

South Africa Yearbook 2015/16

Rural Development



The Department of Rural Development and Land Reform (DRDLR) has an ongoing commitment to building sustainable rural livelihoods that aligns the department's work with Chapter 6 of the National Development Plan (NDP) and Outcome 7 of government's 2014-2019 Medium Term Strategic Framework (MTSF).

The NDP and the framework set out that sustainable rural livelihoods will depend on integrated spatial planning and land administration, land reform, and sustainable rural enterprises and industries, among other things.

In line with this, over the medium term the department will focus on implementing its Recapitalisation and Development Programme (RADP), establishing the Office of the Valuer-General, reopening the lodgement of land claims, increasing participation in the rural youth service corps and implementing spatial planning legislation.

The department's RADP is responsible for making redistributed land productive and profitable through mechanised irrigation, farmer mentorship and other interventions to improve farms. Since the programme's inception in 2008/09, just over 4.3 million hectares of land have been acquired for redistribution and 1 459 farms have been created through the department's recapitalisation and development interventions.

It is envisaged that over the medium term, about 1.2 million hectares of strategically located land will be acquired and 1 051 productive and profitable farms created. The estimated cost is R4,7 billion, reflected in the Agricultural Land Holding Account subprogramme in the Land Reform programme.

Expenditure on consultants and professional services and travel and subsistence in the programme is expected to rise moderately to fund these reform activities.

Legislation and policies

The DRDLR executes its legislative mandate around the following Acts:

- The Restitution of Land Rights Act, 1994 (Act 22 of 1994) provides for the restitution of rights in land to persons or communities dispossessed of such rights after 19 June 1913. The Act makes provision for the establishment of the Commission on Restitution of Land Rights and the Land Claims Court. The

Minister of Rural Development and Land Reform is authorised to purchase, acquire and expropriate land or rights in land for the purpose of restitution awards.

- The Provision of Land and Assistance Act, 1993 (Act 126 of 1993) provides for the designation of certain land, the regulation of the subdivision of such land and the settlement of persons thereon. It also provides for the acquisition, maintenance, planning, development, improvement and disposal of property and the provision of financial assistance for land reform purposes.
- The Communal Property Associations (CPAs) Act, 1996 (Act 28 of 1996) enables communities to form juristic persons – to be known as communal property associations, to acquire – hold and manage property on basis agreed to by members of a community in terms of a written constitution.
- The Transformation of Certain Rural Areas Act, 1998 (Act 94 of 1998) provides for the transfer of certain land to municipalities and certain other legal entities, as well as for the removal of restrictions on the alienation of land.
- The Physical Planning Act, 1991 (Act 125 of 1991) promotes the orderly physical development of South Africa, and for that purpose makes provisions for the division of the country into regions, and for the preparation of national development plans, regional development plans, regional structure plans and urban structure plans.
- The Deeds Registries Act, 1937 (Act 47 of 1937) provides for the administration of the land registration system and the registration of land rights.
- The Restitution of Land Rights Amendment Act of 2014, (Act 15 of 2014) extends the deadline for land claims to June 2019. The amendment also criminalises false and fraudulent claims that have been deemed a waste of taxpayers' money, where people submit land claims, knowing that they do not have a valid historic claim to a piece of land. The Act reopens the window for persons or communities dispossessed of their land due to past discriminatory laws and policies to lodge claims. Extending the deadline for the lodging of claims was in line with the proposals of the NDP, the Comprehensive Rural Development Programme (CRDP) and other growth strategies intended

to promote national reconciliation and social cohesion. Cabinet also approved the submission of the report on the Audit of Registered State Land and a desktop analysis of private land ownership in South Africa for submission to Parliament. The audit aims to determine the quantity of state-owned land and what it was used for. The land audit will be used to enhance the integrity of the land register, which will serve as the basis for enhanced land planning and administration, including other functions relating to property portfolio management and improved service delivery. About 1,15 million land parcels have been surveyed. The State owns 14% of land in South Africa, 79% is privately owned and 7% has not been registered. About four million hectares of unregistered land in the former Transkei are occupied by citizens and will be transferred either by the State or private owners once the verification process has been concluded.

