Urban Settlements on Traditional Authority Land

Four Case Studies

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Executive Summary

This paper examines a significant but poorly understood feature of South Africa's urban periphery: the development of urban settlements on land governed by traditional authorities. Many black South Africans, both middle and working class, are choosing not to invest their savings into the neighbourhoods historically created to house town-dwelling white people. Instead, they are investing in land and housing outside the boundaries of the formal property regime, on land allocated to them by chiefs and headmen. These settlements are spatially and socially urban, but they grow and take shape beyond the reach of the municipal land planning and cadastral systems that have been created to shape urban development in South Africa.

At the same time, while they exist outside and even in spite of these regulatory frameworks, they present a recognisably orderly and regular municipal form and are reshaping the peri-urban fringes of cities such as Durban, Tshwane and Mbombela. Despite the lack of cadastral registration, formal services or municipal oversight, these exurban settlements are thriving. Property markets are emerging, infrastructure is being informally, privately or partially provided, and residents are investing considerable sums into durable and quality housing. As such, they represent a significant but insufficiently recognised form of urban development, one that troubles conventional dichotomies between formal and informal, rural and urban, or customary and statutory, and which questions orthodox doctrines about compaction and sprawl. In this way they pose an important challenge to the assumptions of South African planning legislation, urban policy, and theories of land governance.

A key feature of these developments is that they take place largely outside the view of the informatics and surveillance systems developed to support urban development by the South African state. Census data are out of date and unreliable, and there is no central repository of land allocations or recordal of informal land rights. For this reason, it is impossible to present here a statistical or quantitative survey of the size and scale of exurban development in South Africa. This paper seeks to describe the outlines of this phenomenon, to highlight its significance, and to identify key theoretical and policy implications.

In order to do this, we draw on four case studies of South African exurbanisation: KwaMhlanga (Mpumalanga), Dassenhoek (eThekwini), Hammanskraal (Tshwane), and Kabokweni (near

Mbombela, also in Mpumalanga). We combine ethnographic fieldwork, aerial image analysis, institutional mapping, and reviews of legal, policy, and cadastral frameworks to illustrate the ways in which new and orderly urban structures arise in the context of regulatory fragmentation and ambiguity.

On the basis of these case studies, we argue firstly that the exurban settlements currently taking shape on South Africa's urban periphery should be recognised as a valid and distinctive South African urban form. They represent a form of auto-constructed suburbia that defies easy classification. They are spatially expansive, low-density, and transit oriented. They often emulate middle-class suburban aspirations including large homes, boundary walls, landscaping, and paved driveways. This morphology reflects a deliberate spatial investment strategy by residents seeking autonomy, space, social standing and security. For this reason, social differentiation and class formation are clearly visible features of these landscapes. They reflect emerging forms of black working- and middle-class investment, with visible markers of class differentiation in housing quality, plot landscaping, and access to services. This complicates the stereotypical association of informality with poverty in South African built environments.

A central feature of the pathways of development of these settlements is the dependence on co-produced and hybrid forms of governance. On the one hand, they arise in the context of the ambiguities created by the failure of South African development planning to transcend Apartheid legacies and to achieve a fully realised institutional modernity. On the other hand, despite the inability of the South African state to effectively consolidate its territorial authority, effective forms of local governance are in fact taking shape, co-produced by traditional leaders, municipalities, and residents. Municipalities tacitly accommodate these developments, even while sometimes professing to oppose them. For this reason, governance arrangements are often also characterised by ambiguity and even instability, and authority exists on a continuum ranging from clearly established and legitimate to contested, partial, fragmented and even illegal.

These developments are closely tied to the commodification of land under customary tenure and the development of emergent markets in informal property. Despite the fact that they take shape on unproclaimed land, relying on land rights that are invisible to the South African cadastre and ignored by institutions of mortgage finance, functioning land and housing markets are evident across all four sites. Land sales, speculative investment, and home rental markets

are developing even in the absence of formal title. In some areas, properties are being advertised online, including by estate agents and financial institutions, putting into question Hernando de Soto's doctrine that titling is a prerequisite for market participation (De Soto, 2010).

At the same time, they are characterised by service deficits and infrastructure gaps. Despite visible improvements in housing and built structures, infrastructure remains underdeveloped. Roads are often informal, water is accessed through private service providers, sanitation is reliant on off-grid solutions, and stormwater drainage systems are absent. Unregulated and ineffective waste management systems may pose risks to health, safety, and environmental sustainability. Furthermore, there is a notable lack of investment in appropriate and usable forms of public space.

An important reason for this deficit is that these settlements are excluded from (and in large part represent a deliberate decision to exit from) municipal revenue systems and land- use plans, weakening the fiscal base of municipalities and complicating infrastructure planning. This plays into ongoing ambiguity about who is responsible for service delivery and regulation.

The forms of human flourishing described in this report raise significant theoretical and conceptual challenges. Clearly, they unsettle many of the dichotomies within which the tasks of government in South Africa are usually conceptualised. For this reason, we critique essentialist or dichotomous notions, common in governance and planning theory, of state vs. subaltern, tradition vs. modernity, formality vs. informality, compaction vs sprawl and even colonial vs. indigenous. Such dichotomies often end up inadvertently reproducing essentialist assumptions of colonial ideology and planning. Similarly, the critique of commodification that has become standard in many scholarly discussions of neoliberalism is not very helpful here. Instead, we call for a more nuanced understanding of hybrid institutions, para-legal legitimacy, and vernacular bureaucracies in the complex and compromised terrain of the politics of the governed.

More practically, our argument highlights the need for policy innovation and reform in order to more effectively support the forms of 'life making' that drive South African exurbanisation. Five areas of innovation are particularly important:

1. There is clearly a need for flexible land administration tools that can allow for recognition of the vernacular bureaucratic practices described here, without requiring full cadastral compliance. At a minimum, ongoing attempts to develop fit for purpose systems of land administration require the recognition of existing systems of off-register rights recordal built around documentary and archival systems such as iRasit (in KwaMhlanga) and Permission to Occupy certificates.

2. Ways need to be found to enable the transversal and vertical integration of the existing governance structures that currently support and regulate exurban development. This requires a resolution of the ambiguity that currently exists around the role of traditional authorities in land allocation and service delivery, while preserving democratic oversight, accountability, and institutional support of the constitutionally protected customary and informal land rights of occupiers.

3. There is an urgent need to resolve the crisis in revenue collection created by the forms of fiscal exit that currently drive exurbanisation. This will require finding a workable alternative to the current unsustainable dependence on the levying of municipal rates. Crucially, this is not simply a technical issue, it is a political challenge, requiring the (re)establishment of a viable social contract between local government and tax-paying citizen.

4. Aside from the financial needs of local government, there is a need for investment in appropriate transport and social infrastructure. This has to be based on a recognition of the functional dependence of exurban settlements on urban centres and the need to make appropriate provision for transport, health, and education needs.

5. More broadly there is a need for a policy shift in planning paradigms, in particular to move beyond compact city orthodoxy and engage more seriously with the spatial preferences and aspirations of black middle- and working-class exurbanites.

6. Most urgently, before any of these steps can be taken, there is a need to invest resources into better understanding these landscapes, ending their statistical invisibility and building a clearer practical comprehension of the opportunities and challenges embodied by these forms of urban flourishing.

1. Introduction

On the hills and in the valleys south-east of Pinetown, just past the last of the gated estates and culs-de-sac of the suburbs, the tarred roads deteriorate and lead into a landscape that is no longer so densely urban, but not quite rural. Minibus taxis ferry people to and from the city, cell towers mark the skyline, and satellite dishes dot the rooftops of homes. This is Dassenhoek, one of a string of fast-growing settlements spreading across peri-urban land. To the South African eye, it resembles a township like any other. Houses stand in neatly demarcated plots, there is a mix of formal and informal construction, and the transport arteries are dotted with spaza shops and taverns.

But in places like Dassenhoek, the land has never been formally proclaimed for urban development. It falls under the authority of the Ingonyama Trust (a statutory body established in 1994 to manage about 2.8 million hectares of tribal land in KwaZulu-Natal), and even though it is only 35 minutes from Durban's city centre, it is for all intents and purposes governed not by the municipality, but by traditional authorities. Most residents do not have title deed. Their security of tenure is based on 'Permission to Occupy' (PTO) certificates from amakhosi[3], or informal sales agreements. Houses are built on plots pegged out not by surveyors but by local intermediaries. There is little in the way of public infrastructure, such as stormwater drains and feeder roads. There is no effective formal land-use planning. Yet development proceeds apace. Brick homes rise behind simple fences, and in some places double-storey houses appear on slopes once covered in sugarcane. There is even a property market of sorts, with houses for sale advertised on Facebook or local WhatsApp groups.

This is not a rural periphery. It is not the informal backyard of the city. It is something else- an emergent form of urbanism straddling the institutional fault lines between municipal government and traditional authority, between state-sanctioned planning and organic development. Here in Dassenhoek, the boundaries between rural and urban, formal and informal, public and customary, are being actively redrawn by residents, land allocators, and service providers. The result is a city outside the city; a self-built suburbia without cadastral maps, without property deeds; legally invisible, but with roads, shops, electricity, and lives that are indisputably urban.

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This vignette encapsulates a widely acknowledged but currently poorly understood feature of

[3]Amakhosi is an isiZulu word meaning traditional leaders or chiefs, regarded collectively.

South Africa's post-Apartheid landscape. New urban structures are taking shape in many locations in former homeland areas, including city regions in eThekwini, Tshwane, and Mbombela. Large numbers of people are choosing to invest their savings into land governed by traditional authorities, rather than into properties situated in the formal suburbs. They simply obtain permission from chiefs or local headmen and then build there, investing savings into land to which they do not have formal title, and with only minimal reliance on the institutions of mortgage finance. We refer to this form of spatial development as exurbanisation.

These developments are clearly a meaningful expression of economic and social agency. They constitute significant processes of social and financial capital formation and provide evidence of the flourishing of black middle- and working-class life in post Apartheid South Africa. But it is a form of thriving that takes place almost entirely outside of, and in many ways in spite of, the regulatory and institutional framework created for urban development by post-Apartheid spatial planning legislation and policy. While these urbanites direct substantial investment into marginal areas, their actions also involve fiscal and regulatory exit and create complex management and governance challenges. And while the new settlements are clearly substantial, and are taking shape in plain sight, they are poorly documented. The property regimes and the population and financial flows they represent are largely invisible to the informatics and surveillance systems on which the South African government relies.

This paper provides an empirical account of four case studies of this type of exurban development and sets out a theoretical and political argument for their significance. Following the call of Robinson (2015) for urban studies to embrace experimentation, we focus on elements and processes as a way of building concepts that can enrich theory making. We do not try to provide a detailed and comprehensive statistical picture of exurban trends and developments, for the simple reason that these data do not exist. The 2011 National Census is long out of date, and the latest Census, conducted in 2022, has yet to release sub-place data which would enable the formulation of statistical profiles in these areas. In addition, the 2022 Census has been the subject of serious concerns about possible under-counting (Moultrie and Dorrington, 2024). Furthermore, the transactions that drive the growth of these settlements are not centrally registered and recorded, and databases and geospatial records are incomplete or fragmented. Coming to grips with these new forms of development will require a major statistical and research effort from the state. What we can do in this paper is describe the outlines of this phenomenon, highlight its significance, and identify the key policy questions that it poses.

We begin our discussion with a brief overview of the historical context within which the phenomenon of present-day South African exurbanisation emerges. After this, we move into a detailed discussion of four contrasting but representative case studies of exurban development. This is followed by a brief analytical discussion in which we discuss the conceptual framework within which exurbanisation can be understood. In our conclusion, we offer some broad remarks about the significance of the phenomenon, a brief outline of implications for policy and practice, and questions for further research.

2. Historical Context and Background

The movement of significant numbers of urbanites to the urban periphery is a well-known phenomenon documented in regional studies worldwide. In many parts of the global north this is termed exurbanisation, counterurbanisation or amenities migration, and is largely associated with the transition to a post-productivist countryside (Berry, 1980; Mitchell and Bryant, 2020; Newburn and Berck, 2011; Visser, 2003; Wilson and Rigg, 2003). On the African continent similar movements are afoot, though along different pathways and for very different reasons. In places like Zambia, Ghana and Tanzania, areas under traditional authority or customary tenure are being reshaped by investments from urban elites into commercial agriculture, substantially transforming the agricultural economy of these regions (Jayne et al., 2016; Jayne et al., 2019; Liverpool-Tasie et al., 2023).

In this paper, however, we are not considering these processes of investment from the point of view of their impact on the nature of agrarian production, or even the shift away from agricultural use. Rather, following the lead of recent scholarship on urban peripheries and suburban frontiers in African cities (Mercer, 2024; Meth et al., 2024) we are concerned with the challenges they pose for the government of human settlements and the opportunities they unlock for economic and spatial inclusion. This is in part because of the political and policy background against which the examples of exurbanisation considered here take place. The most important feature of this background is the way in which South Africa's history of colonial settlement, spatial segregation, capitalist development and institutional design has created a stubbornly dualist institutional and governmental architecture, one which entrenches an enduring disjuncture between forms of local governance seeking to shape the urban periphery.

The best-known aspect of this dualistic legacy is the deployment by colonial governments of the racialised organisation of political space. As Mamdani famously argued, colonial rule in Africa was

structured through a mode of bifurcated governance, in which the modalities of power were divided between a civil domain, governed by modern law and located in urban centres, and a customary domain, administered through indirect rule and situated in the rural periphery. In Mamdani's resolutely modernist analysis, this spatial and legal bifurcation did not merely reflect differences in administrative technique but underpinned fundamentally distinct political subjectivities. The urban African could, in principle, become a rights-bearing citizen, but the rural African remained a subject, governed not as an individual but as a member of a traditional collectivity—a phenomenon Mamdani described as "decentralised despotism" (Mamdani, 1996, p.8). In reality, the trajectories of South African political life were rather more complex, and rural areas turned out to be sites of vigorous democratic invention (Beinart and Delius, 2014). But Mamdani's argument about the construction of native reserves as a customary domain remains an important touchstone.

As important, if less widely remarked, was the specific role played in South Africa after the coming of British rule by the introduction of municipal corporations as territorially defined legal entities. This was first done in the Cape Colony, by the Cape Municipal Ordinance of 1836, but soon thereafter this innovation was copied in Natal and in the Boer republics (Cloete, 1997; Tsatsire et al., 2009). Crucially, this development introduced into South African local government the notion of a municipal boundary demarcating the division between urban and rural space. In the British tradition the boundaries of municipal corporations marked the limits of their spatial jurisdiction, defined the area within which rates (local taxes) could be levied, delimited where the council could make by-laws, police behaviour, and provide services, and determined who could be a municipal citizen. In this way, they provided the institutional foundation for a civic identity spatially tied to property and residency.

Crucially, urban space was seen as administratively distinct from rural space and thus in need of different arrangements in respect of regulation, infrastructure, and political representation. It was governed by a ratepayer democracy as opposed to the paternalistic rule of magistrates or traditional and hereditary elites that continued to prevail in the rural hinterlands (Macmillan, 1917; Prest, 1990; Home, 1996).

In South Africa, this political architecture was further elaborated by the 1913 Natives Land Act, which entrenched spatial segregation and laid the spatial foundations for bifurcated governance, and the 1927 Native Administration Act, which created the legislative scaffolding for administering African life under the control of the Native Affairs Department. While white South Africa was

governed through Roman-Dutch and English legal norms of private property and contractual exchange, the African reserves were assigned to the domain of customary law, where land was held in trust by a paternalistic state and governed by traditional leaders (Beinart and Delius, 2014). A crucial part of this history is the complex legal and institutional edifice that developed around title to land. Ownership was linked to the registration of property in the Deeds Registry according to strict requirements of compliance with a national cadastre.

Over the latter part of the 19th century and the first part of the 20th century, the South African cadastre developed into a highly ramified and rigorously regulated land information system (one of the most exacting on the planet) serviced by a professional cadre of conveyancers, surveyors and notaries. It consists firstly of a spatial database of geometric descriptions of land parcels, themselves surveyed to a high degree of geospatial precision, and secondly of a documentary register of the real rights in land (mortgages, servitudes, and ownership) linked to those parcels. This edifice is in turn embedded within an institutional architecture that connects property ownership to systems of financialisation, taxation and governance (Barry, 1999; Whittal, 2008; Kingwill, 2013, 2014; Fisher and Whittal, 2020).

One crucial aspect of the bifurcated governance encoded by the Natives Land Act was the distorted and partial recognition of customary law and indigenous land rights. While the Act purported to protect African land rights by reserving areas for native occupation where indigenous law and landholding customs could be respected, it in fact subordinated African tenure to state control. This was achieved by reinterpreting customary law through a colonial lens that transformed the shifting and socially embedded practices of African life on the land into rigidly codified and administratively legible systems (Bennett, 2008).

A particularly important change introduced by the colonial reconfiguration of customary law was the transformation of the status of chiefs from a fluid and performative form of authority grounded in charisma and popular support (Landau, 2010), to a much more authoritarian conception of chiefs as fixed, state-sanctioned custodians and bureaucratic allocators of communal land. Traditional leadership under Apartheid thus became traditional in name only; the 1951 Bantu Authorities Act turned it into a bureaucratised and layered institution, with chiefs becoming low level officials of the Apartheid regime (Buthelezi and Skosana, 2018; Buthelezi, Skosana and Vale, 2019; Pearson, 2024).

