

MOTIVATION REPORT

03 December 2021

PROPOSED SUBDIVISION, CONSOLIDATION, TOWNSHIP ESTABLISHMENT AND REMOVAL OF RESTRICTIVE TITLE CONDITIONS ON:

- A portion of Portion 8 (a portion of Portion 2), a portion of Portion 24 (a portion of Portion 9), a portion of Portion 25 (a portion of Portion 9) and Portion 32 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province and a portion of Portion 100 (a portion of Portion 2) of the farm Nooitgedacht 434, Registration Division I.P., North West Province
- ## TO CREATE JOUBERTON EXTENSION 31

- Spatial Planning
- Development Management
- Economic Development

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MOTIVATION REPORT

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Contents

.....	1
LIST OF TABLES	4
LIST OF FIGURES	4
LIST OF MAPS	5
LIST OF PHOTOS	5
CHAPTER 1: INTRODUCTION	6
1.1 INTRODUCTION	6
1.2 BACKGROUND OF CITY OF MATLOSANA LOCAL MUNICIPALITY	9
1.2.1 REGIONAL LOCALITY	9
1.2.2 DEMOGRAPHICS	10
1.3 INTEGRATED HUMAN SETTLEMENT PLANNING	17
1.4 APPLICATION	18
1.5 PUBLIC PARTICIPATION	20
1.6 STUDY AREA DELINEATION	21
1.7 REPORT OUTLINE	23
CHAPTER 2: PARTICULARS OF THE DEVELOPMENT AREA	24
2.1 LOCALITY	24
2.2 SG DIAGRAM	24
2.3 OWNER.....	25
2.4 BONDHOLDER	26
2.5 AREA.....	26
2.6 EXISTING LAND USE AND ZONING	26
2.6.1 CURRENT LAND USES	26
2.6.3 CURRENT ZONING	28
2.7 MINERAL RIGHTS.....	29
2.8 CONDITIONS OF TITLE / RESTRICTIVE TITLE CONDITIONS	30
2.9 SERVITUDES.....	46
2.9.1 REGISTERED SERVITUDES AFFECTING THE PROPOSED TOWNSHIP AREA:	46
2.9.2 REGISTERED SERVITUDES THAT DO NOT AFFECT THE PROPOSED TOWNSHIP AREA:	51
2.9.3 REGISTERED SERVITUDES THAT AFFECT THE PROPOSED TOWNSHIP AREA AND ARE TO BE CANCELLED/REMOVED:	52
2.9.4 UNREGISTERED SERVITUDES THAT AFFECT THE PROPOSED TOWNSHIP AREA AND ARE TO BE CANCELLED/REMOVED:	54
CHAPTER 3: PHYSICAL ASPECTS.....	56
3.1 TOPOGRAPHY & DRAINAGE	56
3.2 CLIMATE	57
3.3 FRESHWATER SYSTEM / DRAINAGE	57
3.4 WETLANDS AND PANS	57
3.5 VEGETATION	58
3.6 FAUNA AND FLORA	58
3.6.1 ECOLOGICAL SENSITIVITY:	58
3.6.2 CONCLUSION:.....	59
3.7 GROUNDWATER.....	59
3.8 GEOLOGY.....	59
3.8.1 LOCAL GEOLOGY	60
3.8.2 DRAINAGE	62
3.8.3 CONCLUSIONS.....	62
3.9 ENVIRONMENTAL IMPACT ASSESSMENT	63
3.10 CULTURAL HERITAGE AREAS.....	64

CHAPTER 4: PROPOSED DEVELOPMENT	66
4.1 LAND USES	66
4.1.1 RESIDENTIAL 1.....	69
4.1.2 BUSINESS 1.....	74
4.1.3 INSTITUTIONAL	75
4.1.4 PUBLIC OPEN SPACE.....	76
4.1.5 RECREATIONAL.....	77
4.1.6 PUBLIC ROADS.....	77
4.1.7 MUNICIPAL.....	77
4.1.8 SPECIAL	78
4.2 FACTORS INFLUENCING THE LAYOUT PLAN.....	78
4.3 ACCESS	79
4.3.1 STUDY AREA	82
4.3.2 TRAFFIC FLOWS & TRIP GENERATION.....	83
4.3.3 CAPACITY ANALYSIS	84
4.3.4 ROAD HIERARCHY & ACCESS TO PROPERTIES	87
4.3.5 CONCLUSION.....	87
CHAPTER 5: PROVISION OF ENGINEERING SERVICES	89
5.1 INTRODUCTION	89
5.2 CIVIL ENGINEERING SERVICES	89
5.2.1 BULK WATER	89
5.2.2 BULK SEWERAGE.....	89
5.2.3 SOLID WASTE REMOVAL.....	90
5.3 ELECTRICAL ENGINEERING SERVICES	90
CHAPTER 6: MOTIVATION	91
6.1 INTRODUCTION.....	91
6.2 NATIONAL DEVELOPMENT PLAN: VISION 2030	92
6.3 CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA (ACT 108 OF 1996)	93
6.4 NATIONAL HOUSING CODE (2006).....	94
6.5 A COMPREHENSIVE PLAN FOR THE DEVELOPMENT OF SUSTAINABLE HUMAN SETTLEMENT (BNG STRATEGY)	95
6.6 URBAN (UDF) AND RURAL DEVELOPMENT (RDF) FRAMEWORKS (1997).....	97
6.7 WHITE PAPER ON LOCAL GOVERNMENT (1998)	97
6.8 MUNICIPAL DEMARCATION ACT, 1998 (ACT 27 OF 1998).....	98
6.9 MUNICIPAL SYSTEMS ACT, 2000 (ACT 32 OF 2000).....	99
6.10 NATIONAL HOUSING ACT, 1997 (ACT 107 OF 1997).....	99
6.11 WHITE PAPER ON WISE LAND USE (2001)	100
6.12 MILLENNIUM DEVELOPMENT GOALS (MDG)	101
6.13 NATIONAL SPATIAL DEVELOPMENT PERSPECTIVE (2006)	101
6.14 NORTH WEST PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK, 2016	102
6.15 DR KENNETH KAUNDA DISTRICT SPATIAL DEVELOPMENT FRAMEWORK, 2011	104
6.16 CITY OF MATLOSANA LOCAL MUNICIPALITY INTEGRATED DEVELOPMENT PLAN 2017-2022 (2020 REVIEW)	105
6.17 CITY OF MATLOSANA SPATIAL DEVELOPMENT FRAMEWORK, 2021.....	105
6.18 MATLOSANA ROAD MASTER PLAN (MRMP).....	112
6.19 OUTCOME 8 – 2014-2019 MEDIUM TERM STRATEGIC FRAMEWORK (MTSF)	113
6.20 SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (SPLUMA) DEVELOPMENT PRINCIPLES..	114
6.21 GENERAL	122

List of Tables

TABLE 1: SNAPSHOT OF THE MATLOSANA ECONOMY & DEMOGRAPHICS.....	10
TABLE 2: POPULATION FIGURES OF JOUBERTON	14
TABLE 3: HOUSING TYPES IN THE CITY OF MATLOSANA	16
TABLE 4: LIST OF AREAS WITH INFORMAL SETTLEMENTS	17
TABLE 5: OWNERSHIP DETAILS	25
TABLE 6: PROPOSED ZONINGS AND LAND USES - JOUBERTON EXTENSION 31	69
TABLE 7: COST BREAKDOWN OF MUNICIPAL ENGINEERING SERVICES - DIRECT COSTS.....	71
TABLE 8: COST COMPARISON BETWEEN LARGER AND SMALLER STANDS.....	71
TABLE 9: "RESIDENTIAL 1" DEVELOPMENT PARAMETERS.....	74
TABLE 10: CSIR GUIDELINE FOR SOCIAL FACILITIES	75
TABLE 11: "INSTITUTIONAL" DEVELOPMENT PARAMETERS.....	76
TABLE 12: "PUBLIC OPEN SPACE" DEVELOPMENT PARAMETERS.....	77
TABLE 13: AM PEAK HOUR TRIP GENERATION	83
TABLE 14: PM PEAK HOUR TRIP GENERATION	83
TABLE 15: MODAL SPLIT AM & PM PEAK HOUR*	84
TABLE 16: TOWNSHIP ESTABLISHMENTS IN PROCESS.....	107
TABLE 17: TOWNSHIP ESTABLISHMENTS IN PROCESS.....	112

List of Figures

FIGURE 1: AERIAL PHOTOGRAPH - JOUBERTON EXTENSION 31.....	6
FIGURE 2: ECONOMIC VALUE OF THE DR KENNETH KAUNDA DISTRICT, 1993 - 2017	11
FIGURE 3: LEVEL OF EMPLOYMENT - 200, 2007 & 2017.....	12
FIGURE 4: EMPLOYMENT PER SECTOR - 1993, 2007 & 2017	12
FIGURE 5: AVERAGE ANNUAL HOUSEHOLD INCOME, 2011	13
FIGURE 6: RESIDENTIAL MARKET DEMAND UP TO 2029	15
FIGURE 7: LOCALITY OF ESKOM POWERLINE SERVITUDE VIDE NOTARIAL DEED K1785/1989S AND NOTARIAL DEED OF ROUTE DETERMINATION K1128/1990S.....	32
FIGURE 8: LOCALITY OF RIGHT OF WAY SERVITUDE	35
FIGURE 9: LOCALITY OF ESKOM POWERLINE SERVITUDE VIDE NOTARIAL DEED K2796/1989S AND NOTARIAL DEED OF ROUTE DETERMINATION K1152/1990S.....	36
FIGURE 10: LOCALITY OF RIGHT OF WAY SERVITUDE	38
FIGURE 11: LOCALITY OF ESKOM POWERLINE SERVITUDE VIDE NOTARIAL DEED K2796/1989S AND NOTARIAL DEED OF ROUTE DETERMINATION K1152/1990S	39
FIGURE 12: SERVITUDE DIAGRAM SG NO. A7262/1989 RELATING TO AN ESKOM POWERLINE SERVITUDE.....	47
FIGURE 13: SERVITUDE DIAGRAM SG NO. A7263/1989 RELATING TO AN ESKOM POWERLINE SERVITUDE.....	48
FIGURE 14: SERVITUDE DIAGRAM SG NO. 9137/2008 RELATING TO AN ESKOM POWERLINE SERVITUDE	49
FIGURE 15: SERVITUDE DIAGRAM SG NO. 297/2010 RELATING TO AN ESKOM POWERLINE SERVITUDE	50
FIGURE 16: SUBDIVISION DIAGRAM SG NO. 9136/2008 REFLECTING SERVITUDE OF RIGHT OF WAY	53
FIGURE 17: SERVITUDE DIAGRAM SG NO. 295/2010 REFLECTING SERVITUDE OF RIGHT OF WAY	53
FIGURE 18: SERVITUDE DIAGRAM SG NO. 296/2010 REFLECTING SERVITUDE OF RIGHT OF WAY	54
FIGURE 19: SERVITUDE DIAGRAM SG NO. 292/2010 REFLECTING SERVITUDE OF RIGHT OF WAY OVER PORTION 8 (A PORTION OF PORTION 2) OF THE FARM NOOITGEDACHT 429, REGISTRATION DIVISION I.P., NORTH WEST PROVINCE.....	55
FIGURE 20: LOCALITY OF UNREGISTERED SERVITUDE OF RIGHT OF WAY AS INDICATED ON SERVITUDE DIAGRAM SG NO. 292/2010 (TO BE RETRACTED / WITHDRAWN)	55
FIGURE 21: RESIDENTIAL STAND SIZES	69
FIGURE 22: COMPARATIVE NUMBER OF ERVEN PROVIDED PER FIXED LINEAR DISTANCE.....	71

FIGURE 23: SCHEMATIC PRESENTATION OF 40M ² SUBSIDISED HOUSE ON 300M ² ERF.....	72
FIGURE 24: INCOME DIVIDE / NEED FOR ALTERNATIVE SOLUTIONS.....	72
FIGURE 25: SCHEMATIC PRESENTATION OF AFFORDABLE BONDED HOUSING	73
FIGURE 26: PROPOSED LAYOUT: INTERSECTION 1	85
FIGURE 27: PROPOSED LAYOUT: INTERSECTION 2	85
FIGURE 28: PROPOSED ADDITIONAL UPGRADES: INTERSECTION 3	86
FIGURE 19: PROPOSED UPGRADES FOR INTERSECTION 4	87

List of Maps

MAP 1: LOCALITY OF THE PROPOSED TOWNSHIP AREAS OF JOUBERTON EXTENSION 31, JOUBERTON EXTENSION 34 AND KANANA EXTENSION 16	8
MAP 2: REGIONAL LOCALITY OF CITY OF MATLOSANA LOCAL MUNICIPALITY	9
MAP 3: REGIONAL LOCALITY MAP	22
MAP 4: LOCALITY MAP (OUTSIDE FIGURE)	22
MAP 5: ORIENTATION LOCALITY MAP	24
MAP 6: SURROUNDING LAND USES	27
MAP 7: ZONING MAP OF APPLICATION SITES.....	28
MAP 8: PROPOSED AND ALTERNATIVE ROUTE OF HERMES / DOMINION REEFS 132 KV POWERLINE.....	46
MAP 9: AERIAL PHOTOGRAPH & CONTOUR MAPPING OF APPLICATION SITE.....	56
MAP 10: TOPOGRAPHY AND DRAINAGE.....	57
MAP 11: ECOLOGICAL SENSITIVITY	59
MAP 12: ENGINEERING GEOLOGICAL ZONE MAP.....	61
MAP 13: GRAPHIC PRESENTATION OF THE ENGINEERING GEOLOGICAL ZONE MAP.....	61
MAP 14: JOUBERTON EXTENSION 31 LAYOUT PLAN	0
MAP 15: PROPOSED N12 BYPASS AND INTERCHANGE.....	81
MAP 16: PROPOSED TOWNSHIP STREET CLASSES AND WIDTHS.....	82
MAP 17: DR KENNETH KAUNDA DISTRICT IMPLEMENTATION FRAMEWORK (NODES & LINKS) – CITY OF MATLOSANA LM	103
MAP 18: KLERKSDORP LAND USE 1996 - 2007.....	105
MAP 19: LOCALITY OF INFORMAL SETTLEMENT AREAS IN THE MATLOSANA AREA	106
MAP 20: NEW TOWNSHIP ESTABLISHMENT UNDERWAY IN THE MATLOSANA AREA	108
MAP 21: MATLOSANA URBAN EDGE AS DEFINED IN TERMS OF CITY OF MATLOSANA SPATIAL DEVELOPMENT FRAMEWORK (2021).....	109
MAP 22: FUTURE RESIDENTIAL DEVELOPMENT	110
MAP 23: MATLOSANA ROAD MASTER PLAN	113

List of Photos

PHOTO 2: LAND USES ON SITE (2).....	27
PHOTO 1: LAND USES ON SITE (1).....	27
PHOTO 3: ESKOM POWERLINE THAT RUNS ACROSS SITE	47
PHOTO 4: PHOTO OF APPLICATION SITE NOT OCCUPIED BY INFORMAL SETTLEMENT	65
PHOTO 5: PHOTO OF ROAD D152 (SWARTKOPPIES ROAD).....	80

CHAPTER 1: INTRODUCTION

1.1 INTRODUCTION

Koot Raubenheimer (ID No. 700305 5192 089) of the company Maxim Planning Solutions (Pty) Ltd (2002/017393/07) was appointed by the City of Matlosana Local Municipality to attend to the establishment of a residential township, to be known as Jouberton Extension 31 (comprising a partial re-development of the township area of Jouberton Extension 25), to address the housing backlog and need for residential erven in the municipal area.



Figure 1: Aerial Photograph - Jouberton Extension 31

As can be seen in **Figure 1** above, the application site is currently informally occupied. Google Earth imagery indicates that the informal settlement on site was established at the end of 2018 and has grown exponentially in size since. The project therefore serves to establish formal erven on the application sites to formalize the existing informal settlement area and to partially accommodate the residents of this informal settlement. The project constitutes a collaboration between the Department of Co-operative Governance and Traditional Affairs (COGTA) and the City of Matlosana Local Municipality to create a vibrant and sustainable neighbourhood through a proper township establishment process to allow for the co-ordinated installation of services and the transfer of erven to the beneficiaries thereof. Although residential in nature, the proposed development incorporates various complementary land uses (ranging between business use and social/educational facilities) to service the community. Upon completion, the township will integrate well with the surrounding Jouberton and Kanana residential areas as an integrated human settlement.

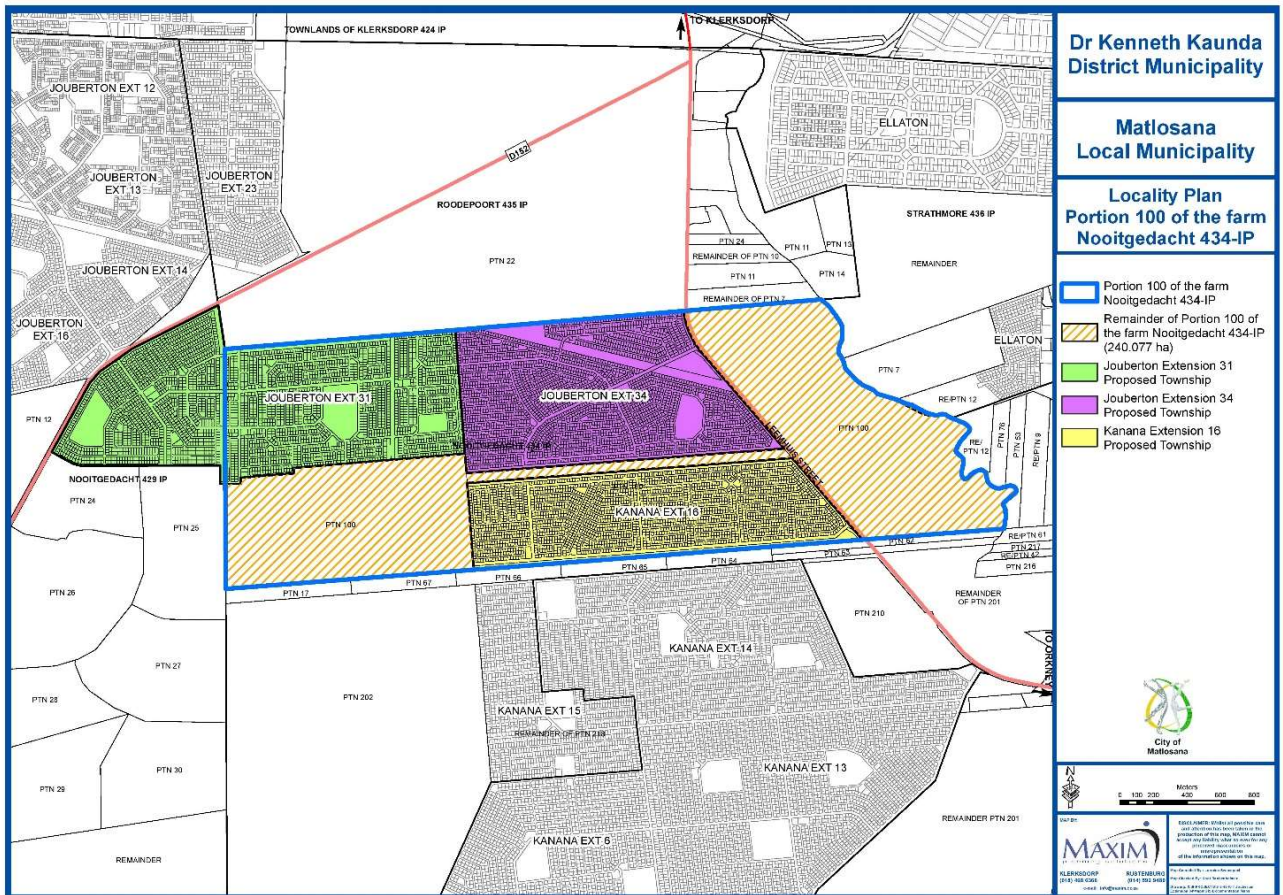
The Department of Human Settlements, Water and Sanitation declared 136 Priority Human Settlements and Housing Development Areas (PHSHDAs) in the Government Gazette No. 43316 of 15 May 2020. The PHSHDAs intend to advance Human Settlements Spatial Transformation and Consolidation by ensuring that the delivery of housing is used to restructure and revitalise towns and cities, strengthen the livelihood prospects of households and overcome apartheid spatial patterns by fostering integrated urban forms.

In North West Province, 14 Priority Housing and Human Settlements Development Areas located within 4 District Municipalities and 9 Local Municipalities were identified. Of these 14 PHSHDAs, the Klerksdorp/Orkney/Stilfontein/Khuma/N12 Development Area was earmarked for development, including the residential area of Jouberton. The proposed development is well aligned with this directive as it aims to address the dire housing situation experienced on site.

Please note that similar township establishment applications have already been submitted to the City of Matlosana for the proposed Kanana Extension 16 and proposed Jouberton Extension 34 township areas situated to the east of the proposed Jouberton Extension 31 on portions of Portion 100 of the farm Nooitgedacht 434, Registration Division I.P., North West Province. These three townships have been planned and designed to complement each other and integrate with one another and function as an integrated urban area linking the existing urban areas of Jouberton in the north and Kanana in the south. The road network in the proposed Jouberton Extension 31 makes provision to link to the proposed road network of Jouberton Extension 34 in the east.

The locality of the proposed township areas of Jouberton Extension 31, Jouberton Extension 34 and Kanana Extension 16 in relation to one another and the greater Jouberton and Kanana urban areas is reflected on **Map 1** overleaf.

Map 1: Locality of the proposed township areas of Jouberton Extension 31, Jouberton Extension 34 and Kanana Extension 16



The planning of the proposed new township area at Jouberton was conducted in an integrated manner and focussed on the entire designated development area. This integrated planning yielded a township area comprising 3 000 residential erven together with an additional 38 erven earmarked for non-residential support functions.

The proposed township Jouberton Extension 31 will comprise of Erven 32 447 to 35 484 and will include:

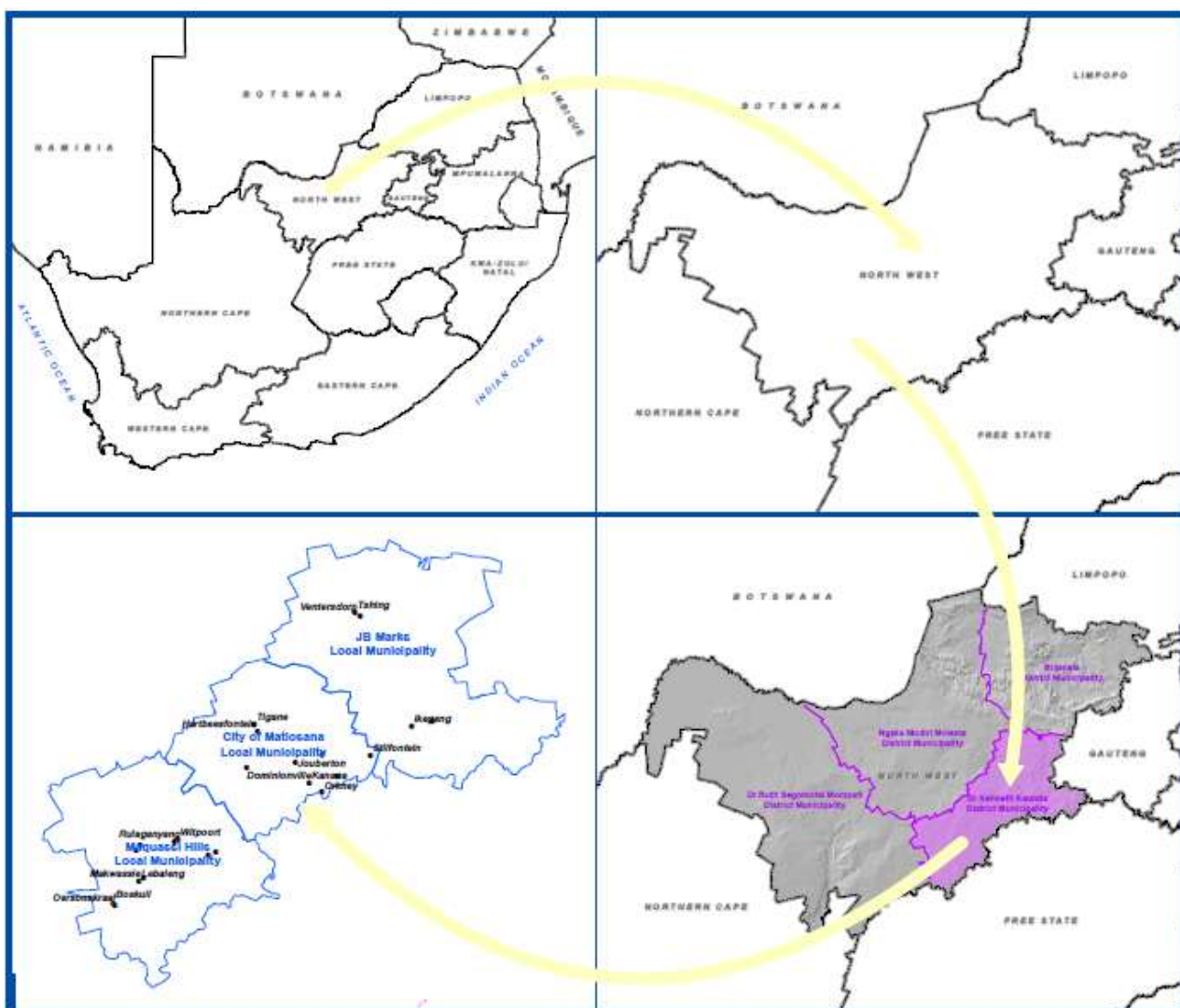
- 3 000 “Residential 1” erven, with an average stand size of 350m².
- 3 “Business 1” erven
- 21 “Institutional” erven, which will be utilised for a secondary school, primary school, creches and places of worship, respectively.
- 2 “Municipal” erven
- 2 “Special” erven, which will be utilised for road widenings
- 2 “Special” erven which will be utilised for parking
- 7 “Public Open Space” erven
- 1 “Recreational” erf and
- Public streets

1.2 BACKGROUND OF CITY OF MATLOSANA LOCAL MUNICIPALITY

1.2.1 REGIONAL LOCALITY

The City of Matlosana Local Municipality (NW403) is located in the south-eastern part of the North West Province. The municipal area covers the central part of the Dr. Kenneth Kaunda District municipal area and is bordered by JB Marks (Potchefstroom & Ventersdorp) municipal area in the east and north-east, Maquassi Hills municipal area in the west and the Free State Province in the south. The municipality comprises a total area of 3162km² and is located on the N12 Treasure Corridor (SDI) linking the municipal area with Gauteng Province in the east and the Northern Cape in the south-west. The municipality is one of four located in the Dr Kenneth Kaunda District Municipality. The municipality consists of a vast rural / commercial farming area, mining area as well as the urban areas of Klerksdorp / Jouberton, Orkney / Kanana, Stilfontein / Khuma and Hartbeesfontein / Tigane.

Map 2: Regional locality of City of Matlosana Local Municipality



The municipality was previously known as the City Council of Klerksdorp and is classified as a Category B municipality. The municipality was officially renamed on 1 July 2005. The name Matlosana is said to mean “People helping each other to move from one area to the other”. The main economic sectors in the municipal area include mining, agriculture, manufacturing, services, construction and transport.

Jouberton forms part of Klerksdorp, which is the largest town in the district, followed by Potchefstroom in the neighboring JB Marks Local Municipality.

1.2.2 DEMOGRAPHICS

The demographic profile detailed below provides an economic overview of the City of Matlosana Local Municipality (NW403) in respect of the sectoral composition (GVA) and employment trends, the population and households as well as household income. A short summary of the economy and demographics is provided in **Table 1** below:

Table 1: Snapshot of the Matlosana economy & demographics

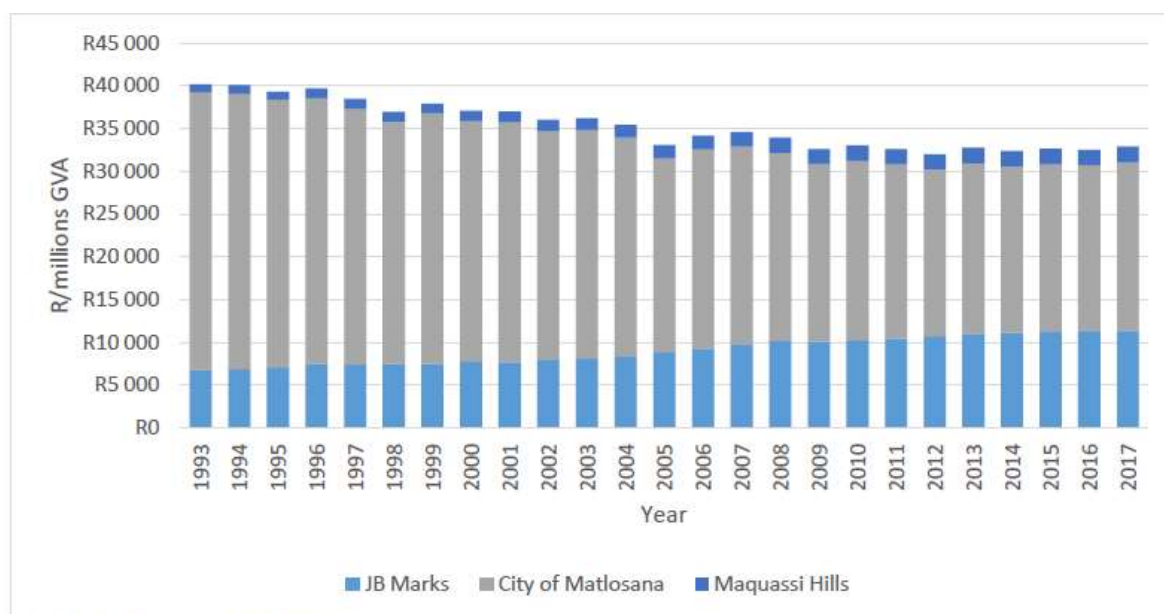
	2016	2017
Economic Indicators		
Size of the economy (GVA)	R19.4 billion	R19.6 billion ▲
Economic growth ¹	-0.6%	0.9% ▲
Main economic sector(s)	1. Finance & business (R3.8 Bn.) 2. General government (R3.2 Bn.) 3. Retail trade (R3.1 Bn.)	1. Finance & business (R3.8 Bn.) 2. General government (R3.3 Bn.) 3. Retail trade (R3.1 Bn.)
Labour		
Total employment	135 184	137 036 ▲
Employment growth ¹	0%	1.4% ▲
Main employment sector(s)	1. Mining (29 631) 2. Retail trade (25 641) 3. Community & personal (23 188)	1. Mining (29 251) 2. Retail trade (26 857) 3. Community & personal (24 290)
Unemployment rate	27.2%	28.2% ▲
Demographics		
People	425 272	430 801 ▲
Households	124 435	126 052 ▲

Average monthly household Income	R 9 550	R 10 242 ▲
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The information contained in sections 1.2.2.1 to 1.2.2.4 is based on data obtained from StatsSA, the City of Matlosana Integrated Development Plan (2020 – 2021), a socio-economic study conducted by Quantec in 2019 as part of the review process of the local Spatial Development Framework, a socio economic study compiled by Dr. Dyason for the Dr. Kenneth Kaunda District Municipality as part of the review of the Spatial Development Framework and the City of Matlosana Human Settlements Sector Plan, 2020.

1.2.2.1 Economic Overview

The City of Matlosana municipality has the largest economy of the three municipalities in the Dr. Kenneth Kaunda District Municipality, as seen in **Figure 2** below:

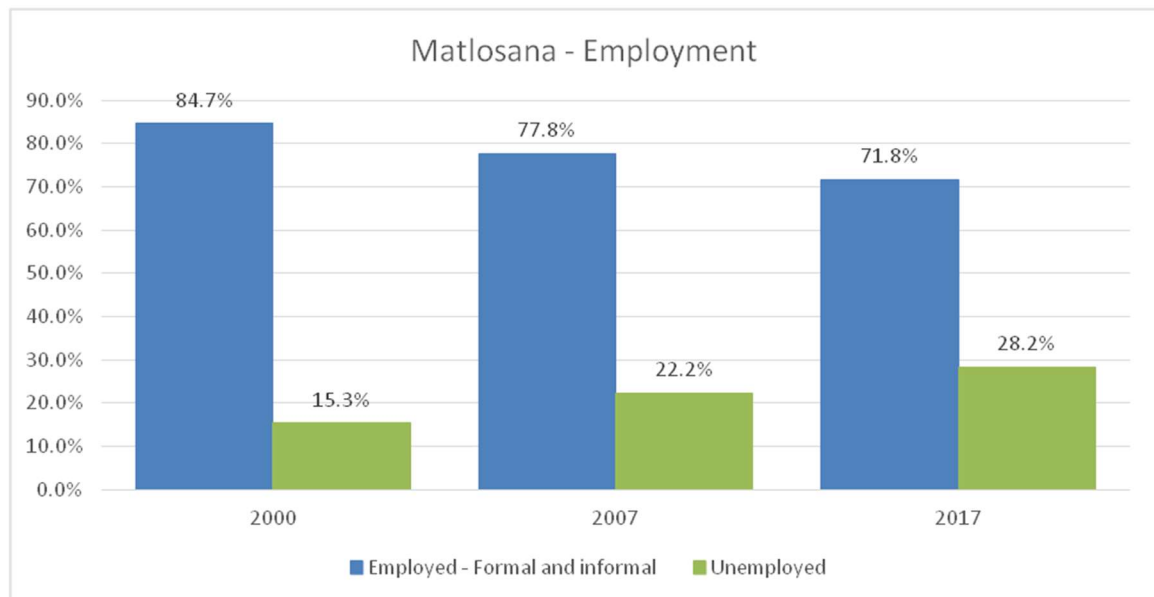


Source: Author ex. Quantec, 2019

Figure 2: Economic value of the Dr Kenneth Kaunda District, 1993 - 2017

However, the economy of the City of Matlosana has continued to decrease from its high in 1993. Since 2012, the size of the local economy has stabilised around R19.5 billion GVA. The main reason for this decrease has been the decrease in mining activity. Since 2012 the local economy has stabilised and even showed first signs of positive economic growth. For the period 2012 to 2017, the local economy has had an average annual growth of 0.1%. The data suggests that the bottom has been reached and that positive growth could be expected for the local economy.

The unemployment rate for the municipality was 28.2% in 2017 as illustrated in **Figure 3** below. The municipal area has a higher unemployment level when compared to the national average (26%) in 2017. The long-term trend shows an increase in the level of unemployment in the local economy.

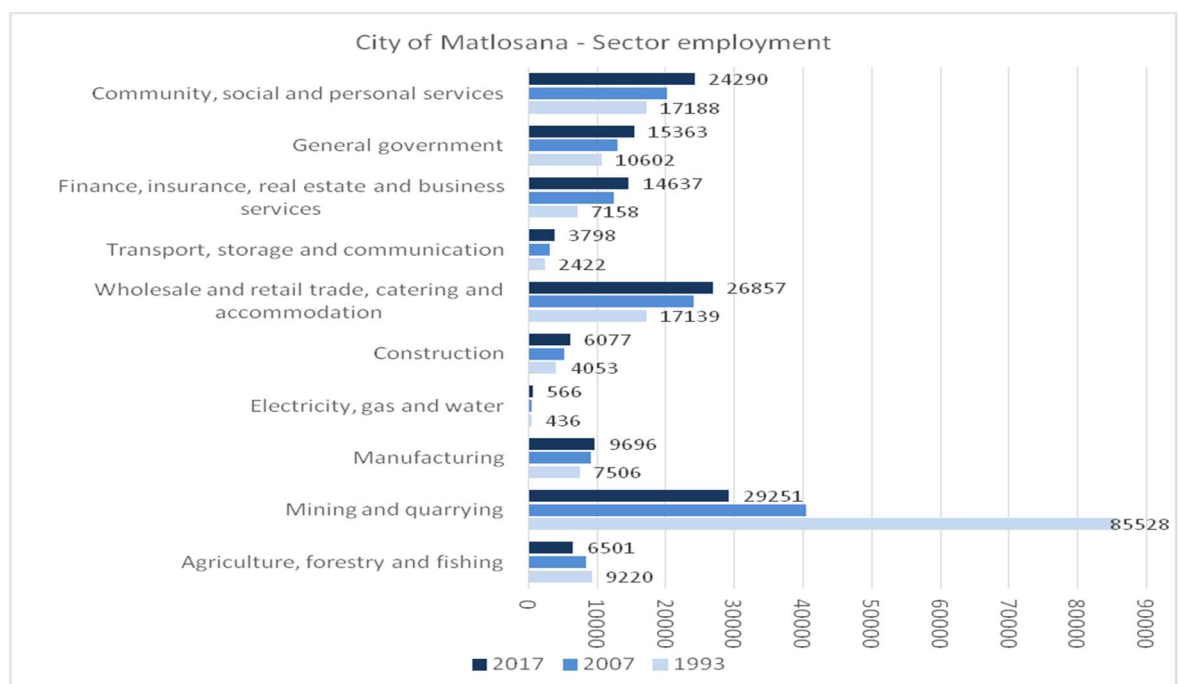


Source: Quantec, 2019

Figure 3: Level of employment - 200, 2007 & 2017

Jouberton in particular has an unemployment rate of 44% (Quantec, 2019).

137 036 jobs are however provided locally in the following sectors:



Source: Quantec, 2019

Figure 4: Employment per sector - 1993, 2007 & 2017

The sector employment in the economy has changed significantly between 1993 and 2017. This change is a result of the decrease in the number of people employed in mining activity and an increase in tertiary sectors (retail trade, business services, community, personal and social services and government sectors).

The average annual household income for the municipality is illustrated in **Figure 5** below:

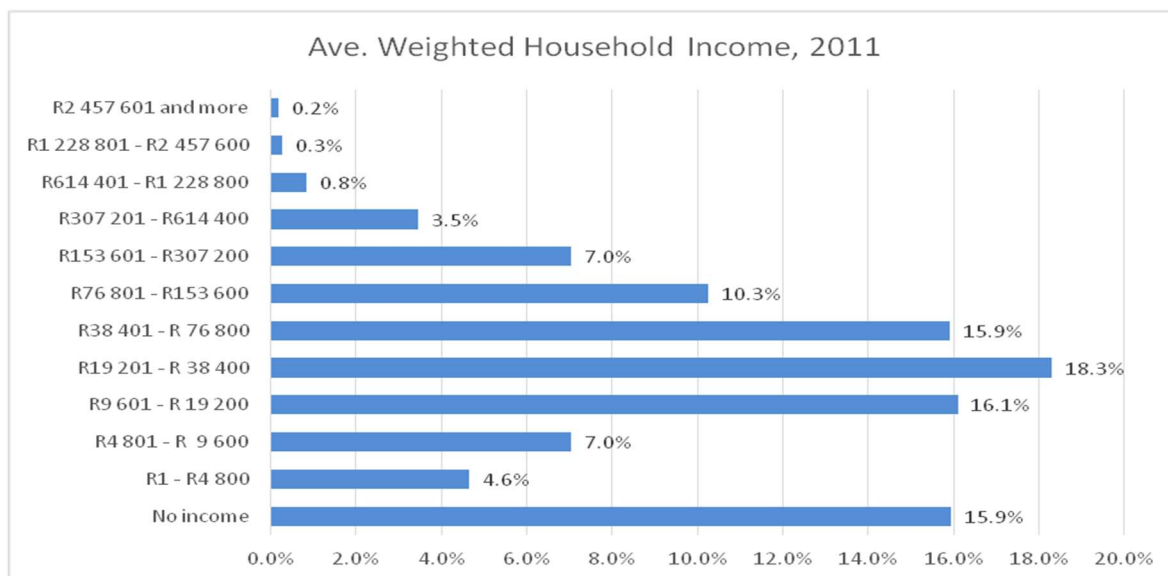


Figure 5: Average annual household income, 2011

The figure shows that the majority (78%) of households earn below R76 800 per annum. A large segment of the market earns no income at all, representing 15.9% of all households.

