

# **TECHNICAL & FINANCIAL FILE**

**POST SETTLEMENT AND DEVELOPMENT SUPPORT TO LAND  
REFORM BENEFICIARIES**

**SOUTH AFRICA**

**DGDC CODE: NN 3001469  
NAVISION CODE: SAF 06 015 11**



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## **ABBREVIATIONS**

|         |  |
|---------|--|
| ABP     | Area Based Plan/Planning   |
| ASGI-SA | Accelerated Shared Growth Initiative of South Africa                   |
| AGRI-SA | Agriculture South Africa   |
| BEE     | Black Economic Empowerment   |
| BEL     | Belgium  |
| BPR     | Business Process Re-engineering  |
| BTC     | Belgian Technical Cooperation  |
| CASP    | Comprehensive Agricultural Support Programme                           |
| CBO     | Community Based Organisations  |
| CEDAW   | Convention on Elimination of All Forms of Discrimination against Women |
| CEO     | Chief Executive Officer  |
| CLCC    | Chief Land Claims Commission/er  |
| CODESA  | Convention for a Democratic South Africa                               |
| CRLR    | Commission for the Restitution of Land Rights                          |
| DALA    | Department of Agriculture and Land Affairs                             |
| DBSA    | Development Bank of South Africa                                       |
| DEAT    | Department of Environment and Tourism                                  |
| DDG     | Deputy Director General  |
| DFID    | Department for International Development                               |
| DG      | Director General   |
| DGDC    | Directorate-General for Development Cooperation                        |
| DLA     | Department of Land Affairs   |
| DLRO    | District Land Reform Office  |
| DOA     | Department of Agriculture  |
| DoH     | Department of Housing  |
| DPLG    | Department of Provincial and Local Government                          |
| DTI     | Department of Trade and Industry                                       |
| DWAF    | Department of Water Affairs and Forestry                               |
| EIA     | Environmental Impact Assessment  |
| ESAT    | Environmental Sustainability Assessment Tool                           |
| ESKOM   | Electricity Supply Commission  |
| IDC     | Industrial Development Corporation of South Africa Ltd                 |
| IDP     | Integrated Development Plans/Planning                                  |
| IDZ     | Industrial Development Zone  |
| IGR     | Inter-Governmental Relations   |
| GEAR    | Growth, Employment and Redistribution                                  |
| ITCAL   | Intergovernmental Technical Committee on Agriculture and Land          |
| JIPSA   | Joint Initiative on Priority Skills Acquisition                        |
| JLCB    | Joint Local Consultative Body  |
| LARP    | Land and Agricultural Reform Programme                                 |
| LED     | Local Economic Development   |
| LRTF    | Land Reform Trust Fund   |
| LRPP    | Land Reform Policy Project   |
| NGOs    | Non-Governmental Organisations   |
| M&E     | Monitoring and Evaluation  |
| MA&LA   | Ministry of Agriculture and Land Affairs                               |
| MEC     | Members for the Executive Council                                      |
| MinMEC  | Joint committee Minister/MECs  |

|       |  |
|-------|--|
| MOU   | Memorandum of Understanding  |
| MoV   | Means of Verification  |
| MTSF  | Medium Term Strategic Perspective  |
| MTEF  | Medium Term Expenditure Framework  |
| NGO   | Non Governmental Organisations   |
| NIFAL | National Intergovernmental Forum for Agriculture and Land  |
| NSDP  | National Spatial Development Perspective   |
| PD    | Programme Direction  |
| PGDS  | Provincial Growth and Development Strategy   |
| PLAS  | Proactive Land Acquisition Strategy  |
| PLRO  | Provincial Land Reform Office  |
| PSDSP | Post Settlement and Development Support Project  |
| PSS   | Post Settlement Support  |
| PT    | Programme Team   |
| RLCC  | Regional Land Claims Commission/er   |
| RIS   | Redistribution Implementation Systems  |
| SAF   | South Africa   |
| SC    | Steering Committee   |
| SETA  | Skills Education Training Authority  |
| SIS   | Settlement and Implementation Support (Strategy for the provision of settlement and implementation support in Land Reform) |
| SPV   | Special Purpose Vehicle  |
| TFF   | Technical and Financial File   |
| TT    | Task Team  |
| UK    | United Kingdom   |

## **ANALYTICAL RECORD OF THE INTERVENTION**

|   |   |
|---|---|
| DGDC intervention number                | NN: 3001469   |
| Navision code BTC                       | SAF0601511  |
| Partner institution                     | Ministry of Agriculture and Land Affairs<br>(Department of Land Affairs and Department of Agriculture)  |
| Duration of Specific Agreement          | 5 years (signature on the 30 <sup>th</sup> of November 2006)  |
| Estimated starting date of intervention | 1 <sup>st</sup> of April 2009   |
| Belgian contribution                    | 6.050.000 €   |
| Partner's contribution                  | Other financial needs not covered by Belgian contribution   |
| Intervention sectors                    | Land reform - DAC code 43040.   |
| Overall Objective                       | Poverty reduced through the creation of rural sustainable livelihoods of land reform beneficiaries within the context of the Land Reform programme.   |
| Specific Objective                      | Institutions are supported to provide effective and coherent post-settlement support through efficient service delivery to beneficiaries of the Land Reform Programme in South Africa.  |
| Results                                 | There are three result areas. These are as follows:<br>Result area one: Alignment at Provincial and Local Government is strengthened (within the Intergovernmental Relations Framework).<br>Result area two: Improve the quality of the service delivered to beneficiaries .<br>Result area three: Support Area Based Planning (ABP).           |
| Beneficiaries                           | Direct beneficiaries:<br>The direct beneficiaries of this project will be the Department of Land Affairs and the Department of Agriculture, which will be enabled to implement activities in pursuit of the objectives specified within this formulation. The land reform beneficiaries will benefit from the improved post-settlement support. |

# 1. SITUATION ANALYSIS

## 1.1 BASIC PRINCIPLES OF LAND REFORM IN SOUTH AFRICA

Land dispossession and its attended spatial manifestations in South Africa during Colonial and Apartheid rule meant that land reform was one of the most burning issues when a blueprint for the reconstruction of the New South Africa was hammered out at the multiparty negotiations at the Convention for a Democratic South Africa (CODESA) and the Transitional Executive Council. This commitment to land reform was enshrined in the Bill of Rights of the South African Constitution (Act 26 of 1996). This clearly underlines the South African government's perspective of **land reform as an important instrument to effect restorative justice and socio-economic development**.

Land reform in South Africa is built on **three pillars, Redistribution, Restitution and Tenure Reform**. One of the first pieces of legislation to emerge from the newly constituted Department of Land Affairs (DLA), part of the Ministry of Agriculture and Land Affairs, was the Restitution of Land Rights Act (Act 22 of 1994). This provided a framework which enabled South Africans who had lost rights to land under specific circumstances (racial legislation and/or practices) to lodge claims for the **restoration of these lost rights** and to also further establish procedures and institutions for the resolutions of these claims. Since 1995 a Commission on Restitution of Land Rights (CRLR) comprising of a Chief Land Claims Commissioner (CLCC), supported by Regional Land Claims Commissioners (RLCC) has been responsible for the resolution of the claims lodged. Disputes and judgements are referred to a Land Claims Court specially established for this purpose. The Minister of Agriculture and Land Affairs is the political head of the claims process.

The **Redistribution** leg of land reform is driven by Redistribution Implementation Systems. The key strategic objective for RIS is to develop the redistribution programme and in so doing formulate products and develop implementation systems and procedures.

The **Tenure Reform** Implementation Systems Directorate seeks to provide security of tenure and access to land on an equitable basis to previously disadvantaged persons or communities. Particular focus groups will include the following:

- Persons or communities as contemplated in the Communal Land Rights Act, 2004 (Act No. 11 of 2004);
- Persons or communities contemplated in the Transformation of Certain Rural Areas Act, 1998 (Act No. 94 of 1998); and
- Farm occupiers or farm dwellers contemplated in the Land Reform (Labour Tenants Act, 1996 (Act No. 3 of 1996) and the Extension of Security of Tenure Act, 1997 (Act No. 62 of 1997).

## 1.2 CHALLENGES ENCOUNTERED IN THE LAND REFORM PROCESS

Twelve years after the advent of the new democracy it has become clear that whilst significant gains have been made in certain areas of the Land Reform Programme (the restitution process nearing completion, etc.), it is not delivering to the desired scale with **only 4.3% of a targeted 30% of the land being transferred** over the preceding 12 years. Moreover, in addition to current

approaches not delivering land to the required scale, land transfers to date have also failed to realize their full developmental potential.

These limitations have been taken into account at cabinet deliberations and resolutions on land reform, and informed the 2005 **Land Summit** held in Johannesburg. It is acknowledged that there is an urgent need to change the approach in order to align land and agrarian reform during the next ten years. To achieve and to sustain the target of redistributing 30% of agricultural land by the year 2014, it is crucial that **bold and innovative techniques** are employed, with a complete buy-in from non-state actors, such as the potential and actual beneficiaries, organised agriculture, and other relevant stakeholders such as **NGOs, the Donor community, and the Private Sector**. Partnerships that are unified by the need to create a just and sustainable agrarian order are required in order to provide impetus to the realization of a comprehensive social transformation leading to an equitable society, sustainable development and to maintain peace without undue social, economic and political costs to the nation.

The need to strengthen the land reform programme in South Africa has therefore been widely recognized. These findings are widely supported and understood by all the stakeholders. The team that prepared the report entitled “A strategy for the provision of settlement and implementation support (SIS) in Land Reform<sup>1</sup>” identified a number of **specific weaknesses** in the land reform programme in South Africa.

The Report indicates that the key issues are as follows:

- the extent to which land reform is meeting its constitutional obligations of securing rights and equitable access to land and resources, particularly relating to speed of delivery, sustainability and social & economic transformation
- the existence of ‘silos’ within Department of Land Affairs that compartmentalise the work of the Commission and the Provincial Land Reform Offices and contribute to a **fragmented approach** to policy and strategy development within the Department and between the DLA and its partners
- the extent to which there is effective **co-operative governance** in the delivery of the land reform programme
- the **pace** of land reform delivery in relation to stated targets
- the **quality of support** provided to those receiving land under the land reform programme
- the **sustainability** of many projects transferred through the Restitution and Redistribution programmes
- the **social and economic returns** on the investment of State funds and the limited impact the programme is having on poverty reduction.

The report notes in addition that “the evidence clearly indicates that there is consensus both within government and outside it that currently the land reform programme is not meeting its objectives.” A further challenge is that although some good research is being undertaken, there is a poor knowledge management environment which leads to poor responsiveness of policy, procedures and products, poor best practice review, poor monitoring & evaluation processes and weak integration of these lessons into policy, procedures and products. **Land reform is currently not being seen as a joint national project, but as the sole responsibility of the Department of Land Affairs.**

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<sup>1</sup> Strategy for the Provision of Settlement and Implementation Support in Land Reform (2007) prepared by Sustainable Development Consortium during the previous phase of the Belgian intervention in the framework for speeding up the Restitution Process.



The outcomes and conclusions outlined above are supported by a range of other research reports and analytical case studies. These include the following comments.

- Relating to weak inter-governmental co-operation the review of the Comprehensive Agricultural Support Programme (CASP) (2007)<sup>2</sup> noted that:

“while in some provinces there are good **working relations between the Department of Agriculture and the Department of Land Affairs**, in the main levels of **cooperation and streamlined operations have not been achieved**. This significantly hampers the successful implementation of CASP [Comprehensive Agricultural Support Programme] and is an issue that requires attention.”

The relationship between the Department of Land Affairs (DLA) and the Department of Agriculture (DOA) has indeed been uneven. The two departments should be the core implementers of the land reform programme. The two departments also have the same National Minister. In reality a number of factors inhibited the development of a satisfactory relationship. The DOA is a national and provincial department (there are Members of the Executive Councils (MECs) at a Provincial level with relatively independent departments), while DLA is a national department with no political representation at Provincial level. In addition the DLA administrative heads at a Provincial level are considered by the Provincial administrations to be fairly junior in terms of the state system of hierarchy. In the past this created a tension as Provincial departments have separate accountability and budgeting systems. The DOA in any Provinces were critical of the land reform programmes initially, believing that sustainability (environmental and financial) was being compromised. The DLA in turn accused the DOA of not providing support to land reform beneficiaries and not developing appropriate support instruments.

The situation has improved over the last five years with the development of a commercial farmer oriented land reform instrument (the Land Redistribution for Agricultural Development or LRAD grant) by DLA. This was undertaken in partnership with the DOA. In addition the DOA and the DLA have developed a strong senior management relationship. Political alignment at a Provincial level has occurred with the National minister encouraging alignment between administrations and in terms of political direction.

Problems remain in the implementation of the grants (CASP in particular) and in gaining alignment between the disparate sections within the DOA that can provide support to land reform beneficiaries. The relationship is not even throughout the country and within all sections of the departments.

- Relating to the weaknesses in local government in dealing with land reform the review of Land and Agrarian Reform in Integrated Development Plans<sup>3</sup> noted that:

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<sup>2</sup> A National Review of the Comprehensive Agricultural Support Programme (2007) undertaken by Umhlaba Rural Services (Pty) Ltd undertaken for the National Department of Agriculture.

<sup>3</sup> Land and Agrarian Reform in Integrated Development Plans (2004), prepared for GTZ in collaboration with the Department of Provincial and Local Government by Ruth Hall, Moenieba Isaacs and Munyaradzi Saruchera from the Programme for Land and Agrarian Studies (PLAAS).

“An observed pattern among the municipalities studied is that land and agriculture feature most prominently in the situation analyses, less so in identified priorities, and are much **less in evidence in the development strategies and LED** [Local Economic Development] projects specified in the IDPs [Integrated Development Plans]. There thus seems to be a ‘tailing off’ phenomenon, as land and agriculture falling off the agenda as IDPs move to greater levels of operational specificity.”

- The weaknesses in co-ordination have been identified at all levels. The review of the Qedusizi / Besters Cluster Project<sup>4</sup> undertaken as a case study, noted that there is a need for a **One-stop Shop** for Land Reform and Enterprise Development. The motivation is that:

“The process of buying, transferring, and settling land, as well as the subsequent development of additional enterprises, is very complex and time-consuming. The process, however, can be streamlined if all the agencies involved in a resettlement project function as a team. For this to happen, the level of the district municipality is the natural locus for such coordination, as most technical and financing agencies are represented at that level.”

## 1.3 RESPONSE TO CHALLENGES

### 1.3.1 Strategic framework

In response to these challenges outlined above, and to the resolutions of the Land Summit, the Department of Land Affairs has formulated a **new strategic framework for land reform**, the so-called “Settlement and Implementation Support (SIS) Strategy.

The **Land and Agrarian Reform Project (LARP)** as outlined in the February 2008 project charter can be considered as the delivery framework for land reform and agricultural support . The origins of LARP can be linked to the targets set by the President for the eradication of poverty, job creation and economic growth. In developing a framework for implementation for LARP there is a clear goal in promoting cooperative government, and departmental integration. LARP brings together the Departments of Agriculture (national and provincial), the Department of Land Affairs, agricultural state owned enterprises (SOEs), and other sector partners. LARP is based on the key learning that government action must be more pro-active and integrated. It creates a delivery paradigm for agricultural and other support services based upon the concept of “One-Stop Shop” service centres located close to farming and rural beneficiaries.

LARP is based on a number of core principles, these being:

- The use of *focus areas* to concentrate service delivery in order to better exploit synergies between land redistribution, agricultural production and agri-business development;
- An *aligned comprehensive support package* to cater for the inherently multi-sectoral requirements to make sustainable agricultural production and agri- business development a success (will also encompass social and other economic services);

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<sup>4</sup> Accelerating Sustainable, Efficient and Equitable Land Reform: Case Study of the Qedusizi/Besters Cluster Project commissioned by the World Bank and undertaken by Hans P. Binswanger, Roland Henderson, Zweli Mbhele, and Kay Muir-Leresche.

- The application of *cooperative government* by establishing joint planning, budgeting, approval and implementation procedures between various government departments and programmes;
- The full *utilisation of partnerships* in order to exploit the relative strengths and capacities of the key non-governmental stakeholders;
- *Subsidiarity*: The decentralisation of decision-making and implementation to the lowest practical level depending on the specific activity; and
- The *success and sustainability of individual settlement projects* will be the measure of success of LARP.

The focus of the partnerships is on land reform and agriculture as agriculture is the most common economic activity or sector for land reform beneficiaries – however it is critical that the other support areas (such as human settlement) are not overlooked. Post settlement support is not just about agriculture; and land reform is not just about land and tenure acquisition. **It is also for this reason that land reform implementation – including co-ordinating post settlement support – remains the core responsibility of the Department of Land Affairs. This is supported by the Settlement and Implementation Support investigation.**

One of the key implementation tools for LARP is Area Based Planning (ABP – see further), as recommended in the Strategy for the provision of settlement and implementation support in Land Reform (SIS – developed in the framework of the previous intervention of the Belgo-South African cooperation).

