**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 1331**

**INTERNAL QUESTION PAPER [No 23-2020SIXTH PARLIAMENT]
DATE OF PUBLICATION: 26JUNE 2020**

**1331. Ms N W A Mazzone (DA) to ask the Minister of Agriculture, Land Reform and Rural Development:**

What (a) total number of instances of illegal invasion of land owned by her department was recorded by her department in each (i) province and (ii) of the past five financial years, (b) is the current status of occupation, (c) total number of persons are currently occupying the land and (d) steps has her department taken to remedy the situation in each specified case?  **NW1699E**

**THE MINISTER OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT:**

(a)(i),(ii) The table below reflect number illegal invasion where there is human occupation on the property owned by the Department:

|  |  |  |
| --- | --- | --- |
| **(a) (i) Each Province** | **(a) Number Instances of Illegal Invasion** | **(ii) of the past five financial years** |
| **2016/17** | **2017/18** | **2018/19** | **2019/20** | **2020/21** |
| EC | 20 |  |  | 4 | 15 | 1 |
| FS | 12 |  | 1 | 4 | 6 | 1 |
| GP | 3 |  |  | 2 | 1 |  |
| KZN | 43 | 7 | 2 | 2 | 23 | 9 |
| LP | 18 | 11 | 5 | 2 |  |  |
| MP | 6 |  | 1 | 2 | 1 | 2 |
| NC | 8 |  | 8 |  |  |  |
| NW | 25 | 1 |  | 4 | 20 |  |
| WC | 1 |  |  |  | 1 |  |
| **Total** | **136** | **19** | **17** | **20** | **67** | **13** |

(b)(c),(d) Please refer to **Annexure A**.

 **ANNEXURE A OF NA-QUES 1331 OF 2020**

| **Province** | **Town Name** | **Parcel** | **Portion** | **Farm Name** | **(b) Current status of occupation** | **(c) total number of persons are currently occupying the land** | **(d) steps have her department taken)** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| FS | Harrismith | 1903 | 97 | Portion 97  | The illegal occupiers are still in occupation | 4 persons | Ministerial approval was granted for the eviction of all the occupiers. The legal process is underway. |
| FS | Harrismith | 1903 | 77 | Portion 77  | Family occupying the farmhouse illegally. | 4 persons | Eviction order was granted against Mr Mphuthi. He vacated the farm, but his immediate family is refusing to vacate. |
| FS | Harrismith | 1903 | 134 | Portion  | Person is illegally occupying the farm  | 1 person | Notifications to vacate the farm were issued to Mrs Rosa Mphuthi. She refused to vacate. Ministerial approval will be sought to institute eviction proceedings against Mrs Mphuthi. |
| FS | Harrismith | 1903 | 135 | Portion  | Person is illegally occupying the farm  | 1 person | Notifications to vacate the farm were issued to Mrs Rosa Mphuthi. She refused to vacate. Ministerial approval will be sought to institute eviction proceedings against Mrs Mphuthi. |
| FS | Harrismith | 365 | 1 | Bloemhof | The illegal occupier is still on the farm | 1 person | Notification to vacate the farm was issued to Mr Hlatshwayo, in the presence of the SAPS, but he refused to vacate. He later promised to move his livestock to Ladysmith and then reneged during the lockdown period. Mr Hlatshwayo has recently agreed to vacant end of Oct 2020. |
| FS | Harrismith | 1903 | 80 | Portion 80  | The illegal occupiers are still on the farm | 2 persons | Notifications to vacate the farm were issued to Mr Mofokeng and Mr Shabangu, but they refused to vacate. Ministerial approval was granted for the initiation of eviction proceedings. The legal process is underway. |
| FS | Thaba'Nchu | Erf 720 | 0 |   | Illegal occupation. | 1 person | Notification to vacate was issued to Mr Hamid. Due to no co-operation, Ministerial approval will be sought to initiate eviction proceedings.  |
| FS | Thaba'Nchu | Erf 277 | 0 |   | Illegal occupation. | 1 person | Notification to vacate was issued to Mr Hamid. Due to no co-operation, Ministerial approval will be sought to initiate eviction proceedings. |
| FS | Thaba'Nchu | Erf 181 | 0 |   | Illegally occupied. | 4 persons | Notification to vacate was issued. Approval is still being sought for the initiation of eviction proceedings. |
| FS | Bloemfontein | 3000 | 1 | Moroka  | The farm is occupied illegally.  | 8 persons | Mr Ntheri was given notification to vacate in 2012. Due to no cooperation, eviction proceedings were initiated and are still underway. |
| FS | Bloemfontein | 534 | 6 | Waaikraal | Group of illegal invaders occupied the farm. | 6 persons | Notifications to vacate were issued. Due to lack of cooperation, approval is still being sought for the initiation of eviction proceedings. |
| FS | Thaba'Nchu | 116 | 0 | Waalhoek | Land is illegally sublet. | 2 persons | Notifications to vacate were issued. Due to lack of cooperation, approval is still being sought for the initiation of eviction proceedings. |
| GP | Pretoria | 97 | 4 | Stinkwater | Occupied - settlement | 70 households | State Attorney was approached to assist with the eviction of illegal occupants. Legal papers have been drawn. |
| GP | Pretoria | 116 |   | Klipdrift | Occupied - settlement | 80 households | State Attorney was approached to assist with the eviction of illegal occupants. Legal papers have been drawn and pleadings have closed and awaiting a trial date. |
| GP | Walkerville | 333 |   | Cyferfontein | Occupied - settlement | 350 households | Case opened with the De Deur Police Station and is still under investigation. |
| LP | Burgersfort | 275 | R/E | Praktiseer | The invaders are still in occupation | 95 households | The process to obtain approval to initiate eviction proceedings from the Minister is in progress. |
| LP | Burgersfort | 275 | 1 | Praktiseer |
| LP | Burgersfort | 275 | 2 | Praktiseer |
| LP | Burgersfort | 367 | R/E | Kalkfontein | Invaders forcefully evicted by the executive members of BakonebaMakopole CPA. The farm is not illegally occupied anymore. | Vacant | The farms are State land registered in the name of the National Government of South Africa and were not transferred to the CPA. The CPA executive committee is experiencing lawlessness as some individuals are encroaching or occupying the land without the CPA ‘s consent. |
| LP | Burgersfort | 367 | 4 | Kalkfontein |
| LP | Burgersfort | 367 | 5 | Kalkfontein |
| LP | Burgersfort | 367 | 6 | Kalkfontein |
| LP | Burgersfort | 367 | 8 | Kalkfontein |
| LP | Burgersfort | 367 | 9 | Kalkfontein |
