

**CAPACITY BUILDING FOR THE INTEGRATION OF
ENVIRONMENTAL PLANNING INTO LAND REFORM:
AN ASSESSMENT OF A NATIONAL PROGRAMME**

**A Mini-thesis submitted in partial fulfilment of the requirements for the degree of
Master of Philosophy (Land and Agrarian Studies)**



Institute for Poverty, Land and Agrarian Studies (PLAAS)

Faculty of Economics and Management Sciences

University of the Western Cape (UWC)

December: 2008

Supervisor: Prof. Ben Cousins

DEDICATION

This research is dedicated to my late father, Rev. V.M. Makaluza and to my mother Thenjiwe a very hard-working and dignified woman who laid the foundation for the courage to do this work.



DECLARATION

I Nomakholwa Makaluza, declare that;

“Capacity Building for the Integration of Environmental Planning into Land Reform: An Assessment of a National Training Programme”

is my own work except where sources used are quoted by means of full references.



.....
Nomakholwa Makaluza

.....
Date

ACKNOWLEDGEMENTS

God almighty, because of You I knew that I could do all things through Christ who gives me strength (Philippians 4:13)

I would like to express my sincere gratitude to the following people whose contribution and support have been invaluable

Prof. B. Cousins and Najma Mohamed for their guidance through this study

The Belgian Technical Co-operation for awarding me the bursary, which has enabled me to complete this study

To the DLA officials for so generously sharing information and insights

Frans le Roux for his support and tireless technical assistance

My Aunt, Nozizwe Ngapi for her support during the period of my studies

Family, friends and colleagues for their encouragement and support



ABSTRACT

In 1994 the South African government embarked on a land reform programme to redistribute and return land to previously deprived and displaced communities and individuals. Concerns have, however, been raised about the impact of land reform on the environment and its natural resources. The Department of Land Affairs (DLA) has attempted to deal with this problem through the National Training Programme, which was specifically initiated to develop capacity among officials of the DLA to integrate environmental planning into the land reform programme. This study assesses the National Training Programme to determine whether the participants who attended the National Training Programme are in fact integrating environmental planning into land reform projects. To achieve this aim a qualitative research methodology is used, which involves both the survey based method and a case study approach.

From the literature review there is sufficient evidence to indicate that the enormous pressure on the land and the lack of environmental knowledge are the major contributors to environmental degradation in South Africa. The study points out that the South African experience suggests that land reform cannot be sustainable without adequate provision for environmental planning. In its assessment of the National Training Programme, the study finds that, although the participants had gained self-confidence and a positive attitude towards the environment, this has not been applied in practice. Of significance also is the fact that, given the evidence which indicates that where land reform takes place land resources might be degraded, the study clearly demonstrates how environmental planning has in practice been neglected by the DLA, due to a lack of capacity.

In view of the outcomes of the assessment of the National Training Programme, the study recommends that further research be undertaken to investigate and indicate the extent and the rate of land degradation as a result of the neglect of environmental concerns in the land reform programme.

TABLE OF CONTENTS

LIST OF TABLES	8
LIST OF FIGURES	8
ACRONYMS AND ABBREVIATIONS.....	9
CHAPTER 1	10
AN INTRODUCTION TO THE STUDY	10
1.1 Introduction.....	10
1.2 Background of the study	12
1.3 Aims and objectives of the study	16
1.4 Significance of the study.....	17
1.5 Research design	18
1.6 Approach used in the study.....	18
1.7 Sample realization.....	19
1.8 Limitations of the study	20
CHAPTER 2	21
LAND REFORM AND ENVIRONMENTAL PLANNING	21
2.1 Introduction.....	21
2.2 Land and the environment	22
2.3 National environmental legislative mandate.....	25
2.4 The status quo of the environment in South Africa	27
2.5 Major developments and initiatives for the inclusion of environmental planning into land reform.....	30
2.6 Conclusion	33
CHAPTER 3	35
INTEGRATING ENVIRONMENTAL PLANNING INTO LAND REFORM AND LAND DEVELOPMENT: PROJECT DESIGN AND IMPLEMENTATION.....	35
3.1 Background of the project.....	35
3.2 Implementation of the training programme	36
3.3 Planned and implemented courses:.....	38
3.4 Phase 2: Training programme.....	40
3.5 Summary of the Guidelines	43
3.6 Observations on and discussion of the DLA/DANCED project.....	50
3.7 Conclusion	53
CHAPTER 4	55
GOOD IN THEORY, POOR IN PRACTICE: FINDINGS ON THE REVIEW OF THE NATIONAL TRAINING PROGRAMME FOR THE INTEGRATION OF ENVIRONMENTAL PLANNING INTO LAND REFORM PROGRAMME.....	55
4.1 Introduction.....	55
4.2 Background to the assessment of the training.....	55
4.3 Findings on trainer-perceptions of the National Training Programme on the integration of environmental planning into land reform.....	57
4.4 Findings on trainee-perceptions of the National Training Programme for the integration of environmental planning into land reform programme	60
4.5 Exploring the inclusion of environmental concerns: a case study of the operational work of the Western Cape Regional Land Claims Commission	73

4.6 Discussion of the key findings.....	79
4.7 Conclusion	84
CHAPTER 5	85
DISCUSSION OF KEY FINDINGS, IMPLICATIONS OF THE STUDY AND RECOMMENDATIONS	85
5.1 Introduction.....	85
5.2 Summary of chapters	85
5.3 Synthesis	86
5.4 Proposed implementation systems for the effective integration of environmental planning into land reform.....	93
5.5 Implications of the study.....	95
5.6 Recommendations for further research.....	96
5.7 Conclusion	96
REFERENCES	98
APPENDICES	103
Appendix A: Interviewed trainees and their work profile	103
Appendix B: Face to face interviews conducted with trainees.....	104
Appendix C: Interviews with Stakeholders	104
Appendix D: Survey Conducted with Trainees	105
Appendix E: Survey Conducted with Stakeholders.....	107
Appendix F: Phase one Training Programme of the DLA / DANCED Programme for the Integration of Environmental Planning into Land Reform and Land Development	108
Appendix G: Phase two National Training Programme of the DLA / DANCED Programme for the Integration of Environmental Planning into Land Reform and Land Development.....	111

LIST OF TABLES

Table 1: Total number of respondents from each organisation	61
Table 2: Work profile of the participants.....	62

LIST OF FIGURES

Figure 1: Different types of training and their inter-relationships.....	38
Figure 2: Environmental Decision Support Tool and the process for the determination of impacts of proposed land use change.....	48
Figure 3: Environmental Sustainability Assessment Tool – Road Map.....	49
Figure 4: Four development units, with the WRLCC.....	75
Figure 5: Business process: from lodgement to settlement	76



ACRONYMS AND ABBREVIATIONS

CBNRM	Community Based Natural Resource Management
CCT	City of Cape Town
DANCED	Danish Cooperation for Environment and Development
DANIDA	Danish International Development Agency
DLA	Department of Land Affairs
DEAT	Department of Environmental Affairs and Tourism
DEADP	Department of Environmental Affairs and Development Planning
DPSA	Department of Public Services and Administration
DWAF	Department of Water Affairs
EDSU	Education Department Support Unit
EDST	Environmental Decision Support Tool
EEU	Environmental Evaluation Unit
EPSU	Environmental Planning Support Unit
EIA	Environmental Impact Assessment
EI&MP	Environmental Implementation and Management Plan
ESAT	Environmental Sustainability Assessment Tool
FTLRP	Fast Track Land Reform Programme
IEM	Integrated Environmental Management
ICP	Integrated Conservation Plan
IPILRA	Interim Protection of Informal Land Rights Act
KZN	KwaZulu-Natal
LUMB	Land Use Management Bill
NGO	Non Governmental Organisation
NEMA	National Environmental Management Act
NEPAD	New Partnership for Africa's Development
PLAAS	Programme for Land and Agrarian Studies (PLAAS)
PGIEP	Policy and Guidelines for the Integration of Environmental Planning in Land Reform and Land Development
PLRO	Provincial Land Reform Office
RLCC	Regional Land Claims Commission (RLCC)
RSDF	Regional Spatial development Framework (RSDF)
SADC	Southern African Development Community
SIS	Settlement Implementation Support
SPI	Spatial Planning Information
TNA	Training Needs Assessment
WCRLCC	Western Cape Regional Land Claims Commission
UNCCD	United Nations Convention to Combat Desertification
UCT	University of Cape Town

CHAPTER 1

AN INTRODUCTION TO THE STUDY

1.1 Introduction

South Africa is a nation rich in land resources. The land provides the foundation on which communities are built and from which food, shelter, and other essentials are obtained (DLA, 2004). It is a precious resource that contains our mineral wealth and is essential for investment in our country's economy. Land not only forms the basis of our wealth, but is also part of our security, pride and history (DLA, 1997). Land and other natural resources provide rural households with a wide range of non-monetary goods and services, such as food security, income, water, fuel, medicine, shelter and transport, the value of which is difficult to calculate in monetary terms. These land-based livelihoods are critical to the survival and health of rural households, particularly the very poor (Andrew *et al.*, 2003:1). Approximately three quarters of the world's poor live in rural areas and depend on access to land and other natural resources for their livelihoods. For most of them, insecure access to land is closely linked to poverty.

Despite such a high dependency on land and other natural resources, in South Africa discriminatory apartheid policies eroded black people's access to land and only 13% of the country's land was allocated to the majority of the population (Bernstein, 1996). This resulted in the inability of black people to access land and severely restricted the contribution that agriculture could make to their livelihoods. The apartheid policies left South Africa with a great disparity in wealth and access to land. Land reform was therefore urgently required to create equitable access to land and other natural resources across the country and to secure people's land and resource rights both in law and in practice (Cousins, 2004). After taking power in 1994, the South African government embarked on the design and development of a land reform programme that aimed to bring about a fair and equitable land dispensation. The major legislative tool to address the situation is the Constitution of the Republic of South Africa (Act No.108 of 1996) which provides for the right to land reform and equitable redress. A second important

initiative was the adoption of a policy framework for the land reform programme consisting of three major elements, namely land redistribution, land restitution and land tenure reform. The redistribution programme aims to provide the disadvantaged and the poor with access to land for residential and productive purposes. Its scope includes the urban and rural very poor, labour tenants, farm workers as well as new entrants to agriculture. Restitution deals with those cases of forced removals which took place after 1913, while the tenure reform programme aims to improve the security tenure for all South Africans and to accommodate diverse forms of land tenure, including types of communal tenure (DLA, 1997).

Since 1994 a large number of land reform projects have been initiated: by March 2007, the land reform programme in all its forms had transferred somewhere in the order of four million hectares, roughly 5% of white-owned land to historically disadvantaged South Africans. Of this, approximately 45% came from restitution and 55% under various aspects of redistribution, including the Settlement/Land Acquisition Grant (SLAG), Land Reform for Agricultural Development (LRAD), commonage, farm worker equity schemes, state land disposal and tenure reform (Lahiff, 2008:1).

The land reform projects initiated thus far, however, show some evidence of environmental degradation. This is the result of the limited or lack of assistance given to beneficiaries, both before and after the land transfer stage, as well as inappropriate land use and a lack of agricultural knowledge. From the projects implemented thus far, environmental support to beneficiaries has been one of the weakest areas of land reform and is even entirely absent on many projects. As a result these projects have had a negative impact on the natural environment. Even where environmental concerns were included in project planning development, delivery and business issues frequently been given higher priority (DLA, 2001a:1). This has been the case, because many communities return to their land or cultivate their land without being conscious of the proper use of natural resources and environmental sustainability. To settle poor people on farms without capital or training is to set them up for failure. Land degradation rather than commercial or even peasant success has often been the result. This has all along been

obvious and brings into question the purpose of land reform. Is the restitution of land to people unjustly removed from it deemed to be just that and no more? Is land redistribution merely an end in itself? Or is there a serious intention to nourish a new and growing class of small farmers? (Berman, 2005). For example, land restitution involves many hectares of land and of concern is the fact that large areas of land (especially in KwaZulu-Natal and the Eastern Cape) are prone to over-grazing and subsequent degradation of vegetation. This, in turn, leads to a significant reduction of ground cover, bush desertification, a change in the composition of species and a reduction of the grazing capacity. Although there is a lack of data on the extent and rate of land degradation, there is sufficient evidence to indicate that South Africa's soil is deteriorating rapidly, due to poor management practices and inadequate monitoring and enforcement. There is a severe risk of increased environmental degradation if preventive and improved resource management measures do not accompany the land reform programme and land development in general. South Africa will not achieve sustainable development unless it achieves land reform that integrates poverty reduction with the sustainable use of natural resources (Turner, 2001:4). The challenge therefore is to bring environmental concerns to the attention of land users and to help them use land in a sustainable manner. Against this background the DLA, as the implementing agent of the land reform programme, appears to ignore the fact that sustainable land reform will only be achieved once environmental planning becomes part of land reform and land development.

1.2 Background of the study

The different forms of land use utilise natural resources and contribute towards economic growth and development, but they can also change the natural environment and cause tremendous environmental degradation. As is the case with all forms of land use, except conservation, there will always be a link between environmental impacts and economic development. For that reason it is crucial that land use must be balanced with environmental planning to support sustainable development and to avoid environmental degradation. Negative land use practices can also affect water and air, and have consequences for both human and ecological health. Positive and creative thinking about

natural resources can, however, generate extra opportunities to enhance incomes and improve the quality of life.

Concerns about the negative environmental impacts of land reform have been voiced since the inception of the programme in 1994. The increased focus on the incorporation of environmental concerns into the land reform programme is reflected by the studies and workshops dealing particularly with land reform, natural resource management and sustainable development (Turner, 1997).

Land reform is seen as posing a threat because of its potential contribution to the degradation of the limited natural resources, such as soil and water. To support this statement, Turner and Ibsen (2000) argue that the need to consider environmental concerns was mentioned during the initial stages of land reform policy development. Three concerns were raised about the environmental impacts and sustainability of land reform; the first was the human impacts on the natural environment; the second concerned poor black people taking over farm land and not being able to use it in a sustainable way, and the third was that the communal tenure systems would inevitably result in environmentally less responsible resource use and greater land degradation. The South African experience suggests that economic development cannot be sustainable without land reform, nor can land reform be sustainable without adequate provision for environmental protection. Sustainable development is not something that happens easily. A requirement for land reform to contribute to sustainable development is the integration of social, economic and environmental factors in the planning, implementation and evaluation of decisions to ensure that development serves present and future generation (NEMA 107 of 1998). It requires, amongst other things, a massive educational effort to make citizens aware of the need to manage resources wisely to achieve the maximum benefits at the minimum cost, not only to fulfil their needs today, but those of their children tomorrow and for future generation (Fitzgerald *et al.*, 1995).

Without the provision of adequate support services, which include the provision of agricultural extension services, and the skills for and knowledge of natural resource

management, land reform beneficiaries will not be able to generate sustainable livelihoods from the land reform projects. As a result, such beneficiaries may have an increased vulnerability to drought and poverty in the long term. The challenge for land reform programmes is therefore to redistribute land and reform tenure rights while ensuring the productivity and ecological sustainability of the rural economy (Mabenjwa, 2006:1). It also has to bring environmental considerations to the attention of land reform beneficiaries and to work with them to develop land reform projects that have positive impacts on the environment.

As the department responsible for the allocation of land (to give security of tenure to the beneficiaries), the restitution of land rights and the redistribution of land, the DLA tackled the challenge of integrating environmental concerns into land reform. The first edition of the Consolidated Environmental Implementation and Management Plan (EI & MP) was developed in 2000, in line with the National Environmental Management Act (NEMA) Act 107 of 1998. The plan provided the DLA with an important point of reference by acknowledging the importance of cooperative governance as an essential element of achieving sustainability in land reform projects. As a result all the relevant departments (including the Department of Environmental Affairs and Tourism and the Department of Environmental Affairs and Development Planning) and other stakeholders are now represented on the DLA Provincial Project Approval Committees. These committees therefore no longer consist of DLA and/or provincial agriculture officials only.

Another measure to facilitate the integration of environmental concerns into land reform was an agreement the South African government entered into in 1998 with the Danish Cooperation for Environment and Development (DANCED), to run a project on the integration of environmental planning into land reform. The project design was divided into two phases. Phase one was implemented in September 1998 and involved the preparation of a set of planning guidelines and was linked to the 18 month training programme in the Free State and Mpumalanga. This initiative followed a 1997 report commissioned by DLA entitled “Environment and Land Reform in South Africa”, which

highlighted the need for the project. This need was confirmed by a further report in 1998, also commissioned by the DLA entitled “Assessing the Environmental Impact of the Land Reform Programme”. The key output of the project was the Guidelines for the integration of environmental planning into land reform and land development. The Guidelines were subsequently formalised as policy in 2001. From 2001, the DLA developed a number of environmental procedures and policies aimed at improved conservation and more sustainable use of natural resources. Among these are the Communal Land Rights Bill, the Spatial Information Bill and the Land Use Management Bill (LUMB), which incorporates the spatial aspects of planning and development.

In 2005 Phase two of the DLA/DANCED project started. The main objective of the training programme was to establish capacity within the DLA and other role players to integrate environmental concerns into land reform and land development through the implementation of existing policy and guidelines and to implement and monitor the policy and guidelines in all the provinces in an effective manner. The overall aim of the project was to make environmental planning an integral part of the whole land reform process. This was done by ensuring that the institutional arrangements and the procedures and guidelines for incorporating environmental concerns into land reform and land development are reflected in DLA land policy, and that the DLA, Local Government, Non-Governmental Organisations (NGOs) and other service providers have the knowledge and capacity to implement the Policy and Guidelines for the Integration of Environmental Planning into Land Reform and Land Development (GIEP).

Despite all these efforts to ensure the integration of environmental concerns into land reform, it is in practice not clear whether the PGIEP is being implemented in land reform projects and whether the DLA officials who participated in the National Training Programme are currently utilising the knowledge and the skills gained through the training. However, in its 2002 Annual Report, the DLA stated that “...*once approved, the PGIEP will be disseminated to all interested and affected parties. They will be integrated into the existing land reform procedures for implementation. Commensurate with this, training and capacity building will follow. The training materials developed over the*

length of the project will also be integrated into the Department's training programme, where certain environmental courses will be mandatory for officials to attend". This study attempts to assess whether the National Training Programme has achieved its stipulated objectives and whether the DLA officials have been integrating environmental planning into land reform projects. This is done in order to identify inconsistencies and incoherencies and where appropriate, put forward recommendations.

1.3 Aims and objectives of the study

The general aim of the study is to undertake an assessment of the National Training Programme, which was initiated by the DLA to develop the capacity for the integration of environmental planning into land reform and land development. The study will assess whether participants who attended the National Training Programme are integrating environmental planning into land reform projects and whether the policy and guidelines are utilized in the process. The specific objectives of the study are:

- To document and review the objectives, implementation and outcomes of the training programme initiated to develop the necessary capacity for the integration of environmental planning into land reform projects.
- To document and assess the perceptions of participants of the training programme in terms of the relevance and applicability of the training provided.
- To document the lessons learned within the training programme, by both trainers and participants, in relation to opportunities and constraints for integrating environmental concerns into land reform projects.
- To explore the implications of the lessons learned for capacity building programmes aimed at facilitating the integration of environmental concerns into land reform projects.
- To make recommendations regarding capacity building programmes designed to facilitate the integration of environmental planning into land reform projects.

1.4 Significance of the study

Land is the principal source of the natural assets and of earning a living. It potentially provides a basic livelihood for the majority of South Africa's population in terms of farm and non-farm activities and their interaction, and it is a central element of poverty reduction strategies. Over the years, the State has delivered more than three million hectares of land to the beneficiaries of the land reform programme. The aim was to give households the opportunity to engage in productive land use and to contribute to economic development, while simultaneously increasing employment opportunities by encouraging more investment. However, land reform as described in Section 25 of the Constitution may impact on the environment and sustainable development. The environment is, nonetheless, protected by Section 24(b) of the Constitution which states that everyone has a right to have the environment protected for the benefit of present and future generations. Whilst the Constitution calls for the protection of the environment, research studies have confirmed the existence of large scale environmental degradation in land reform projects. This has implications, not only for the environment, but also for the people involved. The existence of environmental degradation in land reform projects raises questions as to whether the DLA is taking environmental planning into account in the land reform processes and whether the initiatives undertaken thus far to address the integration of environmental concerns into land reform are being implemented adequately. The concerns raised about land degradation in land reform projects necessitate an assessment of the National Training Programme. The assessment of the training is crucial as it would provide answers as to why the DLA's efforts in integrating environmental concerns into land reform have not been visible in land reform projects. This research will serve as an information base to be used in determining how much more should be done, if need be, to integrate environmental planning into the land reform process. The assessment will serve as the first source of information to be used in planning future initiatives for integrating environmental planning into land reform projects.

1.5 Research design

The research design was built around the following questions;

- What is the operational impact of both the Guidelines and the National Training Programme in land reform projects?
- Did the training of officials in the National Training Programme meet its intended objectives?

1.6 Approach used in the study

The study targeted both trainers and trainees to assess their views as regards the National Training Programme. The study uses both the survey based method and a case study approach in order to ensure that meaningful data is obtained. An interview schedule was designed to collect information on stakeholders' perception of the training programme (see Appendix C). Illustrative questions include the following;

- What was your role in the DLA/DACED programme?
- Did the training programme meet its objectives?
- What were the obstacles encountered in implementing the programme, if any?
- What was the trainer's perception of the training programme?

The National Training Programme was implemented to build the capacity of DLA officials to integrate environmental planning into land reform and land development through the implementation of the PGIEP. The questionnaire for the trainees was designed with this underlying principle in mind (see Appendix D). The questionnaire contains open-ended questions in which respondents are asked for their opinion about the training programme. Questions to the trainees include the following:

- Before attending the training did you have knowledge about the Policy and Guidelines to integrate environmental issues into land reform?
- Having attended the training, has it enabled you to take into account environmental issues in your daily duties at your workplace? Please explain briefly.
- Was the content of the training relevant to your daily duties at work?