- The Spatial and Land Use Management Act, 2013 (Act 16 of 2013) seeks to bridge the racial divide in spatial terms and transform the settlement patterns that put a considerable burden on public resources. The Act will also ensure that the restructuring of South African cities, towns and settlements is in line with the priorities and principles of the democratic government.

The objectives of the Act are to:

- provide for a uniform, effective and comprehensive system of spatial planning and land-use management
- ensure that the system of spatial planning and land-use management promotes social and economic inclusion
- provide for development principles, norms and standards
- provide for the sustainable and efficient use of land
- provide for the cooperative government and intergovernmental relations among the national, provincial and local spheres of government
- redress the imbalances of the past and ensure that there is equity in the application of spatial development planning and land-use management.
- The Co-operatives Amendment Act, 2013 (Act 6 of 2013). This is an amendment to the

Co-operatives Act, 2005 (Act 14 of 2005), which came into effect on 2 May 2007. It provides for the establishment, functions and powers of the Co-operatives Development Agency. Among other things, the amendment also provides for associate membership of co-operatives, the annual submission of information to the Companies and Intellectual Property Commission, categories of primary co-operatives and the national apex co-operatives. Besides providing for the establishment, composition and functions of the Co-operative Tribunal, the Act provides for a co-operative to apply for a declaratory order in respect of the liquidation process, and for the registrar of the tribunal to order the winding-up of a cooperative. The legislation amends the accounting practices by providing for the audit and independent review of cooperatives, the payment of fees by the cooperative for the amalgamation, division and conservation, including the transfer of co-operatives. The act states that the provincial departments of economic development, under which co-operatives in South Africa fall, will be responsible for coordinating and reporting all co-operative activities in the provinces involving other departments and stakeholders, while the municipalities will be responsible for coordinating activities within their area of jurisdiction.

Budget and funding

Over the medium term, R2,6 million was transferred to the CRDP to provide funds for basic services and infrastructure to households.

For the 2015/16 financial year, the department intended on acquiring 208 350 hectares at a cost of R1,253 billion. Of this, R141,19 million would be spent on acquiring land for farm dwellers and R132,19 million for labour tenants.

A sum of R112 million was set aside to support 65 new non-agricultural rural enterprises and the department put aside R2 billion for Agri-parks.

Of this:

- R626,3 million was allocated for the acquisition of 185 000 hectares of strategically located

In 2015, the Department of Rural Development and Land Reform supported 210 rural enterprises in rural development initiatives with a special focus on 27 District Municipalities.

In 2015, the Department of Rural Development and Land Reform implemented 48 projects in rural communities to improve production of improved food security. The department also coordinated 116 socio-economic infrastructure projects to the benefit of 9 736 households. Over 31 infrastructure projects were facilitated within the 27 priority districts to support Agri-Parks development. There were 2 206 smallholder farmers who benefited from 451 Animal and Veld Management Programme projects that were implemented. The River Valley Catalytic Programme was supported by 24 projects which helped 1 460 households. Other rural development initiatives assisted 210 rural enterprises.

land for small-holder farmers who will produce within the Agri-Parks

- R362,8 million was set aside for recapitalisation and development of farms that form part of the Agri-Parks.

Role players

National Reference Group

The National Reference Group is an inclusive structure that represents varied interest groups ranging from beneficiaries, organised agriculture and civil society to academics and experts on land and agrarian issues. National reference groups constitute five working groups in respect of policy proposals made by the department in the Green Paper, namely the Land Management Commission; Land Rights Management Board and committees; Office of the Land Valuer-General; Three-Tier Tenure System; and Legislative Amendments and communal tenure.

