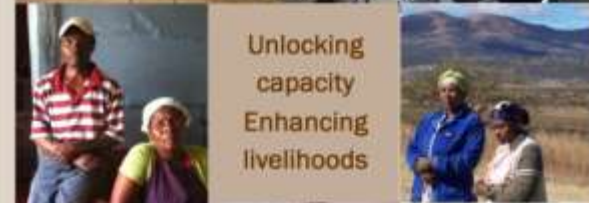


Sharing thoughts on international and local experience on land right inquiries.

Overview of lessons learnt



Writing new stories

Land and rural development specialists

85 Durban Rd, Mowbray, Tel: 021 685-1118.

Website: www.phuhlisani.com email: david@phuhlisani.co.za

Contents

- Demystifying the concepts: Land rights inquiry, enumeration & land audit.
- Definition as per CLTB 2014
- Local experiments
- Some instruments
- Reference group
- Tenure continuum paradigm
- Basic design frameworks
- Where to?

Land rights inquiry

- Some literature refers to enumeration.
- Some official talk of land audits.

Is this the same thing.....

- Understanding of context is important before one gets lost in concepts.
- Both make use of questionnaires to collect predetermined data sets. Content may vary in breath as well as detail.

Communal Tenure Bill 2014

- *S20 start to define but limited to communal land context.*
- *It is presented as a precursor to comparable redress.*
 - S20(2)(a) the nature and extent of competing or conflicting land rights and interests, and whether such rights are legally secure or not;
 - S20(2)(b) the interests of the State;
 - S20(2)(c) the options available for ensuring legally secure rights;

CLTB 2014 Cont.

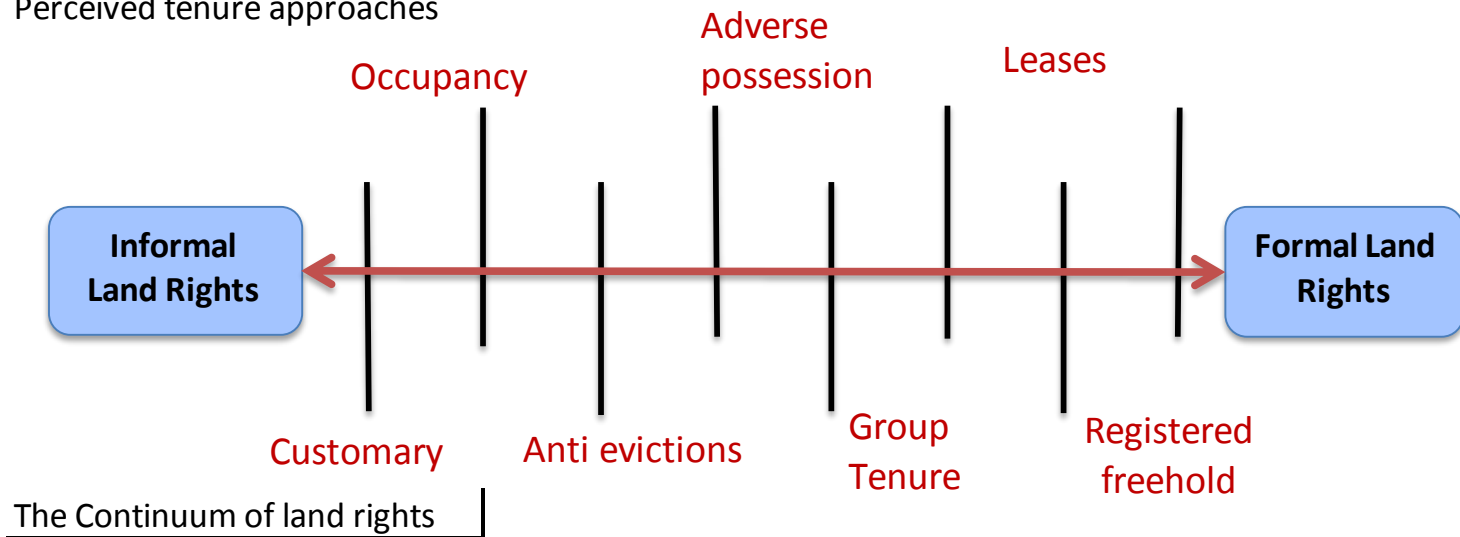
- S20(2)(d) the provision of access to land on an equitable basis;
- S20(2)(e) land value, spatial planning and land use management, land development, and the necessity for conducting a development or a decongestion, subdivision, readjustment or consolidation or other land reform programme, and the nature of such programme;
- S20(2)(f) the need for comparable redress and the nature and extent of such redress;
- S20(2)(g) the measures required to promote gender equality in the allocation, registration and exercise of land rights;
- S20(2)(h) administration of 'communal' land;

