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COMMUNITY SUBMISSION TO THE NATIONAL  
DEPARTMENT OF HUMAN SETTLEMENTS ON THE  
HUMAN SETTLEMENTS WHITE PAPER, NOVEMBER 2023

DEVELOPMENT ACTION GROUP (DAG) IN PARTNERSHIP WITH THE CAPE CRISIS COMMITTEE

**CAPE CRISIS  
COMMITTEE**



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## 1. INTRODUCTION

The Development Action Group (DAG) is a leading non-profit, nongovernmental organisation working throughout South Africa to fight poverty and inequality and promote integrated urban environments. Established in 1986, DAG supports communities in need of adequate housing by enhancing their capacity to engage with and lead their own development. DAG's strategies support pro-poor urban development practices using community-based development to foster social cohesion and strengthen citizenship and democracy.

On 27 January 2023, more than 100 community partners convened at DAG's Urban Dialogue/Forum 9. The Dialogue, hosted in partnership with the Cape Crisis Committee (CCC / Committee), forms part of DAG's Urban Land and Housing Dialogue Series<sup>1</sup>. The CCC is a coalition of community-based organisations (CBOs) and civil society organisations (CSOs) that come together to address (crisis) issues that are of mutual concern, and that affect low-income and indigent communities, following the 2023 eight-day taxi strike. Over the past year, DAG has partnered with the CCC to implement various community development initiatives around issues that deeply impact poor and low-income communities across the Cape metropole. One of the primary concerns of the Committee is to advocate for a transport system where *commuters* and transport providers collectively shape a commuter-centred, safe, efficient, reliable, environmentally sensitive, and affordable Public Transport System. Learnings from the activities and initiatives of the CCC, since then, emphasised the intersections between vulnerable communities' access to public transportation and a spatial urban form that still resembles apartheid-manufactured inequalities. Specific activities include a planning workshop in preparation for their city-wide Transport Indaba, the Transport Indaba where over 120 commuters convened along with key government and other stakeholders in the transport sector, Dialogue 9, and a follow-up meeting to the dialogue in December 2023.

Dialogue 9 served as a platform where community partners from across the city could gain a better understanding of the White Paper and with this knowledge in hand, engage in critical discussion and reflection towards crafting a collective submission. This submission is the outcome of those engagements.

The next section includes a brief background to the policy process while section three comprises our key concerns and recommendations on select elements of the national government's policy guidelines and proposals encapsulated in the White Paper. In Annexure A, a list of the CBOs and CSOs who participated in the development of this submission is provided. These organisations have all endorsed this document.

## 2. BACKGROUND

On 18 December 2023, the National Department of Human Settlements (NDHS) gazetted the White Paper for Human Settlements, November 2023 (White Paper / WP 2023).<sup>2</sup> The policy comes close to two decades after the last significant national policy on housing delivery: *Breaking New Ground: A Comprehensive Plan for the Development of Sustainable Human Settlements (September 2004) (Breaking New Ground or BNG)*. Although brief reference is made to a subsequent national housing policy entitled, '*Towards a policy foundation for the development of human settlements*' in the *White Paper (2015)*<sup>3</sup>, the 2015 policy remains a draft. The White Paper is therefore a key development in the national housing and human settlements context; it sets the country's future housing and human settlement's development trajectory. Moreover, it outlines the NDHS's "new vision, objectives,

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<sup>1</sup> Series, launched in 2020, consists of bi-annual strategic discussion platforms where those working in the land and housing sector may deliberate challenges and opportunities towards urban spatial transformation. Via the Dialogues we seek to enable civil society stakeholders and community leaders to collectively advocate for joint submissions on urban land reform processes, urban policy development process, district planning and other local planning processes.

<sup>2</sup> National Department of Human Settlements (NDHS), *White Paper for Human Settlements*, November 2023.

<sup>3</sup> White Paper 2023, pp. 11

theory of change, key policy statements, policy position, roles, and responsibilities of stakeholders” for the development of sustainable human settlements.<sup>4</sup>

This proposed White Paper is significant because it marks a fundamental turning point in the government’s approach to housing delivery. The policy ushers in an, albeit not entirely new, but considerably different approach to what the state will deliver in terms of housing and what those in line to benefit from state-subsidised housing, i.e., the landless, homeless, and low-income families, can expect from the state going forward. Additionally, the White Paper sheds light on various housing policies and programmes and how each will contribute towards shaping the country’s urban form over the foreseeable future.