This institutional disjuncture has not been overcome in the post-Apartheid era. This is partly due to

unresolved struggles about the direction and nature of tenure reform. In a striking departure from the Eurocentric legal orthodoxy that equates property with registered private title, the 1996 Constitution of the Republic of South Africa embraces a pluralistic conception of land rights. Section 25 recognises both formally registered ownership and informal and customary rights in land, as constitutionally enforceable (Hornby et al., 2017). This reflects a recognition of the adaptive functionality of customary land tenure systems, especially in rural areas where land continues to serve not merely as a marketable asset but as a foundational resource for subsistence, social belonging, and generational continuity.

The Constitutional recognition of informal and customary rights has not been accompanied by the creation of an equivalent institutional infrastructure, however. Within municipal boundaries, outside the former homelands, private property rights are supported by a technically sophisticated system of land administration that enables the protection of rights and the resolution of disputes, and allows for technocratic systems of spatial, land-use, and development planning. Yet no such apparatus exists for the recognition, registration, or governance of land rights held under custom or informality (Kingwill, 2020).

The result is an unequal and fragmented system of property administration, in which the constitutional status of informal and customary land rights is undermined by the absence of a corresponding administrative and juridical architecture. This institutional asymmetry is not simply the product of bureaucratic inertia, but stems from the unresolved ideological fault lines that have plagued South Africa's post-Apartheid land tenure reform process. Repeated efforts to enact legislation that would give concrete institutional form to customary landholding have foundered on the rocks of political contestation, particularly around the role of traditional leaders and the definition of community (Cousins and Claassens, 2008).

In the absence of a decisive legislative resolution, the land rights of millions of South Africans continue to be governed by a makeshift assemblage of workarounds. More than two decades after its enactment, the Interim Protection of Informal Land Rights Act (31 of 1996) (IPILRA), initially conceived as a stopgap measure, remains the primary legal instrument protecting informal landholders. In many of the former homeland areas, land administration continues to depend on inherited mechanisms such as PTOs, despite the repeal of the underlying Apartheid-era statutes in terms of which they were originally issued. As a result, some argue that the tenure rights for the estimated 60% of South Africa landholders who do not have private title "… are probably weaker and more uncertain now than they were at the time of the transition in 1994" (Beinart, Delius and

Hay, 2017, p. 9).

This asymmetry between formal and informal systems is mirrored in the institutional design of local government, where efforts to rationalise and democratise governance have again reproduced rather than resolved the underlying tensions between state authority and customary power. The post-Apartheid state undertook an ambitious reconfiguration of local governance through the Municipal Demarcation Act (No. 27 of 1998), which sought to dismantle the spatial and fiscal fragmentation of Apartheid. By introducing a system of wall-to-wall municipalities, this legislation aimed to unify disparate jurisdictions under a single administrative umbrella and property tax base in an attempt to equalise access to services and advance municipalities' new developmental mandate (Nxumalo and Whittal, 2013; Sithagu, 2022) In principle, this reform attempted to overcome the territorial inequalities inherited from the past. In practice, however, it resulted, especially on the margins of the former homeland territories, in a new institutional incongruity- the coexistence on the same land of democratically elected municipalities and traditional authorities.

The legislation governing this relationship, principally the Municipal Systems Act (No. 32 of 2000) (MSA) and the Traditional Leadership and Governance Framework Act (No. 41 of 2003) (TLGFA), in theory creates a system of cooperative governance, in which traditional leaders are not recognised as a parallel tier of government, but are assigned a consultative or advisory role. Section 81(1) of the MSA, for example, allows traditional leaders to participate in municipal council meetings as ex officio members, while the TLGFA encourages partnerships between municipalities and traditional councils based on the principle of cooperative governance (Chakwizira and Tshivhashe, 2025; Simelane and Sihlongonyane, 2021). Similarly, the Spatial Planning and Land Use Management Act of 2013 (SPLUMA, 2014) requires the inclusion of traditional areas into land use schemes, subject to consultation with traditional authorities (Department of Rural Development and Land Reform, 2015). In effect, this arrangement assigns traditional leaders a peripheral and facilitative role. They are cast as stakeholders rather than authorities, while formal planning and land-use decisions remain the preserve of municipalities and provincial governments, a situation that is reported to be a source of continuing friction (Chakwizira and Tshivhashe, 2025; Pearson, 2024).

The difficulty with this arrangement is that it presumes a level of capacity and effectiveness on the part of municipal government that is typically absent. Across much of the country, municipalities are beset by profound governance failures, financial mismanagement, and systemic dysfunction. In the 2019/20 financial year, for example, Mpumalanga municipalities failed to spend 95% of their

Regional Bulk Infrastructure Grants and 65% of Water Services Infrastructure Grants, with the Auditor-General noting this as indicative of widespread poor planning (Auditor-General of South Africa, 2020). Nationally, irregular expenditure and audit regressions have become endemic, with few municipalities achieving clean audits or even demonstrating much in the way of basic administrative competence (see e.g. Department of Cooperative Governance, 2021).

In this context, the formal assignment of developmental responsibility to municipalities becomes little more than a fiction. At the same time traditional leaders often retain de facto control over land allocation and in practice exercise significant political authority over land-use, often (incorrectly) claiming that this function is theirs and theirs alone. The result is an unstable institutional ecology, marked by overlapping mandates and persistent administrative fragmentation (Chakwizira and Tshivhashe, 2025). The structural disjuncture between democratic local government and customary authority, like that between formal title and informal land rights, thus continues to undermine the coherence and effectiveness of the regulatory framework of the urban periphery.

A key aspect of this legal ambiguity and contestation relates specifically to the powers of chiefs in respect of land. In theory, as mentioned above, traditional leaders do not have any such powers. Legal and historical scholarship shows clearly that in the pre-colonial past, chiefs did not own land, nor did they play much of a role in allocating it. Instead, land was held through strong family and household rights, and authority was exercised in a more participatory and negotiated manner. Moreover, the TLGFA, which regulates the powers of traditional leaders in the present day, does not grant them control over land (Beinart, 2013). The Constitution's protection of informal land rights affirms the rights of individuals and communities, not those of chiefs. Despite this, traditional leaders continue to allocate land, often acting as de facto land administrators (Chakwizira and Tshivhashe, 2025; Geyer, 2025).

A further important and often overlooked factor contributing to the emergence of exurban settlements lies in the spatial and affective dynamics shaping black middle-class formation in the post-Apartheid era. Unlike the white middle- and working-classes under Apartheid, whose residential consolidation was actively facilitated by the state through greenfield development schemes, subsidised mortgage finance, and the provision of bulk infrastructure in newly planned suburbs (Parnell, 1988; Maylam, 1995; Chipkin, 2012), the upwardly mobile black working and middle classes have had to navigate a far more constrained and uneven urban landscape. Within

historically black townships upward mobility through densification, upgrading and subdivision is complicated by the difficulties of land use consolidation, failing infrastructure, restrictive zoning and weak land administration systems. Significant challenges are also posed by informal land use and social challenges, notably crime.

Whilst in many established townships, such as Soweto, upward class mobility has resulted in substantial investment in private homes, this investment remains tied to the size of land plots. Outside these townships, options are constrained. The formal instruments of Apartheid racial exclusion, such as the Group Areas Act, have been repealed, but their spatial and economic legacies endure in the form of racialised property markets, unequal infrastructural investments, and the socio-economic exclusion of black residents from many formerly white suburban areas. While greenfield development is theoretically accessible, the costs associated with purchasing and servicing land, securing approvals, and funding construction are prohibitively high for many.

In this context, the exurban fringe offers a distinctive alternative. For many black South Africans, particularly those with kinship or affective ties to rural land, settlement on traditional authority land provides a measure of autonomy, scope for economic mobility, and tenure security outside the formal urban property market. These settlements thus emerge not only as spaces of poverty or informality, but also as sites of aspiration, investment, and social reproduction.

Our analysis incorporates recent scholarship that frames the urban periphery in Africa not merely as an extension of existing urban space, but as new environments with their own patterns of social and economic life (Meth et al., 2024). We draw on the conceptual tools advanced by these scholars to make sense of the hybrid and overlapping processes that are shaping peripheral urbanisation. Particularly useful is the proposal by Meth et al. (2021) that these processes should be understood through five co-existing logics of development, namely speculative, vanguard, autoconstructed (built by the homeowner themselves), transitioning, and inherited. This framework is useful for interpreting the persistence of inherited spatial forms such as Apartheid townships and homeland settlements alongside the more recent emergence of speculative plot subdivision, state-led housing megaprojects, and incremental homestead construction.

Rather than seeing these developments on the urban periphery as anomalies or aberrations, this framing highlights their role as dynamic sites of multi-layered urbanisation, where past legacies and contemporary market or state interventions overlap. From this perspective, the spatial form of exurban settlement should not be framed primarily as a problem of governance failure or

institutional disjuncture. It must also be seen as an inventive response to the constrained geographies of post-Apartheid urbanism and the limited imaginative horizon of the South African planning profession, which has yet to reckon meaningfully with the spatial legacies of racial capitalism, the structural barriers facing black property accumulation, and the complex dynamics shaping the "politics of the governed" (Chatterjee, 2006 4) in the context of postcolonial land administration.

We thus echo Robinson's argument that these peripheral sites are valid sources for theorisation on the emergence of cities. Her emphasis on "thinking with elsewhere" (2016, p. 2) provides a methodological justification for placing our cases of exurbanisation in conversation with other global experiences of peripheral urban growth. Our aim is to understand these settlements as products of a particular historical and institutional dynamic; one in which neo-customary authority, municipal incapacity, and informal property markets coalesce to produce a distinctive pathway of urban development.

To convey something of how these structural conditions play out on the ground, we offer a series of case studies that illuminate the diverse ways in which hybrid land management regimes and fragmented systems of authority shape local trajectories of settlement and development. In our discussion we examine the everyday institutional arrangements, contestations, and adaptive practices through which land is accessed, developed, and governed.

3. Case Studies

3.1 Overview

Our discussion focuses on four case studies: the already mentioned Dassenhoek in eThekwini; KwaMhlanga, a sprawling peri-urban settlement in the former Ndebele homeland just inside Mpumalanga; Hammanskraal, on the periphery of the Tshwane metropolitan area; and Kabokweni, situated in Ehlanzeni district near White River, but administratively linked with Mbombela. Over the course of the discussion, the underlying methodology and focus will shift.

The discussion begins with KwaMhlanga, where ethnographic research by Sithagu (2022, 2023a, 2023b, 2025) focused on the institutional underpinnings and informal practices that govern land administration. This case provides the empirical anchor for our institutional analysis. It centres on overlapping and sometimes conflicting systems of land allocation, including traditional authority

structures, informal actors, and formal planning frameworks, and it shows how land management and service provision unfold in a context of unclear governance.

We next consider Dassenhoek, where 'informal formalisation' is perhaps most established and advanced. Here our focus is how urban form and commodified property markets arise in a context of weak state regulation and neocustomary land rights. The study of Hammanskraal provides an example of a landscape in which institutional power and jurisdiction are much more actively contested. Finally, the account of Kabokweni provides a picture of institutional neglect and urban development without much regulatory oversight.

3.2 Methodology

The methodological framework for this paper integrates multiple sources and modes of data collection. In so doing, we follow the suggestion of Robinson (2016) to examine all potential sources of conceptual innovation, using these sources to explore shared features, repeated instances and interconnections. The selection of the case studies was based on the researchers' experiences of the site contexts. The discussion of KwaMhlanga is based on insights gained by Du Toit from the supervision of his doctoral student Taki Sithagu, who spent months doing ethnographic research there. The discussions of Dassenhoek, Hammanskraal and Kabokweni are based on multiple visits undertaken by Charman for the Sustainable Livelihoods Foundation over the period 2020-2024, providing technical support to municipalities on township economic development strategies (Sustainable Livelihoods Foundation, 2023).

In all cases, we supplement this analysis with the utilisation and analysis of a temporal series of aerial photographs from Google Earth[4] over a 20-year period to track the trajectory of spatial development at each site (KwaMhlanga is an exception, a ten-year period is reviewed). Rather than trying to come up with a quantitative analysis of an entire case study area, this methodology is used for the purpose of providing a qualitative snapshot of a micro-area within it. For this purpose, the analysis utilises a purposeful selection of a sample area of settlement, chosen to illustrate important aspects of the development path of the case study area as a whole. Each of the micro-areas measures approximately 460 meters by 200 meters, or about 9 hectares. This scale is chosen because it has enough resolution to reveal details of plot development and home construction, while being large enough to show broader features of urban structure.

[4]All Google Earth images were generated and downloaded between 1 June and 30 August 2025.

The temporal starting point is defined by the earliest availability of accurate imagery on Google Earth. In this way we accessed images from three moments: 2004, 2014, and 2025 (2015, 2020 and 2025 for KwaMhlanga). Google Earth images were accessed in the period June-August 2025. In some instances, we have slightly shifted this timeframe where the available aerial imagery was of poor quality, due, for example, to cloud cover, or where the development on the ground itself indicates that a shorter time frame would be more appropriate.

We then examined the aerial images, to assess the change in settlement dynamics focusing on six variables:

i. The number of built structures.
ii. Change in the roof structures of properties, noting angularity and colour change (which would be associated with architectural improvements, including a shift from zinc sheeting to ceramic tiles).
iii. The presence, or appearance, of boundary walls and structures.
iv. The development of paved driveways within plots.
v. Evidence of intentional horticultural cultivation.
vi. Compound developments.

We utilise these features as proxy indicators of socio-economic and spatial transformation. For the purposes of analysis we utilised generative AI (ChatGTP 4) to conduct a preliminary photointerpretation, using a protocol of prompts to train the algorithm. The methodology entailed scanning each image for identifiable features that indicate evidence of the variables under enquiry. The results were then visually scrutinised to verify the quantitative and qualitative outcomes.

As with all models, there are gaps and uncertainties. Factors that may affect the result include low and variable quality in the aerial imagery, shapes such as landforms that may resemble infrastructure, but are unrelated to infrastructure development, shadows and tree cover which may obscure features, and challenges in identifying compound structures.

The photointerpretation entailed the following steps:

i. Counting Structures and Identifying Roof Types:

- [AI] divided each aerial image into a virtual grid (mentally or by zoom/panning) and visually scanned for identifiable features like roofs, driveways, and trees.

ii. **Counting Structures and Identifying Roof Types:**
- Each visible building roof was counted as one structure
- Roofs with distinct angular edges and solid colouring were classified as tiled roofs
- Roofs with flat, shiny, and metallic reflections were classified as zinc roofs
- Where buildings were clustered or obscured by shadows or trees, estimates were adjusted conservatively to avoid over-counting

iii. **Boundary Features and Driveways:**
- Visible perimeter walls or fences enclosing individual plots were counted as boundary walls.
- Driveways were recognised as paved or cleared tracks leading from the road to a structure, often appearing as brighter or smoother paths.

iv. **Ornamental Trees:**
- [AI] identified non-forest, evenly spaced trees within or adjacent to residential compounds.
- These were distinguished from natural vegetation by location, symmetry, and spacing.

iv. **Cross-Year Comparison:**
- Counts were standardised across the same visible spatial footprint to maintain consistency.
- Where image quality varied (due to shadows, resolution, or colour tone), [AI] cross-referenced location patterns to trace evolution.

We then revised the method to test for difficult-to-identify developments, including compound structures and spatially contiguous buildings. This was necessary in the case of KwaMhlanga, as many of the house developments are incomplete and still in the process of construction with bricks procured and present on site. To test for accuracy, we requested the AI tool to annotate the micro-area, indicating single and compound structures. We then examined the results against a manual (visual) inspection to address any discrepancies.

Figure 1: Annotated aerial view, showing single and compound structures in KwaMhlanga, produced to verify the generative AI dwelling count. Source: Google Earth

In each case, we also conducted a rapid scan of online property markets, including Property24, Facebook, and Private Property. Land and properties marketed via these sites provide an indication of market conditions, as well as insights into the role of financial institutions and intermediaries.

Overall, the methodology is characterised by cross-referencing multiple sources, namely historical analysis, legal and policy review, secondary statistical data, ethnographic case material, and spatial analysis, applied in a manner that is both comparative and inductive. The range of sources enables the research to move beyond abstract theorisation of exurbanisation to a grounded understanding of its institutional logics and real-world impacts, grounded in an awareness of the structural and policy implications of this profound urbanisation.

3.3 KwaMhlanga

The late Taki Sithagu, a lecturer at the School of Architecture and Planning at Wits University and PhD student at the Institute for Poverty, Land and Agrarian studies (PLAAS) at the University of the Western Cape, did extensive fieldwork in this area between 2022 and 2023, researching the

informal dealings between the local municipality and the traditional authority. Tragically, she died before she could complete her PhD dissertation. The notes below summarise some significant findings from her research, drawing on both her published work (Sithagu, 2022; Sihlongonyane and Sithagu, 2025; Sithagu, 2025) and her unfinished dissertation manuscript (Sithagu, 2023a, 2023b).

Introduction

KwaMhlanga is situated along the R573 about 80 km from Pretoria in the Thembisile Hani Local Municipality, just inside the Mpumalanga border with Gauteng.

Figure 2: Commercial Activities along the R573 Moloto Road in KwaMhlanga.
Source: Gauteng City-Region Observatory, 2024.

KwaMhlanga was formerly part of the Apartheid homeland of KwaNdebele, and settlement there is shaped by long histories of migration, conflict, displacement, and contested governance. Its social dynamics and institutional frameworks are influenced by both rural traditionalism and urban modernity. KwaNdebele has always been ethnically and culturally heterogeneous (Ndlovu, 2017). Missionary and colonial discourses reinforced and formalised Southern Ndebele identity as a tribe, turning a historically fluid and relational identity into a more rigid and exclusionary category (Landau, 2010). The formation of KwaNdebele was driven by forced removals and state resettlement plans, leading to a legacy of limited infrastructure and spatial exclusion.