CLTB 2014 Cont.

- any matter relevant to any determination to be made by the Minister in terms of this Act; and
- any other matter as may be instructed by the Minister,
- The land rights enquirer must, after completion of a land rights enquiry, submit a report on the enquiry to the Minister.

Tenure continuum paradigm

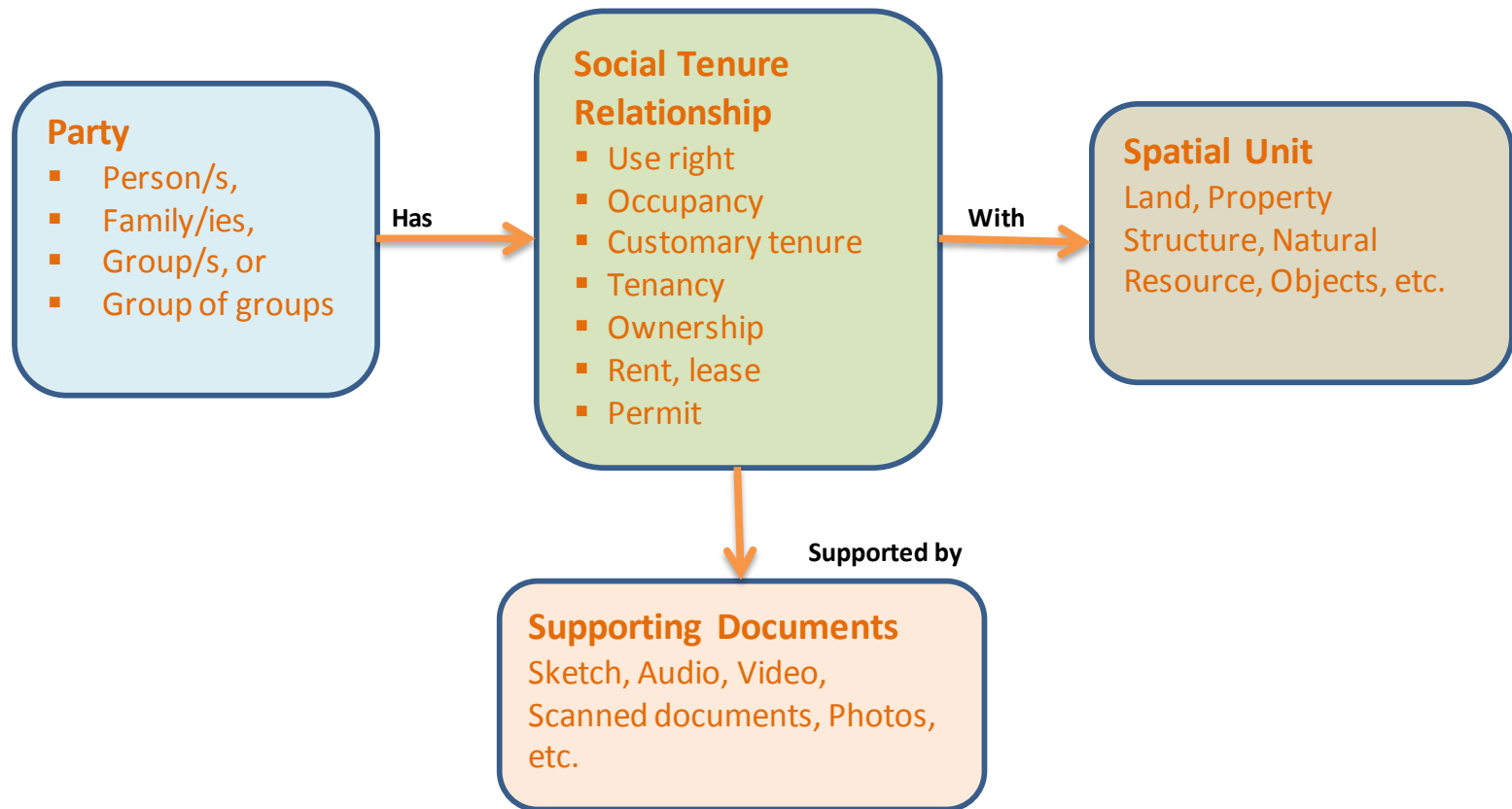
Perceived tenure approaches



Some of the open source tools