On February 12<sup>th</sup>, 2024, at the Human Settlements White Paper Consultation with NGOs and CBOs the National Human Settlements Minister, Mmamoloko Kubayi, spoke on the Department’s intended outcomes for the White Paper. The Minister indicated that she hopes to have the White Paper approved by cabinet by April 1<sup>st</sup>, 2024. This date was subsequently revised to April 31<sup>st</sup>, 2024. That leaves little time between the deadline for submissions (28 February) and finalisation. The partners who participated in this engagement, believe that this is not nearly enough time to incorporate all comments and inputs submitted to the government on the contents of the White Paper. Additionally, the partners strongly believe that given the national importance of the White Paper, CBOs, and anyone else that submits inputs should have an opportunity to review and consider the revised policy to assess whether their contributions have been adequately incorporated into the document. We therefore urge the NDHS to reconsider the timeframes related to the finalisation of this key policy.

### **3. KEY CONCERNS AND RECOMMENDATIONS**

#### **3.1. PUBLIC PARTICIPATION IN POLICY DEVELOPMENT**

*Current public participation processes, including the process related to this White Paper, tend to exclude communities, and often end up being tick-box exercises. It cannot be business as usual; how will the government improve the public participation process to ensure that social compacts work (pp. 23 -26, 50, 62-63)?*

#### **KEY CONCERNS**

- ❖ Although we appreciate that the Minister saw fit to extend the deadline for submissions, it is our strong belief that there is a need for more public participation ahead of drafting and publishing new policies or laws. We noted the Minister’s comments, at the White Paper Consultation engagement, that existing legislation does not obligate her to implement a public participation process on the road to finalising the White Paper. Instead, she’s initiated this process based on a recognition of the far-reaching impact that this policy could have on a large part of South African society.
- ❖ Ensuring effective and meaningful community engagement is especially important because the White Paper speaks of social compacts in the informal context. How effective and inclusive engagements are, will impact the success or failure of social compacts<sup>5</sup>.
- ❖ The White Paper is dense and written in highly technical language and jargon, making it very difficult for communities to meaningfully engage with the substance of the document.

#### **RECOMMENDATIONS**

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<sup>4</sup> National Department of Human Settlements (NDHS), Presentation to Human Settlements Sector Stakeholders and Partners, *Draft White Paper for Human Settlements*, 14 December 2023.

<sup>5</sup> White Paper 2023, pp. 48-50.

- ❖ It is our view that we, those most affected by policy, should co-create solutions alongside government. We propose the establishment of **advisory panels**. These advisory panels must be established at all spheres of government and must be inclusive of a wide array of stakeholders, including individuals, communities, CBOs, and CSOs, i.e. NGOs working at the local, government and relevant private sector entities, etc.
- ❖ There should be sufficient time and varied additional government initiatives, (i.e. announcements on community radio stations or in local newspapers) to inform communities about draft policies, along with opportunities to ask questions and give meaningful inputs into draft policy documents. Normally notices about draft policies and budgets are placed on platforms that are inaccessible to communities or which communities do not frequent. Consequently, they are often not aware that a public participation process relate to a policy or budget is underway. To mitigate this challenge, we propose that notices should be printed on flyers and pamphlets, in addition to the usual channels, and that the former be placed at widely used places such as local clinics, libraries, etc.
- ❖ It is imperative that going forward, clearer, more accessible language is used in draft policies. If this is not possible, the government must condense the information into a summary or other easily accessible formats that should be distributed widely so that communities remain informed and are able to engage with key policy developments. Ensuring that policy documents are translated into languages other than English is an obvious first step in this direction. Additionally, translation should happen with enough time for citizens to engage with these versions and still submit comments.