The overall data collection included:

- semi-structured and face to face interviews with both trainers and trainees;
- verbal interviews;
- one case study on the operational work of the Western Cape Regional Land Claims Commission: exploring the inclusion of environmental concerns
- a literature review on land and the environment; and
- a review of the Policy and the Guidelines for the Integration of Environmental Planning into Land Reform and Land Development (PGIEP).

The responses to all questions were analysed using categorisation of data according to the themes used in the questionnaire.

1.7 Sample realization

In 1999 DLA contracted PLAAS as a service provider for the first phase of the training programme for integrating environmental planning into the land reform process. Five years later the DLA sent out a tender for the second phase of the programme. PLAAS did not respond to the tender and it was awarded to Phuhlisani Solutions. The researcher requested and received a register from the service provider of the National Training Programme (Phuhlisani Solutions) with the personal information of all the participants.

From the list the researcher randomly selected 5 participants per province, except the Western Cape where 10 participants were selected. This added up to a total of 50 participants. Respondents were contacted telephonically and requested to take part in the survey. However, some of the participants could not be reached as they had changed employment. For those who were traceable the researcher had to undertake some detective work to get hold of them. Where the participants could not be traced, the researcher randomly drew other names from the list to replace them. A total of fifty questionnaires were sent out by e-mail to the participants who could be contacted.

1.8 Limitations of the study

As this was an electronic survey, only 24 out of the 50 questionnaires originally sent out were returned. This happened in spite of the several telephone calls made by the researcher reminding and requesting the participants to return the questionnaire. Logistically it was not possible to conduct follow-up interviews with everyone who responded to the questionnaire. The researcher therefore decided to limit the follow-up interviews to respondents from the Western Cape

During the follow up-interviews, the researcher found that two of the respondents had changed employment. As a result the researcher was forced to rely on the questionnaires that were submitted by these respondents.



CHAPTER 2

LAND REFORM AND ENVIRONMENTAL PLANNING

2.1 Introduction

The South African government's land reform policy, set out in the 1997 White Paper on South African Land Policy (DLA, 1997), falls under the jurisdiction of the Department of Land Affairs (DLA). The role of the DLA is to deliver land to the victims of racially motivated land dispossessions. A major political target for the DLA is to ensure that 30% (defined by Lahiff (2008) as 24.9 million hectares) of agricultural land is transferred to black South Africans by 2014. Thus far the progress has been very slow; for example, Department of Land Affairs as quoted by Lahiff (2008) reported that the total amount of land transferred only under redistribution by the 31st of March 2007 is reported as 2 299 000 (9.23) hectares. This has been the major criticism levelled at all three components of the land reform programme. The frustrations over the slow pace of the land reform have been demonstrated mainly through land invasions, primarily in urban areas. Invasions have, however, also occurred in some rural areas such as Dwesa-Cwebe, Mkhambathi on the Wild Coast and the Mudimbo corridor along the Limpopo River. Most of these cases involved restitution claims (Cousins, 2000). Given the pressure and progress to date, the current focus of the DLA is to accelerate land reform to meet the set targets. The major concern is that the current pressure on the DLA to accelerate the delivery of land may be at the cost of environmental sustainability. When people invade land without settlement support and knowledge of land use, the resulting pressure on the land could have severe consequences, such as land degradation.

The other challenges for the land reform programme relate to benefit sharing, social sustainability and economic viability, which prove that it may be extremely difficult for land reform to restore what has been lost as a result of the past policies. Over the past five years there has been rising pressure on the South African government to abandon its market-based approach to the redistribution of land for more direct state intervention in the acquisition of the land, and for a wider agrarian reform to address rural poverty and

inequality (Independent Review of Land Issues, 2007:33). Land reform in South Africa, although seemingly radical, comprehensive and ambitious, has been relatively slow and has failed to meet expectations (Lahiff, 2003). This failure may result in more pressure on the land and its natural resources, because the acceleration of the land reform process and the focus on socio-economic considerations may compromise the integration of environmental planning. The question of the pace of land reform has been a contentious one since 1994. Since the advent of democracy, those dispossessed of land, those in poverty with no land to produce on, and those with no security of tenure have believed that their plight would be addressed. However, many have been frustrated by the slow pace of change in land ownership and access (Nkuzi Development Association, 2004). As a result the current aim is to increase the pace of land reform delivery as well as the quality of the land that is being delivered. Quality should maximise the development benefits that land reform can bring. The aim of the government's land reform programme has always been to improve the lives of the poor and to contribute to economic development. The beneficiaries of land reform have been equally keen to experience these benefits. To ensure the effective use of land and to achieve broader economic and community development are not "nice to have", add-on extras, but are a fundamental part of land reform and have to be part of our thinking when we tackle the question of the pace of land reform (Nkuzi Development Association, 2004).

This chapter lays the basis for the need to consider environmental planning in land reform. At first, it highlights the link between land and the environment and then draws attention to the legislative mandate for environmental protection. This is followed by a synopsis of the current status of the environment in South Africa, as it relates to poor land management. Lastly, it focuses on the initiatives undertaken in trying to address the challenge of considering environmental concerns.

2.2 Land and the environment

The term "environment" is used to refer to everything that is around us; land, water, atmosphere, places of special importance and plant and animal life. The environment has four fundamental roles: it is life supporting, resource providing, waste assimilation and

recreational and aesthetic (Fitzgerald, 1995). This means that our lives and the lives of our children and grandchildren depend on the health of our environment. The environment therefore has a tremendous influence on human life and the well-being of communities. In the long run it affects us all when the environment becomes degraded due to poor land use, but poor people suffer the most. On the other hand, land is a finite resource which, if used efficiently and sustainably, can lead to development, economic growth, employment and rising living standards (Chenge *et al.*, 1998). The fate of the environment is intimately linked to the use of land for agricultural production and to development planning. This can only be maintained if the land is not damaged; once damaged or contaminated, land can be extremely difficult, if not impossible, to rehabilitate and the soil itself can become a source of pollutants. Several serious environmental problems can arise during the implementation of land reform. Land is an environmental, social and economic good and is a key resource for the realisation of development opportunities (UNEP, 2006). Degradation is, however, threatening the potential of land to contribute to development (DEAT, 2008:1).

Similar to South Africa, the Zimbabwe resettlement programme was applauded as a positive step to address the problem of overcrowding in communal areas, but it was also seen as replicating the environmental conditions in the communal areas (Moyo *et al.*, 1991). Government agencies and the public both expressed general concern over the environmental degradation caused during the “fast tracking” of the process. The negative impacts of the “fast tracking” were manifested in the decimation of wildlife and rampant tree cutting that caused degradation (Manjengwa, 2006:7). In spite of the criticism of the Zimbabwean experience with land reform, serious attempts were made to address environmental concerns and various measures were initiated and implemented. For example, the Ministry of Environment and Tourism, as mandated by the natural resources, wildlife and forestry laws that protect the environment and natural resources, responded to concerns over environmental degradation caused by the new settlers. It formed a national-level Task Force as an Integrated Conservation Plan (ICP) for the Fast Track Land Reform Programme (FTLRP). The aim of the ICP was to address environmental concerns and to come up with alternative land uses and options that would

enable the FTLRP to be environmentally sustainable. The Task Force comprised the departments and parastatals associated with the Ministry of Environment and Tourism, namely the National Parks and Wildlife Management, Natural Resources, and the Forestry Commission. The ICP document contains activities which include environmental awareness, capacity building, enforcement of environmental legislation, environmental monitoring, facilitation of production of land use plans, promotion of natural resource-based income-generating enterprises, and the management of wildlife resources on all resettled farms (Ministry of Environment and Tourism, 2001:2). Most of actions proposed in the plan actually reflect the enforcement of existing legislation and management practices.

Comments on the ICP documents were generally favourable. The ideals behind the ICP plan were noble and prudent and, at the theoretical level, a well thought-out environmental management strategy (Murombo, 2002). The implementation of the ICP involved awareness raising and training workshops to inform stakeholders, as well as the formation of farm-level natural resource conservation subcommittees. Limited funds were, however, available from the State. As a result the ICP was implemented at low cost and as quickly as possible in a top-down process, the flow of command being continuously downward to the farm level to ensure compliance with recognised conservation practices. Newly-settled farmers were generally receptive to conservation measures, especially in cases where sound environmental management had tangible economic benefits (Manjengwa, 2006:8).

The lesson that could be learned is that the Zimbabwean ICP is a holistic approach to address environmental concerns in land reform and land development processes. Environmental concerns have tended to be dealt with on a sectoral basis. In agriculture for instance, land degradation has been treated as an agricultural problem and attempts to address it were focused on the sector as is evidenced by various pieces of legislation. Such responses ignored the various inter-sectoral drivers of land degradation (DEAT, 2008:10). Land degradation is a cross-cutting issue and is intricately linked to food security, poverty, urbanization, climate change and biodiversity. As described above,

agriculture can trigger land degradation processes, and these processes can interact synergistically with positive feedbacks to have detrimental consequences. For example, inappropriate tillage practices can result in poor soil structure. Poor soil structure can result in reduced infiltration and this often leads to increased run off and soil erosion, which in turn cause pollution of water bodies and affect aquatic biodiversity negatively. Human concerns about the environment and the relationship between nature and society have manifested itself in various ways over the centuries. Land degradation, as manifested by the erosion of fertile topsoil, deforestation and desertification has been identified as a critical environmental issue (Moyo *et al.*, 1993). There is a belief that inappropriate farming methods and overgrazing cause desertification and are turning large parts of Africa into deserts (Kirby & Moyo, 2001). A possible way forward would be to address land degradation in a holistic manner, involving all sectors which drive land degradation, both directly and indirectly. What is important is to have a vision for the future focused not only on meeting human needs for food and other commodities, but also on maintaining ecosystems. Environmental degradation thus needs to be brought to the fore in decision making and all the implications of decisions on land degradation must be taken into consideration. The major challenge is to ensure that land reform does not degrade the environment as degradation threatens the potential of land to contribute to development.

2.3 National environmental legislative mandate

The following acts contain the rights and obligations that mandate the DLA to consider the impact on the environment when land reform projects are implemented. This list identifies and summarises the relevant national laws concerned with environmental issues in the land reform process.

The Constitution of South Africa (Act 108 of 1996) guarantees all its citizens the right to an environment that is not harmful to their health or well-being and to have the environment protected for the benefit of present and future generations. This is to be achieved through reasonable legislative and other measures.

The National Environmental Management Act (NEMA) (Act 107 of 1998) provides for cooperative environmental governance by establishing principles for decision making on matters affecting the environment. The Act calls for institutions that will promote cooperative governance and procedures for coordinating environmental functions exercised by organs of state. It recognises that all South Africans have the right to an environment that is not harmful to their health or well-being, and that the State must protect and fulfil the socio-economic and environmental rights of all and strive to meet the basic needs of the previously disadvantaged communities.

The National Environmental Management: Biodiversity Act (Act 10 of 2004) provides for the management and conservation of South Africa's biodiversity within the framework of the NEMA. It provides for the:

- protection of species and ecosystems that warrant national protection;
- sustainable use of indigenous biological resources;
- fair and equitable sharing of benefits arising from bio-prospecting involving indigenous biological resources; and
- establishment of a South African National Biodiversity Institute (Republic of South Africa, 2004a).

The Environmental Conservation Act (Act 73 of 1989), of which most of its jurisdiction was repealed by the NEMA, sets out to protect the environment through two mechanisms: the determination of an area to have a certain kind of conservation status and the procedures used to determine the envisaged impact of different activities on an area. The Act empowers the Minister of Environmental Affairs and Tourism to “declare” activities or developments that has environmental consequences. Where an activity has been declared, no such activity may be undertaken unless authorization is obtained from the Minister or the Premier of the province involved.

South Africa is also a signatory to a number of international agreements set out to ensure environmental protection. Among these is the United Nations Convention to Combat Desertification (UNCCD), which was established to address land degradation. As a

signatory to UNCCD, South Africa is obliged to develop a national action programme to combat desertification. South Africa has also signed the United Nations Convention on Biological Diversity (CBD). The objectives of this convention are to conserve biodiversity, promote sustainable use of biological resources and a fair and equitable sharing of benefits arising from the use of genetic resources (DEAT, 2003). As a signatory to the convention, South Africa is required to develop national strategies, plans and programmes for the conservation and sustainable use of biodiversity. Under the New Partnership for Africa's Development (NEPAD), South Africa forms part of the Southern African Development Community's (SADC) sub-regional action programme to combat desertification. The programme provides an effective and collective response to problems of land degradation, drought and desertification, especially those that cut across national boundaries.

These international conventions are aimed at achieving sustainable development as advocated in national environmental policies and legislation. They also demonstrate that the promotion of sustained protection of the environment is a factor to be taken into account in the advancement of sustainable land development. The question therefore is whether the land reform programme enables the protection of the environment as mandated by the legislative framework of the country. Because South Africa has such a good environmental legislative framework and has accepted its international commitments in this regard, one would assume that the land policy would, as a result of its impact on the environment, reflect the importance of well designed and implementable plans and procedures to integrate environmental planning into land reform.

2.4 The status quo of the environment in South Africa

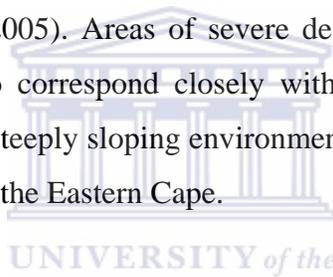
Many socio-economic and environmental consequences arise from the inequalities in access to land, land based resources, and insecurity of tenure. Overcrowding in the former homelands areas continues to put pressure on terrestrial resources, including soil productivity and biodiversity. In these areas unsustainable land use practices and lack of basic services contribute to increased land degradation and desertification. The causes of degradation and desertification include socio-economic, biophysical, climatic, and land

use factors. Both degradation and desertification are among South Africa's most critical environmental issues, intricately linked to food security, poverty, urbanisation, climate change and biodiversity. Globally, desertification affects 70% of all dry lands, while 73% of Africa's agricultural dry lands are degraded. Relative to overall global conditions, South Africa has more widespread and serious physical soil degradation. As much as 91% of South Africa is comprised of dry lands, making it susceptible to desertification (DEAT, 2005). Where there is no electricity, for example, wood is harvested for energy. Land degradation is caused by a combination of factors, including both climatic and human impacts and interaction with the natural and social environment. Land degradation is believed to be one of the most severe and widespread environmental problems in South Africa (Hoffman *et al.*, 1999). Land degradation results in a significant reduction in the productive capacity of the land. Human activities that contribute to land degradation include unsuitable agricultural land use, poor soil and water management practices, deforestation, removal of natural vegetation, frequent use of heavy machinery, overgrazing, improper crop rotation and poor irrigation practices. (UNEP, 2002:2). Land degradation is defined by Hoffman & Ashwell (2001) as the loss of the biological or economic productivity of an area primarily caused by human activities. Land degradation is not only about land, it is also about people. In South Africa, millions of people who depend on natural resources for survival are directly affected by natural resource degradation and many of them live below the poverty line. Yet the capacity of the country's land, water and biological resources to sustain its people is being degraded. The community faces the biggest challenge as land degradation undermines the productive potential of the land and its resources, thus impacting directly on human well-being. Soil degradation is most severe and is increasing in most communal croplands, grazing lands, and settlements in South Africa (DEAT, 2005).

Over the past century, the underlying causes of land degradation in South Africa have mostly originated from policy. Land policy has driven land degradation in the former homelands historically by causing a concentration of poor people on limited land, as well as a dependency on linkages with the urban economies, which together have weakened the rural economy and reinforced the effect of poverty (DEAT, 2004:21). The manner in

which the land reform programme is being implemented, with its lack of post settlement support (capacity building) often renders land unproductive and fallow (DEAT, 2005).

The audit conducted in 1999 on the state of land degradation in South Africa provided the national synthesis of the state of land degradation in South Africa (Hoffman *et al.*, 1999). It revealed that Limpopo is the province with the highest level of combined soil and vegetation degradation, followed closely by KwaZulu-Natal and the Eastern Cape. They all have high proportions of grazing lands and experience problems of decreasing vegetative cover, bush encroachment, alien plant invasions, and changes in the composition of species. Deforestation has also been visible and is on the increase in the communal areas in these provinces. This is the result of the clearing of trees for cultivation, settlement, the use of wood and non-wood forest products as well as large areas of woodland (estimated at 1.2 million hectares) that have been converted to fields and settlement sites (DEAT, 2005). Areas of severe degradation and desertification in South Africa are perceived to correspond closely with the distribution of communal rangelands, specifically in the steeply sloping environments adjacent to the escarpment in Limpopo, KwaZulu-Natal, and the Eastern Cape.



Even though in other parts of the country land degradation is not a serious problem, there are areas within provinces that require priority attention. For example, in Mpumalanga, where the assessment land indicators demonstrate that the land is in a satisfactory condition, many demands are being placed on land resources, ranging from the use of land for agricultural production, mining, industries and afforestation to ecotourism, private game farming and protected areas for nature conservation (DEAT, 2005).

Land degradation undermines the productive potential of land and water resources. The major consequences of the above situations are considerable and diverse in terms of the goods and services provided by natural ecosystems, and it directly affects human well-being. An up-to-date national data set of the levels of degradation and desertification does not exist. It is therefore difficult to determine quantitatively whether the degree of degradation has worsened since 1999. There is also a pressing need for an objective, repeatable, systematic and, especially, explicit measure of degradation, because

degradation affects food security, international aid programmes, national economic development and natural resource conservation strategies (Wessels, *et al.*, 2004). The degree of land degradation in South Africa is a cause for alarm.

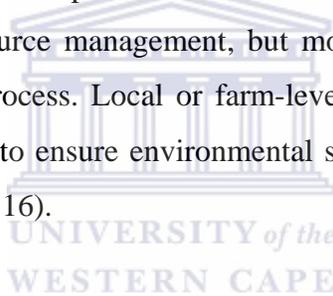
The situation may, however, be reversed by means of cooperative governance, the clarification of the roles of the different role players and the integrated application of environmental and land reform policy. Against this background it would be a very serious oversight to ignore the issue of environmental concerns as they relate to land reform. It is critical that the land reform projects pay close attention to people's environmental needs in their relationship with land. Land redistribution and the restitution programme could potentially subject areas currently under commercial management to the socio-economic driving forces of land degradation (Dean *et al.*, 1996; Fox & Rowntree, 2001; Shackleton *et al.*, 2001). The integration of environmental planning into land reform is central to preventing land degradation and maintaining sustainable land use. A major challenge in the land reform programme is how to integrate environmental planning effectively to ensure that land users are capable of managing land resources for sustainable development.

2.5 Major developments and initiatives for the inclusion of environmental planning into land reform

It is important for interested and affected parties that the pace of land reform delivery is increased, provided also that it is done properly through the integration of environmental planning. There are a number of examples of weaknesses in the current initiatives in this regard. Simultaneously, various reasons have been suggested for the persistence of the environmental crisis narrative. Successful integration requires a greater level of involvement from a range of government departments and other stakeholders and a greater commitment of resources. At the highest level of government - Parliament, the Cabinet and the Presidency - land reform needs to be prioritised. This priority is justified by the importance of land reform in addressing the legacy of apartheid, the potential benefits if it is done well, and the negative consequences to the country of not

implementing sufficient reforms and/or doing them badly (Nkuzi Development Association, 2004).

For example, in Ethiopia a lack of adequate access to land and control over land by peasants are said to be amongst the principal reasons for rural poverty and food insecurity. The enforced land redistribution of the last thirty years remains a major cause of the insecurity of tenure perceived in the highlands. Land policies have also marginalised pastoralists in the semi-arid lowland areas. They lost access to vital drought fall-back areas which were requisitioned by the authorities for irrigation and rain fed crop production (Independent Review of Land Issues, 2007:11). Effective environmental management driven by local initiatives and participation should provide the key to reducing rural poverty, as well as conserving the natural resource base. The active involvement of local people in the process is therefore perceived as a prerequisite for community based natural resource management, but more as a sideline rather than an integral part of the national process. Local or farm-level natural resource management committees have the potential to ensure environmental sustainability in the land reform programme (Manjengwa, 2006:16).



A lack of capacity is one of the most serious problems facing the planning system in South Africa. There are a number of dimensions to the problem. International research has shown that capacity is a key issue in determining the shape of the planning. While the lack of capacity is most acute at the local and provincial levels, there are also problems in the national government. The capacity problem has resulted in a serious increase in the backlogs of developmental applications in both large and small municipalities (National Development and Planning Commission, 1999:16). Capacity building is a necessary component of the effort to achieve the national government's objectives in the area of economic development, employment creation and poverty relief.

Sustainable land use is the objective that must be achieved in combating land degradation and the effect of drought. Sustainable land management means the integrated process of improving land management while alleviating poverty, promoting local development and sustaining the flow of ecosystem goods and services from the land (DEAT, 2004:11). In

the land reform process, conscious provision needs to be made for environmental planning in order to contribute to sustainable development. In the absence of environmental planning, land degradation is regarded as a major threat.

For example, in Namibia land degradation was identified as a problem threatening human livelihoods and economic well-being, particularly for the majority of the population who depend directly on natural resources for their livelihood. The government of Namibia recognised that in addressing the causes of land degradation, the need for sustainable land and water management, conservation, sustainable use of biodiversity and adaptation to climate change should be central to the government's poverty reduction strategy and to ensure environmental sustainability (Global Environment Facility, 2007:1).