At present, KwaMhlanga is the administrative and commercial hub of a semi-rural region. Despite its relative distance from the City of Tshwane, it still has strong commuter links to the city, which it continues to serve as a dormitory labour reserve, in some ways much like it did during Apartheid. Although the current population is not known (the census record is out of date), official sources note that it has high rate of population growth (Thembisile Hani Local Municipality, 2022). Sithagu's interviews indicate that many of those who settle are residents relocating from Tshwane metro, seeking a home of their own far from crowded settlements created under the Reconstruction and Development Programme (RDP). Others appear to be following a more multi-local spatial strategy, investing in an exurban property while maintaining a foothold in the metro (Sithagu, 2023a). Others originate from even further afield (Marble Hall, Jane Furse or Groblersdal) and settle in KwaMhlanga as a staging post to get closer to the city. Many who live here find the availability of land and the lower cost of living attractive enough to trade that off against the costs and inconvenience of a three-hour daily commute to work in Pretoria (Sihlongonyane and Sithagu, 2025). Settlement is thus particularly dense along the R573 Moloto Road, which is a vital but deadly artery, infamous for its high rate of fatal accidents, many involving Putco buses. A continuing source of local grievance is that, despite years of promises, a proposed rail corridor remains unrealised.

Figure 3: Aerial view of KwaMhlanga, indicating the broader spatial context in 2025.
Source: Google Earth

Arrangements in respect of land governance

Figure 4: Dilapidated municipal offices, Thembesile Hani Local Municipality. Source: Photograph taken by Taki Sithagu, 2023.

KwaMhlanga is administered by the Thembisile Hani Local Municipality, a category B municipality within the Nkangala District Municipality. Like many such municipalities, it suffers serious capability and resource shortages. These are partly because most of the land it governs is outside the formal property regime, which means that it is not visible within the cadastral system that connects land occupation to the apparatus of formal revenue collection (Sithagu, 2022). Without revenue collection, the municipality relies for its funding on the equitable share received from the fiscus and conditional grants such as the Municipal Infrastructure Grant. When Sithagu last visited their offices, they had one chief town planner in the Development and Planning Unit and two housing officials in the Human Settlements Unit. There is a low retention rate of professionals within the municipality. Provision of basic services is poor, due to the lack of municipal vehicles, a shortage of staff to manage waste collection, and no municipal call centre.

The high turnover of professional staff has several consequences for the municipality. It is highly dependent on the District municipality for most of its functions, including township establishment and housing projects, and the municipal officials lack necessary skills. In reality, urban settlement and land use decisions in KwaMhlanga are not made by the Thembesile Hani Municipality, but by the local institutions of traditional leadership.

Here, the determining factor is that, like most former homeland areas in South Africa, almost all the land in KwaMhlanga belongs to the state. In the case of KwaMhlanga most of it is owned by the national Department of Land Reform and Rural Development (DLRRD), although some additional parcels are owned by the provincial government of Mpumalanga. This land falls under the jurisdiction of several traditional authorities, all of whom stem from the Manala Mbhongo Royal Kraal (held currently by Ingwenyama Makhosoke II) and the Ndzundza Mabhoko Royal Kraal

(held currently by Ingwenyama Mabhoko III).

This institutional overlap means that arrangements in respect of land governance are in an important sense quite untransparent. On the one hand the municipality espouses the official line that it is the only authority legally entitled to allocate land and make land use plans in the area. The 2022 Thembisile Hani Integrated Development Plan , for instance, lists “land invasion” as one of the major problems within its jurisdiction, observing that “Traditional Leaders [are] allocating land to individuals without proper planning processes being followed”, and noting a lack of integration and co-operation between the traditional authorities and the local municipality (Thembisile Hani Local Municipality, 2022, p. 61). This document notes that these traditional authorities allocate land to communities without following proper planning processes, encroaching on road reserves and servitudes, and allocating areas not fit for human settlement.

In practice, however, it seems that a much more pragmatic accommodation has been reached. In her PhD field work, Sithagu showed that municipal officials and local headmen work together on a variety of fronts, using informal practices to navigate formal systems to deliver basic services (Sithagu, 2022). One area of cooperation, for instance, is in the spatial development of layout plans for local villages, the majority of which have been surveyed by the municipality at the behest of traditional leaders, but not proclaimed (Sithagu, 2023a, p. 83). In other words, far from being an ungoverned process of land invasion, land development in KwaMhlanga is for the most part an orderly process, albeit one that proceeds technically in contravention of SPLUMA. At the same time, because township establishment is not formally completed (the process stops at the township registration phase, and parcels are not demarcated for individual ownership), these settlements are invisible to the cadastral system, making it impossible to issue title deeds and levy rates.

Traditional authorities also play a central role in the process of land allocation and the creation of a local land market. In KwaMhlanga, this market is primarily for land in residential plots, typically about 600m² in size. Local headmen (induna) act as intermediaries between land-seekers and the Traditional Authority Councils (TACs). These headmen are responsible for identifying, allocating, and in some cases demarcating plots of land within their ward. Their roles also include maintaining a level of social order and resolving disputes. They are embedded within the community and are well known to the residents, which gives them both local legitimacy and intimate knowledge of social dynamics and land availability.

Land allocation typically begins with the use of handwritten waiting lists maintained by secretarial staff at the TAC. These lists record the names and contact details of people seeking land. Entries are often only made when people visit the tribal ward office in person. Once a threshold number of applicants is reached, the TAC may submit a formal request to the municipality, citing this demand as justification for demarcation. After demarcation, headmen begin allocating plots to those on the list. Community meetings, word-of-mouth announcements, or direct telephone calls from the TAC secretary are common ways in which individuals are notified that allocation has begun.

A striking aspect of this land allocation process is the extent to which it relies on contiguity and physical presence. Information about allocations is not made available in public media or on the internet. Unlike most land markets in South Africa (including some of the informal land markets described elsewhere in this report), this is a market that operates almost entirely through word of mouth and social networks. Land seekers have to be physically present in the village to find out about land allocations — in Sithagu's evocative words, "information is acquired through the feet" (Sithagu, 2023a, p. 21). For this reason, she argues that the informal land market in KwaMhlanga is a "social island", quite disconnected from the broader South African property market. The allocation process requires physical presence, and the transaction involves an in-person meeting between headman and applicant, often taking the form of a joint visit to the land in question.

The acts of walking the land, speaking to the headman, and attending meetings are central to creating the social bond through which the right to land is established. It is a condition of the transaction that the allocation of land is swiftly followed by physical occupation and the development of the plot. Stands that remain empty for more than three months revert to the headman. For this reason, those who have the funds to build, do so immediately to cement their presence on the land, even if only by erecting a placeholder shack. "In essence," Sithagu remarks, "building on the land and living [on] it legitimises the allocation of land and secures the occupier" (Sithagu, 2023a, p. 73).

The allocation of land is accompanied by the payment of a 'Lotsha fee'. This fee varies widely depending on several factors including the location of the site, its proximity to services or roads, the level of demand, and the individual headman's discretion. At the time of Sithagu's research this varied between R1,000 and R5,000. While TACs may provide general guidelines, headmen

retain significant autonomy in setting prices. Crucially, this price is not fixed or advertised. This introduces a significant element of uncertainty and informality into the process. Land-seekers with better social connections or more persuasive bargaining strategies may pay less; those from outside the area, or who are unfamiliar with local norms, may pay more (Sihlongonyane and Sithagu, 2025; Sithagu, 2023a).

The documentary anchor of this informal system is iRasit, a printed A5 receipt issued by the headman upon successful land allocation and payment of the allocation fee. The form of iRasit varies from TAC to TAC, but typically includes the identity of the issuing TAC, the name and contact details of the new landholder, the date of allocation, the amount paid, the stand number, and the location of the land (Sithagu, 2022). Similar to the PTO certificate of which it is a derivative, iRasit fulfils crucial legal and symbolic functions. It serves as proof of payment and residence and establishes a documented link between the resident and the plot. In other words it functions as a pathway to the formalisation of the informal and the off-register recordal of customary rights to land.

Perhaps the most consequential example of the complex articulation between this offregister practice and the formal systems of governance is provided by the intersection with Eskom's Integrated National Electrification Programme (INEP). Although iRasit lacks formal recognition in terms of the national cadastre or deeds registry, it has become an essential documentary artefact in mediating the link between rights to land and access to services. Eskom, operating under INEP's imperative to roll out electricity to low income and underserved areas, accepts iRasit documents as sufficient proof of residence and tenure in areas under traditional authority. In practice, Eskom technicians work in close consultation with local headmen, who identify eligible households based on occupation and the presence of an iRasit. In this way, Eskom's bureaucratic systems are incorporated into the informal land allocation process. Crucially, for stand holders, the arrival of electricity not only improves their material living conditions but also signals acceptance by the organs of the South African state of the security of their tenure, while raising the value of these properties. The result is a mutually reinforcing cycle in which iRasit facilitates access to electricity, and the installation of electricity in turn consolidates the legitimacy and permanence of occupation.

While this arrangement exists in a legal grey zone, it has the effect of entrenching a para-formal

infrastructure of tenure recognition, in which state services operate through the conduits of customary authority and vernacular documentation, and in which headmen operate as “bush level bureaucrats”(Zenker, 2018, p. 25), facilitating the outreach of the national parastatal, and enabling the collection of revenue in spite of the invisibility of these settlements to the cadastre (Sithagu, 2022, 2025).

In most of the villages where Sithagu did her research, like Moloto and Buhlebesizwe, it is possible to see how a kind of off-register formality can be co-produced through patterned interactions between officially recognised traditional authorities, local residents, and state or parastatal actors. In nearby Magodongo, however, we encounter a markedly different situation. Here, traditional leadership structures are much less settled. The headman in this area died in 2016 and has not been replaced, and there is no formally appointed headman recognised by the chieftaincy. This governance vacuum has been filled by illegitimate or self-appointed headmen, some of whom appear to have backgrounds in the taxi industry and speak Zulu rather than Ndebele.

One of them has erected a makeshift administrative building (an empty shack with the spray-painted words ‘site office’) that replicates the function of a TAC ward office. According to Sithagu’s field notes, local people clearly perceived this person’s claim to be a headman with scepticism, but they warned her that he should not be asked about that (“You won’t even ask him that,” says one informant. “He might hit you and kill you. He is scary.” (Sithagu, 2023a, p. 15)). Other self-appointed headmen did not have site offices but merely moved around the village taking fees and allocating land.

Interestingly, the legitimate traditional authorities in KwaMhlanga were aware of these usurpers but had not challenged their claim to authority. Officials from the Department of Cooperative Governance and Traditional Affairs interviewed by Sithagu simply said that there was nothing they could do about it. The ability of the Ndebele chieftaincy to act is reportedly limited by the fact that impersonating a chief is apparently not a criminal offence under South African law. While they could technically evict the impostors and the people to whom they have allocated land, they have wisely decided to avoid confrontation.

As in the case of Eskom’s INEP, however, the allocation of land by these opportunist individuals

creates a self-legitimising process. Sithagu's fieldnotes record instances of people who out of desperation paid money for iRasit and access to land in the full knowledge that the allocator had no legal standing. Once they had established possession and become part of the local community, they believed their tenure to be secure. Sithagu's notes are worth quoting at length.

> *In the case of Magodongo, land seekers are left to choose their land allocator among the self-appointed headmen. One can even say that some are left with no choice because there is no legitimate headman. Due to the desperation or need for land, they take the risk of being allocated land by those that do not have the authority to [do so]. The risk-taking is based on a numbers game. The more people are allocated [land] by the self-appointed headman, the more secure they feel. The more time passes by without a threat of eviction, the more secure they feel. The more people build, the more secure they feel. In essence, there is almost no immediate consequence for their risk-taking behaviour.*
>
> *… In summary, it made no difference whether a land seeker received their land from a self-appointed headman or from a legitimate headman, the process of land allocation was replicated either way. Additionally, land seekers felt the same sense of tenure security either way.*
>
> (Sithagu, 2023a, pp. 17–18)

This shift foregrounds a more fractured and contested landscape of authority, in which tenure is underpinned not by formal recognition or bureaucratic interfacing, but by proximity, presence, and personalised forms of local power.

Another area of contestation relates to the Traditional Authority's retention and use of the allocation fees. Many residents complain that while they pay Lotsha or additional contributions, the chieftaincy "does not invest back to the community", and that even money levied explicitly for infrastructure investment (e.g. road grading) is not used for this purpose. Community members and some municipal officials perceived the process as "solely driven by money", with headmen perceived as profiting personally from allocations. Chiefs and councillors, however, respond to these criticisms by arguing that they have been stripped of their development responsibilities by the democratic government, and that residents should look to the municipality for infrastructure provision (Sithagu, 2023a, pp. 16, 23).

Similarly, while the municipality has informally co-operated with chiefs in their engagement with Eskom, Sithagu reports that it has also “pushed back against this system of invisible property” (Sithagu 2022, p. 86). Since 2017, Thembisile Hani Municipality has tried to formalise its relationship with traditional leaders through a memorandum of understanding (MOU) proposing shared revenue from iRasit fees. The chiefs have resisted, seeing this as a threat to their authority. The MOU proposed that the municipality receive R90 from each R100 allocation fee, which is seen as one-sided by traditional leaders (Sithagu, 2022). In addition, the municipality has launched a campaign (‘Operation Hlasela’) to encourage residents to pay for services. This has largely failed due to widespread poverty, lack of enforceable billing systems, capacity problems within the municipality, and community distrust. The relationship between the municipality and the traditional authority, far from being one of cordial cooperation remains one of uneasy co-existence and reluctant accommodation.

Temporal development: Micro-Area (2015, 2020, 2025).

The following Google Earth pictures and our analyses detail the changes in KwaMhlanga within a micro area (central point 25°25'52"S 28°46'01"E), measuring 200m x 460m, at three points in time: 2015, 2020 and 2025. Before 2015, there was no evidence of settlement.

2015

Figure 5: KwaMhlanga micro-area in 2015.
Source: Google Earth

In 2015, the area was largely vacant, with only a small cluster of structures concentrated along the road edge. The analysis identified 10 structures (compound structures were regarded as a single count). Roofs were almost entirely flat, metallic and reflective, indicating the use of zinc sheets. There were no tiled roofs. Boundary walls were absent, and plots were open with little demarcation. Vegetation was predominantly natural veld with no ornamental planting. Driveways were not present and access was via informal dirt tracks.

2020

Figure 6: KwaMhlanga micro-area in 2020.
Source: Google Earth

By 2020, plot and house development had expanded significantly. The analysis identified 66 compound structures. Many plots had single shacks, presumably erected as placeholders to confirm site occupation. Roofs were still predominantly zinc, though a few larger homes displayed more angular roof surfaces suggestive of architectural modernisation. The layout had begun to show linear plot formation along emerging internal access tracks. Boundary walls were visible in scattered locations, typically around larger houses. A few cleared driveways were visible, though paving was rare.

2025

Figure 7: Micro-area in KwaMhlanga in 2025.
Source: Google Earth

By 2025 it is clear that the area has undergone a dramatic increase in density of occupation, with distinctive plots covering the entire micro-area. The analysis identified 82 compound structures and there is now clear evidence of tiled roofs. There are several houses in the process of construction, 'wall high', but without completed roofing, indicating a piecemeal building process, probably dictated by the availability of funding.

Boundary walls are more evident, enclosing many individual plots, with paved driveways a final development. In most cases boundary walls precede the completion of the house. Defined vehicle access routes are clearly visible, especially for established houses. There is minimal evidence of ornamental trees.

3.4 Dassenhoek

Municipal Spatial Situation

A cluster of settlements in the Durban Outer West region of the eThekwini Metropolitan Municipality (the Metro), includes KwaNdengezi, Tshelimnyama, and Dassenhoek, the latter being the primary focus of our analysis (29°50'54"S 30°47'31"E). Pinetown, situated to the north- west of these settlements is the nearest commercial and industrial hub. Located in Ward 14, with surrounding settlements in Ward 12, Dassenhoek falls under the authority of the Dassenhoek Community Authority. According to the 2011 Census (Frith, n.d.), the broader Dassenhoek sub-place had a population of 25 706, but this figure is outdated, given the pace of settlement expansion across the peri-urban fringe. Most working residents and students commute daily to sites of employment and learning institutions situated within the Metro, either in Pinetown or the City of Durban.

Figure 8: Dassenhoek: the geospatial context of hilly terrain. The settlement includes compound houses. Plot development usually commences with the establishment of single dwelling houses (flat roofs), with separate toilet facilities.
Source: Charman personal collection, 2023

Figure 9: Gradual process of infill development.
Source: Charman personal collection, 2023

Figure 10: Limited road access, via municipal built roads.
Source: Charman personal collection, 2023

Figure 11: Households access water via on-site storage tanks (privately serviced) or municipal standpipes.
Source: Charman personal collection, 2023

Figure 12: Commercial micro-nodes have arisen at points where residents access informal transport services, which ferry people to taxi ranks.
Source: Charman personal collection, 2023

Figure 13: Aerial view of Dassenhoek l in (year), with micro-area indicated (red box).
Source: Google Earth

Settlement Dynamics

Dassenhoek is located on a hilly topography, transected by deep rivers (see Figure 13). The resulting fractured terrain limits the expansion of house sites and makes the provision of road infrastructure and public utilities technically challenging. Some homes are situated in topographically hazardous places. A number of dwellings, for example are situated along streams, and while they are technically outside the 100-year flood plain, they are nevertheless vulnerable to storm and flood events.

