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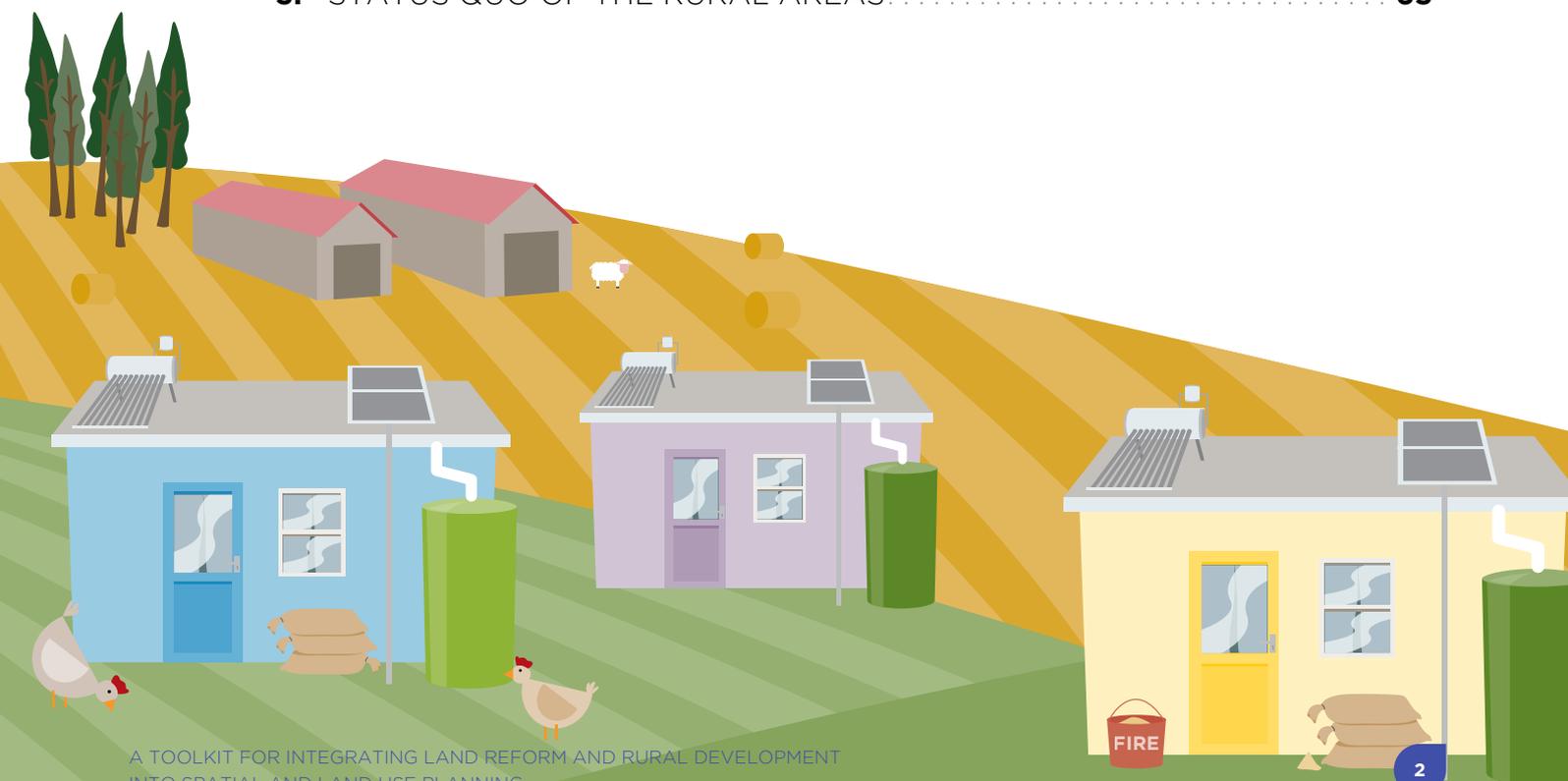


**A TOOLKIT FOR  
INTEGRATING LAND REFORM AND RURAL DEVELOPMENT  
INTO SPATIAL AND LAND USE PLANNING**

APRIL 2021

# CONTENTS

1. INTRODUCTION AND BACKGROUND .....	3
2. NATIONAL RURAL DEVELOPMENT PLANNING .....	3
3. PURPOSE AND USE OF THE TOOLKIT .....	6
4. <b>PART 1:</b> LEGISLATIVE AND POLICY CONTEXT .....	8
5. <b>PART 2:</b> INSTRUMENTS TO FACILITATE LAND REFORM AND RURAL DEVELOPMENT .....	8
6. <b>PART 3:</b> RURAL LAND USE OPTIONS TO IMPLEMENT LAND REFORM PROJECTS .....	9
7. <b>PART 4:</b> TRANSFORMATION OF CERTAIN RURAL AREAS (TRANCRAA) .....	9
<b>PART 1:</b> LEGISLATIVE AND POLICY CONTEXT .....	10
1. NATIONAL ACTS AND POLICIES .....	10
2. PROVINCIAL POLICY .....	18
<b>PART 2:</b> INSTRUMENTS TO FACILITATE LAND REFORM AND RURAL DEVELOPMENT .....	34
<b>PART 3:</b> RURAL LAND USE OPTIONS TO IMPLEMENT LAND REFORM PROJECTS ..	57
<b>PART 4:</b> TRANSFORMATION OF CERTAIN RURAL AREAS (TRANCRAA) .....	64
1. INTRODUCTION .....	64
2. OBJECTIVE .....	64
3. STATUS QUO OF THE RURAL AREAS .....	65



The Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) requires of Spatial Development Frameworks (SDFs) to include rural areas and to address the inclusion and integration thereof into spatial, economic, social and environmental objectives. It further states that SDFs should address historical spatial imbalances in development and provide direction for strategic developments, infrastructure investment, promote efficient, sustainable and planned investments by all sectors and indicate priority areas for investment in land development.

The Western Cape Land Use Planning Guideline: Rural Areas of 2019 (Rural Areas Guideline) serves as a basis for development management to improve the planning and management of rural areas in support of the Provincial Spatial Development Framework, 2014 (PSDF) and its policy to diversify and strengthen the rural economy. The Directorate: Spatial Planning in the Western Cape Department of Environmental Affairs and Development Planning (DEA&DP) initiated the drafting of this Toolkit to provide further guidance towards the implementation of the Rural Areas Guideline and SPLUMA, which requires of Municipal SDFs to also formulate a spatial framework for public capital investment in rural areas, inclusive of the identification of priority areas and spatial targets for national programmes such as land reform and rural development. This is easier said than done.

Throughout the years' national rural development programmes prioritised only a number of nodes for implementation. The Integrated Sustainable Rural Development Strategy (ISRDS) of 2000 focused on 13 nodes of which the Central Karoo was the only node in the Western Cape. The strategic objective of the Comprehensive Rural Development Programme (CRDP) of 2009, that has been rolled out throughout South Africa in a staggered manner in 93 wards, was to facilitate integrated development and social cohesion through participatory approaches in partnership with all sectors of society. The objectives were Agrarian Transformation, Rural Development and Land Reform. Sixteen nodes in the Western Cape were targeted by this programme. These efforts were watered down as priorities changed over the years.

Chapter 6, 'An Integrated and Inclusive Rural Economy', of the National Development Plan (NDP) of 2012, sets out specific targets and goals towards establishing a more inclusive rural economy through integrated rural development, and includes better integration of the country's rural areas through successful land reform, job creation and poverty alleviation. Key to this is access to social and infrastructural services. The NDP calls on spatial interventions to support rural spatial development and agricultural development, highlighting the need to integrate land reform and rural development in land use planning.

The Agri-Parks Programme of 2016 is regarded as an important tool with which to implement the NDPs rural development strategy. It has been identified as one of the key drivers in revitalising the agriculture and agri-processing value chain in all 44 Districts of the country, contributing to the achievement of the Rural Economic Transformation Model (RETM). It promised to have great potential for supporting small-scale farmers and land reform initiatives.

## **AREA-BASED PLANNING**

Realising the need for pro-active planning in land reform, the Department of Land Affairs (now the Department of Agriculture, Land Reform and Rural Development - DALRRD) in 2008 commissioned the compilation of an Area Based Plan (ABP) for each municipal area on a district level. It was anticipated that the District Municipality would play a coordinating role throughout the district in promoting sustainable land reform, and that the District Municipality should also, through its environmental health functions, assist with improving the conditions of the farmworkers. The intention was to approve the ABP as a sector plan of the municipal Integrated Development Plan (IDP). In articulating the Municipality's role in land reform in the IDP, it was suggested that the following issues be addressed:

The formulation of a policy regarding small scale farming, which includes the identification of beneficiaries, land, institutional capacity to administer the programme, and a policy regarding the allocation of publicly owned land.

- The identification of people in need of rural housing and the need for land to accommodate such housing.
- Issues to be addressed to support commercial farming in the municipality.

Due to a lack of funding and priority changes, only a few ABPs have been completed nationally. In the Western Cape, ABPs have been completed for all local municipalities in the Cape Winelands, Overberg and Central Karoo Districts and partly in the West Coast and Eden Districts. These documents, although outdated, provide a very detailed picture of the different land reform programmes available within the context of the Western Cape and list all implemented projects. Municipalities are advised to refer back to these documents for background information when needed.

## RURAL DEVELOPMENT PLANNING

**“When the Department of Land Affairs became the Department of Rural Development and Land Reform in 2009, the scope of the Department’s responsibilities obviously expanded. By that time, Area-Based Planning for land reform had come to a halt, due in part to lack of resources, however there were also discussions within the Department that these should be replaced by plans that took into account the Department’s broadened mandate. At the same time, the Department had launched the Comprehensive Rural Development Programme (CRDP), and perhaps more significantly, situated itself as the custodian of spatial planning, not least through the passage in 2013 of the Spatial Planning and Land Use Management Act (‘SPLUMA’).”<sup>1</sup>**

The focus of the National Government shifted from the CRDP towards the Agri-Park programme to promote rural economic transformation. As of 2016, the Department of Rural Development and Land Reform (now the Department of Agriculture, Land Reform and Rural Development - DALRRD) in the Western Cape started developing District Rural Development Plans (DRDP) to ease the integration of the Agri-Park Initiative and accompanying land reform and rural development projects into various IDPs and SDFs.

## WESTERN CAPE DISTRICT RURAL DEVELOPMENT PLANS/SECTOR PLANS

The District Rural Development Plan/DALLRD Sector Plans have been prepared for all Districts in the Western Cape and give an overview of the objectives of the Agri-Park and its different supporting components.

They are intended to assist local government and other sector departments to invest in a coordinated manner to best enable the development and functioning of the Agri-Park in alignment with the development principles of SPLUMA. The DRDPs set out to focus on:

- Facilitating economic sector integration towards developing rural spaces.
- Serving as a basis for integration of rural development issues into the planning tools of municipalities, including the municipalities’ IDPs, SDFs etc.
- Guiding the further development of social and economic infrastructure, skills development/capacity building; and
- Addressing basic needs in the identified poverty pockets.

<sup>1</sup> [https://www.parliament.gov.za/storage/app/media/Pages/2017/october/High\\_Level\\_Panel/Commissioned\\_Report\\_land/Commissioned\\_Report\\_on\\_Agrarian\\_Reform\\_UFH.pdf](https://www.parliament.gov.za/storage/app/media/Pages/2017/october/High_Level_Panel/Commissioned_Report_land/Commissioned_Report_on_Agrarian_Reform_UFH.pdf)

An Agri-Park is defined as being a networked innovation system (not only physical buildings located in single locations) of agri-production, processing, logistics, marketing, training and extension services, located in District Municipalities. As a network, it enables the growth of market-driven commodity value chains and contributes to the achievement of the DRDLR's Rural Economic Transformation Model (RETM).

- An **Agri-Park** comprises of three basic units:
- A district-scale **Agri-Hub Unit (AH)**: a production, equipment hire, processing, packaging, logistics and training (demonstration) unit, typically located in a larger agricultural service centre.
- A local-scale **Farmer Production Support Unit (FPSU)**: a rural outreach unit connected with an Agri-Hub that does primary produce collection, some storage, some processing for the local market, and provides extension services including mechanisation. The identified FPSU catchment areas<sup>2</sup> consist of all land parcels within a 30 km travel distance on the existing road network surrounding the FPSU and then buffered by 2 km to ensure ease of access to an existing road. These catchments then form the focus of spatial targeting for land reform, infrastructure and production investment.
- The **Rural Urban Market Centre Unit (RUMC)**: typically located in a higher order urban centre with three main purposes; linking and binding together role players in rural, urban and international markets through contracts; acts as a holding-facility, releasing produce to urban markets based on seasonal trends; and provides market intelligence and information feedback to the network of FPSUs and the Agri-Hub.

District Rural Development Plan/Sector Plan informants:

- Comprehensive Rural Development Programme (CRDP)  
The CRDP focuses on achieving three phases of rural development, being:
  - **Phase I:** meeting basic human needs;
  - **Phase II:** rural enterprise development; and
  - **Phase III:** developing agro-village-industries, sustained by credit facilities and value-chain markets.
- Poverty Pockets

For the purposes of the DRDPs/Sector Plans a 'poverty pocket' is defined as a **geographic area within which a concentration of poor households reside**. In turn, 'poor households' were accepted to be all **households within the study area with an annual income of less than or equal to R38,200**. This is to maintain consistency with already-completed DRDPs in the Province.

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2 FPSU Catchment Areas - The SPLUM WC Branch developed a specific methodology/process plan pertaining to the establishment of the FPSU with the following focus:

- Needs (e.g. Farmers/Small Scale Farmer Needs, Investigate Management Structures and Support Structures).
- Commodities to be supported (e.g. commodity producer database, support from Branches short/medium/long term)
- Infrastructure Projects (e.g. proposed infrastructure projects, identification of sites (depending on needs identified, municipal planning requirements). feasibility of Municipal Bylaw provisions)
- Management Structure (e.g. - Cooperatives/CPAs Management Structure, Short/Medium/Long Term)
- Implementation Plan/Framework

The catchments around the Agri-park's Agri-hub (120km) and FPSU's (30km) was included to enable an understanding of the relative location of the poverty pockets and the key elements of the Agri-park. It is noted that **most** of the poverty pockets fall within these catchments.

- Youth Profile (Pocket)<sup>3</sup>
  - For the purpose of the DRDPs/Sector Plans, Youth aged between 18 – 35 years was clustered.
- Other
  - Agriculture Policy Action Plan (APAP) - Faster implementation of rural economic transformation.
  - Rural Economic Transformation Model (RETM) - support development in 4 key rural components: Community; Cropping; Land; and Livestock.

**It is advisable that the relevant DRDP and especially the land reform spatial targeting areas as defined in the respective DRDPs, are considered in the drafting of SDFs. Copies of all DRDPs as well as overview summaries of the DRDPs per District Municipality (which may be included in IDP's and MSDF's), district level implementation plans of DALRRD projects and supporting maps, can be obtained from the DALRRD: SPLUM.<sup>4</sup>**

### 3 PURPOSE AND USE OF THE TOOLKIT

The purpose of this **Toolkit for Integrating Land Reform and Rural Development into Spatial and Land Use Planning** is twofold.

First, it is intended to give a comprehensive snapshot of all relevant information that might have an impact on development planning in rural areas. It provides guidance in terms of different land use options that would support land reform projects and should be considered by planners and built environment practitioners. The need for proactive planning for land reform comes a long way, and is one that cannot be ignored any longer. Municipalities must make provision for the different land use options in its zoning scheme, specifically with regard to agricultural holdings in the urban fringe. The focus of SDFs in the past was mainly on urban areas, but this Toolkit should provide enough guidance to Municipalities in the preparation of their SDFs to give equal attention to its rural areas and the urban fringe and to integrate land reform initiatives and rural development proposals into its spatial development agenda.

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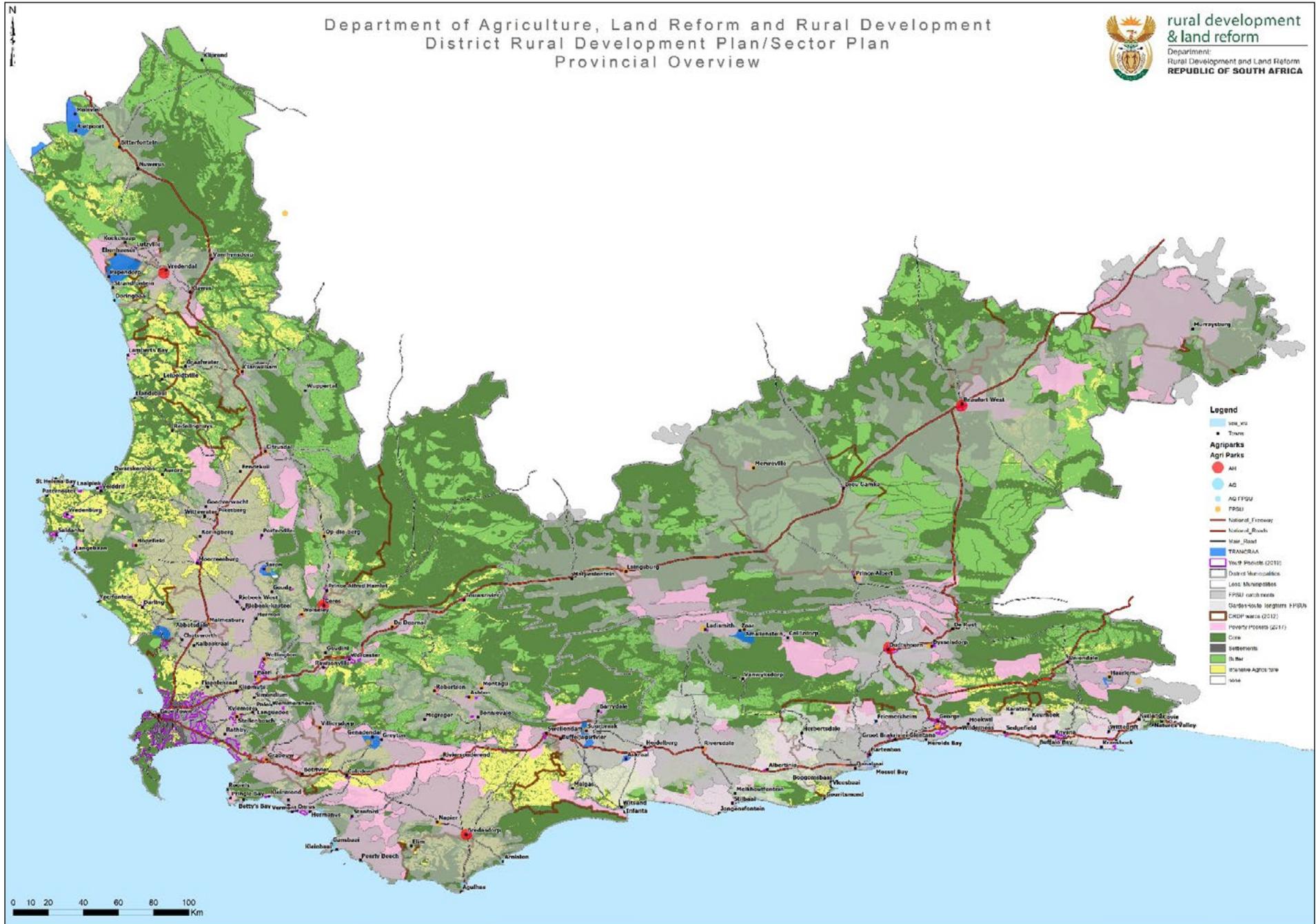
**3** Census 2011 population data is released at Small Area Layer (SAL) level. These SAL polygons are built from smaller statistical areas (enumerator areas) which are aggregated into these larger areas until a certain population threshold is reached. This threshold differs based on the general settlement type in that area (several types).

This aggregation up to a population threshold, generates a distorted visual representation of how population is concentrated, especially when you have large sparsely populated rural areas next to densely populated towns. Combined with the small scale that which this data needs to be displayed, it becomes impossible to discern the very small polygons present in the densely populated areas.

Based on this knowledge it was decided to leverage this statistical phenomenon (high population density equals small SAL polygons). By converting the SAL polygons into point features, and then using GIS analysis to determine clusters (of at least 5 points, within a kilometer from each other) it becomes possible to create new polygons around these clusters of points. The numeric data of the points can then be aggregated into these new polygons, for instance, total youth population of the cluster.

**4** Contact at DALRRD: SPLUM – Mr Tommie Bolton ( [Tommie.Bolton@drdlr.gov.za](mailto:Tommie.Bolton@drdlr.gov.za) )

Department of Agriculture, Land Reform and Rural Development  
 District Rural Development Plan/Sector Plan  
 Provincial Overview



Secondly, it provides a handy tool to assist officials in front line services in addressing the needs of the community and gives an insight into the type of assistance that is currently available in the rural land reform sector. It will help Municipalities in referring enquiries to the best suited institution/agency as the contact details for various programmes / policies are included herein.

It is the intention of the DEA&DP to update the Toolkit as and when new knowledge becomes available. This toolkit contains the latest information known to the Directorate at this time, and promises to be a useful guide that provides practical tips on aspects that need to be considered to integrate land reform and rural development into spatial and land use planning.

The Toolkit consists of four parts, namely:

1. Legislative and Policy Context;
2. Instruments to Facilitate Land Reform and Rural Development;
3. Rural Land Use Options to Implement Land Reform Projects; and
4. Transformation of Certain Rural Areas.

## 4 PART 1: LEGISLATIVE AND POLICY CONTEXT

Land reform as a national competency is regulated by the Land Reform: Provision of Land and Assistance Act, 1993 (Act 126 of 1993) and falls within the mandate of the DALRRD. Other national acts and policies that support land reform and rural development, relating to agriculture, tenure security, the transformation of rural areas, water services and farm resident housing assistance are listed in **Part 1: Section A**.

The drafters of the Toolkit take note of the Final Report of the Presidential Advisory Panel on Land Reform and Agriculture dated May 2019<sup>5</sup>. The recommendations by the Panel as contained in the report provide useful insights into the implementation of the relevant programmes. The merging of the two national departments responsible for agriculture, on the one hand, and land reform and rural development on the other, might impact on the implementation of the land reform and rural development programme going forward.

Setting the scene for development outside of urban areas in a provincial context, Part 1: Section B provides an overview of spatial planning policies contained in the PSDF, the Rural Areas Guideline, the policy on agricultural holdings as well as the policy on the settlement of farm workers. Key concepts and extracts of relevant policy statements that are of particular interest to land reform and rural development are included in Part 1 for ease of reference.

## 5 PART 2: INSTRUMENTS TO FACILITATE LAND REFORM AND RURAL DEVELOPMENT

**Part 2** of the Toolkit provides a summary of all known programmes and policies by National and Provincial government in support of rural dwellers, new farmers, land reform beneficiaries and rural entrepreneurs. Assistance with regard to housing, tenure security, land rights, access to land, technical farming support, youth development, infrastructure, resource management, agricultural enterprise development, production capital, food security and business advice and setup are all available from a wide spectrum of agencies of which the contact details are listed. A short description is provided of the type of assistance available, including grants, training, mentorship, facilitation, technical support and short-term finance. Links to relevant documents or websites are listed for more information.

<sup>5</sup> <https://www.gov.za/documents/final-report-presidential-advisory-panel-land-reform-and-agriculture-28-jul-2019-0000>

## 6

## PART 3: RURAL LAND USE OPTIONS TO IMPLEMENT LAND REFORM PROJECTS

Reading through the Rural Areas Guidelines and trying to understand all the different land use options to implement land reform projects can be daunting. Part 3 of the Toolkit illustrates the different options in a simple schematic format, distinguishing between different locations and highlighting land management and tenure options available. This part of the Toolkit is not a blueprint and should be used purely as a descriptive guideline, differentiating between the options available.

