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**MOTIVATIONAL MEMORDANDUM FOR THE
ESTABLISHMENT OF A TOWNSHIP ON PART OF
FARM OF THE REMAINING EXTENT OF PORTION 6
OF THE HARTEBEESTFONTEIN NO. 17 I.R.
(PROPOSED HARTEBEESTFONTEIN EXTENSION 16)
WITHIN CITY OF EKURHULENI METROPOLITAN
MUNICIPALITY.**



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1. BACKGROUND AND INTRODUCTION

Orvall Corporate Designs (OCD) Architects as a consortium were appointed by the City of Ekurhuleni, Disaster Management and Emergency Services for the planning and design (Stages 1 and 2) of the development of a new emergency services training academy. The purpose of this project is to develop a new training academy on our proposed site with adequate infrastructure and facilities as the current site is not suitable for all the required facilities for a training academy.

OCD Architects acts on behalf of the Kempton Park/Tembisa Metropolitan Substructure being the registered owner of the Remainder of Portion 6 of the Farm Hartebeestfontein No. 17. I.R., with the view to establish a township thereon. **The application is submitted in terms of Section 38 (1) of the Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law 2019**, in order to procure the desired land use rights to fulfil the anticipated need for such a usage. This memorandum deals with the various particulars and the motivation of the application.

2. PURPOSE OF THE APPLICATION

The purpose of this memorandum is to motivate a proposed township to be established, in order for the development of a New Emergency Training Services Academy with its proposed uses.

3. TOWNSHIP NAME

The township name allocated by the City of Ekurhuleni Metropolitan Municipality is Hartebeestfontein Extension 16.

4. PROPERTY PARTICULARS

4.1 Local Authority

City of Ekurhuleni Metropolitan Municipality, Region B.

4.2 Property Description

Remainder of Portion 6 of the Farm Hartebeestfontein No. 17, Registration Division I.R. (See Annexure A - Title Deed)

4.3 Size

The property measures as follows:

- Remainder Extent of Portion 6 of the Farm Hartebeestfontein No. 17. I.R. measures 325,95ha's
- Proposed subdivided part of the farm measures 110 ha's

4.4 Location

The site is situated towards the eastern portion of administrative Region B within the Ekurhuleni Metropolitan Municipality. It is bounded by Region C towards the South East, and Region A towards the South. The subject region abuts City of Johannesburg Municipal borders towards the West and City of Tshwane towards the North.

The region accommodates a variety of land uses and is a secondary economic area of Ekurhuleni. The Region accommodates the R 21 commercial and industrial areas and with the OR Tambo located near the southern border of the Region.

Several of the most important roads within Ekurhuleni and Gauteng traverses Region A or pass on the boundary of the Region. These include the N3, N12, N17, R21 and R24. Region B is largely built up and contains a wide variety of land uses ranging from mining and industrial to residential.

The project site identified is located on the East of the R21 corridor towards Elandsfontein, coming from the R21 Highway. The Property is also located aside Ekurhuleni Water Company (ERWAT). It falls within Region B within the Ekurhuleni Regional Spatial Development Framework, Ekurhuleni Metropolitan Municipality. The central coordinates of the farm are; -26.01749, 28.27131. (See Annexure C - Locality Map)

4.5 Servitudes and Encumbrances

The servitude registered is subject to the right in favour of ELECTRICTY SUPPLY COMMISSION to convey electricity over the property hereby transferred together with ancillary rights. (See Layout Plan - Annexure F)

5. LEGAL ASPECTS

5.1 Registered Owner

The Remaining Extent of Portion 6 of the Farm Hartebeestfontein No. 17 Registration Division I.R. is registered in the name of the Kempton Park/Tembisa Metropolitan Sub-structure with the Deed of Transfer No **T80741/2000**. (See Annexure A - Title deed)

5.2 Bondholders Consent

The property is not encumbered by any bond and no bond consent letter will be required.