### 1.3.2 Governmental coordination

In order to address the issue of governmental alignment and coordination, government passed the **Intergovernmental Relations Framework Act** (Act 13 of 2005), which seeks:

“to provide within the principle of co-operative government set out in Chapter 3 of the Constitution a framework for the national government, provincial governments and local governments, and all organs of state within those governments, to facilitate co-ordination in the implementation of policy and legislation, including-

- (a) coherent government;
- (b) effective provision of services;
- (c) monitoring implementation of policy and legislation; and
- (d) realisation of national priorities.”

**Intergovernmental co-ordination** is a key factor if the land reform is to be successful, as there are a number of departments and agencies involved in the delivery of a land reform project. The Intergovernmental Relations Framework Act outlines the reporting and co-ordination structures and processes at national, provincial and local government levels. The Act will particularly assist departments and government structures to measure and improve on inter-departmental initiatives such as poverty reduction. The required structures are currently being put in place with the actual reporting and co-ordination modalities being established. DLA and DOA participate in a variety of structures at national, provincial and local levels. Examples of these structures include the social cluster and economic cluster structures at a national level. These bring various departments

together to report and co-ordinate initiatives<sup>5</sup>. At a provincial level, the Provincial Premiers' are establishing co-ordination structures including Monitoring and Evaluation Committees, of which the Department of Land Affairs and the Department of Agriculture are a member.

The diagram and explanation of terms below indicate the strategic relationships between spheres of government in terms of the development process. The diagram and definitions are taken from the National Spatial Development Perspective (NSDP).<sup>6</sup>

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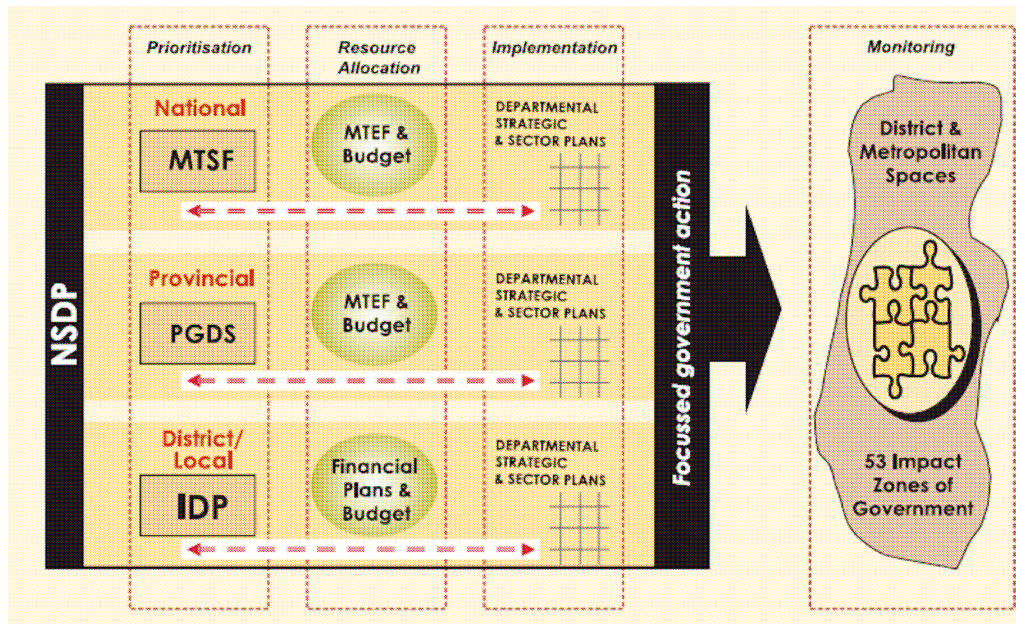
<sup>5</sup> There are six National Cabinet Cluster Committees. The cluster structure aligns relevant around specific areas of development (there is a social cluster, an economic cluster, an investment and employment cluster etc). These structures are chaired by the President, with the relevant Minister and Director General co-ordinating the meetings. The National Clusters meet on bi-monthly basis. The purpose is to ensure integration, alignment and implementation of Cabinet decisions and to ensure departments are delivering on their mandate and targets. The President is known to use the Cluster meetings as an environment to interrogate departmental performance and targets. The national Program of Action and the Apex Priorities are key benchmarks in terms of targets. Budget review also takes place. The Department of Land Affairs is part of the National Cabinet Economic Cluster and the Social Cluster.

Provincial clusters have also been set up in Provinces. In KwaZulu Natal the Department of Land Affairs attends the Economic Cluster at a Technical Committee level. The Cabinet Cluster is chaired by the MEC for Economic Development and Treasury. The MEC for Agriculture represents land issues at the Cabinet level, while the Department of Land Affairs is represented at the Technical Committee. Land reform is a standing item on the Cabinet Cluster and the Technical Committee agendas. The Departments represented in the Cluster include:

- Treasury
- Department of Economic Development
- Department of Agriculture
- The Department of Arts, Culture and Tourism
- The Department of Transport.

Actions emanating from the Cluster meetings are referred to the a Technical Sub-committee made of the Heads of Departments. The Technical Committee is chaired by the Head of Department for Treasury. The Technical Committee meets weekly. The Technical Committee ensures that actions indicated by the Cabinet are implemented. The Technical Committee ensures that alignment between departments around land reform takes place.

<sup>6</sup> The NSDP is intended to focus government action and provide a platform for greater alignment and coordination across the three spheres of government. This will enable government across spheres to become more focused and decisive; weigh trade-offs and make strategic choices and develop and implement consistent strategies and programmes that reinforce and complement each other.



**Explanation of Terms**

**Medium Term Strategic Framework (MTSF):**

The MTSF is a reflection of government’s assessment of, and perspective on, key development challenges at a particular point in time, as well as a statement of intent (with strategic objectives and targets) of the way it envisages addressing the challenges over the medium (five-year) term. It serves as a backdrop to guide planning and budgeting across the three spheres of government.

**Provincial Growth and Development Strategy (PGDS):**

A PGDS is a strategic and integrated provincial development plan that provides direction and scope for province-wide development programmes and projects, within the context of a long-term perspective and taking into consideration resources available and constraints. A PGDS provides a spatially referenced framework for both public and private sector investment, indicating areas of opportunity and development priorities and enabling intergovernmental alignment. A PGDS guides the activities of all agencies and role-players by linking to and deepening the application of the NSDP and MTSF in areas of shared impact.

**Integrated Development Plan (IDP):**

The IDP is a holistic development plan that, in terms of the Municipal Systems Act, 2000, must be prepared by every municipality in the country on a five-year basis and is reviewed annually. Spanning and integrating all sectors through a focus on cross-cutting issues, IDPs are meant to ensure the sustainable development of the municipality, the targeted development of especially deprived communities and the reintegration of the fragmented settlements created by apartheid. IDPs can do this only if they reflect the development objectives/ intentions, strategies and budgets of government as a whole, which requires joint intergovernmental prioritization, coordinated resource allocation and synchronized implementation.

The formulation of IDPs by local government involves planning for land and agrarian reform. Land Reform must be informed by Integrated Development plans. Alignment between sector departments, parastatals, and the municipal development agenda is critical in ensuring a holistic and sustainable development outcome from land and agrarian implementation programmes.

Source: The definitions above are taken directly from the NSDP.

The diagram indicates the manner in which the development goals and implementation mechanisms of government are connected throughout government structures. **Alignment** needs to take place vertically (across the spheres of government) and horizontally through budget allocations and strategic & sector plans.

The joint institutional arrangement being established for LARP is a national **Program Management Unit**, with similar units at Provincial level (see formulation report). The staff for the units is being seconded from the Department of Land Affairs and the Department of Agriculture. The PMU reports to the so-called NIFAL and ITCAL.

**NIFAL**, the National Intergovernmental Forum for Agriculture and Land, can be considered as the political leg of the LARP implementation. **ITCAL**, the Intergovernmental Technical Committee on Agriculture and Land will play the role of joint strategic content and guidance on a national level and can be considered as the technical leg of the LARP implementation.

These **institutional arrangements and structures** for implementation need to ensure that effective Private Public Partnerships are created and that these commitments translate into real delivery within the land reform sector. The structures which will be established at a **national and provincial level** will seek to accelerate land reform delivery and will provide a “one-stop” shop where all relevant products of the government and the private sector are aligned.

**Area Based Plans** (ABPs) are proposed as the fundamental tool to ensure that land reform is integrated and aligned with the strategic priorities of the provinces, municipalities and other sectors. The Area Based Plans, which will be developed at the level of the District Municipality, will be an **integral part of the IDP**, and will serve as a catalyst for land related developments at a Municipal level. Area Based Plans will be aligned to the Agricultural, Local Economic Development, Sustainable Human Settlement, and Basic Service Plans, and other relevant sectors of an Integrated Development Plan. It will enable the Department of Land Affairs, Municipalities and other role-players to formulate **pro-poor strategies** that will enable greater access to and participation in land and agrarian reform initiatives.

A national ABP Manager is in charge of the overall coordination of ABP. He will provide feedback to the national LARP project manager. Provincial ABP managers will be responsible for the ABP process on the provincial level, in each Provincial Land Reform Office (PLRO).

Area Based Plans (ABPs) are in direct support of the objectives and the targets outlined in the Accelerated Shared Growth Initiative of South Africa (ASGI-SA). Well-formulated ABPs and a performant PMU structure should ensure that rural development initiatives contribute to economic development and poverty alleviation by identifying both areas of need and economic potential at a district level.

## **1.4 BELGIAN SUPPORT TO LAND REFORM**

The **Belgian government** has been supportive of South Africa’s land reform in general since 1998 - specifically in restitution. Previous support related to the Communication campaign to inform eligible claimants of the deadline for the lodgment of claims (31<sup>st</sup> December 1998), the validation of claims that were lodged with the CRLR and the speeding up of the restitution process through the verification of validated claims. Part of the speeding up process also involved the development of a ten year strategy for development support to beneficiaries of land reform.

The **Post Settlement, Development and Support Project** (PSDSP) is developed within the next phase of Belgian support to land reform in South Africa, as stipulated in the Specific Agreement signed at the end of 2006. This project is happening as a logical consequence of previous interventions and it seeks to provide solutions to the challenges of how to ensure that the

livelihoods of land reform beneficiaries are enhanced after they have received secure access to land.

A bi-lateral intervention (delegated to Belgium by the United Kingdom and managed by Belgian Technical Cooperation) concerning land reform policy development<sup>7</sup> has been developed in conjunction to this project. This delegated project, **the Land Reform Policy Project (LRPP)** is in pursuance of the Paris Declaration on AID Effectiveness, in trying to eliminate duplication of efforts and to rationalize the donor activities to make it as cost-effective as possible. The Post Settlement, Development and Support Project (PSDSP) will mesh with the Land Reform Policy Project (LRPP) by gathering information necessary for the measurement of policy impact at the Area Based Planning (ABP) and implementation level in order to inform analysis at the national level. The possibility also exist that specific policy changes can be piloted within the implementation of the PSDSP.

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<sup>7</sup> The Land Reform Policy Project (LRPP).

## 2. STRATEGIC ORIENTATIONS<sup>8</sup>

### 2.1 ADDRESSING THE CHALLENGES OF EFFICIENT POST SETTLEMENT AND DEVELOPMENT SUPPORT

The intervention being outlined in this TFF speaks directly to supporting the land reform programme; and strengthening the areas that are particularly weak. **Post settlement and development support has been identified as a key area of weakness** in the land reform programmes and is therefore the key area of intervention. This is at a number of levels and points. As post settlement and development support is a crucial part of LARP and a key indicator for its success, the project fits into this national framework. The project aims at:

- Improving **co-ordination and integration** across all levels. This will speed up delivery, include more stakeholders and resources, and improve quality.
- Improving the **quality of the service delivered to beneficiaries**. This needs a better range of resources and more stakeholders contributing to the process (different government institutions and spheres of government, the private sector and civil society).
- Improving **information, learning and knowledge management**. The process of improving learning – in terms of policy, procedures and products – needs to be strengthened.

While it is clear that the Department of Land Affairs is not responsible for the actual provision of post settlement support; it is the responsibility of the Department to ensure that this support is co-ordinated and integrated. In this regard DLA, in coordination with DOA, needs to work through recognized structures and modalities, at all spheres of government. The Intergovernmental Relations (IGR) Framework is a guide in this regard. It also the responsibility of the Department of Land Affairs to undertake monitoring and evaluation and feed this information to other stakeholders and partners. DLA is therefore central to post settlement, while not actually responsible for the implementation; and as such is the primary partner for the project. The project management structure however will include the broader partners in post settlement support; in particular the Department of Agriculture. This will ensure that as the project progresses and implementation systems are designed and implemented, there is sufficient high level strategic management to reduce project risk.

The intervention is also **designed to ensure involvement from the 3 key beneficiary groups** – these being government at all spheres (national, provincial and municipal), civil society and land reform beneficiaries. The benefits for government include stronger systems, procedures and modalities for implementing and sustaining land reform in the framework of rural development. This is not only intra-government but also with civil society. Civil society will also be able to directly engage in the design and implementation of land reform programmes and projects through integrated planning. Land reform beneficiaries will benefit from improved systems and products from the Department of Land Affairs, more appropriate support from partner institutions and direct support through training and mentoring.

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<sup>8</sup> See figure in annex 6.5



## 2.1.1 Strategic intervention to address the weaknesses

In order to support the implementation of LARP, weaknesses need to be addressed at a number of levels. These are at inter-governmental, inter-agency (including the private sector and other stakeholders) and at the level of implementation (local level). As the South-African land reform sector is dynamic, the institutional and policy framework will be updated by the project staff during an inception phase. An assessment of the capacity building needs will also be carried out. The conclusions of these analysis and their possible consequences for project implementation will be presented to the Steering Committee.

The three central axes of the intervention being proposed are as follows.

### 2.1.1.1 Strengthen alignment at Provincial and Local Government (within the Intergovernmental Relations Framework)

This relates to the business of government between government institutions. Previous attempts to resolve this lack of co-ordination led to a **plethora of fora and committees**. In order to avoid duplication, the South African government introduced the **Intergovernmental Relations Framework Act** (13 of 2005). This outlines the structures (committees and forums) and processes that are to be established to support co-ordination. Key structures at a national level are the Cabinet clusters (for example DLA is represented on the Social Cluster and on the Economic Cluster – see above). The Cluster structures bring key departments and institutions together to address key challenges – such as poverty. For this specific project, NIFAL and ITCAL will ensure the intergovernmental relations at a National, Provincial and local level and will facilitate M&E and co-ordination structures to increase the impact of government initiatives. The lack of co-ordination at this level weakens land reform implementation. Critically it weakens the impact that government programmes as a whole are having (projects and programmes involving land reform are not combining for greater impact) as interventions are not building a development momentum. The IGR structures and processes are designed to improve co-ordination and strategic alignment. The IGR is not a planning instrument but rather seeks to implement the vision and targets. It should be noted this project will **focus on IGR at a provincial and municipal level**.

### 2.1.1.2 Improve the quality of the service delivered to beneficiaries

Improved institutional arrangements will support the implementation of the 5 pillars of LARP, by assisting in **speeding up the delivery of land**, in **streamlining financing and support instruments** (such as grants and training), in **drawing in the private sector and other institutions outside of government** (including commercial banks) and to **draw in expertise that exists outside of government**. These areas have been key land reform implementation weaknesses. This area of intervention has been identified as a priority area and an opportunity for partners to assist in ensuring sustainability. Institutional arrangements need to be developed or supported at both provincial and national level, however through discussions with the partner, it has been agreed that the PSDS will direct resources at ensuring that the provincial structures are up and running. The current structures that include members of the key institutions are establishing **Programme Management Units** (PMUs). These PMUs will assist in developing the requisite relationships and structures between DLA and DOA, which will further facilitate relevant ABPs and, consequently, effective IDPs, which will enhance IGR.

LARP has designated the state co-ordinating structures required but has not defined the framework in which the partners can fit. This area of intervention is about defining that framework.

The PMU is also being conceptualized to assist in **access to services** and in most cases also deliver some services to land reform beneficiaries. This includes direct land and agriculture products, but also support and interventions all the way up the value chain. In this respect, the concept will be developed as a “**one stop shop**” for land reform beneficiaries as the division and separation of services is one of the reasons why beneficiaries are struggling and this increases frustration by land reform beneficiaries and stakeholders. The exact institutional framework is not known at present, and it is this design and establishment process that this project will support.

It is important that the institutional arrangements will also be able to attract and make place for other stakeholders, in particular the private sector (including private banks). This will bring much needed resources and expertise. This particular intervention is designed to assist with the establishment and improvement of the required institutional arrangements and to facilitate these necessary relationships and systems. Special attention will also be paid to information and communication management and capacity building of all stakeholders.

### **2.1.1.3 Support the Area Based Planning Process (ABP)**

Co-ordination and integration at a local municipality level is undertaken through **Integrated Development Plans**. These plans are developed through the input of civil society (including citizens, NGOs and CBOs, business chambers, farmers associations etc), councillors, government departments and other state institutions. The **integration of land related matters at this level has been weak**. The result of this weakness is that beneficiary communities are poorly serviced and supported. In order to improve this situation and to provide proactive support, the Department of Land Affairs is assisting in developing **Area Based Plans**. The PSDSP will direct resources at the provincial and district level. There are 47 district municipalities and 6 metropolitan municipalities.

