

SITE CLEARANCE FOR THE CONSTRUCTION
OF A NEW POLICE STATION AT DUDUDU,
KZN

SITE AUDIT REPORT

April 2012

Final

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Executive Summary

The South African Police Services (SAPS) has proposed a new police station to be constructed on the existing Dududu KZN, police station site. The development will involve renovating, demolishing of structures and the construction of additional facilities in order to increase the functionality of the police station.

This document forms part of the critical decision making process for project package approval as it outlines the site's advantages and disadvantages as well as the viability of the site to accommodate the development thereby providing way forward and recommendations for the project.

The information provided in this report was collected through communication with the Vulamehlo Local Municipality, the Ugu District Municipality, the Surveyor General, the Deed's Office, employees from the Dududu Police Station, the Ingonyama Trust Board, the review of the municipal development plans i.e. Integrated Development Plan (IDP) and site visits.

Since the relevant engineers have not been appointed for this project, the bulk services information is based on existing data. The identification of any shortcomings and demands in capacity of services will have to be verified by the appointed engineers.

The development of the police station will be subject to approval of building plans by the local authority as well as approval of the development of land outside the town planning scheme area in terms of the KwaZulu Natal Planning Development Act (Act No. 6 of 2008).

At this stage the assessment of the site is based on the current situation, taking into consideration the town planning aspects such as the zoning, permissible development and land use, compliance with the Municipal Spatial Growth Strategy (in terms of the IDP), the legal ownership of land, and the physical feasibility in terms of the availability of services.

The audit has revealed that further actions to facilitate the development include:

- Land Survey of the site
- Geotechnical Investigation
- Infrastructural/Civil Engineering Investigation
- Transfer of land from Ingonyama Trust to SAPS is required
- Development Application in terms of KZN Planning Development Act (PDA)
- Approval of building plans by the municipality

1. INTRODUCTION

1.1. Background to the project

The South African Police Service (SAPS) intends developing additional facilities at the existing Dududu police station in the south coast of KZN. In order to ascertain the site viability to accommodate the proposed the development, the site clearance process is required.

This is done to determine whether there are any constraints (as it relates to town planning, environmental, physical and other legal issues) preventing the SAPS from constructing the proposed facilities.

Pravin Amar Development Planners (PADP), the registered professional planning firms are appointed by the SAPS to facilitate the process of the site clearance and to undertake planning tasks for the project.

1.2. Methodology and Approach

A site visit was conducted on the 2nd of March 2012. Present at the meeting were the representatives from PADP and Captain Chiliza of the Dududu police station.

The process also involved the identification of interested and affected parties and information sources i.e. municipality, government departments, traditional authorities, deed offices, surveyor general, etc.

Contact was made with various Departments from the Vulamehlo Local Municipality, concerning the provision of services (i.e. water, electricity etc) on site and to confirm the town planning details of the site.

The Surveyor General's office was contacted to provide details regarding the registration of the site boundaries (S.G diagram). As the property sits within the Ingonyama Trust land, communications were also made with relevant persons from The Trust.

Further to communication with the authorities, the information was also drawn from the relevant Municipal Development Plans i.e. the Ugu District Municipality IDP 2011/12, the Ugu SDF and the LUMS review, the Economic and Social Status Quo Assessment (May 2012) and the Vulamehlo IDP Review (2011/12). To ensure that the development is in line with the Municipal Development Plans.

The information collected for this investigation has been analysed and synthesized into this report.

1.3. Structure of the report

This report is divided into Nine (9) sections;

Section One – **Introduction** provides a brief background to the project; and describes the methodology and approach used and outlines the structure of the report.

Section Two – **Setting the Context** provides an understanding of the location of the site in the provincial as well as regional context

Section Three – **Purpose of the Report** highlights the importance of the report and the required outcomes of the report.

Section Four – **The Scope of the Project** provides a summary of the work required for the full project cycle as outlined in the Terms of Reference received from the client.

Section Five – **Situation Analysis** provides details of the current existing conditions of the site.

Section Six – **Policy Framework** outlines the project proposal compliance to the municipal development plans and guidelines.

Section Seven – **Legalization** highlights the required applications that need to be completed to legalise the site for development.