In Mozambique, fragmentation and lack of coordination between different line ministries resulted in the poor implementation of land reform and agricultural policy in communal areas. Closer collaboration between the Ministry of Land Resettlement, the Ministry of Environment and Tourism and the Ministry of Agriculture, Water and Forestry with respect to joint land use projects should be encouraged (Independent Review of Land Issues, 2007:25).

The relevance of the situation to South Africa is that the DLA and the Department of Agriculture are implementing the Land Redistribution for Agricultural Development (LRAD) programme jointly. Although one of the objectives is to promote environmental sustainability of land and other natural resources, the Department of Environmental Affairs and Tourism (DEAT) is not directly involved (Ministry for Agriculture and Land Affairs, 2000). Since the responsibility for natural resource management is spread over different national and provincial ministries, the institutional framework has generally failed to integrate the approaches to land use. Natural resource management remains sectoral and fragmented, due to a lack of integration and a lack of coordination within the relevant ministries. Cooperative governance by departments and institutions of government, and sound working arrangements between its national, provincial and local spheres are fundamental if land restitution is to deliver sustainable results. The

responsibilities of the Department of Agriculture, the DEAT and the DLA are primarily concerned with management and sustainable utilisation of our natural resource base. These responsibilities require the mobilization and involvement of the community at large, as the future depends on the way we manage our land and its natural resources (Didiza, 2005).

2.6 Conclusion

Many countries in Eastern and Southern Africa are clearly struggling to implement the laws and policies that they have formulated in recent years. There are many reasons for their difficulties, including over-ambition, lack of capacity and scarcity of financial resources (Independent Review of Land Issues, 2007:72). This has also been the case in South Africa. In its planning South Africa has responded to the issue of environmental planning in land reform. This can be demonstrated by highlighting the policies and programmes implemented by the DLA, which include, amongst others, the following:

The Guidelines for the integration of environmental planning into the land reform process are based on the principle that the sustainability of land reform is determined by the beneficiary's capacity to ensure a sustainable livelihood from the land, which, in turn, is fundamentally dependent on good planning and management of existing natural resources. At the institutional level, the Guidelines recommend that issues of environmental planning and land reform be dealt with thoroughly in the integrated planning process of district municipalities, and that land reform projects be implemented in accordance with those plans.

The DLA has also recently developed the Settlement Implementation Support (SIS) strategy, which addresses, amongst others, livelihoods; enterprise and technical support; integrated natural resource management and sustainable settlements; capacity and institutional developments; functional and special integration, and finally, area-based planning and provincial growth and development strategies (PGDs). This Strategy provides a detailed analysis of the current situation in the land reform projects that have been transferred thus far. It clearly sets out the content of support that is needed by

beneficiaries in their attempts to achieve sustainable development on the land that they have acquired through the land reform programme.

Environmental sustainability is one of the principles of South Africa's land reform policy. The White Paper on South African Land Policy promotes a system of land management that will support sustainable land use patterns and ensure that land reform contributes to equitable and sustainable growth and development (DLA, 1997). Programmes are thus required to promote the sustainable management of land resources for sustainable land reform.



CHAPTER 3

INTEGRATING ENVIRONMENTAL PLANNING INTO LAND REFORM AND LAND DEVELOPMENT: PROJECT DESIGN AND IMPLEMENTATION

3.1 Background of the project

The Department of Land Affairs (DLA) has a legal obligation in terms of the National Environmental Management Act (NEMA), Act 107 of 1998 and other environmental planning legislation to deliver a sustainable land reform programme. The goal is to address the legacy of apartheid as far as land distribution is concerned and to create security of tenure and certainly in respect of the rights to land for all South Africans. In discharging this obligation, the DLA realised that sustainable land reform cannot be achieved without giving due consideration to both the biophysical and socio-economic environment, hence the need to incorporate environmental planning into land reform and land development (DLA, 2001a: VII). Against this background, the South African Government entered into an agreement in 1998 with the Danish Government Agency (DANCED), to run a project for the integration of environmental planning into land reform and land development. This followed a report commissioned by the DLA in 1997 entitled “Environment and Land Reform in South Africa”, which highlighted the need for such a project. This need was substantiated by another report commissioned by the DLA in 1998 entitled “Assessing the Environmental Impact of the Land Reform Programme”. The project started in September 1998 and was based within the Land Development Facilitation Directorate of the DLA. The development objective of the project was for environmental planning to become an integral part of the whole land reform process. This was to be achieved through the fulfilment of the following immediate objectives:

- The provision and adaptation of institutional arrangements, procedures and Guidelines for incorporating environmental planning into land reform and land development at the local, provincial and national levels, and to have it reflected in appropriate policies.

- To provide an increased capacity within the DLA, local authorities, Non-Governmental Organisations (NGOs) and other service providers to integrate environmental concerns into both the land reform and land development process.

This meant that two major tasks had to be achieved during the lifespan of the project. The first related to policy development and the establishment of formalised procedures to integrate environmental planning into land reform and the land development process at all three levels of government. The second related to capacity building and institution strengthening of the DLA.

In March 1999, a contract for the implementation of the training component was signed with the Programme for Land and Agrarian Studies (PLAAS¹), based at University of the Western Cape. The approach taken by PLAAS was threefold:

- PLAAS planned a number of foundation courses to introduce key concepts and provide an initial framework for the integration of environmental planning into the land reform process.
- These issues were subsequently picked up and explored in more depth through project focus groups in the provincial demonstration areas.
- The focus groups had to examine how, on the basis of selected projects, they could contribute to the development of a set of environmental planning guidelines that address key issues in sustainable land reform, while remaining practical and implementable at the same time.

3.2 Implementation of the training programme

Prior to designing a training programme in March 1999, PLAAS conducted a Training Needs Assessment (TNA). The purpose of the assessment was to provide the basis for the design and implementation of a training programme for the DLA/DANCED project. This was done with the realisation that the training programme should be supportive of and

¹ The tender for the second phase of the project which was initiated almost five years later was awarded to Phuhlisani Solutions in 2005

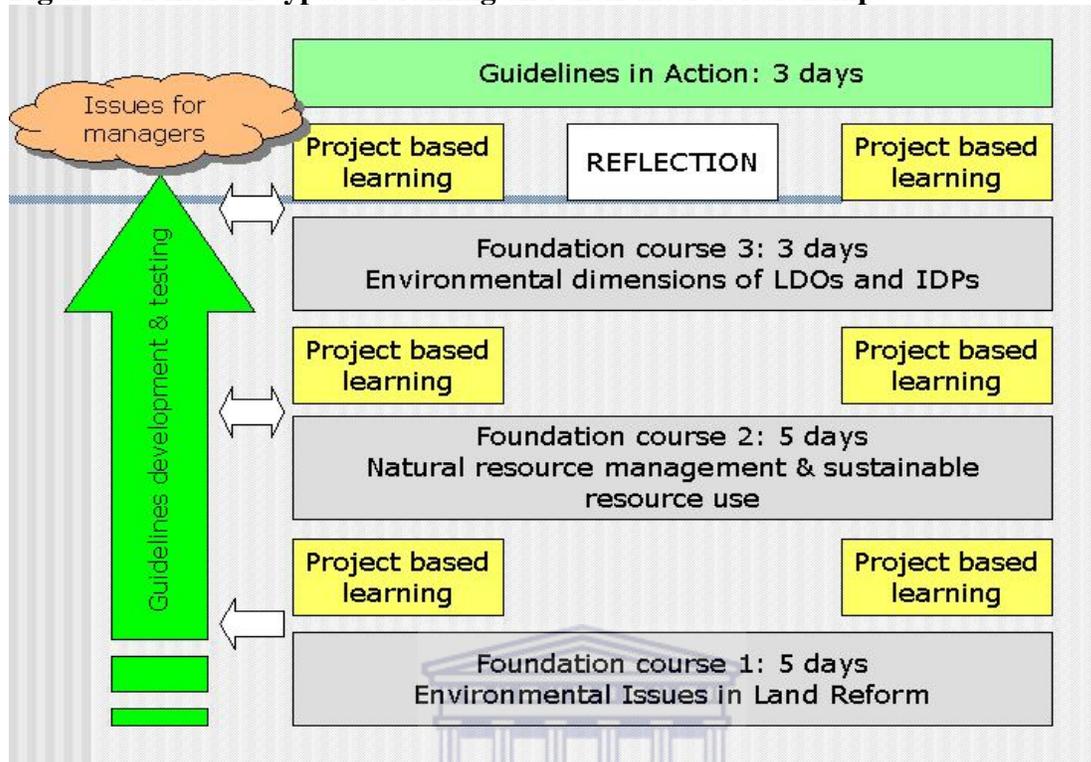
integrated into the broader project strategy and that it should also meet the needs of the participants. It also implied that the training component had to be supportive of and complementary to other elements of the project, namely that of developing and testing the guidelines, and establishing the institutional arrangements. PLAAS conducted the TNA in each province by attending project meetings in which project staff and other stakeholders participated, for example a workshop on the draft guidelines in the Free State and a project reference group meeting in Mpumalanga. This approach also involved conducting interviews with stakeholders. Based on the TNA, the training programme by PLAAS had to meet the following requirements:

- Enable participants to develop an understanding of key concepts.
- Provide a framework for integrating environmental issues into different aspects of the land reform programme.
- Create opportunities to apply the learning in the project context.
- Facilitate the development and limited testing of methodologies for developing environmentally sustainable development plans with beneficiaries at project and district levels.
- Allow for the distillation of this experience into a user friendly and practical set of planning guidelines.

PLAAS indicated in its proposal that as far as the selection of the participants for the courses was concerned, the key to the success of the training programme would lie in the selection of the trainees at provincial level and the extent of management buy-in and support for the training programme. PLAAS subsequently designed a training programme (see Appendix F) that was targeted at officials from different government departments, including the DLA, the Department of Environmental Affairs and Tourism (DEAT), the Department of Agriculture, as well as other stakeholders. In the training programme three types of training were planned:

- Foundation courses.
- Project based training (with the focus on selected land reform projects in the two demonstration areas of the project).
- Guidelines in action (the application of the draft guidelines within a project context).

Figure 1: Different types of training and their inter-relationships



Data Source: Information received from Phuhlisani Solutions

3.3 Planned and implemented courses:

3.3.1 Foundation courses

Four courses on environmental issues in land reform were presented. The objectives of these courses were to explore the scope of the land reform programme, environmental issues in land reform projects, and policy and legislation.

In addition four courses on natural resources management and sustainable resource utilisation were conducted to assess land conditions, potential and land management requirements. Participants were also exposed to the environmental dimensions of planning and the development processes, to policy and to legislation.

3.3.2 Project based training

Six project based training courses were conducted, of which three were in the Free State and three in Mpumalanga. Participants were exposed to various types of land reform projects and to the positive effects that integration has on the natural environment and

livelihood opportunities for beneficiaries. A two-day training course for managers was also held.

3.3.3 Guidelines in action

Two workshops on guidelines were conducted, with the objective to critically examine the draft guidelines for the integration of environmental planning into the land reform programme.

To round off Phase 1 of the programme, a workshop was designed to introduce the guidelines to DLA planners, agricultural extension personnel and environmental officers from different provinces. The workshop introduced key ideas and concepts informing the approach to environmental planning advocated by the guidelines. It exposed participants to different planning tools and methods. It highlighted areas where different environmental planning interventions fit into the project cycles of different land reform outputs, such as the Land Redistribution and Agricultural Development Programme (LRAD), restitution and tenure. The workshop provided space for participants to examine the institutional arrangements which needed to be developed at provincial, district and local levels to enable the Guidelines to be implemented, adapted and updated effectively. Over the duration of the project, the DLA guidelines were reviewed and revised and this resulted in a six month extension for Phase 1 to ensure effective alignment. This project which involved the DLA and DANCED ran between 1999 and 2001 and produced the “Guidelines for the integration of environmental planning into land reform and land development (See section 3.5 for a summary of the Guidelines). These Guidelines were the major output of the DLA/DANCED project and were subsequently approved by the Director General of the DLA and confirmed as the DLA Policy in May 2001.

In 2001 the roll-out of the Guidelines was planned in cooperation with the Department of Agriculture. The objective of Phase 2 of the project was to increase the capacity to integrate environmental issues into both land reform and the land development process at the local, provincial and national level. A key focus was to operationalise the Guidelines at provincial level.

Political changes in Denmark resulted in the closure of the DANCED programme. As a result of these changes, funding was no longer available for Phase 2 and the DLA's plans to operationalise the Guidelines were unsuccessful. However, the Department subsequently obtained support from the Danish International Development Agency (DANIDA) for a final phase of the programme to focus on building the capacity to implement the Guidelines in all nine provinces. In 2005 the DLA contracted Phuhlisani Solutions and Developmental Services to undertake this capacity building process on its behalf. The main objective of the training programme was to establish capacity within the DLA and other role players to help integrate environmental concerns into land reform and land development through the implementation of the existing Policy and Guidelines and to implement and monitor these effectively in all the provinces.

Before the service providers could design and deliver a training programme and develop the capacity to implement the environmental Policy and Guidelines for the Integration of Environmental Planning into Land Reform and the Land Development process (PGIEP), they first had to conduct an investigation within the DLA to explore whether the DLA and its partners were aware of the Guidelines, as well as the extent of their engagement with the range of environmental policies and legislation applicable to land reform. The findings of the investigation revealed that there was a limited awareness of the PGIEP within the provincial land reform offices (PLRO) and it was of little to no use to them in project planning and implementation.

3.4 Phase 2: Training programme

The training programme targeted officials from different government departments including the DLA, the DEAT and the Department of Agriculture. The training also involved officials from local government and land reform beneficiaries from selected projects. There were only eight days available for the training in Phase 2 which meant that the service providers had to compress the content to cover only the necessary ground. The training was presented in the following three phases (see Appendix G for more detail):

- Foundation course.
- Field based learning.
- Institutionalisation workshop.

3.4.1 Foundation course

The foundation course was a three-day course and involved, amongst other things, the extent to which environmental issues are addressed in the current land reform planning processes and current land reform projects. Participants were introduced to the concept of sustainable livelihoods and the policies and legislative context in which land reform takes place. The course also provided a rapid scan of the diverse policies and laws that frame land and natural resource use, as well as land use planning.

The last part of the foundation phase focused on the integration of environmental considerations into land reform planning and was designed to introduce the PGIEP, its content and its approach. During this session, participants were also introduced to the Environmental Decision Support Tool (EDST) (see Figure 2) and how environmental considerations should be included in the planning process of different types of land reform projects.

However, after the foundation course, the participants indicated that the EDST was complex and not user friendly and they raised concerns about the feasibility of putting together interdisciplinary or interdepartmental teams that would review the tool. Concerns were also expressed about difficulties that could be encountered in using the EDST with the participants in a meaningful way. These reservations were echoed by environmental professionals and were discussed with Environmental Planning Support Unit (EPSU). As a result the DLA contracted the Environmental Evaluation Unit (EEU) of the University of Cape Town (UCT) to develop a simpler assessment tool which was to be piloted during the four field based learning sessions where after it would be revised accordingly (Phuhlisani Solutions and Development Services, 2005:8).

The EEU subsequently developed the Environmental Sustainability Assessment Tool (ESAT) (see Figure 3) as an alternative approach to environmental assessment. The tool

was intended for use in all land reform projects, although different elements had different applications and different emphases, depending on the project under consideration. It was also intended to provide a practical tool to implement the DLA Guidelines (Wynberg & Sowman, 2005:1).

The ESAT was designed to be

- simple and easy to understand;
- affordable in terms of financial and human resources;
- easy to streamline and to integrate into existing planning and environmental assessment procedures and documents ;
- adaptable for use on different projects by land reform participants and beneficiaries;
- able to incorporate local knowledge and perceptions, and
- useful as a baseline from which indicators could be identified and developed for monitoring and evaluation.

Nonetheless, the main emphasis of the tool was on the biophysical and ecological aspects of environmental assessment.

3.4.2 Field based learning

The objectives of the field based learning were to apply the PGIEP and provide exposure to its assessment tools and methods and also to develop appropriate strategies for the different provinces to institutionalise the Guidelines. Four field based learning courses were conducted in different provinces. Each course was designed around a different case study that had been profiled in advance. These were conducted on the following projects:

- Covie: a restitution claim in the Southern Cape.
- KwaZanele: a commonage project in Mpumalanga.
- Mtakatye: an Interim Protection of informal Land Rights Act 31 of 1996 (IPILRA) project in the Eastern Cape
- Boskuil: a ‘legacy’ redistribution project from the North-West Province

3.4.3 Institutionalisation workshop

For one and half day institutionalisation workshops were held and participants were taken through the institutional arrangements that would enable the DLA and its partners to apply the Policy and Guidelines and to use the ESAT tool in the best possible and

practical manner. Participants reviewed the existing capacity to apply the Guidelines in their offices and estimated the time and cost implications of integrating the ESAT. They also examined ways in which to involve internal DLA units such as Spatial Planning Information (SPI) to support the sustainability assessment process. This allowed the participants to make proposals on how to ensure adequate capacity. Participants were joined by their managers on the second day of the workshop.

3.5 Summary of the Guidelines

A major output of the DLA/DANCED project was the Guidelines for the integration of environmental concerns in the land reform process and land development.

The aim and the purpose of the Guidelines were to assist the DLA to achieve sustainable land reform through the incorporation of land use planning principles. They were intended to incorporate environmental planning procedures into the land reform planning procedures to avoid environmental degradation. The Guidelines were in response to the negative environmental impacts of numerous land reform projects. They were developed for DLA planners and agricultural officers of the provincial departments of agriculture responsible for land reform implementation. It was anticipated that other government and non-government service providers would also find the Guidelines useful.

The different chapters of the Guidelines are summarised below.

The key issue addressed in Chapter 1 of the Guidelines is the conflict between the delivery of land rights and sustainable livelihoods. The conflict is the result of developments that originated from attempts to address some of the problems related to incentives to ensure the sustainability of land reform. These developments focussed on:

- generating economic development and sustainable enterprises on land;
- encouraging participants to invest in their own land;
- improving food security and quality of rural livelihoods, and
- a move to revise the grant system that would discourage too many people from settling on a parcel of land with limited natural resources.

This chapter also emphasises the fact that land reform is likely to change land use or land use intensity which might generate a number of unintended consequences that impact negatively on the natural resources and rural livelihoods. The DLA should therefore prioritise sustainable land development. As stated in the NEMA, the DLA, with its responsibility to both manage and affect the environment, had to draft its own Environmental Implementation and Management Plan (EI&MP).

Chapter 2 recognises that ecosystem goods and services have value for both the land reform participants and the off-site users, and the value of these benefits is generally realised through the use of these resources. Therefore the way the ecosystem goods and services are used and the way investments are made in land use; determine the sustainability of the local environment and its associated economic activity. This chapter emphasises that a resource use pattern that is exploitive, where the use is greater than the supply (for example, where more wood for fuel is cut down than is produced), results in a diminishing resource base, a less functional ecosystem and a declining ability to supply goods and services for human users. The Guidelines promote a participatory approach which draws on the skills and knowledge of an interdisciplinary team that includes community experts. The approach promotes an interactive partnership between planners and project participants where participants are free to make informed decisions about their own development. Land use planning is a technical process involving the systematic assessment of physical, social and economic factors in such a way as to encourage and assist land users to select options that secure and enhance their livelihoods and increase productivity. The Guidelines put emphasis on Community Based Natural Resource Management (CBNRM), which involves the promotion of a broader and deeper understanding of how natural resources can be used and managed in a sustainable manner through group-based institutions and decision making. In this chapter there is the realisation that because rural communities are not homogenous, gender issues should also be integrated when participatory approaches are applied. Land reform participants differ according to gender, age, ethnicity, race, religion, wealth and other factors. An awareness of these differences assists planners to respond to the developmental issues of the people and of the land.

Chapter 3 provides an overview of the legislation and policies that have environmental implications for land reform. These include the Constitution of the Republic of South Africa (Act 108 of 1996), land reform laws, environmental management laws, planning laws and resource management laws. The overview informs practitioners of what they should look out for in the different laws, it provides an overview of the aim of different laws and policies and indicates which government department(s) to approach for more information. For example, the purpose of the National Water Act (Act 36 of 1998), which is a responsibility of Department of Water Affairs & Forestry, is to rationalise the legal framework for water and provide for the more equitable and sustainable management of the country's resources. According to this Act, land reform participants will not automatically be entitled to unlimited access to the available water resources after they gain access to land. Once catchment management agencies have been established and catchment management strategies drawn up, land reform projects requiring water in excess of the basic needs requirements will be subject to the strategy for the particular area. This would have a significant impact on planning projects which depend on irrigation. It is therefore important that when catchment management strategies are formulated, the DLA planners are able to articulate clearly the needs of land reform participants clearly.

Chapter 4 explores the institutions that currently are responsible for managing the planning and implementation of land reform projects, and how their role can be maximised to enhance natural resource management in the land reform context. This chapter states that a very important aspect of land reform projects is to ensure that there is sufficient capacity within the DLA, and specifically within the provincial offices, to support local level implementation in the districts. At the land reform project level there are two easily identifiable institutions involved, namely the

- Development Cluster, which is responsible for the planning and initial implementation of a project and the
- Common Property Institution, which may be a tribal authority or a group of land reform project participants.

It is therefore important that the roles and responsibilities of the different institutions are clearly defined and that there is good communication between all members of these institutions, as some of them will be using or owning the land. Governance, the administration of natural resources and environmental management, must be exercised by the community structures responsible for the administration and development of the land and the community.

A generic approach to include the environmental concerns in the overall land reform procedures is introduced in Chapter 5. The model also forms the basis from which detailed environmental interventions for redistribution (the LRAD and commonage), restitution and tenure were developed. The generic land reform planning model is viewed as a three phase model: it encourages that an assessment and an informed decision be made after each phase of the project. This approach would be useful in cancelling or to conceptualising projects that are not feasible or environmentally sustainable in the early stages. In this way the costs and efforts of the project would be minimised and the expectations of land reform participants would be managed from the outset.