## **2.1.2 Challenges versus proposed interventions**

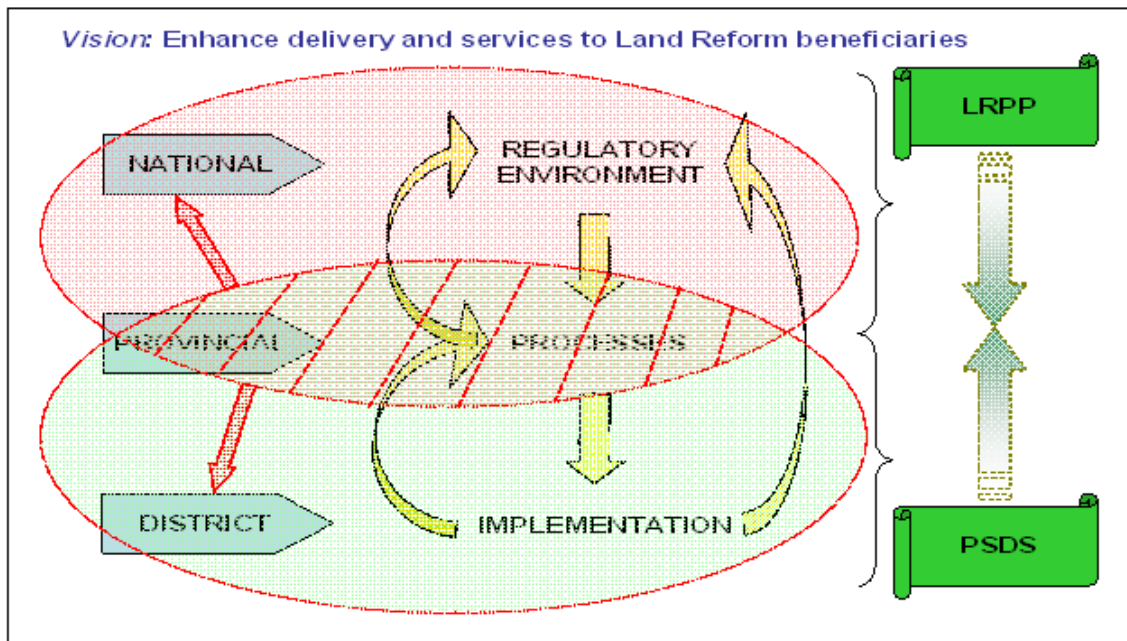
As noted above, there is general agreement around the core challenges that impact on land reform and the strategic intervention therefore seeks to address these challenges across the three strategic interventions.

| Challenge                                  | Result Area  |
|--|--|
| <b>Coordination and integration</b>        |  |
| Fragmentation across the sectors.          | <p>Improve the quality of the service delivered to beneficiaries .</p> <p>Strengthen alignment at Provincial and Local Government.</p> <p>Strengthen the Area Based Planning approach (aimed at local government level).</p> |
| Lack of effective co-operative governance. | <p>Strengthen alignment at Provincial and Local Government.</p> <p>Strengthen the Area Based Planning approach (aimed at local government level).</p>  |

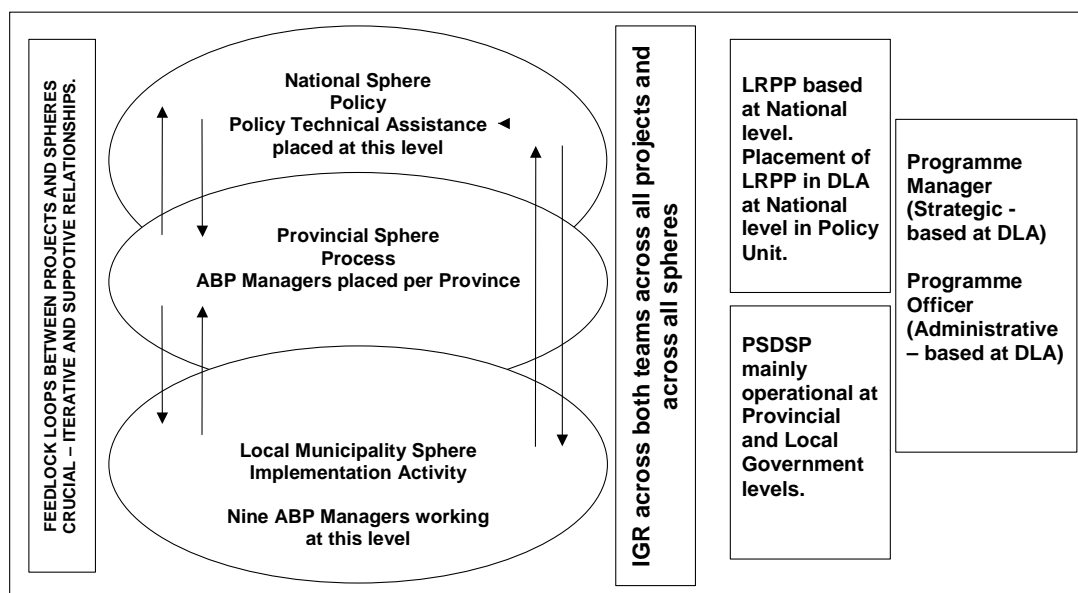
| <b>Quality of services delivered to beneficiaries</b>                     |  |
|---|--|
| Not meeting targets.  | Improve the quality of the service delivered to beneficiaries.<br>Strengthen the Area Based Planning approach (aimed at local government level).   |
| Challenges in securing rights and equitable access to land and resources. | Improve the quality of the service delivered to beneficiaries.<br>Strengthen the Area Based Planning approach (aimed at local government level).   |
| Poor quality of support.  | Improve the quality of the service delivered to beneficiaries.<br>Strengthen alignment at Provincial and Local Government.<br>Strengthen the Area Based Planning approach (aimed at local government level). |
| Low sustainability levels of projects.                                    | Improve the quality of the service delivered to beneficiaries.<br>Strengthen alignment at Provincial and Local Government.<br>Strengthen the Area Based Planning approach (aimed at local government level). |
| <b>Information, learning and knowledge management</b>                     |  |
| Low return on investment & impact.  | Strengthen alignment at Provincial and Local Government.<br>Strengthen the Area Based Planning approach (aimed at local government level).   |

## **2.2 SYNERGIES WITH THE LAND REFORM POLICY PROJECT**

A second bi-lateral intervention (delegated to Belgium by the United Kingdom and to be implemented by the Belgian Technical Cooperation) concerning land reform policy development, the so-called Land Reform Policy Project (LRPP) has been developed in conjunction to this project in order to maximise the synergies and **reinforce the responsiveness and appropriateness of policies, procedures and products**. The two projects are closely connected although not dependent on each other. The policy intervention has been developed to provide a structured policy development process that is informed by implementation experience. The policy project will utilise the knowledge management processes that capture key learnings relating to policy that come out of the implementation process. This will feed into policy development and testing of new policies, procedures and products which can be tested through some of the interventions being considered in this project. Both projects have strong consultative processes built in, and focus on broad stakeholder inclusion.



The links between the Land Reform Policy Project and the Post Settlement and Development Project are very strong. The diagram below places the LRPP and the PSDSP in the context of the government spheres and structures and indicates the relationship between the two projects. The design is highly integrated at various levels. The placement of the **LRPP capacity is based at a national level** within the Policy Unit within the Department of Land Affairs. Policy development does not happen in isolation and there is obviously a close relationship between spheres. The **PSDS project is mainly placing capacity at a provincial and local government**, and is focussed more on creating capacity in implementation. However, the projects are highly integrated with a strong link between policy and implementation. The PSDS Project will assist in identifying policy, product and procedure blockages and opportunities (best practice) that can feed into the iterative process of business improvement. There are therefore constant links between spheres of government and land reform implementation at these levels, and the policy development process at all three levels.



## **3. INTERVENTION FRAMEWORK**

### **3.1 GENERAL OBJECTIVE**

The general objective is formulated as follows:

POVERTY REDUCTION THROUGH THE CREATION OF RURAL SUSTAINABLE LIVELIHOODS OF LAND REFORM BENEFICIARIES WITHIN THE CONTEXT OF THE LAND REFORM PROGRAMMES.

### **3.2 SPECIFIC OBJECTIVE**

In line with the general objective outlined above, the specific objective is formulated as follows:

INSTITUTIONS ARE SUPPORTED TO PROVIDE EFFECTIVE AND COHERENT POST-SETTLEMENT SUPPORT THROUGH EFFICIENT SERVICE DELIVERY TO BENEFICIARIES OF THE LAND REFORM PROGRAMME IN SOUTH AFRICA.

### **3.3 EXPECTED RESULTS**

There are three result areas. These are as follows:

#### **3.3.1 Alignment at Provincial and Local Government is strengthened (within the Intergovernmental Relations Framework)**

The capacity of the Department of Land Affairs to effectively participate in Intergovernmental Relations <sup>9</sup> (IGR) is improved at a provincial and local, and, to a lesser extent, at a national government level. This result will be implemented in the framework of the alignment process with DOA.

#### **3.3.2 The quality of the service delivered to beneficiaries is improved**

The quality of the service delivered to beneficiaries is improved by supporting the development of appropriate structures and institutional arrangements. This includes design, establishment and

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<sup>9</sup> Intergovernmental Government Relations Framework refers to the structures and processes as described in the Intergovernmental Relations Framework Act (13 of 2005). The Act seeks to “To establish a framework for the national government, provincial governments and local governments to promote and facilitate intergovernmental relations; to provide for mechanisms and procedures to facilitate the settlement of intergovernmental disputes; and to provide for matters connected therewith.”

operationalization at a Provincial level – within a national framework. Special attention will be paid to capacity building initiatives and a communication strategy.

### **3.3.3 Area Based Planning (ABP) is developed and supported**

Area Based Plans are developed at a district level as a tool for the alignment and integration of land reform with the strategic priorities of Provinces and Municipalities.

## **3.4 ACTIVITIES**

### **3.4.1 Result area one: Alignment at Provincial and Local Government is strengthened (within the Intergovernmental Relations Framework)**

#### **3.4.1.1 Activity 1.1 Support and strengthen intergovernmental relations capacity.**

This includes deepening the roles, participation and functions of the Department of Land Affairs and others in terms of the Intergovernmental Relations (IGR) structures (such as the Cluster structures and the Provincial Premier structures). The IGR Act stipulates particular committees, structures and processes at each level of government (national, provincial and local), but does not prescribe the exact modalities.

An **institutional mapping exercise** will be executed during the project inception phase, and repeated during project implementation. It will determine existing structures, intended structures, roles & responsibilities, reporting, establishing indicators and baseline information. The institutional mapping exercise will include a capacity building needs assessment. Included in the institutional mapping process will be an activity to develop indicators to measure how IGR relates to the specific objective and the government targets.

The exact modalities therefore need to be worked out by the partner departments and institutions. This would include defining partner roles and functions, and how these structures relate to other co-ordinating mechanisms. This is through improving the existing alignment between DLA and DOA, and developing the necessary synergies with core partners in pursuit of government's objective of poverty reduction and economic growth. It should be noted this project will focus on IGR at a provincial and municipal level. Through the ABP coordinator at national level and the feed loops into policy development, there will also be an impact on national level. In fact, the project will actively seek a feed-in of experiences and challenges into the NIFAL and ITCAL joint steering committees.

Information sharing mechanisms, such as **workshops**, will be organised to ensure common understanding of the roles and functions of DLA and partners in strengthening intergovernmental relationships in land reform.

The activity will be undertaken by DLA and DOA, supported by a short-term consultancy team. The activity will be funded through the available Belgian funding and the Departmental budget.

### **3.4.1.2 Activity 1.2 Support and strengthen knowledge sharing capacity with regard to intergovernmental relations.**

This is achieved through developing systems for knowledge sharing (including management information systems) and developing a better understanding of the contributions that various partner departments make towards poverty reduction and economic growth.

This will be achieved through:

- Developing framework for information sharing and specific information needs assessment for DLA and DOA input into the IGR structures.
- Developing systems and mechanisms to collate the appropriate information.
- Reporting mechanisms for the various IGR structures.
- Piloting the system.

The Post Settlement and Development Support Project (PSDS) will use this intervention and the Land Reform Policy Project initial activities to develop **baseline indicators** for these two projects, but also for the Department of Land Affairs and Department of Agriculture to reflect on the indicators being used in environments such as the multi-departmental environments established through the intergovernmental relations processes. This has an impact on how specific impacts are measured individually by departments and collectively. It also informs **target setting**. The Land Reform Policy Project will be dealing with IGR within the policy context and mainly at a national level. It is obvious though that policy cannot be divorced from implementation and the national IGR interventions are relevant for the provincial and local levels and visa versa.

The activity will be undertaken by designated DLA and DOA capacity with the support of a short-term consultancy. This activity will be funded by the available Belgian Funding and the departmental budget.

## **3.4.2 Result area two: The quality of the service delivered to beneficiaries is improved**

### **3.4.2.1 Activity 2.1 Support institutional design and development**

While inter-departmental co-ordination is undertaken at Cabinet Cluster Committee and Technical Committee level, the actual implementation needs to take place a lower level where project managers and implementers can meet. In addition, Cabinet structures exclude the private sector and other support institutions that need to be involved at a project specific level. This result area will support the development of an appropriate and practical system that will promote sustainable land reform and rural development. The joint DLA/DOA structure is being referred to as a Programme Management Unit (PMU). In particular, this result area will support the design and the establishment processes required for the PMU. The key interventions are in supporting of the development of the Programme Management Unit (PMU), and in testing systems and procedures, including piloting of initial projects to develop best practice.

The PMU will:

- Assist in speeding up the **pace of land reform**;
- Bring in external support in financial institutions, commodity and other support groups;
- Identify projects that require specialist input and mobilize that support;
- Ensure sustainable **economic development**;

- Ensure **integration across departments and other stakeholders at a project level**;
- Improve the **sustainability** of the land reform projects;
- Improve information and communication management;
- Promote the objectives of **intergovernmental relations** with municipalities and sector departments;
- Ensure appropriate project design, informed by the project participants themselves;
- Assure that the transversal themes of environment, gender and HIV-AIDS are taken into account.

The following is envisaged:

- Development of a business model for the PMU;
- Set-up of an organizational structure;
- Development of governance structures and guidelines ;
- Clarification of roles and responsibilities (In particular those of partners from the private sector);
- Clarification of institutional and stakeholder relationships;
- Preparation of contractual and MOU agreements;
- Identification of financial requirements;
- Identification of human resource requirements;
- Development of a database of external short term experts to overcome capacity weaknesses;
- Development of 1 year action plan including initial pilot / project selection;
- Establishment of project teams for initial projects;
- Project initiation;
- Monitoring and documentation of best practice;
- Development of impact indicators which will be used to measure the success of the institutional arrangements.

The approach may be phased – with some Provinces coming on-stream before others.

The activity will be undertaken by designated DLA and DOA capacity at a provincial level with the support of short-term consultants. The activity will be funded through a combination of the available Belgian funding and the departmental budget.

#### **3.4.2.2 Activity 2.2 Support training and mentorship for land reform beneficiaries**

Develop and implement a mentorship and training programme:



- Development of a strategy (within the national and provincial framework);
- Undertake a stakeholder assessment (including the identification of formal training institutions and potential mentorship institutions);
- Develop appropriate business models (including financing and a process for selection of candidates and mentors);
- Implementation strategy / modalities;
- Organization, human resource and financial requirements;
- M&E systems;
- Identify and initiate training and mentorship projects.

The activity will be undertaken through close partnerships with private and public sector partners and external stakeholders including commodity organisations and organised agriculture. This activity will be funded through departmental budgets, private sector financing and the available Belgian funding.

#### **3.4.2.3 Activity 2.3 Support joint information and communication management**

To enhance the effectiveness of the partnerships, it is crucial that appropriate information management systems that support knowledge management and M&E are developed. This will assist in ensuring that progress and best practice by the various Provincial arrangements are identified and shared within the Ministry of Agriculture and Land Affairs . Related to this, communication management will also be improved. Specific activities will include:

- Understanding the information and communication management needs of the PMU.
- The design of a system.
- Pilot / testing the system.
- Identifying best practices and disseminate to national and provinces.
- Writing of specific case studies.
- Clear feedback loops to into existing Monitoring and Evaluation structures outside of the PMU.

It should be noted that the information and communication management requirements will be unique in that there are multiple partners in the establishment and functioning of the structure – including government and private sector institutions. In addition, the specific nature of the information system (such as software requirements and information flow) is not being predicted here. The sophistication of the system should be based on a proper analysis of 1) the institutional context, 2) the needs and available local capacities and 3) their institutional embedding for long-term use.

The activity will be undertaken by designated capacity within DLA and DOA, short-term consultants and other stakeholders, including research institutions and other government institutions like the Government information communication services. The Belgian funding will contribute to the initial costs within this activity group.

### **3.4.3 Result area three: Area Based Planning (ABP) is developed and supported**

### **3.4.3.1 Activity 3.1 Support co-ordination and integration**

Some provinces have already started work in this area so the first activity will be to develop a state of play report which will inform priority areas for intervention.

