

New University in the Mpumalanga Province Land Assembly Feasibility Report

STATUS OF REPORT: Draft
REPORT PREPARED BY: WF Potgieter
DATE: 21 September 2012

TABLE OF CONTENTS

	Page
1. INTRODUCTION	2
1.1 PURPOSE OF THE REPORT	2
1.2 SELECTION OF THE SITE	2
1.3 PROPOSED SITE PROPERTIES	2
1.4 CONSULTATION WITH STAKEHOLDERS.....	4
1.4.1 National Department of Public Works (NDPW).....	4
1.4.2 Regional Department of Public Works	4
1.4.3 Mbombela Municipality.....	4
1.4.4 Lowveld Agricultural College.....	5
1.5 LAND RESTITUTION CLAIMS	5
1.6 PROPERTY VALUATIONS	6
1.7 FUTURE POSSIBLE EXPANSIONS	6
1.8 KEY RISKS	6

ANNEXURES

- Annexure A -** Layout of the Proposed Campus in the Mpumalanga Province
- Annexure B -** List of Stakeholders involved with land assembly
- Annexure C -** Land assembly progress table

1. INTRODUCTION

This report focusses on the process to acquire land and properties for the new university in Mbombela Municipal area. The selection of the site for the university in the Mpumalanga Province is dealt with in separate report, “*Towards New Universities in Mpumalanga and the Northern Cape, Annexure 01, Selection Criteria for Towns and Sites*” and “*Recommendations on the Seats for the New Universities*”

1.1 PURPOSE OF THE REPORT

The purpose of this report is to provide additional detail on the key steps taken to:

- assemble the publicly and privately owned land and
- highlight actions required to ensure that the land will be available for the new university (NU).

1.2 SELECTION OF THE SITE

Details of the selection of the University on the Lowveld Agricultural College site are well covered in the above report. The site is on a 240 hectare property that is well established and well cared for and overlooks Mpumalanga Legislature and the City as a whole. This site is characterized as:

- sufficiently large to accommodate the new University, as well as the existing College and will allow for future growth over 50 year period and beyond,
- well located adjacent to both the R40 and N4 corridors,
- close to retail and other commercial facilities,
- government-owned land, supporting reduced development time and costs,
- established bulk infrastructure, supporting reduced development time and costs (will need to be verified),
- presence and prominence, overlooking the city and offering opportunity for an iconic development,
- sufficient land to create a new identity and expand the academic programme,
- opportunities for student and staff accommodation and sport and recreation amenities,
- offers quick operational establishment and conversion into a university campus, and
- could be further augmented by the acquisition of small portions of adjacent private sector land.

1.3 PROPOSED SITE PROPERTIES

A number of publicly and privately owned sites were identified for the new university during the investigations. The following table provides a summary of the most feasible sites (also

referred to as the priority properties) earmarked for the development of the Campus. The selection of properties and land was done as discussed in the previous section.

A complete list of properties for the Campus that is considered in the short and medium term is included in the map in **Annexure A** with the description of these properties in the Table in **Annexure C**.

With the exception of the property no 7, the Agricultural Research Council, all 8 properties (6 publicly owned and 2 privately owned) is important for the establishment of the future university. The 8 priority properties is summarized in **Table 1** and will accommodate a university size of about 15 000 students and could allow for buildings with a total coverage of about 420 000m² which allows for residences, teaching venues and administration premises and sufficient land for sports amenities and research.

The land identified will also allow for limited expansion in future.

