

MOTIVATION REPORT

Subdivision and Rezoning of Portion 10 of Farm 809, East London (Gonubie)



CLIENT: WENAH PTY LTD

PREPARED BY: SETPLAN, EAST LONDON

PROJECT NO.: 1872



November 2019

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ANNEXURE B	<u>WENAH PTY LTD</u> o Power of Attorney o Resolution <u>SETPLAN</u> o Trustees Resolution o Letter of Authorization
ANNEXURE C	<u>DEED OF TRANSFER</u> T16331/2019
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ANNEXURE E	<u>SPECIALIST REPORTS</u> Delta Geotech (Pty) Ltd - Geotechnical Investigation Report BVi Consulting Engineers – Services Report

PROFESSIONAL TOWN PLANNER: Piet Jonas (Pr. Pln A/888/1996)

Application for the Subdivision and Rezoning of Portion 10 of Farm 809, East London

1. PURPOSE OF THIS REPORT

SETPLAN, East London has been appointed to prepare and submit an application in terms of the Land Use Planning Ordinance (Ordinance 15 of 1985) and the Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA) for the Subdivision and Rezoning of Portion 10 of Farm 809, East London.

(See Power of Attorney attached as **Annexure B**).

2. BACKGROUND

Portion 10 of Farm 809, East London was registered to WENAH PTY LTD in October 2019 (See Title Deed T16331/2019 attached as **Annexure C**)

The aim of the application is to subdivide Portion 10 of Farm 809, East London and to rezone the subdivided portions to develop the subject land as a mixed use development which includes a residential estate.

3. LOCALITY

The subject farm, Portion 10 of Farm 809, East London abuts Gonubie Main Road (MR00687) to the north, within a 1km radius of the N2/Gonubie Interchange, which is approximately 19km from East London city centre.