#### **Co-ordination**

Ensure and enhance quality management through the provision of ABP managers at provincial Level. Provincial ABP Managers will be responsible for:

- Workplan
  - Convene Provincial ABP Steering Committee<sup>10</sup>
  - Monthly Progress Report to the National ABP Manager
  - Monthly Progress Report to the Provincial PRLO manager
  - Establish and manage relationships with relevant provincial stakeholders.
  - Deliverables identified for each of the five development stages of the ABP

It is envisaged that the ABP Manager's functions will be assumed into the Department of Land Affairs in the Provincial Land Reform Office (PRLO) during the project and after its termination. The final decision will be informed by the ongoing Business Process Reengineering of the DLA and DOA and the evaluation of the project.

The activity will be undertaken by the Area Based Planning Manager with support from provincial capacity within the PRLO and the National ABP Manager. The Belgian funding will cover the salary costs of the provincial ABP Managers and some of the operational costs incurred during the implementation of this activity. The National ABP manager's cost will be covered by the DLA in terms of a partnership agreement with the Austrian Development Agency.

#### **Integration**

Integration of land reform into provincial and municipal development frameworks and sector alignment ensured through:

- Alignment of ABPs in IDPs
- Alignment of ABPs with Provincial and Sectoral strategies
- Alignment of ABPs across districts and provinces
- Alignment of identified land reform projects with Local Economic Development Strategies of Municipalities
- Alignment of identified Land Reform Projects with the principles of Integrated Sustainable Human Settlements.
- Developing integrated budgets for selected land reform projects.
- Development of deadlock-breaking mechanisms to deal with disputes with regard to issues of alignment.

This activity will be driven by the provincial ABP managers with assistance from the National ABP Manager. The success of the activity however depends on the cooperation of all the various stakeholders involved in planning at a local level.

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<sup>10</sup> It is acknowledged that these steering committees might already have been established at a provincial level. In these instances the ABP manager needs to ensure that the composition of the steering committees is in line with agreements reached in this regard.

### **3.4.3.2 Activity 3.2 Support ABP information management at Provincial and District Levels**

This activity area will seek to provide ongoing Quality Management support during the process of formulation of Area Based Plans by setting standards for deliverables at each phase. The project itself will determine the quality standards and benchmarks.

#### **Information management**

Enhancement of information management of the stakeholders within ABP through:

- Developing of impact indicators measuring quality of information, number of stakeholders having access and using this information;
- Developing an information management strategy at provincial level;
- Developing reporting formats that seek to identify critical areas for action;
- Develop a provincial database in conjunction with relevant provincial function.

#### **Best practice**

Enhancement of implementation by ensuring that practices within the various districts and provinces are identified and shared within the ABP units. This includes:

- Identify best practices and disseminate across ABP structures in districts and provinces (DLRO and PRLO);
- Development of implementers guide and allowing for flexible implementation without compromising quality of product;
- Develop a reporting mechanism that seeks to communicate both progress and findings that have policy relevance.

This activity will be undertaken by designated capacity within the DLA with the support of other stakeholders involved in the ABP steering committees. Provincial ABP managers will be responsible for the implementation within their specific provinces whilst the National ABP Manager will be responsible for ensuring for standardisation and quality management.

### **3.4.3.3 Activity 3.3 Support civil society mobilisation**

To empower communities to participate actively in ABP formulation, and therefore the IDP process, and implementation of land reform projects. This process does not seek to create duplicate structure but is aimed at enhancing the quality of both ABPs and IDPs. All relevant stakeholders are able to participate within the formulation and review processes of the ABPs:

- Land reform beneficiaries and civil society (relevant NGOs, CBOs, organised agriculture, commodity organisations and business) are consulted and represented at consultative fora.
- Organise 6 workshops per province over three year period to enhance participation of civil society in ABP process.
- These workshops will seek to achieve the following outcomes:
  - Enhance the empowerment of land reform beneficiaries and civil society
  - Strengthen communication with land reform beneficiaries and civil society
  - Stimulate alignment between the ABP and IDP processes by developing a vision for land reform that is incorporated into the IDP.

- Assist with strategic planning by setting goals and developing plans to achieve these.
- Enhance M&E processes by collecting baseline information and using future workshops to measure progress against baselines
- Develop terms of engagement (protocols) that seek to ensure that required agreements are reached or that deadlock –breaking mechanisms are in place.

The activity will be undertaken by Provincial ABP Managers with the support of designated DLA capacity and the National ABP Manager. This cost will be covered by the Belgian contribution.

### **3.5 INDICATORS AND MEANS OF VERIFICATION**

The indicators and means of verification of the specific objectives relate to the overall objectives of the land reform programmes and the government targets; in addition these are linked to the result areas. The indicators developed thus far relate to process indicators. The development of impact indicators for the result areas has been difficult because of a number of reasons:

- The level of baseline information is unclear
- The quality of the existing information needs to be tested
- The indicators for this intervention should as far as possible align with impact indicators already being used by the partner and other sectors

The department of Land Affairs undertakes periodic impact assessment through the Quality of Life Surveys. These measure a range of variables. This intervention will align the development of indicators and Means of Verification (MoVs), in particular aspects relating to post settlement and development support<sup>11</sup> to the indicators used for the quality of life surveys, in particular the indicators measuring access to services and related to local institutions.

The proposed indicators to be further developed and complemented can be found in the logical framework (annex 1 of this report) which will be updated, if necessary, during the inception phase.

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<sup>11</sup> The quality of life survey measures the following general areas; food security, access to services, targeting of beneficiaries, local institutions and the role of agriculture.

## 3.6 DESCRIPTION OF BENEFICIARIES

### 3.6.1 Direct beneficiaries

The direct beneficiaries of this project will be the **Department of Land Affairs and the Department of Agriculture**, who will be enabled to implement activities in pursuit of the objectives specified within this document. The support of the PMU concept in the framework of LARP will enhance alignment and collaboration between DLA and DOA and will therefore increase the effectiveness and sustainability of post settlement and development support.

### 3.6.2 Indirect beneficiaries

The project has been designed to ensure that **land reform beneficiaries** benefit in more direct ways from an improved delivery environment – in terms of land and post settlement support. In addition, the project creates the space for more direct contributions by the land reform beneficiaries to planning and particularly Area Based Planning (a common complaint by land reform beneficiaries is that when support does arrive, it is poorly timed and inappropriate). Beneficiaries will also benefit directly from training and mentoring.

As the project seeks to improve co-ordination and integration in order to support institutions that provide post-settlement support to land reform programmes there are a wide range of indirect beneficiaries. **Other stakeholders** involved include the following institutions:

- Government Departments,
  - Department of Water Affairs and Forestry (DWAF);
  - Department of Environmental Affairs and Tourism (DEAT);
  - Department of Provincial and Local Government (DPLG);
  - Department of Housing (DoH)
  - Department of Trade and Industry (DTI);
  - Provincial Departments of Agriculture
  - Provincial departments of Housing and Land Administration
  - Provincial government
  - Local and district municipalities
- NIFAL and ITCAL;
- The District and Provincial Land Reform Offices;
- Parastatals:
  - ESKOM, TELKOM, IDC, SETAs.
- Civil society institutions; in particular cooperative relations need to be established with NGOs and CBOs already supported to provide post-settlement support to land reform beneficiaries.
- Development of cooperative relationships with financial institutions both public (Land Bank, DBSA) and commercial financial institutions.
- Cooperatives and commodity producer associations.
- Commercial farmers' organisations like National African Farmers Union (NAFU) and Agriculture South Africa (Agri-SA).
- Other Donors active in the field of land reform.
- and the private sector.

## **3.7 TRANSVERSAL THEMES**

The support offered through the PSDS and the LRPP seeks to enhance the sustainability of land reform and rural development by ensuring that the regulatory environment is improved and become more responsive through improved learning methodologies, that available resources are aligned and that the necessary support are available to land reform beneficiaries. The projects will therefore have a direct impact on the design and implementation of land reform and rural development and will therefore impact positively on the cross-cutting issues in a general and specific manner.

### **3.7.1 Environment**

It is inevitable that changes in the social and land use makeup of rural communities will have an impact on the physical environment. The potential environmental effects of land reform are expected to be directly addressed at the level of implementation planning, using tools such as the ABP, Environmental Sustainability Assessment Tool for land reform projects (ESAT), Environmental Impact Assessments (EIAs), and the existing environmental monitoring system. The application of these tools together with an improvement in the policy management process, the monitoring and evaluation systems and the knowledge management system are expected to contribute to the overall improvement of environmental management, within a participatory framework involving beneficiaries, in an improving land reform process.

### **3.7.2 Gender**

The South African White Paper on Land Reform noted that women are discriminated against under many types of tenure arrangements. The South African Constitution outlaws any form of discrimination on the basis of gender, and South Africa is also a signatory to the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW). In recognition of the challenges faced by women, the DLA recognises women as special beneficiaries within the programmes of the department.

The PSDS and LRPP projects will further support this strategy by ensuring that:

- women received tenure security in their own right
- women qualify as beneficiaries in their own right
- women are included within consultative and decision-making processes.

### **3.7.3 Social economy**

The formulation of the PSDS and LRPP projects is in direct support of the ASGI-SA, which has as one of its objectives the entry of people trapped in the Second Economy into the First Economy of the country, through the reduction of poverty amongst land reform beneficiaries through access to land assets and appropriate settlement implementation support within the framework of an improved regulatory environment. The project will contribute directly to the enhancement of opportunities for access to land and related services among the vulnerable, including women, youth, the HIV/AIDS affected and other poor people such as farm dwellers.

It is further expected that in prioritising the policies to be developed, the project will ensure that focus is placed on removing those policy, decision making and institutional blockages to access to land and services by the vulnerable and to securing their land and service support rights. Special land reform project designs for vulnerable groups are currently under discussion and will be supported in this project.

A critical area identified in South Africa is the lack of appropriate skills in various sectors of the economy, which government, in conjunction with others social partners, is trying to address through the Joint Initiative on Priority Skills Acquisition (JIPSA). Both the PSDS and the LRPP projects are in line with this broader focus on human capital development in South Africa by ensuring that appropriate skills are placed within the partner; that rural organisations are empowered to enable their effective engagement with policy and implementation and that the beneficiaries of land reform receive mentoring and training to establish viable agri-enterprises.

#### **3.7.4 Children's rights**

The two projects have no specific or direct focus on children's rights. Indirectly, however, improved land reform planning delivery, and outputs will have broader positive impacts (at the level of households, communities, localities, etc), which may include positive impacts with relation to the rights of children. This will be in areas such as health, nutrition and access to education.

#### **3.7.5 HIV / AIDS**

This project seeks to impact positively on the livelihoods of rural poor, and will therefore also make a direct impact on those affected and infected by HIV/AIDS through increased income levels. The improvement of approaches to the identification of needs, will in particular explore the needs of HIV/AIDS affected persons, households and their support systems within a context of land redistribution, including forms of access to land, protection of tenure, support for the productive use of resources and social support systems. This approach will also have positive impact for the future development of children through the identification of child-headed households and the provision of appropriate social support for them.

## **4. RESOURCES**

### **4.1 FINANCIAL RESSOURCES**

#### **4.1.1 South African Contribution**

The South African government will not be making any budget directly available for this intervention. However it is important to note the all three result areas are ongoing initiatives that are being supported by the South African government. The purpose of this intervention is to strengthen these initiatives in key strategic areas in order to ensure that maximum impact is achieved. South Africa is therefore providing the core infrastructure and framework for the projects. An example is that the Area Based Planning staff will be based within the Provincial Offices of the Department of Land Affairs and the functions and staff expenses will gradually be taken over by the South African government. The intended post is what is currently known as the PLRO Town Planner – a post intended for each Provincial Land Reform Office (PLRO). The South African government will ensure that all relevant operational means for the proper implementation of the project activities also fall under their responsibility

Although the South African government is not contributing any funds directly, no taxes or fees will be payable on the grant funding.

#### **4.1.2 Belgian Contribution**

The Belgian contribution for the implementation of the intervention is 6,050,000 Euros, this interprets into approximately R60 million at an exchange rate of 1 Euro to R10.

The Belgian contribution will finance project activities within the limits of the budget (see annex for details).

The overall budget summary is as follows:

| <b>Overall Budget</b> (1 Euro equals R10.00) | Rand                | Euro               |
|--|---------------------|--------------------|
| R1 Budget                                    | R 645,000           | 64,500 €           |
| R2 Budget                                    | R 22,198,500        | 2,219,850 €        |
| R3 Budget                                    | R 29,458,000        | 2,945,800 €        |
| Operating expenses (4 years)                 | R 250,000           | 25,000 €           |
| Staff (4 years)                              | R 6,960,000         | 696,000 €          |
| Programme Audits and M&E                     | R 640,000           | 64,000 €           |
| <b>Total</b>                                 | <b>R 60,151,500</b> | <b>6,015,150 €</b> |
| <b>Total Budget available</b>                |                     | <b>6,050,000 €</b> |

#### **4.1.3 Budget of the Project Results**

##### **Result 1: Provincial and local alignment**



| Description  | Rand                | Euro            |
|--|---------------------|-----------------|
| Result Area 1: Short term consulting services      | R 555,000.00        | 55,500 €        |
| Result Area 1: Consultation (information sessions) | R 90,000.00         | 9,000 €         |
| <b>Total</b>                                       | <b>R 645,000.00</b> | <b>64,500 €</b> |

As can be deduced from the budget commitment the Provincial and Local Alignment intervention is the smallest of the three interventions and is to be undertaken through short term consulting services.

### Result 2: Service Delivery

| Description                            | Rand                   | Euro               |
|--|------------------------|--------------------|
| Result Area 2: Mentorship and training | R 9,000,000.00         | 900,000 €          |
| Result Area 2: Short term consulting   | R 13,198,500.00        | 1,319,850 €        |
| <b>Total</b>                           | <b>R 22,198,500.00</b> | <b>2,219,850 €</b> |

The commitment to assisting in service delivery is substantial. The two interventions are in training and mentoring of land reform beneficiaries and in assisting to establish the Programme Management Units (PMUs) at a Provincial level. The short term consulting services refers to the expertise required in the design and establishment of the PMUs.

### Result 3: Area Based Planning

| Description                          | Rand                   | Euro               |
|--------------------------------------|------------------------|--------------------|
| Result Area 3: Short term consulting | R 538,000.00           | 53,800 €           |
| Result Area 3: Staff                 | R 16,200,000.00        | 1,620,000 €        |
| Result Area 3: Workshops             | R 12,720,000.00        | 1,272,000 €        |
| <b>Total</b>                         | <b>R 29,458,000.00</b> | <b>2,945,800 €</b> |

The Area Based Planning intervention is the other substantial budget commitment and makes provision for a range of support measures. There is a staff commitment to place Areas Based Planning managers in each Province. In addition there is a commitment to holding 2 stakeholder workshops per year per district. The short term consulting commitment is to assist with a small scale information management intervention across the provinces.

### General Means

| Description   | Rand               | Euro             |
|---|--------------------|------------------|
| Logistical support (workshops, steering committee meetings etc) | R 50,000           | 5,000 €          |
| Programme management (Programme Manager)                        | R 6,000,000        | 600,000 €        |
| Programme administration (Project Officer)                      | R 960,000          | 96,000 €         |
| Programme technical requirements - Short term consulting        | R 200,000          | 20,000 €         |
| Audits  | R 228,000          | 24,000 €         |
| Mid Term Review and final evaluation                            | R 380,000          | 40,000 €         |
| <b>Total</b>  | <b>R 7,850,000</b> | <b>785,000 €</b> |

The Belgian government is making a substantial commitment to supporting land reform implementation in South Africa. In order to ensure that the intervention is successful two staff positions are established in terms of programme management and programme administration. A small logistical support budget (for example to provide for any requirements at JLCB meetings or JLCB workshops) is provided. The short term consulting budget has been provided to strengthen

the programme management function should any specialist inputs be required to ensure the success of the projects.

The detailed budgets for the project results can be found in annex 3.