### 3.2. SPATIAL PLANNING AND LAND MANAGEMENT

*Due to the vague nature of this section's message, it does not appear that the White Paper is coming up with anything new that would change communities / the structure of towns and cities. After reading and engaging with this section we are still left asking, what will be different going forward and how will these policy changes drive us towards more equal and inclusive cities (pp. 40 – 43)?*

#### KEY CONCERNS

- ❖ There is no clarity with regards to property power, which currently remains predominantly vested in the hands of those who previously benefitted from unequal land and housing policies and laws. This skewed distribution of power still functions as an obstacle to true spatial transformation in the present day. How and where do big real estate owners and private developers fit into government's picture of spatial planning and land management?
- ❖ Public land is leased at nominal fees to wealthy golf clubs and private entities while other publicly owned land parcels are auctioned off to the highest bidder. When this happens, public notices about land up for (new) long lease or lease renewals is often placed at very obscure places, where it is difficult for communities to access or see them. This must be rectified urgently.
- ❖ Land, especially well-located strategic land should be used for housing and other social purposes and should not be seen as a commodity. More especially, the White Paper must explicitly recognise the social value of land and how prioritising this interpretation of public goods (land and buildings) impacts its use and management.
- ❖ The policy is silent on government's plans and mechanisms for the acquisition, assembly, and release of well-located land for affordable housing. What are the fundamentals of this 10–15-year infrastructure (and land) plan? How will communities be involved in developing the plan?
- ❖ The White Paper seems to champion public participation yet in some cases, it shows that the state will use law enforcement to "protect" public land from the public. The document

further puts blame on occupations instead of taking accountability for government's inability to deliver affordable housing where and at the scale that it is needed.

- ❖ The is no clarity with regards to relocations, specifically in cases where development is happening on an occupied site. People should be relocated to well-located land where they are close to economic opportunities and amenities. For this to happen, government departments need to be more intentional when it comes to interdepartmental and inter-governmental relations. We believe that communities should be involved in choosing which neighbourhoods they will be relocated to, and communities that will be receiving relocated residents should receive clear and timely communication from government to reduce the likelihood of animosity between new and old residents.
- ❖ There is a lack of understanding of what certain parcels of vacant land can be used for or what their planned purpose is.
- ❖ The spatial planning in urban areas should not be done in isolation from rural spatial planning.

## **RECOMMENDATIONS**

- ❖ The White Paper must explicitly recognise the social value of land and outline how such an interpretation of this key public resource impacts its use and management for the betterment of communities.
- ❖ There is a need for much more transparency around the leasing, selling, and acquisition of public land and buildings. The White Paper should make provision for a spatial planning tribunal so that, we, the people, have a say in the matter. It is imperative that these tribunals be inclusive of communities and that their workings are preceded and informed by pre-consultative advisory panels.
- ❖ Public notices about land leases, sales and disposals must be placed at locally accessible venues and awareness raised via local news outlets and by placing flyers and pamphlets at locally frequented (municipal) facilities to inform communities about how land and buildings in their areas is used and managed.
- ❖ Similarly, much more transparency around the municipalities and provinces' project pipelines is needed.
- ❖ The government must ensure that in addition to improving transparency, easily accessible accountability measures are built into policy and programmes related to the leasing, selling, buying and expropriation of public land or buildings. The White Paper must indicate what these accountability measures will be and how communities will meaningfully engage with related processes.
- ❖ Public education on land zoning is needed to help communities to better understand decisions around land use management and to equip them to effectively engage with such processes, at the local level.
- ❖ Clear guidelines should be provided to municipalities and provinces to facilitate community engagement with local spatial planning documents, such as the Municipal Spatial Development Framework (MSDF), District Plans, Integrated Development Plans (IDPs), etc. District Plans that are strategic local level spatial planning documents, for instance, are not at all mentioned in the White Paper. The White Paper must reflect how these key planning tools will be used to achieve the spatial transformation goals set therein, along with clearly defined roles and responsibilities of local municipalities, politicians, communities, and relevant stakeholders.
- ❖ Ultimately, what is needed is a clear land assembly and disposal accountability and transparency framework, captured as part of an easily accessible spatial strategy that communities can engage with and use in efforts aimed at holding implementers accountable for their use and management of government land and buildings. The White Paper must make provision for the development of such a strategy and set timeframes for its creation.