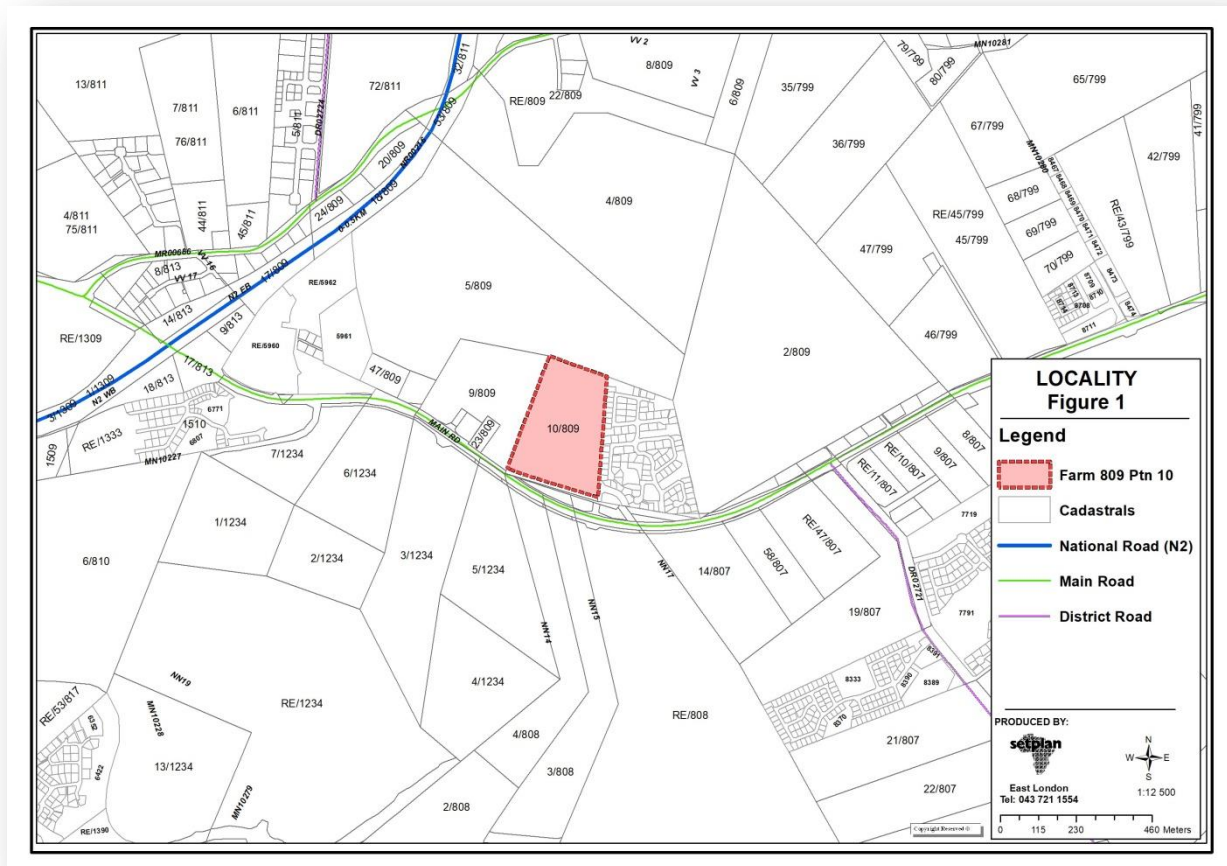


Figure 1: Locality

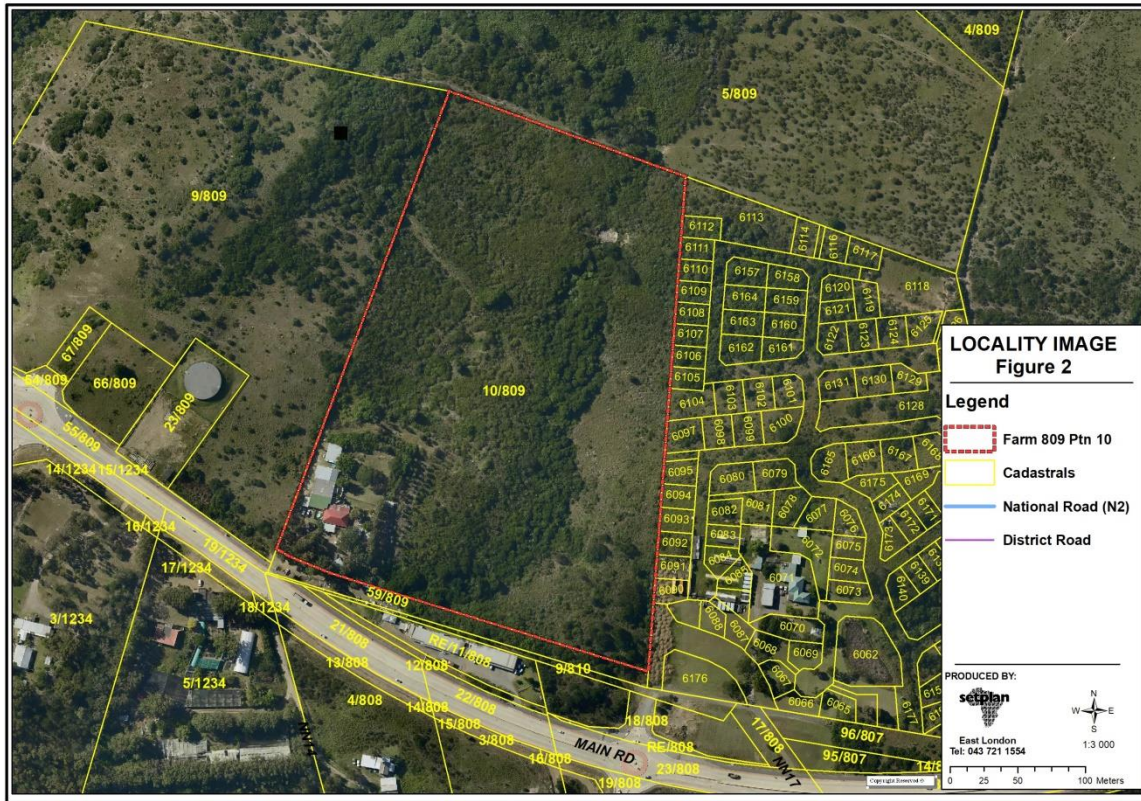


Figure 2: Locality Image

4. SUPPLEMENTARY INFORMATION

4.1 PROPERTY DESCRIPTION AND OWNERSHIP

Property Description	Portion 10 of Farm 809, E.L.
Extent	8.5895 Ha
Ownership	WENAH PTY LTD
Title Deed	T16331/2019
Restrictive Conditions	No
Bond	No
Surveyed Diagram	Erf 1325 was first surveyed in June & November 1943 (See S.G. Diagram No. 275/1944 attached as Annexure D).
Servitudes	Yes – See Section 4.2 below

4.2 REGISTERED SERVITUDES

1. Diagram S.G. No. 6106/78 represents a 953m² Servitude Area over the Portion 10 of Farm 809, East London.
2. Diagram S.G. No. 312-2000 indicates a 3m wide Sewer Servitude over the Portion 10 of Farm 809, East London

5. THE SITE IN CONTEXT

5.1 NATURAL FEATURES

Based on the preliminary inspection of Portion 10 of Farm 809, the site has for years been exposed to agricultural activities and since the cessation of such activities, much of the land has reverted back to indigenous vegetation cover, however, numerous invasive species are also present in abundance.

As depicted in **Figure 3: Slope Analysis**, the most prominent natural features evident are:

- The north facing slopes which include areas steeper than 20%,
- The drainage feature that bisects the site in a north- south direction,
- The thicket type vegetation along the drainage feature which are to be protected and
- A number of disused farm dams along the drainage feature.

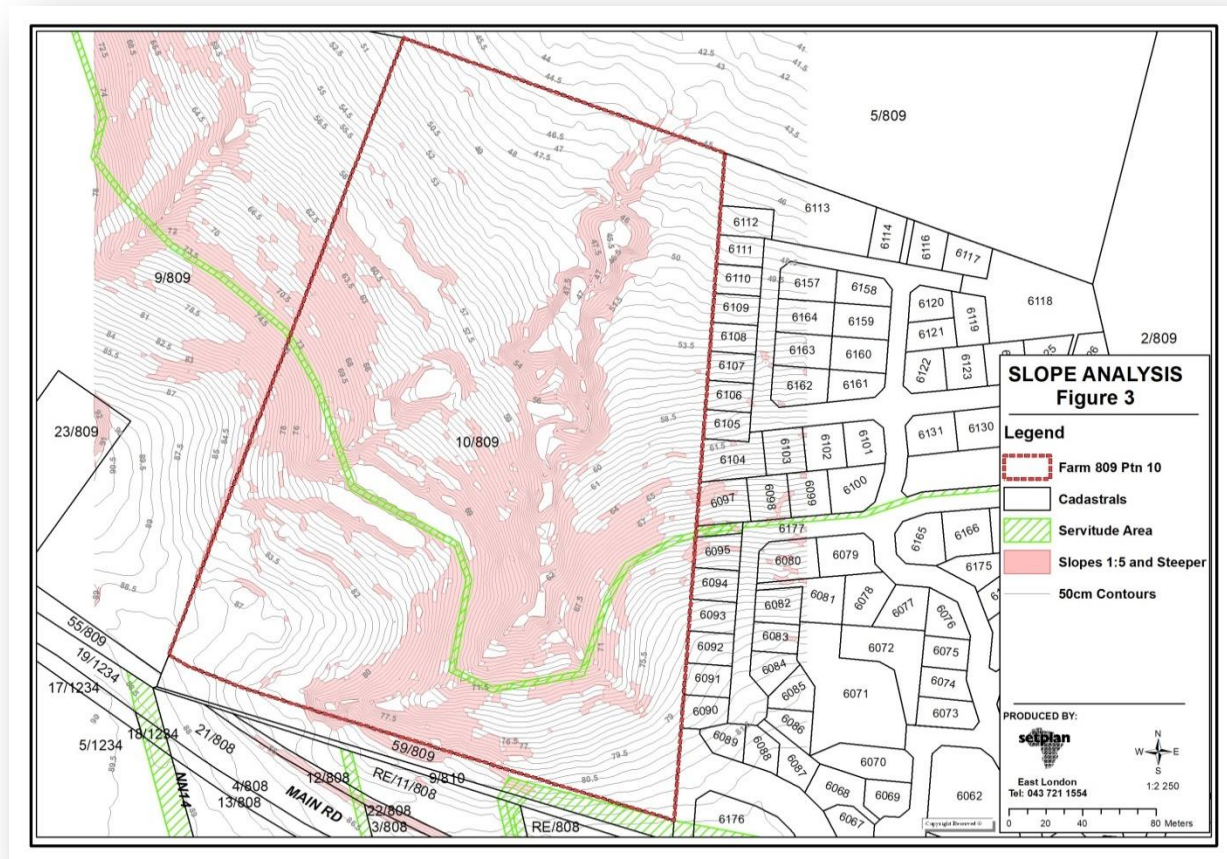


Figure 3: Slope Analysis

5-2 EXISTING LAND USE

As depicted in **Figure 4: Land Use**, Portion 10 of Farm 809, East London is currently being utilized as a small holding with subsistence type activities around the homestead. There are no signs of active agricultural use whilst some evidence has been identified on site (derelict structures) of various agricultural activities such as, poultry, grazing and possible pig farming.

