



# MANGAUNG LOCAL MUNICIPALITY HOUSING POLICY

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## Section

# 1 Introduction

Although Council has compiled the Housing Sector Plan which forms part of the Mangaung Integrated Development Plan as an attempt to expedite housing delivery to its homeless citizens, the following housing related issues present immediate challenges that require tailor-made policy intervention;

- , Housing allocation policy for municipal rental accommodation and subsidised housing
- , Registration of all Mangang residents and properties including applicants for housing assistance into a computerised housing database
- , Maximisation of sources of housing finance and effective utilisation of housing finance to ameliorate the housing condition of low-income areas
- , Management and control of the spread of informal settlements, land invasion and evictions from land, and
- , Promotion of integrated housing development

It is Council's view that this housing policy complies with the national and provincial housing policies and legislation. Its objective is to outline the policy parameters, objectives and procedures to be followed in addressing the above issues.

## 1.1 Legal Framework

### Legislation and policy framework

Although not exhaustive, the following legislation and policies provide the appropriate legislative framework within which the Mangaung Housing Policy is drafted:

- , Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996)
- , Interim Protection of Land Rights Act, 1996 (Act No 31 of 1996)
- , Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998 (Act No 19 of 1998)
- , Extension of Security of Tenure Act, 1997 (Act No 62 of 1997)
- , Development Facilitation Act, 1991 (Act No 67 of 1995)
- , Less Formal Township Establishment Act, 1991 (Act No 113 of 1991)
- , Municipal Systems Act, 2000 (Act No 32 of 2000)
- , Local Government Municipal Finance Management Framework Act, 2003 (Act No.56 of 2003)
- , Housing Act, 1997 (No 107 of 1997)
- , Rental Housing Act, 1999 (No 50 of 1999)
- , Housing Code, 2000
- , Free State Housing Act, 1999 (No 7 of 1999)
- , Free State Township Ordinance, 1967 (No 9 of 1967)
- , National Environmental Management Act, 1998 (No 107 of 1998)
- , White Paper on Energy
- , Moving South Africa Strategy and White Paper on Transport
- , White Paper on Local Government

## 1.2 Guiding Principles

The following principles serve as guides in the implementation of the Mangaung Housing Policy:

### Sustainability

Promotion of the establishment of socially and economically viable communities and safe and healthy conditions for human settlement while ensuring that residential developments do not to impact adversely on the environment.

**Fairness and Equity**

Housing development shall promote equal access to opportunities as well as promote equity in respect of race, gender, religion and creed.

**Integration**

Integrating social, economic, institutional, physical and environmental issues in the development of sustainable human settlements whilst ensuring that new developments lead to the integration of urban and rural areas in support of one another

**Affordability**

Residential development shall be economically, fiscally, socially and financially affordable and sustainable and houses shall have a market value

**Innovation and Choice**

Promoting innovative responses that increase the availability of choice and variety to the consumer

**Combating Urban Sprawl**

Ensuring that new developments contribute to the compaction of cities and are contained within the urban fringes as defined in the Spatial Development Framework of the municipality

**Community Participation**

Ensuring that affected communities actively participate in the development process

**Empowerment**

Ensuring that development incorporates capacity building programmes that promote the utilisation of local skills and resources as well as the participation of previously disadvantaged communities

**Habitability**

Only suitable land for human occupation shall be considered for residential/housing development

**Proximity to Economic Opportunities**

Land for housing shall be ideally located next to economic opportunities to lessen the transport cost for residents going to work

**Serviceability**

Land made available or considered for residential development shall be serviceable

**Densification**

Higher densities shall be encouraged to ensure the economical utilisation of land and services

**Quality**

New housing developments shall comply with the minimum quality standards

**Environmentally friendly**

Promoting the utilisation of environmentally friendly resources and designs that focus on energy saving

**Nature Centred Development**

Creating synergy between man-made and ecological systems through the continuation of green spaces in human settlements and the utilisation of environmentally friendly resources and designs that focus on energy saving

**Human Centred Development**

Ensuring that the developmental needs and activities of people living in settlements are catered for and that opportunities for people to achieve their full potential through their own efforts are maximised

## 1.3 Definitions

**Existing Informal settlement**

Unplanned settlement occupied in an informal manner with or without the permission of the landowner on a date before the adoption of this policy or where the court did not grant a court interdict for eviction of illegal occupants from the land in question and to which basic services have or not have been rendered

**Unlawful occupant**

A person who occupies land without the express or tacit consent of the owner or person in charge, or without any other right in law to occupy such land

**Person in charge**

A person who has or at the relevant time had legal authority to give permission to a person to enter or reside upon the land in question

**Land**

Land includes a portion of land.

**Rural development**

Those areas falling outside the urban fringe(s) as defined in the Spatial Development Framework of the municipality.