### 3.3. LAND FOR HOUSING AND HUMAN SETTLEMENTS

*It is not entirely clear what the vision is for the country in terms of land and housing. The policy's understanding of the term, "Human Settlements" is not clearly defined and therefore readers of this policy are left unsure of exactly how land factors into this term. How exactly communities would meaningfully engage with land use and management processes is also unclear (pp. 43 – 47).*

#### KEY CONCERNS

- ❖ We appreciate the national department's recognition that housing waiting lists are hugely problematic and that there is a need for a single, integrated, comprehensive database. There is much confusion, uncertainty, and misperception about the waiting lists, needs registers and /or database. Additionally, corruption in the management of these databases is rife and citizens have nowhere to go (no recourse) with their complaints or to get help when they experience problems. Many people who have been on housing waiting lists for over a decade find themselves removed from new waiting lists without explanation. This needs to be resolved as a matter of urgency.
- ❖ We noted, as a response, the government's plans to digitalise, digitise and automate<sup>6</sup> the housing waiting list. However, it is not entirely clear how implementing these measures will eliminate the challenge of multiple registers or databases (operating at different levels of government), ensure a simple, easily understood, clear process (first-come-first serve) and prevent corruption in the management of the database. Who, for instance, will manage the database? What recourse will communities have if they experience problems?
- ❖ The White Paper alludes to a shift away from the Reconstruction and Development Programme (RDP) promise of a free house to poor and low-income families and instead speaks of a diminished government role: that of an enabler or facilitator in the housing and human settlements development space. According to the White Paper, it appears that top structures will be delivered almost exclusively to vulnerable groups (including pensioners, women- and child-headed families, people living with disabilities, and military veterans (who should fall into this category, but are not explicitly mentioned in the White Paper) while everyone else on the waiting list, regardless of income levels, may receive a serviced site or any of the other housing elements<sup>7</sup> listed in the Policy.
- ❖ At the February Consultation engagement, the Minister, expressed that the [constitution](#)<sup>8</sup> does not obligate her to deliver a house to everyone in need, only to vulnerable groups. We strongly oppose this approach to housing delivery. We firmly believe that a household's inability to afford access to adequate shelter also constitutes a vulnerability and that this is confirmed by the constitution<sup>9</sup>, previous court [judgments](#)<sup>10</sup> and the [international laws](#)<sup>11</sup> that South Africa is a signatory to. Many people are poor, homeless and/or landless and are unable to construct their own homes using their own funds. Are they to remain without adequate housing until they can get a job, earn an income, and build for themselves?
- ❖ Further, to this point, if serviced sites are to be the preferred "housing deliverable", much more support than what is suggested in the White Paper will be needed for citizens who want to self-build. It will be important for the White Paper to outline how government and the private sector (banks, construction sector) will be restructured to support self-build?

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<sup>6</sup> White Paper 2023, pp. 73.

<sup>7</sup> White Paper 2023, pp. 29-30.

<sup>8</sup> Constitution of the Republic of South Africa, 1996.

<sup>9</sup> Constitution of the Republic of South Africa, 1996.

<sup>10</sup> See for example: Government of the Republic of South Africa and Others v Grootboom and Others (CCT11/00) [2000] ZACC 19; 2001 (1) SA 46; 2000 (11) BCLR 1169 (4 October 2000).

<sup>11</sup> See for example the International Covenant on Economic, Social and Cultural Rights (ICESCR) UN. 3 January 1976 and its related General Comments and Fact Sheets.

- ❖ The government should reserve some land for economic development, healthcare, and other services so communities in new serviced sites areas are not forced to travel long distances for work and services.
- ❖ Public education is needed around the process of receiving land. There are many instances of corruption where community members have paid people who misrepresented themselves as officials only to have the structures they built taken down for unlawful occupation/use.
- ❖ We support government's commitment, as stated in the White Paper, to expropriate buildings and land for affordable housing. Specifically, we urge the government to expropriate dilapidated privately-owned buildings and to refurbish and renovate these properties for housing development purposes.
- ❖ In terms of land governance and capacity building, officials and politicians at all government levels should be aware of land regulations and which level of government is accountable for which actions. Ward councillors should have clear understanding of who owns different land parcels, what these land parcels can be used for, how to access the land and how to change its assigned land use.