## 7

## PART 4: TRANSFORMATION OF CERTAIN RURAL AREAS (TRANCRAA)

There are 12 “Act 9-areas” in the Western Cape. The Transformation of Certain Rural Areas Act 94 of 1998 (TRANCRAA) applies to all land affected by Act 9 of 1987. According to the Rural Areas Act 9 of 1987, land in these areas can be transferred to community entities subject to the conditions set by the Minister of DALRRD who holds the land in trust for the communities. The Act stipulates that all public owned land (i.e. trust land, public space, roads, etc.) situated within the established township vest in the municipality of the area where such land is situated. The Act allows trust land outside the township to be transferred to a Communal Property Association (CPA) or legal entity of the community’s choice. **Part 4** of this Toolkit provides an overview of the 12 Rural Areas in the Western Cape, based on Status Quo reports prepared with input from the various Branches of DALRRD, namely Spatial Planning and Land Use Management (SPLUM), Tenure Reform, National Geo-Spatial Information (NGI), Surveyor General (SG) and Deeds Registry.



# PART 1

## LEGISLATIVE AND POLICY CONTEXT

### 1 NATIONAL ACTS AND POLICIES

LAND REFORM: PROVISION OF LAND AND ASSISTANCE ACT, 1993 (ACT 126 OF 1993)	
<b>OBJECTIVES</b>	<p>The objectives of this Act are to-</p> <ul style="list-style-type: none"> <li>• give effect to the land and related reform obligations of the State in terms of section 25 of the Constitution of the Republic of South Africa, 1996</li> <li>• effect, promote, facilitate or support the maintenance, planning, sustainable use, development and improvement of property contemplated in this Act</li> <li>• contribute to poverty alleviation</li> <li>• promote economic growth and the empowerment of historically disadvantaged persons.</li> </ul> <p>The Act provides for the manner in which property is acquired and how state land administered by the Department is made available for land reform purposes.</p> <p>It allows the Minister to maintain, plan, develop or improve property and to provide financial assistance to any person for the acquisition, maintenance, planning, development or improvement of property and for capacity building, skills development, training and empowerment.</p>
CONSERVATION OF AGRICULTURAL RESOURCES ACT, 1983 (ACT 43 OF 1983) OR CARA	
<b>PURPOSE</b>	<p>The Act provides for the conservation of the natural agricultural resources of South Africa by the maintenance of the production potential of land.</p> <p>It promotes the conservation of the soil, the water sources and the vegetation.</p>

## EXTENSION OF SECURITY OF TENURE ACT, 1997 (ACT 62 OF 1997) OR ESTA

### PURPOSE

This act provides for measures with State assistance to:

- facilitate long-term security of land tenure
- regulate the conditions of residence on certain land
- regulate the conditions on and circumstances under which the right of persons to reside on land may be terminated
- regulate the conditions and circumstances under which persons, whose right of residence has been terminated, may be evicted from land

Section 4(1) of the Act enables the Minister to grant subsidies:

- to facilitate the planning and implementation of on-site and off-site developments
- to enable occupiers, former occupiers and other persons who need long-term security of tenure to acquire land or rights in land
- for the development of land occupied or to be occupied in terms of on-site or off-site developments.

Provision is made that the State can actively promote and support the provision of long term security of tenure for vulnerable occupiers, while at the same time protecting them from unfair eviction.

<p><b>RIGHTS OF RESIDENCE</b></p>	<p>All the farm workers have a right of residence “on-the-farm” in terms of ESTA which legally protects the security of tenure of farm workers with reference to the rights of farm workers living “on-the-farm” as set out in Section 6 of ESTA as follows:</p> <p><b>“6. (1) Subject to the provisions of this act, an occupier shall have the right to reside on and use the land on which he or she resided and which he or she used on or after 4 February 1997, and to have access to such services as have been agreed upon with the owner or person in charge, whether expressly or tacitly.”</b></p> <p>Other rights and duties of farm workers as occupiers are set out in Section 6 (2-4) of ESTA.</p> <p>The termination of right of residency is set out in Section 8 of ESTA:</p> <p><b>“8. (2) The right of residence of an occupier who is an employee and whose right of residence arises solely from an employment agreement, may be terminated if the occupier resigns from employment or is dismissed in accordance with the provisions of the Labour Relations Act.”</b></p> <p><b>“8. (4) The right of residence of an occupier who has resided on the land in question or any other land belonging to the owner for 10 years and—</b></p> <p><b>a) has reached the age of 60 years; or</b></p> <p><b>b) is an employee or former employee of the owner or person in charge, and as a result of ill health, injury or disability is unable to supply labour to the owner or person in charge may not be terminated unless that occupier has committed a breach contemplated in section 10(1)(a), (b) or (c)...”</b></p> <p><b>“8. (5) On the death of an occupier contemplated in subsection (4), the right of residence of an occupier who was his or her spouse or dependant may be terminated only on 12 calendar months’ written notice to leave the land, unless such a spouse or dependant has committed a breach contemplated in Section 10(1).”</b></p>
<p><b>KEY CONCEPTS</b></p>	<p><b>“Owner”</b> means, the person who has legal title to the land and who has the legal authority to terminate a right of residence and the power to apply for an eviction order to court.</p> <p><b>“Occupiers”</b> is defined as people who reside on land belonging to someone else.</p>

**TRANSFORMATION OF CERTAIN RURAL AREAS ACT, 1998 (ACT 94 OF 1998) OR TRANCRAA**

<b>PURPOSE</b>	<p>This act provides for the transfer of certain land to municipalities and certain other legal entities that has been held in trust by the Minister.</p> <p>No transfer of land must take place unless the Minister is satisfied that, in the event of a transfer to:</p> <ul style="list-style-type: none"> <li>• a municipality, the legislation applicable to such a municipality; or</li> <li>• a communal property association or other body approved by the Minister, the rules of such association or body, make suitable provision for a balance of security of tenure rights and protection of rights of use of (i) the residents mutually; (ii) individual members of such a communal property association or other body; (iii) present and future users or occupiers of land, and the public interest of access to land on the remainder and the continued existence or termination of any existing right or interest of a person in such land.</li> </ul>
<b>SETTLEMENTS</b>	Ebenhaeser, Friemersheim, Genadendal, Haarlem, Kranshoek, Mamre, Pniel, Rietpoort, Saron, Slangrivier, Suurbraak and Zoar

**ENSURING WATER SERVICES TO RESIDENTS ON PRIVATELY OWNED LAND: A GUIDE FOR MUNICIPALITIES, 2005**

<b>2003 STRATEGIC FRAMEWORK FOR WATER SERVICES</b>	<p>Ensuring access to efficient, affordable, economical and sustainable water sources is a Constitutional obligation for all municipalities. The 2003 Strategic Framework for Water Services explains how water services to residents on privately owned land fits into the overall legislative and policy framework for municipal water services. Water service authorities have a responsibility to ensure that all people living within their jurisdiction are progressively provided with at least basic water and sanitation services (first step up the ladder). This includes people living on privately owned land (such as farm dwellers) and others who are provided by intermediaries (refer to section 3.5.2).</p> <p>The National Water Act (Act 36 of 1998) and the Water Services Act (Act 108 of 1997) provide the legislative framework within which water supply, sanitation services and water use need to take place.</p>
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## WATER SERVICES PLANNING

The provision of all municipal services to residents on privately owned land must be part of the IDP planning process, and the provision of water services to residents on privately owned land must be part of the Water Services Development Plan (WSDP) planning process.

Municipalities need to understand the profile of the communities living on privately owned land. This includes numbers of households, indigence, wage levels and trends and the location of settlements. This information would enable the Water Service Authority to determine equitable share allocations aimed at indigent residents.

Families of farm workers and other non-working residents are also entitled to basic water services depending on the contracts and conditions of employment of the workers. Commercial farm workers may reside on commercial farms and work exclusively for a cash wage.

The Water Services Act defines a water services intermediary as “any entity that is obliged to provide water services to another in terms of a contract where the obligation to provide water services is incidental to the main object of the contract”. Since all farmers are required to have contracts with their employees, it can be argued that they have a prima facie role as water services intermediaries. To be an intermediary, the person doesn’t necessarily have to own the property. The person or institution that is actively using or managing the land may be considered the intermediary, or the person or institution that gave permission to the residents to reside on the land may be considered the intermediary.

Various incentives and subsidies can be made available, on application, to intermediaries to fund water services infrastructure development, health and hygiene promotion, improving water quality, or similar initiatives. Municipalities should draft a local funding framework for the provision of water services and have the latitude to determine amounts - within national guidelines. Refer to the Water Services Intermediary Explanatory Guideline, May 2002 for more information.

**NATIONAL DEPARTMENT OF HUMAN SETTLEMENTS: THE NATIONAL HOUSING CODE: RURAL INTERVENTIONS -  
FARM RESIDENT SUBSIDIES, 2009**

**POLICY PRINCIPLES**

Owing to the potential of the injudicious creation of unsustainable farm worker settlements to distort existing settlement patterns and increase municipal service delivery burdens (by creating a plethora of small settlements), the creation of new farm resident settlements, should be regarded as an option of last resort.

Applications for farm worker housing subsidy assistance must be considered in the context of provincial and local planning frameworks (e.g. Provincial Development Plans and Municipal Integrated Development Plans (IDP's). Municipal capacity to provide development assistance and deliver services must also be of paramount concern.

In areas where workers (owing to the nature of the farming activity) have to be housed near to their places of employment and where commuting from the nearest town is not viable, preference should be given to options that provide security of tenure (including rental). These include the sub-division and transfer of land ownership to workers, share block schemes, and long term (99 year) lease agreements (which may provide rental opportunities).

Where the sub-division of land and the transfer of ownership to farm workers is not feasible or desirable, consideration should be given to rental housing arrangements through instruments such as the Institutional Subsidy Programme or a project based rental housing development as defined in this Programme.

If settlement is to take place outside of an existing town, an appropriate service delivery and maintenance agreement with the municipality must be in place before the project is implemented.

Beneficiaries must participate in all aspects of the project, including the planning, governance and construction and maintenance (where appropriate).

Specific emphasis shall be given in the implementation of the Programme to promote the full participation of women farm residents.

Where rental agreements are entered into with beneficiaries the farm owner/institution must, to the satisfaction of the MEC, ensure that the beneficiaries are fully informed of their rights and obligations regarding the rental agreements.

## NATIONAL DEPARTMENT OF HUMAN SETTLEMENTS: FARM RESIDENTS HOUSING ASSISTANCE PROGRAMME, 2010

Comprehensive Plan for the Creation of Sustainable Human Settlements, approved in September 2004 identifies “rural housing”, together with informal settlement upgrading and social housing, as one of three housing instruments, thereby endorsing a housing programme to respond to the needs of farm workers and farm dwellers.

The Housing Assistance Programme was drafted with this in mind and provides for capital subsidies for the development of engineering services (where no other funding is available) and adequate houses for farm workers, particularly where farm residents are required to reside close to their employment obligations and when farm land is distant from the nearest town, rendering the settlement of the farm residents in the town impractical.

The focus of this Housing Programme is on strengthening existing service centres, towns and villages rather than compounding the problem by the injudicious creation of new agriculturally based (unsustainable) settlements. Existing settlements can be strengthened by housing investment for farm residents. In considering the settlement of farm residents, a number of key considerations have to be taken into account as the nature of farming activities varies greatly across the country. This implies that different settlement models for farm workers/occupiers need to be considered to meet local requirements.

The farm owner is regarded as a key service delivery agent under the programme. Options by the farm owner include to:

- Provide formal rental accommodation on his or her land for residents.
- Subdivide a portion of the farm into small subsistence agriculture holdings and transfer such to relevant residents.
- Provide portion of the farm to a housing institution for the provision of rental units on the farm.

## WESTERN CAPE PROVINCE: DRAFT GUIDELINE FOR RESPONDING TO FARM WORKER HOUSING NEEDS IN THE WESTERN CAPE, 2013

The Provincial Department of Human Settlements aims to improve access to basic services and shelter amongst farm workers and farm residents in two broad settlement contexts, namely in towns and on or near farms. Through engaging intensively with stakeholders, the aim is to develop a set of viable and useful on- or near-farm accommodation options for typical Western Cape rural situations.

The guideline promotes employing existing tools and resources to effectively integrate farm residents housing need into municipal planning processes (e.g. database, beneficiary selection processes etc.).

- Integrate farm residents housing need into the municipal Human Settlement Plan (HSP), IDP and SDF
- Including partnerships for housing delivery
- Funding for farm housing be in accordance with municipal allocation
- Municipalities to submit project applications to the Department of Human Settlements for approval and funding
- Off-farm/in-town developments are advised
- On farm options to consider infrastructure provision, access to other services and opportunities and be in line with municipal HSP and SDF

## 2 PROVINCIAL POLICY

### PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK, 2014 (PSDF)

<b>PSDF STRATEGY FOR OPENING-UP OPPORTUNITIES IN THE RURAL SPACE-ECONOMY</b>	<b>3.2.3</b>	Accommodating a greater diversity of compatible land use activities on farms and in the rural landscape in general. Compatible activities are those that do not compromise biodiversity, farming activities, cultural and scenic landscapes, and are of an appropriate scale and form to fit in with their context in the rural landscape.
	<b>3.2.3</b>	Channelling public investment in rural development initiatives (i.e. land reform, agrarian transformation, environmental rehabilitation, enterprise development, etc.) to areas where it can offer real and sustained improvements to beneficiaries, and the rural community.

### PSDF PROVINCIAL SPATIAL POLICY E2: DIVERSIFY AND STRENGTHEN THE RURAL ECONOMY

<b>RURAL PLANNING</b>	<b>E2.1</b>	Rural considerations to be factored into all municipal IDPs and SDFs, with priority given to getting rural coverage in all district SDFs and then refining the detail of the planning at local municipality level. SDFs should be able to assist in the identification of strategically located land for land reform purposes in terms of the Pro-active Land Acquisition Strategy (PLAS). Provincial Government should strengthen its partnership with DRDLR in giving support to municipalities in their undertaking rural planning.
	<b>E2.2</b>	The Provincial Department of Agriculture's area based plans (1:10 000 scale) and associated spatial data are useful tools to use for detailed planning or assessing farm level land use applications.
	<b>E2.3</b>	Where regional SDFs are compiled by Provincial Government, rural considerations are to be dealt with on the same basis as municipal SDFs.

<b>DEVELOPMENT OUTSIDE THE URBAN EDGE</b>	<b>E2.4</b>	Compatible and sustainable rural activities (i.e. activities that are appropriate in a rural context, generate positive socio-economic returns, and do not compromise the environment or ability of the municipality to deliver on its mandate) and of an appropriate scale and form can be accommodated outside the urban edge (except in bona fide wilderness areas).
	<b>E2.5</b>	<p>The 2009 PSDF draft Rural Land Use Planning and Management Guidelines to be reviewed and updated to serve as basis for clarifying the interpretation of this policy.</p> <p>The following criteria should be applied in assessing consistency with this policy:</p> <ul style="list-style-type: none"> <li>• Environmental authorisation</li> <li>• Compatibility with land use activities suitable in the CBA it is situated in, and subject to an EIA</li> <li>• Does not alienate unique or high value agricultural land, or compromise existing farming activities</li> <li>• Does not compromise the current or future possible use of mineral resources</li> <li>• Is consistent with the cultural and scenic landscapes within which it is situated</li> <li>• Does not involve extensions to the municipality’s reticulation networks (i.e. served by off-grid technologies)</li> <li>• Does not impose real costs or risks to the municipality delivering on their mandate</li> <li>• Does not infringe on the authenticity of rural landscapes</li> </ul>
	<b>E2.6</b>	Land use incentives should be used to facilitate rural land use transitions that the State cannot afford to fund on its own (e.g. securing priority biodiversity areas or climate adaptation corridors; rural development; agrarian transformation).
<b>FARM WORKER SETTLEMENT</b>	<b>E2.9</b>	The principles contained in the gazetted Provincial Farm Worker Settlement Policy are endorsed. It remains Provincial policy to accommodate those seeking off-farm settlement in the nearest town or village as part of the state-assisted housing programme.
<b>RURAL DEVELOPMENT – STRENGTHENING RURAL LIVELIHOODS</b>	<b>E2.10</b>	Extend current rural livelihood support programme (i.e. CRDP) to cover a wider range of activities and build a broader rural skills base (e.g. environmental resource management, rural public works, land care, Working-with-Water, Working-on-Fire, Working-with-Wetlands, etc.). Target future support to settlements that are stagnating or situated in a remote rural area. Use broadband technology to extend the programme’s coverage and align with Thusong Centres.

<b>LAND REFORM</b>	<b>E2.11</b>	The principles contained in the Provincial Policy for Small Scale Farming in the Urban Fringe are endorsed. In line with national policy, State land will be leased for this purpose – it should not be subdivided and alienated.
	<b>E2.12</b>	Where there is a combination of land suitable for agriculture and raw water available in proximity to settlements, this strategic Provincial asset should be safeguarded for agricultural purposes.
	<b>E2.13</b>	Commonages should be safeguarded for their original purpose, and municipal SDFs should give consideration to the establishment of new commonages. Municipalities should forge partnerships with non-governmental or public benefit organisations to assume management responsibilities for commonages, and investigate the practicality of providing basic agricultural infrastructure (e.g. treated effluent) with the support of Provincial and National Government.
	<b>E2.14</b>	Land targeted for new commercial ventures (e.g. farming, fishing, eco-tourism, etc.) should have the same resource attributes as existing commercial ventures, and be in proximity to markets, facilities and transport.
	<b>E2.15</b>	Pilot projects should be motivated that fulfil the criteria of the NDP’s Resource Critical Areas.
<b>PROVINCE OF WESTERN CAPE: POLICY FOR THE SETTLEMENT OF FARM WORKERS, 2000</b>		
<b>AIM</b>	<b>2.</b>	The policy strives at creating “on-the-farm” and “off-the-farm” settlement options to allow Western Cape farm workers and their dependents to fully benefit from the various tenure, housing and subsidy benefits and rights which are availed to them, and explaining how and where these options can be achieved.

<p><b>POLICY PRINCIPLES</b></p>	<p><b>5.</b></p>	<p><b>Choice:</b> Due to the variety of agricultural and settlement circumstances in the different districts of the Western Cape as well as the diversity of settlement preferences of farm workers, settlement choices should be available to farm workers within certain limits (e.g. availability of land, availability of funds, long-term sustainability, etc.).</p> <p><b>Justness and Transparency:</b> Just and transparent processes are required for the identification of accommodation alternatives and decision making about applicable options.</p> <p><b>Partnerships:</b> It is the joint responsibility of farm worker communities, farmers, and provincial government and municipalities to address the settlement of farm workers.</p> <p><b>Affordability:</b> Options for farm worker settlement should lead to housing improvement and be affordable for the target beneficiaries.</p> <p><b>Feasibility:</b> The implementation of “on-the-farm” settlement options should be feasible for both farm owners and farm workers, and “off-the-farm” settlement options should be feasible for municipalities as well as other service providers.</p> <p><b>Integration:</b> The settlement of farm workers, especially “off-the-farm” options, should be implemented in line with the IDPs of local, metropolitan and district municipalities.</p> <p><b>Sustainability:</b> Sustainable farm worker settlement is required, especially with regards to the agri-village option, so as to ensure that no future financial burden is placed on communities and municipalities.</p> <p><b>Environmental Conservation:</b> The selected settlement option should conserve the integrity of both the natural and built environment of the Western Cape.</p> <p><b>Cost Effectiveness:</b> As development needs out-weigh current resources, proposed improvements to current settlement circumstances should be cost effective.</p>
<p><b>SETTLEMENT OPTIONS</b></p>	<p><b>6.</b></p>	<p>“<b>On-the-farm</b>” options are available to farm workers who presently reside on the farm and will be living there in future, either due to personal preference (e.g. because of the quality of the housing, their tenure rights in terms of ESTA, rural surroundings, security, place for retirement, etc.) or because circumstances require it (e.g. distance from nearest towns, working hours, etc.). The “on-the-farm” settlement model encompasses a range of possibilities which may be individually or collectively applicable in the settlement of Western Cape farm workers.</p> <p>“<b>Off-the-farm</b>” settlement may be facilitated in two types of settlement, namely:</p> <ul style="list-style-type: none"> <li>• in an existing town or, in exceptional cases, a new rural town, both of which represent public settlements under the jurisdiction of a municipality, and within which beneficiaries may own their homes; and</li> <li>• in an agri-village which represents a private settlement exclusively accommodating the local farm worker community which is situated within an agricultural area, and within which residents’ tenure is protected by a lease or notarial deed of servitude.</li> </ul>

KEY CONCEPTS		<p><b>Agri-suburb:</b> A residential area developed specifically to accommodate farm workers and their dependents and which forms a functional part of a town. Security of tenure is according to right of ownership. Agri-suburbs may be developed on a private, public or joint-venture basis.</p> <p><b>Agri-village:</b> A private settlement of restricted size established and managed by a legal institution that is situated within an agricultural area and where residence is restricted to bona fide farm workers and their dependants of the farms involved in the development. Security of tenure does not include right of ownership, but can include a Trust, Communal Property Association or Sectional Title. The development of agri-villages represents a partnership between farmer, farm worker and state.</p> <p><b>Farm workers:</b> Includes all farm dwellers be they permanent, periodic, domestic, contract or seasonal workers.</p>
PROVINCE OF WESTERN CAPE: POLICY FOR THE ESTABLISHMENT OF AGRICULTURAL HOLDINGS IN THE URBAN FRINGE, 2000		
AIM	2.	The policy aims at creating opportunities for aspirant farmers to access land and develop agricultural holdings in the urban fringe, and explain how municipalities can manage the implementation of these opportunities.
POLICY PRINCIPLES	5.	<p><b>Choice:</b> Due to the variety of agricultural and settlement circumstances in the different districts of the Western Cape as well as the diversity of land needs of aspirant and established farmers, options should be available for the establishment of agricultural holdings.</p> <p><b>Justness and Transparency:</b> Just and transparent processes are required for the identification of and consultation on alternatives, and decision making about applicable options.</p> <p><b>Affordability:</b> Options for the establishment of agricultural holdings should be affordable for the target Beneficiaries.</p> <p><b>Feasibility:</b> It should be feasible for municipalities to provide appropriate levels of services to agricultural holdings established in the urban fringe and recoup associated user charges.</p> <p><b>Integration:</b> Agricultural holdings should be spatially integrated with other urban fringe land uses, and new farmer establishment should be strategically incorporated into the municipality's IDP.</p> <p><b>Sustainability:</b> Agricultural holdings established in the urban fringe should be able to sustain a livelihood for new farmers and contribute to the strengthening of the agricultural sector.</p> <p><b>Environmental Conservation:</b> The selected farming option should conserve the integrity of both the natural and built environment of the Western Cape.</p> <p><b>Cost Effectiveness:</b> As development needs out-weigh current resources, cost-effective means of new farmer establishment are required.</p>

URBAN FRINGE LAND DEVELOPMENT PLANNING	9.	<p>The compilation of a Sectoral Plan to assist municipalities in pro-actively managing the diverse development pressures on land surrounding towns is required.</p> <p>Integrated land development planning of the urban fringe must ensure that:</p> <ul style="list-style-type: none"> <li>• urban expansion is structured and directed away from environmentally sensitive land and farming land</li> <li>• agricultural resources are reserved</li> <li>• environmental resources are protected</li> <li>• appropriate levels of services are feasible to support urban fringe land uses</li> <li>• land use allocations within the urban fringe are compatible and sustainable.</li> </ul>
KEY CONCEPTS		<p><b>Agricultural holdings:</b> Land portions on which commercial, project-based or community farming ventures are undertaken.</p> <p><b>Urban fringe:</b> The spatial transition area located between the built-up area of a town/urban centre and its rural hinterland. This zone links a core of concentrated population and activities with a set of dispersed activities dependent on natural resources. It is an area characterised by both urban and rural development pressures.</p>
<b>THE WESTERN CAPE LAND USE PLANNING GUIDELINES: RURAL AREAS</b>		
GUIDELINES FOR LAND USES	6.2	<p>The Rural Areas Guideline includes general development guidelines as well as specific recommendations for the location, form and management of specific activities in the rural area.</p> <p>Development in the rural area should not:</p> <ul style="list-style-type: none"> <li>• have a significant negative impact on biodiversity or ecological system services</li> <li>• lead to the loss or alienation of agricultural land or has a cumulative impact there upon</li> <li>• compromise existing or potential farming activities</li> <li>• compromise the current and future possible use of mineral resources</li> <li>• be inconsistent with the cultural and scenic landscape within which it is situated</li> <li>• lead to inefficient service delivery or unjustifiable extensions to the municipality’s reticulation network</li> <li>• impose real costs or risks to the municipality delivering on their mandate</li> <li>• infringe on the authenticity of the rural landscape</li> </ul>
AGRICULTURE	8.	<p>As the foundation of the Western Cape’s rural economy, the WCG approach to Agriculture is to:</p> <ul style="list-style-type: none"> <li>• promote consolidation of farming landscapes and prevent their fragmentation</li> <li>• provide for land and agrarian reform</li> <li>• improve the economic viability of farming by facilitating diversification of agricultural production</li> <li>• promote enterprise opportunities within the food system and promote sustainable farming practices.</li> </ul>