5.3 Land Claims

An enquiry was lodged with the Department of Rural Development and Land Reform; Land Claims Commission, Gauteng for the request of information on any land claim lodged on the proposed project site. It was found that there are no land claims on our proposed project site. (See Annexure I - Land Claims Response)

5.4 Conditions of Title

The conditions of title are as follows:

- A. Subject to a servitude of outspan in extent one/seventy-fifth (1/75th) of 1578.2487 Hectares
- B. Subject to the right in favour of the ELECTRICITY SUPPLY COMMISSION to convey electricity over the property.
- C. Subject to transfer water over the within mentioned property.

The ELECTRICITY SUPPLY COMMISSION of which is ESKOM servitudes and conditions contained in the Title Deed will be accommodated in the layout of the proposed township where applicable. The water servitude will not be transferred to the erven in the township, as it does not affect the application.

Please take note that a Land Surveyors' Certificate / Report and a Conveyance Certificate / Report will be submitted, addressing all servitudes and how to accommodate them in the Conditions of Establishment of the township.

6. SITE CHARACTERISTICS

6.1 Current Land Use and Zoning

In terms of the Ekurhuleni Town Planning Scheme the site is zoned as "**Agriculture**" with primary land uses being agricultural land uses and a residential unit. The property is also occupied by a Sewer treatment plant and it is also occupied by a number of graves.

Please take note that the site is at present vacant and it is not utilized for agricultural purposes at all. (See Annexure B - Zoning Information)

6.2 Surrounding Land Uses

The subject property is located within other farm portions. This section identifies pertinent land uses which may impact on the development application of the proposed the New Emergency Services Training Academy and it also highlights the developmental fabric near the proposed development. The surrounding land uses are measured within a 100 square metres radius. The following adjacent land uses were identified near the site:

- On the north of property there a power plant and largely occupied by farms of which mainly are vacant.
- On the east of the property, there is Barn Stormers flying club which is more of a training academy for aeroplane flying and towards Elandsfontein. In the North East of the site, there are farms that have been divided into a number of “smaller farm portions” which are mainly used for small scale farming activities, as well as extensive residential purposes. These sites are all zoned as “Agricultural”.
- On the south of the property there is a poultry farm. Going towards the South West of the property, there is an Estate (Serengeti Estates).
- On the far-west of the property is vacant farms toward the R21 Highway and there is also the Ekurhuleni Water Companies (ERWAT) just on the side of property. (See Annexure D and E - Land Use Plan and Zoning Plan)

7. PHYSICAL INFORMATION

7.1 Topography

The proposed site is located on a fairly plain sloped area of open veld and the natural ground slopes of which no major topographic constraints are envisaged on future structures. The contours have been surveyed, and are indicated on the layout plan and indicated as 1m intervals. The terrain has no topographical limitations pertaining development thereof. (See Annexure F - Layout plan).

7.2 Floodlines

It needs to be stated that the application site is not affected by floodwater in terms of Section 144 of the National Water Act, 1998 (Act 36 of 1998). OCD Architects compiled a delineated floodline input and found that the delineated 1:100-year floodline indicates that the project boundary for the proposed development lies outside the delineated floodlines. Thus, the proposed development poses no risk on the adjacent water resource in terms of flooding while development itself will also not be exposed to the risk of flooding during high rainfall events. (See Annexure G – Delineated Floodline Input)

7.3 Geotechnical Conditions

The project area is prone to sinkhole development due to the presence of dolomite. The lack of a long-term groundwater monitoring network may create the potential groundwater over abstraction and contamination around the project area.

OCD Architects is currently conducting a geotechnical investigation. A Phase 1 general geotechnical investigation will be recommended which will make provision for Phase 2 full scale dolomite investigation geotechnical evaluation. These reports will be submitted in due course. It is proposed that it be made a pre-proclamation condition that a positive

geotechnical report be submitted to council prior to the proclamation and development of the proposed township.

7.4 Environmental Conditions

It is understood that the proposed development of a new emergency training academy is envisaged to have potential environmental impacts. This potential impact can only be determined and assessed during a Full Environmental Impact Assessment (EIA) and/or Basic Assessment (BA) processes thereof. From the envisaged environmental impacts, it is understood that the EIA and/or BA process that would be undertaken would also require the following specialist studies that would assist in assessing the anticipated environmental impacts:

- Ecological Study
- Wetland Delineation Study;
- Biodiversity Assessment

In terms of the above-mentioned Environmental Impact Assessment Regulations, it is required that authorisation and approval be obtained from the relevant environmental authority, which in this case is the Department of Agricultural and Rural Development.

