



**APPLICATION IN TERMS OF THE SECTION 26 OF THE CITY OF
JOHANNESBURG MUNICIPAL PLANNING BY-LAW, 2016, READ IN
CONJUNCTION WITH THE RELEVANT PROVISIONS OF THE SPATIAL
PLANNING AND LAND USE MANAGEMENT ACT "SPLUMA", 2013 (ACT
16 OF 2013), FOR THE ESTABLISHMENT OF A TOWNSHIP, SUBJECT
TO CERTAIN CONDITIONS, ON PORTION 73 (A PORTION OF PORTION
9) OF THE FARM BOTHASFONTEIN NO. 408, REGISTRATION DIVISION
J.R., PROVINCE OF GAUTENG, TO BE KNOWN AS KYALAMI HILLS
EXTENSION 26**

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TABLE OF CONTENTS**1. PROPERTY INFORMATION**

- 1.1 Introduction and Property Description
- 1.2 Locality
- 1.3 Property Size
- 1.4 Property Ownership
- 1.5 Existing and Surrounding Zoning
- 1.6 Current and Surrounding Land Use
- 1.7 Legal Aspects
- 1.8 General

2. APPLICATION PROPOSAL

- 2.1 Proposed Zoning and Development Controls
- 2.2 Applicant's Intention
- 2.3 The Proposed Township Layout

3. MOTIVATION IN SUPPORT OF THE APPLICATION

- 3.1 Characteristics of the Surrounding Area
- 3.2 Need and Desirability for an Educational Facility
- 3.3 The Relevant Legislative and Policy Framework

4. CONCLUSION**PLANS**

TP100/1	Locality Plan
TP100/2	Zoning Plan
TP100/3	Land Use Plan
TP100/4	Density Plan
TP100/L1	Layout Plan

APPENDICES

Appendix 1:	Zoning Certificate
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1. PROPERTY INFORMATION

1.1 Introduction and Property Description

- 1.1.1 Application is hereby made in terms of Section 26 of the City of Johannesburg Municipal Planning By-Law, 2016, read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act "SPLUMA", 2013 (Act 16 of 2013), for the establishment of a township, subject to certain conditions, on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng. The township is to be known as proposed Kyalami Hills Extension 26 and will comprise of five (5) erven.
- 1.1.2 The effect of the application will be to provide the necessary rights to develop an educational facility on the said farm portion.
- 1.1.3 Access to and egress from Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, shall be provided via Le Roux Avenue/Springwell Avenue, to the satisfaction of the Local Authority.
- 1.1.4 Details of the application are set out under Section Two (2) of this memorandum.

1.2 Locality (See Plan TP100/1)

- 1.2.1 Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is situated to the east of Le Roux Avenue/Springwell Avenue, to the south of Kyalami Estates, to the west of the proposed extension of Provincial Road K73 and to the north of Kyalami Hills, in the farm area of Bothasfontein No. 408, Registration Division J.R., Province of Gauteng.
- 1.2.2 According to the City of Johannesburg Metropolitan Municipality's records Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, does not have a formal street address.
- 1.2.3 Access to and egress from Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, shall be provided via Le Roux Avenue/Springwell Avenue, to the satisfaction of the Local Authority.

1.3 Property Size

- 1.3.1 The physical size of Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, as referred to in the relevant Deed of Transfer is 8,6375 hectares in extent.
- 1.3.2 The proposed township, Kyalami Hills Extension 26, to be established on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, measures approximately 8,6375 hectares in extent.

1.4 Property Ownership

Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is registered in the name of CH Schools Proprietary Limited (Registration Number 2014/155022/07) by virtue of Deed of Transfer T36582/2025.

1.5 Existing and Surrounding Zoning (See Plans TP100/2 and TP100/4)

- 1.5.1 In terms of the City of Johannesburg Land Use Scheme, 2018, Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng is currently zoned "Agricultural", permitting agricultural purposes, a dwelling house and urban agriculture, subject to certain conditions.
- 1.5.2 Attached hereto, as Appendix 1, is a copy of the zoning certificate received from the City of Johannesburg Metropolitan Municipality.
- 1.5.3 The Remaining Extent of Portion 72 of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, situated directly to the north of Portion 73 of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is currently zoned "Agricultural", permitting agricultural purposes, a dwelling house and urban agriculture, subject to certain conditions, in terms of the City of Johannesburg Land Use Scheme, 2018.
- 1.5.4 The Remaining Extent of Portion 74 of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, situated directly to the east of the subject farm portion, is currently zoned "Agricultural" permitting agricultural purposes, a dwelling house and urban agriculture, subject to certain conditions, in terms of the City of Johannesburg Land Use Scheme, 2018.
- 1.5.5 Erf 693 Kyalami Hills Extension 20, situated directly to the south of Portion 73 of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is currently zoned "Residential 3", permitting dwelling houses, residential buildings and duplex dwelling units, subject to certain conditions, in terms of the City of Johannesburg Land Use Scheme, 2018.
- 1.5.6 Erf 694 Kyalami Gardens Extension 20, also situated directly to the south of the subject farm portion, is currently zoned "Private Open Space", subject to certain conditions, in terms of the City of Johannesburg Land Use Scheme, 2018.
- 1.5.7 The erven located in the township of Willaway Extension 9, situated directly to the south-west of Portion 73 of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, are currently zoned "Residential 2", permitting dwelling units, subject to certain conditions, in terms of the City of Johannesburg Land Use Scheme, 2018.
- 1.5.8 The erven located in the township of Kyalami Estate Extension 17, situated to the west of the subject farm portion, are currently zoned "Residential 2", permitting dwelling units, subject to certain conditions, in terms of the City of Johannesburg Land Use Scheme, 2018.
- 1.5.9 The erven located in the township of Willaway Extension 6, also situated to the west of Portion 73 of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, are currently zoned "Residential 2", permitting dwelling units, subject to certain conditions, in terms of the City of Johannesburg Land Use Scheme, 2018.
- 1.5.10 The Remaining Extent of Holding 11 Willaway Agricultural Holdings, situated directly to the north-west of the subject farm portion, is currently zoned "Agricultural", permitting agricultural purposes, a dwelling house and urban agriculture, subject to certain conditions, in terms of the City of Johannesburg Land Use Scheme, 2018.