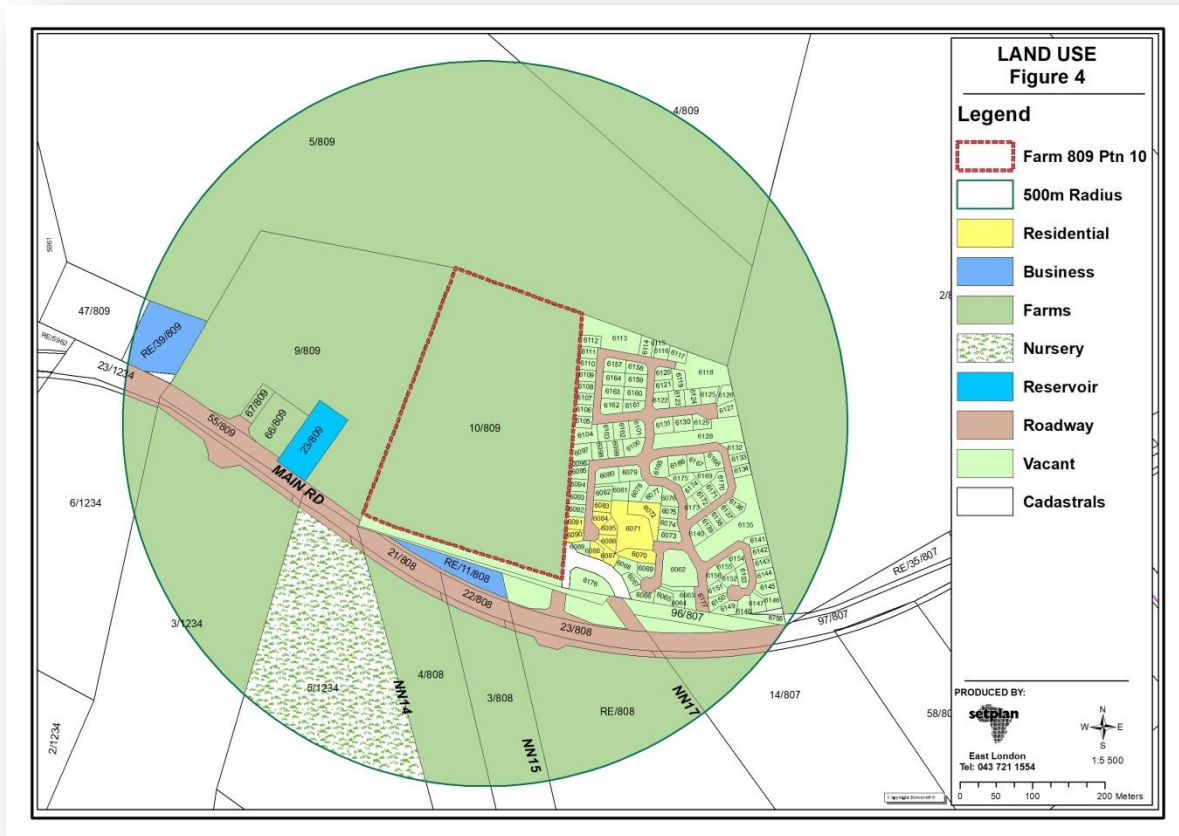


Figure 4: Land Use

5-3 CHARACTER OF THE SURROUNDING AREA

The majority of land uses within a 500m radius of the subject property are farms with a few businesses, vacant properties, a nursery, proposed residential developments and a reservoir. The site is located on Gonubie Main Road, and in close proximity to the N2 freeway. Both transport routes are classified as routes of metropolitan significance with relatively high traffic volumes.

Although many of the surrounding properties remain undeveloped, a large number of properties have been subjected to development applications which are in various stages of approval. It is anticipated that the character of the area will, within the short term, experience a significant change when a variety of high order uses are being developed along Gonubie Main Road.

6. EXISTING POLICY FRAMEWORKS

6.1 ZONING SCHEME

The relevant zoning scheme which controls land use management in the area is the Buffalo City Land Use Management Scheme Regulations (April 2007).

In terms of this scheme, Portion 10 of Farm 809, East London is currently zoned Agricultural Zone (refer **Figure 5: Existing Zoning**). The surrounding area shows a variety of zonings including Agricultural, Authority 2, Business 1 and 3, Industrial 1, Multiple Zone, Open Space 2, Residential 4 and Transport 2.