- Social Tenure Domain Model under development by the UN Habitat.
- Talking Titler by the University of Calgary.
- Flossola etc.

Basic conceptual design



Local experiences

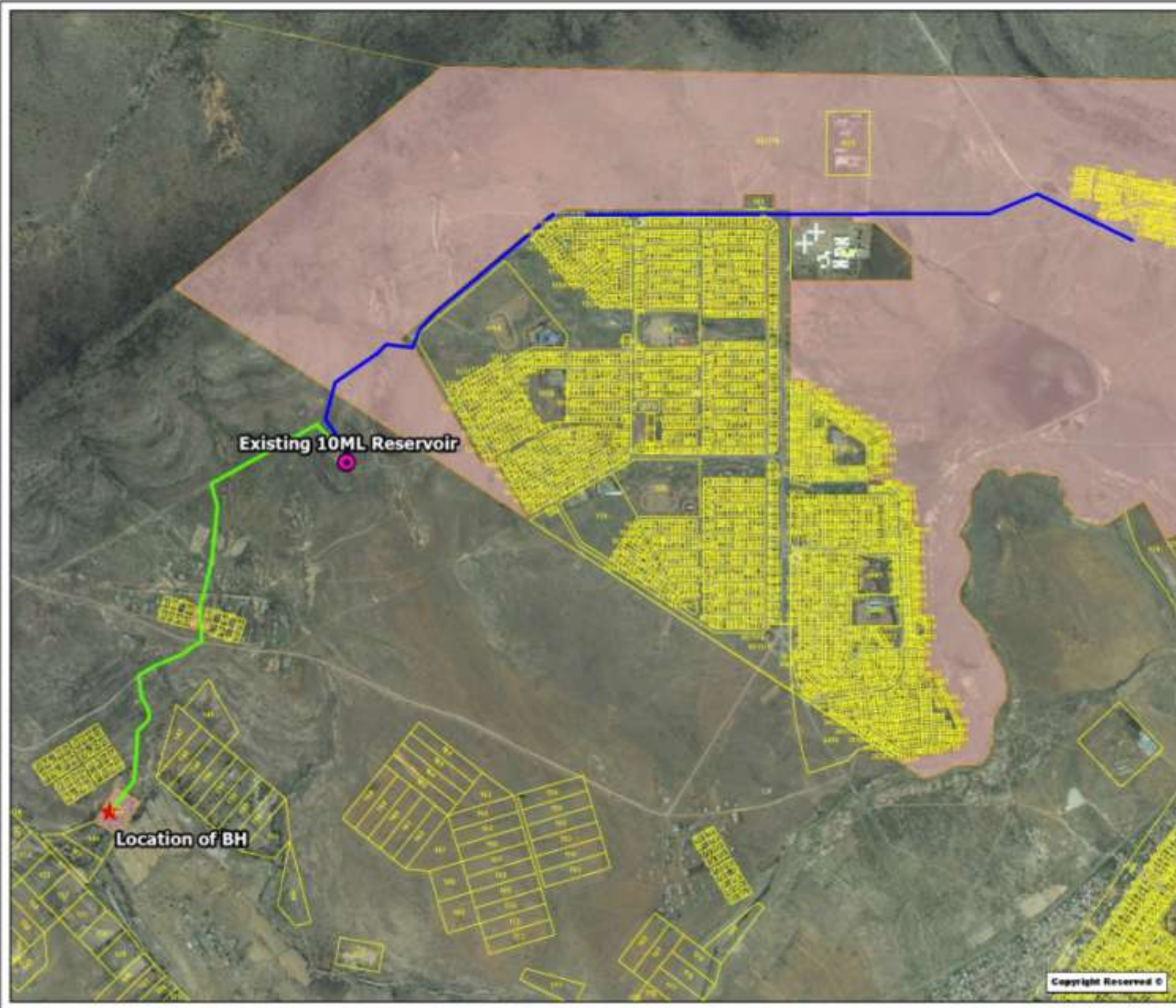
- Sterkspruit (2010 -2012)
- St Marks community Cofimvaba (2015)
- Shixini, Willowvale (current)
- Silvertown in Mthatha (planning stage)
- Numerous infrastructure projects in Chris Hanani DM.

