

ROODEPAN

LETHABO PARK TOWNSHIP EXPANSION OF IVORY PARK

APPLICATION FOR TOWNSHIP EXPANSION IN TERMS OF THE SPATIAL PLANNING AND LAND
USE MANAGEMENT ACT (ACT 16 OF 2013)

INVOLVED PROPERTIES:

- THE REMAINDER OF THE FARM ROODEPAN NO. 70, SOL PLAATJE MUNICIPALITY, KIMBERLEY RD, NORTHERN CAPE PROVINCE
- ERF 15089, KIMBERLEY, SOL PLAATJE MUNICIPALITY, KIMBERLEY RD, NORTHERN CAPE PROVINCE
- ERF 17725, KIMBERLEY, SOL PLAATJE MUNICIPALITY, KIMBERLEY RD, NORTHERN CAPE PROVINCE



SUBMISSION DATE: **MAY 2019**

SUBMITTED AND COMPILED BY:



MACROPLAN
TOWN & REGIONAL PLANNERS
YOUR PARTNERS IN PROFESSIONAL PLANNING SERVICES

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Upington
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SECTION A: APPLICATION FORMMUNICIPALITY: **SOL PLAATJE MUNICIPALITY****LAND USE MANAGEMENT**

APPLICATION FOR TOWNSHIP DEVELOPMENT, SUBDIVISION OF LAND, CONSOLIDATION OF DIFFERENT PIECES OF LAND, AMENDMENT OF LAND USE (REZONING), REMOVAL OF RESTRICTIVE CONDITIONS, AMENDMENT OF TOWNPLANNING SCHEME OR DEPARTURE FROM SCHEME REGULATIONS

Application for any of the above-mentioned MUST be done in accordance with the following legislation:

- Sol Plaatje Municipality Land Use Management By-laws, 2015.

SECTION 1

Details of Applicant (As per section 45 (1) of the Spatial Planning and Land Use Act, 20123)

Name:	Macroplan	Contact person:	Jani Bruwer
Postal address:	P.O. Box 987	Physical address:	4 Hemming Way
	Upington		Belgravia, Kimberley
Code:	8800		8301
Tel no:	054 332 3642	Cell no:	071 354 9885
Fax no:	054 332 4283	E-mail address:	macroplan@mweb.co.za
SACPLAN	Pr.Pl. A/1817/2014		longlandj@gmail.com
Reg No:			

SECTION 2

Details of Land Owner (If different from Applicant)

Name:	Sol Plaatje Local Municipality	Contact person:	Mr N Modiba/ Mr O Marwane
Postal address:	Private Bag X5030	Physical address:	Sol Plaatje Drive
	Kimberley		Kimberley
Code:	8300	Code:	8301
Tel no:	053 830 6911/00	Cell no:	053 830 6475
Fax no:	N/A	E-mail address:	NModiba@solplaatje.org.za
			OMarwane@solplaatje.org.za

If the applicant is not the registered owner(s), attach a power of attorney from the registered owner(s) to the application. This also applies if the person applying is still busy obtaining the land unit and if the land unit is owned by a company or more than one person.

SECTION 3
Details of Property

Erf/ Farm No	Physical address of erf/ farm		Area (m ² or ha)	Existing land use	Existing zoning
15089	Street address:	Unknown	30.5039ha <i>(deedsweb)</i>	This land unit is not utilised for the most part, there is however an informal church building located along the south-western boundary of the study area.	Agricultural
	Town:	Kimberley			
	Municipality:	Sol Plaatje			
17725	Street address:	Unknown	6,1018ha <i>(deedsweb)</i>	This land unit is partially utilised by means of informal settlement.	Public Open Space
	Town:	Kimberley			
	Municipality:	Sol Plaatje			
Farm 70.0, Roodepan	Street address:	N/A	550.6590ha <i>(deedsweb)</i>	This land unit is partially utilised by means of informal settlement and there is also agricultural plots located on a section thereof. The rest of the land is utilised for some grazing, but it is mostly undeveloped.	Agricultural
	Town:	Kimberley			
	Municipality:	Sol Plaatje			

SECTION 4

Type of Application being Submitted (Mark with an X and give detail)

Application for:

(Please mark applicable block with a cross)

	Township development	Location:	Not Applicable							
X	Subdivision of land	Number of new erven (including remainder):	<p>Initial Subdivision:</p> <ul style="list-style-type: none"> 73.5ha from the Farm 70.0, Roodepan 10.4ha from Erf 15089, Kimberley Erf 17725, Kimberley will not be subject to any initial subdivision, seeing as the whole property will be used for this project. <p>Final Subdivision:</p> <p>The final subdivision for the Lethabo Park Layout will result in 1711 land units that will be subdivided from the total 90ha study area.</p>							
X	Consolidation of different pieces of land	<table border="1"> <thead> <tr> <th>Erf no</th> <th>Land use</th> <th>Zoning</th> </tr> </thead> <tbody> <tr> <td>Farm 70.0, Roodepan</td> <td rowspan="2">The Farm Roodepan is utilised for agriculture to some extent and also has a number of informal structures located thereon. Erf 15089, Kimberley has an existing church in an informal structure located thereon. Both properties are however largely vacant.</td> <td rowspan="2">Both properties are zoned Agriculture.</td> </tr> <tr> <td>Erf 15089, Kimberley</td> </tr> </tbody> </table>	Erf no	Land use	Zoning	Farm 70.0, Roodepan	The Farm Roodepan is utilised for agriculture to some extent and also has a number of informal structures located thereon. Erf 15089, Kimberley has an existing church in an informal structure located thereon. Both properties are however largely vacant .	Both properties are zoned Agriculture .	Erf 15089, Kimberley	
Erf no	Land use	Zoning								
Farm 70.0, Roodepan	The Farm Roodepan is utilised for agriculture to some extent and also has a number of informal structures located thereon. Erf 15089, Kimberley has an existing church in an informal structure located thereon. Both properties are however largely vacant .	Both properties are zoned Agriculture .								
Erf 15089, Kimberley										

		From (existing zoning)	To (proposed zoning):	
				Zoning:
X	Amendment of a land use or zoning (rezoning)	<ul style="list-style-type: none"> The consolidated 83.9ha land portion is zoned as Agricultural Zone I Erf 177255, Kimberley is zoned as Public Open Space 	Residential 1	1677
			Business 1	5
			Institutional	6
			Educational	1
			Municipal	2
			Public Open Space	14
			Government	1
			Public Road	5
			TOTAL:	1711
	Amendment of town planning scheme or departure from scheme regulations (consent use, relaxation of building lines, etc)	Describe: Not Applicable		
	Removal, amendment or suspension of restrictive conditions. NOTE: Submit separate prescribed application form	Sections to be removed: Not Applicable		
X	Other	Closure of a Public Place (SG Status Report included): Erf 17725, Kimberley is a registered Public Place at the office of the Surveyor General (see Annexure E for Status Report). This Public Place will be formally closed as part of this SPLUMA land use change application.		