UNIVERSITY of the

Chapter 6 introduces the Environmental Decision Support Tool (EDST), which was designed to determine the impact of the proposed land use changes or land use intensification as a result of the land reform or land development process. The EDST consist of two cycles:

- The first deals with an assessment of the current status of the land.
- The second deals with an assessment of the impact of the proposed land use change or intensification which should be undertaken with the involvement of the beneficiaries of the land reform.

The EDST (see Figure 2) was designed to inform and direct land use planning in land reform. The focus of the EDST is to determine what natural resources are present, how the use of these resources may change if the proposed project goes ahead and what significance these changes are likely to have on the on-site and off-site users.

Chapter 7 provides supporting information. It deals with social and economic issues, natural resource management and institutional arrangements, which share many of the Local Agenda 21 (LA21) programme areas and objectives. The Guidelines indicate ways in which the desired outcomes of LA21 might be achieved. They contribute towards synergy between LA21, Integrated Development Plans (IDPs) and Integrated Environmental Management (IEM) processes.



Figure 2: Environmental Decision Support Tool and the process for the determination of impacts of proposed land use change

Cycle 1: Status quo assessment

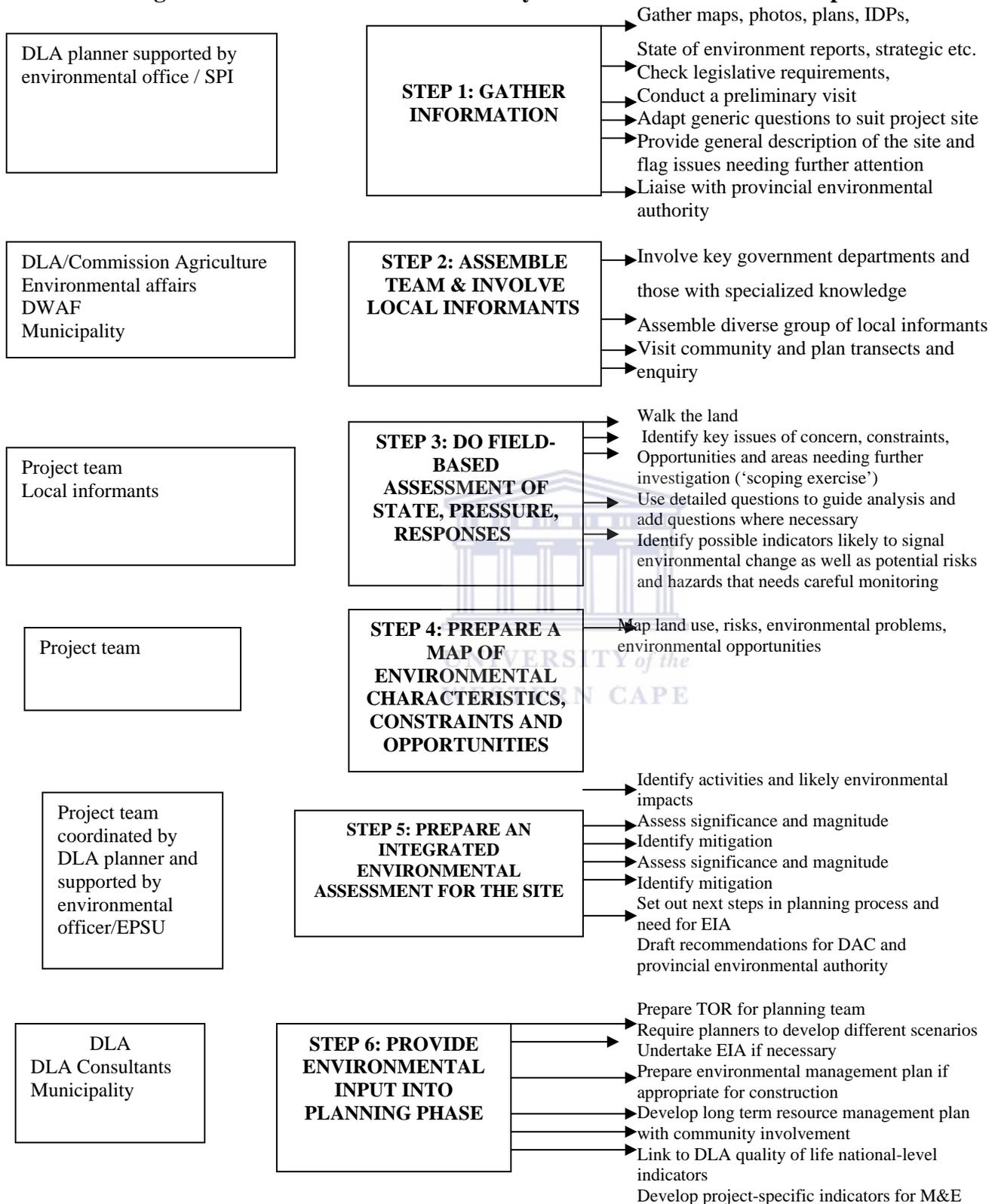
Habitat identification
Potential ecosystem provided by habitats
Habitat functionality assessment
Rivers
Flood plains
Forests
Woodlands
Grassland
Crop lands
Plantations
Wetlands
Dams
Summary of ecosystem functioning and ability to supply ecosystem services
Summary of ranking of ecosystem services supplied by the land
Significant services supplied
The importance of the services supplied by the land
Flood avoidance services
Water regulation services
Water supply service
Erosion control services
Soil formation service
Nutrient cycling and waste treatment service
Pollination service
Pest control service
Natural product services
Recreation and cultural service
Summary of importance of services and service user numbers

Cycle 2: Assessment of changes in service supply and importance with proposed land use change

Changes in habitat functionality
Change in service supply with the proposed land use change
Change in importance of services and service user numbers
Land use options resulting in the loss/reduction of services to which users cannot adapt

Data Source: DLA (2001a:134)

Figure 3: Environmental Sustainability Assessment Tool – Road Map



Data Source: Wynberg & Sowman, (2005:4)

3.6 Observations on and discussion of the DLA/DANCED project

3.6.1 The training programme

When judged from a content perspective, the awareness component of Phases 1 and 2 of the training programme was of good quality as well as relevant. It was also representative of the wide range of all stakeholders at national, provincial, regional and local levels, and within the governmental and non-governmental spheres. However, Phase 2 of the programme was allocated limited time and had a substantive content to cover. Trying to do too much in a short period of time could have been a weakness of the training program. To launch a new programme is both exciting and challenging, but at times such enticement can lead to difficulties in internalising the information. A case in point is the DLA participants who had limited or no knowledge of environmental issues and who could have struggled to assimilate all the knowledge presented to them.

An audit report in 2005 on current training courses and activities in the field of environmental management and sustainable development gave details of the postgraduate training and short professional courses that deal with environmental management (Mohamed, 2005). The report found that training specifically targeted at integrating environmental issues into land reform was not readily available. This could be interpreted to mean that prior to the training programme, the DLA planners had little or no exposure to, or experience with, environmental management information, especially with regard to incorporating environmental concerns into land reform. As a consequence, any future training programme will most likely need to be of an ongoing basis. The break period between the first and second phase of the training programme could also have resulted in the knowledge gained in the first phase to be lost.

In both phases of the training programme management attended for a few days only (two days in Phase 1 and one day in Phase 2). It would probably have been more effective to employ a trainer or trainers after the training programme to visit each provincial office and run one or two day workshops with the appropriate decision makers in each province. The chances of success for a training programme to achieve its objectives at both national and provincial level would be significantly enhanced if “in house” environmental

specialists were employed by the DLA on a full-time basis. Their role would be to engage with the beneficiaries via ongoing training programmes, and together with provincial and national planners and policy makers to, *inter alia*, integrate environmental concerns into land reform planning and land development. The objective of increasing capacity within the DLA to integrate environmental concerns into the land reform process is emphasized in both phases of the project. However, given that the outcomes of the training programme were not monitored at the workplace level, as well as a lack of continuous training, it would be safe to state that although the project had resulted in increased awareness of the importance and value of the environment among the participants of the training programme, this did not happen within the DLA as a whole.

3.6.2 Guidelines

The Guidelines contain valuable information which is useful for the integration of environmental concerns into land reform and for supporting capacity building at the local, provincial and national levels of government. As a result they guide decision-makers to make informed land-use choices. The Guidelines serve as a textbook for training courses and as a reference book for use in local government. They give non-technical explanations of all the relevant legislation. In particular, the Guidelines describe to all decision-makers and other stakeholders involved in land use and development planning how to integrate environmental concerns into land reform and land development. The design of the Guidelines is, unfortunately, not very user-friendly and an “easy to read” booklet that summarises the Guidelines would have been useful to all stakeholders.

The workshop on the Guidelines created an awareness of, and interest in integrating environmental concerns into land reform, as well as an expectation that the Guidelines would be made available as soon as possible. Unforeseen technical delays, however, prevented delivery of the Guidelines immediately after Phase 1 of the project. This delay might have had a negative impact on the project, as it lost some of its momentum. There is therefore an urgent need to implement the Guidelines in a meaningful way which would involve all the relevant stakeholders and to ensure the sustainable use of the Guidelines in future. The current lack of success in the utilization of the Guidelines can

be attributed to the lack of capacity and limited awareness about the Guidelines. It was envisaged that through the implementation of the Guidelines, the DLA (in all provinces) and other role players would have been able to integrate environmental concerns into land reform and land development. However, it is not clear if and how the Guidelines are utilised by the different provincial departments of land affairs to achieve the required integration.

Phase 2 of the project was intended to build realistic developmental linkages for land reform at the district level through test cases in each province. The hope was that it would emphasize and facilitate the necessary interdepartmental collaboration between the DLA, the DEAT and the Department of Agriculture, both at national and provincial spheres, and with other interested and affected institutions of government as significant role-players. The DLA would be closely involved with the implementation of the Guidelines. All these measures were made necessary by the fact that land reform could no longer be seen as simply a process of delivering land rights to beneficiaries. All parties need to be involved to maximise the potential of such rights to promote sustainable livelihoods for land reform beneficiaries. This would also mean the involvement of local government, as they are required by law to address environmental issues in the compilation of their IDPs. Each IDP must include a Spatial Development Framework (SDF) that is underpinned by a Strategic Environmental Assessment. The Guidelines form a good basis to comply with these requirements, but the capacity within local government and other stakeholders to apply the Guidelines is extremely limited, if available at all. In view of this, training that is targeted at all stakeholders, is required. In addition, there is a need to arrange for the distribution of the Guidelines to all stakeholders, accompanied by an awareness action drive and a request to authorities to comply with the requirement regarding the compilation of SDFs and IDPs.

3.6.3 Environmental Decision Support Tool (EDST)

Various methods and tools are presented in the Guidelines including the EDST for integrating environmental concerns into land reform. The tool was designed during the project and presented as an environmental scoping tool to be used during the pre-

feasibility phase in project planning. The EDST was believed to be the most critical intervention and its use was made mandatory on all land reform projects. Essentially the EDST compares what the proposed land offers against what the beneficiaries need from the land. It also gives alternatives and their likely implications, so that they can be addressed in the planning phase of the project development. Even though the EDST seems to be very complex with a long process that has to be followed, the tool has a number of useful components which could still be utilised in integrating environmental concerns into the land reform process.

3.6.4 Environmental Sustainability Assessment Tool (ESAT)

The implementation of the ESAT was evaluated during the training programme conducted by Phuhlisani Solutions. There was, however, no follow up to monitor the use of the tool in the work environment. As the tool was field tested in only four provinces and under very different ecological conditions, it became necessary that the use of the tool should also be monitored in other provinces.

One weak element of the ESAT tool is that it mainly focuses on biophysical aspects which do not address the other aspects of sustainability, for example the relationship between the different social, economic, ecological and institutional elements. All these elements are necessary in assessing the sustainability of the land reform project.

3.7 Conclusion

The DLA/DANCED project appears to have laid a good foundation for the integration of environmental concerns into land reform planning and land development by making participants aware of the need for such integration and for using the PGIEP. No monitoring strategy was, however, put in place to ensure that these Guidelines are implemented. A strategy is therefore needed that will guide, encourage, align and integrate environmental concerns into the land reform process through the implementation of the existing PGIEP.

Currently the human and institutional capacities in environmental research are relatively low. This must be overcome through proactive training programmes that focus on

developing the skills of environmental researchers and the environmental awareness of resource managers and decision-makers. Growth in the institutional capacity will necessitate more concrete forms of support from government to provide the required number of highly skilled research and training staff. Participation at the grass roots level is equally important to provide learning opportunities and can also facilitate the implementation of the research recommendations. The users of natural resources, including some of the poorest people, must become directly involved in the monitoring and interpretation processes. At the same time, top-level decision makers need to be kept informed and also become involved.

The implementation of the Guidelines within the DLA was largely unsuccessful. This can be ascribed to the very low level of capacity that exists in environmental and land-use planning in the department. Some of the contributing factors include a lack of expertise and experience, compounded by a lack of training opportunities and the loss of expertise. The absence of staff dedicated solely to environmental affairs is also a contributing factor. In addition, the project suffered from a lack of political support; for example, when the DLA mentions the problems confronting land reform, the integration of environmental concerns in land reform is never part of the problem list: only the slow pace of the land reform, lack of capacity, staff turnover and the likes are prioritized as current problems in land reform. This could mean that environmental issues are still not seen within the broader perspective of sustainable development. Nonetheless, it should be realised that the environment has four fundamental roles, namely life supporting, resource providing, wise assimilation, and recreational and aesthetic (Fitzgerald, 1995).

CHAPTER 4

GOOD IN THEORY, POOR IN PRACTICE: FINDINGS ON THE REVIEW OF THE NATIONAL TRAINING PROGRAMME FOR THE INTEGRATION OF ENVIRONMENTAL PLANNING INTO LAND REFORM PROGRAMME

4.1 Introduction

This chapter presents and discusses the key findings of the study, responds to the research questions posed in Chapter 1 (the research proposal) and examines the findings in relation to the objectives of the training programme on integrating environmental issues into the land reform programme.

The overall purpose of this training programme of the Department of Land Affairs (DLA) was to:

- establish capacity within the DLA and other role players to integrate environmental concerns into land reform and land development through the implementation of the existing policy and guidelines; and
- effectively implement and monitor the policy and guidelines in all the provinces.

The researcher found it necessary to use the Western Cape Regional Land Claims Commission (WCRLCC) as a case study to explore its operational work and the process followed in integrating environmental concerns into the land reform programme to determine whether the project cycle of land restitution does in practice provide for the inclusion of environmental concerns. This approach involved outlining the operational work of the WCRLCC to illustrate exactly where and how environmental concerns are taken into consideration in the process. It is anticipated that this would help to inform the discussion in this chapter.

4.2 Background to the assessment of the training

The DLA aims to deliver sustainable land reform in accordance with the provisions of the Constitution of the Republic of South Africa (Act 108 of 1996). The Environmental Implementation and Management Plan (EI & MP) was drafted in 2000 to promote and

facilitate more sustainable land reform projects. In 2001 Policy and Guidelines for the Integration of Environmental Planning into Land Reform and Land Development Process (PGIEP) was developed. During 2005 a training programme for integrating environmental concerns into the land reform processes was conducted in all nine provinces. However, it is not clear whether the participants of this training programme are currently applying the knowledge and skills gained from the programme in their workplaces.

It is against this background that this assessment of the National Training Programme on the integration of environmental planning into the land reform programme was undertaken. Questionnaires were designed to capture the views of the trainers as well as the trainees about the training programme, to assess the application of the knowledge and the skills acquired during the training in the workplace and to explore the process followed in transferring the knowledge gained from the training programme.

Interviews were conducted with the trainers (including one project manager and one senior official from the DLA) and the trainees. The interviews with the trainers were structured to:

- collect additional data;
- capture their perceptions and perspectives about the National Training Programme, and
- examine their views on policy implementation in relation to the opportunities and constraints.

With the trainees, the interviews were conducted to follow up on the responses given in the questionnaires to clarify the information provided in the questionnaire where necessary.

The findings from the interviews with the stakeholders (two trainers, one project manager and one senior official from the DLA) are presented in Section 4.3 and those with the trainees in Section 4.4. The case study of the operational work of the WCRLCC is discussed in Section 4.5 and the perceptions and experiences of all the

respondents are reviewed, compared and contrasted in Section 4.6. The chapter concludes with Section 4.7.

4.3 Findings on trainer-perceptions of the National Training Programme on the integration of environmental planning into land reform

Interviews were conducted with two of the five trainers or facilitators initially identified, with one project manager and with one of the two senior officials of the DLA initially identified. The findings from these stakeholders are combined due to the insufficient response by and inadequate data received from the senior official of the DLA, in both the questionnaire and telephonic interview.

4.3.1 Rationale for the National Training Programme

When asked about the underlying principle, both the trainers and the senior official from the DLA responded that the guidelines were developed a few years back, but had not been implemented or in any way taken up by the DLA planners. The aim of the training programme was to make planners aware of the guidelines, to provide basic training in the approach and the use of the guidelines and to encourage role players in other departments, municipalities and non-governmental organisations (NGOs) to be aware of the guidelines and to become involved in its implementation.

4.3.2 Objectives of the training programme

The respondents were asked whether the training programme had met its objectives. The respondent from the DLA mentioned that the training had met its objectives without giving an explanation or motivation for her response. The trainers stated that the training programme had achieved its objectives to a certain extent, partly because a number of DLA and other government officials had been trained on a range of environmental issues, including the methods of and usage of tools for integrating environmental concerns into land reform, for example the Environmental Sustainability Assessment Tool (ESAT). The trainers also mentioned that the last part of the training programme was to conduct a workshop to introduce the guidelines to the DLA planners, agricultural extension personnel and the environmental officers from the different provinces. The workshop

introduced key ideas and concepts informing the approach to environmental planning advocated by the guidelines. It exposed participants to the different planning tools and methods. The workshop also highlighted how different environmental planning interventions fit into the project cycles of different land reform outputs such as the Land Redistribution for Agricultural Development Programme (LRAD), restitution and tenure. However, there is no clear indication of the actual implementation of the guidelines on the ground simply because there seems to be a lack of interest to take this up nationally. Some provinces do, however, use the ESAT while others do not.

4.3.3 How were the trainees selected?

On the question of how the trainees were selected the senior official from the DLA indicated that forty nominees per province had been selected. The other stakeholders mentioned that the DLA had facilitated the selection of trainees and that they were selected from various government departments, NGOs and communities. One of the trainers mentioned that although the selection process had been facilitated by the DLA, problems were experienced due to inconsistency in attendance by participants, which made it difficult for trainers to build on the experience from the previous course.

4.3.4 Implementation of the policy and guidelines

The senior official from the DLA confirmed that the policy and guidelines are being implemented and that the Department uses the checklist on the guidelines. The trainers stated that there was no clear indication of the implementation of the policy, while the project manager said that it was implemented to a very limited extent. The following problems were mentioned as contributing factors for the lack of implementation of the policy and the guidelines:

- policy is written by outsiders, for example technical advisors, with the result that very few of the DLA staff is familiar with it and, most importantly, little has been done to familiarise DLA staff about the policy;
- a lack of assessment and monitoring of the impact on the land;
- high staff turnover; and
- the programme has been donor driven by the Danish Cooperation for Environment and Development (DANCED) and the Danish International

Development Agency (DANIDA) which may explain the current lack of progress made to implement the policy and guidelines effectively.

4.3.5 Obstacles encountered in implementing the policy

The senior official from the DLA identified the following obstacles encountered in implementing the policy:

- insufficient numbers of delegated officials to implement the policy at the provincial level; and
- the national office can only intervene and assist with the implementation of the policy at the request of the relevant provincial or district offices. This means that the national office cannot impose policy implementation at the provincial level.

The trainers identified pressure from DLA to meet the target of the number of hectares in land reform as an obstacle, which meant that:

- issues such as planning for long term sustainability in projects would often be ignored; and
- some participants in the training programme only attended certain of the courses and not the full training programme.

4.3.6 Impact of the training on beneficiaries

Trainers were asked how the land reform beneficiaries benefited from the training programme. The response was that some of the beneficiaries benefited directly by being part of the training programme. Other beneficiaries benefited during the field-based sessions which were based mainly in four land reform projects. Important issues were highlighted and it was hoped that the communities would be able to deal with them. In addition, it was foreseen that the government officials who were involved in the field based projects and who were part of the sessions, would also be able to assist the beneficiaries to deal with the issues after the training programme had been completed. The project manager also mentioned that in the longer term it was hoped that beneficiaries would benefit through better planning by the DLA planners.

4.3.7 Further need for training

The respondents generally agreed that there is a need for further training programmes. The project manager stated that the training was very basic and involved a total of about 100 people. He mentioned that there are many DLA and Department of Agriculture officials in the country who could benefit from that training, as most agricultural officials do not use the sustainable livelihoods approach. It was, however, proposed that the training programme should not be organised by the Education Department Support Unit (EDSU) within the national DLA office. Rather, provincial offices of the DLA and offices of the Department of Agriculture should manage it and adapt the training to meet their specific conditions. One trainer mentioned that, based on the comments received from the planners who attended the training programme, a need to train managers was identified.

4.3.8 Did the training have any influence on the development of the PGIEP and, if so, how?

The response from the trainers was that the training had helped to critique the guidelines and to initiate further development of the guidelines. For example, a new tool (the Environmental and Sustainability Assessment Tool) was developed to be used when integrating environmental concerns into land reform to replace the previously used, but complex tool, (the Environmental Decision Support Tool) which had not been field tested. The guidelines have been extensively redrafted. Many of the changes were made due to the practical problems experienced with the implementation of the guidelines and to facilitate its inclusion in the land reform project procedures.

