**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 1775**

**INTERNAL QUESTION PAPER [No 17-2021 SIXTH PARLIAMENT]
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**1775. Mr M G E Hendricks (Al Jamah-ah) to ask the Minister of Agriculture, Land Reform and Rural Development:**

1. Whether she has been informed of the reasons for the postponement of the Deputy President, Mr D D Mabuza’s oversight visit to District Six; if not, what is the position in this regard; if so, what were the reasons given to her;
2. whether she furnished the Deputy President, Mr D D Mabuza, with an explanation regarding the delay of the redevelopment plan; if not, what is the position in this regard; if so, what was the explanation;
3. whether, after handing over 900 houses to the claimants, she will continue to play a role in the development of District Six in terms of developing schools, crèches, community halls, etcetera; if not, what is the position in this regard; if so, what are the relevant details;
4. whether, in instances where she would allow residents’ land to be usurped by developers, she would agree that the 42 hectares should be for the sole benefit of the persons who were forcibly removed from District Six and their offspring; if not, what is the position in this regard; if so, what are the relevant details;
5. what are her reasons for marginalising the District Six Development Trust, the entity in which former President Nelson Mandela expressed his confidence? **NW1983E**

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

1. Yes. With regards to the initial request for an oversight visit, the Phase 3 site up until handover was not conducive to hosting groups of visitors on what was an active construction site. Covid-19 regulations for onsite health and safety had a substantive impact on construction sites. The Contractor who was responsible for the safety of the site until the handover to the Department was reticent about having to host a group of visitors including media on site while still being expected to meet their deadlines to completion. If the Department had to impose the visit request to the contractor, they would in turn be liable to be granted a claim for an extension of time (EOT) which would have a financial impact and an impact on the contractual practical completion date. It was thus agreed that the visits be conducted after the practical completion and the site handed over to the Department. Which has since taken place.
2. Yes. The Department’s responses to the questions and enquiries by the Deputy President’s offices was addressed and submitted. The COVID-19 pandemic has brought an onset of many challenges to the implementation of the original programme that was devised in 2019. Before the factoring of COVID-19 the original programme was scheduled for completion by 2023. The revised programme is scheduled for completion by August 2024.

The revision in time is based on the changes made to the original design of the housing unit by the claimants and allowing a process to fully consult with claimants while adhering to lockdown regulations. The effects of the COVID-19 pandemic on supply chain processes has also been a critical factor. The new program has been devised to catch up as much time that was lost by allowing for larger phases and doing them concurrently.

1. The Department’s role and mandate in District Six is the Restitution of claimants through the provision of houses. However, the Department has always acknowledged that the District Six Redevelopment requires more than housing to cater for the needs of the returning claimant community. To this end, since the very onset the Department initiated and supported the drawing up of the District Six Development Framework.

The Development Framework, an extensive document that has been widely consulted with the community, is a framework for the development of the whole area of approximately 40 hectares. It presents a set of principles, strategies, design and planning guidelines; as well as infrastructure proposals based on the existing inner city context of the site. The Development Framework proposals begin to address the issue of social justice and the restoration of land rights lost to give effect to the provisions of the Restitution of Land Rights Act (Act 22 of 1994).

The Framework recognizes that District Six is an inner city area that can significantly contribute to the revitalisation of the city. It argues that the site should neither be speculated upon nor encouraged to be gentrified as may ordinarily be the case had restitution not formed the basis of its redevelopment imperative. An integrated approach is therefore taken that includes a range of social, environmental and economic concerns relevant to District Six and the Cape Town CBD. The approach is strongly informed by the history and memory of the site as the subject of forced removals more than 40 years ago. Social justice and restoration of land rights therefore form the pillars that proposals towards the realisation of the framework, are based on.

The holistic redevelopment of District Six requires the participation and contribution from various sector departments, the province and very intrinsically the City of Cape Town. The Department last year granted the City of Cape Town to use the District Six Development Framework to form the underpinning of a process it has undertaken to develop and adopt a Local Spatial Development Framework for District Six.

The Department has provided and continues to provide support to the local authority in their mandate of providing the necessary social infrastructure to ensure that District Six is redeveloped in an integrated and sustainable manner.

1. The Department’s and Minister’s position on this matter has always been resolute. The 42 Hectares of land that is included in the settlement agreement should be used to solely enhance and benefit the claimant community of District Six. The land should neither be speculated upon for private gain nor encouraged to be gentrified.
2. The District Six Beneficiary Trust has always been acknowledged as a key body of representatives for the community of District Six. It was on that basis that they were a partner and signatory to original settlement agreement of District Six. The Trust were given the role of Developer from inception and subsequently were responsible for the development of Pilot Phase 1 and Phase 2 of District Six between 2002 and 2012.

 In 2012 the full group of verified claimants in a meeting with the then Minister, addressed concerns and grievances to the Minister regarding the issues of progress and representation. The Minister at the time acceded to these concerns and allowed for the election of nominated claimant representatives to deal with the Department on matters pertaining to the development of the remaining phases. The members of District Beneficiary Trust were encouraged to participate in that elective process but chose not to. The body of representatives who were nominated and elected by the claimants themselves became the District Six Reference Group (RG), whom the Department has since dealt with as representatives of the verified claimants on matters pertaining to the design of the future phases.

The Minister in her tenure has always tried to consult with all the community groupings in District Six – of whom there are many - from the onset and will continue to encourage their participation in the redevelopment process.