| LP | Burgersfort | 304 | R/E |  Dresden  | The farm is not occupied | Vacant | Claimants requested that the state should protect the land until they finalise the land claim and to interdict the invaders. State Attorney instructed to file an interdict. |
| LP | Burgersfort | 304 | 1 |  Dresden  |
| LP | Burgersfort | 262 |   | Schoonheid | The farm is not occupied | Vacant | Whilst the process to obtain approval from the Minister to evict was still underway, the matter got resolved amicably and the illegal occupation ceased. |
| LP | Steilloop | 403 | R/E | Steilloop | Invaders still in occupation | 45 households | The court granted an order in favour of the Department for the eviction of the intruders who encroached on the farm. |
| LP | Steilloop | 403 | 1 | Steilloop |
| LP | Phalaborwa | 6 |   | Mbaula Ranch | Invaders still in occupation | 29 persons | The process to obtain approval to initiate eviction proceedings from the Minister was started.  |
| LP | Steiloop | 385 | 0 | Steilwater | Land invaded by community members  | 46 households | The Department is in the process of donating the Property to Mogalakwena Local Municipality. |
| LP | Burgersfort | 301 | R/E | Vilijoenshoop | Invaders in occupation | 362 households | Instruction for court order to evict the unlawful occupiers is being handled by the State Attorney. |
| LP | Musina | 114 |  | Olympie | Invader in occupation | 1 person | Recommend property to be transferred to the local municipality |
| MP | Ermelo | 267 | 5 | Witpunt | Invaders using the farm for dwelling purposes and grazing. | 7 persons | Approval memo to initiate eviction proceedings is on route to the Minister. The Msukaligwa Local Municipality and the Gert Sibande District Municipality were also engaged. |
| MP | Ermelo | 267 | 7 | Witpunt | Invaders using the farm for dwelling purposes and grazing. | 5 persons | Approval memo to initiate eviction proceedings is on route to the Minister. The Msukaligwa Local Municipality and the Gert Sibande District Municipality were also engaged. |
| MP | Ermelo | 273 | 6 | Driehoek | Illegal mining. The lessees (Bambaspha Primary Agricultural Co-operative Limited do not have access onto the subject property to exercise their rights per signed Agricultural Land Lease Agre38ement.  | 1 company | Mashala Mining invaded the subject property and conducted open cast coal mining. The Minister granted approval for the initiation of legal proceedings in October 2019. The legal process is underway. |
| MP | Elukwatini | 152 | 0 | Nederlands | The invasion is still continuing through individuals allocating residential stands to unknown individuals and foreigners.  | 148 persons | The Department was informed by farm occupiers of illegal invasion and establishment of residential sites on the subject property. Investigation was conducted, and engagement was done with the local Traditional Authority as invaders are their subjects. A notice to Mr Nhlabathi to desist from illegally allocating residential sites on the farm was served on 28 November 2017.TheEmbuleni Traditional Authority was informed of such activities and the claimants were also engaged and are being assisted by the Commission on Restitution of Land Rights to evict the illegal occupiers. A Land Rights Enquiry is also being conducted to distinguish legitimate occupiers, claimants and labour tenants from invaders. Illegal invasion has since stopped, and regular inspections are conducted by officials from the Directorate: Property Management |
| MP | Delmas | 556 | 1 | Waaikraal | Permanent and temporary residential structures erected, and the local municipality is providing essential services to invaders. | 63 persons | The Victor Khanye Municipality was engaged with an intention to subdivide the property and donate the affected land for human settlements. |
| MP | Delmas | 556 | 6 | Waaikraal | Permanent and temporary residential structures erected, and the local municipality is providing essential services to invaders. | 38 persons | The Victor Khanye Municipality was engaged with an intention to subdivide the property and donate the affected land for human settlements. |
| NC | Kenhardt | 317 | 1 | Poortijes | Property is occupied by unauthorised persons belonging to a family, for grazing of livestock; Persons also occupy an old structure on the property, as well. | 2 persons | Various engagement with family members (in person & written) to address the issue, however the issue has never fully been resolved, as some family members have refused to remove their livestock from the property/ move off the property.The case has been referred to the State Attorney for an eviction application. |
| NC | Kuruman | 384 | 1 | Cropwell | Are occupied by unauthorised persons who graze their livestock, as well as reside there. (The main farmhouse has been occupied.) | 2 persons | Persons were informed (in person, telephonically and through written correspondence) regarding their unauthorised occupation and use of the properties and infrastructure and were requested to vacate the properties in order to avoid legal action.The local police were requested to assist. The processes involved in applying for and being allocated agricultural land was discussed and explained.The illegal occupant and his legal representatives were engaged; however, they did not abide to agreements reached.The case has been referred to the State Attorney's office to initiate eviction proceedings. |
| NC | Kuruman | 435 | 3 | Broughton | Are occupied by unauthorised persons who graze their livestock, as well as reside there. (The main farmhouse has been occupied.) | 2 persons (same persons as on the farm Cropwell) | Persons were informed (in person, telephonically and through written correspondence) regarding their unauthorised occupation and use of the properties and infrastructure and were requested to vacate the properties in order to avoid legal action.The local police were requested to assist. The processes involved in applying for and being allocated agricultural land was discussed and explained.The illegal occupant and his legal representatives were engaged; however, they did not abide to agreements reached.The case has been referred to the State Attorney's office to initiate eviction proceedings. |