OCD architects is currently attending to the Environmental Impact Assessment Environmental Authorization will be obtained and submitted to council in due course. It is proposed that it be made a pre-proclamation condition that environmental authorisation be submitted prior to the proclamation of the proposed town.

7.5 Heritage Impact Assessment

It was also discovered that there are several graveyards on the proposed site as indicated on the Layout Plan. A Heritage Impact Assessment was compiled by OCD Architect's to carry out further investigations and implications of the graveyards and related information and the recommendations will be adopted. The report will be also submitted to the South African Heritage Resource Agency. The report will be attached as (See Annexure H - Heritage Impact Assessment)

8. PROPOSED TOWNSHIP ESTABLISHMENT

The intention is to establish a township on **a part** of the farm as illustrated in the layout plan. The proposed established township to consist of **two erven** of which can be further consolidated into one of which can be illustrated later within the Conditions of Establishment.

8.1 Zoning

Proposed Zoning	Number of Erven
"Special"	2
Total	2

The proposed zoning is “Special” for the following;

- Social Services
- Recreation
- Industrial 1
- Community Facility
- Social Services
- Public Services
- Residential 3
- Recreation
- Roads

8.2 Proposed Land Uses

The following are the proposed land uses:

Proposed Land Uses	
Social Services	○ Operational Fire Station ○ Occupational Health Facilities
Community Facility	○ Sports Facilities ○ Public Education Facilities
Recreation	○ Recreational Facilities ○ Conference Facilities ○ Heritage Facilities ○ Museums
Industrial 1	○ Workshop Facilities ○ Noxious Industries (Fuel Depot)
Public Services	○ Water Reservoir ○ Pump Station ○ Cemeteries
Residential 3	○ Accommodation
Roads	○ Road Network Facilities

It is proposed that the following 2 erven consisting of the following land uses be approved.

9. ENGINEERING SERVICES

9.1 Civil Services

The closest bulk water supply-main to the project site is approximately 1.5km west to the R25 Road. The nearest connection point for the proposed sewer rising mains from the two-pump station is the manhole on the 1500mm diameter outfall sewer just before the Hartebeestfontein wastewater treatment works. No formal bulk stormwater exits in

the form of channels and pipe system other than the culvert at the low point along the R25 road which will be designed for pre developed flows.

OCD Architects is currently attending to the Services Report, bulk and internal reticulation. The Services Report will address the capacity of the existing networks in the area and will also address the level, extent and phasing of installation of services (water and sewer). The services report will be submitted to Council in due course.

9.2 Electricity

This is a rural setting with no formal electrical infrastructure except for a 11 kV Overhead line long the R25 servicing various areas. This overhead line is from the nearby Esselen substation, which is approximately 5 km from the proposed site of the Facility. This is the same substation that services the Erwat Plant. Due to the size of the facility and the nature of the activities that will be performed to this facility, a dedicated supply is recommended, meaning, newly constructed electrical infrastructure be provided for the facility, consisting of;

- Overhead lines
- Dedicated switching station at the facility boundary, and
- Medium voltage reticulation within the facility.

Due to the proximity of a major substation, this proposal will be possible. Negotiations will have to be entered to between the City of Ekurhuleni and Eskom to ascertain if capacity is available to service this facility at the time when the power will be required. This information can be sourced from the electricity master plan from the City.

It can be concluded that:

- 5 MVA capacity is estimated for the facility
- Dedicated supply for the site is recommended.
- A more accurate estimate will be done at a later stage
- There is a major substation available approximately 5 km from the site
- Alternative energy solutions must be implemented

9.3 Road network and Access

The network of surrounding roads is sufficient for access to the proposed Emergency Services Training Academy. There is minimal traffic around the proposed site and R25 is seen as a Class 2 road therefore there is allowance for proper traffic flow in the future. It is proposed that the R25 may be seen as an access to the property. The Access to the property itself needs to be further reconsidered as the proposed land uses may become a burden to ERWAT with regards to the current stance of the access. These access implications can be further proposed and discussed within a comprehensive Traffic Impact Study/Traffic Impact Assessment of which will also propose the best way to the access

this property bearing into factor the weight of the proposed land uses. OCD Architects is currently compiling the TIS/TIA and will be submitted to council in due course.