Brief description of proposed development / intent of application: (Detail motivation to be attached as annexure)

The intent of this application is to obtain approval, in terms of SPLUMA, in order to enable the expansion of the existing Ivory Park township by means of the hereby proposed Lethabo Park Township Expansion project. The Lethabo Park Township Expansion project site covers approximately 90ha and implicates 3 land portions, namely:

- i. The Farm Roodepan No. 70.0, Kimberley RD;
- ii. Erf 15089, Kimberley;
- iii. Erf 17725, Kimberley.

In order for the above-mentioned objective of township expansion to take place, the following land use changes with regard to the 3 involved land portions will need to obtain SPLUMA approval:

1. **Closure** of the registered **Public Place** that is **Erf 17725, Kimberley**.
2. **Subdivision** of **73.5ha (Portion A)** from the Farm 70.0, Roodepan & **10.4ha (Portion B)** from Erf 15089, Kimberley;
3. **Consolidation** of the above-mentioned portions to a single land portion covering a total of **83.9ha (Portion C)**.
4. **Subdivision** of the 90ha study area (*made up of consolidated 83.9ha + total 6.1ha of Erf 17725, Kimberley*) **into 1711 land units**.
5. **Rezoning** of the newly created land units to various zonings that is synonymous with township expansions and the creation of land uses that will serve to support such expansion. These zonings include **Residential 1, Business 1, Educational, Institutional, Municipal, Public Open Space, Government & Public Road**.

Please refer to **Figure 5 & 6**, as well as **Annexures E, T & U** for more information in this regard.

SECTION 5**List of supporting information required/ submitted** (Mark with an X/ number annexure)

Documents attached	Page ref	Yes	No	N/A
Application form - Land Use Management	P.1	X		
Application form - Removal of Restrictions (list of sections to be altered/removed)				X
Power of attorney	Annexure C	X		
Copy of Title deeds	Annexure A	X		
Mortgage bond(s) - letter of approval/consent from mortgage holder	Annexure B <i>No bonds confirmed by latest Deedsweb requests</i>			X
Conditions of establishment				X
Special endorsement/proxy				X
Cadastral information - diagram/General Plan including servitudes, lease areas, etc.	Annexure D	X		
Status Report from Surveyor General - street closure or state owned land	Annexure E	X		
Topographic map	Annexure R & V – <i>plans including contours</i>	X		
Locality plan	Figures 1 & 2	X		
Site plan				X
Zoning certificate	Annexure F	X		
Zoning plan – including surrounding area (± 250m radius)	Figure 3	X		
Land Use plan – including surrounding area (± 250m radius)	Figure 4	X		
Land Use Map indicating existing facilities and threshold distances (Township development)				X
Proposed consolidation plan	Figure 6	X		
Proposed subdivision plan	Figure 5 & Annexures V & W	X		
Proposed design/layout plan	Annexures V & W	X		
Proposed development plan				X
Environment impact assessment (EIA) - including Heritage impact assessment	Annexures G, H & I - <i>contains associated documentation</i>	X		
(HIA - Dept Sport, Art and Culture) and Archaeological impact assessment (AIA - SAHRA)	Annexure Q	X		
Mineral impact assessment (MIA)				X
Social impact assessment (SIA)				X
Traffic impact assessment (TIA)	Annexure O	X		
Geological and geo-technical report (NHBRC standards)	Annexures M & N	X		
Engineering services including storm water report (bulk and internal	Annexure P	X		

infrastructure)				
Flood line assessment				X
Coastal setback report				X
Subdivision of Agricultural Land - permission from relevant department				X
Adherence to Planning Profession Act 36 of 2002	Annexure Z	X		
Adherence to planning legislation	§1.5 & §1.6	X		
Alignment to Provincial SDF	§2.3	X		
Alignment to DM SDF	§2.3	X		
Alignment to Municipal SDF	§2.3 & Annexure X	X		
Motivation report	Section B	X		
Public participation report and record of decisions (minutes) /copy of advertisements	Annexure Y – pre-SPLUMA application public and departmental consulting	X		
Reports from relevant departments /institutions	Annexures G, J, K & L	X		

SECTION 6
Fees payable

Application fee	R
Administration fee (including postage)	R
Advertisement fee	R
Other:	R
TOTAL	R

SECTION 7
Declaration

Note:

If application is made by a person other than the owner, a Power of Attorney is compulsory. If the property is owned by more than one person, the signature of each owner is compulsory. Where the property is owned by a company, trust, or other juristic person, a certified copy of the Board of Directors/Trustees' resolution is compulsory.

I hereby certify the information supplied in this application form to be complete and correct and that I am properly authorised to make this application.

Applicant's / Owner's Signature:



Date: 2 0 1 9 0 5 3 0

Full name (print):

Jani Bruwer

Professional capacity:

Professional Town and Regional Planner

Applicant's ref:

Pr. Pln. A/1817/2014

SECTION 8

**Prescribed Notice and advertisement procedures
(for the completion and use of Responsible Authority only)**

Date received:	Y	Y	Y	Y	M	M	D	D	Received by:								
Receipt No:									File ref:								
Date advertised:									Publications:								
Cut-off date for objections:																	
Submit to council by:									Resolution No.								
Date of Letters to Applicant/Objectors conveying Council resolution:									Y	Y	Y	Y	M	M	D	D	Y
Checklist of documents attached to be submitted to Provincial Government (Removal of Restriction application):																	
Comments:																	

SECTION B: MOTIVATIONAL REPORT

1. INTRODUCTION

1.1. Background

BROAD OVERVIEW

South Africa is a developing country and according to the last carried out census of 2011¹ the population of SA is estimated at about 58,000,732. The afore-mentioned number is indicative of a growth of more than 6 million people over the course of the previous census sequence of 10 years. The natural birth rate and also the rate of immigration are the factors identified as being the most influential in terms of this growth.

The above-mentioned rate of population growth gives way to many opportunities and unfortunately also many challenges in developmental terms. One of many areas that is challenged by rapid population growth is human settlement patterns. Due the population growing faster than the rate at which formal settlement planning and expansion projects get approved many towns and cities are confronted with the challenge of informal human settlement.

The provision of adequate housing and the fact that it is a South African constitutional right² forms the basis in terms of the need for human settlement planning.

AREA OF FOCUS

Image 1: Frances Baard locale in NC Province.³

The subject area of this application falls within the Northern Cape Province, in the Frances Baard District Municipality. The relevant local municipality is Sol Plaatje Local Municipality, which is one of 4 local municipalities that is located within the said District Municipality, these municipalities include:

- Sol Plaatje Local Municipality;
- Dikgatlong Local Municipality;
- Magareng Local Municipality; and
- Phokwane Local Municipality.

Significant indications in terms of human settlements and housing projects are found in the **Northern Cape Provincial Spatial Development Framework**. The basic outflow of the housing backlog is visible in the plan excerpt on the next page, which actually shows that the city of **Kimberley** as being one of the few focus

¹ <http://worldpopulationreview.com/countries/south-africa-population/>

² <https://www.sahrc.org.za/home/21/files/Fact%20Sheet%20on%20the%20right%20to%20adequate%20housing.pdf>

³ https://en.wikipedia.org/wiki/File:Map_of_South_Africa_with_Frances_Baard_highlighted_%282011%29.svg

points in the province for **Mega Housing Projects**, being marked as part of the province with the most **severe housing backlog**.