Section Eight – **Site Elements Assessment and Findings** tabulates the site assessment, findings and indicates the actions required

Section Nine – **Conclusion and Recommendations** concludes the report and provides recommendations

2. SETTING THE CONTEXT

The Dududu Police station is situated in the KwaZulu-Natal Province. It is located within the jurisdiction of the Vulamehlo Local Municipality (KZN 211) which fall under the Ugu District Municipality (DC 21). Vulamehlo is located south of the eThekweni municipality and is bordered by Umdoni to the east, Mkhambathini and Richmond to the north and Ubuhlebezwe to the west.

The Vulamehlo Local Municipality has two police stations: one in the Sawoti area and one in Dududu. The Dududu Police station is approximately 16km away from Scottburgh and Umzinto. The surrounding areas include Beula, Amahwaqa, eMjunundwini, Indududu, Ntontonto and Olwasini.

The site falls under Ward 6 of the Vulamehlo local municipality. The Dududu area is administered by the traditional leaders i.e. the “Amakhosi” with the traditional leader of the area being Nkosi Mjokwake Mqhathi.

3. THE PURPOSE OF THE REPORT

The purpose of the audit report is to provide an appraisal of the site based on its current situation. The audit report verifies the viability of the site to accommodate the proposed development, taking into consideration site elements such as, size vs. proposed space needs, property ownership, availability of land, the permissible land use, its land use zone, bulk services available, as well as approvals and consent required from relevant authorities.

This audit report is vital not only to demonstrate the capabilities of the site. It is also an instrumental tool to guide the planning process prior to design and construction, as it further highlights and provide recommendations on other pertinent issues to comply with in order to accomplish the process of the site clearance.

Objective of the audit:

- To assess the current status of the site
- To establish the legal status of the site i.e. legal ownership of the site, zoning, etc.
- To verify the viability of the site in terms of its physical feasibility, size, bulk services supply in the area, topography, etc.
- To inform the SAPS of likely site creation activities that needs to be completed in order to legalize the site.
- To summarise the major constraints that may influence the clearance of the site

4. THE SCOPE OF THE PROJECT

The overall scope of work as indicated in the Terms of Reference received from the client is summarized as follows:

- I. Site Audit and Assessment:** Audit of the site's advantages and disadvantages, verification of viability of the site to accommodate the proposed development and provide findings and recommendations
- II. Verification of ownership and availability of land and acquisition:** Verification of ownership, determine the appropriate tenure required and needs assessment for procurement of land.

- III. Legalizing the site:** determine the legal status of the property and undertake development application/s required in terms of relevant Acts and/or Regulations
- IV. Site Survey:** perform all survey duties as stipulated in the briefing document, including:
- Survey site boundaries, coordinates, contours, large trees and existing structures.
 - Mark any existing or new survey beacons and benchmarks clearly with white rocks or concrete.
- V. Geotechnical Investigation:** The scope of work should determine if the underlying geological conditions are conducive to the development of the proposed land use including;
- Make recommendations for mitigating problematic soil conditions for the development. Research the soil conditions and provide foundation guidance for the proposed development.
 - Determination of the general mechanical properties and bearing capacity of the soil material in and on which founding will take place.
 - Recommendations on the suitable founding levels, bearing capacities and expected settlements/swell for buildings are required.
 - Advice on layer works for watercourses on site.
 - The usage of existing materials, recommended compaction and suitable foundation systems are to be included in the geotechnical report.
- VI. Bulk Services Assessment:** Determine demand for water, sewerage, electricity, access, storm water, refuse removal and evaluate available supply against the demand including;
- Determine whether any major infrastructure constraints exist that could compromise the feasibility or viability of the project.
 - Model the demand vs. the available supply and determine any shortfall in broad terms.
 - Identify solutions for any shortcomings in capacity.
 - Estimate costs for provision of services.
 - Provide recommendations regarding water, sewer, roads, refuse removal, fire fighting and storm water requirements for the project with the aim of proposing solutions and not designs.
- VII. Obtaining Municipal /Traditional Council Consent:**
An application will be made to the local municipality in terms of the KZN Planning and Development Act

5. SITUATION ANALYSIS

5.1. Details of the property

5.1.1. Property description

The Dududu Police station is situated on Portion 13 of the Farm Zembe No. 17449. The property is a consolidation of Portion 2 of Beulah No.7461 and Portion 4 of Alexandra Location No.1 No.16457.