| NC | Kuruman | 1040 | 7 | Pender | Neighbouring community members have illegally accessed and are utilising the farms for livestock grazing. Herdsmen have erected shanties on some of the Pender farms, to look after livestock belonging to unauthorised persons. | 2 persons | Various meetings held with affected and involved individuals to resolve the issue. The meetings involved the authorised Pender farmers; Traditional Authority and community members from neighbouring villages; and Pender representatives & officials from the State Attorney's office.Reports / requests for assistance to the local police, when properties were invaded, livestock was being off-loaded and/or when lessees were physically threatened.The State Attorney's office was engaged to assist with processes to address illegal invasions. The Office started a phased approach by forming a project team, which visited / inspected 11 Pender farms (1/3 of the total Pender farms) to establish the status on each property. Officials also met with affected, authorised lessees of those farms. (The planned inspection of the remaining farms has been delayed due to the COVID-19 outbreak.) |
| NC | Kuruman | 1040 | 30 | Pender | Neighbouring community members have illegally accessed and are utilising the farms for livestock grazing. Herdsmen have erected shanties on some of the Pender farms, to look after livestock belonging to unauthorised persons. | 3 persons | Various meetings held with affected and involved individuals to resolve the issue (Meetings with the authorised Pender farmers; Meetings between the Traditional Authority and community members from neighbouring villages; Meetings with Pender representatives & officials from the State Attorney's office).Reports/ requests for assistance to the local police, when properties were invaded, livestock was being off-loaded and/or when lessees were physically threatened.The State Attorney's office was engaged to assist with processes to address illegal invasions. The Office started a phased approach, by forming a project team, which visited / inspected 11 Pender farms (1/3 of the total Pender farms) to establish the status on each property. Officials also met with affected, authorised lessees of those farms. (The planned inspection of the remaining farms has been delayed due to the COVID-19 outbreak.) |
| NC | Kuruman | 1040 | 31 | Pender | Neighbouring community members have illegally accessed and are utilising the farms for livestock grazing. Herdsmen have erected shanties on some of the Pender farms, to look after livestock belonging to unauthorised persons. | 3 persons | Various meetings held with affected and involved individuals to resolve the issue (Meetings with the authorised Pender farmers; Meetings between the Traditional Authority and community members from neighbouring villages; Meetings with Pender representatives & officials from the State Attorney's office).Reports / requests for assistance to the local police, when properties were invaded, livestock was being off-loaded and/or when lessees were physically threatened.The State Attorney's office was engaged to assist with processes to address illegal invasions. The Office started a phased approach, by forming a project team, which visited / inspected 11 Pender farms (1/3 of the total Pender farms) to establish the status on each property. Officials also met with affected, authorised lessees of those farms. (The planned inspection of the remaining farms has been delayed due to the COVID-19 outbreak.) |
| NC | Kuruman | 1040 | 32 | Pender | Neighbouring community members have illegally accessed and are utilising the farms for livestock grazing. Herdsmen have erected shanties on some of the Pender farms, to look after livestock belonging to unauthorised persons. | 2 persons | Various meetings held with affected and involved individuals to resolve the issue (Meetings with the authorised Pender farmers; Meetings between the Traditional Authority and community members from neighbouring villages; Meetings with Pender representatives & officials from the State Attorney's office).Reports/ requests for assistance to the local police, when properties were invaded, livestock was being off-loaded and/or when lessees were physically threatened.The State Attorney's office was engaged to assist with processes to address illegal invasions. The Office started a phased approach, by forming a project team, which visited / inspected 11 Pender farms (1/3 of the total Pender farms) to establish the status on each property. Officials also met with affected, authorised lessees of those farms. (The planned inspection of the remaining farms has been delayed due to the COVID-19 outbreak.) |
| NC | Kuruman | 1040 | 33 | Pender | Neighbouring community members have illegally accessed and are utilising the farms for livestock grazing. Herdsmen have erected shanties on some of the Pender farms, to look after livestock belonging to unauthorised persons. | 1 person | Various meetings held with affected and involved individuals to resolve the issue (Meetings with the authorised Pender farmers; Meetings between the Traditional Authority and community members from neighbouring villages; Meetings with Pender representatives & officials from the State Attorney's office).Reports/ requests for assistance to the local police, when properties were invaded, livestock was being off-loaded and/or when lessees were physically threatened.The State Attorney's office was engaged to assist with processes to address illegal invasions. The Office started a phased approach, by forming a project team, which visited / inspected 11 Pender farms (1/3 of the total Pender farms) to establish the status on each property. Officials also met with affected, authorised lessees of those farms. (The planned inspection of the remaining farms has been delayed due to the COVID-19 outbreak.) |
