

DEPARTMENT OF LAND REFORM AND RURAL DEVELOPMENT

Land Planning Programme in collaboration with Traditional Leaders

Case Studies in Spatial Planning and Land Use Management in areas
under Traditional Leadership

Ms. Aluwani Matsila
Chief Director: Integrated Spatial Planning
Branch: Spatial Planning and Land Use Management



PRESENTANTATION OUTLINE

1. Setting the scene

- a) Poor Integration into Spatial Planning And Land Use Management System
- b) Importance of Planning in areas under Traditional Leaders
- c) Role of Traditional Leaders in Land Use Management
- d) Legal frameworks for Spatial Planning

2. The Land Planning Programme

3. Pilot projects (GP-Sokhulumi; FS- Bolata; KZN-Molefe LPP Area Plans)

- a) Overview of the case study area
- b) Engagement between government and traditional council and community
- c) Key land use management challenges
- d) Use of GIS and Drone mapping technology
- e) Outcome of the planning process

4. Lesson learnt and best practices

5. Conclusion



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PRESENTANTATION OUTLINE

Key Abbreviations

SPLUMA	Spatial Planning and Land Use Management
IDP	Integrated Development Plan
SDF	Spatial Development Framework
LPP	Land Planning Programme
NSDF	National Spatial Development Framework
IUDF	Integrated Urban Development Framework
TC	Traditional Council
LUS	Land Use Scheme
PTO	Permission to occupy
LM	Local Municipality
DM	District Municipality



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SETTING THE SCENE

POOR INTEGRATION OF LARGE PARTS OF THE COUNTRY WITHIN THE FORMAL SPATIAL PLANNING AND LAND USE MANAGEMENT SYSTEM

- Parts of our urban and rural areas continue to have deficiencies in the application of spatial planning and land use management management tools and systems and are excluded from the benefits of such a system
- Informal and traditional land use development processes continue to be poorly integrated into formal systems of planning
- Inadequate and strained working relationships with institutions of Traditional and Khoi and San Leadership concerning planning and development activities, despite the presence of relevant legislation, policies, and tools
- Ambiguity or insufficient clarity regarding the role of traditional leaders in the spatial planning and land use management processes
- Deficiencies in the implementation of planning tools and their enforcement
- Incidents of land invasion
- Settlements established in hazardous areas vulnerable to natural disasters and climate change impacts
- Unauthorized or irregular development of settlements



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SETTING THE SCENE

IMPORTANCE OF PLANNING IN AREAS UNDER TRADITIONAL LEADERS

Integration with Municipal and Government Plans

- Traditional areas need to align with municipal Integrated Development Plans (IDPs) and Spatial Development Frameworks (SDFs) to access government funding and services.
- Proper planning ensures that traditional authorities work collaboratively with local governments to improve service delivery.

Conflict Resolution and Land Rights Security

- In many traditional areas, land disputes arise due to overlapping land rights between individuals, families, and communities.
- Effective land use management provides a structured approach to land allocation, reducing conflicts and ensuring fair distribution of land.

Balancing Traditional Land Use Management Processes with Modern Planning

- Many rural areas under traditional leadership operate under a traditional land use management, which can sometimes be misaligned with formal land-use regulations.
- Spatial planning helps integrate these customary systems with national and municipal planning frameworks, ensuring land rights are recognized while promoting sustainable development.



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SETTING THE SCENE

ROLE OF TRADITIONAL LEADERS IN LAND USE MANAGEMENT

- Traditional leaders and communities participate in Integrated Development Plans (IDPs) and Spatial Development Frameworks (SDFs) to ensure areas under their leadership are included in formal land use policies
- They oversee the allocation of land for residential, agricultural, and communal use in line with local land use / zoning scheme
- Many land-related disputes, such as boundary conflicts or competing rights, are resolved through traditional leadership structures.
- They regulate land access and use based on cultural norms and community needs.
- Traditional leaders play a role in identifying land for public services such as schools, clinics, roads, and community centers.
- They facilitate engagement with government and private investors for infrastructure development.
- Traditional leaders help enforce sustainable land use practices, such as controlled grazing, water conservation, and protection of sacred sites.
- They negotiate land use agreements with investors while protecting community interests.
- Proper planning under their leadership can enhance local economic opportunities and job creation.



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SETTING THE SCENE

LEGAL FRAMEWORKS GOVERNING SPATIAL PLANNING

- **Spatial Planning and Land Use Management Act, 2013 Act No. 16 of 2013:**
 - SPLUMA (2013)** ensures consistency in land development, integrates traditional areas, and mandates municipal collaboration.
 - Municipal Systems Act (2000)** requires Integrated Development Plans (IDPs) with community participation, including traditional leaders.
- **The Constitution & Traditional Leadership Laws**
 - Constitution (1996)** recognizes traditional leadership in land administration.
 - Traditional Leadership and Governance Framework Act (2003)** defines traditional councils' responsibilities in managing communal land.
- **Policy Frameworks Governing Spatial Planning**
 - National Development Plan (NDP) 2030** promotes rural development and spatial justice.
 - National Spatial Planning Development Framework (NSDF)** integrates traditional areas into national development, supporting infrastructure investment
- **Land Tenure and Urban Development Policies**
 - Current land tenure policies** focus on secure land rights while respecting customary governance.
 - Integrated Urban Development Framework (IUDF, 2016)** bridges rural-urban disparities and promotes spatial transformation