5.1.2. Land availability and ownership status

The police station is currently described as Portion 13 of the Farm Zembe No. 17449. This is a consolidation of Portion 2 of Beulah No.7461 and Portion 4 of Alexandra Location No.1 No.16457. Both of these properties are registered in the name of the Ingonyama Trust.

However, the police station is a State domestic facility excluded from Ingonyama Trust ownership by an amendment to the Ingonyama Trust Amendment Act (No. 9 of 1997).

The Act states the following;

***Section 4(b)** if the land was used for State domestic purposes before 24 April 1994, be deemed to have vested in the national government or in the provincial government of KwaZulu-Natal in accordance with section 239 of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993).*

***Section 6** The land or real rights referred to in subsections (3) and (4) shall be transferred or ceded from the Ingonyama Trust to the local authority or government concerned in accordance with the provisions of the Deeds Registries Act, 1937 (Act No. 47 of 1937), without payment of transfer duty, stamp duty or any other fee, but subject to any existing right or obligation on or over such land.*

It is apparent that the property vests in the state according to the relevant Act. However, legal or transfer has not been conducted as the surveyed property remains unregistered with the deeds registrar.

5.1.3. Property registration/SG details

The site was surveyed in 2002 by Scott, Milton and Conway Professional Land Surveyors and the survey was approved by the surveyor general's office. The property is registered as SG No 111/2002.

5.1.4. Title deed information

The property vests in the State in terms of the KZN Ingonyama Trust Act, 1994 (Act No.3 of 1994). However, this property is not formally registered with the deeds registrar. Hence, the Deeds Office is not in possession of the ownership title documentation. By inference, the KZN provincial Department of Public Works or National Department of Public Work should provide further clarity on this matter, or provide documentation relevant to the site.

Currently, the available ownership information is for the underlying parent Farm, which is owned by the Ingonyama Trust in terms of title deed no. T49691/1999.

5.2. Physical feasibility assessment

5.2.1. The size of the property vs space needs

The size of the property is approximately 9424m² in extent. The total proposed development footprint for the required new development is 1777.54m². The proposed coverage only amounts to 19% of the total site size therefore the size of the property is adequate. The property size also provides enough space for parking and circulation and provides opportunity for future expansion.

According to the space norms (refer to Annexure 6) the holding cells will be renovated and upgraded. The remaining buildings which are all prefabricated buildings will be demolished or removed. This will not be time consuming or costly as they are not permanent structures. The demolition or removal of these prefabricated structures does not require any statutory approvals for removal or demolition.

5.2.2. Access and Accessibility

The N2 is approximately 15 km from the site. The N2 links to the Dududu main road P77 that provides access to the Dududu Police Station.

The site is easily accessible as it is located on the P77 Dududu main road which is an unserviced tarred road. This road is the main public transport route and is therefore easily accessible to local residents of the surrounding areas. The road is not well maintained and has potholes which make the road unsafe for high speed vehicles.

5.3. Town Planning/Development status

5.3.1. The zoning

Vulamehlo is 100% rural implying that all land uses are deemed to be agricultural land. There is no town scheme since the town is not formalised and thus an application should be done in accordance with Chapter four (4) of the KZN Planning and Development Act of 2008 which deals with land outside a scheme area.

5.3.2. Impact of the proposed development (extension of the SAPS facility) on the surrounding land uses and vice versa

The proposed development is an existing land use therefore it is anticipated that it will not adversely affect the surrounding land uses. Dududu is the main node in the Vulamehlo Municipality. In terms of the Vulamehlo Land Use Management Plan, the police station is located in a mixed use node with further developments planned for the corridor in accordance with the Draft IDP (2011/2012).

The immediate surrounding land uses include government facilities (comprising of the Department of Justice, the Vulamehlo Magistrate Courts, the Department of Social Development, the Department of Agriculture and The Department of Education), small scale businesses, and health care facilities i.e. clinic adjacent to the site. Refer to attached Land Use Map (Annexure 3) and The Photo Module (Annexure 4).

Accordingly, there are no inconsistencies in terms of the proposed extension of the facility, the municipal spatial growth plans and the existing land uses in the vicinity.

5.3.3. Topography

The slope of the site is estimated to be generally flat with a gentle slope to the north east.

5.3.4. Soil conditions

The municipal area mainly consists of lithosols (shallow soils on hard or weathering rock). This type of soil is not considered suitable for intensive farming and is therefore not a constraint to the proposed development.

The site is already a built-up area. A geotechnical study is required to assess the current soil profile in detail and to provide recommendations on the appropriate building structures.