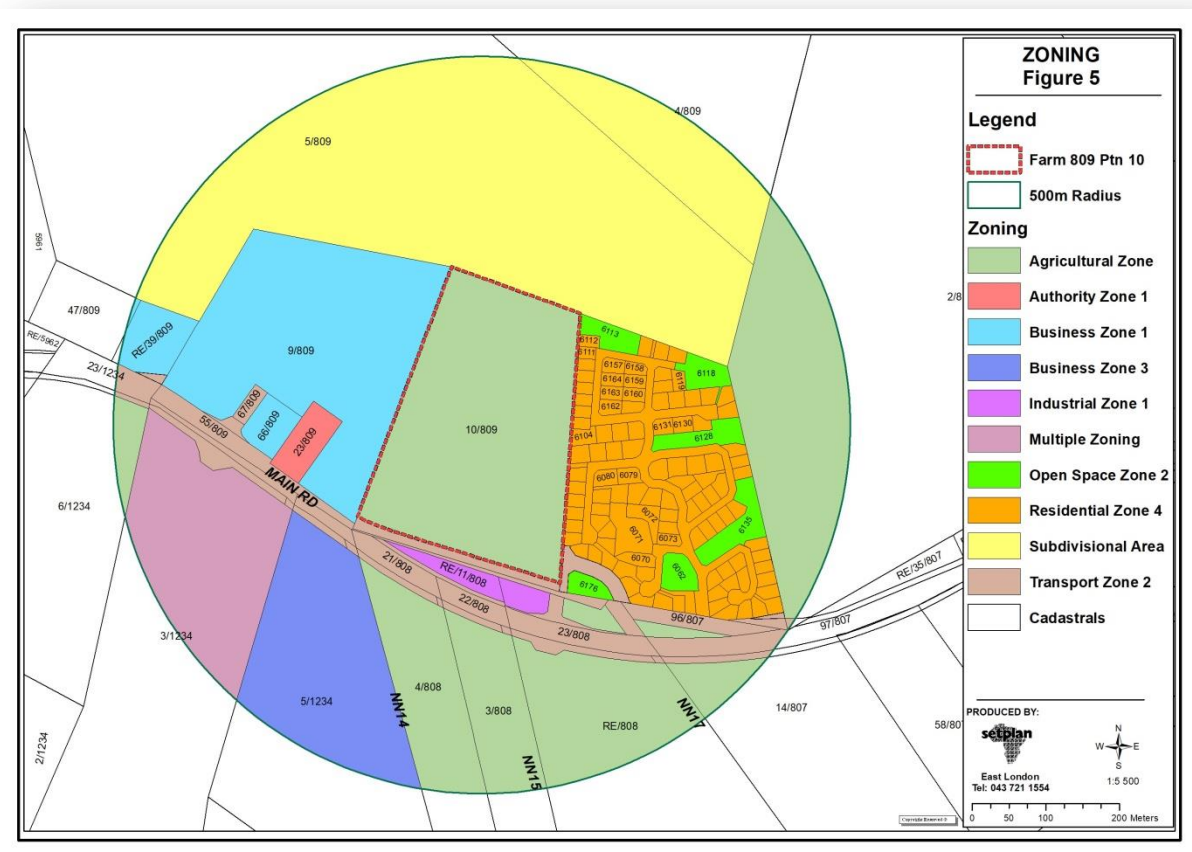


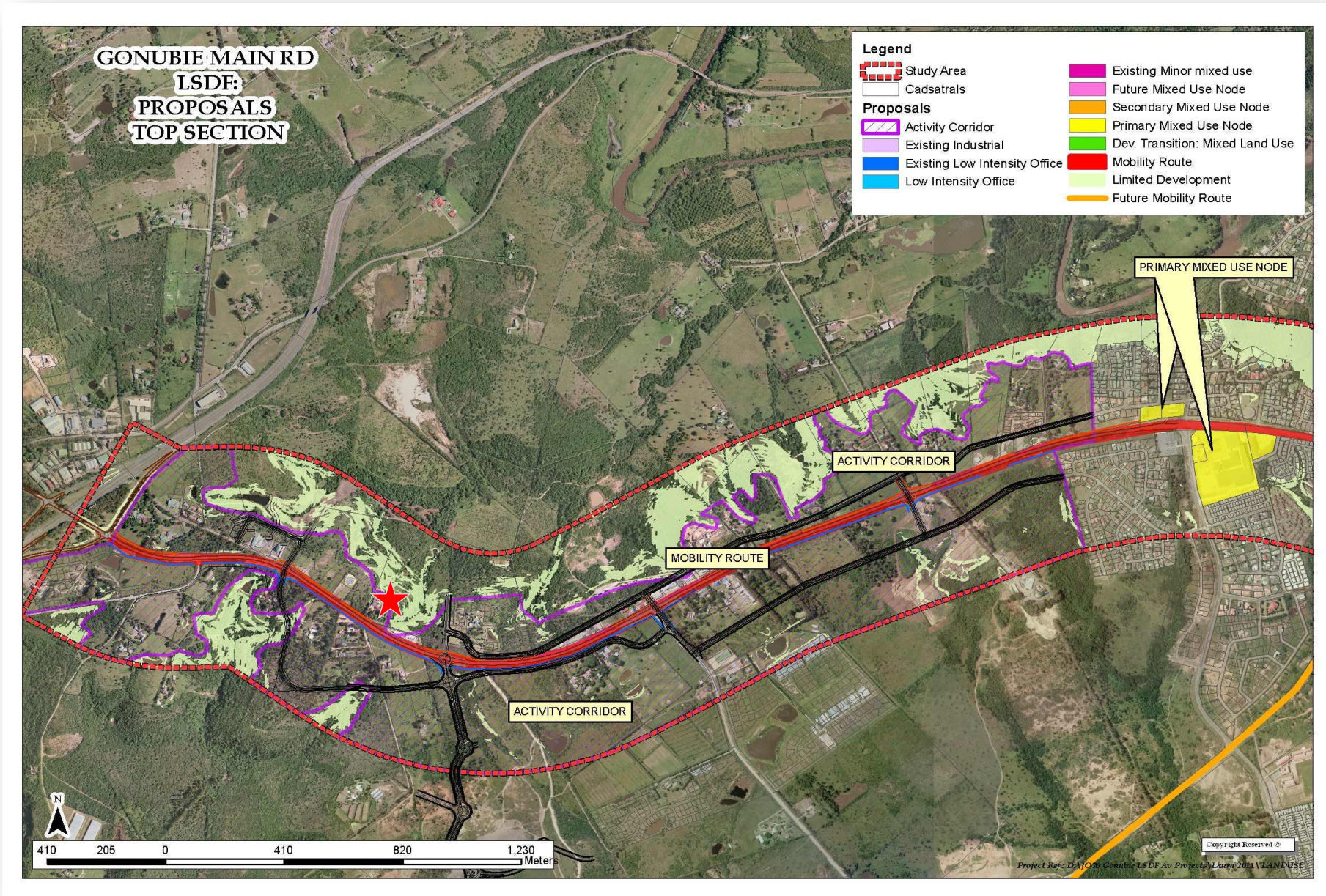
Figure 5: Zoning

6.2 SDF PROPOSALS

Portion 10 of Farm 809, East London falls within the boundary of the Gonubie Main Road Local SDF and is indicated as **★**. The plan shows that the site is located within the identified Activity Corridor along the Mobility Route. Activity Corridors are described as bands of high-density urban development up to 800 metres wide along a public transportation route. Typically, activity corridors link areas of greater intensity of land use, which are commonly called nodes. Activity corridors are generally considered the highest order of corridor.

