

**LAND ACQUISITION PROCESS PLAN FOR  
DISTRICT MUNICIPAL OFFICES  
NOVEMBER 2017**



**SEKHUKHUNE DISTRICT MUNICIPALITY**

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## 1. INTRODUCTION

Sekukhune District Municipality is a home to a population of 1 169 762, with approximately 290 802 households. It covers a total area of approximately 13 264 square kilometres, most of which is rural with 764 villages. The urban areas of the district constitute only 5% of the District population. The District has 4 Local Municipalities namely Greater Tubatse/Fetakomo, Makhuduthamaga, Elias Motosaledi and Ephraim Mogale Local Municipalities. The District is currently having its offices located in Groblersdal town, housed in the leased office space.

A need to establish District Municipal offices in a more central and convenient location for the entire community within its jurisdiction gained momentum from as far as 2002. This therefore meant that a centralization development approach and strategy should be used to accommodate all communities within the District by cutting the distance to be travelled to get the District services. Part of R/E of portion 3 of the farm Vergelegen 819 KS near Jane Furse town under Makhuduthamaga Local Municipality was then identified for the development of the District Offices.

This Process Plan provides the processes/activities that should be followed and implemented until the construction of Municipal Offices is completed. Different Stakeholders play different roles within this process in order to enable a more coordinated approach to the office development.

## 2. LEGISLATIVE FRAMEWORK

This process requires different types of legislation by different stakeholders and some of them are as follows:

- Department of Rural Development initiates the Land release processes in terms of the State Land Lease & Disposal Policy, 2013;
- The Interim Protection of Informal Land Rights Act, 1996 (Act No. 31 of 1996);
- The Restitution of Land Rights Act, 1993 (Act No. 22 of 1994);
- Government immovable assets management Act, 2007 (Act No. 19 of 2007)
- The Constitution of the Republic of South Africa (Act 108 of 1996)
- Spatial Planning and Land Use Management Act (SPLUMA), Act No 16 of 2013;
- Town Planning and Townships Ordinances of 1986 (15 of 1986);
- Local Government: Municipal Systems Act 32 Of 2000;
- Local Government: Municipal Finance Management Act 56 Of 2003 and
- National Environmental Management Act, 1998, Act 107 of 1998

In 2002 Provincial EXCO adopted a proposal to promote Jane Furse as an administrative and economic hub of Sekhukhune District Municipality. Provincial EXCO resolved that the Department of Public Works should utilize the land acquired by the Department of Local Government and Housing (now CoGHSTA) for the establishment of Jane Furse Township to centralize and build government offices in Sekhukhune District (Decision No. 120/2010). R/E of portion 3 of the farm Vergelegen 819 KS (Bapedi ba Mamone Tribal Authority) were among the pieces of land identified.

#### 4. ENGAGEMENT PROCESSES ALREADY MADE TOWARDS ACQUIRING THE DESIRED LAND PORTION

Stakeholders	Responsibilities
Sekhukhune District Municipality	Facilitates land identification, engagements and negotiations with relevant stakeholders within the development process.
Makhuduthamaga Local Municipality	Supports and process the District township establishment application.
Department of Cooperative Governance Human Settlements and Traditional Affairs (COGHSTA)	Supports the development process.
Department of Rural Development and Land Reform (DRDLR)	Verification of the property and facilitation of community resolution.
Limpopo Regional Office of Land Claims Commissioner	To verify land claims status. Facilitates development consent by Land Claimants
Traditional Authorities	Development negotiations and consent.
Land Claimants	Support development through consent.

#### 3. ROLES OF DIFFERENT STAKEHOLDERS INVOLVED IN THE PROCESS

The following stakeholders are the role players in the land acquisition process:

- Approved SG diagram
- Company profile
- Valuation report
- Aktex Deeds Offices (Office)
- Copy of Title Deed (Office)
- Locality map
- RLCC comments if land is under claim
- Comments from Local Municipality
- Copy of resolution and draft diagram submitted to National Office for consent letter