4.4 Findings on trainee-perceptions of the National Training Programme for the integration of environmental planning into land reform programme

The main target population of this survey was the trainees who attended the training on integrating environmental issues into the land reform programme. The sample population was developed using the attendance register provided by one of the trainers. The list included the names of the participants, their organisations or departments and their provinces (See Appendix A). Follow-up searches had to be done to trace the trainees, as

some of them had changed employment since the training programme. Those who could not be contacted at the telephone numbers and e-mail addresses in the attendance registers had to be excluded.

The questionnaires were e-mailed to 50 trainees after telephone conversations informing the trainees of the research project and requesting them to complete the questionnaire. Of the 50 surveys, only 24 were returned. This was in spite of several follow-up contacts by the researcher who telephonically reminded the participants to return the questionnaires. The majority of those who responded to the survey were from the DLA.

Table 1: Total number of respondents from each organisation

Department	Number
Department of Land Affairs (DLA):Provincial Land Reform Office	14
DLA: Regional Land Claims Commission (RLCC)	4
Department of Environmental Affairs and Development Planning (DEADP)	1
Department of Environmental Affairs and Tourism (DEAT) (this respondent is currently employed by the DEADP)	1
Agriculture and Land Affairs	2
Department of Water Affairs & Forestry (DWAF)	1
City of Cape Town (CCT): Land Restitution Unit	1

The findings of the research are presented in both a narrative and tabular format. The findings are summarised below.

4.4.1 The relevancy of the training to the job descriptions of trainees

In order to make a connection between the training programme and their job descriptions, participants were asked to provide their job titles, job descriptions (the tasks they do), the number of years they had been working in their current positions and to give a brief explanation as to how they had been selected. The question was asked under the assumption that, usually the training programmes presented by employer are undertaken to enhance the skills and knowledge of employees as required by the nature of the work that they do within the organisation. Table 2 below indicates that the job titles of the participants who attended the training range between planners, junior management, middle management, and those who are not in management positions. The work they do also varies according their job titles, although some with different titles do similar tasks. The responses also revealed a lack of uniformity or correlation between the job title and the job description across provinces. For example, the job description of principal planners differs from province to province. While the two respondents from the DEADP (one of them is now working for the DEAT) reported to work as principal environmental officers, they indicated that their tasks also include, amongst others, reviewing Environmental Impact Assessment (EIA) applications in terms of the National Environmental Management Act (NEMA), Act 107 of 1998.

Table 2: Work profile of the participants

Job title	Number	Percentage
Head	1	4
District manager	1	4
Land reform advisor	1	4
Deputy director	7	29
Project coordinator	1	4
Assistant director	1	4
Senior administration officer	1	4
Principal town and regional planner	1	4
Principal planner	4	17

Principal town and regional planner (technical support)	1	4
Chief planner	1	4
Senior planner	2	8
Principal environmental officer	2	8
Job description	Number	Percentage
Urban designs	1	4
Settlement support	2	8
Project management and budget projection	2	8
Land reform project implementation	2	8
Planning, administration and finance	1	4
Capacity building of claimants	1	4
Project management	3	13
Manage fire early warning system	1	4
Manage settlement of claims	2	8
Coordination of IDP projects	1	4
Manage staff	2	8
Legal advice to claimants	1	4
NEMA and EIA application	2	8
Provision of houses to claimants	1	4
Research land claims	1	4
Principal town & regional planner (technical support)	1	42

2 It should be noted that the percentages do not add up to 100% due to rounding

4.4.2 Relevance of the training programme

With regard to the question of whether the content of the training programme was relevant to the duties of the participants, the findings revealed that 20 participants (83%) fully agreed that the training was relevant. However, only two of them (8%) motivated their responses. One motivation was: *“Yes it has empowered me to strongly recommend that for every land that we transfer to claimants proper planning and EIA must be conducted”* (HOD:CCT, Land Restitution Unit). This statement confirms that the training programme not only enabled the participants to understand the EIA as essential for sustainable land reform, but also to become aware of the legal and regulatory obligations of integrating environmental concerns in the development projects.

In contrast to the above, only four participants (17%) said that the training programme was not directly relevant to their daily activities. Only one participant explained her response by stating that she deals with urban claims and largely with the legal aspects of the claims.

4.4.3 Impact of the training programme

“Before the training, there were things that we were taking for granted, thinking that they were only for environmentalist. But after attending the training I realised that environmental issues were very important for our projects for sustainability” (Deputy Director: WCRLCC - 22/11/06).

The statement demonstrates the role that the training programme has played in identifying the need to consider the protection of the environment and its natural resources in land reform projects. To the extent that participants understand the connection between land reform and the environment, they also understand that it is their role to ensure the integration of environmental concerns into land reform projects. However, if this understanding is limited to the participants in the training programme, sustainable land reform is still a far-off goal for the DLA. This calls for practical action to:

- explore the mechanisms of governance to build institutional capacity;
- empower all land reform officials by means of similar training; and
- enable them to accept the close relationship between land and the environment.

Capacity development should not only take place in individuals, but also between them, as well as in the institutions and within the networks they create. Twenty participants (83%) of the training programme said that they had gained knowledge about the importance of the environmental concerns in the work they do. A few mentioned the skills they had gained as a result of the training programme. These include, amongst others, that they find it easier to evaluate projects and to apply the environmental legislation. A principal planner from the DLA in the Western Cape mentioned that she had learned that land reform projects are not only about access to land, but that there are many other factors that should be taken into consideration to make the land reform programme a success. The four participants (17%) from the Department of Agriculture, DEAT, DWAF and DEADP respectively felt that their knowledge had not been improved by the training. This could be attributed to the background knowledge of environmental management as well as the application of environmental legislation that these participants had previously gained. However, one could also argue that for those who might have knowledge about the environmental issues, the training could have been an opportunity to learn more about land reform programmes.

4.4.4 Application of the knowledge gained from the training in the workplace

In order to understand whether the participants are able to apply the knowledge and skills gained from the training in their workplaces, they were asked whether the training had enabled them to take environmental concerns into account when implementing the land reform projects and, if so, to explain how they are applying it. The question was more relevant to the DLA participants than to the trainees from other government departments. Sixteen participants (67%) confirmed that they apply the knowledge in their workplaces; however, they could not give satisfactory explanations as to how they do it. Those who managed to give some explanation mentioned that the knowledge had helped them to:

- consider environmental factors right from the beginning of the land claims process;
- assess the Regional Spatial Development Framework (RSDF); and
- ensure the involvement of the DEAT in their projects.

Of the 16 participants, two from the WCRLCC acknowledged that the training had equipped them with the knowledge to integrate environmental issues into land reform projects. The procedures presented to them for the consideration of environmental issues are, however, time consuming. They mentioned that they specialise in the purchase of land and that it is not possible to get the buy-in of all stakeholders as regards the environmental issues within a short period of time. If they do, they sometimes end up losing the land and failure to meet the spending targets on land reform. They also mentioned that they face competition from the private buyers who only spend about one month to finalise a transaction to purchase land, while the DLA takes almost 12 months due to the long process that it has to follow.

Of the four DLA participants (17%) who did not fully agree that the training enabled them to take into account environmental issues when implementing the land reform project, two (9%) felt that, although they had gained knowledge about integrating environmental issues into land reform projects, the nature of their daily duties does not allow them to apply the knowledge gained. For example, one mentioned that she had not been able to apply the knowledge gained, because much of her work is about skills development and does not involve project implementation. She has, nonetheless, managed to share the information with other colleagues.

The participant from the City of Cape Town (CCT) who works in the Land Restitution Unit said that within the CCT they have the Environment and Planning Department that deals with the environmental issues. They therefore utilise their in-house environmental experts to deal with the environmental issues as they relate to land reform projects. However, she acknowledged that the knowledge gained from the training had enabled her to make inputs in discussions with environmental consultants and to give advice to claimants with regard to the EIA.

The question of whether the participants are applying the knowledge gained in their work environment did not receive the attention it deserved from the participants. For example,

although it was easy for them to agree that the content of the training was relevant, they were unable to demonstrate how they are applying this knowledge.

4.4.5 The need for further training

“I believe there is a need for further training, because the period of the training was reduced and was not as long as we were informed. In addition, all officers working in land reform need to undergo similar training” (Project coordinator: Mpumalanga - 22/11/06).

The above statement shows that the participant appreciates the value of the training and the role it can play in building the knowledge and skills of colleagues on issues of land reform and the environment. The statement also reveals that within the DLA there is currently no capacity building programme aimed at promoting the integration of environmental concerns into the land reform programme. This is in spite of the policy statement that specific courses on environmental sustainability must be incorporated into the departmental training programme (DLA, 2001b:7). This is clear evidence that policy implementation does not feature highly in the DLA’s current planning approach. Most importantly, this statement also highlights why the DLA currently cannot pay sufficient attention to the sustainability aspects of the land reform projects, as most of the staff, if not all, employed by the DLA have no background in environmental management.

Of the 24 participants interviewed, 20 felt that there is still a need for further training. Their motivation was based on the following:

- Only a handful of people attended the training. The course should be a pre- requisite for anyone dealing with land reform projects, because currently not everyone is trained.
- All project officers working on land reform projects need to undergo training, because the positive impact is limited if only certain officials in the department are trained.
- Follow-up training would be useful, as it would then be possible to evaluate whether people are implementing the knowledge gained.

- The training should be on an ongoing basis, as the department is in the process of decentralising and appointing many new staff members.
- The training should also aim at both managers and planners in order to ensure buy-in from senior officials.
- Beneficiaries also need to be trained.

Only four participants (17%) felt that there was no need for further training. Their reasons were based on the fact that the training is time consuming, and the targets they have to meet in delivering a certain number of hectares of land make it difficult to find time to spend on the training. This is especially a problem if one works with the LRAD projects, because land use on LRAD projects does not change. Another participant, however, thought that the training on integrating environmental issues into the land reform programme was quite comprehensive and covered most of the issues.

4.4.6 The objectives of the training

“The training has reached its objectives to a limited extent, I would say, In terms of raising awareness yes, but in terms of transporting that awareness into the actual application of this in one’s work- to a limited extent” (Project coordinator: Mpumalanga-22/11/06).

From the above statement it is clear that one of the outcomes of the training programme has been a deeper understanding in terms of knowledge and skills about the integration of environmental concerns into land reform. However, it is also clear that even though the training programme was work related, participants were not motivated to accept and apply what they have learnt. There is no plan in place that allows participants the opportunity to apply the knowledge and practice the skills in their work situation.

While 14 participants (58%) believed that the training had met its objectives, only the participant from the DEAT motivated his response. His reason was that the training had exposed officials from land affairs to environmental issues and the legislation governing it. It is therefore assumed that the 58% of the participants who argued that the training had met its objectives, might be saying so on the basis of the content of the training and the knowledge they had gained through it.

In contrast 10 participants (42%) felt that the training had met its objectives, but only to a limited extent. The three participants who motivated their responses made the following statements about the training:

- In terms of raising awareness, it had met the objectives, but in terms of the application of the knowledge, it did not.
- There is still no framework for the implementation of the policy and that results in policy being implemented on an *ad hoc* basis.
- Not all the project officers were trained with the result there is no impact on the ground.
- The training should have been aimed at all regional and district managers to obtain their buy-in, as they have the responsibility to ensure the implementation of the project and the training of staff.

4.4.7 Organisational impact of the training

In order to understand how much impact the training had on the organisation, participants were asked whether they transfer or share the knowledge with their colleagues who were not part of the course. The findings revealed that in almost all the provinces there was no plan in place to transfer the knowledge or share the knowledge with other staff members. For example, if a provincial office has ten project officers or planners and only two attend the training, the knowledge gained through the training remains with the two.

Those respondents who explained how the knowledge was transferred mentioned the following:

- Learning material was placed in the resource centre to be accessible to everyone.
- Feedback was presented mainly via staff meetings and during informal discussions.
- A written report was submitted.
- A short presentation was made to staff.

4.4.8 Transfer of knowledge to beneficiaries

In terms of the Constitution, the DLA is obliged to secure the livelihoods of the land reform beneficiaries through a sustainable land reform programme. In contrast, the findings revealed that very little had been done to ensure that beneficiaries of the land

reform programme are able to manage the land and its natural resources in a sustainable manner. This was evident from the response received on the question regarding the transfer of knowledge to beneficiaries. The response was that knowledge is generally transferred on an *ad hoc* basis and mainly during the evaluation of an application for land. One participant mentioned that the transfer of knowledge takes place during the meeting of the project management team with the beneficiaries.

The findings also showed that it is mostly the participants working in the Post Settlement Unit and the Development Unit within the DLA who were better placed to respond to the question about transferring knowledge to beneficiaries. They have the responsibility for post settlement support and this entails giving support on sustainable land use.

4.4.9 Implementation of the policy and guidelines

In order to understand whether the policy is implemented in land reform projects, participants were asked to give their opinion and explain the extent to which the policy is implemented by the DLA. Only five participants (22%) felt that the policy is being implemented.

Two participants from Western Cape mentioned that implementation only takes place once the project reaches the settlement stage. They usually form a steering committee which consists of all relevant key stakeholders to come up with an integrated development plan in line with the municipalities' Integrated Development Plans (IDPs) or Local Economic Development Plans (LEDs) and the entire Spatial Development Plan.

One participant from KwaZulu-Natal (KZN) said that implementation takes place during the preparation and the post transfer stage of the project. He mentioned that it has now become a requirement of the approval structures that a project proposal must be accompanied by an environmental planning report. The participants from Limpopo mentioned that they integrate environmental issues when they undertake the investigations about the application.

Thirteen participants (54%) felt that the policy is implemented to a very limited extent. One participant mentioned that “(I) t is implemented to a very limited extent; the emphasis is more on delivery of projects” (Project coordinator: Mpumalanga RLCC). This statement is most surprising when it is DLA staff themselves who confess that very little is being done to implement the PGIEP. It was believed that the guidelines were to facilitate the establishment of sound land use practices and enhance the quality of land reform delivery in order to improve sustainability and the livelihood opportunities of land reform participants (DLA, 2001a:vii). This also proves that the problem of neglecting environmental concerns in land reform projects still persists, despite the existence of tools that have been specifically developed to deal with this problem.

One participant from the Western Cape (West Coast Region) said that many new staff members had been employed and have not been exposed to the policy. This subsequently affected the implementation of the policy. Others gave the following reasons:

- Very few people were trained.
- It would be difficult to measure implementation unless the guidelines are made a compulsory element of project approval.
- The emphasis is more on project delivery.
- The policy and guidelines are implemented on an *ad hoc* basis.

Two participants (8%) from the DLA said that the question was not applicable to them.

The remaining four participants (17%) were not working for the DLA, and they were not sure whether the policy is being implemented.

During the face to face interviews, three respondents from the WCRLCC were asked whether it would be necessary for the DLA to employ environmental officers to deal with environmental issues as they relate to land reform projects. One respondent agreed, saying that it would be useful. There would, however, not be much for them to do, as the projects take too long to be approved. In contrast to this view, one respondent from the DEAT, when asked to make a recommendation for the improved implementation of the

policy, said that the DLA should appoint environmental officers that would work on environmental issues and the implications thereof, and conduct the monitoring and compliance for each project.

4.4.10 Recommendations for improved policy implementation

When participants were asked to give their recommendations on how to improve the implementation of the policy, they responded as follows:

- The DLA should appoint environmental officers who can undertake the assessment of the inclusion of environmental concerns in land reform projects.
- There should be follow-up training which could also be targeted at new employees and provide the basis for monitoring the implementation of the policy.
- All land reform projects should be accompanied by an environmental planning report.
- The DLA should adhere to environmental guidelines by incorporating them into the project cycle.
- Consideration of environmental concerns should be made compulsory before the start of the implementation process of the project.
- A framework for the implementation of the policy, including a simple and user-friendly tool, should be developed.
- All DLA staff should be trained on environmental issues and these should be incorporated in the terms of reference whenever a service provider is appointed to provide training.
- The policy should be amended by taking into consideration the problems that planners are experiencing in implementing the PGIEP.
- The current process that needs to be followed in implementing the policy should be shortened.
- As the community is the end user of the land, there should be regular community mobilisation and campaigning on issues regarding the PGIEP.
- More training should take place on policy implementation.

One other critical finding of the study was the impact of staff turnover on the DLA'S efforts to promote and facilitate sustainable land reform project delivery. This was

evident from the interviews conducted for the study. During the process of contacting the trainees to arrange for the interviews, the researcher also noticed that a large number of DLA officials who had attended the training were no longer working for the DLA, but for other government departments. This was also confirmed during the face to face interviews conducted with the officials at the WCRLCC. They mentioned high staff turnover as one of the contributing factors to the slow pace of the land reform. They said that staff frequently come and go and that the new appointees take time to adapt and become familiar with the projects. The problem of staff turnover could be attributed to the fact that most of the planners employed by the DLA neither have the background knowledge of land reform, nor the environmental management skills. As a result they find it challenging to work on land reform projects, especially the interaction with the beneficiaries of land reform. This situation could be exacerbated by the lack of a capacity building programme specifically targeted at integrating environmental concerns into the land reform programme. The findings of the research also revealed that there is no consistent method of integrating environmental concerns in land reform projects across provinces. This could be attributed to the lack of clear leadership on and knowledge of environmental management.

UNIVERSITY of the
WESTERN CAPE

4.5 Exploring the inclusion of environmental concerns: a case study of the operational work of the Western Cape Regional Land Claims Commission³

4.5.1 Background of the Regional Land Claims Commission

The Regional Land Claims Commission (RLCC) deals with land claims lodged prior to 1998 in terms of the Restitution of Land Rights Act (Act 22 of 1994). South Africa's land restitution process was born out of the (Interim) Constitution of the Republic of South Africa (Act 200 of 1993). The Constitution of the Republic of South Africa (Act 108 of 1996) confers upon persons who were dispossessed of their land under racist legislation the right to claim restitution against the State (Section 25(7)). It further mandates the

³ The information presented about the Western Cape Regional Land Claims Commission was captured through the face to face interviews conducted with three deputy directors at the WCRLCC offices.

establishment of a Commission on the Restitution of Land Rights and a Land Claims Court to give effect to this process (Sections 25(8) and (9)). The Restitution of Land Rights Act was passed in 1994 to flesh out this constitutional framework. The current restitution process can be summarised as follows:

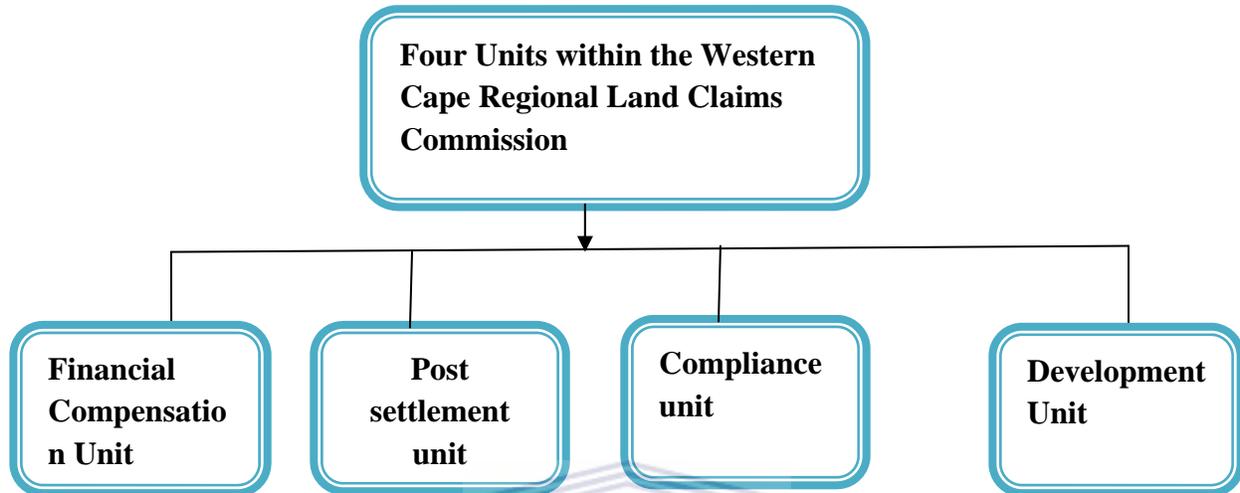
Individuals (or their descendants) and communities who were dispossessed of their rights to land in terms of racially discriminatory laws or practices have the right to claim restitution against the State. All claims must first be submitted to the Commission on the Restitution of Land Rights, whose role it is to investigate the merits of the claims and to attempt to settle them through mediation. Where a claim cannot be settled through mediation, the Commission must prepare a comprehensive report and refer the claim to the Land Claims Court for a final determination. Successful settlements must also be referred to the Court in order for the Court to review them and give them the status of court orders. Thus all restitution claims ultimately reach the Land Claims Court.

Restitution can take the form of returning the original piece of land that was taken (restoration). If this requires expropriation, then the current owner is entitled to a fair compensation. Restitution can also take the form of granting the claimant alternative state owned land or monetary compensation. Where compensation is payable, either to a claimant or to a current owner who is being expropriated, it is also the task of the Land Claims Court to decide on the amount of the compensation⁴.

⁴ The Restitution of Land Rights Act was amended by the Land Restitution and Reform Laws Amendment Act (Act 63 of 1997) by the inclusion of a new Chapter IIIA. This chapter allows claimants to approach the Land Claims Court directly without first going to the Commission. If a claimant chooses this option, the claimant must do all the necessary investigative and preparatory work before submitting the claim to the Court.

4.5.2 The Western Cape Regional Land Claims Commission

Figure 4: Four development units, with the WRLCC



The main function of the **Compliance Unit** is to verify and validate claims by conducting research on why the claimants were removed from their original land.