Geospatial and cadastral services

The national geospatial information component is responsible for the national control survey network, the national mapping and aerial imagery programmes and the provision of geospatial information services.

This component will continue its map literacy and map awareness training for adults, and support to educators and learners to promote the use of geospatial information. Priority will be given to rural communities.

Aerial imagery is a significant source of geospatial information and a record of the land at a given time. National geospatial information acquires aerial imagery annually. The CRDP sites have been prioritised.

The branch will also assist in creating orderly and sustainable rural settlements by

ensuring alignment and harmonisation of rural development plans with existing planning frameworks, including provincial growth and development strategies and integrated development plans.

The department has considered the adverse affect that disasters have on rural areas and the lives of rural people, and included in its strategy a disaster management component, which, together with other sector departments, will coordinate responses to rural disasters.

The Braille atlas for the visually impaired who can read Braille is a first in South Africa and is primarily intended to give visually impaired people access to geospatial information (maps).

As part of worldwide celebrations of the International Map Year planned for 2015 and 2016, the department recently hosted a delegation of geospatial experts from nine countries as well representatives of the International Cartographic Association.

Other highlights include:

- the finalisation of the research report on the National Spatial Development Framework
- ensuring that 164 municipalities are supported to implement the Spatial Planning and Land Use Management Act, 2013 (16 of 2013)
- having six provinces: Free State, Gauteng, Limpopo, Mpumalanga, North-West and Northern Cape, being supported to develop provincial spatial development frameworks
- the registration of 979 240 deeds and documents
- the production of 273 maps from the national map series.

Cadastral surveys management

Cadastral surveying is the survey and demarcation of land for the purpose of defining parcels of land for registration in a land registry.

Cadastral surveying in South Africa is undertaken exclusively by or under the control of professional land surveyors.

South Africa not only allows the private ownership of property but also, in the case of land, actively encourages it. Initially, all land derives from the State but, should the State wish to give or lend a piece of land to one or more of its citizens to develop and to enjoy its use, cadastral surveying becomes necessary.

Later, should the owner wish to sell off part of that land, the cadastral surveyor is again called

in to partition the land to be sold. The services of the cadastral surveyor are required whenever a boundary beacon must be found or replaced.

Once the positions of the boundaries have been marked and recorded, the cadastral surveyor and the conveyancer work together to record ownership in a public register. This action ensures that the rights of the owner can be upheld against false claims and that all persons may know who owns what.

Deeds registration

There are 10 deeds registries in South Africa whose core responsibility is to:

- register real rights in land
- maintain a public land register
- provide registration information
- maintain an archive of registration records.

There are deeds registries in Bloemfontein, Cape Town, Johannesburg, Kimberley, King William's Town, Mthatha, Nelspruit, Pietermaritzburg, Pretoria and Vryburg.

These offices register deeds and documents relating to real rights in more than eight million registered land parcels consisting of township erven, farms, agricultural holdings, sectional title units and sectional title exclusive-use areas in terms of the Deeds Registries Act, 1937 (Act 47 of 1937) and the Sectional Titles Act, 1986 (Act 95 of 1986).

To take deeds-registry services to the people, the department aims to establish a deeds registry in every province. The deeds registry is open to any member of the public for them to access information regarding:

- the registered owner of a property
- the conditions affecting such property
- interdicts and contracts in respect of the property
- the purchase price of the property
- rules of a sectional title scheme
- a copy of an antenuptial contract, deeds of servitude and mortgage bonds
- a copy of a sectional title plan
- township-establishment conditions
- information relating to a property or deed.

Deeds registration has progressively introduced e-Cadastre, which is aimed at improving cadastral

In 2015, a total of 9 664 skills-development opportunities were created by the Department of Rural Development and Land Reform to support rural development initiatives some of which were provided to the youth of National Rural Youth Service Corps and agricultural graduates.

surveys management and deeds registration as well as the consolidation of data stores.

