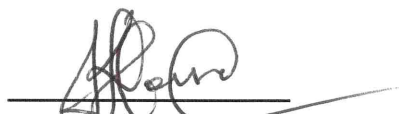
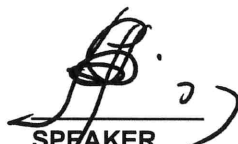




COMMONAGE MANAGEMENT POLICY
JOHN TAOLO GAETSEWE DISTRICT MUNICIPALITY

Council Resolution: 6.5.28/05/2025	Approved Date: 28/05/2025
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MUNICIPAL MANAGER


SPEAKER

MR. I.E AISENG
JOHN TAOLO GAETSEWE
DISTRICT MUNICIPALITY
SPEAKER

John Taolo Gaetsewe

District Municipality



COMMONAGE MANAGEMENT POLICY

2025/2026

MR. I.E AISENG
JOHN TAOLO GAETSEWE
DISTRICT MUNICIPALITY
SPEAKER

1. DEFINITION OF TERMS

1.1 In this Policy, unless the context indicates otherwise;

1.1.1 "Agriculture" means the Department of Agriculture, Forestry and Fisheries including its Successor in title;

1.1.3 "Constitution": means the Constitution of the Republic of South Africa, 1996 (as amended);

1.1.4 "Council": means the municipal council of the Municipality referred to in section 157 of the Constitution;

1.1.6 "Delegated authority": means any person or committee delegated with authority by the Municipality in terms of the provisions of the MFMA and/or other relevant legislation;

1.1.10 "Lease agreement": means the agreement which is concluded between the Municipality and a land user;

1.1.11 "Lessee" means a person with whom a lease agreement has been concluded and who utilise the commonage for agricultural purposes and "land user" shall have a corresponding meaning;

1.1.13 "MFMA": means the Local Government: Municipal Finance Management Act, 56 of 2003;

1.1.16 "Municipal Manager": means the "Accounting Officer" as defined in section 1 of the MFMA, or any person/s or committee delegated with the authority to act on its behalf;

1.1.18 "PLAA" means the Provision of Land and Assistance Act 126 of 1993

1.1.20 "Rural Development" means the Department of Rural Development and Land Reform Including its successor in title;

1.1.21 "small farmer" means a person who utilises or wish to utilise commonage for agricultural purposes and "emerging farmer" shall have a corresponding meaning;

1.1.23 "Supply Chain Management Regulation/s": means the Municipal Supply Chain Management Regulations published under GN868 in Government Gazette 27636 of 30 May 2005 in terms of the MFMA;

1.1.24 "Systems Act": means the Local Government: Municipal Systems Act, 32 of 2000;

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residents. Historically, the commonage had a public character. Current use is often in violation of the purpose for which the land was originally granted.

Additionally, many Municipalities are eager to become more developmentally oriented. Most Municipalities in the Northern Cape inherited vast tracts of land. This land was purchased from farmers, often as early as the mid-1800. The Department of Land Affairs has provided new farms to the Municipalities since 1994. Commonage land can thus serve as a stepping stone for emergent farmers to become more commercial farmers. Many Municipalities however feel that Commonage must also make provision for low-income households who want to use the land for food security and subsistence farming. This implies that the Municipality is now held responsible for Agricultural land redistribution at local level as this is one of the very few ways in which emergent farmers can increase their livestock.

4. PURPOSE

The purpose of this Policy is to provide for the reserving of land as commonage and the control, conservation and administration of a commonage established by the Municipality, and of municipal land

- Provide for the sustainable use and management of Commonage made available for the development of poor communities;
- Address the alleviation of poverty by making commonage land available to emerging farmers and to foster local economic and youth development;

5. POLICY OBJECTIVE

The Municipality will:

- insofar as possible and in accordance with and in compliance with the relevant statutory Framework give priority to previously disadvantaged
- Where possible, support and facilitate the development of relevant local decision-making Forums such as emerging farmers' associations and ensure that any affected parties are adequately consulted at all times:

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deeds. This information will be made known to residents in order to enable them to acquire access and usage.

When the need for access to more commonage is established, the Municipality will, in accordance with the provisions of the PLAA and/or any other program of Rural Development, apply for assistance to acquire such land. The new commonage will be identified in consultation with the Municipal Commonage Committee and the relevant small farmers will be identified to ensure that the land is suitable.

