

***BRIEFING TO THE SELECT
COMMITTEE ON LAND,
ENVIRONMENT, MINERAL
RESOURCES AND ENERGY ON
THE PRESERVATION AND
DEVELOPMENT OF
AGRICULTURAL LAND BILL***

DATE: 27 FEBRUARY 2024



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Department:
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ABBREVIATIONS

- **ASRDC:** Agricultural Sustainable Rural Development committee
- **DEXCO:** Departmental Executive Committee
- **DPME:** Department of Planning, Monitoring and Evaluation
- **MINTEC:** Ministerial Technical Committee
- **NEDLAC:** National Economic Development and Labour Council
- **NPD:** National Development Plan
- **OCSLA:** Office of the Chief State Law Advisor
- **PDALB:** Preservation and Development of Agricultural Land Bill
- **SALA:** Subdivision of Agricultural land Act, Act 70 of 1970



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NEXUS OF FOOD PRODUCTION AND NATURAL RESOURCES

- The optimal use of natural agricultural resources is important in light of extreme weather conditions.
- Management and protection of land is needed to ensure food security



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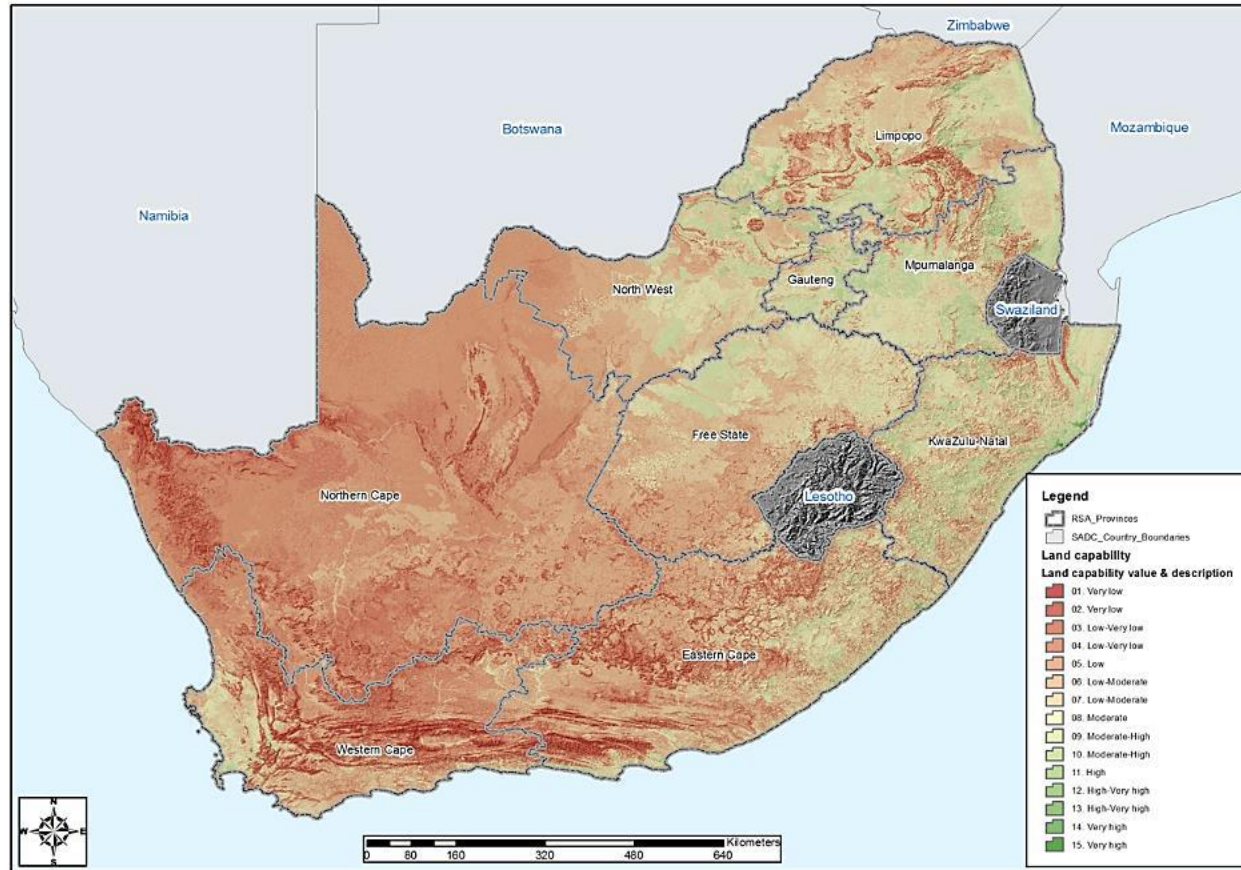