10. LAND USE MANAGEMENT POLICY, LEGAL AND ADMISTRATIVE CONTROLS

10.1 Compliance with the development principles contained in the Spatial Planning and Land Use Management Act 2013

Section 7 of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA) fists various principles with regard to spatial planning, land development and land use management. The principles which are deemed to be of specific relevance to this application are dealt with below:

a) Principle of Spatial Justice

- Works against the spatial balances of the past
- Promotes the inclusion of the previously excluded

- The proposed development will provide opportunity for those especially in the proximity of the proposed site by allowing access to those previously disadvantaged and will include those who never had the opportunity of the proposed word class development with facilities with will cater to the community without any discrimination.

b) The principle of spatial sustainability, whereby spatial planning and land use management systems must:

(i) promote land development that is within the fiscal, institutional and administrative means of the Republic

- The property is in an area which will promote a high level of physical and social infrastructure within surrounding area

(ii) ensure that special consideration is given to the protection of prime and unique agricultural land

- The proposed development is on land of which there was currently no agricultural activity and does not affect any prime and unique agricultural land.

(iii) uphold consistency of land use measures in accordance with environmental management instrument

- The property is not affected by a floodline area and area is of minimal environmental sensitivity which can be seen as infill development.

- (iv) consider all current and future costs to all parties for the provision of infrastructure and social services in land developments
 - The property lies within close proximity of available services (water, electricity, roads and stormwater) and it is expected that minimal cost will be required for connecting of existing services.
- (v) promote land development in locations that are sustainable and limit urban sprawl
 - The property lies close to an area earmarked for development. The approval of the Township as proposed will mitigate increased urban sprawl and ensure a development directly adjacent a major road and major economic centres and will play a pivotal role in the creation of sustainable human settlements.
- (vi) result in communities that are viable
 - The proposed land uses are to co-exist with the surrounding community and are not necessary for private use. The facilities proposed will provide an integration of the community and will also create a cohesion of compatible land uses within the area.

c) The principle of efficiency, whereby:

- (i) land development optimises the use of existing resources and infrastructure
 - The proposed development will optimise the use of existing infrastructure, such as engineering services, roads, etc. in the area and only provide where there is no availability.

e) Principle of Good Administration

- Policies, legislation and procedures must be clearly set to inform and empowers members of the public

- Public participation is part of the application process and all relevant stakeholders will be informed of the proposed development

10.2 Compliance with the Regional Spatial Development Framework, Region B

In terms of the Metropolitan vision, the function of Region B, of which our project site is located is to accommodate the future urban growth related to the aerotropolis and the

eastward expansion of economic activity within the Gauteng Province. It should further provide improved east/west linkages and connectivity. The RSDF also mentions that future urban development must enhance the connectivity of the urban environment with the natural environment. Therefore, any proposed project should integrate with the natural environment with minimal interruptions. The vision also entails that agricultural areas within the urban footprint should be released for urban development (especially in the area towards the north-east of the airport and the area north-west of Tembisa). This is where our site area is located.

The RSDF further mentions that areas of which have limited environmental constraints of significance and therefore are considered as being ideal for development need to be released. The relevant environmental assessments should be undertaken for any proposed development within these areas. In addition, the relevant national, provincial and local legislative requirements must be adhered to for all proposed developments. This is was adhered to as the application further expands the need of these assessments.

