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WES-KAAP



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PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer.

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DIREKTEUR-GENERAAL

Provinsiale-gebou,
Waalstraat,
Kaapstad.

P.K. 415/2000

1 September 2000

PROVINSIE WES-KAAP:

**BELEID VIR DIE VESTIGING VAN
LANDBOUHOEWES IN DIE STEDELIKE SOOMGEBIED**

September 2000

INHOUD

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WOORDOMSKRYWINGS

Distriksmunisipaliteit: 'n Munisipaliteit wat munisipale uitvoerende en wetgewende gesag het in 'n gebied wat meer as een munisipaliteit insluit, en wat in artikel 155(1) van die Grondwet beskryf word as 'n kategorie C munisipaliteit.

Geïntegreerde Ontwikkelingsplan: 'n Ontwikkelingsplan wat handel met die integrering van verskillende strategieë en sektorale planne in verband met ontwikkeling, soos ekonomiese, ruimtelike, sosiale, infrastrukturele, behuisings-, institusionele, fiskale, grondhervormings-, vervoer-, omgewings-, en waterplanne, om die optimale toekenning van skaars hulpbronne in 'n bepaalde geografiese gebied te verkry, en omvat dit 'n geïntegreerde ontwikkelingsplan, soos in Artikel 10B van die Oorgangswet op

PROVINCIAL NOTICE

The following Provincial Notice is published for general information.

L. D. BARNARD,
DIRECTOR-GENERAL

Provincial Building,
Wale Street,
Cape Town.

P.N. 415/2000

1 September 2000

WESTERN CAPE PROVINCE:

**POLICY FOR THE ESTABLISHMENT OF
AGRICULTURAL HOLDINGS IN THE URBAN FRINGE**

September 2000

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DEFINITIONS

Agricultural holdings: Land portions on which commercial, project-based or community farming ventures are undertaken.

Commercial Agriculture: Full time farming ventures undertaken by an individual or a business entity for a profit motive.

Community Agriculture: Part time farming ventures undertaken collectively by members of a community under the auspices of a legal entity that is representative of the participating members. The motive may be food and/or income supplementation, skills training, or for subsistence purposes.

District Municipality: Means a municipality that has municipal executive and legislative authority in an area that includes more than one municipality,

	Plaaslike Regering, 1993 (Wet 209 van 1993), omskryf.
Gemeenskapsboerdery:	Deeltydse boerdery-ondernemings wat gesamentlik deur lede van 'n gemeenskap bedryf word onder beskerming van 'n regsliggaam wat verteenwoordigend is van die deelnemende lede. Die motief kan voedsel- en/of inkomste aanvulling wees, of voorsiening van bestaansmiddele.
Kommersiële boerdery:	Voltydse boerdery-ondernemings wat deur 'n individu of 'n besigheid met 'n winsmotief bedryf word.
Landbouhoewes:	Gedeeltes grond waarop kommersiële, projekgebaseerde of gemeenskapsboerdery-ondernemings bedryf word.
Metropolitaanse Munisipaliteit:	'n Munisipaliteit wat eksklusiewe uitvoerende en wetgewende gesag in sy gebied het, en wat in artikel 155(1) van die Grondwet beskryf word as 'n kategorie A munisipaliteit.
Munisipaliteit:	'n Plaaslike Munisipaliteit of 'n Metropolitaanse Munisipaliteit of 'n Distriksmunisipaliteit, soos omskryf in die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998).
Plaaslike Munisipaliteit:	'n Munisipaliteit wat munisipale uitvoerende en wetgewende gesag in sy gebied deel met 'n distriksmunisipaliteit in wie se gebied hy geleë is, en wat in artikel 155(1) van die Grondwet beskryf word as 'n kategorie B munisipaliteit.
Projekgebaseerde boerdery:	Kleinskaalse boerdery-ondernemings wat deur individue of groepe individue bedryf word en wat gesamentlik deel vorm van 'n groter boerderyprojek wat bestuur word deur 'n regsliggaam wat verteenwoordigend is van die deelnemende lede. Die motief vir die projek kan wins, nuwe boerderyopleiding, inkomste aanvulling of 'n kombinasie van hierdie aspekte wees.
Sektorale plan:	'n Skriftelike strategie of plan wat hoofsaaklik met een van die sektore of elemente of bepaalde onderwerpe wat deel vorm van 'n geïntegreerde ontwikkelingsplan, handel en kan 'n ruimtelike, ekonomiese, grondhervormings-, omgewings-, behuisings-, water- of vervoerplan wees.
Stedelike soomgebied:	Die ruimtelike oorgangsarea wat tussen die beboude gebied van 'n dorp/stad en die omliggende landelike gebiede lê. Hierdie gebied vorm 'n skakel tussen die kern van gekonsentreerde bevolking en aktiwiteite aan die een kant en 'n reeks verspreide aktiwiteite wat afhanklik is van natuurlike hulpbronne aan die ander kant. Die gebied word gekenmerk deur druk vir beide stedelike en landelike ontwikkeling.

1. INLEIDING

Dit is die visie van die Provinsiale Regering van die Wes-Kaap dat toegang tot grond in die soomgebied van stedelike areas en landelike dorpe, asook die benutting daarvan, tot volhoubare landbou en stedelike ontwikkeling sal bydra.

2. DOEL

Die beleid streef daarna om geleenthede vir aspirant boere te skep om grond in die stedelike soomgebied te bekom en landbouhoewes daar te ontwikkel en om te verduidelik hoe munisipaliteite die benutting van hierdie geleenthede kan bevorder.

and which is described in section 155(1) of the Constitution as a category C municipality.

Integrated Development Plan:

A development plan which deals with the integration of different strategies and sectoral plans relating to development, such as economic, spatial, social, infrastructural, housing, institutional, fiscal, land reform, transport, environmental and water plans, to attain the optimal allocation of scarce resources in a particular geographic area, and includes an integrated development plan as defined in section 10B of the Local Government Transition Act, 1993 (Act 209 of 1993).

Local Municipality:

Means a municipality that shares municipal executive and legislative authority in its area with a district municipality within whose area it falls, and which is described in section 155(1) of the Constitution as a category B municipality.

Metropolitan Municipality:

Means a municipality that has exclusive executive and legislative authority in its area, and which is described in section 155(1) of the Constitution as a category A municipality.

Municipality:

A Local Municipality or a District Municipality or a Metropolitan Municipality as described in the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998).

Project-based agriculture:

Small scale farming ventures undertaken by individuals or groups of individuals that collectively form part of a larger agriculture project which is managed by a legal entity representative of the participating members. The motive of the project may be profit making, new farmer training, income supplementation or a combination of these objectives.

Sectoral Plan:

A written strategy or plan which deals mainly with one of the sectors or elements or particular subjects that form part of an integrated development plan and which may be a spatial, economic, land reform, environmental, housing, water or transport plan.

Urban fringe:

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 characterized by both urban and rural development pressures.

1. INTRODUCTION

It is the vision of the Provincial Government of the Western Cape that access to land on the fringe of urban areas and rural towns, and its utilization, will contribute to sustainable agricultural and urban development.

2. AIM

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.