Dassenhoek's history reflects the messy layering of missionary, Apartheid, and post-Apartheid administrations. Originally part of the farms bought by the Catholic Mariannhill Mission in the late 19th century, it developed alongside neighbouring freehold settlements like St Wendolins, but under Apartheid was rezoned as an Indian Group Area and provided with better services than surrounding black settlements. Administration shifted from the Natal Provincial Administration to the Pinetown Municipality in 1990, but large portions of land remained unproclaimed or outside formal township registers, with many residents holding insecure tenure through informal rentals or PTOs. When the KwaZulu homeland government created the Ingonyama Trust in 1994, it transferred all land under its jurisdiction into the Trust, sweeping in peri-urban areas like

Dassenhoek that were caught in this liminal governance space. As a result, despite its origins in mission and Indian enclave land, Dassenhoek was reclassified as Trust land, leaving residents subject to the Ingonyama Trust's contested authority (Cross et al., 1992).

As can be seen from the earliest satellite image (see Figure 14) the area was already inhabited, although not very densely, in 2005. By 2025, the area had undergone notable spatial changes, which include individual household expansion and the development of new stands through an infill process. The satellite imagery furthermore documents an expansion in social and community infrastructure (such as churches) and the establishment of business infrastructure (such as shops) along arterial roads that connect the settlement to taxi ranks and the major local shopping centres. By 2025, previously open spaces were occupied with buildings or marked off with fences, indicating individual de facto control.

Despite the long history of settlement, the area is deficient in municipal infrastructure. The road network comprises a single arterial paved road, with a web of informal access roads ('jeep tracks') and extended driveways connected to the residential stands. The informal road networks are mostly unpaved. Residents use pedestrian pathways and stairways to navigate the terrain. These exist at points in the road network from which they can access public transport services via private taxi services, which are privately owned and operated cars that ferry residents from points within the road network to the minibus taxi system. The taxi ranks are situated in nodal hubs, located on arterial routes.

Electrical services extend to parts of these settlements. Public lighting has been established along the major road network and to some long-established locales. Households have been able to access electricity via the municipal grid, but distribution is limited, and many households in Dassenhoek are unconnected to the power grid. The municipal water system provides broad area coverage, via communal standpipes, but has not replicated the plot-to-plot distribution model in formally planned areas. This kind of system would be technically challenging and costly since house placement follows a random pattern. Some residents obtain potable water from private service providers, with the purchased water stored in tanks (typically 5,000L). The area has no municipal sewerage. Instead, households utilise pit latrines, septic tanks and soakaways to manage domestic greywater. It is likely that these systems result in leakage and river system contamination. Outside the main road infrastructure, there are few municipal interventions to manage stormwater flow. In

the context of the hilly terrain, the absence of this infrastructure heightens the risks associated with building on steep slopes and close to streams and gullies.

Dassenhoek is furthermore devoid of public recreation facilities, and there is a dearth of public space. Open space exists, but mostly on steep slopes and in ravines. An area that was demarcated for municipal open space use has since been occupied by houses, thus indicating a misalignment between the Traditional Authorities and the municipality on spatial planning objectives.

Land Use Management

The eThekwini Municipality Planning and Land Use Management By-Law was promulgated in 2016. The Metro has not yet established a wall-to-wall zoning scheme as required by SPLUMA. There are five different zoning schemes for the entire Metro. The township settlements in Dassenhoek (under Metro land administration) are governed by the Inner West Zoning Scheme, v 1.4. The Metro has recently adopted a Traditional Rural Spatial Framework and Land-Use Management Plan (Dawood, 2025). This plan is based on agreement to align spatial and land-use planning administration, and to create bureaucratic legibility for peri-urban settlements through street naming and house numbering.

In practice, arrangements in respect of land governance are complex. Some of the land falls under the Inner West Zoning Scheme and is mostly zoned for residential purposes, which limits the potential for mixed-use intensification and densification. However, several portions are classified as former R293 Areas, meaning they comprise land historically governed under Regulation 293 of 1962 of the Black Administration Act, for which land grants (lease hold) rather than freehold titles were issued. Finally, a portion of the area around Dassenhoek falls under the Ingonyama Trust and has less formal Township Establishment Act 113 of 1991 application status.

The Ingonyama Trust was established in 1994 by the KwaZulu Ingonyama Trust Act (Act 3KZ, KwaZulu Government[5]) The formation of the Trust transferred land under the authority of the KwaZulu Government to a Trust under the control of the Zulu Traditional Leadership (Zulu Kingdom) with the King as sole trustee (Lynd, 2021). The core activities of the Trust are the management of Trust lands, a function overseen by the Ingonyama Trust Board, who in turn provide oversight of the activities of the various

[5]While this Act was originally an Act of the KwaZulu Legislative Assembly, it was given the status of a National Act through the promulgation of the KwaZulu Ingonyama Trust Amendment Act in 1997. The amendment also created the Ingonyama Trust Board.

Traditional Councils (such as the Dassenhoek Community Authority) that administer land.

The status and mechanisms of this administration are contested. Formally, the land management process is governed by customary law, with oral agreements and determinations a cornerstone of the institutional process. The various portions of land that make up the total land holdings are controlled by the respective Zulu clans. In the past, the Trust has argued that the land is under its ultimate ownership and in the sole Trusteeship of the Zulu King. Starting in 2010, the Ingonyama Trust sought to upgrade PTOs by converting them into leaseholds, effectively recasting itself as landlord over land it held in trust, and requiring customary rights-holders to pay rent for property they already owned under customary law. These arrangements were ruled unlawful by the Constitutional Court, which upheld a High Court ruling that the conversion of PTOs to leases violates the Constitution by forcing residents into a weaker tenure system (SAFLII: Council for the Advancement of the South African Constitution and Others v Ingonyama Trust and Others, 2021). The Trust was ordered to cancel the leases and refund rent paid. Despite appeals and delays the Board has begun implementing compliance under Ministerial oversight, though administrative capacity to reissue PTOs remains weak.

At the same time, it seems that the Board has committed to a six-step process to guide the allocation of land to new applicants.

Table 1: Process for allocation of land
In reality, this six-step process is often ignored. Many applicants proceed directly from Step 1 to

Step 1	Approach the Traditional Council for written consent to recommend available land for the application. Identify site boundaries on an aerial photograph.
Step 2	Approach the municipality for a consent letter stating that the proposed development complies with the Municipal IDP and relevant spatial plans.
Step 3	Submit the application to the Ingonyama Trust Board with supporting documents from Steps 1 and 2.

Step 4	If the application is approved, the Ingonyama Trust will issue a short-term two-year lease to reserve the land for the proposed development.
Step 5	The applicant must then apply for development approval in terms of applicable legislation (including land use management and environmental management).
Step 6	Once development approval is granted, the applicant must submit proof of approvals to the Ingonyama Trust which will then issue a long-term 40-year lease. When the lease expires, a renewed lease may be issued. The annual / monthly lease cost is to be determined based on the market value, which depends on the size of the land allocated and use.

Source: Author developed, based on input from Senior Project Manager, eThekwini, 2025.

Step 6, avoiding municipal land use management consent and crucial compliance with environmental legislation that may, for good reasons, forbid certain developments. As a result, developments have occurred on land reserved for servitudes (power lines, fuel pipelines, and road reserves), within 100-year floodplains, within environmentally protected areas, and along coastal setback lines. For this reason, these developments are difficult to retrofit with the required municipal services.

Development on land under the jurisdiction of a Traditional Authority creates an ambiguous situation in respect of rates. On the one hand, the Ingonyama Trust considers that land under its jurisdiction should not be liable for municipal rates, at least not until such time as municipal infrastructure and services are provided. This would include access roads and provision of water and electricity. The Auditor-General, on the other hand, considers the Trust liable for the payment of municipal rates (KwaZulu-Natal Ingonyama Trust Board, 2019). The Trust believes that, if and when municipal rates do become payable, land holders would be individually liable for rates. In the absence of political pressure from the Trust, in sites such as Dassenhoek most land holders do not pay municipal rates.

Another area of ambiguity is the right to burial. Under SPLUMA, municipal land management includes the requirement to establish and manage public cemeteries. Municipal land use management schemes ordinarily prohibit burial on residential land. In places like Dassenhoek, however, land holders have the right to bury deceased family members on the land they occupy, in other words within the site boundary. This is a customary land right enshrined under Section 25 of the Constitution. This practice of home site burial contrasts sharply with the land rights of adjacent properties that fall under municipal ownership.

Housing and Infrastructure Typologies

Site developments consist of five main types of structures.

i. The single-storey residential dwelling, which is the dominant feature of the built landscape.
ii. Compound houses that comprise a principal house, usually with multiple rooms, and outbuildings.
iii. The incorporation of small-scale rental units within residential plots, usually with detached or semi-detached configurations.
iv. A mixed-use situation of residential accommodation and business premises, with the latter sometimes established in shacks or shipping containers. These businesses mainly comprise spaza shops, takeaways, and taverns.
v. Structures for religious uses, such as churches.

Plots are approximately 600 m2 in size, though variable in shape and orientation, often with undeveloped edges. Site development typically commences with the establishment of a single residential dwelling, usually of two rooms, and follows a process of autoconstruction. Secondary structures are then created, usually detached from the main dwelling, suggesting a strategy to maximise the use of available land within the allocation. Boundary fences are established early as a manifestation of the land claim. Once the first generation of sites has been developed, a process of infill development occurs on the spaces left behind, thus incorporating undeveloped edges and gaps.

The spatial logic of the development pattern emerges from individual allocations, established in negotiation with the Traditional Authorities, and with boundaries set in relation to other properties and points of demarcation on the ground, such as a riverbank. As a result, plot allocation has no

reference to an underlying geospatial representational grid such as a cadastre. The result is a non-linear pattern, with plots of markedly different sizes and shapes. It is possible that boundary encroachment during the process of development further accentuates this idiosyncratic spatial pattern.

Public institutions, notably schools and clinics, have also exerted a shaping influence on settlement patterns. These facilities act as focal points for development, encouraging densification in their immediate surroundings. There is visual evidence from the 2025 aerial imagery that greater investment in and intensification of development is spatially aligned with the paved street system in Dassenhoek. Business activities, as noted, are clustered spatially around road intersections.

Property markets

There is an emerging commercial market for both developed properties (with houses) and undeveloped land. The researchers undertook a scan of Private Property and Property24 in June 2025. We found that undeveloped land sells for between R100 and R200 per m². A developed plot, with a two-bedroom house, would sell for around R300,000 (R500 per m², assuming a 600 m² plot). A well-built three-bedroom house with two bathrooms, a lounge and a three-car garage is currently on the market for R850,000. Our investigation indicates that formal financial institutions and estate agencies are active in this property market. It is unclear how property transactions that depend on formal loan finance are undertaken.

Temporal development: Micro-Area (2005, 2014, 2025).

The following Google Earth pictures and our analyses detail the changes in Dassenhoek within a small area (centre point 29°50'53"S 30°47'31"E), measuring 225m x 550m, at three points in time: 2005, 2014 and 2025.

2005

Figure 14: Dassenhoek micro-area in 2005.
Source: Google Earth

In 2005 the majority of structures had flat or moderately sloping zinc sheet roofs. Houses were scattered in a low-density distribution, accessible via paths and dirt roads. Fortyfive structures are identifiable. There were very few tiled and angular roofs. Most dwellings were small in size. There were few visible boundary walls or driveways. Plots appear to be separated by natural vegetation. Around households there was little evidence of ornamental trees and gardening.

2014

Figure 15: Dassenhoek micro-area in 2014.
Source: Google Earth

The changes between 2005 and 2014 appear to be more incremental and less structured than the pattern in subsequent periods. There was an increase in the number of structures, with 70 identifiable. Flat zinc sheet roofs were still in the majority, although by 2014 there was a notable increase in tiled roofs. The settlement had densified most along the main access road and on well-defined informal paths. Plot landscaping had begun, as evidenced by lines of trees and planted spaces. There were few boundary walls or paved driveways.

2025

Figure 16: Dassenhoek micro-area in 2025.
Source: Google Earth

Between 2014 and 2025 there has been an intensification in structural transformation, with the built environment becoming denser and modernised. The total number of structures is 110. There are numerous buildings with tiled roofs (increasing from 18 in 2014 to 47 in 2025) and they seem to be part of larger, more formalised dwellings that include backyard structures. Zinc roofs are still present (63) but less prominent than in 2014. As a result of urban infill, there are few remaining parcels of land.

There is evidence of an overall architectural style, seen in the pitched roofing and plot layout. Plot landscaping has advanced, with signs of purposeful planting, including hedges, around the main houses. Several properties (particularly those whose houses have tiled and angular roofs) have

clearly defined boundary wall demarcations. There are multiple visible driveways, indicating the emergence of private car ownership. Associated with car ownership, the feeder paths have widened, with signs of possible upgrading.

3.5 Hammanskraal – Marokolong, Ramotse, Kekana Gardens

Municipal Spatial Situation

This case study examines a cluster of township settlements situated close to the Hammanskraal service node and business areas in the northern portion of Service Region 2 of the City of Tshwane (hereafter Tshwane Metro), about 50km north of Pretoria. This settlement includes both privately held freehold land and state-owned land that falls under the control of traditional authorities, largely subject to the administrative authority of the Amandebele be Lebelo Tribal Authority (formerly the Ndebele tribe).

The area is situated within Wards 73, 74 and 75 of the City of Tshwane. We focus on the neighbourhoods of Marokolong, Ramotse, and Kekana Gardens. In the 2011 Census (Frith, n.d.), the population sizes were 17,455 in Marokolong, 15,760 in Ramotse, and 15,709 in Kekana Gardens. It is likely that the populations of Marokolong and Ramotse have increased as part of the urban expansion process we describe below.

Figure 17: Hammanskraal. The flat terrain has enabled extensive urban sprawl. Most dwellings are single storey, on relatively large plots. Commercial activities are structured along arterial roads. There are remnants of urban agriculture in wetlands.
Source: Charman personal collection, 2023

Figure 18: A commercial property situated along the arterial road.
Source: Charman personal collection, 2023

Figure 1: Class conscious suburban lifestyles have been pursued. The incremental development process commences with a single dwelling and defined boundaries. Subsequent investments include off-site water, aesthetic home designs, and ornamental gardens.
Source: Charman personal collection, 2023

Figure 20: Properties where homestead development is either not affordable or a priority have transformed into mixed-used developments, some hosting small businesses.
Source: Charman personal collection, 2023

Figure 21: Investors have established accommodation in small units for rental, often targeted at migrant workers.
Source: Charman personal collection, 2023

Figure 22: Aerial view of Hammanskraal with micro-area indicated (red box).
Source: Google Earth

Settlement Dynamics

The site is situated on a moderately sloping to flat topography (Figure 17). This terrain supports a more orderly and regular settlement pattern than in the Dassenhoek and Kabokweni cases, with more outwards urban expansion. Kekana Gardens was established earlier, taking shape in the 1990s as an informal settlement and then advancing through a land claim submitted in 1995 under the Kekana Gardens faction within the chieftaincy (Godsell, 2013). Kekana Gardens developed in an orderly grid pattern. Some of the inhabitants here were migrants with no longstanding ties to the land or traditional loyalties (Queiros and Mearns, 2024).

In Ramotse and Marokolong, the settlement pattern is much more irregular and arises from the placement of the first generation of urban occupiers. Here, the urban form has been shaped by plot sub-division and infill development. Godsell (2013) argues that settlement patterns in these administrative domains cannot be separated from the layered history of traditional authority disputes, shifting recognition by the state, and the strategic use of land claims to assert political and territorial control.

In 2004, the broad outline of the settlement pattern in Kekana Gardens emerged, with the

informal road network structuring the allocation of plots on which landholders had established single dwellings. Plot boundaries, however, were ill-defined. There were few compound houses. In Marokolong and Ramotse in this period, the settlement pattern was defined by allocation, of comparatively large (900-1,200 m2) first-generation plots. In some cases, plot shape was influenced by natural factors (such as wetlands) and historic agricultural use, with the process of land allocation resulting in an irregular and idiosyncratic spatial pattern. Over time access roads have, however, exerted a structuring influence, enabling opportunities for speculative investments.

As we indicate in our micro-area assessment below, by 2025 these three settlements had undergone notable spatial changes. New stands have been established through an infill development process. Individual houses have expanded, through both outbuildings and compounding. Most open spaces are now occupied with buildings or marked off with fences, indicating individual control.

The provision of municipal infrastructure is uneven. In Kekana Gardens (and wider Mandela Village), the road network structures the allocation of plots, thus directly serving all plots. In Marokolong and Ramotse, the internal road network comprises a paved spine from which paved and unpaved arteries extend. These, in turn, are connected to a web of informal access roads (jeep tracks) and extended driveways connected to the residential stands. The extensive nature of the settlement affords a relatively wide road verge/sidewalk (5-8m in width). Minibus taxis operate along the arteries, providing a connection to the public transport hubs in Hammanskraal, where residents can obtain taxis or bus services to the major employment centres. Our analysis suggests low rates of household ownership of private vehicles. An important structuring element in Ramotse and Marokolong is the R101 Provincial Arterial Road and the position of the Babelegi Industrial Park, situated to the north of the settlement along the R101.