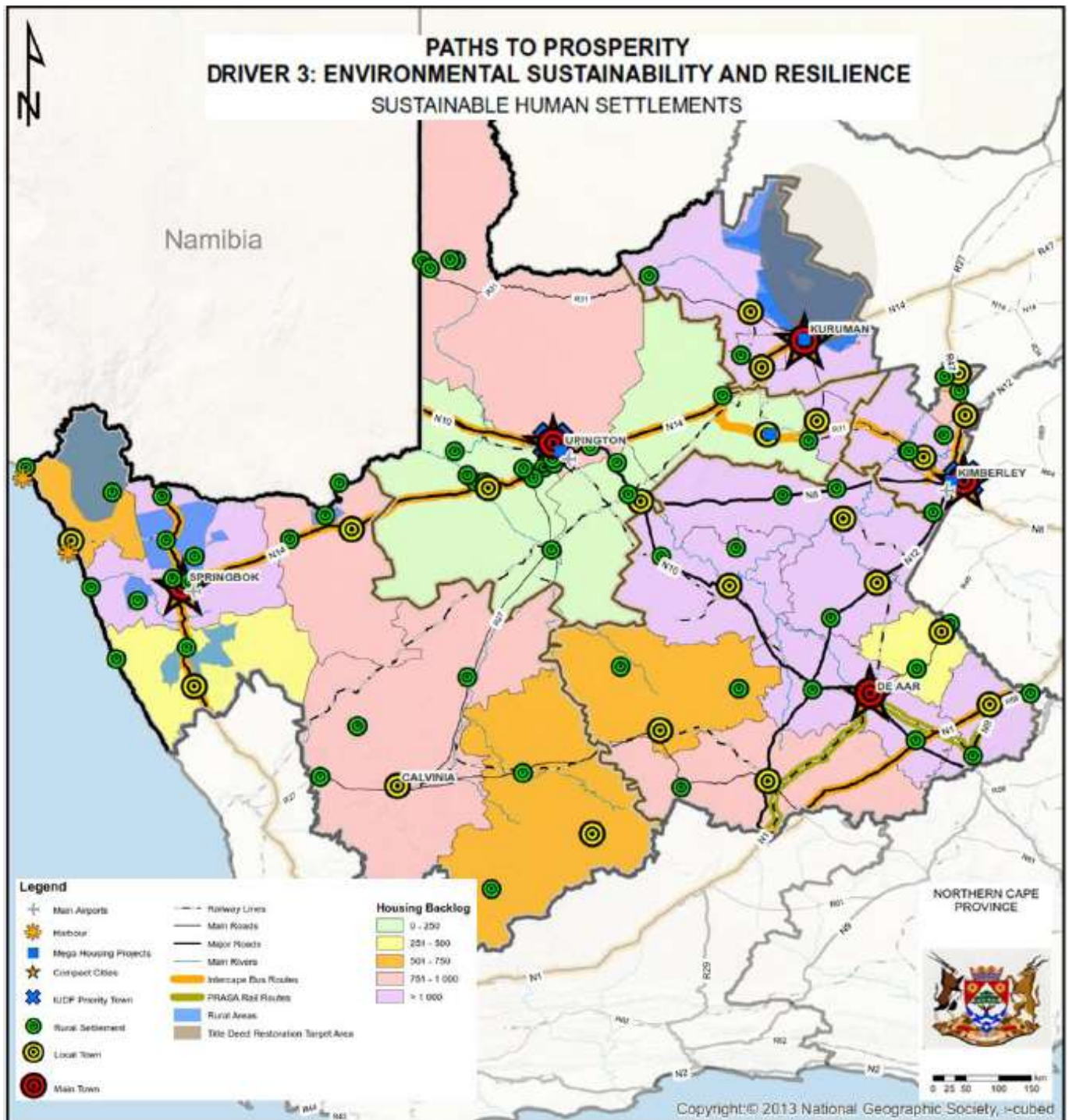


Image 2: NCPSPDF EXCERPT - Northern Cape Human Settlements and planned housing projects

LETHABO PARK TOWNSHIP EXPANSION PROJECT

This land use change proposal stems from township expansion initiatives by the Sol Plaatje Local Municipality and based on the housing needs of its communities, especially those whom are presently informally settled. The involved portions of land over which this development proposal spans include:

1. The Farm Roodepan No. 70.0, Kimberley RD;
2. Erf 15089, Kimberley;
3. Erf 17725, Kimberley.

These land portions are presently in the ownership of the Sol Plaatje Local Municipality. Macroplan, along with a team of highly qualified and professional sub-consultants, were appointed in February 2018 to handle the process of township expansion and the various studies and planning that goes along with such a process. The team of professionals and their areas of work include:

Consultant	Area of work
Macroplan	General Town planning and Project Management
Rural and Urban Planners	Town Planning, Project Management, as well as Public Participation
Soil Kraff	Geotechnical Study
ReNeilwe Projects	EIA Public Participation, Traffic Impact Assessment & Infrastructure Services Assessment
Coen Fraenkel Land Surveyors	Contour &, Existing Structures Survey, Land Surveying and Pegging
EnviroAfrica	Environmental Impact Assessment

Table 1: Project Consultancy Team

After months of diligent team work and effort, the land use change application has now been submitted for processing to the Sol Plaatje Local Municipality, as authority of first instance.

1.2 Current Reality

The involved properties (**Farm 70.0, Roodepan, Erf 15089 & Erf 17725, Kimberley**) is owned by the **Sol Plaatje Local Municipality**. According to the Sol Plaatje Land Use Management Scheme the involved properties are currently zoned for Agriculture (Farm 70.0, Roodepan & Erf 15089, Kimberley) and Public Open Space (Erf 17728, Kimberley) purposes. The table below provides a detailed summary of the property zonings and their current land uses.

LAND UNIT	ZONING	LAND USE
Erf 15089, Kimberley	Agriculture	Mostly vacant with informal church building along the western boundary of the study area.
Erf 17725, Kimberley	Public Open Space	This land unit is partially vacant. The area that is developed is done so by means of informal settlement.
Farm 70.0, Roodepan	Agriculture	This land unit is mostly vacant. The areas that are utilised and developed include agricultural plots (unregistered) and informal structures.

Table 2: Property Zonings and Land Uses

The current land use rights of these properties are not suited to the township expansion purposes intended as part of this land use change proposal. As such it is necessary that the following land use changes be approved with regard thereto:

1. **Closure** of the registered **Public Place** that is Erf **17725, Kimberley**.
2. **Subdivision** of **73.5ha (Portion A)** from the Farm 70.0, Roodepan & **10.4ha (Portion B)** from Erf 15089, Kimberley;

3. **Consolidation** of the above-mentioned portions to a single land portion covering a total of **83.9ha (Portion C)**.
4. **Subdivision** of the 90ha study area (*made up of consolidated 83.9ha + total 6.1ha of Erf 17725, Kimberley*) into **1711 land units**.
5. **Rezoning** of the newly created land units to various zonings that is synonymous with township expansions and the creation of land uses that will serve to support such expansion. These zonings include **Residential 1, Business 1, Educational, Institutional, Municipal, Public Open Space, Government & Public Road**.