As far as the e-Cadastre Project is concerned, the enterprise architecture investigation, which is aimed at consolidating cadastral surveys and deeds registration data stores, has been concluded.

Digital scanning of the microfilm records is ongoing.

Commission on the Restitution of Land Rights (CRLR)

The Restitution of Land Rights Act, 1994 (22 of 1994) created a CRLR under a chief land claims commissioner and seven regional commissioners. In addition, the Act established the Land Claims Court to address land claims and other land-related though later amendments enabled an administrative process of settling claims with court referrals only in cases of dispute.

The DRDLR is authorised to administer the Act, including by negotiating on behalf of the State, acting as a respondent before the Court, and managing the implementation and finances of the restitution process. Legally, all land claims are against the State and not against past or current landowners.

Claimants file their claims with the Regional Land Claims Commissioner (RLCC), whose office undertakes a validation process to ensure the claim meets the criteria of the Restitution Act. Once a claim has been validated, the RLCC investigates the evidence presented in the claim and verifies the rights of the claimants and their relation to those dispossessed, in the case of inter-generational claims.

The CRLR and the Court have accepted a wide variety of evidence to establish land claims, including oral testimony, sworn affidavits and official records of removals maintained by the apartheid State.

The CRLR is responsible for investigating and processing restitution claims. The CRLR also develops and coordinates restitution policies and

In 2015, the department sponsored R34,4 million to fund 473 students who were pursuing degrees and diplomas.

oversees restitution court cases. The restitution programme is aimed at removing the settlement of land restitution claims under the Restitution of Land Rights Act, 1994 (Act 22 of 1994).

The strategic objective of the CRLR is the restitution of rights in land or awards of alternative forms of equitable redress to claimants, within Medium Term Expenditure Framework budgetary allocation.

The CRLR seeks to provide equitable redress to victims of racially motivated land dispossession, in line with the provisions of the Restitution of Land Rights Act, 1994 (Act 22 of 1994). The Restitution of Land Rights Amendment Act, 2014 (Act 15 of 2014) extends (reopens) the lodgement of land claims for a period of five years, from 1 July 2014 to 30 June 2019.

New claims are being lodged through an electronic system in 14 lodgement sites and in mobile lodgement offices. Information provided by a claimant is captured, and supporting documentation is scanned and filed in the system.

A printout of the completed electronic form is signed by the claimant and filed in a hard copy file. An automated acknowledgement of receipt of the claim is generated by the system with a unique reference number. A text message is forwarded to the claimant, acknowledging receipt of a claim.

The lodgement system automatically creates the National Land Restitution Register as required by the Act, and generates reports.

There were 14 operational lodgement sites located in Pretoria, Mbombela, eMalahleni, Polokwane, Bloemfontein, Kimberley, East London, Queenstown, Cape Town, George, Pietermaritzburg, Vryheid, Mmabatho and Vryburg. Plans were in place to increase the number of lodgement sites to 23 by 2015/16, and 52 by 2019. There are four mobile lodgement offices that have been procured and will be deployed to all parts of the country, especially rural areas. The deployment of the lodgement offices was supported by mobile communication units.

The Act requires the CRLR to make sure that priority is given to claims that were lodged no later than 31 December 1998. The outstanding claims should be settled simultaneously with the new claims, but the new claims should be prioritised for financial payment.

Programmes and projects

River Valley Catalytic Programme

A sum of R110 million was invested in 20 projects to support the River Valley Catalytic Programme.

The primary focus is to revitalise irrigation schemes; and the development of smallholding farmers who focus on horticulture, grains and lucerne to support the livestock industry.

Animal and Veld Management Programme (AVMP)

The AVMP programme focuses on rehabilitation of degraded lands to improve crop production; de-bushing as well as infrastructure to support the livestock industry.