**Urban development**

Those areas falling inside the urban fringe(s) as defined in the Spatial Development Framework of the municipality.

**Sustainable Human settlement**

A place designed for a wide variety of developmental needs and activities of humans, which utilises local resources efficiently, creates opportunities for people to achieve their full potential and which is convenient, offers choice and quality and promotes equality of access.

**Housing development**

The establishment and maintenance of habitable, stable and sustainable public and private residential environments that ensure viable households and communities in areas allowing convenient access to economic opportunities, health, educational and social amenities in which all citizens of South Africa will, on a progressive basis, have access to permanent residential structures with secure tenure, portable water, adequate sanitation facilities and domestic energy supply and which will ensure internal and external privacy and provide adequate protection against the elements

**Single residential development**

A single residential erf designed to accommodate a single dwelling or duet, with the necessary outbuildings, designed for the use by a maximum of two families.

**Cluster housing**

A multi-residential development that cluster dwellings in a harmonious architectural style and that accommodates more than one family on a single erf and can be in the form of town houses, maisonettes, block of flats, group housing, etc.

**Greenfield development**

The spatial structuring of undeveloped land for human settlement

***In-situ* Upgrading**

The progressive upgrading of land informally occupied by humans through intervention by the authorities to create a habitable environment

**Infill Planning**

Upgrading or developing new developments on open spaces within built-up areas to improve or to better utilise existing services and infrastructure

**Urban Renewal**

Improving depressed urban environments to improve investor confidence through channelling new developments to these areas

**Dwelling**

Includes any house, hostel room, hut, shack, flat, apartment, room outbuilding, garage or similar structure which is leased, as well as any storeroom, outbuilding, garage or demarcated parking space which is leased as part of the lease

**Tenant**

The lessee of a dwelling which is leased by a landlord

**Lease**

An agreement of lease concluded between a tenant and a landlord in respect of a dwelling for housing purposes

**Allocate**

To assign a specific right to a housing applicant to access municipal rental accommodation, government subsidised housing or a serviced site

**MEC**

Member of the Executive Council of the Free State Province responsible for housing matters

**Housing Database**

A computerised storage of information about the profile of the residents of Mangaung, their residential sites, type of dwellings and municipal services provided including applications for rental and subsidised housing as well as applications for serviced sites

## Section

# 2 Housing Allocation Policy

## 2.1 Preamble

Council has noticed that there is confusion, bias and favouritism in the allocation of houses. There is also widespread dissatisfaction around queue-jumping. Council is also concerned that many people do not understand the procedure for applying for both municipal rental accommodation and government subsidy houses. It is Council's feeling that allocation procedures for both rental and subsidy houses should be transparent and accessible to all the residents of Mangaung. There is also need to balance the racial question in the allocation of municipal rental houses. It has also become evident that the debtor system is not effective enough to generate rental income. On the other side the maintenance of rental accommodation is not adequate.

While the primary focus of this policy is to regulate allocation of municipal rental accommodation as well as government subsidised housing, allocation of sites in tribal areas shall happen within the framework of the Traditional Leadership and Governance Framework Act of 2003.

## 2.2 Policy Objectives

- 2.2.1 Promotion of equal access to housing for Mangaung residents
- 2.2.2 Transparency
- 2.2.3 Prevention of unfair discrimination
- 2.2.4 Promotion of fair administrative justice
- 2.2.5 Occupation of Municipal houses shall be in line with ability to pay rent
- 2.2.6 Apply the principle of "first come first serve"
- 2.2.7 Proper recording of all housing applicants

## 2.3 Housing Allocation Regarding Municipal Rental Housing Stock

### 2.3.1 Invitation for Applications

- 2.3.1.1 The Municipality shall invite potential applicants to apply for Municipal rental housing accommodation every January of each year
- 2.3.1.2 Applicants may apply at the Municipal offices and its satellite offices
- 2.3.1.3 After this initial yearly invitation applicants may apply at any time during the course of the year
- 2.3.1.4 Applications shall be made in a standard application form obtainable from the Housing Sub-Directorate
- 2.3.1.5 Applicants shall declare in the application forms, their current residential address, income profile, marital status, gender, age and disability
- 2.3.1.6 Applicants shall state the area they prefer to be allocated rental accommodation (be a block of flats, individual house or semi-detached house)
- 2.3.1.7 After submitting an application, an applicant shall be issued with a housing application receipt with an official municipal stamp reflecting the date of application, the type of accommodation applied for and the signature of the Head of Housing or his/her delegatee

### 2.3.2 Processing of Applications

- 2.3.2.1 Completed applications shall be lodged with the Head of Housing who shall capture the information in the Housing Database separate from other database information
- 2.3.2.2 Housing Allocation shall be decided on a first come first serve basis subject to the provisions below