This application is therefore submitted to the Sol Plaatje Municipality, in order to complete all the legal formalities associated with such an application in accordance with:

1. The Spatial Planning and Land Use Management Act (Act 16 of 2013);
2. The corresponding SPLUMA Municipal By-Laws; and
3. The Sol Plaatje Land Use Management Scheme.

1.3 Assignment

Macroplan has received power of attorney from the land owner, Sol Plaatje Local Municipality, in the form of a **formal letter of appointment**, to handle these aspects on behalf of the **Sol Plaatje Local Municipality**. Jani Bruwer (Id. No. 880902 0831 086) is representing Macroplan in these actions. Refer to **Annexure C** of this report for the attached letter of appointment.

1.4 Objective

The objectives of this application are as follow:

1. To obtain approval for the proposed **closure** of the registered **Public Place** that is Erf 17725, Kimberley.
2. To obtain approval for the proposed **subdivision** of **73.5ha (Portion A)** from the Farm 70.0, Roodepan & **10.4ha (Portion B)** from Erf 15089, Kimberley.
3. To obtain approval for the proposed **consolidation** of the above-mentioned **subdivided land portions** to form a **83.9ha (Portion C)** land unit.
4. To obtain approval for **subdivision** of the **90ha study area** (*made up of consolidated 83.9ha + total 6.1ha of Erf 17725, Kimberley*) into **1711 land units**.
5. To obtain approval for the **rezoning** of the newly created 1711 land units to various zonings, including **Residential 1, Business 1, Educational, Institutional, Municipal, Public Open Space, Government & Public Road**.
6. To serve as a support system for the Sol Plaatje Municipality, in order for all the formalities to be handled correctly.

1.5 Jurisdiction

According to §26 of the Spatial Planning and land use Management Act (Act 16 of 2013), the MEC delegated the powers to approve the proposed land use changes with regard to the involved properties, to the Sol Plaatje MPT.

This application will be evaluated in terms of the Sol Plaatje LUMS and §26 of SPLUMA, which states the following:

- (2) Land may be used for the purposes permitted –
 - (a) By a land use scheme;
 - (b) By a town planning scheme, until such scheme is replaced by a land use scheme;

With the enactment of SPLUMA, the delegations of jurisdictions in terms of the decision making on land use change matters are however interpreted as follows:

§26:

- (4) A permitted land use may, despite any other law to the contrary, be changed with the approval of a Municipal Planning Tribunal in terms of this Act.

§33:

- (1) ...all land development applications must be submitted to a municipality as the authority of first instance.

§34:

- (2) A district municipality may, with the agreement of the local municipalities within the area of such district municipality, establish a Municipal Planning Tribunal to receive and dispose of land development applications and land use applications within the district area.

§35:

- (1) A municipality must, in order to determine land use and land development applications within its municipal area, establish a Municipal Planning Tribunal.

1.6 Compliance with principles

SPLUMA sets out certain development principles (§7) to guide the development of land in the republic and any land use application should be considered with due cognisance of these principles. These principles may be shortly listed as follows:

1. The principle of spatial justice;
2. Spatial sustainability;
3. Efficiency;
4. Spatial resilience; and
5. Good administration.

The following paragraphs will indicate how the SPLUMA Development Principles are applicable to the application at hand:

(a) The principle of spatial justice, whereby –

- (i) Past spatial and other development imbalances must be redressed through improved access to and use of land;

Relevance: This land use change proposal is being initiated by the Sol Plaatje Local Municipality and will improve access to housing as well as access to much needed amenities such as infrastructure and institutions. It is therefore the opinion of this office that it will definitely improve access to land and the usage thereof.

- (ii) Spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation;

Relevance: This component is applicable to public entities such as municipalities and government departments, it is therefore not the responsibility of an applicant to adhere thereto.

- (iii) Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons;

Relevance: This component is applicable to public entities such as municipalities and government departments, it is therefore not the responsibility of an applicant to adhere thereto.

- (iv) Land use management systems must include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas.

Relevance: This component is applicable to public entities such as municipalities and government departments, it is therefore not the responsibility of an applicant to adhere thereto.

- (v) Land development procedures must include provisions that accommodate access to secure tenure and the incremental upgrading of informal areas; and

Relevance: This component is applicable to public entities such as municipalities and government departments, it is therefore not the responsibility of an applicant to adhere thereto.

- (vi) A Municipal Planning Tribunal considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property is affected by the outcome of the application.

Relevance: This component is applicable to public entities such as municipalities and government departments, it is therefore not the responsibility of an applicant to adhere thereto.

(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;

Relevance: It is the opinion of this office that this land use change proposal will support the above-mentioned means of the Republic by manner of utilising vacant and presently underutilised land by creating formal space for the settlement of presently mostly informally settled households. This will also generate an income for the state.

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

Relevance: The involved properties are not considered as agricultural land, due to the following reasons:

Erf 15089 & 17725, Kimberley – these properties both possess erf descriptions and are both located within the earmarked urban edge of the Kimberley.

Farm 70.0, Roodepan – this farm portion forms part of the urban edge of Kimberley and is also part of the town commonage area of this city. As such this land portion is excluded from the provisions of Act 70 of 1970, based on the following excerpt from Subdivision of Agricultural Land Act, Act 70 of 1970:

““agricultural land” means any land, except-

(a) land situated in the area of jurisdiction of a municipal council, city council, town council...”

- (iii) Uphold consistency of land use measures in accordance with environmental management instruments;

Relevance: This land use change proposal is subject a full EIA process and the annexures included as G, H & I of this report includes relevant documentation in this regard, such as the Departmental Acknowledgement of Receipt of EIA Scoping Report; Specialists Appointment and EA.

- (iv) Promote and stimulate the effective and equitable functioning of land markets;

Relevance: It is the opinion of this office that this land use change proposal will contribute to the value of land in the area surrounding thereto, but that it will not necessarily unfairly increase the cost thereof.

- (v) Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments;

Relevance: a Services Infrastructure report has been compiled on account of this land use change proposal, this report is included as Annexure P of this report and has more detail on these matters.

- (vi) Promote land development in locations that are sustainable and limit urban sprawl; and

Relevance: The proposed development will happen within the urban edge of Kimberley, as such no problems in terms of urban sprawl are applicable.

(vii) Result in communities that are viable.

Relevance: It is the opinion of this office that the proposed development will not compromise the viability of the community surrounding thereto, but that it will rather positively contribute thereto, due to the fact that it is in line with the spatial vision of the municipality.

(c) The principle of spatial efficiency, whereby –

(i) Land development optimises the use of existing resources and infrastructure;

Relevance: a Services Infrastructure report has been compiled on account of this land use change proposal, this report is included as Annexure P of this report and has more detail on these matters.

(ii) Decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts; and

Relevance: This component is applicable to public entities such as municipalities and government departments, it is therefore not the responsibility of an applicant to adhere thereto.