Electrical connections extend to parts of these settlements. Municipal electricity lines supply every plot in Kekana Gardens, whereas in Marokolong and Ramotse distribution is more limited, although the entire area is grid accessible. High masts provide street lighting, though coverage is patchy, with unequal lighting across the area. Municipal water lines have been established to reticulate water throughout the settlement, though it is not known if these provide services to every plot. The municipal water supply is of poor phytosanitary quality and is regarded by residents as unsafe to consume. This has prompted many households to purchase potable water

through private suppliers, storing the water in bulk storage tanks established on their plots. Some residents nevertheless obtain their supplies from municipal water supply points (water bowsers). The municipal sewerage infrastructure is of limited scope in Marokolong and Ramotse. Most plots are unserved. The flat topography and spacious sprawl of the settlements present a simple scenario for retrofitting municipal plot-to-plot sewerage infrastructure, but the scale of the network requirements is limiting this development. There is no evidence of stormwater drainage, though the flatness of the terrain possibly mitigates flood risks.

These settlements show some aspects of municipal spatial and land-use management structuring. In Marokolong, for example, there is a municipal cemetery and a public open space set aside for recreation (with minimal facilities). There are no public parks. Social and community infrastructure comprises government schools, churches and masjids. In relation to the size and population of these settlements, there is a clear deficit in the provision of public open spaces and community infrastructures (such as halls, play parks and sporting facilities).

Land Use Management

The Tshwane Town Planning Scheme (TTPS) was introduced in 2008 (with further revisions in 2014). The TTPS replaced older schemes. The City's Land Use Management By-Law was promulgated in 2016.

Again, the land use dynamic in this case is complex. The traditional authority is an important landowner and autonomous land administrator. In the Apartheid era, the state transferred much of the land reserved for the Ndebele peoples to the Bophuthatswana Government as Trustee. In 1990, land administered by traditional authorities was transferred from the trusteeship of Bophuthatswana to the AmandebeleBa-Lebelo Tribal Authority, thus centralising control under the King or Paramount Chief. The transferred land portions were defined as Portion 2 and 11 of Leeuwkraal 92JR and Portion 2 of Tweefontein 94JR. The attempt to centralise control has resulted in ongoing disputes over which traditional leader and which traditional council is entitled to control (sub-divide, develop, occupy, and use) and dispose of land. The disputes focus on portions of farms, for which title deeds were established, which were then acquired by the then Department of Native Affairs from 1916 onwards.

In 2005, the Amandebele-Ba-Lebelo Tribal area was transferred from the North West Province to Gauteng Province, thus falling under the Tshwane Metropolitan Municipality. A high court judgement (SAFLII: Amandebele-Ba-Lebelo Tribal Council and one other v Kekana and Others, 2014) has specified that the control of traditional land is subject to the Traditional Leadership and Governance Framework Act (41 of 2003) and the Gauteng Traditional Leadership and Governance Act (4 of 2010). This ruling affirms that only the senior traditional leader and council recognised by the state have the legal authority to manage, subdivide, and allocate land portions.

This has two significant implications for land management. Firstly, it effectively formalises the centralisation of land administration in the hands of a single, state-recognised authority. Secondly, it invalidated any allocations or sales made by rival factions, creating a legal basis for reclaiming or regularising stands acquired through such processes. The judgement may have potentially intensified local political contestation where residents' land rights derive from now-invalidated transactions.

The judgement also means that all development, subdivision, and occupation decisions must pass through the recognised traditional authority's internal governance structures and align with municipal planning requirements under SPLUMA and other land use regulations. The traditional council, while able to operate with a degree of autonomy as landholder, remains bound by statutory frameworks and municipal oversight. It is highly likely that most of the developments in this settlement have been undertaken without prior municipal approval. Yet there is evidence of a degree of spatial ordering in the allocation of individual plots. For example, the road network has wide setbacks, which would allow for upgrading and installing public utilities, and settlement expansion has accommodated continued urban agriculture in plot allocations.

Most land is zoned as 'Undetermined'. This type is primarily intended for single dwellings or agricultural use. On land under this category, a Municipal Transitional Settlement (MTS) may be permitted as consent to use. Municipal Transitional Settlements are governed by Schedule 27 of the TTPS, 2008 (rev. 2014). The intended dominant use for a MTS is for temporary emergency housing, which should be formalised over time.

Housing and Infrastructure Typologies

Site development can be broadly categorised into five types:

i. Single residential homes.
ii. Compound residential layouts.
iii. Hostels offering small-scale rental accommodation.
iv. Commercial business premises.
v. Premises for religious use.

Although the settlement has a mixed-use character, commercial activities are structured by factors of locational opportunity and thus occur along the major arterial routes. Commercial property use includes spaza shops, retail outlets, mechanical workshops, taverns, and micro-industrial sites.

The most prevalent land use is for single residential homes, which can include one or more outbuildings. As our analysis shows the first people to acquire plots generally secured larger stands, ranging from 900 to 1,200m2, allowing space for later additions. The main dwelling on these plots was commonly built incrementally (autoconstructed), with construction taking place over a protracted period. While some houses exhibit clear preconceived design intent, many seem to have evolved organically, with structures added in response to changing household needs, resulting in compound-like layouts. Pitched roofs are frequently installed in more substantial houses, serving as both a symbol of social standing/class position and an investment in the perceived value of the property.

Backyard accommodation within these homesteads is often provided through informal shacks, typically single-room structures with flat roofs. Permanent brick-built compounds or hostels with multiple single rooms are relatively rare and are usually located along or near main arterial roads, where access to passing trade and public transport is greater. These hostels are characteristically single-storey buildings, reflecting both cost constraints and that land availability makes it unnecessary to build multi-storey structures.

Commercial buildings have been established along key transport corridors, notably the R101 and the main road linking Marokolong and Ramotse. These corridors form a

distinct and economically active frontage of speculative investment. Many of these buildings were established from the outset for business use, with layouts, construction materials, and site organisation reflecting their commercial function. In contrast to residential homesteads, these properties tend to lack landscaping, and the buildings themselves often have flat roofs and unpaved courtyards. Where hard surfacing is provided, it is functional, serving purposes such as vehicle access, loading areas, or workshop floors.

Property markets

There is an emerging property market in these settlements. The researchers undertook a scan of Property24, RealNet and PrivateProperty sites in June 2025, and found that, in contrast to sites closer to large urban centres, the market appears relatively weak in relation to the land size and asset offering. A large plot, 1,600 m2 in size, close to the R101, was on the market for R160,000 (R100 per m2). A four-bedroom house on a 700m2 plot was marketed at R350,000. The agent described the features thus:

> *This spacious 4 bedroom house offers modern comfort and practicality, perfect for family living. The open plan design seamlessly integrates the kitchen, lounge, and dining areas, creating a bright and inviting central hub ideal for both relaxing and entertainment. Two well-appointed bathrooms add convenience, once serving as an en-suite to the master bedroom. Each bedroom [there are 4] is generously sized, offering ample storage and versatility. Consists of a triple garage. The floor is tile all over the house. The house has security gates and a wall with burglar doors. With its functional layout and contemporary charm, this home is a blend of style and convenience.*
>
> (PrivateProperty, 2025)

In Kekana Gardens, where municipal services are more extensive, prices also appear to be low. A three-bedroom house, with similar offerings to that above, was on the market at R650,000 (RealNet, 2025).

Temporal Development: Micro-Area (2005, 2014, 2025).

The following Google Earth pictures and our analyses detail the changes in Hammanskraal within a micro area (central point 25°23'21"S 28°16'58"E), measuring 200m x 470m, at three points in time: 2005, 2015 and 2025.

2005

Figure 23: Hammanskraal micro-area in 2005.
Source: Google Earth

The overall settlement pattern was relatively low-density with about 58 structures. There were single houses on large plots with much open space between structures. Only around six plots had boundary walls, four had driveways and only three had angular roofs. The eastern side of the R101 was more sparsely occupied. The internal road network was informal.

2015

Figure 34: Hammanskraal micro-area in 2015.
Source: Google Earth

Notable densification had occurred, especially west of the R101. The total number of structures had increased to 97. The trend was of infill housing on established plots and demarcation of clear boundaries. The analysis identified 17 plots with boundary walls and 10 with driveways. There was a notable increase in clusters of L- and T-shaped pitched roofs, with angular dimensions. The settlement expansion on the eastern side of the R101 was more limited. There were indications of the establishment of structures for business, positioned along the R101 as the major structuring element. In the residential areas, the road infrastructure remained unpaved and informal.

2025

Figure 45: Hammanskraal micro-area in 2025.
Source: Google Earth

Densification through both expansion and new structures is evident on the western side of the R101. All plots have been developed. There are now 134 structures. There are 34 structures with compound homes, with pitched and angular roofs which are either zinc or tiles. The great majority of structures have zinc roofs. Incremental expansion of structures on the eastern side of the R101 has increased. Buildings with commercial functions are more regularly aligned with roadways, positioned on corner stands and providing off-street parking. There is some evidence of limited homestead landscaping.

3.6 Kabokweni - Nkohlakalo and Gutshwakop

Municipal Spatial Situation

Our final case study focuses on the township of Kabokweni and surrounding settlements. The historic core of the settlement is located approximately 30km north-east of the City of Mbombela. The area falls within municipal region 2. The formally proclaimed area of Kabokweni lies 18km east of White River, straddling Wards 31, 32, 33 and 35, in the Ehlanzeni District. Kabokweni was established in 1967 as the first town in the Apartheid-era KaNgwane, a homeland for SiSwati-speakers. The first residents were forcibly removed from the White River and Nelspruit (now Mbombela) areas and settled in the standard two-room asbestos-roofed houses of the era. The formally proclaimed area of Kabokweni is 8.4 km2 in size.

The historic legacy of these settlements as dormitory towns persists in respect to their relationship to neighbouring urban centres, especially Mbombela and White River. Residents commute daily to these centres for education, employment and to access social services. The primary modes of transport are minibus taxis and private cars. The settlements thus comprise an ever-widening commuter zone, economically and socially tied to towns and cities.

Since its establishment, the urban area has informally expanded outwards, and now includes surrounding settlements such as Ngodini, Gutshwakop, Backdoor, Dwaleni, Teka Takho and Nkohlakalo. The land in all these settlements falls under the Traditional Authorities. In the 2011 Census (Frith, n.d.), the population of the four Wards was 60,000, living in 16,000 households. Since then this population and the number of households have greatly expanded.

Our study focuses on Kabokweni township, and the adjacent areas of Nkohlakalo and Gutshwakop.

The allocation of traditional land is overseen by the Gutshwa and Mbuyane Traditional Councils. These areas fall outside the Mbombela municipal boundary. To incorporate these areas under the municipality, thus enabling strategic land use management and service provision, would require the sub-division of the farm landholdings and proclamation of the settlement portions as townships.

Figure 26: Kabokweni. Settlement has expanded from a historic urban core into surrounding hills. There are few municipal roads. Houses range from modest, two-room homes to gated mansions. Ornamental gardens are a feature of this community.
Source: Charman personal collection, 2024.

Figure 57: Aerial view of Kabokweni, with micro-area indicated..
Source: Google Earth

Figure 68: Boundary walls, driveways, and architectural embellishments characterise many of the larger, fully established properties.
Source: Charman personal collection, 2024

Figure 79: Site development often occurs on a piecemeal basis, even with homes of an ambitious scale.
Source: Charman personal collection, 2024

Figure 30: The municipal water supply has been compromised through illegal connections. In most houses, potable water is privately supplied to 5,000L tanks.
Source: Charman personal collection, 2024

Figure 8: An investment in 'student housing'. The housing is situated far from learning institutions, whilst the immediate neighbourhood is devoid of social infrastructure.
Source: Charman personal collection, 2024

Settlement Dynamics

Kabokweni, Nkohlakalo and Gutshwakop occupy a hilly topography, with moderately steep slopes and deep river valleys. This has had an important structuring influence on the process of urban expansion, limiting development on steep slopes and encouraging outward expansion on less acute slopes. However, as space is limited, the process of settlement expansion has resulted in the occupation of steeper slopes (and consequent high-risk situations in respect to extreme weather events), and minimal space for public use and a narrow road network.

The expansion process has followed a series of phases. Initially, the urban sprawl was characterised by the allocation of household plots, on the fringe of established (inherited) settlements. Plot allocation appears to have been defined by the availability of land, with no clear reference to the broader settlement pattern and layout. The initial plots measured around 600m2 in size. Once the first plots were allocated, an infill process commenced, closing the gaps between the first plots, but leaving informal tracks for vehicle access. Then the settlement expanded towards less suitable sites such as steep slopes. Again these plots were incrementally developed. In many situations, the site development strategy centred on the building of a formal residential house with a tiled roof. Over time, boundary walls were established. There is clear evidence that home developers prioritised ornamental landscaping (with fruit trees). The important role of car ownership is evidenced by garages and paved driveways.

Ward 33, which covers most of central Kabokweni, was historically urbanised, and has acquired a densely settled population. According to Census data (Frith, n.d.), in 2011 the annual household income in this area was almost double that of the surrounding rural wards, though this profile may have changed since then. Most of the original houses have been upgraded, some of them substantially. Households in the less urbanised wards around central Kabokweni had a much lower monthly income and education profile. Few had access to municipal waste and water services.

In both municipal and traditional areas, households have been connected to the Eskom network, though access to water and sanitation remains limited. The extent of municipal service provision outside the municipal boundaries is unknown. Some of the properties in these areas receive water from the municipal water reticulation network, though water pressure is low and there are frequent disruptions in supply.

Municipal water provision has been subject to asset stripping, informalisation and criminalisation. Although water infrastructure has been established, many residents can no longer access municipal water. The bulk supply is tapped upstream by criminal syndicates who then retail the water, distributing stolen municipal water via water bowsers. Several plots have water storage tanks and obtain water from private companies that offer home-based deliveries, selling 5,000L for R500, but the use of these tanks is not universal.

Nkohlakalo and Gutshwakop are spatially fragmented and disconnected from the Kabokweni urban core. From a regional perspective, the settlements are also spatially disconnected from principal centres of opportunity in Mbombela and White River, to which they function as dormitory suburbs. Residents are highly reliant on private transport to access economic opportunities (such as employment) and community and social infrastructure (such as social services and schools).

The feeder road infrastructure in the new settlements (including parts of Kabokweni, Nkohlakalo and Gutshwakop) is unplanned and informal. The network is haphazard, badly conceptualised, and often disconnected from the main spine routes. Poor roads do not appear to limit the scope and scale of private property investment in these traditional areas, however. There have been retrospective investments, paid from National Treasury grants, to rectify the road network, stabilise the surface and control stormwater. It would be economically unfeasible, in a resource-constrained fiscus, to expand this intervention on a wall-to-wall basis on land under the control of traditional authorities. And it would be politically problematic to provide this investment without incorporating these areas into the municipal boundary.

Our analysis of aerial photographs indicates a marked lack of social and community infrastructure, such as halls, public open spaces, play parks, and formal recreational facilities.

Land Use Management

As in the other case studies, these settlements are not formally proclaimed townships and hence not included within the Mbombela municipal boundary. The municipal land use scheme is thus not applicable. The traditional authorities are, nevertheless, required to comply with national land use planning legislation. The situation of many plots indicates no adherence to wider spatial plans or environmental considerations in plot allocation.

The disconnection between municipal and traditional land use management has a historical legacy in Kabokweni. Part of the town's industrial development, for example, is situated on land under traditional authorities, which is not zoned for industrial use. In these sites, residential houses are interspaced between industrial units, whilst the site layout affords poor access for vehicles and pedestrians. The urban management plan for Kabokweni recommends a development buffer (restriction) of 32m away from the flood line, a consideration that has not been universally applied on the land managed by the traditional authority.

Figure 32: Map of Kabokweni, indicating the limited extent of the municipal town planning to the historic urban core..
Source: Authors, 2025.

During a site visit, we learnt that parcels of land and PTO certificates can be acquired from traditional authorities for around R30,000 or less. As this form of land tenure is considered secure and inalienable, the opportunity to build homes on traditional land has attracted investment from middle-class earners and also the wealthier, some working in Mbombela and some further afield. It does not appear that the PTOs have land-use restrictions.

Housing and Infrastructure Typologies

Site development can be broadly categorised into four typologies:

i. Single residential homes,
ii. Compound residential layouts.
iii. Student hostels
iv. Commercial business premises.

Of these, single residential homes are the most numerous. These are defined by household resource limitations and are often built as two room structures. In some instances, however, they characterise an initial phase of development, clearly intended to be subsequently transformed to a compound home. There are also examples of ambitious houses built from scratch. Large and even palatial homes are widely evident, with the scale of investment in home infrastructure often exceeding R300,000 in building materials and fixtures alone. Informants reported that most of these homes are built for cash. Developers (in this case, the homeowners themselves) often take a piecemeal approach, first establishing foundations and basic structures, and living in one room whilst the house gradually takes shape. There appears to be high propensity for tile roofing, presumably a signifier for social status.

A third type of development is student housing, targeted at students from the University of Mpumalanga. In some cases, these developments are situated in peripheral and remote parts of the settlement, far from the Kabokweni urban core and transport linkages. From a planning perspective, the Kabokweni settlements are arguably too distant from Mbombela to be seen as a suitable location for student accommodation. Student accommodation should be situated as close as possible to the Mbombela central business district and learning institutions, where students can access a wider range of public services and infrastructure.

The fourth type of development is for commercial use. The siting of these developments is structured by the main arterial and feeder routes that transect the new settlements. Commercial property investments range in scale from large supermarkets to small business infrastructure within mixed-use plots. The development of large-scale commercial units, such as Laduma Hardware, which is positioned just outside the municipal boundary, raises questions over the

extent of the influence of land use management on these developments, and the potential rates' revenue that ought to accrue to municipal authorities, but might be collected elsewhere.