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LAND PLANNING PROGRAMME

- Land Planning Programme initiated in February 2023 as a multi – stakeholder program that necessitates engagement and collaboration of national, provincial and local government.
- Section 7 of SPLUMA provides for the principle of spatial justice which is more relevant to LPP in that; it ensures that past spatial imbalances must be addressed through improved access to and use of land.
- The LPP provides for the development of the plans is in accordance to section 7(a)(ii) of SPLUMA which in the instance of LPP are termed Traditional Council Area Plans (TC area plans) or Village Area Plans.
- The aim of the programme is to facilitate land planning and development in areas under traditional leadership.
- LPP stands in 3 pillars; SPLUMA Amendments, Land Planning Tools & Systems (Development of TC Area Plans) and Inter-governmental Task Teams.
- 10 specific areas in areas under traditional leadership identified by the NHT&KL to serve as pilot projects

PROVINCE	DISTRICT	LOCAL MUNICIPALITY	TRADITIONAL COUNCIL	IMPLEMENTATION STATUS
Eastern Cape	Amathole District Municipality	Raymond Mhlaba	Gaga	In progress
Eastern Cape	OR Tambo District Municipality	King Sabata Dalindyebo Local Municipality	Bhaziya	In progress
Free State	Thabo Mofutsanyane District Municipality	Maluti-a-Phofung local municipality	Bolata	Completed
Gauteng	City of Tshwane Metropolitan Municipality	Kungwini Local Municipality	Amandebele Ndzundza Sokhulumu	In progress
KwaZulu-Natal	uMzinyathi District Municipality	Nquthu	Molefe	Completed
Limpopo	Vhembe District Municipality	Thulamela Local Municipality	Rambuda	In progress
Limpopo	Sekhukhune District Municipality	Fetakgomo Tubatse	Magadimana Ntweng	In progress
Mpumalanga	Nkangala District Municipality	Thembisile Hani	Ndzundza Fene	In progress
North West	Bojanala Platinum District Municipality	Moses Kotane Local Municipality	Bathaku Ba Matutu	Completed
Northern Cape	John Taolo Gaetsewe District Municipality	Joe Morolong Local Municipality	Baga Mahura	Completed



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GAUTENG – SOKHULUMI TC AREA PLAN (PRECINCT PLAN)

Link to the Story Map: <https://arcg.is/0iG0mi>

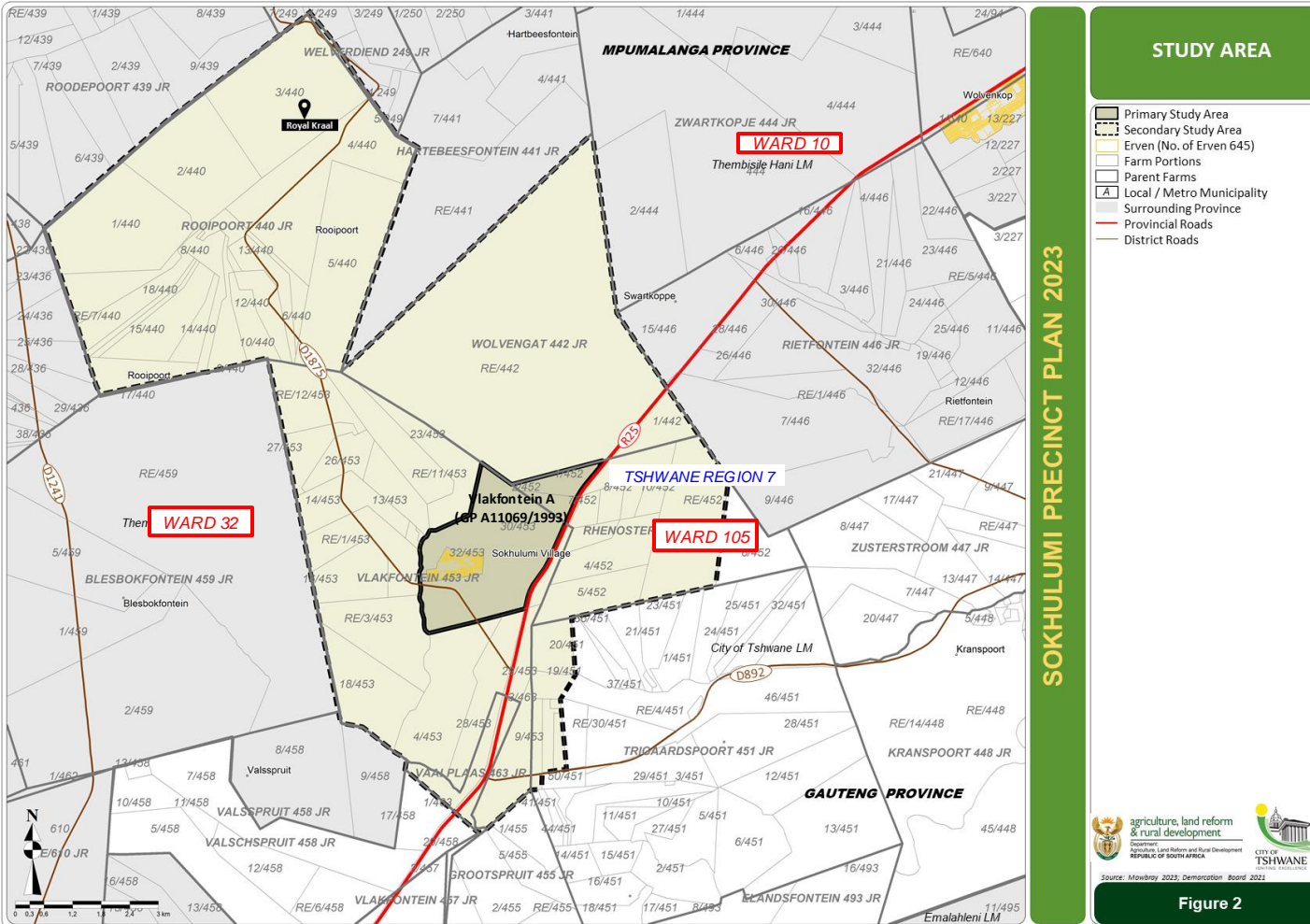


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OVERVIEW OF TC AREA



- The Sokhulumi Precinct Area is situated within Ward 105 of the City of Tshwane MM
- The area is under the Amandebele Ndzundza Tribal Council, led by iNkosi MP Mahlangu.
- Year 2023
- A total of 3 278 households
- Primary Area - 2 877
- Secondary area - 401