- Average annual household income for the municipal area in **2011 was R80 790 per annum or R6 732 per month.**
- Average annual household income for the municipal area in **2019 is R141 343 per annum of R11 779 per month.**

The average monthly household income for Jouberton in 2019 is estimated at R6 271.

In terms of housing provision, the following three monthly income ranges are used:

- R0 – R3 500 (qualify for government subsidy and CRU units)
- R3 500 – R7 500 (qualify for social housing)
- R7 500 and higher (qualify for bonded houses)

The affordability profile for the municipal area shows that a total of 62 486 households fall within the residential market for government subsidy and CRU units, 40 867 for bonded houses and 25 998 for social housing.

1.2.2.2 Population Overview

The City of Matlosana has had positive population growth over the past decade. The population growth rate between 2008 and 2017 (10 years) was 1.3% per annum with the household growth at 1.35% annually. This translates into an average annual increase of 3 686 people and 1 079 households annually within the municipal area.

The population density for the municipality is estimated at 112 persons per km² with an average household size of 3.2 people. Approximately 36.7% of households in the municipality are headed by women and the gender split in the municipality is 50:50.

The municipal population total is estimated at 442 074 and the households at 129 351 for 2019, based on census data of 2011 (StatsSA). The 2024 totals are forecasted to be 471 566 and 137 980 respectively. This represents an increase over the next 5 years of 29 492 people and 8 629 households. The population of Jouberton is estimated as follows:

Table 2: Population figures of Jouberton

Subplace	Population total	Household total
Jouberton	111 938	29 677
Jouberton Ext 20	1 728	461

The figures above indicate that Jouberton constitutes approximately 25% of the entire municipal population. Coupled with the employment figures it is clear that sub-places such as Jouberton, Kanana and Khuma, where large numbers of people are residing, are showing the highest level of unemployment in the municipal area.

The age profile of the City of Matlosana is as follows: 0 - 14 years: 28.8%; 15 - 64 years: 66.4%; and older than 65: 5.4%. It is not that different from the national profile based on Census 2011 (i.e. 0 - 14 years: 31.03%; 15 - 64 years: 63.59%; and older than 65: 5.39%).

1.2.2.3 Housing Profile

Figure 6 below provides an overview of the residential market demand for the Matlosana area for the next 10 years. The figure also shows the growth in units for each residential sub-market for the corresponding year. The residential market in South Africa is generally divided into the following segments:

1. Government subsidy
2. Social housing
3. FLISP
4. Low-end bonded
5. Bonded
6. High-end bonded

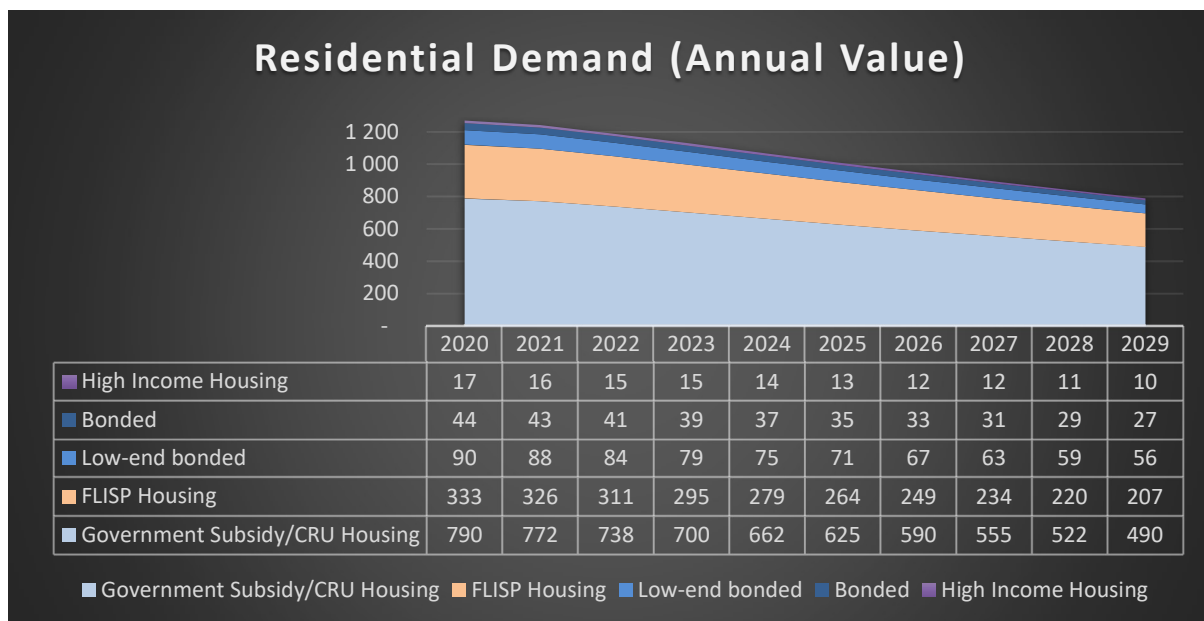


Figure 6: Residential market demand up to 2029

The largest segment of the residential market is for government subsidy and CRU houses (62%). This includes households earning below R3 500 per month. FLISP housing (26.2%) represents the segment of the market that earns between R3 500 and R22 000 monthly and is the second largest segment in the market. The low-end bonded, bonded and high income (13.8%) housing represents all the households that earn more than R22 000 monthly.

The cumulative housing need by 2029 is therefore as follows:

- High income housing: 135 units
- Bonded housing: 359 units
- Low-end bonded housing: 731 units
- FLISP housing: 2719 units
- Government subsidy/CRU housing: 6446 units

Based on the Quantec and IHS figures indicated in **Table 3**, the housing situation in the City of Matlosana improved significantly from 1995 to 2013 to 2016.

- The number of households residing in a house or brick structure more than doubled from 41,106 to 92,052 in 2013 and increased further to 108,300 in 2016;
- The number of informal dwelling/shacks decreased by almost half from 24,546 to 12,929 in 2013. However, the IHS Market figures show an increase to 16,200 in 2016.
- The decline in the number of households residing in a room or flatlet on a shared property can possibly be attributed to the closing of mine hostels.

Table 3: Housing types in the City of Matlosana

Type of House	1995*		2013*		2016**	
	No of households	%	No of house holds	%	No of househo lds	%
House or brick structure on a separate stand or yard	41,106	48%	92,052	75%	108,300	76,04%
House/flat/room, in backyard	6,093	7%	2,565	2%		
Flat in a block of flats	3,030	4%	4,086	3%		
Town/cluster/semi-detached house (simplex, duplex or triplex)	1,035	1%	2,428	2%		
Room/flatlet not in backyard but on a shared property	1,017	1%	862	1%		
Traditional dwelling/hut/structure made of traditional materials	1,409	2%	769	1%	678	
Informal dwelling/shack, in backyard	5,371	6%	6,256	5%	16,200	12,90%
Informal dwelling/shack, NOT in backyard, e.g. in an informal/squatter settlement	24,546	29%	12,929	11%		
Other/unspecified/NA	2,270	3%	1,191	1%	649	

*Source: Matlosana Local Municipality Mining Town Diagnostic Report. Quantec 2013

**Source: IHS Markit Regional eXplorer Version 1338, 2017

Source: Human Settlements Spatial Transformation Plan - Nov 2018

Based on the backlog of 16 200 informal dwelling units indicated in the IHS Market Regional Explorer Version 1338 (2017) report and the estimated need for an additional 2719 FLISP housing units and 6446 Government subsidy/CRU housing units by 2029, the total need for Government subsidy/CRU and FLISP housing is estimated at approximately 25 365 units until 2029.

It is evident from the above figures that the municipality as a whole is experiencing a severe housing backlog. The need for additional residential erven within specifically the Klerksdorp/Jouberton urban complex is evident from **Table 4** below which indicates the location and extent of informal occupation within specifically the Jouberton/Klerksdorp urban complex.

Table 4: List of areas with informal settlements

	Name	Location	Estimated Number of Informal dwellings
Jouberton	Jouberton Informal 1	East of Jouberton X 19, next to cemetery	73
	Jouberton Informal 2	West of Jouberton	83
	Ratanang	North of Jacaranda Village	505
	Jacaranda Informal	Jacaranda Village	64
	Jouberton West	West of Jouberton	1154
	Jouberton South	Jouberton South	2803
	Matlosana Estates	Matlosana Estates*	1235
	Jouberton Ext. 20	School erf 18972	125
	Jouberton Ext. 20	School Erf 20253	101
	Jouberton Ext. 19	School Erf 18981	92
	Jouberton Ext. 19	School Erf 19146	124
Subtotal Jouberton			6359
Klerksdorp	Dawkinsville Informal	East of Klerksdorp CBD	20
	Matlosana Dumping Site	Dumping Site	150
Subtotal Klerksdorp:			170
TOTAL JOUBERTON & KLERKSDORP			6529

As is evident from the table above, a large number of Jouberton residents are still living in informal dwellings without tenure. The table indicates that approximately 2803 informal dwellings are present south of Jouberton (the application site). In this regard cognisance should be taken of the fact that the number of informal occupants of the development area has increased since the fore-mentioned calculation and at present exceeds 3000 informal housing structures. The proposed development aims to formalise these dwellings into registered erven with access to services for the residents.

An undeniable housing need exists in the City of Matlosana municipality, specifically in the Jouberton area. This application serves to partially address this need through providing proper residential properties in close proximity to existing neighborhoods and with the necessary basic services.

1.3 INTEGRATED HUMAN SETTLEMENT PLANNING

As integral part of the township establishment process, the following studies were conducted as part of the pre-planning activities:

- Aerial survey of the development area conducted by Calogero Surveyors;
- Contour survey conducted by Calogero Surveyors;
- Engineering Geological Investigation conducted by Geoset CC;
- Phase 1 Heritage Impact Assessment conducted by A Pelsers Archaeological Consulting CC;
- Environmental Impact Assessment conducted by AB Enviro-Consult;
- Traffic Impact Study conducted by Route² Transport Strategies.

The results of the studies referred to above will be addressed in the respective sections of this Motivation Report.

In terms of current policy directives, the main development strategy for residential development should be based on the objectives of the Breaking New Ground Principles (BNG) for sustainable human settlements which can be summarised as follows:

- To ensure that sustainable housing development takes place.
- To integrate housing with other municipal services in order to establish sustainable human settlements, in support of spatial restructuring.
- To coordinate municipal departments in order to work together in planning and implementing.
- To promote middle- and high-income housing which will in turn generate resources to improve low income areas.
- To promote environmental and energy efficient housing.

The approach to ensuring that sustainable human settlements are achieved should include:

- Spatial transformation and economic integration
- Viable infrastructure provisioning and life-cycle management
- Functional, responsive and innovative design
- Easy and close access to range of services and amenities
- Affordable urban living
- Financial viability
- Effective urban management and municipal financial sustainability
- Environmental sustainability
- Local job creation and empowerment

1.4 **APPLICATION**

Koot Raubenheimer (ID No. 700305 5192 089) of the company Maxim Planning Solutions (Pty) Ltd (2002/017393/07), being the authorised agent of the City of Matlosana Local Municipality (NW403), is hereby applying to the City of Matlosana Local Municipality in terms of:

- Section 67(2) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016, read together with the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) for the subdivision of:
 - Portion 8 (a portion of Portion 2) of the farm Nooitgedacht 429, Registration Division I.P., North West Province into two (2) portions (one of which will comprise the Remainder of the subject property);

- Portion 24 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province into two (2) portions (one of which will comprise the Remainder of the subject property);
 - Portion 25 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province into two (2) portions (one of which will comprise the Remainder of the subject property); and
 - Portion 100 (a portion of Portion 2) of the farm Nooitgedacht 434, Registration Division I.P., North West Province into two (2) portions (one of which will comprise the Remainder of the subject property)
- Section 73(1) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016, read together with the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) for the consolidation of:
 - A portion of Portion 8 (a portion of Portion 2) of the farm Nooitgedacht 429, Registration Division I.P., North West Province;
 - A portion of Portion 24 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province ;
 - A portion of Portion 25 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province;
 - Portion 32 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province; and
 - A portion of Portion 100 (a portion of Portion 2) of the farm Nooitgedacht 434, Registration Division I.P., North West Province
- Section 56(1) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016, read together with the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) and Chapter IV of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), for the establishment of the proposed township Jouberton Extension 31 on the following properties:
 - A portion of Portion 8 (a portion of Portion 2) of the Farm Nooitgedacht 429, Registration Division I.P., North West Province;
 - A portion of Portion 24 (a portion of Portion 9) of the Farm Nooitgedacht 429, Registration Division I.P., North West Province;
 - A portion of Portion 25 (a portion of Portion 9) of the Farm Nooitgedacht 429, Registration Division I.P., North West Province;
 - Portion 32 (a portion of Portion 9) of the Farm Nooitgedacht 429, Registration Division I.P., North West Province; and
 - A portion of Portion 100 (a portion of Portion 2) of the farm Nooitgedacht 434, Registration Division I.P., North West Provincecomprising approximately 3000 erven zoned “Residential 1”, 3 erven zoned “Business 1”, 21 erven zoned “Institutional”, 2 erven zoned “Municipal”, 2 erven zoned “Special” (for the purposes of a road widening), 2 erven zoned “Special” (for the purposes of

parking), 1 erf zoned “Recreational”, 7 erven zoned “Public Open Space” and the associated public streets that will be zoned “Existing Public Roads”; and

- Section 63(2) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016, read together with the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) for the removal of:
 - Conditions D. and E. in Deed of Transfer T90619/2018 in respect of Portion 24 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province;
 - Condition C. in Deed of Transfer T90619/2018 in respect of Portion 25 (a portion of Portion 9) of the Farm Nooitgedacht 429, Registration Division I.P., North West Province; and
 - Conditions V.1 to V.10 in Deed of Transfer T44091/1973 in respect of Portion 100 (a portion of Portion 2) of the farm Nooitgedacht 434, Registration Division I.P., North West Province

1.5 PUBLIC PARTICIPATION

The proposed township establishment application will be advertised in terms of Sections 94(1)(b), 94(1)(g) and 94(1)(h) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016. The public participation process will include the following:

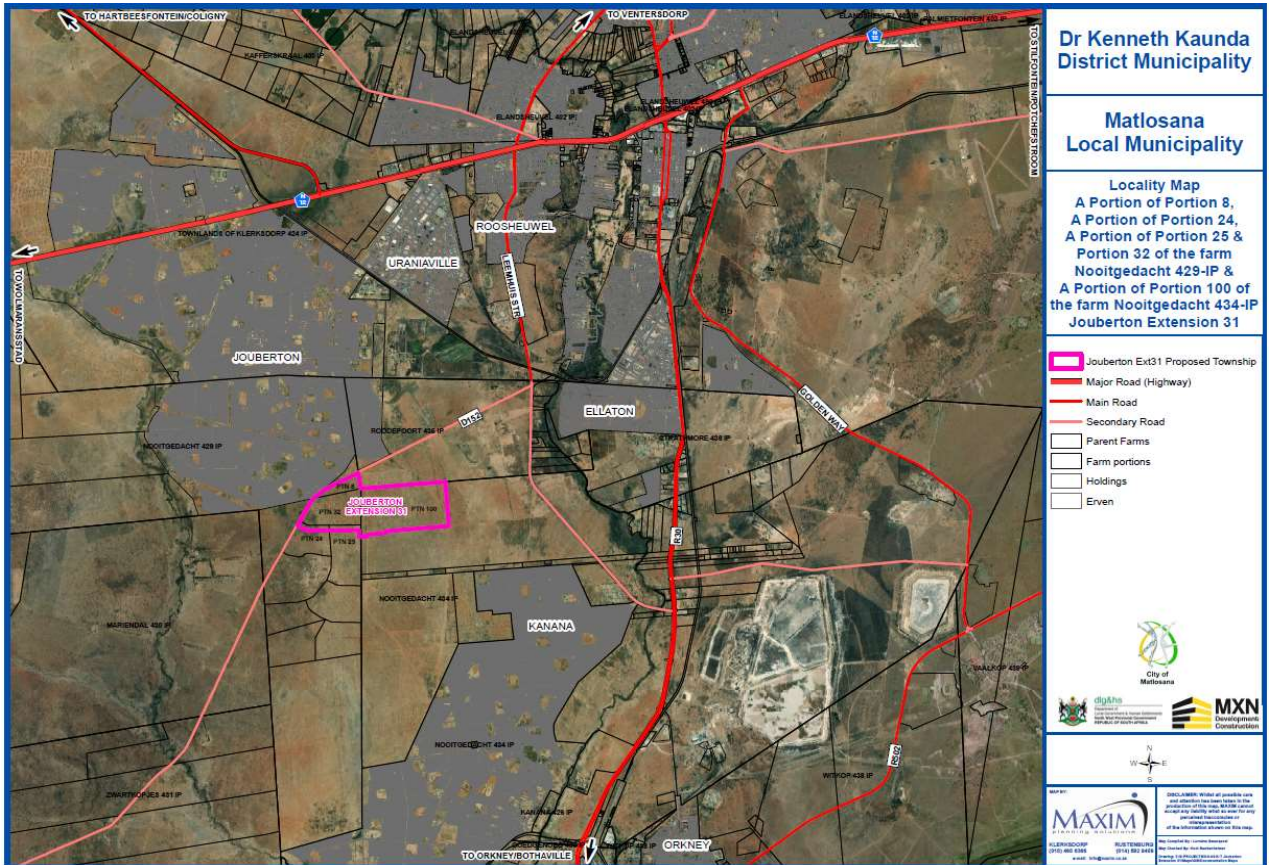
- Publishing notices of the application (as set out in **Annexure C1** of the comprehensive Land Development Application) in the Klerksdorp Rekord in Afrikaans & English as contemplated in Section 94(2)(a) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-Law on Spatial Planning and Land Use Management, 2016.
- Appending notices of the application (as set out in **Annexure C2** of the comprehensive Land Development Application) on the notice board situated at the library as contemplated in Section 94(2)(b) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-Law on Spatial Planning and Land Use Management, 2016.
- Displaying a notice (as set out in **Annexure C3** of the Comprehensive Land Development Application) in a conspicuous place on the land to which the application applies as contemplated in Section 97(1)(a) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-Law on Spatial Planning and Land Use Management, 2016.
- Notices to adjacent property owners (as set out in **Annexure C4** of the comprehensive Land Development Application) as contemplated in Section 95(1)(c) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-Law on Spatial Planning and Land Use Management, 2016.

- Notices to the following external departments / organizations (as set out in **Annexure C5** of the comprehensive Land Development Application) in order to obtain letters of consent / objection as contemplated in Section 97(1)(f) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-Law on Spatial Planning and Land Use Management, 2016.
 - Department of Public Works and Roads
 - Openserve (Telkom SA Limited)
 - Eskom
 - Dr. Kenneth Kaunda District Municipality (DRKKDM)
 - Department of Minerals Resources (DMR)
 - Department of Agriculture, Land Reform and Rural Development (DALRRD)
 - Department of Water and Sanitation (DWS)
 - Department of Co-operative Governance and Traditional Affairs (COGTA)
 - Department of Education
 - Department of Health
 - South African Post Office (SAPO)
 - Transnet Freight Rail
 - South African Heritage Resources Agency (SAHRA)
 - South African National Roads Agency Limited (SANRAL)
 - Midvaal Water
 - Department of Economic Development, Environment, Conservation and Tourism (DEDECT)
 - Department of Agriculture, Forestry and Fisheries (DAFF)

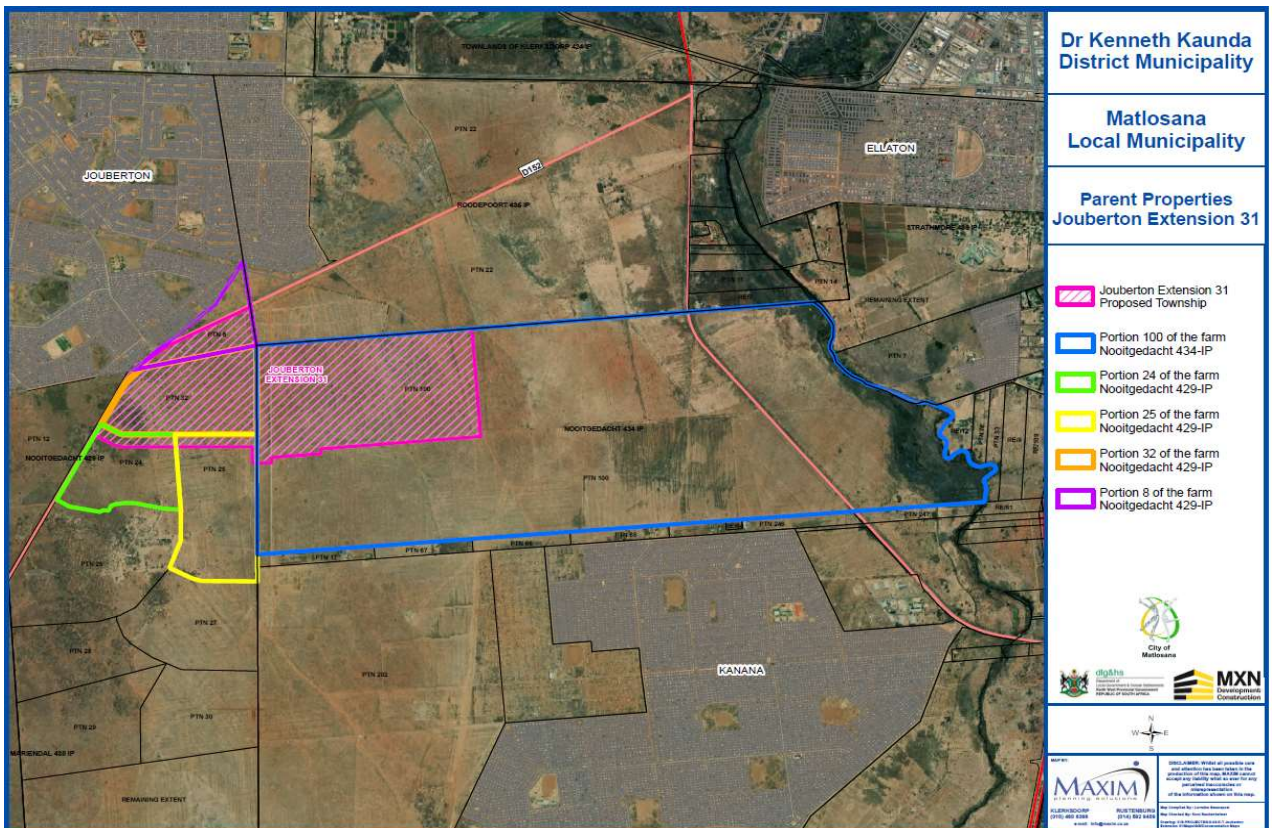
The public will be afforded a period of 30 days to comment in this matter whereas the external organisations / departments that will be approached for comments will be afforded a period of 60 days to furnish us with their comments in respect of the application. Following receipt of the said comments we will forward same to your Municipality for your further attention and record purposes.

1.6 **STUDY AREA DELINEATION**

The proposed development area comprises approximately 173ha, made up of portions of Portions 8, 24 and 25 and Portion 32 of the farm Nooitgedacht 429 and a portion of Portion 100 of the farm Nooitgedacht 434, Registration Division I.P., North West Province, as reflected on **Map 3** and **Map 4** below.



Map 3: Regional Locality Map



Map 4: Locality Map (outside figure)

1.7 REPORT OUTLINE

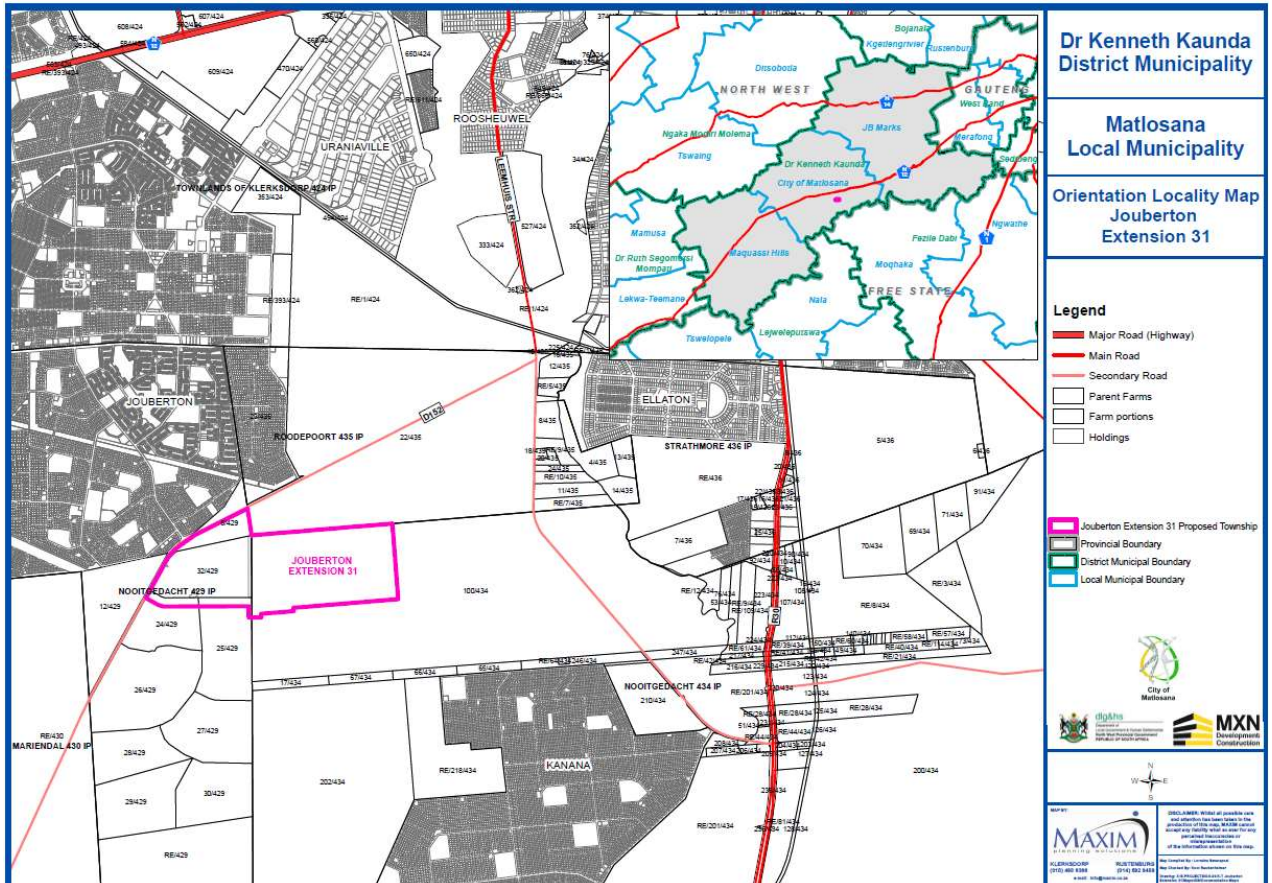
The remainder of the report is structured in terms of the following main headings:

- Chapter 2: Particulars of the development area
- Chapter 3: Physical aspects
- Chapter 4: Proposed development
- Chapter 5: Provision of Engineering Services
- Chapter 6: Motivation

CHAPTER 2: PARTICULARS OF THE DEVELOPMENT AREA

2.1 LOCALITY

The application site is located south-east of the existing Jouberton urban area, south of Jouberton cemetery, and is bordered to the west by District Road D152 (Swartkoppies Road), as can be seen on **Map 5** below:



Map 5: Orientation Locality Map

All locality plans of the proposed township/development area are attached to the comprehensive land development application as **Annexures H1 – H4**.

2.2 SG DIAGRAM

Portion 8 (a portion of Portion 2) of the farm Nooitgedacht 429, Registration Division I.P., North West Province is reflected on SG diagram A2322/1929 (attached as **Annexure F1** to the comprehensive Land Development Application).

Portion 24 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province is reflected on SG diagram 9136/2008 (attached as **Annexure F2** to the comprehensive Land Development Application).

Portion 25 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province is reflected on SG diagram 9137/2008 (attached as **Annexure F3** to the comprehensive Land Development Application).

Portion 32 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province is reflected on SG diagram 297/2010 (attached as **Annexure F4** to the comprehensive Land Development Application).

Portion 100 (a portion of Portion 2) of the farm Nooitgedacht 434, Registration Division I.P., North West Province is reflected on SG diagram A855/1972 (attached as **Annexure F5** to the comprehensive Land Development Application).

As previously mentioned, the proposed development includes the re-design of the previously planned Jouberton Extension 25. Jouberton Extension 25 is reflected on General Plan S.G. No 298/2010 (Sheet 1 – 4). This general plan will be withdrawn and cancelled at the office of the Surveyor-General, following the approval of this application.

2.3 OWNER

The properties on which the proposed township is to be established, are currently registered as follows:

Table 5: Ownership details

Property Description	Registered Owner	Deed of Transfer Number
Portion 24 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province	City of Matlosana Local Municipality	T90619/2018
Portion 25 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province		
Portion 32 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province		T28683/1956
Portion 8 (a portion of Portion 2) of the farm Nooitgedacht 429, Registration Division I.P., North West Province		T44091/1973
Portion 100 (a portion of Portion 2) of the Farm Nooitgedacht 434, Registration Division I.P., North West Province		

(Refer **Annexures E1 – E5** of the comprehensive Land Development Application for a copy of the Deeds Office Enquiries conducted in respect of the above-mentioned properties as well as **Annexure E6 – E8** for the relevant Deed of Transfer).

2.4 BONDHOLDER

The properties listed in **Table 5** above are not subject to any bonds (refer **Annexures E1 – E5** of the comprehensive Land Development Application for Deeds Office Enquiries that confirm the absence of any bonds as well as **Annexure K** for the Conveyancer Certificate to the same effect).

2.5 AREA

As mentioned previously, the application under consideration only applies to portions of the following properties:

Property Description	Registered Size	Portion to be used for proposed development
Portion 24 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province	33.4025ha	± 4.4038ha
Portion 25 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province	50.4975ha	± 4.8227ha
Portion 32 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province	45.8925ha	45.8925ha
Portion 8 (a portion of Portion 2) of the farm Nooitgedacht 429, Registration Division I.P., North West Province	19.6488ha	±12.0383ha
Portion 100 (a portion of Portion 2) of the farm Nooitgedacht 434, Registration Division I.P., North West Province	593.6690ha	±105.7331ha

Refer to **Annexure M** of the comprehensive Land Development Application for the proposed subdivision maps.

As integral part of the township establishment process, this application also seeks approval in respect of the consolidation of the component farm portions comprising the proposed township area. The proposed consolidation map is attached to the comprehensive Land Development Application as **Annexure N**.

2.6 EXISTING LAND USE AND ZONING

2.6.1 CURRENT LAND USES

The majority of the application site is occupied by an informal settlement, as indicated in the site photographs referenced as **Photo 1 & 2 below**.



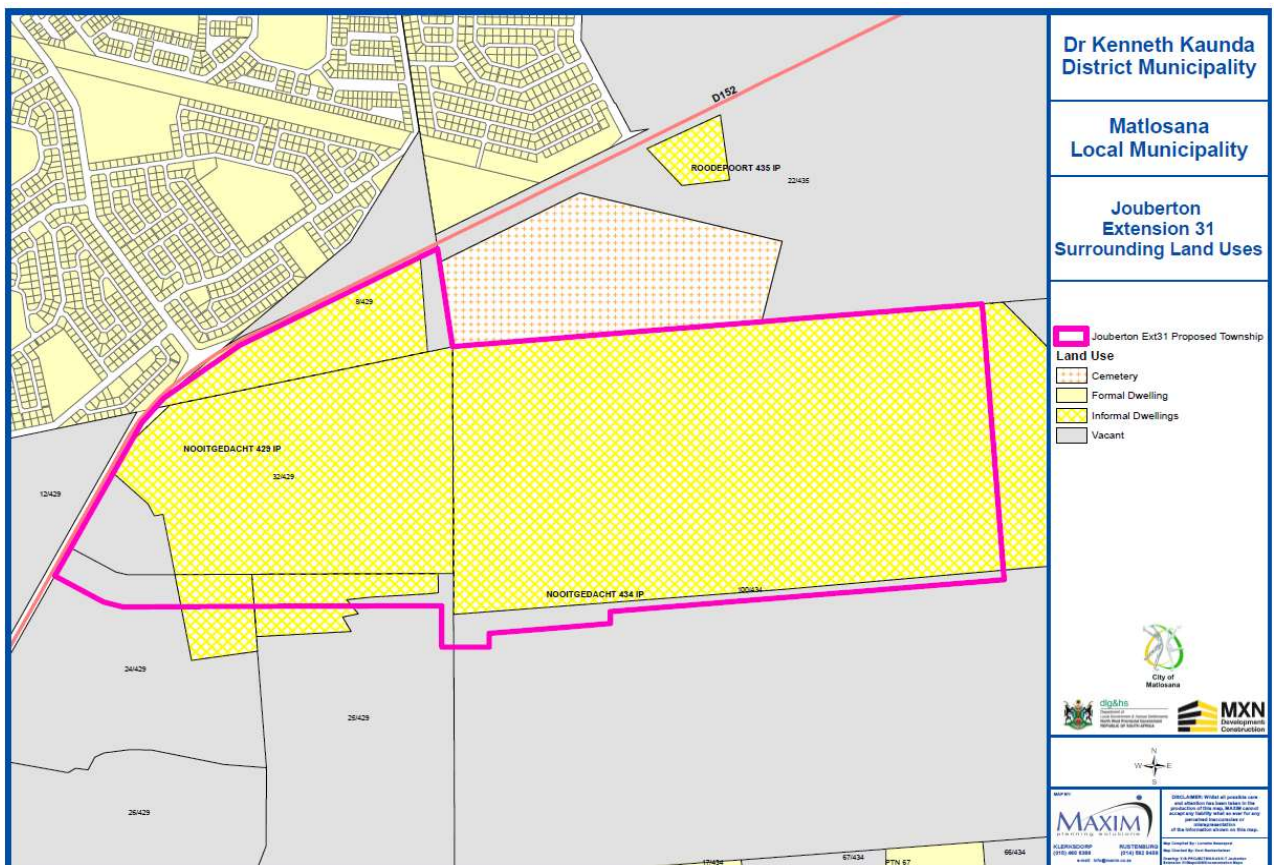
Photo 1: Land Uses on Site (1)



Photo 2: Land Uses on Site (2)

2.6.2 SURROUNDING LAND USES

As indicated on **Map 6** below, the application site is situated south-east of the existing Jouberton residential urban area, and south of the existing Jouberton cemetery. As previously indicated, residential townships are planned to the east of the proposed development (Jouberton Extension 34 and Kanana Extension 16). The Land Development Applications in respect of the fore-mentioned proposed township areas are currently pending approval by the City of Matlosana. The proposed development has been designed in a manner to integrate with both the existing and planned residential townships. The land located directly north-east and south-west of the development area is still undeveloped.



Map 6: Surrounding Land Uses

2.6.3 CURRENT ZONING

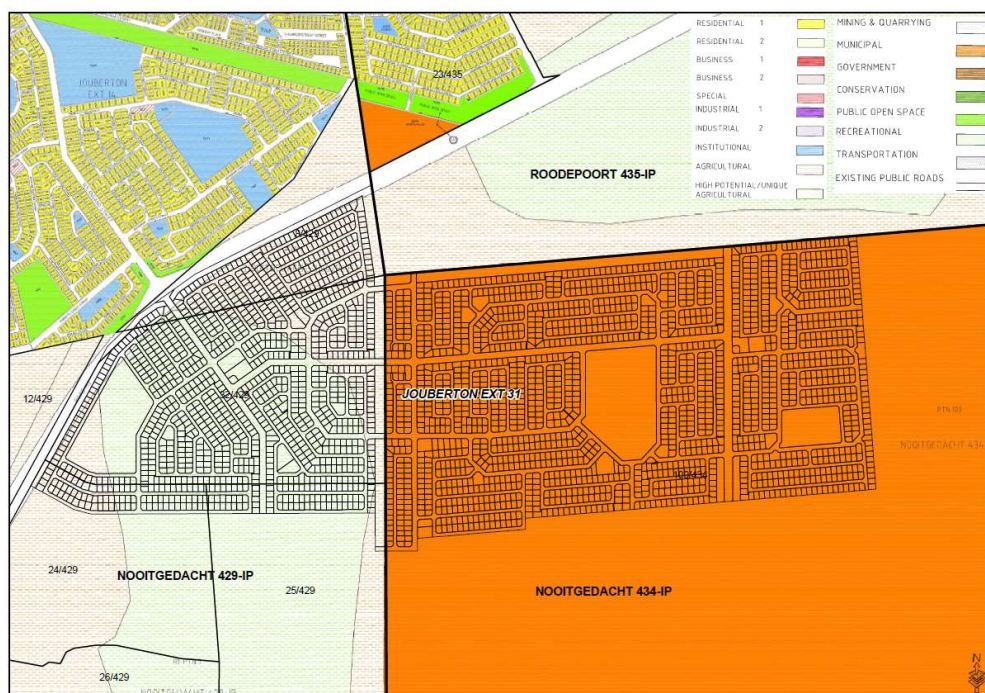
The various current zonings for the application sites, in terms of the Klerksdorp Land Use Management Scheme, 2005 are as follows:

- A portion of Portion 24 (a portion of Portion 9) of the Farm Nooitgedacht 429, Registration Division I.P., North West Province: **“Agricultural”** & **“High Potential/Unique Agricultural”**
- A portion of Portion 25 (a portion of Portion 9) of the Farm Nooitgedacht 429, Registration Division I.P., North West Province: **“Agricultural”** & **“High Potential/Unique Agricultural”**
- A portion of Portion 8 (a portion of Portion 2) of the Farm Nooitgedacht 429, Registration Division I.P., North West Province: **“Agricultural”** & **“High Potential/Unique Agricultural”**
- Portion 32 (a portion of Portion 9) of the Farm Nooitgedacht 429, Registration Division I.P., North West Province: **“Agricultural”** & **“High Potential/Unique Agricultural”**
- A portion of Portion 100 (a portion of Portion 2) of the farm Nooitgedacht 434, Registration Division I.P., North West Province: **“Municipal”**

(See extract from zoning map in **Map 7** below)

PLEASE NOTE: As part of the Public Participation process detailed in Section 1.5 the application for subdivision and township establishment will be circulated to the Department of Agriculture, Land Reform and Rural Development for consent in terms of Clauses 31.1.1 and 31.1.2 of the Klerksdorp Land Use Management Scheme, 2005, regarding the development of High Potential/Unique Agricultural land as well as in compliance to Act 70 of 1970.

Map 7: Zoning Map of application sites



(Refer also to Zoning Certificates attached as **Annexure O** to the comprehensive Land Development Application).