The **Development Unit** has to identify alternative land for the claimants and negotiate the land transfer with the stakeholder that owns the land. This process only takes place once the claim has been verified. The unit has the responsibility to identify land where the claimants can be settled, but only if the claimants have not requested a financial settlement. The land can be state and municipal land, as well as and privately owned land.

The **Financial Compensation Unit** deals with financial compensation as an alternative to land.

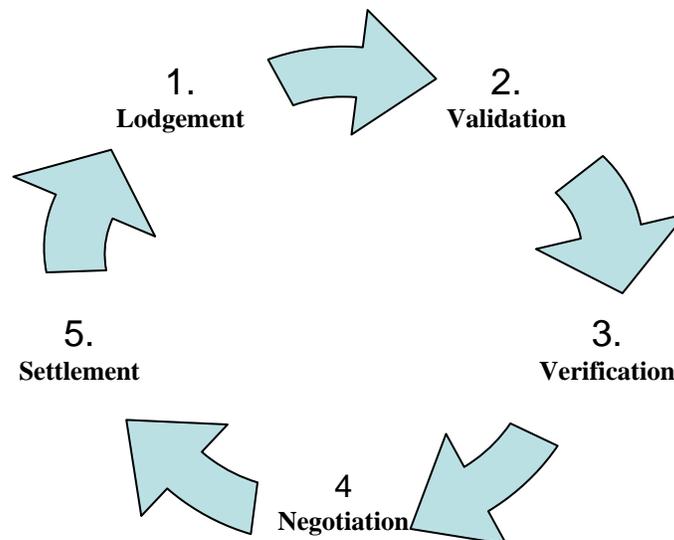
The **Post Settlement Unit** gives post settlement support once the claim has been settled. This is the stage where environmental planning is done according to the trainees from WCRLCC.

4.5.3 The land restitution project cycle

Once the claimant has lodged a claim, the first stage is the assessment of the claim by the Compliance Unit. This entails verifying the claim, checking compliance with the Land Restitution Rights Act (as amended) and determining whether the claimant is eligible to lodge the claim. The Unit also does research on how the forced removal took place.

On completion of this process, the Development Unit facilitates the process of identifying land and negotiates the land deal with the owner. According to a respondent interviewed at the WCRLCC, this process can take almost three years per claim. Once the land has been identified and there is an agreement with the relevant landowner, a steering committee is formed consisting of different role players, for example the Department of Agriculture, DLA, local government and any other relevant department, depending on where the land is situated, as well as the issues of concern for a department in respect of that particular land. For example, if the land is close to an area of high conservation value, the DEAT would become involved. It is at this stage where environmental issues are supposed to become part of the discussions in the Land Claims Commission. The Post Settlement Unit becomes involved at the last stage when it facilitates land planning and the implementation of the terms of the settlement. This function may vary from one claim to another as in certain instances claimants opt for agricultural development, while others require housing development.

Figure 5: Business process: from lodgement to settlement



Some of the problems encountered by the WRLCC in its operational work include the scarcity of land in the urban areas and competition for land between various stakeholders, for example provincial departments of housing, municipalities and even foreign investors. The lack of commitment and sense of urgency from other stakeholders versus the lifespan of the Commission has also been identified as a major problem.

4.5.4 Examining the inclusion of environmental concerns in the WCRLCC

When the transfer of land to beneficiaries takes place through restitution, irrespective of environmental governance and environmental principles, the environmental human rights of the current as well as the future generations may be at stake. The reason for this is that not only land, but also biodiversity, soils, minerals, water, vegetation and other natural resources are involved when land is assigned to beneficiaries (Du Plessis, 2006:24). As a result the guidelines promote the timely provision of adequate environmental information throughout the process. The guidelines also ensure that sound land use options for negotiations and agreements are identified early in the restitution process (DLA, 2001a:111). However, what emerged from the survey is that environmental concerns within the WCRLCC are considered only during the post settlement support stage. The survey revealed that from the four units within the WCRLCC, only the Post Settlement Unit deals with issues of environmental concern. When asked the question of how environmental concerns are dealt with within the WCRLCC, one respondent replied as follows:

“Once the project reached a settlement stage, we usually form a Steering Committee consist of all relevant key Stakeholders, so that they can be involved at the planning stage of the project and come up with an integrated development plan in line with the Municipalities IDPs / LEDs and entire Spatial Development Framework” (Deputy director: WCRLCC- 22/11/07)

It is evident from the above statement that the WCRLCC does not give environmental concerns the attention they deserve, as they are not dealt with prior to the settlement of the claim. It should be noted that, according to the White Paper, the Department requires that a grant applicant must prepare a feasibility study with the assistance of planners

before the Settlement/Land Acquisition Grant can be disbursed. The study must, amongst others, include an assessment of the environmental consequences of the proposed undertaking. This requires that the applicants consider the suitability of the natural resources for the proposed production system, and the environmental impact of the proposed residential development (Du Plessis, 2006:34).

Of the three participants interviewed at the WCRLCC, not one mentioned the use of the guidelines or the ESAT for integrating environmental concerns into land reform projects. However, during the interviews the trainers mentioned that the training had identified the key stages in the generic land reform project and the planning process where environmental concerns and sustainability issues should be taken into account. The fact that the guidelines are not used by the WCRLCC may be attributed to the pressure to fast track the settlement of claims, as well as a lack of leadership in the WCRLCC on issues of environmental concern.

The Commission also does not seem to have a plan or a strategy in place for the provision of environmental support to beneficiaries. As mentioned above, when the beneficiaries acquire the land with no knowledge of natural resources management, the livelihoods of the beneficiaries may be at risk. Hence it is of key importance to inform and capacitate land claim beneficiaries, as well as the relevant officials and line functionaries of government of the need to consider environmental concerns in land reform. The environmental impact assessments of the activities on the land or the change of land use, as well as the permit and licensing requirements in terms of environmental legislation should not be foreign notions to those involved in, or benefiting from land restitution (Du Plessis, 2006:25).

However, given the fact that only three participants from the WCRLCC attended the training and that there was no transfer of knowledge to those who were not part of the training, it is not clear how the planners within the WCRLCC are expected to consider environmental concerns without any knowledge of them. The pressure to speed up the finalisation of the remaining land claims makes it unlikely that environmental concerns

would be taken into consideration in the land reform programme. This was also evident during the interviews when the participants were asked whether they had transferred the knowledge gained from the training to those who were not part of the training. Below is the response from one of the three participants who attended the training: “*Very unfortunately, because of time constraints as the lifespan of the Commission is very short (31st March 2008) I could not have much time to train the planners on this information*” (Deputy director-WCRLCC).

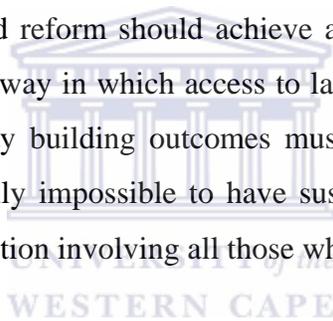
From the statement above it is clear that the PGIEP does not feature in the operational work of the WCRLCC, due to the fact that the inclusion of environmental concerns is compromised by the pressure to meet the targets for the settlement of land claims. It should nonetheless be noted that the fast-tracking of the land restitution process in fact requires more attention to environmental aspects, rather than less. The achievement of the goal of sustainable development may for instance be jeopardised by focusing on the assumed political benefits and on mere property redress, without considering the impact on the environment of the thousands of people involved (Du Plessis, 2006:40). This therefore calls for a capacity building programme for officials and other stakeholders to improve the implementation, monitoring and assessment of the implementation of the PGIEP. It would improve the flow of information between beneficiaries and decision-makers and provide the relevant authorities with the necessary data to continue with the process. Environmental impact assessments and the application and monitoring of environmental principles in the processes that precede and follow land settlement are key aspects that should accompany land restitution, despite the need to speed up the process.

4.6 Discussion of the key findings

“While DLA holds the primary responsibility for land, it cannot fulfill this mandate on its own and must work creatively and constructively with other spheres, especially district municipalities, and other line function departments, especially department of agriculture and environmental affairs” (DLA, 2001b:5).

The conclusion from the above statement is that land reform is a cross sectoral and multidisciplinary process that includes different role players. In order to achieve

sustainable land reform and for land reform beneficiaries to have secure and sustainable livelihoods, the involvement of others stakeholders should therefore constitute an integral part of the land reform process. Land reform involves a whole range of stakeholders, including the people applying for land under the various land reform programmes, municipalities, various government departments, as well as certain NGOs. As such, the PGIEP cannot be implemented without an understanding of these dynamic processes. It requires strong encouragement to involve the different stakeholders, and, most importantly, institutions through which the stakeholders can cooperate to solve common environmental and economic problems. In supporting this statement, Clover (undated) argues that it is in exploring who the stakeholders are, who will benefit, who will decide, who will be affected and what the trade-offs and hidden agendas might be, that the real intent of the law on land is fully understood. Typically each of the stakeholders has different ideas about what land reform should achieve and different assumptions about why people want land and the way in which access to land will improve their quality of life (DLA, 2001a:26). Capacity building outcomes must accordingly reflect this basic characteristic, as it is practically impossible to have sustainable land reform without a collective understanding and action involving all those who work with land.



The responses from the five participants (22%) who said that the policy is being implemented demonstrate a problem concerning the implementation. This can be attributed to the fact that the national office (of the DLA) has no coordinated strategy for integrating environmental concerns into the land reform programme. It was also evident from the responses given by participants on how they are currently integrating these concerns in their work environment. Across provinces there is a perception that environmental concerns are more the responsibility of the post settlement unit. This raises questions on the use of the guidelines as a tool for integrating environmental planning into land reform projects. It also contradicts the statement made in the policy that the integration of environmental planning into land reform projects will be a key part of the personnel performance management system, so that there is clear incentive for every land reform worker in the DLA to take the environmental implications of his or her work very seriously (DLA, 2001b:15). Both the policy and the guidelines do not seem to be utilised

for the integration of environmental planning into land reform projects across provinces. Thirteen trainees (52%) mentioned that the policy is being implemented to a very limited extent due to, amongst other things, high staff turnover, a limited number of trained people and the emphasis on project delivery. The trainers also shared this opinion. This response can be attributed to the lack of guidance from management in terms of providing an opportunity for the application of knowledge and skills gained from the training. It can also mean that the focus has not been on developing the necessary capacity for implementing the PGIEP.

The content of the training received a positive response from all respondents in terms of its quality, but from these responses it cannot be concluded that the training programme had achieved its objectives. There are several factors that might have influenced the objectivity of the training programme. The senior official from the DLA reported that the selection process had involved forty nominees per province. Some trainees reported that they had missed one or two courses as a result of not being informed about the invitation for those courses. On the other hand, trainers indicated that all participants were required to attend both the three day foundation course and the five day field based learning session. One can argue that the poor attendance must have had a detrimental impact on achieving the objectives of the training. In addition, the period of training was reduced to eight days which was less than initially planned for.

Consequently, the duration of the training programme may not have been long enough to cover the full content of the programme, which was not only very broad in scope, but also compressed into a very tight package. Although it was designed to cover the necessary ground, it could only provide relatively limited depth in each area (Phuhlisani Solutions and Development Services, 2005:11). The fact that some of the trainees had very little knowledge, if any, about environmental management, but expected to assimilate a lot of information in a short period of time could have been a problem for some of the other participants, especially those with no background knowledge on the subject. The fact that the training was targeting a diverse group of people from different backgrounds could have meant that more time was required to accommodate the needs of all of the trainees.

Twenty participants (83%) acknowledged that the training programme had equipped them with knowledge on the integration of environmental concerns into land reform projects and as such their attitude towards environmental issues had changed. This could mean that the training programme had a positive outcome in terms of raising awareness about environmental issues. However, the fact that not all participants are in a position to apply the knowledge and skills gained in their workplaces reduces the chances of having a positive impact at grass roots level. Even the 16 participants (67%) who indicated that they were applying the knowledge gained from the training were doing it on an *ad hoc* basis.

Four respondents (17%) also reported that the training was not directly relevant to their duties, which points to a lack of prioritising the selection of appropriate participants for the training programme. This was also evident when the participants were asked how they had been selected. Only five participants (22%) said that they were selected because the training programme was relevant to their work. Other participants were not sure how they were selected. This could be attributed to selection criteria not being considered or discussed with the managers supervising the participants. This factor has also contributed to compromising the objectives of the training.

”Environmental issues are at the heart of sustainable projects as far as land reform is concerned. Land reform cannot be separated from environmental issues. This course should serve as a requirement for anyone dealing with land reform because presently not everyone is trained in this regard. It should not be in piecemeal” (Principal planner: Limpopo - 16/11/06).

The DLA has been faced with the problem of staff turnover, which has simultaneously reduced the chances of achieving the objectives of the programme. This was also evident when the researcher tried to arrange a meeting with both the senior official and one participant from the PLRO in the DLA in Pretoria. The researcher found that both of them had left the Department. This raises questions about the impact of staff turnover on policy implementation. The issue of staff turnover in relation to the skills shortage within

the DLA has also been raised as an obstacle to land delivery reform. In the 2008/2009 DLA Strategic Plan and Budget Portfolio Committee Meeting it was mentioned that the final approval for the creation of 1 022 posts was expected from the Department of Public Services and Administration (DLA, 2008/2009). The portfolio committee meeting also noted that the skills shortage as indicated by the vacancy rate had implications on the capacity to deliver and had limited the ability of the DLA to achieve its objectives. In addition, the findings of this study indicated that the staff turnover and the lack of capacity had negative impacts on meeting the objectives of the national training on integrating environmental concerns in land reform.

Due to the pressure to meet the targets of delivering a certain number of hectares of land in a specified period of time, the DLA has failed to create an environment for the transfer of knowledge gained from the training to other staff members, simultaneously compromising the organisational efficiency. The same pressure has been raised as an obstacle in transferring the knowledge and skills to the beneficiaries of the land reform programme. Only beneficiaries who were part of the training can be regarded as having benefited from the training. The guidelines are, however, based on the principle that the sustainability of land reform is determined by the beneficiary's capacity to secure a sustainable livelihood from the land. This is fundamentally dependent on good planning and management of existing natural resources. On the other hand, the policy for the integration of environmental planning into the land reform process states that *"...it is only through careful, participative environmental planning by the DLA and its partners in land reform delivery that the beneficiaries can be assured of securing sustainable livelihoods from the land rights obtained through the land reform programme"* (DLA,2001b:1).The findings of the study also revealed that the transfer of knowledge to beneficiaries had happened on an *ad hoc* basis, mainly during the evaluation of new applications and during the settlement support. If environmental concerns are expressed only through the warnings by and the rules of officials, they are unlikely to ever be taken seriously. Without the direct and meaningful participation of the beneficiaries in decision making, there can be no prospect of project sustainability (DLA, 2001b:6). This means that for the beneficiaries to play a role in promoting sustainable land reform, the

knowledge and skills to achieve this goal should be communicated in ways which reflect that the beneficiaries are the solution to the problem and not the other way round.

4.7 Conclusion

This chapter has demonstrated that environmental concerns in the DLA land reform projects are not given the attention they deserve. There are several contributing factors that have been highlighted from the findings of the research. These include a lack of knowledge within the DLA about environmental issues, a lack of support from the management, high staff turnover and a lack of training targeted at integrating environmental concerns into land reform.

It has also been shown that land and environmental issues are characterised by a complex range of stakeholders, including beneficiaries as the end users of the land resource, government departments and organisations working on land issues. As such there is a need to build the organisational and institutional capacity and to empower beneficiaries through the implementation of the PGIEP.

The next chapter presents the synthesis of the study, examines key research findings and highlights the implications of the findings from the interviews and of the key issues identified in Chapter 2 (the literature review). Recommendations based on the findings of the research are provided.

CHAPTER 5

DISCUSSION OF KEY FINDINGS, IMPLICATIONS OF THE STUDY AND RECOMMENDATIONS

5.1 Introduction

The aim of this study was to assess the National Training Programme for the integration of environmental planning into the land reform programme. The Department of Land Affairs (DLA) initiated the programme to develop the capacity of DLA officials and other role players to assist them to integrate environmental concerns into land reform and land development through the implementation of the existing policy and guidelines. To achieve this aim, the trainees who participated in the training programme and the stakeholders involved in organising and implementing the training programme were interviewed. The main question that the research set out to answer was whether the National Training Programme had achieved the intended objectives.

5.2 Summary of chapters

Chapter 1 gave a broad introduction to the study and explained the reasons for undertaking the study. The researcher then identified the following as the objectives of the study:

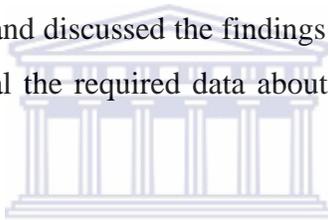
- To document and review the objectives, implementation and outcomes of the training programme that was initiated to develop the necessary capacity to integrate environmental planning into land reform projects.
- To document and assess the perceptions of participants about the training programme in terms of the relevance and applicability of the training provided.
- To document the lessons that both trainers and participants learned during the training in relation to the opportunities for and constraints on integrating environmental concerns into land reform projects.
- To explore the implications of the lessons learned for capacity-building programmes aimed at facilitating the integration of environmental concerns into land reform projects.

- To make recommendations regarding capacity-building programmes designed to facilitate the integration of environmental planning into land reform projects.

In Chapter 2 the background of the study was explained and a literature review was presented setting out the views of various authors about the value and the role of the land in supporting the livelihoods of the poor. The chapter focused on the importance of considering environmental concerns in land reform and land development and the need to integrate these concerns into land reform programme for sustainability purposes.

Chapter 3 presented and discussed the National Training Programme and the guidelines as a strategy for promoting the integration of environmental concerns into land reform.

Chapter 4 presented, analysed and discussed the findings. Themes from the questionnaire were used to outline and reveal the required data about the assessment of the National Training Programme.



This chapter gives an overall picture of the study by presenting the summary of the major issues from both the literature review and the key findings of the survey, and their implications for the research question. Finally, recommendations are provided in respect of the problems identified.

5.3 Synthesis

From the information gathered in this study, the information presented below is regarded as the key findings of the study.

5.3.1 Connection between land and environment

“Environmental planning must add value to the lives of people and maintain the quality of natural resources upon which people depend. It should be considered early in the planning phase and at strategic stages later in the process. Environmental planning should not be seen as presenting an obstacle; rather it should be used to empower people

to make sound decisions around the use and ownership of natural resources (DLA, 2001a:6)

The study noted that land is an essential resource that contains our mineral wealth and forms the basis of our security, pride and history. However, where land reform takes place the environmental human rights of current as well as future generations may be at risk, land resources might be degraded, and if preventative and improved resource management measures do not accompany the land reform programme, there is a severe risk of increased environmental degradation. There is also sufficient evidence to indicate that South Africa's soil is deteriorating rapidly due to poor management practices and inadequate monitoring and enforcement. The worst environmental health conditions and natural resource degradation occur around informal settlements where people have few assets and minimal control over their surroundings (Du Plessis, 2006:24).

The study also indicated that the enormous pressure on the land and the lack of environmental knowledge are the major contributors to the degradation of vegetation and soil in South Africa. In the literature review, it was pointed out that the South African experience suggests that land reform cannot be sustainable without adequate provision for environmental planning. In its effort to deal with this challenge, the DLA responded by developing a number of environmental procedures including the Policy and Guidelines for the Integration of Environmental Planning in Land Reform and Land Development Process (PGIEP). These strategies have, however, not been visible on the ground and have in effect resulted in an increase in the pace and extent of environmental degradation. As such the study suggests that there is still a major challenge with regard to the integration of environmental planning into the land reform process.

5.3.2 Policy and guidelines: from concept to effective implementation

South Africa has witnessed radical policy reforms since the advent of the new democratic dispensation in 1994. As provincial, district and local practitioners developed responses to the policies, implementation issues were revealed in all their complexity. Policy implementation became one of the most difficult challenges South Africa had to contend with. It necessitated the development of the capacity of the state and its people to implement various new policies (More, 2004: ii). The study revealed that this has also

been the case with regard to the implementation of the PGIEP. If implemented at all, it is implemented to a very limited extent, as is demonstrated by the following statements that were discussed in detail in earlier chapters;

“That would be difficult to measure unless the guidelines are made a compulsory aspect of project approval i.e. before the project is approved one of the prerequisites should be to look at whether environmental issues have been addresses”

“To a very limited extent, the emphasis is more on delivery of projects”

“It is not implemented on national level, only ad hoc and per district”

“I don't think it is implemented at all as DLA does not have officials with good understanding of environmental management”

“To a very limited extent because only few people attended the training”

The above statements clearly show that the PGIEP has turned out to be a failure within the DLA, as there is no sign of effective implementation. This was also made evident by the fact that not one of the participants indicated that they were using the guidelines when dealing with issues of environmental concerns in land reform projects. Policy may be considered effective if it successfully effects a change in the target-group behaviour with a minimum of resistance. Therefore it must make sense within the context of other policies that are in effect, and it must be practical in terms of its implementability (Ghenna, undated). The findings of the study demonstrated that within the DLA, scant attention is given to the PGIEP across provinces. Wills (1993) as quoted by More (2004: 161) argues that policy deployment is the process of ensuring that an organisation's policies in respect of quality, cost and service delivery are understood from the highest to the lowest level of the organisation. This is where training becomes crucial. The way the system works in practice is that the policy is communicated across the organisation as well as cascaded down to the line managers for implementation by means of training programmes.

The commitment made by the DLA about the implementation of the guidelines once they are approved, is that:

“They (guidelines) will be integrated into the existing land reform procedures for implementation. Commensurate with this, training and capacity building will follow. The training materials developed over the length of the project will also be integrated into the Department’s training programme, where certain environmental courses will be mandatory for officials to attend” (DLA, 2002:9).