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ENGAGEMENTS BETWEEN GOVERNMENT, TRADITIONAL COUNCIL AND COMMUNITY FOR INTEGRATED SOLUTIONS



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LAND USE MANAGEMENT CHALLENGES

CHALLENGES AND GAPS	DESCRIPTION/DETAIL RELATING TO SOKHULUMI (STUDY AREA)
Compliance with City of Tshwane SDF and LUS	No provision in old COT Land Use Scheme for Traditional land/rural traditional development. However, the reviewed LUS allows for “designated areas’
Availability of Infrastructure/Services	Water is a challenge in the area and the whole of Region 7 due to Rand Water quota till 2029. Area reliant on ground water supply but only 1/5 boreholes feed the reservoir whereas other have been vandalised or no longer functional.
Human Settlement Development	Development historically being undertaken without detailed studies being done i.e. Environmental and Geotechnical studies, outline scheme reports and wetland certification resulting in township layouts with erven earmarked on flood line.
Loss of TC PTO records	All records of allocated sites were lost in a fire as a result of the vandalism of the TC mobile offices used to house their records. i.e. PTOs records
What TC wants vs what we are uncovering	TC vision for direction of growth towards Bronkhorstspuit hindered by environmental factors. Traditional rural vs. formal township development envisaging 2000 residential sites.
Promulgation of TC	Gazette Notice 100 dated 30 September 1988 recognises the Traditional Authority of Ndzundza Sokhulumu only on a Part of the farm Rooipoort 440 JR whereas the constituents are located on the Portions of the farm Vlakfontein 453 JR. Hindering Re-constitution of TC by CoGTA.



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USE OF GIS AND DRONE MAPPING TECHNOLOGY



DJI Mavic 3 Multispectral Drone flew on the 1st day at Flight Plan Area 1 at 400ft (121m) Above Ground Level (Max flight time of 43min) covering 78.3 Ha. Two flights were done at Area 1

Quantum Systems Trinity F90+ with the Sony RXR11 payload Drone flew on the second and third day at Flight Plan Area 2 at 400ft (121m) Above Ground Level (Max flight time of 90min) covering 788.6 hectares.

- 1st flight on the 2nd day 27th June 2024: 1804 Images, flight time: 01h09m (FLY_2013)
- 2nd flight on the 2nd day 27th June 2024: 2664 Images, flight time: 01h31m (FLY_2015)
- 3rd flight on the 2nd day 27th June 2024: 2606 Images, flight time: 01h17m (FLY_2016)

The raw images were uploaded on the SharePoint to be processed using ArcGIS Drone2Map to be opened easily in ArcGIS Pro