<p><b>LAND REFORM</b></p>	<p><b>9.</b></p>	<p>The WCG supports the implementation of the Land Reform Programme and therefore the WCG approach to land reform, while encouraging agrarian reform and embracing the changing landscape, is to:</p> <ul style="list-style-type: none"> <li>• provide support to aspirant emerging farmers with access to land for commercial and subsistence farming purposes</li> <li>• create opportunities to develop agricultural holdings in the urban fringe</li> <li>• support different settlement options to allow rural dwellers and their dependants to fully benefit from the various tenure, housing and subsidy benefits and rights which are availed to them.</li> </ul> <p>Although planning law and other legislative requirements and procedures apply to all citizens, the WCG approach from a land use planning perspective, is to be more lenient and accommodating towards the implementation of land reform projects.</p> <p>Land reform is a broad all-encompassing term that in the South African context allows for land restitution; land redistribution and tenure reform.</p>
<p><b>RURAL ACCOMMODATION</b></p>	<p><b>10.</b></p>	<p>Given the Western Cape’s unique rural communities and landscapes, tourism offers exciting prospects to diversify and strengthen the rural economy. The WCG approach to Rural Accommodation, is to facilitate the provision of a variety of short term tourism accommodation across the rural landscape, that is in keeping with the local character.</p> <p>Towards integrated rural development and sustainable settlements in the Western Cape, new housing development beyond the current extent of urban development needs to be curtailed. The WCG approach to Rural Accommodation is to channel pressures for residential development to existing towns, villages and hamlets.</p> <p>On-the-farm accommodation for agri workers should be provided in a sustainable manner that does not compromise the functionality and integrity of farming practices.</p>

<p><b>AGRICULTURAL LAND REFORM PROJECTS</b></p> <p>Introducing new farmers to the agricultural sector contributes to land and agrarian reform and different types of agricultural activities on different scales can be accommodated, depending on the objectives of the land reform beneficiary(ies).</p>	<p><b>9.2</b></p>	<p>Proper farm management and sustainable agricultural practises are promoted.</p> <p>The guidelines with respect to farming enterprises referred to in Chapter 8: Agriculture in the Rural Areas Guideline remains applicable to land reform projects on agricultural land.</p> <p>The primary rights and development parameters applicable to agricultural zoned land in respect of one homestead, agricultural buildings such as barns and agri worker housing are relevant. Where an agricultural land reform project is implemented on a farm, the same rights apply and if a group of individuals collectively own the land, the provision of housing to all beneficiaries of the land reform project is discouraged as only one homestead for the owner is allowed. The remaining occupants on the farm could be accommodated as agri workers, but settlement formation should be guarded against.</p> <p>The number of agri worker dwelling units must be reasonably connected to the bona fide primary farming and agricultural activities on the farm.</p> <p>Rural development plans prepared by the national department responsible for land reform should inform Municipal SDFs and local plans by integrating various land reform projects and initiatives such as the roll out of the Agri-Park concept, to promote rural economic transformation in the Western Cape.</p>
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<p><b>SMALL SCALE FARMING IN THE URBAN FRINGE</b></p> <p>Planning for agricultural holdings in the urban fringe integrates farming land needs with other urban land use requirements and provides opportunities for food gardens and part-time farming in close proximity to, or with good access to housing and employment opportunities, and social and community services and facilities.</p>	<p><b>9.2</b></p>	<p>Agricultural holdings on the urban fringe are supported as long as it does not lead to new settlement formation or low density sprawl.</p> <p>Within the Agriculture SPC, due to its characteristics and location, reserve areas suitable for small scale farming (e.g. in close proximity to urban areas or along rural movement routes)</p> <p>New agricultural holdings (small agricultural properties) in the urban fringe, within the Agriculture SPC, are encouraged for cultivation and livestock purposes.</p> <p>Managing the diverse development pressures on land surrounding settlements, co-ordinated land development planning of the urban fringe is required.</p> <p>Municipal SDFs which do not explicitly deal with urban fringe development issues, should be updated and modified to address this shortcoming. As a minimum, it should address the demarcation of the urban fringe planning area as all land surrounding the built-up area that is, or is likely to be, subject to development pressures.</p> <p>Proposals emanating from this planning process, should give attention to the utilisation of existing municipal commonage and state-owned land to facilitate the establishment of (community) food gardens and the entry of new farmers into the market.</p>
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	<p>Commonages, as a public land resource, offer opportunities for the accommodation of new entrants to the farming sector. Existing commonages should not be alienated or cadastral fragmented. Those not suitable for farming should be allocated for other public uses such as active or passive recreational or eco-tourism purposes or to serve as ecological support areas.</p> <p>To ensure the sustainable utilisation of agricultural resources within the urban fringe, municipalities should use the findings of the municipal SDF compilation process as a basis for demarcation of those areas where such resources (e.g. soil, water, access to markets) reflect potential for agricultural and land reform purposes.</p> <p>Agricultural holdings, be it a commercial or subsistence venture, should only be established on land which will support the sustainable utilisation of agricultural resources. Conversely, non-farming urban fringe land uses should not be permitted on such land.</p> <p>Agricultural holdings are primarily to give land reform beneficiaries access to land for farming purposes, to provide food security or contributing to the economy.</p> <p>A minimum agricultural holding size of 8000m<sup>2</sup> is recommended for small agricultural properties and such properties should include an independent water source, or a secured water source for the intended agricultural or economic activities and purposes on the land.</p> <p>Authorities should closely monitor and control the subdivision of land for agricultural purposes within the urban fringe. Where it is proposed to subdivide land for the purposes of establishing commercial agricultural holdings, the subdivided land portion must be large enough to sustain an economic farming unit. Where it is proposed to subdivide land for the purposes of establishing subsistence agricultural holdings, the subdivided land portion must be large enough to sustain the land reform project's/beneficiary's objectives.</p>
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	<p>The Western Cape Department of Agriculture should assist municipalities in determining the minimum size of agricultural holdings applicable to various crop types and carrying-capacity for grazing under different farming conditions.</p> <p>The feasibility of providing appropriate levels of services to agricultural holdings within the urban fringe should be investigated. The cost of service delivery needs to be incorporated into the project business plan and municipal infrastructure plans, and the municipality must be able to recoup these costs.</p> <p>Agricultural land for the purpose of agricultural holdings may be subdivided, or leased out (and can therefore stay intact), depending on tenure preferences.</p> <p>The size of the agricultural holding and local circumstances, especially the availability of engineering services, should inform what tenure conditions are applicable to an agricultural project in the urban fringe.</p> <p>In order to prevent the urbanisation of the urban fringe and to ensure that areas set aside for small scale farming do not lead to uncontrolled urban sprawl or settlement formation, authorities should, through various means, restrict residential rights on agricultural holdings, but make provision for temporary structures on these properties for tool sheds, produce stores, security purposes etc.</p> <p>Municipalities should ensure that appropriate zoning or overlay zones are available and used for this purpose to differentiate from conventional agricultural areas, which accommodate multiple dwellings and ancillary uses. These mechanisms should include, development parameters or conditions on the further subdivision of land (to less than 8000m<sup>2</sup>), animal housing, fencing and other related matters.</p> <p>Land reform beneficiaries are encouraged to settle in nearby settlements. Only in exceptional cases, should authorities deviate from these guidelines and permit a maximum of one dwelling per agricultural holding for settlement of the owner or those who work (e.g. security purpose or distance from settlement) the land.</p>
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<p><b>SECURITY OF TENURE</b></p> <p>Providing opportunities for the settlement (housing) of rural dwellers in a sustainable manner that are compatible with unique Western Cape circumstances. Non-viable and uncontrolled settlement formation/urbanisation in rural areas are not supported.</p>	<p><b>9.2</b></p>	<p>The settlement of rural dwellers must contribute to sustainable community, rural and agricultural development.</p> <p>No new settlement should be permitted in the rural landscape except:</p> <ul style="list-style-type: none"> <li>• agri-villages as defined in the Province of the Western Cape: Policy for the Settlement of Farm Workers, September 2000 where residents' tenure is protected by a lease or notarial deed of servitude; or</li> <li>• the formalisation of the 'urban' component of existing missionary, forestry and conservation settlements.</li> </ul> <p>Occupiers (agri workers and rural dwellers) have a right of residence "on-the-farm" in terms of the Extension of Security of Tenure Act, 1997 (Act 62 of 1997) known as <b>ESTA</b>.</p> <p>"On-the-farm" settlement options are available to agri workers who presently reside on the farm. Circumstances may require of agri workers to stay on the farm due to distance from nearest settlement, working hours, etc.</p> <p>"Off-the-farm" settlement should be directed to existing settlements where beneficiaries may own their homes.</p> <p>The WCG approach is to prevent settlement encroachment into agricultural areas and to channel settlement development into existing settlements where there are better employment opportunities and where infrastructure, social and community services and facilities can be provided.</p> <p>The subdivision of agricultural land in the rural landscape for individual title to provide security of tenure to agri workers and rural dwellers is not supported. New residential nodes in the rural landscape must be prevented due to municipal efficiency and the opportunity costs of delivering services to scattered small nodes versus providing the same services in a central urban area.</p>
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		<p>The establishment of new settlements can only be justified in exceptional cases (i.e. when there are compelling reasons not to use existing settlements). Each case will need to be carefully evaluated on its merits as part of the municipal SDF compilation process, with reference to existing feasibility studies.</p> <p>In light of the substantial cost of establishing and maintaining new settlements and fiscal constraints confronting municipalities, the establishment of new settlements is not encouraged. The preferred approach is to make optimum use of existing public investment in established settlements.</p> <p>As an alternative to agri workers settling in existing settlements, in certain cases the agri-village option may be applicable. An agri-village is a privately established and managed settlement, situated on private land within a farming area and exclusively accommodates the local agri worker community.</p> <p>The only circumstances under which an agri-village should be considered include the following:</p> <ul style="list-style-type: none"> <li>• In a farming area where there is a concentration of agri workers due to the type of agricultural activities and that has a substantial demand for “off-the-farm” settlement.</li> <li>• Areas where there are no established settlements within practical commuting distance (approximately 30km) and a municipality that has no feasible means of establishing and managing a new town.</li> <li>• Where the owners and workforce of a company farm, or a group of neighbouring farms, identify sufficient demand and the capacity for the establishment of a centrally located settlement where housing and communal facilities and services can be cost-effectively provided to the local agri worker community.</li> <li>• The essential feature of an agri-village is that it is developed, owned and managed by a legally constituted institution/legal entity representing a partnership between farmer(s), agri workers and government. Access to housing is restricted to bona fide agri workers and their dependents. Security of tenure is afforded by way of a lease or notarial deed of servitude, as the land and housing remain the property of the institution/legal entity.</li> </ul>
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		<p>Whilst the provision and maintenance of housing, engineering infrastructure and services and community facilities in an agri-village is the responsibility of the institution/legal entity, the municipality may be requested to provide bulk services. Given the risks associated with the sustainability of an institution/legal entity managing an agri-village, developers must provide guarantees to municipalities for the long term provision and maintenance of services.</p> <p>The option of “off-the-farm” settlement of agri workers to provide tenure security in agri-villages or in new settlements, should only be considered when the short and long term financial, environmental and social sustainability of a project can be ensured, and existing settlements are too far away to commute to.</p> <p>In light of the substantial managerial and financial resources required to establish and maintain small settlements, and their potential negative impact on the environment and also due to the relatively short distance between settlements in the densely populated rural areas of the Province, the establishment of agri-villages or new settlements as “off-the-farm” options both have limited applicability in the Western Cape.</p>
<p><b>AGRI WORKER HOUSING</b></p> <p>Accommodating housing on farms for bona fide agri workers staying on the farm in housing provided for, by the employer to the employee as part of his/her work contract.</p>	<p><b>10.2</b></p>	<p>Circumstances may require of agri workers to stay on the farm due to distance from nearest settlement, working hours, etc. On-the-farm accommodation for agri workers should be provided in a sustainable manner that does not compromise the functionality and integrity of farming practices.</p> <p><b>Agri workers:</b> Labourers and farm managers that are involved in the primary agricultural activities on the farm or any other activity that is reasonably connected with the main farming activities (e.g. the harvesting, cooling, storing, sorting, packing and packaging of agricultural produce), including those working in agricultural industries.</p> <p>Agri worker housing is regarded as part of the normal farm operations based on the extent of the bona fide agricultural activities on the land unit and applicable in all rural SPCs.</p> <p>Accommodation for any other employee involved in any land use activity on land not zoned Agriculture, is not included here and is strongly discouraged.</p> <p>Units may not be alienated, whether by individual erven, sectional title, share block or by any other means.</p> <p>The building height of agri worker dwelling units should be restricted to that of a single storey (6,5m measured from natural ground level to the highest point of a building) with a maximum floor area of 175m<sup>2</sup>, including garaging. Only in exceptional cases should structures higher than single storey be considered.</p> <p>The need to accommodate large numbers of seasonal workers on the farm, will be the exception. Employers are encouraged to provide transport rather than housing benefits to seasonal or temporary workers.</p> <p>Appropriate accommodation (dorm type) can be provided to temporary workers in instances where the farm is not located within practical commuting distance (approximately 30km) to the nearest town.</p>

	<p>Agri worker housing should not be permitted below the 1:100 flood line or within 100m of a river bank.</p> <p>It should also not be within 1km from the high-water mark of the sea or tidal river. Due consideration must be given of any coastal management/ set-back line and zone risks.</p> <p>The placement of the dwelling units should not undermine the sustainable utilisation of agricultural resources, biodiversity or ecological system services.</p> <p>Housing for agri workers should respond to cultural places and settlement patterns and new dwelling units should conform to local vernacular in terms of scale, form and materials. In assessing site development plans and building plans authorities should request and consider information on the architectural design, for the purposes of heritage and visual impact.</p> <p>Buildings should include appropriate buffers, landscaping and screening to reduce their visual impact on the rural landscape.</p> <p>Where possible, agri workers' dwelling units should be clustered and located in close proximity to rural movement routes, existing services and housing stock where-ever possible.</p> <p>The number of units must reasonably be connected to the bona fide primary farming and agricultural activities on the land unit. Apply employee ratio norms (average number of employees per hectare per produce) as recommended by the various organised commodity groups (e.g. Hortgro, Redmeat, Vinpro), whilst also recognising the difference between permanent and seasonal agri workers.</p>
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	<p>Whilst accommodation for agri workers in the past did not require planning approval in terms of the zoning scheme, it is recommended that this aspect be regulated in future by means of a site development plan for submission to the municipality for its approval or even as consent use.</p> <p>If more than one property is involved, accommodation should ideally be provided on the land unit (property) where production is taking place, with the bulk of the dwelling units on the larger property (cadastral unit).</p> <p>Where the employer farms on more than one property, consideration should be given to the location of the accommodation facilities in relation to the main farmstead.</p> <p>A site development plan must be submitted to the municipality for consideration. The exact proposed footprint must be shown on the site development plan, it should illustrate the placement of the accommodation units in relation to existing buildings on the farm and take into account all ancillary, community and welfare facilities. It should also illustrate details on infrastructure provision, engineering services, access and parking arrangements and the position and nature of all proposed signage and landscaping.</p> <p>The option of “off-the-farm” settlement of agri workers to provide tenure security in agri-villages or in new settlements should only be considered when the short and long term financial, environmental and social sustainability of a project can be ensured and existing settlements are too far away to commute to. The Province of the Western Cape: Policy for the Settlement of Farm Workers, September 2000 explains how and where various settlement options can be achieved.</p> <p>The settlement of agri workers must contribute to sustainable community, rural and agricultural development.</p>
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## PART 2

### INSTRUMENTS TO FACILITATE LAND REFORM AND RURAL DEVELOPMENT

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
1	<b>Tenure Security</b>	<b>Department of Agriculture, Land Reform and Rural Development (DALRRD)</b>  Tenure security	<b>Facilitation Legal Aid</b>	<b>Directorate Tenure Reform Implementation<sup>1</sup></b>  14 Long Street Cape Town  Lazarus Joseph 021 409 0353 071 853 1016	The Extension of Security of Tenure Act 62 of 1997 and the Extension of Security of Tenure Amendment Act 2 of 2018 ( <b>ESTA</b> ) applies to all land that is not a township and any land in a township designated for agricultural purposes.  <b>ESTA</b> recognises the rights and duties of both owners and occupiers. The rights people have under ESTA are always balanced by certain duties. An occupier's right of residence may be terminated on any lawful ground provided it is just and equitable.  Only the court can grant an eviction order - lawful eviction. Any eviction of an occupier without a proper court order is an unlawful eviction. An unlawful eviction is a criminal offence.	<a href="https://www.gov.za/documents/extension-security-tenure-amendment-act-amendment-20-nov-2018-0000">https://www.gov.za/documents/extension-security-tenure-amendment-act-amendment-20-nov-2018-0000</a>

<sup>1</sup> Note that some of the Branches / Directorates of DALRRD might change after the merge of the two national departments.

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
2	Land Title Adjustments	<p><b>Department of Agriculture, Land Reform and Rural Development (DALRRD)</b></p> <p>Allocate land rights</p> <p>Updating of deeds over generations</p> <p>Enable registration in name of current owner(s)</p>	<p><b>Investigation</b></p> <p><b>Restoration of Land Rights</b></p> <p><b>Subdivision of Land</b></p> <p><b>Development Support</b></p> <p><b>Transfer of Land</b></p>	<p><b>Directorate Tenure Reform Implementation</b></p> <p>14 Long Street Cape Town</p> <p>Lazarus Joseph 021 409 0353 071 853 1016</p>	<p>The purpose of the Land Title Adjustment Act 111 of 1993 (<b>LTAA</b>) is stated as follows: “To regulate the allocation or the devolution of certain land in respect of which one or more persons claim ownership, but <b>do not have registered title deeds</b> in respect thereof; and to provide for incidental matters”.</p> <p>This person may be a representative of a community where people claim to be owners of land but do not possess registered title. In other words, where people own land, but owing to restrictive legislation or failure of an heir or a predecessor to effect transfer, do not have a title deed as proof of ownership they may request that the Titles Adjustment Act is applied to provide registered title.</p> <p>The major thrust of the Act is that it provides for the appointment of a <b>Land Titles Adjustment Commissioner</b> to investigate and to make findings on people who are rightfully entitled to land or portions thereof. The Act outlines the procedures to be followed in implementing its various provisions.</p>	<p><a href="https://www.gov.za/documents/land-titles-adjustment-act">https://www.gov.za/documents/land-titles-adjustment-act</a></p>

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
3	<b>Transformation of Certain Rural Areas</b>	<b>Department of Agriculture, Land Reform and Rural Development (DALRRD)</b> Land rights	<b>Investigation of affected land by SG/NGI</b>  <b>Facilitation of the decision by the community</b>  <b>To transfer land to a legal entity or to local municipality</b>  <b>Restoration of land rights</b>	<b>Directorate Tenure Reform Implementation</b>  14 Long Street Cape Town  Lazarus Joseph 021 409 0353 071 853 1016  <b>Western Cape Department of Human Settlement Directorate Post Restitution Support Rural Areas &amp; Settlements</b>  27 Wale Street Cape Town  John Blanchard 021-483 9486	Land is presently held in a trust for the communities by the Minister of Agriculture, Land Reform and Rural Development in terms of the <b>Rural Areas Act 9 of 1987</b> .  The Transformation of Certain Rural Areas Act 94 of 1998 ( <b>TRANCRAA</b> ) aims at providing the restoration of land that has been held in trust for the community in certain rural areas, to its rightful owner. The land that the Minister is holding in trust, and which should be transferred to the community, is the Remainder of the trust land. As such all trust land left after general plans for township establishments have been registered will constitute such land.  Residential erven inside the township(s) are generally not the subject of the TRANCRAA process.	<a href="http://www.ruraldevelopment.gov.za/phocadownload/Land-Reform/Land-Reform-Administration/trancraaazrevisedjuly2010.pdf">http://www.ruraldevelopment.gov.za/phocadownload/Land-Reform/Land-Reform-Administration/trancraaazrevisedjuly2010.pdf</a>  <a href="https://www.gov.za/documents/transformation-certain-rural-areas-act">https://www.gov.za/documents/transformation-certain-rural-areas-act</a>  <a href="https://www.westerncape.gov.za/general-publication/information-rural-areas-act#transformation">https://www.westerncape.gov.za/general-publication/information-rural-areas-act#transformation</a>  <a href="https://www.ee.co.za/article/role-land-surveyor-trancraa-process.html">https://www.ee.co.za/article/role-land-surveyor-trancraa-process.html</a>

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
4	<b>Agri-Parks Programme</b>	<p><b>Department of Agriculture, Land Reform and Rural Development (DALRRD)</b></p> <p>Rural economic development</p> <p>Strengthen emerging farmers</p> <p>Eradicate poverty</p> <p>Enable agrarian transformation</p>	<p><b>Governance and management model</b></p> <p><b>Facilitate funding and investment</b></p> <p><b>Technical support and extension services</b></p> <p><b>Production agro processing &amp; market facilities</b></p>	<p><b>Integrated approach by various Branches in DALRRD.</b></p> <p><b>District Directors:</b></p> <p><b>Garden Route &amp; Central Karoo Districts</b> Lourette Brown 082 577 5659 lourette.brown@drdlr.gov.za</p> <p><b>Overberg &amp; Cape Wine-lands Districts</b> Esmerelda Reid 082 827 6222 Esmerelda.reid@drdlr.gov.za</p>	<p>An <b>Agri-Park (AP)</b> is a networked innovation system (not only physical buildings located in single locations) of agri-production, processing, logistics, marketing, training and extension services, located in District Municipalities. As a network, it enables the growth of market-driven commodity value chains and contributes to the achievement of the <b>rural economic transformation model (RETM)</b>. The Agri-Park will comprise of three basic units:</p> <p><b>The Farmer Production Support Unit (FPSU):</b> A FPSU is a rural outreach unit connected with an Agri-hub. The FPSU does primary collection, some storage, some processing for the local market, and extension services including mechanisation.</p> <p><b>The Agri-Hub Unit (AH):</b> The AH is a production, equipment hire, processing, packaging, logistics and training (demonstration) unit, typically located in a larger agricultural service centre.</p>	<p><a href="https://www.drdlr.gov.za/sites/Internet/about-us/agri-parks">https://www.drdlr.gov.za/sites/Internet/about-us/agri-parks</a></p> <p><a href="https://www.drdlr.gov.za/sites/Internet/Pages/FAQ.aspx">https://www.drdlr.gov.za/sites/Internet/Pages/FAQ.aspx</a></p> <p><a href="http://www.cogta.gov.za/cgta_2016/wp-content/uploads/2017/11/Clinton.Heimann.Agri-Parks-LED-Conference-9-November-2017.pdf">http://www.cogta.gov.za/cgta_2016/wp-content/uploads/2017/11/Clinton.Heimann.Agri-Parks-LED-Conference-9-November-2017.pdf</a></p> <p><a href="https://agbiz.co.za/uploads/documents/news/Newsletter/2015/1%20January/15_01_28%20Final%20RETM%20Amended%2023%20January%202014.pdf">https://agbiz.co.za/uploads/documents/news/Newsletter/2015/1%20January/15_01_28%20Final%20RETM%20Amended%2023%20January%202014.pdf</a></p>

