

Reference:

Date:

(ENQ.PC.DRPW) 201008 Opwag/Uitkoms 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: OPWAG TOWNSHIP ESTABLISHMENT PROJECT

INVOLVED PROPERTIES SUMMARY:

- PLOT 2642, BOEGOEBERG SETTLEMENT, KENHARDT RD, !KHEIS LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE
- PORTION 14 OF THE FARM BOEGOEBERG SETTLEMENT, NO. 48, KENHARDT 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 **township establishment of Opwag/ Uitkoms**. Opwag/Uitkoms is not a proclaimed township at present, since none of the estimated 150 properties, which form this informal town, are registered at the office of the Chief Surveyor General or the Deeds Office. The informal town of Opwag/ Uitkoms has been created by the farmworkers that work on the surrounding farmland. The informal town of Uitkoms has now grown to a point where formalisation is needed as well as the provision of supporting land uses, such as schools, businesses, municipal infrastructure, recreational areas etc. The !Kheis Local Municipality has secured the properties on which the community of Opwag/ Uitkoms are established with the goal of registering this town as a formal proclaimed township. The recent commitment by COGHSTA to address the **housing backlog** within the Northern Cape, presented the !Kheis Local Municipality with the ideal opportunity to undergo the necessary town planning processes to register Uitkoms as a proclaimed township, with registered properties that can be allocated to individual ownership.

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 comprises of portions of two registered land units, border to a provincial road (name 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 township proclamation of Uikoms/ Opwag. It should furthermore be noted that the community of Opwag/ Uitkoms currently receives access from the involved provincial road and this submission seeks the formalisation/ approval thereof.

UITKOM/ OPWAG TOWNSHIP ESTABLISHMENT PROJECT DESCRIPTION:

The undertaking of the township establishment project, consisting of 730 residential erven & supporting land uses, for the Opwag/ Uitkoms community by Macroplan derives from an indirect appointment by COGHSTA and is therefore a project of national and provincial importance. The development site comprises the entire extent of Plot 2642, Boegoeberg Settlement and a section of Portion 18 of the Farm Boegoeberg Settlement, No. 48, with both of these properties being held under the ownership of the !Kheis Municipality. 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 150 informal stands currently exists in the informal town of Uitkoms/ Opwag, with a further 580 erven planned for future population growth of the involved settlement. Since the objective is to create a new sustainable town other land uses normally associated with urban centres such as business premises, schools, recreational areas, municipal infrastructure, municipal uses and similar uses are also being planned. The Uitkoms/ Opwag 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, but fortunately the area identified for the proclamation of Uitkom/ Opwag is situated more than 250m from the involved provincial road. It should, however, be noted that the involved community receives access from the provincial road via two existing access points and this application includes the formalisation of these accesses.**

The latest concept layout has been designed to formalise the informal town of Uitkom/ Opwag, make provision for residential expansion, and incorporate land uses such as business, institutional (churches) 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 Uitkoms/ Opwag pertains to one provincial road (road unknown), with this road clearly indicated in red on the planning diagram that is attached as Annexure E to this submission. The provincial road that borders the study area runs parallel to the eastern and northern boundary of the development site, albeit the nearest distance between the development site and the provincial road is $\pm 250\text{m}$. The input and approval from DRPW is a requirement before the approval for the process can be sought from the ZF Mgcau 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 Uitkoms/ Opwag 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 will impact on one provincial road, as such, DRPW needs to be informed of the planned township establishment project 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:** As per SPLUMA requirements, input from DRPW should be obtained if a provincial road is being impacted on or bordering to a proposed development. In the case of the Uitkoms / Opwag Township establishment project, a provincial road (indicated in red on the planning diagram – Annexure E) runs parallel to the eastern and northern boundary of the development site, but the nearest point between the development site and the provincial road is $\pm 250\text{m}$. Therefore, the development site is not within a distance of 95 meters from the centreline of any building restrictions or within 5 meters from the statutory boundary of any public road. No problems are expected in this regard.

- **Proposed access points:** The informal community of Uitkom/ Opwag currently receives access from the provincial road via two separate access points (marked with red circles on the planning diagram – Annexure E). These are the only two access points that provide access to the community of Uitkoms/ Opwag, as such this submission also seeks the formalisation (if not already approved accesses) of these access points.

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 existing 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,



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

M +27 82 821 1024
T +27 54 332 3642
E jptheron@mweb.co.za