2.7 MINERAL RIGHTS

The following conditions are contained in Deed of Transfer **T28683/1956** in respect of Portion 8 (a portion of Portion 2) of the farm Nooitgedacht 429, Registration Division I.P., North West Province:

- **Condition (c) on page 3**

“Die sessie van minerale regte, insluitende goud, silwer, diamante, kool, olie en edelgesteentes en elke sort mineral en metaal, edel sowel as onedel, in, oor en in verband met die eiendom, ten faveure van WESTERN REEFS EXPLORATION AND DEVELOPMENT COMPANY LIMITED, geregistreer onder Sessie van Minerale Regte, No. 825/1936-S, op 27 Oktober 1936; met verdere bykomende regte ten opsigte van ‘n reg van weg, die neerle van treinspore, pyplyne, kraglyne, die bou van treinhalttes en geboue, die maak van boorgate, putte, skagte en uitgrawings en die Vervoer van water en masjienerie soos meer ten volle uiteengesit in die voornoemde Sessie.”

The condition relates to a Cession of Mineral Rights as will more fully appear on reference to Deed of Cession No. 825/1936-S. As this condition relates to mineral rights same will not be taken forward into the Certificate of Registered Title to be registered in respect of the land on which the township is to be established (in accordance with Chief Registrar’s Circular 2/2011 as substituted by Chief Registrar’s Circular 3/2017).

The following conditions are contained in Deed of Transfer **T44091/1973** in respect of Portion 100 (a portion of Portion 2) of the farm Nooitgedacht 434, Registration Division I.P., North West Province:

- **Condition I on page 3**

“THAT portion of the property hereby transferred indicated by the figure aB’ middle of Schoonspruit C’b on annexed diagram S.G. No. A. 855/72 is subject to the Cession of Mineral Rights as will more fully appear from Deed of Cession No. 737A/1936 dated 29th August 1936 and registered on 24th October 1936, which Cession of Mineral Rights was in respect of Portion of Portion of the said farm measuring 129,9151 hectares”

The condition relates to a Cession of Mineral Rights as will more fully appear on reference to Deed of Cession No. 737A/1936. As this condition relates to mineral rights same will not be taken forward into the Certificate of Registered Title to be registered in respect of the land on which the township is to be established (in

accordance with Chief Registrar’s Circular 2/2011 as substituted by Chief Registrar’s Circular 3/2017).

○ **Condition II on page 3**

“THAT portion of the property hereby transferred, indicated by the figure AabD on the annexed diagram S.G. No. A 855/72 is subject to the reservation of Mineral Rights as will more fully appear from Certificate of Mineral Rights No. ___/1973 dated this day, which reservation was made in respect of certain mineral area No. 1 situated on the remaining extent of Portion 2 of the said farm NOOITGEDACHT No. 434 measuring 828,3301 hectares.”

This condition relates to the reservation of rights to minerals by virtue of Certificate of Mineral Rights No. ___/1973 (relevant number of Certificate of Mineral Rights illegible on Deed of Transfer) and will not be taken forward into the Certificate of Registered Title to be registered in respect of the land on which the township is to be established (in accordance with Chief Registrar’s Circular 2/2011 as substituted by Chief Registrar’s Circular 3/2017).

All the above-mentioned reservations of rights to minerals are however subject to the provisions of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) that came into force on 01 May 2004 which stipulates that all unused old order rights will lapse on 01 May 2005 if not exercised and now vest in the State as the custodian of all mineral rights. The land development application will subsequently also be referred to the Department of Mineral Resources for its consent in terms of Section 53 of the fore-mentioned Act in respect of the proposed development.

2.8 CONDITIONS OF TITLE / RESTRICTIVE TITLE CONDITIONS

The following title conditions are registered in the relevant Deeds of Transfer of the properties on which the proposed township is to be established (as listed below). The content of each title condition will be addressed individually to ascertain whether said condition is restrictive in respect of the township establishment or not.

- **Deed of Transfer T28683/1956 in respect of Portion 8 (a portion of Portion 2) of the farm Nooitgedacht 429, Registration Division I.P., North West Province (refer to Annexure E7 of the Comprehensive Land Development Application)**
 - ***“(a) Die regte van die Goewerneur-Generaal soos in Artikel vier-en-dertig van die Kroongrond Nederzettingswet, 1912, bepaal”.***

This condition relates to the rights of the State President in terms of Section 34 of the Land Settlement Act, 1912. The Land Settlement Act, 1912 was repealed by virtue of the Land Settlement Act, 1956 (Act 21 of 1956) and this condition

should not be brought forward into the Certificate of Registered Title to be registered in respect of the land on which the township is to be established.

- ***“(b) Die voorwaarde dat die grond hierby getransporteer of enige gedeelte daarvan nie vervreem, verpand of verhuur mag word aan, of om aandele bewerk mag word deur ‘n nie-blanke of ‘n maatskappy, waarin nie-blankes beheersende belang het, sonder die toestemming van die Goewerneur-Generaal nie”.***

This condition has lapsed due to repeal by virtue of Section 28(1) of the General Law Amendment Act, 1969 (Act 101 of 1969) and will not be brought forward in the Certificate of Registered Title to be registered in respect of the portion of the subject property included in the proposed township area.

- ***Condition (c) on page 3 of Deed of Transfer T28683/1956***

This condition relates to the reservation of rights to minerals and will be addressed as set out in paragraph 2.7 supra.

- ***“By Notarial Deed K1343/1981S, the right has been granted to EVKOM to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to said Notarial Deed and diagram, grosse whereof is hereunto annexed”.***

This endorsement relates to a servitude in favour of ESKOM as registered by virtue of Notarial Deed K1343/1981S. The route of this servitude has been determined and is reflected on servitude diagram SG No. A4777/1987 (refer to **Annexure F10** of the Comprehensive Land Development Application) and has been registered by virtue of Notarial Deed of Route Determination K1455/1989S (refer to **Annexure E11** of the Comprehensive Land Development Application). This servitude does not affect the proposed township area due to the locality thereof in relation to the proposed township area.

- ***“By Notarial Deed K1785/89S, the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to said Notarial Deed and diagram, grosse whereof is hereunto annexed”.***

This endorsement relates to a servitude in favour of ESKOM as registered by virtue of Notarial Deed K1785/1989S (refer to **Annexure E12** of the Comprehensive Land Development Application). The route of this servitude has been determined and is reflected on servitude diagram SG No. A7262/1989 (refer

to **Annexure F11** of the Comprehensive Land Development Application) and has been registered by virtue of Notarial Deed of Route Determination K1128/1990S (refer to **Annexure E13** of the Comprehensive Land Development Application). This servitude affects Erf 35480 in the proposed township area and this servitude should be passed on to the specific erf affected thereby.

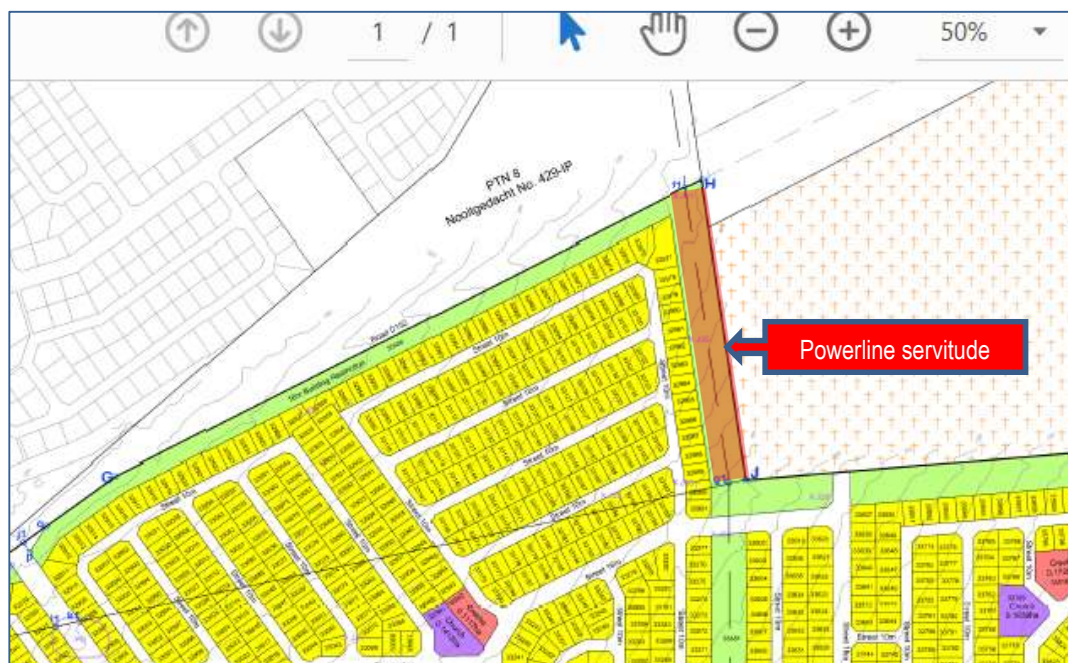


Figure 7: Locality of Eskom powerline servitude vide Notarial Deed K1785/1989S and Notarial Deed of Route Determination K1128/1990S

- **Deed of Transfer T90619/2018 in respect of Portion 24 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province (refer to Annexure E6 of the Comprehensive Land Development Application)**
 - ***“A. The rights of the State President as described in Section thirty-four of the land Settlement Act 1912”.***

This condition relates to the rights of the State President in terms of Section 34 of the Land Settlement Act, 1912. The Land Settlement Act, 1912 was repealed by virtue of the Land Settlement Act, 1956 (Act 21 of 1956) and this condition should not be brought forward into the Certificate of Registered Title to be registered in respect of the land on which the township is to be established.

- ***“B. Former Remaining Extent of Portion 9 of The Farm Nooitgedacht 429 of which this property formed part is subject to the following conditions:***
 1. ***ONDERHEWIG aan een reg van weg 9.45 meter wyd langs die sy B2 B4 aangedui op Kaart S.G. nr A2080/31 geheg aan Akte van***

Transport Nr. 1899/1932 ten gunste van die eienaar van die resterende gedeelte van gemelde gedeelte C, groot as sulks 427,0654 Hektaar”.

This condition relates to a servitude of right of way 9.45m wide as indicated on diagram SG No. A2080/1931 (refer to **Annexure F6** of the Comprehensive Land Development Application). This servitude does not affect the proposed township area due to the location thereof in relation to the proposed township area.

- ***“B. Former Remaining Extent of Portion 9 of The Farm Nooitgedacht 429 of which this property formed part is subject to the following conditions:***

2. ***Onderhewig aan die reg verleen aan ESKOM om elektrisiteit oor die hierinvermelde eiendom te Vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit Notariële Akte K2796/1989S met kaart, geregistreer op 7 Augustus 1989 en soos aangedui deur die lyn ab op diagram SG A7263/1989 wat geregistreer is as roete bepaling kragtens Notariële Akte K1152/1990S”.***

This condition relates to a servitude in favour of ESKOM as registered by virtue of Notarial Deed K2796/1989S. The route of this servitude has been determined and is reflected on servitude diagram SG No. A7263/1989 (refer to **Annexure F7** of the Comprehensive Land Development Application). Even though this servitude affects the proposed township area where it applies to Portions 25 and 32 of the farm Nooitgedacht 429, Registration Division I.P., North West Province, this servitude does not affect Portion 24 of the fore-mentioned farm due to the location of the servitude in relation to the relevant farm portion.

- ***“B. Former Remaining Extent of Portion 9 of The Farm Nooitgedacht 429 of which this property formed part is subject to the following conditions:***

3. ***A perpetual servitude of electric power transmission and telecommunication in favour of Eskom over a portion of the said PROPERTY substantially within the servitude area already been agreed upon, together with ancillary rights as would appear from Notarial Deed K4163/2014S”.***

This condition relates to a servitude in favour of Eskom as registered by virtue of Notarial Deed K4163/2014S (refer to **Annexure E10** of the Comprehensive Land Development Application). This servitude was registered in general terms and no route determination has been made. This servitude should be passed on to all

the erven in the proposed township area due to the absence of a route determination.

- **“D. Subject to a servitude right of way 15 metres wide, which servitude runs parallel to and along the entire length of the Eastern Boundary, indicated by the line DE on diagram SG 9136/2008 in favour of the Remaining Extent of Portion 9 of the Farm Nooitgedacht 429.”**

- “E. Subject to a servitude right of way 15 metres wide, which servitude runs parallel to and along the entire length of the Northern Boundary, indicated by the line ABCD on diagram SG 295/2010 in favour of the Remaining Extent of Portion 9 of the Farm Nooitgedacht 429.”**

According to the Conveyancer Certificate compiled by Coetzer & Steyn Attorneys (attached as **Annexure K** to the comprehensive Land Development Application), Title Conditions D & E on pages 2 and 3 of Deed of Transfer T90619/2018 relate to a servitude of right of way 15m wide, in favour of the Remaining Extent of Portion 9 of the farm Nooitgedacht, I.P., NW as reflected on SG Diagrams 9136/2008 and 295/2010 respectively (refer to **Annexures F2 and F8** of the Comprehensive Land Development Application). The servitude is no longer required as the township area will be accessed off District Road D152 and it is recommended that this servitude be cancelled / removed.

Based on an assessment of the fore-mentioned servitudes, indications are that the servitudes were initially created during the subdivision of Portion 24 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province to provide access across the subject property to other subdivided portions of Portion 9 (i.e. Portions 25, 26, 27, 28, 29 and 30). The Remaining Extent of Portion 9 of the farm Nooitgedacht 429, Registration Division I.P., North West Province has been subdivided to such an extent, that the only portion of the fore-mentioned property remaining comprises the road reserve of District Road D152 (Swartkoppies Road). The servitudes contained in paragraphs D and E on pages 2 and 3 of Deed of Transfer T90619/2018 are indicated to be in favour of the Remaining Extent of Portion 9 of the farm Nooitgedacht 429, Registration Division I.P., North West Province. This property can only be reached through the use of District Road D152 (Swartkoppies Road) as the servitudes of right of way created over Portions 24, 25, 26, 27, 28 and 30 of the farm Nooitgedacht 429, Registration Division I.P., North West Province do not link onto any other road/servitude/street. In light of the fact that Portions 24, 25, 26, 27, 28, 29 and 30 of the farm Nooitgedacht 429, Registration Division I.P., North West Province are all registered in the name of the City of Matlosana, the servitudes of right of way across each of the properties have become superfluous/obsolete. As the servitudes of right of way detailed in paragraphs D. and E on pages 2 and 3 of Deed of Transfer T90619/2018 will negatively impact on the layout plan of the

proposed township area, application is hereby made for the cancellation / removal of the fore-mentioned title conditions. The locality of the servitude in relation to the proposed township area is reflected on **Figure 8** below.

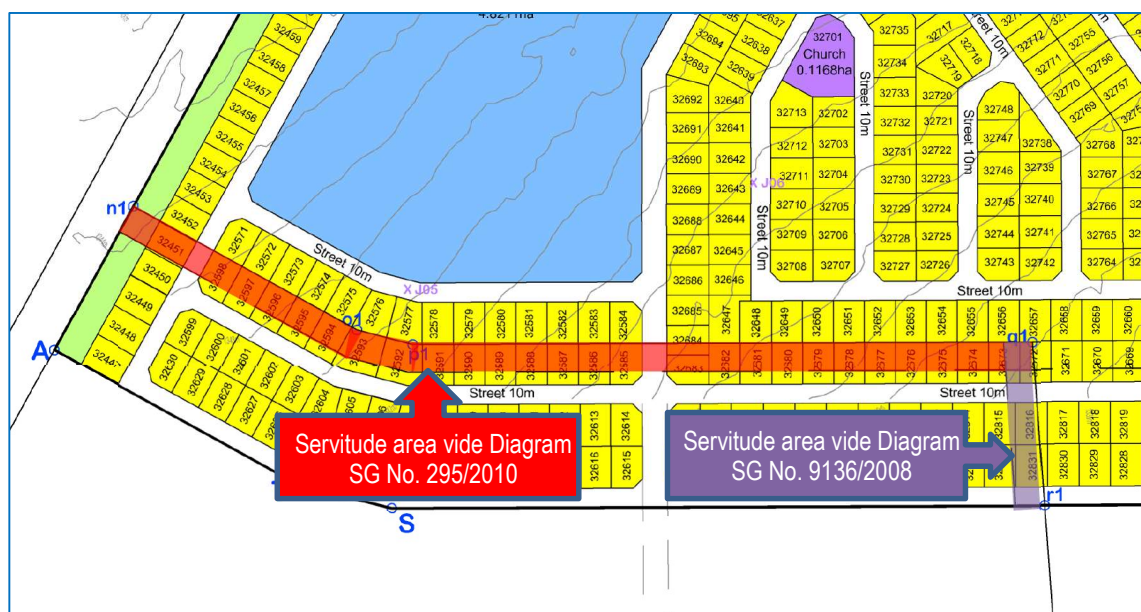


Figure 8: Locality of right of way servitude

Application is therefore made for the removal of the above mentioned Title Conditions in terms of Section 63(2) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016, read with the Spatial Planning and Land Use Management Act, 2013 (Act No 16 of 2013). The removal of conditions D and E in Deed of Transfer T90619/2018 is also recommended in terms of the Conveyancer Certificate issued by Coetzer & Steyn Attorneys (refer **Annexure K** of the Land Development Application).

- **Deed of Transfer T90619/2018 in respect of Portion 25 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province (refer to Annexure E6 of the Comprehensive Land Development Application**
 - ***“A. a) The rights of the State President as described in Section thirty-four of the Land Settlement Act 1912”.***

This condition relates to the rights of the State President in terms of Section 34 of the Land Settlement Act, 1912. The Land Settlement Act, 1912 was repealed by virtue of the Land Settlement Act, 1956 (Act 21 of 1956) and this condition should not be brought forward into the Certificate of Registered Title to be registered in respect of the land on which the township is to be established.

- **“A. b) Onderhewig aan die reg verleen aan ESKOM om elektrisiteit oor die hierinvermelde eiendom te Vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit Notariële Akte K2796/1989S met kaart, geregistreer op 7 Augustus 1989 en soos aangedui deur die lyn ab op diagram SG 9137/2008 wat geregistreer is as roete bepaling kragtens Notariële Akte K1152/1990S”.**

This condition relates to a servitude in favour of ESKOM as registered by virtue of Notarial Deed K2796/1989S. The route of this servitude has been determined and is reflected on servitude diagram SG No. 9137/2008 (refer to **Annexure F3** of the Comprehensive Land Development Application). The route determination was registered by virtue of Notarial Deed K1152/1990S (refer to **Annexure E9** of the Comprehensive Land Development Application). This servitude affects Erf 35483 and a street in the proposed township area and this servitude should be passed on to the specific erf affected thereby.

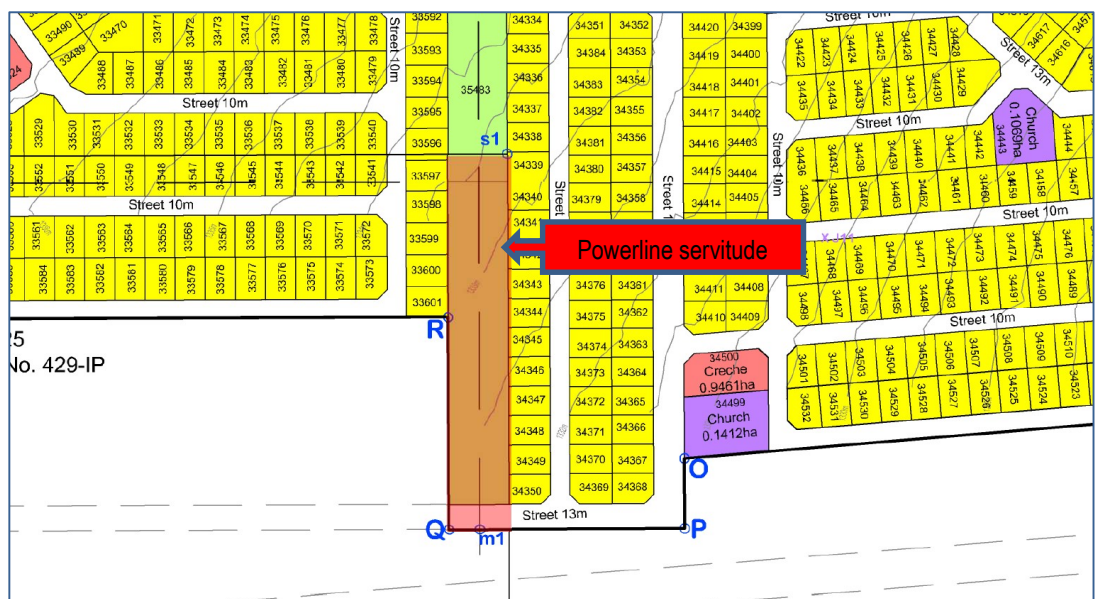


Figure 9: Locality of Eskom powerline servitude vide Notarial Deed K2796/1989S and Notarial Deed of Route Determination K1152/1990S

- **“B. Former Remaining Extent of Portion 9 of The Farm Nooitgedacht 429 of which this property formed part is subject to the following conditions:**
 1. **ONDERHEWIG aan een reg van weg 9.45 meter wyd langs die sy B2 B4 aangedui op Kaart S.G. nr A2080/31 geheg aan Akte van Transport Nr. 1899/1932 ten gunste van die eenaar van die resterende gedeelte van gemelde gedeelte C, groot as sulks 427,0654 Hektaar”.**

This condition relates to a servitude of right of way 9.45m wide as indicated on diagram SG No. A2080/1931 (refer to **Annexure F6** of the Comprehensive Land Development Application). This servitude does not affect the proposed township area due to the location thereof in relation to the proposed township area.

- **“B. Former Remaining Extent of Portion 9 of The Farm Nooitgedacht 429 of which this property formed part is subject to the following conditions:**

2. ***A perpetual servitude of electric power transmission and telecommunication in favour of Eskom over a portion of the said PROPERTY substantially within the servitude area already been agreed upon, together with ancillary rights as would appear from Notarial Deed K4163/2014S”.***

This condition relates to a servitude in favour of Eskom as registered by virtue of Notarial Deed K4163/2014S (refer to **Annexure E10** of the Comprehensive Land Development Application). This servitude was registered in general terms and no route determination has been made. This servitude should be passed on to all the erven in the proposed township area due to the absence of a route determination.

- **“C. Subject to a servitude right of way 15 metres wide, which runs parallel to and along the entire length of the Northern Boundary, indicated by the line AB on diagram SG 296/2010 in favour of the Remaining Extent of Portion 9 of the Farm Nooitgedacht 429.”**

According to the Conveyancer Certificate compiled by Coetzer & Steyn Attorneys (attached as **Annexure K** to the comprehensive Land Development Application), Title Condition C on page 3 of Deed of Transfer T90619/2018 relate to a servitude of right of way 15m wide, in favour of the Remaining Extent of Portion 9 of the farm Nooitgedacht, I.P., NW as reflected on SG Diagram 296/2010 (refer to **Annexure F9** of the Comprehensive Land Development Application). The servitude is no longer required as the township area will be accessed off District Road D152 and it is recommended that this servitude be cancelled / removed.

Based on an assessment of the fore-mentioned servitude, indications are that the servitude was initially created during the subdivision of Portion 25 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province to provide access across the subject property to other subdivided portions of Portion 9 (i.e. Portions 24, 26, 27, 28, 29 and 30). The Remaining Extent of Portion 9 of the farm Nooitgedacht 429, Registration Division I.P., North West Province has been subdivided to such an extent, that the only portion of the fore-mentioned property remaining comprises the road reserve of District Road

D152 (Swartkoppies Road). The servitude contained in paragraph C on page 3 of Deed of Transfer T90619/2018 is indicated to be in favour of the Remaining Extent of Portion 9 of the farm Nooitgedacht 429, Registration Division I.P., North West Province. This property can only be reached through the use of District Road D152 (Swartkoppies Road) as the servitudes of way created over Portions 24, 25, 26, 27, 28 and 30 of the farm Nooitgedacht 429, Registration Division I.P., North West Province do not link onto any other road/servitude/street. In light of the fact that Portions 24, 25, 26, 27, 28, 29 and 30 of the farm Nooitgedacht 429, Registration Division I.P., North West Province are all registered in the name of the City of Matlosana, the servitudes of right of way across each of the properties have become superfluous/obsolete. As the servitude of right of way detailed in paragraph C on page 3 of Deed of Transfer T90619/2018 will negatively impact on the layout plan of the proposed township area, application is hereby made for the cancellation / removal of the fore-mentioned title condition. The locality of the servitude in relation to the proposed township area is reflected on **Figure 10** below.

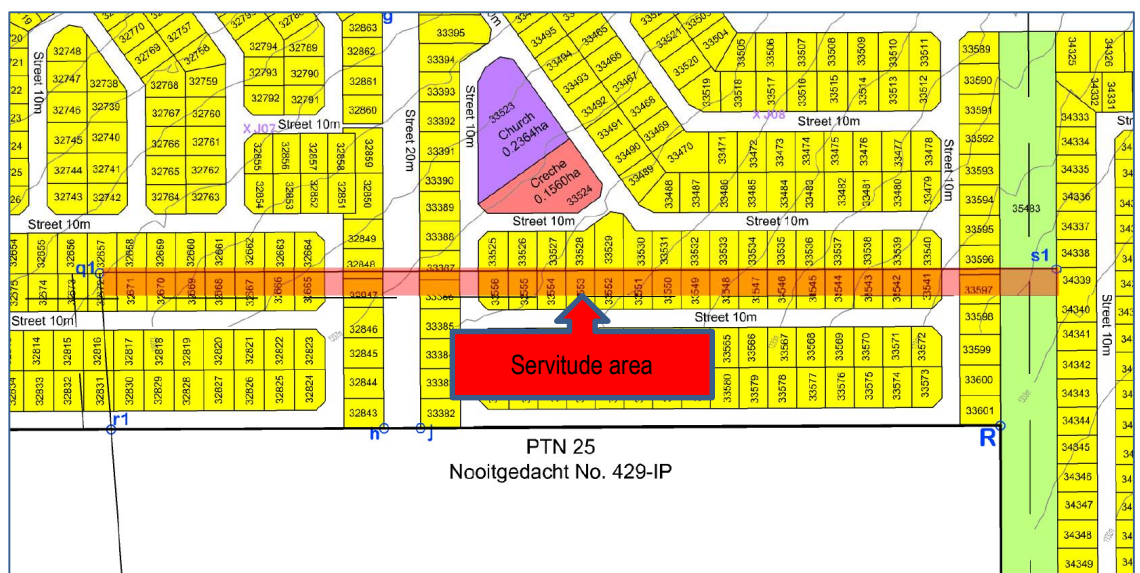


Figure 10: Locality of right of way servitude

Application is therefore made for the removal of the above mentioned Title Condition in terms of Section 63(2) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016, read with the Spatial Planning and Land Use Management Act, 2013 (Act No 16 of 2013). The removal of condition C in Deed of Transfer T90619/2018 is also recommended in terms of the Conveyancer Certificate issued by Coetzer & Steyn Attorneys (refer **Annexure K** of the Land Development Application).

- **Deed of Transfer T90619/2018 in respect of Portion 32 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province (refer**

to Annexure E6 of the Comprehensive Land Development Application

- **“A. a) The rights of the State President as described in Section thirty-four of the Land Settlement Act 1912”.**

This condition relates to the rights of the State President in terms of Section 34 of the Land Settlement Act, 1912. The Land Settlement Act, 1912 was repealed by virtue of the Land Settlement Act, 1956 (Act 21 of 1956) and this condition should not be brought forward into the Certificate of Registered Title to be registered in respect of the land on which the township is to be established.

- **“A. b) Onderhewig aan die reg verleen aan ESKOM om elektrisiteit oor die hierinvermelde eiendom te Vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit Notariële Akte K2796/1989S met kaart, geregistreer op 7 Augustus 1989 en soos aangedui deur die lyn ab op diagram SG 297/2010 wat geregistreer is as roete bepaling kragtens Notariële Akte K1152/1990S”.**

This condition relates to a servitude in favour of ESKOM as registered by virtue of Notarial Deed K2796/1989S. The route of this servitude has been determined and is reflected on servitude diagram SG No. 297/2010 (refer to **Annexure F4** of the Comprehensive Land Development Application). The route determination was registered by virtue of Notarial Deed K1152/1990S (refer to **Annexure E9** of the Comprehensive Land Development Application). This servitude affects Erven 35480 to 35483 and streets in the proposed township area and this servitude should be passed on to the specific erven affected thereby.

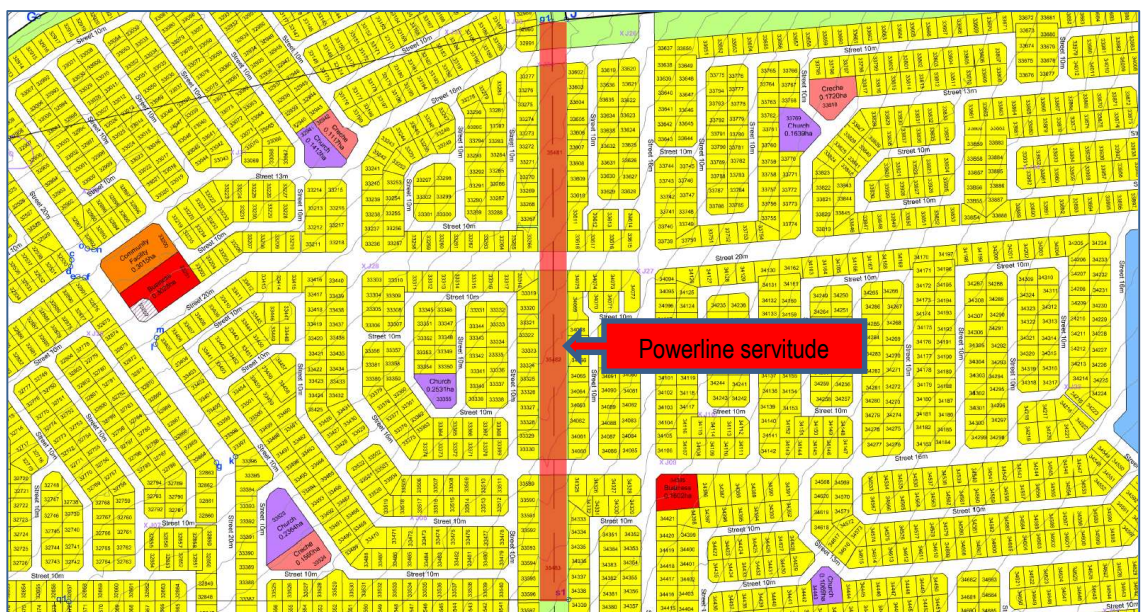


Figure 11: Locality of Eskom powerline servitude vide Notarial Deed K2796/1989S and Notarial Deed of Route Determination K1152/1990S

- **“B. Former Remaining Extent of Portion 9 of The Farm Nooitgedacht 429 of which this property formed part is subject to the following conditions:**

1. **ONDERHEWIG aan een reg van weg 9.45 meter wyd langs die sy B2 B4 aangedui op Kaart S.G. nr A2080/31 geheg aan Akte van Transport Nr. 1899/1932 ten gunste van die eienaar van die resterende gedeelte van gemelde gedeelte C, groot as sulks 427,0654 Hektaar”.**

This condition relates to a servitude of right of way 9.45m wide as indicated on diagram SG No. A2080/1931 (refer to **Annexure F6** of the Comprehensive Land Development Application). This servitude does not affect the proposed township area due to the location thereof in relation to the proposed township area.

- **“B. Former Remaining Extent of Portion 9 of The Farm Nooitgedacht 429 of which this property formed part is subject to the following conditions:**

2. **A perpetual servitude of electric power transmission and telecommunication in favour of Eskom over a portion of the said PROPERTY substantially within the servitude area already been agreed upon, together with ancillary rights as would appear from Notarial Deed K4163/2014S”.**

This condition relates to a servitude in favour of Eskom as registered by virtue of Notarial Deed K4163/2014S (refer to **Annexure E10** of the Comprehensive Land Development Application). This servitude was registered in general terms and no route determination has been made. This servitude should be passed on to all the erven in the proposed township area due to the absence of a route determination.

- **Deed of Transfer T44091/1973 in respect of Portion 100 (a portion of Portion 2) of the farm Nooitgedacht 434, Registration Division I.P., North West Province (refer to Annexure E8 of the Comprehensive Land Development Application**

- **Conditions I and II on page 3 of Deed of Transfer T44091/1973**

These conditions relate to the reservation of rights to minerals and will be addressed as set out in paragraph 2.7 supra.

- **“III. THE remaining extent of Portion 2 of the said farm NOOITGEDACHT No. 434 measuring as such 958,2452 hectares (a portion whereof is hereby transferred) is subject to a perpetual right to convey and**

transmit water together with all ancillary rights in favour of Western Transvaal Regional Water Company (Proprietary) Limited, as will more fully appear from Notarial Deed No. 121/1960S dated 12th December 1958, and registered on 9th February, 1960”.

This condition relates to a servitude to convey water in favour of Western Transvaal Regional Water Company (Pty) Ltd and registered by virtue of Notarial Deed No. 121/1960S. The route of this servitude is reflected on servitude diagram SG No. A2516/1958 (refer to **Annexure F12** of the Comprehensive Land Development Application) and this servitude does not affect the proposed township area due to the location thereof in relation to the proposed township area.

- ***“IV. THE remaining extent of Portion 2 of the said farm NOOITGEDACHT No. 434 measuring as such 958, 2452 hectares (a portion whereof is hereby transferred) is subject to a servitude of aquaduct by means of pipelines in favour of Western Transvaal Regional Water Company (Proprietary) Limited, as will more fully appear from Notarial Deed No. 543/63S dated 19th November 1962, and registered on 12th June, 1963”***

This condition relates to a servitude of aqueduct by means of pipelines in favour of the Western Transvaal Regional Water Company (Pty) Ltd and registered by virtue of Notarial Deed No. 543/1963S. The route of this servitude is reflected on servitude diagram SG No. A5497/1961 (refer to **Annexure F13** of the Comprehensive Land Development Application) and this servitude does not affect the proposed township area due to the location thereof in relation to the proposed township area.

- ***“V. THE remaining extent of Portion 2 of the said farm NOOITGEDACHT No. 434 measuring as such 958,2452 hectares, (of which the property hereby transferred forms a portion) is subject to the following conditions, namely;***
 1. ***That the existing dams in Schoonspruit used for diverting water for irrigation purposes and situated on the former Remaining Extent of the said farm NOOITGEDACHT no 434, measuring as such 1216,2754 hectares as transferred by Deeds of Transfer Nos. 5312/1907 and 5313/1907, shall be left free and undisturbed thereon.***
 2. ***That the large irrigation canal passing over the former Remaining Extent of the said farm NOOITGEDACHT No. 434, measuring as such 1216,2754 hectares as transferred by Deeds of Transfer Nos. 5312/19907 and 5313/1907, and over Portions “B” and “C” of***

the said farm, as transferred by Deeds of Transfer Nos, 5298/1907 to 5311/1907 inclusive, shall be left free and undisturbed.

- 3. That the owners of said former Remaining Extent, measuring as such 1216,2754 hectares, shall be entitled to all the water flowing in said large irrigation canal during three days in succession in every period of fourteen days.***
- 4. That the Owners of said Portion “C” shall be entitled to all the said water during Sixty Eight hours and ten minutes in succession in every period of fourteen days,***
- 5. That the Owners of said Portion “B” shall be entitled to all the said water during three hours and fifty minutes in succession in every period of fourteen days.***
- 6. That the Owners of Portion “A” of said farm, as transferred by Deeds of Transfer Nos, 5395/1907 to 5397/1907 inclusive, shall be entitled to all the said water during six days in succession in every period of fourteen days.***
- 7. That the Owners of the said Portion C shall be entitled to water from the lower of small dam situated on the said remaining extent measuring as such 1216,2754 hectares, during five days and seven hours in succession in every period of fourteen days and that said water shall be allowed to flow freely during the irrigation turn of the said Portion C.***
- 8. That Sundays shall not be taken into account in the foregoing division of water.***
- 9. That the owners of said former Remaining Extent measuring as such 1216,2754 hectares, and Portions “C”, “B” and “A”, shall be bound and obliged to contribute towards the repair, maintenance and cleaning of the aforesaid common dams and water furrows, in proportion to their respective interests therein.***
- 10. Subject to a right of way 9.45 metres wide over the former Remaining Extent of Portion of the farm NOOITGEDACHT No. 434, measuring as such 958,2452 hectares as transferred by Deed of Transfer No. 11667/1936 dated 6th July 1936 and Deed of Transfer No. 8633/1936 dated 23rd May 1936, along the boundary line between Portion “D” of the said farm, held under Deed of Transfer No. 6886/1920 of the former Remaining Extent as described above in this paragraph, from the point or beacon 23 via the points or beacons 22, 21, 20, 19 to the point or beacon 18,***

as shown upon the general plan of Portions D.E.F.G and H. of the said farm, framed by Land Surveyor H.L.M. Leibbrandt in September 1917, and numbered S.G. No. A.407/20, in favour of the said Portion “D” of the said Farm as held under the aforesaid Deed of Transfer No. 6886/1920, and further subject to an aqueduct or right of passage of water over the former Remaining Extent, as described above in this paragraph on the South side of, and adjoining the line from beacon 24 to beacon 23 on the General Plan aforesaid, in favour of the said Portion “D” of the said farm, as will more fully appear from Notarial Deed No. 670/1923 S., registered on the 30th November 1923.”

According to the Conveyancer Certificate compiled by Coetzer & Steyn Attorneys (attached as **Annexure K** to the comprehensive Land Development Application), Title Conditions V.1 to V.10 on page 4, and continued on pages 5 and 6, of Deed of Transfer T44091/1973 are not reconcilable with the use of the subject property for the purposes of a township area as the proposed township area is located divorced from the Schoonspruit as well as the absence of any irrigation channel on the subject property. The divorced location of the township area in relation to the Schoonspruit is further highlighted by the fact that the entire proposed township area of Jouberton Extension 34 is located between the proposed Jouberton Extension 31 and the Schoonspruit.

In summary:

- Condition V.1 relates to the protection of the dams in the Schoonspruit utilised for irrigation purposes. The proposed township area of Jouberton Extension 31 is located divorced from the Schoonspruit as the Schoonspruit is located east of Provincial Road P150-1 whereas the proposed township area is located west of Provincial Road P150-1. Even though the greater Portion 100 of the farm Nooitgedacht No. 434-IP partially borders onto the Schoonspruit, the portion of the fore-mentioned property to which this land development application applies is located divorced from the Schoonspruit. It would be non-practical to pass this condition on to all the even in the township area as the township area has no impact on the Schoonspruit.
- Condition V.2 relates to the protection of irrigation channels. In terms of a physical survey of the development area, same is devoid of any irrigation channels and the use of the subject property for residential purposes would not be reconcilable with the use of the land for irrigation channels.
- Conditions V.3 – V.8 relate to the entitlement of certain owners to the water in the irrigation channel for certain periods of time. Due to the absence of any irrigation channels on the development area, the use of the subject property for residential development purposes will not influence any other owner’s entitlement to water in any such irrigation channel.

- Condition V.9 relates to the responsibility of owners in respect of contributing to the maintenance and cleaning of the common dams and water furrows. In the absence of any owner in the township area having access to the benefit of water in the Schoonspruit or in any water furrow, it will be nonsensical to expect the owners in the proposed township area to make any such contribution for the upkeep and maintenance of the dams and water furrows.
- Condition V.10 relates to a right of way 9.45m as indicates on diagram SG No. 407/1920 as well as the right in respect of an aqueduct and passage of water. The proposed township area of Jouberton Extension 31 will be accessed directly off District Road D152 and no further servitudes are required to access the township area. The absence of any water furrow on the development area and the divorced location of the development area in relation to the Schoonspruit, renders this condition superfluous.