#### 4.1.4 Total Budget

| Budget Lines |         |   | Budget (Euro)    | Budget (Rand)     | Belgian Contribution Year 1 |                |                |                | Belgian Contribution per year |                  |                  |                |
|--------------|---------|---|------------------|-------------------|-----------------------------|----------------|----------------|----------------|-------------------------------|------------------|------------------|----------------|
| Code         | Mode    | Description   | Belgian          | Belgian           | Q1                          | Q2             | Q3             | Q4             | Year 1                        | Year 2           | Year 3           | Year 4         |
| <b>A_01</b>  |         | <b>Result Area 1: Inter-governmental Relations</b>              | <b>64,500</b>    | <b>645,000</b>    |                             |                |                |                |                               |                  |                  |                |
| A_01_01      | co-mgt  | Result Area 1: Short term consulting services                   | 55,500           | 555,000           | 0                           | 27,750         | 27,750         | 0              | 55,500                        | 0                | 0                | 0              |
| A_01_02      | co-mgt  | Result Area 1: Consultation (information sessions)              | 9,000            | 90,000            | 0                           | 4,500          | 4,500          | 0              | 9,000                         | 0                | 0                | 0              |
| <b>A_02</b>  |         | <b>Result Area 2: Service Delivery</b>                          | <b>2,219,850</b> | <b>22,198,500</b> |                             |                |                |                |                               |                  |                  |                |
| A_02_01      | co-mgt  | Result Area 2: Mentorship and training                          | 900,000          | 9,000,000         | 0                           | 30,000         | 60,000         | 60,000         | 150,000                       | 300,000          | 300,000          | 150,000        |
| A_02_02      | co-mgt  | Result Area 2: Short term consulting                            | 1,319,850        | 13,198,500        | 0                           | 359,763        | 359,763        | 359,763        | 1,079,289                     | 240,561          | 0                | 0              |
|              |         | <b>Result Area 3:Area Based Planning</b>                        | <b>2,945,800</b> | <b>29,458,000</b> |                             |                |                |                |                               |                  |                  |                |
| A_03_01      | co-mgt  | Result Area 3: Short term consulting                            | 53,800           | 538,000           | 0                           | 5,978          | 5,978          | 5,978          | 17,933                        | 17,933           | 17,933           | 0              |
| A_03_02      | co-mgt  | Result Area 3:Staff   | 1,620,000        | 16,200,000        | 0                           | 135,000        | 135,000        | 135,000        | 405,000                       | 540,000          | 540,000          | 135,000        |
| A_03_03      | co-mgt  | Result Area 3:Workshops   | 1,272,000        | 12,720,000        | 0                           | 0              | 212,000        | 212,000        | 424,000                       | 424,000          | 424,000          | 0              |
| <b>Y_01</b>  |         | <b>Contingencies</b>  | <b>34,850</b>    | <b>348,500</b>    |                             |                |                |                |                               |                  |                  |                |
| Y_01_01      | co-mgt  | Contingencies national execution                                | 34,850           | 348,500           | 2,178                       | 2,178          | 2,178          | 2,178          | 8,713                         | 8,713            | 8,713            | 8,713          |
| <b>Z</b>     |         | <b>General Means</b>  | <b>785,000</b>   | <b>7,850,000</b>  |                             |                |                |                |                               |                  |                  |                |
| <b>Z_01</b>  |         | <b>Staff</b>  | <b>696,000</b>   | <b>6,960,000</b>  |                             |                |                |                |                               |                  |                  |                |
| Z_01_01      | BTC mgt | Senior Programme manager  | 600,000          | 6,000,000         | 34,615                      | 34,615         | 34,615         | 46,154         | 150,000                       | 150,000          | 150,000          | 150,000        |
| Z_01_02      | BTC mgt | Programme officer   | 96,000           | 960,000           | 5,538                       | 5,538          | 5,538          | 7,385          | 24,000                        | 24,000           | 24,000           | 24,000         |
| <b>Z_02</b>  |         | <b>Operating Expenses</b>                                       | <b>25,000</b>    | <b>250,000</b>    |                             |                |                |                |                               |                  |                  |                |
| Z_02_01      | co-mgt  | Logistical support (workshops, steering committee meetings etc) | 5,000            | 50,000            | 313                         | 313            | 313            | 313            | 1,250                         | 1,250            | 1,250            | 1,250          |
| Z_02_02      | co-mgt  | Programme technical requirements - Short term consulting        | 20,000           | 200,000           | 1,250                       | 1,250          | 1,250          | 1,250          | 5,000                         | 5,000            | 5,000            | 5,000          |
| <b>Z_03</b>  |         | <b>M&amp;E, Audit Costs</b>                                     | <b>64,000</b>    | <b>640,000</b>    |                             |                |                |                |                               |                  |                  |                |
| Z_03_01      | BTC mgt | Audit   | 24,000           | 240,000           | 0                           | 0              | 0              | 6,000          | 6,000                         | 6,000            | 6,000            | 6,000          |
| Z_03_02      | BTC mgt | Mid term review and final evaluation                            | 40,000           | 400,000           | 0                           | 0              | 0              | 0              | 0                             | 40,000           | 0                | 0              |
|              |         |   | <b>6,050,000</b> | <b>60,500,000</b> | <b>43,894</b>               | <b>606,885</b> | <b>848,885</b> | <b>836,020</b> | <b>2,335,685</b>              | <b>1,757,456</b> | <b>1,476,896</b> | <b>479,963</b> |

## 4.2 HUMAN RESSOURCES

The project will result in the following positions being created:

- Programme Manager <sup>12</sup>
- Project Officer <sup>13</sup>
- Nine Area Based Managers placed within the nine Provincial Land Reform Offices.

Furthermore short term consulting and support will be required for:

- The Intergovernmental intervention
- The mentoring and training intervention
- Consultation processes (including workshops)

Close collaboration will be established with the team members involved in the LRPP project<sup>14</sup>.

## 4.3 MATERIAL RESSOURCES

The Programme Manager and the nine Area Provincial Area Based Managers will be placed within the Department of Land Affairs and the Department will cover these placement costs. Costs associated with travel and accommodation has been included within the budget.

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<sup>12</sup> The Programme Manager will follow up both land reform projects.

<sup>13</sup> The Project Officer will follow up both land reform projects.

<sup>14</sup> A technical advisor will be recruited within the framework of the LRPP.

## **5. IMPLEMENTATION MODALITIES**

### **5.1 LEGAL FRAMEWORK**

The legal framework for the implementation of this project is provided by the specific agreements signed between the Republic of South Africa and the Kingdom of Belgium, as a result of the final approval of the present TFF<sup>15</sup>.

### **5.2 GENERAL RESPONSIBILITIES**

The Ministry of Agriculture and Land Affairs (Department of Land Affairs (DLA) in collaboration with the Department of Agriculture), and the Belgian Technical Cooperation (BTC), represented by the Resident Representative in Pretoria, are the entities responsible for the implementation of the project for South Africa and for Belgium respectively.

The Belgian Party designates the DGDC, represented by the attaché for International Cooperation in Pretoria as the Belgian entity responsible for the Belgian contribution to the programme.

The activities of this project are organised in the spirit of partnership and joint implementation, according to the following modalities.

### **5.3 GENERAL MANAGEMENT AND IMPLEMENTATION MODALITIES**

#### **5.3.1 Programme approach**

While the PSDS and the LRPP projects are designed in such a way that none of the outputs of either project serves as a precondition to the implementation of the other, both projects are closely connected and will reinforce each other through appropriate feedback and synergy mechanisms. In order to facilitate these feedbacks and synergies, both projects will be considered as components of a single programme and will be supervised by common implementation structures.

#### **5.3.2 The Board of Trustees of the Land Reform Trust Fund**

The Land Restitution Trust Fund is a legal body set up by the Minister of Agriculture and Land Affairs. It manages a bank account through which all ODA<sup>16</sup> funds for DLA are channelled<sup>17</sup>.

The role of the Land Restitution Trust Fund is to oversee the coherence of ODA projects with the national policies of Land Reform and to monitor the ODA funds channelled through its bank account.

As soon as the specific agreement is signed and notified to the partner, the Land Restitution Trust Fund will be re-named as Land Reform Trust Fund (LRTF).

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<sup>15</sup> For the PSDS project, a new agreement will replace the bilateral agreement signed on 30 November 2006.

<sup>16</sup> Belgium is presently the only active donor at national level in the DLA and therefore the only user of this account

<sup>17</sup> This bank account was used by the previous Belgian projects in the Land Reform sector.

The composition of the board of trustees will be as follows <sup>18</sup>:

- Director-General of the DLA;
- At least one UNISA professor as an external expert;
- Chief Land Claims Commissioner, DLA;
- Chief Director, Programme management and administration services support, DLA;
- The chief Director of the Land Reform Implementation Management Directorate, DLA;
- The chief Director of the Strategic Management and Technical Support Directorate, DLA;
- A representative of the DOA.

As for the previous projects, the BTC resident representative and the senior programme manager are observers in the trust fund meetings. When possible, the trust fund meets back to back with the steering committee of the Belgian projects.

### **5.3.3 Strategic programme management: the Joint Steering Committee**

#### **5.3.3.1 Role of the Joint Steering Committee**

The joint steering committee (JSC) is the strategic decision making body of the programme. It focuses on the assessment of the achievement of the specific objective of both projects, through the achievement of their results. The JSC is also a problem solving body for matters that could not be solved at the operational level. The JSC allows mutual accountability at strategic level between implementation partners.

#### **5.3.3.2 Composition of the Joint Steering Committee**

The JSC is composed of:

- The DLA Director-General (Chairperson),
- Representative(s) of the Department of Lands Affairs,
- Representative(s) of the Department of Agriculture,
- Representative(s) of the Land Claims Commission,
- Representative(s) of the Ministry of Finance;
- The BTC Resident Representative.

The officials listed and to be appointed above constitute the core members of the JSC. The appointment of the representatives above will be finalized before the first JSC meeting. The composition and chair of the JSC can be revisited after completion of the institutional analysis during the project inception phase. Any change must be validated by the JSC in place.

The JSC can be complemented by other government officials and other donor implementation agencies, if the core members decide so.

The programme direction team attends the meetings of the JSC as informants and non-voting members.

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<sup>18</sup> The composition of the Land Reform Trust Fund is based upon the composition of the Land Restitution Trust Fund.

Depending on the agenda, other project stakeholders can be invited to participate, on the request of one of the core members of the JSC.

#### **5.3.3.3 Attributions of the Steering Committee**

The Steering Committee will:

- Approve the state of progress of the Projects and the achievement of their specific objective on the basis of the inception report and progress reports;
- Approve the work plan of the Projects;
- Approve the proposals relating to adjustment or modification of the intermediate results and their respective budgets, in compliance with the agreed specific objective and subject to the limit of the approved budget;
- Approve the way in which the Belgian contribution is made available (own management / co-management), the financial modalities, budget revisions and reallocations between budget lines as long as those revisions do not affect the project specific objective and results and remain within the approved budget.
- Approve the proposals related to modifications to specific objective indicators and result indicators;
- Approve the changes proposed related to the composition and responsibilities of the Steering Committee and the mechanism to change the TFF.
- If necessary, seek approval of both Governments for modifications of the duration of the Specific Agreement, the total Belgian financial contribution and the Specific Objective of the intervention.
- Identify any problem relating to the management of the resources (human, financial or material) or the interpretation of the Agreement or to the TFF, which may pose a threat to the smooth course of the Project;
- Approve the financial audits and the monitoring reports;
- Formulate recommendations on possible necessary changes in the Project components, budgets and future directions; and
- Approve the final report and close the Project.

#### **5.3.3.4 Constitution of the JSC**

The following points have been agreed to be the constitution of the JSC:

##### Delegation of responsibility:

Any core member of the JSC who cannot participate in a JSC meeting can delegate a representative for that meeting. The representative must be in a position to take full responsibility in decision making.

##### Meetings:

The JSC meets for the first time at the latest three months after the signature of the Specific Agreement.

The JSC subsequently meets every six months.

Extraordinary meetings can be called on demand of a core member.

The JSC meets also no later than three months before the completion of the Specific Agreement (or three months before the completion of the activities, if it is planned before the end of the specific agreement).

#### Secretariat:

The programme direction fulfils the duties of the secretariat for the JSC.

The agenda of the JSC meetings and all related project documentation are sent to the members at least two weeks before the meeting.

The minutes of the JSC meeting are compiled during the meeting and signed by all core members at the end of the meeting.

#### Decision-making:

Decisions are made through consensus.

All core members of the JSC must be present or represented for a decision to be valid.

#### Working costs:

The members of the JSC do not receive any allowance or compensation of any kind for their participation in the JSC.

Working costs for the JSC meeting can be directly charged on the project. These costs must be further defined as part of the agreed constitution of the JSC during its first meeting.

#### Additional working rules:

The JSC can further evolve the agreed constitution.

### **5.3.4 Operational Management: the Programme Direction**

#### **5.3.4.1 Role of the Programme Direction**

The programme direction (PD) is the operational decision making body of the programme. It focuses on the coordination of the design, the planning, the implementation and the monitoring of project activities, in order to achieve the results and ultimately the specific objectives of both projects. In doing so, it permanently integrates thinking on the efficiency, effectiveness, relevance, coherence and sustainability of both projects, in order to maximize their chances of impact and to inform correctly the JSC about necessary strategic changes. Its also includes ensuring that sufficient synergy and feedback is achieved between both projects and ensuring a good coordination and integration with the general DLA and DOA activities. The PD allows mutual accountability at operational level between the implementation partners.

The responsibilities of the programme direction are as follows:

- To organize, coordinate and supervise the execution of the project activities in accordance with the project work plans approved by the SC;
- To organise meetings with stakeholders (see further);
- To facilitate decision-making processes for the project in DLA and DOA;
- To assure good management of the project resources (material, financial and human);
- To deal with any problem of interpretation of the TFF;
- To propose adjustments or modifications of the activities and results;
- To supervise service providers;
- To ensure synergy with other donors' projects, including synergy with other BTC projects;
- To propose recruitment of personnel necessary to execute the project;
- To write the semester progress reports, annual reports and the final report;



- To provide financial management, accounting and timely compilation of budgeted work plans for the following period for consideration by the Steering Committee;
- To submit accounting reports according to mutually agreed format, based on the DLA formats;
- To assure the administrative support of the Steering Committee (secretariat, agenda, documents, minutes, dissemination of minutes);
- To coordinate the tendering procedures and to ensure they are executed according to the appropriate procedures;
- To assure the administrative and financial management of the project and the LRTE according to the applicable procedures.

In order to ensure a good coordination and integration of project activities in the DLA and DOA activities, the **PD will regularly consult with major stakeholders**, who will contribute to the decision-making on strategy, technical and priority level. It is proposed that rather than depend on issue based consultation that the stakeholders be involved on an ongoing basis with regular engagement. The project requires that partners such as the Department of Agriculture are able to input into the design of further actions. This group should therefore meet on a regular bi-monthly basis. The PD will consult with these stakeholders in function of the activities and needs in the project. The following stakeholders will be closely involved:

- Department of Land Affairs
- Department of Agriculture
- The national LARP project manager
- NIFAL and ITCAL
- Programme team
- BTC
- Other donors (i.e. Austria).

#### **5.3.4.2 Composition of the Programme Direction**

The PD is composed of:

- A senior programme manager, located in the office of the DLA Deputy Director General,
- A Ministry representative (DLA or DOA); who will particularly focus on activities related to the PSDS project,
- A DLA representative of the Strategic Management and Technical Support Directorate, who will particularly focus on activities related to the LRPP project.

The appointment of the DLA representatives above will be finalized before the first JSC meeting.

#### **5.3.4.3 Working of the Programme Direction**

The programme direction meets in function of the needs in the project, indicatively on a monthly basis. A more intensive collaboration may be necessary in the initial phase of the programme.

Programme Team members (see below) will participate in meetings of the Programme Direction as necessary.

## 5.3.5 Implementation: Programme Team

### 5.3.5.1 Role of the Programme Team

The focus of the programme team is to design, plan, implement and monitor specific activities of the project and interact effectively with all project stakeholders.

### 5.3.5.2 Composition of the Programme Team

The PT is composed of:

- The Programme Direction,
- The policy technical advisor<sup>19</sup>, located in the DLA Strategic Management and Technical Support Directorate,
- The national ABP manager<sup>20</sup>, in charge of overseeing the activities of the Area-Based Planning Implementation, located in the DLA Land Reform Implementation Management Directorate,
- Nine provincial Area-Based Planning coordinators, composing the Area-Based Planning Implementation Structure. The provincial ABP coordinators coordinate the ABP process in their province. They are responsible for specific project activities to be implemented at provincial level and are located in the PLRO offices,
- A project officer, in charge of the administrative and financial follow-up for both the LRPP and the PSDS projects and more specifically of the LRTF account. He is located in the DLA offices.

All will constantly liaise with the DOA staff.

## 5.4 FINANCIAL MANAGEMENT MODALITIES

For the activities described in this chapter, the senior programme manager and one of the other two core members represent the programme direction. For the PSDS project, this will be the representative of the DLA department in charge of post-settlement support; for the LRPP, this will be the representative of the department in charge of land reform policy.

### 5.4.1 Bank Accounts and Mandates

The Belgian contribution to the project will be channelled through two accounts: the Land Reform Trust Fund (LRTF) and a Deutsche Bank account (DB Account).

#### 5.4.1.1 LRTF Account

The LRTF account is located at the First National Bank in Pretoria. The LRTF account is in Rand. The Financial Information Tool (FIT) of BTC is used as the administrative and financial follow-up of the LRTF account. The project officer will be responsible for the financial management of this account.

The following modality applies (at bank level) for the authorization of payments from the LRTF account:

|             |             |           |
|-------------|-------------|-----------|
| Signature 1 | Signature 2 | Threshold |
|-------------|-------------|-----------|

<sup>19</sup> Detailed information on this position to be found in the TFF of the LRPP project.

<sup>20</sup> This position is funded by the Austrian cooperation.

|                                   |                                   |                         |
|-----------------------------------|-----------------------------------|-------------------------|
| Member 1 of the board of Trustees | Member 2 of the board of Trustees | No threshold applicable |
|-----------------------------------|-----------------------------------|-------------------------|

All payments have to be initiated by the programme direction. The project officer will execute payments after signature by 2 members of the board of trustees of the LRTF.

#### **5.4.1.2 Deutsche Bank Account**

BTC staff manages this bank account, according to BTC internal procedures.

### **5.4.2 Budget Management**

#### **5.4.2.1 Budget mode: co-managed and own-managed**

The portion of the budget channelled through the LRTF account is identified as the “co-managed” budget. These funds will pay:

- The supplies and services procured by the project (no procurement of works is planned),
- The salaries of the 9 provincial ABP coordinators.