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Land Capability classification in South Africa (spatial modelled approach – soil, climate & terrain)



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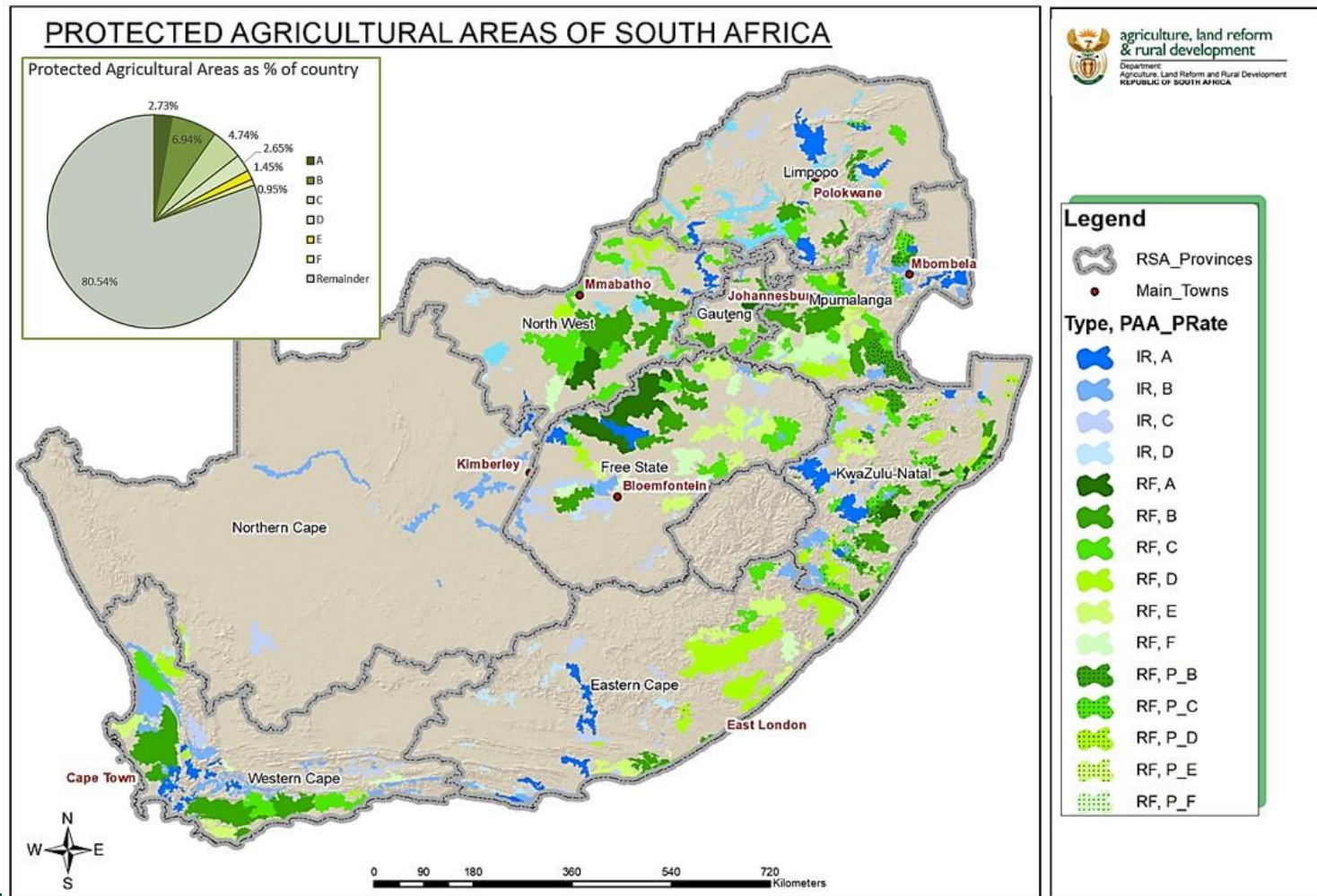