(iii) Development application procedures are efficient and streamlined and timeframes are adhered to by all parties.

Relevance: As the applicant in this instance, our office will do our very best to adhere to the timelines set by the local municipality. If this is not possible we will, if need be, endeavour to consult the municipality in these matters and find a solution thereto.

(d) The principle of spatial resilience, whereby flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.

Relevance: This component is applicable to public entities such as municipalities and government departments, it is therefore not the responsibility of an applicant to adhere thereto.

(e) The principle of good administration, whereby –

(i) All spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act;

Relevance: This component is applicable to public entities such as municipalities and government departments, it is therefore not the responsibility of an applicant to adhere thereto.

(ii) All government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks;

Relevance: This component is applicable to public entities such as municipalities and government departments, it is therefore not the responsibility of an applicant to adhere thereto.

(iii) The requirements of any law relating to land development and land use are met timeously;

Relevance: Various legislative requirements are applicable to developments on the scale of what is proposed as part of this application. During the course of this project stakeholder engagement on multiple levels have been done in order to ensure that all possible requirements have been and

will met as deemed applicable.

- (iv) The preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them; and

Relevance: The relevant municipal by-law stipulates that the applicant (in this case our office with support of the project team) as well as the municipality will be responsible for public participation.

The responsibility are divided as follows:

- *Rural and Urban Planners: placement of site notices;*
- *Municipality: serving of notices to adjacent land owner; and Placement of notice in local newspaper.*
- *Rural and Urban Planners: placement of notice in the government gazette.*
- *Rural and Urban Planners: arrange and attend public meeting with ward councillors and communities.*

Our project team takes public participation very seriously and will follow all the by-law stipulations very closely to ensure full compliance, which will result in a completely transparent process.

- (v) Policies, legislation and procedures must be clearly set in order to inform and empower members of the public.

Relevance: This component is applicable to public entities such as municipalities and government departments, it is therefore not the responsibility of an applicant to adhere thereto.



PHOTO 1: The image above shows some of the existing informal structures as located on Erf 17725, Kimberley. This property is presently zoned as a Public Open Space and as such these structures are in contravention with regard to the existing land use rights of the land that they are located on. Annexures T and U of this report contains plans which indicate the locale and planning with regard to these structures.



PHOTO 2: The section of the Remainder of the Farm Roodepan No. 70, Kimberley RD which is currently not utilised is visible in the image above. It is possible that this land is sporadically used for grazing by farmers of the area, during the site visit no livestock were however spotted grazing this land.



PHOTO 3: The image above shows one of the existing agricultural plots that is located along the north-eastern mid-sections of the Remainder of the Farm Roodepan No. 70, Kimberley RD. There are a number of plots located in this area, they are however not formally registered land units and does not form part of the study area of this project.



PHOTO 4: The image above shows members of the project consulting team, as well as some community members, that had discussions about this expansion project during the site visit on 10 September 2018. Please note that prior to application submission a consulting process with both the communities of the area, as well as municipally identified stakeholders of the state were undertaken. Please refer to Annexure Y of this report for the proof of these actions.



PHOTO 5: Some of the aspects that were discussed during the site visit was the problem with water seepage in some sections of Roodepan and specifically the project study area. One of the areas in which this is a problem is visible in the image above. As part of the EIA process a Freshwater and Risk Assessment have been under the specialist studies completed. The EA and inclusive requirements thereof will need to be followed closely in order to rectify the challenges in this regard.



PHOTO 6: The northern section of Erf 15089, Kimberley is visible in the image above. Due to the fact that the majority of the study area is presently vacant, the phenomenon of refuse dumping is quite common in these parts. An EIA has been conducted for the purposes of this land use change process, please refer to Annexures G, H and I of this report for supporting (*Departmental Acknowledgement of Receipt of EIA Scoping Report; Specialists Appointment and EA*) documentation in this regard.



PHOTO 7: The image above shows some of the existing informal structures as are located on Remainder of the Farm Roodepan No. 70, Kimberley RD, as seen from a south-western direction, from the existing Ivory Park settlement area.



PHOTO 8: The image above shows some of the existing informal structures as are located on Remainder of the Farm Roodepan No. 70, Kimberley RD, as seen from a western direction, from the existing Ivory Park settlement area. At the back of the image the railway line is also visible. This railway was one of the important structuring elements during the layout planning and design phase of this project and was based on the specific inputs received from Transnet (see Annexure L).

2. PLANNING CONSIDERATIONS

2.1 Location of the study area

The Sol Plaatje Local Municipality is located to the most north-eastern parts of the Northern Cape Province, with Kimberley, as administrative seat of the municipality. Kimberley is extremely well connected in terms of transport infrastructure with the N8 and N12 National roads that runs through the city. The N12 serves as linkage between Gauteng and Western Cape, whereas the N8 serves as linkage between the southern sections of Namibia/ Northern Cape and the industrial east coast of South Africa.

The following distances (via road) and directions from Kimberley to major hubs in South Africa (according to Google Maps) are given for spatial orientation:

City	Distance in km (via road)	Direction from Kimberley	Relevant National Roads
Upington	410	West (W)	N8 & N10
Springbok	776	West-southwest (WSW)	N8 & N14
Bloemfontein	165	East-southeast (ESE)	N8
Cape Town	955	South-west (SW)	N1 & N12
Johannesburg	472	North-east (NE)	N12

Table 3: Respective distances and directions of significant urban nodes, in relation to Kimberley.

The study area can be described as having a northern location with regard to the Kimberley area, as it is located to the north of Roodepan. The following coordinates may be helpful for the purpose of locating the study area (central point of each property as spatial reference):

Erf 15809, Kimberley:

LAT: 28°39'36.97"S

LONG: 24°43'31.74"E

Erf 177256, Kimberley:

LAT: 28°39'43.57"S

LONG: 24°42'26.58"E

Farm 70.0, Roodepan:

LAT: 28°38'57.94"S

LONG: 24°42'27.18"E

The details of the property and study area locations is visually indicated in Figures 1 and 2 of this report.

Figure 1

Figure 2

2.2 Physiography

The physiography of the area within which the study area is located is discussed briefly.

• TOPOGRAPHY

The development site can be found within the urban edge of Kimberley. As part of the project scope a contour survey has been completed, the surveyed contours is visible on the plans included as **Annexures R & V** of this report. From this survey it is clear that no problematic topographical anomalies exist which may impede on the functionality of this development proposal. In light of these matters and the elevation of the site, a flood line assessment was also deemed unnecessary.

• SOIL/GEOLOGICAL CONDITIONS

This submission includes two geotechnical studies for the involved properties, namely:

Geotechnical Assessment for Erf 17725, Kimberley (completed by FDJ Stapelberg)

- See **Annexure N** for a copy of this report and refer to Pages 9 & 10, specifically Sections 5.3.1 to 5.3.3 in relation to identified issues and proposed solutions with regard thereto.