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
				<p><b>West Coast District and City of Cape Town</b>            Andrey Booysen            083 452 9950            Andrey.booy-sen@drdlr.gov.za</p>	<p><b>The Rural Urban Market Centre Unit (RUMC):</b>            The RUMC is typically located in a higher order urban centre and has three main purposes:</p> <ul style="list-style-type: none"> <li>• Linking and contracting rural, urban and international markets through contracts.</li> <li>• Acts as a holding-facility, releasing produce to urban markets based on seasonal trends.</li> <li>• Provides market intelligence and information feedback, to the AH and FPSU, using latest Information and communication technologies.</li> </ul>	

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
5	<b>Pro-active Land Acquisition Strategy</b>	<p><b>Department of Agriculture, Land Reform and Rural Development (DALRRD)</b></p> <p>Access to agricultural land for farming purposes</p> <p>Land acquisition for settlement purposes</p> <p>Strategic land reform support interventions</p>	<b>Lease agreement</b>	<p><b>Directorate Land Redistribution and Development</b></p> <p>14 Long Street Cape Town</p> <p>Jacques Pheiffer 021 487 7448 082 331 8592 Jacques. Pheiffer@drdlr. gov.za</p>	<p>The Pro-active Land Acquisition Strategy (<b>PLAS</b>) deals with two possible approaches: a needs-based approach and a supply-led approach, but essentially focusing on the state as the lead driver in land redistribution rather than a beneficiary-driven redistribution.</p> <p>Target group:</p> <ul style="list-style-type: none"> <li>• black people (Africans,</li> <li>• Coloureds and Indians)</li> <li>• groups that live in communal areas</li> <li>• black people with the necessary farming skills in urban areas</li> <li>• people living under insecure tenure rights</li> </ul> <p>In this way the strategy seeks to contribute to the decongestion of the communal areas, secure on or off farm accommodation and to create sustainable livelihoods. While the approach is pro-poor, it also caters for emergent and commercial farmers.</p> <p>The <b>PLAS</b> focus on high potential agricultural land purchased by the State and then leased to the poor for a period of 30 years.</p>	<p><a href="http://www.ruraldevelopment.gov.za/phocadownload/Land_Acquisition_Warehouse/manual%20for%20the%20implementation%20of%20the%20pro-active%20land%20acquisition%20strategy.pdf">http://www.ruraldevelopment.gov.za/phocadownload/Land_Acquisition_Warehouse/manual%20for%20the%20implementation%20of%20the%20pro-active%20land%20acquisition%20strategy.pdf</a></p> <p><a href="https://www.gov.za/sites/default/files/gcis_document/202001/42939gon2.pdf">https://www.gov.za/sites/default/files/gcis_document/202001/42939gon2.pdf</a></p>

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
6	<b>Land Development Support</b>	<p>Department of Agriculture, Land Reform and Rural Development (DALRRD)</p> <p>Agricultural enterprise development support</p>	<b>Grant training and mentorship</b>	<p><b>Directorate Land Redistribution and Development</b></p> <p>14 Long Street Cape Town</p> <p>Jacques Pheiffer 021 487 7448 082 331 8592 Jacques. Pheiffer@drdlr. gov.za</p>	<p>The focus of the Land Development Support (LDS) policy is to support Black farmers in order to develop their agricultural enterprises to be sustainable and commercially viable enterprises through financial assistance and transfer of skills. It is in support of the Operation Phakisa Initiative “Re-engineering Agricultural Development Finance”.</p> <p>Black farmers are assisted in collaboration with financial institutions. The DALRRD will enter into agreements with appointed agricultural commodity organisations for implementation of selected farms through grant funding.</p> <p>The type of support that can be provided includes:</p> <ul style="list-style-type: none"> <li>operational inputs, machinery and equipment</li> <li>on farm infrastructure</li> <li>training and mentorship</li> <li>market linkages and value chain integration</li> <li>incubation farm support</li> </ul>	<a href="https://pmg.org.za/committee-meeting/28844/">https://pmg.org.za/committee-meeting/28844/</a>

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
7	<b>Rural Enterprise and Industrial Development Programme</b>	<b>Department of Agriculture, Land Reform and Rural Development (DALRRD)</b> Rural enterprises Agricultural and non-agricultural support	<b>Skills development</b> <b>Capacity building</b> <b>Mentoring</b> <b>Establishment of cooperatives</b>	<b>Directorate Rural Enterprise and Industrial Development (REID)</b> 14 Long Street Cape Town Nina Navarro Brito 021 409 0339 076 512 5194 Nina.Brito@drdlr.gov.za	The core business of the <b>REID</b> programme is to provide an enabling environment for the creation of vibrant and sustainable rural communities. Its functions to ensure that: <ul style="list-style-type: none"> <li>rural communities participate and take control of their own destiny through participatory engagements</li> <li>technical capacity and support are being provided tot rural institutions</li> <li>the rural livelihoods of rural communities being improved through economic development and the development of rural enterprises</li> <li>the institutions of rural communities are being strengthened and being mentored</li> <li>training is provided with SEDA</li> <li>household profiling is done</li> <li>farmer mobilisation</li> </ul>	<a href="https://www.drdlr.gov.za/sites/Internet/Branches/RuralEnterpriseAndIndustrialDevelopment">https://www.drdlr.gov.za/sites/Internet/Branches/RuralEnterpriseAndIndustrialDevelopment</a>

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
8	<b>National Rural Youth Services Corps Programme</b>	<b>Department of Agriculture, Land Reform and Rural Development (DALRRD)</b> Youth Development	<b>Mainstream youth development programmes</b> <b>Training programmes</b>	<b>Directorate Social Organisation and Youth Development</b> 14 Long Street Cape Town  Nyameko Mgoqi 021 409 0337 079 628 0535 nyameko.mgoqi@drdlr.gov.za	The core business National Rural Youth Services Corps ( <b>NARYSEC</b> ) is to provide social organisation and youth development towards economic upliftment. It does it through the following functions: <ul style="list-style-type: none"> <li>• facilitate the establishment and support of participatory community development institutions</li> <li>• facilitate and integrate <b>Youth Development (YD)</b> and NARYSEC functions</li> <li>• facilitate skills development</li> <li>• recruitment of youth (18-35 years)</li> <li>• character development with Department of Defense</li> <li>• interface candidates into opportunities</li> </ul>	<a href="https://www.gov.za/about-government/government-programmes/national-rural-youth-service-corps-programme">https://www.gov.za/about-government/government-programmes/national-rural-youth-service-corps-programme</a>  <a href="https://www.drdlr.gov.za/sites/Internet/AboutUs/MoreAboutUs/Pages/Narysec.aspx">https://www.drdlr.gov.za/sites/Internet/AboutUs/MoreAboutUs/Pages/Narysec.aspx</a>  <a href="http://www.ruraldevelopment.gov.za/phocadownload/narysec/what_is%20narysec_e_narysec.pdf">http://www.ruraldevelopment.gov.za/phocadownload/narysec/what_is%20narysec_e_narysec.pdf</a>
9	<b>Rural Infrastructure and Development Programme</b>	<b>Department of Agriculture, Land Reform and Rural Development (DALRRD)</b> Economic and social infrastructure	<b>Grant</b>	<b>Directorate Rural Infrastructure and Development (RID)</b> 14 Long Street Cape Town  Jimmy Freysen 021 409 0300 071 856 0567 Jimmy.Frey-sen@drdlr.gov.za	Initiate, facilitate, coordinate and implement economic and social infrastructure. Funding and provision of infrastructure.	<a href="https://www.drdlr.gov.za/sites/Internet/Branches/RuralInfrastructureAndDevelopment/Pages/default.aspx">https://www.drdlr.gov.za/sites/Internet/Branches/RuralInfrastructureAndDevelopment/Pages/default.aspx</a>

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
10	<b>Animal and Veld Management Programme</b>	<b>Department of Agriculture, Land Reform and Rural Development (DALRRD)</b>  Infrastructure provision  Support live-stock farmers	<b>Grant</b>	<b>Directorate Rural Infrastructure Development (RID)</b>  14 Long Street Cape Town  Jimmy Freysen 021 409 0300 071 856 0567 Jimmy.Freysen@drdlr.gov.za	The Animal and Veld Management Programme (AVMP) programme aims to relieve farmers who operate under challenging conditions exacerbated by environmental degradation as a result of overgrazing and spatial congestion.  The programme will also help with the re-greening of the environment and soil rehabilitation and the provision of boreholes, fencing, cattle grids, water infrastructure, troughs and JoJo tanks.	<a href="https://www.gov.za/about-government/government-programmes/animal-and-veld-management-programme">https://www.gov.za/about-government/government-programmes/animal-and-veld-management-programme</a>  <a href="https://pmg.org.za/committee-meeting/28844/">https://pmg.org.za/committee-meeting/28844/</a>

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11	LandCare	<p><b>Western Cape Department of Agriculture (WCDOA)</b></p> <p>Sustainable resource utilisation</p> <p>Veld management</p> <p>Erosion intervention</p>	<p><b>Planning</b></p> <p><b>Veldcare</b></p> <p><b>Soilcare</b></p> <p><b>Watercare</b></p> <p><b>Juniorcare</b></p> <p><b>Conservation Agriculture</b></p>	<p><b>Directorate Sustainable Resource Management: LandCare Provincial</b></p> <p>Francis Steyn 021-808 5090 Franciss@elsenburg.com</p> <p><b>West Coast District</b></p> <p><b>Moorreesburg Conservation</b> Agriculture &amp; Alien Clearing</p> <p>Jan Smit 022 433 2330 jans@elsenburg.com</p> <p><b>Central Karoo District</b></p> <p><b>Beaufort West</b></p> <p><b>Fencing &amp; Weir Structures</b> Phyllis Pienaar 023 414 2126 phyllisg@elsenburg.com</p>	<p><b>Farm planning</b> is drawn up by the land user and the LandCare officer, reflecting present and proposed works. These works are then planned, designed and inspected by officers of this division in the execution of the Conservation of Agricultural Resources Act.</p> <p><b>Drainage works</b> have a direct influence on the lucrative deciduous fruit export market, in that the high potential soils have to be drained to prevent water logging.</p> <p><b>Protection works</b> are aimed at controlling the flow of water in such a manner that it doesn't erode the soil resource.</p> <p><b>Veld utilisation works</b> enable the soil user to utilise the veld without degrading the resource, while also enhancing production.</p> <p>Flood repair works enable the land user to repair the damage caused by floods, for example the flood in the Karoo in 2001.</p> <p><b>LandCare projects</b> entails the erection of farming infrastructure to allow land users to utilise the resources at their disposal in a sustainable manner.</p>	<p><a href="http://www.elsenburg.com/services-and-programmes/landcare-services">http://www.elsenburg.com/services-and-programmes/landcare-services</a></p> <p><a href="https://pmg.org.za/committee-meeting/28844/">https://pmg.org.za/committee-meeting/28844/</a></p>

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				<b>Overberg District</b> <b>Bredasdorp</b> <b>Alien Clearing &amp; River Protection</b> Grant Jephthas 028 425 4819 grantj@elsen- burg.com	<b>Area wide projects</b> involve pro-active ways of preventing the extensive degradation of the natural resources; it is a process that enables communities to craft their “future desired condition” and then implement projects to reach this sustainable objective.	

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				<p><b>Cape Winelands District</b></p> <p><b>Worcester</b></p> <p><b>Alien Clearing &amp; Sub-surface Drainage</b>  Rudolph  Röscher  021 873 1135/6  rudolphr@elsenburg.com</p> <p><b>Eden District</b></p> <p><b>George</b></p> <p><b>Alien Clearing &amp; River Protection</b>  Hannes Muller  044 803 3720  hannesm@elsenburg.com</p>		

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
12	<b>Comprehensive Agriculture Support Programme</b>	<p><b>Western Cape Department of Agriculture (WCDOA)</b></p> <p>Post-settlement support and production capital</p> <p>Facilitate agricultural development</p> <p>Job creation</p>	<b>Grant Loan</b>	<p><b>Directorate Farmer Support and Development</b></p> <p><b>Elsenburg</b> Adriaan Conradie 021 808 7674 adriaanc@elsenburg.com</p> <p><b>Agricultural Extension Services at eight District Offices:</b></p> <p><b>Garden Route District George</b> Clyde Lamberts 044 803 3757 ClydeL@elsenburg.com</p> <p><b>Garden Route District Oudtshoorn</b> Willem Burger 044 803 3747 WillemB@elsenburg.com</p>	<p>Purpose of the Comprehensive Agriculture Support Programme (CASP) grant is:</p> <p>to provide effective agricultural support services, promote and facilitate agricultural development by targeting beneficiaries of land reform's restitution and redistribution; and other black producers who have acquired land through private means and are engaged in value-adding enterprises domestically, or involved in export;</p> <p>to address damage to infrastructure caused by floods.</p> <p>Documents required:</p> <ul style="list-style-type: none"> <li>• Comprehensive business plan</li> <li>• Copies of ID documents of members</li> <li>• Copy of marriage certificate (where applicable)</li> <li>• Proof of address or GPS coordinate reading</li> <li>• Proof of rights of access to land - title deed, lease agreement, PTO</li> <li>• Market contact where available</li> <li>• Stock card/branding certificate (where applicable)</li> <li>• Proof of water rights (where applicable)</li> <li>• Bank statement (where applicable)</li> </ul>	<p><a href="http://www.elsenburg.com/services-and-programmes/farmer-support-and-development">http://www.elsenburg.com/services-and-programmes/farmer-support-and-development</a></p> <p><a href="https://www.nda.agric.za/docs/CASP/casp.htm">https://www.nda.agric.za/docs/CASP/casp.htm</a></p> <p><a href="https://pmg.org.za/committee-meeting/25241/">https://pmg.org.za/committee-meeting/25241/</a></p> <p><a href="https://gis.elsenburg.com/apps/cfm/">https://gis.elsenburg.com/apps/cfm/</a></p> <p><a href="https://www.fruitlook.co.za/">https://www.fruitlook.co.za/</a></p>

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				<p><b>Central Karoo District</b>  Frederick Mpona  023 415 3134  FredM@elsenburg.com</p> <p><b>West Coast District-Southern Region Moorreesburg</b>  Rose Horne  022 433 2330  RoseH@elsenburg.com</p> <p><b>West Coast District-Northern Region Vredendal</b>  Marius du Randt  027 213 2000  MariusdR@elsenburg.com</p> <p><b>Cape Metro Region Vacant</b>  021 483 7778</p>	<ul style="list-style-type: none"> <li>• Registration certificate for LDV's &amp; tractors</li> <li>• Memorandum of agreement in respect of membership &amp; technical support offered by commercial farmer/agri-company</li> <li>• Assessment report from the extension officer/mentor/DFI field officer.</li> </ul>	

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				<p><b>Overberg District Caledon</b> Hennis Germishuys 028 425 4807 HennisG@elsenburg.com</p> <p><b>Cape Winelands District Elsenburg</b> Dikeledi Pito 021 808 7051 DikelediP@elsenburg.com</p>		
13	<b>Ilima Letsema</b>	<p><b>Western Cape Department of Agriculture (WCDOA)</b></p> <p>Food security</p> <p>Short term production capital</p> <p>Job creation</p>	<b>Grant</b>	<p><b>Directorate Farmer Support and Development Elsenburg</b></p> <p>Adriaan Conradie 021 808 7674 adriaanc@elsenburg.com</p> <p>Adele Isaacs-Cloete 021 808 5045 adelei@elsenburg.com</p>	<p>Support, advice and coordinate the implementation of pillar one of the Integrated Food Security Strategy of South Africa (IFSS).</p> <p>Provides vegetable packs (5 different seeds, LAN, fertilizer), to individual households and production inputs to established groups.</p>	<p><a href="https://youtu.be/XbY-1382e9yQ">https://youtu.be/XbY-1382e9yQ</a></p> <p><a href="http://www.elsenburg.com/services-and-programmes/grants-and-financial-aid-0">http://www.elsenburg.com/services-and-programmes/grants-and-financial-aid-0</a></p>

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
14	<b>Entrepreneur Support Fund and Land Reform Advisory Desk</b>	Cape Agency for Sustainable Integrated Development in Rural Areas (CASIDRA)  Agriculture and economic development support	<b>Loan funding</b> <b>SMME support</b> <b>Farmer support</b> <b>Project implementation</b> <b>Training</b>	<b>22 Louws Avenue Southern Paarl</b>  021 863 5000 or 1055 esf@casidra.co.za  22 Louws Avenue  <b>Southern Paarl</b>  Ashley Seymour  021 863 5000 info@casidra.co.za  <b>LREAD</b>  Wouter Kriel 021 863 5000 lread@casidra.co.za  uta@casidra.co.za	As the Provincial Government Enterprise for the Western Cape Government, development projects are planned and implemented by Casidra.  Casidra works in resource poor communities of the Western Cape where poverty is rife. Assistance is given to communities committed to achieving sustainable development, but which lack the technical skills or resources necessary to implement policies and programmes.  <b>ESP - Entrepreneur Support Fund:</b> <ul style="list-style-type: none"> <li>The loan amount ranges between R5 000 and R100 000</li> <li>The fund is open to businesses in the Western Cape Province ONLY</li> <li>The registered business address must be within the Western Cape borders. Proof of residential address must accompany the application.</li> </ul> <b>LREAD - Land Reform Advisory Desk:</b> <ul style="list-style-type: none"> <li>Support all land reform beneficiaries, land owners, municipalities and businesses who have access to farmable land or resources and who are in need of assistance</li> <li>Support and coordinate internal and external expertise for land reform projects</li> </ul>	<a href="https://casidra.co.za/">https://casidra.co.za/</a>  <a href="https://casidra.co.za/entrepreneur-support-fund/">https://casidra.co.za/entrepreneur-support-fund/</a>  <a href="https://casidra.co.za/lread-profile/">https://casidra.co.za/lread-profile/</a>

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
				<p><b>Regional Office</b>  Bateleur Park  133 Cradock Street George  Johan Bronkhorst  044 873 4186 / 2745</p>	<p><b>UTI - Unit for Technical Assistance:</b></p> <ul style="list-style-type: none"> <li>• Support WCDOA</li> </ul> <p>Consider, consult and make recommendations in terms of the business plans, project implementation plans and allocation of project funds to enable new and existing farming enterprises to achieve sustainability through a network of service providers</p> <p><b>Corporate services:</b></p> <ul style="list-style-type: none"> <li>• Public Relations, Marketing and Communications</li> <li>• Financial Management</li> <li>• Human Resource Management</li> <li>• Strategic Training</li> <li>• Corporate Governance</li> </ul> <p><b>Rural Infrastructure Development and Poverty Alleviation:</b></p> <ul style="list-style-type: none"> <li>• Rural development projects and agricultural initiatives</li> <li>• Community and Household Food Security</li> <li>• Project Management of agricultural initiatives</li> </ul> <p><b>Local economic and business development:</b></p> <ul style="list-style-type: none"> <li>• Support SMME and Land Reform projects</li> <li>• Business Development and Growth</li> <li>• Job creation Initiatives</li> </ul>	

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
15	<b>Micro Agricultural Financial Institutions of South Africa</b>	<p><b>Department of Agriculture, Land Reform and Rural Development (DALRRD)</b></p> <p>Access to short term finance</p> <p>Support emerging farmers</p>	<b>Loans</b>	<p><b>National</b></p> <p>012 319 7263 / 6825 / 7216</p> <p>PortiaMahl@daff.gov.za ElizabethKh@daff.gov.za</p> <p><b>NERPO</b></p> <p>Pretoria 012 348 8566 Peulwana Pretoria 011 314 1173</p>	<p>The Micro Agricultural Financial Institutions of South Africa (<b>MAFISA</b>) is a financial scheme to address financial services needs of the smallholder farmers and agribusinesses and to provide assistance to them to form part of the mainstream economy. MAFISA provides capital (loans) to enhance agricultural activities.</p> <p><b>Beneficiaries include:</b></p> <ul style="list-style-type: none"> <li>• smallholder farmers</li> <li>• land and agrarian reform beneficiaries</li> <li>• farm workers</li> <li>• self-help groups (SHGs)</li> <li>• co-operatives</li> <li>• small agribusinesses</li> </ul> <p>There are various <b>MAFISA</b> intermediaries responsible for funds disbursement on behalf of DALRRD across all provinces of South Africa, however there are two intermediaries responsible for the Western Cape, namely NERPO and Peulwana.</p> <p><b>Purpose of the loan:</b></p> <ul style="list-style-type: none"> <li>• Purchase of production inputs (fertilizers, seeds, pesticides, animal feed and remedies etc.)</li> <li>• Purchase of small equipment and implements (Knapsack spray, wheel barrow, spades, etc)</li> <li>• Purchase of breeding livestock, medication, feed, branding material etc.</li> </ul>	<p><a href="https://www.daff.gov.za/daffweb3/Branches/Administration/Development-Finance">https://www.daff.gov.za/daffweb3/Branches/Administration/Development-Finance</a></p>

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
					<ul style="list-style-type: none"> <li>• Short to medium term Production loan</li> <li>• Savings mobilization</li> <li>• Capacity building for member based financial institutions</li> </ul> <p><b>How to apply:</b></p> <ul style="list-style-type: none"> <li>• Contact your local Agricultural Extension Officer for application forms (details of WCDOA District Offices provided in this table)</li> <li>• Complete the application form with assistance from the local Agricultural Extension Officer if necessary</li> <li>• Attach required documents (e.g. Identity Document, proof of access to land (for more see application form))</li> <li>• Submit the application form to local accredited intermediary.</li> </ul>	

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
16	<b>SEFA</b> <b>Small Enterprise Finance Agency</b>	<b>Department Small Business Development (DSBD)</b>  Access to finance	<b>Mortgage loans</b> <b>Equity share</b> <b>Production loans</b> <b>Agricultural asset finance</b> <b>Training grant</b>	<b>SEFA Regional Office</b> <b>FNB Building</b> 2 Long Street Cape Town 021 418 0126 sefawc@sefa.org.za  <b>Transnet Hub</b> Tonyn Street Saldanha 022 714 1731  <b>Training Centre</b> Cnr Lwandile & Spine Road Khayelitsha 021 361 1360  <b>KKT Sentrum</b> Gericke Street Mossel Bay 044 695 2849  Thesen House Long Street Knysna 044 382 2861	<b>SEFA</b> has a number of partners, all integral to the role the agency plays in its clients' businesses and crucial to the fulfilment of its vision. Partners include the DBSA, Dti, IDC, NEF and SEDA. See details of SEDA below.  <b>SEFA</b> offers loans through direct and wholesale lending from R500 up to R5-million. <ul style="list-style-type: none"> <li>• Asset Finance</li> <li>• Bridging Loan</li> <li>• Term Loan</li> <li>• Structured Finance Solutions</li> <li>• Credit Guarantee Scheme</li> <li>• Land Reform Empowerment Fund</li> </ul> <b>Land reform facility - RFI/BFS/SF</b>  The Land Reform Empowerment Facility (LREF) is a Broad Based Black Economic Empowerment Fund capitalised by the DAL-RRD and supported by the European Union. LREF is a wholesale financing facility through which <b>SEFA</b> lends money to commercial banks and other reputable agricultural lenders for on-lending to land reform beneficiaries. The aim of LREF is therefore to broaden the control, management and ownership by black South African citizens in land-based high-value income generating assets in the agricultural sector. To increase the commercial success of LREF-funded projects, <b>SEFA</b> assists these projects with training and skills development interventions by means of a training grant.	<a href="https://nationalgovernment.co.za/units/view/158/small-enterprise-finance-agency-sefa">https://nationalgovernment.co.za/units/view/158/small-enterprise-finance-agency-sefa</a>  <a href="http://www.sefa.org.za/">http://www.sefa.org.za/</a>

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
				<p>70 Voortrekker Street Oudtshoorn 044 272 7783 Worcester 023 342 2381</p> <p><b>Thusong Centre</b> De Vries Street Beaufort West 023 414 3368</p> <p><b>Gateway Centre Hermanus</b> 028 312 2359 Cnr High &amp; Stockenström Street</p>	<p><b>Documents required for application:</b></p> <ul style="list-style-type: none"> <li>• Proof of ownership of the enterprise: (A registration certificate if any - optional)</li> <li>• Certified ID copy of (representative) owner</li> <li>• Stamped Bank Statements or Letter</li> <li>• At least three (3) competing and comparable quotations including delivery charges from different service providers who are either registered on CSD</li> <li>• In case where there are two or less quotation for the given interventions, the quotations will be sourced from suppliers registered on the central Supplier Database (CSD)</li> </ul>	