## RECOMMENDATIONS

- ❖ Regarding the process to digitalise, digitise and automate the housing waiting list / database, the detail can be shared at a more appropriate time, but at the very least, the principles that will guide implementation of the process and the actual database should be explained in the White Paper.
- ❖ If the government is planning to implement a national shift from delivering top structures to all to delivering top structures exclusively to vulnerable groups, then the policy should state this clearly so that there is no confusion among beneficiaries and officials about the country's approach to housing and human settlements development. Similarly, this message must be shared clearly and simply to all persons on government housing waiting lists before the White Paper is finalised so that those who will be most affected by the change can give inputs.
- ❖ The White Paper should clearly outline the government's approach and plan to implement the site-and-services model across all provinces, in both cities and rural areas. The Policy should clearly state what measures and mechanisms will be put in place; what the roles and responsibilities of the different role-players will be; what the institutional arrangements will be; where the financing for this programme will come from and how subsidies will be allocated; how well-located land will be accessed; and what support will be provided to beneficiaries, including with construction, financing, etc. Moreover, a public education programme, including capacitation of officials and politicians should be implemented before rolling out site-and-services at scale. Many questions remain and the bits and pieces mentioned in the White Paper related to site-and-services do not give clear guidance to us as communities and potential beneficiaries about what we can expect and what our responsibilities will be in implementing this programme.
- ❖ We strongly call for state-owned land that has been occupied for long periods to be transferred to residents of informal settlements who live there!
- ❖ Communities should be involved in decision-making around which land or buildings would be suitable for human settlements development/should be expropriated. Specifically, government must expropriate land and buildings which they have sold to private developers in the past and build inner-city housing with it.

### 3.4. INFORMAL SETTLEMENTS

*The White Paper fails to offer proactive measures to prevent occupations and address informality. The increase in funding for upgrading is encouraging, but much more detail about community involvement in the process is needed (pp. 47 – 54).*



## KEY CONCERNS

- ❖ The White Paper suggests a militaristic approach to informal settlement residents/occupations. The use of language in the policy is indicative of this, for example, the phrase “dealing with the poor decisively” frames informal settlement residents as a threat and promotes violence as an appropriate response to attempts by these residents to procure shelter for themselves. This kind of language is unacceptable and is likely to lead to increased levels of violence and political instability.
- ❖ What are the criteria used to approve settlements for in situ-upgrading, i.e. does approval depend on the number of years that the settlement has been in existence? Do municipalities have a pipeline for settlements set to be upgraded or relocated and how can this be shared with communities, to establish and affirm trust as part of the social contract?
- ❖ The policy’s understanding of tenure security needs to be unpacked in more detail. Administrative rights and the establishment of land registers require strong local partnerships, most notably with communities and civil society – no indication is provided of what the role of communities will be. The White Paper also does not go far enough in suggesting the actual mechanisms and strategies to manage/administer land rights which are dynamic. Most municipalities in South Africa have static registers which are then time bound and not useful in either securing the rights of households over time or enabling strategic planning. This overall demonstrates a lack of innovation in a critical area of urban land and housing reform in South Africa.
- ❖ The ability of implementers, particularly at municipal level, to overcome current challenges related to title deed registrations and administration, and more efficient management of related processes is paramount. However, our experience shows that municipalities are reluctant to introduce various forms of Administrative Recognition, i.e., letters of occupancy, lease agreements or certificates of occupation.
- ❖ Nothing is said about the improvement of temporary relocation areas (TRAs) / Incremental Development Area (IDAs); government should provide clarity on their plans for these settlements. TRAs/IDAs have become permanent slums, with high unemployment rates, rampant crime, and widespread poverty.
- ❖ Some informal settlements are situated in unsuitable areas such as wetlands, etc. What approach will government take when dealing with informal settlements occupying dangerous areas such as those located under electricity lines, on wetlands or within firebreak zones?
- ❖ Further clarity also needs to be given about what alternative mechanism will be used when people must be relocated and no (affordable) land is available for this purpose.
- ❖ What is the government’s position on non-qualifiers? Currently some structures in informal settlements are owned by either foreign nationals (some of whom may be undocumented) or citizens who have received state houses in the past. The policy should outline how the government plans to approach situations such as these.