The Sekhukhune District Municipality shall appoint service providers to perform the following functions: valuation of the property, Preliminary studies on Geotech, Environment & Flood lines, and the Land Surveyor to survey the land and prepare surveyor diagram of 10h from portion 3 of the farm Vergelegen 819 KS for approval by Surveyor General. After the Department of Rural Development and Land Reform has confirmed land ownership, extent required, rental and market value, it will initiate the land release processes in terms of the State Land Lease & Disposal Policy and The Interim Protection of Informal Land Rights Act, 1996 (Act No. 31 of 1996)

The following Documents will be required for submission to Limpopo Provincial State Land Vesting & Disposal Committee (PSLVDC) & Minister for land approval :

## 5. PREPARATION FOR THE DEVELOPMENT AREA

Limpopo Regional Land Claims Commissioner confirmed to the District Municipality that there are two Land Claimants who lodged claims against the property, and further advised the District to secure development consent from those two claimants. The District Municipality engaged both Land Claimants for the development consent and they both provided their consent. Sekhukhune District Municipality will sign the MOU with the affected Traditional Authority after some development milestones have been concluded (as per the attached Action Plan).

Sekhukhune District Municipality engaged the Department of Rural Development and Land Reform (DRDLR) and Limpopo office of the Regional Land Claims Commissioner for verification of ownership and Claimants status. R/E of portion 3 of the farm Vergelegen 819 KS is owned by Government of Republic of South Africa and the land is under the Custodianship of Bapedi ba Mamone Traditional Authority. The land is still vacant and suitable for the development of Office Park and other related use. The land is in line with the growth direction of Jane Furse town in terms of both the Sekhukhune District and Makhuduthamaga Local Municipalities' Spatial Development Frameworks. The land portion falls within the identified Provincial Population Growth point.

*See attached Action Plan*

## **7. ACTION PLAN**

Land can be secured through a once off purchase or lease agreement. The District Municipality shall either purchase or lease the land portion from the land owner (currently Bapedi ba Marmone). Funds should also be secured for all development processes as per the attached Action Plan.

## **6. FINANCIAL RESOURCES**

SDM OFFICES INTERNAL PROCESS PLAN

**PROCESS PLAN FOR SDM OFFICE DEVELOPMENT**

<b>Activity</b>	<b>Responsible Dept</b>	<b>Budget (Estimated)</b>	<b>Time frame</b>	<b>Progress/Remarks</b>
<b>1. Land Acquisition</b>				
<ul style="list-style-type: none"> <li>Consent letter from Batlokwa Ba Mogodumo Tribal land claimants</li> </ul>	PED	N/A	30/11/17	Development consent from land claimants received
<ul style="list-style-type: none"> <li>Consent letter from Monama CW land claimants</li> </ul>	PED	N/A	15/12/17	Awaiting for development consent from land claimants
<ul style="list-style-type: none"> <li>Consent letter from office of the Limpopo Regional Land Claims Commissioner</li> </ul>	PED	N/A	31/01/2018	Still to be done
<ul style="list-style-type: none"> <li>Appoint Valuer (from DRDLR data base)</li> </ul>	Budget and Treasury	To be determined	15/12/2017	Still to be done
<ul style="list-style-type: none"> <li>Determination of Lease/Purchase amount</li> <li>Sourcing of funds for purchase &amp; construction</li> </ul>	Budget and Treasury	To be determined	31/01/2018	Still to be done

SDM OFFICES INTERNAL PROCESS PLAN

**PROCESS PLAN FOR SDM OFFICE DEVELOPMENT**

Activity	Responsible Dept	Budget (Estimated)	Time frame	Progress/Remarks
<ul style="list-style-type: none"> <li>Appoint Land surveyor to survey land, prepare surveyor diagram, and send for approval by Surveyor general.</li> </ul>	PED	70 000	30/03/2018	Draft TORs in place
<ul style="list-style-type: none"> <li>Preliminary studies</li> </ul>			30/03/2018	Draft TORs in place
-Environmental,	PED	110 000		
-Geotechnical	PED	70 000		
-Flood line Report	PED	40 00		
<ul style="list-style-type: none"> <li>Review and signing of MOU</li> </ul>	PED Corporate services (Legal Unit) Municipal Manager	N/A	30/04/2018	Draft MOU in place. Awaiting for consent process to be concluded
<b>2. Township Establishment process (application to Makhuduthamaga LM)</b>	PED	500 000	To be determined	The township Establishment process will start after the signature of land release by the Minister of DRDLR
<b>3. Appointment of Architecture to do Building Plans/structural plans</b>	Corporate Services (Auxiliary Services)	To be determined	To be determined	Still to be done
<b>4. Establishment of the Project Steering Committee</b>	IWS			