1.6 Current and Surrounding Land Use (See Plan TP100/3)

- 1.6.1 Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is currently developed with a dwelling house and the usual outbuildings including stables and is used for rural residential purposes.
- 1.6.2 The Remaining Extent of Portion 72 of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, situated directly to the north of Portion 73 of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is currently vacant.
- 1.6.3 The Remaining Extent of Portion 74 of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, situated directly to the east of the subject farm portion, is currently vacant (road reserve for the future extension of Provincial Road K73).
- 1.6.4 Erf 693 Kyalami Hills Extension 20, situated directly to the south of Portion 73 of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is currently developed with residential apartments and is used for residential purposes.
- 1.6.5 Erf 694 Kyalami Gardens Extension 20, also situated directly to the south of the subject farm portion, is currently vacant (private open space).
- 1.6.6 The erven located in the township of Willaway Extension 9, situated directly to the south-west of Portion 73 of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, are currently developed with dwelling houses and the usual outbuildings and are used for single residential purposes.
- 1.6.7 The erven located in the township of Kyalami Estate Extension 17, situated to the west of the subject farm portion, are currently developed with dwelling houses and the usual outbuilding and are used for single residential purposes.
- 1.6.8 The erven located in the township of Willaway Extension 6, also situated to the west of Portion 73 of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, are currently developed with dwelling houses and the usual outbuildings and are used for single residential purposes.
- 1.6.9 The Remaining Extent of Holding 11 Willaway Agricultural Holdings, situated directly to the north-west of the subject farm portion, is currently developed with a dwelling house and the usual outbuildings and is used for rural residential purposes.

1.7 Legal Aspects

- 1.7.1 Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, on which the township is to be established, is subject, inter alia, to the following Conditions of Title:

SUBJECT to the following conditions: -

- 1. Subject to a Servitude of Right of way 15,74 metres wide in favour of the General Public as represented by the figure abCD on Diagram S.G. No. A5310/46 annexed to the Deed of Transfer No. 19151/47 aforesaid, and as will more fully appear from Notarial Agreement No. 412/1947-S, with annexed Diagram S.G. No. A.5317/46 registered on 30 June 1947.

2. PORTION A of Portion of the Farm BOTHASFONTEIN No. 408, Registration Division J.R., district PRETORIA aforesaid (a Portion whereof is hereby transferred) is

SUBJECT to the following conditions, namely:

- (a) Die regte van die Staatspresident soos in Artikel Vier-en-dertig van die “Grond Nederzettings Wet, 1912”, bepaal, betreffende sekere werksaamhede op die grond.
- (b) Die volgende voorwaarde voorgeskryf deur Artikel 9 van Wet Nr. 45 van 1937, soos gewysig by Artikel 3 van die “wysigingswet op Nederzettingen, 1944 en Artikel 4 van Wet Nr. 23 van 1948. Geen vergeling van die hiemee getransporteerde eiendom of van enige gedeelte daarvan of onverdeelde aandeel daarin, mag bewerkstellig word nie sonder die skriftelike toestemming van die Minister van Lande, verleen op aanbeveling van die landraad op die voorwaarde word in elke daaropvolgende opdrag van die hiemee getransporteerde eiendom of enige gedeelte daarvan of onverdeelde aandeel daarin, opgeneem.
3. AND SUBJECT FURTHER to such conditions as are mentioned or referred to in the aforesaid Deed.

- 1.7.2 Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is subject to a servitude of right of way 15,74 metres wide in favour of the General Public as represented by the figure abCD on Diagram S.G. No. A5310/46 annexed to the Deed of Transfer No. 19151/47 aforesaid, and as will more fully appear from Notarial Agreement No. 412/1947-S, with annexed Diagram S.G. No. A.5317/46 registered on 30 June 1947.

- 1.7.3 All erven shall be made subject to existing conditions, servitudes and entitlements, excluding:

A. Excluding the following condition which affects Erf 3 in the Township:

- (a) Subject to a Servitude of Right of way 15,74 metres wide in favour of the General Public as represented by the figure abCD on Diagram S.G. No. A5310/46 annexed to the Deed of Transfer No. 19151/47 aforesaid, and as will more fully appear from Notarial Agreement No. 412/1947-S, with annexed Diagram S.G. No. A.5317/46 registered on 30 June 1947.

B. Excluding the following conditions which do not affect the township due to the locality thereof:

1. PORTION A of Portion of the Farm BOTHASFONTEIN No. 408, Registration Division J.R., district PRETORIA aforesaid (a Portion whereof is hereby transferred) is

SUBJECT to the following conditions, namely:

- (a) Die regte van die Staatspresident soos in Artikel Vier-en-dertig van die “Grond Nederzettings Wet, 1912”, bepaal, betreffende sekere werksaamhede op die grond.

- (b) Die volgende voorwaarde voorgeskryf deur Artikel 9 van Wet Nr. 45 van 1937, soos gewysig by Artikel 3 van die “wysigingswet op Nederzettinge, 1944 en Artikel 4 van Wet Nr. 23 van 1948. Geen vergelying van die hiemee getransporteerde eiendom of van enige gedeelte daarvan of onverdeelde aandeel daarin, mag bewerkstellig word nie sonder die skriftelike toestemming van die Minister van Lande, verleen op aanbeveling van die landraad op die voorwaarde word in elke daaropvolgende opdrag van die hiemee getransporteerde eiendom of enige gedeelte daarvan of onverdeelde aandeel daarin, opgeneem.

- 1.7.4 Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is not subject to a mortgage bond.

