

Reference:

Date:

(ENQ.PC.DRPW) 201008 Boegoeberg Formalisation and Township Establishment Project

08 October 2020

Head of the Department of Roads and Public Works  
PO Box 3132  
Squarehill Park  
Kimberley  
8300

Attention: Menelisi Sithole

**PROJECT: BOEGOEBERG FORMALISATION AND TOWNSHIP ESTABLISHMENT PROJECT**

INVOLVED PROPERTIES SUMMARY:

- REMAINDER OF THE FARM, NO. 142, PRIESKA RD, !KHEIS LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE;
- REMAINDER OF THE FARM, NO. 144, PRIESKA RD, !KHEIS LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE;
- PLOT 1890, BOEGOEBERG SETTLEMENT, PRIESKA RD, !KHEIS LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The above mentioned matter, as well as the attached documentation, refer.

Our office, Macroplan Town and Regional Planners, has been appointed by Barzani Development on behalf of the Department of Cooperative Governance, Human Settlements and Traditional Affairs (hence referred to as COGHSTA), to facilitate the needed town planning procedures involved with the **formalisation of the existing informal properties in Boegoeberg, as well as provide additional properties for future growth**. Due to the twofold objective, the term **township establishment** will henceforth be used as the project description. Boegoeberg has experienced normal population growth over the past few years, however, the lack of formal registered residential properties were never established to accommodate the population growth in Boegoeberg, as such residents have resorted to informal housing by means of occupying municipal or state owned land without undergoing the necessary town planning processes. COGHSTA is currently in the process of addressing the **housing backlog** within the Northern Cape, with numerous township establishment projects already identified of which the communities of the !Kheis Local Municipality forms part of.

In terms of the Spatial Planning and Land Use Management Act, No. 16 of 2013, approval / input from any state or semi-state department is required for any development that can directly or indirectly impact on the general functioning of said departments (in this instance the Department of Roads and Public Works, from here on referred to as DRPW). The development site, which comprise of portions of three registered farm portions, borders to two provincial roads (names unknown), as such approval in terms of the Advertising on Roads and Ribbon Development Act, 21 of 1940, is required for this proposed township establishment project. In the case of the land portions involved, the objective is to have the properties subdivided and rezoned, in terms of the Spatial Planning and Land Use Management Act, No. 16 of 2013, as part of the formalisation of the existing informal properties of Boegoeberg, as well as make provision for future population growth of the said settlement. It should furthermore be noted that, as part of the township establishment project, it is proposed that the existing informal accesses to the town of Boegoeberg, which is being used by the community, be approved by DRPW, since the town of Boegoeberg only has one approved access.

## BOEGOEBERG TOWNSHIP ESTABLISHMENT PROJECT DESCRIPTION:

The undertaking of the township establishment project, consisting of 550 residential erven, for the Boegoeberg Community by Macroplan derives from an indirect appointment by COGHSTA and is therefore a project of national and provincial importance. The development site surrounds the town of Boegoeberg to the north, west and south and is nestled between two provincial roads. The township establishment project pertains to portions of three registered farm portions, namely the Remainder of the Farm 142, the Remainder of the Farm 144 and Plot 1890, Boegoeberg Settlement. The proposed township establishment project will provide sub-economic housing with the end goal of securing ownership of land for the current residents. An estimate of between 300 to 350 informal stands currently exists in the town of Boegoeberg that will be formalised as part of this township establishment projects, whilst an additional 200 erven will be created for the future expansion of the community. The Boegoeberg Township Establishment Project entails the design of a formal coherent town planning layout through a SPLUMA process, which is informed by numerous specialist studies. At this stage the project has progressed to a point where a concept layout (**Annexure D**) has been prepared that may be subject to minor alterations to comply with the findings of the specialist studies, but the general layout and functioning thereof should be maintained. **One of the main instructions from COGHSTA and the local municipality, was to accommodate the existing informal houses as best possible, as such properties within the layout are proposed for formalisation in close proximity of the involved provincial roads.**

The latest concept layout has been designed to formalise the existing informal residential stands, make provision for residential expansion, incorporate land uses such as business, institutional (churches and a school) and recreational uses, whilst providing a coherent internal road network that promotes easy and accessible movement throughout.