Some R223 million was invested in agro-processing infrastructure to drive the development of the hub of the agri-park model. This included various types of infrastructures such as abattoirs, mills, dairies, and silos to support the various commodities.

The AVMP is aimed at providing relief for farmers in rural areas operating under challenging circumstances made worse by spatial congestion and environmental degradation owing to overgrazing.

The programme will also help with soil rehabilitation, spatial decongestion and greening of the environment. It is part of government's intervention towards reversing the legacy of the 1913 Natives' Land Act, which led to the majority of black people being confined to 13% of the land, resulting in challenges of overcrowding and overgrazing in communal areas.

The department will identify farmers in communal areas who have showed potential for successful farming. Based on their track record, such farmers will be moved into some of the state-owned farms to enable them to expand their farming operations.

The AVMP is expected to reach the country's 24 poorest district municipality areas.

In 2015, more than 451 AVMP projects that benefited 2 206 smallholder farmers were implemented.

The DRDLR invested close to R2,25 million on activities identified for AVMP at Leliefontein communal area. These included, among others, the rehabilitation and de-bushing project in Spoegrivier and Tweerivier which will create work for 50 community members, a joint agricultural and rural infrastructure development planning

for water reticulation infrastructure worth a million rand.

Comprehensive Rural Development Programme

The CRDP is focused on enabling rural people to take control of their lives, with support from government.

The programme aims to deal with rural poverty effectively through the optimal use and management of natural resources through an integrated agrarian transformation and the strategic investment in economic and social infrastructure that will benefit rural communities.

In five years, the Ministry of Rural Development and Land Reform had succeeded in helping to create a better life for millions of residents in villages throughout South Africa by providing food for the hungry, stimulating local economies, establishing jobs and reducing poverty.

In an effort to improve the economy, the DRDLR acquired and distributed 834 134 hectares of land throughout the country. To ensure sustained production on land provided by government, 712 067 smallholder producers, including those under the RADP, were supported through various initiatives including access to information.

Another 10 271 resources-poor historically disadvantaged producers were given support that enabled them to access water and 2 073 water-use licences were finalised, enabling the farmers to irrigate their land.

A total of 33 341 smallholder producers were assisted to access markets and 1 284 producer co-operatives and marketing depots were established to increase their competitiveness and take advantage of market opportunities.

More than one million household and institutional and community gardens were established. Food was distributed to 2,8 million people through the Food for All Programme including community nutrition development centres. About nine million learners gained access to nutritious food through the School Nutrition Programme.

Infrastructure development has contributed to 503 365 households gaining access to clean running water; about one million gaining access to sanitation and just above 11 million gaining access to electricity.

Rural Enterprise Infrastructure Development (REID)

REID aims to create an enabling institutional environment for vibrant and sustainable rural communities.

The Social Organisation and Mobilisation Unit is primarily responsible for the promotion of a participatory approach to rural development to ensure that rural communities are able to take full charge of their collective destinies.

The approach is predicated on social mobilisation of rural communities, so that there can be ownership of rural development projects and programmes.

The participatory approach is used to assess the needs of the rural areas through the profiling of households and communities.

The needs assessments are conducted through participatory rural appraisal methods, which also offers communities the opportunity to prioritise their needs.

The Technical Support, Skills Development and Nurturing Unit provides technical support to the institutions and structures established in rural communities, through skills development and capacity-building. The unit determines skills levels of rural communities through household profiles and develops training programmes that are aligned to interventions and economic opportunities. It is also responsible for the implementation of the job creation model, which is aimed at improving households' basic needs, as well as promoting economic livelihoods.

The job-creation model further entails the empowerment of rural communities through skills transfer, developing artisans and enabling communities to start their own enterprises.

The Rural Livelihoods and Food Security Unit forms strategic partnerships that are important to the improvement of rural livelihoods, by promoting both economic development and the development of rural enterprises.

These strategic partnerships also facilitate value-added services such as agri-processing and the establishment of village industries and enterprises.