Application is therefore made for the removal of the above mentioned Title Conditions in terms of Section 63(2) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016, read with the Spatial Planning and Land Use Management Act, 2013 (Act No 16 of 2013). The removal of conditions V.1 to V.10 in Deed of Transfer T44091/1973 is also recommended in terms of the Conveyancer Certificate issued by Coetzer & Steyn Attorneys (refer **Annexure K** of the Land Development Application).

- ***“VI. The Remaining Extent of Portion 2 of the said farm NOOITGEDACHT No. 434 measuring as such 958,2452 hectares, (of which the property hereby transferred forms a portion) is ENTITLED to certain servitude of right of way 9,45 metres wide over the following Portions of portion of the said farm NOOITGEDACHT No. 434, namely: -***

Portion ‘D’ held under Deed of Transfer No. 6886/1920, dated the 3rd May 1920;

Portion ‘E’ held under Deed of Transfer No. 6171/1926, dated the 15th June, 1926;

Portion ‘F’ held under Deed of Transfer No. 11293/1923, dated the 30th November 1923;

Portion ‘G’ held under aforesaid Deed of transfer No. 11293/1923;

Portion ‘H’ held under Deed of Transfer No. 14003/1928, dated the 30th November, 1928;

as shown on diagrams S.G. Nos. A 402/20, 403/20, 404/20, 405/20, and 406/20, of the aforesaid Portions”.

This condition relates to an entitlement in respect of a servitude of right of way 9,45m wide over certain portions of the farm Nooitgedacht No. 434-IP. The proposed township area of Jouberton Extension 31 will be accessed exclusively from District Road 152. As this entitlement is not required to access the township

area, it is recommended that this entitlement not be transferred/passed on to the erven in the proposed township area. This will be addressed accordingly in the Conditions of Establishment of the proposed township area.

- **“VII. Subject to a servitude of outspan in extent 1/75th of 1216,2754 hectares, that is, 16,2170 hectares”.**

This condition relates to a servitude of outspan and has lapsed through repeal in terms of Section 53 of the Road Ordinance, 1957 (Ordinance 22 of 1957). This condition will therefore not be brought forward into the Certificate of Registered Title to be registered in respect of the proposed township area.

- **“By Notarial Deed K1343/1981S the right has been granted to EVKOM to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to said Notarial Deed and diagram, grosse whereof is hereunto annexed”.**

This endorsement relates to a servitude in favour of ESKOM as registered by virtue of Notarial Deed K1343/1981S. The route of this servitude has been determined and is reflected on servitude diagram SG No. A4785/1987 (attached as **Annexure F14** to the Land Development Application). The route determination was registered by virtue of Notarial Deed of Route Determination K1455/1989S (attached as **Annexure E11** to the Land Development Application). This servitude does not affect the proposed township area due to the locality thereof in relation to the proposed township area.

- **“The within mentioned property is subject to a powerline servitude in favour of ESKOM with ancillary rights.
K15 01200 S
18 03 15”**

These endorsements relate to a servitude in favour of Eskom as registered by virtue of Notarial Deed K1200/2015S (refer to **Annexure E14** of the Comprehensive Land Development Application). This servitude was registered in general terms and no route determination has been made to date. This servitude was investigated in detail in conjunction with Eskom and it was ascertained that the servitude was registered to accommodate the proposed Hermes / Dominion Reefs 132kV overhead powerline(s). The initial proposed route of this servitude is reflected in green on **Map 8** overleaf and is represented by the lines J-K1-K2-L-M.

Following discussions with the relevant officials at Eskom regarding the proposed route of this servitude, agreement was reached in respect of the re-alignment of

this proposed servitude to a position parallel to the southern by-pass (refer red line on **Map 8** below). This servitude will be accommodated in the 20m building restriction area provided along this future road reserve. The re-aligned route will not only require less physical infrastructure but will also shorten the powerline by an estimated 310m. As this servitude has not been registered in specific terms with a route determination, this servitude will be passed onto all the erven in the proposed township area in accordance with paragraph 5.3.6.6 of Registrar’s Circular 02 of 2019.



Map 8: Proposed and alternative route of Hermes / Dominion Reefs 132 KV powerline

2.9 SERVITUDES

2.9.1 REGISTERED SERVITUDES AFFECTING THE PROPOSED TOWNSHIP AREA:

- Portion 8 (a portion of Portion 2) of the farm Nooitgedacht 429, Registration Division I.P., North West Province is affected by the 31m wide Eskom powerline servitude registered by virtue of Notarial Deed K1785/1989S (refer **Annexure E12** of the Land Development Application). The route of this servitude has since been determined and is reflected on servitude diagram **SG No. A7262/1989** (refer **Figure 12** overleaf) (servitude diagram attached as **Annexure F11** to the Land Development Application). The route determination was registered by virtue of Notarial Deed of Route Determination K1128/1990S (refer **Annexure E13** of the Land Development

Application). This servitude was accommodated in the open space system of the proposed township area and affects Erf 35480 (Park).



Photo 3: Eskom powerline that runs across site

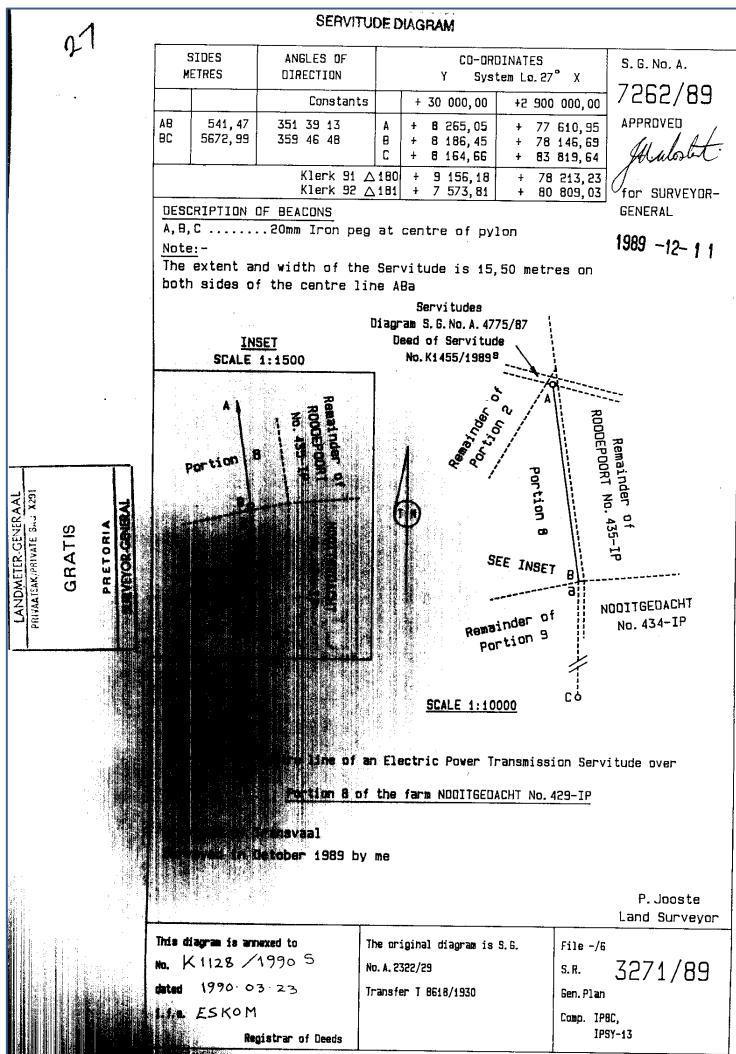


Figure 12: Servitude diagram SG No. A7262/1989 relating to an Eskom powerline servitude

- Portion 25 (a portion of Portion 9) of the farm Nooitgedacht 429 is affected by the Eskom servitude registered by virtue of Notarial Deed K2796/1989S. The route of this servitude has since been determined and is reflected on servitude diagram **SG No. A7263/1989** (refer **Figure 13** below) (servitude diagram attached as **Annexure F7** to the Land Development Application) and is also referenced on SG Diagram 9137/2008 (refer **Figure 14** overleaf (refer also to **Annexure F3** of the Comprehensive Land Development Application). The route determination was registered by virtue of Notarial Deed K1152/1990S (refer to **Annexure E9** of the Comprehensive Land Development Application). This servitude was accommodated in the open space system of the proposed township area and affects Erf 35483 (Park) and a street in the township only.

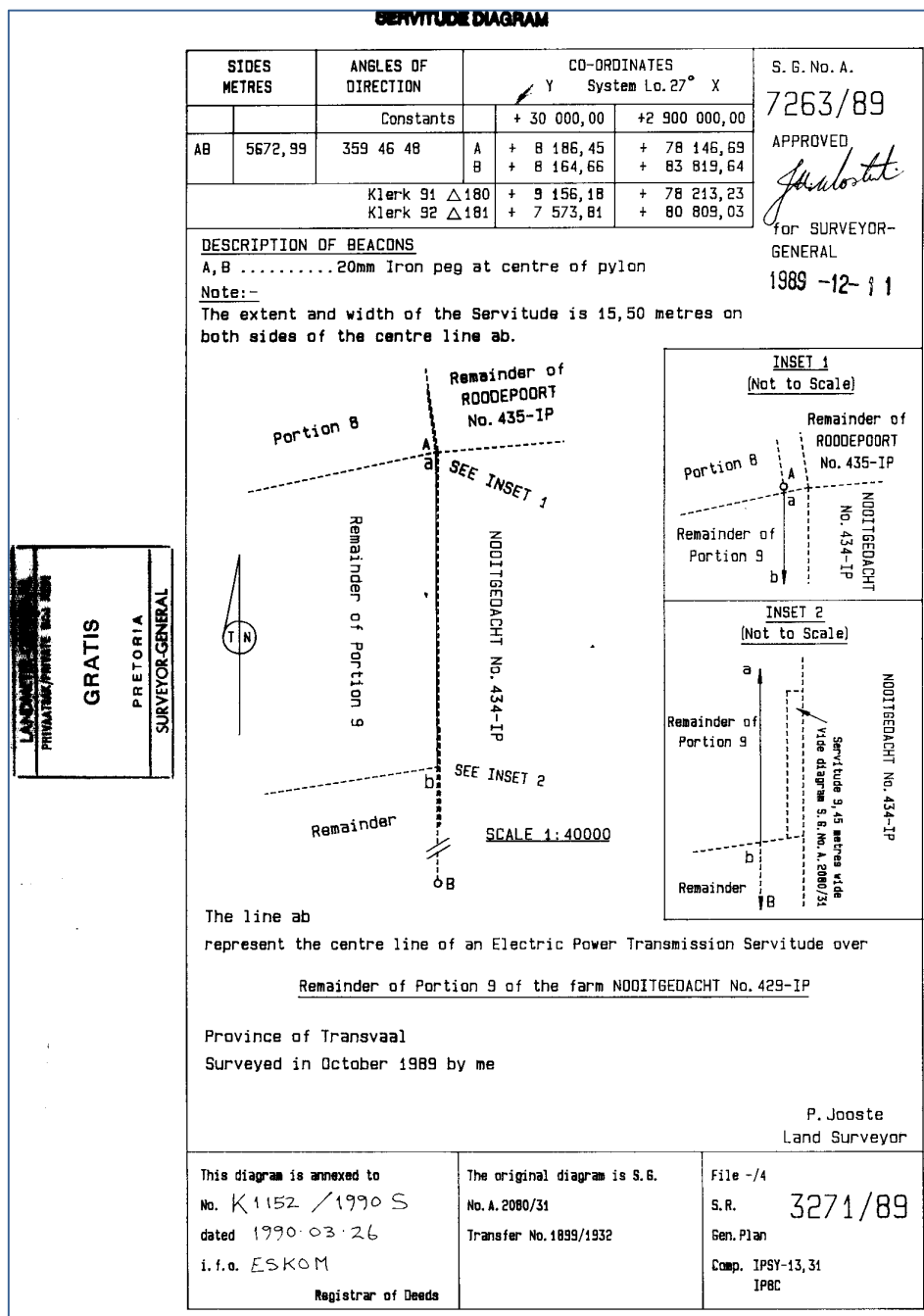


Figure 13: Servitude diagram SG No. A7263/1989 relating to an Eskom powerline servitude

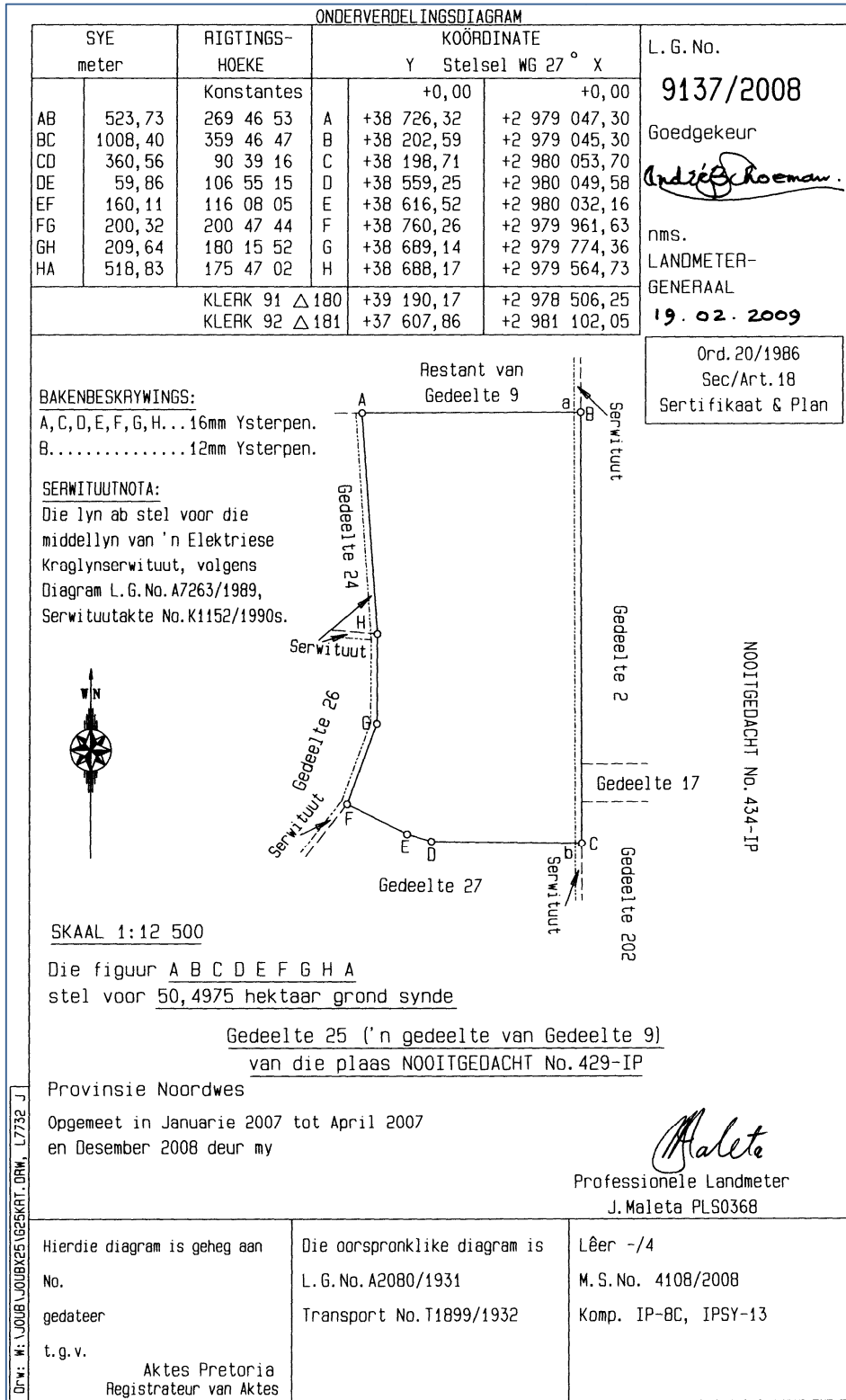


Figure 14: Servitude diagram SG No. 9137/2008 relating to an Eskom powerline servitude

- Portion 32 (a portion of Portion 9) of the farm Nooitgedacht 429 is affected by the servitude in favour of Eskom as registered by virtue of Notarial Deed K2796/1989S. The route of this servitude has been determined and is reflected on servitude diagram SG No. 297/2010 (refer **Figure 15** overleaf) (servitude diagram attached as **Annexure**

F4 to the Comprehensive Land Development Application). The route determination was registered by virtue of Notarial Deed K1152/1990S (refer to **Annexure E9** of the Comprehensive Land Development Application). This servitude affects certain erven in the proposed township area.

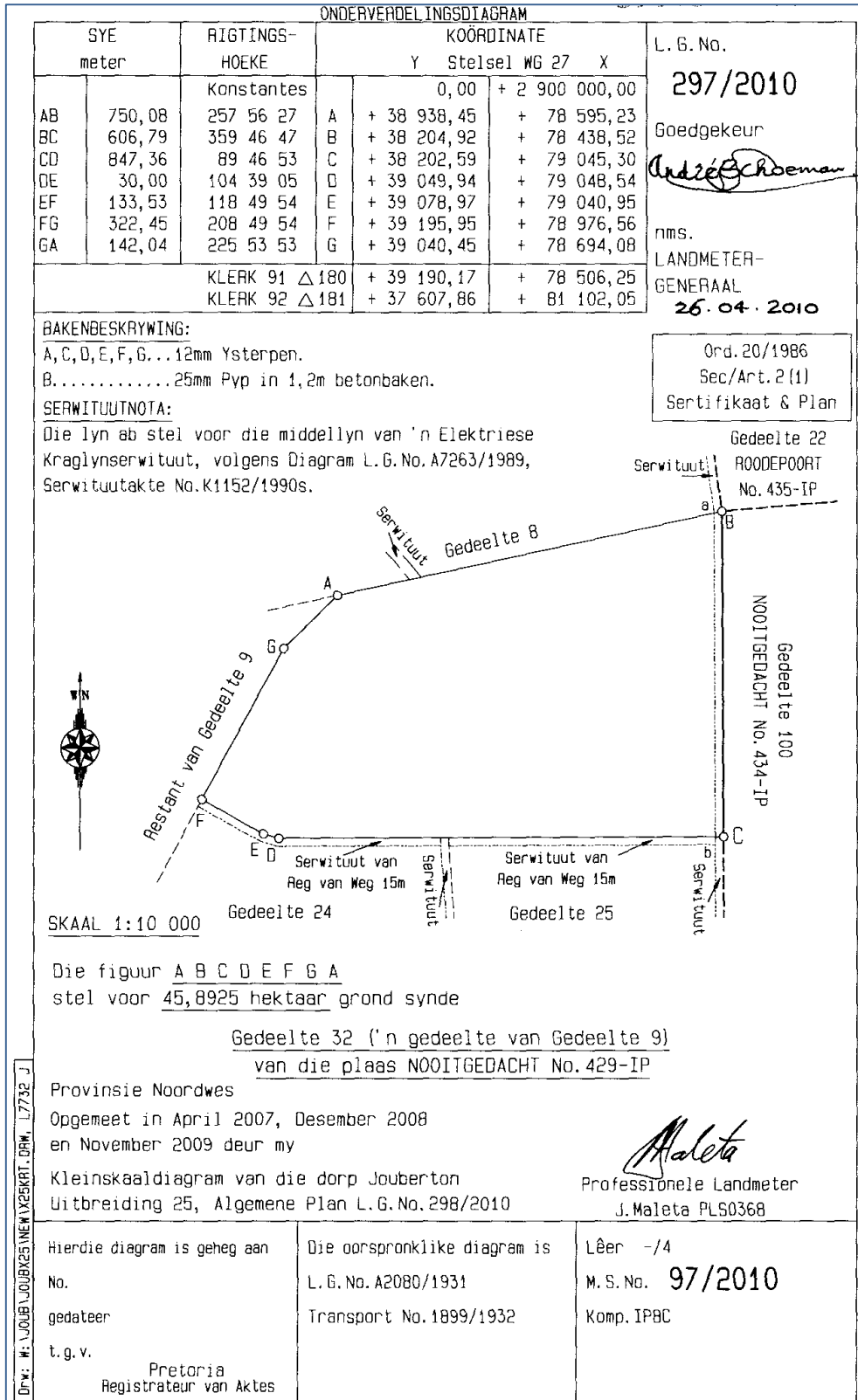


Figure 15: Servitude diagram SG No. 297/2010 relating to an Eskom powerline servitude

2.9.2 REGISTERED SERVITUDES THAT DO NOT AFFECT THE PROPOSED TOWNSHIP AREA:

- **Portion 8 (a portion of Portion 2) of the farm Nooitgedacht 429, Registration Division I.P., North West Province** is affected by:
 - A servitude in favour of Eskom as registered by Notarial Deed K1343/1981S. The route of this servitude has been determined and is reflected on servitude diagram SG No. A4777/1987 (refer to **Annexure F10** of the Comprehensive Land Development Application) and has been registered by virtue of Notarial Deed of Route Determination K1455/1989S (refer to **Annexure E11** of the Comprehensive Land Development Application). This servitude does not affect the proposed township area due to the locality thereof in relation to the proposed township area.
- **Portion 24 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province** is affected by:
 - A servitude of right of way 9.45m wide as indicated on diagram SG No. A2080/1931 (refer to **Annexure F6** of the Comprehensive Land Development Application). This servitude does not affect the proposed township due to the location thereof in relation to the proposed township area.
- **Portion 25 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province** is affected by:
 - A servitude of right of way 9.45m wide as indicated on diagram SG No. A2080/1931 (refer to **Annexure F6** of the Comprehensive Land Development Application). This servitude does not affect the proposed township due to the location thereof in relation to the proposed township area.
- **Portion 32 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province** is affected by:
 - A servitude of right of way 9.45m wide as indicated on diagram SG No. A2080/1931 (refer to **Annexure F6** of the Comprehensive Land Development Application). This servitude does not affect the proposed township due to the location thereof in relation to the proposed township area.
- **Portion 100 (a portion of Portion 2) of the farm Nooitgedacht 434, Registration Division I.P., North West Province** is affected by:
 - A servitude to convey water in favour of Western Transvaal Regional Water Company (Pty) Ltd and registered by virtue of Notarial Deed No. 121/1960S. The route of this servitude is reflected on servitude diagram SG No.2516/1958 (refer

to **Annexure F12** of the Comprehensive Land Development Application). This servitude does not affect the proposed township area due to the location thereof in relation to the proposed township area.

- A servitude of aqueduct be means of pipelines in favour of the Western Transvaal Regional Water Company (Pty) Ltd and registered by virtue of Notarial Deed No. 543/1963S. The route of this servitude is reflected on diagram SG No. A5497/1961 (refer to **Annexure F13** of the Comprehensive Land Development Application) and this servitude does not affect the proposed township area due to the location thereof in relation to the proposed township area.
- A servitude in favour of ESKOM as registered by Notarial Deed K1343/1981S. The route of this servitude has been determined and is reflected on servitude diagram SG No. A4785/1987 (refer to **Annexure F14** of the Comprehensive Land Development Application) and has been registered by virtue of Notarial Deed of Route Determination K1455/1989S (refer to **Annexure E11** of the Comprehensive Land Development Application). This servitude does not affect the proposed township area due to the locality thereof in relation to the proposed township area.

2.9.3 REGISTERED SERVITUDES THAT AFFECT THE PROPOSED TOWNSHIP AREA AND ARE TO BE CANCELLED/REMOVED:

- **Portion 24 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division .I.P. North West Province** is affected by:
 - A servitude of right of way 15m wide as indicated on subdivision diagram SG No. 9136/2008 (refer **Figure 16** overleaf) (refer to **Annexure F2** of the Comprehensive Land Development Application) in favour of the Remaining Extent of Portion 9 of the farm Nooitgedacht 429, Registration Division I.P., North West Province. This servitude affects the proposed township area and must be removed (as described in greater detail in paragraph 2.7 supra).
 - A servitude of right of way 15m wide as indicated on subdivision diagram SG No. 295/2010 (refer **Figure 17** overleaf) (refer to **Annexure F8** of the Comprehensive Land Development Application) in favour of the Remaining Extent of Portion 9 of the farm Nooitgedacht 429, Registration Division I.P., North West Province. This servitude affects the proposed township area and must be removed (as described in greater detail in paragraph 2.7 supra).

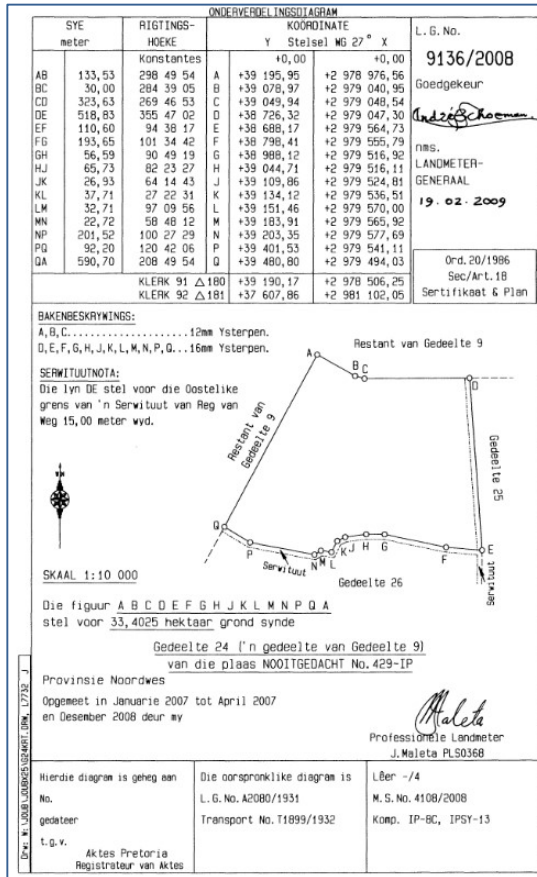


Figure 16: Subdivision diagram SG No. 9136/2008 reflecting servitude of right of way

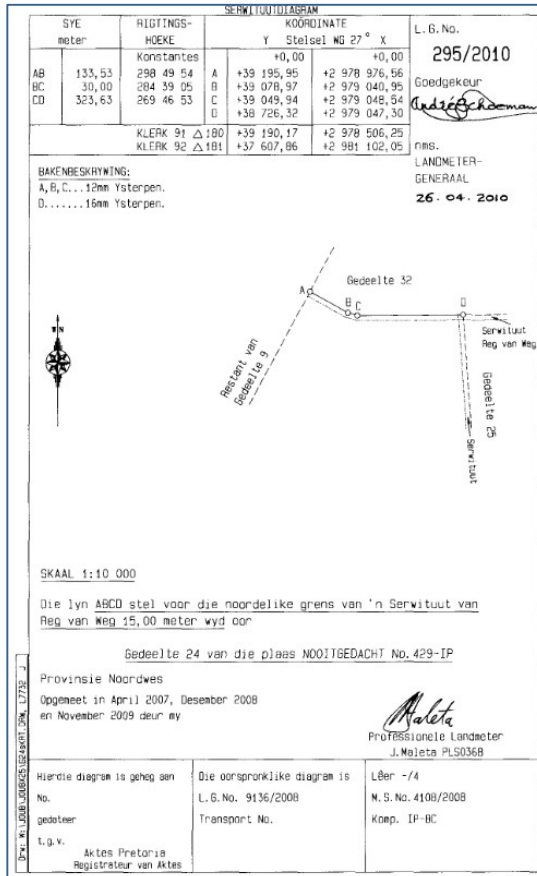


Figure 17: Servitude diagram SG No. 295/2010 reflecting servitude of right of way

- **Portion 25 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province** is affected by:
 - A servitude of right of way 15m wide as indicated on subdivision diagram SG No. 296/2010 (refer **Figure 18** below) (refer to **Annexure F9** of the Comprehensive Land Development Application) in favour of the Remaining Extent of Portion 9 of the farm Nooitgedacht 429, Registration Division I.P., North West Province. This servitude affects the proposed township area and must be removed (as described in greater detail in paragraph 2.7 supra).

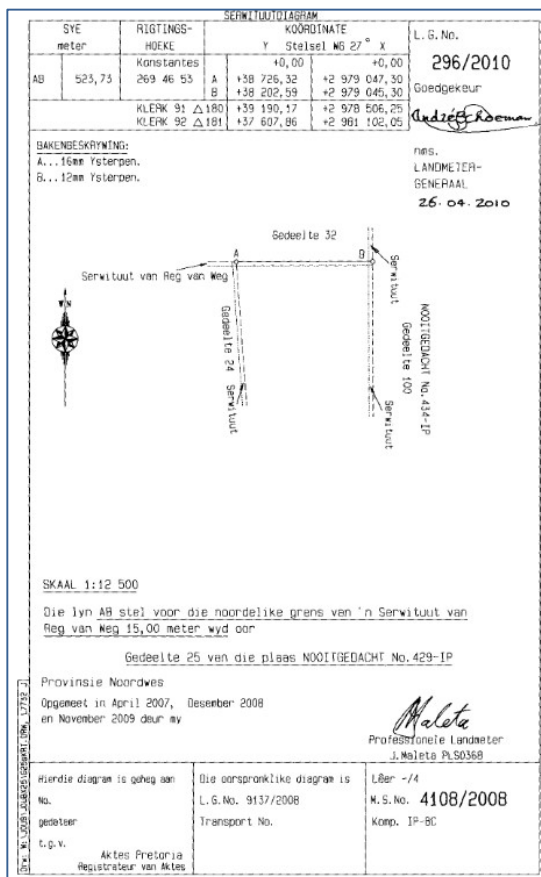


Figure 18: Servitude diagram SG No. 296/2010 reflecting servitude of right of way

2.9.4 UNREGISTERED SERVITUDES THAT AFFECT THE PROPOSED TOWNSHIP AREA AND ARE TO BE CANCELLED/REMOVED:

- **Portion 8 (a portion of Portion 2) of the farm Nooitgedacht 429, Registration Division I.P. North West Province** is affected by:
 - An unregistered servitude of right of way as indicated on servitude diagram SG No. 294/2010 (refer **Figures 19 and 20** overleaf) (refer to **Annexure F15** of the Comprehensive Land Development Application). This servitude was provided during the establishment of the proposed township area of Jouberton Extension 25 to grant access to the proposed township area from District Road D152 (Swartkoppies Road) over Portion 8 (a portion of Portion 2) of the farm

Nooitgedacht 429, Registration Division I.P., North West Province. Servitude diagram SG No. 294/2010 would have been registered during the proclamation of the township area of Jouberton Extension 25. Due to the fact that the proposed township area of Jouberton Extension 25 has not been proclaimed, this servitude has similarly not been registered and it is proposed that this servitude diagram be retracted at the office of the Surveyor-General during the approval of the General Plan of the proposed township area of Jouberton Extension 31.

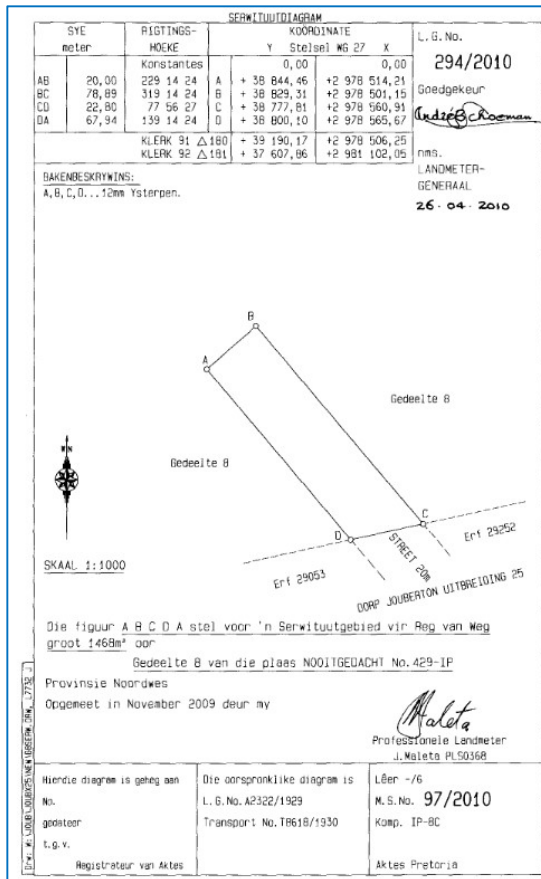


Figure 19: Servitude diagram SG No. 292/2010 reflecting servitude of right of way over Portion 8 (a portion of Portion 2) of the farm Nooitgedacht 429, Registration Division I.P., North West Province

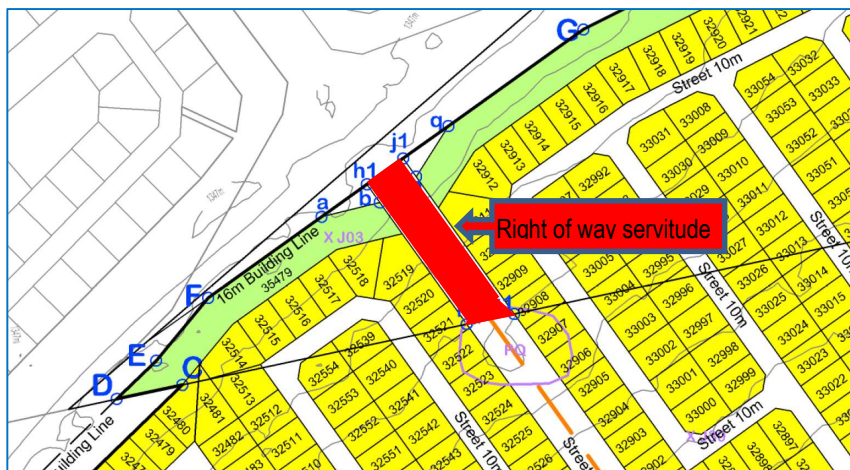


Figure 20: Locality of unregistered servitude of right of way as indicated on Servitude diagram SG No. 292/2010 (to be retracted / withdrawn)

CHAPTER 3: PHYSICAL ASPECTS

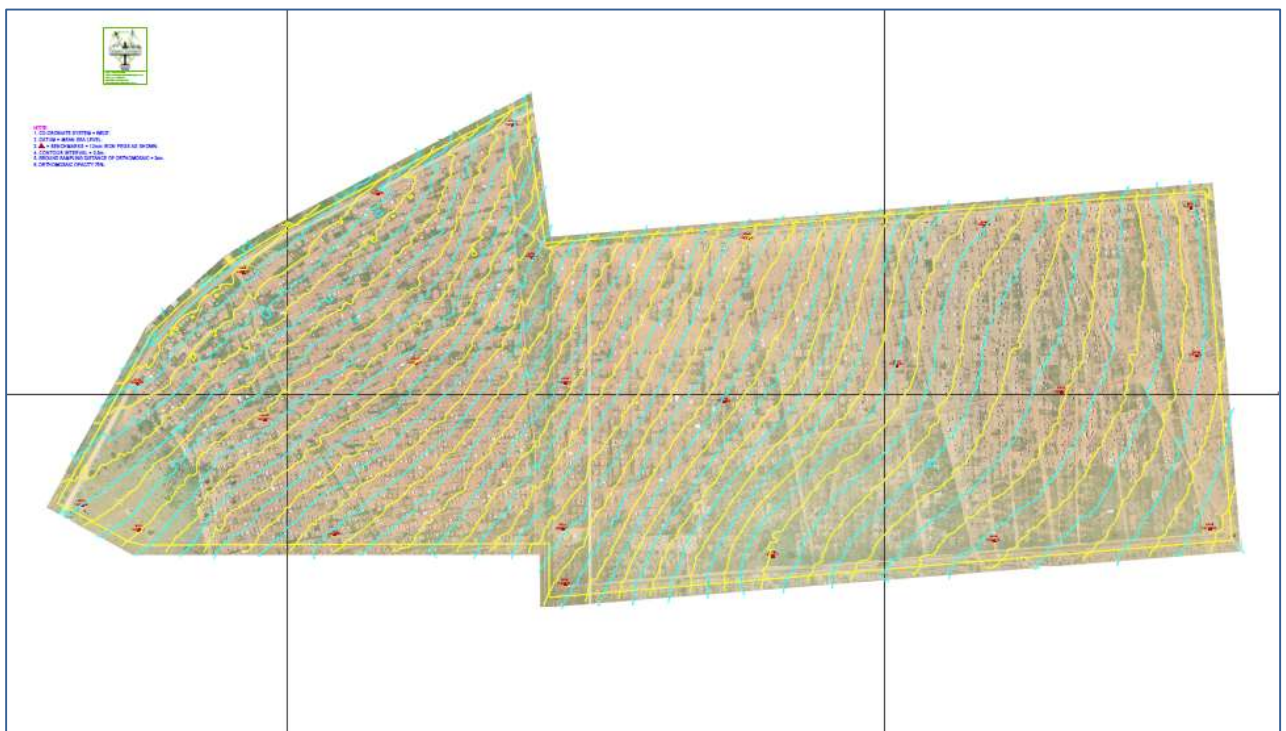
3.1 TOPOGRAPHY & DRAINAGE

As part of the pre-planning studies that were conducted in respect of the development area, an aerial survey and contour mapping was conducted by Calogero Surveyors. This aerial survey and contour mapping included:

- High resolution aerial photography and the creation of digital aerial photo images (**Map 9 refers**) (refer also to **Annexure G1** of the comprehensive Land Development Application)
- Fieldwork and ground control points
- Line mapping (**Map 9 refers**):
 - Cadastral information
 - Contour mapping (0,5m contour intervals)(Refer also to **Annexure G2** of the comprehensive Land Development Application).

The results of the aerial survey and the subsequent line mapping are reflected on Map 8.

Map 9: Aerial photograph & contour mapping of application site



The proposed development area is located on a shallow slope towards the Schoon Spruit located at distance east of the site.