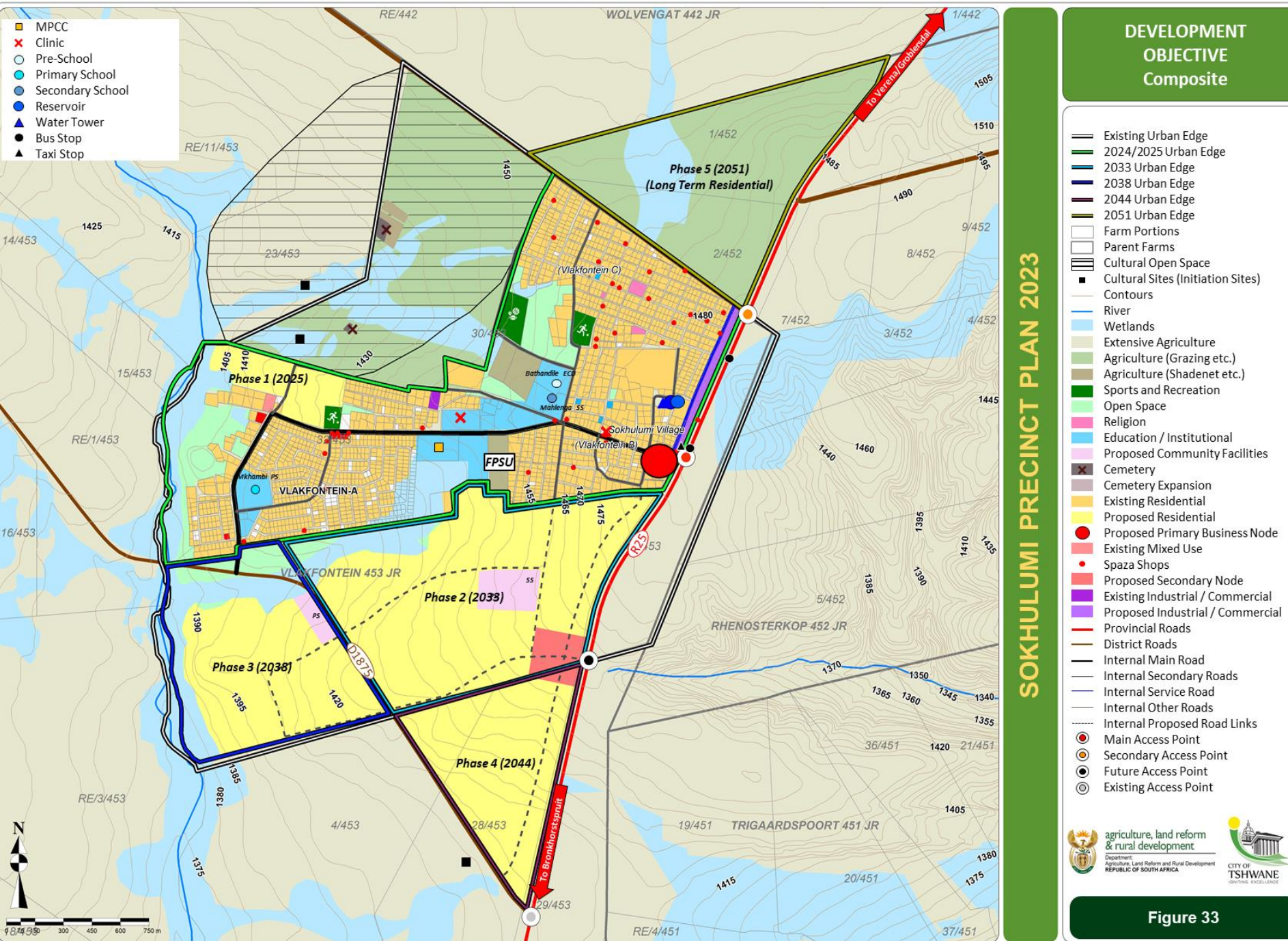


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OUTCOME - PROPOSED DEVELOPMENT CONCEPT FOR STUDY AREA



LESSONS LEARNAND BEST PRACTICES

- ✓ Engagements with Traditional Authority and community members allowed project team to better understand the study area and the challenges experienced.
- ✓ Close collaboration with the municipality helped us foster buy in and identify solutions that are aligned to municipal processes and regulations.
- ✓ Precinct plan can propose a number of solutions; however, basic services need to be met before additional projects can be undertaken.
- ✓ Site specific solutions need to be developed to work towards sustainability (Example: The use of pit latrines vs Urine Diversion Sanitation (UDS) as a viable sanitation solution for the area due to the dependence of the area on ground water supply).
- ✓ Capacitating the TC and the community to understand basic land use planning processes



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FREE STATE – BOLATA TC AREA PLAN

Link to the Story Map: <https://arcg.is/1L08Wa1>



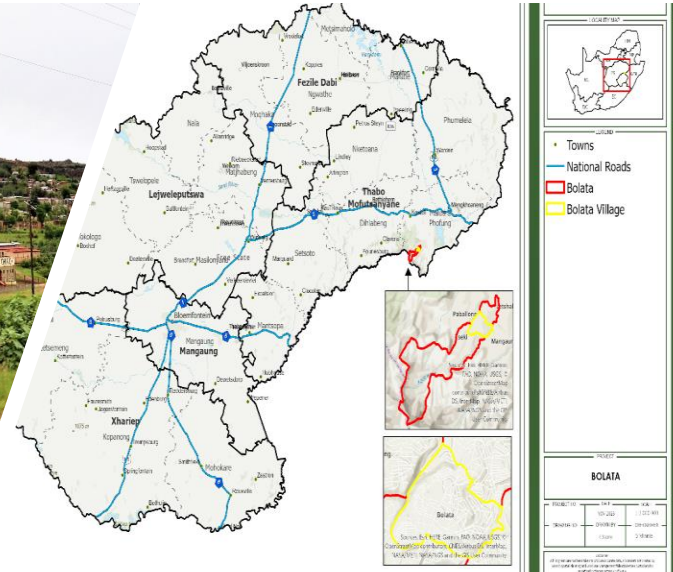
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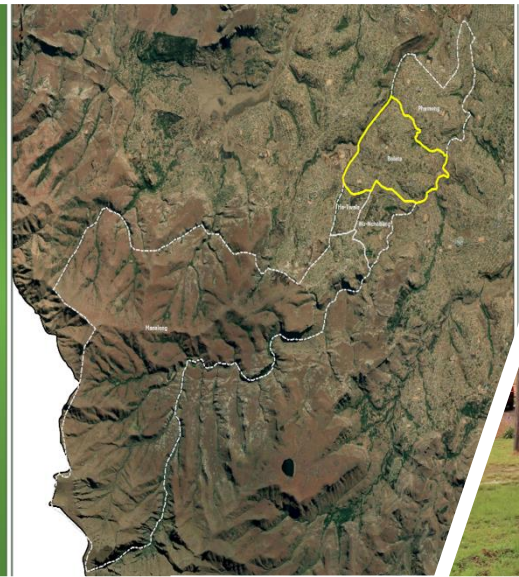


OVERVIEW OF THE TC AREA

- The Bolata Traditional Council area is located within the Maluti-a-Phofung Local Municipality (MAP) in the Thabo Mofutsanyana District, along the eastern part of the Free State Province, bordering KZN and Lesotho.



- It is one of five villages within the Bolata District (as named by the Bolata Traditional Council). The remaining four villages are Phamong, Ha-Nchebeng, Ha-Twala and Maseleng



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ENGAGEMENTS BETWEEN GOVERNMENT AND TRADITIONAL COUNCIL AND COMMUNITY FOR INTEGRATED SOLUTIONS

The project team, consisting of officials from the Bolata Traditional Council, DALRRD, the Local Municipality, and numerous stakeholders, was formed to ensure the project's success.

Numerous consultations and discussions were held with Headman of the villages from the inception of the project, to discuss the intention of the project and to understand key issues faced by the community.