The development character of this activity corridor promotes high intensity mixed use development along the length of the main road, with increased intensity at intersections with service lanes and decreased intensity in an outward direction away from the service lanes.

The latest review of the BCMM SDF (2013) has re-iterated these proposals.



Plan 1: Gonubie Main Road LSF – Proposals Top Section

7. DEVELOPMENT PROPOSAL

7.1 SUBDIVISION & REZONING

As depicted on **Plan 2: Proposed Subdivisional Plan No. 1872 A/1** and **Plan 3: Proposed Rezoning Plan No. 1872 A/2**, the specific development proposals are noted as follows:

The application is for the subdivision and rezoning of the subject site in terms of the provisions of the Land Use Planning Ordinance 15 of 1985 and the Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA).

The proposed sub-divisional plan will create the necessary parcels of land which can then be zoned for a Mixed Use Development comprising of the following zonings (Residential Zone 4, Business Zone 1, Business Zone 3, Open Space Zone 2 and Transport Zone 2 purposes.

Internal residential access roads are provided with road reserves of 12 m. The erf dimensions will enable some flexibility with the positioning and orientation of top structures whilst the 12 m road reserve will provide sufficient space for the construction of internal roads and internal electrical and civil engineering infrastructure.

The following parcels will be created:

LAND USE	ZONING	NUMBER OF PORTIONS	AREA IN M ²	% ALLOCATION
Single Dwelling Unit	Residential Zone 4	34	13687	15,93
Section Title Units (30 units/Ha)	Residential Zone 4	2	8534	9,94
Business Premises	Business Zone 1	1	6797	7,91
Warehousing	Business Zone 3	1	14671	17,08
Private Open Space	Open Space Zone 2	3	27844	32,42
Private Roadway	Residential Zone 4	1	10685	12,44
Public Roadway	Transport Zone 2	1	3677	4,28
TOTAL		43	85895	100%

The development Controls applicable to the various proposed zonings are tabulated below:

APPLICABLE DEVELOPMENT CONTROLS - Residential Zone 4	
Building Lines: Street	4,5m
Building Lines: Side and Rear	3m
Minimum Erf Size of Parent Property	2 000m ²
Height	2 storeys - maximum
Coverage	70 % - maximum
Density	50 units per gross hectare

Parking	At least 2 parking bays shall be provided per town house, provided that both may be provided as part of the required parking provision at some of the units and the remainder in the form of communal parking for the particular scheme, or the entire requirement in the form of communal parking, and provided further communal parking areas should be clearly demarcated and signposted to the satisfaction of Council
Streets	Internal roads must be private roads
APPLICABLE DEVELOPMENT CONTROLS - Business Zone 1	
Building Lines: Street	Zero, subject to 10,0m from centre line of road reserve if the road reserve width is less than 20,0m
Side and Rear	Zero, provided that: <ul style="list-style-type: none"> (a) Buildings on the ground floor may be erected on the lateral boundary of an erf, provided that no openings are provided in such wall; (b) Council may lay down side building lines in the interest of public health or in order to enforce any law or right; and (c) In the event of the common boundary between the two erven forming the boundary between this zone and a residential zone, the side space applicable to the latter shall apply on both sides of the boundary insofar as it is more restrictive.
Height	Unrestricted
Coverage	100 %
Floor Factor	Unrestricted
Parking	For the ground floor - 6 bays/100m ² G.L.A. shall be required subject to Section 4.13.1 on parking alternatives and Sub-Section 4.13.1.3 on a reduction in parking requirements for the CBD and provided that the residential or other use of the property may not affect this parking requirement. For other storeys parking requirement is to be determined based on the use – as set out in Annexure F.
Loading	As per the Municipality’s Guidelines for Off-Street Loading Facilities and subject to Section 4.13.2.
APPLICABLE DEVELOPMENT CONTROLS - Business Zone 3	
Building Lines: Street	Zero
Side and Rear	Zero, provided that: <ul style="list-style-type: none"> (a) Buildings on the ground floor may be erected on the lateral boundary of an erf, provided that no openings are provided in such wall;

	<p>(b) Council may lay down side building lines in the interest of public health or in order to enforce any law or right; and</p> <p>(c) In the event of the common boundary between the two erven forming the boundary between this zone and a residential zone, the side space applicable to the latter shall apply on both sides of the boundary insofar as it is more restrictive.</p>
Height	3 storeys - maximum
Coverage	100 %
Parking	<p>Parking: Subject to Section 4.13.1, with the following parking requirements:</p> <p>(i) Business (including office use): 6 bays/100m² G.L.A.</p> <p>(ii) Manufacturing: 1 bay/100m² G.L.A.</p> <p>(iii) Warehousing: 1 bay/100m² G.L.A.</p> <p>(iv) Dairies, Bakeries and Laundries: 1 bay/100m² G.L.A.</p> <p>(v) Storage Yards: 1 bay/100m² G.L.A.</p>
Loading	As per the Municipality's Guidelines for Off-Street Loading Facilities and subject to Section 4.13.2.

APPLICABLE DEVELOPMENT CONTROLS - Open Space Zone 2

Building Lines:	10 m – on all sides
Parking	Subject to Section 4.13.1 and the provisions of Annexure F and provided that all parking for patrons and guests shall be on-site.

APPLICABLE DEVELOPMENT CONTROLS – Transport Zone 2

- No structure shall be erected or use practised except that which is compatible with the definition of "public road" in Section 1 or that which is permitted in the Residential Zone I and approved by Council.
- No trading, hawking and such like may take place except with the consent of the Council and subject to any trading complying with the relevant By-laws.

8. GEOTECHNICAL INVESTIGATION

Delta Geotech (Pty) Ltd was appointed by our client to undertake a geotechnical investigation of Portion 10 of Farm 809, East London (See Delta Geotech (Pty) Ltd - Geotechnical Investigation Report attached as **Annexure E**).

In summary, the site is suitable for the developments envisaged provided that all structures are designed accordingly.