1.8 General

- 1.8.1 Application is hereby made in terms of Section 26 of the City of Johannesburg Municipal Planning By-Law, 2016, read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act “SPLUMA”, 2013 (Act 16 of 2013), for the establishment of a township, subject to certain conditions, on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng. The township is to be known as proposed Kyalami Hills Extension 26 and will comprise of five (5) erven.
- 1.8.2 The effect of the application will be to provide the necessary rights to develop an educational facility on the said farm portion.
- 1.8.3 Access to and egress from Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, shall be provided via Le Roux Avenue/Springwell Avenue, to the satisfaction of the Local Authority.
- 1.8.4 Geological Aspects:
A geotechnical report was prepared by J Louis van Rooy, dated September 2025, in respect of Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng. The geotechnical engineers have concluded that Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is suitable for development provided that appropriate foundation design and building procedures are implemented as detailed in their report submitted with the application documents. These requirements can be incorporated as zoning conditions.
- 1.8.5 Environmental Authorization:
An application for environmental authorization has been submitted to the Provincial Government Gauteng, Department of Agriculture and Rural Development for consideration.
- 1.8.6 Flood Line:
Consulting Structural and Civil Engineers were appointed to investigate the 1:50 and 1:100 year flood lines for the township. Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is affected by floodwater up to the 50 and 100 year reoccurrence interval event as endorsed on the township layout plan.

- 1.8.7 Wetland Audit:
Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, on which the proposed township is to be established, is subject to a wetland.
- 1.8.8 Traffic Impact Assessment:
A traffic modeling report was prepared by WSP Consulting Engineers for the establishment of the proposed township, subject to certain conditions, on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, and submitted to the Johannesburg Roads Agency for approval.
- 1.8.9 Existing Services:
Outline scheme reports in respect of water, sewer and storm water were prepared by Century Property Developments Proprietary Limited Structural Design and Civil Engineering Department for the establishment of the proposed township, subject to certain conditions, on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, and submitted to Johannesburg Water and the Johannesburg Roads Agency for approval.

2. APPLICATION PROPOSAL

2.1 Rezoning and Proposed Controls

Application is hereby made in terms of Section 26 of the City of Johannesburg Municipal Planning By-Law, 2016, read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act "SPLUMA", 2013 (Act 16 of 2013), for the establishment of a township, subject to certain conditions, on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng. The township is to be known as proposed Kyalami Hills Extension 26 and will comprise of five (5) erven.

USE ZONE 17: EDUCATIONAL

Erven 2 and 3 shall be zoned "Educational", permitting institutions, place of instruction, social halls and religious purposes including a tuck shop, canteen, sport and recreational facilities, access purposes, security-controlled gatehouse access structures and ancillary and related uses, in terms of the City of Johannesburg Land Use Scheme, 2018, and shall be subject to the following further conditions:

Primary Rights:	Institutions, place of instruction, social halls and religious purposes including a tuck shop, canteen, sport and recreational facilities, access purposes, security-controlled gatehouse access structures and ancillary and related uses.
Consent Rights:	As per Scheme
No Rights:	As per Scheme
Height:	Three (3) storeys, provided that the height may be increased with the written consent of the Local Authority.
Coverage:	60%, provided that the coverage may be increased with the written consent of the Local Authority.
F.A.R:	0.6, provided that the floor area may be increased with the special consent of the Local Authority.
Density:	As per Scheme
Parking:	As per Scheme
Building Lines:	As per Scheme; a sixteen (16) meter building line shall be applicable along the eastern boundary of Erf 3 adjacent to the proposed extension of Provincial Road K73; provided that all building lines may be relax by the relevant authorities.

General Conditions:

1. Access to and egress from the erven shall be provided to the satisfaction of the Local Authority.
2. A line of no access shall be applicable along the eastern boundary of Erf 3 adjacent to proposed extension of Provincial Road K73.

3. Effective paved, parking spaces, together with the necessary maneuvering area, shall be provided on the erven to the satisfaction of the Local Authority, with the provision that parking may be relaxed by the Local Authority in term of a Site Development Plan.
4. A Site Development Plan, drawn to a scale of 1:500 or any other scale approved by the Local Authority, shall be submitted for approval by the Local Authority prior to submission of any building plans. No building shall be erected on the erven prior to the approval of the Site Development Plan: provided that the plan may, from time to time, be amended with the written approval of the Local Authority: provided further that subsequent amendments or additions to the building, in which the Local Authority's opinion, will have no influence on the development of the erven as a whole shall be deemed to be in accordance with the development plan. The following issues shall be addressed in the Site Development Plan to the satisfaction of the Local Authority:
 - a) The siting and height of all buildings and structures;
 - b) Open spaces and landscaping;
 - c) Entrances to and exits from the erven;
 - d) Building restriction areas;
 - e) Access to buildings and parking areas;
 - f) The elevational treatment of all buildings and structures;
 - g) On-site storm water attenuation measures;
 - h) Refuse areas;
 - i) The parking should include parking bays for people with disabilities near building entrances;
 - j) The provision of sidewalks and cycle ways shall comply with universal access guidelines and the City of Johannesburg's Complete Street Design Guidelines for the applicable road class;
 - k) To increase pedestrian safety the developer shall provide separate pedestrian gates at all development accesses; and
 - l) Turning facilities for heavy vehicles must be provided on-site.
5. The erven shall be landscaped and maintained to the satisfaction of the Local Authority.
6. Notwithstanding the provisions of the City of Johannesburg Land Use Scheme, 2018, the following definitions shall apply for the purposes of this amendment scheme:

"Sport and Recreation facilities mean the use of a building(s) and/or land for both passive and/or active recreation and may include, but not limited to, swimming pools, tennis courts, squash courts, padel courts, basketball courts, soccer fields, cricket fields, rugby fields, children's play areas and may also include grandstands, pergolas, pavilions, change rooms and ablution facilities."

"Tuck shop means the use of a building(s) and/or land for a small food retailer, normally located within educational facilities, where ready to eat food products, confectionary, snacks and refreshments are sold."
7. The educational facility will be restricted to a maximum of one thousand (1000) pupils.

USE ZONE 26: PRIVATE OPEN SPACE

Erven 1 and 4 shall be zoned "Private Open Space", permitting sport and recreational facilities and ancillary and related uses, in terms of the City of Johannesburg Land Use Scheme, 2018.

Primary Rights: As per Scheme, including sport and recreational facilities and ancillary and related uses.

Consent Rights:	As per Scheme
No Rights:	As per Scheme
Height:	As per Scheme and upon approval of the Site Development Plan.
Coverage:	As per Scheme and upon approval of the Site Development Plan.
F.A.R:	As per Scheme and upon approval of the Site Development Plan.
Parking:	As per Scheme and upon approval of the Site Development Plan
Building Lines:	As per Scheme; a sixteen (16) meter building line shall be applicable along the eastern boundary of Erf 4 adjacent to the proposed extension of Provincial Road K73; provided that all building lines may be relax by the relevant authorities.