SDM OFFICES INTERNAL PROCESS PLAN

**PROCESS PLAN FOR SDM OFFICE DEVELOPMENT**

<b>5. Engineering Service report and design</b>	IWS Planning and Design	To be determined	To be determined	Still to be done
<b>6. Construction of SDM offices</b>	Corporate Services IWS	To be determined	To be determined	Still to be done

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TERMS OF REFERENCE FOR THE PRELIMINARY GEO-TECHNICAL INVESTIGATIONS, ENVIRONMENTAL IMPACT ASSESSMENT AND FLOODLINE DETERMINATION ON A PORTION OF PORTION 3 OF THE FARM VERGEGEGEN 819 KS: MAKHUDUTHAMAGA LOCAL MUNICIPALITY: LIMPOPO PROVINCE

SEKHUKHUNE DISTRICT MUNICIPALITY  
3 Wes Street, Groblersdal, 0470  
Tel: 013 262 7300



2017/2018

SEKHUKHUNE DISTRICT MUNICIPALITY

## TERMS OF REFERENCE

### 1. INTRODUCTION

In 2002 Provincial EXCO adopted a proposal to promote Jane Furse as an administrative and economic hub of Sekukhune District Municipality. Provincial EXCO resolved that the Department of Public Works should utilize the land acquired by the Department of Local Government and Housing (now COGSTA) for the establishment of Jane Furse Township to centralize and build government offices in Sekukhune District (Decision No. 120/2010). R/E of portion 3 of the farm Vergelegen 819 KS (Bapedi ba Mamone Tribal Authority) were among the pieces of land identified.

Sekukhune District Municipality engaged the DRDLR and Limpopo office of the Regional Land Claims Commissioner for verification of ownership and Claimants status. R/E of portion 3 of the farm Vergelegen 819 KS is owned by Government of Republic of South Africa and the land is under the Custodianship of Bapedi ba Mamone Traditional Authority. The land is still vacant and suitable for the development of Office Park and other related use. The land is in line with the growth direction of Jane Furse town in terms of both the Sekukhune District and Makhuduthamaga Local Municipalities' Spatial Development Frameworks. The land portion falls within the identified Provincial Population Growth point

The RLCC Office confirmed that the District must secure development consent from the two claimants who lodged claims against the concern property and are as follows:

1) Monama CW (KRP 1603) – land claim still under investigation

2) Batokwa ba Mogodumo (KRP 1602) – land claim still under investigation

The District Municipality has engaged with both the two claimants for the development consent. Both claimants agreed to issues the consent. Batokwa Ba Mogodumo development consent letter dated 08/11/2017 is already received by the Municipality. The District Municipality is still waiting for Monama CW (KRP 1603)'s development consent letter.

The draft MOU shall be signed by Sekukhune District Municipality and the affected Traditional Authority only after the preliminary studies are conducted and all the land claimants through the Limpopo office of the Regional Land Claims Commissioner have given consent to the proposed development.

The Sekukhune District Municipality is currently in the negotiation process and must undertake all processes relating to land acquiring required for the office development and related use and prepare necessary documentation for consideration and approval by the relevant authorities. In order to achieve these objectives, the SDM intends to utilize services of relevantly qualified and experienced professional service providers to undertake Preliminary Geotechnical study, Environmental scoping report and Flooding Determination on a Portion of Portion 3 of the Farm Vergelegen 819 KS within Makhuduthamaga Local Municipality.

### 2. PROPERTY DESCRIPTION

The locality map of property to be investigated is attached hereto. A property description is provided as follows:

Table 1: property description

- Identify key environmental issues to ensure that detailed prediction work is only carried out for important issues.
- Identify significant environmental impacts that can be avoidable
- Establish any other unknown risks on the property with regard to environmental challenges;
- Recommend Mitigation measures where adverse impacts have been identified.