The snippet to the left is the letter sent to the Bolata TC. A similar letter was also sent to the Maluti-a-Phofung LM. The pictures to the right are of various engagements with the TC within the Bolata District where the Inception report was presented, the boundaries for the respective villages were hand drawn, site visits were conducted



LAND USE MANAGEMENT CHALLENGES

- **Planning for the Bolata Traditional Area in Policies and Strategies**

Municipal Policies and strategies are fairly silent on planning in the traditional space of Maluti-a-Phofung. Detailed planning is not included within the Maluti-a-Phofung Land Use Scheme.

- **Informal Land Uses**

Many informal land uses were identified, vacant sites that were not utilized to its potential and no record management of current land uses within the village.

- **Financial Constraints**

There have been budget allocation cuts from both provincial and national governments. The new Municipal Council has started the process of filling all vacant senior manager positions, ensuring that there is stability in the municipal administration, however the process has been delayed. This deters the enforcement of the LUS as well.



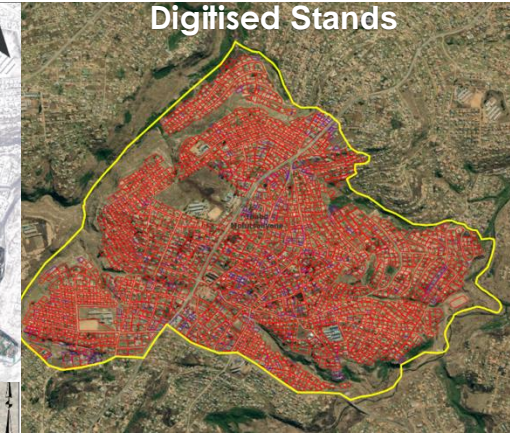
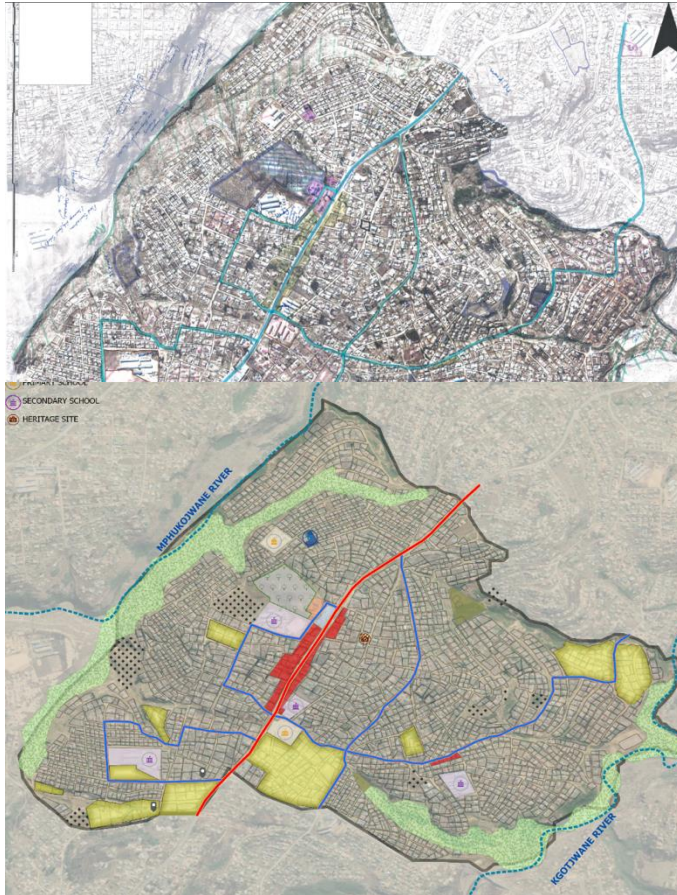
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USE OF GIS AND DRONE TECHNOLOGY

- The stands within the village were digitized using ArcGIS which will assist in future LUM and spatial proposals for the Bolata Village based on the TC's knowledge and understanding of the region, guided by the SPLUMS team, which were hand drawn and then digitized using GIS, was developed.
- An ArcGIS story map, which is a digital storytelling tool created that combines interactive maps with multimedia content, and in terms of planning, was developed for the Bolata LPP process. This technology allows exposure to projects, providing an interactive platform with accessible information.
- The benefits of creating a story map for a project such as the Bolata LPP are identified on the image to the right.



The Benefits of an ArcGIS Story Map

- Real-Time Updates**
Ensures access to the most current information with easy updates.
- Visual Storytelling**
Combines maps and narratives to convey the village plan effectively.
- Transparency**
Builds public trust through clear and interactive data presentation.
- Interactive Engagement**
Offers a dynamic platform for stakeholders to explore data.
- Enhanced Understanding**
Simplifies complex information for better accessibility.

