

**MINISTRY FOR COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTIONS FOR WRITTEN REPLY**

**QUESTION NUMBER 2018/3184**

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**3184. Mr K P Robertson (DA) to ask the Minister of Cooperative Governance and Traditional Affairs**

 (1) Whether the Bushbuckridge Local Municipality in Mpumalanga followed the necessary supply chain management processes in designating land for use by a certain company (name furnished); if not, why not;

(2) whether the specified municipality complied with all applicable environmental impact legislation before designating land for the use of the specified company; if not, why not;

(3) whether the specified municipality rezoned the designated land for agricultural, commercial and residential purposes; if not, by what date will the municipality rezone the land; if so, (a) what are the relevant details and (b) how did the municipality rezone the designated land;

(4) will he furnish Mr K P Robertson with a copy of the municipality’s by-law adopted regarding the alienation of municipal and state-owned land and property;

(5) (a) for what period is the specified company scheduled to invest in the municipality, (b) what land usage has the municipality designated for the initial stages of the project, (c) what does the municipality envisage to be the final usage of the land and (d) by when does the municipality envisage the land usage to be at maximum usage?NW3613E

**Reply:**

(1)During 2016, the municipality was approached by Africa Sino Projects, which is the Chinese Investment Group for different investment projects within the municipality including, inter alia, the Rice Planting Project, Agro-Processing Hub and property development projects. Emanating from this initiative, the Council of the Bushbuckridge Local Municipality took a Resolution in support of this initiative.

The proposed sites are registered in the name of the Government of South Africa, which the Minister of the Department of Rural Development and Land Reform (DRDLR) is the custodian. There are procedures to be followed to aquire the land owned by this Department. Thus the Council of Bushbuckridge Local Municipality under resolution (f) in Annexure A, resolved that DRDLR be engaged for the state land release.

The Local Government: Municipal Finance Management Act, no 56 of 2003 (MFMA) and the Supply Chain Management Policy of Bushbuckridge Local Municipality, deal with the disposal of capital assets of the Municipality which is not the case in this matter. As stated earlier, the sites identified for these projects, though falling within the jurisdiction of the Bushbuckridge Local Municipality, are not owned by the Municipality; hence, the need to engage with DRDLR to avail the land in question.

The affected land has not been transfered to Africa Sino Projects and all the neccesary processes and procedures to aquire these parcels of land from the registered owner in terms of the relevant legislative framework will be followed.

(2)The municipality has in 2014 adopted/approved the Bushbuckridge Land Use Management By-Law, which deals with the proceses and procedures to follow all land use and land development matters within the municipality. In terms of this by-law, prior to any development in the municipality, owners are required to submit town planning applications to the municipality for approval. This process include, inter alia, the Environmental Impact Studies, Traffic Impact Studies, Geotechnical Studies and Engineering Services Reports and approvals or recommendations by relevant departments. For Environmental Impact Assessment approvals (EIA), the Provincial Department of Agriculture, Rural Development, Land Reform and Environmental Affairs (DARDLEA) is the responsible authority in this regard.

Once the land in question has been made available by DRDLR, the application will be subjected to the provisions mentioned above which include Environmental Impact Studies if required.

(3)If the land is made available and there is a need to rezone the affected sites to allow for the proposed use, the said by-law provides procedures and processes for rezoning of the sites. At the moment the land is not yet aquired from the relevant Department and, therefore, the developer or the municiplaty does not have a *loca-standi* to submit such an application. There is a need to aquire the land from DRDLR prior to the rezoning process.

(4) The Municipality is guided by legislation: Municipal Finance Management Act, no 56 of 2003 (MFMA) and the Supply Chain Management Policy of Bushbuckridge Local Municipality for disposal of capital assets of the Municipality. State land properties, which is the case in this matter, would follow processes and procedures of DRDLR in terms of the disposal. Thus the Council of Bushbuckridge Local Municipality has granted its support for the initiative as required in terms of such procedures, and it was resolved that the DRDLR be engaged for the release of the land in question.

(5) (a)The project is still on a feasibility study stage. Questions (a) to (d) will be responded to after the feasibility study has been concluded; no tangible timeframes have been set yet.

Thank you