Summary of issues and recommendations:

- Water logged conditions* due to insufficient and poorly maintained storm water drainage canals;
- damaged underground water infrastructure and iii) shallow bedrock* which prohibits proper drainage. It is recommended that i) the damaged water infrastructure be located and repaired and if this does not solve the problem that the general storm water and drainage of the area be reconsidered and proper measures be put in place to address this issue.
- Compressible and possibly collapsible soils* which may cause slight cracking to residential buildings founded at a 0.5m depth. Special measures, see report, are proposed in these areas in order to ensure the structural integrity of residences in these areas.
- Uncontrolled refuse dumping and building rubble* needs to be removed prior to construction.

Geotechnical Investigation for the relevant sections of the Farm 70.0, Roodepan and Erf 15089, Kimberley (completed by Soilkract CC)

- See **Annexure M** for a copy of this report and refer to Page 30, specifically Section 6 in relation to conclusions of this report.

Summary of issues and recommendations:

A variety of geological zones is to be found on the study area, the recommendations included in this submission goes into detail of what actions is proposed in each of these zones in terms of certain measures to be undertaken before/ during construction. Some of the challenges include uncontrolled dumping and historical mining activities in on the study area.

An aspect of concern with regard to certain sections of the study area is that of chemical soil heave, due to chemical expansion. This is a risk factor which warrants additional work in terms of land preparation before construction.

• FAUNA AND FLORA

The proposed land use changes necessitated the undertaking of a full EIA process along with various identified specialist studies, including Biodiversity, Archaeological and a Freshwater and Risk Assessment. Please refer to **Annexures G, H & I** of this report for the acknowledgment of receipt of the scoping report by the Department of Environmental Affairs, the specialists appointment letter as well as the EA.

2.3 Integrated Planning

The Spatial Planning and Land Use Development Act (Act 16 of 2013) stipulates that each Municipality must prepare a spatial development framework (SDF) that interpret and represent the spatial development vision of the competent Authority. All proposed developments, specifically pertaining to land use change applications within a municipality, must be measured against an approved Spatial Development Framework (SDF) of such a municipality, which may be seen as the spatial translation of the Integrated Development Plan (IDP). The planning legislation states that no land development decision can be made if the proposed development is inconsistent with the municipal spatial development framework. However, Planning Tribunal may depart from the provisions of the SDF only if site-specific circumstances justify a departure from the provisions of such SDF, as envisaged in §22 (2).

SOL PLAATJE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (2009)

The Sol Plaatje Municipal SDF is currently under review, no draft is however available yet and as such we have to rely on the available 2009 MSDF for guidance in these matters.

The area, in which the study area is situated, is known as Roodepan and it is an expansion project with regard to the already established Ivory Park settlement. Roodepan is located in Sub-Area 33, which includes both Roodepan and Jacksonville, according to the Sol Plaatje SDF area division of Kimberley.

The guidelines listed under Objective 1 of the SDF for Sub-Area 33 indicates the following:

To maintain and enhance residential function of the sub-area -

1. Support strategic residential densification and **infill**.
2. Support guesthouses and tuck-shops which maintain and support the residential character of the neighbourhood.

FRANCES BAARD DISTRICT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (2014)

In the FBDMSDF a variety of projects are identified as focus areas in terms of development. These projects stem from the various municipal IDP's and SDF's and one of the outlined areas of focus is that of housing needs in urban and rural areas throughout the district and local municipalities.

FBDMSDF HOUSING & HUMAN SETTLEMENT: IDENTIFIED ISSUES AS WELL AS SUPPORT

P. 173	<i>Sol Plaatje is listed as the biggest municipality within the district and is indicated to have a shortage of 3728 households which is said to be contributed to the municipalities' status as an economic hub.</i>
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P. 185	<i>It is indicated that there is an issue in both the district in general, as well as the Sol Plaatje Local Municipality in terms of the provision of formal housing.</i>
P. 189	<i>In the SWOT analysis of the SDF it is indicated that even though the housing backlog with in the District is being addressed and the average household size is decreasing, there are still very real realities that challenge the provision of housing in the area, such as the ever increasing demand for housing, a lack of funding and also land shortages in some areas.</i>
P. 286	<i>In this section of the SDF the principles of the district municipal densification policy is set apart and if focusses on various means of the provision of housing in such a manner that it promotes residential densification as well as infill planning practices.</i>

Table 4: FBDMSDF Housing and Human Settlement related excerpts.

NORTHERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (2019)

The NCPSPDF is a very recently reviewed framework that provides the following indications in terms of housing and human settlement related challenges within the province (**see P. 78**):

- *“As mentioned previously, due to level of migration to dominant economic regions, the largest informal settlements are located in close proximity to economic centres.*
- *Regional economic centres are struggling to provide adequate housing to the growing population.*
- *Prevalence of informal housing gives rise to various other social and health challenges.*
- *Sustainability of settlements presents a shift towards the east as presented in the NSDF. This is due to mitigation measures [sic] againts climtate change and the impact thereof on water availability.*
- *Pressure experienced by mining towns to develop and the impact thereof on smaller municipalities (socio-economic pressures)”*

On **P. 161** of the NCPSPDF, as part of the Spatial Development Strategies for Infrastructure Investment and related objectives it is a set objective that, amongst others, the housing backlog within the province must be eradicated. It is furthermore indicated that, as part of policy alignment with the Spatial Planning Categories, adequate, safe and affordable housing (amongst other objectives) must be met by 2030 (**P. 220**).

Also refer to **Image 2** as included in §1.1 of this report.

In light of the indications from the local, district and provincial spatial development frameworks, as summarised above, it is very clear that the challenge that is embodied in housing shortages is a multi-layered problem that enjoys detailed attention at all levels of planning. It is therefore the opinion of this office that this development proposal is strongly motivated in terms of the integrated planning frameworks that has been consulted. It is furthermore recommended that this land use change application be positively considered by the Sol Plaatje MPT.

2.4 Character of the area

As previously mentioned in this application, the involved properties are located on an area marked as Sub-Area 33, which includes Roodepan and Jacksonville. The involved properties in their current state of land uses vary between vacancy, ad-hoc agricultural activities and informal human settlement. These characteristics are a frequent occurrence in areas located along the urban edge. Such areas are characterised by a very clear divide in terms of character.

It is the opinion of this office that the proposed land use changes, in order to accommodate the Lethabo Park Township Expansion Project, will change the character of the study area for the positive by means of enabling the utilisation of previously vacant/ informally occupied and underutilised land. This will not only serve to partially provide for the housing need in Kimberley, but will also serve to uplift the area in question by means of structured infill planning, formalisation of informal settlement patterns and the accompanying provision of services.

Finally, the new character of the study area, as proposed as part of this submission will fit seamlessly into the existing character of Roodepan, seeing as it is an expansion of the existing Ivory Park settlement.

Figure 3

Figure 4

2.5 Infrastructure

• WATER

The aspect of provision of services infrastructure for the purposes of this land use change proposal has been addressed as part of the comprehensive Services Report that is attached as **Annexure P** of this submission, kindly refer to this annexure for detail in this regard.

• SEWERAGE

The aspect of provision of services infrastructure for the purposes of this land use change proposal has been addressed as part of the comprehensive Services Report that is attached as **Annexure P** of this submission, kindly refer to this annexure for detail in this regard.