#	NAME OF POLICY OR PROGRAMME	AGENCY AND PURPOSE	TYPE OF ASSISTANCE	WHO AND WHERE CONTACT DETAILS	DESCRIPTION / INFORMATION	LINKS TO DOCUMENTS & DATA
17	<b>SEDA</b> <b>Small Enterprise Development Agency</b>	<b>Department Small Business Development (DSBD)</b>  Access to finance  Setup and registration to enable small business development	<b>Business advice and setup</b>  <b>Enterprise development</b>  <b>Training</b>	<b>Western Cape Provincial Office</b> Neels Bothma Street Goodwood 021 596 1300  <b>West Coast Centre Vredenburg</b> Basil Nefdt 082 483 4041 022 342 2381  <b>Atlantis, Cape Town</b> Angelique Simon asimon@seda.org.za  <b>Louwville Place Vrede Street Bellville</b> 021 949 2227  <b>Eikestad Mall Stellenbosch</b> 021 861 4800  <b>Beacon Place Meade Street George</b> 044 874 4770	Provides information to small enterprises and prospective entrepreneurs that will help and encourage them to start and build sustainable businesses.  Prepare applications and Business Plans for small businesses.  (In partnership with REID Branch of DALRRD – details in table below.)  <b>Services provided by SEDA:</b> <ul style="list-style-type: none"> <li>• Information advice &amp; referrals</li> <li>• import &amp; export training</li> <li>• trade information</li> <li>• businesses assessments</li> <li>• technical support</li> <li>• business mentoring</li> <li>• market access</li> <li>• Business linkages</li> </ul> <b>Potential Beneficiaries:</b> <ul style="list-style-type: none"> <li>• Small businesses operating in South Africa</li> <li>• Projects that have the potential to promote historically disadvantaged individuals, with special emphasis on the youth and women development</li> <li>• Projects that have the potential to develop emerging markets</li> </ul> The same documents are required for application as noted in <b>SEFA</b> above.	<a href="https://nationalgovernment.co.za/units/view/157/small-enterprise-development-agency-seda">https://nationalgovernment.co.za/units/view/157/small-enterprise-development-agency-seda</a>  <a href="http://www.seda.org.za/">http://www.seda.org.za/</a>  <a href="http://www.elsenburg.com/content/small-enterprise-development-agency-seda">http://www.elsenburg.com/content/small-enterprise-development-agency-seda</a>

## RURAL LAND USE OPTIONS TO IMPLEMENT LAND REFORM PROJECTS

### LAND USE: CONVENTIONAL AGRICULTURE



#### LOCATION

On agricultural farm land in rural area

#### RURAL AREAS GUIDELINE

4.5 Agriculture SPC

8.2 Agriculture

10.2 Agri worker Housing

#### DESCRIPTION AND TENURE OPTIONS

- Agricultural production is main focus
- Commercial OR subsistence farming
- One family OR group of individuals (business entity) as part of a land reform project (viable business plan)
- One owner's dwelling
- Number of agri worker houses depended on farming enterprise
- Depending on number of land reform beneficiaries (group of individuals owning the land), not all will be able to live on the farm as the Rural Areas Guideline provides for only one owner's dwelling
- Land reform beneficiaries who works on the farm are counted as agri workers and are allowed to live in the agri worker houses
- On the farm settlement of agri workers: Right of Residence in terms of ESTA (Extension of Security of Tenure Act, Act 62 of 1997) or formal housing contract with land owner (this is not applicable to land reform beneficiaries who are the owners of the land)
- Additional dwelling(s) on land unit bigger than 10ha
- One or several cadastral units farmed as one business venture
- Private ownership (individual or as business entity) OR
- Lease agreement (DALRRD, state land or private land)

#### SYMBOLS AND MEANING



## LAND USE: AGRI VILLAGE



### LOCATION

On non-productive agricultural land in rural area

### RURAL AREAS GUIDELINE

- 4.5 Agriculture SPC
- 8.2 Agriculture
- 9.2 Land Reform

### DESCRIPTION AND TENURE OPTIONS

- Privately established and managed settlement within farming area
- Exclusively accommodates agri workers and their dependants
- Off the farm settlement of agri workers: Agri village
- In farming area with substantial demand for off the farm settlement of a centrally located settlement (labour intensive agriculture)
- No established towns in practical commuting distance (30km)
- Developed, owned and managed by legally constituted institution e.g. a Trust, Company (formal agreements)
- No right of ownership
- Tenure security by way of lease or notarial deed of servitude

Current DALRRD Smart Agri Village Initiative<sup>1</sup>:

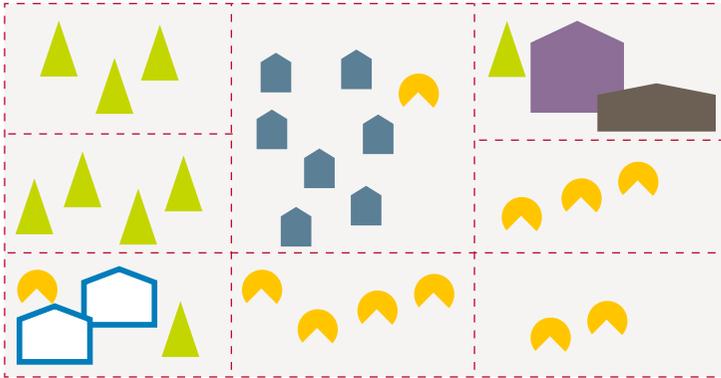
- Agri worker houses and land ownership programme (WCG Policy does not support subdivision and individual ownership as that is regarded as a new town)
- 300 families each (WCG Policy promotes restricted size)
- Based on farm apportionments
- Farm dwellers and labour tenants (WCG Policy for bona fide farm workers and not all farm dwellers)
- Secure title deeds for agri workers on land donated by commercial agricultural entities and government (WCG Policy not in support of individual ownership)
- Facilitate access to basic public and economic infrastructure and services

<sup>1</sup> DALRRD to develop a new National Concept in 2020/21

### SYMBOLS AND MEANING



## LAND USE: SHARED AGRICULTURE



### LOCATION

On agricultural farm land in rural area

### RURAL AREAS GUIDELINE

- 4.5 Agriculture SPC
- 8.2 Agriculture
- 9.2 Land Reform
- 10.2 Agri worker housing

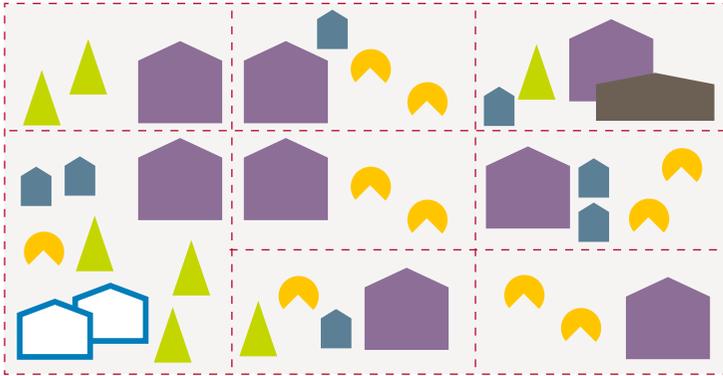
### DESCRIPTION AND TENURE OPTIONS

- Agricultural production is main focus
- Commercial or subsistence farming through sharing the land (according to land reform project business plan)
- Group of individuals as part of a land reform project (communal land ownership)
- Allocated portions to individual families (not formally subdivided)
- Houses might be grouped in one area of existing farm layout
- Collective management responsibility for e.g. houses, general maintenance, rates and taxes, water right etc.
- One owner's dwelling
- Number of agri worker houses dependent on (collective) farming enterprise
- Depending on number of land reform beneficiaries (group of individuals owning the land), not all will be able to live on the farm as the Rural Areas Guideline provides for only one owner's dwelling
- On the farm settlement of agri workers: Right of Residence in terms of ESTA (Extension of Security of Tenure Act, Act 62 of 1997) or formal housing contract with land owner (this is not applicable to land reform beneficiaries who are the owners of the land)
- Additional dwelling(s) on land unit bigger than 10ha
- One cadastral unit, individual lease / use right agreements
- Private ownership (business entity) OR
- Lease agreement (DALRRD, state land or private land)
- Minimum farm unit size depending on farming enterprise as recommended by Rural Areas Guideline (5. Sustainable Farming)

### SYMBOLS AND MEANING



## LAND USE: SMALL-SCALE AGRICULTURE



### LOCATION

On agricultural farm land in rural area

### RURAL AREAS GUIDELINE

- 4.5 Agriculture SPC
- 8.2 Agriculture
- 9.2 Land Reform
- 10.2 Agri worker Housing

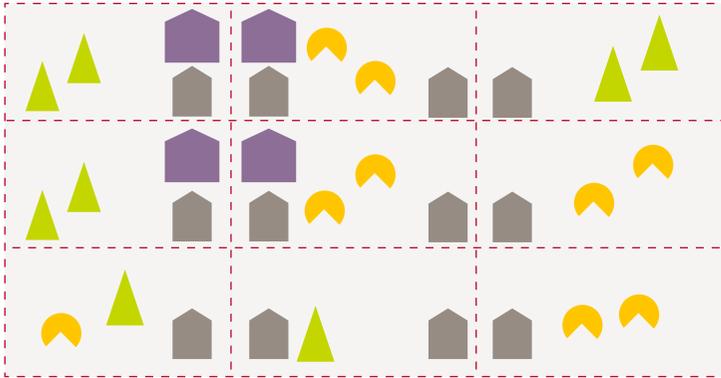
### DESCRIPTION AND TENURE OPTIONS

- Agricultural production is main focus
- Commercial or subsistence farming on small scale (according to land reform project business plan)
- Subdivided portions (individual title deeds)
- One owner's dwelling per farm unit
- Houses might be grouped close to common boundary although on separate land units
- Number of agri worker houses depended on individual farming enterprises
- On the farm settlement of agri workers: Right of Residence in terms of ESTA (Extension of Security of Tenure Act, Act 62 of 1997) or formal housing contract with land owner (this is not applicable to land reform beneficiaries who are the owners of the land)
- Additional dwelling(s) on land unit bigger than 10ha
- Private ownership (individual families as part of a land reform project) OR
- Lease / use right agreement (DALRRD, state land or private land)
- Minimum farm unit size depending on farming enterprise as recommended by the Rural Areas Guideline (5. Sustainable Farming)

### SYMBOLS AND MEANING



## LAND USE: AGRICULTURAL HOLDINGS



### LOCATION

On agricultural land on urban fringe (and forms integral part of the urban fabric where low density residential rights are allowed)

### RURAL AREAS GUIDELINE

- 4.5 Agriculture SPC
- 8.2 Agriculture
- 9.2 Land Reform

### DESCRIPTION AND TENURE OPTIONS

- Agricultural production is main focus
- Identify land for agriculture on urban fringe in SDF process
- Commercial or subsistence farming on small scale (according to land reform project business plan)
- Subdivided portions (individual title deeds)
- Provision should be made for tool or pack sheds
- Water rights are a minimum requirement
- Permanent settlement will be restricted in line with local conditions
- Due to proximity to town (job opportunities) and for security reasons people might want to settle on the land
- Substance farming with informal housing likely (low density informality)
- Where settlement is allowed:
  - Houses might be grouped although on separate land units
  - One land owner's dwelling per farm unit
  - No additional farm worker houses or dwellings units are allowed
- Private ownership (individuals as part of a land reform project) OR
- Lease / use right agreement (DALRRD, state land or private land)
- Minimum unit size of 8 000m<sup>2</sup>

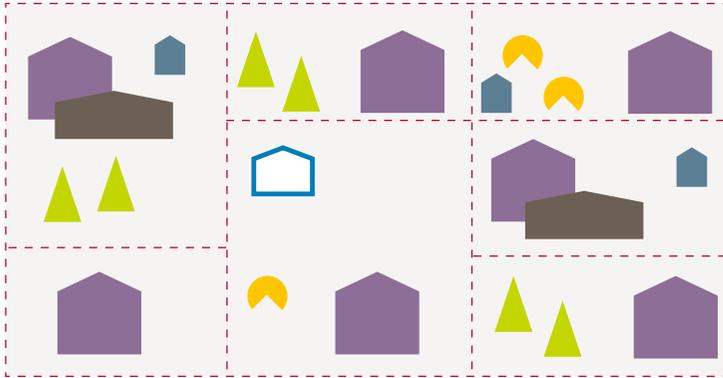
DALRRD Accelerated Land Development and Redistribution Initiative (ALDRI):

- agricultural zoned land in peri-urban areas
- subdivision of land in 1 - 10ha economic viable units (WCG Policy prescribes a minimum size of 8 000m<sup>2</sup>)
- landless and jobless people living in informal settlements
- pro-poor -> earn less than R50 000 p.a.
- Evicted people and hot spot areas

### SYMBOLS AND MEANING



## LAND USE: SMALL HOLDINGS



### DESCRIPTION AND TENURE OPTIONS

- Mainly for residential purpose
- Rural lifestyle (to provide full range of residential opportunities)
- Second dwelling unit
- Associated agricultural activities
- Number of agri worker houses depended on (collective)farming enterprise
- On the farm settlement of agri workers: Right of Residence in terms of ESTA (Extension of Security of Tenure Act, Act 62 of 1997) or formal housing contract with land owner
- Individual title deeds
- Private ownership or Lease Agreement
- Land unit size between 4000m<sup>2</sup> and 5 ha

### LOCATION

On urban fringe and forms integral part of the urban fabric as a low density option for residential development

### RURAL AREAS GUIDELINE

4.6 Settlement SPC

16.1 Urban Areas

### SYMBOLS AND MEANING



## LAND USE: RESIDENTIAL



### DESCRIPTION AND TENURE OPTIONS

- Residential purpose
- Formal or informal settlements
- Registered erven in town
- Individual title deeds
- Off the farm settlement of agri workers: in existing town (or new town in exceptional circumstances) with option to develop agri-suburb or retirement village
- Private ownership or Lease Agreement

### LOCATION

In town

### RURAL AREAS GUIDELINE

4.6 Settlement SPC

16.1 Urban Areas

### SYMBOLS AND MEANING



## TRANSFORMATION OF CERTAIN RURAL AREAS (TRANCRAA)

### 1 INTRODUCTION

The Transformation of Certain Rural Areas Act, Act 94 of 1998 (TRANCRAA), that came into effect on 02 November 1999, is the first comprehensive legislation to reform communal land tenure in South Africa. It prescribes the processes to be followed for the creation of entities to hold the land in the commonages in trust for the inhabitants of the Rural Areas [Rural Areas Act (Act 9 of 1987)]. This process is managed by the Department of Agriculture, Land Reform and Rural Development (DALRRD) in consultation with the Municipality responsible for the relevant Rural Area. Twelve of the 23 former-coloured rural areas fall in the Western Cape, namely:

- |                 |              |                 |
|-----------------|--------------|-----------------|
| 1. Ebenhaezer   | 5. Kranshoek | 9. Saron        |
| 2. Friemersheim | 6. Mamre     | 10. Slangrivier |
| 3. Genadendal   | 7. Pniel     | 11. Suurbraak   |
| 4. Haarlem      | 8. Rietpoort | 12. Zoar        |

Part 4 sets out a summary of the status quo reports<sup>6</sup> prepared by the Spatial Planning and Land Use Management (SPLUM) Directorate of the DALRRD for all the Rural Areas. Copies of the full reports and A0 Discussion Maps are either available from DEA&DP: Spatial Planning or DALRRD: SPLUM. For further information, refer to Part 2 for the links to the relevant legislation and the contact details of the Tenure Reform Branch of DALRRD.

### 2 OBJECTIVE

TRANCRAA aims at providing the restoration of land that has been held in trust for the community in certain rural areas, to its rightful owner. Due to development or administrative processes on the land, the land is categorised according to TRANCRAA into:

- Land in a **township**, also referred to as Section 2 land (being every piece of land within the border of approved General Plans – mostly existing as Residential areas). Township is also defined as any township situated in a board area established, approved, proclaimed or otherwise recognised as such under any law.

<sup>6</sup> Mamre Status Quo Report and Spatial Plan 2013; Status Quo Reports for Ebenhaezer, Friemersheim, Genadendal, Haarlem, Kranshoek, Pniel, Rietpoort, Saron, Slangrivier and Suurbraak all dated 2016; Project Evaluation Report for Zoar June 2019

- Land in the **remainder**, also referred to as Section 3 land (being the remainder of the parent farm – the original trust land after Township Establishment has taken place – also known as commonage land or **‘meentgrond’**). Remainder Trust Land is also defined under TRANCRAA as land situated in a board area, other than township land, including land which has been planned, classified and subdivided as an agricultural area or outer commonage in terms of Section 20 (2) of the Rural Areas Act, 1987.

In terms of TRANCRAA, the land that the Minister is holding in trust, and which should be transferred to the community, is the Remainder of the trust land. As such, all trust land left after general plans for township establishments have been registered, will constitute such land. The methodology followed by (DALRRD) was:

- To confirm the original outer boundaries of the trust land
- To establish the extent of the remainder through identification of registered General Plans.

Such Remaining extent should coincide with what updated title deeds are reflecting. Any unregistered General Plans (GPs) would probably still constitute part of the Remainder, as is also the case where houses have been built outside the boundaries of such GPs.

Residential erven inside the township(s) are generally not the subject of the TRANCRAA process. Refer to Part 2 for contact details of the Western Cape Department of Human Settlements who provides support in this instance.

### 3 STATUS QUO OF THE RURAL AREAS

The 12 individual status quo reports prepared by DALRRD reflect the land uses that exist on the commonage, future development of the town in respect of the urban edge, etc. It further focuses on whether there is other land inside the townships that should ideally resort communally with the Communal Property Association (CPA).

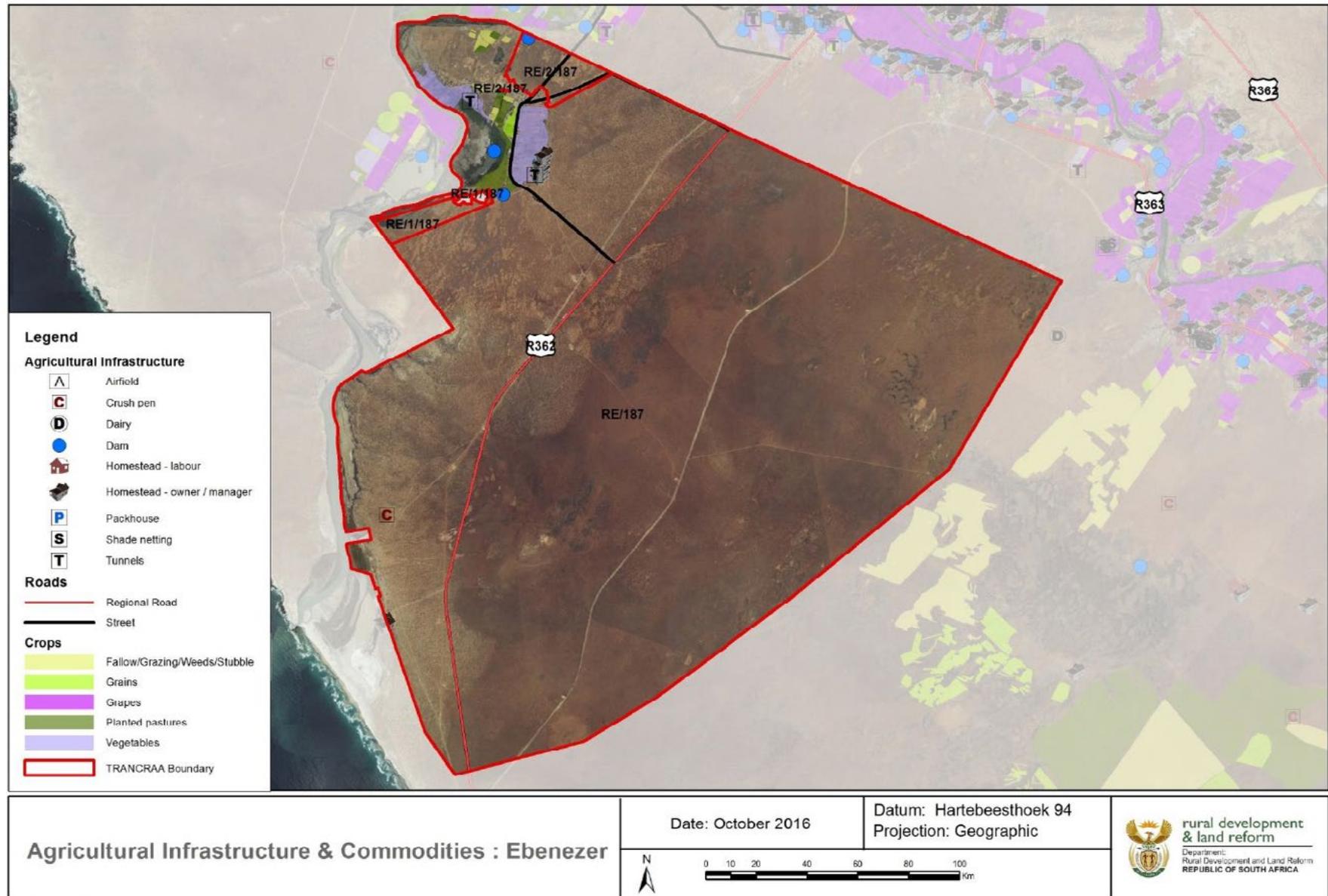
The land transformation process in Mamre has been dealt with as part of the restitution process and the land has been transferred to the Mamre CPA. In the case of Kranshoek, Saron, Slangrivier and Suurbraak the land has already been transferred to the local municipality. In all other cases, a land transformation process as prescribed by TRANCRAA should still be followed. To transfer the land to the residents is the first priority and as such, the focus of this report is to list the properties and owners thereof and to highlight the recommendations made by DALRRD. Other planning related aspects that need to be considered include the status of land claims, the registration of unregistered portions of land and the formalisation of municipal facilities such as cemeteries, reservoirs etc.

Below is a map depicting the TRANCRAA Sites in the Western Cape, followed by a descriptive table and a map indicating the TRANCRAA boundary of each of the twelve Rural Areas.