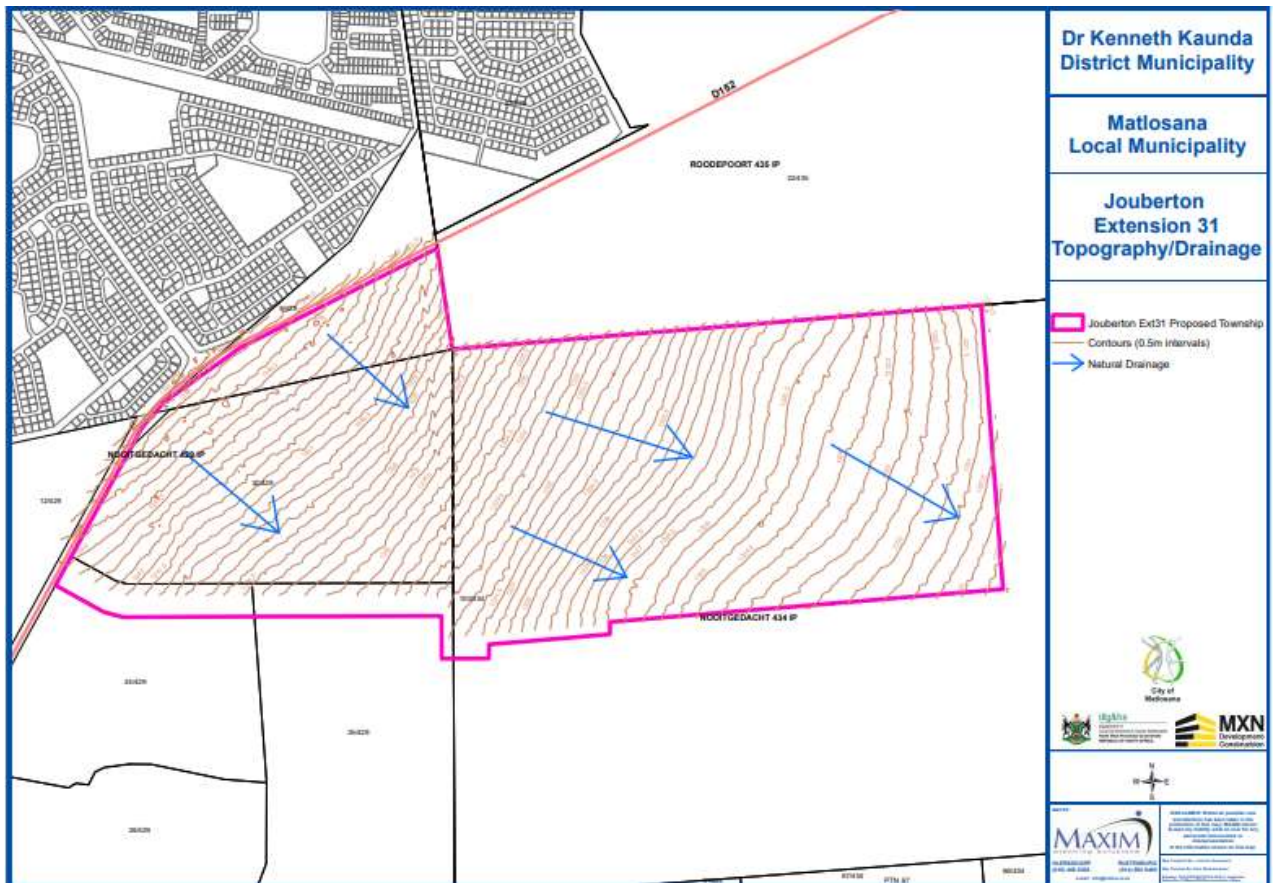
3.2 CLIMATE

The region is characterized by summer rainfall with thunderstorms, with annual low rainfall figures of 625 mm (Potchefstroom - Agriculture), recorded at the closest weather station to the site. Winters are dry with frost common. The warmest months are normally December and January and the coldest months are June and July.

The Weinerts N value for this area is in the order of 2.4, indicating that the chemical decomposition of rocks will be dominant over mechanical disintegration.

3.3 FRESHWATER SYSTEM / DRAINAGE

Plate flow is the dominant drainage pattern on site, and the site is drained in a south-easterly direction towards the Schoon Spruit located a distance east of this site (refer **Map 10** below).



Map 10: Topography and Drainage

The proposed township area is not subject to the 1:100 year floodline of any river or stream.

3.4 WETLANDS AND PANS

As per the Environmental Assessment Practitioner, no wetlands have been found at the proposed township and are likely to be absent (refer **Annexure P1** to the comprehensive Land Development Application).

3.5 VEGETATION

The area is typically characterized by sourish mixed bushveld veld type (Acocks, 1988). The site itself is covered by sparse grasslands of which some was used as agriculture land, and few indigenous thorn trees are present on site within the stands.

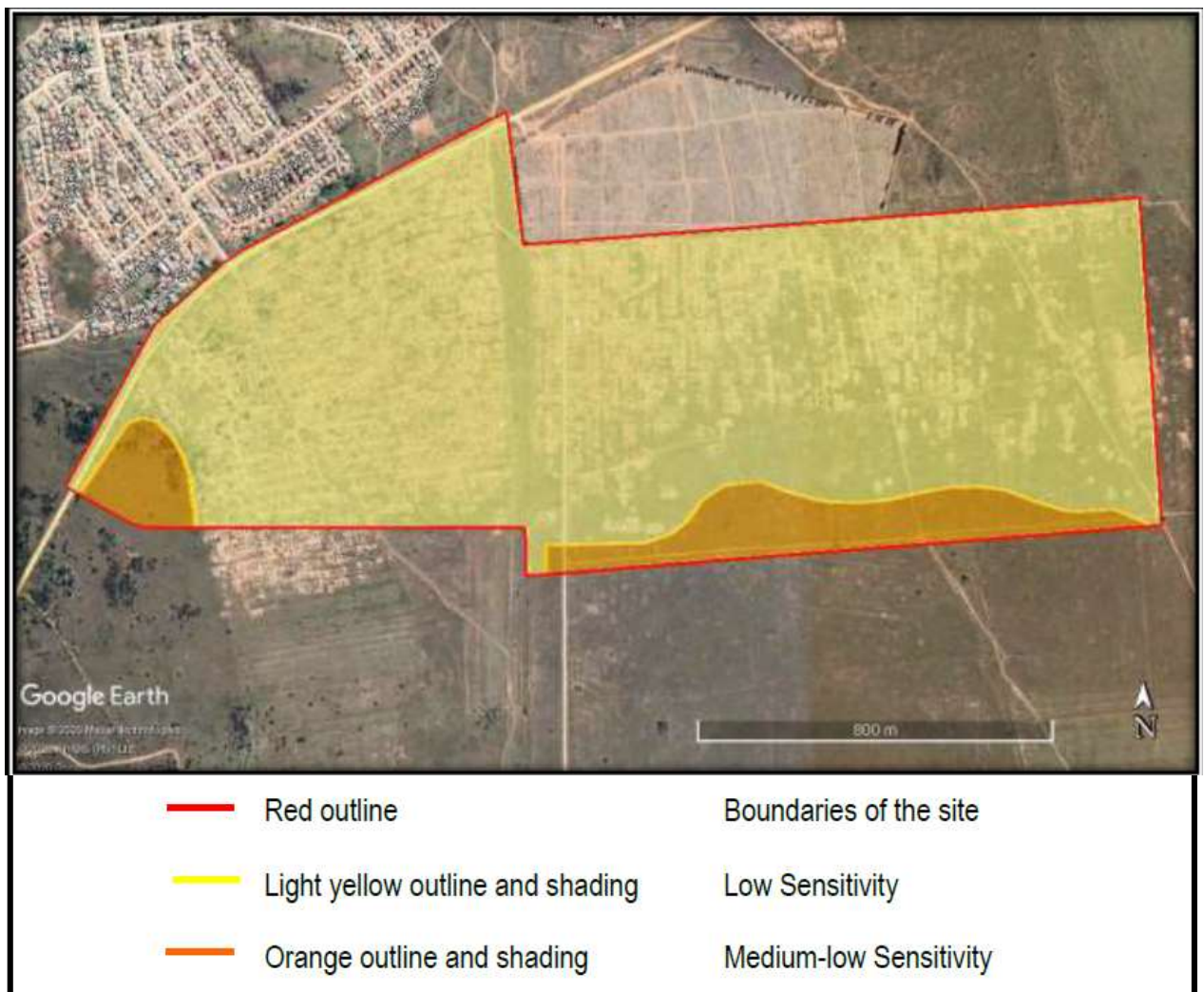
3.6 FAUNA AND FLORA

As part of the Environmental Impact Assessment the ecological sensitivity of the application site was determined (refer **Annexure P1** to the comprehensive Land Development Application). Assessment Species which are not threatened but of conservation concern, for example near threatened, data deficient or declining species also received attention in the survey.

3.6.1 Ecological Sensitivity:

Ecological sensitivity at the site is low. Informal dumping, trampling, tracks, likely overgrazing by free roaming cattle and clearings are widespread human induced impacts at the site. Informal settlements are present at some parts of the site. Soil compaction is noticeable at many places at the site. Pylons run through the site. Vegetation at the site appears to be degraded, modified or in some areas transformed. Hitherto cultivated fields cover most of the site. Threatened species appear to be absent. The scope for the vegetation at the site to be restored and conserved is small.

Map 11: Ecological Sensitivity



3.6.2 Conclusion:

- **No Threatened or Near Threatened plant species appear to be resident at the site.** No other plant or animal species of particular conservation concern appear to be present at the site. The scope for the site to be part of a corridor of particular conservation importance is small. Ecological sensitivity at the site is medium-low and for the larger part, low.

3.7 GROUNDWATER

The permanent or perched water table on site is deeper than 1,5m below ground surface. Slow percolation of water within the clay is expected.

3.8 GEOLOGY

(The information contained in Sections 3.8.1 to 3.8.3 below was extracted from the Engineering Geological Investigation Report compiled by Geoset CC attached as **Annexure S** to the comprehensive Land Development Application)

3.8.1 LOCAL GEOLOGY

The area is underlain by amygdaloidal lava, agglomerate and tuff of the Rietgat Formation, Platberg Group of the Witwatersrand Supergroup. Surficial deposits on site include quaternary ferricrete and colluvium, covering the lithology.

No dolomite occurs in the area and no stability investigation is required.

On account of the field observations, laboratory results, previous experience and engineering properties of the soil, it is zoned as follows:

Normal Development with Risk:

Site Class HR/2C2F:

Slightly to medium expansive soil with estimated total heave of less than 7,5mm measured at surface, with the risk that it is underlain by a competent pebble marker comprising nodular ferricrete or hard pan ferricrete or shallow rock lava or lava core stones with normal foundation techniques to enable proper development. The use of pneumatic tools and a competent TLB or even blasting to reach required depths for the placement of services may increase the development cost to slightly above normal. It was classified as HR in terms of the NHBRC guidelines (1995) or the SAICE Code of practice (1995) and 2C2F according to the classification for urban development (Partridge, Wood & Brink), and normal compaction within standard strip foundations and drainage provision will be sufficient.

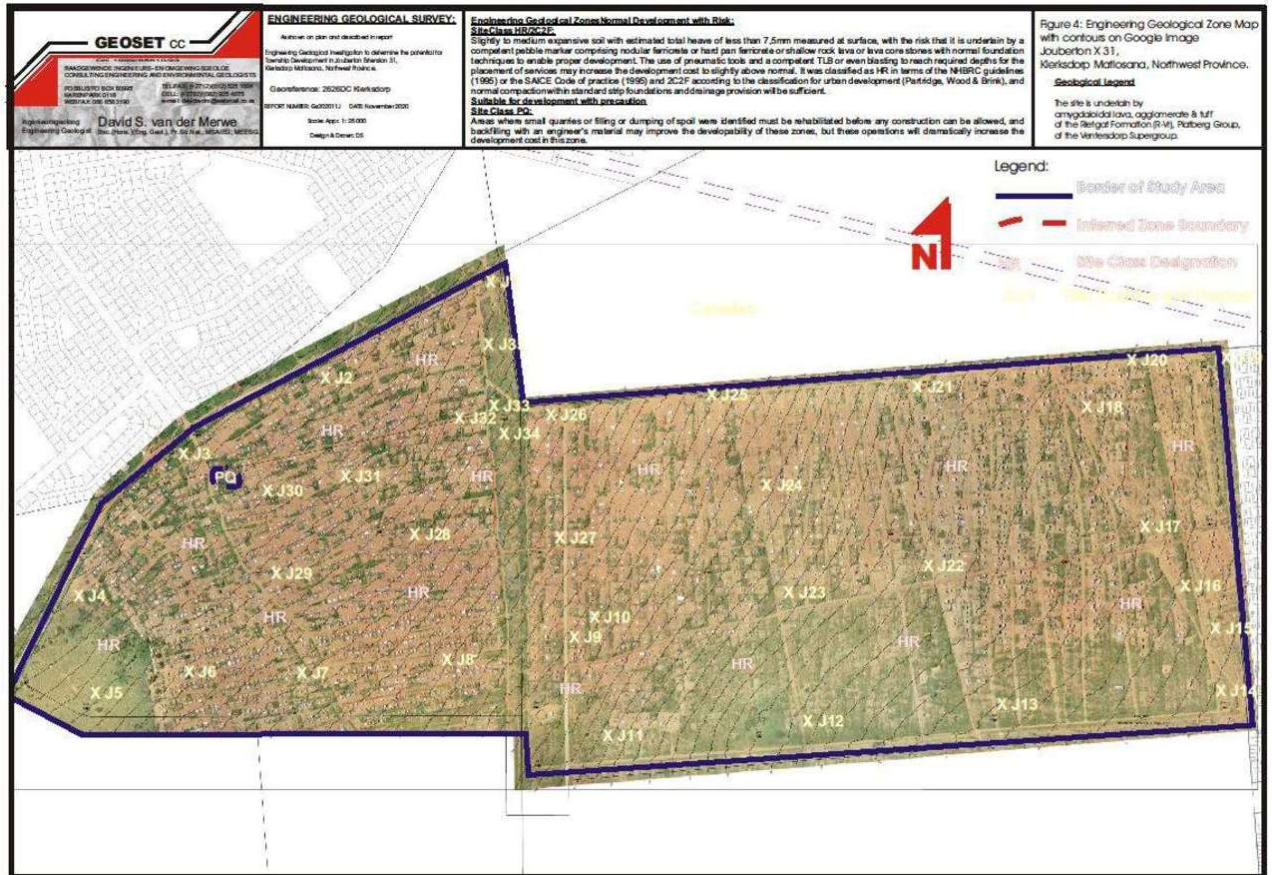
Suitable for development with precaution

Site Class PQ:

Areas where small quarries or filling or dumping of spoil were identified must be rehabilitated before any construction can be allowed, and backfilling with an engineer's material may improve the developability of these zones, but these operations will dramatically increase the development cost in this zone.

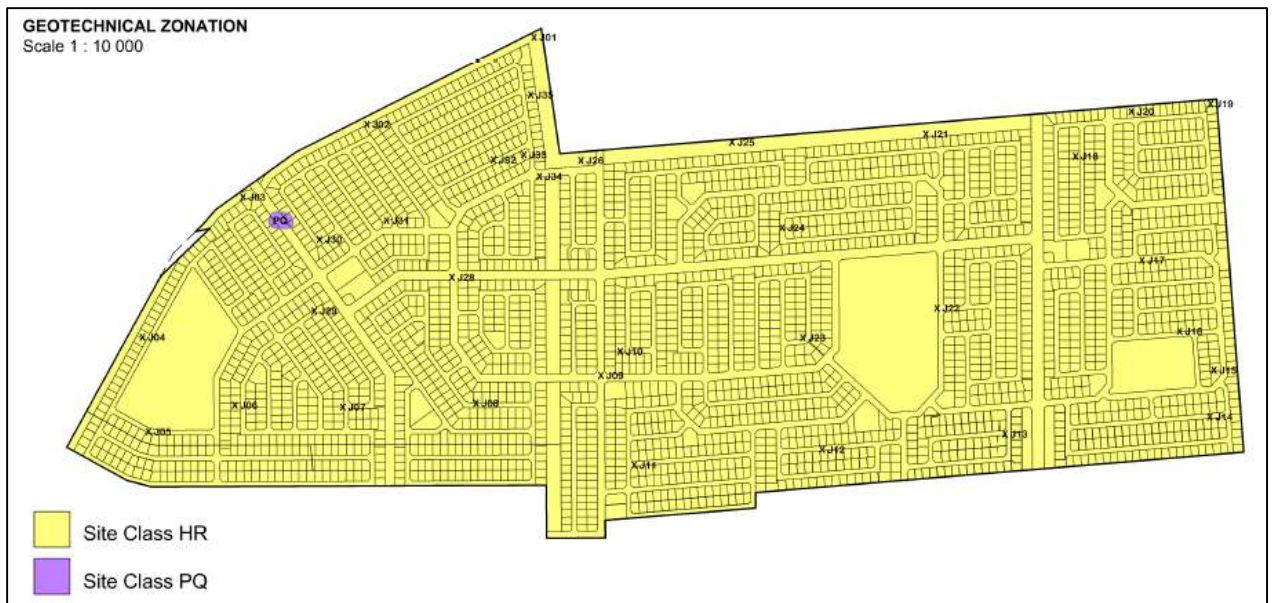
The geotechnical soil zones detailed above are illustrated on **Map 12** overleaf:

Map 12: Engineering Geological Zone Map



The geotechnical soil zones, as they apply to the erven in the proposed township area of Jouberton Extension 31, are indicated on **Map 13**.

Map 13: Graphic presentation of the Engineering Geological Zone Map



3.8.2 DRAINAGE

- The site is located on a moderate to shallow to moderate slope towards the Schoon Spruit a distance east of the site.
- Plate flow is the dominant drainage pattern on the sites, and some prominent drainage features or channel intersects the sites. Drainage occurs in a eastern direction towards the Schoon Spruit.
- The drainage systems from culverts for the roads should be incorporated within the roads.
- Seepage and the presence of perennial fluctuations of ground water were encountered on site, proving that a seasonal perched water table may exist. A ferruginised profile or ferricrete indicates that some perennial water level fluctuations may occur.
- Ground water in the form of seepage was not intersected in any test pit during the investigation, but normal water tightening techniques such as damp course on foundation levels are required.
- The expected low permeability of the silty sandy clay will limit leachate from sanitation systems to reach the ground water along the shallow norite bedrock, but a closed water borne sewage system is recommended as the percolation rate through this clayey material prevents movement resulting in that pits may fill up and overflow.
- The limited depth of excavations also restricts the use of open pit latrines on the site.
- Special care must be taken to ensure adequate surface drainage to prevent the accumulation of water next to structures. A concrete apron of at least 1,0m around structures are prescribed, and we recommend no gardening around structures to keep the moisture content as stable as possible.
- Storm water diversion measures such as ponding pools are recommended to control peak flows during thunderstorms.
- All embankments must be adequately compacted and planted with grass to stop any excessive erosion and scouring of the landscape.

3.8.3 CONCLUSIONS

- Some problems are foreseen regarding the excavatability to 1,5m depth almost across the site.
- Special care must be taken to ensure adequate surface drainage to prevent the accumulation of water next to structures.
- Zoning of the site revealed zones with constraints regarding the compressibility, as well as the expansive properties of the soil, and nodular and hard pan ferricrete or shallow rock lava and core stones may hamper the placement of services.
- **Normal construction techniques will be adequate to enable proper development including the use of compaction techniques and drainage as described.**
- This investigation was done to reveal the geotechnical properties on site with the techniques as described to form our opinion. Although every possible factor during

the investigation was dealt with, it is possible to encounter variable local conditions. This will require the inspection of foundations by a competent person to verify expected problems.

3.9 ENVIRONMENTAL IMPACT ASSESSMENT

AB Enviro-Consult was appointed to conduct an Environmental Impact Assessment in terms of sections 24 and 24(D) of the National Environmental Management Act, 1998 (Act 107 of 1998). The activity is listed in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended and the Environmental Impact Assessment Regulations, 2014.

An Environmental Screening Process was conducted by the EAP to ensure that all the relevant Environmental Legislation is taken into consideration. In addition to desktop studies and assessed alternatives and site inspections carried out to verify outcomes of the desktop studies, a full Public Participation Process was followed to obtain inputs from interested and affected parties.

The Final Environmental Impact Report (refer **Annexure P1** of the comprehensive Land Development Application) was submitted to the Department Economic Development, Environment, Conservation and Tourism (DEDECT, Ref nr: NWP/EIA/03/2021) in November 2021 and did not identify any fatal flaws pertaining to the proposed development.

The Environmental Assessment Practitioner (EAP) concluded as follows in the final Environmental Impact Assessment Report (EIAR) in respect of the proposed development of the township area of Jouberton Extension 31:

- ***“As no significant impacts that cannot be mitigated were identified, AB Enviro-Consult CC is of the opinion that the project should proceed, provided that the necessary mitigation and management measures are implemented.***
- ***Under South African environmental legislation, the Applicant is accountable for the potential impacts of the activities that are undertaken and is responsible for managing these impacts. The Applicant therefore has overall and total environmental responsibility to ensure that the implementation of the construction phase of the EMPR complies with the relevant legislation and the conditions of the environmental authorisation. The applicant will thus be responsible for the implementation of the EMPR.***
- ***The environmental management programme (EMPR) should form part of the contract between the construction company and the applicant. This will help ensure that the EMPR is adhered to. It is suggested that a suitably qualified Environmental Control Officer (ECO) be appointed for the construction phase”.***

The Environmental Authorisation in respect of the development of the Jouberton Extension 31 will be forwarded to the Local Authority upon receipt.

3.10 CULTURAL HERITAGE AREAS

(The information contained in Section 3.10 below was extracted from the Phase 1 Cultural Heritage Resources Impact Assessment compiled by A Pelser Archaeological Consulting attached as **Annexure P2** to the comprehensive Land Development Application)

A Pelser Archaeological Consulting was commissioned to conduct a Cultural Heritage Resources Impact Assessment in respect of the proposed development area. The fore-mentioned assessment indicated that a number of known cultural heritage sites (archaeological and/or historical) exist in the larger geographical area within which the study area falls. There are no known sites on the specific land parcel and none was identified and recorded during the physical assessment in January 2021.

The topography of the study area is in general flat and open, with no rocky outcrops or ridges occurring. The study area itself was utilized in the past for agricultural purposes while cattle grazing was also practiced here. The area around and bordering the proposed development consists of existing Township/Residential Settlements and as a result the original character of the area has been extensively altered in recent years. The study and development footprint itself is **basically covered by informal settlement structures** that have impacted on the area. **If any cultural heritage (archaeological and/or historical) sites, features or material did exist here in the past it would have been majorly disturbed or destroyed as a result of these activities.**

No sites, features or material of cultural heritage (archaeological and/or historical) nature, origin or significance was identified and recorded in the study area during the field assessment. If any cultural heritage (archaeological and/or historical) sites, features or material did exist here in the past it would have been extensively disturbed or destroyed as a result. Earlier aerial images of the area (Google Earth) show that in 2011 the development area was still nearly entirely under agricultural fields, while by 2018 informal settlement had started encroaching into the area.



Photo 4: Photo of application site not occupied by informal settlement

The Heritage Resources Impact Assessment concluded that although all efforts are made to locate, identify and record all possible cultural heritage sites and features (including archaeological remains) there is always a possibility that some might have been missed as a result of grass-cover and other factors. The subterranean nature of these resources (including low stone-packed or unmarked graves) should also be taken into consideration. Should any previously unknown or invisible sites, features or material be uncovered during any development actions then an expert should be contacted to investigate and provide recommendations on the way forward.

The Heritage Consultant concluded that ***“from a cultural heritage point of the proposed Jouberton Extension 31 Township Establishment should therefore be allowed to continue”***.

CHAPTER 4: PROPOSED DEVELOPMENT

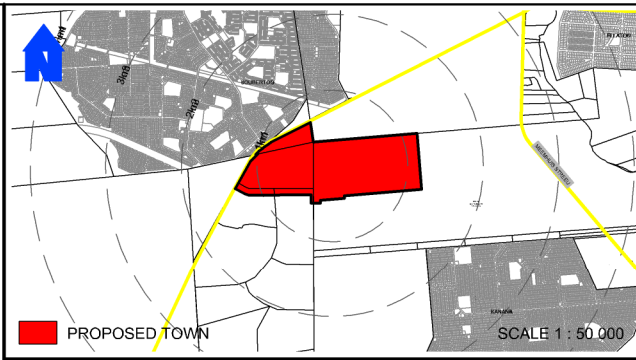
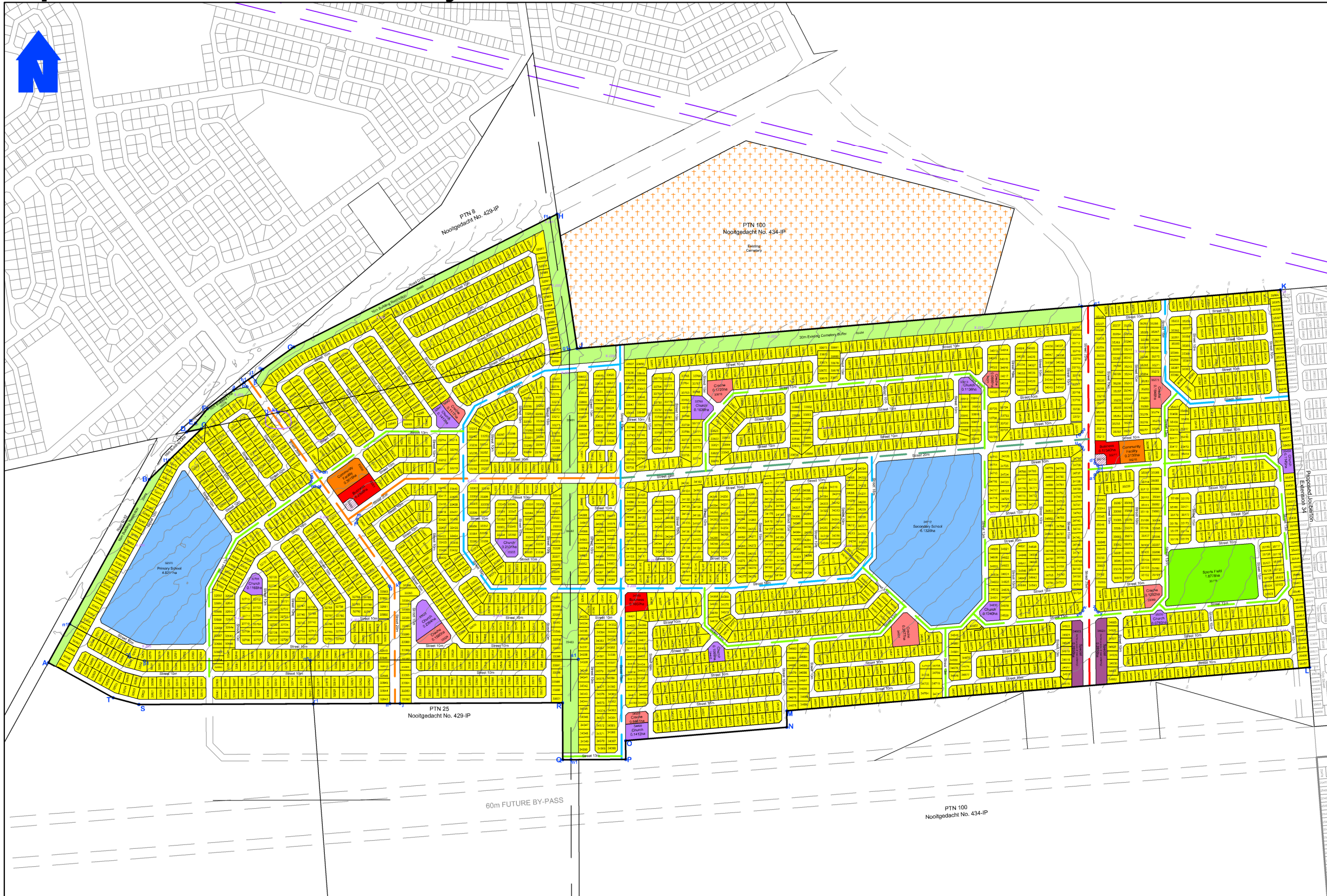
4.1 LAND USES

The intention of the township applicant is to utilize the concerned properties to formalise the existing informal settlement on site. Through formalisation, a viable residential township can be established that partially addresses the housing backlog faced in the City of Matlosana. The informal occupation of the application site has led to squalid conditions for residents without proper shelter and access to basic services.

As mentioned previously, two (2) adjoining township areas are currently being developed i.e. Jouberton Extension 34 and Kanana Extension 16. The planning of these township areas was conducted in an integrated manner and it was decided to also make provision for residential erven that can accommodate a variety of different housing typologies including inter alia GAP/FLISP housing, rental housing and bonded housing. These erven were accommodated in the proposed adjacent township area of Jouberton Extension 34 in a neighbourhood cell located north of the Eskom powerline servitude to create a “sense of place”. In accordance with the policy guidelines contained in the Breaking New Ground (BNG) Principles it is indicated that new residential township areas should focus on the establishment of integrated human settlements focussing on the provision of erven not only for subsidized/low income households but also addressing the need for other housing typologies such as bonded housing and FLISP projects. In this specific instance, the development of the proposed township areas of Jouberton Extension 34 and Kanana Extension 16 should be regarded as one integrated human settlement area that was only divided into two (2) separate township areas to clearly delineate the urban areas of Kanana and Jouberton respectively. In terms of establishing a truly integrated human settlement, the layout plan compiled in respect of the development area also makes provision for the required non-residential-, social, educational, institutional and business facilities.

As alluded to in Section 1.1, the planning of the proposed integrated human settlement area, was conducted in an integrated manner after thorough consultation with the Local Authority. The proposed layout and land uses were workshopped extensively with the Planning Department of the City of Matlosana and was approved in principle (refer to letter attached in **Annexure L1** to the Comprehensive Land Development Application). This integrated planning yielded a township area comprising 3 000 residential erven together with an additional 38 erven earmarked for non-residential support functions (exclusive of streets). The layout plan of the proposed township area is reflected on **Map 14** below:

Map 14: Jouberton Extension 31 Layout Plan



LEGEND

Proposed Zoning	Proposed Land use	Number of Erven	Erft Number	Area in Ha	% of Area
Residential 1	Residential house	3000	32447-32568, 32571-32700, 32703-32940, 32943-32968, 32973-33004, 33008-33022, 33025-33768, 33770-33817, 33819-33912, 33914-34020, 34022-34084, 34085-34442, 34444-34468, 34521-34620, 34623-34711, 34713-34829, 34831-34922, 34925-34999, 35001-35026, 35031-35114, 35116-35206, 35213-35270, 35274-35432, 35434-35477	106.0656ha	61.36%
Business 1	Shop	3	33201; 34385; 35211	0.5904ha	0.35%
Institutional	Secondary School	1	34712	6.1326ha	3.55%
	Primary School	1	32570	4.8211ha	2.79%
	Creche	8	32942-33024, 33818, 34500, 34631, 35000, 35273	2.0761ha	1.20%
	Church	11	32701, 32914, 33306, 33523, 33769, 33913, 34021, 34443, 34469, 34620, 35020, 35433	1.5910ha	0.92%
Municipal	Community Facility	2	33200; 35210	0.5145ha	0.30%
	Road Widening	2	34923-34924	0.5712ha	0.33%
Special	Parking	2	33202; 35212	0.0920ha	0.05%
	Park	7	35478-35484	7.9764ha	4.61%
Recreational	Sportsfield	1	35115	1.8778ha	1.09%
Existing Public Roads	Street			40.5411ha	23.45%
TOTAL		3038	32447-35484	172.8498ha	100%

STREETS

Reserve Width	Length in Metre	% of Street Length
6m	121m	0.34%
10m	25015	70.22%
13m	4692m	13.17%
16m	2857m	8.02%
20m	2200m	6.17%
25m	742m	2.08%
TOTAL	35 627m	100%

Street Notes:

Maximum slope 1 : 80
Minimum slope 1 : 30

- ### NOTES:
- The figure A-B-C-D-E-F-G-H-J-K-L-M-N-O-P-Q-R-S-T-A represents the proposed township Jouberton Extension 31
 - 16m Building Restriction along the line(s) lettered A-B-1; D-E-F-a-b and p-q-G-H as indicated on the layout plan.
 - No ingress or egress along the line(s) lettered A-B-1; D-E-F-a-b-d; e-f-g-h; j-k-l-m; n-o-p-q-G-H; r-s; u-v-w-x; y-z-a-1-1 and ct-1-1 as indicated on the layout plan.

- ### SERVITUDE NOTES:
- The line f-1-g1 represents the centre line of an electric powerline servitude, 15.5m wide measured from the centre line, vide diagram SG No. A7262/1969 and Neerual Deed of Servitude K1129/1969.
 - The figure h-1-j-1-k-1-l-1 represents a servitude of right of way vide diagram SG No. 294/2010 - To be Cancelled
 - The line g-1-m-1 represents the centre line of an electric powerline servitude, 15.5m wide measured from the centre line, vide diagram SG No. A7263/1989 and Neerual Deed of Servitude K1152/1995.
 - The line n-1-o-1-p-1-q-1 represents the northern boundary of a servitude of right of way, 15.0m wide, vide diagram SG No. 285/2010 - To be Cancelled
 - The line q-1-r-1 represents the eastern boundary of a servitude of right of way, 15.0m wide, vide diagram SG No. 9136/2008 - To be Cancelled
 - The line s-1-t-1 represents the northern boundary of a servitude of right of way, 15.0m wide, vide diagram SG No. 282/2010 - To be Cancelled

1 : 100 YEAR FLOODLINE

It is hereby certified in terms of the provisions of Section 144 of the National Water Act, 1998 (Act No.36 of 1998) that the township is not affected by a public stream.

DESIGN OF TOWN LAYOUT
Maxim Planning Solutions (Pty) Ltd
C. Grobbelaar TRP A/101/1985
Tel. (018) 468 6366

CONTOURS
The contour survey is in accordance with the standards laid down by the Regulations relating to Township Establishment and Land Use.
Digital Orthophoto by:
Calogero Surveyors
CELL: +2782 857 9920
EMAIL: anthony@calogerosurveyors.co.za
SURVEYED: November 2020
https://calogerosurveyors.co.za
System : WGS84 Central Meridian : L27

PR ENGINEER
It is hereby certified that the town layout complies with the conditions and recommendations as stated in the Geological Report.

PR ENGINEER

GEOTECHNICAL REPORT

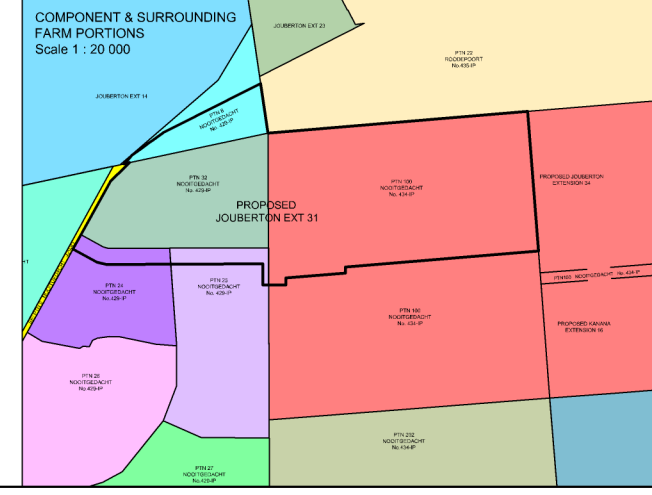
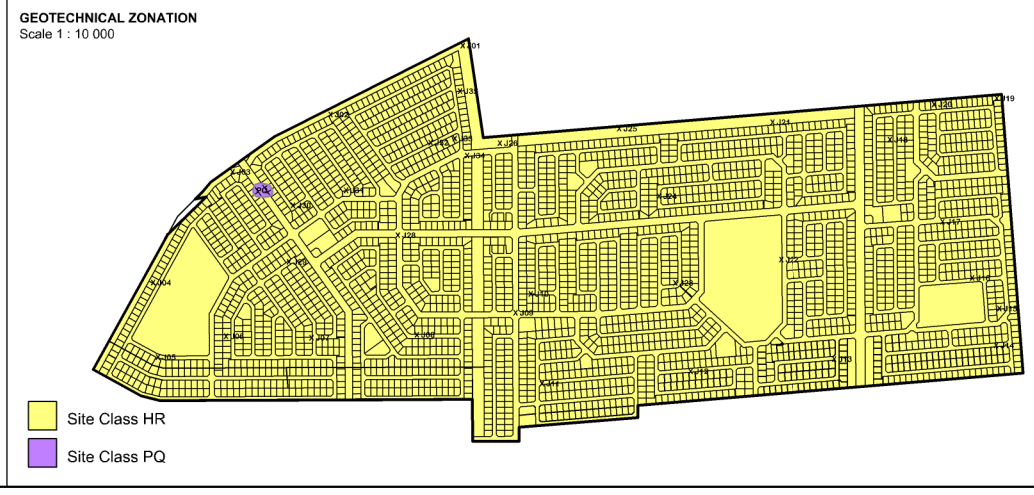
Compiled by : GEOSSET cc
Consulting Environmental and Engineering Geologists
David S. van der Merwe : Cel. (082) 925 4075
Date : November 2020

Engineering Geological Zonation

Normal Development with Risk:
Site Class HR/2C2F:
Slightly to medium expansive soil with estimated total heave of less than 7,5mm measured at surface, with the risk that it is underlain by a competent pebble marker comprising nodular ferricrete or hard pan ferricrete or shallow rock lava or lava core stones with normal foundation techniques to enable proper development. The use of pneumatic tools and a competent TLB or even blasting to reach required depths for the placement of services may increase the development cost to slightly above normal. It was classified as HR in terms of the NHBRC guidelines (1995) or the SAICE Code of practice (1995) and 2C2F according to the classification for urban development (Partridge, Wood & Brink), and normal compaction within standard strip foundations and drainage provision will be sufficient.

Suitable for development with precaution:
Site Class PQ:
Areas where small quarries or filling or dumping of spoil were identified must be rehabilitated before any construction can be allowed, and backfilling with an engineer's material may improve the developability of these zones, but these operations will dramatically increase the development cost in this zone.

— Inferred Zone Boundary
PQ Site Class Designation
x J01 Test Position and Number



PROPOSED TOWNSHIP JOUBERTON EXTENSION 31

0m 40m 80m 120m 160m 200m 240m 280m
1cm = 40m SCALE 1 : 4 000

THE PROPOSED TOWN IS SITUATED ON A PORTION OF PORTION 24 (A PTN OF PTN 9), A PORTION OF PORTION 25 (A PTN OF PTN 9), PORTION 32 (A PTN OF PTN 9), A PORTION OF PORTION 8 (A PTN OF PTN 2) OF THE FARM NOOIITGEDACHT NO. 429-IP AND A PORTION OF PORTION 100 (A PTN OF PTN 2) OF THE FARM NOOIITGEDACHT NO 434-IP

CITY OF MATLOSANA NORTH WEST PROVINCE

Drawing Compiled by : C. Cloete
Drawings Nr. : 8/6/49/K/T
Date : 2021-07-07
Revision :

Caddie File : 8-PROJECTS
18-6-49-K-T Jouberton Extension 31
MansCAD

Tel (018) 468-6366
Fax (018) 468-6378
kook@maxim.co.za

ACCREDITED TOWN AND REGIONAL PLANNERS

The layout plan of the proposed township Jouberton Extension 31 makes provision for the following erven/land uses:

Proposed Zoning	Proposed Land use		Number of Erven	Erf Number	Area in Ha	% of Area
Residential 1	Residential house		3000	32447-32569; 32571-32700; 32702-32940; 32943-33199; 33203-33354; 33356-33522; 33525-33768; 33770-33817; 33819-33912; 33914-34020; 34022-34384; 34386-34442; 34444-34498; 34501-34630; 34632-34711; 34713-34829; 34831-34922; 34925-34999; 35001-35059; 35061-35114; 35116-35209; 35213-35272; 35274-35432; 35434-35477	106.0656ha	61.36%
Business 1	Shop		3	33201; 34385; 35211	0.5904ha	0.35%
Institutional	Secondary School		1	34712	6.1326ha	3.55%
	Primary School		1	32570	4.8211ha	2.79%
	Creche		8	32942; 33524; 33818; 34500; 34631; 35060; 35273	2.0761ha	1.20%
	Church		11	32701; 32941; 33355; 33523; 33769; 33913; 34021; 34443; 34499; 34830; 35000; 35433	1.5910ha	0.92%
Municipal	Community Facility		2	33200; 35210	0.5145ha	0.30%
Special	Road Widening		2	34923-34924	0.5712ha	0.33%
	Parking		2	33202; 35212	0.0920ha	0.05%
Public Open Space	Park		7	35478-35484	7.9764ha	4.61%
Recreational	Sportsfield		1	35115	1.8778ha	1.09%
Existing Public Roads	Street				40.5411ha	23.45%
	TOTAL		3038	32447-35484	172.8498ha	100%

Table 6: Proposed zonings and land uses - Jouberton Extension 31

The following should be noted in respect of the land uses mentioned above:

4.1.1 Residential 1

The layout plans of the proposed township areas make provision for 3 000 “Residential 1” erven of approximately 350m² on average. These properties are well-suited to government housing schemes. A housing subsidy is a grant by government to qualifying beneficiaries for housing purposes. This is one of the Department of Human Settlement’s areas of responsibility in the delivery of human settlements to the bottom-most end of the market,

where it provides housing subsidies to the poor. This is where the bulk of the housing backlog exists, affecting mainly those who earn below R3500 a month. The following subsidy programmes are available from the Department of Human Settlements:

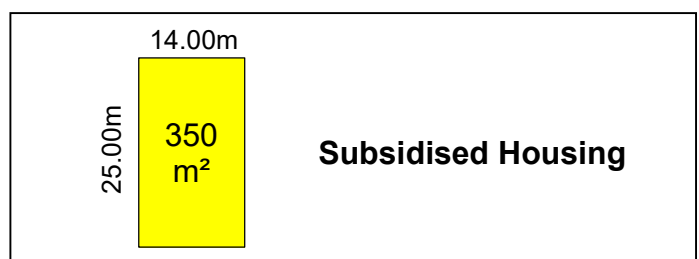


Figure 21: Residential stand sizes

❖ **Integrated Residential Development Programme**

The Integrated Residential Development Programme replaced the Project Linked Subsidy Programme. The programme provides for planning and development of integrated housing projects. Projects can be planned and developed in phases and provides for holistic development orientation:

- Phase 1: Land, Services and Township Proclamation
- Phase 2: Housing Construction (this also includes the sale of stands to non-qualifying beneficiaries and to commercial interests)

❖ **Individual Subsidy**

This programme provides access to state assistance where qualifying households wish to acquire an existing house or a vacant serviced residential stand, linked to a house construction contract through an approved mortgage loan. These properties are available in the normal secondary housing market or have been developed as part of a project not financed through one of the National Housing Programmes

❖ **Enhanced People’s Housing Process**

The Enhanced People’s Housing Process aims to support households who wish to enhance their housing subsidies by funding their own homes. The Enhanced People’s Housing process can be accessed through the Integrated Residential Development Programme, Project Linked Consolidation or Institutional Subsidies.