Table 1 – Priority properties

Property			Current use	Ownership/ Ownership:
No	Description	Size (ha)		
Priority Properties to be used – Publicly owned land				
1	Portion 31 of farm Boschrand JT 283,	180.4310	Agricultural fields, research and buildings	Assigned to Provincial DPW (ref office HOD MP DPW)
2	Portion 32 of farm Boschrand JT 283,	31.7293	Agricultural fields	Assigned to Provincial DPW (ref office HOD MP DPW)
3	Portion 19 of farm Friedenheim Nr. 282,	9.4219	Existing lowveld college	Under Provincial Government control
4	Portion 17 of farm Friedenheim Nr. 282	8.5613	Existing lowveld college	Under Provincial Government control
5	Portion 28 of farm Friedenheim Nr. 282	27.4090	Agricultural fields	Under Provincial Government control
6	Portion 36 of farm Friedenheim Nr. 282	23.1264	Sports facilities	Under Provincial Government control
Potential land to be used in Future – Private land (optional)				
MP8	Portion 75 of farm Friedenheim Nr. 282	23.8522	Potential commercial development	Multiconcivill CC
MP9	Rem extent of Portion 10 of farm Friedenheim Nr. 282	68.2059	Agricultural fields	LJ Nel & Seuns

1.4 CONSULTATION WITH STAKEHOLDERS

Land assembly for the new university in the Mpumalanga Province have been initiated by the Project Management Team (PMT). A list of stakeholders with whom the PMT consulted, inter alia on the land issues is included in **Annexure B**.

The following section briefly describes some of the consultations that took place in order to facilitate transfer of properties into the name of the New University:

1.4.1 National Department of Public Works (NDPW)

The NDPW was approached for assistance to arrange for transfer of the properties to the new universities. Mr Onassis Malope initiated the following actions:

- A Joint Task Team (JTT) was formed (nationally) to assist with land issues, and in particular for projects of priority such as the New Universities Project (the NU's are regarded as a Presidential Projects). The JTT comprises all PW departments, Public Enterprises, Provincial offices and others. Mr Malope represents the new university on the JTT who meets 4 to 6 weekly.
- Land claims - A meeting was initiated with the Department of Rural Development and Land Restitution and further discussions with the office of the National Commissioner on Land Claims will be held if required to clarify issues of outstanding land claims. A summary of the lands claims follows below.
- Town Planning - Town planning concerns were raised and clarified during a discussion with the Director of town planning at NDPW.
- Electronic copies of the Site Selection Feasibility Report were sent to the various departments (including the Director Town Planning) in NDPW for clarity on site selection.
- A Stakeholder group with all interest and affected parties will be established to direct property aspects on the Project. A site visit will be held to clarify all site and development issues

1.4.2 Regional Department of Public Works

The PMT with the Department of Higher Education and Training (DHET) visited the HOD's office and presented details of the New University to them. The HOD will wait for the invitation to participate in the Stakeholder group and will appoint a representative. Contact details of the HOD were sent to NDPW to be included as a member of the Stakeholder group.

1.4.3 Mbombela Municipality

The Mbombela Municipality provides valuable input on issues regarding development of the infrastructure on and around the land.

1.4.4 Lowveld Agricultural College

The PMT met with the LAC and evaluated the existing buildings, infrastructure and other amenities in terms of suitability for use during initial start-up of the NU.

1.5 LAND RESTITUTION CLAIMS

The land restitution claims against the identified publicly owned properties were checked. There is record of claims that have been lodged against all the publicly owned properties. The following Table summarizes the status of land claims on the said properties. The status of these claims was confirmed during the meeting with the DRD&LR and the Lands Claim Commissioner.

Table 1 Status of lands claims

PROPERTY DESCRIPTION	OWNERSHIP	STATUS
Publicly Owned Properties		
Portion 31 of Farm Boschrand 283JT	RSA, unutilized, not yet vested.	Claim rejected
Portion 32 of Farm Boschrand 283JT	RSA, National Department of Public Works	Claim rejected
Portion 19 of Farm Friedenheim. 282JT	RSA, Provincial.	Claim being researched
Portion 17 of Farm Friedenheim 282JT	RSA, Provincial.	Claim being researched
Portion 28 of Farm Friedenheim 282JT	RSA, Provincial.	Claim being researched
Portion 36 of Farm Friedenheim. 282JT	RSA, Provincial.	Claim being researched
Publicly Owned Properties		
Portion 75 of Farm Friedenheim 282JT	Multicon Civil CC	No claim lodged
Portion 10, Farm Friedenheim 282JT	L J Nel&Seuns, (Pty) Ltd	No claim lodged