General Conditions:

1. Access to and egress from the erven shall be provided to the satisfaction of the Local Authority.
2. A line of no access shall be applicable along the eastern boundary of Erf 4 adjacent to proposed extension of Provincial Road K73.
3. Effective paved, parking spaces, together with the necessary maneuvering area, shall be provided on the erven to the satisfaction of the Local Authority, with the provision that parking may be relaxed by the Local Authority in term of a Site Development Plan.
4. A Site Development Plan, drawn to a scale of 1:500 or any other scale approved by the Local Authority, shall be submitted for approval by the Local Authority prior to submission of any building plans. No building shall be erected on the erven prior to the approval of the Site Development Plan: provided that the plan may, from time to time, be amended with the written approval of the Local Authority: provided further that subsequent amendments or additions to the building, in which the Local Authority's opinion, will have no influence on the development of the erven as a whole shall be deemed to be in accordance with the development plan. The following issues shall be addressed in the Site Development Plan to the satisfaction of the Local Authority:
 - a) The siting and height of all buildings and structures;
 - b) Open spaces and landscaping;
 - c) Entrances to and exits from the erven;
 - d) Building restriction areas;
 - e) Access to buildings and parking areas;
 - f) The elevational treatment of all buildings and structures;
 - g) On-site storm water attenuation measures;
 - h) Refuse areas;
 - i) The parking should include parking bays for people with disabilities near building entrances;
 - j) The provision of sidewalks and cycle ways shall comply with universal access guidelines and the City of Johannesburg's Complete Street Design Guidelines for the applicable road class;
 - k) To increase pedestrian safety the developer shall provide separate pedestrian gates at all development accesses; and
 - l) Turning facilities for heavy vehicles must be provided on-site.

5. The erven shall be landscaped and maintained to the satisfaction of the Local Authority.
6. Notwithstanding the provisions of the City of Johannesburg Land Use Scheme, 2018, the following definition shall apply for the purposes of this amendment scheme:

“Sport and Recreation facilities mean the use of a building(s) and/or land for both passive and/or active recreation and may include, but not limited to, swimming pools, tennis courts, squash courts, padel courts, basketball courts, soccer fields, cricket fields, rugby fields, children’s play areas and may also include grandstands, pergolas, pavilions, change rooms and ablution facilities.”

USE ZONE 26: PRIVATE OPEN SPACE

Erf 5 shall be zoned “Private Open Space”, defined as Ecological Open Space as per Clause 49(1) of the City of Johannesburg Land Use Scheme, 2018.

Primary Rights: As per Scheme, Ecological Open Space

Consent Rights: As per Scheme

No Rights: As per Scheme

General Conditions:

1. Access to and egress from the erf shall be provided to the satisfaction of the Local Authority.
2. The erf will be designated as Ecological Open Space in accordance with Clause 49(1) of the City of Johannesburg Land Use Scheme, 2018. In line with this designation, the environmental integrity of the wetland and its associated buffer zone must be protected as a primary objective.
3. However, the portion of the property located between the thirty-two (32) metre wetland buffer and the fifteen (15) metre environmental zone measured from the edge of the wetland (if it falls outside of the 1:100 year floodline) may be utilised for low-impact recreational purposes. Within this area, sports fields may be accommodated, provided that no permanent or built structures are introduced. Only activities that cause no significant disturbance to the wetland and remain fully compliant with environmental regulations will be permitted.
4. In addition, the above-mentioned portion of the property, situated between the thirty-two (32) metre wetland buffer and the fifteen (15) metre environmental zone, may be considered for the offsetting of parks contributions payable to the City of Johannesburg Metropolitan Municipality.

2.2 Applicant’s Intention

- 2.2.1 Application is hereby made in terms of Section 26 of the City of Johannesburg Municipal Planning By-Law, 2016, read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act “SPLUMA”, 2013 (Act 16 of 2013), for the establishment of a township, subject to certain conditions, on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng. The township is to be known as proposed Kyalami Hills Extension 26 and will comprise of five (5) erven.

- 2.2.2 The effect of the application will be to provide the necessary rights to develop an educational facility on the said farm portion.
- 2.2.3 Access to and egress from Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, shall be provided via Le Roux Avenue/Springwell Avenue, to the satisfaction of the Local Authority.
- 2.2.4 There are no conditions of title contained in the relevant Deed of Transfer pertaining to Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, which prohibits the proposed establishment of a township on the said farm portion.

2.3 The Proposed Township Layout (See Plan TP100/L1)

- 2.3.1 The figure lettered ABCDEA on the township layout plan attached hereto represents Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, measuring approximately 8,6375 hectares in extent.
- 2.3.2 It is proposed to establish a township on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, to be known to as proposed Kyalami Hills Extension 26, comprising of three (3) erven, as indicated.
- 2.3.3 The figure lettered ABCDEA represents proposed Kyalami Hills Extension 26, measuring approximately 8,6375 hectares in extent.
- 2.3.4 Proposed Erf 1 Kyalami Hills Extension 26, measures approximately 1,2246 hectare metres in extent.
- 2.3.5 Proposed Erf 1 Kyalami Hills Extension 26, shall be zoned "Private Open Space", permitting private open space including sport and recreational facilities and ancillary and related uses, subject to certain conditions, in terms of the City of Johannesburg Land Use Scheme, 2018.
- 2.3.6 Proposed Erf 2 Kyalami Hills Extension 26, measures approximately 0,3822 hectares in extent.
- 2.3.7 Proposed Erf 2 Kyalami Hills Extension 26 shall be zoned "Educational", permitting institutions, place of instruction, social halls and religious purposes including a tuck shop, canteen, sport and recreational facilities, access purposes, security-controlled gatehouse access structures and ancillary and related uses, subject to certain conditions, in terms of the City of Johannesburg Land Use Scheme, 2018.
- 2.3.8 Proposed Erf 3 Kyalami Hills Extension 26, measures approximately 2,0853 hectares in extent.
- 2.3.9 Proposed Erf 3 Kyalami Hills Extension 26 shall be zoned "Educational", permitting institutions, place of instruction, social halls and religious purposes including a tuck shop, canteen, sport and recreational facilities, access purposes, security-controlled gatehouse access structures and ancillary and related uses, subject to certain conditions, in terms of the City of Johannesburg Land Use Scheme, 2018.
- 2.3.10 Proposed Erf 4 Kyalami Hills Extension 26, measures approximately 0,4630 hectares in extent.

