

6.

DEPARTEMENT VAN MYNWESE

No. 1221 19 Julie 1974

UITHOU VAN GROND VIR DIE DOEL VAN 'N DORP

Die Staatspresident het 'n stuk geproklameerde grond, ongeveer 260,755 3 hektaar groot, geleë op die plaas Witpoortje 117 IR, distrik Brakpan, myndistrik Johannesburg, provinsie Transvaal, geregistreer op naam van Lceuwpun Farming Company (Pty) Ltd en soos getoon op 'n sketskaart waarvan afdrukke onder RMT R31/73 in die Mynbriewekantoor, Johannesburg, en in die kantoor van die Mynkommissaris, Johannesburg, bewaar word, kragtens artikel 184 van die Wet op Mynregte, 1967 (Wet 20 van 1967), vir die doel van 'n dorp uitgehou.

(19/5/1/234)

No. 1222 19 Julie 1974

GEDEELTELIKE TERUGTREKING VAN DIE UITHOU VAN GROND VIR DIE DOEL VAN 'N DORP

Die Staatspresident het kragtens die bevoegdheid hom verleen, die uithou van grond vir die doel van 'n dorp, soos vervat in Goewernmentskennisgewing 2813 van 1953, gepubliseer in die *Staatskoerant* van 18 Desember 1953, teruggetrek vir sover dit betrekking het op 'n gedeelte, ongeveer 25,1161 hektaar groot, geleë op die plaas Grootfontein 165 IR, distrik Nigel, myndistrik Heidelberg, provinsie Transvaal, geregistreer op name van P. J. en R. A. Munks en soos getoon op 'n sketskaart waarvan afdrukke in die Mynbriewekantoor, Johannesburg, en in die kantoor van die Mynkommissaris, Heidelberg, onder RMT R52/74 bewaar word.

No. 1234 19 Julie 1974

STAATSGROND ONTTREK AAN OPENBARE PROSPEKTERING

Die Minister van Mynwese het kragtens artikel 10 (1) van die Wet op Mynregte, 1967 (Wet 20 van 1967), sekere Staatsgrond waarvan besonderhede in bygaande Bylae voorkom, met ingang van die datum van publikasie hiervan in die *Staatskoerant* aan openbare prospektering na edelmetale en onedelde minerale onttrek.

BYLAE

Beskrywing van grond	Grootte Hektaar
(a) Onderverdeling 4 (Potwe Halt) van Onderverdeling A van Onderverdeling Lourens van die plaas Doornpan 177	41,112 5
(b) Restant van Onderverdeling A van Onderverdeling Lourens van die plaas Doornpan 177	136,836 9
(c) Die plaas Breda 261	2 815,122 4
(d) Die plaas Vergelegen 373	1 977,762 4
(e) Onderverdeling 1 van die plaas Wonderfontein 486	1 526,777 9
(f) Restant van die plaas Wonderfontein 486	1 460,343 2

Almal geleë in die distrik Vryheid, myndistrik Natal, provinsie Natal.

(17/3/25)

No. 1243 19 Julie 1974

UITHOU VAN GROND VIR DIE DOEL VAN 'N DORP

Die Staatspresident het 'n stuk geproklameerde grond, ongeveer 547,733 9 hektaar groot, geleë op die plaas Witpoortje 117 IR, distrik Brakpan, myndistrik Johannesburg, provinsie Transvaal, geregistreer op naam van Moria Mynbou (Edms.) Bpk. en soos getoon op 'n sketskaart waarvan afdrukke onder RMT R40/72 in die Mynbriewekantoor, Johannesburg, en in die kantoor van

DEPARTMENT OF MINES

No. 1221 19 July 1974

RESERVATION OF LAND FOR PURPOSES OF A TOWNSHIP

The State President has, in terms of section 184 of the Mining Rights Act, 1967 (Act 20 of 1967), reserved for purposes of a township a portion of proclaimed land, approximately 260,755 3 hectares in extent, situate on the farm Witpoortje 117 IR, District of Brakpan, Mining District of Johannesburg, Province of the Transvaal, registered in the name of Lceuwpun Farming Company (Pty) Ltd and shown on a sketch plan, copies of which have been filed in the Mining Titles Office, Johannesburg, and in the Office of the Mining Commissioner, Johannesburg, under RMT R31/73.