Property markets

The researchers undertook a scan of Facebook Marketplace and Property24 in June 2025. They found that there is an active property market, for both established plots of land and houses. Formal, well-established houses in Kabokweni attract a price premium and seem to sell for upwards of R400,000, though there is limited supply in formal markets. A four-bedroom house, with two bathrooms and parking for four cars, on a 450m² plot was on the market for R820,000. On Facebook Marketplace there are several plots for sale, priced from around R7,000, although a well-positioned plot costs closer to R30,000. A plot with a basic structure sells for around R200,000.

Temporal development: Micro-Area (2004, 2014, 2025).

The following Google Earth pictures and our analyses detail the changes in Kabokweni within a small area (central point: 25°20'07"S 31°07'56"E), measuring 200m x 750m, at three points in time: 2004, 2014 and 2025.

2004

Figure 33: Kabokweni micro-area in 2004.
Source: Google Earth

2014

Figure 94: Kabokweni micro-area in 2014.
Source: Google Earth

In 2004, the micro area had 60 structures. Most buildings had flat zinc roofs. There were 12 tiled-roof houses. The initial distribution of plots conformed to a grid pattern. Plot boundaries were visible but appeared informal or partially demarcated. Most structures were small. There were few (two) paved driveways. Access to plots was largely via unpaved tracks and pathways. There was little evidence of plot landscaping.

2025

Figure 10: Kabokweni micro-area in 2025.
Source: Google Earth

The period 2014 to2025 saw accelerated change, still via a process of consolidation and formalisation. There are no undeveloped sites available for further expansion. There are 135 structures, with 68 having tiled roofs and 67 with zinc roofs. Many of the tiled roof buildings are large, suggesting multi-room structures. Some properties have characteristics of a gated compound, with prominent perimeter boundaries and gate entrances. This suggests increased securitisation. By 2025, landscaping is a visible component within plots, with greater densification of ornamental trees. Numerous properties now have defined paved or semi-paved driveways, indicating a growing car ownership. Whilst there is evidence that the road grid has improved, becoming more defined, it remains largely unpaved.

4. Governing development on the urban periphery

The case studies discussed here are a far from complete picture of the diverse landscapes of South African exurbanisation. Many different spatial configurations of exurban development remain unexplored. However, our four cases are sufficient to raise important questions for both policy and theory. We consider some of the conceptual issues involved in making sense of these case studies and then comment on their social and economic significance.

4.1 Government and Co-production

Our account raises interesting theoretical questions about the forms of statecraft and governance that have emerged in the contexts we have described. These are particularly striking in light of the ways in which successive generations of critical theorists have tried to think through the political challenges created by the dichotomous legacy of colonial settlement and segregation. Of particular importance are the political implications of the violently imposed nature of the modern South African state, the capture and subversion of traditional and customary political authority by colonial power and racial capitalism, and the imposition of a tenure regime informed by a rigid logic of private title and commodification. These legacies continue to shape present-day attempts to reckon with this past, and to develop more appropriate approaches to planning and governance.

One of the more striking features of some prominent critical and academic responses, particularly among land activists and decolonial scholars, is the tendency to adopt a starkly dichotomous

framing. This is shaped no doubt by the psychodrama of the confrontation between settler colonialism on the one hand and the struggle against subjugation (and later for national liberation) on the other. One example of this framing comes from radical scholars like Mamdani and Ntsebeza, who think through the postcolonial statecraft in almost Manichean terms, seeing it as a confrontation between "despotism" (imposed from above by colonial authorities via the captured puppets of indirect rule) and "democracy" (conceived of as a subjectivity forged from below in class struggle conducted in the space of civil society). This point of view sees the post Apartheid government's decision to recognise traditional authority as a fatal compromise that subverted democratic ideals from the outset, "leaving intact the structures of indirect rule" and setting the scene for "deracialization without democratization" (Mamdani, 1996, p. 32; see also Ntsebeza, 2005).

While this framing is emotionally compelling and has an attractive simplicity, it is less than adequate for grappling with the institutional complexities of the post-Apartheid present. Aside from the refusal of this stark and totalising framing to engage with the pragmatic imperatives shaping South African statecraft under the conditions given by history, it casts contemporary governance arrangements as betrayals of democratic principle or as residues of premodern despotism, leaving little analytical space for understanding how actual practices of rule are negotiated. In particular, the notion that modern chieftaincy is to be entirely understood as a legacy of colonial and indirect rule fails to recognise its continuing and genuine relevance as a political form that both predated and has survived the colonial encounter (Buthelezi and Skosana, 2018), and which is the subject of ongoing efforts to assert and contest legitimacy within the context of an evolving state formation (Magubane, 2005).

It is also worth pointing out that Mamdani and Ntsebeza's views rest on a strikingly teleological vision of democratic modernity, in which legitimate authority must emerge from popular struggle and take institutional form through unified, rational, and formally accountable political institutions. Such a vision leaves little room for the more ambivalent, fragmented, and negotiated forms of authority that characterise governance on the South African periphery; forms which may not be politically pure or conform to the ideals of democratic centralism, but which nonetheless reflect meaningful practices of claim-making, dispute resolution, and collective coordination.

Interestingly, some contemporary forms of decolonial thought suffer from a similar essentialism,

retaining the stark opposition between modernity and tradition while simply inverting its terms. An example is German's claim that customary tenure systems reflect not merely different practical arrangements but a different ontology- a way of knowing, valuing, and relating to land that is incommensurably different from the Eurocentric ones presumably embodied by land title (German, 2022). The difficulty with this approach is that it leads too easily to a reading that fixes the indigenous as ontologically other to liberalism, capitalism, and the West, thus recapitulating deeply essentialist understandings of identity and culture not that different from those mobilised in Apartheid discourse. It is no coincidence that German's resolution to the problems of protecting customary tenure eventually defaults into the admiring invocation of calls for the recognition of the holders of customary tenure as "self-determining indigenous nations" (German 2022, pp. 203, 214), as if autochthonous "ontologies of land"' are best protected by encasing them in the state forms invented by 19th century ethnonationalism.

As Davidson (2024) shows in her discussion of the adoption by the modern-day far right of the decolonial thought of Mignolo and others, such epistemological essentialism is not only analytically weak, it has also become a resource for reactionary and authoritarian politics that masquerade as anti-colonial resistance. Treating cultural difference as ontological incommensurability is a gesture that forecloses political complexity by denying the possibility of negotiation, hybridity, and institutional transformation (Barnett 2017b, p. 52). The reality is that customary tenure systems, like all institutions, are historically entangled and shaped by the very modernities they are said to stand outside of. To romanticise them as ontologically other is to obscure both their contingency and the scope for democratic contestation within them. More to the point, these framings obscure the dynamism and the "Afropolitan" (Mbembe, 2017, p. 107) hybridity of actual tenure practices, which in their profane and opportunistic improvisation borrow from and adapt both African and European institutional forms.

Similar difficulties have been encountered in the attempts of South African urbanists to think through the limitations of technocratic planning and to imagine democratic alternatives. This finds expression, for instance, in Watson's notion of "conflicting rationalities" in urban governance, in which fluid and provisional subaltern ways of knowing and ways of doing are presented as being in fundamental conflict with the procedural norms of liberal democratic planning (Watson, 2003). Miraftab's calls for "insurgent planning" (Miraftab, 2009, p. 32); and Winkler's proposal of a "decolonial planning practice" rooted in "democracy otherwise" and the respect for radically local

onto-epistemologies (Winkler, 2025, p. 8) take this notion further, arguing that this disjuncture needs to be understood in terms of fundamentally incommensurable epistemologies or even ontologies.

All of these framings recapitulate a morally overdetermined and essentialist dichotomy between the authentic subjectivity of the subaltern and the rigid and inflexible logics of state power, the institutions of which are in the clutches of a vaguely defined but apparently all-powerful neoliberalism. This reduces democratic political agency to the expressive performance of protest and resistance, and abandons even the possibility of a horizontal, intersubjective and democratic statecraft (Barnett, 2017a, 2017b).

Some interventions have tried to soften or transcend this simplistic opposition. One important intervention has been the notion of living customary law, which emerged in the context of the push-back by land activists against both the liberal campaign to universalise private property and the neotraditionalist attempts to capture land for the chiefs. An important feature of this conceptual intervention was that it sought to correct the Eurocentric notion that customary systems are inherently despotic or backward. Instead, it reframed customary law as a negotiated, evolving, and community-validated source of authority and rights (Bennett, 2009; Mnisi and Claassens, 2009).

Valuable as it was, this intervention has important limits. In the first place, as many have observed, it suffers from a debilitating ambiguity (Diala, 2017). Rather than specifying the actual content of the 'living' custom that it seeks to defend, it can only gesture at the ever-receding horizon of that-which-is-not-codified, but which is imbued by the indefinable essence of the locally legitimate, whatever that may be. Secondly, tricky political problems arise in contexts where custom and tradition plainly violate constitutional norms (in the terrain of gender discrimination, for example, see Nhlapo, 2017). Thirdly, this innovation again serves merely to re-inscribe the stark opposition between an indigenous subaltern authenticity and an imposed statecraft, not to transcend it. It still tends to treat customary and state law as entirely separate normative orders, each with its own internal coherence and source of legitimacy. It also still assumes implicitly that there is a kind of cultural depth or autonomy to customary practice that sets it apart from state legality. Although more flexible and sophisticated than essentialist accounts, the legal pluralism underpinning the discourse of living customary law arguably remains tethered to an imaginary binary.

These oppositions seem to break down when confronted with the complex dynamics of the hybrid forms of state power reflected in the case studies above. Rather than operating within incommensurably different ontologies, the traditional leaders and municipal officials studied by Sithagu pragmatically negotiate a complex institutional and political terrain, conforming to official process when necessary, while applying flexibility when appropriate (Sithagu, 2025). The land allocation practices observed in contexts like Thembisile Hani Municipality are not straightforward expressions of living custom but rather hybrid institutional artefacts which are locally authorised, mimetic of state bureaucracy, and shaped by improvisation in the face of formal state absence. They draw on the symbolic authority of tradition while enabling new forms of land commodification, brokerage, and para-formal recognition. They challenge the core assumption of the living customary law paradigm that observed practice necessarily reflects legitimate, historically continuous custom. Instead they show the need for a more textured account of how legitimacy, recognition, and power are negotiated in the shadow of both state and tradition.

For this reason we propose an understanding of exurban statecraft as bricolage: a process of piecing together authority, legitimacy, and institutional form from heterogeneous elements including fragments of statutory law, norms of customary authority, bureaucratic routines, and the spatial-material practices of everyday life. Governance in this context is neither the implementation of a coherent blueprint nor the expression of the authentic political genius of the local community, but rather the provisional orchestration of multiple, overlapping logics of order. As Chipkin said of Roodepoort in Johannesburg “what we need to account for are not practices that seek to escape from totalising or panopticon structures, but practices that pursue order and structure in the absence of structure itself” (Chipkin, 2012, p. 82). It is not quite a situation where “order and rule are being constituted from below” (Chipkin, 2012, p. 12) but rather a more horizontal process in which state actors, traditional authorities, and residents jointly produce governance through interaction, negotiation, and adaptation. Traditional leaders, ward councillors, headmen, state officials, and residents do not simply contest or evade the state. Rather, they draw on its forms, invoke its legitimacy, and selectively appropriate its tools. Likewise, state actors rely on customary structures and local brokers to extend their reach, access local knowledge, or to make things work. Authority in this setting is not forged from above or below but through the interstitial spaces where actors improvise governance using bits and pieces of both formal and customary repertoires.
What emerges is not an alternative to state power, but a vernacularised form of it which could be

described as para-formal, negotiated and entangled in local social relations. As Chimhowu's account of neocustomary tenure in African cities suggests, South African exurbanisation should be seen as part of a wider continental trend in which the institutional ambiguities that arise at the intersection of state law, customary authority, and residents' practices are not only sources of conflict and contestation, but also spaces of institutional innovation and flexible co-production (Chimhowu, 2019).

These practices of innovation are central to the ability of traditional leaders to insert themselves in the post-Apartheid governance landscape. Much of the critical literature on the role of traditional authorities in the allocation of land has rightly highlighted the ways in which they have been complicit in the dispossession of customary land rights, particularly in contexts of mining and large-scale land investments (Leonard, 2019; Ubink and Pickering, 2020). The cases that we have considered here point to another set of possibilities, in which traditional leaders have a much more positive role. In fact, their role in neocustomary tenure and hybrid systems of land-management mean that in many important parts of South Africa's urban periphery, the decisive role is not played by the municipal governments formally in charge of urban development, but by traditional leaders who are shaping the location, direction and character of urban growth (Sihlongonyane and Sithagu, 2025).

But this analysis brings another issue into focus as well. While traditional leaders have been able to insert themselves into the governance process through their de facto role in the allocation of land, much depends on how these arrangements evolve in the future. Traditional authorities may be able to play a role in the settlement of disputes and other important aspects of social and community life. But the governance needs of these urban settlements also involve many issues that are far beyond the influence or capability of chiefs and headmen. The future of the settlements in our cases lies in the city. Yet the terms of their incorporation are yet to be decided.

4.2 Pathways of Urban Formation

A second series of implications of these case studies is what they tell us about the nature of settlement on the urban periphery. For one thing, the developments described here clearly put into question Beinart, Delius and Hay's assumption that informality necessarily implies tenure insecurity (Beinart, Delius and Hay, 2017). Like the autoconstructed periphery described elsewhere

in Africa by Meth and her colleagues (Meth et al., 2024) and the processes of “building permanence” documented in Accra by Paller (2019, p. 438), the most prominent aspect of all these case studies is the extent to which, in spite of the institutional fragmentation of the regulatory context and the absence of effective state planning or formal titling mechanisms, all the settlements described exhibit a striking degree of stability, orderly development and incremental formalisation- a clear case of urban expansion “from below” (Paller, 2025, p. 370).

As our temporal overview shows, residents invest steadily and systematically in their properties. Over time, modest zinc-roofed shacks give way to houses with tiled roofs, informal pathways evolve into driveways, and boundary markers emerge in the form of fencing and landscaping. This process of incremental upgrading reflects both the resilience and the aspirations of residents, who treat land not merely a pragmatic resource but as a long-term asset meriting significant social and financial investment. The land represents, a crucial component of the aspirational logic of what Dawson, writing about a very different context, has called the practice of life-making (Dawson, 2025a). It also points to the emergence of off-register forms of tenure recognition, with land rights becoming increasingly codified through social practice, physical demarcation, and market transactions. This incrementalism effectively constitutes a bottom-up mode of urbanisation, that operates largely outside the formal regulatory apparatus yet results in de facto consolidation and spatial order.

The growth of these settlements seems to embody an extension and elaboration of the multi-local, rhizomatic strategies of mobility developed by black South Africans during the Apartheid years. In a pattern that is not captured adequately either through standard notions of circular or reverse migration, African households and kinship networks took shape as a series of spatially spread out yet often strongly interconnected socioeconomic outposts that stretched out to encompass multiple locales in both rural and urban areas in order to manage risk and capture opportunity (Du Toit, Skuse and Cousins, 2007; Du Toit and Neves, 2014). Unlike examples of exurbanisation from the global North, which imply escape from or abandonment of the city, exurban settlement in the cases we have considered here seems to be part of a more complex strategy of accumulation and investment, in which people seek the benefits of a life on the urban periphery while maintaining links to the city.

Despite the absence of formal titling, emergent and informal property markets are active and

discernible across all case studies. Households buy and sell undeveloped plots, build homes for rental income, and engage in speculative activity around nodal points such as road intersections and transport corridors. Prices vary according to location, accessibility, and infrastructure quality, but there is clear evidence of a functioning (informal) property economy, that is increasingly legible to estate agents, banks, and other formal actors. In Dassenhoek, for instance, property advertisements cite square metreage and asset features in ways that mirror formal markets, and significant transactions are reported, with houses valued up to R850,000 (PrivateProperty, 2025; Property24, 2025).

This process of commodification is obviously ambiguous in its nature and consequences. In much of the critical scholarly and policy literature on customary tenure, commodification is often portrayed as an entirely negative process. Zamchiya, for instance, warns that the formalisation of customary tenure accelerates commodification, producing informal land markets marked by corruption and exclusion, especially of women and the poor (Zamchiya, 2023). Our case studies both confirm and complicate this view. In KwaMhlanga, allocation fees, opaque waiting lists, and the emergence of self-appointed headmen illustrate the risks of elite capture and inequity that Zamchiya highlights. Yet across Dassenhoek, Hammanskraal, and Kabokweni we also observed how commodification has become a vehicle for investment, class mobility, and social differentiation. As Dawson's analysis of the distributive effects of informal rentier capitalism in Zandspruit shows, commodification not only enables extractivism but also intertwines with forms of distributive labour, circulating value within communities even as it sharpens inequalities (Dawson, 2025b). Rather than viewing commodification solely as corrosive, our evidence suggests it is an ambivalent process. While it generates vulnerabilities and exclusions, it also creates substantial opportunities for accumulation and flourishing.