SADA WATER PROJECT EXT 4, EMABHELENI LOCATION

LOCALITY Figure 1

Legend

- Affected_Erven
- ★ Location Of Bore Hole
- 10ML Reservoir
- Hewu Ext 4 Emergency RM Route
- Hewu Ext 4 Emergency GM Route
- Erf



Date: 2 February 2020
 Project No.: UCCL 255
 Project Ref.: D1/UCCL 255 Sada Water Works

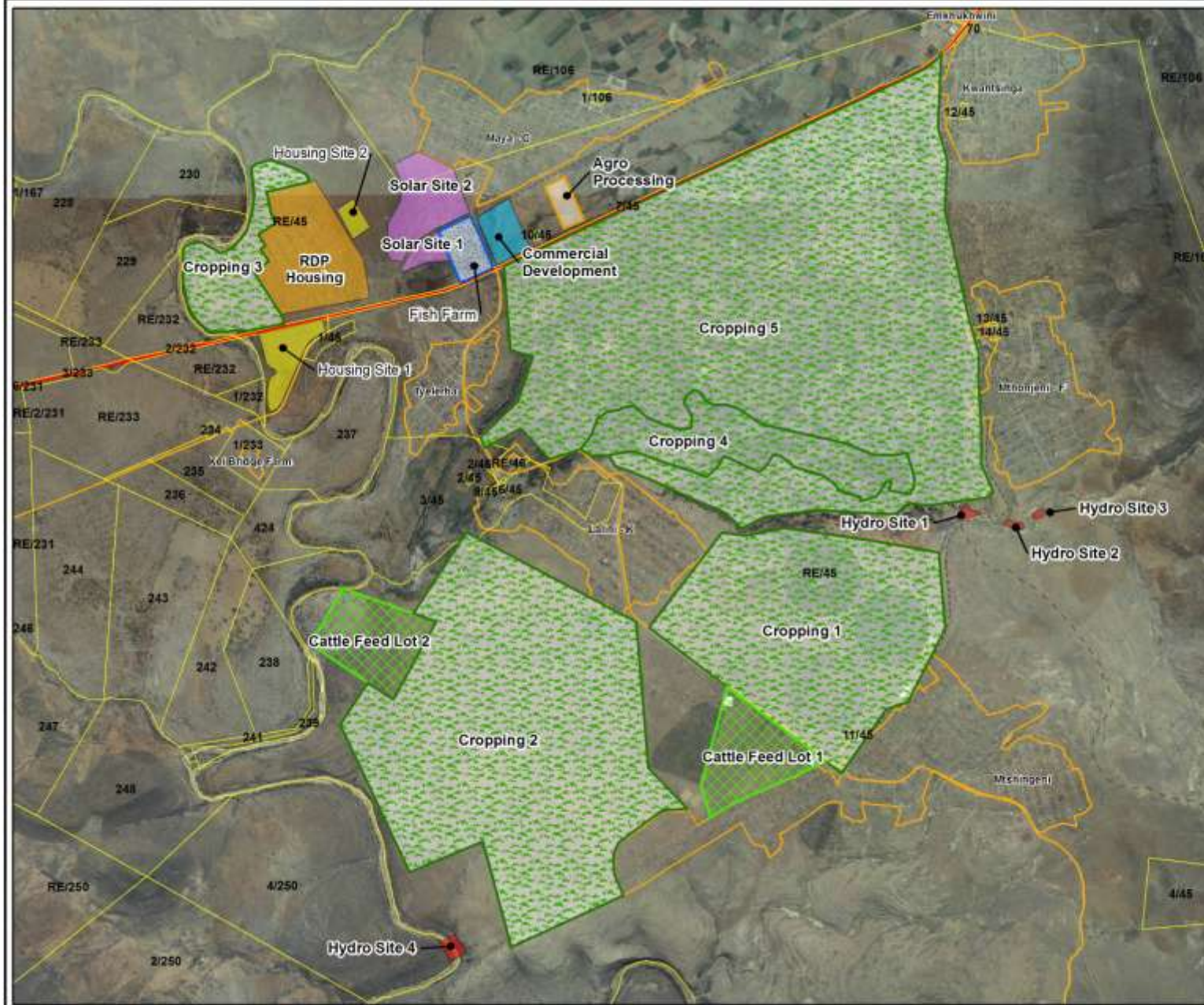
Produced For:	Produced By: <div style="text-align: center;"> EAST LONDON TEL: 043 721 1888 </div>
---------------	---

Limits of Liability and Warranty Disclaimer
 UMHLABA makes no warranty of any kind, expressed or implied, with regards to the data illustrated, and shall not be liable in any event for any incidental or consequential damage resulting from its use.
 The data remains the sole property of the client & may only be used for the purpose of a project with the prior written approval of the client.

Copyright Reserved ©

ST MARKS RURAL ECONOMIC DEVELOPMENT HUB

Targeted Land Parcels



- Legend**
- Cattle Feed Lot
 - Cropping
 - Housing Site
 - Proposed Agro Processing
 - Proposed Commercial Development
 - Proposed Fish Farm
 - Proposed Hydro Sites
 - Proposed Solar Sites
 - RDP Housing
 - Settlements
 - Cadastrals
- Road Network**
- National
 - Trunk
 - Main
 - District
 - Access
 - Paved
 - Unpaved