| NW | Ganyesa | 514 | 4 | Brulpun | Still invaded | 3 persons | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 514 | 5 | Brulpun | Cattle grazing - herdsman living | 1 person | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 514 | 6 | Brulpun | Cattle grazing - herdsman living | 1 person | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 517 |   | Vergelegen 517 | Still invaded | 1 person | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 444 |   | Vaalboschlaagte | Cattle grazing - herdsman living | 2 persons | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 444 | 6 | Vaalboschlaagte | Cattle grazing - herdsman living | 4 persons | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 444 |   | Vaalboschlaagte | Still invaded | 3 persons | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 444 |   | Vaalboschlaagte | Cattle grazing - herdsman living | 1 person | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 444 | 2 | Vaalboschlaagte | Cattle grazing - herdsman living | 3 persons | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 444 | 5 | Vaalboschlaagte | Cattle grazing - herdsman living | 4 persons | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 444 | 7 | Vaalboschlaagte | Cattle grazing - herdsman living | 2 persons | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 444 |   | Vaalboschlaagte | Cattle grazing - herdsman living | 2 persons | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 459 | 2 | Mamusa | Cattle grazing - herdsman living | 2 persons | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 459 | 4 | Mamusa | Cattle grazing - herdsman living | 1 person | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 989 |   | Brandystake | Cattle grazing - herdsman living | 1 person | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 415 | 2 | Woodlands | Still invaded | 1 person | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 415 | 5 | Woodlands | Cattle grazing - herdsman living | 1 person | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Ganyesa | 420 |   | Mellowood | Cattle grazing - herdsman living | 1 person | The Department obtained an interim eviction order in August 2019, however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | JM | 1 |  88 | Block C 2nd Railway Grant  | Still invaded | 3 persons | The Department obtained an interim eviction order in August 2019; however it is yet to be confirmed due to subsequent postponements of hearings. |
| NW | Mahikeng | 59 | 2 | Lanric | Still invaded | 70 households | The Department obtained a Court Order on the 27 February 2019 to evict the invaders, but the Order has not been implemented yet. |
| NW | Mahikeng | 59 | 30 | Lanric | Still invaded | 70 households | The Department obtained a Court Order on the 27 February 2019 to evict the invaders, but the Order has not been implemented yet. |
| NW | Mahikeng | 59 | 4/RE | Lanric | Still invaded | 70 households | The Department obtained a Court Order on the 20 March 2019 to evict the invaders, but the Order has not been implemented yet. |
| NW | Ganyesa | 1 | 88 | Block C 2nd Railway Grant  | Still invaded | 1 person | The Department has written to the invader several times but has refused to vacate and the matter is currently in the High Court between the allocated Caretaker and the invader.  |
| NW | HN | 20 | 6 | Donkerpoort | Still invaded | 3 persons | The District Office is in discussion with the invaders.  |
| NW | Ganyesa | 455 | 2 | Randfontein | Still invaded | 4 persons | The Department obtained an interim eviction order in August 2019; however, it is yet to be confirmed due to subsequent postponements of hearings. |
| EC | East London | 870 | 11(of ptn 6) | Lands End | Occupied.  | 1 household | Meeting was held with the invader and although the invader agreed to vacant the farm, he did not honour his decision. The invader also ignored the notice to vacate farm dated 31 October 2018 which was served on him. The office will commence with legal proceedings to evict invader. |
| EC | East London | 649 | 5 & 6 | Hillview | Illegal occupier vacated the farm which is now occupied by approved beneficiaries | 2 persons | Eviction notice dated of 5 April 2019 served and meeting held with the invader. |
| EC | Peddie | 48 | 0 | Buckraal | Still in occupation and refuses to vacate. | 1 person | Notice to vacate served on 3 May 2019. The office will commence with legal proceedings to evict Mr Diki. |
| EC | Komga | 161 | 0 | Eversley | Occupied and refusing to vacate. | 2 households | A meeting was convened with the Ward Councillor; the SAPS and Mr Cikolo, who refused to acknowledge receipt of notice to vacate farm. The Department has commenced with proceedings to obtain an eviction order. The Department had also laid trespassing and housebreaking charges against Mr Cikolo. He appeared in Komga Court under Case No. CAS17/10/2019 but the case was postponed for further investigation. |
| EC | Berlin | 2225 |  |  | Invaded by a company doing sand mining. | 1 Company | A case was reported to Berlin Police Station by AmalingeEthuAgricultural Cooperative (approved beneficiary). Notice to vacate and rehabilitate the farm was served to Mr Noko who is the owner of the invading company in February 2020.  |
| EC | Matatiele | 70 |   | Mont Plaisir | Tavern Operational | 1 person | Notice served to the perpetrator |
| EC | King Williams Town | 2177 |   | Siwani's | Illegal invasion | 2 persons | The invaders fenced a road and are said to be relatives to both the councillor and tribal head. An attempt to have meetings with tribal authority and councillor failed because they refused, citing potential violence, as they are apparently accused by SANCO of fuelling conflict. |
| EC | King Williams Town | 2358 |   | Dongwe |  Illegal invasion | 1 person | There is an ongoing court case against the invader. |
| EC | Mt Ayliff | 97 |   | Ndzongiseni | ESKOM Substation Operating | 1 person | Stakeholders meeting held to plan for facilitation of Land Rights Holders Resolutions (LRHR). No LRHR were facilitated. The conclusion of a valuation report is awaited in order to calculate the compensation to be made to the affected informal land rights holders. |
| EC | Mthatha |  |  | Mqhekezweni | Illegal invasion | 130 households | The SG Office was requested to assist with the boundary verification of the farm. The SG Office is still busy with the boundary verification. |
| EC | Mthatha | 36 |  | Silverton | Some sites are demarcated and some built | 38 persons | Notices served to land sellers/perpetrators. Perpetrators never left the left the land after being served with notices some are busy building whilst others are residing on the land. No case of land invasion was opened. |
| EC | Mthatha | 37 |  | Sikagazo | Some sites are demarcated and some built | 38 persons | Notices served to land sellers/perpetrators. Perpetrators never left the left the land after being served with notices some are busy building whilst others are residing on the land. No case of land invasion was opened. |