When the Municipality acquires more commonage, the title deeds of the new commonage will, subject to any requirements of Rural Development and relevant law, provide that the Municipality is required to make the land available to its residents, with the emphasis on the poor and less privileged.

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9. USE OF COMMONAGE

The commonage will be used for agricultural purposes that consist of livestock, game and the planting of crops, eco-tourism and small businesses that can emanate from the aforementioned. The use of the commonage will further be subject to any National and Provincial legislation as well as any regulations, policies or bylaws as determined and promulgated by the municipality from time to time. Committee and with input from Agriculture. This will be done with due regard to the spatial development framework, carrying capacity of the land and the establishment of proper management systems and a comprehensive land usage plan of commonage land available for agricultural purposes.

Agriculture will be requested to provide support to the Commonage Committee in the Determination of the carrying capacity of land, which is fit for grazing and also to provide support to prospective land users to compile grazing-agreements. The amount of cattle on the commonage will be determined through the carry capacity of the land and livestock farming will be subject to grazing-regulations as compiled by the Municipality from time to time. The Municipalities will ensure that sufficient administrative and other support is provided to the Commonage Committee to apply and enforce these regulations. All farmers with livestock on the commonage, must, within 60 days, comply with the requirements as determined by the Municipality with regards to the marking of animals, provided that an animal that is not marked according to the

11. TERMS OF A LEASE AGREEMENTS

- The terms of Lease agreements will be agreed upon by the Council and the relevant individual or small farmer association or group. The lease agreement will clearly identify the land as it appears on the deed and the term for which the land will be leased.
- The rent will be determined by the Municipality
- The lease agreement, will be determined by the type of farming of the individual /or small farmer association or group. In the event of livestock farming, a grazing- agreement must also be entered into between the municipality and the individual or small farmer or group, provided that the land users will remain subject to grazing- regulations as determined by the municipality.
- The term of the lease will be determined on an ad hoc basis. As such, a long-term contract will be directly linked to the type of project and sustainability thereof. Lessees must occupy and use the land for the purpose for which the lease agreement was entered into within 90 days of signature of the lease agreement.
- Notwithstanding anything to the contrary, any lease agreement will be subject to the Provisions of the Supply Chain Management Regulations, the Supply Chain Management Policy relating to the granting of rights.

12. SUPERVISION OF THE COMMONAGE

The JTG District Municipality has two Commonage, the SURPRISE FARM and CHAKWANA FARM. These two Commonage form parts of CRDP unit.

13. MAINTENANCE OF INFRASTRUCTURE AND SOURCES FOR FUNDING

The Municipality will in cooperation with the lessee and Agriculture prepare an inventory report with regard to the condition of the infrastructure on the different commonage. Which inventory will be updated annually. The Municipality will be not be responsible for the awarding of water rights and water supply as well as



Any amendments to the management plan must be approved by Council before it can be implemented. The Management Committees will be responsible for the conservation and maintenance of the commonage land in terms of the agency agreement with the municipality.

16. IMPERMISSABLE ACTIONS

While some general rules are contained in this policy, they must be read together with the rules and provisions, contained in other relevant documents, and that are specifically relevant to certain parcels of commonage and projects.

No person may, without the prior consent of the Municipality

- Erect any hut, shelter, pen, residence or structure of any nature or live, camp or squat on
- Any, part of the commonage;
- collect, dump or deposit any car wrecks, other vehicles, machinery or any scrap thereof on any part of the commonage or permit that such materials are collected, dumped or
- Thicket, manure or any grass that is, or grows, on the commonage and may not be tempered with.
- with or cause damage to any fence, gate, cistern, crane equipment or thing or burn any grazing, bush, tree or shrub on the commonage, not use any roads, except those in respect of which the municipality has authorised the use from time to time-to-time usage of, as well as roads that the public may legally use;
- leave or deposit any poison, for whatever purpose, on the commonage;
- kill, catch, keep, hunt or attempt to kill any game or birds, of whatsoever description, that
- Live on the commonage;
- Any person guilty of the above-mentioned can cause to the lease agreement to be terminated. The Municipality may recover any such costs incurred by it from the person responsible for the violation.

17. DEVIATION FROM THIS POLICY

No deviations from the provision(s) of this policy shall be entertained.

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DISTRICT MUNICIPALITY
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