- 2.3.11 Proposed Erf 4 Kyalami Hills Extension 26 shall be zoned "Private Open Space", permitting private open space including sport and recreational facilities and ancillary and related uses, subject to certain conditions, in terms of the City of Johannesburg Land Use Scheme, 2018.
- 2.3.12 Proposed Erf 5 Kyalami Hills Extension 26, measures approximately 4,4824 hectares in extent.
- 2.3.13 Proposed Erf 5 Kyalami Hills Extension 26 shall be zoned "Private Open Space", defined as Ecological Open Space as per Clause 49(1) of the City of Johannesburg Land Use Scheme, 2018.
- 2.3.14 Access to and egress from Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, shall be provided via Le Roux Avenue/Springwell Avenue, to the satisfaction of the Local Authority.
- 2.3.15 A line of no access shall be applicable along the eastern boundary of proposed Erven 3 and 4 Kyalami Hills Extension 26 adjacent to proposed extension of Provincial Road K73.
- 2.3.16 Proposed Erf 5 is subject to a stormwater servitude, three (3) metres in width, the centre line of which is indicated by the line AB on Servitude Diagram S.G. 2557/2010, in favour of the City of Johannesburg Metropolitan Municipality.
- 2.3.17 Proposed Erf 3 is subject to a right of way servitude, in favour of the General Public, as indicated by the figure abCD on Servitude Diagram A5310/1946, 15,74 (fifteen comma seven four) square metres in extent, as will more fully appear from Notarial Deed of Servitude K412/1947S.
- 2.3.18 Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is affected by floodwater up to the 50 and 100 year reoccurrence interval event as endorsed on the township layout plan.
- 2.3.19 Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is subject to a wetland area as indicated on the township layout plan.
- 2.3.20 Contours are in accordance with the standards laid down in Schedule 1.4(11)(a) of the City of Johannesburg Metropolitan Municipal Planning By-Law, 2016.
- 2.3.21 Contours provided by the City of Johannesburg Metropolitan Municipality at two (2) metre intervals.
- 2.3.22 Co-ordinate System – Lo 29°.
- 2.3.23 Note that all dimensions and areas referred to above are approximate and subject to final survey.

3. MOTIVATION IN SUPPORT OF THE APPLICATION

3.1 Characteristics of the Surrounding Area

- 3.1.1 Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is strategically located within a transitional zone of the City of Johannesburg Metropolitan Municipality where rural, suburban and urban land uses converge. The property is currently zoned "Agricultural" in terms of the City of Johannesburg Land Use Scheme, 2018, permitting agricultural purposes, a dwelling house and urban agriculture, subject to certain conditions. Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is currently developed with a dwelling house, stables and associated outbuildings, and is used for rural residential purposes.
- 3.1.2 The surrounding area comprises a mix of vacant agricultural land, rural agricultural holdings and fully developed residential neighbourhoods, reflecting the area's ongoing urban transformation. Directly to the north lies the Remaining Extent of Portion 72 of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, zoned "Agricultural", permitting agricultural purposes, a dwelling house and urban agriculture and currently vacant, with the established residential township of Kyalami Estates located further north. To the east, the Remaining Extent of Portion 74 of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng is also zoned "Agricultural", permitting agricultural purposes, a dwelling house and urban agriculture and is undeveloped (road reserve for the future extension of Provincial Road K73). Further east are the established residential areas of Kyalami Hills and Vorna Valley, both characterised by low to medium density residential development. To the immediate south, Erf 693 Kyalami Hills Extension 20, zoned "Residential 3", is developed with medium density residential apartments, while Erf 694 Kyalami Gardens Extension 20 is zoned "Private Open Space" and currently vacant. To the south-west, the erven within Willaway Extension 9 are zoned "Residential 2" and are developed with single residential dwellings. The erven in Kyalami Estate Extension 17 and Willaway Extension 6 to the west are similarly zoned "Residential 2" and are also developed for single residential use. To the north-west, the Remaining Extent of Holding 11 Willaway Agricultural Holdings is zoned "Agricultural", developed with a dwelling house and associated outbuildings, and used for rural residential purposes.
- 3.1.3 The subject farm portion enjoys excellent accessibility and regional connectivity due to its proximity to two high order provincial roads. Allandale Road (Provincial Road K58), located to the south of the said property, functions as a major east-west mobility corridor, connecting the greater Kyalami area with the N3 Motorway and enabling direct access to major urban centers such as Midrand, Sandton and beyond. In addition, Provincial Road K73 provides a key north-south link between Rivonia, Sunninghill and Midrand, further reinforcing the subject farm portion's accessibility and its integration within the regional transport network. The convergence of these mobility routes in the vicinity of the subject farm portion significantly enhances its development potential and its ability to support urban functions requiring accessibility and connectivity.
- 3.1.4 Importantly, the subject farm portion is also located in close proximity to four (4) significant mixed use development nodes, namely the Midrand Metropolitan Node, the Waterfall Regional Node, the Kyalami Gardens Regional Node and the Kyalami Speciality Node. These nodes accommodate a broad range of land uses, including retail, office, residential and institutional functions and are recognised as major urban growth points within Johannesburg's northern corridor. Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng's location within the catchment of these nodes makes it well positioned to support

complementary land uses that serve the surrounding residential population and contribute to a balanced urban environment.

