the operational phase of the filling station.

The Department of Energy's employment numbers for 2018/2019 indicate that filling stations employ around 70,000 people across the country, with petrol attendants generally fitting the profile of 27 year old men, who tend to stay in the job for up to five years.

From the table below, it is evident that the majority of the residents of Emalahleni are aged between 20-29 years. The figures above from the Department of Energy indicate that the average age of petrol attendants is also 27 years. Therefore, the proposed filling station will create employment opportunities for the majority of Emalahleni' s residents, thus lowering the unemployment rate of the municipality and stimulating economic development within Emalahleni.

Figure 14: Emalahleni population by age



The proposed development is considered important for the following reasons, i.e.:

- **Economic:** The proposed filling station will add more value to the surrounding area and will encourage a variety of land uses along Mandela Drive. The proposed filling station will also create employment opportunities within Emalahleni, thus reducing the unemployment rate within the municipality. The filling station will also contribute towards the local economy of Emalahleni, directly in terms of job creation and capital generation and indirectly in terms of economic development and increasing the well-being of people.
- **Improvement:** The existing structures on the application sites already adds a level of enhancement to the neighborhood due to the neat and modern look of the structures. It is the wishes of the owner that the proposed development is in accordance with the Emalahleni Land Use Scheme 2020.
- **Neighborhood Character:** Upon a visit to the application site and the neighborhood it is clear that the area consists of a distinctive residential character. The property is well maintained and consists of medium vehicular movement. The proposed development will contribute towards the local economy of Emalahleni.

In view of the above-mentioned facts the owner of the application sites decided that considering the good investment, he wants to develop a filling station on Erf 23 (a consolidation of Portion 1 of Erf 20 and Portion 1 of Erf 21) President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga and simultaneously a shopping centre on Erf 24 (a consolidation of Erf 22 and the Remainder of Erven 20 & 21) President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga, which resulted in this application.