Scale 1:52,500
0 0.35 0.7 1.4 Kilometers

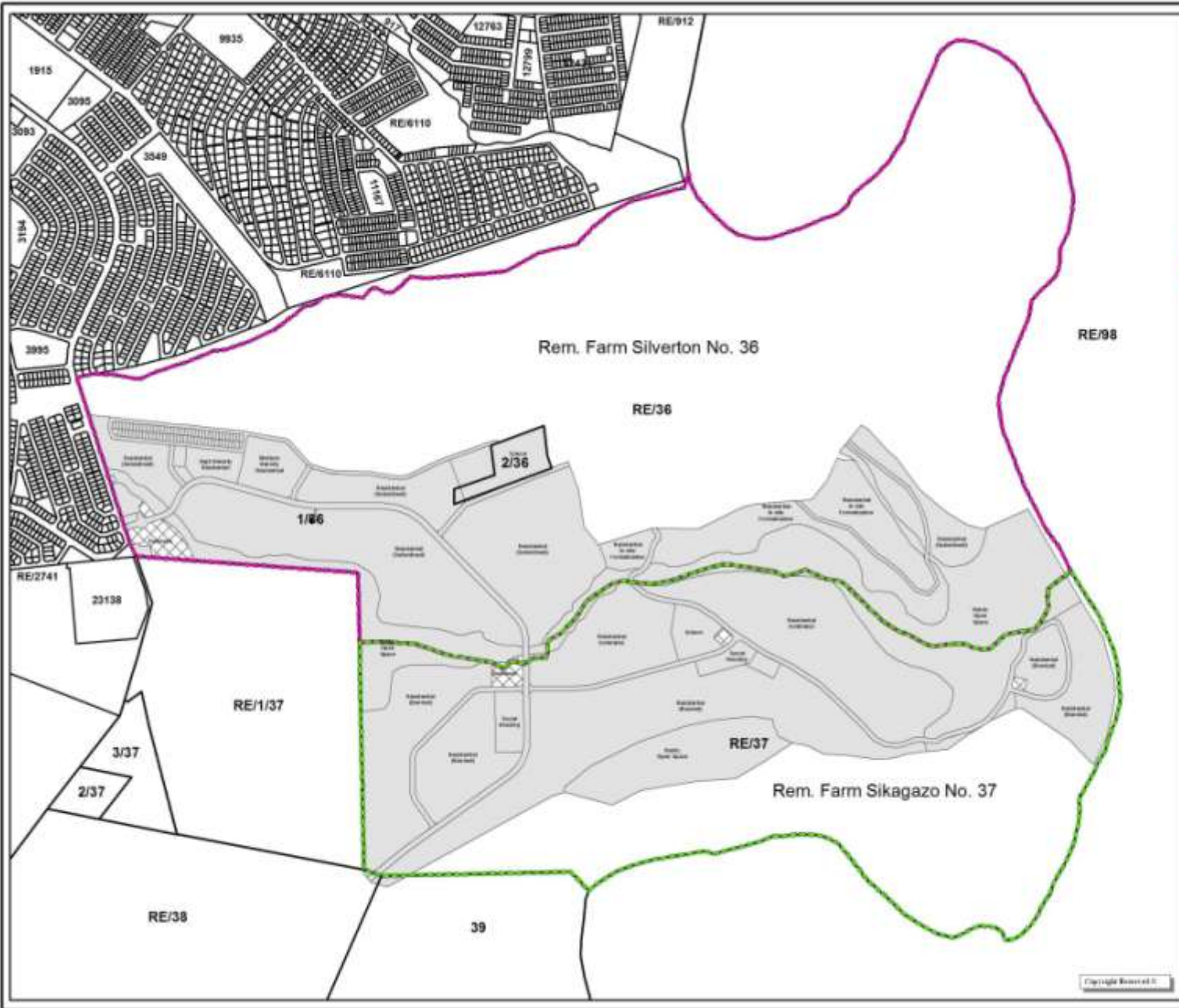
PRODUCED BY:
UMHLABA
CONSULTING GROUP
EAST LONDON
043 731 1554

PRODUCED FOR:
MBC
Machule Business Consultants

SILVERTON MIXED USE DEVELOPMENT

ANNEXURE SKETCH PLAN

- Legend**
-  REM OF FARM SILVERTON No. 36
 -  REM OF FARM SIKAGAZO No. 37
 -  To be Leased
 -  To be Sold Off
 -  Cadastrals



Date: 31 March 2008
 Project No.: UG1208
 Project Ref.: UG1208/1 (Uxbridge Projects)
 UG1208 (London Midland East Stop),
 by Project's Annexure Sketch Plan

PRODUCED FOR: PRODUCED BY:

UMHLABA
CONSULTING GROUP

East London
Tel: 043 721 1554

Limits of Liability and Warranty Disclaimer

Setpala makes no warranty of any kind, expressed or implied, with regards to the data illustrated, and shall not be held in any event for any incidental or consequential damage resulting from its use.