3. PROVINSIALE BELEIDSVEREISTE

Die behoefte aan provinsiale beleidsriglyne met betrekking tot die prosedure en praktyke waarvolgens landbouhoewes in die stedelike soomgebied ontwikkel kan word, spruit uit die volgende:

- (i) Die behoefte aan kongruensie tussen die omstandighede in die Wes-Kaap en verskeie nasionale inisiatiewe (d.i. Witskrif op Grondbeleid, 1997; Wet op die Transformasie van Sekere Landelike Gebiede, 1998) wat die stedelike soomgebied en veral grond wat as dorpsmeente afgebaken is, identifiseer as gebiede waarbinne grondhervormings-oogmerke verwesentlik kan word. Loodsprojekte is van stapel gestuur, prosedures vir teiken begunstigdes om aansoek te doen vir grond is vasgestel en finansieringsbronne vir toelaes is beskikbaar. Provinsiale riglyne vir die implementering van hierdie inisiatiewe is vir die volgende redes nodig:
 - (a) Teiken begunstigdes (d.i. aspirant boere wat uit die voorheen agtergeblewe gemeenskappe getrek word) en direk betrokke partye (d.i. administrateurs van grond, grondeienaars en verskaffers van dienste) in die Wes-Kaap het nie betekenisvol deelgeneem aan die formulering van die nasionale inisiatiewe nie. Boonop was min aspirant boere in die provinsie tot dusver in staat om landbougrond te bekom.
 - (b) Sommige voorstelle van die nasionale inisiatiewe is nie ten volle versoenbaar met die omstandighede in die Wes-Kaap nie, veral in landbougebiede met unieke klimaats- en verbouings-eienskappe.
- (ii) Grond in die soomgebiede van die meeste dorpe in die Wes-Kaap ondervind aansienlike ontwikkelingsdruk. Stedelike groei speel oor na omliggende boerderygebiede, landbougrond in die soomgebied word meer intensief benut en baie mense wat voorheen beperkte toegang tot landbougrond gehad het, is op soek na gebiede rondom Wes-Kaapse dorpe waar hulle die landbousektor kan betree. Daar is dus 'n behoefte om sekere leemtes in provinsiale ontwikkelingsbeleid ten opsigte van die optimale toekenning en gebruik van landbougrond in die stedelike soomgebied, te vul.
- (iii) Die behoefte om stedelike en landelike beplanningsinisiatiewe binne die soomgebied, op provinsiale vlak te koördineer.
- (iv) Die behoefte om teiken begunstigdes en sleutel rolspelers op grondvlak by besluitneming en ontwikkelingsprosesse te betrek.

4. OMVANG VAN DIE BELEID

Die beleid:

- (i) reageer in die eerste plek op die verskeidenheid van behoeftes aan landbougrond in die soomgebiede van Wes-Kaapse dorpe;
- (ii) streef daarna om die volhoubare benutting van landbou hulpbronne en grond in die stedelike soomgebiede te verseker;
- (iii) integreer die behoeftes vir landbougrond met ander grondgebruik behoeftes in die soomgebiede; en
- (iv) inkorporeer oorwegings vir omgewingsbestuur by grondontwikkelingsbeplanning in die soomgebiede.

5. BELEIDSBEGINSELS

Die beleid is op die volgende beginsels gebaseer:

- (i) **Keuse**—As gevolg van die verskeidenheid van landboukundige en vestigingsomstandighede in die verskillende distrikte van die Wes-Kaap, sowel as die verskeidenheid van grondbehoefes van aspirant en gevestigde boere, behoort daar 'n keuse van opsies te wees vir die vestiging van landbouhoewes.
- (ii) **Regverdige en Deursigtigheid**—Regverdige en deursigtige prosesse is nodig vir die identifisering van en konsultasie oor alternatiewe, sowel as by besluitneming oor toepaslike opsies.

3. PROVINCIAL POLICY REQUIREMENT

The need for provincial policy guidelines with respect to the procedures and practices by which agricultural holdings can be developed in the urban fringe, stems from the following:

- (i) The need for congruence between Western Cape circumstances and several national initiatives (i.e. White Paper on Land Policy, 1997; Act on the Transformation of Certain Rural Areas, 1998) which identify the urban fringe, especially land delineated as commonages, as an area in which land reform objectives can be realized. Pilot projects have been launched, procedures for target beneficiaries to apply for land are in place, and grant funding sources are available. Provincial guidelines on the implementation of these initiatives are required.
 - (a) Target beneficiaries (that is aspirant farmers drawn from the previously disadvantaged communities) and directly involved parties (that is administrators of land, landowners and providers of services) in the Western Cape did not meaningfully participate in the formulation of the national initiatives. In addition to that, very few aspirant farmers in the province were up to now able to acquire agricultural land.
 - (b) Some of the proposals of the national initiatives are not fully reconcilable with the circumstances in the Western Cape, especially in agricultural areas with unique climatic and cultivation characteristics.
- (ii) Land on the fringe of most Western Cape towns is under considerable development pressure. Urban growth is encroaching into surrounding farming areas, agricultural land in the urban fringe is being more intensively utilized, and many who were previously restricted in their access to farming land are seeking locations around Western Cape towns from where they can enter the agricultural sector. There is thus a need to fill certain gaps in provincial development policies regarding how farm land can be optimally allocated and used in the urban fringe.
- (iii) The need to co-ordinate urban and rural planning initiatives within the urban fringe at provincial level.
- (iv) The need to involve target beneficiaries and key stakeholders in decision-making and development processes at grass roots level.

4. SCOPE OF THE POLICY

The policy:

- (i) responds primarily to the variety of farming land needs on the fringe of Western Cape towns;
- (ii) strives to ensure the sustainable utilisation of agricultural resources and land in the urban fringe;
- (iii) integrates farming land needs with other urban fringe land use requirements; and
- (iv) incorporates environmental management considerations into land development planning in the urban fringe.

5. POLICY PRINCIPLES

The Policy is based on the following principles:—

- (i) **Choice:** 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.
- (ii) **Justness and Transparency:** Just and transparent processes are required for the identification of and consultation on alternatives, and decision making about applicable options.

- (iii) **Bekostigbaarheid**—Opsies vir die vestiging van landbouhoewes behoort bekostigbaar te wees vir die teiken begunstigdes.
- (iv) **Uitvoerbaarheid**—Dit behoort uitvoerbaar vir munisipaliteite te wees om geskikte vlakke van dienste te voorsien aan landbouhoewes wat in die stedelike soomgebied gevestig word en om gepaardgaande gebruikersfooi te verhaal.
- (v) **Integrasie**—Landbouhoewes behoort ruimtelik geïntegreer te word met ander grondgebruike in die stedelike soomgebied en die vestiging van nuwe boere behoort strategies ingesluit te word in die munisipaliteit se Geïntegreerde Ontwikkelingsplan.
- (vi) **Volhoubaarheid**—Landbouhoewes wat in die stedelike soomgebied gevestig word, behoort in staat te wees om volgehoue lewensmiddele vir die nuwe boere te voorsien en moet bydra tot die versterking van die landbousektor.
- (vii) **Omgewingsbewaring**—Die verkose landbou-opsie moet die integriteit van beide die natuurlike en die beboude omgewing van die Wes-Kaap bewaar.
- (viii) **Koste-effektiwiteit**: Aangesien die behoeftes vir ontwikkeling die huidige bronne oorskrei, word koste-effektiwiteit vereis by die vestiging van nuwe boere.

6. ALTERNATIEWE BOERDERYMODELLE

Daar is verskillende tipes van landbouhoewes wat in die stedelike soomgebied gevestig kan word. Plaaslike behoeftes en omstandighede sal bepaal watter hiervan toepaslik is. Die alternatiewe boerderymodelle kan onderskei word na aanleiding van die volgende kriteria:

- (i) **Tipe Onderneming**—Daar kan basies onderskei word tussen kommersiële, projekgebaseerde en gemeenskapsboerdery-ondernemings. Verskillende ondernemings kan verskillende operasionele doelwitte hê (bv. maksimalisering van winste, voorsiening van huishoudelike voedsel, ontwikkeling van vaardighede, ens.). Beide projekgebaseerde en gemeenskapsboerdery-ondernemings val binne die gebied van die Grondhervormingsprogram.
- (ii) **Tipe Boerdery**—Grondgebaseerde of nie-grondgebaseerde (bv. pluimvee) boerdery-aktiwiteite, of 'n kombinasie van die twee, kan op 'n landbouhoeve onderneem word.
- (iii) **Vestiging**—Landbouhoewes is primêr bedoel vir boerdery doeleindes en dus sal die omvang van permanente vestiging beperk wees volgens die plaaslike toestand.
- (iv) **Verblyf**—Landbouhoewes kan gevestig word op grond wat in openbare of private besit is. Die verblyfsekuriteit van die persone wat daarop boer, sal bepaal word in terme van hulle besitreg van die grond, huurregte, of 'n ooreenkoms waardeur aan hulle voorwaardelike gebruiksregte toegestaan word.
- (v) **Ligging**—Landbouhoewes op grond in openbare besit in die stedelike soomgebied, kan gevestig word op bestaande of nuwe munisipale meentgrond, of op bestaande of onderverdeelde gedeeltes van staats-, provinsiale of munisipale grond. Wat grond in privaatbesit betref, kan landbouhoewes gevestig word op bestaande of onderverdeelde gedeeltes van plase.