❖ **People’s Housing Process**

This subsidy is given to people who want to build or manage the building of their own homes. Unlike the Project Linked Subsidy where a contractor builds houses for a number of people, the People’s Housing Process allows people or beneficiaries to build or organize the building of their homes.

The proposed 3 000 erven will be aimed at subsidised housing provision to formalise the existing informal settlement on site and address the housing backlog faced by the Municipality. The creation of more dense settlements without raising the cost of land and housing for the poor is one of the operational principles in the National Development Plan.

Urban studies in South Africa identified low density development as one of the critical factors inhibiting the creation of sustainable settlements. Low density settlements are problematic in that they generate:

- Inadequate population thresholds which are unable to support viable public transport and social facilities.
- High costs for municipalities who must deliver service.
- Infrastructural inefficiencies.

Apart from abovementioned, the disadvantages of large stands in comparison with smaller stands can be summarised as follows:

- More cost-effective provision of services

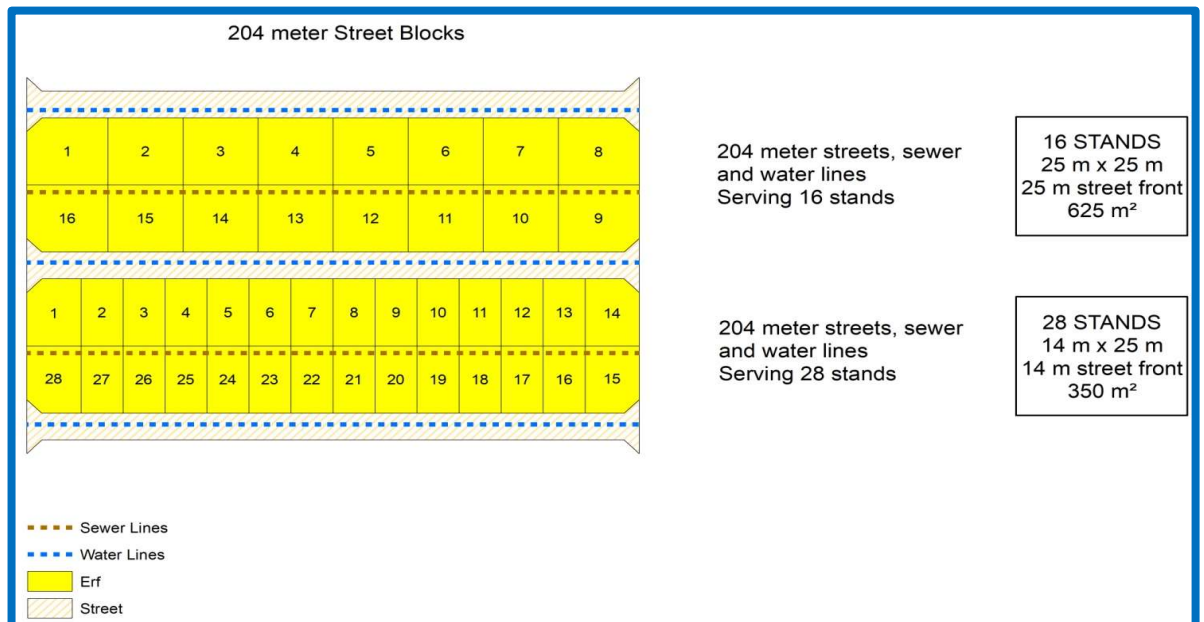


Figure 22: Comparative number of erven provided per fixed linear distance

- Cost breakdown of municipal engineering services (water, sewer and roads – According to National Department of Human Settlements, April 2018)

Table 7: Cost breakdown of Municipal Engineering Services - Direct Costs

COST BREAKDOWN OF MUNICIPAL ENGINEERING SERVICES - DIRECT COST								
IMPLEMENTATION DATE: 01 APRIL 2018								
A GRADE SERVICES: DIRECT COST								
Zoning	Size in m ²	Street front	Cost of water	Cost of sewer	Cost of road	Cost of stormwater	Cost of high mast	Total cost per unit
Res1	243	9m	R4 140.11	R7 210.41	R23 570.60	R4 153.81	R0.00	R 39 074.93
	294	10m	R4 471.07	R7 795.38	R26 516.53	R5 019.15	R0.00	R 43 802.13
	122	5m	R2 803.64	R4 869.48	R11 784.77	R2 076.38	R0.00	R 21 534.27
	236	10m	R4 471.07	R7 795.38	R26 516.53	R4 027.33	R0.00	R 42 810.32

The cost comparison between large stands of 625m² (25m X 25m) and smaller stands of 350m² (14m X 25m) based on quantum amounts is set out in **Table 8** below.

Table 8: Cost comparison between larger and smaller stands

Street Front	Water	Sewer	Roads	Total
25 metres	R 11 177-00	R 27 283-00	R 66 291-00	R 104 751-00
14 metres	R 6 259-00	R 10 913-00	R 37 123-00	R 54 295-00

- Other disadvantages of large residential stands:
 - Higher municipal service tariffs for residents
 - Maintenance costs of outdoor living areas (example: gardens) and fencing

A stand of 300m² with a subsidised house of 40m² provides more than sufficient outdoor space as well as potential for additions over time.

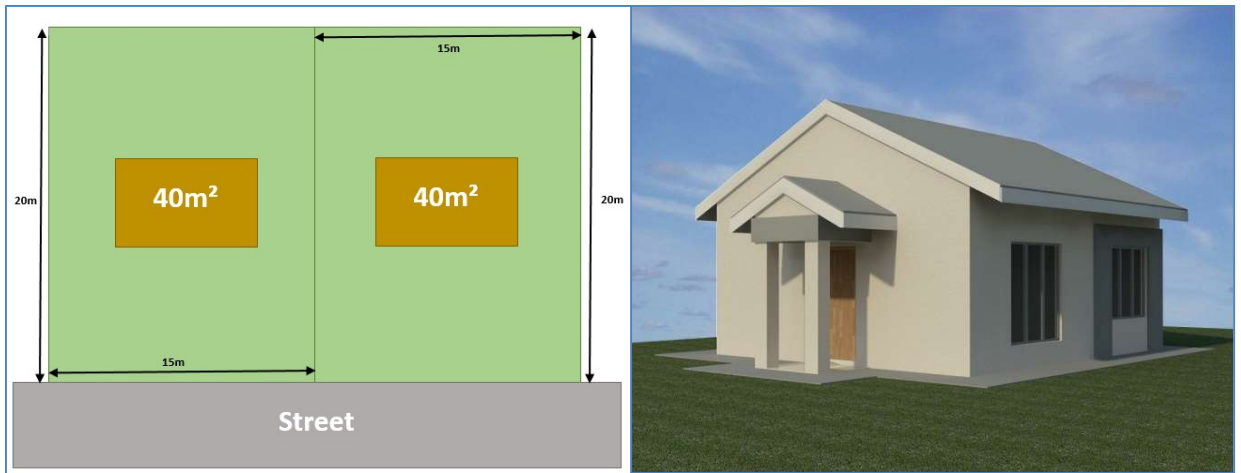


Figure 23: Schematic presentation of 40m² subsidised house on 300m² erf

Housing the poor was an ingredient of the Department of Human Settlement’s three-part response to the State’s Vision 2030 Strategy. “Gap housing” is a term that describes the shortfall or gap in the market between units supplied by the State and houses delivered by the private sector. The gap housing market comprises people who typically earn between R3500 and R15000 per month, which is too little to enable them to participate in the private property market, yet too much for state assistance. Gap housing is a policy that addresses the housing aspirations of people such as nurses, fire-fighters, teachers, SAPS members and member of the armed forces who earn between R3500 and R15000 per month and therefore do not qualify for RDP houses and do not earn enough to obtain home loans.

The following figure illustrates the income divide / Need for alternative solutions.

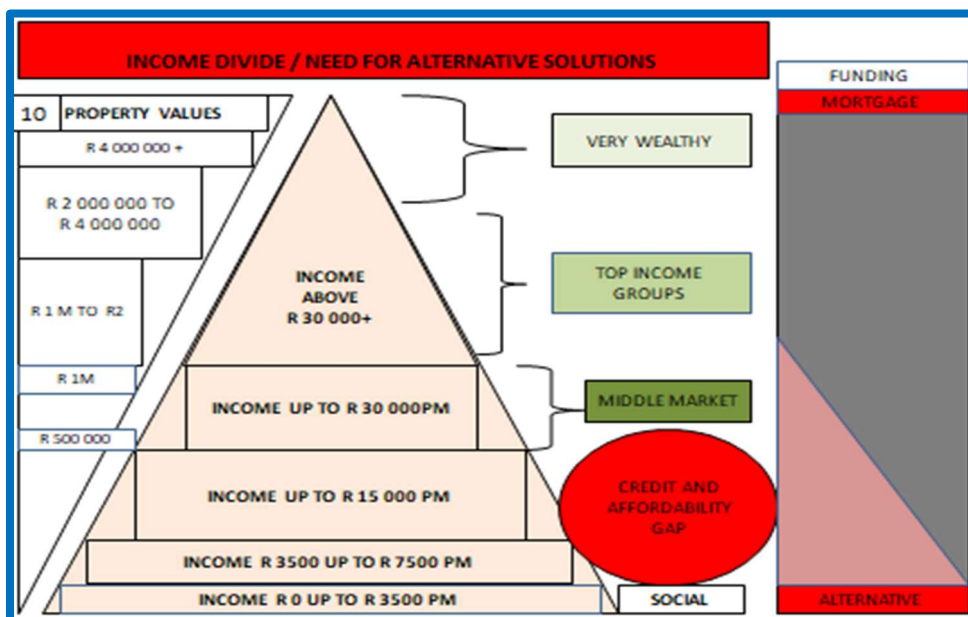


Figure 24: Income Divide / Need for alternative solutions

One of the subsidy programmes further available from the Department of Human Settlements includes the Finance Linked Individual Subsidy Programme (FLISP).

FLISP was developed to enable first time home-ownership to households in the “affordable or gap” market, that is, people earning between R3501 and R15000 per month. Individuals in these salary bands generally find it hard to qualify for housing finance; their income is regarded as low for mortgage finance, but too high to qualify for the government subsidy scheme available to households earning less than R3500 per month. Depending on the applicant’s gross monthly income, their once-off FLISP subsidy qualifying amount may vary between R20 000 and R87 000, as defined in the FLISP Subsidy Quantum. Any residential property acquired with the FLISP subsidy may not exceed the R300 000 price margin. FLISP assists qualifying beneficiaries who wish to obtain mortgage finance from a lender to:

- Acquire ownership of an existing residential property
- Obtain vacant serviced residential stands which are linked to house building contracts with the home builders registered with the National Home Builders Registration Council (NHBRC); or
- Build a new house with the assistance of a home builder registered with the National Home Builders Registration Council (NHBRC) on serviced residential stand that is already owned by the beneficiary.

The objective of the programme is to reduce the initial mortgage loan amount to render the monthly loan repayment instalments affordable over the loan payment term.



Figure 25: Schematic presentation of affordable bonded housing

As mentioned previously, the layout planning of the township area of Jouberton Extension 31 was conducted in an integrated manner with the proposed adjacent township, Jouberton Extension 34. Jouberton Extension 34 makes provision for 342 residential erven that can accommodate bonded housing and erven for owner-builders.

The proposed “Residential 1” erven will be subject to the following development parameters imposed in terms of the Klerksdorp Land Use Management Scheme, 2005:

Table 9: "Residential 1" development parameters

Development parameter	Development Parameter Detail
Primary Use	Dwelling Unit defined as <i>An interconnected suite of rooms which does not include more than one kitchen, designed for occupation and use by a single family or extended family and which may include such outbuildings and servants quarters as are ordinarily incidental thereto.</i> Cultural Heritage Site Protected Areas
Consent Uses	Commune Guesthouse Home Enterprise Informal Structure Place of Instruction Public Worship 2 nd Dwelling Unit
Coverage	Height Zone 0: Maximum 50%
Height	Height Zone 0: Maximum 2 storeys
Building lines	≤ 500m ² = 3m street boundary ≥ 500m ² = 5m street boundary

4.1.2 Business 1

To ensure that a proper integrated human settlement is established, it is imperative that adequate provision also be made for commercial activities that will address the daily needs of the concerned community whilst similarly providing opportunities for job creation. The proposed layout makes provision for three (3) properties zoned for “Business 1” purposes, distributed evenly throughout the proposed layout to improve accessibility. These properties will serve as local business centres to the surrounding neighbourhood.

The “Business 1” erven were positioned in such a way to limit walking distances whilst ensuring easy accessibility to these facilities. It will be noted that two (2) of the “Business 1” properties are situated adjacent to Municipal erven (earmarked for the establishment of community facilities). Provision has also been made for “Special” erven for parking purposes at these business sites to form local nodes, providing a range of services to the public.

The proposed “Business 1” erven will be subject to the development parameters imposed in terms of the Klerksdorp Land Use Management Scheme, 2005 (Table A).

4.1.3 Institutional

The layout plan of the proposed township area makes provision for twenty one (21) erven to be zoned as “Institutional”:

For this development area to function as a proper integrated human settlement, it is of critical importance to also address the needs of the community for education facilities in the form of early learning centres / crèches, primary schools, secondary schools and places of worship.

In terms of the CSIR Guidelines for the Provision of Social Facilities in South African Settlements, the following norm is proposed in respect of social facilities:

Table 10: CSIR Guideline for social facilities

Proposed facility	CSIR Guideline	Number of erven required	Number of erven provided
Small Crèche / Early childhood development centre	1 per 2400 – 3000 inhabitants	3	8
Primary School	1 per 7000 inhabitants	1	1
Secondary School	1 per 12 500 inhabitants	0	1
Place of Worship	1 per 3000 – 6000 inhabitants	2	11

(Based on estimated 3 000 households, 3.2 average household size and total estimated inhabitants of 9 600)

It is evident from **Table 10** above that the proposed layout makes provision for more social facilities (particularly creches and places of worship) than mandated by the CSIR thresholds. This was done specifically to accommodate existing facilities in the informal settlement and to ensure that residents are not disadvantaged through the formalisation.

The erf earmarked for use as a secondary school was positioned in the centre of the proposed layout in order to also serve the proposed Jouberton Extension 34 and Kanana Extension 16 townships to the east. The erf earmarked for use as a primary school was positioned in the western portion of the proposed layout plan. The provision of school facilities within the concerned township area as well as the positioning thereof has been determined in consultation with the Department of Education. During this consultation the Department of Education requested that a primary school erf of at least 3,8 hecrares be provided to create the opportunity for the Department to possibly re-purpose the school site for the purposes of a secondary school erf based on the combined needs of this part of the urban area of Jouberton.

The other “Institutional” zoned properties (earmarked for creches and places of worship) are dispersed throughout the layout plan to enhance accessibility to the community. In several instances these erven have been grouped together (either adjacent to one another or across the road from one another) in order to promote the sharing of services.

The proposed “Institutional” erven will be subject to the following development parameters imposed in terms of the Klerksdorp Land Use Management Scheme, 2005:

Table 11: "Institutional" development parameters

Development parameter	Development Parameter Detail
Primary Use	<p>Place of instruction defined as <i>A building designed for use as a school, college, technical or academic institution, creche, lecture hall, nursery school, after school care centre, or other educational centre and a hostel in connection therewith and includes a convent or monastery, a library, art gallery and museum.</i></p> <p>Public Worship defined as <i>A building designed for use or used as a church, chapel, oratory, prayer house, mosque, synagogue or other place of public devotion, and includes a building designed to be used as a place of religious institution and / or a building designed for social intercourse and recreation on the same property as and associated with any of the foregoing buildings, and also not more than two dwelling units for occupancy by office bearers connected with public worship and may also with the written consent of the Local Authority include a wall of remembrance subject to such conditions imposed by the Local Authority.</i></p>
Consent Uses	As per Table A of Klerksdorp Land Use Management Scheme, 2005
Coverage	Height Zone 0: Maximum 70%
Building lines	5m
Parking	Public Worship: 1 p/b per 6 seats Place of Instruction: 1 p/b per classroom/office

4.1.4 Public Open Space

The proposed layout makes provision for seven (7) erven to be zoned as “Public Open Space”. These properties coincide with the areas not suitable for development due to:

- 30m buffer area adjacent to the existing Jouberton cemetery
- 16m building line restrictions alongside District Road D152 (Swartkoppies Road)
- Electrical servitude K1128/1990S and K1152/1990S registered across the properties in favour of Eskom

The proposed “Public Open Space” erven will be subject to the following development parameters imposed in terms of the Klerksdorp Land Use Management Scheme, 2005:

Table 12: "Public Open Space" development parameters

Development parameter	Development Parameter Detail
Primary Use	Public open spaces defined as <i>Land used or intended for use by members of the public as undeveloped land, a park, garden, conservation area, a playground, a square or recreation ground.</i>
Building Lines	5m

4.1.5 Recreational

The proposed layout plan also makes provision for one (1) erf to be zoned as “Recreational”. This proposed erf is earmarked for use as a sports field and is situated in the eastern portion of the layout in order to also service the adjacent proposed Jouberton Extension 34 and proposed Kanana Extension 16 township areas.

The property will be used for “Recreation” purposes, defined as follows in the Klerksdorp Land Use Management Scheme, 2005:

“Means any land earmarked for use as private or public sports fields, playground and recreation site including any building, structure or facility appurtenant thereto.

4.1.6 Public Roads

“Street(s) or Road(s)”, defined as follows in the Klerksdorp Land Use Management Scheme, 2005 will provide access to all erven in the proposed township:

“The area or part of any street, road, bridge, subway, avenue, lane, sanitary lane, thoroughfare or right of way, as shown on the general plan of a township or agricultural holdings or division of land in respect of which the public has acquired a prescription or other right of way”.

The streets in the proposed township will be zoned “Existing Public Roads”.

4.1.7 Municipal

The layout plan of the proposed township area makes provision for two (2) erven to be zoned as “Municipal”. Together with the proposed Business 1 and Special (parking) properties located adjacent to the “Municipal” properties, the sites will create local nodes providing a variety of services to the surrounding community. The properties are well dispersed throughout the layout plan and in close proximity to 20m access roads.

The proposed “Municipal” erven will be subject to the development parameters imposed in terms of the Klerksdorp Land Use Management Scheme, 2005 (Table A).

4.1.8 Special

The layout plan of the proposed township area makes provision for four (4) erven to be zoned as “Special”. As mentioned in Section 4.1.7 above, two of these “Special” erven are located adjacent to “Business 1” and “Municipal” stands in order to provide sufficient parking for these land uses and make provision for public transport needs that may arise in future.

The other two “Special” erven are located adjacent to the 25m road which will be extended in future in a southerly direction to cross the proposed N12 bypass road (by means of a bridge) and to link the proposed township area of Jouberton Extension 31 to the existing Kanana urban area as well as future Kanana township areas. The two (2) erven provided for the widening of the 25m road are intended to accommodate the support berms adjacent to the bridge over the N12 bypass road as well as the necessary on- and off-ramps. These two properties are earmarked for road widenings should the N12 bypass road and associated interchanges be developed in future.

4.2 FACTORS INFLUENCING THE LAYOUT PLAN

The layout plan of the proposed township area was influenced by the following factors:

- ★ District Road D152 that runs along the north-western boundary of the application site has been accommodated and excluded from the layout plan;
- ★ Incorporating a 16m building line along the boundary of the township area bordering onto District Road D152;
- ★ A line-of-no-access was also included along the boundary of District Road D152
- ★ A line-of-no-access was also included along the 20m and 25m wide roads running north-south across the layout plan
- ★ The proposed N12 bypass road to the south of the development and the proposed intersection was taken into account and accommodated accordingly. Provision is made in the layout to link to the bypass road in the south and accommodate the necessary road widenings in future.
- ★ The proposed road network was designed in a manner to integrate with the existing Jouberton township in the north and the proposed Jouberton Extension 34 in the east
- ★ The proposed road network also links to the existing Jouberton cemetery, found to the north of the application site. A 30m buffer area has been incorporated along the boundary of the cemetery in accordance with the prescription of the South African Heritage Resources Agency (SAHRA).

- ★ Eskom servitudes, as indicated on Servitude Diagram SG A7262/1989 and SG 7263/1989 have been adequately accommodated in four (4) “Public Open Space” erven;
- ★ Additional erven were provided that serve the socio-economic needs of the community and include educational and institutional facilities, business properties and authority uses. Where possible, these erven were concentrated at specific locations to form local nodes dispersed throughout the community. The grouping of these social services improves accessibility and encourages the sharing of services amongst organisations.
- ★ Provision is made for road linkages to the south and north, to accommodate possible future residential expansion
- ★ Inputs from the local municipal officials regarding lands uses and property sizes were used to guide the layout plan and land use matrix. Refer to **Annexure L1** for a principle approval of the layout plan by the City of Matlosana Municipality.
- ★ Increasing the density of the development through the reduction in the sizes of the erven to increase the economic development potential of the township area whilst similarly creating the opportunity to accommodate a larger number of households within this development;
- ★ The average stand size will be $\pm 350\text{m}^2$ (3000 properties). These stand sizes have been approved by the local authority and the relevant community.

4.3 ACCESS

The street layout used in the proposed layout plan aims to create a functional road network that can accommodate public / private transport as well as pedestrian movement. Access to the proposed township area will be provided from Road D152 (Swartkoppies Road). Road D152 is a very poor gravel road and will in future be upgraded to a Class 3 mobility road. Access into the development will be located in two places, firstly as “Access Road No 1” which will be a Class 3 road linking to the proposed N12 southern by-pass freeway and southwards and a proposed Class 3 road “Access Road No 2” which will link Road D152 and the Townships to the west of D152 into the development.



Photo 5: Photo of Road D152 (Swartkoppies Road)

The Matlosana Local Municipality Roads Master Plan compiled by Tech IQ Consulting Engineers shows that the planned N12 southern by-pass road will run east-west to the south of the site and that there will be a planned Interchange No 6 which will provide direct access to the site via a planned Class 2 north-south road linking up with the proposed development “Access Road No 1”. This new southern by-pass of the N12 will join the existing N12 to the west of Jouberton and west of Stilfontein in the east. The proposed bypass and interchange are illustrated in **Map 15** overleaf:

Map 15: Proposed N12 bypass and interchange

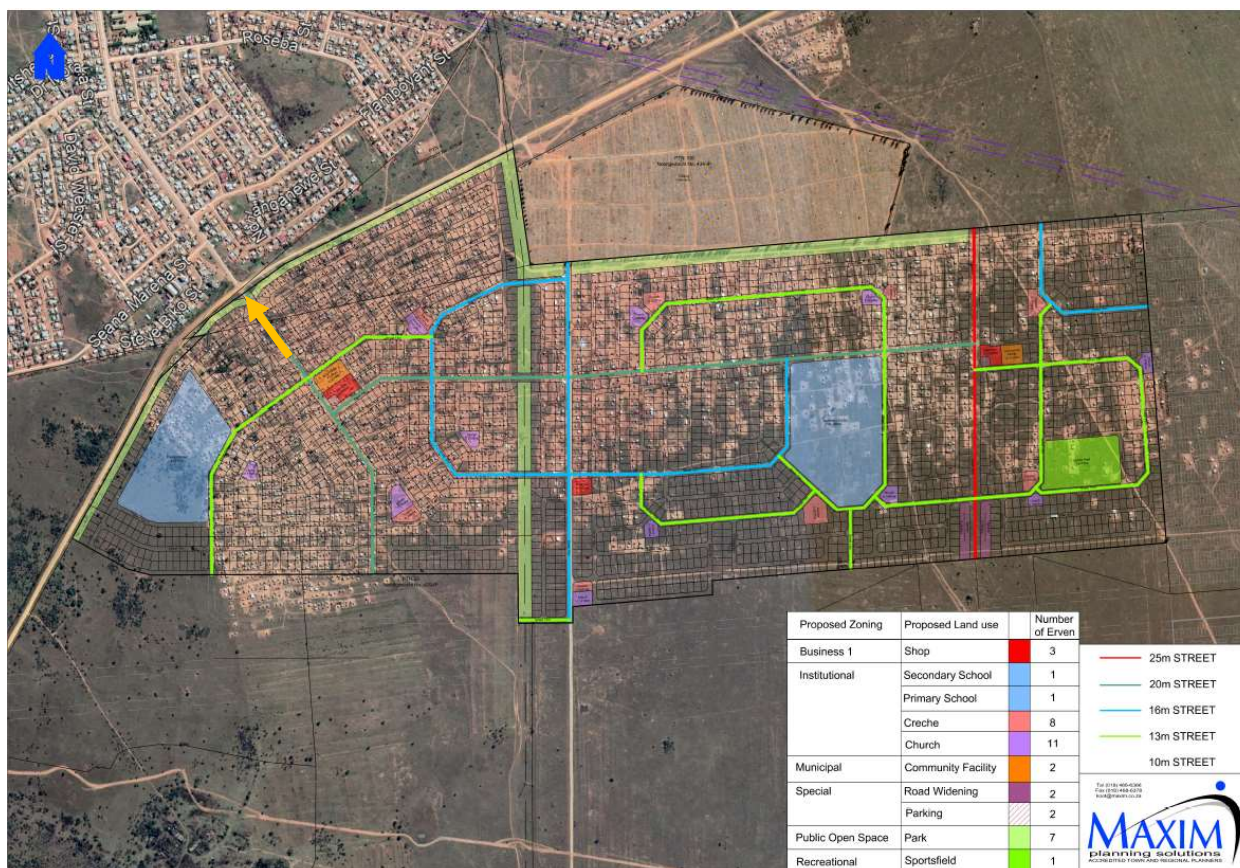


In addition to the 25m road that will link to the proposed bypass (illustrated in **Map 15** above), a 20m wide road will link to the existing District Road D152 to provide access to the proposed township (indicated by an orange arrow in **Map 16** below). This road can also be linked to the proposed bypass in future, as illustrated in **Map 15**.

The main road network in the township area will consist of 25m and 20m primary collector roads (indicated in red and dark green below), 16m secondary collector roads (indicated in blue below), 13m collector roads (indicated in green below) and 10m internal roads. Provision has been made in the road network for possible expansion to the north and south of the proposed development.

The internal street network to be implemented in the proposed township area comprises of the following roads:

Map 16: Proposed township street classes and widths



In order to assess the impact of the proposed township area on the surrounding road network, Route 2 Transport Strategies CC was commissioned to conduct a Traffic Impact Assessment in respect of the proposed township area.

The results of the Traffic Impact Study, extracted from the Traffic Impact Study compiled by Route 2 Transport Strategies (attached as **Annexure R** to the Land Development Application) can be summarized as follows:

4.3.1 STUDY AREA

The extent of the study area is driven by an estimation of the traffic generated by the proposed development of Jouberton Ext 31 and the main intersections likely to be affected by the additional traffic. This study therefore assesses the worst-case scenario which will be the full extent of the Development in terms of Residential. All other land uses and subservient uses will have internal traffic generation.

The study includes the following external intersections which is in line with the 1,5km study area as defined in the COTO Manual TMH16 and the study area for Jouberton Extension 31:

1. **Intersection 1: D152 and Proposed Access Road 2 – proposed priority controlled.**
2. **Intersection 2: D152 and Proposed Access Road 1 – proposed roundabout.**
3. **Intersection 3: Swart Street, D152 and Leemhuis Street – existing priority controlled.**
4. **Intersection 4: Swart Street and Ingle Avenue – existing priority controlled.**

The peak morning and afternoon traffic counts were conducted on Tuesday 20 April 2021 at the above existing intersections No 3 & 4.

4.3.2 TRAFFIC FLOWS & TRIP GENERATION

4.3.2.1 Trip Generation (Private Trips)

The COTO Trip Generation Manual (September 2012 TMH 17 Volume 1) recommends a peak hour trip rate of 1,0 trips per unit for Residential 1 which is the primary land use although the following trip rates as per the EMM for low cost housing and what SANRAL allows countrywide was used.

The predicted peak hour traffic to and from the site is summarised in the tables below:

Table 13: AM Peak Hour Trip Generation

Land use	Extend	Units	Trip Rate	Split		Trips		External Total In & out
				In	Out	In	Out	
Residential 1	3 000	Stands	0.31	25%	75%	232	698	930

Table 14: PM Peak Hour Trip Generation

Land use	Extend	Units	Trip Rate	Split		Trips		External Total In & out
				In	Out	In	Out	
Residential 1	3 000	Stands	0.31	70%	30%	651	279	930

1.3.2.2 Trip Generation (Public Transport Trips)

The expected number of vehicles per public transport and non-motorised transport modes to and from the development during the peak hours has been calculated and is presented in **Table 15** below:

Table 15: Modal Split AM & PM Peak Hour*

Mode AM Peak	Modal Split	Occupancy	Number of Vehicle Trips
Minibus-taxi	50%	13	36
Bus	5%	48	1
Cycling & Walking	10%	N/A	N/A
Mode PM Peak	Modal Split	Occupancy	Number of Vehicle Trips
Minibus-taxi	50%	13	36
Bus	5%	48	1
Cycling & Walking	10%	N/A	N/A

* It should be noted that the trip generation as used in the analysis should still be seen as the worst-case scenario.

4.3.3 CAPACITY ANALYSIS

For the purpose of the capacity analysis, the following intersections were assessed in terms of current and future traffic operations and capacity (the 2021 traffic volumes were grown with a compound of 5% per annum to calculate the future traffic demand).

- **D152 and Proposed Access Road 2 (Intersection No: 1)**
 - For all of the scenarios the proposed intersection will operate at acceptable LOS with ample spare capacity.

The proposed layout for the intersection is illustrated overleaf:

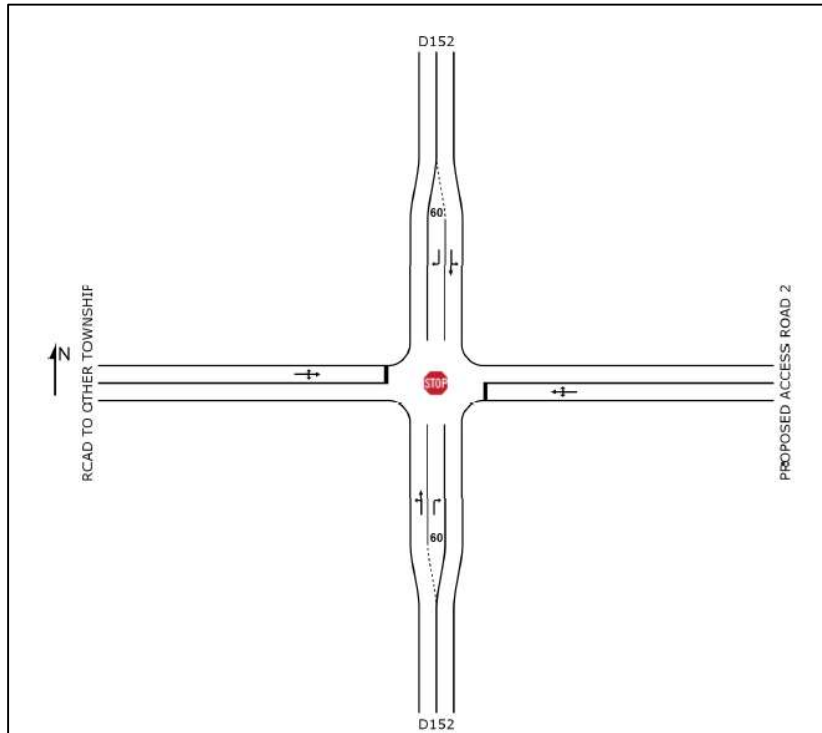


Figure 26: Proposed Layout: Intersection 1

- **D152 and Proposed Access Road 1 (Intersection No: 2)**
 - For all of the scenarios the proposed intersection will operate at acceptable LOS with ample spare capacity.

The proposed layout for the intersection is illustrated below:

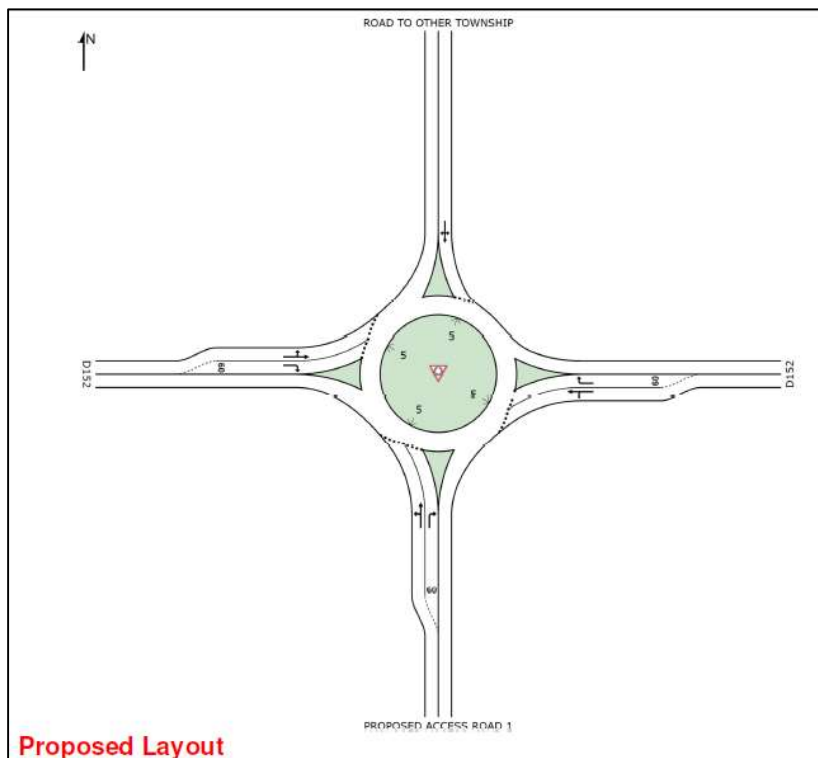


Figure 27: Proposed Layout: Intersection 2

- **Leemhuis Street, D152 and Swart Street (Intersection No: 3)**
 - For the Existing 2021 AM and PM peak hour scenario, the intersection is operating sufficiently but when the Latent Rights are added it will fail. To mitigate this, it is proposed to signalise and upgrade the intersection only and when Warranted. With including the development traffic, further upgrades will be required as illustrated below. This will improve the operation of the intersection considerably if the N12 Southern By-pass Freeway is not constructed.

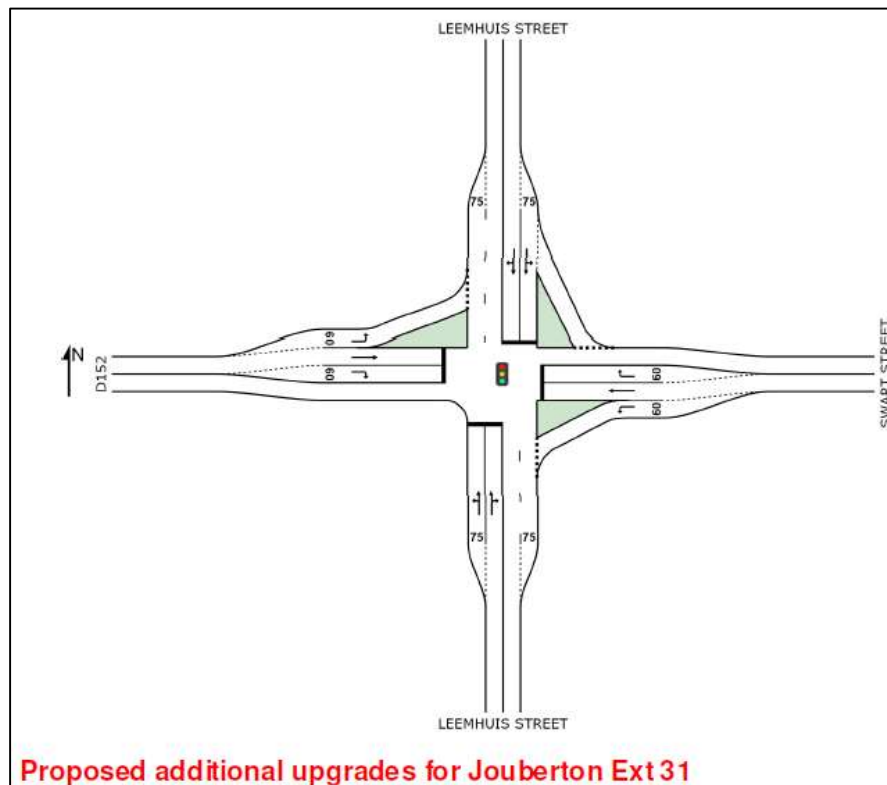


Figure 28: Proposed additional upgrades: Intersection 3

- **Ingle Avenue and Swart Street (Intersection No: 4)**
 - For the Existing 2021 & Base 2021 with Latent Rights AM and PM peak hour scenario, the intersection is operating sufficiently. By adding the development traffic this intersection will start to fail. To mitigate this, it is proposed to signalise and upgrade the intersection only and when Warranted. This will improve the operation of the intersection considerably if the N12 Southern By-pass Freeway is not constructed.