The data remains the sole property of the client & may only be used for the purpose of a project, with the prior written approval of the client.

SILVERTON MIXED USE DEVELOPMENT

ANNEXURE 1: SKETCH PLAN

Legend

- Photos
- Silverton**
- Sold_Lease**
- To be Leased
- To be Sold Off



Scale 1:4 000

0 75 150 300 450 600 Meters

Dated 9 June 2016
Project No. UG 0106
Project Ref. UG 0106/01 (Ukhahlamba Project)
UCC/2016 Silverton Mixed Use Development
AV Project/Annexure 1 Sketch Plan and

PREPARED FOR:

PREPARED BY:

UMHLABA
CONSULTING GROUP

East London
Tel: 043 7211554

Limit of Liability and Warranty Disclaimer
Uphlabu makes no warranty of any kind, expressed or implied, with regards to the data illustrated, and shall not be liable in any event for any incidental or consequential damage resulting from its use.
The data remains the sole property of the client & may only be used for the purpose of a project, with the prior written approval of the client.

SILVERTON MIXED USE DEVELOPMENT

ANNEXURE 1: SKETCH PLAN

Legend

○ Photo Position

To be Leased

To be Sold Off

— Cadastrals



Scale 1:4 000



N



Prepared by

UMHLABA
CONSULTING GROUP

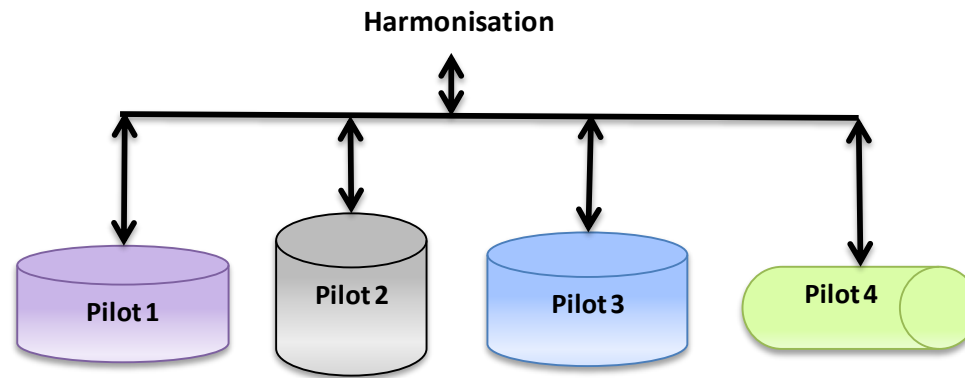
East London
Tel: 043 7211554

Umhlaba makes no warranty of any kind, expressed or implied, as to the accuracy or completeness of the data or information contained herein and shall not be liable in any event for any incidental or consequential damage resulting from its use.
The data remains the sole property of the client & may only be used for the purpose of a project, with the prior written approval of the client.

Where to?

- Need to develop a shared national vision for a revamped land administration system.
- Reference Group comprised of South African and international extension experts. Too provide advice, practical direction and guidance on the policy framework. Provide an oversight in the development process of national policy and legislation. Facilitate cross-pollination of ideas.

Need for piloting



The engagement strategies

- Dedicated steering groups involving international and local experts, government – to provide policy oversight.
- Online discussion fora. e.g. Twitter stream.
- Dedicated website and or web repositories.
- Networking internationally and nationally
- Independent peer review processes and dedicated research.
- National and provincial policy dialogue workshops.
- Human capital enhancement (training).

Thank You

Thank You