The strategic partners involved are from the private sector, state-owned enterprises and international organisations.

The Institutional Building and Mentoring unit is responsible for facilitating, building and mentoring institutions in rural communities.

This function involves the identification of existing institutions and the assessment of needs, including building new institutions to ensure sustainable development.

The unit is responsible for the establishment and facilitation of community structures such as the council of stakeholders. It is also responsible for establishing and building the capacities of co-operatives.

One of the REID's programmes consisted of supporting two community gardens in Spoeegrivier and Kheis, in the Northern Cape. Employment was created for 40 community members who were involved in a rural infrastructure fencing project between Kharkams and Spoeegrivier.

Communal Property Associations

The CPA Act, 1996 (Act 28 of 1996) is aimed at enabling communities "to form juristic persons, to be known as CPAs, to acquire, hold and manage property on a basis agreed upon by members of a community in terms of a written constitution and to provide for matters connected therewith."

In November 2012, government held a two-day CPA workshop to discuss the Act and explore ways in which communal land located in rural areas could benefit those who live on it by unlocking the underlying mineral wealth.

The workshop was part of the department's ongoing consultation process with all its stakeholders to create a deeper understanding of one of government's key priority areas – rural development. The department used the platform to establish various national reference groups, with the first meeting held early in January 2013.

National Rural Youth Service Corps (Narysec)

The Narysec expects to increase the number of new participants by 9 000 over the medium term. The corps works on several projects to promote sustainable rural livelihoods, including profiling rural households, implementing the AVMP and the fencing scheme, and registering co-operatives and rural enterprises to encourage the commercialisation of farms.

Land Reform Programme

The principles which underpin the new approach to sustainable land reform are:

- deracialisation of the rural economy
- democratic and equitable land allocation and use across gender, race and class

- strict production discipline for guaranteed national food security.

District Land Reform Committees (DLRCs) were established in all 44 districts of the country. The committees completed a training programme that enables them to:

- identify farms that are suitable for acquisition by government (the target is 20% of strategic agricultural farming land in the country by 2030)
- identify and interview potential candidates for farm allocation
- advise the Minister on the strategic support needs of identified farms
- advise the Minister on the strategic support needs of recommended candidates
- advise the Minister on resolving land rights conflicts.

Recapitalisation and development

The RADP programme assists black farmers who work on state- and privately owned farms.

The programme has recapitalised and developed land reform farms since the 2010/11 financial year. The amount spent on recapitalisation and development in 2015/16 was estimated at R836 million.

There are 1 496 farms that make up more than one million hectares which form part of the five-year funding model. In 2015/16 some of the farmers were also assisted with drought relief.

There are currently 651 strategic partnerships secured to provide technical, financial and infrastructure support to farmers.

Through the programme, farmers are assisted with factors such as production inputs, infrastructure and machinery.

In 2015, DLRCs established panels of experts for the assessment and evaluation of business plans for recapitalisation and development applications. These plans included:

- households with no, or very limited, access to land; the DRLDR aims to address food security and social justice and provide the very poor with the opportunity to gain initial access to land to make a start with farming
- small-scale farmers who are farming for subsistence purposes and selling part of their produce on local markets; this may be land located in communal areas, on commercial farms, on municipal commonage or on church land. These are people who are producing for subsistence purposes on small plots of land, but who want to expand their operations
- medium-scale commercial farmers who have already been farming commercially at a

small-scale and with an aptitude to expand, but are constrained by land and other resources

- large-scale, or well established, black commercial farmers who have been farming at a reasonable commercial scale, but who are disadvantaged by location, size of land and other resources or circumstances.

Other specific groups that were targeted for land allocation and receive strategic support include:

- agricultural sciences university and college graduates
- Narysec participants
- agricultural para-professionals
- youth with experience or qualifications in the field of agriculture
- women, people with disabilities, farm workers, labour tenants and military veterans.