The portion of the budget channelled through the DB account is identified as the “own-managed” budget. These funds will pay:

- The local expenses in relation with project Mid-Term and End-Term reviews, and audits,
- The salary of the project officer;
- The expenses incurred in BTC HQ for the project (salary and other expenses of the senior programme manager and other expenses).

#### **5.4.2.2 Budget changes**

The project budget reflects the budgetary constraints within which the project activities must be implemented. Overspending the total budget, the “co-managed” budget, or the “own-managed” budget of the projects is not possible.

The contingency budget line must be used for project activities. In order to use it, the JSC must approve a budget change proposal.

The JSC must approve all project budget changes before they are implemented. The JSC informs its decision on a motivated proposal elaborated by the Programme Direction.

The possible budget changes are:

- Adjustment of the structure of the budget (addition of a new budget line),
- Transfer between budget lines in the same budget mode,
- Transfer between budget lines from one budget mode to the other,
- Use of the contingency budget line.

#### **5.4.2.3 Engagements**

Regarding the LRTF account, no engagements can be made without prior approval by the steering committee of the 6-monthly work plan and financial plan and without approval by the programme direction.

Regarding the DB account, BTC procedures apply.

The programme direction is responsible for the follow-up of the engagements on both accounts.

The remainder of this chapter on financial modalities deals with the management of the “co-managed” portion of the budget. The “own-managed” portion of the budget is managed according to BTC internal rules.

### **5.4.3 Funds transfers from BTC HQ to the LRTF**

#### **5.4.3.1 First funds transfer**

As soon as the signed execution agreement has been notified by DGD to BTC, the BTC representation office can send a cash-call to BTC HQ in order to supply the LRTF account. The requested amount corresponds to the cash needs for the 3 first months of implementation of the project.

#### **5.4.3.2 Next funds transfers**

The LRTF account is replenished quarterly. The programme direction sends, at the beginning of the last month of the previous quarter, a cash-call to the BTC representation office for each of the 2 projects. The requested amount corresponds to the cash needs for the next quarter plus a buffer. The cash call must be signed by the programme direction. The BTC resident representative approves the cash-call before it is sent to BTC HQ.

BTC HQ transfers the funds at the beginning of the quarter. In some instances, BTC HQ may propose a different transfer scheme (split monthly transfers or delayed transfer on call).

Funds are transferred under the following conditions:

- The accounting of the account for the previous month has been transmitted to the BTC representation office,
- The financial programming has been transmitted to the BTC representation office,
- The requested amount does not exceed the total balance of the budget.

In case of emergency, the project can always make a special cash-call with an explanation of the situation.

### **5.4.4 Financial reporting**

#### **5.4.4.1 Accounting**

The accounting is elaborated monthly, following the BTC procedures,<sup>21</sup>. The programme direction must sign the accounting, before it is transmitted to the BTC representation. The information to be transmitted to the representation consists of an electronic file, the accounting pieces and the bank account statements.

#### **5.4.4.2 Financial programming**

The financial programming is elaborated quarterly, following the BTC procedures. The programme direction team must sign the financial programming, before it is transmitted to the BTC representation.

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<sup>21</sup> It is a specific request of the partner not to use its normal PFM system (the RDP account and the BAS accounting system attached to it), for the matter of the efficiency, the reliability and the speed of the project financial processes.

#### **5.4.4.3 Financial reporting to the JSC**

The programme direction team must present the financial reporting for approval at each meeting of the JSC:

- Budgetary execution report,
- Updated financial programming,
- Budget change proposal, if any.

## **5.5 MONITORING AND REPORTING MODALITIES**

### **5.5.1 Baseline information**

The programme direction and team will establish baseline data during the inception phase of the project.

They will also update the institutional and policy framework concerning the project and carry out a capacity needs assessment.

### **5.5.2 Bi-annual and annual progress reports**

The programme direction and team shall prepare bi-annual and annual progress reports according to a format to be agreed upon jointly by BTC and the Ministry of Agriculture and Land Affairs. It shall be aligned as much as possible with the existing project reporting formats already used.

The progress report shall include:

- Major achievements and problems during the period under review,
- Progress statement on the various results, in relationship with indicators,
- Financial information as described in the previous paragraph,
- Updated annual work plan and financial programming.

## **5.6 PROCUREMENT MODALITIES**

The South African rules and regulations shall govern the procurement of supplies and services paid through the LRTF account. DLA procedures apply. The senior programme manager will participate in the elaboration of the specifications and in the evaluation of the tenders.

The Belgian rules and regulations shall govern the procurement of supplies and services financed through the 'own-managed' budget. BTC procedures apply.

## **5.7 HUMAN RESOURCE MANAGEMENT MODALITIES**

### **5.7.1 Recruitment**

#### **5.7.1.1 Profile for the Senior Programme Manager**

The senior programme manager will be recruited as per Belgian rules and regulations. The Ministry of Agriculture and Land Affairs will participate in the selection process and approve the selected candidate before recruitment. The position will be advertised internationally.

It is essential that this person have a working knowledge of the policy and legislative frameworks governing Land Reform and Rural Development in South Africa. These frameworks are:

- White Paper on South African Land Policy,
- Policy on Area-Based Planning,
- Policy on Intergovernmental Relations,
- Current Land Reform policy developments.

As a result, a working experience on different levels of government of 6 years is required for this position.

Other requested competencies are more generic and have to do with general programme management. The detailed position profile and job description is found in annexe 6.4.

#### **5.7.1.2 Profile for the provincial ABP coordinators**

The 9 provincial ABP coordinators will be recruited as per South African rules and regulation. BTC will participate in the selection process and approve the selected candidates. The detailed position profile and job description is found in annexe 6.4.

#### **5.7.1.3 Profile for the project officer**

The project officer will be recruited as per Belgian rules and regulations. The Ministry of Agriculture and Land Affaires will approve the selected candidate before recruitment. The detailed position profile and job description is found in annexe 6.4.

### **5.7.2 Work contract and salaries**

The 9 provincial ABP coordinators will have DLA work contracts signed directly with the Department of Land Affairs. Their salaries will conform to the DLA standards.

The senior programme manager and project officer will have a BTC contract. Their salary will conform to the BTC standards.

### **5.7.3 Reporting relationship and Evaluation**

The 9 provincial ABP coordinators will report to the national ABP planning manager. They will be evaluated according to the DLA standards. BTC will participate in the evaluation.

The senior programme manager will report to the BTC resident representative. He will be evaluated according the BTC standards. The Ministry of Agriculture and Land Affaires will participate in the evaluation.

## **5.8 EVALUATION AND AUDIT MODALITIES**

### **5.8.1 Project Evaluation**

#### **5.8.1.1 Mid-term review**

A mid-term review will be conducted indicatively after 2 years of implementation. The BTC procedures will apply. The mid-term review report will be presented to the JSC who will assess the findings and the recommendations.

### **5.8.1.2 Final review**

A final evaluation will be conducted at the end of the project implementation. The BTC procedures will apply. The reviewers will gather the required information through direct contact with implementers and project beneficiaries, and through an in-depth analysis of the project documentation. The main findings and lessons learned from the final review will be included in the project final report.

## **5.8.2 Audits**

### **5.8.2.1 Project Audit**

Financial audits will be organized on yearly basis. The audit will verify that:

- The accounting of the project accounts are correct,
- Procedures exist and are respected.

The JSC can request additional audits.

The BTC resident representative will approve the terms of reference for the audit and will supervise the procurement process of an independent and internationally certified auditor firm.

The audit report must be presented to the JSC. If necessary, the programme direction team will define an action plan in order to improve the procedures and a monitoring plan, in order to ensure that corrective measures have been implemented.

### **5.8.2.2 BTC Audit**

Every year, the accounts of selected BTC projects are audited by the BTC auditing officers. The audit committee of BTC can also request that the BTC internal auditor audit a project.

## **5.9 PROJECT CLOSURE MODALITIES**

### **5.9.1 Financial statement**

Six months before the end of the project, the programme direction team must establish a project financial statement, according to BTC procedures. BTC HQ must verify the financial statement before its presentation to the JSC.

### **5.9.2 Budget balances at the end of the project**

The balance of the “own-managed” budget, as well as the balance of the “co-managed” budget that have not been transferred to the LRTF account will be deducted from the project budget and returned to the Belgian State.

The balance of the LRTF account will be reallocated as the JSC decides within the duration of the Specific Agreement.

### **5.9.3 Expenses after the end of the specific agreement**

It is not permitted to make payments after the end of the specific agreement, unless they related to engagements that have been approved by the JSC before the end of the specific agreement and duly minuted in the JSC meeting minutes.

#### **5.9.4 Final report**

The programme direction team shall prepare a final report according to the BTC format. The JSC approves the final report.

The final report shall include:

- A summary of the implementation of the project,
- A presentation of the context of the project and a summary of the logical framework,
- An appreciation of the basic quality criteria of the project: efficiency, effectiveness, sustainability, relevance and impact
- An appreciation of the harmonisation and alignment criteria: harmonisation, alignment, result-oriented management, mutual accountability and ownership,
- The outcomes of the monitoring of the project and of audit and other control reports, as well as the follow-up of recommendations,
- Lessons learned.

### **5.10 CHANGES TO THE TFF**

Changes can be brought to the TFF if requested.

The formal agreement of the Belgian State is needed to change the duration of the specific agreement or the total Belgian financial contribution or the specific objective of the project.

The request of the above modifications has to be motivated by the Programme Direction and approved by the JSC. The exchange of letters requesting these modifications shall be initiated by the South African party and shall be addressed to the Belgian Embassy.

The Belgian State must be informed about the changes listed below:

- The way in which the Belgian contribution is made available (own management / co-management).
- The financial modalities.
- Project results and their respective budgets.
- Specific objective and result indicators.
- Composition and responsibilities of the Steering Committee.
- The mechanism to approve the changes to the TFF.

These changes need to be approved by the JSC. They will be noted in the minutes of the SC meeting approving them and will be included in the annual report.

Any other change to the TFF can be decided and implemented by the programme management team.



## **6. ANNEXES**

## 6.1 LOGICAL FRAMEWORK

| Objective   | Indicators   | Means of Verification  | Risks and Assumptions  |
|---|--|--|--|
| <p><b>Specific objective</b></p> <p><b>Institutions are supported to provide EFFECTIVE AND COHERENT post-settlement support through efficient service delivery to beneficiaries of the land reform programmes in South Africa.</b></p> <p><i>Beneficiaries:<br/>Land Reform Beneficiaries.</i></p> <p><i>Institutions: DLA, DOA, Municipalities, PMUs, civil society.</i></p> | <p>Number of beneficiaries receiving services in line with their needs</p> <p>Twenty five pipeline projects per province are planned and implemented as co-ordinated exercises through the PMU</p> | <p>Annual reports (for delivery targets).</p> <p>Department of Land Affairs Quality of Life Surveys.</p> <p>Baseline data collated and collected through this project and the Land Reform Policy Project.</p> <p>Other State processes such as the Customer Satisfaction Survey.</p> <p>PMU establishment documents and project reports.</p> | <p>Inadequate partner participation; whether from other government institutions or the private sector</p> <p>Lack of clarity in policy framework</p> <p>Lack of clarity in institutional framework</p> |

| Result   | Indicators   | Means of Verification  | Risks and Assumptions  |
|--|--|--|--|
| <b>Result Area One: Alignment at Provincial and Local Government</b>   |  |  |  |
| <p>Alignment at Provincial and Local Government is strengthened (within the Intergovernmental Relations Framework)</p> | <p>Common understanding of the public stakeholders on the roles and functions regarding DLA/DOA participation in IGR structures within the first 9 months of the programme.</p> <p>Follow-up of decisions made in IGR structures</p> <p>Application of the M&amp;E process and reference made to the M&amp;E system in decision making process</p> <p>Project reports for 25 pipeline projects per Province indicating IGR minutes aligning budgets and actions.</p> | <p>Approved land reform projects within the various IGR structures, including integrated budgets attached.</p> <p>M&amp;E results in Quality of Life Surveys and IGR reporting structures.</p> <p>Composite document outlining the roles and functions, accepted by government partners participating in common IGR structures.</p> <p>First sets of reports outlining indicators, joint and separate actions planned and undertaken, commitments to targets and contribution to targets.</p> <p>Information management guidelines document, approved by key partners.</p> | <p>All government entities respect the IGR Act and the implications thereof.</p> <p>The key government partners do not have the same interpretation of the political directive on the core issues - roles and functions, or how to achieve targets.</p> <p>Information is not available within the existing system, is inaccurate or cannot be easily manipulated.</p> |

| Activity   | Cost (Euro)       | Means   |
|--|-------------------|---|
| <ul style="list-style-type: none"> <li>• Support and strengthen intergovernmental relations capacity</li> </ul>                                  | 64,500            | Short-term Consultancy<br>Programme Manager<br>DLA<br>Project Officer |
| <ul style="list-style-type: none"> <li>• Support and strengthen knowledge sharing capacity with regard to intergovernmental relations</li> </ul> | Included in above | Short-term Consultancy<br>Programme Manager<br>DLA<br>Project Officer |

| Result  | Indicators  | Means of Verification  | Risks and Assumptions  |
|---|---|--|--|
| <b>Result Area Two: The quality of the service delivered to beneficiaries is improved</b> |   |  |  |
| The quality of the service delivered to beneficiaries is improved                         | <p>Nine PMUs operational at Provincial level with contractual relationships with all relevant stakeholder groups</p> <p>A business plan (indicating the business model etc) is approved by the Ministry and the National Board.</p> <p>Implementation strategy with initial projects identified and applied.</p> <p>Increased demand for training and mentoring programmes by beneficiaries.</p> <p>Development of an information management system.</p> <p>Existence of feedback loops into policy and implementation based on practice.</p> <p>Twenty five pipeline projects per province are planned and implemented as co-ordinated exercises through the PMU by the end of 2009</p> <p>Quality of Life indicators (most relevant indicators to be defined and quantified during inception phase)</p> | <p>Annual (for delivery targets) and financial reports of the PMUs</p> <p>Land reform projects managed by PMUs</p> <p>Department of Land Affairs Quality of Life Surveys.</p> <p>Other State processes such as the Customer Satisfaction Survey.</p> <p>Memorandum from the Ministry and National Board indicating approval of the Business plan per Province.</p> <p>Contracts</p> <p>Project files indicating multi-stakeholder operational teams.</p> <p>Project initiation reports, monitoring reports, trainee lists.</p> <p>M&amp;E assessments.</p> | <p>National level PMU structure has been established.</p> <p>National framework is in place to guide Provincial establishment.</p> <p>Key strategic partners are ready to participate and support accelerated land reform.</p> <p>Weaknesses in partner organizations results in key inputs being delayed</p> <p>Insufficient formal commitment from stakeholders in all nine Provinces to support the effective functioning of an PMU.</p> <p>Co-funding for training not forthcoming</p> |

| Activity   | Cost (Euro) | Means   |
|--|-------------|---|
| <b>2.1. Support PMU institutional design and development</b> | 847,350     | Programme Manager<br>National PMU Manager<br>Ministry Representative<br>DLA<br>DoA<br>Project Officer<br>Short term consultancy |
| <b>2.2. Support training and mentorship</b>                  | 900,000     | Programme Manager<br>National PMU Manager<br>Ministry Representative<br>DLA<br>DoA<br>Project Officer<br>Short term consultancy |
| <b>2.3. Support information and communication management</b> | 472,500     | Programme Manager<br>National PMU Manager<br>Ministry Representative<br>DLA<br>DoA<br>Project Officer<br>Short term consultancy |

| Result  | Indicators   | Means of Verification   | Risks and Assumptions   |
|---|--|---|---|
| <b>Result Area Three: Support Area Based Plans</b>                  |  |   |   |
| To support the development of Area Based Plans at a district level. | <p>Area Based Plans in place across the country in all of the 47 District and 6 Metro Areas. These Area Based Plans should be formally adopted by the Municipalities and incorporated into their respective IDPs.</p> <p>Number of ABPs formally adopted as sector plans by Local and District Municipalities</p> <p>Budgets of Identified Land Reform Projects identified reflect multi-sectoral contributions.</p> <p>In new cycle (post 2010), number of IDPs including ABPs as subsection.</p> <p>Nine provincial ABP managers in place and functions integrated in DLA/local government upon completion of Belgian funding.</p> <p>Targets as indicated in the IDP and ABP are met.</p> | <p>Council resolutions w.r.t. adoption of ABPs as Land sector plans of IDPs.<br/>Municipal budgets</p> <p>Budget commitments – indicated in the MTEF and conditional grants.</p> <p>Progress reports and performance reviews</p> <p>Integrated Development plans and Area Based Plans.</p> <p>Key Performance Standards Integrated Development Plans</p> <p>Minutes of workshops and ABP steering committees</p> <p>Terms of engagement agreed to by stakeholders</p> <p>Department of Land Affairs Quality of Life Surveys.</p> <p>Other State processes such as the Customer Satisfaction Survey.</p> | <p>Current climate emanating from service delivery protests and boundary disputes within certain districts impede the formulation of the ABPs.</p> <p>Skills required for ABP positions are in high demand hence threat of high staff turn-over.</p> <p>Timeframes for approval by donor partner results in the function being temporarily allocated to existing committed staff, which has a negative impact on delivery.</p> <p>Other departments (outside of DLA) do not facilitate budget co-ordination across sectors.</p> <p>Municipalities and other Sector Department do not see land reform as a joint responsibility.</p> <p>Dwellers are not heard or reached as they are not integrated into civil society.</p> |

| Activity  | Cost (Euro) | Means  |
|---|-------------|--|
| <b>3.1. Support co-ordination and integration</b> | 1 ,620,000  | Programme Manager<br>National PMU Manager<br>DLA<br>DoA<br>Project Officer<br>Short term consultancy<br>Provincial ABP managers<br>IDP Managers                  |
| <b>3.2. Information management</b>                | 53,800      | Programme Manager<br>National PMU Manager<br>DLA<br>DoA<br>Project Officer<br>Short term consultancy<br>Provincial ABP managers<br>IDP Managers                  |
| <b>3.3. Support civil society mobilization</b>    | 1,272,000   | Programme Manager<br>National PMU Manager<br>DLA<br>DoA<br>Project Officer<br>Short term consultancy<br>Provincial ABP managers<br>IDP Managers<br>Civil society |