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High Potential areas



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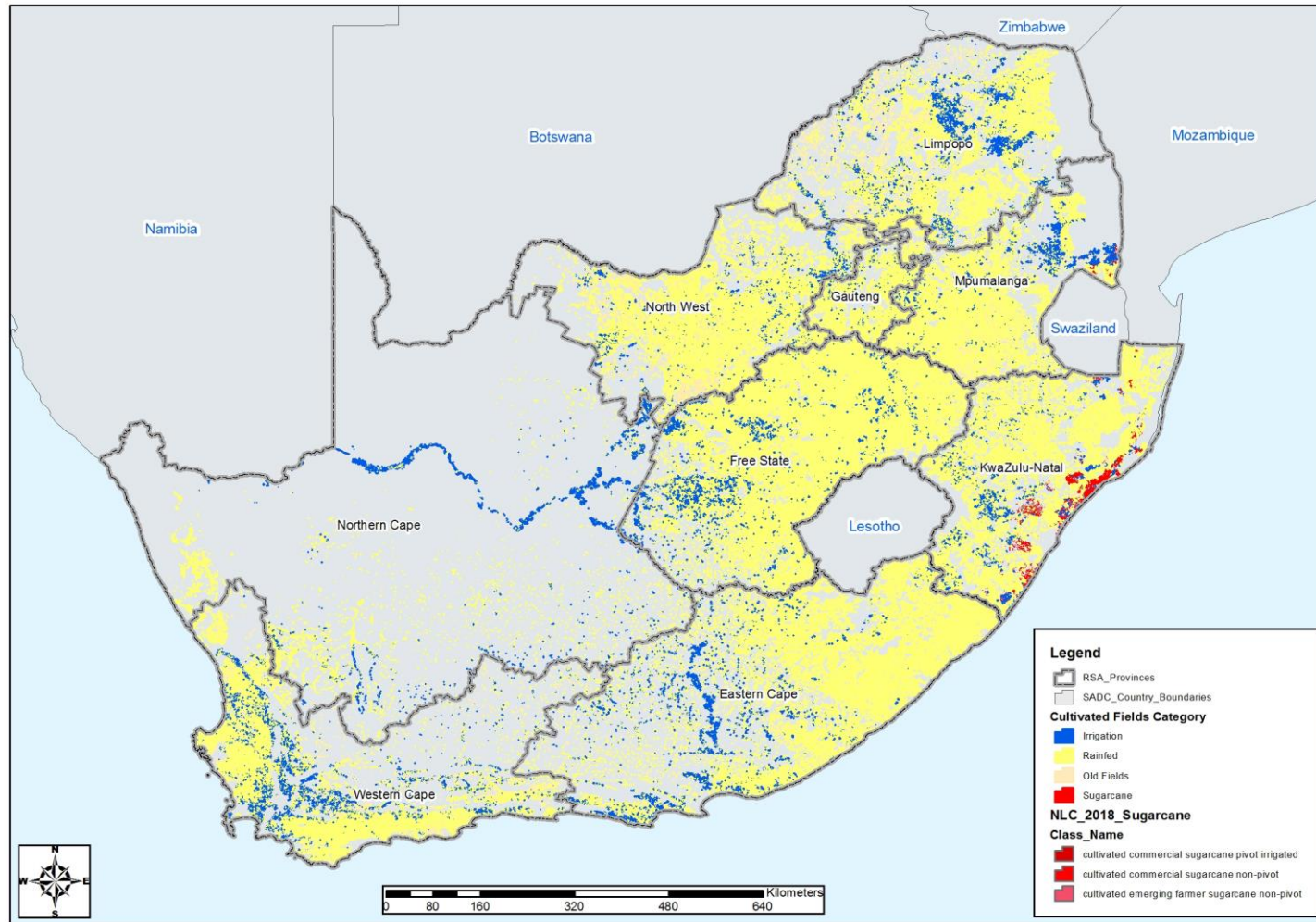


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South Africa cultivated areas