The ground conditions described in this report refer specifically to point sources encountered in test pits and at DPL test positions. It is therefore possible, or probable, that conditions at variance with those discussed may be encountered. Important then is that

Delta Geotech (Pty) Ltd carry out periodic inspections during construction, before in situ subgrade treatment is carried out. Any change from the anticipated ground conditions could then be taken into account to avoid unnecessary expense. In this regard, it is important that the construction phase of the project be treated as an augmentation of the geotechnical investigation. This additional work can be conducted on a time and cost basis.

9. AVAILABILITY OF BULK SERVICES

BVi Consulting Engineers was appointed by our client to assess and comment on the availability of services within the vicinity of Portion 10 of Farm 809, East London (See BVi Consulting Engineers – Services Report attached as **Annexure E**).

9.1 Water

9.1.1 Existing Water Infrastructure

The water division of the Engineering Department of the Buffalo City Metropolitan Municipality was approached for information regarding any existing water reticulation infrastructure within a usable radius of the site. The information obtained indicated an existing 200mm bulk water pipeline coming from the East running along the left side of the Gonubie Main Road. An existing water connection exists at the farmstead and at the property on erf RE/11/808 in front of the site. A bulk storage reservoir named “Wembly” reservoir exists on the property located to the West of the site.

It is proposed that the water connection be made on the water main running along the Gonubie main road across the 14m Private Roadway entrance to supply a ring main around the residential erven. This will be subject to approval from BCMM.

The figure below indicates the existing water infrastructure near the site assumed from the information provided by BCMM.

9.1.2 Water Requirements

The water usage was calculated as set out by the Guidelines for Human Settlement and Design (CSIR Building and Construction Technology, Reprint 2005) and BCMM Standards. The table below indicates the total areas of each unit in the development and the BCMM average consumption data related to town houses or cluster homes (500 ℓ/day per unit) was used, single units (700 ℓ/day), Business Zone 1 (400 ℓ/100m²/day) and Business Zone 3 (20 kℓ/ha/day).

Table1: Estimated Water Design Flows

Description	Design flows (ℓ/d)
Single dwelling units	47600
Townhouse Units	19000
Business Zone 1	27188
Business Zone 3	29342
Total	123130

From the table above it can be seen that the total estimated flow for the development is 123.130 m³/d.

9.1.3 Firefighting Water Requirements

According to the BCMM Standards this development falls under the Medium-Risk Area classification: “Areas in which the risk of fire and of the spread of fire are moderate, e.g. industrial areas, areas zoned general residential with a floor space ratio of less than 1,0 (residential Zone II and III) where buildings are not more than three storeys in height, and commercial areas normally occurring in residential townships where buildings are not more than three storeys in height.”

Table 2: Summary of firefighting requirements

Description	
Moderate Fire Risk Areas (Design Fire flow)	2000 ℓ/min @ 15m min. head
Fire Duration for Moderate Fire Areas	2 hrs
Spacing of Fire Hydrants	90m apart

Fire hydrants can service a 90m radius around them. A combined Domestic and Fire main will be installed. Fire hydrants will be required within the development to service the erven. It is not required to have clear water storage on site as the property falls within the BCMM serviced area.

BCMM requires that a flow and pressure test of the local water main be done on which the connection will be made. This must be done for every new development connecting to the reticulation network. This test will be requested during the design phase before construction such that it can be understood if there are other requirements.

9.2 **Sanitation**

9.2.1 Existing Sanitation Infrastructure

The site has an existing 160mm diameter PVC sewer main running in a servitude, from the West to the East through the southern half of the site. The sewer main is connected to the main outfall running to the Gonubie WWTW.

9.2.2 Sewage Generated and Conveyance

The average daily sewage flow rates were calculated as set out by the Guidelines for Human Settlement and Design Table C.1 (CSIR Building and Construction Technology, Reprint 2005):

Table C.1: Average daily flows per single-family dwelling unit (du)

Income Group	LOWER	MIDDLE	HIGHER
Litres per dwelling unit per day	500	750	1000
Based on average total persons per dwelling unit	7	6	5

The criteria for a middle-income group was determined to be applicable for the development and was hence utilized to calculate the Design flow rate which is $Q = 98.504 \text{ m}^3/\text{d}$.

A sewer sump and pump station are proposed on erf no. 1 to pump the collected sewage generated from the erven below the existing sewer main back up into the existing sewer main.

The proposed pump would have to propel a discharge of $68.953 \text{ m}^3/\text{d}$ over a head of 30m.

9.3 Stormwater

9.3.1 Existing Stormwater Infrastructure

The site currently has no existing stormwater infrastructure. Stormwater from the Gonubie Main Road is discharged onto the site. The stormwater currently runs over land until it reaches the natural watercourse in the valley of the site running from South to North through the center of the site. The site's valley has three existing ponds which act as retention basins. The valley flows into a tributary that is connected to the Gonubie river. The site is situated on the border of the Gonubie river watershed line and is not in any 1:100-year flood zones. The valley of the site has been proposed to be private open space with no disturbance of the vegetation and the watercourse.

9.3.2 Stormwater Management Plan

BCMM regulations require that run-off water during storms greater than the 1:5-year return period flow is retained and released in a controlled manner, up to a 1:50 year flood. It is a specific requirement that the development has an approved Stormwater Management Plan. The base calculation takes into consideration a hardening factor that is specified by BCMM as the new development will have less ground saturation and more paved runoff water.

The site topography with the valley running centrally though it allows for all stormwater from the erven and roadway within the development to be channeled to the private open space and can be ponded in the open space's existing retention basins in the valley of the site before being released at the calculated allowable discharge rate.

It is proposed that concrete culverts are to be constructed where the roadway crosses the watercourse. Water from the roadway will drain into stormwater catch pits or kerb inlets and will be conveyed in pipes to the natural watercourse where it will be discharged.

The run-off calculations were computed using the Rational Method since the catchment is classified as a minor catchment and is less than 15km² in area. Design standards from the SANRAL Stormwater Drainage Manual were applied. The total runoff calculated for a 1:5-year flood was $Q = 1.04 \text{ m}^3/\text{s}$ and $Q = 2.07 \text{ m}^3/\text{s}$ for a 50-year flood.