• ELECTRICITY

The aspect of provision of services infrastructure for the purposes of this land use change proposal has been addressed as part of the comprehensive Services Report that is attached as **Annexure P** of this submission, kindly refer to this annexure for detail in this regard.

• STORM WATER

The aspect of provision of services infrastructure for the purposes of this land use change proposal has been addressed as part of the comprehensive Services Report that is attached as **Annexure P** of this submission, kindly refer to this annexure for detail in this regard.

• ROAD NETWORK

The aspect of traffic and the road network linkages of the existing and proposed settlement areas have been comprehensively addressed as part of the Traffic Impact Assessment and layout planning and design phases of this project. Kindly refer to **Annexures O and S** of this report for detail in this regard.

2.6 Development Potential

The city proves to be a landscape of which the form and functioning is ever changing and growing. This means that development needs to be reasonably and sustainably managed. This brings us to describing why the proposed consolidation, rezoning, permanent departure and removal of restrictive title deed conditions are both needed and desirable and more importantly, why it should be approved by the Sol Plaatje MPT.

NEED

This project represents a significant step towards service delivery and housing objectives within the municipality and broader Kimberley area. As such, this initiative is a positive step towards better governance and service delivery, and will benefit the broader Kimberley community. Furthermore, this development will not only meet the pressing needs of adequate housing within the municipality but will

also be in line to support of the municipal IDP objectives to provide housing for the poor and decrease the city's housing backlog as well as fulfil the Constitutional mandate to provide adequate housing and basic services to citizens.

DESIRABILITY

Site suitability (location, accessibility, physical characteristics):

- The involved properties are located within the Kimberley urban edge and are already partially occupied by means of informal settlement. Sections of these land units area also designated locations that is suited to infill planning practices, which is part of the reasons why it was selected by the local authority for the purposes of this project
- The 90ha study area is located on the outer city limits but can be accessed by means of the existing road networks in the area. The aspect of access, traffic flow and road linkages have been properly planned for and addressed in the Traffic Impact Assessment and layout planning and design (see **Annexures O and S** for more information in this regard).
- The physical characteristics of these properties have been addressed as part of **§2.2** of this motivational report.

Consistency with SDF:

As already indicated in **§2.3** of this report this proposal for land use change is aligned on a local, district and provincial level as it was measured against all the applicable and available Spatial Development Frameworks.

Conservation worthiness of site:

The study area has been subject to a full EIA process, see **Annexure I** for the attached Environmental Authorisation (EA) and as part of this process and Archaeological Assessment has been undertaken (see Annexure Q). Kindly refer to the annexures included in this submission for more detail in terms of the findings, conclusions and recommendations in this regard.

Compatibility of the proposed development with the spatial structure and character of the surrounding area:

As already indicated in §2.4 of this report, this proposal for land use change will strengthen and support the character and functioning of the existing Roodepan settlement area, seeing as it is an expansion project that will expand, not alter, the existing overall residential nature of the area.

Access and possible traffic problems:

The aspect of traffic and the road network linkages of the existing and proposed settlement areas have been comprehensively addressed as part of the Traffic Impact Assessment and layout planning and design phases of this project. Kindly refer to **Annexures O and S** of this report for detail in this regard.

Cost and availability of required services and infrastructure:

The aspect of provision of services infrastructure for the purposes of this land use change proposal has been addressed as part of the comprehensive Services Report that is attached as **Annexure P** of this submission, kindly refer to this annexure for detail in this regard.

External visual impact, internal aesthetical aspects, as well as any possible disruption/ damages, nuisance that may result from this development:

The involved properties in their current state of land uses vary between vacancy, ad-hoc agricultural activities and informal human settlement.

It is the opinion of this office that the proposed land use changes, in order to accommodate the Lethabo Park Township Expansion Project, will change the character of the study area for the positive by means of strengthening the existing character of the area. No problems are expected in relation to the visual impact and aesthetical aspects of this land use change proposal.

Potential of application site for alternative uses / development.

The location of the study area and character of the surrounding area leaves very little alternative use options for the involved properties, especially land uses that can address urgent constitutional issues such as housing shortages. This land use change proposal is also aligned with integrated planning objectives for the study area and as such the options for alternative usage is basically none.

2.7 Size, Zonings and Regulations

The involved properties are owned by the Sol Plaatje Local Municipality and the table below provides an overview of these properties, their existing zonings, cadastral areas as well as the area of each property that is applicable to the 90he Lethabo Park Project site.

LAND UNIT	ZONING	AREA (ha) as per deedsweb areas	AREA (ha) applicable to project
Erf 15089, Kimberley	Agriculture	30.5039	10.4
Erf 17725, Kimberley	Public Open Space	6.1018	Total property
Farm 70.0, Roodepan	Agriculture	550.6590	73.5
TOTAL AREA:			Approximately 90ha

Table 5: Property zonings and Areas

Due to the fact that the existing property zonings is not suitable for the purposes of the intended residential expansion project, the following land use changes need to be approved in terms of SPLUMA:

1. **Closure** of the registered **Public Place** that is Erf **17725, Kimberley**.
2. **Subdivision** of **73.5ha (Portion A)** from the Farm 70.0, Roodepan & **10.4ha (Portion B)** from Erf 15089, Kimberley;
3. **Consolidation** of the above-mentioned portions to a single land portion covering a total of **83.9ha**

(Portion C).

4. **Subdivision** of the 90ha study area (*made up of consolidated 83.9ha + total 6.1ha of Erf 17725, Kimberley*) **into 1711 land units.**
5. **Rezoning** of the newly created land units to various zonings that is synonymous with township expansions and the creation of land uses that will serve to support such expansion. These zonings include **Residential 1, Business 1, Educational, Institutional, Municipal, Public Open Space, Government & Public Road.**

Please refer to Annexures E, V & W, as well as Figures 5 & 6 of this report for more information in the regard.

2.8 Summary

During the consideration of the approval of this application, it is necessary to keep the following in mind:

1. The project embodied in this land use change proposal represents a significant step towards service delivery and housing objectives within the municipality and broader Kimberley area.
2. The implementation of the land use rights that will be acquired as part of this land use change proposal will be a positive step towards better governance and will benefit the broader Kimberley communities.
3. This project will not only meet the pressing needs of adequate housing within the municipality but will also be in line to support of the municipal IDP objectives to provide housing for the poor and decrease the city's housing backlog.
4. Approval of this land use change proposal and implementation of the acquired rights will fulfil the Constitutional mandate to provide adequate housing and basic services to citizens.