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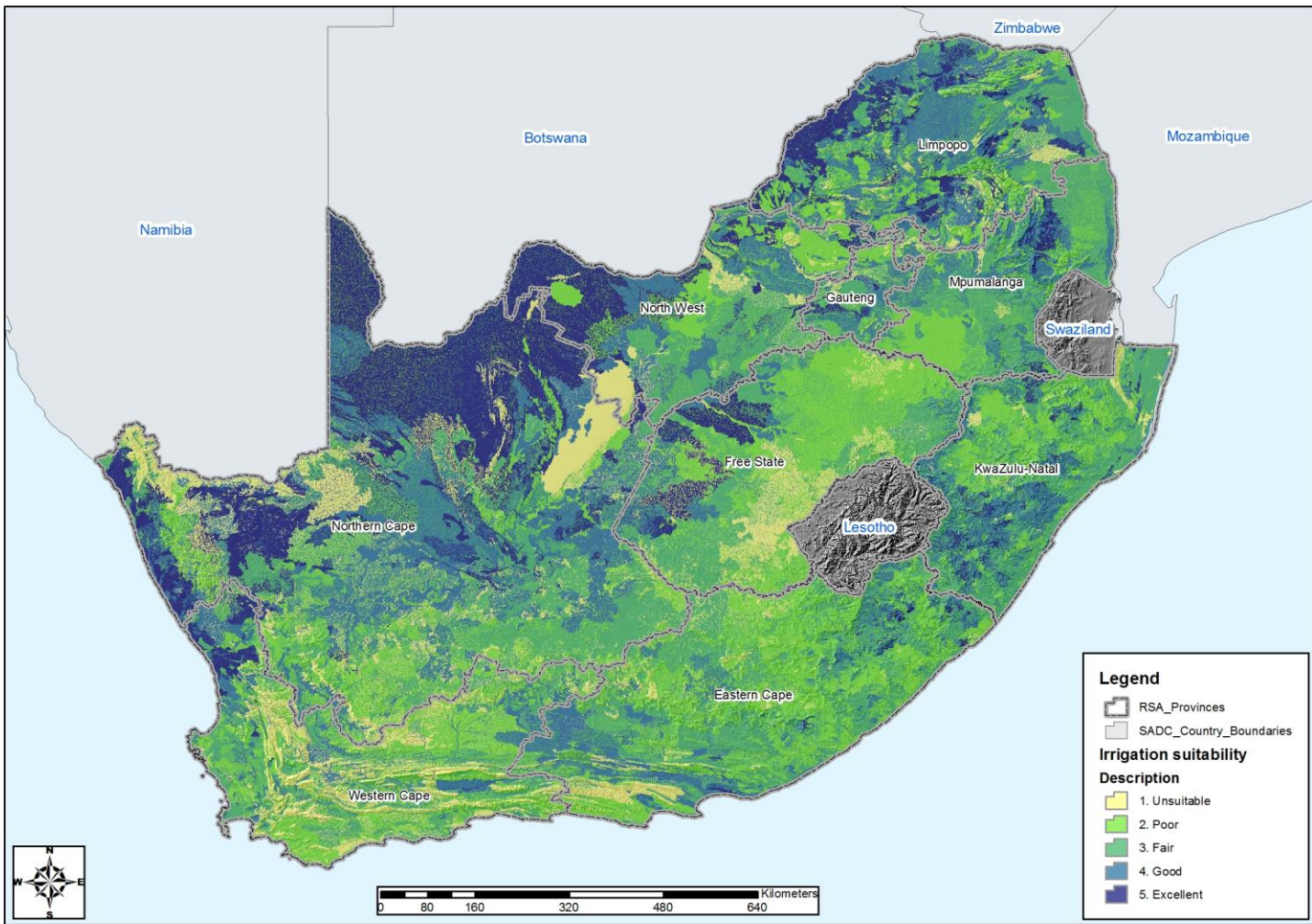


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South Africa Irrigation suitability



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IRRIGATED SUITABILITY CLASSES FOR SOUTH AFRICA

Irrigation suitability class	Area in Ha	% of South Africa
Unsuitable	13 314 351.80	12.7%
Poor (poorly suitable)	32 185 375.73	26.39%
Fair	33 104 589.65	27.14%
Good	24 563 631.68	20.14%
Excellent	16 550 206.70	13.57%