## 6.2 IMPLEMENTATION CALENDAR

|      | Description  | Year 1 |   |   |   |   |   |   |   |   |    |    |    | Year 2 |   |   |   |   |   |   |   |   |    |    |    | Year 3 |   |   |   |   |   |   |   |   |    |    |    | Year 4 |   |   |   |   |   |   |   |   |    |    |    |
|------|--|--------|---|---|---|---|---|---|---|---|----|----|----|--------|---|---|---|---|---|---|---|---|----|----|----|--------|---|---|---|---|---|---|---|---|----|----|----|--------|---|---|---|---|---|---|---|---|----|----|----|
|      |  | 1      | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 1      | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 1      | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 1      | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|      | <b>Inception phase</b>   |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
| RA 1 | <b>Result Area 1: Provincial and Local Alignment</b>   |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
| A1.1 | Support and strengthen intergovernmental relations capacity  |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
| A1.2 | Support and strengthen knowledge sharing capacity with regards to intergovernmental capacity                   |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
| RA 2 | <b>Result Area 2: Service Delivery to beneficiaries</b>  |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
| A2.1 | Support PMU institutional design and development   |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
| A2.2 | Support training and mentorship for land reform beneficiaries  |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
| A2.3 | Support PMU information and communication mgt  |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
| RA 3 | <b>Result Area 3: Area Based Planning</b>  |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
| A3.1 | Support co-ordination and integration (3 years of placement and a further 6 months evaluations of the 3 years) |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
| A3.2 | Support ABP information management at provincial and district levels.  |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
| A3.3 | Support civil society mobilization.  |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
|      | <b>Operating Activities</b>  |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
|      | Programme management (Programme Officer)   |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
|      | Programme administration'  |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
|      | Mid term review  |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |
|      | Final Evaluation   |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |        |   |   |   |   |   |   |   |   |    |    |    |

## 6.3 DETAILED BUDGETS

### 6.3.1 Result 1

| Information sessions (stakeholder involvement) | Cost Per session | # Sessions/ Province | # Provinces | Total (Rands) | Total (EUR) |
|--|------------------|----------------------|-------------|---------------|-------------|
| Information sessions: Costs venue, meals etc   | 5.000            | 2                    | 9           | <b>90.000</b> | 9.000       |

| Consulting services                         | Consulting fees per day | # of days for all provinces | Total fees | Operational costs (flights etc) | Total (Rands)  | Total (EUR)   |
|---|-------------------------|-----------------------------|------------|---------------------------------|----------------|---------------|
| Institutional mapping for each province     | 3.500                   | 50                          | 175.000    |                                 | 175.000        | 17.500        |
| Reporting, indicators etc for each province | 3.500                   | 50                          | 175.000    | 20.000                          | 195.000        | 19.500        |
| Testing 9 districts                         | 3.500                   | 50                          | 175.000    | 10.000                          | 185.000        | 18.500        |
| <b>TOTAL</b>                                |                         |                             |            |                                 | <b>555.000</b> | <b>55.500</b> |

## 6.3.2 Result 2

| <b>Support Institutional Design and Development</b>  | <b>Days (rate R3500.00)</b> | <b>Total (rands)</b> | <b>TOTAL per province (EUR)</b> | <b>TOTAL for 9 provinces</b> |
|--|-----------------------------|----------------------|---------------------------------|------------------------------|
| Development of a business model.   | 20                          | 70.000               | 7.000                           | 63.000                       |
| Design organizational structure  | 10                          | 35.000               | 3.500                           | 31.500                       |
| Governance structures and guidelines are developed   | 10                          | 35.000               | 3.500                           | 31.500                       |
| Roles and responsibilities are clarified. In particular those of partners from the private sector. | 15                          | 52.500               | 5.250                           | 47.250                       |
| Institutional and stakeholder relationships clarified  | 5                           | 17.500               | 1.750                           | 15.750                       |
| Contractual and MOU agreements are prepared  | 12                          | 42.000               | 4.200                           | 37.800                       |
| Financial requirements identified  | 20                          | 70.000               | 7.000                           | 63.000                       |
| Human resource requirements identified   | 10                          | 35.000               | 3.500                           | 31.500                       |
| Develop database of external short term experts to overcome capacity weaknesses.                   | 5                           | 17.500               | 1.750                           | 15.750                       |
| Development of 1 year action plan including initial pilot / project selection                      | 5                           | 17.500               | 1.750                           | 15.750                       |
| Establishment of project teams for initial projects  | 12                          | 42.000               | 4.200                           | 37.800                       |
| Project initiation.  | 135                         | 472.500              | 47.250                          | 425.250                      |
| Capturing of establishment process in terms of lessons   | 10                          | 35.000               | 3.500                           | 31.500                       |
| <b>Total</b>   | <b>269</b>                  | <b>941.500</b>       | <b>94.150</b>                   | <b>847.350</b>               |

| <b>Support mentorship and training programme for land reform beneficiaries</b>   | <b>Days (rate R3500.00)</b> | <b>Total (rands)</b> | <b>TOTAL per province (EUR)</b> | <b>TOTAL for 9 provinces</b> |
|--|-----------------------------|----------------------|---------------------------------|------------------------------|
| Development of a strategy (within the national and provincial framework).  | 5                           | 17.500               | 1.750                           | 15.750                       |
| Undertake a stakeholder assessment (including the identification of formal training institutions and potential mentorship institutions). | 10                          | 35.000               | 3.500                           | 31.500                       |
| Develop appropriate business models (including financing and a process for selection of candidates and mentors).                         | 10                          | 35.000               | 3.500                           | 31.500                       |
| Implementation strategy / modalities.  | 5                           | 17.500               | 1.750                           | 15.750                       |
| Organization, human resource and financial requirements.   | 10                          | 35.000               | 3.500                           | 31.500                       |
| Identify and initiate training and mentorship projects.  |                             | 860.000              | 86.000                          | 774.000                      |
| <b>Total</b>   | <b>40</b>                   | <b>1.000.000</b>     | <b>100.000</b>                  | <b>900.000</b>               |

| <b>Support Information and communication mgt</b>                            | <b>Days (rate R3500.00)</b> | <b>Total (rands)</b> | <b>TOTAL per province (EUR)</b> | <b>TOTAL for 9 provinces</b> |
|---|-----------------------------|----------------------|---------------------------------|------------------------------|
| Understanding the information management needs.                             | 10                          | 35.000               | 3.500                           | 31.500                       |
| The design & implementation of system.                                      | 35                          | 122.500              | 12.250                          | 110.250                      |
| Pilot / testing the system.   | 20                          | 70.000               | 7.000                           | 63.000                       |
| Identify best practices in and disseminate to national and provinces.       | 5                           | 17.500               | 1.750                           | 15.750                       |
| Writing of specific case studies.   | 70                          | 245.000              | 24.500                          | 220.500                      |
| Clear feedback loops to into existing Monitoring and Evaluation structures. | 10                          | 35.000               | 3.500                           | 31.500                       |
| <b>Total</b>  | <b>150</b>                  | <b>525.000</b>       | <b>52.500</b>                   | <b>472.500</b>               |

### 6.3.3 Result 3

| Information management                     | Consulting fees per day | # of days | Total fees | Operational costs (flights etc) | Total (Rand)   | TOTAL (EUR)   |
|--|-------------------------|-----------|------------|---------------------------------|----------------|---------------|
| Design information management system       | 3.500                   | 40        | 140.000    |                                 | 140.000        | 14.000        |
| Pilot system in Province                   | 3.500                   | 40        | 140.000    | 45.000                          | 185.000        | 18.500        |
| Short term studies required by ABP manager | 3.500                   | 48        | 168.000    | 45.000                          | 213.000        | 21.300        |
| <b>TOTAL</b>                               |                         |           |            |                                 | <b>538.000</b> | <b>53.800</b> |

| Staff              | Salary  | Operational costs | Total PA | X 9 Provinces | X 3 Years  | Total (Rand)      | TOTAL (EUR)      |
|--------------------|---------|-------------------|----------|---------------|------------|-------------------|------------------|
| Provincial Officer | 500.000 | 100.000           | 600.000  | 5.400.000     | 16.200.000 | <b>16.200.000</b> | <b>1.620.000</b> |

| Indicative Workings per Province                                 |                |                 |                         |                           |                  |
|--|----------------|-----------------|-------------------------|---------------------------|------------------|
| Stakeholder engagement   |                | Per 53 workshop | x 53 Districts & metros | Total for 3 Years (Rands) | Total (EUR)      |
| Engagement One   | 1 per district | 40.000          | 2.120.000               | 6.360.000                 | 636.000          |
| Engagement Two   | 1 per district | 40.000          | 2.120.000               | 6.360.000                 | 636.000          |
| <b>Total</b>   |                | <b>80.000</b>   | <b>4.240.000</b>        | <b>12.720.000</b>         | <b>1.272.000</b> |
| 40 people, 1 nights accommodation, travel, facilitation included |                |                 |                         |                           |                  |

## 6.4 TOR LONG-TERM PERSONNEL

### 6.4.1 TERMS OF REFERENCE: PROVINCIAL AREA BASED PLANNING MANAGER

#### 6.4.1.1 BACKGROUND

##### a) Area Based Plans

Area Based Plans (ABPs) are proposed as the fundamental tool for the integration and alignment of land reform with the strategic priorities of the provinces, municipalities and other sectors. The Area Based Plans will be an integral part of the Integrated Development Plans (IDPs) prescribed by the Municipal Systems Act, and will serve as a catalyst for land related developments at a Municipal level. Area Based Plans will be aligned to the Agricultural, Local Economic Development, Sustainable Human Settlement, and Basic Service Plans, and other relevant sectors of an IDP. It will enable the Department of Land Affairs and Municipalities to formulate pro-poor strategies that will enable greater access to and participation in land and agrarian reform initiatives. Whilst the Area Based Plans will be formulated at a District Level to indicate linkages and opportunities for economies of scale, the Area Based Plan will equally focus on each local municipality within their respective clusters.

The Area Based Planning (ABP) is a tool for the sustainable delivery and integration of land and agrarian reform programmes within the strategic priorities of municipalities (as expressed in IDPs), national programmes and provincial imperatives.

The ABP is designed to speed up the Land and Agrarian reform programme while at the same time providing for enhanced economic development. It is therefore an important tool in the delivery of key national policy objectives such as Accelerated and Shared Growth Initiative of South Africa.

The Area Based Plan represents a land sector plan that will be the key vehicle for enhanced integrated planning and a platform for better intergovernmental relations and public participation. The ABP will facilitate forward planning in areas such as resource mobilisation, service delivery and proactive land acquisition.

##### b) Objectives of Area Based Planning

The broad objectives of Area Based Planning are:

- To speed up the **pace of land reform** in South Africa in order to achieve national land reform targets;
- To contribute to **enhanced economic development** thereby contributing to the targets as set out in ASGISA;
- To **integrate** land reform into provincial and municipal development frameworks;
- To improve the **sustainability** of the land reform projects;
- To promote **sector alignment**: agriculture, LED, Integrated Sustainable Human Settlements, tenure security / upgrade linked to the provision of basic services.
- To promote the objectives of **intergovernmental relations** with municipalities and sector departments;
- To **empower communities** to participate actively in project formulation and implementation of land reform projects;

- To assure that the transversal themes of environment, gender and HIV-AIDS are taken into account.

The formulation of Area Based Plans is thus fundamental to the Department of Land Affairs specifically achieving its land reform targets in an integrated, proactive and sustainable manner. In general it will assist all development stakeholders to achieve national priorities in an integrated fashion. The Area Based Plan will be an integral part of the IDP, and will serve as a catalyst for land related development. The intention is that Areas Based Plans will be the primary tool to guide programme and project conceptualisation and implementation (i.e. it will define the framework from which projects emerge). The Area Based Plans will be supported by appropriate implementation model/s with defined products, and appropriate business processes.

#### **6.4.1.2 METHODOLOGICAL APPROACH**

##### **a) Provincial Area Based Planning Managers**

To ensure that Area Based Plans developed is of acceptable quality, an official will be placed in each of the nine Provincial Land Reform Offices. The ABP Manager will be responsible for the coordination of the ABP processes within their respective provinces, and will assume responsibility for implementation of specific activities within the log frame developed as part of the formulation report. In those provinces where the PRLO has already started with the process of formulating ABPs, a hand-over process will be put into place to ensure a smooth hand-over of responsibilities.

#### **6.4.1.3 SCOPE of Work**

It is suggested that the specific ABP planning process be conducted in following phased process.

##### **a) Establishment of Steering Committee**

In order to ensure that all key stakeholders support the formulation of ABPs, the ABP manager will ensure that a Steering Committee comprising of these stakeholders are established. In addition to other relevant government institutions, the following stakeholders need to be included: land and agricultural based NGO's, CBOs, organised agriculture, commodity organisations, and Business. Stakeholders groups will need to be identified up-front in relation to particular core objectives, so as to ensure that the appropriate target groups are consulted in the process of formulation. Where ABP Steering Committees already exist, the ABP manager will have the task to ensure the inclusion of stakeholders currently excluded. The ABP Manager, seconded by the DLA, will also ensure that the Steering Committee is aligned with the existing IDP structures.

##### **b) Inception Report/ Process Planning**

On appointment, the ABP Manager will prepare a detailed project work plan and Gantt chart, in the form of an *Inception Report*, detailing the specific actions and date-specific time frames of the project. This will be workshopped with stakeholders in order to reach consensus reached on the proposed action steps.

The inception report/ process plan fulfils the function of a business plan or an operational plan for the ABP process to be followed for a specific District. It states in a simple and transparent manner what has to happen when, by whom, and where. It should relate to a detailed costing and

allow for the management of the ABP development on a day-to-day basis. It is critical that an attempt is made to align the ABP process outlined in the inception report to the IDP process (e.g. alignment to the District Planning Framework).

Inception Deliverable: An inception report specifying the time frames for the different planning steps. Appropriate mechanisms, processes and procedures for developing the plan. Steering Committee agreement on the Area Based Planning Process to be undertaken.

### **c) Phase 1: Situational Analysis / Status Quo**

This phase must deal with the existing situational analysis or status quo regarding land reform within the District/Local Municipal area, bearing in mind that most of the baseline information will be provided by the Department of Land Affairs and Department of Agriculture, Sector Departments and the Municipalities. This phase will involve information gathering and will focus on analysis and stakeholder consultation. Role-player and stakeholder participation is considered important to gain facts and figures, as well as perceptions. Consultation with relevant CBOs and NGO's within the research area is important in order to determine land needs.

#### **• Problem Analysis and Status Quo Assessment (Contextual Analysis)**

The contextual analysis will involve an analysis of information contained in the District and Local IDPs and their respective reviews. An analysis of data on land ownership patterns, land prices as per land use, bio –resource, state land information, and agricultural potential (as defined in the Provincial Agrarian Revolution Strategy), development priorities in relation to LED, agricultural sector plans in order to inform strategies to address the redistribution of 30% of white-owned agricultural land for sustainable agricultural development. The analysis must identify the agricultural land at a local municipal level, reflect the dominant commodity / production types, and indicate opportunities for growth together with accessible markets. It would be important to conclude the commodity organisations/ agencies from this stage;

This status quo will have a strong focus on land need and demand with respect to local economic development (LED) and land reform within the municipal area. Consideration will be given especially to any local economic development, agricultural, tourism and housing sector plans undertaken in the municipal areas. Problems, challenges, issues concerning land demand with respect to potential economic and agriculture development, sustainable human settlement etc. needs to be captured.

The contextual analysis will involve the following:

- Analysis of the DLA New Strategic Framework and land reform products in relation to Restitution, Redistribution and Tenure needs of the municipal area/s
- Identify and define land demand arising from Restitution and Labour Tenant Claims and have these spatially reflects at a local municipal level;
- Identify all land, settlement and agricultural needs on communal land at a municipal.
- An analysis of the economic and industrial development plans of municipalities the related land needs associated with such strategies /plans
- Information gathering and an analysis of the tenure arrangements in peri –urban and rural settlements and their impact on the provision of basic services, and economic development
- Information gathering and analysis of farm dwellers residing on commercial farm land – e.g. location per property, numbers , tenure status, access to basic services, land needs and women headed households

- Analysis of data in terms of demographics, vulnerable groups (i.e. woman and disabled), poverty levels, employment trends in the dominant agricultural sectors in a municipal area ; municipal infrastructure.
- Analysis of the Spatial Development Frameworks and Land Use Management Systems in relation to land demand.