## RECOMMENDATIONS

- ❖ Government should have clear timeframes to guide provinces’ and municipalities’ development and management of informal settlements. They should not take a blanket approach, and their interventions should be informed by constant engagements with the individuals who stand to be affected. Moreover, the principles, plan, associated timeframes, and budgets should be expressed in the White Paper and should be widely shared so that everyone knows what government’s priorities and general approach to informal settlements will be.
- ❖ Ensuring that the necessary support mechanisms to administer differentiated forms of Administrative Recognition are created is key. The Policy should provide some legal and policy principles to inform the development of the preferred basket of tenure options. Even

identifying the basic rights and necessary protections that would inform the development of tenure options would be helpful.

- ❖ The White Paper should also outline the forms of tenure that could be utilised in the context of site-and-services.
- ❖ The policy must include timeframes to assist people to exit out of TRAs and move up the housing ladder, and for TRAs to either be demolished or upgraded to accommodations more comparable to permanent (formal) housing.
- ❖ The provision of services in informal settlements should be gender responsive and should speak to the realities on the ground.
- ❖ Government should relook at alternative housing opportunities for informal settlement residents, such as reusing/repurposing old buildings owned by the municipality.

### **3.5. AFFORDABLE RENTAL HOUSING**

*A limited number of affordable homes and rentals are developed by the state when compared to market homes and rentals. Rental accommodation in well-located areas is still inaccessible for many poor and low-income families. Many rely on backyarding and small-scale developers to access more affordable housing. Despite the importance of backyarding and small-scale developments in meeting the housing needs of the poor, the White Paper offers little in terms of mechanisms and processes to support these.*

#### **KEY CONCERNS**

- ❖ Rental accommodation in well-located areas is still inaccessible for most poor and low-income families. It is also not very accessible for people with disabilities, because the housing developed tends to be in the form of multi-story apartments. In addition, when residents in these developments lose their jobs, they become unable to afford the rentals, and almost immediately become vulnerable to evictions.
- ❖ The quality of the infrastructure within Community Rental Units (CRUs) is poor. In our view, the regulatory body must be aware of these existing and prevalent challenges, which raises the question of why regular maintenance is not taking place. In addition, there are currently no measures to ensure security of tenure – if the renting member of the household passes away there is no mechanism to transfer the lease to another member of the household.
- ❖ The White Paper is unclear on what kind of assistance government will provide to traditional backyarders. In 2021, our partner, Isandla Institute commissioned a [legal opinion](#) on municipal governments' obligations and powers to provide basic services for backyard dwellers on private land. A key conclusion of the legal opinion was that municipalities indeed have "substantial constitutional and statutory obligations" to take reasonable measures to provide basic services to residents and these obligations "...apply also in respect of backyard dwellers living on private property".
- ❖ No solution for homelessness is mentioned. Transitional housing is an option. Why is this not included in the Policy, as a viable response to addressing homelessness. Instead, the purpose for which transitional housing is intended in the White Paper is unclear.
- ❖ Heritage status – housing regulations for heritage buildings need to become more flexible so that they allow for the extension of the building to ensure that these homes can accommodate growing family sizes.
- ❖ We must have practical solutions to address livelihood issues such as skills development and the provision of social amenities. Basic services are not enough to ensure sustainable livelihoods – socio-economic opportunities are needed.