(19/5/1/234)

No. 1222 19 July 1974

PARTIAL WITHDRAWAL OF RESERVATION OF LAND FOR PURPOSES OF A TOWNSHIP

The State President has, under the powers vested in him, withdrawn the reservation of land for purposes of a township contained in Government Notice 2813 of 1953, published in the *Government Gazette* of 18 December 1953, in so far as it relates to a portion, in extent approximately 25,116 1 hectares, situate on the farm Grootfontein 165 IR, District of Nigel, Mining District of Heidelberg, Province of the Transvaal, registered in the names of P. J. and R. A. Munks and as shown on a sketch plan, copies of which are filed in the Mining Titles Office, Johannesburg, and in the office of the Mining Commissioner, Heidelberg, under RMT R52/74.

No. 1234 19 July 1974

STATE LAND WITHDRAWN FROM PUBLIC PROSPECTING

The Minister of Mines, has in terms of section 10 (1) of the Mining Rights Act, 1967 (Act 20 of 1967), withdrawn from public prospecting for precious metals and base minerals, as from the date of publication hereof in the *Gazette*, certain State land, details of which appear in the attached Schedule.

SCHEDULE

Description of land	Extent Hectares
(a) Subdivision 4 (Potwe Halt) of Subdivision A of Subdivision Lourens of the farm Doornpan 177	41,112 5
(b) Remainder of Subdivision A of Subdivision Lourens of the farm Doornpan 177	136,836 9
(c) The farm Breda 261	2 815,122 4
(d) The farm Vergelegen 373	1 977,762 4
(e) Subdivision 1 of the farm Wonderfontein 486	1 526,777 9
(f) Remainder of the farm Wonderfontein 486	1 460,343 2

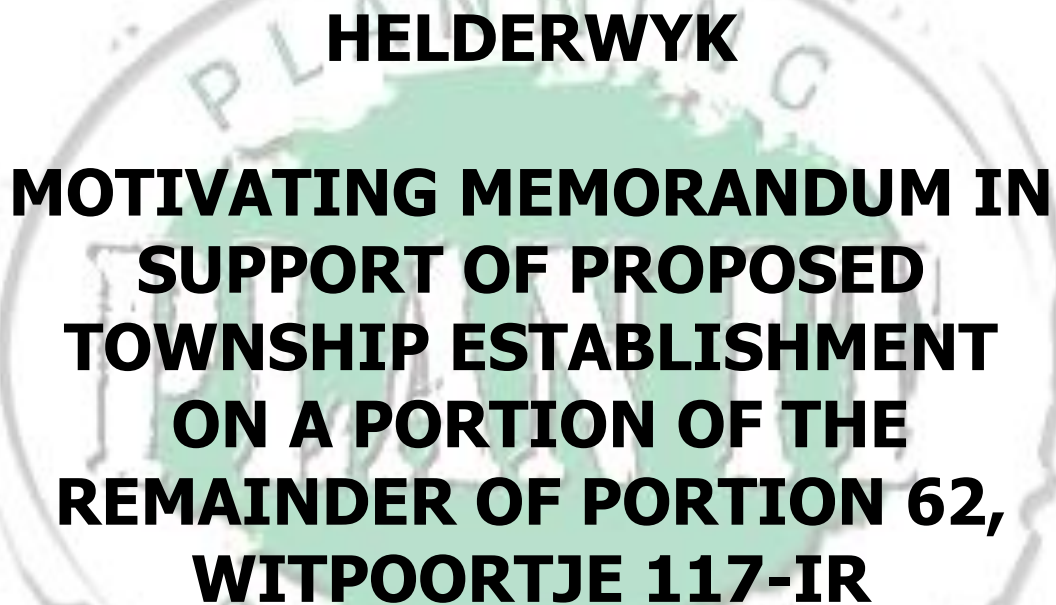
All situate in the District of Vryheid, Mining District of Natal Province of Natal.