In general, our case studies underline the role of informal institutions in securing land holding and thus enabling long-term investments in brick-and-mortar assets. Functioning property markets have emerged in these settlements even without formal title, enabling substantial housing investment and supporting the formation of a self-built suburbia. We thus question De Soto's thesis that the inability of the poor in developing countries to convert their informal property holdings into legally recognised and fungible assets is a cause of poverty (De Soto, 2010). In contrast, our analysis highlights the considerable potential of institutional bricolage and invention. Sithagu's research, discussed and cited in this report, reveals the complex relationship between

informal institutions (rules, norms, practices), institutionalised traditional structures of governance, and state institutions, including para-statals (such as Eskom), municipalities, and national ministries. While these markets operate largely outside formal registration systems, they nonetheless constitute real and consequential logics of accumulation and differentiation. Although we are unable to quantify these developments, they arguably represent the greatest advance, since the RDP, in urban property assets for black South Africans. In fact, we would argue that these forms of exurban development constitute the most profound example of self-help upliftment in post-Apartheid South Africa. This points to the need for policy frameworks that can govern and regulate these markets, protecting vulnerable groupings while enabling the positive dynamics of self-directed urbanisation.

These pathways of development are leading to the development of a distinctive and clearly recognisable urban form. Our four cases are all spatially oriented towards inclusion in existing cities and city-regions and calibrated towards an urban (not agrarian) livelihood. These settlements represent a fundamental challenge to the ontology of spatial planning. They are spatially expansive, deviating from the dense settlement form advocated, for example, by the Integrated Urban Development Framework (Department of Cooperative Governance and Traditional Affairs, 2016). These are not the compact, walkable, and efficiently serviced neighbourhoods envisioned in city planning frameworks. Nor are they the dense, layered informalities of ubiquitous inner-city townships or backyard settlements. In much the same way that informal expansion has happened in other cities (Harrison, Klein and Todes, 2020), the urban form has been influenced by the intersection of local political institutions, informality, and property markets. Generous plot sizes have been intentionally demarcated and wider roads deliberately built for vehicular access, signalling an intention to build structures that are conspicuously larger than would be possible in townships, and an orientation to spatial connectivity.

Our preliminary assessment, moreover, is that in spite of the self-built nature of these settlements, the built form is largely compliant with the objectives of building standards, with adherence to principles of structural integrity. Many buildings also embrace off-grid technologies, such as rainwater harvesting, boreholes, and solar energy. It is important to recognise the attractions of this urban morphology. What may initially appear as a disorderly and inefficient pattern of low-density urban sprawl can also be understood as an aspirational spatial form, and a distinctive vernacular conception of the good suburban life that closely reflects the formerly white suburbs

and that enables the longterm investments and property strategies of households seeking stability, autonomy, upward mobility, and the affordances of spacious existence.

These patterns of self-directed development unfold against a backdrop of persistent service gaps and an absence of investment in public infrastructure. Across the case studies, basic infrastructure, particularly roads, water supply, sanitation, and stormwater management, lags behind the pace of settlement growth. In many instances, residents rely on informal or privately arranged solutions like boreholes, pit latrines, household level waste disposal, and ad hoc electricity connections. These investments recognise that municipal capacity is weak or absent, particularly in areas formally outside the reach of integrated planning schemes or where land tenure ambiguity deters public investment. In addition, there is also a striking absence of public space.

These persistent service gaps cannot be understood only as a consequence of weak municipal capacity. They are also shaped by the underlying fiscal dynamics of exurbanisation. A crucial attraction of settlement on traditional authority land is precisely that it lies outside the municipal rates base. Residents invest heavily in housing but avoid the property taxes that would ordinarily fund bulk infrastructure and services. The fiscal difficulties experienced by these sites, in other words, are not simply a side effect of the administrative invisibility in the cadastre. Rather, they reflect a political economy of fiscal exit, in which wealthier households deliberately choose to build outside the reach of rates collection. It should be noted that this pattern has deeper historical echoes, resonating with the legacies of rent and rates boycotts that challenged the legitimacy of local government under Apartheid (Chaskalson, Jochelson and Seekings, 1987). Together, mistrust of municipalities, institutional ambiguity, and these older political memories combine to entrench a reluctance to enter into the fiscal social contract on which municipal governance depends.

Social differentiation is visibly inscribed in the built environment. Variations in housing typology, ranging from informal shacks to multi-room houses with garages and garden landscaping, reflect the differentiated class positions of residents. These spatial markers of class are often aligned with access to infrastructure and proximity to public institutions such as schools or clinics. While all residents share in the structural marginalisation produced by institutional fragmentation, they experience and respond to it in divergent ways, shaped by their resources, social networks, and positionalities. This means that the disjuncture between densification and infrastructure provision contributes not only to environmental risk (as in the occupation of flood-prone terrain) but also to

entrenched inequality, as those with greater means are better able to provide for themselves and insulate themselves from service failures.

Here, it is useful to emphasise the social complexity of these processes of differentiation. Scholars of customary tenure are sometimes prone to cast these developments in starkly class reductionist terms, as when Zamchiya characterises the settlement of customary land primarily as the incursion of urban domestic elites who enclose commons and displace a peasant base (Zamchiya, 2023). Our findings suggest a more complex and less dualistic reality. In KwaMhlanga, Dassenhoek, Hammanskraal and Kabokweni, the inhabitants are not simply rich urbanites intruding into a farmed landscape, but a heterogeneous mix of households with diverse social positions and histories, many of whom have existing kinship ties to the land. The allocation of land to individuals in our cases is remarkably fair, with allocations of similar size plots to both wealthier and poorer residents. Patterns of differentiation are indeed visible. Some residents build modest zinc-roofed shacks while others invest in large, suburban-style homes. But these variations reflect gradients of aspiration and capacity within a shared socio-economic landscape rather than a stark opposition between locals and outsiders. Rather than a rerun of the Enclosures on South African soil, what is emerging is complex process in which class formation unfolds incrementally within settlements.

Finally, the orientation of these settlements towards cities and urban centres poses an as yet unmet challenge to city making. Exurban residents will depend on cities for public infrastructure, facilities and services. This will require new investments into roads, public transport facilities, public open spaces, and water infrastructure. The road-user pressure is already felt in places in Dassenhoek and Kabokweni and is likely to intensify as more homeowners acquire private cars and more homes sites are established. As most exurban settlements have little or no social, community or economic infrastructure, the commuting population will include not only salaried workers, but also school children, persons seeking health care and shopping commuters. Exurbanites will also rely on cities for access to leisure and sporting facilities, such as parks, open spaces and sports fields. The scale of dependence on the cities is such that spatial inclusion will necessitate both the construction of new roads (with multiple lanes) and the provision of public transport infrastructure and services. Yet the costs of these investments will fall onto city ratepayers or need to be funded through national programmes. These funding modalities complicate the idea that users should pay through local taxes, such as property rates or through road tolls.

5 Conclusion

5.1 Implications for Policy

The four case studies reveal a paradox at the heart of South Africa's urbanisation dynamics. Across Dassenhoek, KwaMhlanga, Hammanskraal and Kabokweni, residents have, often without access to state subsidies, cadastral certainty, or formal planning processes, built substantial and enduring neighbourhoods. These are not marginal spaces of subsistence alone, but zones of considerable fixed investment, diversified livelihoods, and upward social mobility. The resulting built environments, characterised by brick houses, internal roads, electrification, shops, and even active property markets, are tangible evidence of South Africans' social agency in producing urban futures outside the reach of conventional planning.

Yet these emergent landscapes remain institutionally invisible. They are excluded from municipal land use schemes, left out of cadastral and spatial databases, outside the reach of the fiscal apparatus, and governed through hybrid arrangements that combine elements of neo-customary allocation, informal markets, and limited municipal service provision. This disjuncture weakens the financial position of municipalities, undermines long-term infrastructure planning, and leaves residents without the full protections and benefits that accrue from alignment with statutory systems.

Recognising and valuing the spatial and infrastructural achievements of these communities is essential. As Todes and Turok (2018) argue, policy development should be place-based in orientation, seeking to build on local assets, institutions and capabilities. This recognition must be accompanied by deliberate efforts to bridge the divide between organic development and formal governance. This entails:

- Creating flexible planning and land administration instruments that can register and regulate existing layouts without erasing the social logics that produced them.
- Negotiating service agreements and revenue collection mechanisms that are fair, affordable, and transparent, allowing municipalities to invest in upgrading while expanding their fiscal base.
- Establishing durable cooperative governance arrangements between municipalities and traditional authorities, clarifying roles in land allocation, dispute resolution, and development control.

These conclusions resonate with the findings of Chakwizira and Tshivhashe (2025), whose research in Limpopo similarly highlights the challenges posed by fragmented and uncoordinated institutional arrangements in peri-urban settlements on traditional authority land. They argue for an explicit recognition of the hybrid and transitional nature of these spaces and recommend the development of integrative planning frameworks that can bridge the gap between statutory and customary land governance. Their call for participatory governance platforms, capacity building for both municipalities and traditional authorities, and formalisation of mechanisms that recognise socially legitimate land rights aligns closely with our own findings.

But while Chakwizira and Tshivhashe (2025) offer a valuable account of institutional fragmentation and call for more integrated planning across state and customary domains, our findings suggest the need to move beyond a coordination-focused, developmentalist framing. Critically, the challenges described here result not from governance failure and state absence, but rather from the multi-scalar governance configuration that arises when multiple authorities have overlapping jurisdictional claims on the same area, resulting in what Horn calls “hyperregulation” (Horn, 2022, p. 2491),which is an ambiguous context that can be shaped by alliances of state and non-state actors, and which can enable both conflict and collaboration (see also Jensen and Zenker, 2015).

Our case studies reveal not simply governance failure, but the emergence of hybrid systems of land administration and service delivery characterised by institutional bricolage and informal co-production. Rather than seeing informal tenure and traditional authority as obstacles to be overcome, we argue that they have the potential to function as dynamic and adaptive governance mechanisms in their own right. Our analysis also extends to the political and symbolic dimensions of these processes, illustrating how access to land and infrastructure reconfigures state-subject relations and reshapes forms of spatial citizenship. In doing so, we offer a more grounded and politically attuned understanding of the institutional and moral logics that underpin urban expansion on traditional authority land.

The findings presented in this report also speak directly to recent policy developments, particularly the Equitable Access to Land Bill being proposed at the time of writing. This draft Bill acknowledges the widespread existence of informal and customary tenure arrangements and seeks to establish a legal framework that can recognise socially legitimate land rights outside the formal cadastral

system. It proposes integrative governance structures that bridge statutory and customary domains, along with participatory mechanisms for land administration and dispute resolution (Parliamentary Monitoring Group, 2025). These proposals offer important validation for the co productive and hybrid governance arrangements documented in our case studies and underscore the need for legislation that does not merely seek to impose formal order but rather enables and supports the forms of negotiated and adaptive land governance already at work in South Africa's peri-urban frontier.[6]

But while the Bill potentially represents a promising step toward recognising the hybrid realities of land governance in South Africa, its implementation will not be without risks. If poorly designed or executed, the Bill could entrench unaccountable traditional authority, impose technocratic forms of formalisation that fail to reflect local practice, or exacerbate existing institutional fragmentation. Without careful attention to accountability, transparency, and the lived dynamics of land access, new governance mechanisms could become vehicles for elite capture rather than instruments of justice.

Our findings underscore the importance of grounding such reforms in the actual workings of informal tenure and governance systems, and caution against legal or bureaucratic solutions that undermine the very forms of adaptive co-production that have enabled tenure security and spatial incorporation in the absence of state-led planning. In this sense, the success of any legislative intervention will depend not only on what it formalises, but on how sensitively it engages with the systems it seeks to support. The challenge is to craft pathways for incremental integration where the ingenuity and private investments of residents are matched by the infrastructural, regulatory, and fiscal capacities of the state. If approached in this way, the city outside the city can become a fully recognised part of the metropolitan urban future, contributing to both spatial justice and sustainable urban growth.

The thorniest issue, however, is how to resolve the fiscal impasse that undermines the sustainability of service delivery and infrastructural development in these settlements. It is likely that the present situation reflects not simply a technical failure of revenue collection, but a deliberate strategy of fiscal exit with echoes of the rent and servicecharge boycotts that delegitimised Black Local Authorities in the 1980s. Given the significant size of the investment flows these settlements represent, there is clearly a case for imposing at least a nominal burden of

[6]It should be noted, however, that there have been substantial delays in finalisation of the draft Bill by the DLRRD and at the time of writing it had not yet been made available for public comment.

rates or levies. But even the lightest burden will require the re-establishment (or perhaps more accurately, given histories of nonpayment, the actual creation) of a social contract binding citizens to the state through the provision of services and the payment of rates.

5.2 Towards a Research Agenda

The account presented here is necessarily exploratory and indicative in nature, intended not as an authoritative summary, but rather as a catalyst for further investigation and exploration. Several lines of inquiry seem especially urgent.

First, there is an urgent need to definitively establish the scale and extent of these settlements, and to quantify the economic flows they represent. Indeed, one of the strangest aspects of South African exurbanisation is that it is happening in plain sight and is widely acknowledged, but is at the same time largely invisible in census, cadastral and municipal data. This is a tantalising omission, particularly in view of the clearly significant financial flows that these ex-urban developments embody. Coherent policymaking (particularly fiscal reform) needs to be informed by an accurate quantitative assessment of the size, scope, scale, and geographic extent of these forms of development.

Second, there is a need for a more differentiated understanding of governance and institutional hybridity. Our cases suggest that relations between municipalities, traditional authorities, residents and parastatals range from pragmatic cooperation to outright dysfunction and conflict. Careful comparative work is required to map these permutations, to identify the conditions under which co-governance is productive, and to understand how residents themselves negotiate and legitimate authority in contested and unstable contexts.

Third, we need to know much more about the functioning of neocustomary tenure systems and informal property markets. We need a more systematic understanding of the different forms of hybrid land management systems and how the off-register rights are recorded and stabilised. A clearer understanding of their strengths and weaknesses is essential to any viable proposals for tenure reform. Equally important is the need to understand how informal property markets function: how land and houses are priced, advertised, financed, and speculated upon; and what this implies for accumulation, exclusion, social stratification, and intergenerational security.

Fourth, much remains to be learned about infrastructure and service provision. While residents have improvised ways of accessing electricity, water, sanitation and roads, these systems are fragile, fragmented, and often environmentally unsustainable. More detailed research is required to understand the arrangements that connect households to state infrastructures, the strengths and weaknesses of existing approaches to selfprovision, as well as the vulnerabilities that arise from exclusion from municipal planning and investment.

Fifth, the case studies show clearly that these are also sites of class formation, capital accumulation and place-making. They are shaped not only by social differentiation in the built environment, but also by strategies for economic mobility, intergenerational wealth transfer, and the search for security and belonging. To understand exurbanisation fully requires examining how these dynamics intersect with histories of labour migration, spatial segregation, and the constrained geographies of post-Apartheid urban life.

Finally, these settlements raise pressing questions about urban morphology, sustainability and just energy transition. Their spatial extensiveness, low-density, car-oriented and self-built suburban forms represent a distinctive spatial aspiration but also pose long-term challenges for environmental sustainability and municipal finance. Empirical research is needed to document the specific settlement morphologies taking shape, to assess their ecological and fiscal impacts, and to explore how they might be reconciled with the goals of spatial justice, climate resilience, and decarbonisation.

Taken together, these questions highlight the extent to which the city outside the city cannot be understood through existing categories of planning or governance. They demand a new research agenda capable of registering the scale, complexity, and political significance of these forms of urbanisation, and of developing theoretical and policy frameworks that can respond to them with the seriousness they deserve.

Figure 11: Taki Sithagu
Source: Photograph taken by Sithagu

This paper is dedicated to the memory of Avhatakali (Taki) Sithagu, whose research provided the foundation for the analysis of hybrid land management institutions presented here. Taki was a gifted researcher whose intellectual curiosity, commitment to justice, and sensitivity to the lives and struggles of ordinary people shaped every aspect of her work. Tragically, she passed away before her research could be published. This paper is an attempt to honour her memory and bring her insights into the public domain, where they belong. We remain deeply indebted to her and hope that this work does justice to the rigour, intelligence, and humanity she brought to her craft.

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All empirical findings, interpretations, and final arguments presented here are the responsibility of the authors. The AI system did not generate original data, conduct analysis, or substitute for the authors' critical judgment. Its contributions were carefully reviewed, verified, and integrated within the authors' own research and writing processes. The authors take full responsibility for the final content.

References Cited

Auditor-General of South Africa (2020) *Auditor-General releases municipal audit results under the theme - "Not Much to Go around, yet Not the Right Hands at the Till"*. Pretoria: Auditor-General of South Africa. Media Release.

Barry, M. (1999) *Evaluating cadastral systems in periods of uncertainty: a study of Cape Town's Xhosa-speaking communities*. PhD thesis. University of Natal.

Barnett, C. (2017a) 'Geography and the Priority of Injustice', *Annals of the American Association of Geographers*, 108 (2), pp. 317–326.

Barnett, C. (2017b) *The Priority of Injustice: Locating Democracy in Critical Theory*. Athens: University of Georgia Press.

Beinart, W. (2013) 'Land, law and chiefs: contested histories and current struggles', in G. Capps, R. Kingwill and W. Beinart (eds) *Land, law and chiefs in rural South Africa: contested histories and current struggles*. Johannesburg: Wits University Press, pp. 1–20.

Beinart, W. and Delius, P. (2014) 'The historical context and legacy of the Natives Land Act of 1913', *Journal of Southern African Studies*, 40(4), pp. 667–688.

Beinart, W., Delius, P. and Hay, M. (2017) *Rights to land – a guide to tenure upgrading and restitution in South Africa*. Johannesburg: Jacana Media.