The following is important with respect to land restitution claims:

- Claim rejected – all claims lodged against these properties have been verified and validated and no outstanding claims exist against these properties.
- Claims being researched - These claims have not been verified nor published. One of the following could apply:
 - An application should be made to the Regional Lands Claim Commissioner for an order that the property in question or its rights shall not be restored to any claimant or any prospective claimant. This will be done at the applicant's own expense. The Court may rule:
 - To dismiss the application,

- Stop the process of any claimant and order that it not be entertained,
- Shall ask both parties to present their case before making any ruling.
- Expropriation of the land with an application to the high court, or

With no claim been published or made public, nothing prohibits the development on the property to proceed, however if the claimant become aware of its right to lodge a claim, such application could stop the development process. This will then require settlement of this dispute through mediation should a settlement be evident.

The NDPW will assist the PMT with the process to deal with claims.

1.6 PROPERTY VALUATIONS

The two privately owned properties will have to be secured for future use as part of the land assembly. Property valuation for the two properties has been obtained. One of the properties has development rights for housing. A decision should be taken if purchasing of the properties be required at this stage.

1.7 FUTURE POSSIBLE EXPANSIONS

Future possible expansion of the university in the Mpumalanga Province will include the following options:

- densify development on the existing campus,
- expansion into adjacent properties such as the two said private properties or even onto shared facilities with the ARC, or
- approach the municipality for expansion onto their portfolio of properties.

This strategic discussion and decision should still have to be taken.

1.8 KEY RISKS

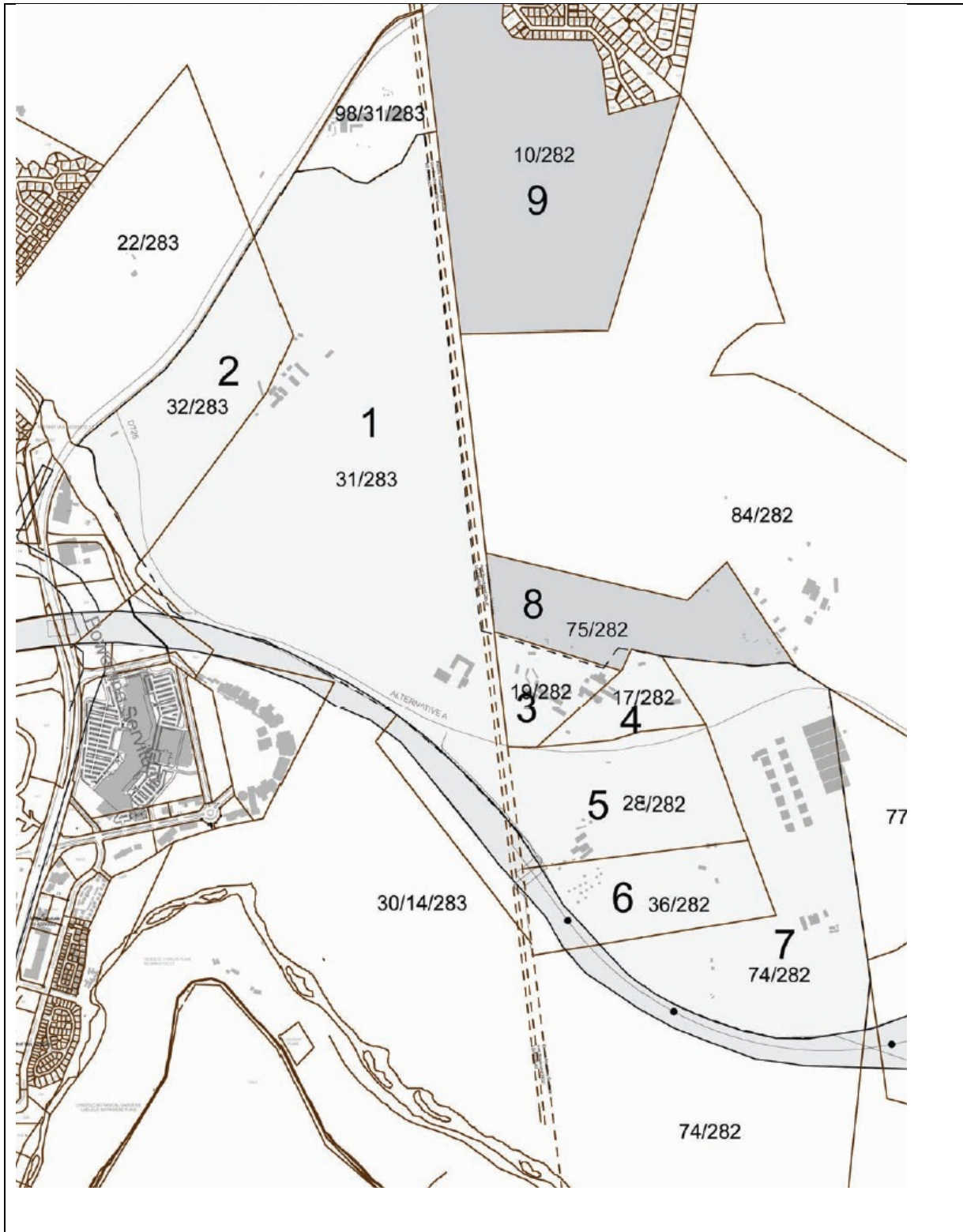
The assembly of land is on the critical path in preparation and establishment of the new university. The main risks involved with this process include:

Table 2 - Key risks

No	Risk	Proposed mitigation
1	Land Claims	1. NDPW will clarify next step on LC 2. Will monitor process to get surety on land
2	Secure Public Owned land for the new University	1. Public sector land and current ownership has been identified and development proposals forwarded 2. NDPW to evaluate the land and property development

No	Risk	Proposed mitigation
		proposals and confirm in writing 3. NDPW to advise on process to transfer / secure properties
3	Secure Privately owned land (2 properties)	1. Land valuations obtained 2. Propose land parcels to make offers on – in concept done 3. Strategic decision to buy - obtain approval to make options to purchase 4. Budget/Confirm funding for purchase of land within the 6 month options period 5. Monitor plan and take corrective action if required.

Annexure A – Layout of the Campus in the Mpumalanga province



Annexure B – List of Stakeholders involved with land issues

Stakeholder			Contact Details		
Title	Name	Role/Designation	Mobile	Landline	Email
National Department of Public Works					
Mr	Moses Phambane			0124061928	moses.phambane@dpw.gov.za
Mr	Onassis Malope			0124061929	onassis.malope@dpw.gov.za
Ms	Tumi Ntlatleng			0124061913	tumi.ntlatleng@dpw.gov.za
Mr	Bongani Ntiwane	Town planning		0124061041	bongani.ntiwane@dpw.gov.za
Mr	Malusi Ganiso	Director Town planning		0124061035	malusi.ganiso@dpw.gov.za
Mr	Buli Betela	Land Valuations		0124061056	buli.betela@dpw.gov.za
National Department of Public Works, Mpumalanga Regional Office					
Mr	KM Mohlasedi	HOD, Regional Office DPW&RT		0137666554	
Mr	KM Makgamatho	DPWR&T	0726098663		
Mr	KS Mkhabela	DPWR&T		0137668561	
National Department of Public Works, Northern Cape Regional Office					
Mr	Kholekile Nogwili	HOD, Regional Office DPW&RT		0538392109	k.nogwili@ncpg.gov.za
Ms	Onkemetse Gill	Head of Projects		0538392241	ogill@vodamail.co.za
Mr	Willie Pike	Office Manager		0538392282	wpike@ncpg.gov.za
Ms	Frieda Tsimane			0538392219	ftsimane@ncpg.gov.za
Ms	Ruth Palm			0538392103	rpalm@ncpg.gov.za
Provincial Department of Public Works, Northern Cape					
Ms	Sylvia Mokolo	HOD Provincial office	0727308338	0538385301	sylvia.moholo@dpw.gov.za
Sol Plaatje Mayoral Committee:					
Councillor	Agnus Ntlhangula	Executive Mayor			
	Marope Kgokong	Mayoral Committee PA			