The study demonstrated that the PGIEP has not always been implemented in a decentralised and sustained manner, to empower beneficiaries to take ownership of the integration of environmental concerns into land reform in order for them to support their livelihoods without depending on government support. The study revealed that the lack of capacity, skills, expertise and proper knowledge to support planned change have been some of the obstacles to policy implementation within the DLA. In general effective policy implementation has been undermined by the pressure to deliver land to beneficiaries.

5.3.3 Building the capacity

“Good governance, comprehensive land policies, and sound land administration institutions are essential components of addressing the problem related to land management and land information infrastructures. Both an efficient land market and an effective means of land use control must be developed as the basic tools for achieving a sustainable approach. However, in many countries, and especially in developing countries and countries in transition, the national capacity to manage land rights, restrictions and responsibilities is not well developed in terms of mature institutions and the necessary human resources and skills” (Enermak, 2007: 1).

The challenge of integrating environmental concerns into the land reform process is part of a bigger problem of institutional capacity. Lack of capacity in institutions is often the more immediate trigger of environmental insecurity in instances of poor management of natural resources. Environmental differences add to existing tensions, perpetuating a general sense of insecurity in a context of poor governance or political instability (Clover, undated). The challenge of integrating of environmental concerns into the land reform

process through the implementation of the policy and guidelines lies in the involvement of other key stakeholders, which include other government departments, local municipalities, and land reform beneficiaries.

The experience throughout the world has been that government-led policy initiatives without the active involvement of other stakeholders have failed. In addressing the problems of land reform and its associated policies and laws, many countries have used its institutional capacity as a remedy. An example of good practice in this regard is the project in Malawi on capacity building for implementing land management policy (Enermark & Ahane, 2003: 2). The implementation was initiated in 2001 by prioritising capacity building in response to the then land related problems. The implementation of that land policy included institutional reform and capacity building as key components to create a modern environment for the protection of property rights, to facilitate equitable access to land for all and to encourage land based investment. An integrated curriculum was developed to provide professionals with the necessary skills to implement the new land policy. The curriculum combined the diploma and the bachelor degree level and it integrated the key areas of land surveying, land management and physical planning. This is a good learning example for South Africa as regards the implementation of the PGIEP. This study also confirmed that the central approach in promoting the integration of environmental concerns into land reform should be to involve and build institutional capacity.

The study further found that an important aspect of promoting sustainable land reform through the PGIEP is for the DLA to ensure that there is sufficient capacity within its department at national, provincial and district level. The lack of capacity has contributed to compromise the objectivity of the National Training Programme. However, this should not be interpreted to mean that the content of the training was a failure. In fact, the study found that the content was relevant and practical to the roles and responsibilities of the participants in their workplaces. As such it was empowering as well as informative. This was also confirmed by the following statements:

“Yes it empowered me to strongly recommend that for every land that we transfer to claimants proper planning and EIA must be done”(Head of Department: CCT)

“It was most relevant, but it came very late. I feel it should have been introduced as early as 2000” (Deputy Director: WCRLCC).

“Yes, I work with Redistribution and Tenure Reform Projects that require environmental issues to be considered” Principal planner: DLA: Western Cape).

The study found that through the training programme participants gained self-confidence and a positive attitude towards environmental and natural resources to such an extent that they recommended that everyone working with land reform projects should attend the training. They were of the opinion that the limited number of participants who attended the national training would not make any impact in implementing the PGIEP.

The aim of the training programme, however, was not only to achieve positive outcomes in terms of the attitude and behaviour of participants towards environmental concerns, but also to establish capacity in the DLA and the other role players. This would enable them to integrate environmental concerns into the land reform and land development processes through the implementation of the existing policy and guidelines. It has also been stated that a positive attitude towards the environment does not necessarily lead to environmentally responsible behaviour (Adams, 2003: 15). This could be translated to mean that the positive attitude towards the environment that the participants acquired through the training programme does not necessarily mean that on their own they would take environmental concerns into consideration when implementing land reform projects. They also need motivation and support. In addition, the monitoring and evaluation associated with the policy implementation process play an equally important role in ensuring the success of the training activities. Informed reviews of policy and training processes are only possible by making use of objective evaluation strategies (More, 2004:162). The deficiencies within the DLA mentioned above have resulted in the training programme not meeting its intended objectives and, in fact, compromising the integration of environmental concerns into land reform projects. It should also be noted that training is inextricably linked to change in that change is realised through training: as

such training plays a vital role to make change happen (More, 2004:160). Nonetheless, in order for change to happen, capacity that is sufficient, as well as efficient is required.

The study noted that since the promulgation of the PGIEP there has been a substantial staff turnover at the DLA that resulted in a loss of some of the skills and knowledge developed through the training programme. The high staff turnover at the DLA can be attributed to the lack of support for and skills development of staff. The experience is that high staff turnover always creates a burden on the remaining staff, as well as gaps in the operations of a department. With reference to the DLA, the high staff turnover and the lack of capacity which contributed to the slow pace of land reform have resulted in major criticisms being levelled at all three components of the land reform programme. This criticism has subsequently put pressure on the DLA to accelerate the delivery of land reform. In doing so the integration of environmental concerns has been compromised and the tools developed for this purpose have not been utilized. This could have a negative impact on the livelihoods of the land reform beneficiaries. As is mentioned in the study, it is only through careful participative environmental planning by the DLA and its partners in land reform delivery that the beneficiaries can be assured of securing sustainable livelihoods from the land rights obtained through the land reform programme.

The DLA's vision is to be a global leader in the creation and maintenance of an equitable and sustainable land dispensation that results in social and economic development for all South Africans (DLA, 2007/2008:74) . In this regard the South African experience suggests that economic development cannot be sustainable without land reform, nor can land reform be sustainable without adequate provision for environmental protection. The study showed that currently within the DLA there is no programme aimed at familiarising beneficiaries of land reform with their environmental rights, responsibilities and liabilities in the process of acquiring the land. The question then is how is it possible for the DLA to create sustainable land reform that in turn results in the socio-economic development of the beneficiaries if environmental concerns are not an integral part of the land dispensation. Even though the PGIEP exists there is no plan in place to ensure that all land reform beneficiaries are aware of these tools and how they can benefit from them.

The study suggested that through the training programme, people acquiring land need to be motivated to use the land in a sustainable manner and to behave in an environmentally responsible way towards the environment. In Chapter 2 of the study it is stated that there is evidence that environmental degradation is due to the limited or zero assistance to beneficiaries, both before and after the land has been transferred and also because of inappropriate land use and a lack of agricultural knowledge. The study therefore suggested that the DLA should involve and educate beneficiaries to utilise these resources in a sustainable manner. Sustainable development is not something that happens easily, but requires, amongst other things, a massive educational effort so that citizens are made aware of the need to manage resources wisely. This would assist them to achieve maximum benefits at minimum cost, not only to fulfil their needs for today, but also those of their children for tomorrow and for future generations (Fitzgerald *et al.*, 1995). The local knowledge of the beneficiaries is equally important and should be utilised in understanding how the environment interacts with the social, economic and political systems at all levels. By empowering beneficiaries to understand the interaction between poverty, land rights and the sustainable use of natural resources, they are enabled to strengthen their livelihoods and to stimulate socio-economic development.

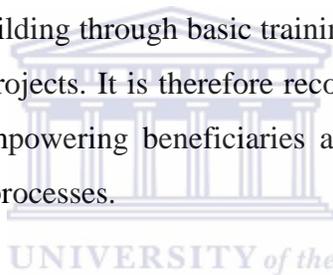
5.4 Proposed implementation systems for the effective integration of environmental planning into land reform

The study has demonstrated how environmental planning has in practice been neglected by the DLA, due to a lack of capacity and the priority given to the delivery of land to land reform beneficiaries. Based on the above the study makes the following recommendations:

The biggest challenge is to put the existing policy into practice. The greatest need in addressing this problem turned out to be the training programme, as the initial training was not sufficient to deal with the challenge of implementing the PGIEP. Because there is no policy that can be implemented outside the context of a training programme, the proposed training programme should be ongoing in order to enhance skills, knowledge and productivity, and to improve competitiveness. It would also equip the DLA officials to handle questions of environmental sustainability and livelihoods in a land reform context

with competency and sensitivity (Phuhlisani, 2005:10). In this regard a two-way training approach could assist where decision makers and the DLA staff are both part of and actively involved in the training provided, and trainers are made aware of the situations where emphasis need to be made in the training programme. The involvement of decision makers could assist in encouraging the trainees to give feedback and to make comments about the training programme, in order to effectively monitor, evaluate and review the applicability of the training programme in the workplace. Their involvement could also serve as motivation to ensure that the knowledge gained during training is applied in the workplace.

The DLA aims to deliver sustainable land reform, but if people acquiring land are not managing natural resources in a sustainable manner and are not able to protect natural resources, sustainable land reform would remain only an ideal. Land reform beneficiaries require comprehensive capacity building through basic training courses in order to ensure the sustainability of the land reform projects. It is therefore recommended that, amongst others, emphasis should be placed on empowering beneficiaries and familiarising them with the environmental impact assessment processes.



The integration of environmental concerns into land reform through the PGIEP includes giving effect to the principle of institutional capacity building. Land reform projects are driven by an active participation of all key stakeholders and by building capacity at the centre, in local institutions, and at the grass roots level. Therefore the DLA has to give priority to empowering all key stakeholders, informing them about the content of the PGIEP, the role it plays in land reform and what its implications are for the different stakeholders.

The DLA needs to monitor and evaluate on a continuous basis the extent to which environmental concerns are taken into consideration in land reform projects. Monitoring and evaluation associated with policy implementation play an important role in ensuring the success of the training activities. The purpose of the monitoring and evaluation would be to provide an ongoing review and assessment of the implementation of the training programme objectives. The intention is to identify whether environmental concerns are being taken into account and to provide evidence of such changes. This would enable the training programme

to evolve in a way appropriate to the needs of the communities and within the policy context of the initiative.

It is also advisable for the DLA to consider appointing environmental officers to deal with issues of monitoring the compliance in each project, conduct follow-up training with all DLA officials and develop a framework for the implementation of the policy. This need was also identified in the DLA policy for the integration of environmental planning into the land reform process. The policy states that a senior level officer skilled in environmental issues must be appointed to each provincial office to provide a link with the environmental work of the national support groups and to screen land reform project proposals for issues of environmental and sustainability concerns.

The findings of this study also revealed that currently the policy is being implemented on *ad hoc* basis in some provinces. This point to a need for a national coordinated policy implementation plan which would needs to be accompanied by a monitoring and evaluation strategy.

5.5 Implications of the study

The findings of the study have provided data which could be of assistance to the DLA. The data in the study supports the argument that more attention should be given to building the capacity of planners and managers in the DLA to enable them to integrate environmental concerns into the land reform process effectively through the implementation of the existing policy and guidelines. If this aspect is neglected, it would impact negatively on the environment and the livelihood of the poor: desperate human beings tend to perceive the natural environment as the only resource available to them with which to sustain their livelihoods. The capacity within the DLA has to be filtered through to the land reform beneficiaries in order to create consciousness regarding the environmental concerns in land reform. The exclusion of the land reform beneficiaries would undermine every effort made for the integration of environmental concerns into land reform. Land reform beneficiaries need to be kept informed and involved on a continuous basis.

The DLA and its management have recently come under criticism for the poor performance of the land reform programme, specifically the pace of land reform. As a result more attention is being given to mechanisms to fast track land reform, which in turn could compromise the integration of environmental concerns into land reform. If this practice persists, land degradation will continue, possibly resulting in failure to meet the aims of the land reform programme, which are to contribute to economic development, both by giving households the opportunity to engage in productive land use and by increasing employment opportunities through encouraging greater investment (DLA, 1997).

5.6 Recommendations for further research

In view of the outcomes of the assessment of the National Training Programme on the integration of environmental planning in land reform and land development in this study, further research is recommended to investigate and indicate the extent and the rate of land degradation due to the neglect of environmental concerns in the land reform programme.

5.7 Conclusion

In 2008 the DLA is still confronted with the challenges that were identified at the inception of the land reform programme in 1995. These include the challenge of integrating environmental concerns into the land reform process, a lack of capacity and the depletion of natural resources. The Department has, however, developed progressive policies and environmental procedures. These include:

- the Environmental Implementation and Management Plan (EI&MP) in 2000;
- the Land Use Management Bill (LUMB), which incorporates the spatial aspects of planning and development in 2008; and
- the Policy and Guidelines for the Integration of Environmental Planning into the Land Reform and Land Development Process (PGIEP) in 2001.

Nonetheless the study demonstrated the comprehensive failure of DLA to act on its obligation as stated above, and its inefficiency to protect the livelihood of the land reform beneficiaries.

The overall purpose of the DLA training programme was to establish capacity within the DLA and other role players to integrate environmental concerns into land reform and land development through the implementation of existing policy and guidelines and to implement and monitor the policy and guidelines effectively in all the provinces. The aim of this study was to assess whether the National Training Programme had achieved its objectives and whether it had enabled the trainees to integrate environmental planning into land reform through the implementation of the PGIEP.

The National Training Programme had its origin in the legal obligation that the DLA has in terms of the Constitution and other environmental and planning legislation to integrate environmental planning into land reform in order to deliver sustainable development. The challenge therefore was to sensitize both the staff of the DLA, as well as land reform beneficiaries and other key stakeholders about environmental considerations and to work with them to develop land reform in such a manner that it would have a positive impact on the environment.

Successful and sustainable land reform involves much more than the restoration and redistribution of land. It also needs to consider the proper planning, coordination and management of a natural resource to satisfy the needs of the present and the future generations. It is hoped that recommendations proposed in this study would be utilised to the benefit of effective policy implementation.

REFERENCES

Adams, W.J. (2003). *Promoting Environmentally Responsible Behaviour: An Evaluation of the Global learning and Observations to benefit the Environment (GLOBE) Programme*. University of South Africa.

Andrew, M., Shackleton, C., Ainslie, A. (2003). Policy Briefing No. 5 *Debating Land Reform and Rural development*. Programme for Land Agrarian Reform 23 August 2003.

Berman, J. (2005). *Land Reform Policy Risks Grim Harvest of Failure*. South African Institute of Race Relations. Business day 17th November 2005. <http://sairr.org.za/press-office/institute-opinion/land-reform-policy-risks-grim-har>.

Bernstein, H. (1996). *South Africa's Agrarian Question: Extreme and Exceptional?* Nkunzi Development Association.

Chenge, M., Sola, L., Paleczny, D. (Eds) (1998). *The State of Zimbabwe's Environment 1998 Report*. Harare: Ministry of Environment and Tourism.

Clover, J. (undated paper). *Human-Centred Environmental Security: The Link between Environmental Care and the Creation of a More Secure Society*.

Commission on Restitution of Land Rights (2007/2008) Annual Report 2007 – 2008

Cousins, B. (2000). *Why Land Invasion Will Happen Here Too?* (www.oxfarm.ofg.uk/landrights/SAZiminv.rtf).

Cousins, B. (2004), *Grounding democracy: the Politics of Land in Post- Apartheid South Africa*. Programme for Land Agrarian Reform.

Dean, W.R. J., Hoffman, M.T., Wills, C.K. (1996). *The light and the way in South African desertification research*. South African Journal of Science, 92, 170 – 172.

Department of Environmental Affairs and Tourism (DEAT) (2008). *Emerging Issues Paper: Land degradation*.

Department of Environmental Affairs and Tourism (DEAT) (2005). State of Environment, Themes <http://soer.deat.gov.za/themes.aspx?m=253>.

Department of Environmental Affairs and Tourism (DEAT) (2004). *National Action Programme Combating Land Degradation to Alleviate Poverty*. November 2004, Pretoria.

Department of Environmental Affairs and Tourism (2003). Convention on Biological Diversity Available: <http://www.environment.gov.za>.

Department of Land Affairs (DLA) (2008/2009). *Department of land Affairs 2008/2009 Strategic Plan and Budget, 11 March 2008.*

Department of Land Affairs (DLA) (2007/2008). *South Africa Year Book 2007/2008 – Agriculture and Land Affairs.*

Department of Land Affairs (DLA) (2004). *Environmental Impact Monitoring of the Land Reform Programme.* Directorate Monitoring and Evaluation, June 2004.

Department of Land Affairs (DLA) (2002). *Implementation of the Environmental Implementation and Management Plan (EI & MP).* First Annual Report 2002.

Department of Land Affairs (DLA) (2001a). *Guidelines for the Integration of Environmental Planning into Land Reform and Land Development.* Pretoria, Republic of South Africa September 2001.

Department of Land Affairs (DLA) (2001b). *Policy for the Integration of Environmental Planning into the Land Reform Process.* Pretoria, Republic of South Africa September 2001.

Department of Land Affairs (DLA) (1997). *Land Policy White Paper.* Pretoria, South Africa.

Didiza, T. (2005). *The Land Summit: A Review of Progresses Made and the Challenges that Lie Ahead.* Presentation by Ms. Thoko Didiza Minister for Agriculture and Land Affairs at the National Press Club, 18 July 2005.

Du Plessis, A. (2006). *Land Restitution Through the Lens of Environmental Law: Some Comments on the South African Vista.* Faculty of law, North-West University, Potchefstroom Campus.

Enemark, S. (2007). *Building Capacity – Promoting Institutional and Organisational Development in Surveying and Land Management.* MAP World Forum, Hyderabad, India, 22 – 25 January 2007.

Enemark, S., Ahene, R. (2003). *Capacity Building in land Management – Implementing Land Policy Reforms in Malawi.* Survey Review, Vol. 37, No. 287, pp 20-30.

Fitzgerald, P., Mc Lenan, A., Munslon, B. (1995). *Managing Sustainable Development in South Africa.* Oxford University Press, Cape Town.

Fox, R., Rowntree, K. (2001). *Redistribution, Restitution and Reform: Prospects for the land in the Eastern Cape Province, South Africa.* In A. Conacher (Ed.), *Land degradation* (pp. 176 – 186). London, Kluwer Academic Publishing.

Ghenna, K. (Undated). *Major Problems in Policy Implementation*. President, Addis Ababa Chamber of Commerce
(<http://www.eeacon.org/econ-focus/vol3%20No6/kebour.htm>).

Global Environment Facility (GEF) (2007). Project information report No.: 39095. *Promoting Environmental Sustainability Through Improved Land use Planning (PESILUP)*.

Government of South Africa (2004). *National Environmental Management: Biodiversity Act*, No. 10 of 2004. Pretoria, South Africa.

Government of South Africa (1998). *National Environmental Management Act*, No. 107 of 1998. Pretoria, South Africa.

Government of South Africa (1998). *National Water Act*, No. 36 of 1998. Pretoria, South Africa.

Government of South Africa (1997). *Land Restitution and Reform Laws Amendment Act*, No. 63 of 1997. Pretoria, South Africa.

Government of South Africa (1996). *Constitution of the Republic of South Africa Act*, No. 106 of 1996. Pretoria, South Africa.

Government of South Africa (1996). *Interim Protection of Informal Land Rights Act*, No. 31 of 1996 Pretoria, South Africa.

Government of South Africa (1994). *Restitution of Land Rights Act*, No. 22 of 1994. Pretoria, South Africa.

Government of South Africa (1993). *Constitution of the Republic of South Africa Act*, No. 200 of 1993 (the interim constitution). Pretoria, South Africa.

Government of South Africa (1989). *Environmental Conservation Act*, No. 73 of 1989. Pretoria, South Africa.

Hoffman, T., Ashwell, A., (Eds) (2001). *Nature Divided: land Degradation in South Africa*. Cape Town: Cape Town University Press.

Hoffman, T., Todd S., Ntshona Z., Turner S., (Eds.) (1999). *Land degradation in South Africa*. Cape Town, South Africa: Cape Town National Botanical Institute.

Independent Review of Land Issues (2007). Volume III, 2006–2007 Eastern and Southern Africa, edited by Martin Adams & Robin Palmer. Southern African Regional Poverty Network June 2007.

Kirby, J., Moyo, S. (2001). *Environmental Security, Livelihoods and Entitlements, in Negotiating Poverty: New directions*, edited by N. Middleton, PO'Keefe & R Visser. London: Pluto Press.

Lahiff, E. (2008). *Land Reform in South Africa: A Status Report 2008*. Institute for Poverty, Land and Agrarian Studies (PLAAS).

Lahiff, E. (2003). *Land and livelihoods: The Politics of Land Reform in Southern Africa*. IDS Bulletin, 34 (3).

Manjengwa, J., (2006). *Natural Resource Management and Land Reform in Southern Africa*. Commons Southern Africa Occasional Paper Series No. 15. Centre for Applied Social Sciences and Programme for Land and Agrarian Studies. February 2006.

Ministry of Agriculture and Land Affairs (MALA) (2000). *Land Redistribution for Agricultural development: A Sub-Programme, final document (Version 3)*. Pretoria, South Africa.

Ministry of Environment and Tourism [Zimbabwe]. (2001). *Integrated Conservation Plan for the Fast Track Resettlement land Reform Programme*. Harare.

Mohamed, N. (2005). *National Audit of Land Reform Related Environmental Training Initiatives*. Audit conducted for Phuhlisani Solutions. April 2005.

More, D.D. (2004). *The Impact of Large Scale Training Programmes on education Management Development in South Africa*. Department of Education Management and Policy Studies. University of Pretoria, South Africa. March 2004.

Moyo, S., O'Keefe, P., Sill, M. (1993). *The Southern African Environment: Profiles of the SADC Countries*. London: Earthscan.

Moyo, S., Robinson, P., Katerere, Y., Stevenson, S., Gumbu, D. (1991) *Zimbabwe's Environmental Dilemma: Balancing Resource Inequalities*. Harare: ZERO (Zimbabwe Environmental Research Organisation).

Murombo, T. (2002). *Community Based Natural Resource Management and Community Based Property Rights in Land Reform: Zimbabwe's Case*. Paper presented at the IASCP (International Association for the Study of Common Property) Ninth Biennial Conference, June, Victoria Falls.