Table 1: Irrigation suitability is dependent on properties of soil such as soil depth, slope and water table



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IRRIGATED SUITABILITY CLASSES FOR SOUTH AFRICA

<u>Priority Rating:</u>	<u>Area (Ha)</u>	<u>% of country</u>
A	1 354 410.27	1.11%
B	5 155 940.16	4.23%
C	4 195 548.86	3.44%
D	2 717 797.61	2.23%
E	1 769 932.29	1.45%
F	1 159 893.86	0.95%
Total	16 353 523.07	13.41%

Table 2: Rainfed High Potential Areas in South Africa according to priority ratings for rainfed (A – F)



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FOCUS AREAS

- The Bill seeks to entrench regulatory measures for the security of high potential agricultural land to make more land available for cultivation, livestock production and advance socio-economic interests of all South Africans.
- Furthermore, it will promote a balanced approach to the use of agricultural land in South Africa by introducing strategic and technical instrument to preserve agricultural land



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PDALB alignment to the NDP

- The Bill aims to increase agricultural production, improve food security and ensure that the underused land due to current provision of SALA is returned to production. The principle of food security as well as an integrated, inclusive rural economy underpins the core focus areas of the National Development Plan, Vision 2030 (NDP).
- The NDP states that the national food security goal for South Africa is to maintain a positive trade balance for primary and processed agricultural products whilst job creation and increased agricultural productivity is needed to address food insecurity at household and individual level in rural areas.



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PDALB ALIGNMENT TO GOVERNMENT PRIORITIES

- One of the key commitments of Government is to create enabling policy environment to attract community, public, private sector partnership to leverage private sector investment.
- The PDALB will promote delineation of high value agricultural land and the establishment of a national agro-eco information system that will guide investment on agricultural land.



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STRATEGIC IMPERATIVES OF THE BILL

- The Preservation and Development of Agricultural Land Bill will serve to legally and proactively promote agricultural practices on best available agricultural land.
- The Bill will ensure the sustainable development of the Agricultural sector to maintain and increase rural employment; ensure a reduction in poverty levels and a sustained improvement in the quality of life of rural and urban populations.



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NEED FOR THE BILL

- The current institutional, legal and administrative frameworks governing the development of agricultural land is ineffective in protecting agricultural land for purposes of food production and does not conform to the constitutional requirements.
- As such it is of importance to promulgate the Preservation and Development of Agricultural Land Bill (PDALB) into law to proactively protect agricultural land for food production to comply to section 27(1)(b) of the Constitution.



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CONSULTATION WITHIN GOVERNMENT

- The Socio Economic Impact Assessment was conducted and the Department of Planning, Monitoring and Evaluation (DPME) confirmed that the Bill should proceed to be presented at relevant Cluster/s.
- The Bill was submitted to the ASRDC, DEXCO, MINTEC and MINMEC and to committees within the Department for inputs and comments.
- The Bill was also submitted to the National Economic Development and Labour Council for consideration and the Department received the NEDLAC report dated 16 March 2020.



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CONSULTATION WITHIN GOVERNMENT

- The Bill was presented to the ESEID DG cluster and was supported on the 19 October 2020 for further processing to the ESEID Cabinet Committee for consideration and approval for submission to Parliament.
- The Bill was submitted to the Office of the Chief State Law Adviser (OCSLA) for consideration to provide a preliminary legal opinion on the constitutionality and legality thereof. The Department received confirmation on 1st April 2021 that the Bill has been certified and was submitted to Parliament for introduction
- The Bill has been introduced for Parliamentary process during 2021/2022 financial year



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PUBLIC CONSULTATION

- Public interaction on Preservation and Development of Agricultural Land Bill was conducted followed by the road show giving presentation on the Bill to clarify areas of contention in an attempt to provide interested parties with an opportunity to make oral inputs on the Bill.
- The road show was conducted to all 9 provinces. Furthermore was the gazette requesting inputs from the public.



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CONCLUSION

- The Select Committee on Land, Environment, Mineral Resources and Energy is requested to note the report on Preservation and Development of Agricultural Land Bill and to consider the Bill for adoption.



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RIA LIVHUWA

RE LEBOGELA KEMONOKENG YA LONA



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