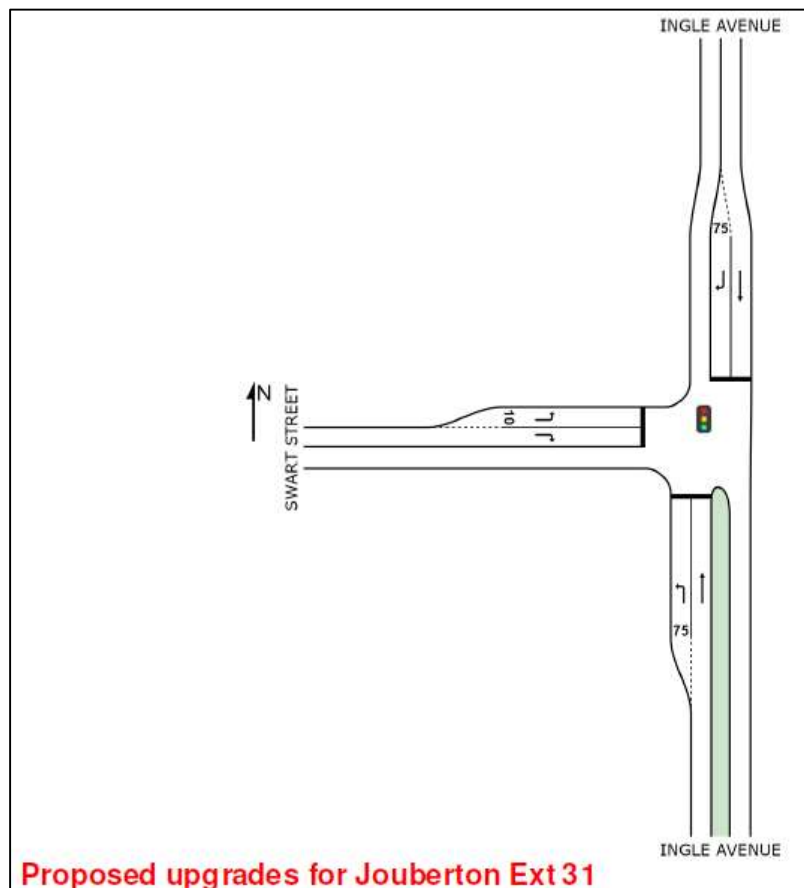


Figure 29: Proposed upgrades for Intersection 4

4.3.4 ROAD HIERARCHY & ACCESS TO PROPERTIES

The following road hierarchy is proposed for all internal roads:

- **Class 3:** 25m wide road reserves (no access allowed)
- **Class 4a/4b:** 20m wide road reserves (providing access to Business 1, School & Community Facilities)
- **Class 5a:** 16m wide road reserves (providing access to Residential 1 and Community Facilities).
- **Class 5b:** 13m wide road reserves (providing access to Residential 1, Crèches and Places of Worship).

4.3.5 CONCLUSION

In addition to the conclusions drawn in sections 4.3.1 to 4.3.4 above, the Traffic Impact Assessment concluded as follows:

***“This study investigates the worst case potential impact of the Township on the external road network. It should be noted that if the proposed N12 Southern By-Pass Freeway is not constructed then the road and intersection upgrades as proposed in this study will be necessary by latest 2026.*”**

Based on our site observations, the existing and base traffic volumes shown in the figures, as well as the capacity analysis, it is concluded that the proposed development will have some traffic impact on the external road network.”

The Traffic Impact Assessment concluded as follows:

- Upgrading & Signalising the intersection of Leemhuis Street, D152 and Swart Street when Warranted.
- Signalising the intersection of Swart Street and Ingle Avenue.
- Upgrading and surfacing of D152 (Swartkoppies Road) up to the proposed Access Road No 2 into the site.
- It is recommended that provision is made for sidewalks along the School site frontages as well as along the Class 3 & 4 roads within the Township. Furthermore, with regards to the school site
 - All parking and drop-off should occur on the site.
 - Traffic calming along school site roads should be provided.
 - Separate pedestrian gates to be provided at the school.

CHAPTER 5: PROVISION OF ENGINEERING SERVICES

5.1 INTRODUCTION

The City of Matlosana investigated and reported on the availability and capacity of bulk services in a letter report dated 03 November 2021 (refer to **Annexure Q** of the Comprehensive Land Development Application) for the proposed township area.

The provision of services to the proposed development area will be addressed as follows:

- Section 5.2: Civil Engineering Services
- Section 5.3: Electrical Engineering Services

5.2 CIVIL ENGINEERING SERVICES

5.2.1 BULK WATER

The City of Matlosana has been experiencing water shortages in some areas due to the unreliable bulk water systems and leakages in the reticulation system. The need for bulk water upgrades have been identified as a high priority. Therefore, the City of Matlosana in its function as the Implementing agent has appointed professional service providers for implementing identified projects.

The City of Matlosana is supplied with potable water from Midvaal Water Company, where water is pumped from the Vaal River to their treatment plants. This water is subsequently sold to the City of Matlosana. Bulk water supplied to the proposed areas will be augmented from a new pump station that will be constructed at the existing Reservoirs in Jouberton.

Midvaal Water Company has committed to supply the addition 78.889 l/s and have 100Ml/d spare capacity available. Once these upgrades have been done, sufficient water will be available.

It is anticipated that construction activities on site will commence once the Environmental Authorisation has been obtained. We can confirm that occupation of the houses will not commence until such time that basic services are available. (It is envisaged that the installation of these services will be completed before the construction of the houses are finalised).

5.2.2 BULK SEWERAGE

At current, the City of Matlosana does not have any bulk sewer outfalls in the close proximity to convey flows from Kanana Extension 16 and Jouberton Extension 34 to the disposal location of the Waste Water Treatment Plant (WWTP).

The proposal is to construct a new bulk sewer pipeline from Kanana Extension 16 and Jouberton Extension 34 which will directly discharge into the existing WWTP in Orkney.

This process will start as soon as funds are available. We can confirm that occupation of the houses will not commence until such time that basic services are available (It is envisaged that the installation of these services will be completed before the construction of the houses are finalized).

5.2.3 SOLID WASTE REMOVAL

Solid waste will be removed by the Directorate: Community Services and incorporated into the existing solid waste removal network. There is sufficient availability at the current Municipal waste sites.

5.3 ELECTRICAL ENGINEERING SERVICES

Electricity supply to Jouberton is currently from the Jouberton Main Substation. The City of Matlosana is responsible for operations and maintenance of the electrical network inside the Jouberton Township. However, the electrical supply is from Eskom's distribution network via various feeders.

The following electrical services are proposed:

- a) **Bulk Supply:** As per bulk supply proposal.
- b) **MV Reticulation:** Capacity will be created by way of an overhead MV network and various Pole Mounted Transformers to create capacity.
- c) **LV Reticulation:** Electricity will be distributed throughout the development by way of overhead ABC conductors.
- d) **LV Connections:** LV connections (10mm² Airdac SNE + 2 Comms) will be provided for each residential stand.
- e) **Metering:** 20 Amp Split Meters will be installed.
- f) **Street & Area Lighting:** Street and Area Lighting are optional and can be included on recommendation of the Developer or requirement from the Local Municipality.
- g) **The detail of the above will be determined during the detail design phase of the project and will be dependent on the final SDP's to be submitted for review and approval to the relevant supply authorities.**

CHAPTER 6: MOTIVATION

6.1 INTRODUCTION

This need and desirability in respect of the proposed township establishment on:

- A portion of Portion 8 (a portion of Portion 2) of the farm Nooitgedacht 429, Registration Division I.P., North West Province;
- A portion of Portion 24 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province;
- A portion of Portion 25 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province;
- Portion 32 (a portion of Portion 9) of the farm Nooitgedacht 429, Registration Division I.P., North West Province; and
- A portion of Portion 100 (a portion of Portion 2) of the farm Nooitgedacht 434, Registration Division I.P., North West Province

will, in addition to the motivational statements already discussed in Sections 1 to 5 above, be motivated based on the following criteria:

- National Development Plan: Vision for 2030
- Constitution of the Republic of South Africa (Act 108 of 1996)
- National Housing Code, 2006
- A Comprehensive Plan for the Development of Sustainable Human Settlement (BNG)
- Urban (UDF) and Rural Development (RDF) Frameworks, 1997
- White Paper on Local Government, 1998
- Municipal Demarcation Act, 1998 (Act 27 of 1998)
- Municipal Systems Act, 2000 (Act 32 of 2000)
- National Housing Act, 1997 (Act 107 of 1997)
- White Paper on Wise Land Use, 2001
- Millennium Development Goals (MDG)
- National Spatial Development Perspective, 2006
- North West Province Spatial Development Framework, 2016
- Dr Kenneth Kaunda District Spatial Development Framework, 2011
- City of Matlosana Local Municipality Integrated Development Plan, 2020-2021
- City of Matlosana Spatial Development Framework, 2021
- Matlosana Road Master Plan (MRMP)
- Outcome 8 - 2014-2019 Medium Term Strategic Framework (MTSF)
- Spatial Planning and Land Use Management Act Development Principles, 2013
- General

In terms of section 9(1) of the National Housing Act (107 of 1997), every municipality must, as part of the municipality's process of integrated development planning (IDP) take all reasonable and necessary steps to ensure that the inhabitants within its area of jurisdiction have access to adequate housing on a progressive basis by setting housing delivery goals, identifying suitable land for housing development and planning, facilitating, initiating and co-coordinating housing development in its area of jurisdiction.

Housing comprises a series of complex interrelationships between people, their needs and values and resources within a political and legal environment. This complexity requires a focused approach to efforts aimed at providing housing. National Government has started to respond by putting the necessary policy and legislative environment in place.

This framework outlines the roles and responsibilities of different spheres of government in relation to housing, as well as dealing with aspects relating to the design and content of housing policy and legislation. In the context of this framework the City of Matlosana Local Municipality is required to take all reasonable steps to ensure the provision of adequate housing to its residents.

The core legislation and policies guiding housing planning and development are set out in Sections 6.2 to 6.20 below.

6.2 NATIONAL DEVELOPMENT PLAN: VISION 2030

The National Planning Commission (NPC) (2011) published the NDP: Vision for 2030. Its contents will impact directly and indirectly on the provision of housing within the national spatial system.

Its core focuses include:

- The active efforts and participation of all South Africans in their own development
- Redressing the injustices of the past effectively
- Faster economic growth and higher investment and employment
- Rising standards of education, a healthy population and effective social protection
- Strengthening the links between economic and social strategies
- An effective and capable government
- Collaboration between the private and public sectors
- Leadership from all sectors in society.

Where we live and work matters. Apartheid planning consigned the majority of South Africans to places far away from work, where services could not be sustained, and where it was difficult to access the benefits of society and participate in the economy.

The physical and social environment in which we are born and grow up is one of the most important determinants of every person's wellbeing and life chances.

This environment has a bearing on access to opportunities, good schools, useful social networks, public services and safe environments. Separation between social groups, long distances between jobs and housing, and poor public services exacerbate poverty and inequality. Location affects communities, local economies, labour markets and infrastructure networks. Businesses are also affected by where they are situated. Access to markets and suppliers determines their survival and profitability. This is hugely significant for South Africa's society, economy and environment.

To fundamentally reshape human settlements by 2050 (with significant progress by 2030), South Africa needs:

- To address inequities in the land market that makes it difficult for the poor to access the benefits of life in towns and cities.
- Stronger measures to reconfigure towns and cities towards more efficient and equitable urban forms.
- Housing and land policies that accommodate diverse household types and circumstances.
- Municipalities that put economic development and jobs at the heart of what they do and how they function.

The establishment of the proposed township specifically aims at redressing the injustices of the past by ensuring proper integrated planning in respect of the location of new residential developments in well-located places that are conducive to the health and wellbeing of the community. The existing informal settlement on site is proof of the housing need on the particular application sites and the desirability of the location for residents. In addition to the residential facilities that will be provided in the township area, provision has also been made for properties that will stimulate economic growth and broaden the economic base of the area whilst similarly addressing the need for accelerated job creation. The proposed layout also makes the necessary provision for supporting land uses (such as institutional and educational sites) that will service the community needs of the residents.

6.3 CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA (ACT 108 OF 1996)

The Constitution of the Republic of South Africa (Act 108 of 1996) is the supreme law of the country. The sections/schedules of the Constitution that are relevant with respect of the delivery of housing are the following:

- Sections 26, 27 and 29 of Chapter 2 – Bill of Rights states that everyone has the right to access to adequate housing, health care services, social security and education.
- Schedules 4 and 5, states that the Province has legislative competence in regard to (inter alia): Environment; Urban and Rural Development; Welfare; Housing; Health Services; Regional planning and development; (concurrent competence with national) and Provincial Planning and Provincial Roads and Traffic (exclusive competence)

In terms of the provisions (Schedule 4) of the Constitution, housing is a functional area of concurrent national and provincial competence. This provision of legislative and administrative powers necessitates alignment between all spheres of government in terms of the IDP process and especially the preparation of the SDF and thus the Housing Chapter.

The development of the proposed township constitutes a collaboration between the provincial housing department, local authority and private developer (appointed to oversee project implementation) to provide access to adequate housing, health care services, social security and education for the inhabitants of this community. It is further the objective of this project to provide opportunities for people to access proper housing either through one of Government's subsidized housing programmes, by accessing bond finance or through the utilization of own funding. The proposed township area makes provision for a multitude of erven to allow for the provision of the full spectrum of social, educational and health facilities that may be required by the concerned community. As will be alluded to in further sections below, the main objectives of this project are specifically to address the need for proper housing and to formalise the existing informal settlement and provide residents with basic services and tenure.

6.4 NATIONAL HOUSING CODE (2006)

The National Housing Code (2006) identified the primary role of the municipality as taking all reasonable and necessary steps, within the framework of national and provincial legislation and policy, to ensure that the inhabitants within its area of jurisdiction have access to adequate housing. This entails the following:

- Initiating, planning, facilitating and coordinating appropriate housing development.
- Promoting private sector development and playing the role of developer.
- Preparing a housing delivery strategy and setting up housing development goals.
- Setting aside, planning and managing land for housing.
- Creating a financially and socially viable environment for housing delivery.
- Facilitating the resolution of conflicts arising from housing delivery initiatives.
- Facilitating the provision of bulk services.
- Administrating national programmes.

- Exploring land for housing development.

The project under discussion specifically aims at providing access to housing for the inhabitants of the existing informal settlement. One of the objectives of the National Housing Code is for national and provincial legislation and policy to initiate, plan, facilitate and coordinate appropriate housing development. The proposed development directly aims at addressing this objective by providing residents with basic services and property rights.

The City of Matlosana Local Municipality will also promote private sector development as the proposed township area makes ample provision for residential erven that can be developed by the private sector or through partnerships between Government, financial institutions and private contractors in terms of the development of FLISP housing. This proposed development area will also provide erven to households that wish to acquire a preferred stand from the City of Matlosana Local Municipality and erect their own home on the concerned site through a bond from one of the financial institutions. In this manner the City of Matlosana Local Municipality will also be promoting private sector development. Private sector development is however not only limited to housing but also incorporates private sector commercial and social facility development.

6.5 A COMPREHESIVE PLAN FOR THE DEVELOPMENT OF SUSTAINABLE HUMAN SETTLEMENT (BNG STRATEGY)

The new "Human Settlements Plan" promotes the achievement of a non-racial, integrated society through the development of sustainable human settlements and quality housing. Housing is to be utilized for the development of sustainable human settlements in support of spatial restructuring.

The aim is to move beyond the provision of basic shelter towards achieving the broader vision of sustainable human settlements and more efficient towns, cities and regions. The following factors will be taken into consideration in order to achieve this vision:

- Progressive Informal Settlement Eradication: These settlements must be integrated into the broader urban setup so as to overcome spatial, social and economic exclusion. The plan encourages the eradication of informal settlements through in-situ upgrading in desired locations coupled with the relocation of households where development is not possible or desirable.
- Promoting Densification and Integration: The aim is to integrate previously excluded groups into the city so as to enable them to enjoy the benefits it offers and to create more integrated, functional and environmentally sustainable human settlements, towns and cities.

- **Enhancing Spatial Planning:** Greater co-ordination and alignment of various planning instruments and economic policies lies at the heart of sustainable human settlements.
This requires more than mere co-ordination between departments but there needs to be a single overarching planning authority and/or instrument to provide macro-level guidance to support the development of sustainable human settlements.
- **Enhancing the location of New Housing Projects:** The location of past housing projects was said to reinforce apartheid spatial settlement patterns. Spatial restructuring aims to achieve a more decisive intervention in land markets. The following interventions are envisaged viz. accessing well located state-owned and parastatal land: acquisition of well-located private land for housing development, funding for land acquisition and fiscal incentives.
- **Supporting Urban Renewal and Inner City Regeneration:** Urban renewal and inner city regeneration often result in the current inhabitants being excluded as a result of the construction of dwelling units they cannot afford. Some municipalities are trying to avoid this by promoting affordable inner city housing. The "Human Settlements Plan" will support this by encouraging social housing.
- **Developing Social and Economic Infrastructure:** The need to move away from a housing-only approach towards a more holistic development of human settlements which includes the provision of social and economic infrastructure is emphasized.
- **Enhancing the Housing Product:** The aim is to develop more appropriate settlement layouts and housing products and to ensure appropriate housing quality.

This project from the onset aimed at providing a proper integrated human settlement that ascribes to the BNG Principles set out above. This was achieved as follows:

- This project has at its core the eradication of informal settlements through the creation of suitably located serviced residential erven that can be awarded to the residents already occupying the area. The in-situ upgrading of the area will aid in reducing the housing need faced by the Local Municipality. It should be noted that the number of households already residing on the concerned development area exceeds the proposed number of erven to be developed. However, the proposed township area of Jouberton Extension 34 (east of the application site) will also be able to accommodate some of the current inhabitants of this informal settlement area. The integrated development of the three township areas (Jouberton Extension 31, Jouberton Extension 34 and Kanana Extension 16) will prevent the scenario where only certain households can be accommodated on the development area and the overflow households again creating a new informal settlement on the land adjacent to the proposed township areas.
- The proposed development is aimed at the subsidized housing sector through the implementation of one of Government's subsidized housing programmes as well as the need that exists for people that do not qualify for a Government subsidy, due to either already owning other property or earning in excess of the threshold household

income prescribed in respect of the various housing subsidy programmes, but who still wishes to acquire an affordable stand where they can construct their own home. However, provision is made in the adjacent Jouberton Extension 34 for erven that can be utilized for various housing typologies.

- As detailed in previous sections, the proposed development focusses on promoting densification through the creation of smaller economical erven to optimise the provision of services to this area. Due to the locality of this development, integration with the existing Jouberton extensions to the north will also be achieved.
- The proposed township also provides social, educational and commercial support facilities and infrastructure in close proximity to the inhabitants to create a vibrant, sustainable settlement.

6.6 URBAN (UDF) AND RURAL DEVELOPMENT (RDF) FRAMEWORKS (1997)

The UDF aims to promote a consistent urban development policy approach for effective urban reconstruction and development, to guide development policies, strategies and actions of all stakeholders in the urban development process and to steer them towards the achievement of a common vision. The UDF is engaged in four key programmes, namely integrating the city, improving housing and infrastructure, building habitable and safe communities and promoting urban economic development.

The RDF co-ordinates integration of government programmes in rural areas and is aimed at: poverty alleviation through institutional development; investment in basic infrastructure and social service; improving income and employment opportunities; restoration of basic economic rights to marginalized rural areas; and finally justice, equity and security.

6.7 WHITE PAPER ON LOCAL GOVERNMENT (1998)

The White Paper on Local Government adopts development policy guidelines and principles and advocates the developmental role of local government.

The guidelines and principles can be summarized as follows:

- Orientation towards people's needs;
- Poverty alleviation with special consideration of marginalized and disadvantaged groups and gender equity;
- Environmentally sustainable development and a safe and healthy environment;
- Economic growth with creation of income and employment opportunities;
- Involvement of residents, communities and stakeholders;
- Sustainability of services, municipalities and settlements.

The development of the proposed integrated human settlement addresses the majority of the guidelines and principles set forth in the White Paper on Local Government (1998) as:

- The proposed development is specifically aimed at addressing the needs of the people of City of Matlosana and specifically the most vulnerable of the community who currently reside in an informal settlement on site;
- In addition to addressing the safety concerns of the community through the provision of proper durable housing structures, this project will also ensure a sustainable healthy environment for the inhabitants through the provision and availability of proper engineering services offering safe drinking water, proper sanitary infrastructure and facilities and a safer environment to live in.
- This development will also give rise to economic growth through the creation of income and employment opportunities. This will not only be attained as a result of the provision of business stands but also through the provision of erven that can be utilized for social- and educational purposes. These facilities also require staff to function properly and will lead to additional jobs being created.
- The application will be advertised to the local community through the publication of notices in a local newspaper and the North West Provincial Gazette, the posting of site notices on the subject properties, the notification of all adjacent property owners of the development as well as the involvement of a number of external organizations and departments as integral part of the township establishment process. Concerns raised by the community and stakeholders as part of the public participation process will be considered and addressed.

6.8 MUNICIPAL DEMARCATION ACT, 1998 (ACT 27 OF 1998)

Demarcation objectives: The Demarcation Board determines a Municipal boundary with the objective that it must be able to enable the municipality for that area to fulfil its constitutional obligations in line with the provision of a democratic and accountable government for communities within a specific geographic area inclusive of:

- The provision of services to the communities in an equitable and sustainable manner.
- The promotion of social and economic development.
- The promotion of a safe and healthy environment.
- Enable effective local governance.
- Enable integrated development.
- Have a tax base as inclusive as possible for the user of municipal services in the municipality.

6.9 MUNICIPAL SYSTEMS ACT, 2000 (ACT 32 OF 2000)

Chapter 5 of the Local Government Municipal Systems Act, 2000 calls upon municipalities to undertake developmentally-orientated planning so as to ensure that it:

- Strives to achieve the objectives of local government set out in Section 152 of the Constitution;
- Gives effect to its development duties as required by section 153 of the Constitution; and
- Together with other organs of state contribute to the progressive realisation of the fundamental rights in respect of, among others, housing.

In the spirit of our democratic dispensation no development can take place without the effective participation of the communities it affects. Section 29(1) (b) of the Local Government: Municipal Systems Act 32 of 2000 requires municipalities to follow certain procedures to consult with communities and procure their participation in the planning process. As these structures have to be in place, they will be available and should be used to involve the relevant communities.

6.10 NATIONAL HOUSING ACT, 1997 (ACT 107 OF 1997)

The National Housing Act (NHA) sets out three general principles, namely:

- giving priority to the needs of the poor in respect of housing development;
- consultation with individuals and communities affected by housing development; and
- ensuring that housing development is economically, fiscally, socially and financially affordable and sustainable.

The NHA lays down general principles applicable to housing development in all spheres of government, defines the functions of national, provincial and local governments in respect of housing development, and promotes the role of the state as a facilitator of housing development.

National government must establish and facilitate a sustainable national housing development process, provincial government must do everything in its power to promote and facilitate the provision of adequate housing in its province within the framework of national housing policy, while municipalities must take reasonable and necessary steps within the framework of national and provincial housing legislation and policy to ensure that the right of access to adequate housing is realised on a progressive basis.

This project will at its core aim at addressing the needs of the poor in respect of the provision of housing. The in-situ upgrading of the informal settlement will focus government resources at the source of the housing need in the municipality. The

proposed development will create a viable, vibrant township that is formally planned and serviced and serves the needs of the community.

6.11 WHITE PAPER ON WISE LAND USE (2001)

This White Paper intends to show practical ways in which South Africa may move to this approach. The system should satisfy the following specific needs:

- The development of policies which will result in the best use and sustainable management of land.
- Improvement and strengthening planning, management, monitoring and evaluation.
- Strengthening institutions and coordinating mechanisms.
- Creation of mechanisms to facilitate satisfaction of the needs and objectives of communities and people at local level

Integrated planning for sustainable management of land resources should thus ensure:

- That development and developmental programmes are holistic and comprehensive so that all factors in relation to land resources and environmental conservation are addressed and included.
- In considering competing needs for land, and in selecting the "best" use for a given area of land, all possible land-use options must be considered.
- That all activities and inputs are integrated and coordinated with each other, combining the inputs of all disciplines and groups.
- That all actions are based on a clear understanding of the natural and legitimate objectives and needs of individual land users to obtain maximum consensus.
- That institutional structures are put in place to develop, debate and carry out proposals.

Of core importance in the planning and development of housing is the normative planning principles identified in the White Paper:

The basis of the system will be principles and norms aimed at achieving sustainability, equality, efficiency, fairness and good governance in spatial planning and land use management. The decisions of planning authorities, whether related to the formulation of plans such as IDPs or the consideration of land development applications such as rezoning, must all be consistent with these principles and norms. A failure by an authority to affect this enables the Minister to intervene in the decision, either to require that it is reconsidered or in extreme cases to take the decision him or herself.

6.12 MILLENNIUM DEVELOPMENT GOALS (MDG)

The MDG include the following: The eradication of informal settlements by 2014 as one of the policy imperatives of government (Goal 7, Target 11) implies that government and the private sector would have to implement the Social Contract (Social Contract for Rapid Housing Delivery, 2005) commitments to aid the removal of slums in South Africa.

The targets included in the Social Contract consist of:

- The removal or improvement of all slums in South Africa as rapidly as possible, but not later than 2014.
- The fast tracking of the provision of formal housing within human settlements for the poorest of the poor and those who are able to afford rent and/or mortgages.
- The creation of rental stock for a rapidly growing, mobile (migrant) and urban population within inner city and other locations close to employment opportunities.
- To remove administrative blockages that prevent speedy developments and to strive to reduce the time to grant various permissions relating to the built environment to 50% of the current time;
- To ensure consumer education and understanding in all housing development projects.

This project has at its core the eradication of an informal settlement through provision of adequate housing and establishing an integrated human settlement.

6.13 NATIONAL SPATIAL DEVELOPMENT PERSPECTIVE (2006)

The NSDP consists of a set of five normative principles for development:

- Principle 1: Rapid economic growth that is sustained and inclusive is a pre-requisite for the achievement of other policy objectives, among which poverty alleviation is key.
- Principle 2: Government has a constitutional obligation to provide basic services to all citizens wherever they reside.
- Principle 3: Government spending on fixed investment should be focused on localities of economic growth and/or economic activities and to create long-term employment opportunities.
- Principle 4: Efforts to address past and current social inequalities should focus on people, not places. In localities where there are both high levels of poverty and demonstrated economic potential, this could include fixed capital investment beyond basic services to exploit the potential of those localities. In localities with low demonstrated economic potential, government should beyond the provision of basic services, concentrate primarily on human development.
- Principle 5: In order to overcome the spatial distortions of apartheid, future settlement and economic development opportunities should be channelled into

activity corridors and nodes that are adjacent to or that link the main growth centres. Infrastructure investment should primarily support localities that will become major growth nodes in South Africa and the SADC region to create regional gateways to the global economy.

6.14 NORTH WEST PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK, 2016

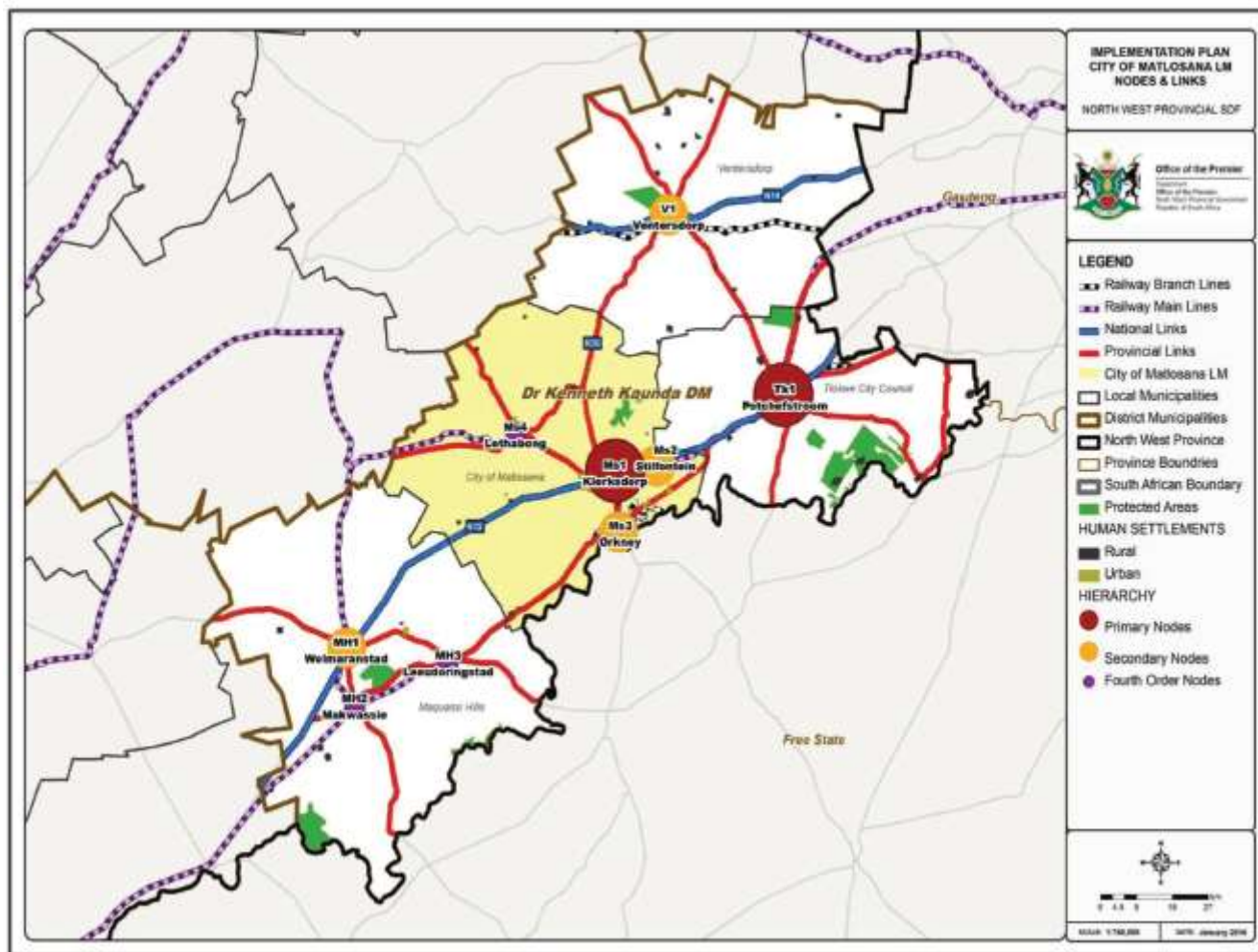
The North West Provincial Spatial Development Framework provides guidance for provincial development. **Providing for the integration of the objectives of sustainable housing** is listed as the 7th policy objective of the NWSDF. In this regard the NWSDF states the following with regards to housing:

“The strong urbanization trend causing an influx of people into towns and dense human settlements puts pressure on housing delivery. All municipalities already experience housing backlogs, which exacerbate the already dismal housing situation. This large demand for housing resulted in the development of informal housing areas on the periphery of existing towns and settlements adding pressure on the existing dysfunctional engineering and social infrastructure and roads. The timely provision of housing is of cardinal importance to the general well-being of urban areas and its people.

The provision of housing needs to consider a variety of housing choices involving high, medium and low-density developments to provide in the housing typology needs of all individuals. Sustainable neighborhoods require the integration of all social and economic facilities to serve the daily needs of its people”.

There is therefore a strong emphasis on sustainable housing provision across the province. The provincial scale of the Framework means that site specific recommendations cannot be provided. However, Klerksdorp is identified as a first order node (see **Map 17** below), and Jouberton as a potential development node.

Map 17: Dr Kenneth Kaunda District Implementation Framework (Nodes & Links) – City of Matlosana LM



Development within these areas is therefore encouraged as part of the NWSDF. Development guidelines for the City of Matlosana Municipality include the following:

- Promote public-private sector partnerships
 - The proposed development promotes public-private sector partnerships between the City of Matlosana Local Municipality, the Department of Human Settlements and MXN Development Construction CC. In addition, the proposed development will be eligible for government subsidy housing projects once approved.
- The municipality has a large informal component that needs to be formalised
 - The proposed development comprises the in-situ upgrading of the existing in formal settlement on site and aims to provide households living in squalid conditions access to formal housing.
- Housing development should not only focus on backlog eradication, but provide suitable options for future demand
 - As mentioned, the application should be seen in conjunction with the two adjacent projects, the establishment of Jouberton Extension 34 and Kanana Extension 16 to the east of the application site. These additional residential

townships will be able to accommodate the overflow of informal households not accommodated in Jouberton Extension 31, as well as provide serviced erven for future demand.

- Ensure effective integration between Kanana, Jouberton, Ellaton and Matlosana to ensure high levels of accessibility to services and employment opportunities
 - The proposed development is well integrated with existing and proposed Jouberton extensions to the north and east and is linked to Klerksdorp via District Road D152 (Swartkoppies Road)
- Maintain and upgrade infrastructure
 - The proposed development will provide all basic services related to housing needs. Please refer to the confirmation in respect of services issued by the City of Matlosana in **Annexure Q**.
- Enhance the image of the city to attract investment from the private sector
 - The eradication of housing backlogs and provision of formal residential erven will greatly improve the image of the municipality as a well-functioning entity

It is clear from the above that the proposed development is aligned with the development principles contained in the NWSDF.

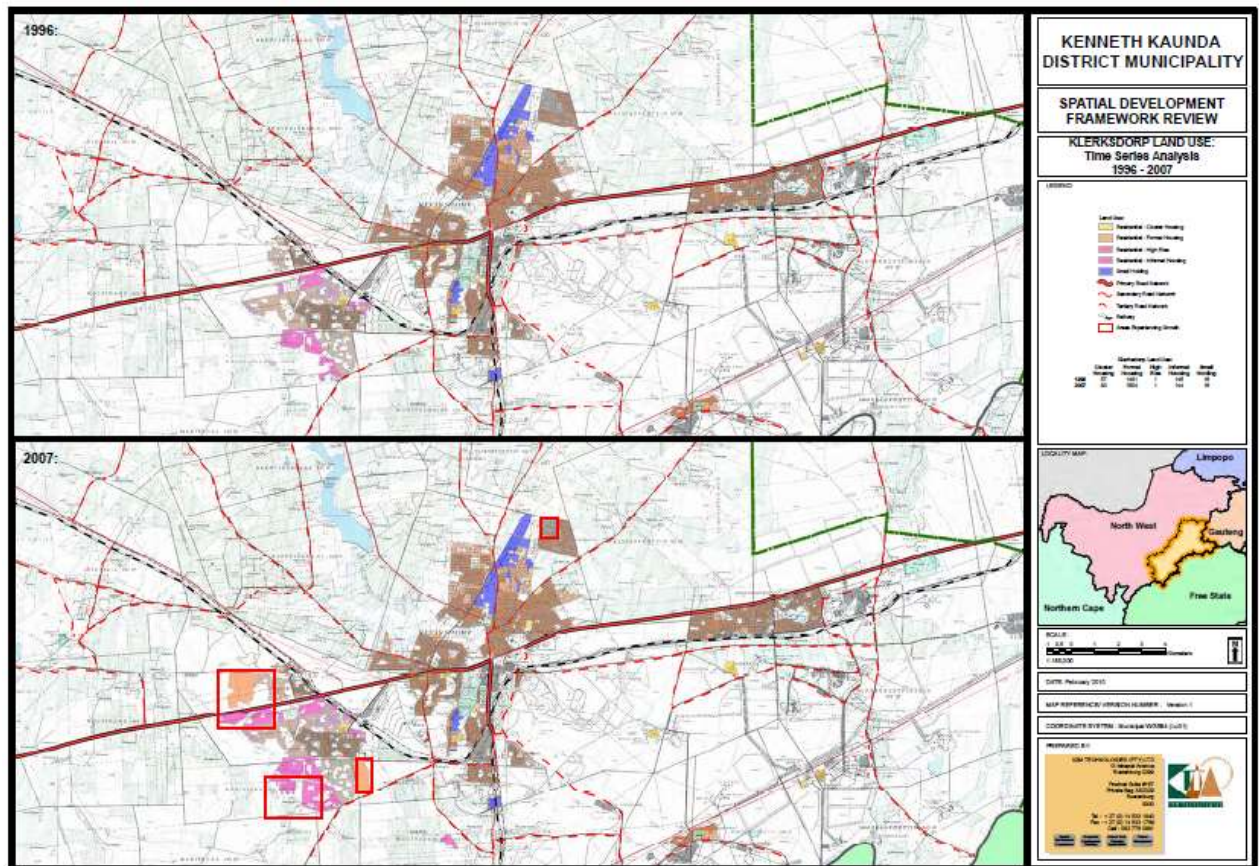
6.15 DR KENNETH KAUNDA DISTRICT SPATIAL DEVELOPMENT FRAMEWORK, 2011

Settlement hierarchy is a way of arranging settlements in order, i.e. according to the population or settlement, or the number of services and functions the settlements has, or the area the settlement covers. Both Klerksdorp and Potchefstroom are identified as Priority 1 investment nodes in the Dr Kenneth Kaunda District Spatial Development Framework, 2011. At a District and Local Municipal level these areas indicate areas that will be prioritized in terms of development spending and investment. The information shows that the Klerksdorp and surrounding areas provide access to high levels of GVA within a 20-minute drive in distance to specific locations. This clearly illustrates the areas with the highest economic potential within the district.

With regards to housing the Dr KKDM SDF states that:

“In the case of Klerksdorp, the majority of the residential development has taken place on the western extremities of the municipal area, mostly in the form of informal housing structures... In the case of Klerksdorp, the vast majority of the residential development (both informal structures and formal structures) has taken place in the western and south-western parts of the municipality.”

The map below, taken from the District SDF, clearly shows the residential growth in the Jouberton and Kanana areas between 1996 and 2007. The location of the proposed development is therefore in line with the growth and development trends in the area and is well located to address the existing housing need experienced in the City of Matlosana Local Municipality.



Map 18: Klerksdorp Land Use 1996 - 2007

6.16 CITY OF MATLOSANA LOCAL MUNICIPALITY INTEGRATED DEVELOPMENT PLAN 2017-2022 (2020 REVIEW)

The Local IDP recognises the settlement pattern across the municipality. It is noted that the largest population concentrations are located in Jouberton (31%), Kanana, Khuma and Tigane, which represent 67% of the total urban population. The need for residential development therefore exists in these areas to address the population growth.

Township establishment at Jouberton is listed as an unfunded project in the 2017 – 2022 IDP. The proposed development will directly address this concern by establishing 3000 formal erven, to be known as Jouberton Extension 31.

