

# PRE-1994

building POLICY

STRATEGY

## Framing response to the housing crisis and spatial fragmentation

Establish housing rights.  
Determining policy vehicle.



POLICY

**1992-1994** The National Housing Forum: aim was to develop consensus among stakeholders.

### 1994 National Housing Summit and Botshabelo Accord:

stakeholders agreed to proceed with two approaches:  
(1) state would facilitate housing delivery processes,  
(2) private sector would identify land and construct housing by accessing subsidies on behalf of shelter seekers..

LEGISLATIVE CONTEXT

Racial segregation of towns and cities  
Low standard and poor quality housing  
High levels of informality  
Poor services, infrastructure and amenities



IMPLEMENTATION



CITIES PERSPECTIVES/ REALITIES

Dysfunctional and fragmented local government  
Local government lacking the political legitimacy and financial capacity to fulfill the local mandate (incl. the housing programme which was to be delivered by national and provincial government)

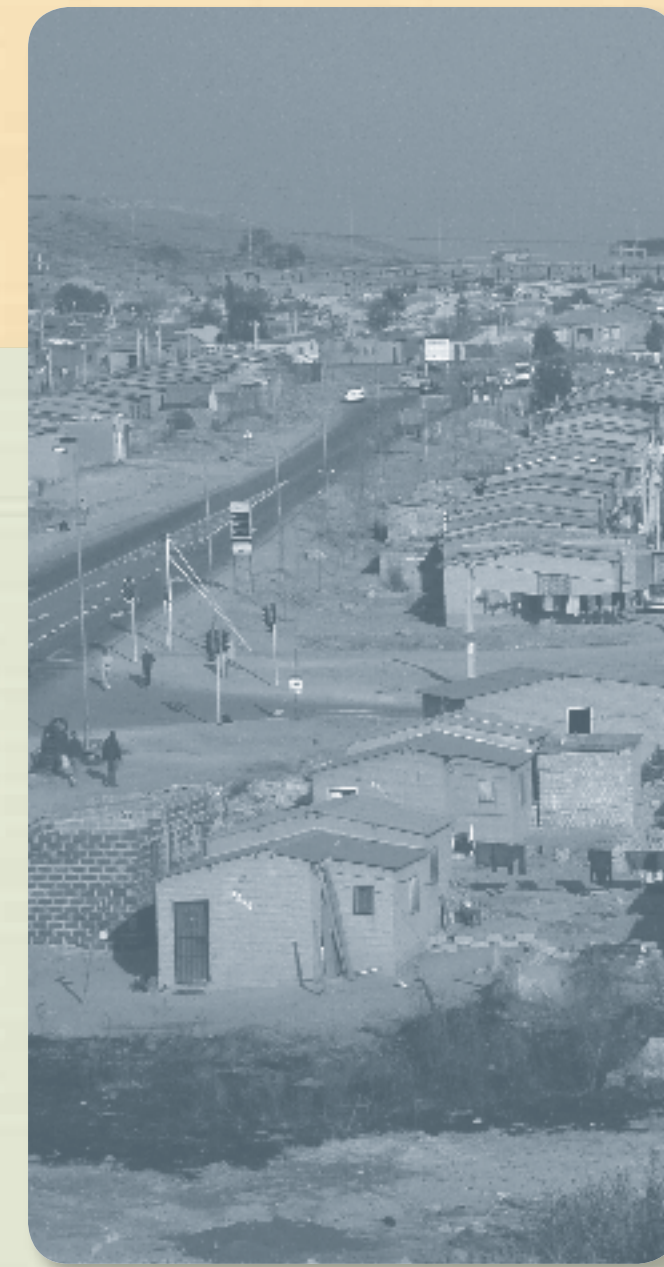


# 1994-2003

building HOUSES

## Reconstruction and Development Plan (RDP)

Build low-income subsidised housing.  
Encourage banks to lend to low-income markets, thereby creating unified housing markets.



**1994 RDP:** Sets out policy to reconstruct the country and meet basic needs

**1994 White Paper on Housing:** shaped by the prevailing housing context, past housing practices and apartheid-planning settlement laws.

**2000 National Housing Code, in accordance with Section 4 of Housing Act 107 of 1997:** large metros rewrote their housing policies to align with BNG, which also gave municipalities greater responsibilities for housing and raised the bar for types of housing provided by the state

**Constitution of South Africa, Act 108 of 1996:** everyone has the right to have access to adequate housing, and the state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.

**Housing Act 107 of 1997:** outlines housing development roles of national, provincial and local government.

**PIE Act 19 of 1998:** protects 'unlawful occupiers' from arbitrary eviction e.g. court shall not evict those 'unlawful occupiers' who shall be left homeless as a result of the evictions.

**Rental Housing Act 50 of 1999:** regulates the relationship between landlord and tenant and outlines obligations for government

### Grootboom Case (2000)

In a groundbreaking judgement, the Constitutional Court ruled that the state was not only responsible for providing medium to long term responses to shelter but also for providing emergency shelter where the evictions resulted in no alternative shelter for evictees.