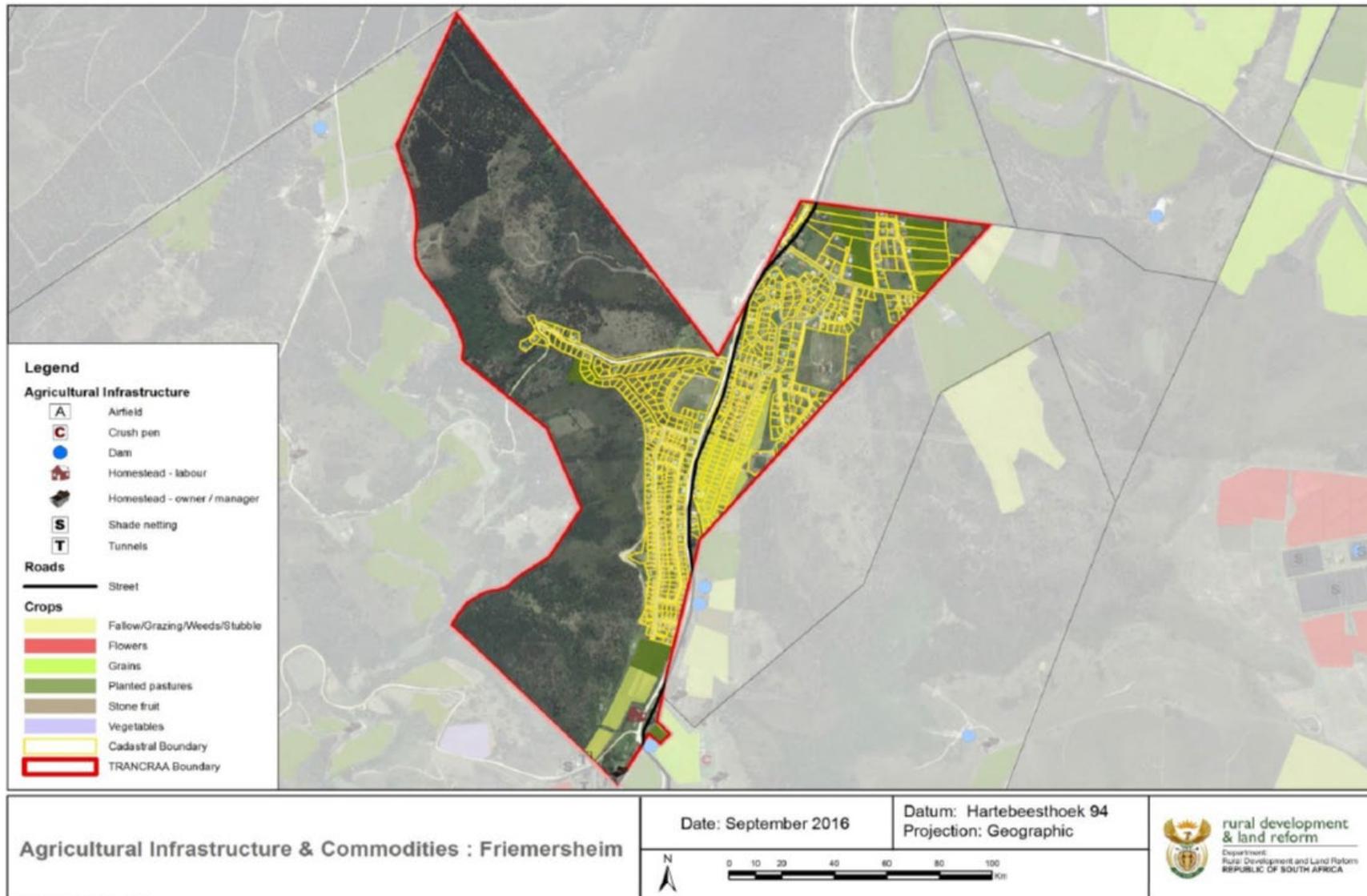


<h2>Provincial Context: Trancraa Sites</h2>	Date: September 2016	Datum: Hartbeeshoek 94 Projection: Geographic

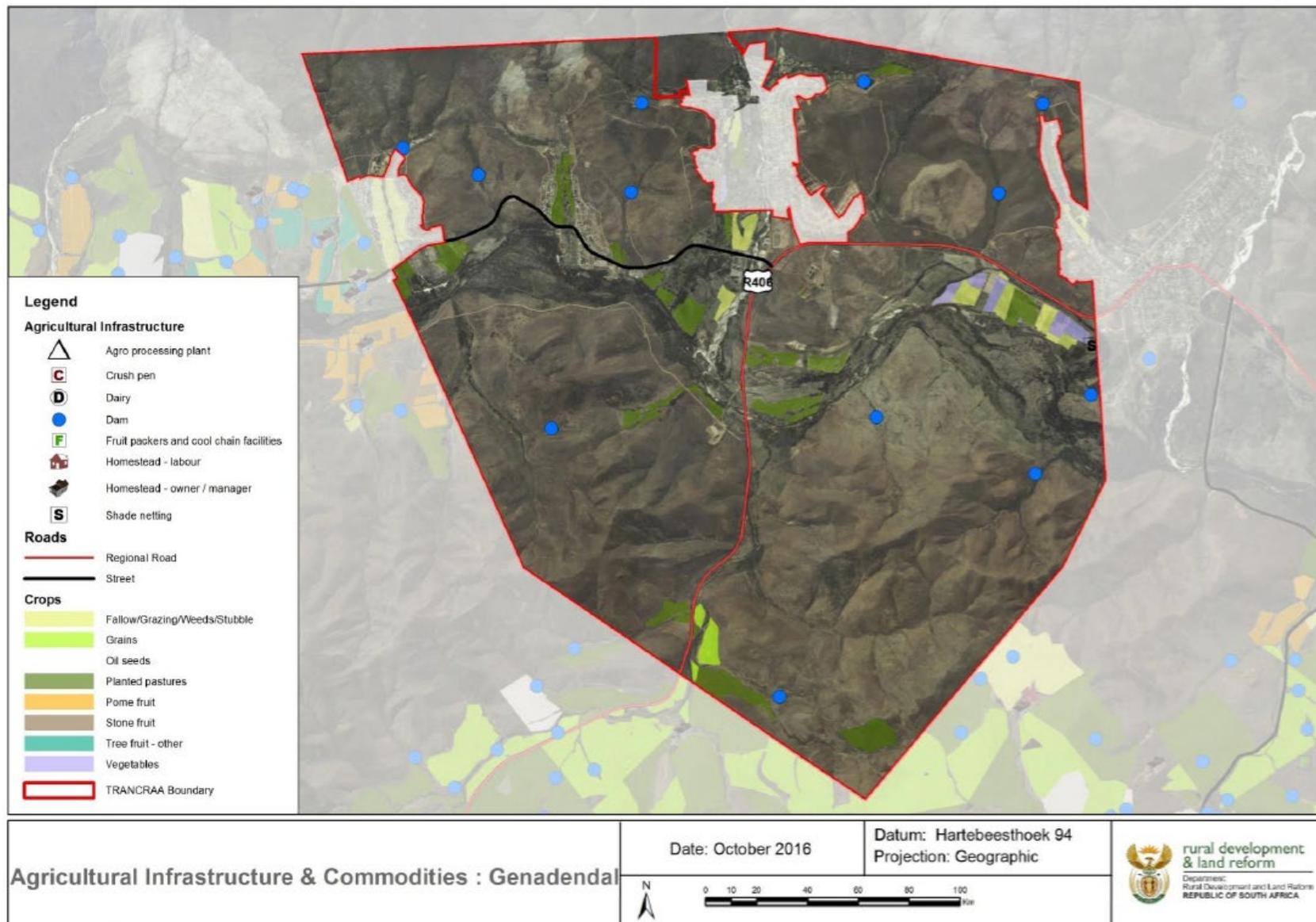
NO 1	EBENHAEZER: MATZIKAMA MUNICIPALITY
<b>PROPERTY DESCRIPTION</b>	<p><b>Property 1:</b> Remainder of Farm Ebenezer Kolonie No. 187, in Matzikama Local Municipality, Vanrhynsdorp Division, Registration RD, Western Cape, measuring 17863.5146 hectares as per SGO and 17864.6937 hectares as per Title Deed.</p> <p><b>Property 2:</b> Remainder of Portion 1 of the Farm Ebenezer Kolonie No. 187, in Matzikama Local Municipality, Vanrhynsdorp Division, Registration RD, Western Cape, measures 124.8357 hectares in extent.</p> <p><b>Property 3:</b> Remainder of Portion 2 of the Farm Ebenezer Kolonie No. 187, in Matzikama Local Municipality, Vanrhynsdorp Division, Registration RD, Western Cape, measures 231.7462 hectares in extent as per SGO and 240.3942 hectares as per Title Deed.</p>
<b>OWNERSHIP</b>	<p>According to the Title Deeds, the remainder of Farm Ebenezer Kolonie No. 187 and the remainder of portion 1&amp;2 of Farm Ebenezer Kolonie No. 187 are currently in the custodianship (held in trust) of the DALRRD for the beneficiaries, as per prescriptions of the TRANCRAA. The properties are registered in the name on the Community of Ebenezer.</p>
<b>RECOMMEND</b>	<ol style="list-style-type: none"> <li>1. It is recommended that consultation take place between the Community and the Matzikama Municipality to determine the relevant portions to be formalised. The outcome of this consultation will inform a Terms of Reference that will address the necessary Municipal Town Planning processes to be followed (e.g. to address the unregistered subdivisions - Refer to AO Discussion Map).</li> <li>2. It is recommended that the Minister of DALRRD take note of the following development constraints for any future Municipal Planning before the land is transferred to the relevant entity (Municipality or CPA) for any future development. The following considerations and processes must be taken into account by the Tenure Branch of DALRRD: <ul style="list-style-type: none"> <li>• Consideration of implications of servitudes on a Title Deed related to water pipe aqueduct.</li> <li>• Development to be proposed after the land is transferred shall be aligned with the current Matzikama Municipal Spatial Development Framework (MSDF). The potential future land use within the proposed urban edge on the commonage is Heritage areas.</li> <li>• That some Municipal assets, such as reservoirs, be formalized by the Matzikama Municipality.</li> <li>• Verify the status of the land claim that exists, and consider the implications.</li> <li>• A Commonage Management Plan could be prepared to assist the new owner/entity to utilize the land sustainably.</li> </ul> </li> </ol>



NO 2	FRIEMERSHEIM: MOSSEL BAY MUNICIPALITY
<b>PROPERTY DESCRIPTION</b>	<p><b>Property 1:</b> The remainder of Erf 106 Farm Moordkuyl No. 38, Mossel Bay Local Municipality, Western Cape Province, measures 122.2190 hectares in extent.</p> <p><b>Property 2:</b> The remainder of Erf 36 and Erf 255 were consolidated to form Erf 106. The extent of the Portion 1 of Farm Moordkuyl No. 38 which is now referred to as Erf 106, measures 122.2190 hectares.</p>
<b>OWNERSHIP</b>	The commonage area of Friemersheim is currently in the custodianship of the DALRRD, as per the prescriptions of the TRANCRAA.
<b>RECOMMEND</b>	<ol style="list-style-type: none"> <li>1. It is recommended that consultation take place between the Community and the Mossel Bay Municipality to determine the relevant portions to be formalised (if any). The outcome of this consultation will inform a Terms of Reference that will address the necessary Municipal Town Planning processes to be followed (e.g. to address the unregistered subdivisions - Refer to AO Discussion Map).</li> <li>2. It is recommended that the Minister of DALRRD take note of the following development constraints for any future Municipal Planning before the land is transferred to the relevant entity (Municipality or CPA) for any future development. The following considerations and processes should be taken into account by the Tenure Branch of DALRRD: <ul style="list-style-type: none"> <li>• Consideration of implications of restrictive conditions on a Title Deed.</li> <li>• Development to be proposed after the land is transferred, shall be aligned with the current Mossel Bay Local Municipality Spatial Development Framework (MSDF). The potential future land use within the urban edge on the commonage is Heritage areas.</li> <li>• Conserving the critical biodiversity found within the commonage area should serve as an important consideration to guide any future developments.</li> <li>• Check the status of the land claim that exists, and consider the implications.</li> <li>• Consideration to be given to the development of a Commonage Management Plan by the Municipality, in consultation with Department of Agriculture (WC) and DALRRD Tenure Branch.</li> </ul> </li> </ol>

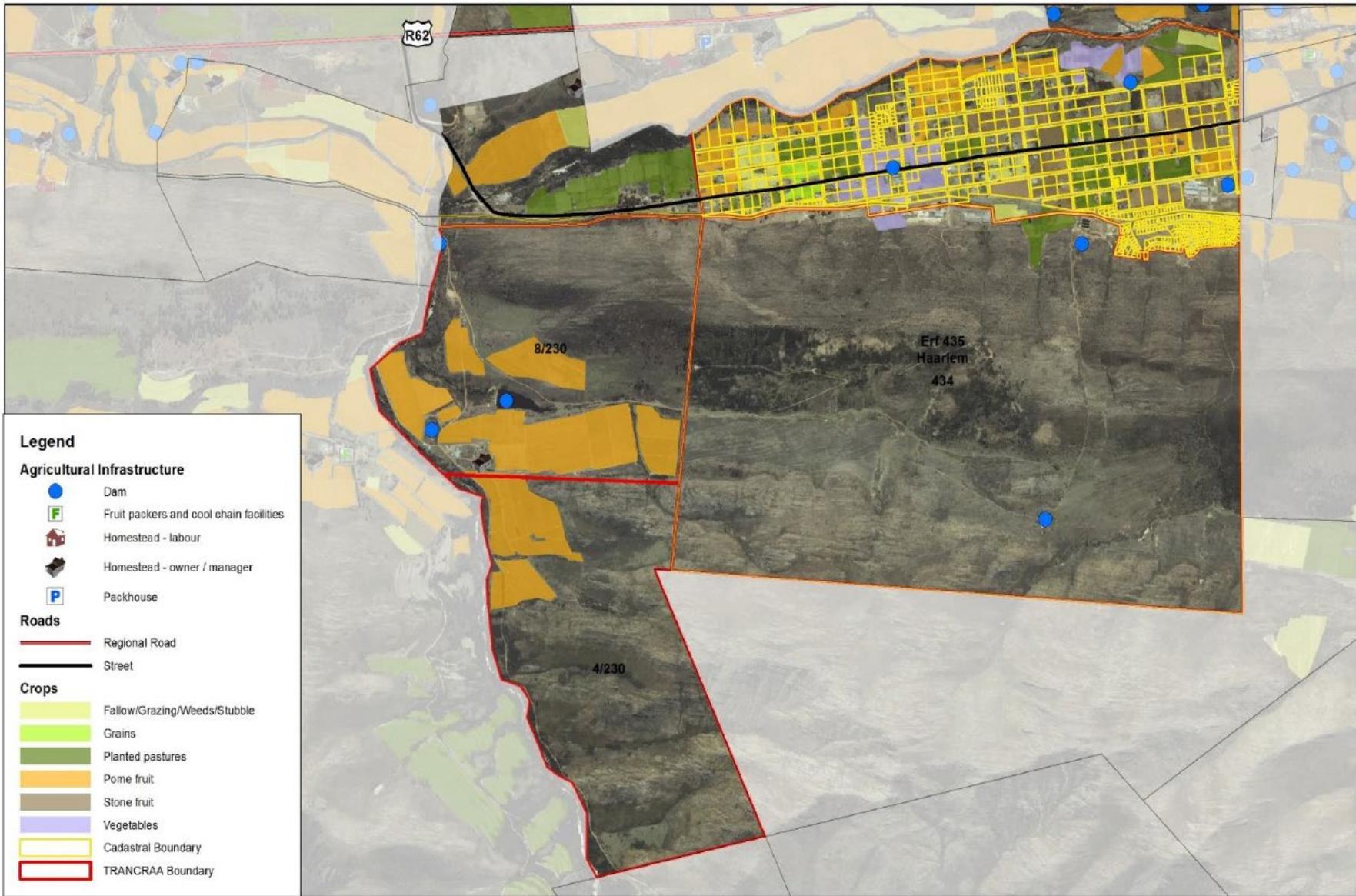


NO 3	GENADENDAL: THEEWATERSKLOOF MUNICIPALITY
<b>PROPERTY DESCRIPTION</b>	<b>Property 1:</b> The remainder of Farm Genadendal No. 39, in Theewaterskloof Local Municipality, Caledon Division, Registration RD, Western Cape, measures 4515.5279 hectares in extent.
<b>OWNERSHIP</b>	The remainder of Farm Genadendal No. 139 is currently under the custodianship (held in trust) of the DALRRD for the beneficiaries, as per prescriptions of the TRANCRAA. According to the Title Deed the community is the registered owner of the aforementioned TRANCRAA property.
<b>RECOMMEND</b>	<ol style="list-style-type: none"> <li>1. It is recommended that <b>consultation</b> take place between the Community and the Theewaterskloof Municipality to determine the relevant portions to be formalised. The outcome of this consultation will inform a Terms of Reference that will address the necessary Municipal Town Planning processes to be followed (e.g. to address the unregistered subdivisions - Refer to A0 Discussion Map).</li> <li>2. It is recommended that the Minister of DALRRD take note of the following <b>development constraints</b> for any future Municipal Planning, before the land is transferred to the relevant entity (Municipality or CPA) for any future development. The following <b>considerations and processes</b> should be taken into account by the Tenure Branch of DALRRD: <ul style="list-style-type: none"> <li>• Consideration of the implications of servitudes conditions included in the title deed.</li> <li>• Determine whether any land claims exist which are applicable to Genadendal (Farm No.39) and the implications thereof.</li> <li>• Consideration be given to the development of a Commonage Management Plan by the Municipality, in consultation with Department of Agriculture (WC) and DALRRD Tenure Branch.</li> <li>• The allocation of land within Genadendal for future projected urban growth should be accommodated, as per the current Theewaterskloof Municipal SDF.</li> <li>• Once the land is transferred, any proposed development shall be aligned with the current Theewaterskloof Municipal SDF.</li> </ul> </li> </ol>



Ref: 16-3-5-1-WC-3-A-1

NO 4	HAARLEM: GEORGE MUNICIPALITY
<b>PROPERTY DESCRIPTION</b>	<p><b>Property 1:</b> The remainder extent of portion 4 of Farm Welgelegen No. 230, in the George Local Municipality, Uniondale Division, Registration Division RD, Western Cape Province, measures 341.6325 hectares in extent</p> <p><b>Property 2:</b> The extent of portion 8 of Farm Welgelegen No. 230, in the George Local Municipality, Uniondale Division, Registration Division RD, Western Cape Province, measures 217.3687 hectares.</p> <p><b>Property 3:</b> The remainder of Erf 435 in Haarlem Township, George Local Municipality, Western Cape Province</p> <p><b>Property 4:</b> The extent of Erf 434 in Haarlem Township, George Local Municipality, Western Cape Province</p>
<b>OWNERSHIP</b>	<p>According to the Title Deed, Portion 4 and portion 8 of the Farm Welgelegen was registered in the name of the Minister of Local Government Housing and Agriculture (refer to endorsement T5280/70 – vide notice on 19/12/1984). Erf 434 is owned by the George Local Municipality and Lutheran Church of South Africa owns the remainder of Erf of 435.</p>
<b>RECOMMEND</b>	<ol style="list-style-type: none"> <li>1. It is recommended that <b>consultation</b> take place between the Community (Lutheran Church) and the George Municipality to determine the relevant portions to be formalised. The outcome of this consultation will inform a Terms of Reference that will address the necessary Municipal Town Planning processes to be followed (e.g. to address the unregistered subdivisions - Refer to A0 Discussion Map).</li> <li>2. It is recommended that the Minister of DALRRD take note of the following <b>development constraints</b> for any future Municipal Planning before the land can be transferred to the relevant entity (Municipality or CPA) for any future development. The following <b>considerations and processes</b> should be taken into account by the Tenure Branch of DALRRD on the TRANCRAA properties held in trust: <ul style="list-style-type: none"> <li>• Consideration of implications of restrictive conditions.</li> <li>• That the remainder of Erf 435 is privately owned.</li> <li>• Development to be proposed after the land is transferred, shall be aligned with the current George Municipal Spatial Development Framework (MSDF). The potential future land use on the commonage is agricultural as per Wards 24 and 25 Spatial Development Plan.</li> <li>• The commonage area falls within a mountainous slope and no human development should take place.</li> <li>• All the unregistered subdivisions from the commonage area to be registered at the Deeds Office in order to identify the existing Remainder of the Farm to be transferred to the community or CPA.</li> <li>• Consideration to be given to the development of a Commonage Management Plan by the Municipality in consultation with Department of Agriculture (WC) and DALRRD Tenure Branch.</li> </ul> </li> </ol>



**Agricultural Infrastructure & Commodities : Haarlem**

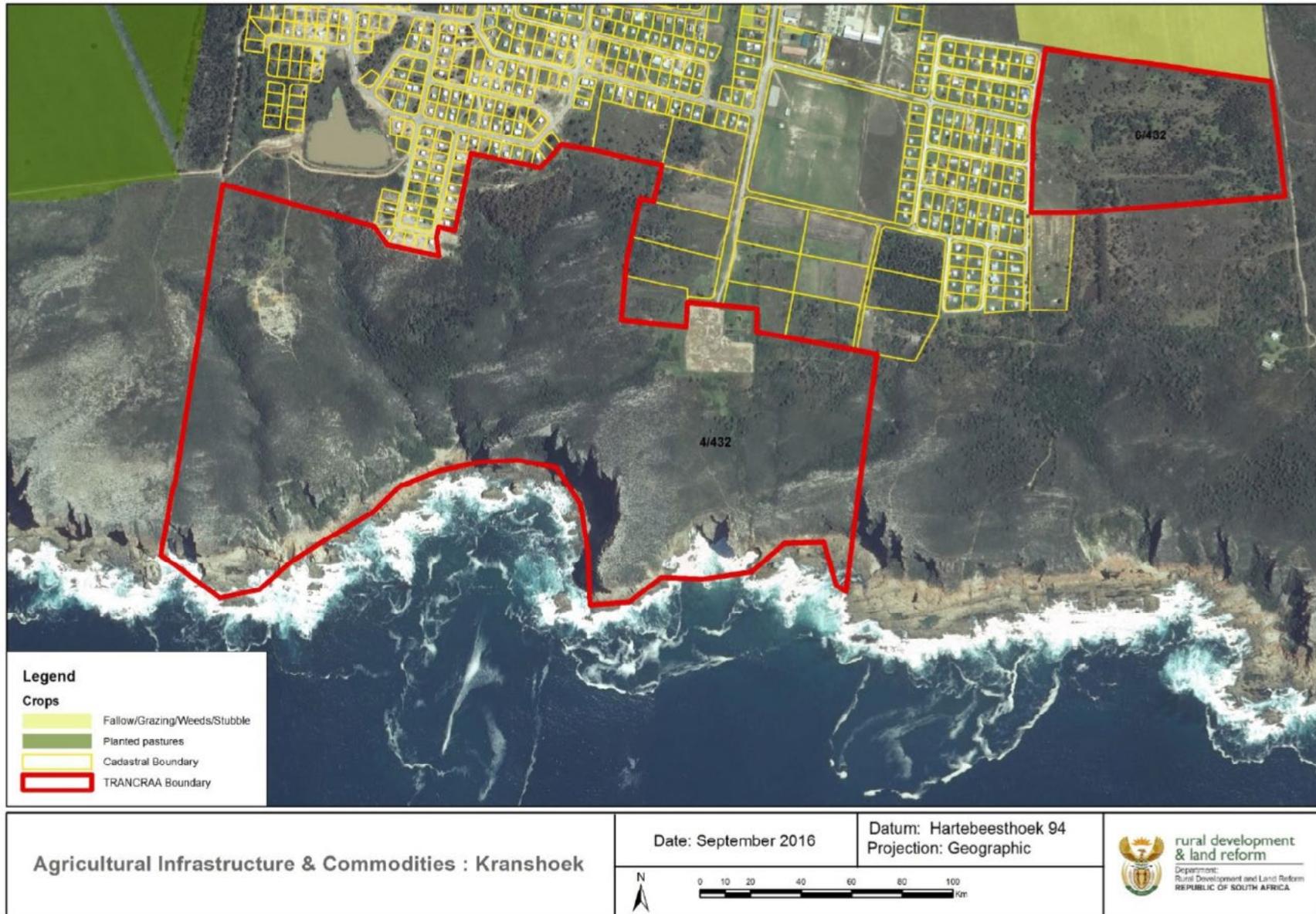
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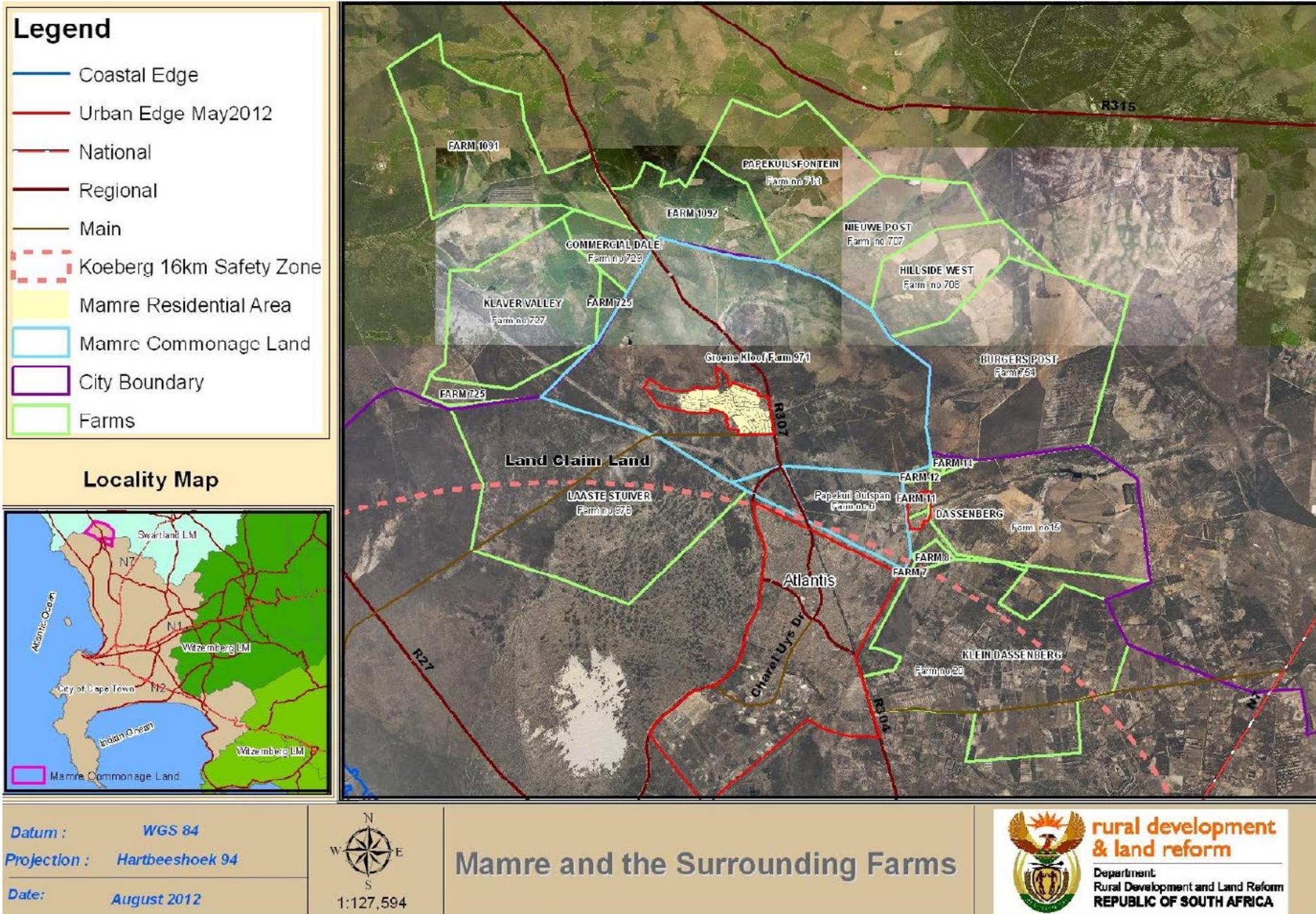
Ref. 16-3-5-1-WC-4-D-1