(17/3/25)

No. 1243 19 July 1974

RESERVATION OF LAND FOR PURPOSES OF A TOWNSHIP

The State President has, in terms of section 184 of the Mining Rights Act, 1967 (Act 20 of 1967), reserved for purposes of a township a portion of proclaimed land, approximately 547,733 9 hectares in extent, situate on the farm Witpoortje 117 IR, District of Brakpan, Mining District of Johannesburg, Province of the Transvaal, registered in the name of Moria Mynbou and as shown on a sketch plan, copies of w



HELDERWYK

**MOTIVATING MEMORANDUM IN
SUPPORT OF PROPOSED
TOWNSHIP ESTABLISHMENT
ON A PORTION OF THE
REMAINDER OF PORTION 62,
WITPOORTJE 117-IR**

December 2018

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1. INTRODUCTION

The proposed township (Helderwyk Extensions) is to be established on a portion of the Remainder of Portion 62 of the farm Witpoortje 117-IR. Planit Planning Solutions CC and Izwelisha Town Planners was approached by the owner of the said farm portion to make application to the Ekurhuleni Metropolitan Municipality for the establishment of "de novo" residential township in terms of Section 96 of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) or the Spatial Planning and Land Use Management Act, 2013.

The Township will be known as Helderwyk Extensions.

Background (previous applications on the same land):

In 1971 The Schachat Cullum group made application for a township establishment through HL Kuhn and Partners (Land Surveyors and Town Planning Consultants) on a portion of the remainder of portion 62 of the farm Witpoortje 117-IR. In terms of the Title deed 20914/1969 the land owner at that stage was Moria Mynbou (Pty) Ltd and the mineral rights belonged to Van Dyk Consolidated Mines Limited, the land measured 789 morgen.

Van Dyk Consolidated Mines Limited who sold the land to Moria Mynbou (Pty) Ltd, consented to township establishment on the entire portion.

On 19 July 1974 notice appeared in the Government Gazette reserving the land (547 Ha) for Township Purposes.

The Township Establishment application submitted was the first of 5 townships to be established on the land. These were Welgelegen Proper, Welgelegen Ext 1, Welgelegen Ext 2, Welgelegen Ext 3 and Welgelegen Ext 4.

Welgelegen, Ext 1. Ext 2. and Ext 3, excluding Ext 4, was then advertised and circulated.

The first township name Welgelegen was rejected by the province (place names committee) due to a place name conflict, the name was subsequently changed to Helderwyk.

Also in letter on the file to The Director, HL Kuhn states that:

Welgelegen became Helderwyk Proper.
Welgelegen Ext 1 became Helderwyk Ext 1

Welgelegen Ext 2 became Helderwyk Ext 2
 Welgelegen Ext 3 became Helderwyk Ext 3
 Welgelegen Ext 4 became Helderwyk Ext 4

In 2004 the land was sold to Purple Moss 19 (Pty) Ltd – current owner.

On 11 July 2006 Helderwyk Proper was proclaimed. Helderwyk Ext 2 was approved on 30 October 2006.

Herewith a summary of the Helderwyk projects to date.

Was	Welgelegen	Welgelegen Ext 1	Welgelegen Ext 2	Welgelegen Ext 3	Welgelegen Ext 4
Now	Helderwyk Proper	Helderwyk Ext 1	Helderwyk Ext 2	Helderwyk Ext 3	Helderwyk Ext 4
Province Reference	P.B. 4/2/2/3951	P.B. 4/2/2/4031	P.B. 4/2/2/4131	P.B. 4/2/2/3579	P.B. 4/2/2/4040
Status	Proclaimed	Approved in principle but no formal Townships Board approval, pending before Administrator since 1972.	Approved COE's and GP in place.	Pending before Administrator since 1972.	Pending before Administrator since 1972.
Issues		PWV 15, class 2 road planning. Environmental factors.	Ext 3 & 7 sold to Ekurhuleni. Ext 4, 5 & 6 needs new layouts to conform to class 2 road planning.	PWV 15, class 2 road planning. Environmental factors.	PWV 15, class 2 road planning. Environmental factors. Possible dolomite.
Rights		Special Residential (Res 1), General Residential, (Res 3), community facilities, business and parks.	Special Residential (Res 1), General Residential, (Res 3), community facilities and parks.	To be confirmed	To be confirmed
Amended Extensions		Ext 1	Ext 8	Ext 3, 4, 5, 6 & 7	To be confirmed