3. PROPOSED LAND USE CHANGE

3.1. Planning approach

During the compilation of the detail layout map, as well as the motivation report, the following objectives were kept in mind:

1. *The physiography of the area is capable to accommodate the planned development;*
2. *The development should not negatively influence the surrounding areas and land uses;*
3. *The image of the city and surrounding area must not be negatively affected;*
4. *The municipality and its residents must benefit from the proposed development;*
5. *Local, district, provincial and national development objectives will be addressed, to certain extent, through this project.*
6. *Complying with any provisions that the Municipality may enforce on the application.*

3.2 Public Participation

As contemplated in SPLUMA and the Sol Plaatje Municipal By-laws, a land use change implies an amendment to the Scheme and where an amendment to a scheme is to be considered, according to §28(2), a public participation process must be undertaken to ensure that all affected parties have the opportunity to make representations on, object to and appeal the decision. For the purpose of land use applications in the Sol Plaatje Municipality at this stage, we will be guided by the requirements of the municipality and we anticipate this to include:

1. Notice placed in local print media, which will be followed by a limited 30 day period within which any member of public may provide inputs and/or objections to the proposed development at the offices of the local municipality. No late inputs will be considered relevant with the cut-off date being clearly indicated in the public notice.

(This component will be handled by the local Municipality).

2. The said notice will be forwarded to the surrounding land owner via registered mail or hand delivery, further expanding the audience for inputs.

(This component will be handled by the local Municipality).

3. The same notice published in the local print media will be placed at the entrance to the involved properties, at the same time as publication, allowing an expanded audience to be reached by the notice.

(This component will be handled by Rural and Urban Planners).

4. The arrangement and steering of a public meeting with the ward councillors and community.

(This component will be handled by Rural and Urban Planners).

Should any inputs be received at the offices of the Sol Plaatje Municipality, it would be the responsibility of the receiving official to place the date stamp of the municipality on the received input, proving that it was acquired within the limited timeframe. Upon the closure of the 30 day public participation period, any inputs received must be forwarded to the applicant whereupon the applicant will have a maximum of 30 days to provide a written response to the inputs. The application will then be forwarded to the decision-making body for consideration.

3.3 Proposed land uses

The provided land portions and areas associated therewith were based on the instruction that formed part of the appointment of the project team, subject to certain amendments thereto along the way: **The development of approximately 2000 low income erven with an average size of 300m²; approximately 100 middle income erven of 500-600m² in size.**

Some of the aspects taken into consideration during the planning and design of the final layout include:

- Linkage to the existing formal settlement and road systems.
- Existing services infrastructure that was indicated as being of importance and is presently utilised by

the local municipal infrastructure departments.

- *Existing informal structures.*
- *Outcomes of the EIA specialist studies.*
- *Outcomes of the Traffic Impact Assessment.*
- *Outcomes of the infrastructure services report.*
- *Existing agricultural small holdings.*
- *Contours.*
- *Sub-economic need for mixed density housing.*
- *Inputs and comments from state and semi-state departments.*
- *Need for non-residential land uses (institutions, roads, public space etc).*

After approval of this application the following land use rights will be applicable to the 90ha study area and its 1711 land units:

❖ RESIDENTIAL 1

Primary land use right: Dwelling house

1677 land units will be established of which 1577 will cover between 250m² (new erven for formalised structures) and 300m² (new erven) and 100 will cover approximately 500m² to 600m².

❖ BUSINESS1

Primary land use right: Hotels, guest houses, places of refreshment, shops, business premises, dwelling units, residential building, place of amusement, places of worship including funeral parlours with chapels, places of instruction, dry cleaners, public garages, parking, car wash, social halls.

5 land units covering approximately 500m² will be established.

❖ INSTITUTIONAL

Primary land use right: Institutions, dwelling units, places of public worship, places of instruction, canteen

6 land units will be established in accordance with the requirements of the Guidelines for Human Settlement Planning and Design.

❖ EDUCATIONAL

Primary land use right: Places of instruction, social hall, places of worship

1 land unit will be established in accordance with the requirements of the Guidelines for Human Settlement Planning and Design and as per the specific request for a primary school site by the Department of Education (see Annexure J).

❖ MUNICIPAL

Primary land use right: Municipal Purposes

2 land units will be established – one land unit was specifically requested by the local authority with

a required area of approximately 1000m², the second land unit was established in order to set apart municipal electrical infrastructure in the form of an electrical switch house.

❖ PUBLIC OPEN SPACE

Primary land use right: Public open spaces

14 land units will be established of which the primary purpose is to safely and practically enclose municipal infrastructure and associated servitudes. These land units also includes an existing green area and soccer field (dimensions are in accordance with the requirements of the Guidelines for Human Settlement Planning and Design).

❖ GOVERNMENT

Primary land use right: Government Purposes

1 land unit will be established, this land unit was specifically requested by the local authority with a required area of approximately 500m².

❖ PUBLIC ROAD

Primary land use right: Street or road

5 land units will be established.

Kindly refer to Annexures V & W of this report for the layout plans included in this submission.

4. RECOMMENDATION

It is thus evident from the previous discussions that the application for **closure of a public place, subdivision, consolidation and rezoning** with regard to the involved properties (**Farm 70.0, Roodepan, Erf 15089 & 17725, Kimberley**), is desirable for development in the Sol Plaatje Municipality.

4.1 Approval

The Sol Plaatje Municipality is therefore requested to:

1. Give the go-ahead for advertising the application according to and in terms of the procedures adopted by themselves as part of their commitment to the provisions of the Spatial Planning and Land Use Management Act, Act 16 of 2013. The public participation process will be handled by this office and proof thereof will be sent to the Municipality.
2. Communicate the relevant Administrative fee (*if applicable*) to this office after accepting the application and stipulating its stipulations and requirements.
3. Recommend the approval of this land use application to the MPT after the closure of the public participation process.

The MPT is therefore requested to:

1. Favourably consider this application by means of approving it, in terms of the recommendation from the office of the Sol Plaatje Local Municipality.

Figure 5

Figure 6



Annexure A

Copies of Title Deeds

Annexure B

Latest Deedsweb requests as confirmation of property areas

Annexure C

Letter of appointment as Power of Attorney

Annexure D

SG Diagrams

Annexure E

Status Report from Surveyor General (Erf 17725, Kimberley)

Annexure F

Zoning Certificates

Annexure G

Department of Environmental Affairs AoR: EIA Scoping Report

Annexure H

Sol Plaatje Letter of Appointment: EIA Specialists

Annexure I

Environmental Authorisation

Annexure J

Departmental Input – Department of Education

Annexure K

Departmental Input – Department of Rural Development and Land Reform

Annexure L

Departmental Input – Transnet

Annexure M

Geotechnical Report For relevant section of Farm 70.0, Roodepan and Erf 15089, Kimberley

Annexure N

Geotechnical Report for Erf 17725, Kimberley

Annexure O

Traffic Impact Assessment

Annexure P

Civil and Electrical Services Report

Annexure Q

Archaeological Assessment

Annexure R

Lethabo Park Layout – Relevant Municipal Infrastructure; Servitudes & Contours

Annexure S

Lethabo Park Layout – Road Network Linkage

Annexure T

Lethabo Park Layout – Existing Informal Structures

Annexure U

Lethabo Park Layout – Accommodation of Informal Structures

Annexure V

Lethabo Park Layout with Contours

Annexure W

Lethabo Park Layout with Municipal Zoning annotation

Annexure X

Excerpt from Sol Plaatje SDF

Annexure Y

Public Participation Prior to SPLUMA submission

Annexure Z

SACPLAN Professional Registration Certificate