7. FINANSIERINGSBRONNE

Die mate waarin die verskillende boerderymodelle in die Wes-Kaap geïmplementeer kan word, hang af van die verkryging van die nodige fondse. Die beskikbaarheid van fondse sal wissel na gelang van heersende monetêre en fiskale omstandighede. Daar is geen waarborg dat fondse bekom sal kan word om 'n sekere verkose boerderymodel te implementeer nie.

Afhangende van die aard van die voorgestelde landbouhoeve(s), is alternatiewe befondsingsbronne beskikbaar vir doeleindes van gemeenskapsfasilitering en kapasiteitsbou, beplanning, grondverkryging en projek ontwikkeling. Die verskillende befondsingsbronne wat hiervoor benut kan word, sluit die volgende in:

- (iii) **Affordability**: Options for the establishment of agricultural holdings should be affordable for the target beneficiaries.
- (iv) **Feasibility**: 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.
- (v) **Integration**: Agricultural holdings should be spatially integrated with other urban fringe land uses, and new farmer establishment should be strategically incorporated into the municipality's Integrated Development Plan.
- (vi) **Sustainability**: 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.
- (vii) **Environmental Conservation**: The selected farming option should conserve the integrity of both the natural and built environment of the Western Cape.
- (viii) **Cost Effectiveness**: As development needs out-weigh current resources, cost-effective means of new farmer establishment are required.

6. ALTERNATIVE FARMING MODELS

There are various kinds of agricultural holdings that can be established in the urban fringe. Local needs and circumstances will determine what options are appropriate. The alternative farming models can be differentiated in terms of the following criteria:

- (i) **Type of Venture**: A basic distinction can be made between commercial, project-based and community agricultural ventures. Each venture may have different operating objectives (e.g. profit maximisation, household food supplementation, skills development, etc). Both project-based and community ventures fall within the scope of the Land Reform Programme.
- (ii) **Type of Farming**: Soil based or non-soil based (e.g. poultry) farming activities or a combination of the two, may be undertaken on the agricultural holding.
- (iii) **Settlement**: Agricultural holdings are primarily intended for farming purposes and the extent of permanent settlement permissible on such land will be restricted in line with local conditions.
- (iv) **Tenure**: Agricultural holdings may be established on land in public or private ownership. The tenure of those farming the land may be secured in terms of their ownership of the land, leasehold rights, or an agreement granting them conditional usage rights.
- (v) **Locality**: Agricultural holdings on publicly owned land in the urban fringe may be established on existing or new municipal commonages, or on existing or sub-divided portions of state, provincial or municipal land. In terms of privately held land, agricultural holdings may be established on existing or subdivided farm portions.

7. FUNDING SOURCES

The extent to which the various farming models can be implemented in the Western Cape is dependent on securing the required funding. The availability of funds will vary according to monetary and fiscal circumstances prevailing at the time. There are no guarantees that funds can be secured to implement a preferred farming model.

Depending on the nature of the agricultural holding/s proposed, alternative sources of funding are available for community facilitation and capacity building, planning, land acquisition and project development purposes. The various sources of finance that can be raised for these purposes include the following:

(i) Gemeenskapsfasilitering en Kapasiteitsbou

Vir landbou-ondernemings wat binne die omvang van die Grondhervormingsprogram val, kan by die Provinsiale Direkteur van die Departement van Grondsake aansoek gedoen word vir 'n toelae om fasiliteringsdienste en/of opleiding en kapasiteitsbou te finansier.

(ii) Beplanning

In terme van die gekoördineerde grondontwikkelingsbeplanning van die totale stedelike soomgebied, kan munisipaliteite fondse uit hulle eie begrotings toesê vir hierdie doel of hulle kan by die provinsiale regering aansoek doen vir finansiële bystand. In terme van befondsing vir beplanning van spesifieke projekte wat binne die raamwerk van die Grondhervormingsprogram val, kan by die Provinsiale Direkteur van die Departement van Grondsake aansoek gedoen word vir 'n Vestigingsbeplanningtoelae. Verder het munisipaliteite en/of die provinsiale regering die diskresie om fondse te bewillig vir die beplanning van loodsprojekte of voorkeur grondhervormingsprojekte.

(iii) Verkryging van Grond

Munisipaliteite wat grond in die stedelike soomgebied wil bekom vir die vestiging van 'n munisipale meent of uitbreiding van 'n bestaande meent, kan by die Provinsiale Direkteur van die Departement van Grondsake aansoek doen om 'n toelae vir die verkryging van grond vir 'n munisipale meent.

Finansieringslenings kan ook van private bronne verkry word vir persone wat grond wil koop om 'n kommersiële boerdery-onderneming te vestig. Histories agtergeblewenes en behoeftiges wat toegang verlang tot produktiewe landbou hulpbronne kan by die Provinsiale Direkteur van die Departement van Grondsake aansoek doen vir 'n Vestigings-/Grondverkrygingstoelaag. Ongeag die aard van die voorgestelde boerdery-onderneming, sal openbare grond wat vir afset beskikbaar is, teen markpryse verkoop word.

(iv) Projek Ontwikkeling

Enige Vestigingsbeplanningstoelaag fondse wat oorbly nadat die grond betaal is, kan aangewend word vir die ontwikkeling van die projek, maar nie vir die koste van hoofmaatsdiensvoorsiening nie. Privaat befondsing sal gevind moet word vir enige tekort in ontwikkelingskoste van 'n grondhervormingsprojek.

(v) Dispuutbeslegting

Vir bystand in die beslegting van dispute in grondhervormingsprojekte, kan aansoek gedoen word by die Provinsiale Direkteur van die Departement van Grondsake om die aanstelling van 'n bemiddelaar of arbiter te finansier.

8. VERANTWOORDELIKE PARTYE

Landbouhoewes in die stedelike soomgebied, hetsy kommersiële, projekgebaseer of gemeenskap ondernemings, kan gevestig word in ooreenstemming met aanvraag of aanbod gedrewe inisiatiewe. Die verantwoordelikheid vir beplanning, ontwikkeling en bestuur van projekte sal wissel na gelang van watter boerderymodel voorkeur geniet en die kapasiteit van organisasies en individue wat betrokke is.

By kommersiële boerdery-ondernemings is die individu of korporatiewe liggaam wat die projek voorstel, die verantwoordelike party. Vir projekgebaseerde of gemeenskap boerdery-ondernemings is die regsinstelling wat die projek of gemeenskap begunstigdes verteenwoordig, die verantwoordelike party. Gesamentlike ondernemings tussen teiken begunstigdes, die publiek en/of die private sektor kan aangegaan word vir die implementering van grondhervormingsprojekte.

In alle gevalle moet die verantwoordelike partye konsulteer met belanghebbende en betrokke partye en hulle het die diskresie om agente (bv. nie-regerings organisasies of konsultante) aan te stel om namens hulle op te tree.

(i) Community Facilitation and Capacity Building

For agricultural ventures falling within the ambit of the Land Reform Programme, application can be made to the Provincial Director of the Department of Land Affairs for a grant to finance facilitation services and/or training and capacity building services.

(ii) Planning

In terms of the co-ordinated land development planning of the entire urban fringe, municipalities can allocate funds out of their own budgets for this purpose or request financial assistance from the provincial authority. In terms of funding the planning of specific projects falling within the ambit of the Land Reform Programme, application can be made to the Provincial Director of the Department of Land Affairs for a Settlement Planning Grant. Furthermore municipalities and/or the provincial authority have the discretion to allocate funds for the planning of pilot or priority land reform projects.

(iii) Land Acquisition

Municipalities who wish to acquire land in the urban fringe for the establishment of a municipal commonage, or the extension of an existing commonage, can apply to the Provincial Director of the Department of Land Affairs for a grant for the acquisition of land for municipal commonage.

Loan finance can be raised from private sources for those wishing to buy land to undertake a farming venture. For the historically disadvantaged and the poor wishing to access productive agricultural resources an application can be made to the Provincial Director of the Department of Land Affairs to access the Settlement/Land Acquisition Grant. Irrespective of the type of farming venture proposed, public land earmarked for disposal will be sold at market prices.

(iv) Project Development

Any Settlement Planning Grant finance remaining after the land has been paid for can be applied towards project development costs, but not the cost of bulk services provision. Private funding will have to be raised for any shortfall in project development costs of a land reform project.

(v) Dispute Resolution

To assist in resolving conflicts in land reform projects, application can be made to the Provincial Director of the Department of Land Affairs to fund the appointment of a mediator or arbitrator.