#### **RECOMMENDATIONS**

- ❖ The government should review the qualifying criteria for social housing to make this housing option more accessible to low-income households. More housing tailored to accommodate people with disabilities should be built, and where it exists, the allocation of this housing should be monitored to ensure that people with disabilities benefit.
- ❖ There must be protections for periods of unemployment to ensure that people who would otherwise pay their rentals do not get evicted and end up occupying vacant land out of need.
- ❖ In terms of CRUs, we recommend setting up a programme/mechanism that allows the government or managing institutions to make use of local/community service providers to ensure regular maintenance of the rental stock.
- ❖ A timeframe for rent-to-buy should be set to protect people from evictions.
- ❖ The White Paper must include a section on transitional housing – a very necessary and key part of delivering affordable rental housing. There needs to be clear policy at a national level on Transitional Housing, including pragmatic, innovative thinking around the use and implementation of this housing option so that it enables increased affordable housing options. Further, under-utilised buildings can also be refurbished and renovated and then turned into transitional housing to address homelessness. An approach like that of the Hostel Redevelopment Programme may be useful here.
- ❖ Finally, both funding and institutional arrangements need to be put in place to support the management, maintenance and social development programmes needed to ensure the success of transitional housing.
- ❖ The White Paper must outline the government’s plans to create mechanisms to support small-scale developers who play a key role in delivering affordable rental housing. Similarly, the provision of basic services to traditional backyarders, especially those on private land, is key and this must be addressed in the Policy.
- ❖ The White Paper must clearly outline the state’s responsibility and their intended response to alleviate the plight of backyarders and deliver basic services to them, regardless of whether they live on public or private property.

### **3.6. GOVERNANCE AND FINANCE**

*Our overall impression of the White Paper is that in its current form, it tends to concentrate on the problems rather than the solutions. The White Paper’s policy proposals lack detail and clarity, which will negatively impact on financing and implementation. We are however, slightly encouraged by the proposal to establish a Human Settlements Ombudsman. It is our sincere hope that the Ombudsman will effectively implement its objectives and serve communities to the best of their ability (pp. 72-80).*

#### **KEY CONCERNS**

- ❖ The subsidy quantum<sup>12</sup> has not been increased for over 20 years. The value of R3 500 is now much less than it was 20 years ago. In addition, the current limit (R3 500) means that a household made up of a single disability grant recipient and a single old age grant recipient would not be able to benefit from a housing subsidy.
- ❖ The National government has a responsibility to monitor policies that are implemented at lower level so that there are no contradictions. At present, this is not happening effectively. The policy rightly outlines what is stated in applicable legislation and policies but falls short in addressing the practice, and its many related challenges.
- ❖ It is our sincere hope that the Ombudsman will effectively implement its objectives and serve communities to the best of their ability. A key part of ensuring this is to develop implementation guidelines for each of the housing programmes. At present, most of the

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<sup>12</sup> White Paper 2023, pp. 60-61; 73.

housing programmes in the national housing code do not have such guidelines, which hampers effective implementation of these programmes.

## **RECOMMENDATIONS**

- ❖ The government must raise the threshold of R3 500 for affordable housing. The entire qualification criteria, for all housing programmes, needs to be reviewed and it is very important that communities play a central role in this process. The White Paper must clearly state how, and provide a timeframe within which, this review will take place, and the White Paper should outline how community participation in the process will be facilitated.
  - ❖ Clearer timelines and tangible programmes are needed. Where it does not exist, implementation guidelines for each of the housing programmes and the Ombudsman must be developed.
  - ❖ The document must give more clarity on the budget and the funding of proposed actions.<sup>13</sup> Moreover, the White Paper must indicate how exactly government will ensure the measurability of stated objectives and outcomes and should outline mechanisms through which we can hold them accountable for their plans.
  - ❖ Clear guidelines, and measures are necessary to implement effective monitoring and evaluation. These guidelines should demonstrate in-depth reflection on why existing laws and processes are not happening as prescribed and what can be done to improve this.
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<sup>13</sup> White Paper 2023, pp. 60.

## ANNEXURE A: ENDORSEMENTS

The organisations listed below endorse this submission.

- ❖ Bellville South Residents Association (BSRA)
- ❖ Bongubuntu Youth Development
- ❖ Housing Assembly
- ❖ Lerato Family Foundation, Manenberg
- ❖ Manenberg Helping Hands
- ❖ Mitchells Plain United Residents Association (MURA)
- ❖ Phillipi Neighbourhood Watch Forum
- ❖ Singabalapha, Observatory
- ❖ Vulindlela Youth Development



**Housing Assembly**



Decent  
Housing  
for All