- 3.1.5 In this context, the accommodation of an educational facility on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, would fulfil a critical role in the spatial and social fabric of the area. Educational facilities are vital components of sustainable urban development, particularly in areas with a broad spectrum of residential densities, ranging from low density freestanding homes to high density apartments. Locating an educational facility within walking or short commuting distance of both established and emerging neighbourhoods reduces pressure on transport infrastructure, enhances access to essential services and supports child-friendly, inclusive communities. Moreover, the presence of an educational facility contributes to neighbourhood stability, social integration and long-term placemaking, all of which align with the City's broader planning objectives.
- 3.1.6 Accordingly, Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is strategically located at the interface of high intensity urban development, established residential communities and regional movement systems. Its proximity to high order roads, urban growth nodes and residential suburbs make it highly suitable for uses, such as education, that respond to local needs and regional development trends in a sustainable and integrated manner.
- 3.1.7 Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is located within Sub-Area Six (6) of the City of Johannesburg Metropolitan Municipality's Regional Spatial Development Framework (RSDF), 2010/2011 for Region A. This sub-area is characterised by a complex blend of land use patterns, including the Midrand Metropolitan Node, the Waterfall Regional Node, the Kyalami Gardens Regional Node and the Kyalami Speciality Node, multiple neighbourhood nodes, medium to high density residential developments, as well as agricultural holdings and farm portions, such as the subject property.
- 3.1.8 Although certain pockets within the sub-area reflect lower residential densities, particularly in traditional agricultural holdings like those found in Crowthorne Agricultural Holdings and the Greater Kyalami Conservancy (GEKCO), the dominant development character of Sub-Area Six (6) is medium to high density urban development. The area benefits from its location within the Urban Development Boundary, which supports urbanisation and service delivery planning. However, the region also faces infrastructure constraints, especially in and around the Crowthorne Agricultural Holdings area, and any new development proposals must demonstrate adequate bulk service capacity and infrastructure provision, confirmed by the relevant Municipal Owned Entities (MOEs) and core departments.
- 3.1.9 Environmental considerations are also critical in this sub-area. Sub-Area Six (6) contains environmentally sensitive areas and overlaps in part with the Greater Kyalami Conservancy (GEKCO). Consequently, any development application, including that of Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, must comply with relevant environmental legislation and be guided by sustainable development principles, particularly with respect to watercourses, wetlands and ecological corridors where applicable.
- 3.1.10 According to the Growth Management Strategy (GMS, 2008), Sub-Area Six (6) is identified as a consolidation area, meaning that land use intensification and densification must be aligned with the availability and capacity of infrastructure. In this regard, applications for increased development intensity will not be supported unless

infrastructure availability can be confirmed by the City of Johannesburg Metropolitan Municipality and its implementing entities. Planning policy also requires that development in this area aligns with amended spatial strategies including the Kyalami Development Framework (2020), as well as updated density and mobility policies outlined in the City of Johannesburg Metropolitan Municipality's Spatial Development Framework, 2040.

- 3.1.11 The development objective for Sub-Area Six (6) specifically emphasises the need “to retain and enhance the urban neighbourhood environment and character of the residential areas.” In this context, the development of Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, must respect the area's unique balance between urban growth, the natural environment and existing residential character. Appropriate land uses, such as educational facilities, are compatible, provided that they enhance neighbourhood quality, demonstrate sensitivity to environmental and infrastructure limitations and align with broader strategic spatial policies.
- 3.1.12 In conclusion, the location of Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, within Sub-Area Six (6) offers both opportunities and constraints. While proximity to key roads, urban nodes and surrounding residential developments favours certain forms of development, any proposal must be approached holistically and evaluated against applicable planning frameworks.

3.2 Need and Desirability for an Educational Facility

- 3.2.1 Education in South Africa remains one of the most critical levers for driving social transformation, redressing past injustices and enabling long term economic stability. The current education landscape continues to bear the legacy of apartheid era spatial and institutional planning, where access to quality education was deeply unequal and racially segregated. Historically, white communities were served by well-funded, elite institutions, while black communities endured overcrowded, under resourced educational facilities, with limited access to qualified educators, facilities and support services.
- 3.2.2 Despite notable progress since 1994, South Africa continues to rank among the most economically unequal countries globally. Educational reform and investment have become central to national strategies aimed at breaking cycles of poverty, fostering inclusive growth and enabling equitable access to opportunity. However, the demand for quality education, particularly within metropolitan and urban growth nodes, far exceeds the current supply, placing enormous strain on existing public schools and educational facilities.
- 3.2.3 In this context, the development of an educational facility on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is both necessary and desirable. Education is recognised not only as a constitutional right but also as a fundamental building block of resilient, sustainable communities. From a spatial planning perspective, educational facilities are a form of social infrastructure, essential elements of the urban fabric that must be integrated into development frameworks to promote access, inclusivity and community cohesion.
- 3.2.4 The provision of schools and associated educational services is vital in areas experiencing population growth and residential densification. As the surrounding Kyalami Estates, Willaway, Vorna Valley, Kyalami Hills and Kyalami Gardens townships

continue to evolve and expand, the strain on existing educational facilities has become increasingly apparent. The proposed educational facility will help relieve pressure on oversubscribed institutions and will directly respond to the educational needs of families residing in surrounding medium and high-density residential developments.

- 3.2.5 Educational infrastructure plays a critical role in shaping not only academic outcomes but also the social and psychological wellbeing of learners and the broader community. Schools serve as safe, structured environments that offer access to psychosocial support, early childhood development and sport and recreation. Furthermore, the presence of a well managed school contributes to a sense of place, fosters neighbourhood stability and strengthens local identity.
- 3.2.6 The development of an educational facility on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, aligns directly with the objectives of the City of Johannesburg Metropolitan Municipality to create integrated, liveable and well-connected urban environments. Policies supporting densification and mixed-use development must be complemented by the delivery of social infrastructure within the same spatial footprint. Localised access to education reduces travel times, eases traffic congestion and enables greater participation by parents and guardians in the educational development of their children.
- 3.2.7 In terms of practicality and implementation, the proposed educational facility is planned to accommodate a maximum of one thousand (1000) pupils. The subject farm portion has sufficient area for internal parking, safe access and egress and service reticulation, with any necessary upgrades being feasible and achievable. The scale and intensity of the proposed use have been carefully considered to ensure compatibility with surrounding land uses, with adequate mechanisms (such as a site development plan) in place to manage potential interface issues and ensure minimal impact on adjacent properties.
- 3.2.8 From a town planning standpoint, it is the intensity and design of land use, not the land use itself, that most significantly affects neighbouring erven. Properly scaled and well managed educational facilities have proven to coexist harmoniously with residential neighbourhoods. The proposed development is thus consistent with the overarching objective of ensuring that land uses within Consolidation Areas are responsive to community needs while preserving the character of the area.
- 3.2.9 The Department of Education has explicitly acknowledged the importance of private sector involvement in expanding access to affordable, high-quality education, particularly in fast growing metropolitan areas. Research further confirms a national shortfall in available school spaces, particularly at primary and secondary levels. The development of educational facilities by the private sector provides a much-needed solution that complements government efforts and helps alleviate the national burden.
- 3.2.10 The proposed educational facility on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, represents a tangible response to these national and local challenges. It embodies the principles of equity, access, community upliftment and sustainability. Its location, within the Urban Development Boundary, and in close proximity to residential developments and key transport corridors such as Allandale Road (Provincial Road K58) and the Provincial Road K73, ensures that it is not only functionally appropriate but also spatially well integrated.
- 3.2.11 The proposed educational facility is a critical and appropriate land use within this context. It supports local and national policy goals, responds directly to a demonstrated