8. RESPONSIBLE PARTIES

Agricultural holdings in the urban fringe, be they commercial, project-based or community ventures, may be established in accordance with demand or supply driven initiatives. The responsibility for planning, developing and managing projects will vary according to what the preferred farming model is and the capacity of organisations and individuals involved.

For commercial farming ventures the responsible party is the individual or corporate entity proposing the project. For project-based or community farming ventures, the responsible party is the legal institution representative of the project or community beneficiaries. Joint ventures between target beneficiaries, the public and/or the private sector may be undertaken for the implementation of land reform projects.

In all cases the responsible parties must consult with interested and affected parties, and they have the discretion to appoint agents (e.g. non-governmental organisations or consultants) to act on their behalf.

In ooreenstemming met die ontwikkelingsrol van munisipaliteite, moet hulle verseker dat hulle pro-aktief kan reageer op die diverse eise vir landbougrond in die stedelike soomgebied en dat hulle sulke eise kan hanteer.

9. GRONDONTWIKKELINGSBEPLANNING VIR DIE STEDELIKE SOOMGEBIED

Om munisipaliteite by te staan om die uiteenlopende ontwikkelingsdruk op grond in die Wes-Kaap pro-aktief te hanteer, word gekoördineerde grondontwikkelingsbeplanning van die stedelike soomgebied vereis. Die opstel van 'n Sektorale Plan, soos uiteengesit in die Wes-Kaapse Wet op Beplanning en Ontwikkeling, 1999 (Wet 7 van 1999), is die toepaslike meganisme vir vooruit beplanning waarvolgens munisipaliteite die ontwikkeling van die stedelike soomgebied kan hanteer.

Vooraf opgestelde struktuurplanne wat nie spesifiek die ontwikkeling van die stedelike soomgebied insluit nie, moet op datum gebring en aangepas word om hierdie tekortkoming reg te stel. Die opstel van die Sektorale Plan moet deelneemend wees en moet onder andere die volgende aspekte aanspreek:

- (i) Afbakening van die beplanningsarea van die stedelike soomgebied as alle grond rondom die beboude area wat onderhewig is aan ontwikkelingsdruk of waarskynlik daaraan onderhewig sal wees. Waar die stedelike soomgebied verder strek as die munisipale grens, moet die aangrensende munisipaliteite betrek word by 'n gesamentlike beplanningsproses.
- (ii) Opname van die landbou hulpbronne (bv. grond, water, klimaat) in die stedelike soomgebied. Hiermee kan die provinsiale Departement van Landbou die munisipaliteit bystaan.
- (iii) Opname van beboude en natuurlike omgewings-eienskappe en stelsels in die stedelike soomgebied.
- (iv) Opname van landboubedrywighede en ander nie-boerdery grondgebruike (bv. kleinhoewe gebiede, steengroewe, ontspanningsgebiede, ens.) binne die stedelike soomgebied.
- (v) Opname van infrastruktuur-fasiliteite en -stelsels binne die stedelike soomgebied en 'n bepaling van hulle kapasiteit.
- (vi) Vasstelling van die ruimtelike vereistes van stedelike groei en die mate waarin groei geakkommodeer kan word binne die stedelike gebied (d.i. deur invul en verdigting) en/of binne die stedelike soomgebied (d.i. deur uitbreiding).
- (vii) Vasstelling van nie-stedelike grondgebruik vereistes binne die stedelike soomgebied.
- (viii) Geïntegreerde grondontwikkelingsbeplanning van die stedelike soomgebied om te verseker dat:
 - (a) stedelike uitbreiding gestruktureerd is en weg van die sensitiewe omgewingsgebiede en landbougrond gerig is;
 - (b) landbou hulpbronne bewaar word;
 - (c) omgewingsbronne bewaar word as deel van 'n geïntegreerde stelsel van oop ruimtes;
 - (d) dit moontlik is om toepaslike vlakke van dienste te verskaf aan die verskillende grondgebruike in die stedelike soomgebied wat geakkommodeer moet word; en
 - (e) toekennings van grondgebruik binne die stedelike soomgebied aanpasbaar en volhoubaar is.

Voorstelle wat voortvloei uit hierdie beplanningsproses moet aandag skenk aan die benutting van bestaande munisipale meentgronde en/of die moontlike skepping van nuwe meentgebiede as 'n manier om die toetreding van nuwe boere tot die mark te fasiliteer.

10. RIGLYNE VIR DIE STIGTING VAN LANDBOUHOEWES

Die proses vir die opstel van 'n Sektorale Plan, soos hierbo uiteengesit is, gee riglyne oor waar landbouhoewes binne die stedelike soomgebied

In line with their developmental role, municipalities should ensure that they can pro-actively respond to and manage the diverse demands for farming land in the urban fringe.

9. URBAN FRINGE LAND DEVELOPMENT PLANNING

To assist municipalities in pro-actively managing the diverse development pressures on land surrounding Western Cape towns, co-ordinated land development planning of the urban fringe is required. The compilation of a Sectoral Plan as set out in the Western Cape Planning and Development Act, 1999 (Act 7 of 1999), is the appropriate forward planning mechanism through which municipalities can manage the development of the urban fringe.

Previously compiled structure plans which do not explicitly deal with urban fringe development issues, should be updated and modified to address this shortcoming. The compilation of the Sectoral Plan must be participatory and should address, inter alia, the following aspects:

- (i) 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. Where the urban fringe extends beyond the municipal boundary, the neighbouring municipality must be involved in the joint planning process.
- (ii) Survey of agricultural resources (e.g. soils, water, climate) in the urban fringe. The provincial Department of Agriculture can assist municipalities with this task.
- (iii) Survey of built and natural environmental features and systems in the urban fringe.
- (iv) Survey of agricultural activities and other non-farming land uses (e.g. smallholding areas, quarries, recreation areas, etc.) within the urban fringe.
- (v) Survey of infrastructural facilities and systems within the urban fringe and an assessment of their capacities.
- (vi) Determination of the spatial requirements of urban growth and the extent to which growth can be accommodated within the urban area (i.e. through infill and densification) and/or in the urban fringe (i.e. through expansion).
- (vii) Determination of non-urban land use requirements within the urban fringe.
- (viii) Integrated land development planning of the urban fringe so as to ensure that:
 - (a) urban expansion is structured and directed away from environmentally sensitive areas and farming land;
 - (b) agricultural resources are reserved;
 - (c) environmental resources are protected as part of integrated open-space systems;
 - (d) appropriate levels of services can feasibly be supplied to the various urban fringe land uses that need to be accommodated; and
 - (e) land use allocations within the urban fringe are compatible and sustainable.

Proposals emanating from this planning process should give attention to the utilization of existing municipal commonages and/or the possible establishment of new commonages as a means of facilitating the entry of new farmers into the market.

10. GUIDELINES FOR THE ESTABLISHMENT OF AGRICULTURAL HOLDINGS

The Sectoral Plan compilation process outlined above provides guidance on where agricultural holdings could be established in the urban fringe.

gevestig kan word. Om munisipaliteite te help om te verseker dat landbouhoewes op 'n volhoubare basis gevestig word, sal die volgende bestuursriglyne van toepassing wees:

(i) **Kriteria vir Ligging**

Landbouhoewes en gebruike, hetsy as 'n kommersiële of 'n grondhervorming-onderneming, behoort slegs gevestig te word op grond wat die volgehoute benutting van landbou hulpbronne kan dra. Daarenteen behoort nie-boerdery grondgebruike in die stedelike soomgebied nie toegelaat te word op sodanige grond nie.

(ii) **Sonering**

Min soneringskemas in die Wes-Kaap onderskei tussen alternatiewe landelike grondgebruike. Om die volhoubare benutting van landboubronne binne die stedelike soomgebied te verseker, behoort munisipaliteite die bevindings van die Ruimtelike Beplanningsproses as basis te gebruik vir die sonering van gebiede waar sulke bronne (bv. grond, water, toegang tot markte) landboupotensiaal inhou.