5.3.5. Availability of bulk services

This is a preliminary assessment of bulk services, based on the current situation. It does not include recommendations on the required capacity of bulk services. An engineer is required to assess the capacity of the required services for future needs of the site.

i. Existing Water Facilities

There is an existing water supply on site provided by 5 water tanks. However should the water not be available, the police station is supplied with water twice a week by a water truck.

Water supply is problematic in this area. The facility itself often runs out of water.

The appointed engineer will have to assess alternative solutions and the water required for the new development.

ii. Existing Electricity Supply

Electricity on site is supplied by Eskom. The municipality is experiencing capacity constraints and illegal connections are very prevalent. Backlogs are attributed to the lack of bulk infrastructure.

iii. Sewerage System

There is no waterborne sanitation in Dududu. Currently the Ugu district vacuum tanker services (VTS) operate in the area.

The Dududu police station uses a conservancy tank system which is emptied by the Ugu District municipality VTS. The capacity of the tank is currently unknown; therefore it has to be investigated by the Infrastructural engineer who should also consider alternative solutions.

The Ugu District Municipality is currently implementing infrastructural projects aimed at supplying waterborne sewage system in the area and signals a positive development.

iv. Storm Water

There is no formalized storm water management system on site. Storm water run-off is towards the North of the site in the direction of the slope

v. Refuse Removal System

There is no formalized refuse removal system for the Dududu area. The municipality has no landfill site and waste is either disposed off in informal pits and heaps, many of which are burnt. It is anticipated that the facility will generate more waste, therefore proper disposal is required in terms of the Waste Management Act. Other options of waste disposal have to be considered.

The formalization of Dududu into Vulamehlo Town will in all likelihood present the opportunity for formalized refuse removal in the future. This is to be assessed during the infrastructural assessment.

In addition, the assessment of bulk services should consider how the SAPS may benefit from the proposed municipal projects planned.

5.3.6. Environmental Impact

The Dududu police station is an existing site and as such it is considered a brown fields development. At this stage no environmental assessment is required, but this may change dependent on the infrastructural assessment.

6. Policy Framework

6.2. Compliance with the Municipality Integrated Development Plan

According to the Vulamehlo IDP Draft Review (2011/2012);

Dududu is the main node in Vulamehlo. The municipal and other government offices are located in Dududu such as the Department of Justice, the Department of Social Development, the Department of Agriculture and the Department of Education. Most of the economic activity in Vulamehlo occurs in Dududu and as such it has been proposed to be developed as the town centre for Vulamehlo Local Municipality. Vulamehlo Municipality consists of two police stations, situated in Dududu and Sawoti area. Vulamehlo Municipality has abundance of natural open spaces, which must be investigated for further development purposes; however, the topography and the current state of infrastructure and services availability are impediments to development (Vulamehlo Draft Review IDP 2011/2012:24).

Dududu village currently fulfils the role of an administrative and social services centre for a large part of the municipality. Dududu requires substantial development and improvement to access to compete with nodes outside of the municipality (Vulamehlo Draft Review IDP 2011/2012:21).

Dududu is not easily accessible from all areas within the municipality. The dispersed, low-density settlement pattern, makes the provision of physical and social infrastructure (roads, water, electricity, clinics, schools, and police stations), and the costs of installing, maintaining and operating infrastructure very high. Steep river valleys and hilly terrain create obstacles to accessibility and limit the extent of agricultural production. Weak road and communication linkages exacerbated by hilly topography, with few tarred surfaces and few bridges across rivers are problematic. In particular, north-south linkages are very poorly developed within and beyond the sub-region. (Vulamehlo Draft Review IDP 2011/2012:21).

Planned developments in the municipality include the “extension of the P77 corridor - Scottburgh-Dududu- Kenteron” (Vulamehlo 2011/2012:7). The Dududu Police station falls into this development corridor therefore this presents opportunities for increased infrastructure provision.