Councillor	Daniel Lekoma	Council Utilities Portfolio	0732303511	0538306269	
Councillor	JS Steyn	Council Corporate Services and Human	0824523740		
Councillor		Finance Portfolio			
Councillor		LED Portfolio			
Councillor		IDP and Budget Portfolio			
Councillor		Transport and Stormwater Portfolio (Chief			
Councillor	Mina Jacobs	Security Portfolio			
Sol Plaatje Municipal Management:					
	Goolam Akbarawya	City Manager		0538306101	jin@solplaatje.org.za
	Glenda Coetzer	City Manager's PA (Corporate Liaison		0538306100	
	K A Bogacwi	Executive Director Community Services	0825525673	0538306911	kbogacwi@solplaatje.org.za
	Keith Williams	Community Services: Environmental Health	0823354475	0538306605	kwilliams@solplaatje.org.za
	Massimo Mazzacini	Community Services: Parks and Recreation	0825526353	0538306351	mmazzacini@solplaatje.org.za
	Gail Jele	Project Management Unit (Roads &		538306301	gjele@solplaatje.org.za
	Nomonde Tyabashe-Kesiaman	Executive Director (SEDP) Strategic Economic Development and Planning	0825505660	0538306303	ntysolplaatje.org.za
	Shakes Setlogelo	Acting Executive Director:: Spatial Economic Development Planning	0721445645	0538306526	ssetlogelo@solplaatje.org.za
	Ngoako Modiba	Acting Chief Town Planner	0824176067	0538306457	nmodiba@solplaatje.org.za
	Mike Steyn	City Properties	0825532731	0538306266	msteyn@solplaatje.org.za
	Boy Dhlwayo	Executive Director: Infrastructure	0798994680	0538306401	bdhlwayo@solplaatje.org.za
	Thabo Raseobi	Infrastructure and Services: Roads and	0731667073	0538306302	traseobi@solplaatje.org.za
	David van Vuuren	Infrastructure and Services: Traffic	0826024467	0538306220	dvanvuuren@gmail.com
	Derrick Karsten	Infrastructure and Services: Water	0759002554	0538306336 / 357	dkarsten@solplaatje.org.za
	Dawid Leeuw	Infrastructure and Services: Sanitation	0824163478	0538306318	dleeuw@solplaatje.org.za
	Fuad Aysen	Infrastructure and Services: Electrical	0824192260	0538306403	fasyen@solplaatje.gov.za
	Llewellyn Stevens	Electrical	0834006379	0538306406	lstevens@solplaatje.org.za
	Godfrey Lesenyio	Head Building Control	0721259677	0538306358	glesenyio@solplaatje.org.za
School headmasters in Sol Plaatje					
Mr	Du Toit	Diamandveld High School			
Mr	Steel	Kimberley Boys High School			
Mr	E Aiken	Vooruitsig Primary School			