The following must also be considered:

- A brief Socio-Demographic analysis of the municipal area;
- An environmental analysis of the municipal area;
- Analysis of provincial, district and local sector plans/strategies (e.g. agricultural, LED, housing sector plans)
- Consideration of the municipal areas with respect to the local, district, provincial and national context with respect to municipal planning and land reform
- Review of policies, goals, objectives, and programmes relating to land reform and local economic development
- Sector Analysis: a desktop analysis of the economic sectors in the study area considering the overall structure and growth trends and a review of the natural resources, land infrastructure available.
- Consideration of the national and provincial policy and strategic context
- A broad desktop analysis of macro and microeconomic trends and issues, such as international competition, market segmentation, source markets and competitive products
- Analysis of current LED, agricultural and development planning practices/trends in South Africa, Provinces, District and Local Municipal Area and the impact it has had on land reform within the municipal areas
- Analysis of the potential areas and barriers to agricultural/economic/tourism development linked to land reform in the study area.
- Examine potential inter regional economic and social development linkages
- The transversal themes of environment, gender and HIV-AIDS

The following information sources, amongst others need to be considered:

- Accelerated Shared Growth Initiative of South Africa (ASGI-SA), Growth, Employment and Redistribution plan (GEAR) and the National Spatial Development Perspective (NSDP)
- Consideration of National legislation on Local Economic Development (LED);
- Consideration of Provincial policies such as Provincial Growth and Development Strategies (PGDS) and other relevant development strategies with the respective provinces
- Analysis of the IDP Reviews
- Consideration of the Integrated Sustainable Rural Development Programme
- Consideration of the District and Local Municipal Economic, Tourism, Agricultural and Settlement/ Housing Plans and Strategies
- The LED Plans for local municipalities
- Land Affairs new Strategic Framework, Land Summit Information/Papers
- Relevant reports, papers, surveys and studies on Land Reform



- **Spatial Analysis**

Whilst the local IDP provides a holistic guide for future development, it is necessary to spatially establish land need and demand to allow for effective local economic development and land reform. The spatial analysis will involve the identification of the broad land uses and strategic structuring elements such as local nodes and, road linkages, settlement patterns, employment trends, development opportunities, etc. The Area Based Plan must consider and spatially show (amongst others) the following impacts and implications of land reform within municipalities:

- National Agricultural Corridors.
- Land ownership, State land , bio resource, land price per land use,
- Agricultural, LED plans and impact,
- Environmental impact,
- Land for Sustainable Human Settlement,
- Farm Dweller settlement areas
- Rural Settlements,
- Transport plans,
- Municipal development nodes.

The following additional information (provided by the directorate of Spatial Planning and Information (SPI) within DLA) needs to be shown spatially and/or graphically. It needs to be linked back to the Status Quo narrative that relates the information back to the key land reform issues for the Municipalities.

- Land ownership patterns
- Bio-resource units
- Land prices as per land use (agricultural as per commodity, industrial, commercial, human settlement)
- Agric potential as defined DoA in strategy/s
- Dominant commodity/ production types and opportunity
- Geo-technical information
- Municipal plans and reviews
- Municipal Rates Base information
- Sector plans
- Market information and catalytic economic projects
- Government Programmes i.e. Project consolidate, ASGISA, Urban Renewal, ISRDP
- Demographics, poverty, vulnerable groups (i.e. woman, youth and disabled), employment trends
- Spatial Development Frameworks (SDFs), LUMs
- National Agric Corridors, Industrial Development Zones (IDZs) (Industrial corridors and clusters)
- NSDP, PGDS
- Map restitution and Labour Tenant claims
- Mapping of all current projects (pipeline and transferred)

- **Land Use Map reflecting Land Need/ Demand**

The key phase 1 deliverable must be a spatial representation of land need and demand reflecting land use for a municipal area in the form of a land use map. The product must comprise a base map of physical information (through making use of aerial photography, topography and cadastral base maps and desktop geotechnical information).

The Land Use Map may be demarcated into specific land use areas by taking the following determinants into consideration:

- existing residential/ settlement areas
- existing natural and man-made barriers
- access to transport networks
- access to markets
- agricultural practices land uses
- economic opportunities (LED, Agriculture and Tourism)
- environmentally sensitive areas (bio resource information)
- appropriate land area for commodity type (economies of scale)
- topography identity
- access to services and infrastructure
- sharing of facilities and amenities
- compatibility of existing developments, enterprises and economic initiatives

A socio-economic profile which involves the development of a demographic profile while considering socio-economic status and supporting service infrastructure within a municipal area will support the spatial land use map. The land use map will incorporate the spatial frameworks from both local and district municipalities. It will also include information from the Land Use Management Systems and municipal rates base. Relevant spatial information will be provided in shape files.

- **Consultation**

The successful development and implementation of this phase relies heavily on a structured participation process.

A meeting will thus be held with the Steering Committee, the relevant stakeholders, Councillors and Ward Councillors.

The workshop will consider the status quo report with respect to land need/demand and confirm the land use map

The workshop will prioritise the needs of the community as well as existing unplanned settlement on the land and how this could affect future development

It is important that land need is identified in relation to DLA core objectives. Land need will need to be established from the stakeholders across government (national and local), civil society, private sector and through community consultation

Phase 1 Deliverables: Detailed situational analysis report and Land Use Map, in which a spatial definition of land needs is depicted and land and tenure demand is identified and defined. The land and tenure needs must be defined as per core objective programme and product types of the Department. The Report will reflect an analysis at a district and local municipal level.

#### **d) Phase 2: Vision, Strategy Formulation and Conceptualisation of Focus Areas**

The outcomes of the Situation Analysis would be followed by a process of defining and agreeing upon priority issues / sub - programmes, land demand defined, needs and targets that would lead to an integrated strategy. This in turn would inform the definition of locally appropriate objectives and strategies to address the priority issues/ programmes. The issues and challenges need to be aligned to the core strategic objectives of DLA and DOA. Outputs in this phase will include:

- **Priority issue/ Programme Identification**

The Situational analysis phase will indicate key issues and challenges that need to be addresses as per core objective of the DLA and DOA.

- **Vision and Objectives**

The must be confirmation of a positive district /local vision for land and agrarian reform in the District in line with the National and Provincial Planning and Development Frameworks

- **Formulation of Appropriate Local Strategies**

Objectives should be set to address specific issues /challenges / sub -programmes (aligned to the core objectives of DLA and DOA) that have been identified. The objectives should be realistic, feasible and specific, and result in measurable targets.

- **Consultation**

Conduct workshops with consulted communities and general public. The number of workshops will depend on the area based planning area and the Department's communication plan. The public meeting for comment can align with a workshop/s.

Phase 2 Deliverable: Vision, objectives, and strategies defined and documented, clearly reflecting there contribution to addressing land and tenure core objectives, sector priorities, and municipal development priorities. Conceptualised focus area options

#### **e) Phase 3: Define Focus Areas and Identify Projects**

- Clearly defined focus areas with related programmes and strategies
- Strategies will lead to the identification of specific and implementable projects that address the core objectives of the Department of Land Affairs and Department of Agriculture, the municipality's IDP, and sector plan issues.
- Projects must fundamentally relate to the achievement of objectives and strategies and in turn address the priority related issues raised in the status quo
- Projects must be developed with a view to implement the strategies and there should be sufficient information to support implementation
- Projects will be identified at a local municipal level, but must identify linkages across local municipal areas.
- A matrix needs to be developed to assist in the selection and prioritization of these projects. The identified projects must be tabulated in the following manner: project objectives, description and indicators, target group, spatial location, timeframes for implementation, implementation agencies, capital and operational budget implications, sources of funding, institutional responsibilities.

- It is important that there are projects focussing on vulnerable groups (e.g. woman and disabled)
- The identified project needs to comply with the product guidelines development by the Department of Land Affairs.

Phase 3 Deliverable: Defined focus areas (geographical) with a package of strategies and programmes. Project plans related to programmes and strategies (project identification, activities, budgets, timeframes, resources required, sector alignment) in a log framed template indicating how they contribute to the core objectives of the DLA, and comply with product types / guidelines set by the PLRO. A 3 year MTEF plan indicating targets, budgets is required.

**f) Phase 4: Integration**

- Any outstanding information will be obtained and the strategies, projects and possible funding sources will be confirmed
- Screening, adjusting, consolidating and agreeing on final project proposals
- Compilation of final integrated programmes
- Documenting a Area Based Land Reform Plan and accommodating implications of Land Reform projects and municipal roles in the integrated sector plans and programmes
- Integrate the projects/ programmes of the Area Based Land Reform Plan into the IDP and SDF and into the respective programmes of national and provincial departments
- During this phase it must be ensured that the Plan is integrated with other sector programmes and plans of the District.

Phase 4 Deliverable: Plan indicating how the area based plan relates to key sector plans, especially the financial plan, LED / agricultural, settlement, poverty alleviation, infrastructure and basic services, spatial development framework.

**g) Phase 5: Approval**

The Plan will have to be approved and adopted by the Council, the IDP Representative Forum and the Steering Committee. However opportunities for comments from the public as well as sector departments will have to be obtained before final adoption by the council.

Phase 5 Deliverable: Approved Area Based Land Reform Plan which is an integral component of the IDP of local and / District Municipalities.

**6.4.1.4 REPORTING MODALITIES**

The ABP Manager will report to progress to the national ABP Manager and the PMU on a monthly basis. The ABP Manager will be part of the PLRO provincial team, and will report to the provincial director of the PRLO.

**6.4.1.5 BUDGET**

An amount of approximately 1,7 million Euros has been made available for the nine positions over the project period. The compensation for this position will be commensurate with a director

position within the DLA. Shortfalls will be covered by the Department of Land Affairs and the provincial and municipal authorities.

#### **6.4.1.6 COMPETENCIES REQUIRED FOR THE POSITION**

Successful candidates will have the following skills and competencies

- An appropriate tertiary qualification (Masters level)
- Working knowledge of planning frameworks in South Africa
- Working knowledge of Policy and legislative frameworks governing Land Reform and Rural Development
- Be proficient in English
- Are able to produce quality reports in English
- Are computer literate and proficient in word processing software
- Are able to interpret geo-technical information
- Have good communication skills

Selection of the successful candidates will be informed by the needs of the position and the transformation agenda of the South African government.

#### **6.4.1.7 TIME FRAME**

The position is for a period of 3 years after which it is envisaged that the ABP Manager's functions will be assumed into the Department of Land Affairs or Provincial Department of Local Government upon the termination of the project. The final decision will be informed by the Business Process Reengineering of the DLA and the evaluation of the project.

## **6.4.2 TERMS OF REFERENCE: PROGRAMME MANAGER AND PROJECT OFFICER**

### **6.4.2.1 BACKGROUND**

Belgian support to South Africa's land reform programme dates back from 1998 when support was given for a national information campaign informing eligible claimants of the need to lodge claims for land rights lost through racial practices and/or racial legislation between 1913 and 1994. Since then the Belgian government has provided support for the Validation of registered land claims (2002-2004) and the Speeding up of Restitution Process (2005 – 2006).

The latter project had two focal areas, the first of which involved the determination of the legitimate claimants per claim and collection of information relevant to the claim (socio-economic information, preferred settlements, legal entities) by local consultants. These consultants worked alongside relevant project staff of the commission, who used the information to settle claims. The second aspect of the speeding up project involved the determination of a ten year post settlement support strategy to ensure that the beneficiaries of land reform are able to build sustainable lives on the land. In line with previous interventions the post settlement support strategy was to focus only on restitution beneficiaries, however upon consultation with the DLA, the scope was expanded to include all land reform beneficiaries i.e., beneficiaries of redistribution and tenure reform programmes.

During the Joint Commission (South Africa and Belgium) which took place in Brussels in February, 2005, Belgium agreed to allocate a fourth contribution of 6 Million Euro to the land reform and restitution process, focussing particularly on Post Settlement, Development and Support to the Land Restitution beneficiaries. The initial identification report however, needed to be strengthened and to this end a complimentary identification document was prepared by a local consultant through funds made available through the Study and Consultancy Fund. This additional identification report was approved by DGCD on 30 November 2005.

The United Kingdom has been involved in supporting South Africa's land reform processes since the early 1990s. The assistance facilitated through the Department for International Development (DFID) has largely focussed on supporting policy, legislative and regulatory processes; capacity building initiatives within the Department of Land Affairs (DLA) and providing direct implementation support, through NGOs, to the beneficiaries of the various land reform processes.

In the framework of the Paris Declaration on donor harmonisation, Belgium and the United Kingdom started to develop a dialog around the synergies of their respective land reform programmes. As a result of these consultations, the United Kingdom (UK) agreed to delegate the rural component of their land reform programme to Belgium. The focus is development cooperation support aimed at strengthening government and beneficiary capacity at provincial and local level to deliver land reform to the poor in South Africa.

During June 2007, a local consultancy team developed a formulation report, inclusive of a technical and financial file, for the Post Settlement and Development Support Programme (PSDS) and identified the following intervention areas:

- Strengthen alignment at Provincial and Local Government (within the Intergovernmental Relations Framework);
- Improve the quality of services delivered to beneficiaries;
- Support the Area Based Planning Process (ABP).

Concurrently to the PSDS formulation another consultancy team develop a formulation report for the UK delegated project, now known as the Land Reform Policy Project, and identified the following intervention areas:

- Identification and resolution of policy and regulatory blockages to effective implementation
- Coordinated and integrated policy development and implementation/ management of land reform as a joint-government programme
- Pro-active engagement with land reform policy and implementation by civil society and other stakeholders
- Policy management strengthened to make it responsive to implementation experiences and the needs of the rural poor.

The LRPP interventions are focused mostly at a national level whilst the PSDS are targeting the provincial and local level. A programme management arrangement, consistent with the Specific Agreement signed on the 30th November 2006, has been established to ensure that the intended results for both projects are realised and that sufficient synergy is achieved between the two projects.

#### **6.4.2.2 METHODOLOGICAL APPROACH**

- Overall management for the PSDS and the LRPP projects will be a Steering committee known as the Joint Local Consultative Body (JLCB). The Steering committee will be the highest decision making body with regards to the projects and will meet bi-annually, with its first meeting immediately after the approval of the formulation report.

#### **Senior Programme Manager**

A senior programme manager of an international profile will be appointed and located in the DLA. He/she will assume responsibility for implementation and coordination of the two projects. He/she will also liaise with DOA

#### **Project Officer**

To assist the programme manager and programme team, a Project Officer will be appointed and will assume responsibility for the administrative and financial support to the two projects, and will support fact-finding and coordination and communication between stakeholders. The Project officer will be placed within the DLA Office.

#### **6.4.2.3 SCOPE OF WORK**

The Senior Programme Manager will be part of the programme direction and team of the projects, which have the following specific responsibilities:

- To organize, coordinate and supervise the execution of the project activities in accordance with the project work plans approved by the SC;
- To organise meetings with stakeholders (see further);

- To facilitate decision-making processes for the project in DLA and DOA;
- To assure good management of the project resources (material, financial and human);
- To deal with any problem of interpretation of the TFF;
- To propose adjustments or modifications of the activities and results;
- To supervise service providers;
- To ensure synergy with other donors' projects, including synergy with other BTC projects;
- To propose recruitment of personnel necessary to execute the project;
- To write the semester progress reports, annual reports and the final report;
- To provide financial management, accounting and timely compilation of budgeted work plans for the following period for consideration by the Steering Committee;
- To submit quarterly accounting reports according to mutually agreed format, based on the the Ministry of Agriculture and Land Affairs formats;
- To assure the administrative support of the Steering Committee (secretariat, agenda, documents, minutes, dissemination of minutes);
- To coordinate the tendering procedures and to ensure they are executed according to the appropriate procedures;
- To assure the administrative and financial management of the project and the LRTF according to the applicable procedures.

The project officer will support the Programme Direction in its tasks, and will be in particular responsible for the financial management of the LRTF. He/she will be part of the Programme team.

#### **6.4.2.4 COMPETENCIES REQUIRED FOR THE POSITION**

Successful candidates for the Senior Programme Manager position will have the following skills and competencies:

- An appropriate tertiary qualification (Masters level)
- Working knowledge of Policy and legislative frameworks governing Land Reform and Rural Development
- Extensive programme management experience at a senior level (5 years)
- Be proficient and able to produce quality narrative reports in English
- Computer literate and proficient in word processing software
- Good communication skills

Successful candidates for the Project officer position will have the following skills and competencies:

- An appropriate tertiary qualification
- Working knowledge of Policy and legislative frameworks governing Land Reform and Rural Development
- Extensive programme management experience (3 years)
- Financial management experience (3 years)
- Be proficient and able to produce quality narrative reports in English
- Computer literate and proficient in word processing software
- Good communication skills



Selection of the successful candidates will be informed by the needs of the position and the transformation agenda of the South African government.

**6.4.2.5 TIME FRAME**

Both the Senior Programme Manager and the Project Officer positions are for a period of 4 years.

## 6.5 PROJECT STRATEGY