The RSDF further locates our site by where Urban Development is permissible. Therefore, urban development essentially means land-uses in support of the primary economic and employment areas and will primarily consist of residential development, all social facilities and services and uses as may be required to achieve sustainable urban life (i.e. limited retail, appropriate office development, nurseries, medical centres, specialised health and educational facilities, including public services). Below are the land uses permissible listed;

- o High Density Residential
- o Primary/ Secondary Education
- o Tertiary Education
- o Medical
- o Community Facilities
- o Office
- o Entertainment
- o Auto Trade
- o Business

The provision of the support services within the residential environment should relate to the residential densities that prevail in the immediate area surrounding the intended support services. The principle behind the demarcation of urban development areas is to provide the opportunity for urban development to take place and be evaluated on its merits (i.e. should higher densities be achieved through the development of effective public transport facilities the adjusted land use demands can be accommodated without the amendment of the Regional Spatial Development Framework). The RSDF aligns with our proposed land development and it reflects the various proposed land uses requested for development.

11. NEED AND DESIRABILITY OF PROPOSED DEVELOPMENT

11.1 The Need

Firstly, it is part of the Mayoral Priorities to increase emergency services in Ekurhuleni of which it was mentioned within the Ekurhuleni Integrated Development Plan.

The Training Academy intends to provide accommodation and food stuff for its learners and visitors, some of which will be from other countries in Southern Africa, as well as targeted employees of the offshore oil and gas industry.

It is envisaged that a value proposition can be made in combining the Hotel and Hospitality School, with the Emergency Services Training Academy by which resources can be shared, a natural market be created for the Hotel and Hospitality School, and the requirements of the Emergency Services Training Academy relating to accommodation and provision of foodstuff for learners and other visitors can be met, without duplicating similar concepts

Training of Emergency Services staff is a function of the Local Authority rendering a Fire Brigade Service. Ekurhuleni Metropolitan Municipality therefore has a SETA and International accredited training facility to train its own staff, as well as provide this service to other Emergency Services throughout South Africa. It has happened before that training was supplied to staff of Emergency Services of other states within the SADC region, e.g. Botswana and Mauritius. This has ceased due to a lack of suitable infrastructure at the current facilities.

The Emergency Services Training Academy is currently situated at the Leon Ferreira Fire Station, Cnr Northrand and Trichardt Road in Boksburg. Due to the development of the area surrounding the current site, as well as continuing development pressure and the environmental impact of operating a training centre where fires must be made, and car wrecks and pseudo demolished buildings have to be stored for rescue training, the activities are not desirable or sustainable anymore. The current site was developed in 1985, when the area was a rural area. The type of activities envisaged will have a lower impact on the environment than an airport for which the land was earmarked

The infrastructure also needs to be replaced and upgraded at a great cost, and it was thus decided that a new, more suitable site be identified, with sufficient space and potential to be developed as a training centre, benchmarked on international standards from training and environmental perspective.

From the background of the proposed development, it is clear that a new emergency services training academy is needed for the east of Ekurhuleni as such development will bring also public services which will serve the community located around the site. The proposed fire station will also be located in area which is strategic for future emergencies around the area. The academy will be a boost for the municipality for providing these

training services to the different stakeholders economically. The academy will also enhance the areas development potential and give character to guide development in future.

11.2 Desirability

- Current compatible land uses in the area, which will allow a training academy to be established.
- Proximity of services and infrastructure.
- Proximity to the access ways from the R 21 highway.
- Buffer created by the railway lines and quarry separating the parcel of land from residential areas.
- Size of the parcel of land to accommodate a training centre with simulators, burn buildings and other facilities required at a world class training centre.
- Location of the site near Tembisa. The issue of land size to maintain a buffer for environmental purposes, locality in relation to offsite opportunities such as open water, accessibility and opportunities to create employment and development opportunities for the nearby communities, as well as business opportunities for the Municipality was taken into consideration.
- All topographical and physical limitations, servitudes and natural drainage channels, have been accommodated / taken into account in the detailed layout of the area. It could readily be stated that the proposed development will not negatively impact on the surrounding areas

12. Conclusion

The proposed development is a direct result of the urgency in a need for a new emergency training services academy in Ekurhuleni. All topographical and physical limitations, servitudes and natural drainage areas, have effectively been accommodated in the layout to ensure the feasibility of the development and to accommodate natural assets sensibly.

In view of the above, it is the applicant's conclusion that this application is both necessary and desirable from a town planning point of view, and will result in a development which enhances the appearance of the whole area. In view of the above need and desirability aspects, it is recommended that Council favourably considers this application.