MP NC Land Assembly Report

Annexure C – Land assembly progress table

No	Property description	Property size (ha)	Ownership: Government or Private	Custodianship - details or Department	Title Deed	Servitudes	Land claims	Current use	Municipal value (Valuation done)	Proposed use (University)	Action - Land Acquisition	Status - Land Acquisition	Target Date	Comments - Target Date	Comments/actions
MP1	Portion 31 of the Farm Boschrand JT 283,	180.4310	RSA Government	Assigned to Provincial DPW (ref office HOD MP DPW)	T11991/1986	Powerline 16m wide, square area, 2x wide overhead & underground powerline, Canal and service road	Claim lodged & rejected	Agricultural fields, research and buildings	R 36 000 000	Mix Res/Acad/sport	- Green light NDPW : - Check land claim status with DRD - Stakeholder site visit - Ownership agreement	available, Unsecured	30 Sept'12	Priority	Essential property, may have to relocate some activities
MP2	Portion 32 of the Farm Boschrand JT 283,	31.7293	RSA Government	Assigned to Provincial DPW (ref office HOD MP DPW)	T11991/1986	Substation and access road, Powerline 16m wide	Claim lodged & rejected	Agricultural fields	R 1.00	Academic core	- Green light NDPW : - Check land claim status with DRD - Stakeholder site visit - Ownership agreement	available, Unsecured	30 Sept'12	Priority	Essential property
MP3	Portion 19 of the Farm Friedenheim Nr. 282,	9.4219	RSA Government	Under Provincial Government control	T11427/1981	Water canal and right of way (service road)	Claim Lodged & researched	Existing lowveld college	R 1.00	Shared future use, to open discussion	- Green light NDPW : - Check land claim status with DRD - Stakeholder site visit - Ownership agreement	available, Unsecured	30 Sept'12	Priority	Essential property, TIC to direct, (College to complete their current courses)
MP4	Portion 17 of the Farm Friedenheim Nr. 282	8.5613	RSA Government	Under Provincial Government control	T11427/1981	Water canal and right of way (15,74m), pipeline (5m)	Claim Lodged & researched	Existing lowveld college	R 1.00	Shared future use, to open discussion	- Green light NDPW : - Check land claim status with DRD - Stakeholder site visit - Ownership agreement	available, Unsecured	30 Sept'12	Priority	Essential property, TIC to direct, (College to complete their current courses)
MP5	Portion 28 of the Farm Friedenheim Nr. 282	27.4090	RSA Government	Under Provincial Government control	T58767/1980	Water canal (1,89m)	Claim Lodged & researched	Agricultural fields	R 1.00	Sports	- Green light NDPW : - Check land claim status with DRD - Stakeholder site visit - Ownership agreement	available, Unsecured	30 Sept'12	Optional	Desirable property for sports and recreation
MP6	Portion 36 of the Farm Friedenheim Nr. 282	23.1264	RSA Government	Under Provincial Government control	T19467/1956	Right of way (east border = 4,57m), pipeline 5m	Claim Lodged & researched	Sports facilities	R 1.00	Sports	- Green light NDPW : - Check land claim status with DRD - Stakeholder site visit - Ownership agreement	available, Unsecured	30 Sept'12	Optional	Desirable property for sports and recreation
Total area		280.6789													
2nd priority - for consideration as possible future New University properties															
MP8	Portion 75 of the Farm Friedenheim Nr. 282, possible future	23.8522	Private	Multiconcivl CC, Registration Nr:199300225123	T39872/2000	Access roads (right of way) and water canal	Settled	Potential commercial development	R 2 600 000	Residences	- Only if add land required - valuation done - check land claim - Consider financial option/offer on land - Direct offer/purchase	Unsecured	No date set	Desktop valuation- from ENS	Rights to 74 residential units R20.360m
MP9	Remaining Extent of Portion 10 of the Farm Friedenheim Nr. 282 optional future	68.2059	Private	LJ Nel & Seuns (Proprietary) Limited, Registration Nr: 62/02597	T10264/1973	Water canal and right of way (service road)	Settled	Agricultural fields	R 1 100 000	Optional/Not require	- Only if add land required - valuation done - check land claim - Consider financial option/offer on land - Direct offer/purchase	Unsecured	No date set	Desktop valuation- from ENS	No rights
Property initially included in evaluation - currently excluded from the list															
MP7	Portion 74 of the Farm Friedenheim Nr. 282	161.0957	Private	(ARC) Agricultural Research Council	T20905/1964							not available			Excluded from the list