NO 5	KRANSHOEK: BITOU MUNICIPALITY
<b>PROPERTY DESCRIPTION</b>	<p><b>Property 1 &amp; 2:</b> Remainder extent of Portion 4 and Portion 6 of the Farm Kranshoek No. 432, registered at the Deeds Office in the Bitou Local Municipality, Knysna Division, Registration Division RD, Western Cape Province, measures 10.8884 hectares (Portion 4) and 64.3562 (Portion) in extent.</p> <p>The TRANCRAA commonage area of Farm Kranshoek No. 432 is estimated to be approximately 75.2936 hectares.</p>
<b>OWNERSHIP</b>	<p>According to the Title Deed, Portion 4 and portion 6 are currently owned by the Bitou Local Municipality. The two Portions were formerly owned by Simon George Molony and transferred to the Government of the Union of South Africa on the 27<sup>th</sup> June 1957.</p>
<b>RECOMMEND</b>	<p><b>In the light of the fact that the Commonage Area of Kranshoek has already been transferred to the Bitou Municipality, it is considered that no transfer of the land (held in Trust by the Minister) to either the CPA or the Municipality is required.</b></p> <ol style="list-style-type: none"> <li>1. It is recommended that <b>consultation</b> take place between the Community and the Bitou Municipality to determine the relevant portions to be formalised (if any). The outcome of this consultation will inform a Terms of Reference that will address the necessary Municipal Town Planning processes to be followed (e.g. to address the unregistered subdivisions - Refer to AO Discussion Map).</li> <li>2. It is recommended that the Municipality take note of the following <b>development constraints</b> applicable to Portion 4 and Portion 6 of Farm No. 432, identified in this Status Quo Report: <ul style="list-style-type: none"> <li>• The spatial proposals contained in the approved Bitou Local Municipality Spatial Development Framework (MSDF). The MSDF proposed MTB/ hiking route network and protected natural areas and coastal walks in the remainder of Portion 4 of Farm Kranshoek No. 432, while Intensive Agriculture is proposed in the remainder of Portion 6 Farm Kranshoek No. 432.</li> <li>• Consideration to be given to the development of a Commonage Management Plan by the Municipality, in consultation with Department of Agriculture (WC) and DALRRD Tenure Branch.</li> <li>• Encourage inward growth of a settlement in order to achieve sustainable internal densities.</li> </ul> </li> </ol>

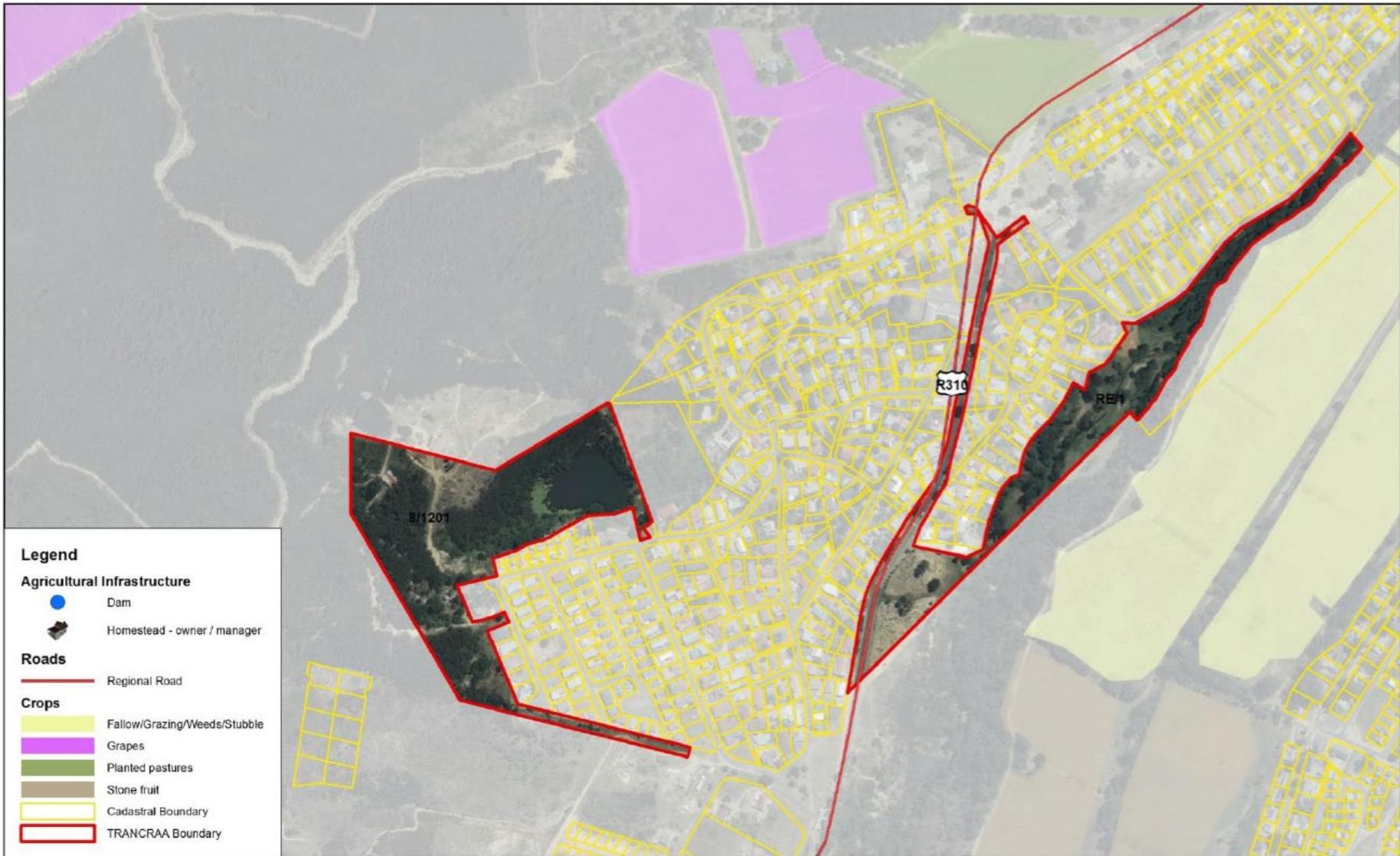


Ref. 16-3-5-1-WC-4-F-2

NO 6	MAMRE: CITY OF CAPE TOWN
PROPERTY DESCRIPTION	<p><b>TRANCRAA Commonage:</b></p> <p><b>Property 1:</b> The farm Groene Kloof No. 971, Malmesbury Registration Division, held vide Title Deed No. T12394/1978, measuring 3749, 9047 hectares in extent. Incorporated in terms of Proclamation No. 64 of 1911 (Mission Stations and Communal Reserves Act)</p> <p><b>Property 2:</b> Portion 1 of the farm Papekuil Outspan No.6, Cape Registration Division, held vide Title Deed No. T1961/ 1965, measuring 527, 8811 hectares in extent. Incorporated in terms of Proclamation No. 275 of 1970 (Coloured Rural Areas Act No. 24 of 1963)</p> <p>Restitution Claim:</p> <p><b>Property 3 &amp; 4:</b> Portion 1 and Remainder of Farm Laaste Stuiwer No. 976, Malmesbury District</p>
OWNERSHIP	<p>The land was held in trust for the community by the Minister and it was agreed that if the restitution claim is successful it would be incorporated into the commonage area. The land was transferred to the Mamre Communal Property Association in September 2013 after a successful claim in 2010.</p>
RECOMMEND	<p><b>In the light of the fact that the Commonage has already been transferred to the CPA, it is considered that no further processes in terms of TRANCRAA is required.</b></p> <ol style="list-style-type: none"> <li>1. It is recommended that <b>consultation</b> take place between the Community, the DALRRD and the City of Cape Town to finalise the outstanding land transfer issues. The outcome of this consultation will inform a Terms of Reference that will address the necessary Municipal Town Planning processes to be followed.</li> <li>2. It is recommended that the CPA, the Tenure Branch of DALRRD and the City of Cape Town take note of the following <b>development constraints</b> and other <b>considerations and processes</b> for any future development: <ul style="list-style-type: none"> <li>• Consideration of implications of restrictive conditions on a Title Deed.</li> <li>• The finalisation of a Spatial Plan for Mamre.</li> <li>• Development to be proposed shall be aligned with the MSDF.</li> <li>• Support required from WCDOA in the implementation of an Agricultural Plan for the Mamre commonage area.</li> <li>• The biodiversity importance of the Laaste Stuiwer Farm and request by CapeNature to declare it a Nature Reserve (21 June 2013).</li> <li>• The Environmental Authorisation (2 July 2013) for the establishment of a wind energy farm on the Laaste Stuiwer farm (Groene Kloof Wind Energy project).</li> </ul> </li> </ol>



NO 7	PNIEL: STELLENBOSCH
PROPERTY DESCRIPTION	<p><b>Property 1:</b> Remainder of Erf 1 of Pniel, in the Stellenbosch Local Municipality, Paarl Division, Registration RD, Western Cape, measures 5.2992 hectares in extent.</p> <p><b>Property 2:</b> Remainder of Portion 6 of Farm Rhonen &amp; Lanquedoc No. 1173 of Pniel, in the Stellenbosch Local Municipality, Paarl Division, Registration RD, Western Cape, measures 0.4640 hectares in extent.</p> <p><b>Property 3:</b> Portion 1 of the Farm Langedok No. 1176 in the Stellenbosch Local Municipality, Paarl Division, Registration RD, Western Cape, measures 0.2764 hectares in extent.</p> <p><b>Property 4:</b> Remainder of Portion 8 of Farm 1201, in the Stellenbosch Local Municipality, Paarl Division, Registration RD, Western Cape, measures 6.8773.2992 hectares in extent (According to the Survey General Office) and 6.8573 hectares (Deeds Office).</p>
OWNERSHIP	<p>According to the Title Deed, the remainder of Portion 6 of Farm Rhonen &amp; Lanquedoc No. 1173 and Portion 1 of the Farm Langedok No. 1176 are currently owned by the Management Council of Pniel which is now under the Stellenbosch Local Municipality. The remainder of Erf 1 and Portion 8 of Farm No. 1201 are currently owned by the Community of Pniel and held in trust by DALRRD for the beneficiaries, as per prescriptions of the TRANCRAA.</p>
RECOMMEND	<ol style="list-style-type: none"> <li>1. It is recommended that <b>consultation</b> take place between the Community and the Stellenbosch Municipality to determine the relevant portions to be formalised (if any). The outcome of this consultation will inform a Terms of Reference that will address the necessary Municipal Town Planning processes to be followed (e.g. to address the unregistered subdivisions - Refer to A0 Discussion Map).</li> <li>2. It is recommended that the Minister of DALRRD to take note of the <b>development constraints</b> for any future Municipal Planning before the land be transferred to the relevant entity (Municipality or CPA) for any future development. The following <b>considerations and processes</b> should be taken into account by the Tenure Branch of DALRRD on the TRANCRAA properties held in trust: <ul style="list-style-type: none"> <li>• Consideration of implications of restrictive conditions on a Title Deed.</li> <li>• Development to be proposed after the land is transferred to the legal entity of the Community shall be aligned with the current MSDF. MSDF proposal declared Pniel as core heritage areas and that there should be rivers and canals river conservation corridors with 10 to 30m setbacks from the river bank.</li> <li>• That Municipal assets such as a cemetery to be formalized by the Stellenbosch Local Municipality.</li> <li>• That there is servitude of right of way 10 meters wide in favour of the remainder of the Farm No. 1201.</li> <li>• Consideration be given to the development of a Commonage Management Plan by the Municipality in consultation with Department of Agriculture (WC) and DALRRD Tenure Branch.</li> </ul> </li> </ol>



**Legend**

**Agricultural Infrastructure**

- Dam
- Homestead - owner / manager

**Roads**

- Regional Road

**Crops**

- Fallow/Grazing/Weeds/Stubble
- Grapes
- Planted pastures
- Stone fruit
- Cadastral Boundary
- TRANCRAA Boundary

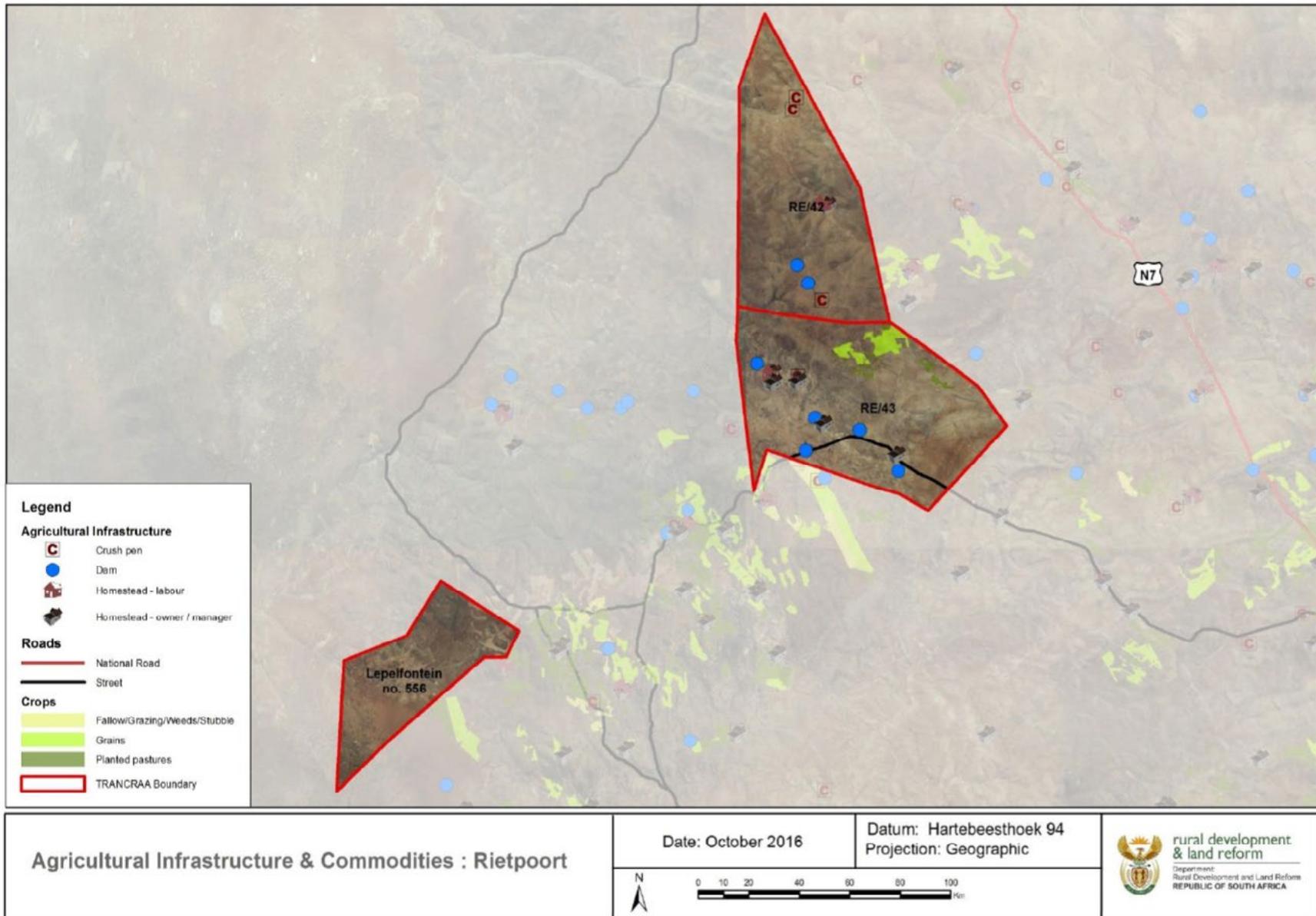
# Agricultural Infrastructure & Commodities : Pniel

Date: October 2016	Datum: Hartebeesthoek 94 Projection: Geographic	

**rural development & land reform**  
 Department:  
 Rural Development and Land Reform  
 REPUBLIC OF SOUTH AFRICA

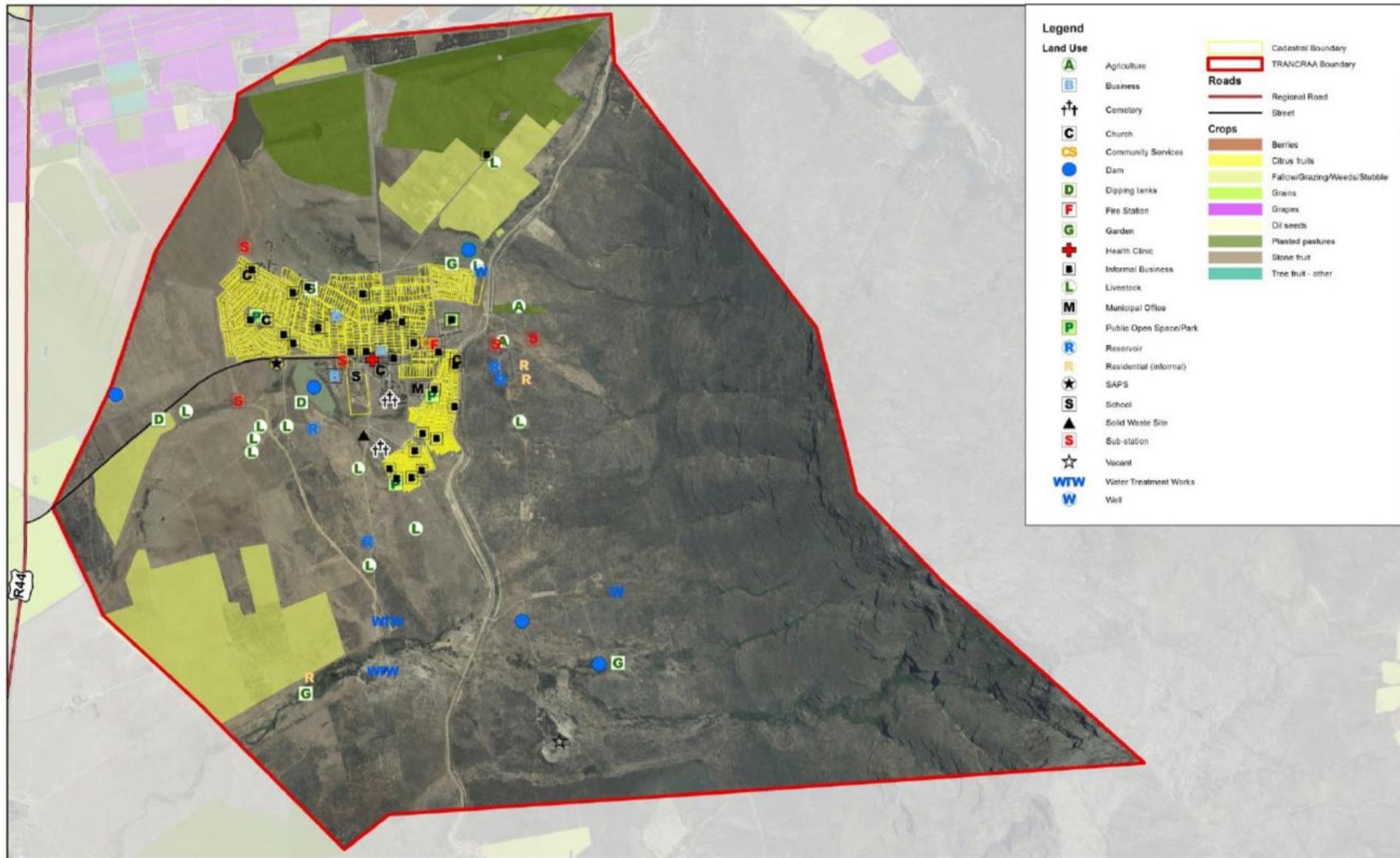
Ref: 16-3-5-1-WC-2-A-1

NO 8	RIETPOORT: MATZIKAMA MUNICIPALITY
<b>PROPERTY DESCRIPTION</b>	<p><b>Property 1:</b> Remainder of Farm Stofkraal No. 42, in Matzikama Local Municipality, Vanrhynsdorp Division, Registration RD, Western Cape, measures 5554.3306 hectares in extent.</p> <p><b>Property 2:</b> Remainder of Farm Rietpoort No. 43, in Matzikama Local Municipality, Vanrhynsdorp Division, Registration RD, Western Cape, measures 6591.4600 hectares in extent.</p> <p><b>Property 3:</b> Remainder of Erf 47 of Farm 556 in Lepelsfontein, in Kamiesberg Local Municipality, Northern Cape, measuring 2803.0809 hectares in extent.</p>
<b>OWNERSHIP</b>	<p>The remainder of Farm Stofkraal No. 42, the remainder of Farm Rietpoort No. 43 and Remainder of Erf 47 of Farm 556 in Lepelsfontein are currently in the custodianship (held in trust) of the DALRRD for the beneficiaries, as per prescriptions of the TRANCRAA. The community of Rietpoort is the registered owner of the aforementioned TRANCRAA properties.</p> <p>The subject properties were transferred incorrectly to the West Coast District Municipality on 9 March 2011. The two parties agreed on 13 July 2011 to transfer the properties back to the Community of Rietpoort, free from any compensation to be paid by any party to the other.</p>
<b>RECOMMEND</b>	<p>It is recommended that <b>consultation</b> take place between the Community and the Local Municipality of Matzikama to determine the relevant portions to be formalised (e.g. Molsvlei/Stofkraal Settlements). The outcome of this consultation will inform a Terms of Reference that will address the necessary Municipal Town Planning processes to be followed (e.g. to address the unregistered subdivisions - Refer to A0 Discussion Map).</p> <p>It is recommended that the Minister take note of the following <b>development constraints</b> for any future Municipal Planning before the land is transferred to the relevant entity (Municipality or CPA) for any future development, the following <b>considerations and processes</b> to be taken into account by the Tenure Branch of DALRRD:</p> <ul style="list-style-type: none"> <li>• Consideration of implications of servitudes on a Title Deed.</li> <li>• Development to be proposed, after the land is transferred, shall be aligned with the current Matzikama Municipal Spatial Development Framework (MSDF). The SDF proposed Heritage Area on the north of the settlement outside the urban edge and the new development on the open space within the urban edge.</li> <li>• A Commonage Management Plan should be considered, to assist the new owner/entity to utilize the land sustainably.</li> </ul>