need, and will provide lasting benefits to the surrounding community and broader metropolitan region. The application seeks to ensure that future development is not only technically feasible and economically viable, but also socially responsive and inclusive.

- 3.2.12 It is contended, as has been outlined above, that the proposed development of Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, has merit and fulfills the need for an educational facility.

3.3 The Relevant Legislative and Policy Framework

- 3.3.1 The National Development Plan 2030 aims to eliminate poverty and reduce inequality by 2030. According to the plan, South Africa can realise these goals by drawing on the energies of its people, growing an inclusive economy, building capabilities, enhancing the capacity of the state and promoting leadership and partnerships throughout society.
- 3.3.2 Since political liberation in 1994, the question of economic liberation has become a critical issue for South Africa as it struggles with the reality and consequences of being one of the most economically inequitable counties in the world. In this struggle, education is a critical component in the strategy to address the issues of poverty and the attainment of a normalized economy.
- 3.3.3 When we think of a “good society”, one that is fair and just, one of the defining characteristics is likely to be that all individuals have equal opportunity to realise their potential, irrespective of their circumstances. Education plays a critical role in determining whether or not individuals are given this opportunity.
- 3.3.4 Equity in education is necessary for economic mobility. Without equity in education, the economy will suffer from an achievement gap between groups in society. Those individuals who have had little to no access to knowledge and skills will not achieve their working potential which in turn creates income inequality and further entrenches poverty.
- 3.3.5 More importantly, giving all children an equitable start would lead to better economic and social outcomes for individuals and society as a whole.
- 3.3.6 It can be interpreted that the proposed development of an educational facility on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, will assist in realising the vision of the National Development Plan 2030 by creating an opportunity for individuals in marginalized areas to have access to an affordable, excellent and holistic educational facility.
- 3.3.7 The application for the establishment of a township on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is considered necessary, desirable and fully aligned with the prevailing spatial planning frameworks and legislative directives. The proposed development, which includes the establishment of an educational facility, responds to the City of Johannesburg Metropolitan Municipality’s strategic planning objectives, addresses identified service delivery backlogs and promotes long term sustainable urban growth within a spatially just, efficient and environmentally responsible framework.
- 3.3.8 The City of Johannesburg Metropolitan Municipality’s Regional Spatial Development Framework (RSDF) 2010/11 for Region A serves as a regional level extension of the City of Johannesburg Metropolitan Municipality’s overarching Spatial Development Framework. This framework defines spatial directives specific to the region and

translates city wide objectives into implementable guidelines at a finer geographic scale. Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, falls within Sub-Area Six (6), which includes the Kyalami Speciality Node and surrounding extensions of Vorna Valley.

- 3.3.9 Sub-Area Six (6) is identified as a zone of transition and intensification, supporting the integration of residential development with compatible land uses such as community facilities, educational institutions and local economic activities. While portions of the sub-area retain low density residential and agricultural character, there is a deliberate municipal intent to accommodate medium to high density development within the urban development boundary, in order to curb urban sprawl, enhance access to services and support a more compact, efficient city form.
- 3.3.10 The City of Johannesburg Metropolitan Municipality's Regional Spatial Development Framework (RSDF) 2010/11, explicitly recognises the need to promote well located educational and social infrastructure that supports inclusive neighbourhood development. By situating an educational facility within an area of increasing residential density and adjacent to established and emerging communities, the application supports this goal and reinforces the City of Johannesburg Metropolitan Municipality's Regional Spatial Development Framework (RSDF) 2010/11 vision for a balanced, well serviced urban region.
- 3.3.11 The City of Johannesburg Metropolitan Municipality's Spatial Development Framework (SDF) 2040, presents a long-term vision for a spatially just, inclusive and resilient city. It is a policy blueprint designed to shape the City of Johannesburg Metropolitan Municipality's spatial form by guiding development towards areas where growth can be supported sustainably. The proposed development directly supports the following key spatial concepts of the City of Johannesburg Metropolitan Municipality's Spatial Development Framework (SDF) 2040:
- Compact City Form: The proposed educational development is located within the Urban Development Boundary, consistent with the City of Johannesburg Metropolitan Municipality's Spatial Development Framework (SDF) 2040 emphasis on inward, compact development. This principle seeks to densify existing urban areas, reduce infrastructure pressure on the urban periphery and limit the expansion of low-density settlements that perpetuate spatial inequality and inefficient land use.
 - Polycentric Urban Structure: The City of Johannesburg Metropolitan Municipality's Spatial Development Framework (SDF) 2040 advocates for a network of functional, interlinked urban nodes. The proposed educational facility is strategically located near the Midrand Metropolitan Node, the Waterfall Regional Node, the Kyalami Gardens Regional Node and the Kyalami Speciality Node and supports the growth of a secondary activity cluster that reduces pressure on existing primary nodes, particularly Midrand and Sandton.
 - Spatial Justice and Inclusivity: Education is a critical lever for addressing past and present inequities. The City of Johannesburg Metropolitan Municipality's Spatial Development Framework (SDF) 2040 prioritises spatial redress through improved access to schools, clinics and amenities within underserved and rapidly urbanising areas. The proposal therefore aligns with the City of Johannesburg Metropolitan Municipality's Spatial Development Framework (SDF) 2040 principle of "infrastructure-led development", ensuring services are brought closer to the communities that need them most.