(iii) **Onderverdeling**

Munisipaliteite moet die onderverdeling van grond vir landbouoelendes binne die stedelike soomgebied baie noukeurig moniteer en kontroleer. Waar daar voorgestel word dat grond onderverdeel word om kommersiële landbouhoewes te skep, moet verseker word dat die onderverdeelde grondgedeelte groot genoeg is om 'n ekonomiese boerdery-eenheid te onderhou. Waar daar voorgestel word dat grond onderverdeel word om projekgebaseerde landbouhoewes te skep, moet die onderverdeelde gedeelte groot genoeg wees om die projek se oogmerke te onderhou. Alhoewel aan deelnemers aan so 'n projek individueel grond toegeken mag word om op te boer, moet die totale eenheid waarop die projek gevestig gaan word, ongeskonde gelaat word. Die provinsiale Departement van Landbou kan munisipaliteite help om die minimum grootte van onderverdelings te bepaal wat toepaslik sal wees vir verskillende gewasse onder verskillende boerdery toestande.

(iv) **Kleinhoewes**

Wat betref aansoeke vir die vestiging van sogenaamde kleinhoewes binne die stedelike soomgebied, moet 'n duidelike onderskeid getref word tussen residensiële hoewes en dié van 'n bona fide landboukundige aard. Die behoefte aan residensiële kleinhoewes binne die stedelike soomgebied ontstaan as gevolg van die geleenthede vir 'n landelike lewenstyl wat binne bereik van die dorp of stad gebied word. Nieteenstaande die feit dat sommige bewoners perde of ander lewende hawe aanhou of gedeeltes van hulle grond op 'n deelydse basis bewerk, word kleinhoewes hoofsaaklik vir ekstersiewe residensiële doeleindes benut.

Munisipaliteite behoort die vestiging van residensiële kleinhoewes op grond binne die stedelike soomgebied, wat geskik is vir landbouoelendes, te verbied. Residensiële kleinhoewes behoort slegs toegelaat te word op marginale grond in toepaslike gebiede, soos vasgestel deur die beplanningsproses vir die stedelike soomgebied wat in Afdeling 9 uiteengesit is.

(v) **Vestiging**

Om die verstedeliking van stedelike soomgebiede te voorkom, behoort munisipaliteite vestigingsregte op landbouhoewes te beperk in ooreenstemming met die voorwaardes wat van toepassing is op landbougrond in landelike areas. Plaaslike omstandighede, veral die beskikbaarheid van huishoudelike dienste, behoort 'n aanduiding te gee van watter vestigings voorwaardes van toepassing is op 'n landbouprojek binne die stedelike soomgebied.

(vi) **Meentgronde**

As bron van openbare grond, bied meentgronde geleenthede vir die akkommodasie van nuwe toetreders tot die boerdery sektor. Bestaande meentgronde behoort nie vervreem of

To assist municipalities in ensuring that agricultural holdings are established on a sustainable basis, the following management guidelines apply:

(i) **Locational Criteria**

Agricultural holdings and practices, be it a commercial or land reform 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.

(ii) **Zoning**

Few zoning schemes in the Western Cape differentiate between alternative rural land uses. In order to ensure the sustainable utilisation of agricultural resources within the urban fringe, municipalities should use the findings of the Spatial Plan compilation process as a basis for zoning those areas where such resources (e.g. soil, water, access to markets) reflect potential for agricultural purposes.

(iii) **Subdivision**

Municipalities 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 project-based agricultural holdings, the subdivided land portion must be large enough to sustain the project's objectives. Whilst project participants may each be allocated land to farm on, the cadastral unit on which the project is to be established should remain intact. The provincial Department of Agriculture can assist municipalities in determining the minimum size of subdivisions applicable to various crop types under different farming conditions.

(iv) **Smallholdings**

In terms of applications to establish so-called smallholdings in the urban fringe, a clear distinction must be made between those of a residential and those of a bona-fide agricultural nature. The demand for residential smallholdings in the urban fringe stems from the rural lifestyle opportunities they offer in close proximity to town. Notwithstanding the fact that some residents keep horses, livestock or cultivate some of their land on a part-time basis, smallholdings are primarily used for extensive residential purposes.

Municipalities should prohibit the establishment of residential smallholdings on land suited for agricultural purposes within the urban fringe. Residential smallholdings should only be accommodated on marginal land at suitable locations as determined by the urban fringe land use planning process outlined in Section 9.

(v) **Settlement**

To prevent the urbanization of urban fringe farming areas, municipalities should restrict settlement rights on agricultural holdings in line with those applicable to agricultural land in rural areas. Local circumstances, especially the availability of household services, should inform what settlement conditions are applicable to an urban fringe agricultural project.

(vi) **Commonages**

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 cadastrally

kadastraal versnipper te word nie. Dié wat nie vir boerdery geskik is nie, behoort aangewend te word vir ander openbare doeleindes soos aktiewe of passiewe ontspanning.

Munisipaliteite wat nie oor meentgronde beskik nie, of waar die meentgronde nie vir boerdery geskik is nie, moet ondersoek instel na die moontlikhede om 'n munisipale meent te skep of die bestaande een uit te brei. Waar daar 'n aanvraag van aspirant boere is vir grond, kan die munisipaliteit by die Provinsiale Direkteur van die Departement van Grondsake aansoek doen vir 'n toelae om grond te bekom vir 'n munisipale meent.

By die toekenning van regte vir boerdery op meentgrond, is deursigtige en regverdigde prosesse nodig. Die provinsiale Departement van Landbou kan munisipaliteite bystaan in die beplanning, ontwikkeling en bestuur van meentgronde.

(vii) **Voorsiening van Dienste en Verhaling van Koste**

Munisipaliteite behoort ondersoek in te stel na die praktiese uitvoerbaarheid van voorsiening van geskikte vlakke van dienste aan landbouhoewes binne die stedelike soomgebied. Die kostes van diensvoorsiening moet ingesluit word in die Besigheidsplan van projekte en die munisipaliteit of diensvoorsiener moet in staat wees om daardie kostes te verhaal. Waar munisipale, provinsiale, of staatsgrond betrokke is, moet 'n grondprys beleid ook aan aspirant nuwe boere beskikbaar gestel word.

11. VOORBEREIDINGSPROSES VIR DIE PROJEK

Om die ontstaan van onrealistiese verwagtings te beperk, die risiko van onnodige werk wat onderneem word, te verminder en die goedkeuring van uitvoerbare opsies te bespoedig, behoort die verantwoordelike party reeds in die aanvangstadium die munisipaliteit te raadpleeg oor beplanning van die projek en seker te maak dat belangstellende en belanghebbende partye geraadpleeg word gedurende die voorbereidingsproses.

As eerste stap behoort die inisieërders die oorsprong van die behoefte wat deur die projek aangespreek wil word, met die munisipaliteit of die betrokke ontwikkelingsagentskap (bv. Departement van Grondsake) te bespreek, die teiken begunstigdes te identifiseer en die aard en omvang van die landbou-onderneming wat beplan word, te verduidelik. Munisipaliteite of betrokke ontwikkelings-agentskappe behoort die projek-voorbereidingsproses te ondersteun deur te bepaal in hoeverre die voorstel voldoen aan hierdie beleid, bystand te verleen met identifisering van moontlike liggings vir die projek, uitwysing van ander belanghebbendes wat geraadpleeg moet word, en 'n lys opstel van kwessies wat verder ondersoek moet word. Munisipaliteite of betrokke ontwikkelingsagentskappe kan die provinsiale Departemente van Landbou en Beplanning, Plaaslike Regering en Behuising nader vir bystand gedurende hierdie voorbereidingsstadium van die projek.

Die verantwoordelike party moet voorts die voorstel se toepaslikheid binne die streeks- en plaaslike konteks ondersoek, oorleg pleeg met belangstellende en belanghebbende partye, en parameters vasstel (d.i. grootte van landbou-toekenning, vlakke van diens, verblyfsreëlings, ens.) waarbinne die gedetailleerde beplanning van die projek kan plaasvind. Aspekte wat in hierdie stadium aandag moet geniet, sluit die volgende in:

- (i) ligging en terrein toestande;
- (ii) ooreenstemming met huidige distriks-, en plaaslike beplanningsinisiatiewe;
- (iii) sosio-ekonomiese en bekostigbaarheidsprofiel van begunstigdes;
- (iv) konsultasie met begunstigdes en sleutel rolspelers;
- (v) verblyfsreëlings;
- (vi) omvangsbepaling van omgewingsimpak;
- (vii) beskikbaarheid van grond en hoofmaatsdienste, en haalbaarheid van interne dienste;

fragmented. Those not suitable for farming should be allocated for other public uses such as active or passive recreation.