4.2 Conduct a preliminary Environmental Impact Assessment to establish the following:

- Provide the SDM with a comprehensive report for Preliminary Geo-Technical Assessment with recommendations advising the SDM on whether to pursue the land for office development or not, based on the findings.
- To determine if the property is dolomitic or not
- To determine if there are mining (prospecting) activities taking place at closer proximity to a Portion of Portion 3 of the Farm Vergelegen 819 KS, and determine how the potential mining activity might affect the proposed development
- Advise the SDM on mitigatory measures to be applied should the land need any transformation for the development of offices and related use which includes human settlements.
- Provide Laboratory Testing results as part of further assessment and recommendations thereof.
- Establish possibility of existence or non-existence of any ground water and or abnormal water table level challenges;
- Establish if the property could be / have the potential to be developed for offices and related use including Human Settlements.
- Advise the SDM on mitigatory measures to be applied should the land need any transformation for the development of offices and related use which includes human settlements.
- To determine if the property is dolomitic or not
- To determine if there are mining (prospecting) activities taking place at closer proximity to a Portion of Portion 3 of the Farm Vergelegen 819 KS, and determine how the potential mining activity might affect the proposed development

4.1 Conduct Preliminary Shallow Geo-Technical Assessment to establish the following:

4. SCOPE OF WORK

The objective of this assignment is to undertake preliminary Geotechnical Assessment, Preliminary Environmental Impact Assessment and Flood line determination on a Portion of Portion 3 of the Farm Vergelegen 819 KS located within Makhuduthamaga Local Municipality.

3. OBJECTIVE OF THE PROJECT

MUNICIPALITY	PROPERTY DESCRIPTION	STUDY AREA EXTENT (HA)	OWNERSHIP	T/DEED NO.
Makhuduthamaga Local Municipality	A Portion of Portion 3 of the Farm Vergelegen 819 KS	1773,4583	National government of Republic of South Africa	T154/1933

All other related information attained from the any other relevant / responsible authorities, which assisted in undertaking of preliminary Geo-Technical and Environmental assessments and Flood line report. A Floodline certificate should form part of annexures of the comprehensive reports to be submitted to the SDM. The necessary drawings, and submit the reports in PDF, word and shape files/DWG format. An oral presentation of the final report to client is required. A soft copy and three (3) hard copies are required.

This report will incorporate feedback and comments on the above draft. The service provider will provide all necessary drawings, and submit the reports in PDF, word and shape files/DWG format. An oral presentation of the final report to client is required. A soft copy and three (3) hard copies are required.

**(Final)**

**5.3 Geotechnical investigation, preliminary Environmental Impact Assessment report and Flood line study**

This report must contain findings and analysis with preliminary conclusions, proposals and recommendations with respect to scope of work/ task section 4. An oral presentation of the draft report to client is required. A soft copy and three (3) hard copies are required.

**(Draft)**

**5.2 Geotechnical investigation, preliminary Environmental Impact Assessment report and Flood line study.**

The report must outline the agreed scope of methodology, process plan, expected outputs, deliverables and milestones/ timeframes, including detailed description of content and characteristics of each of the work outputs/ deliverables of task section. An oral presentation of the inception report to client is required. A soft copy and three (3) hard copies are required.

**5.1 Inception Report**

In accordance with the relevant standards and procedures for professional practice, and contracted scope of work, the professional service provider will submit and make oral presentation on the following outputs and deliverables:

**5. DELIVERABLES & OUTPUTS**

- Provide the SDM with a comprehensive flood-line report, contours and plans / drawings
- Determine the extent of developable areas through diagrammatic/ schematic presentation based on the findings of the Preliminary Geo-Technical and Environmental Impact Assessments scoping report
- Calculate floor peaks
- Study the catchment characteristics
- The delineation of wetland areas within the proposed site

4.3 Undertake a flood-line determination which will include but not be limited to:

- Provide the SDM with a comprehensive report for Preliminary Environmental Impact Assessment with recommendations advising the SDM on whether to pursue the land for office development or not, based on the findings.

appointed consultant is expected to obtain comments from the Department of Mineral Resources (DMR) in relation to any prospecting rights granted or mining licence issued on the study area.

## 6. DURATION

The anticipated timeframe for the completion of this project is **6 weeks**.

## 7. TEAM COMPOSITION

The service provider is expected to assemble a team with the following expertise

- Environmentalist /or EIA specialist
- Geotechnical engineer
- Civil engineer experienced in Floodlines determinations

The above professional staff composition is the client's suggestion as a minimum requirement.