<https://a.rcq.is/1L08Wa1>



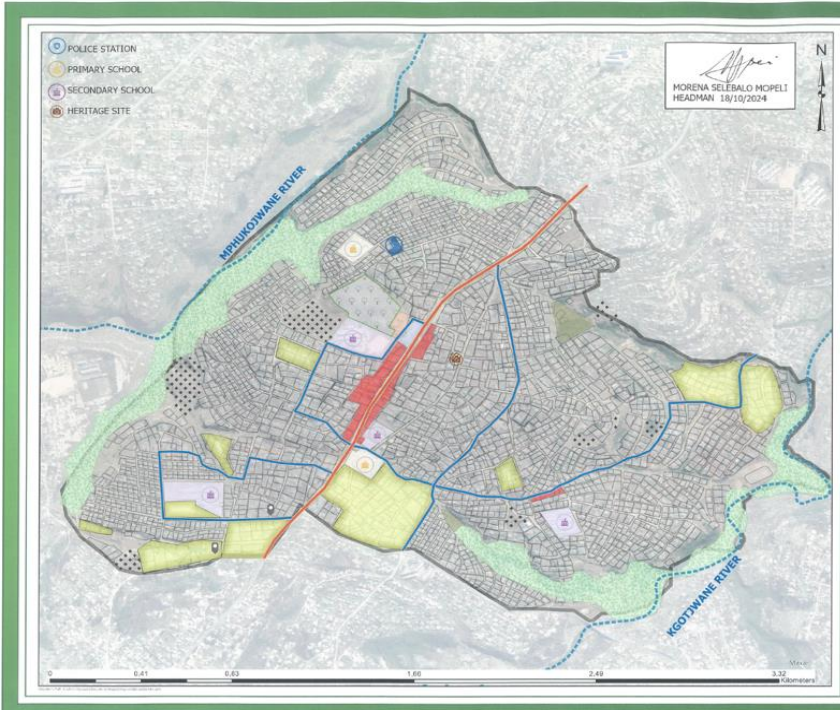
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OUTCOME - PROPOSED DEVELOPMENT CONCEPT FOR THE AREA

- Comments were received by various stakeholders and subsequently incorporated into the document. The document was then finalised and presented and handed over to a few members of the TC on the 18th November 2024. The documents and the spatial proposal maps were signed by Morena Selabalo Mopeli and the plan and Implementation Plan were then presented to the TC and subsequently adopted by way of a resolution.
- Stakeholders have shown interest in assisting with the implementation of the plan.
- The Department is proposing a Land Rights Recordal Survey for the Bolata Village which will also include the capturing of demographic information as well.
- The Documents have been sent to the Department of Sports, Arts and Culture to be translated. Translation to be completed by March 2024.



FREE STATE THBATO MOPUTSANYANE

LOCALITY MAP

LEGEND

- Towns
- Primary Road
- Secondary Road
- Bolata Erven (P.T.O)
- Primary School
- Secondary School
- Boreholes
- Graveyard
- Village Boundary
- House of Chief (Heritage Site)
- Proposed Land Use
- Agricultural School
- Animal Feeding
- Communal Gardens
- Conservation
- Creche
- Densification
- Digital Hub
- Economic Node
- Rivers
- Perennial

PROJECT: **BOLATA**

PROJECTED TO:	DATE:	SCALE:
2025	18/10/2024	1:12,000
DRAWN BY:	DESIGNED BY:	CHECKED BY:
M. Mopeli	M. Mopeli	M. Mopeli

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FOREWORD BY THE HEADMAN OF BOLATA VILLAGE

Bolata Village Land Planning Programme (LPP) Intervention Area Plan

Bolata Village Traditional Leadership is proud to be associated with the Department of Agriculture Land Reform and Rural Development (DALRRD), and specifically its Provincial Spatial Planning and Land Use Management Services (PSP/LUMS) Directorate in compiling a Village Plan in terms of the department's Land Planning Programme.

Following a meeting between the National Branch SPLUM and the National House of Traditional and Kholo San Leaders (NHRK) Sub-Committee on Land and Agriculture on the 8th of February 2023, rural intervention precinct plans in areas under traditional leadership were presented. Approval was obtained to proceed with the implementation of the program to develop rural intervention plans. The initial phase of this program involved the identification of 12 specific areas under traditional leadership that will serve as pilot sites for the program's implementation. The Bolata Village within the Bolata Traditional Council was identified as one of the 12 intervention Areas.

Dating and after several community engagement sessions, the following vision was adopted for the land planning surrounding the Village Plan:

"We envision the improved physical infrastructure that embraces the preservation of the cultural heritage, and the environmental sustainability with reliable green energy sources where health institutions are effectively functional, community has access to skills development and teaching and learning opportunities aimed to address the myriad of socio-economic life affecting them."

This vision not only speaks to the critical planning issues at hand, but also strategically aims at:

- Balancing traditional practices with modern development strategies;
- Addressing historical disparities and inequalities in land ownership and access;
- Ensuring sustainable and environmentally conscious development.

The Bolata Traditional Council therefore supports this noble land planning initiative by routing for its inclusion into the Integrated Development Plan of the municipality, as well as into its Spatial Development Framework.

Morena Selabalo Mopeli
Headman: The Bolata Village, QwaQwa (Mokuli-a-Photong UM), Free State
18 October 2024

Dear Dons

This communicate serves to inform you that in the meeting held on this day 18/10/2024, Traditional Council approved the Village Spatial Plan as per your request, we therefore make a declaration to adopt the plan as it reflects our views as series of consultation processes were conducted.

Council believes that such great initiative will be helpful in bringing everlasting developments and innovation in the near future.

Regards,

[Signature]
[Signature]
[Signature]
[Signature]

BOLATA TRADITIONAL COUNCIL
2024-2025
M. Mopeli
18/10/2024



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LESSONS LEARNT & BEST PRACTICES

What worked well

- ✓ The hands-on TC involvement throughout the process (from initiation to completion) assisted with the completion of the project and the development of an implementable plan.
- ✓ Buy-in from and co-operation with the TC from the start of the project through an industrious relationship through regular site visits and virtual communication
- ✓ A plan for the community by the community
- ✓ Enthusiasm from the TC flowed over in a follow up project, namely to compile a land rights register for Bolata village
- ✓ Developing data for an area that lacks formal planning and existing data.