2. GENERAL INFORMATION

2.1 Locality

The Remainder of Portion 62 of the farm Witpoortje 117-IR, hereinafter referred to as "the site", is bordered by South Boundary Road (north), Helderwyk Proper Township (east) and a slimes dam (east), a railway line (south) and Barry Marais Rd (west).

2.2 Property Description and extent

The property can be described as the Remainder of Portion 62 of the farm Witpoortje 117-IR as per title deed T74765/2006, and measures 570,4342 hectares in extent. The proposed Helderwyk Extensions comprises of an area measuring approximately 311 hectares in extent.

2.3 Ownership

The Remainder of Portion 62 of the farm Witpoortje 117-IR is currently owned by Purple Moss 19 (Pty) Ltd.

2.4 Existing zoning and land use

The major part of the farm portion is zoned "Agricultural" in terms of the Brakpan Town Planning Scheme. The site is currently vacant and no agricultural activities are taking place.

2.5 Restrictive conditions of title

There are no restrictive conditions of title that affect this application that cannot be mitigated.

2.6 Bondholder

The property is not subject to a mortgage bond.

3. THE APPLICATION

Application for the township will be lodged in terms of Ordinance 15 of 1986 or SPLUMA.

The proposed township shall consist of two phases comprising out of:

Targeted Zoning and Land uses	Ha	Percentage (%)	Number of Units
Future Roads & Main Roads	34.4	11.06%	N/A
Possible Wetlands (Inclusive of Buffer Areas)	53.5	17.20%	N/A
Residential (up to 60U/Ha)	177.3	57.01%	8150
Mixed Use including Business, High density residential and Community Facilities	38	12.22%	990
Commercial	7.8	2.51%	N/A
Total	311	100.00%	9140

4. MOTIVATION

4.1 Need

A number of low- as well as high density residential and non-residential uses exist within the wider area thus setting the precedent and need for development. Cognisance must be taken of the impact of the rapidly changing environment with regards to growth and expansion. The property is well located in terms of transport infrastructure with access to essential taxi routes, public streets and a future railway station, thus providing residents with various means for transport.

Government has realised that due to continual focus on RDP housing it resulted in a severe shortcoming in the affordable housing or bonded housing sector.

Subsequently, the Department of Planning and Local Government in conjunction with the Ekurhuleni Housing Department is currently promoting the Inclusionary Housing policy (IHP) which was presented at the June 2007 Development Forum Meeting. An appeal was made to all Developers at this meeting to consider including affordable housing in developments on a voluntary basis i.e. the Voluntary Pro-Active Deal-Driven strategy (VPADD), of which this application is a prime example.

The IHP aims to:

- Integrate income-, racial- and social groups,
- Creating sustainable and affordable housing stock/bonded housing, and
- Integrate housing markets, -typologies and -densities.

The following goals have been set to achieve the mentioned aims:

- Integrating spatial and transportation plans with spines and nodes to support public transport, mixed land uses, higher densities and affordable housing,
- Urban renewal and higher densities to be supported,
- Applications should be assessed, evaluated and approved even if against policy or land use management guidelines,
- Management guidelines and structure plans should be revised to include the IHP's requirements, and
- Provision of incentives i.e. density bonuses, tax incentives, land availability and access to subsidies.

The required density can further be motivated in terms of the Ekurhuleni Residential Densification Strategy (July 2008). Densification is promoted in areas affected by nodes and transportation routes or modes. Transportation routes are further classified into five categories, each indicating a specific density range within a particular horizon year.