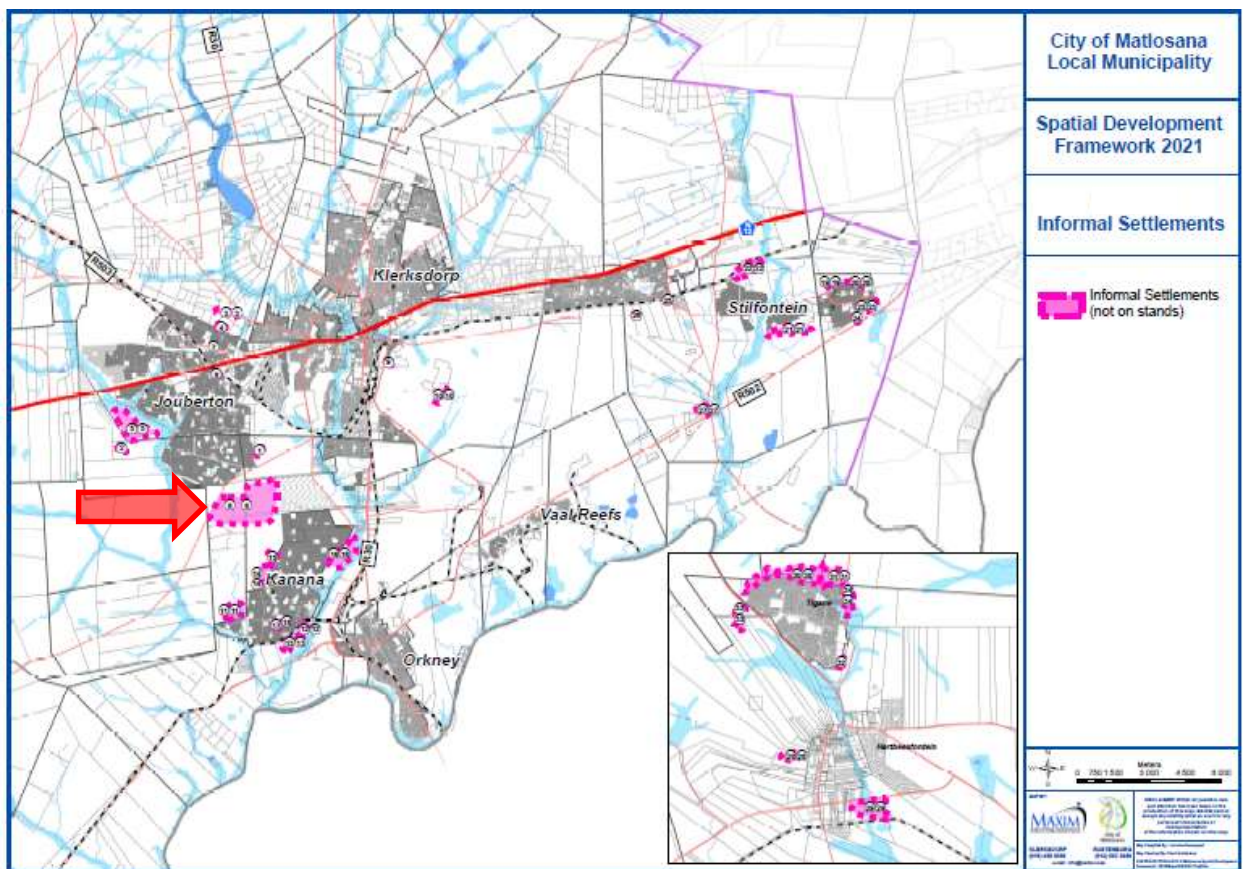
6.17 CITY OF MATLOSANA SPATIAL DEVELOPMENT FRAMEWORK, 2021

In terms of the newly promulgated City of Matlosana Spatial Development Framework (2021), that came into operation on 29 June 2021, the housing situation in the City of Matlosana improved significantly from 1995 to 2013 to 2016.

- The number of households residing in a house or brick structure more than doubled from 41,106 to 92,052 in 2013 and increased further to 108,300 in 2016;

- The number of informal dwelling/shacks decreased by almost half from 24,546 – 12,929 in 2013. However, the IHS Market figures show an increase to 16,200 in 2016.

In terms of **Table 3** (page 16) extracted from the City of Matlosana Spatial Development Framework 2021, it was estimated that the number of informal dwellings in backyards and informal dwellings in informal /squatter settlements amount to 16 200 units. In terms of **Table 4** (page 17), the area south of Jouberton is estimated to house 2 803 informal dwelling units that need formalization through the provision of properly planned and serviced stands with the Jouberton urban area as a whole comprising of 6 359 informal dwelling units that are located in informal settlements. **Map 19** below indicates the location of the existing informal settlements in the Matlosana area.



Map 19: Locality of informal settlement areas in the Matlosana area

As can be seen in **Map 19** above, there exists an informal settlement on the application site. The establishment of the proposed township area of Jouberton Extension 31 is a concerted effort by the City of Matlosana to alleviate the plight of the inhabitants of this informal settlement through the provision of 3000 residential erven for low cost housing purposes. As mentioned previously, consideration should be given to the fact that the proposed township area of Jouberton Extension 31 will not eradicate the entire Jouberton South informal settlement area, this fact resulting in the establishment of the additional

township areas of Jouberton Extension 34 and Kanana Extension 16 (these township establishments will be addressed in separate township establishment applications)

In terms of the City of Matlosana Spatial Development Framework (2021), the housing backlog was estimated at 45 500 units in Matlosana in 2015:

- Total housing need in terms of the housing register of the Municipality – 45 500 units.
 - Jouberton area - 15 000 units
 - Kanana area - 11 000 units
 - Khuma area - 9 000 units
 - Tigane area - 7 000 units
 - Alabama area - 3 500 units

- Since 2015, no additional households were registered on the municipal waiting list.

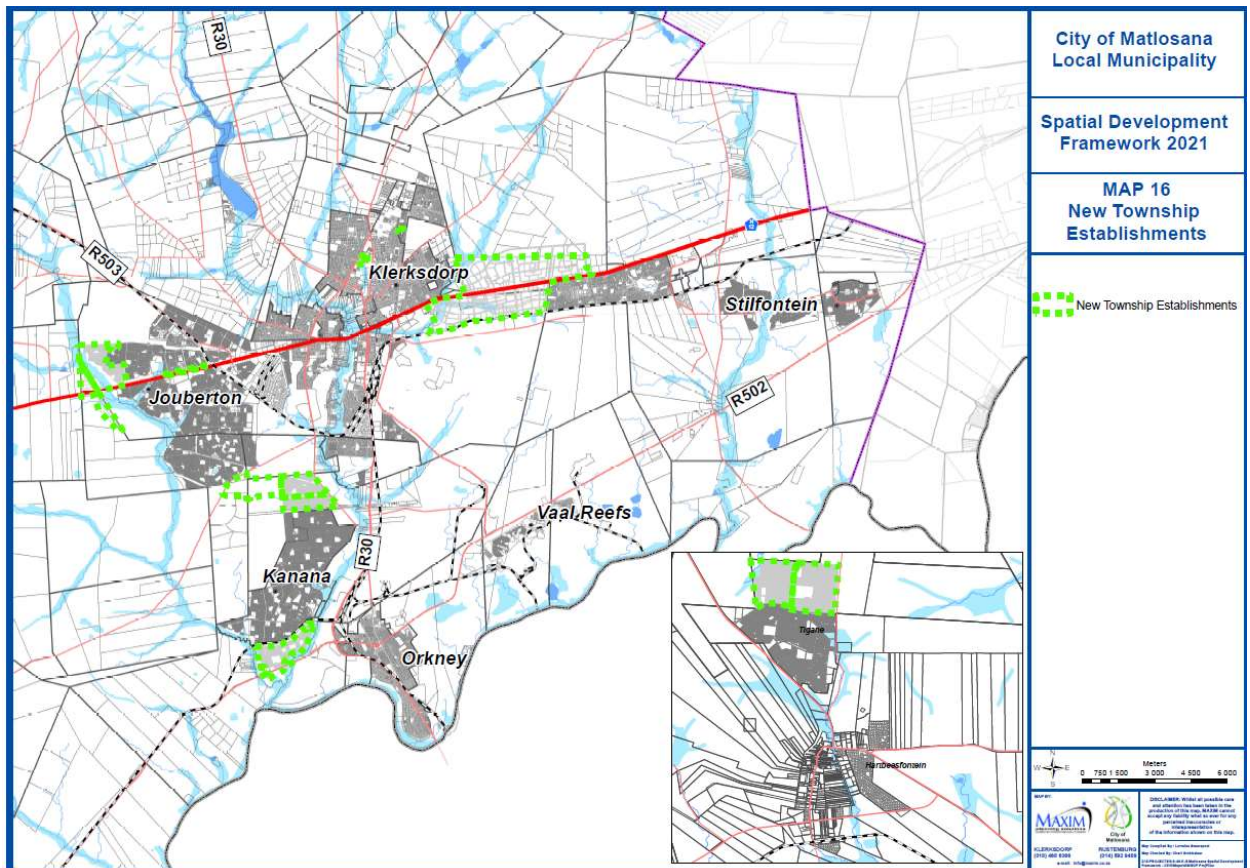
The following new townships are currently in the process of being developed by the City of Matlosana Local Municipality:

Table 16: Township Establishments in process

NAME OF THE AREA	NUMBER OF STANDS	STATUS
TIGANE EXT. 7	1 584	Township establishment in process
TIGANE EXT. 8	1 494	Township establishment in process
KANANA EXT. 16	2 290	Township establishment in process
KANANA EXT. 34	2 254	Township establishment in process
KANANA ESTATES	3 448	Township establishment in process
MATLOSANA ESTATES EXT. 12	1 289	Survey & Township Register Outstanding
MATLOSANA ESTATES EXT. 13	453	Survey & Township Register Outstanding
MATLOSANA ESTATES EXT. 1	843	Township Register
JOUBERTON EXT. 25	740	General Plan Approved (Previous Private Township)
TOTAL	14 386	



Abovementioned townships as well as the township establishments submitted by private developers (Isago) as well as other applications are indicated on **Map 20** overleaf. **Please note that the proposed development will replace the above listed Jouberton Extension 25. The approved general plan will be cancelled and withdrawn accordingly, following approval of the township establishment application.**



Map 20: New township establishment underway in the Matlosana area

In terms of Government Notice 526 dated 15 May 2020, the City of Matlosana (Klerksdorp / Orkney / Stilfontein / Khuma / N12 Development Area) was declared as one of the Priority Human Settlements and Housing Development Areas (PHSHDAs), by the Minister of Human Settlements, Water and Sanitation.

The PHSHDAs intends to advance Human Settlements Spatial Transformation and Consolidation by ensuring that the delivery of housing is used to restructure and revitalise towns and cities, strengthen the livelihood prospects of households and overcome apartheid spatial patterns by fostering integrated urban forms.

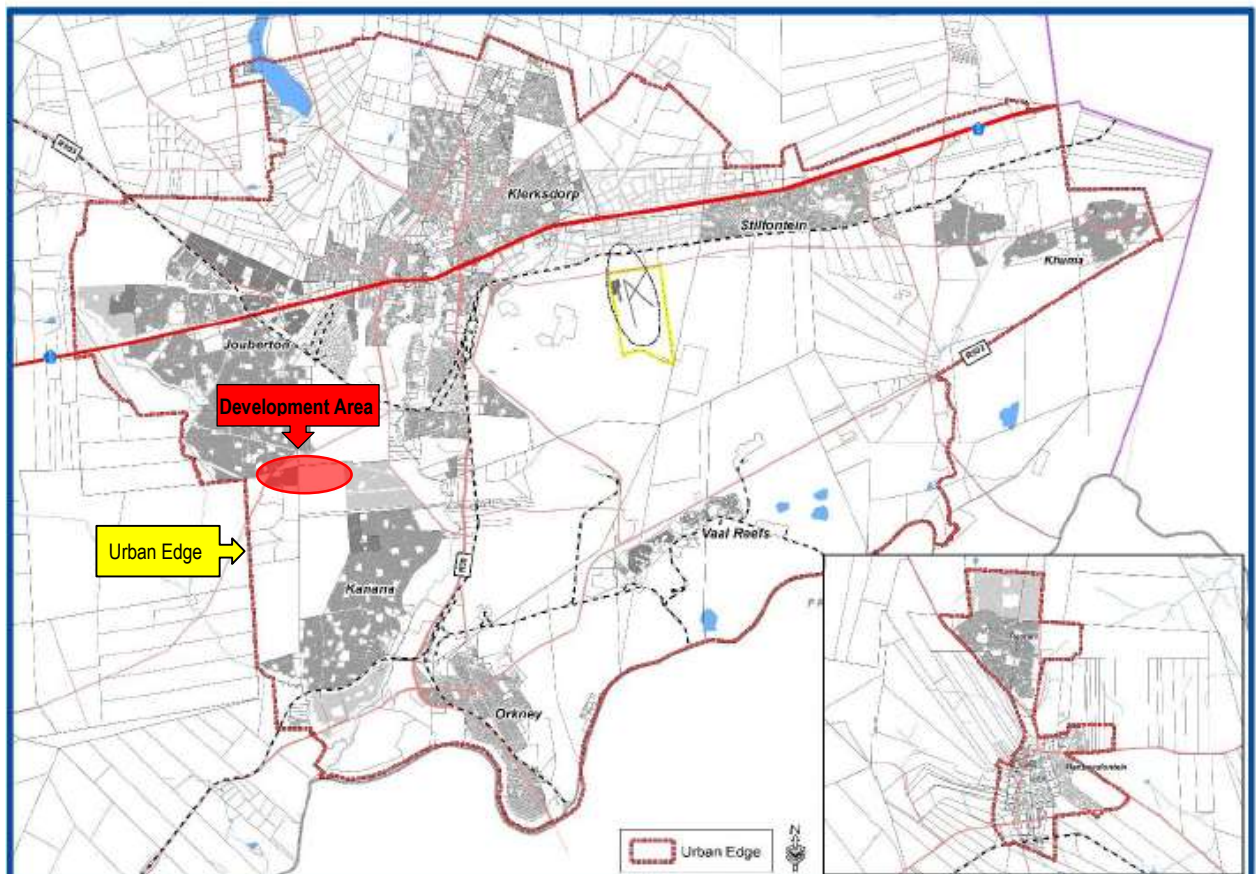
The City of Matlosana Spatial Development Framework determines as follows in respect of the urban edge:

“The urban edge is the demarcated outer boundary of urban areas and marks the transition between urban and rural land uses. The main function of the urban edge is to restrict urban sprawl, promote densification of areas and the protection of agricultural and environment resources. The urban edge includes the built-up areas as well as the expected short-medium term development (10 years).

As far as development is concerned, the following strategic interventions should be applicable within the urban edge-:

- Urban built-up areas:
 - Densification and integration
 - Urban infill
 - Upgrading and proper maintenance of infrastructure
 - Urban renewal
 - Protection and rehabilitation of environmentally significant local open spaces
 - Protection of cultural heritage resources
- Area between built-up and urban edge boundary
 - Planning and provision of bulk infrastructure for new development areas
 - Planning and development of new township establishment in such a manner that it will enhance integration of areas.

The urban edge, as defined in terms of the newly promulgated City of Matlosana Spatial Development Framework (2021), in relation to the proposed township area of Jouberton Extension 31 is reflected on **Map 21** below.



Map 21: Matlosana Urban Edge as defined in terms of City of Matlosana Spatial Development Framework (2021)

As is evident from **Map 21**, the proposed township area of Jouberton Extension 31 is located inside the demarcated Urban Edge and will address the majority of strategic interventions in respect of densification and integration, urban infill, the planning and provision of bulk infrastructure for new development areas as well as the planning and development of new township establishment in such a manner that it will enhance

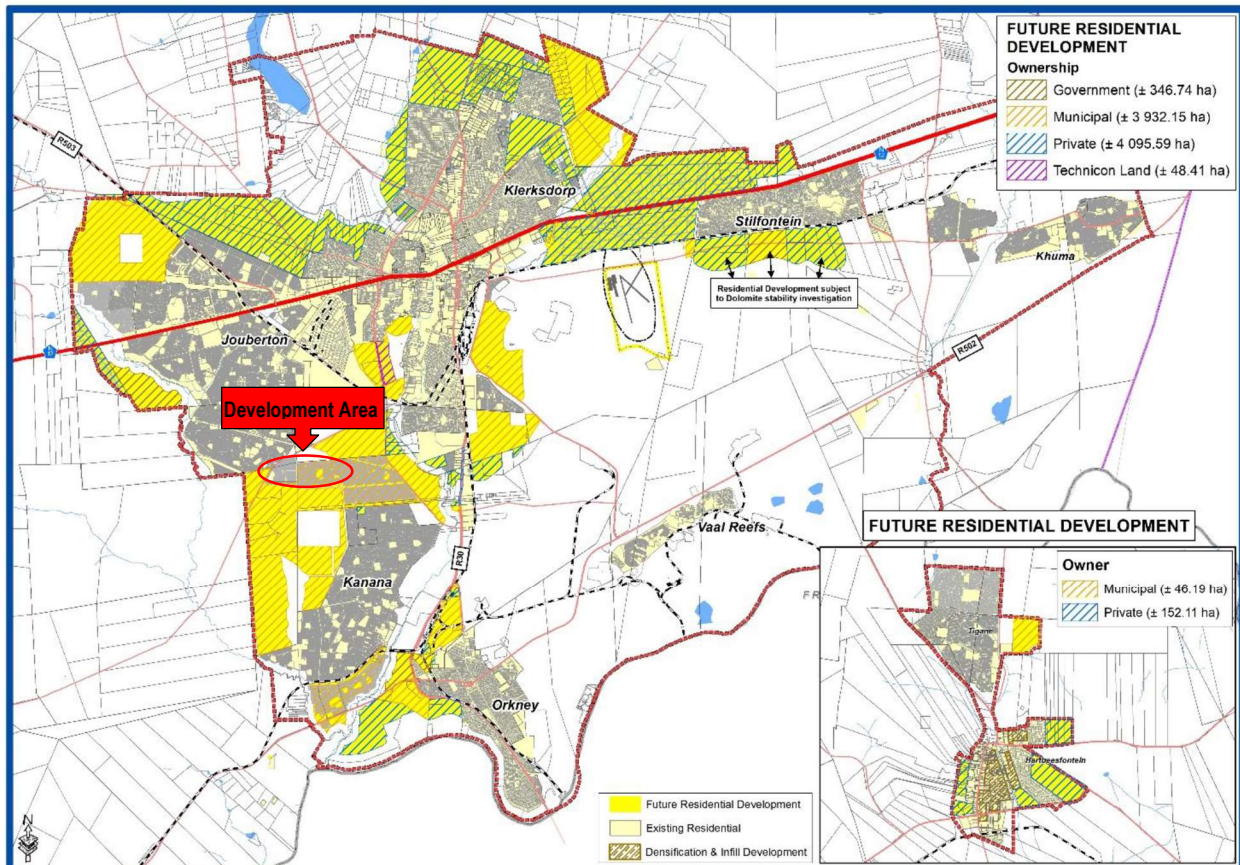
integration of areas. Following development of the Jouberton Extensions 31 & 34 and Kanana Extension 16 township areas, the urban areas of Jouberton and Kanana would be integrated as a continuous, single urban area.

The City of Matlosana Spatial Development Framework, 2021 also identified the need for Integrated Human Settlement Development. New residential developments must as far as possible, focus on mixed housing typologies and densities for a variety of income groups (Subsidised housing, FLISP / GAP, Affordable and Bonded Housing) in order to create more balanced communities with sufficient social amenities and local business opportunities.

The main objective of the areas identified for future residential development is to promote a more compact urban structure and to enhance the integration of the different urban areas within the demarcated urban edge.

In terms of the BNG Principles for sustainable human settlements new residential developments should also include social amenities such as schools, clinics, community facilities as well as business opportunities.

In addition to being located inside the demarcated Urban Edge, the proposed township area of Jouberton Extension 31 is also located on land earmarked for future residential development purposes, as reflected on **Map 22** below.



Map 22: Future Residential Development

In terms of the City of Matlosana Spatial Development Framework (2021), the main objective of the areas identified for future residential development is to promote a more compact urban structure and to enhance the integration of the different urban areas within the demarcated urban edge.

- Provide land for integrated human settlement developments that will provide a wide choice of housing and tenure options (subsidized housing, rental housing, GAP housing, FLISP Housing and affordable / bonded housing) in line with BNG principles
- Eradication of the backlog in housing as well as informal structures (Millennium Development Goals)
- Promote social (rental) housing in areas where integration can be promoted as well as supporting urban or inner-city regeneration.
This can also be integrated with the Neighbourhood Development Partnership Grant programme
- Promote integration of areas and infill development
- Ensure conditions not conducive to health and safety of the inhabitants are prevented and removed (flood areas, dolomite areas etc)
- Discourage illegal occupation of land
- The Spatial Development Framework (SDF) earmarked $\pm 8\,442,89$ ha for future residential development on private and municipal land. Based on a gross density of 19 units per ha, this land can accommodate $\pm 160\,035$ new residential units. This gross density includes single residential units as well as medium to higher residential densities, to accommodate different housing typologies. The SDF therefore provides sufficient land to accommodate short, medium and longer term residential needs.

The proposed township area of Jouberton Extension 31 will provide for an integrated human settlement linking with the existing Jouberton township to the north. It also aims at addressing the Millennium Development Goals set in respect of the eradication of informal settlements, promoting the integration of areas and infill development and will also discourage the illegal occupation of land.

With regard to housing needs / demand, the current backlog in housing is estimated at 38 500 stands and houses (this excludes the current housing projects and blocked projects). The residential mix according to the most recent market analysis is estimated as follows:

- Subsidised (62%) - 24 532
- FLISP (26.2%) - 10 366
- Affordable (11.8%) - 4 669

Above-mentioned include the backlog as well as the expected 5 year growth.

The estimated housing and land needs per urban area (based on population size), as determined in terms of the recently promulgated City of Matlosana Spatial Development Framework (2021), are set out in **Table 17** below.

Table 17: Township Establishments in process

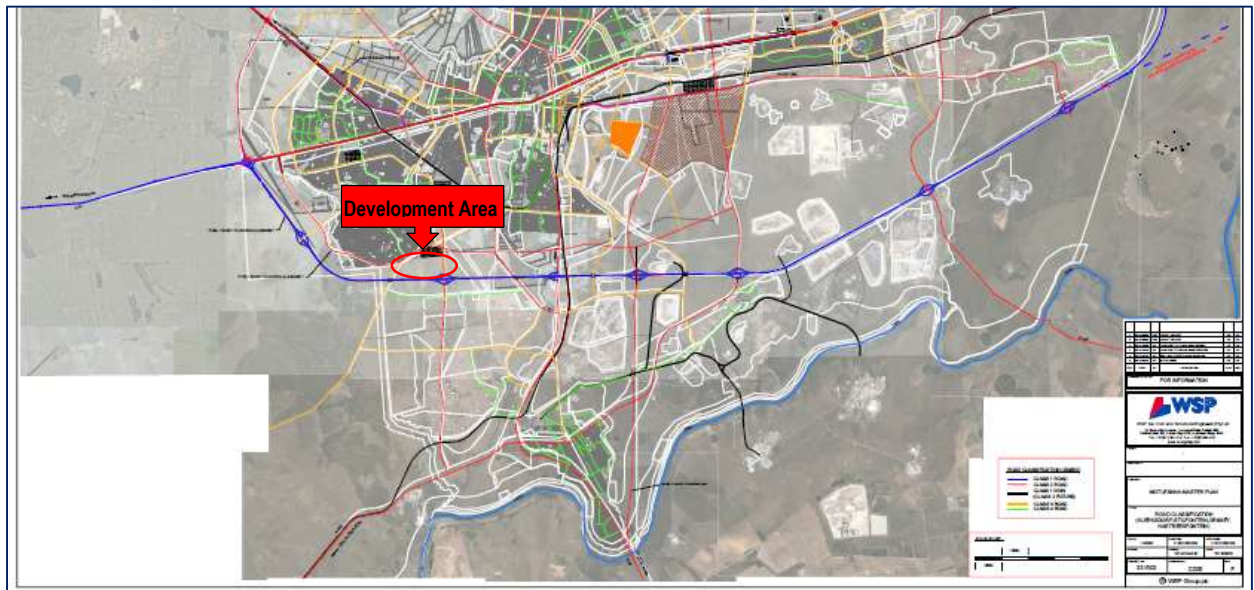
Number of stands	Klerksdorp / Jouberton / Alabama	Stilfontein / Khuma	Orkney / Kanana	Hartbeesfontein / Tigane
Subsidised	12 748	4 240	6 298	1 246
FLISP	5 387	1 792	2 661	526
Affordable	2 426	807	1 199	237
TOTAL	20 562	6 839	10 158	2 009
Land Requirements	Klerksdorp / Jouberton / Alabama	Stilfontein / Khuma	Orkney / Kanana	Hartbeesfontein / Tigane
Subsidised	637 ha	212 ha	315 ha	62 ha
FLISP	337 ha	166 ha	112 ha	33 ha
Affordable	162 ha	80 ha	54 ha	16 ha
TOTAL	1136 ha	458 ha	481 ha	111 ha

The proposed township area of Jouberton Extension 31 (together with the other proposed township areas of Jouberton Extension 34 and Kanana Extension 16) will aim to start addressing the need/demand for residential erven in the Klerksdorp/Jouberton/Alabama and Orkney/Kanana urban complexes.

From the above it is clear that the proposed development is in line with the development proposals contained in the local SDF.

6.18 MATLOSANA ROAD MASTER PLAN (MRMP)

The Matlosana Road Master Plan (MRMP) forms part of the Integrated Transport Planning process in the Municipality and is aimed at providing structure to the municipal planning of the Municipality. The establishment of Klerksdorp Extension 38 in the eastern part of the town resulted in the need to provide for a N12 bypass to replace the existing road in future. The proposed road network and hierarchy contained in the MRMP is depicted in **Map 23** below. The proposed by-pass is indicated in blue and can be seen running to the south of the application site. Provision is made in the layout plan for a 25m wide road that can link to the proposed by-pass and proposed intersection in future.



Map 23: Matlosana Road Master Plan

6.19 OUTCOME 8 – 2014-2019 MEDIUM TERM STRATEGIC FRAMEWORK (MTSF)

Outcome 8 (sustainable human settlements and improved quality of household life) of government’s 2014-2019 Medium Term Strategic Framework (MTSF) guides the Department of Human Settlement’s work over the medium term towards ensuring that poor households have access to adequate housing in better living environments, and that institutional capacity and coordination is improved.

Outcome 8 determines that human settlements in future in South Africa must at least consist of:

- The development of suitable located and affordable housing (shelter) and decent human settlements;
- An understanding that human settlements are no longer about building houses;
- Transforming our cities and towns (moving towards efficiency, inclusion and sustainability); and
- Building cohesive, sustainable and caring communities with improved access to work and social amenities, including sports and recreation facilities.

In terms of Outcome 8, sustainable human settlements and improved quality of household life are defined by:

- Access to adequate accommodation that is suitable, relevant, appropriately located, affordable and fiscally sustainable;
- Access to basic services (water, sanitation, refuse removal and electricity);

- Security of tenure irrespective of ownership or rental, formal or informal structures; and
- Access to social services and economic opportunity within reasonable distance.

This outcome is of critical importance as it is a requirement of the Constitution and Bill of Rights. It is secondly core to human dignity and social stability and is a key enabler of health, education and social cohesion outcomes. With good planning it can also serve as a catalyst for economic development and job creation.

6.20 SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (SPLUMA) DEVELOPMENT PRINCIPLES

The act applies to spatial planning, land development and land use management. The following five (5) primary development principles referred to in the Spatial Planning and Land Use management Act, 2013 (Act 16 of 2013) (SPLUMA) and explained in SPLUMA: A Practical Guide compiled by Nic Laubscher, Lizette Hoffman, Ernst Drewes and Jan Nysschen, 2016, need to be taken into consideration:

“7. (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;

The focus of the principle would be on integration or development of rural and/or traditional settlements and urban integration strategies. This development specifically aims at redressing past spatial imbalances in combatting the past planning principles of providing low income residential areas on the periphery of urban areas. This development will provide residents access to land and the use of such land to better their living conditions whilst similarly providing the necessary security of tenure. This project aims at providing 3000 residential erven with the necessary complementary land uses.

(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;

In terms of the City of Matlosana Spatial Development Framework, the area to which this application applies was already earmarked for residential purposes. This was specifically done to limit further urban sprawl and to enhance integration. The proposed development area is also within the demarcated urban edge as defined in terms of the SDF.

- (iii) spatial planning mechanisms, including land use scheme, must incorporate provisions that enable redress in access to land by disadvantage communities and persons;**

The local municipality identified portions of land within the local municipal area, through the Spatial Development Framework, that will redress access to land by previously disadvantaged people whilst also providing housing opportunities for people that wish to acquire land to build their own home or those that do not qualify to participate in the subsidized housing programmes of government but still require proper housing (e.g. rental housing / social housing). This development will provide access to land and security of tenure to a disadvantaged community and residents of an informal settlement residing in squalid conditions without basic services.

- (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;**

Land uses within the City of Matlosana Local Municipality municipal area are governed by a functional land use management system. The proposed land uses in the proposed township areas will be regulated by the Klerksdorp Land Use Management Scheme, 2005. The opinion is held that the provisions of this scheme that will relate to this development will be totally appropriate for the management of the land uses to be provided within this development.

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

This project has at its core the in-situ upgrading of the informal settlement Jouberton South. This township establishment process will afford inhabitants of this area the opportunity to obtain access to secure tenure on the development area. The township establishment process aims to create residential erven that can, after proclamation of the township areas, be alienated to the beneficiaries thereof. This new township development will afford the community of Jouberton the opportunity to access land and secure tenure thereof.

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

The proposed development will positively affect not only the value of this property but also those of the surrounding areas.

7. (b) the principle of spatial sustainability, whereby spatial planning and land use management systems must –

The principle of spatial sustainability should allow for flexibility in dealing with applications and proposals, which may not have been anticipated.

(i) promote land development that is within the fiscal, institutional and administrative means of the Republic;

In terms of the sub-principle, the opinion is held that the City of Matlosana Local Municipality has sufficient fiscal, institutional and administrative capacity and resources to administer the development. The City of Matlosana Local Municipality will ensure that the development complies with the requirements contained in the Klerksdorp Land Use Management Scheme, 2005 and the City of Matlosana Spatial Development Framework.

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

Although some of the application sites are partially zoned “High Potential/Unique Agricultural” the area has been severely disturbed in recent years due to the informal settlements and agriculture is no longer practiced on the application sites. The application will however be circulated to the Department of Agriculture, Forestry and Fisheries for consent as per the Klerksdorp Land Use Management Scheme, 2005 and in compliance to Act 70 of 1970.

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

Environmental sustainability refers to the relationship between the settlement and the natural landscape.

The development is planned with a full level of infrastructure elements including sewer, water, electricity, access and refuse removal services, thereby reducing the effect that the development will have on the natural surrounding area. For an area to be environmentally sustainable, it should protect the unique amenity and character of the surrounding environment and also prevent degradation. The development will not be situated in an ecological sensitive area or in places of hazard or high risk, such as within the flood plain. The proposed development further excludes noxious activities.

In considering the environmental management instruments applicable to the proposed development, it is pertinent to note that the activity does indeed constitute a listed activity in terms of the National Environmental

Management Act, 1998 (Act No. 107 of 1998), as amended and the Environmental Impact Assessment Regulations, 2014.

The township applicant appointed a qualified independent Environmental Practitioner to conduct the necessary Environmental Impact Assessment and public participation process as prescribed in terms of the fore-mentioned Act.

Environmental Authorisation from the Department of Economic Development, Environment, Conservation and Tourism (DEDECT) will be forwarded to the Local Authority upon receipt thereof.

The development of this township area as well as the activities conducted from the erven in the township area during the operational phase will be subject to the conditions imposed by the Department of Economic Development, Environment, Conservation and Tourism (DEDECT) and set out in the relevant Environmental Authorisation.

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

The local municipality is in favour of on-going dialogue with private investors and relevant government departments, to promote integrated economic growth.

Principle 7 (b)(iv) recognizes the need for land development to be based on competition and the principle of a competitive economy. The development will contribute to the economic growth of the municipal area. The development represents a public sector initiative, planned and applied for in the context of open market competition. This development will further not be in competition with any other private sector development within the concerned area.

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

The local municipality needs to comply with the guidelines for the provision of emergency-, social-, education- and engineering services, in terms of the provision of infrastructure and social services.

The provision of services to the proposed development has been addressed in detail in Section 5 supra and it was indicated that the development can be provided with the necessary services subject to the bulk infrastructure upgrades proposed.

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

The proposed development will take place within the demarcated urban edge as set out in the City of Matlosana Spatial Development Framework. This development will be sustainable and will limit further urban sprawl.

This development intends to promote a more compact city and to prevent the expansive provision of social and engineering services. The Spatial Development Framework addresses the scale of urban growth through planned extensions, infill and redevelopment strategies. The local municipality is aware of the need to integrate urban settlements, with a view to reduce travel distances to the areas of employment opportunities.

The planning practices of the past have resulted in sprawling urban areas that are un-economical. Today, planning policies transformed to mainly focus on infill development on vacant land within an urban environment, in order to combat urban sprawl. The principle also calls for a balance in land development processes. The development is in line with the sub-principle and will combat urban sprawl. The development will also ensure maximum utilization of the concerned property and will lead to the integration with the existing Jouberton extensions in the north.

(vii) result in communities that are viable;

For any development to be sustainable and viable to the community, land development and planning should ensure that communities are located close to job opportunities, social facilities and basic services. The proposed development includes various complementary land uses and is located in close proximity to the Klerksdorp Industrial area where employment opportunities exist.

(c) the principle of efficiency, whereby -

(i) land development optimizes the use of existing resources and infrastructure;

The granting of development permissions should be coupled with the provision of adequate infrastructure. The efficient usage of existing resources can promote high density growth, alleviate urban sprawl and optimise the use of land.

The development will ensure the optimum utilization of one of the most valuable resources being land, if used to its full potential, and it was indicated in Section 5 that the development can be supplied with the full spectrum of infrastructure elements such as water, sewer, refuse removal, and access roads; thus reducing the effect of the development on the natural surrounding area.

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

The opinion is held that the development will not have a negative financial, social, economic or environmental impact on the surrounding properties, as this development will be of a formal and non-noxious nature fitting in with the land uses surrounding the proposed development area.

(iii) development application procedures are efficient and streamlined and timeframes are adhered to by all parties;

This land development application in respect of the establishment of the proposed township will be processed in accordance with the prescriptions of the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016. The processes prescribed in terms of this legislation make provision for the necessary community involvement through a public participation process.

(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; and -

Standards for the protection of natural resources, agricultural land, open spaces and ecosystems have been compiled on a national and regional level. The local municipality compiled a Spatial Development Framework to increase resilience for human settlements, focusing on vulnerable and informal areas. The Spatial Development Framework needs to be flexible to adapt to social, economic and technological trends. This development is 100% aligned with the most recent Spatial Development Framework and gives effect to the proposals set forth in this SDF. This development is specifically aimed at providing opportunities for people that are currently devoid of land for proper housing purposes through in-situ upgrading of the existing informal settlement. The provision of proper housing for the landless community of Jouberton and surrounding towns will alleviate the plight of a community who is most vulnerable to suffer the impacts of environmental and economic shock.

(e) 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;

The City of Matlosana Local Municipality has a Spatial Development Framework and employs the Klerksdorp Land Use Management Scheme, 2005 as part of their land use management system. In terms of the Spatial Development Framework the area to which this development applies was

specifically earmarked for residential development which renders this proposed development in line with the Spatial Development Framework. The Klerksdorp Land Use Management Scheme, 2005, will effectively regulate the land uses to be established within the township.

(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;

Integration between the different levels of government assists to create complimentary and mutually reinforcing policies, while integration between the different sectors will result in positive benefits. Government departments have been consulted during the compilation of the Spatial Development Framework of the local municipality. In addition to the fore-mentioned consultation, it should be noted that this application for township establishment will also be referred to the following government and non-government departments as integral part of the public participation process:

- Department of Public Works and Roads
- Openserve (Telkom SA Limited)
- Eskom
- Dr. Kenneth Kaunda District Municipality (DRKKDM)
- Department of Minerals Resources (DMR)
- Department Agriculture, Land Reform and Rural Development (DALRRD)
- Department of Water and Sanitation (DWS)
- Department of Co-operative Governance and Traditional Affairs (COGTA)
- Department of Education
- Department of Health
- South African Post Office (SAPO)
- Transnet Freight Rail
- South African Heritage Resources Agency (SAHRA)
- South African National Roads Agency Limited (SANRAL)
- Midvaal Water
- Department Economic Development, Environment, Conservation and Tourism (DEDECT)
- Department of Agriculture, Forestry and Fisheries (DAFF)

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

The Minister of Rural Development and Land Reform has prescribed timeframes to which land development applicants and decision-makers must adhere to.

- (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;**

Effective procedures for public participation are in place, to afford the residents and other parties the opportunity to provide inputs on development applications and other matters affecting them.

The public participation process undertaken as part of this township establishment application includes the following:

- Publishing notices of the application (as set out in **Annexure C1** of the comprehensive Land Development Application) in the Klerksdorp Rekord in Afrikaans & English as contemplated in Section 94(2)(a) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016;
- Appending notices of the application (as set out in **Annexure C2** of the comprehensive Land Development Application) on the notice board situated at the library as contemplated in Section 94(2)(b) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016;
- Displaying a notice (as set out in **Annexure C3** of the Comprehensive Land Development Application) in a conspicuous place on the land to which the application applies as contemplated in Section 97(1)(a) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016;
- Notices to adjacent property owners (as set out in **Annexure C4** of the comprehensive Land Development Application) as contemplated in Section 95(1)(c) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016.
- Notices to the following external departments / organizations (as set out in **Annexure C5** of the comprehensive Land Development Application) in order to obtain letters of consent / objection as contemplated in Section 97(1)(f) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016:

- Department of Public Works and Roads
- Openserve (Telkom SA Limited)
- Eskom
- Dr. Kenneth Kaunda District Municipality (DRKKDM)
- Department of Minerals Resources (DMR)
- Department Agriculture, Land Reform and Rural Development (DALRRD)
- Department of Water and Sanitation (DWS)
- Department of Co-operative Governance and Traditional Affairs (COGTA)
- Department of Education
- Department of Health
- South African Post Office (SAPO)
- Transnet Freight Rail
- South African Heritage Resources Agency (SAHRA)
- South African National Roads Agency Limited (SANRAL)
- Midvaal Water
- Department Economic Development, Environment, Conservation and Tourism (DEDECT)
- Department of Agriculture, Forestry and Fisheries (DAFF)

The fore-mentioned organizations / departments will be afforded a period of sixty (60) days to comment in this matter. The adjacent property owners and the general public will be afforded a period of thirty (30) days to lodge comments or objections in this matter.

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

The procedures set out in the City of Matlosana Spatial Planning and Land Use Management Municipal By-law on Spatial Planning and Land Use Management, 2016 afford members of the public the opportunity to not only participate in this process but also to scrutinize the documentation relating to the application. Members of the public will be afforded a period of 30 days to comment or object against this development.

6.21 GENERAL

From a land use and town planning point of view the proposed development area is ideally suited for residential purposes due to the following:

- The purpose of this land development application is to provide for the establishment of a proper integrated human settlement in lieu of the existing informal settlement. The proposed development will address the immediate

housing backlog experienced in Jouberton South and create a sustainable, vibrant township for the residents.

- The proposed development area is located south of the existing Jouberton urban area, in an area earmarked for residential development. The presence of the informal settlement on site is proof of the desirability of residential development in the area. The application sites are the logical extension of the existing built-up urban area of Jouberton and constitutes infill planning within the delineated urban edge.
- The proposed township area is easily accessible due to its locality directly adjacent to District Road D152 (Swartkoppies Street). The proposed road network has been designed in a manner to integrate with the existing Jouberton township to the north.
- The layout plan that was compiled in respect of the township area comprehensively addresses the issues identified during the pre-planning studies relating inter alia to the following:
 - Integrating the proposed road network with that of the existing Jouberton township to the north and the proposed Jouberton Extension 34 to the east;
 - Incorporating the proposed future southern by-pass road and proposed activity corridor identified in the Road Master Plan;
 - Providing for the development of complementary land uses on site to provide essential business and social services to the community;
 - Accommodating the existing servitudes on site on appropriately zoned erven;
 - Engineering services can be provided to the proposed township area; and
 - Traffic generated by the development can be accommodated within the existing road network subject to the necessary road and intersection upgrades proposed in terms of the Traffic Impact Study.

In view of the fore-mentioned, we trust that this application will be considered favorably.

K. RAUBENHEIMER
Pr. PIn A/924/1996