



**URBAN & REGIONAL PLANNING  
PROPERTY DEVELOPMENT SPECIALISTS**

## **ANNEXURE A8**

### **MOTIVATIONAL MEMORANDUM**

IN RESPECT OF

**THE DIVISION OF PORTION 25 OF THE FARM  
FOURTEEN STREAMS 311**

ON BEHALF OF

**CONGREGATION OF THE SISTERS OF NAZARETH  
REGISTRATION NUMBER 038-256-NPO**

**Date:** 13 Sept 2025

**Prepared by:** Paul Kotzé      Pr Pl. A/040/1985  
paul@kipd.co.za      082 894 1232

**File Number:** F-25-K-1008

## TABLE OF CONTENTS

---

|    |                                                         |   |
|----|---------------------------------------------------------|---|
| 1. | INTRODUCTION.....                                       | 3 |
| 2. | GENERAL INFORMATION .....                               | 3 |
|    | 2.1. Locality.....                                      | 3 |
|    | 2.2. Ownership .....                                    | 3 |
|    | 2.3. Agent.....                                         | 3 |
|    | 2.4. Restrictive Title Conditions & mortgage bonds..... | 4 |
| 3. | THE APPLICATION .....                                   | 4 |
|    | 3.1. Application .....                                  | 4 |
| 4. | MOTIVATION .....                                        | 4 |
| 5. | CONCLUSION .....                                        | 6 |

## 1. INTRODUCTION

---

The purpose of this memorandum is to introduce, elaborate upon and motivate the application in terms of Section 4 of the Alienation of Agricultural Land, Act 70 of 1970 for consent to subdivide Ptn 25 of the farm Fourteen Streams 311, Registration Division Barkley West.

The full extent of the application is set out in this memorandum, which comprises of the following:

- Chapter 1: General Information
- Chapter 2: The Application
- Chapter 3: Motivation (Need and Desirability)
- Chapter 4: Conclusion/Recommendation

## 2. GENERAL INFORMATION

---

KiPD (Pty) Ltd, the authorised agent, has been appointed by the Congregation Of The Sisters Of Nazareth, Registration Number 038-256-NPO, the registered owner of the property, to lodge an application for the division of Portion 25 of the farm Fourteen Streams 311 (hereafter referred to as "the Site").

### 2.1. Locality

---

(Annexure A5- Locality Plan)

The site is located just outside Warrenton on the N12 as shown in Annexure A5.

### 2.2. Ownership

---

(Annexure A4: Deed of Transfer)

The site is owned by the Congregation of the Sisters Of Nazareth, Registration Number 038-256-NPO as per Deed of Transfer T2239-2018

### 2.3. Agent

---

(Annexure A3: Power of Attorney and Company Resolution)

The authorised agent acting on behalf of the client is:

|                      |   |                                          |
|----------------------|---|------------------------------------------|
| Name                 | : | KiPD (Pty) Ltd                           |
| Responsible Persons  | : | Paul Kotze                               |
| SACPLAN Registration | : | Pr.Pl. A/040/1985                        |
| Postal Address       | : | 44A 3 <sup>rd</sup> Street, Linden, 2195 |
| Contact Number       | : | 082 894 1232                             |
| Email                | : | paul@kipd.co.za                          |

## **2.4. Restrictive Title Conditions & mortgage bonds**

---

There are no conditions contained within the Deed of Transfer restricting the division of the farm portion and neither is there a bond registered against the property.

## **3. THE APPLICATION**

---

### **3.1. Application**

---

(Annexure A7 – Subdivision Sketch Plan)

Application is hereby made in terms of Section 4 of the Subdivision of Agricultural Land Act, Act 70 of 1970, for the Consent of the Minister for :

1. the Division of Portion 25 of the farm Fourteen Streams in extent 1213.4245 ha into three portions as depicted in the subdivision sketch plan attached as Annexure A7. The subdivision will result in the creation of 3 separate land parcels being:
  - Portion A, a Portion of Portion 25 of the farm Fourteen Streams 311 in extent 79.7344 ha
  - Portion B, a portion of Portion 25 of the farm Fourteen streams 311 in extent 87.4045 ha, and
  - The Remainder of Portion 25 of the farm Fourteen Streams in extent 1046.2826 ha
2. The Consolidation of Portion B (in extent 87.4045 ha) with Portion 26 of the Farm Fourteen Streams 311 (in extent 10.6435 ha) , the consolidated extent being 98.0480 ha as depicted in Annexure A7

## **4. MOTIVATION**

---

Motivation for the Subdivision of Portion 25 of the Farm Fourteen Streams 311, Warrenton, Northern Cape:

### **1. Background**

Portion 25 of the Farm Fourteen Streams 311, situated outside Warrenton in the Northern Cape Province, is currently intersected and physically divided into three distinct land parcels by the aqueduct infrastructure of the Vaalharts Water Scheme. This aqueduct and associated servitudes create natural and legal divisions which render the property fragmented in terms of practical land use and ownership.

### **2. Legal Context**

In terms of Act 70 of 1970, the subdivision of agricultural land requires approval by the Minister of Agriculture, Land Reform and Rural Development. The proposed subdivision seeks to formalise the physical and functional fragmentation of Portion 25 and align ownership and use with existing realities on the ground and statutory requirements.

### **3. Motivation for Subdivision**

#### **(a) Portion B – Servitude Area to be Donated to National Government**

Portion B of the proposed subdivision comprises the land currently encumbered by servitudes held by the National Government in terms of conditions B, C and D in Deed of Transfer T2239/2018.

As this portion is already technically under the control of National Government, the owners intend to donate Portion B formally to the State.

This subdivision will regularise ownership, avoid potential conflicts in land management, and ensure that the land occupied by critical water infrastructure is vested in the responsible authority.

#### **(b) Portion A – Incorporation into Church-Owned Land (Portion 26)**

Portion A represents the parcel of land located between the aqueduct and the Vaal River.

This land is not viable for independent agricultural use due to its restricted access and limited extent.

The Roman Catholic Church, which owns Portion 26 adjoining Portion A, already conducts institutional and religious activities in the area. The intention is to consolidate Portion A with Portion 26 to expand and support these existing activities.

This consolidation will ensure more efficient land use, contribute to local social development, and support institutional functions serving the community.

#### **(c) Remaining Extent of Portion 25 – Agricultural Use**

After excision of Portions A and B, the remaining extent of Portion 25 will measure approximately 1 046 ha.

This remainder is a viable and sustainable agricultural unit which will continue to be utilised for its existing farming practices, primarily grazing.

The subdivision will therefore not undermine agricultural potential but will preserve and secure the continued viability of the remainder as an agricultural enterprise.

### **4. Need and Desirability**

The subdivision is necessitated by the physical division of the land by the Vaalharts Water Scheme aqueduct, which already limits integrated use of Portion 25.

It will regularise land ownership in line with existing servitudes and land uses.

It will facilitate community-beneficial institutional development (church activities).

It will ensure that the bulk of the land (over 1 000 ha) remains intact and available for continued agricultural use.

The proposal is therefore consistent with the purpose of Act 70 of 1970, namely to prevent agricultural land from being fragmented in a manner detrimental to agricultural production.

## **5. CONCLUSION**

---

The proposed subdivision of Portion 25 of the Farm Fourteen Streams 311 represents a rational and practical response to the physical division created by the Vaalharts aqueduct and existing legal servitudes. It secures government ownership of infrastructure land, enables community-oriented institutional use of land that is otherwise agriculturally marginal, and retains a substantial and viable agricultural unit for grazing purposes. Approval of the subdivision in terms of Act 70 of 1970 is therefore both necessary and desirable