Common Challenges:

- × Conducting the survey at an earlier stage will assist in reduction / elimination of high margin of error in information collected and inform the plan better.
- × There is a need to increase the participation by officials from the municipality and the Traditional Council in Municipal Planning Structures.
- × Defined and outlined processes on Integration of traditional and municipal governance.
- × Capacity building & education - Provision of training to TC & other Stakeholders.
- × Time frames for the physical Field Maps survey as staff also had to attend to other urgent projects.
- × Delays with Drone data due to unpredictable weather conditions in the area.



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KWAZULU NATAL – MOLEFE TC AREA PLAN



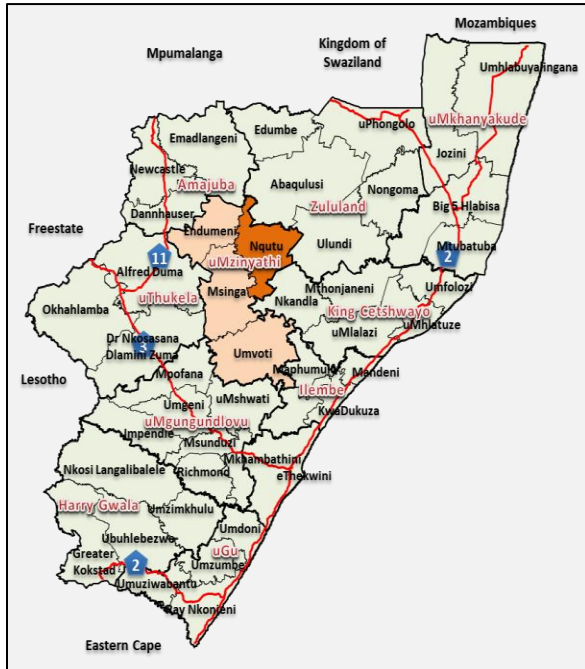
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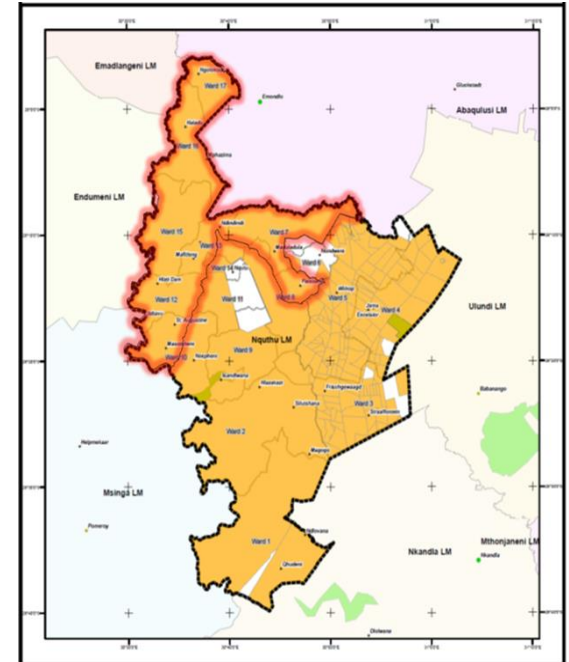
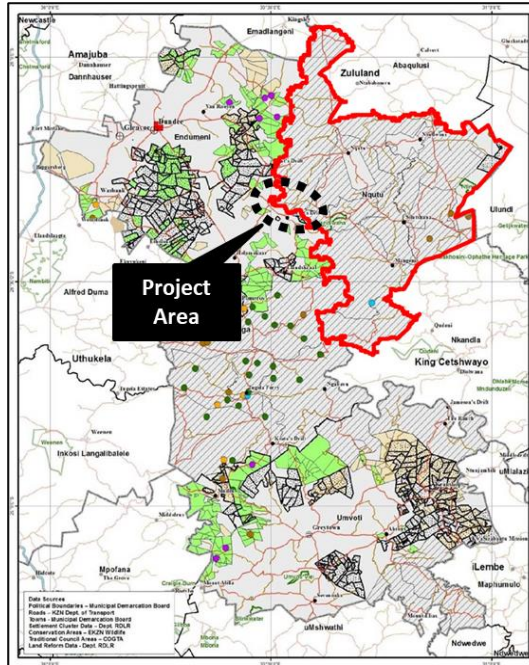


OVERVIEW OF THE TC AREA

Molefe Traditional Council in Nquthu Local Municipality



Nquthu Local Municipality within uMzinyathi District Municipality



Affects wards: 7, 8, 10, 12, 13, 15, 16, 17 (Project Area is Ward 10)



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ENGAGEMENTS BETWEEN GOVERNMENT AND TRADITIONAL COUNCIL AND COMMUNITY FOR INTEGRATED SOLUTION

- Electronic/telephonic communication between various stakeholders.
- Site visit involving all stakeholders

Engagements

- 2023\07\26 : **Project Introduction** and Initial Discussions with Municipality and other Government Role Players
- 2023\10\24 : **Meeting with Traditional Council – Including Site Visit**
 - Present : KZN COGTA, UDA, UDM, NLM, SPLUM KZN & National, TC.
- 2024\01\23 : Site Visit to **Capture Aerial Imagery.**

STAKEHOLDERS

- | | |
|--|---------------------------------------|
| • Agriculture, Land Reform & Rural Development (SPLUM - National & Provincial) | • Molefe Traditional Council |
| • Cooperative Governance and Traditional Affairs (KZN) | • Nquthu Local Municipality (NLM) |
| • Agriculture and Rural Development (KZN PDA) | • uMzinyathi District (UDM) |
| | • uMzinyathi Development Agency (UDA) |
| | • Ingonyama Trust Board |



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LAND USE MANAGEMENT CHALLENGES

The area is rural in nature and managed according to traditional customs. There are various challenges in the area, but with agriculture being the main sector, challenges are mainly set around this sector, which is heavily dependent on land availability. Challenges include the following:

- Fragmented Settlement Patterns & Inadequate land use planning – Increase cost of service delivery
- Lack of fencing
- Water scarcity: Lack of water / Rivers / Rainfall.
- Poor soil type (not viable for vegetable farming).
- There are various other challenges affecting the economy, and includes challenges related to the tourism and commercial sectors, which includes lack of accessibility to services, physical accessibility (conditions of movement routes) etc.
- Lack of Demographic Information poses challenges to planning: Municipal Ward Boundaries and TC Boundaries rarely align; thus no accurate data can be extrapolated. Also Census 2022 Data is only available at ward level, and one cannot plan for smaller municipal areas.