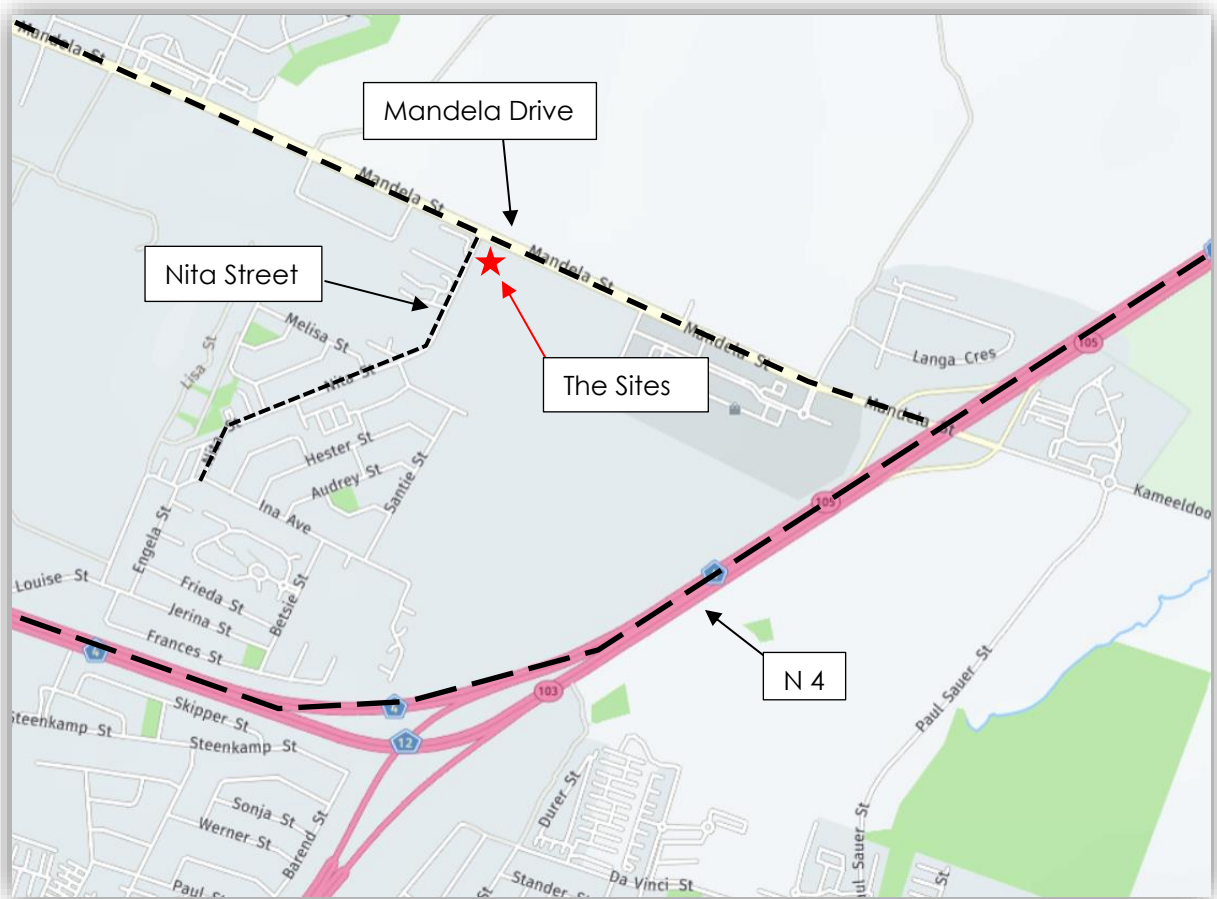
3.8. Desirability

The proposed filling station development is considered desirable for the following reasons:

Aesthetics	<ul style="list-style-type: none"> ❖ The livery of a filling station in South Africa are designed to be aesthetically well recognised and not out of the ordinary.
Competitive Impact	<ul style="list-style-type: none"> ❖ Fuel users loyal to a brand can be serviced. ❖ There will be a competitive effect on convenience store goods. ❖ The filling stations within a 2-3km radius may experience a very slight short-term drop in fuel sales due to the increased growth of retail and office space in the immediate area.
Convenience	<ul style="list-style-type: none"> ❖ Travel time in the area is reduced for residents especially in Del Judor Extension 4 & 12 Township ❖ The addition of a new filling station will increase consumer choice in the immediate area, including 24/7 access to convenience items. ❖ The incorporation of a convenience store as part of the business will add as an additional convenience to residents in the immediate area.
Development	<ul style="list-style-type: none"> ❖ Emalahleni is experiencing growth due to increasing mining activities in the municipality. Demand for fuel for business and residential use will increase gradually. ❖ The proposed filling station development will form part of the other business activities in the area and will also encourage business development along Mandela Drive. ❖ The proposed filling station will also increase land value in the immediate area, making land along Mandela Drive more attractive for investors.
Employment	<ul style="list-style-type: none"> ❖ Short term employment regarding the construction of the filling station will be created. ❖ Long term employment regarding the operation, management and maintenance of the filling station will also be created.

Security	❖ The sense of increased safety and security when filling up closer to home will appeal to many residents in the immediate area, who are fearful of traveling too far for refuelling or using an ATM.
Accessibility	❖ The location of the site is favorable in terms of the character of the area. The application site is sufficiently connected to a fast street network. This occurrence creates convenient connectivity and accessibility to prominent nodes. The site is situated on the corner of Nita Street (a highly travelled road) and Mandela Drive (an activity spine) and is in close proximity to the N4 highway, increasing access to and from the site.

Figure 15: Road Network



4. CONCLUSION

The applicant believes that the application for a simultaneous subdivision, consolidation and special consent in terms of Section 71(2), Section 77, Section 80(1) and Chapter 6 of the Emalahleni Spatial Planning and Land Use Management By-Law, 2016, read with the provisions of the Spatial Planning and Land Use Management Act, Act 16 of 2013, on Erven 20, 21 & 22 President Park Emalahleni Extension 6 Township, Registration Division J.S., Province of Mpumalanga is both necessary and desirable and that the relevant authorities should therefore consider it favorably.

- The application is submitted to **subdivide Erven 20 & 21** President Park Emalahleni Extension 6 Township, **consolidate Portions 1 of Erven 20 & 21** President Park Extension 6 Township creating Erf 23 President Park Extension 6 Township, **consolidate the Remainders of Erven 20 & 21 with Erf 22** President Park Extension 6 Township and to simultaneously apply for a **special consent on Erf 23** (being a consolidation of Portion 1 of Erf 20 and Portion 1 of Erf 21) President Park Extension 6 Township to for a filling station development.
- The site is ideally situated next to Mandela Drive (an activity spine) and Nita Street (a highly travelled road) – increasing visibility and accessibility to the property.
- According to the feasibility study conducted for the filling station development, the location of the site is rated as very good due to the majority of the filling stations along Mandela Drive serving only the westbound traffic (located on the opposite of the road) and the proposed filling station will mainly serve the eastbound traffic on Mandela Drive.
- The application site is situated approximately 500 m from Highveld Mall and the N4 highway and is also situated within a mixed land use area, increasing the favourability of the filling station development.

In view of the above-mentioned I trust that you will support the application.