- Environmental and Ecological Resilience: The City of Johannesburg Metropolitan Municipality's Spatial Development Framework (SDF) 2040 recognises the importance of safeguarding Johannesburg's green corridors and ecological infrastructure. The development will adopt sustainable site planning techniques, including buffer zones and integrate environmental mitigation measures. This commitment supports the City of Johannesburg Metropolitan Municipality's Spatial Development Framework (SDF) 2040 goal of preserving biodiversity and maintaining ecosystem functionality, even as urbanisation intensifies.
- 3.3.12 The Spatial Planning and Land Use Management Act (SPLUMA), 2013 (Act 16 of 2013), provides the national legislative framework for spatial planning and land use management. The Act promotes coherent spatial development, mandates development principles, and upholds constitutional rights to equitable and sustainable land use.
- 3.3.13 The following Spatial Planning and Land Use Management Act (SPLUMA), 2013 (Act 16 of 2013), development principles are particularly relevant to this application:
- Spatial Justice: The proposed educational facility enhances spatial justice by correcting past inequities in access to education. Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, is located in close proximity to developing residential areas, providing accessible education to a growing population that may otherwise need to travel significant distances.
 - Spatial Sustainability: The development avoids greenfield expansion beyond the urban edge and instead promotes infill development within an existing urban framework. It supports efficient use of land and infrastructure, respects environmental constraints and encourages non-motorised and public transport access.
 - Spatial Efficiency: The location of the proposed educational facility at the intersection of major mobility spines (Allandale Road, Provincial Road K58 and Provincial Road K73) supports modal integration and the efficient movement of goods and people. The development utilises existing infrastructure while facilitating upgrades that benefit the broader community.
 - Spatial Resilience: Educational infrastructure enhances social and economic resilience by fostering human capital development. Educational facilities are long term investments that generate returns for decades by equipping citizens with skills, fostering social cohesion and creating employment opportunities.
 - Good Administration: The application process follows the principles of transparency, accountability and intergovernmental coordination. The development will be governed by a Site Development Plan that addresses compatibility with adjacent land uses, access, parking, bulk service connections and environmental considerations.
- 3.3.14 The establishment of an educational facility at this location will stimulate direct and indirect economic activity, including local job creation in construction, operations, maintenance and administration. It will attract complementary land uses and investment, strengthening the socio-economic profile of the surrounding area. In line with the City of Johannesburg's Economic Development Strategy, the proposal encourages:
- Increased local employment and service provision;

- Strengthened neighbourhood-level economic nodes;
- Reduced dependency on distant vocational and educational centres;
- Shared infrastructure upgrades benefiting multiple stakeholders;
- Additionally, the development will generate revenue for the municipality through property taxes and service tariffs, thereby expanding the city's fiscal base and its capacity to invest in further infrastructure and social services.

3.2.15 The proposed development will be sensitively integrated into the surrounding landscape, respecting ecological assets and maintaining connectivity to green networks and open space systems. Environmental assessments and development controls will be applied to ensure minimal impact on biodiversity and the natural character of the area. Simultaneously, the compact nature of the development supports urban integration, enabling efficient public service delivery, enhanced mobility and safer, walkable neighbourhoods.

3.2.16 This application represents a strategic, well considered and policy aligned intervention that addresses a clearly demonstrated need for educational facilities on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng. It supports the strategic goals of the City of Johannesburg Metropolitan Municipality's Regional Spatial Development Framework (RSDF) 2010/11, the City of Johannesburg Metropolitan Municipality's Spatial Development Framework (SDF) 2040 and the national development agenda encapsulated in the Spatial Planning and Land Use Management Act (SPLUMA), 2013 (Act 16 of 2013).

3.2.17 By leveraging Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, locational advantages, integrating environmental safeguards and promoting inclusive service delivery, the proposal presents a compelling case for approval. It is submitted that the application is:

- Necessary: It addresses growing demand for accessible education and social infrastructure in line with demographic trends and planning policy.
- Desirable: It contributes to sustainable urban form, promotes socio-economic upliftment and respects ecological assets.
- Policy-Compliant: It is consistent with the guiding spatial planning instruments at national, provincial and municipal levels.

3.2.18 Accordingly, it is respectfully recommended that the present application be approved.

4 CONCLUSION

- 4.1 Application is hereby made in terms of Section 26 of the City of Johannesburg Municipal Planning By-Law, 2016, read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act "SPLUMA", 2013 (Act 16 of 2013), for the establishment of a township, subject to certain conditions, on Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng. The township is to be known as proposed Kyalami Hills Extension 26 and will comprise of five (5) erven.
- 4.2 The effect of the application will be to provide the necessary rights to develop an educational facility on the said farm portion.
- 4.3 Access to and egress from Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, shall be provided via Le Roux Avenue/Springwell Avenue, to the satisfaction of the Local Authority.
- 4.4 There are no conditions of title contained in the relevant Deed of Transfer pertaining to Portion 73 (a portion of Portion 9) of the farm Bothasfontein No. 408, Registration Division J.R., Province of Gauteng, which prohibits the proposed establishment of a township on the said farm portion.
- 4.5 The application complies with a number of the General Principles of the Spatial Planning and Land Use Management Act (SPLUMA), 2013 (Act 16 of 2013), and will advance the goals of the City of Johannesburg Metropolitan Municipality's Spatial Development Framework (SDF) 2040, and the City of Johannesburg Metropolitan Municipality's Regional Spatial Development Framework (RSDF) 2010/2011, and should, therefore, be supported.
- 4.6 The Spatial Planning and Land Use Management Act (SPLUMA), 2013 (Act 16 of 2013), desires the applicant to motivate the land development application in relation to the applicable Spatial Development Framework's policies and strategies, this motivation is guided by such relevant strategies, the application is also an improvement to the controlling town planning scheme and is necessary, desirable and worthy of approval.