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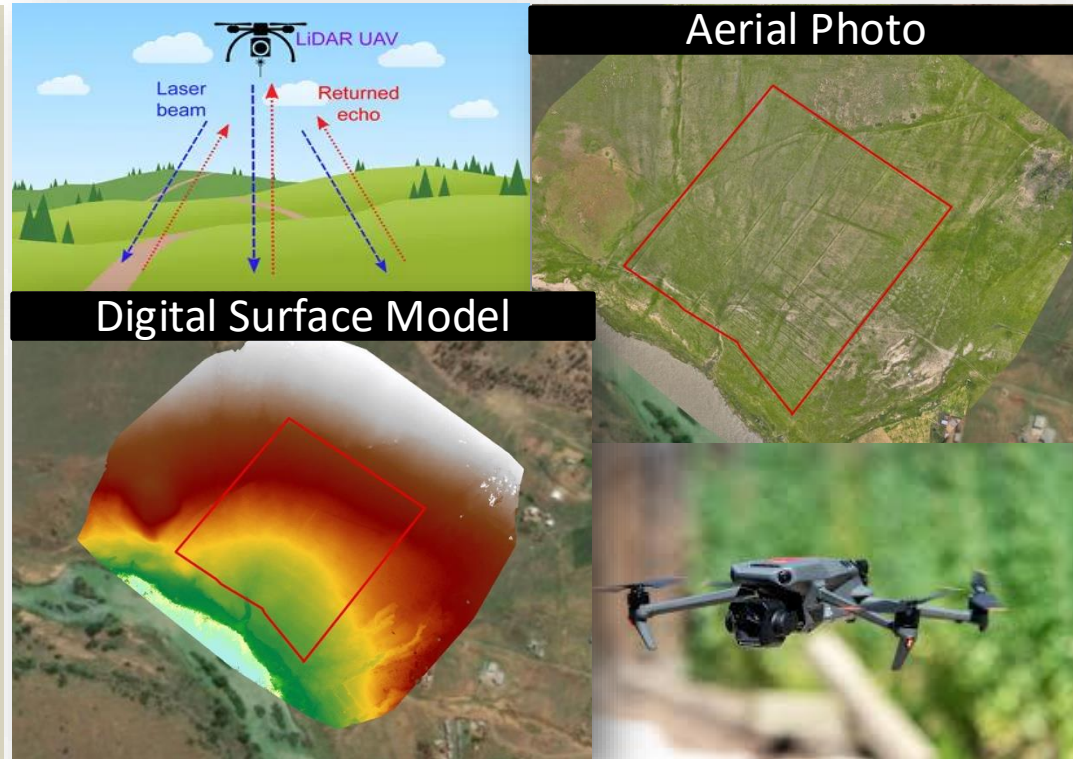
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USE OF GIS AND DRONE MAPPING TECHNOLOGY

Through the use of remote sensing equipment inclusive of a camera and **LiDAR** scanner (Light Detection and Ranging) attached to a drone it was possible to create the following to assist in planning the development of the site:

- An **aerial image** of the project site;
- A digital surface model, which is a Three Dimensional (3D) **topographic profile** of the project site, based on 10cm contour lines captured. The surface model shows elevation using colours (white being the highest elevation, and green the lowest elevation. Blue colour depicts the river). This model can also be viewed in a 3D format.



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OUTCOME OF THE PLANNING PROCESS



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LESSONS LEARNT & BEST PRACTICES

What worked well:

- ✓ Involvement of the various sector departments provides linkages to possible funding.
- ✓ A broader outlook on regional planning and not only precinct planning by the TC identified various economic opportunities to be explored and developed within the mining, tourism and agricultural sector.
- ✓ Focus on economic development more than physical development

Challenges:

- × TC is interested in implementation of projects to facilitate economic growth, more than further and more detailed planning of a small settlement within the TCs area.
- × Ensuring funding becomes available, and prioritising projects within project plans of sector departments.



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CONCLUSION

- The Land Planning Programme has the potential to become the gateway to achieving acceptance of the new spatial planning and land use management system by traditional leaders and communities.
- The success of these plans will promote sustainable development, enhance community well-being in areas under Traditional and Khoi-San leadership and bring about transformative agenda of government.
- The LPP is designed to empower traditional leaders and communities by equipping them with tailored land-use management frameworks and spatial planning tools that respect cultural governance and practices
- The Branch SPLUM has a plan in place in collaboration with NHTKL and DTA to expand the Programme to include more traditional areas in line with the Medium-Term Development Plan.



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NGIYATHOKOZA DANKIE KE A LEBOGA
NGIYABONGA
NDIYABULELA
INKOMU NDI KHOU
LIVHUHA
Thank you

Ms. Aluwani Matsila
Chief Director: Integrated Spatial Planning
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REPUBLIC OF SOUTH AFRICA