Reference is made to "Activity Development Corridors" with 2015 as the horizon year for this particular application. Activity development corridors justify a maximum density of 110 units per hectare which decreases with either 10 or 15 du/ha at 250m intervals, with a maximum removed distance of 500m. The site is located within 500m of an activity development corridor which relates to a possible 95 du/ha.

Also, township establishment applications on the site have previously been approved by the Provincial Administration. The applications are hereby amended to make provision for:

- higher density developments in line with current market trends, densification strategies and affordability, as well as
- to make provision for the alignment of the future PWV15 route and wetlands which was completely ignored in the previous applications.

With the proposed development controls and necessary engineering services, the proposed residential development will not have a detrimental affect on the neighbourhood and the environment.

We are of the opinion that the proposed land use could be accommodated within the area for the following reasons:

- Access to the site will be provided off Barry Marias, PWV 15, South Boundary Road and Heidelberg Road.
- It will support the existing residential development and demand in the area, and satisfy the need that exists.
- Pressure for the demand for residential development has been perceived due to the number of developments establishing in the area.
- The development will cater for the full range of supporting physical and social infrastructure.
- Adjoining property values will increase due to this development, and more people could benefit from such developments in the long term.

It must furthermore be respectfully submitted that the question of need for development is in fact to be answered by the developer and not by market competitors, objectors, authorities etc. Developers, small and large, commonly share this point of view. Need is established in the market by a process of thorough research, and if the need is confirmed it is the developer who takes the business or investment risk. The question of desirability must however be dealt with by the Local Authority representing the larger community, services providers etc.

4.2 Desirability

4.2.1 SDF and strategic planning

The property forms part of an area earmarked for development in terms of the Ekurhuleni Spatial Development Frameworks, namely the Metropolitan Spatial Development Framework and the Regional Spatial Development Framework and is therefore supported by the Local Authority (City Development). The development falls within the Ekurhuleni Urban Development Boundary.

Set precedents in the area are indicative of the fact that residential development is a desired method of growth and expansion. This development forms part of an area earmarked for development and the Existing Helderwyk Extensions 1, 2, 3 and 4 is herewith amended.

Presently our cities' imbalanced structure has lead to the location of the disadvantaged communities far away from employment opportunities.

Similarly, inner city densities as well as densities around and leading to metropolitan nodes need to be substantially increased in order to make the urban areas sustainable.

In addition, the National Housing Programme indicates that housing entails: "...the creation of habitable, stable and sustainable public and private residential environments." Further, the said document published by Provincial Government also indicates that the engagement of the private sector in housing finance and delivery is receiving high priority. This is consequently in line with the objective of the developer.

4.2.2 National and Provincial plans

The site is affected by the future planning of the PWV 15. The application will be forwarded to Gautrans for comment in this regard.

4.2.3 Services

The site is situated within an area where electricity, water and sewer networks exist and is supplied by various Services Providers i.e. the Ekurhuleni Metropolitan Municipality, Escom and Rand Water. Application will be made to the various suppliers in order to link into the existing systems or facilitate required upgrades if necessary.

4.2.4 Environmental factors

i) Topography

The topography of this area is a function of the geology, and the relative horizontal strata of the underlying rocks lead to flat grasslands found on a portion of the site. The site slopes gently to the south and east.

ii) Soil conditions

Soil conditions are favourable for buildings complying with the proposed development controls and building regulations. Normal-, soil raft-, cellular raft-, piled construction- and split construction foundations have been recommended and could be used to great effect. It is however recommended that prospective owners make use of the service of a professional structural engineer to ensure that the foundations of buildings to be erected are adequate.

iii) Pollution

The nature of the proposed development is residential and will not generate any form of pollution. Land use control by means of building plans, a block plan or site development plan, the proposed conditions of establishment as well as the normal stipulations of the Scheme will ensure that development control is exercised.

iv) Sewerage disposal works

The proposed development, with the consent of the Council, will link to the existing purification works situated in the area.

v) Existing structures

No existing structures are located on this portion of the site.