**Individual Housing Subsidy Programme:** capital grant to households earning <R3500 per month.

**The People's Housing Process:** encourages housing beneficiaries to save for and construct their houses.

**Enhanced Discount Benefit Scheme, in terms of Section 3(5)(b) of the Housing Act of 1997:** subsidy mechanism to transfer free-standing houses to their qualifying occupants.

### Institutional vehicles

National Urban Reconstruction and Housing Agency (NURCHA) (est. 1995)  
National Housing Finance Corporation (NHFC) (est. 1996)  
Rural Housing Loan Fund (RHLF) (est. 1996)  
Social Housing Regulatory Authority (est. 2008)  
Housing Development Agency (est. 2009)

Creating enabling environment.

Unintended consequences of subsidy: fragmented spatial environment and resulting impact on service delivery.

Connection between spatial and social integration not realised in cities.

Cities are seen as landlords, making sure people occupy (but don't sell) social/RDP housing.

National government delivers housing, but cities responsible for service delivery and infrastructure.



# 2004-2014

building HUMAN SETTLEMENTS

## Breaking New Ground (BNG)

Develop sustainable human settlements.  
Improve spatial integration and housing assets.  
Upgrade and eradicate informal settlements and begin the process of accreditation.

### 2004 Comprehensive Plan for Sustainable Human Settlements (BNG)

**2005 Social Contract for Rapid Housing Delivery:** compact between government, private sector and civil society to accelerated delivery of housing and shelter.

**2007 Inclusionary Housing Policy:** private sector gain development rights and in return contribute 20-30% to building low-income housing.

**2010 Outcome 8:** informal settlement upgrading, accreditation, the land and property market become key focus areas.

**Rental Housing Amendment Act 43 of 2007:** amends the Rental Housing Act, 1999, makes further provision for rulings by Rental Housing Tribunals and expands the provisions pertaining to leases.

**Social Housing Act 16 of 2008:** defines the functions of national, provincial and local governments in respect of social housing, and establishes the Social Housing Regulatory Authority.

**Housing Development Agency Act 23 of 2008:** establishes the Housing Development Agency.

**Housing Act of 2009 (Amended).**

### Blue Moonlight (2011)

The Constitutional Court ruled that not only was the state (and local government in particular) responsible for finding alternative accommodation for people evicted from state property but that the same treatment should be afforded to people evicted from private property.

### Integrated Residential Development Programme (IRDP)

### Enhanced People's Housing Process (EPHP)

### Social Housing Programme

### Upgrading Informal Settlements Programme (UISP)

### Finance Linked Individual Subsidy Programme (FLISP)

### Institutional Housing Subsidy Programme (IHSP)

### Community Residential Units Programme (CRU)

### Neighbourhood Development Partnership Grant (NDPG)

Its purpose is to fund, support and facilitate the planning and development of neighbourhood development programmes and projects that provide catalytic infrastructure to leverage third-party public and private sector investment for future and more sustainable development.

Social housing: rental response and urban development.

Increasing emphasis on the role of cities in responding to emergency housing or alternative housing typologies

Citizen participation

Infrastructure service delivery is a critical component of the human settlements sector



# 2014 →

building URBAN COMMUNITIES

## National Development Plan (NDP)

Take a long-term perspective.  
Focus on spatial integration, sustainability, efficiency and balance, and integrated urban settlements.



**2012 NDP:** long-term strategic framework. Seeks to transform human settlements and entrenched spatial patterns that exacerbate social inequality and economic inefficiency.

### Current context

**Integrated Urban Development Framework (IUDF):** plan for transforming our cities in an integrated way.

**Accreditation:** municipalities gradually take over national/provincial housing functions

**Current Gap:** The need for a Sustainable Human Settlements Policy or Green Paper

### Devolving other Built Environment functions to the local level

**Transport devolution (the National Land Transport Act of 2009):** local government well placed to drive more effective and efficient public transport networks through increased integration.

**Spatial Planning and Land Use Management Act (SPLUMA):** municipalities have to drive planning at the local level and ensure that it aligns with this legislation, aimed at addressing the historical imbalances and at integrating sustainable development principles.

**Urban Settlements Development Grant (USDG)** seeks to support the development of sustainable human settlements and improved quality of life for households through accelerating the provision of serviced land with secure tenure for low-income households in the large urban areas by supplementing municipal resources.

**Integrated City Development Grant (ICDG)** the grant provides metropolitan municipalities with incentives to improve spatial development considerations in their planning and job creation.



Spatial transformation and governance.

Spatial governance.

Active citizenry and co-production (inclusion of vulnerable groups) .

Responsibility for sustainable settlements (full mandate through accreditation).

Enable sustainable livelihoods and access.



# FROM HOUSING TO SUSTAINABLE HUMAN SETTLEMENTS