9.4 Roadway

9.4.1 Roads Infrastructure

The Site has no existing roads infrastructure. The Gonubie Main Road has double traffic lanes flowing in both directions with a center island consisting of concrete barricading. Traffic circles are situated on the South Western and South Eastern corners of the site.

The proposed access to the development will be via the second traffic circle on the Gonubie main road. From this traffic circle there is a proposed 20m service lane that runs along the Eastern boundary of the property. A second traffic circle will be introduced along this service road approximately 95m from the Gonubie Main Road traffic circle. This circle will give access into the proposed development with a road running along the proposed roadway on portion 59/809. This roadway will give access to the Business Zone 3 portion. A private 14m wide roadway will give access to the proposed residential erven. The figure below shows the Site Development Plan (SDP).

9.4.2 Roadway

The proposed roadway is classified as a mixed (lower order) link (Class 5 access street).

Table 3: Proposed road classification criteria.

Income Group	Middle
Road reserve width	12m
Roadway width	5.5m
Parking arrangement	No street parking
Verge Width	1.25m
Kerb Type	MK10/CK5
Cros fall/ Camber	Crossfall
Minimum Erf Splay Dims at intersection	5 x 5

Below is the proposed pavement structure that will be used for the proposed development.

Surfacing: 50mm Asphalt

Base course: 150mm G2 compacted to 85% Bulk Relative Density

Sub-base: 150mm C4 compacted to 96% Mod AASHTO

Selected Layer: 150mm G6 compacted to 95% Mod AASHTO

In-situ later: Rip and re-compacted to 90% Mod AASHTO to 150mm

9.5 Solid Waste

9.5.1 Solid Waste Collection

The Business Zones and the Residential sectional title deed portions will require a dedicated area close to the entrance allocated for a temporary solid waste storage area. Storage containers need to be provided for storing of waste.

The following points are the basis of solid waste management:

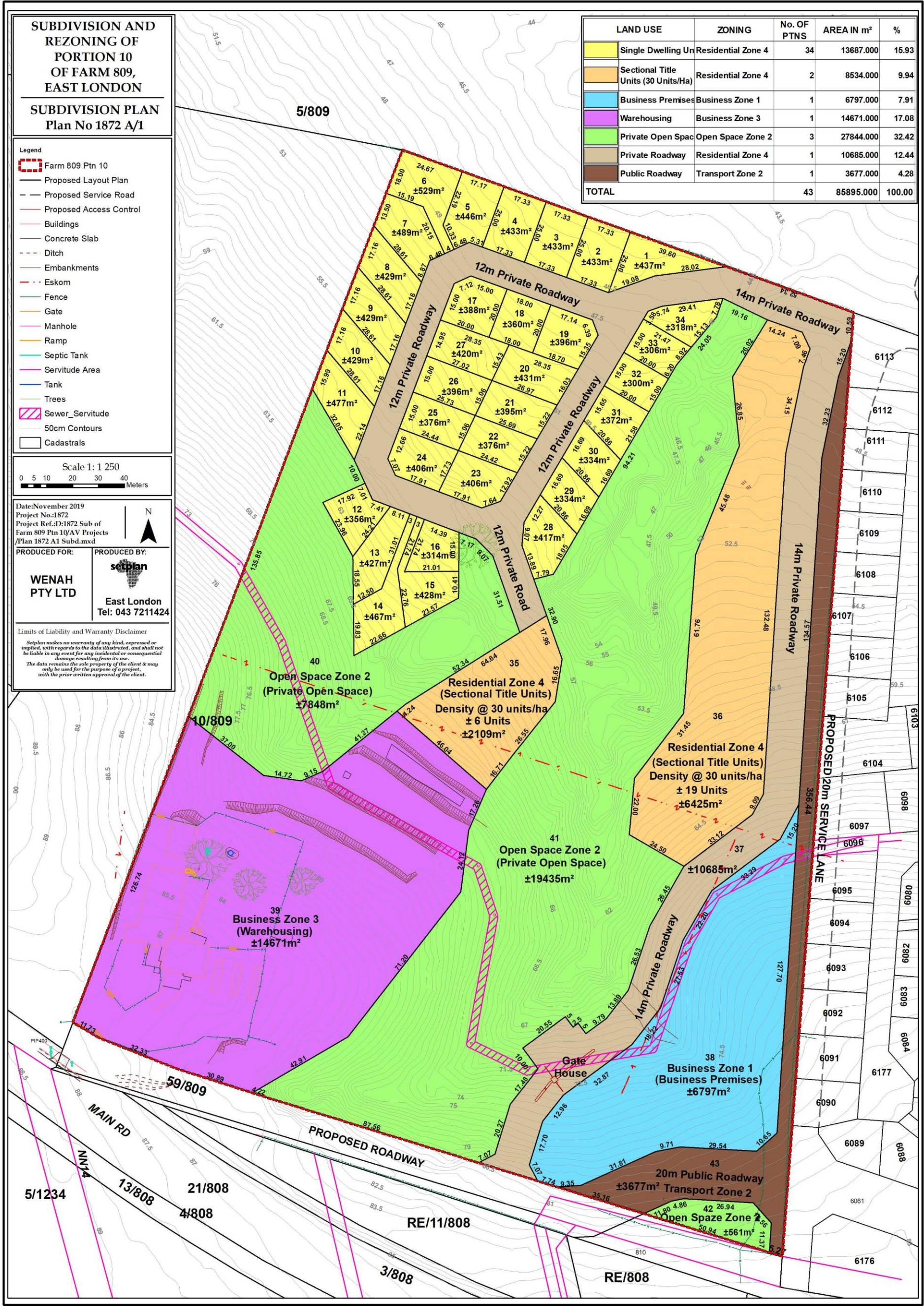
- All refuse should be disposed of in 85ℓ plastic bin liners.
- Garbage should be stored for short periods in one of the following types of containers:
 - 85ℓ rubber or galvanised bins
 - 120/240ℓ mobile bins
- This is done to prevent animals from gaining access to the bin liners, especially rodents.
- An arrangement with the local authority or waste removal company for weekly waste collection and removal should be made.