## INFORMATION CONCERNING DRPW:

The township establishment project for Boegoeberg pertains to two provincial roads, of which the names are unknown to this office, but these roads are clearly indicated on the planning diagram that are attached as Annexure E to this submission. The provincial road that borders the study area to the south-west leads to Marydale and the provincial road that borders the development area to the north-east leads to Boegoeberg Dam. The input and approval from DRPW is a requirement before the approval for the process can be sought from the ZF Mgcawu Planning Tribunal on the proposed SPLUMA land use change application. The following aspects may be highlighted and feedback from DRPW in this regard is of utmost importance:

- **SPLUMA Process:** The township establishment project for Boegoeberg is a legal process guided by the Spatial Planning and Land Use Management Act (Act 16 of 2013) and this legislation clearly states that all state and semi-state departments need to be informed of any developments that may directly or indirectly impact on the general functioning of said departments. The properties that comprise the study area borders directly to two provincial roads, as such, DRPW needs to be informed of the planned formalisation process and an approval/ no-objection, in terms of the Advertising on Roads and Ribbon Development Act, 21 of 1940, is needed before the land use change application can be submitted to the local authority.
- **Distance from Provincial Roads:** The minimum distance of 30m from the road reserve of provincial roads that were imposed on previous township establishment projects within the !Kheis Municipal area, such as the expansion of Sternham, has been maintained as best possible. It should however be noted that informal houses (numbered 1-21 on the planning diagram - Annexure E) have been erected within the 30m building line and these properties have already been provided with electricity (indicated in red lines) by ESKOM, making the relocation of these properties extremely difficult. It is proposed that DRPW only approve the location of these properties, considering future houses will be positioned according to the proposed layout plan. The small rectangles visible in the proposed layout is the existing informal houses captured during the detail land survey conducted by the appointed land surveyor.

- **Proposed future Accesses:** As part of this township establishment project three accesses are proposed for approval by the DRPW. These accesses points have been indicated on the planning diagram - Annexure E and motivated as follow:
  1. **Proposed Access 1:** Indicated with Red circle – This is an existing access point that is currently being used to receive access to the development site, as well as the well-established community of Boegoeberg.
  2. **Proposed Access 2:** Indicated with Green circle – An access to the north of the development site is proposed, since this section is being occupied by numerous informal houses and this access will allow for a coherent internal network that enables easy access throughout.
  3. **Proposed Access 3:** Indicated with Blue circle – As mentioned the Boegoeberg township establishment project also makes provision for future population growth, as such a formal access further south-west is proposed to provide easy access from the provincial road.

The undertaking of a traffic impact assessment and submission of detail engineering plans can be upheld as preconditions to the approval of the proposed accesses.

The requested approval must provide a no-objection towards the processes of subdivision and rezoning, as well as any other land use changes that the planned township establishment may require. This inclusion of a no-objection towards the processes of subdivision and rezoning is needed in order to proceed with the submission of the formal land use change application at the local municipality.

**The objectives of this letter are as follow:**

1. **To notify DRPW of the proposed township establishment project;**
2. **To obtain a no-objection for the land use changes (subdivision and rezoning), in terms of the Spatial Planning Land Use Management Act (Act 16 of 2013), that need to be followed for the planned township establishment;**
3. **To obtain approval in terms of the Advertising on Roads and Ribbon Development Act, 21 of 1940;**
4. **To obtain approval for the proposed access points.**

In order to supplement this letter, please find the following documents attached:


- A. Wayleave application
- B. Copy of Title Deed
- C. Locality Map
- D. Preferred Township Establishment Layout
- E. Planning Diagram indicating proposed development in relation to provincial roads

**Kindly take note that this submission is lodged in accordance to the provision of the !Kheis Final SPLUMA By-Laws and according to §32.(1) of this policy, if an organ of state fails to comment or provide information within 60 days from the date of which this notification letter has been furnished, that organ of state is deemed to have no comment or information to furnish.**

Please let us know if this letter for an approval meets your requirements and if any additional information needs to be provided. We trust that you will find these matters to be in order and if there are any additional components we can assist you with, please do not hesitate to request such information

We look forward to your inputs in this regard. Please feel free to contact our office in the case of any further enquiries.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Theron'. The signature is written in a cursive style with a large initial 'T'.

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**Justus Petrus Theron Pr.Pln. A/2394/2016**

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