| EC | Mthatha | 48 |   | Lot C | Some sites are demarcated and some built | 135 persons | Notices served to land sellers/perpetrators. Perpetrators never left the left the land after being served with notices some are busy building whilst others are residing on the land. No case of land invasion was opened. |
| EC | Mthatha | 10 |   | Klip Drift | Some sites are demarcated and some built | 140 persons | Notices served to land sellers/perpetrators. Perpetrators never left the left the land after being served with notices some are busy building whilst others are residing on the land. No case of land invasion was opened. |
| EC | Mthatha | 102 |   | Langeni | Some sites are demarcated and some built | 220 persons | Notices served to land sellers/perpetrators. Perpetrators never left the left the land after being served with notices some are busy building whilst others are residing on the land. No case of land invasion was opened. |
| EC | Mthatha | 25 |   | Lyndale | Some sites are demarcated and some built | 78 persons | Notices served to land sellers/perpetrators. Perpetrators never left the left the land after being served with notices some are busy building whilst others are residing on the land. No case of land invasion was opened. |
| EC | Mthatha | 35 |   | Paynton East  | Some sites are demarcated and some built | 156 persons | Notices served to land sellers/perpetrators. Perpetrators never left the left the land after being served with notices some are busy building whilst others are residing on the land. No case of land invasion was opened. |
| EC | Mthatha | 34 |   | Paynton West | Some sites are demarcated and some built | 95 persons | Notices served to land sellers/perpetrators. Perpetrators never left the left the land after being served with notices some are busy building whilst others are residing on the land. No case of land invasion was opened. |
| EC | King Williams Town | 2360 |  | Farm 2360 | Illegal invasion | 21 persons | The issue was about people who occupied RDP houses which were allocated for other people. In retaliation, the community members demarcated sites for themselves. There is a case reported to the SAPS by Chief Makinana. |
| EC | King Williams Town |  |  | Masingatha Allotment area | Illegal invasion | 200 households | Letters were written to invaders to stop the invasion.  |
| KZN | Ingwavuma | 16924 | 0 | Zamazama | The farm is currently occupied by illegal invaders.The Farm is not regularised in terms of occupation of which most has been allocated through erroneous traditional structures. | 2000 households | The invaders were informed of the unlawfulness of their occupation. On the Farm Zamazama No. 16924-HV land is allocated by Tembe Traditional Authority and it has been a practise for more than 10 years. (Erroneous traditional land allocation) This land is used for commercial businesses and residential, the part that is used for commercial purposes (Skhemele informal town) is earmarked for formalisation of a town. There are applications submitted to the Department for commercial purposes, one commercial application has been approved. According to the site inspection one can be deem this property as erroneous allocated as opposed to invasion. |
| KZN | Ingwavuma | 16637 | 0 | Pongola West  | The farm is currently occupied by illegal invaders. | 3000 households | Pongola West is a surveyed unregistered land parcel consisting out of 25 components. The invaders were informed of the unlawfulness of their occupation. On this farm the land is allocated by Nyawo Traditional Authority. It has been a practice for longer than 10 years. The land occupation pattern is formed through erroneous Traditional land allocation. According to the site inspection one can deem this property as erroneous allocated as opposed to invasion. |
| KZN | Ingwavuma | 14585 | 0 | Topi | The farm is currently occupied by illegal invaders. The Farm is not regularised in terms of occupation of which most has been allocated through erroneous traditional structures. | 300 households | The invaders were informed of the unlawfulness of their occupation.The land is allocated by Nyawo Traditional Authority. It has been a practice for longer than 10 years. (Erroneous traditional land allocation). A portion of this Farm is affected by commercial applications. Applications are at the various processing stages and the Department remains in constant engagement with the applicants. The land occupation pattern is formed through erroneous Traditional land allocation. According to the site inspection one can deem this property as erroneous allocated as opposed to invasion. The Department is also in continuous engagement with the Jozini Local Municipality to formalize the Bhambanana Township. |
| KZN | Ingwavuma | 16455 | 0 | Ndumu South | The farm is currently occupied by illegal invaders. The Farm is not regularised in terms of occupation of which most has been allocated through erroneous traditional structures. | 400 households | The invaders were informed of the unlawfulness of their occupation.0n this farm the land is allocated by Mathenjwa Traditional Authority. It has been a practice for longer than 10 years. (Erroneous traditional land allocation). A portion of this Farm is affected by commercial applications. Applications are at the various processing stages and the Department remains in constant engagement with the applicants. The land occupation pattern is formed through erroneous Traditional land allocation. According to the site inspection one can deem this property as erroneous allocated as opposed to invasion. The Department has approved a Development Rights Agreement for 1 000 units (in-situ upgrade sustainable human settlement) and is also in continuous engagement with the Jozini Local Municipality. |
| KZN | Ulundi | 724 | 4 | Overvloed | Property is currently illegally occupied. | 1 household | A notice to vacate was issued on the 23 June 2020 and handed to Mr Mbuso Mpungose on the 3 July 2020. The invader has since responded to the Department requesting a meeting to discuss formalizing this occupation. The Department has proposed the meeting to be held in November 2020. |
| KZN | Charlestown | 401 | 1 | Rondavel | The farm is currently occupied by illegal invaders. | 35 households | The Department conducted a site inspection in June 2019 with the Charlestown SAPS. The matter is currently dealt with by detective Nkosi at Charlestown SAPS. Invasion has been increased, the matter has been reported to the Charlestown Police Station with Case No. 12/07/2019 and the matter is under investigation. The last communique with Detective Nkosi was on the 8th October 2020. |