vi) Servitudes

The property is affected by servitudes. The mentioned servitudes will be accommodated within the planned extensions.

vii) Mineral rights

The mining rights holder consented to the proposed developments as required in terms of the Ordinance and a proclamation took place in 1974 reserving the land for township purposes.

viii) Hydrology (Floodlines)

The proposed township is affected by wetlands and the wetlands has been delineated and will be buffered from any development with a 30m buffer. The affected area will form part of a larger open space system and will utilised for development.

ix) Vegetation

A vegetation survey was conducted by consultants who indicated that the impact can be minimized through careful planning and avoidance of sensitive areas.

x) *Environmental Authorisation*

The application to establish the township will trigger a number of listed activities as per the National Environmental Management Act (NEMA). Consultants has been appointed to undertake and compile a Scoping and Environmental Impact Assessment Process for the proposed development and site.

4.3 Proposed layout

The development consists out of mixed land uses, including medium and high density residential uses, business uses, commercial uses, community facilities, public and private open spaces and roads. The proposed high density residential development will be compatible with the uses occurring within the surrounding area. The development will further meet the residential demand in the specific area and not have a negative effect on the existing residential character and development.

4.4 Recommended zoning controls

Residential 1 & 2:

- a) Zoning – “Residential 1 or 2” (residential dwellings)
- b) Coverage- 60 %
- c) Height – single, 2 & 3 storeys
- d) Density – up to 60 units/hectare

Residential 3 & 4:

- a) Zoning – “Residential 3 or 4” (residential buildings)
- b) Coverage – 50%
- c) Height – single, 2 & 3 storeys
- d) Density – Res 3 up to 85 units/hectare, Res 4 more than 85 units/hectare

On-site parking in the following ratios:

- 2 bedrooms – 1 covered bay
- 3 or more bedrooms – 1 covered and 1 uncovered bay
- 1 uncovered bay per three units for visitors

Building lines – 2 meters

The erven will be subject to a Site Development Plan, drawn to such a scale as may be approved by the Local Authority, and shall be submitted to the Local Authority with the building plans. No building shall be erected on the erven before such plans have been approved by the Local Authority and the whole development on the erven shall be in accordance with the approved plan. Such a Site Development Plan shall show at least the following:

- (i) The siting, height, coverage and where applicable the floor area ratio of all buildings and structures.
- (ii) Vehicular entrance and exit to and from the erf to any existing or proposed public street.
- (iii) Entrance to buildings and parking areas.
- (iv) Building restrictions (if any).
- (v) Parking areas and, where required by the Head: Urban Development and Planning, vehicular and pedestrian traffic systems.
- (vi) The elevational treatment of all buildings and structures.
- (vii) The grouping of the dwelling units and the programming of the development of the erven if it is not proposed to develop all the erven simultaneously.
- (viii) Open spaces, children's playgrounds, screen walls or other acceptable methods of screening, and landscaping will be utilized.

Passive and active open space:

The Ordinance requires for the provision of open space at a ratio of 18m² for Residential 3 and 4 units. With a mix of passive (utilizing the wetland areas) and active open space a total of around 62.49 Ha of open space will be provided.

- a) Zoning – "Open Space"
- b) Only construction ancillary and subservient to the intended uses will be permitted.

Business:

- a) Zoning – "Business 2"
- b) Coverage – 70%
- c) Height – 2 storeys
- d) Density – N/A
- e) On-site parking in the following ratios:

6 bays per 100m² GLA

- f) Building lines – 5 meters

Commercial:

- a) Zoning – “Commercial”
- b) Coverage – 60%
- c) Height – 2 storeys
- d) Density – N/A
- e) On-site parking in the following ratios:

2 bays per 100m² GLA
- f) Building lines – 5 meters

5. SUMMARY AND CONCLUSION

The application is presented in the spirit of creating a balanced development opportunity beneficial to the local inhabitants, the greater area as well as the applicant. Further, the application will compliment the approved surrounding residential developments. The application is also supported by the need and demand for housing in the area and by the Council in terms of the mentioned policy documents and quoted extracts.