9.6 Telecommunications

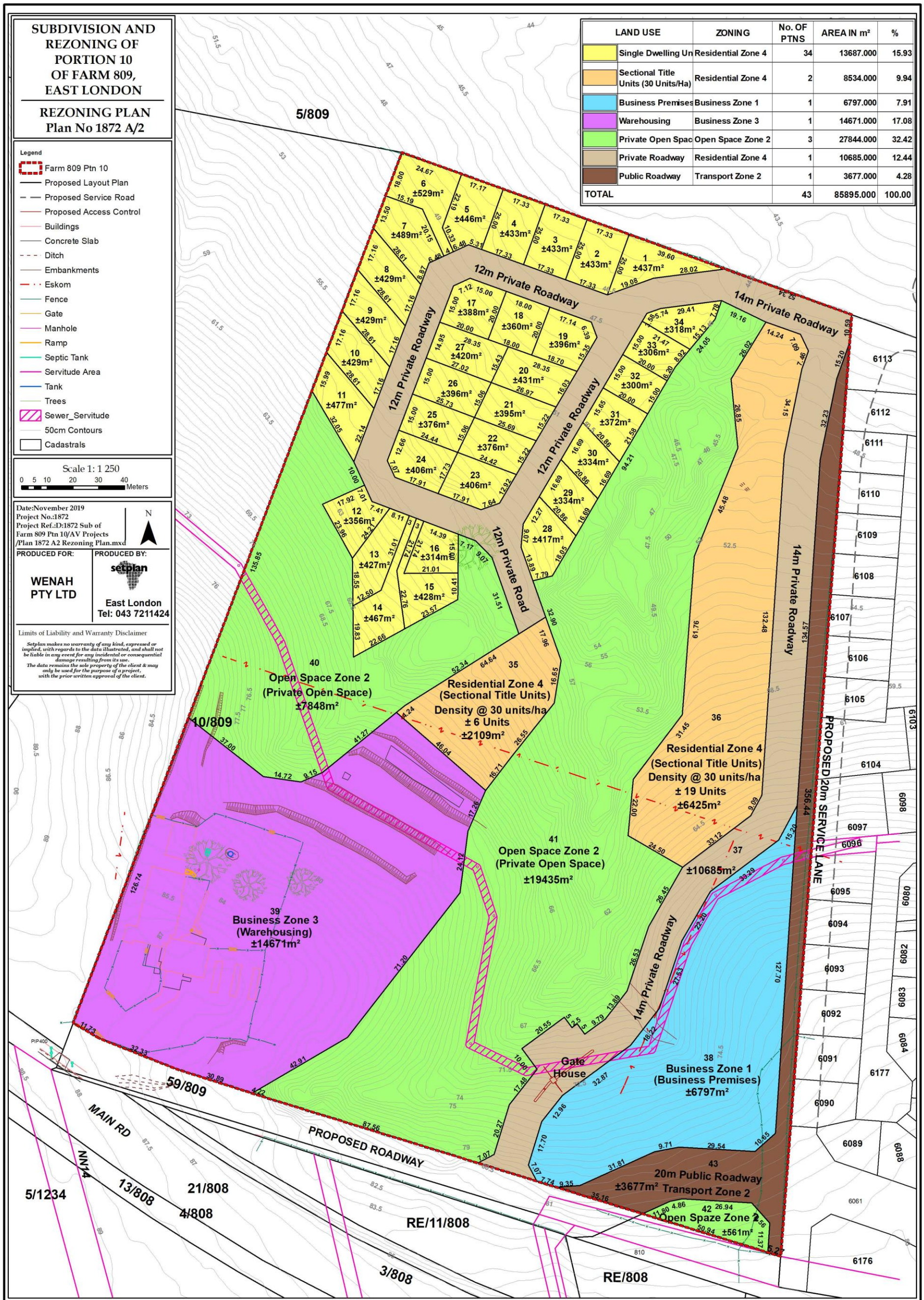
There is existing telecommunication infrastructure that can service the site, and if expansions to the network are required in order to provide an acceptable level of service, sufficient provision has been allowed for.

9.7 Electrical

Sufficient electrical infrastructure is present to allow the site to be developed, however, the capacity of the lines and the availability of new connections will need to be confirmed with Eskom upon approval of the subdivision.



Plan 2: Subdivision Plan No 1872 A/1



Plan 3: Rezoning Plan No. 1872 A/1

10. MOTIVATION

10.1 SPATIAL STRUCTURING ELEMENTS

Spatial structuring elements are the building blocks of forward planning proposals, which provide direction for encouraging and stimulating growth and development in municipal areas, whether at municipal level or precinct/ local area level.

In line with the proposals contained in the Gonubie Main Road Local Spatial Development Framework, the location of the site within an Activity Corridor along a Mobility Route, implies that a higher intensity of development can be condoned, as a result of the advantages of location, access to public transport and increased visibility.

10.2 COMPLIANCE WITH DEVELOPMENT PRINCIPLES

10.2.1 *Spatial Sustainability*

The proposed subdivision of the site will create a viable opportunity for development in accordance with the existing zoning. Development costs associated with the development of the entire portion of land as one erf would be prohibitive, while creating smaller portions of land, especially along the Gonubie Main Road, will facilitate interest from a wider spectrum of potential buyers or investors.

The subdivision will allow development in line with the proposals contained in the Gonubie Main Road Local SDF, and will thus comply with the principle of spatial sustainability, as more intensive use along the Gonubie Main Road has been considered to be fiscally and environmentally sustainable. Adequate provision has been made in infrastructure planning proposals for mixed use within the Activity Corridor.

The proposed increase in intensity of use on the site will contribute towards limiting urban sprawl and will take advantage of its sustainable location on an identified Mobility Route, as identified in the LSDF.

10.2.2 *Spatial Efficiency*

The creation of a site through subdivision within the Activity Corridor and the resultant options for its viable development, will ensure spatial efficiency and integration of land uses. Development in compliance with an approved policy, which has undergone the necessary public participation processes and been formally approved by the Council, promotes spatial efficiency.

Existing infrastructure services are available to the site and to date these have not been used. The creation of the proposed site will encourage development which can take advantage of the existing resources and infrastructure and thus ensure compliance with the spatial efficiency principle.

11. CONCLUSION

- It is proposed that Portion 10 of Farm 809, East London be SUBDIVIDED and REZONED to allow for a mixed use development which includes a residential estate.
- The proposal is in line with the principles contained in SPLUMA and in accordance with the Gonubie Main Road Local Spatial Development Framework.
- Accordingly, we request the Buffalo City Metropolitan Municipality to consider this application for approval.