| KZN | Newcastle | 8378 | 0 | Cecil | The farm is currently occupied by illegal invaders. | 20 households | The Department conducted a site inspection in March 2019 and then reported the trespassing case (OB 638/07/2019) at the Newcastle SAPS. The SAPS is still dealing with the matter. Invasion has been increased, the matter has been reported to the Newcastle Police Station and the matter is under investigation. The Department is in constant contact with SAPS so that, the matter can be resolved urgently.  |
| KZN | Eskhaleni | 15829 | 0 | Reserve No. 9  | The farm is currently occupied by illegal invaders. The Farm is not regularised in terms of occupation of which most has been allocated through erroneous traditional structures. | 200 households | The Remainder of the Farm Reserve 9 No. 15829-GU land is allocated by Mkhwanazi, Zulu, Nzuza and Mzimela Traditional Authority. It has been a practice longer than 10 years. (Erroneous traditional land allocation). Part of this Farm is affected by commercial applications, and disposals. Applications are at the various processing stages and the Department remains in constant engagement with the applicants. The land occupation pattern is formed through erroneous Traditional land allocation. According to the site inspection we can deem this property as erroneous allocated as opposed to invasion. The Department is also in continuous engagement with the Mhlathuze Local Municipality to finalize the disposal Vulindlela Township (R293). |
| KZN | Pietermaritzburg | 2161 | 8 | Garibaldi | Occupied and settled. The Farm is not regularised in terms of occupation of which most has been allocated through erroneous traditional structures. | 7 households | A land invasion case (CAS 28/5/2020) has been opened with the Boston SAPS.The invasion was previously reported to the Boston Police Station and the Case has since been closed. The matter was escalated to the Provincial Legal Component for the preparation of the Eviction Memorandum to be routed to the Minister. The Legal Component has since requested further particulars of the invaders. During the site inspection on the 6th October 2020, some names of the occupiers for the completed structures were retrieved. However, names for the incomplete structures and marked sites could not be retrieved. A meeting is to be scheduled between the Department; SAPS; Nhlangwini Traditional Authority and COGTA, to obtain the information for the occupiers. . |
| KZN | Pietermaritzburg | 2161 | 12 | Garibaldi | Occupied and settled. The Farm is not regularised in terms of occupation of which most has been allocated through erroneous traditional structures. | 4 households | A land invasion case (CAS 28/5/2020) has been opened with the Boston SAPS The invasion was previously reported to the Boston Police Station and the Case has since been closed. The matter was escalated to the Provincial Legal Component for the preparation of the Eviction Memorandum to be routed to the Minister. The Legal Component has since requested further particulars of the invaders. During the site inspection on the 6th October 2020, some names of the occupiers for the completed structures were retrieved. However, names for the incomplete structures and marked sites could not be retrieved. A meeting is to be scheduled between the Department; SAPS; Nhlangwini Traditional Authority and COGTA, to obtain the information for the occupiers. |
| KZN | Pietermaritzburg | 2161 | 20 | Garibaldi | The farm is not occupied | Vacant | A land invasion case (CAS 28/5/2020) has been opened with the Boston SAPS. While the process to obtain Ministerial approval to institute eviction proceedings was underway, a site inspection discovered that the land was vacated.  |
| KZN | Pietermaritzburg | 2161 | 38 | Garibaldi | Occupied and settled. The Farm is not regularised in terms of occupation of which most has been allocated through erroneous traditional structures. | 10 households | A land invasion case (CAS 28/5/2020) has been opened with the Boston SAPS. The invasion was previously reported to the Boston Police Station and the Case has since been closed. The matter was escalated to the Provincial Legal Component for the preparation of the Eviction Memorandum to be routed to the Minister. The Legal Component has since requested further particulars of the invaders. During the site inspection on the 6th October 2020, some names of the occupiers for the completed structures were retrieved. However, names for the incomplete structures and marked sites could not be retrieved. A meeting is to be scheduled between the Department; SAPS; Nhlangwini Traditional Authority and COGTA, to obtain the information for the occupiers. |
| KZN | Pietermaritzburg | 1859 | 1 | Craighead | Occupied and settled | 5 households | A land invasion case (CAS 28/5/2020) has been opened with the Boston SAPS. The invasion was previously reported to the Boston Police Station and the Case has since been closed. The matter was escalated to the Provincial Legal Component for the preparation of the Eviction Memorandum to be routed to the Minister. The Legal Component has since requested further particulars of the invaders. During the site inspection on the 6th October 2020, some names of the occupiers for the completed structures were retrieved. However, names for the incomplete structures and marked sites could not be retrieved. A meeting is to be scheduled between the Department; SAPS; Nhlangwini Traditional Authority and COGTA, to obtain the information for the occupiers. |
| KZN | Pietermaritzburg | 1859 | 2 | Craighead | Occupied and settled | 8 households | A land invasion case (CAS 28/5/2020) has been opened with the Boston SAPS. The invasion was previously reported to the Boston Police Station and the Case has since been closed. The matter was escalated to the Provincial Legal Component for the preparation of the Eviction Memorandum to be routed to the Minister. The Legal Component has since requested further particulars of the invaders. During the site inspection on the 6th October 2020, some names of the occupiers for the completed structures were retrieved. However, names for the incomplete structures and marked sites could not be retrieved. A meeting is to be scheduled between the Department; SAPS; Nhlangwini Traditional Authority and COGTA, to obtain the information for the occupiers. |