Municipalities without commonages, or with commonages unsuitable for farming, should investigate the feasibility of establishing / extending their municipal commonages. Where there is a demand for land by aspirant farmers the municipality can make application to the Provincial Director of the Department of Land Affairs for a grant for the acquisition of land for municipal commonages.

Transparent and just processes are required in the allocation of farming usage rights on commonages. Overall management, support and monitoring systems also need to be put in place to ensure the sustainable public usage of commonages for farming purposes. The provincial Department of Agriculture can assist municipalities in the planning, development and management of commonages.

(vii) **Service Delivery and Cost Recovery**

The feasibility of providing appropriate levels of services to agricultural holdings within the urban fringe should be investigated by municipalities. The costs of service delivery needs to be incorporated into the Business Plan of projects, and the municipality or service provider must be able to recoup these costs. Where municipal, provincial or state land is involved, a land pricing policy should also be made available to prospective new farmers.

11. PROJECT PREPARATION PROCESS

To minimise unrealistic expectations being raised, reduce the risk of unnecessary work being undertaken and expedite the approval of viable options, the responsible party should consult the municipality on project planning in the initial stage and ensure that interested and affected parties are consulted during the preparation process.

As a first step, project initiators should discuss the origin of the need that a project aims to address with the municipality or relevant development agency (e.g. Department of Land Affairs), identify the target beneficiaries and explain the nature and extent of the agricultural venture envisaged. Municipalities or relevant development agencies should assist the project preparation process through assessing the proposal's conformity to this policy, assisting in identifying possible locations for the project, specifying other stakeholders that need to be consulted and listing issues that require further investigation. Municipalities or relevant development agencies can approach the provincial Departments of Agriculture and Planning, Local Government and Housing for assistance during this project preparation stage.

The responsible party should subsequently investigate the proposal's compatibility within the regional and local context, consult with interested and affected parties and establish parameters (i.e. size of agricultural allotment, levels of service, tenure arrangements, etc.) within which detailed planning of the project can take place. Aspects to be covered at this stage include the following:

- (i) locality and site conditions;
- (ii) conformity with current local and district planning initiatives;
- (iii) socio-economic and affordability profile of beneficiaries;
- (iv) consultation with beneficiaries and key role players;
- (v) tenure arrangements;
- (vi) scoping of environmental impacts;
- (vii) land and bulk services availability and internal services feasibility;

- (viii) kapasiteit vir bestuur en finansiële implementering;
- (ix) langtermyn volhoubaarheid; en
- (x) vereistes vir statutêre goedkeuring.

Gedetailleerde beplanning van die projek kan dan onderneem word in ooreenstemming met vasgestelde projek parameters en in konsultasie met sleutel rolspelers. Afhangende van die skaal en impak van die voorgestelde projek, kan gedetailleerde beplanning die opstel van 'n Sektorale Plan insluit, wat aantoon hoe die projek sal inpas in die plaaslike omgewing. Die vereistes vir gedetailleerde beplanning sal die volgende insluit:

- (i) die voorbereiding van 'n **Ontwikkelingsplan** vir landbouhoewes, wat die voorgestelde grondgebruike en diensvoorsiening uiteensit in ooreenstemming met die spesifikasies van die munisipaliteit; en
- (ii) die opstel van 'n **Besigheidsplan** vir grondhervormingsprojekte in ooreenstemming met die spesifikasies van die Departement van Grondsake, indien aansoek gedoen word vir 'n grondverkrygingstoelae. In hierdie verband dien die Riglyne vir die Opstel van 'n Besigheidsplan (sien Addendum A) soos opgestel deur die Departement van Grondsake en die provinsiale Departement van Landbou, as minimum vereiste.

12. PROSEDURES VIR AANSOEKE EN GOEDKEURING

(i) Grondhervormingsprojekte

Indien die voorneme is om gebruik te maak van die Vestiging-/Grondverkrygingstoelae as metode om 'n individuele, projekgebaseerde of gemeenskapsboerdery te finansier, moet die verantwoordelike party 'n formele projekaansoek indien by die Provinsiale Direkteur van die Departement van Grondsake. In hulle beoordeling van die aansoek, sal die Departement van Grondsake die provinsiale Departemente van Beplanning, Plaaslike Regering en Behuising en Landbou en die Streekkantoor van die Nasionale Departement van Waterwese en Bosbou en die betrokke munisipaliteit raadpleeg. Die Departement van Grondsake sal by twee geleenthede die munisipaliteit se formele kommentaar inwin, naamlik:

- (i) sodra die voorstel in beginsel deur die Provinsiale Projekkeuringskomitee goedgekeur is, maar voordat 'n Besigheidsplan voltooi is; en
- (ii) by voltooiing van die Besigheidsplan en oorweging van die projek deur die Provinsiale Projekkeuringskomitee.

In beide gevalle moet munisipaliteite sulke kommentaar deurstuur binne 'n redelike tydperk, naamlik 'n maksimum van 60 dae.

Waar die projek 'n wysiging van bestaande grondgebruikregte, en/of die onderverdeling of konsolidasie van kadastrale gedeeltes behels, moet die prosedure in terme van Hoofstuk IV, Versnelde Ontwikkeling (Artikels 33-42) van die Wes-Kaapse Wet op Beplanning en Ontwikkeling, 1999 (Wet 7 van 1999) gevolg word, om sodanige veranderinge teweeg te bring.

(ii) Privaat Befondsde Projekte

Vir voorgestelde projekte wat uit private bronne gefinansier word, hoef die verantwoordelike party slegs by die munisipaliteit aansoek te doen om projek goedkeuring. Die munisipaliteit moet die applikant inlig oor watter statutêre goedkeuring nodig is en in terme van watter wetsraamwerk hierdie aansoeke ingedien moet word. In alle gevalle sal die munisipaliteit die applikant na betrokke partye verwys vir kommentaar in ooreenstemming met die voorskrifte van die Wes-Kaapse Wet op Beplanning en Ontwikkeling, 1999 (Wet 7 van 1999). Onsuksesvolle applikante het die reg om teen die afkeuring van hulle voorstel te appelleer, en beswaarmakers het ook die reg om teen die goedkeuring van projekte beswaar aan te teken. Indien die onderverdeling van landbougrond voorgestel word, sal die kommentaar van die provinsiale Departement van Landbou verkry moet word.

- (viii) managerial and financial implementation capacity;
- (ix) long term sustainability; and
- (x) statutory approval requirements.

Detailed planning of the project should then be undertaken in accordance with established project parameters and in consultation with key role players. Depending on the scale and impact of the proposed project, detailed planning requirements may include the drafting of a Sectoral Plan, showing how the project will fit into the local environment. Detailed planning requirements will include:

- (i) the preparation of a **Development Plan** for agricultural holdings detailing proposed land uses and services provision in accordance with the specifications of the municipality; and
- (ii) the drafting of a **Business Plan** for land reform projects in accordance with the specifications of the Department of Land Affairs, if application is being made for a land acquisition grant. The Guidelines for Drafting of a Business Plan (see Addendum A) compiled by the Department of Land Affairs and the provincial Department of Agriculture serve as a minimum requirement in this regard.

12. APPLICATION AND APPROVAL PROCEDURES

(i) Land Reform Projects

Where the intention is to make use of the Settlement/Land Acquisition Grant as a means of financing an individual, project-based or community farming venture, the responsible party must submit a formal project application to the Provincial Director of the Department of Land Affairs. In their assessment of the application, the Department of Land Affairs will consult with the provincial Departments of Planning, Local Government and Housing and Agriculture and the Regional Office of the National Department of Water Affairs and Forestry and the relevant municipality. The Department of Land Affairs will request the municipality's formal comment at two stages, namely:

- (a) once the application has been approved in principle by the Provincial Project Assessment Committee, but before a Business Plan has been completed; and
- (b) on completion of the Business Plan and consideration of the project by the Provincial Assessment Committee.

In both cases, municipalities will forward such comment within a reasonable period, namely a maximum of 60 days.

Where the project involves an amendment to existing land use rights, and/or the subdivision or consolidation of cadastral portions, the procedures in terms of Chapter IV, Accelerated Development (Sections 33-42) of the Western Cape Planning and Development Act, 1999 (Act 7 of 1999) must be followed to effect such changes.