## 8. EVALUATION PROCESS

8.1 The SDM needs to be satisfied, in all respects, that the organisation selected has the necessary resources, qualifications and abilities for this project, and that all submissions are regarded in a fair manner in terms of evaluation criteria and process

8.2. The general methodology of selection will be that proposals will first be evaluated on their technical ability to perform the task. Any proposals scoring below 60% of the points noted in the table below will be disqualified for the second evaluation. The second evaluation of technically competent proposals will be evaluated against Price and B-BBEE using a 80/20 Price/B-BBEE formula.

Table 1. Threshold for qualification / functionality

The criteria for scoring of technical requirements are as set out below:

MINIMUM REQUIREMENT		Scoring Points	COMMENTS / PROOF TO BE PROVIDED
<b>Organisational Capacity</b>			
1. Experience in Environmental /or EIA studies, Geotechnical and Floodlines investigation	(Refer to the number of EIA; Geotechnical and Floodlines which the company has undertaken)	40	Company Profile (Must demonstrate Directors/Members cumulative 5 years' experience)

Submitted Proposal	30	<ul style="list-style-type: none"> <li>• Fully, detailed indicated and having understanding: 30 points.</li> <li>• partially indicated and understanding -20 points</li> <li>• partially indicated - 15 points</li> <li>• understanding what is expected -10 points</li> </ul>
Certified Copy of Qualification and CV.	15	<p>3. Methodology and Approach</p> <ul style="list-style-type: none"> <li>• Methodology, roadmap and clear understanding of information to be collected and the rationale thereof.</li> <li>{Refer to the proposal submitted by the company and ascertain whether the activities (clear indication of all phases and milestones) as requested have been indicated. Also ascertain whether the proposal refers to the linkage between the Preliminary Environmental Impact Assessment and Geotechnical investigations and floodline investigation}</li> </ul>
Project Manager capability – qualifications, expertise and experience	15	<p>2. Tertiary qualifications in the field of Environment and Engineering (determine whether the proposed project team has submitted proof of tertiary qualification)</p> <ul style="list-style-type: none"> <li>• Masters and above : 15 points,</li> <li>• Degree : 10 points,</li> <li>• Diploma: 5 points</li> <li>• Certificate : 3 points</li> <li>• No Tertiary qualifications: 0 points</li> </ul>
	15	<p>1. Experience in the field of Environment and Engineering</p> <ul style="list-style-type: none"> <li>• more than 10 years : 15 points,</li> <li>• between 5-10 years: 10 points,</li> <li>• between 3-5 years : 5 points</li> <li>• between 1-3 years : 2 points</li> <li>• no experience: 0 points</li> </ul>
		<ul style="list-style-type: none"> <li>• between 10-15 Studies 30 points</li> <li>• between 5-10 Studies 20 points</li> <li>• between 1-5 Studies 10 points</li> <li>• no experience: 0 points</li> </ul>

Proposals must be submitted in sealed envelopes and only one proposal may be submitted per envelope, which must be endorsed with the project name and number as well as the closing date and time, as indicated below, with the name and address of the service provider reflected on the reverse side of the envelope. The Municipality is not compelled to accept the lowest or any quotation.

Late proposals will not be considered. No qualifications of proposals will be allowed, and service providers are hereby warned that any proposals containing special quotation conditions that differ or deviate from the official quotation form will be disqualified.

Proposals must be delivered to the address indicated thereon, on or before the time and date stipulated, in accordance with the advertised stipulations.

**9. SUBMISSION OF PROPOSALS**

CRITERIA	SUB-CRITERIA	WEIGHTING/ POINTS
Price	Preliminary Environmental Impact Assessment and Geotechnical Investigations and Flood line Determination.	80
B-BBEE Status Level Verification Certificate from accredited verification agencies.	B-BBEE Level Contributor	20
<b>Total</b>		<b>100</b>