| KZN | Pietermaritzburg | 1859 | 9 | Craighead | The farm is not occupied | Vacant | A land invasion case (CAS 28/5/2020) has been opened with the Boston SAPS. The process to obtain Ministerial approval to institute eviction proceedings is underway. It was discovered during a site visit that the property is now vacant. |
| KZN | Harding  | 4558 | 1 | Slexel | Lessee occupying the land | 1 lessee | There were illegal sand miners on this property and the illegal miners had reached a verbal agreement with a Lessee to move to Portion 1 of the Farm Clothier No. 3836 - ET, allowing the Lessee to continue with Agricultural activities. |
| KZN | Harding  | 4558 | 2 | Slexel |
| KZN | Harding  | 3836 | 0 | Clothier |
| KZN | Harding  | 3836 | 1 | Clothier | Lessee occupying the land. However approximately 30 illegal sand miners are extracting sand on the farm but do not reside on the farm. | 1 lessee | There is currently illegal sand mining taking place on this property, permission to mine was granted to the miners by the Headman of Celebana Community. The Headman indicated that he was not aware that the property belonged to the State and was under the impression that it was Tribal Land. The Headman requested time until the end of October 2020 to have a meeting with the miners requesting them to stop mining where after he will provide the Department with feedback. |
| KZN | Harding  | 6852 | 0 | Clothier | Lessee occupying the land.  | 1 lessee | There were illegal sand miners on this property and the illegal miners had reached a verbal agreement with a Lessee to move to Portion 1 of the Farm Clothier No. 3836 - ET, allowing the Lessee to continue with Agricultural activities. |
| KZN | Harding  | 5987 | 0 | Lot NNA 5987  | Lessee occupying the land.  | 1 lessee | Illegal sand mining occurred. However there were no invaders during the site inspection, however, the Department cannot confirm whether or not there is illegal sand mining because the site inspection was conducted on a raining day. |
| KZN | Ezingolweni | 10749 | 0 | Coniston  | Illegal occupier who is the local Chief who claims to be representing the claimants | 1 household | The property is claimed and due for settlement by the Commission on Restitution of Land Rights. The matter has accordingly been reported to the claimants and the Commission to intervene. It was discovered that the Local Chief from Xolo Tribal Authority has granted permission to a Japanese Oil Company to plant oil producing plants, at the stage of the inspection it was found that only soil preparation has taken place. There is currently a dispute between the Xolo Claimants and the Local Chief regarding the permission given to the Japanese Company. The Chief wants a meeting with the Department as he feels that the property should be handed over to the Tribal Authority. A meeting with the Chief will be planned for in November 2020.  |
| KZN | Ezingolweni | 10749 | 4 | Coniston  | Illegal occupier who is the local Chief who claims to be representing the claimants | 1 household | The property is claimed and due for settlement by the Commission on Restitution of Land Rights. The matter has accordingly been reported to the claimants and the Commission to intervene. It was discovered that the Local Chief from Xolo Tribal Authority has granted permission to a Japanese Oil Company to plant oil producing plants, at the stage of the inspection it was found that only soil preparation has taken place. There is currently a dispute between the Xolo Claimants and the Local Chief regarding the permission given to the Japanese Company. The Chief wants a meeting with the Department as he feels that the property should be handed over to the Tribal Authority. A meeting with the Chief will be planned for in November 2020 |
| KZN | Ezingolweni | 10749 | 7 | Coniston  | Illegal occupier who is the local Chief who claims to be representing the claimants | 1 household | The property is claimed and due for settlement by the Commission on Restitution of Land Rights. The matter has accordingly been reported to the claimants and the Commission to intervene.  |
| KZN | Ezingolweni | 10749 | 3 | Coniston  | Illegal occupier who is the local Chief who claims to be representing the claimants | 1 household | The property is claimed and due for settlement by the Commission on Restitution of Land Rights. The matter has accordingly been reported to the claimants and the Commission to intervene. |
| KZN | Ezingolweni | 10749 | 1 | Coniston  | Illegal occupier who is the local Chief who claims to be representing the claimants | 1 household | The property is claimed and due for settlement by the Commission on Restitution of Land Rights. The matter has accordingly been reported to the claimants and the Commission to intervene. |
| KZN | Ezingolweni | 10599 | 0 | Hanover | Illegal occupier who is the local Chief who claims to be representing the claimants | 1 household | The property is claimed and due for settlement by the Commission on Restitution of Land Rights. The matter has accordingly been reported to the claimants and the Commission to intervene.  |
| KZN | Ezingolweni | 10599 | 4 | Hanover | The farm is not occupied | Vacant | The property is claimed and due for settlement by the Commission on Restitution of Land Rights. The matter has accordingly been reported to the claimants and the Commission to intervene.  |
| KZN | Ezingolweni | 10599 | 1 | Hanover | The farm is not occupied | Vacant | The property is claimed and due for settlement by the Commission on Restitution of Land Rights. The matter has accordingly been reported to the claimants and the Commission to intervene.  |
| KZN | Ezingolweni | 7286 | 1 | Eden | Illegal occupier who is the local Chief who claims to be representing the claimants | 1 household | The property is claimed and due for settlement by the Commission on Restitution of Land Rights. The matter has accordingly been reported to the claimants and the Commission to intervene.  |
| KZN | Ezingolweni | 7286 | 0 | Eden | Illegal occupier who is the local Chief who claims to be representing the claimants | 1 household | The property is claimed and due for settlement by the Commission on Restitution of Land Rights. The matter has accordingly been reported to the claimants and the Commission to intervene.  |