Bennett, T. (2008) '"Official" vs "living" customary law: dilemmas of description and recognition', in B. Cousins and A. Claassens (eds) L*and, power and custom: controversies generated by South Africa's Communal Land Rights Act*. Johannesburg: Juta and Company Ltd, pp. 138–153.

Bennett, T. (2009) 'Re-introducing African customary law to the South African legal system', *The American Journal of Comparative Law*, 57(1), pp. 1–32.

Berry, B.J.L. (1980) 'Urbanization and counterurbanization in the United States', *The Annals of the American Academy of Political and Social Science*, 451, pp. 13–20.

Buthelezi, M. and Skosana, D. (2018) 'The salience of chiefs in post-Apartheid South Africa: reflections on the Nhlapo Commission', in J.L. Comaroff and J. Comaroff (eds) *The politics of custom: chiefship, capital, and the state in contemporary Africa*. Chicago: University of Chicago Press, pp.110–133.

Buthelezi, M., Skosana. D., and Vale, B. (eds) (2019) *Traditional leaders in a democracy: resources, respect and resistance*. Johannesburg: Mapungubwe Institute.

Chakwizira, J. and Tshivhashe, F. (2025) Land allocation and development at the municipal traditional authority interface: a study of Limpopo Province, South Africa. Johannesburg: Public Affairs Research Institute.

Chaskalson, M., Jochelson, K. and Seekings, J. (1987) 'Rent boycotts, the state, and the transformation of the urban political economy in South Africa', *Review of African Political Economy*, 14 (40), pp. 47-64.

Chatterjee, P. (2006) *The politics of the governed: reflections on popular politics in most of the world*. New York: Columbia University Press.

Chipkin, I. (2012) *Middle classing in Roodepoort: capitalism and social change in South Africa*. Johannesburg: Public Affairs Research Institute.

Chimhowu, A. (2019) 'The "new" African customary land tenure. Characteristic, features and policy implications of a new paradigm', *Land Use Policy*, 81, pp. 897–903.

Cross, C., Bekker, S., Clark, C. and Wilson, C. (1992) *Searching for stability residential migration and community control in Mariannhill*. Rural Urban Working Paper no 23. Centre for Social and Development Studies, University of Natal, Durban.

Cloete, J.J.N. (1997) *South African municipal government and administration*. Pretoria: J.L. van Schaik Academic.

Cousins, B., and Claassens, A. (eds) (2008) *Land, power and custom: controversies generated by South Africa's Communal Land Rights Act*. Johannesburg: Juta and Company Ltd.

Davidson, M. (2024) 'Sea and earth', *New Left Review – Sidecar*, 4 April. Available at: https://new-leftreview.org/sidecar/posts/sea-and-earth (Accessed: 16 August 2025).

Dawood, Z. (2025) 'eThekwini municipality and traditional leaders unite for land use management', *Independent Online*, 27 June 2025. Available at: https://iol.co.za/news/south-africa/kwazulu-natal/2025-06-27-ethekwini-municipality and-traditional-leaders-unite-for-land-use-management/ (Accessed: 16 August 2025).

Dawson, H.J. (2025a) *Making a life: young men on Johannesburg's urban margins*. Johannesburg: Wits University Press.

Dawson, H.J. (2025b) 'Landlords and tenants: rent, distribution, and class differentiation in an informal Johannesburg settlement'. (Unpublished).

De Soto, H. (2010) *The mystery of capital: why capitalism triumphs in the West and fails everywhere else*. New Ed edn. United Kingdom: Transworld Digital.

Department of Cooperative Governance (2021) *Department of Cooperative Governance: annual report 2020/21 financial year*. Pretoria: Department of Cooperative Governance.

Department of Cooperative Governance and Traditional Affairs (2016) *Integrated urban development framework: a new deal for South African cities and towns*. Pretoria: Department of Co-operative Governance and Traditional Affairs.

Department of Rural Development and Land Reform (2015) '*Regulations in terms of the Spatial Planning and Land Use Management Act*, 16 of 2013' Notice Number R239. Pretoria: Government Gazette.

Diala, A.C. (2017) 'The concept of living customary law: a critique', *The Journal of Legal Pluralism and Unofficial Law*, 49(2), pp. 143–165.

Du Toit, A., Skuse, A. and Cousins, T. (2007) 'The political economy of social capital: chronic poverty, remoteness and gender in the rural Eastern Cape', *Social Identities*, 13(4), pp. 521–540.

Du Toit, A. and Neves, D. (2014) 'The government of poverty and the arts of survival: mobile and recombinant strategies at the margins of the South African economy', *The Journal of Peasant Studies*, 41(5), pp. 833–853.

Facebook (2025) *Facebook Marketplace*. Available at: https://www.facebook.com/marketplace/ (Accessed June 2025).

Fisher, R. and Whittal. J. (2020) *Cadastre: principles and practice*. Cape Town: South African Geomatics Institute.

Frith, A. (n.d) *Census* 2011. Available at: https://census2011.adrianfrith.com/ (Accessed: 17 August 2025).

Gauteng City-Region Observatory (2024) *KwaMhlanga, Mpumalanga, located at the intersection of roads R573 and R568*. Available at: https://www.gcro.ac.za/research/project/detail/landscapes-of-peripheral-and displaced-urbanisms/ (Accessed: 21 October 2025).

Geyer, H. (2025) 'Customary land management systems and urban planning in peri-urban informal settlements', *Urban Studies*, 62(2), pp. 310–327.

Godsell, S. (2013) 'New "traditional" strategies and land claims in South Africa: a case study in Hammanskraal', *New Contree*, 67(0), pp. 27-54.

Google Earth (2025) Available at: https://earth.google.com/ (Accessed from June to August 2025).

Harrison, P., Klein, G. and Todes, A. (2021) 'Scholarship and policy on urban densification: Perspectives from city experiences', *International Development Planning Review*, 43(2), pp.151–173.

Home, R.K. (1996) *Of planting and planning: the making of British colonial cities*. Milton Park: Taylor & Francis.

Horn, P. (2022) 'The politics of hyperregulation in La Paz, Bolivia: speculative periurban development in a context of unresolved municipal boundary conflicts', *Urban Studies*, 59(12), pp. 2489–2505.

Hornby, D., Kingwill, R., Royston, L. and Cousins, B. (eds) (2017) *Untitled: securing land tenure in urban and rural South Africa*. Pietermaritzburg: University of KwaZulu-Natal Press.

Jayne, T. S., Chamberlin, J., Traub, L., Sitko, N., Muyanga, M., Yeboah, F.K., Anseeuw, W., Wineman, A., Nkonde, C. and Kachule, R. (2016) 'Africa's changing farm size distribution patterns: the rise of medium-scale farms', *Agricultural Economics*, 47(S1), pp. 197–214.

Jayne, T.S., Muyanga. M., Wineman, A., Ghebru, H., Stevens, C., Stickler, M., Chapoto, A., Anseeuw, W., van der Westhuizen, D. and Nyange, D. (2019) 'Are medium-scale farms driving agricultural transformation in Sub-Saharan Africa?', *Agricultural Economics*, 50(S1), pp. 75–95.

Jensen, S. and Zenker, O. (2015) 'Homelands as frontiers: Apartheid's loose ends – an introduction', *Journal of Southern African Studies*, 41(5), pp. 937–52.

Kingwill, R. (2013) 'In the shadows of the cadastre: family law and custom in Rabula and Fingo village', in G. Capps, R. Kingwill and W. Beinart (eds) *Land, law and chiefs in rural South Africa: contested histories and current struggles*. Johannesburg: Wits University Press, pp. 191–207.

Kingwill, R. (2014) 'Papering over the cracks: an ethnography of land title in the Eastern Cape', *Kronos*, 40 (1), pp. 241–268.

Kingwill, R. (2020) *Policy brief on an integrated, inclusive land administration system*. Land Network National Engagement Strategy. Available at: https://www.readkong.com/page/policy-brief-on-an-integrated-inclusive-land-5280282 (Accessed: 21 July 2025).

Kwazulu-Natal Ingonynama Trust Board (2019) *Annual report* 2018/19. Available at: https://www.ingonyamatrust.org.za/download/ingonyama-trust-board-annual-report 2018-19/ (Accessed: 17 August 2025).

Landau, P.S. (2010) *Popular politics in the history of South Africa*, 1400–1948. Cambridge: Cambridge University Press.

Leonard, L. (2019) 'Traditional leadership, community participation and mining development in South Africa: the case of Fuleni, Saint Lucia, KwaZulu-Natal', *Land Use Policy*, 86(C), pp. 290–298.

Liverpool-Tasie, L.S.O., Nuhu, A.S., Awokuse, T., Jayne, T., Muyanga. M., Aromolaran, A. and Adelaja, A. (2023) 'Can medium-scale farms support smallholder commercialisation and improve welfare? Evidence from Nigeria', *Journal of Agricultural Economics*, 74(1), pp. 48–74.

Lynd, H. (2021) 'The peace deal: the formation of the Ingonyama Trust and the IFP decision to join South Africa's 1994 elections', *South African Historical Journal*, 73(2), pp. 318–360.

Macmillan, W.M. (1917) *The place of local government in the Union of South Africa*. Johannesburg: W E Hortor and Co.

Magubane, M. (2005) *Sources of succession disputes in respect of ubukhosi/chieftainship with regard to the Cele and Amangwane chiefdoms, Kwazulu-Natal*. MA thesis. University of Zululand. Available at: https://www.academia.edu/58969350/Sources_of_succession_disputes_in_respect_of_ubukhosi_chieftainship_with_regard_to_the_Cele_and_Amangwane_chiefdoms_KwaZulu_Natal (Accessed: 17 August 2025).

Mamdani, M. (1996) *Citizen and subject: contemporary Africa and the legacy of late colonialism*. Princeton: Princeton University Press.

Maylam, P. (1995) 'Explaining the Apartheid city: 20 Years of South African urban historiography', *Journal of Southern African Studies*, 21(1), pp. 19-38.

Mbembe, A. (2017) 'Afropolitanism', in B. Robbins and P.L. Horta (eds) *Cosmopolitanisms*. New York: New York University Press, pp. 102–13.

Mercer, C. (2024) *The suburban frontier: middle-class construction in Dar Es Salaam*. Berkeley: University of California Press.

Meth, P., Goodfellow, T., Todes, A. and Charlton, S. (2021) 'Conceptualizing African urban peripheries', *International Journal of Urban and Regional Research*, 45(6), pp. 9851007.

Meth, P., Charlton, S., Goodfellow, T. and Todes, A. (eds) (2024) *Living the urban periphery*. Manchester: Manchester University Press.

Miraftab, F. (2009) 'Insurgent planning: situating radical planning in the Global South', *Planning Theory*, 8, pp. 32–50.

Mitchell, C.J.A. and Bryant, C.R. (2020) 'Counterurbanization', in A. Kobayashi (ed) *International encyclopedia of human geography*. 2nd edn. Oxford: Elsevier, pp. 433–438.

Mnisi, S. and Claassens, A. (2009) 'Rural women redefining land rights in the context of living customary law', *South African Journal on Human Rights*, 25(3), pp. 491–516.

Moultrie, T. and Dorrington, R. (2024) *The 2022 South African census: a technical report prepared for the South African Medical Research Council Burden of Disease Unit*. Cape Town: South African Medical Research Council.

Ndlovu, S. (2017) '*Ethnic identity in post-Apartheid South Africa: a case study of Southern Ndebele identity in the KwaMhlanga Region in Mpumalanga Province'*. PhD thesis. University of the Witwatersrand.

Newburn, D. and Berck, P. (2011) 'Exurban development', J*ournal of Environmental Economics and Management*, 62(3), pp. 323–336.

Nhlapo, T. (2017) 'Customary law in post-Apartheid South Africa: constitutional confrontations in culture, gender and "living law"', *South African Journal on Human Rights*, 33(1), pp. 1–24.

Ntsebeza, L. (2005) *Democracy compromised: chiefs and the politics of the land in South Africa*. Leiden: Brill.

Nxumalo, C. and Whittal, J. (2013) 'Municipal boundary demarcation in South Africa: processes and effects on governance in traditional rural areas', *South African Journal of Geomatics*, 2(4), pp.

326–341.

Paller, J.W. (2019) '*Building permanence: fire outbreaks and emergent tenure security in urban Ghana*', Africa, 89(3), pp. 437–456.

Paller, J.W. (2025) 'Building the city from below: toward a citizen-centered citymaking', *African Studies Review*, 68(2), pp. 370–378.

Parliamentary Monitoring Group (2025) *Development of legislative measures to ensure equitable access to land, with Minister*. Available at: https://pmg.org.za/committeemeeting/40258/ (Accessed:17 August 2025).

Parnell, S. (1988) 'Land acquisition and the changing residential face of Johannesburg, 1930-1955', *Area*, 20(4), pp. 307–314.

Pearson, J. (2024) Reflections on the role of traditional authorities in land governance in 21st Century South Africa. *Johannesburg: Public Affairs Research Institute Working Paper*.

Prest, J. (1990) *Liberty and locality: parliament, permissive legislation, and ratepayers' democracies in the nineteenth century*. Oxford: Oxford University Press.

Private Property (2025) Available at: https://www.privateproperty.co.za (Accessed: June 2025).

Property24 (2025) Available at: https://www.property24.com (Accessed: June 2025).

Queiros, D. and Mearns, K. (2024) 'Engendering community support for conservation: a case study of Kekana Gardens community and Dinokeng Game Reserve, South Africa', *Journal of Asian and African Studies*, 59(2), pp. 391–410.

RealNet Properties (2025) Available at: https://www.realnet.co.za/) Accessed: June 2025).

Robinson, J. (2015) 'Thinking cities through elsewhere: comparative tactics for a more global urban studies', *Progress in Human Geography*, 40(1), pp. 3-29.

Robinson, J. (2016) 'Comparative urbanism. New geographies and cultures of theorizing the urban', *International Journal of Urban and Regional Research*, 40, pp. 187-199.

SAFLII (2014) *Amandebele-Ba-Lebelo Tribal Council and one other v Kekana and Others*. 42766/2013. Available at: https://www.saflii.org/za/cases/ZAGPPHC/2014/524.pdf (Accessed: 19 August 2025).

SAFLII (2021) *Council for the Advancement of the South African Constitution and Others v Ingonyama Trust and Others*. 12745/2018P. Available at:

www.saflii.org/za/cases/ZAKZPHC/2021/42.pdf (Accessed: 19 August 2025).

Simelane, H.Y. and Sihlongonyane, M.F. (2021) 'A comparative analysis of the influence of traditional authority in urban development in South Africa and Eswatini', *African Studies*, 80(2), pp. 153–171.

Sihlongonyane, M.F. and Sithagu, A. (2025) 'Transformation of territorial governance under traditional authority in peri-urban areas of Gauteng and the associated spatial implications for urban change', in D. du Plessis (ed) T*erritorial governance and spatial transformation in post-Apartheid South Africa*. Cham: Springer Nature Switzerland, pp. 279302.

Sithagu, A. (2022) 'The "invisible" property system and revenue collection in former homelands in the context of hybrid governance and access to land and basic services', *Transformation: Critical Perspectives on Southern Africa*, 110(1), pp. 76–92.

Sithagu, A. (2023a) *Analysis of the findings*. Bellville: Institute for Poverty, *Land and Agrarian Studies*. Unpublished.

Sithagu, A. (2023b) *The context of the three case studies: the Thembisile Hani Local Municipality, Magodongo and Buhlebesizwe, and the traditional authority institution*. Bellville: Institute for Poverty Land and Agrarian Studies. Unpublished.

Sithagu, A. (2025) 'Power relations in the administration and distribution of customary land', *Trialog*, 2025(154/155) pp. 9-14.

Sustainable Livelihoods Foundation (2023) *Cities support programme, township economic development project*. Available at: https://www.livelihoods.org.za/portfolio/cities-support-programme-township-economic-development-project/ (Accessed 16 August 2025).

Thembisile Hani Local Municipality (2022) *Integrated development plan* (2022-2027). *Thembisile Hani Local Municipality, KwaMhlanga*.

Todes, A. and Turok, I. (2018) 'Spatial inequalities and policies in South Africa: placebased or people-centred?', *Progress in Planning*, 123, pp. 1–31.

Tsatsire, I., Taylor, J.D., Raga, K. and Nealer, E. (2009) 'Historical overview of specific local government transformatory developments in South Africa', *New Contree*, 57(0), pp. 1-19.

Ubink, J. and Pickering, J. (2020) 'Shaping legal and institutional pluralism: land rights, access to justice and citizenship in South Africa', *South African Journal on Human Rights*, 36(2–3), pp. 178–199.

Visser, G. (2003) 'Visible, yet unknown: reflections on second-home development in South Africa',

Urban Forum, 14(4), pp. 379–407.

Watson, V. (2003) 'Conflicting rationalities: implications for planning theory and ethics', *Planning Theory & Practice*, 4(4), pp. 395–407.

Whittal, J. (2008) '*Fiscal cadastral systems reform: a case study of the general valuation project 2000 in the City of Cape Town*'. Ph D Thesis. University of Calgary.

Wilson, G.A. and Rigg, J. (2003) '"Post-productivist" agricultural regimes and the south: discordant concepts?', *Progress in Human Geography*, 27(6), pp. 681–707.

Zamchiya, P. (2023) *Securing tenure for customary land rights holders in Southern Africa*. Institute for Poverty, Land and Agrarian Studies. Policy Brief.

Zenker, O. (2018) 'Bush-level bureaucrats in South African land restitution: implementing state law under chiefly rule', in O. Zenker and M. Hoehne (eds) *The state and the paradox of customary law in Africa*. Milton Park: Routledge, pp. 1-41.