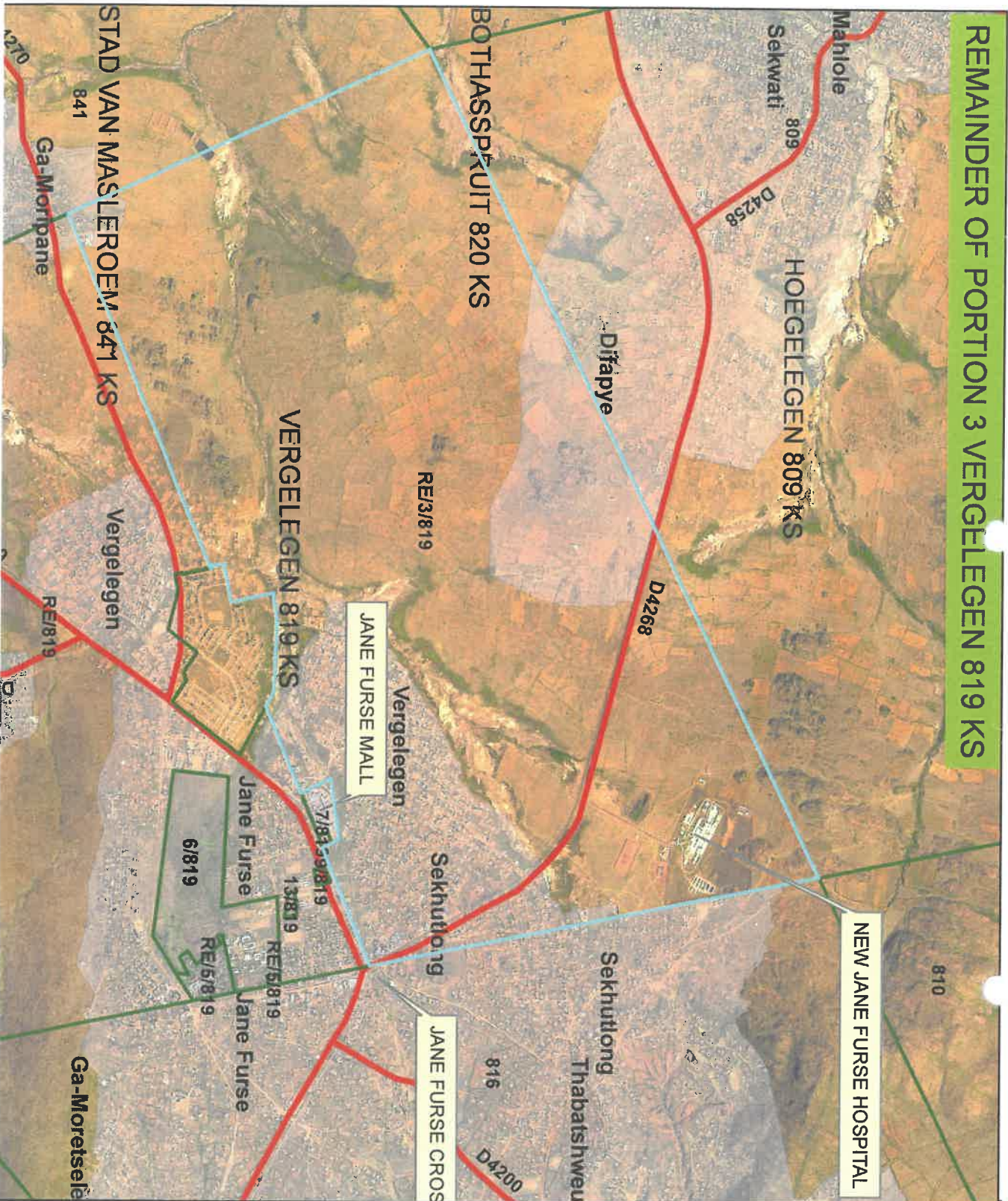
**Table 2 – Price and B-BBEE**

The following criteria will be used for point's allocation for price and B-BBEE compliance on a 80/20 point system:

• no indication and no understanding -0 points.		
<b>TOTAL</b>	<b>100</b>	



**REMAINDER OF PORTION 3 VERGELEGEN 819 KS**



- Legend**
- Farm Portion
  - main\_farms
  - Road Links
  - GSDM\_SUBPLACES



**1:40,000**



Date: 03/05/2017

Coordinate System: GCS Hartebeesthoek 1994  
 Datum: Hartebeesthoek 1994  
 Units: Degree