(ii) Privately Funded Projects

For proposed projects financed from private sources, the responsible party need only apply to the municipality for project approval. The municipality must guide the applicant as to which statutory approvals are required and in terms of which legislative framework these applications should be submitted. In all cases the municipality will refer the application to relevant parties for comment in accordance with the provisions of the Western Cape Planning and Development Act, 1999 (Act 7 of 1999). Unsuccessful applicants have the right to appeal against the refusal of their proposal, and objectors also have the right to appeal against the approval of projects. If the sub-division of agricultural land is proposed, comments will have to be obtained from the provincial Department of Agriculture.

(iii) **Alle Projekte**

Aansoeke vir projekte moet by die betrokke munisipaliteit ingedien word. Die munisipaliteit moet betrek word by die projek voorbereidingsproses, soos uiteengesit in Afdeling 11, voordat formeel aansoek gedoen word vir befondsing.

13. VERANTWOORDELIKHEDE VAN STATUTÊRE OWERHEDE

Alhoewel hierdie beleid dien om munisipaliteite pro-aktief in soombepanning te ondersteun, impliseer dit geen addisionele beplannings- en finansiële verantwoordelikhede nie, ander as soos vereis deur bestaande wetgewing en beleid.

Die verantwoordelikhede van die Wes-Kaapse statutêre owerhede vir die implementering van hierdie beleid word hieronder uiteengesit:

13.1 Provinsiale Regering

Die Provinsiale Regering moet:

- (i) Die bekendstelling van die Beleid aan Wes-Kaapse munisipaliteite en die breë gemeenskap inisieër en koördineer.
- (ii) Verseker dat die proses vir opstel van Geïntegreerde Ontwikkelingsplanne in die provinsie die vestiging van landbouhoewes in die stedelike soomgebiede aanspreek.
- (iii) Bystand verleen aan munisipaliteite wat nie die vermoë het om die beplanning van die stedelike soomgebiede te hanteer nie.
- (iv) Verseker dat voorheen agtergeblewe groepe en behoeftiges toegang het tot grond in die stedelike soomgebiede.
- (v) 'n Monitorings-, en evalueringstelsel daarstel om die suksesvolle implementering van die Beleid te verseker. Hierdie stelsel moet die volgende hersien:
 - a) die omvang van deelneming en verbintenis van sleutel rolspelers;
 - b) die voldoening aan beleidsbeginsels en prosedures;
 - c) die toepaslikheid van die geïdentifiseerde beplannings-benadering en goedkeurings-prosedures; en
 - d) struikelblokke by die suksesvolle implementering van die beleid.
- (vi) Die finansiële en logistiese implikasies bereken van die voorsiening van dienste vir die beplanning van stedelike soomgebiede en die vestiging van landbouhoewes in sulke soomgebiede, as deel van die proses van formulering van die Provinsiale Geïntegreerde Ontwikkelingsplan.

13.2 Distriksmunisipaliteite

Distriksmunisipaliteite moet:

- (i) Die beplanning en ontwikkeling van die stedelike soomgebiede en die vestiging van landbouhoewes binne hulle jurisdiksiegebied koördineer en fasiliteer.
- (ii) Ondersoek instel na die uitvoerbaarheid van voorsiening van hoofmaat dienste aan stedelike soomgebiede en landbouhoewe-ontwikkelings.
- (iii) Bestaande struktuurplanne hersien om evaluering van stedelike soomgebiede in te sluit.
- (iv) Stedelike soombepanning en landbouhoewe-ontwikkeling integreer.
- (v) Institusionele kapasiteit vir die implementering van soomgebied-beplanning en ontwikkeling evalueer.
- (vi) 'n Stedelike soombepanning en ontwikkelingsveldtog inisieer.

(iii) **All Projects**

All applications for projects must be submitted to the municipality concerned. The municipality must be involved in the project preparation process as set out in Section 11, before formal application is made for funding.

13. STATUTORY AUTHORITY RESPONSIBILITIES

Although this policy serves to assist municipalities to pro-actively address urban fringe planning, it does not imply any additional planning or financial responsibility for municipalities, other than that required in terms of existing legislation and policy.

The responsibilities of the Western Cape statutory authorities for the implementation of this policy are set out below:

13.1 Provincial Government

The Provincial Government must:

- (i) Initiate and co-ordinate the introduction of the Policy to Western Cape municipalities and broader community.
- (ii) Ensure that the process for drafting of Integrated Development Plans in the province addresses the establishment of agricultural holdings in the urban fringe.
- (iii) Provide assistance to municipalities lacking the capacity to address the planning of the urban fringe.
- (iv) Ensure that previously disadvantaged groups and the poor have access to land in the urban fringe.
- (v) Establish a monitoring and evaluation system to ensure the successful implementation of the Policy. This system must review:
 - a) the scope of participation and commitment of key role players;
 - b) adherence to policy principles and procedures;
 - c) the appropriateness of the identified planning approach and approval procedures; and
 - d) obstacles to the successful implementation of the policy.
- (vi) Calculate the financial and logistical implications of providing services for the planning of urban fringes and the establishment of agricultural holdings in such fringes, as part of the process of formulating the Provincial Integrated Development Plan.

13.2 District Municipalities

District municipalities must:

- (i) Co-ordinate and facilitate the planning and development of urban fringes and the establishment of agricultural holdings within their area of jurisdiction.
- (ii) Investigate the feasibility of providing bulk services to urban fringe and agricultural holding developments.
- (iii) Revise existing structure plans so that they include urban fringe assessments.
- (iv) Integrate urban fringe planning and agricultural holding development.
- (v) Evaluate institutional capacity for the implementation of urban fringe planning and development.
- (vi) Initiate an urban fringe planning and development information campaign.

- (vii) Die implementering van lewensvatbare voorstelle wat as loodsprojekte kan dien, identifiseer en fasiliteer.
- (viii) Reëlins vir beplanning en implementering van projekte tussen munisipaliteite koördineer.
- (ix) Dien as ontwikkelaars en koördineerders van voorkeur landbouhoewe-projekte in gevalle waar 'n dringende behoefte bestaan en geen ander partye belang stel of die vermoë het om die projek te implementeer nie.
- (x) Verseker dat voorheen agtergeblewe groepe en behoeftiges toegang het tot grond in die stedelike soomgebied.

13.3 Plaaslike en Metropolitaanse Munisipaliteite

Sulke munisipaliteite moet:

- (i) Sektorale Planne opstel vir die stedelike soomgebied en aansoekprosedures en vereistes instel vir die vestiging van landbouhoewes in die stedelike soomgebied.
- (ii) Bestaande struktuurplanne hersien om gebiede te identifiseer wat geskik is vir landbouhoewe-ontwikkeling.
- (iii) Verseker dat voorheen agtergeblewe groepe en behoeftiges toegang het tot grond in die stedelike soomgebied.
- (iv) Stedelike soomgebiedbeplanning en landbouhoewe-vereistes inkorporeer in die Geïntegreerde Ontwikkelingsplan proses.
- (v) Aansoek doen vir toekening van fondse van die "Consolidated Municipal Infrastructure Programme" ("CMIP") vir die opgradering van hoofmaat dienste.
- (vi) In konsultasie met die betrokke distriksmunisipaliteite ondersoek instel na die uitvoerbaarheid van die voorsiening van hoofmaat dienste aan landbouhoewe-ontwikkelings.
- (vii) Die beplanning en ontwikkeling van landbouhoewe-projekte koördineer en fasiliteer.
- (viii) Dien as ontwikkelaars en koördineerders van voorkeur landbouhoewe-ontwikkelings waar geen ander geskikte partye beskikbaar is nie.

14. SLOTSOM

Die Provinsiale Regering van die Wes-Kaap beskou die implementering van die Beleid vir die Vestiging van Landbouhoewes in die Stedelike Soomgebied as beide 'n uitdaging en 'n geleentheid. Die beleid dra by tot die versterking van die landbousektor in die Wes-Kaap, fasiliteer toegang tot landbougrond en geïntegreerde beplanning van grondgebruik in die stedelike soomgebied.