Ref: 16-3-5-1-WC-1-A-1

NO 9	SARON: DRAKENSTEIN
<b>PROPERTY DESCRIPTION</b>	<p><b>Property 1:</b> Farm Saron No. 40 in the Drakenstein Local Municipality, Tulbagh Division, Registration Division RD, Western Cape Province measures 3478.8775 hectares in extent. The total farm area includes all registered and unregistered subdivisions and the current Farm remainder.</p> <p><b>Property 2:</b> The Commonage Area is referred to as the Remainder Extent of Farm Saron No. 40, registered at the Deeds Office in the Drakenstein Local Municipality, Tulbagh Division, Registration Division RD, Western Cape Province. The farm measures 3305.0596 hectares in extent.</p>
<b>OWNERSHIP</b>	<p>Farm Saron No. 40 before deduction was formerly owned by Rhenish Mission Society of Barmen, Germany and transferred to the trust with affect from the 1 April 1963. In accordance with Proclamation Act 60 of 1963 and in terms of Section 8 of Act 24 of 1963, the land vested with the Minister of Coloured Affairs in trust for the purposes of the Act 24 of 1963. Thereafter the Commonage Area of Farm Saron No. 40 was passed to Drakenstein Municipality. However, the Commonage Area is currently owned by Drakenstein Local Municipality.</p>
<b>RECOMMEND</b>	<p><b>In the light of the fact that the Farm Saron No. 40 has already been transferred to the Drakenstein Municipality, it is considered that no transfer of the land (held in Trust by the Minister) to either the CPA or the Municipality is required.</b></p> <ol style="list-style-type: none"> <li>1. It is recommended that <b>consultation</b> take place between the Community and the Drakenstein Municipality to determine the relevant portions to be formalised. The outcome of this consultation will inform a Terms of Reference that will address the necessary Municipal Town Planning processes to be followed (e.g. to address the unregistered subdivisions - Refer to A0 Discussion Map).</li> <li>2. It is recommended that the Municipality take note of the following <b>development constraints</b> applicable to Farm Saron No. 40 identified in this Status Quo Report: <ul style="list-style-type: none"> <li>• Restrictive conditions on a Title Deed related to trees and the use of water.</li> <li>• The land claim on the land and the potential implications.</li> <li>• The spatial proposals contained in the approved Drakenstein Local Municipality Spatial Development Framework (MSDF). The potential future land use on the commonage is shown as agricultural purposes.</li> <li>• That some Municipal assets such as reservoirs, cemeteries, sports fields or waste water treatment works be formalized by the Drakenstein Municipality.</li> <li>• Consideration be given to develop a Commonage Management Plan by the Municipality in consultation with Department of Agriculture (WC) and DALRRD Tenure Branch.</li> </ul> </li> </ol>



**Legend**

**Land Use**

- A Agriculture
- B Business
- †† Cemetery
- C Church
- CS Community Services
- D Dam
- D Dipping tanks
- F Fire Station
- G Garden
- + Health Clinic
- I Informal Business
- L Livestock
- M Municipal Office
- P Public Open Space/Park
- R Reservoir
- R Residential (informal)
- ★ SAPS
- S School
- ▲ Solid Waste Site
- S Sub-station
- ☆ Vacant
- WTW Water Treatment Works
- W Well

**Roads**

- Cadestral Boundary
- TRANCRAA Boundary
- Regional Road
- Street

**Crops**

- Berries
- Citrus fruits
- Fallow/Grazing/Weeds/Stubble
- Grains
- Grapes
- Oil seeds
- Planted pastures
- Stone fruit
- Tree fruit - other

# Land Use : Saron

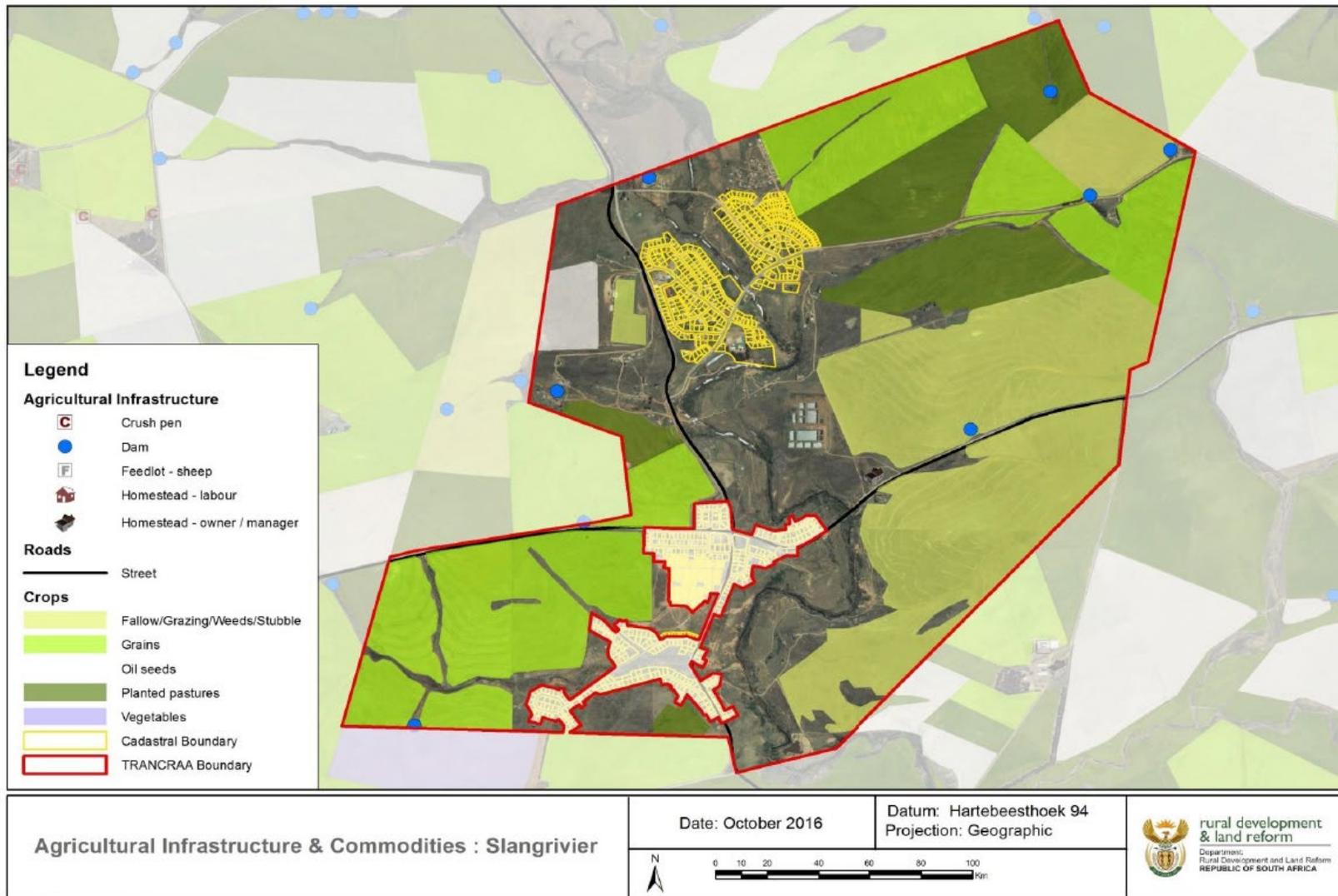
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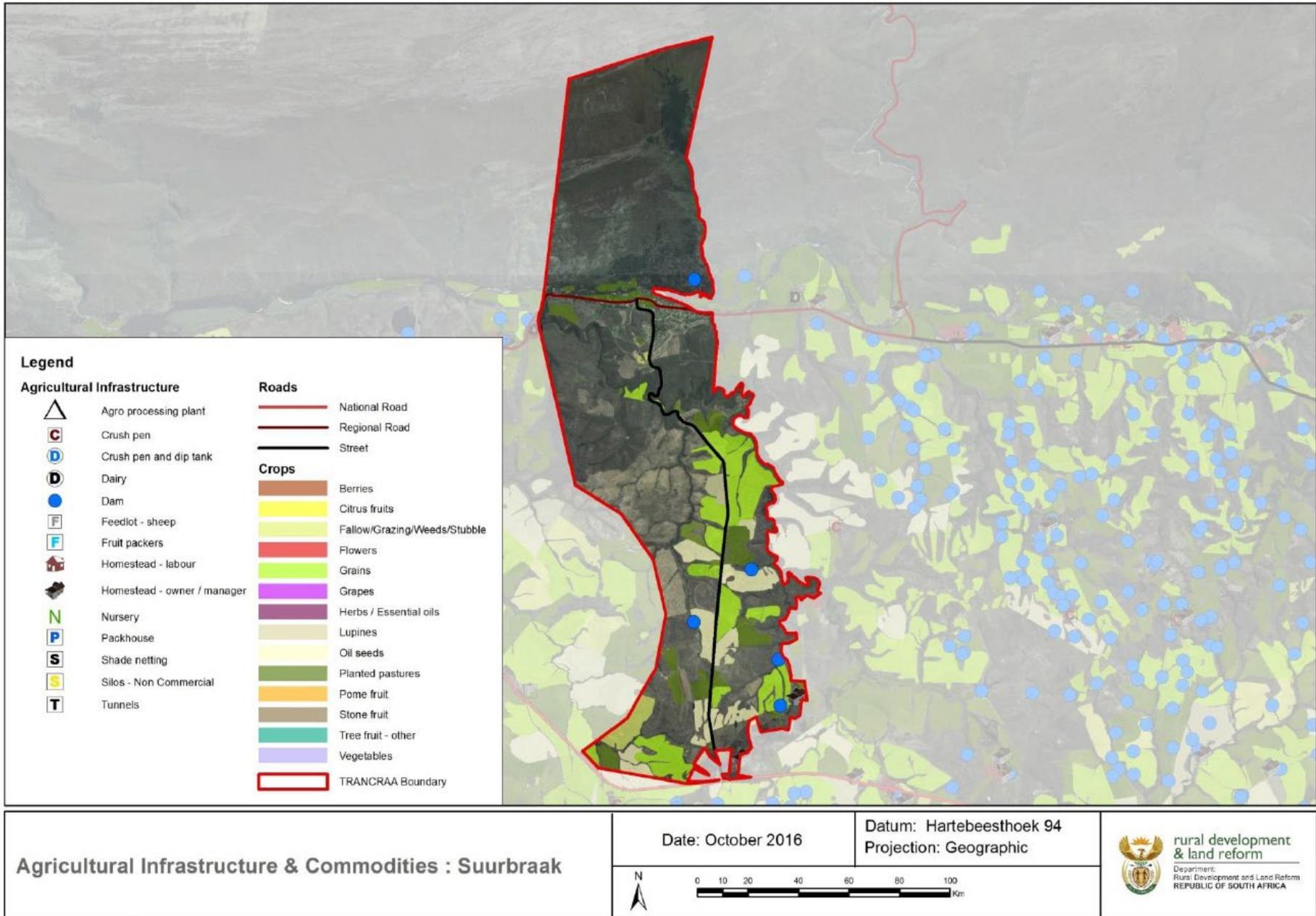


Ref: 16-3-5-1-WC-2-D-1

NO 10	SLANGRIVIER: HESSEQUA MUNICIPALITY
<b>PROPERTY DESCRIPTION</b>	<b>Property 1:</b> The Commonage Area is described as the remainder of Farm Hottentot No. 309 in the Hessequa Local Municipality, Registration Division Swellendam RD, Western Cape Province measures 804.2801 hectares in extent (792.7788 hectares according to SGO). The total farm area includes all registered and unregistered subdivisions and the current Farm remainder.
<b>OWNERSHIP</b>	The commonage area of Slangriviervier is currently in the custodianship of the Department of Rural Development and Land Reform, as per the prescriptions of the TRANCRAA. The registered owner according to the Title Deed is Hessequa Local Municipality.
<b>RECOMMEND</b>	<p><b>In the light of the fact that the Farm Hottentot No. 309 has already been transferred to the Hessequa Municipality, it is considered that no transfer of the land (held in Trust by the Minister) to either the CPA or the Municipality is required.</b></p> <ol style="list-style-type: none"> <li>1. It is recommended that <b>consultation</b> take place between the Community and the Hessequa Municipality to determine the relevant portions to be formalised. The outcome of this consultation will inform a Terms of Reference that will address the necessary Municipal Town Planning processes to be followed (e.g. to address the unregistered subdivisions - Refer to AO Discussion Map).</li> <li>2. It is recommended that the Municipality take note of the following <b>development constraints</b> applicable to Farm Hottentot No. 309 identified in this Status Quo Report: <ul style="list-style-type: none"> <li>— Restrictive conditions on a Title Deed related to right of usufruct and water.</li> <li>— The settlement on the north of the farm is still part of the commonage area.</li> <li>— Check the status of land claims, if applicable.</li> <li>— The spatial proposals contained in the approved Hessequa Local Municipality Spatial Development Framework (MSDF). The potential future land use on the commonage is shown as agricultural purposes.</li> <li>— Consideration to be given to the development of a Commonage Management Plan by the Municipality in consultation with Department of Agriculture (WC) and DALRRD Tenure Branch.</li> <li>— That some Municipal assets such as cemeteries to be formalized by the Hessequa Municipality.</li> </ul> </li> </ol>



NO 11	SUURBRAAK: SWELLENDAM
<b>PROPERTY DESCRIPTION</b>	<b>Property 1:</b> The Commonage Area is described as the remainder of Erf 1 in Suurbraak Township, Swellendam Local Municipality, Western Cape, measures 4122.2274 hectares in extent.
<b>OWNERSHIP</b>	The Suurbraak Commonage was originally vested in the Village Management Board of Suurbraak. According to the Title Deed (T64424/1998), the Suurbraak Commonage is currently owned by the Swellendam Local Municipality.
<b>RECOMMEND</b>	<p>In the light of the fact that Erf 1 of Suurbraak has already been transferred to the Swellendam Local Municipality, it is considered that no transfer of the land (held in Trust by the Minister) to either the CPA or the Municipality is required.</p> <ol style="list-style-type: none"> <li>1. It is recommended that <b>consultation</b> take place between the Community and the Swellendam Municipality to determine the relevant portions to be formalised. The outcome of this consultation will inform a Terms of Reference that will address the necessary Municipal Town Planning processes to be followed (e.g. to address the unregistered subdivisions - Refer to A0 Discussion Map).</li> <li>2. It is recommended that the Municipality take note of the following <b>development constraints</b> applicable to identified in this Status Quo Report: <ul style="list-style-type: none"> <li>• Restrictive conditions on a Title Deed.</li> <li>• The spatial proposals contained in the approved MSDF. Potential future land uses on the commonage is agricultural purposes.</li> <li>• The current land uses on the Section 3 land (commonage) are small scale farming and agriculture.</li> <li>• Land use needs identified in the current Swellendam SDF should be considered to accommodate future growth without negatively impacting the rural and historical character of the area.</li> <li>• Consideration be given to develop a Commonage Management Plan by the Municipality in consultation with Department of Agriculture (WC) and DALRRD Tenure Branch.</li> </ul> </li> </ol>



**Agricultural Infrastructure & Commodities : Suurbraak**

Date: October 2016

Datum: Hartebeesthoek 94  
Projection: Geographic

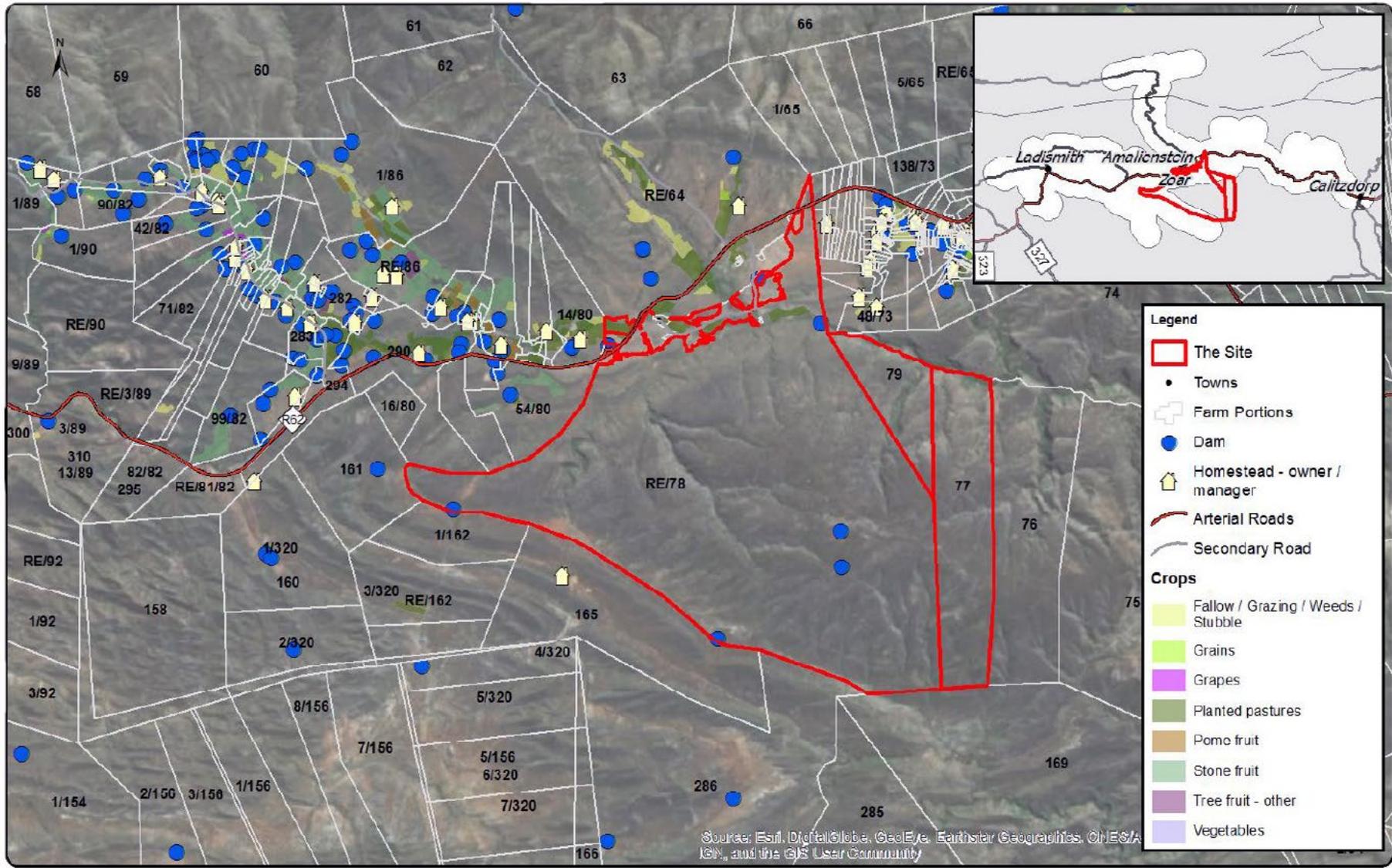


**rural development & land reform**  
Department: Rural Development and Land Reform  
REPUBLIC OF SOUTH AFRICA

Ref: 16-3-5-1-WC-3-D-2

NO 12	ZOAR: KANNALAND MUNICIPALITY
<p><b>PROPERTY DESCRIPTION</b></p>	<p><b>TRANCRAA properties:</b></p> <p><b>Property 1:</b> the remaining extent of Farm Zoar No. 78, in the Kannaland Local Municipality, Ladismith Registration Division, Western Cape, measuring 4658,0461 in extent.</p> <p><b>Property 2:</b> The Farm Koeskoro West No. 77, in the Kannaland Local Municipality, Ladismith Registration Division, Western Cape, measuring 725.7353 (According to the Tenure Branch) in extent.</p> <p><b>Property 3:</b> The Farm Vlugt No. 79, in the Kannaland Local Municipality, Ladismith Registration Division, Western Cape, measuring 295.4107 (According to the Tenure Branch) in extent</p> <p><b>Other properties in Zoar:</b></p> <p><b>Property 4:</b> The Farm Elandsfontein No. 64, in the Kannaland Local Municipality, Ladismith Registration Division, Western Cape Province, measuring 2038,5462 hectares in extent.</p> <p><b>Property 5:</b> Farm Annex Elandsfontein No. 62, in the Kannaland Local Municipality, Ladismith Registration Division, Western Cape Province, measuring 496,7886 hectares in extent.</p> <p><b>Property 6:</b> The Farm De Poort No. 61, in the Kannaland Local Municipality, Ladismith Registration Division, Western Cape Province, measuring 1520,6898 hectares in extent.</p> <p><b>Property 7:</b> The Portion of Farm Tigerkloof No. 62, in the Kannaland Local Municipality, Ladismith Registration Division, Western Cape Province, measuring 3352,5347 hectares in extent.</p>
<p><b>OWNERSHIP</b></p>	<p>It is stated that the properties in Zoar are owned by three different organizations. The settlement called Amelienstein forms part of Zoar.</p> <p>The remaining extent of Farm Zoar No. 78 is owned by the Provincial Government of Western Cape.</p> <p>The remainder of Farm Koeskoro 77 and the remainder of Farm Vlugt 79 are registered in the name of the “Native occupants of the Zoar Lands” (Title Deed LAQ5-4/1899).</p> <p>According to the Title Deed, the Farm Elandsfontein No. 64, the Farm Annex Elandsfontein No. 62, Farm De Poort No. 61 and the remainder of Portion of Farm Tigerkloof No. 62 are currently owned by the “Bestuursraad van Zoar” which the Local Municipality of Zoar is, named Kannaland Local Municipality.</p>

NO 12	ZOAR: KANNALAND MUNICIPALITY
RECOMMEND	<ol style="list-style-type: none"> <li>1. It is recommended that <b>consultation</b> take place between the Community and the Local Municipality of Kannaland to determine the relevant portions to be formalised. The outcome of this consultation will inform a Terms of Reference that will address the necessary Municipal Town Planning processes to be followed (e.g. to address the unregistered subdivisions - Refer to A0 Discussion Map).</li> <li>2. The Minister of DALRRD should take note of the following <b>development constraints</b> for any future Municipal Planning before the land be transferred to the relevant entity (Municipality or CPA) for any future development, the following <b>considerations and processes</b> to be taken into account by the Tenure Branch of DALRRD on the TRANCRAA properties held in trust: <ul style="list-style-type: none"> <li>— Consideration of implications of restrictive conditions on a Title Deed.</li> <li>— Development to be proposed after the land is transferred to the legal entity of the Community shall be aligned with the current Spatial Development Framework (MSDF). The SDF proposed that Amalienstein mission station and surrounds should be a heritage precinct so that existing and new buildings and landscaping enhance the current quality of the urban environment.</li> <li>— Consideration be given to the development of a Commonage Management Plan by the Municipality, in consultation with Department of Agriculture (WC) and DALRRD Tenure Branch.</li> </ul> </li> </ol>



**-- Crops and Agricultural Infrastructure --**  
 Zoar Farm No.78, Vlught Farm No.79 & Koeskooro West Farm No.77

Date: 20-Jun-19      Datum: Hartebeesthoek 94  
 Projection: Geographic

0 1 2 3 4 5 Km





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**Western Cape  
Government**

Environmental Affairs &  
Development Planning