| KZN | Ezingolweni | 7286 | 4 | Eden | Illegal occupier who is the local Chief who claims to be representing the claimants | 1 household | The property is claimed and due for settlement by the Commission on Restitution of Land Rights. The matter has accordingly been reported to the claimants and the Commission to intervene.  |
| KZN | Ezingolweni | 7893 | 0 | Patch | Illegal occupier who is the local Chief who claims to be representing the claimants | 1 household | The property is claimed and due for settlement by the Commission on Restitution of Land Rights. The matter has accordingly been reported to the claimants and the Commission to intervene. It was discovered that the Local Chief from Xolo Tribal Authority has granted permission to a Japanese Oil Company to plant oil producing plants, at the stage of the inspection it was found that only soil preparation has taken place. There is currently a dispute between the Xolo Claimants and the Local Chief regarding the permission given to the Japanese Company. The Chief wants a meeting with the Department as he feels that the property should be handed over to the Tribal Authority. A meeting with the Chief will be planned for in November 2020 |
| KZN | Ezingolweni | 9485 | 0 | Coniston A | Illegal occupier who is the local Chief who claims to be representing the claimants | 1 household | The property is claimed and due for settlement by the Commission on Restitution of Land Rights. The matter has accordingly been reported to the claimants and the Commission to intervene. It was discovered that the Local Chief from Xolo Tribal Authority has granted permission to a Japanese Oil Company to plant oil producing plants, at the stage of the inspection it was found that only soil preparation has taken place. There is currently a dispute between the Xolo Claimants and the Local Chief regarding the permission given to the Japanese Company. The Chief wants a meeting with the Department as he feels that the property should be handed over to the Tribal Authority. A meeting with the Chief will be planned for in November 2020. |
| KZN | Kokstad | 164 | 0 | Buildfontein | Occupied by the lessee and farm workers. | 10 households | A letter has been written to the Greater Kokstad Local Municipality to stop them from constructing RDP houses on agricultural State land without the consent and authority of the Department.The Farm has since been invaded by neighbouring farm dwellers; a case has been opened with case no. 6/10/2020. The 54 temporary structures were illegally erected by the Greater Kokstad Local Municipality. The Councillor (Mfukuli) has confirmed that the Municipality has erected the 54 structures. Process to obtain approval for eviction to be started. |
| KZN | Kokstad | 164 | 7 | Buildfontein | Occupied by the lessee and farm workers. | 10 households | A letter has been written to the Greater Kokstad Local Municipality to stop them from constructing RDP houses on agricultural State land without the consent and authority of the Department. The Farm has since been invaded by neighbouring farm dwellers; a case has been opened with case no. 6/10/2020. The 54 temporary structures were illegally erected by the Greater Kokstad Local Municipality. The Councillor (Mfukuli) has confirmed that the Municipality has erected the 54 structures. Process to obtain approval for eviction to be started. |
| KZN | Ixopo | 15579 | 0 | Harper | Occupied by land invaders | 15 households | The illegal occupiers have been informed to stop the land invasion and Highflats SAPS has been notified about the matter. A memorandum has been sent to Legal to request consent from the Minister to initiate eviction proceedings. The invasion has increased from the last inspection; however, the eviction process is underway, the memo has been approved by the Minister. |
| KZN | eDumbe | 479 | 2 | Nooitgedacht | The farm is currently occupied by illegal invaders. | 2 households  | A criminal case has been reported at the police station. Invaders have been given a six-month verbal notice to vacate the property. |
| KZN | Utrecht | 104 | 15 & 16 | Vaalbank | Families came and built on the farm illegally.  | 22 households | The caretaker of the property referred the illegal occupation to the traditional court. The invaders were requested to vacate the farm, but they refused. The department is engaging with the invaders and will request ministerial approval to evict in the event if the engagement with the invaders are unsuccessful. The matter was reported to the Utrecht SAPS and they refused to open the case. |
| KZN | Newcastle | 3324 | 6 | Harte Rivier | Families came and built on the farm illegally | 2 households | The Vryheid legal Officer is still investigating the matter. The property is the AFU farm, that has come back to the State. The matter is under investigation and outcome from the Curators is awaited. |
| KZN | Deepdale | 18280 | 0 | Deepdale Grange | People are still on the property | 60 households  | Inkosi is allocating sites and was informed to refrain from this. The farm has since been invaded, a tavern, Bed and Breakfast and cottages have been erected on the farm without a permission from the department. |
| KZN | Harding  | 7200 | 0 | Riverside | Illegal house was built on the property without consent | 1 household | A case of trespassing has been opened by the Department. There is currently illegal sand mining taking place on this property, permission to mine was granted to the miners by the Headman of Celebana Community. The Headman indicated that he was not aware that the property belonged to the State and was under the impression that it was Tribal Land. The Headman requested time until the end of October 2020 to have a meeting with the miners requesting them to stop mining where after he will provide the Department with feedback. |
| KZN | Mahlabathini | 270 | 3 | Goodluck | Induna was allocating sites to people under instruction of Inkosi. | 6 households | The matter has been attended to and people have since stopped to invade the state land. |
| WC | Mamre | 976 | 1 | LaasteStuiver | Occupied by one family | Vacant | Notice to vacate was served on the unlawful occupier on 14 February 2020. A subsequent site inspection was done on 18 February 2020 where it was confirmed that all illegal structures were removed by the occupiers. |