ADDENDUM A

tot Wes-Kaap Konsepbeleid vir die Vestiging van Landbouhoewes in die Stedelike Soomgebied:

Riglyne vir die Opstel van 'n Besigheidsplan

Februarie 2000

Die Riglyne vir die Opstel van 'n Besigheidsplan, soos opgestel deur die Departement van Grondsake en die provinsiale Departement van Landbou, behels die volgende:

- (i) Stel die doel van die projek vas.
- (ii) Voorsien 'n ekonomiese perspektief van die relevante landbousektor.
- (iii) Beskryf die totale projek en regulasies vir projek beheer, insluitend:
 - a) langtermyn volhoubaarheid en ekonomiese uitvoerbaarheid;

- (vii) Identify and facilitate the implementation of viable proposals that can serve as pilot projects.
- (viii) Co-ordinate planning and implementation arrangements between municipalities.
- (ix) Act as developers and co-ordinators of priority agricultural holding projects in cases where an urgent need exists and no other parties are interested or have the capacity to implement the project.
- (x) Ensure that previously disadvantaged groups and the poor have access to land in the urban fringe.

13.3 Local and Metropolitan Municipalities

Such municipalities must:

- (i) Compile Sectoral Plans for the urban fringe and introduce application procedures and requirements for the establishment of agricultural holdings in the urban fringe.
- (ii) Revise existing structure plans to identify areas suitable for agricultural holding development.
- (iii) Ensure that previously disadvantaged groups and the poor have access to land in the urban fringe.
- (iv) Incorporate urban fringe planning and agricultural holding requirements into the planning process of the Integrated Development Plan.
- (v) Apply for allocation of funds from the Consolidated Municipal Infrastructure Programme (CMIP) for the upgrading of bulk services.
- (vi) Investigate, in consultation with the relevant district municipalities, the feasibility of providing bulk services to agricultural holding developments.
- (vii) Co-ordinate and facilitate the planning and development of agricultural holding projects.
- (viii) Act as developers and co-ordinators of priority agricultural holding developments where no other suitable parties are available.

14. CONCLUSION

The Provincial Government of the Western Cape regards the implementation of the Policy for the Establishment of Agricultural Holdings in the Urban Fringe as both a challenge and an opportunity. The policy contributes to the strengthening of the agricultural sector in the Western Cape, facilitates access to farming land and provides for integrated land use planning of the urban fringe.

ADDENDUM A

To the Western Cape Draft Policy for the Establishment of Agricultural Holdings in the Urban Fringe:

Guidelines for the Drafting of Agricultural Business Plans

February 2000

The Guidelines for Drafting of a Business Plan, as compiled by the Department of Land Affairs and the provincial Department of Agriculture, encompass the following:

- (i) Determine the purpose of the project
- (ii) Provide an economic perspective of the agricultural sector relevant to the project
- (iii) Describe the overall project and regulations for project control, inclusive of:
 - a) long term sustainability and economic viability;

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|--|---|
| <ul style="list-style-type: none"> b) strategie vir voedsel sekuriteit en bestryding van armoede; c) hoofbron en ander bronne van finansiering; d) institusionele en tegniese bystand (bv. Departement van Landbou, Kooperasies); e) institusionele raamwerk; f) deelname van vroue; g) deelname van die breër gemeenskap; h) konsultasie met rolspelers en betrokke partye; i) tegniese riglyne (bv. onderhoud van infrastruktuur, opleiding); j) finansiële en ekonomiese riglyne; en k) riglyne vir projek prioritisering. | <ul style="list-style-type: none"> b) strategy for food security and combating poverty, c) main and other source of financing; d) institutional and technical assistance (e.g. Department of Agriculture, co-operatives) e) institutional framework; f) participation of women; g) participation of the wider community; h) consultation with role players and parties involved; i) technical guidelines (e.g. maintenance of infrastructure, training); j) financial and economic guidelines; and k) guidelines for project prioritization. |
| <p>(iv) Omskryf in breë trekke die reëlins vir projekbestuur met verwysing na verantwoordelike partye vir projekbeplanning, ontwikkeling, operasies en finansiële kontrole.</p> | <p>(iv) Outline project management arrangements with reference to responsible parties for project planning, development, operations and financial control.</p> |
| <p>(v) Voorsien 'n profiel van begunstigdes (demografies en sosio-ekonomies).</p> | <p>(v) Provide a profile of beneficiaries (demographic and socio-economic)</p> |
| <p>(vi) Identifiseer die landbougrond met 'n gedetailleerde beskrywing van:</p> | <p>(vi) Identify the agricultural land with a detailed description of:</p> |
| <ul style="list-style-type: none"> a) topografie, ligging en grootte; b) grondontleding en tipes grond; c) beoogde gewasse of landbou-produkte; d) besproeiing (bv. beskikbaarheid, hoeveelheid benodig, kostes); e) bestaande geriewe, grondgebruike, bewoners, sonering en eienaarskap; f) beperkende wetgewing of beleid (bv. natuurbewaring, onderverdeling); g) omgewings-impak; h) wenslikheid van vestiging (toegang, dienste voorsien, uitvoerbaarheid); i) doelwitte (d.i. produksie, mylpale, oordrag van vaardighede); j) landboukundige uitvoerbaarheid; k) ontwikkelingsprogram (plan van aksie); en l) begroting en kontantvloei projeksies. | <ul style="list-style-type: none"> a) topography, locality and size; b) soil analysis and types of soil; c) intended crops or agricultural products; d) irrigation (e.g. availability, amount required, costs); e) existing facilities, land uses, occupants, zoning and ownership; f) restricting legislation or policy (e.g. nature conservation, sub-division); g) environmental impact; h) desirability of settlement (access, services provided, viability); i) goals (i.e. production, milestones, skills transfer); j) agricultural viability; k) development programme (plan of action); and l) budget and cash flow projections. |
| <p>(vii) Gedetailleerde beplanning van projekbestuur en finansiering, insluitend:</p> | <p>(vii) Detailed measures for project management and financing, including:</p> |
| <ul style="list-style-type: none"> a) voorsiening vir ontwikkeling, bedryf en onderhoud; b) bestuur van grondgebruik, verblyfsreëlins en opsies vir grondbesit; c) organisatoriese ontwikkeling (beginsels, skepping van 'n regsenteit); d) projek eienskappe (gemeenskap-aangedryf, arbeidsintensief, opleiding, werkskepping, teikengroepe, skakeling met klein en medium ondernemings, tender-prosedures); | <ul style="list-style-type: none"> a) provision for development, operation and maintenance; b) land use management, tenure arrangements and options for land ownership; c) organizational development (principles, creation of a legal entity); d) project characteristics (community driven, labour intensive, training, provision of jobs, target groups, linking with small and medium enterprises, tender procedures); |

<p>e) finansiële implikasies (grondverkryging en ontwikkeling);</p> <p>f) finansieringsplan (toelaes, subsidies, lenings, koste verhaling);</p> <p>g) bemarkingsplan (produksie en skakeling met plaaslike ekonomie); en</p> <p>h) verslaggewing formaat (kontantvloei, vooruitgang, werkskepping, opleiding).</p> <p>(viii) Die volgende dokumentasie moet by die Besigheidsplan aangeheg word:</p> <p>a) versoek van begunstigdes vir bystand;</p> <p>b) lys van begunstigdes;</p> <p>c) toestemming van huidige grondeienaar vir die aankoop van die grond;</p> <p>d) memorandum van ooreenkoms omtrent die koopprys van die grond;</p> <p>e) briewe van beswaar en kommentaar;</p> <p>f) afskrif van die titelakte;</p> <p>g) bewys van die stigting van 'n regsenteit;</p> <p>h) verslag van grondwaardasie;</p> <p>i) studie van landboukundige uitvoerbaarheid; en</p> <p>j) voorlopige plan vir grondgebruik en ontwikkeling.</p>	<p>e) financial implications (land acquisition and development);</p> <p>f) financing plan (grants, subsidies, loans, cost recovery);</p> <p>g) marketing plan (production and linkages with local economy); and</p> <p>h) reporting format (cash flow, progress, work provision, training).</p> <p>(viii) The following documentation should be attached to the Business Plan:</p> <p>a) request by beneficiaries for assistance;</p> <p>b) list of beneficiaries;</p> <p>c) consent of present land owner for the purchase of the land;</p> <p>d) memorandum of agreement regarding the sale price;</p> <p>e) letters of objection and comment;</p> <p>f) copy of the title deed;</p> <p>g) proof of establishment of a legal entity;</p> <p>h) report of land valuation;</p> <p>i) study of agricultural viability; and</p> <p>j) provisional plan of land use and site development.</p>
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