National Development and Planning Commission (1999). *Draft Green Paper on Development and Planning*. Development and Planning Commission Document DPC 4/99, 22 April 1999.

Nkuzi Development Association (2004). *Meeting the challenge: delivering land at scale and realising the development benefits*. Nkunzi Development Association submission on

the pace of land reform to the portfolio committee on agriculture and land affairs, Oct 2004 <http://www.nkuzi.org.za/Presentation%20Pace%20of%20LR.htm>.

Phuhlisani Solutions and Development Services (2005). Final Report Tender DLA 05/02/C (2004/5) Appointment of a Service Provider to Training (Capacity Building) and facilitate the Implementation of the Departmental Policy and Guidelines on Integration of Environmental Planning into Land Reform. 15 December 2005.

Shackleton, C. M., Shackleton, S. E. & Cousins, B. (2001). *The Role of Land-Strategies in Rural Livelihoods: The contribution of arable production, animal husbandry and natural resource harvesting in communal areas in South Africa*. Development Southern Africa, 18, 581 – 604.

Sowman, M, Wynberg, R. (2005). *An Environmental Sustainability Assessment Tool for Land Reform Projects*. Environmental Evaluation Unit, University of Cape Town. 12 December 2005.

Turner, S. (2001). *What's land got to do with it?* Policy Brief No. 2. Cape Town: Programme for Land and Agrarian Studies, University of the Western Cape November 2001.

Turner, S. (1997). *Environment and Land Reform in South Africa*. Co-published with the Land and Agriculture Policy Centre, Johannesburg.

Turner, S., Ibsen, H. (2000). *Land and Agrarian Reform in South Africa: A Status Report*. Programme for Land and Agrarian Studies (PLAAS), Bellville.

United Nations Environmental Programme (UNEP) (2006). *Africa Environment Outlook 2: Our Environment, Our Wealth*. United Nations Environmental Programme.

United Nations Environmental Programme (UNEP) (2002). *Global Environmental Outlook Past Present and Future Perspective*.

Wessels, K. J., Prince, S.D., Frost, P.E., van Zyl, D. (2004). *Assessing the Effects of Human-induced Land Degradation in the Former Homelands of Northern South Africa with a 1km AVHRR NDVI time-series*.

Wills, M. (1993). *Managing the Training Process: Putting the Basics into Practice*, McGraw – Hill Book Company, 1993.

Wynberg R., Sowman, M. (2005). *An Environmental Sustainability Assessment Tool for Land Reform Projects*. Environmental Evaluation Unit, University of Cape Town. 12 December 2005.

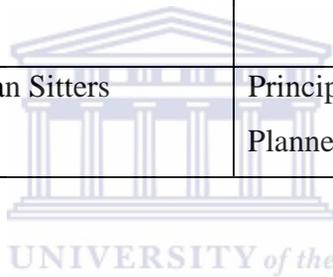
APPENDICES

Appendix A: Interviewed trainees and their work profile

Participant	Department	Province	Job title
1. Andile Ntsume	Agriculture & Land Affairs	Western Cape	Senior Planner/Senior project Officer
2. Ayanda Matoti	DEAT: previously work for DEAP	Western Cape	Assistant Director (previously PEO)
3. Jennifer Williams	RLCC	Western Cape	Deputy Director legal
4. D. Lambrect	PLRO	Western Cape	Senior Administration Officer
5. Sam Molepo	RLCC	Western Cape	Deputy Director Legal
6. R. Samai	DEAP	Western Cape	PEO
7. Pamela Tsolekile	Land Restitution Unit (CCT)	Western Cape	Head: Development Support
8. Jacob Ntshabangu	PLRO	Limpopo	Principal Planner
9. Thandabantu Nkwenwezi	RLCC	Western Cape	Deputy Director
10. Ntokozo Zuma	PLRO	National Office Pretoria	Principal Town & Regional Planner
11. Tebogo Motsei	RLCC	Mpumalanga	Project Coordinator: Settlement Support
12. Bheki Ndlovu	PLRO	KZN	Assistant Director
13. David Smith	PLRO	Northern Cape	Deputy Director: Planning
14. Nomsangaphi Tame	PLRO	Western Cape	Principal Planner
15. Sumaya Cachalia	PLRO	Limpopo	Deputy Director
16. Erica Williams	PLRO	Western Cape	Principal Planner
17. Norah Mkhansi	Agriculture in the division DLA	Limpopo	Land Reform Advisor
18. Tau Mmaphaka	DWAF	National Office Gauteng	Deputy Director: veldfires oversite
19. Juanitta van Sitters	PLRO	Western Cape	Principal Planner
20. Chizell Kriel	PLRO	Western Cape	District Manager
21. Semakaleng Mabeba	PLRO	Limpopo	Chief Planner
22. Mzwandile Teti	PLRO	Eastern Cape	Senior Planner
23. Xolela Bathembu	RLCC	Western Cape:	Deputy Director
24. Vernon Baloyi	PLRO	National Office Pretoria	Principal & Regional Planner (Technical)

Appendix B: Face to face interviews conducted with trainees

Date	Name of Person a Person	Position	Organisation
12 June 2007	Nkwenkwezi Thandabantu	Deputy Director	DLA (Western Cape: Land Restitution)
12 June 2007	Sam Molepo	Deputy Director	DLA (Western Cape: Land Restitution)
14 June 2007	Phamela Tsolekile – de Wet	Head: Development	Land Restitution Unit (CCT)
03 July 2007	Xolela Bathembu	Deputy Director	DLA (Western Cape: Land Restitution)
05 July 2007	Ayanda Matoti	Assistant Director	Department of Environmental Affairs and Tourism
13 July 2007	Juanita van Sitters	Principal Planner	Provincial Regional Land Reform office



Appendix C: Interviews with Stakeholders

DATE	NAME OF PERSON	ORGANISATION/POST
16/05/06	Rick Desagte	Trainer
18/05/06	Ursula Arends	PLAAS: Administrator of the DLA programme
09/09/06	David Mayson	Project Manager :Phuhlisani Solutions
14/10/06	Mokgadi Matakane	Director: Spatial Planning 0
19/07/2007	Steven Turner	Designer and Presenter of the training programme

Appendix D: Survey Conducted with Trainees

To whom it may concern

Dear Respondent;

I, Nomakholwa Makaluza (Student number: 96403922) am currently registered as an M.Phil student in the Programme for Land Agrarian Studies at the University of the Western Cape completing the thesis component of my degree. My thesis topic is entitled “Capacity building for the integration of environmental planning into land reform: an assessment of a National Training Programme”. The general aim of the study is to undertake an assessment of the National Training Programme, which was initiated by the Department of Land Affairs (DLA) to develop the capacity for the integration of environmental planning into land reform and land development.

You were selected from a list of trainees who attended the training in 2005 on integrating environmental planning into land reform and your participation in this research is greatly appreciated.

The main purpose of this pre-interview questionnaire is to lay the foundation for the interview, which will occur at an agreed time. I therefore invite and encourage you to contribute to this study by responding to this questionnaire, and by availing yourself for the interview.

Please complete the questionnaire and return it, preferably before the 08/06/07, to Nomakholwa.Makaluza@uct.ac.za or by fax to: 021-6855209. For more information, do not hesitate to contact me on 083 3189 421.

Thank you.

Workplace Details:

1. In which Department do you work?
2. Province?
3. How long have you been working in this Department?
4. What is your job title at work?
5. What work do you do (activities/tasks)?
6. How were you selected to attend the course?

Assessment of the Impact of the Training:

7. Did you attend all the modules of the training? If not, why did you not attend and what arrangements were made regarding the representation of your department? If you attended all the modules, from the list below, select the modules which were the most interesting and useful and explain why?
8. Having attended the training, has it enabled you to take into account environmental issues in your daily duties at your workplace? Please explain briefly
9. Was the content of the training relevant to your daily duties at work?
10. Is there a need for further training for integrating environmental issues in land reform? Please explain. Would you say the training programme has met its objectives?

Organisational Impact of Training:

11. How many people attended the training from your organisation / Department?
12. How was the information gained in the training transferred to other colleagues within your workplace who are doing similar tasks?

Impact of the training on land reform beneficiaries:

13. How was the information /knowledge gained from the training transferred to land reform beneficiaries?

Implementation of the policy

14. Before attending the training did you have knowledge about the policy and guidelines to integrate environmental issues into land reform?
15. How has your knowledge about the policy and guidelines changed after attending the training? Please explain.
16. In your opinion, to what extent is the policy being implemented?
17. What would be your recommendations for better implementation of the policy?

Appendix E: Survey Conducted with Stakeholders

The data collection was in the form of semi-structured interviews:

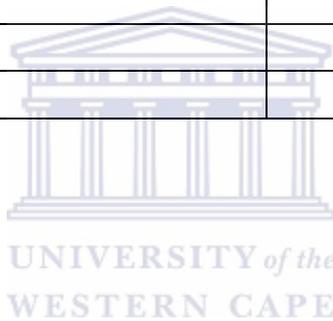
1. What was your role in the DLA/DANCED project?
2. What was the underlying principle for undertaking training on integration of environmental planning in land reform process?
3. What training programme was developed to address the above-mentioned principle?
4. How were the trainees selected?
5. Did the training programme meet its objectives?
6. What were the obstacles encountered in implementing the programme if any?
7. Did land reform beneficiaries benefit from the training? If yes how?
8. What was the trainer's perception of the training programme?
9. Did training meet its stipulated objectives? Please explain
10. Did training have any influence on the development of the guidelines and policy on integrating environmental planning in land reform process, how?
11. Are these guidelines currently implemented, please explain?
12. Do you see a further need for training on integrating environmental planning in land reform process? If yes why?

Appendix F: Phase one Training Programme of the DLA / DANCED Programme for the Integration of Environmental Planning into Land Reform and Land Development

Foundation Course	
Environmental issues in land reform	
Course Activities	Course inputs
What is involved in land reform?	The scope of the land reform programme
Identifying environmental issues in land reform projects	The evolution of the concept of sustainable development
What is sustainable development?	Development and the environment in South Africa
Mapping South African development history	The policy jigsaw - policy and legislation with environmental implications for land reform
Analysing household livelihood strategies	Introducing the concept of sustainable livelihoods
Analysing land based livelihoods	Different approaches to agricultural land use planning
Water policy and planning case study	Common property resource management and tenure
	Introducing forest policy and legislation
	People and parks - from control to community based resource management
	Introducing water policy and legislation and principles of water demand management
	Sustainable settlement planning
	Planning frameworks - LDOs and IDPs
	Key features of new environmental policy and law
	Indicators for sustainable development
Natural resource management and sustainable resource use	
Course activities	Course inputs
Key principles for environmental planning	Concepts and approaches in natural resource management
Understanding livelihoods	Institutional frameworks for local environmental management

Identifying institutional arrangements and processes for NRM	Assessing the condition, potential and management requirements of grazing land
Assessing rangeland (field activity)	An introduction to agricultural land use planning
Assessing the potential of arable land (field activity)	Water management for emerging agriculture and rural settlements
Assessing natural resource management challenges and strategies in the communal areas - the case of Sunduza village	Sustainable development 2
Building the Environmental Impact Assessment (EIA) process and determining appropriate methods for different stages and steps - the Red hill case study)	Integrating environmental factors into planning and development processes
Fieldwork sessions involving environmental assessment	Environmental assessment - a theory and practice
Fieldwork reports	
What must be done to ensure effective NRM and sustainable resource use in land reform and rural development planning?	
The environmental dimensions of LDOs and IDPs	
Course activities	Course inputs
A snapshot of the LDO/IDP process	New thinking about planning
Sustainability assessment of Simunye District - Appraisal of Simunye District scenario	Key principles informing the LDO/IDP planning process
Environmental dimensions of planning and development in Genericville - Appraisal of Genervicville scenario	The LDO and IDP planning process in action
Applying environmental laws and procedures in Simunye	Integrating environmental planning factors into planning and development processes
Developing sustainability indicators	An overview of environmental legislation and assessment procedures
	Other legislation with environmental dimensions
	Implementing LDOs and IDPs - Developing indicators to monitor and evaluate sustainability.
	Planning in practice - An assessment of 20 LDO/IDP pilots
Guidelines in action	
Course activities	Course inputs
Defining sustainability	Different dimensions of sustainable

	development and land reform
Role play - Perspectives of the environment	Paradigm shifts in environmental management
What is a livelihood?	Introducing the livelihoods framework
Laws and policies with environmental implications for land reform	Integrating environmental planning factors into planning and development processes
Test driving the environmental decision support tool (EDST)	Introducing the EDST
Assessing the checklists	Subdivision of agricultural land, environmental responsibilities of users, guidelines for different land use, maps and data bases
Identifying critical success factors and institutional arrangements for guidelines implementation	Environmental planning interventions in the land reform project cycle
Project based learning	
Free State	
Mpumalanga	



Appendix G: Phase two National Training Programme of the DLA / DANCED Programme for the Integration of Environmental Planning into Land Reform and Land Development

THREE DAY FOUNDATION COURSE		
First day		
	Course activity	Session outcomes
Session 1: Introductions and programme overview	<ul style="list-style-type: none"> • Introduce the participants on the course to one another and rapidly profile their experience • Highlight participant's expectations and any concerns they may have about the programme • Agree ground rules • Provide an overview of the training programme as a whole and the three day foundation course in particular • Clarify course assignment and UCT certification in particular 	<ul style="list-style-type: none"> • Participants were introduced to each other • Training team had a sense of the level of participants • Participants understood the logic of the design training and what they were required to do to obtain a certificate
Session 2: Environmental issues in land reform (status quo)	<ul style="list-style-type: none"> • To draw on the experiences of land reform practitioners to identify the extent that environmental issues are addressed in current land reform planning processes • To identify the extent to which environmental issues and problems have surfaced within projects that people have worked on 	By the end of the session participants identified a range of common environmental problems that have surfaced in the land reform process. These include but not limited to; poor water quality, Groundwater pollution, invasive species etc
Session 3: Key concepts – Sustainable development and livelihoods	<ul style="list-style-type: none"> • To provide insight into the scale and intensity of global and local environmental change in the 20th century • To provide an overview of how the concept of sustainable development has evolved • To introduce the concept of sustainable livelihoods and the context of poverty, vulnerability and risk 	<ul style="list-style-type: none"> • List key features that characterized the environmental and development legacy inherited by the new democratic government in 1994 • Demonstrate an understanding of sustainability as a multidimensional concept and its emergence as part of global and local development discourse • Distinguish between assets, activities, capabilities enabling influences, shocks and stresses within the sustainable livelihoods approach

<p>Session 4: Key concepts – Ecosystem goods and services</p>	<ul style="list-style-type: none"> • To introduce the concept of an ecosystem and the nature of interrelationships between different ecosystems • To introduce the concept of biome and provide an overview of the different biomes in South Africa and their principle characteristics • To introduce the concept of biodiversity and the principle of biodiversity planning 	<ul style="list-style-type: none"> • Identify key features of ecosystems and the ways they interrelate • Give examples of how human induced change has impacted on ecosystems and biodiversity • Specify the range of goods provided by the environment which are of importance to livelihoods and distinguish between these and the range of services that the environment provides such as water purification, nutrient cycling and the like
Second day		
Course activity		Session outcomes
<p>Session 5: Policy, law and the landscape</p>	<ul style="list-style-type: none"> • To develop a map of the principle policies, laws and regulations that regulate land and natural resources use and examine how they interrelate • To illustrate how the process of land reform involves a complex convergence of policy and legislation which land reform participants and owners and resource managers need to be made aware of 	<ul style="list-style-type: none"> • A broad overview of the range of policy and legislation that frames land reform, land use planning, resource management and use • Identified the key rights, obligations and liabilities that accompany the acquisition of land including the duty to manage natural resources in compliance with the appropriate legislation
<p>Session 6: Overarching environmental policy and legislation</p>	<ul style="list-style-type: none"> • To examine clause in the Bill of rights • To provide an overview of key principles within the White Paper on an Environmental Policy for South Africa (1998) and how they have been incorporated into NEMA • To clarify the relationship between the Environmental Conservation Act (ECA) Act 73 of 1989 and NEMA • To clarify what is involved in IEM and review the key features of Environmental Impact assessment (IEA) regulations promulgated under the 1989 ECA • To examine the requirements that NEMA places on DLA to develop both Environmental Implementation Plans 	<ul style="list-style-type: none"> • Explain key NEMA principles contained in Chapter 1 of the Act and describe their relevance to land reform and land development • Identify the purpose of environmental assessment and list key methods used to anticipate and manage negative environmental impacts associated with proposed development activities and changes in land use • List the scheduled activities which require environmental assessment that are of relevance to land reform

	and Environmental Management Plans	
<p>Session 7: Water, agriculture resources, forests and fire</p>	<ul style="list-style-type: none"> • To provide an overview of the provisions of the National Water Act • To identify measures contained in the NWA that deals deal with the protection of water resources, together with their ownership and use • To review the environmental impacts associated with agriculture including erosion of topsoil, siltation of rivers and dams, salinisation due to irrigation, Veld degradation due to overgrazing, the spread of invasive aliens, loss of biodiversity and habitat, pollution from chemicals and pesticides; together with the measures contained the Conservation of Agricultural Resource Act (CARA) and the Subdivision of Agricultural Land Act and regulations to control different activities • To briefly highlight key provisions in the National Forests Act and National Veld and Forest Fires Act and their implications for land reform participants 	<ul style="list-style-type: none"> • Identify the principal implications of policy and legislation relating to water, agricultural resources, forests and fire risk reduction for the land reform planning and implementation process • Understand the different ways in which the NWA affects how land reform participants acquire water rights, and are required to sustainably manage and use water resources • List provisions in CARA which regulate a range of land use activities including cultivation of virgin soil, irrigation, protection of vleis and wetlands, establishing grazing capacity pf different veld types, control of weeds and invader plants, protection against erosion, reclamation of eroded land and protection of water sources against pollution • List provisions in the NFA which regulate access and use of state forests and protect certain species of tree • List provisions in the NVFFA which require land owners to establish fire breaks, join Fire Protection Association and regulate burning of the veld
<p>Session 8: Integrated Development Planning</p>	<ul style="list-style-type: none"> • To introduce key features of the Municipal System Act, the IDP process and the responsibilities of local government with respect to land reform • To examine the relationship between local government and traditional authorities and their respective powers and functions with respect to land rights management and land use planning in the context of the Communal Land Rights Act and related 	<ul style="list-style-type: none"> • Identify local government's responsibilities for encouraging environmentally sustainable land development practices and processes and ensuring environmental protection • Review the extent to which IDPs effectively integrate and engage with land reform and the relationships between DLA and local government in this regard

	legislation	<ul style="list-style-type: none"> Analyse the role of local government in ensuring sustainable management and use of commonage land partnership with provincial government departments
Third day		
	Course activity	Session outcomes
Session 9: An overview of DLA environmental Policy and Guidelines planning	<ul style="list-style-type: none"> To provide a succinct overview of the policy and guidelines that makes up PGIEP To introduce the planning approach underpinning the guidelines To examine the phasing of environmental considerations into a generic three phase land reform project cycle 	<ul style="list-style-type: none"> Demonstrate familiarity with key features of the Policy and Guidelines Identify the critical points in the project approval and planning processes where environmental considerations must inform decision making and/or the identification of alternative land uses and measures to mitigate potential impacts
Session 10: PGIEP in practice	<ul style="list-style-type: none"> To examine how environmental considerations will be induced in the planning processes of different types of land reform projects To provide an introduction to the EDST as a method for undertaking an environmental assessment and provide an overview of different cycles in the EDST process 	<ul style="list-style-type: none"> Identify points in the various land reform project cycle at which environmental considerations need to be taken into account Be familiar with EDST investigation cycles and how they interrelate Describe the different habitats and environmental goods and services investigated by the EDST Identify the shortcomings of the EDST with respect to the social, economic and institutional dimensions of the sustainability and list other tools and methods which can be used to investigate these
Session 11: Practical implications for land reform	<ul style="list-style-type: none"> To identify what implications in terms of skills, time and costs, implementation of PGIEP will have for current land reform planning processes, capacity and budgets To anticipate potential constraints likely to be experienced in implementation 	<ul style="list-style-type: none"> Shared perspective on the practical challenges that will be faced in implementing the guidelines and the type of support services that DLA EPSU will need to provide to help overcome the obstacles to effective implementation

	<ul style="list-style-type: none"> To identify ways to overcome these constraints 		
FIVE DAY FIELD BASED LEARNING SESSIONS			
	First day		
	Course activity	Session outcomes	
Introductory elements	<ul style="list-style-type: none"> Revision of key content covered in the foundation phase Preparations of case studies for the field site (group work) Exploring resource for field project assessment i.e. maps and spatial data Illustration of map reading and interpretation skills 	<ul style="list-style-type: none"> To apply the PGIEP and provide exposure to assessment tools and methods To develop provincially appropriate strategies to institutionalize the Guidelines 	
	Second day		
ESAT & Field work	<ul style="list-style-type: none"> Overview of the Environmental Sustainability Assessment Tool Examining how the tool fits within the land reform project cycle 		
	Third & Fourth day		
Field base enquiries	<ul style="list-style-type: none"> Work on site using ESAT Examining environmental opportunities and constraints Examining factors enhancing or undermining sustainability 		
Field base enquiries	<ul style="list-style-type: none"> Work on site using ESAT Examining environmental opportunities and constraints Examining factors enhancing or undermining sustainability 		
	Fifth day		
Site analysis & presentation	<ul style="list-style-type: none"> Presentation of the findings of the field work Reflection on the adequacy of ESAT Exploring issues of institutionalization of the Guidelines & integration of the environmental sustainability assessment process into DLA existing planning procedures 		



UNIVERSITY *of the*
WESTERN CAPE