The municipality has compiled an Infrastructure Development Plan; this plan needs to be reviewed. The guiding principles and approaches for the Infrastructure Development plan are derived from the NSDP, PGDS and PSEDS. The focal areas for infrastructure investment are the nodes and corridors as set out in the SDF. The Infrastructure Development Plan identifies two levels of development corridors in Vulamehlo as follows:

- *At primary level P22-1 being a link between Umzinto and Highflats P77 through Dududu to Mkhunya Link between Dududu and Imfume P 728 linking Imfume and the EThekweni surrounding areas*
- *At a secondary level Link between P77 and Kenterton Link between Imfume and Odidini*

*It further identifies development nodes pointing out that **Dududu** is the only primary development node in the municipality. **Kenterton** and **Imfume** are secondary nodes (Vulamehlo 2011/2012: 48).*

The Vulamehlo local Municipal spatial growth plans such as the SDF are currently not available. However the district Spatial Development Framework will be used to guide the local municipalities SDF therefore it can be used as a guide for future development.

The planned developments in the municipality include the “extension of the P77 corridor – Scottburgh – Dududu – Kenteron’. The Dududu Police Station falls within this corridor; this presents the opportunity for increase infrastructure provision in future.

7. Legalization

The following need to be done in order to legalise the site;

- The site falls outside a Town planning scheme, as such a development application has to be made in terms of the Planning and Development Act, 208 (Act No.6 of 2008) Chapter four (4); Development of land situated outside the area of a scheme. This application has to be made to the Vulamehlo Local Municipality.
- The building plans have to be submitted to the municipality for approval.
- The site is currently not registered with the Registrar of Deeds. The proper transfer of the site to the state is required.

8. Site elements assessment and findings

No.	Site elements	Summary of findings	Action Plan/Recommendations
1.	Site size vs space norms	The area of the site is 9 424 m ² in extent. The proposed gross area is 1777.54sqm. The site size is adequate to accommodate the development at an anticipated coverage which is between 30% to 40% of the site. The size of the site provides opportunity for further development in the future.	
2.	Legalization	The site is not zoned as there is no town planning scheme in the area.	The use will be formalised when the development application is made.
	a) Zoning and Land use		
	b) Consolidation	The property is a consolidation of Portion 2 of Beulah No.7461 and Portion 4 of Alexandra Location No.1 No.16457.	No consolidation is required
	c) Township Establishment/Development Application	As the property falls outside the town planning scheme area, a development application has to be made in terms of the KZN Planning and Development Act 2008	PADP to prepare and submit application to Vulamehlo municipality
	d) Building Plan/Site Development Plan approval	Currently, the site development plan is not available	The site development plan is required to be submitted with the development application to the municipality.
3.	Land ownership and availability	The property vests in the state in terms of the Ingonyama Trust Amendment Act	The transfer of the property to the state is required. Copy of the current ownership title is required for submission of the application to the municipality (PTO, Lease, etc). PADP is currently tracing these documents. However it has been identified that the

			underlying parent Farm is owned by the Ingonyama Trust in term of title deed no. T49691/99. Documentation of occupancy issues for the subject site has not been sourced.
4.	Physical Feasibility	The majority of structures are prefabricated, therefore they need to be demolished or removed to prepare site for construction.	There are no statutory approvals required for this.
	a) Demolition of structures		
	b) Topography	The slope of the site is relatively flat. Minor “cut and fill” may be necessary.	
	c) Capacity of engineering services	The site is serviced by the municipality in terms of water supply; however there are shortcomings in terms of water supply. Eskom supplies electricity; a back up generator is also available. There is an informalised waste water management system	The engineer to assess in detail
	d) Access and Accessibility	The site is easily accessible form the P77 Dududu Main road. The site currently has one direct access. The site is bordered by other two roads. The N2 is located approximately 15km east of the site	Provision of alternative access should be considered
	e) Traffic impact	The main road along the site is generally not busy. There are no drastic changes anticipated in terms of traffic generation. A traffic impact assessment is not required as the traffic threshold is projected to remain the same.	
	f) Environmental Impact and /Authorization	The infrastructure report will analyse if environmental authorisation is required.	
	g) Heritage Impact Assessment	No heritage impact has to be done as the structures on site do not fall under historically protected buildings	

9. Conclusion and Recommendations

In terms of the current situation based on the desktop assessment, the site is suitable for the proposed development. Further studies will be conducted to confirm the viability of the site in detail.

In terms of the town planning approvals it is advised that the site development plan will be required to accompany the development application to be submitted to the municipality. The site development plan requires approval by the municipality prior to construction. This should be considered now to avoid delays in the development application process.

It is proposed that PADP prepare the conceptual building plan in the interim in order to facilitate the process. The site development plan will ultimately be finalized by the SAPS Architect.