- 2.3.2.3 For the purpose of fair allocation of accommodation and the imperative to protect the interests of vulnerable groups the Head of Housing shall set up a Housing Allocation Committee to adjudicate the allocations
- 2.3.2.4 The Committee shall be chaired by the Head of Housing and shall be composed of Municipal officials and the Councillor responsible for housing
- 2.3.2.5 The following allocation criteria shall be used as a guide in making allocations:
- (a) Applicants shall be Mangaung residents for a period not less than three (3) years
  - (b) Applicants who already own properties or sites in Mangaung shall not be considered
  - (c) The principle of “first come first serve” shall apply
  - (d) The aged, the disabled and HIV/AIDS victims shall be prioritised without unduly undermining the principle of first come first serve
  - (e) The type of accommodation allocated shall be congruent with the household income profile of the applicant up to a maximum of R7 500
- 2.3.2.6 After an application has been approved, the Municipality shall inform the applicant through any of the following,
- (a) A letter, where an address has been provided in the application form
  - (b) A telephone call
  - (c) A fax, where a fax number has been provided
  - (d) Notices on the notice boards of the Housing Sub-Directorate and its satellite offices
- 2.3.2.7 The information of the approved applicants shall be added into the Housing Database under a separate list of approved occupants of municipal rental housing stock
- 2.3.2.8 The list of approved occupants of municipal housing stock shall be updated regularly as and when new allocations are made during the course of the year
- 2.3.2.9 The Housing Sub-Directorate shall also update applicants’ information in the database on a yearly basis
- 2.3.2.10 Approved applicants shall sign lease agreements with the Municipality
- 2.3.2.11 The Rental Housing Act of 1999 shall apply to the relationship between the tenants and the Municipality

## **2.4 Housing Allocation regarding New Housing Developments**

### **2.4.1 Invitation for Applications**

- 2.4.1.1 The Municipality shall invite potential applicants to apply for subsidized housing every January of each year
- 2.4.1.2 Applicants for new subsidized housing shall be enlisted in a separate list in the Housing Database known as the Housing Waiting List
- 2.4.1.3 Applicants may apply at the Municipal offices and its satellite offices to be enlisted in the Housing Waiting List
- 2.4.1.4 After this initial yearly invitation applicants may apply at any time during the course of the year
- 2.4.1.5 Applications shall be made in a standard application form obtainable from the Housing Sub-Directorate
- 2.4.1.6 Applicants shall declare in the application forms, their current residential address, income profile, marital status, gender, age and disability
- 2.4.1.7 Applicants shall state the area they prefer to be allocated subsidized housing (be on the registered site they already own or in a new housing development project)
- 2.4.1.8 Applicants shall state whether they have the required R2 479 contribution or are willing to be enlisted in a saving scheme linked to a bank chosen by the Municipality, or alternatively will participate in the People’s Housing Process
- 2.4.1.9 After submitting an application, an applicant shall be issued with a housing application receipt with an official municipal stamp reflecting the date of application, the type of housing subsidy applied for (on site or in a new housing development) and the signature of the Head of Housing or his/her delegatee

### **2.4.2 Processing of Applications**

- 2.4.2.1 Completed applications shall be lodged with the Head of Housing who shall capture the information in the Housing Database in a separate list called the Housing Waiting List
- 2.4.2.2 Housing allocation shall be decided on a first come first serve basis subject to the provisions below
- 2.4.2.3 The Housing Allocation Committee shall adjudicate the allocation of subsidized houses on the basis of the following criteria:

- (a) Applicants shall be Mangaung residents for a period not less than three (3) years
- (b) The principle of “First come first serve” shall apply
- (c) The aged, the disabled and HIV/AIDS victims shall be prioritised without unduly undermining the principle of first come first serve
- (d) Allocation of housing subsidies shall comply with the provisions of the Housing Act, the Housing Code, the Provincial and Municipal housing enactments and policies

2.4.2.4 After an application has been approved, the Municipality shall inform the applicant through any of the following,

- (a) A letter, where an address has been provided in the application form
- (b) A telephone call
- (c) A fax, where a fax number has been provided, and
- (d) Notices on the notice boards of the Housing Sub-Directorate and its satellite offices

2.4.2.5 The information of the approved applicants shall be added into the Housing Database under a separate list of legal occupants and owners of residential dwellings in Mangaung

2.4.2.6 The approved list of applicants shall be forwarded to,

- (a) The developer in the case of a new housing development project, or
- (b) An implementing agency in the case of institutional housing or People’s Housing Process projects

2.4.2.7 The Housing Waiting List shall be updated regularly as and when new allocations are made during the course of the year

2.4.2.8 The Housing Sub-Directorate shall also update applicants’ information in the Housing Waiting List on a yearly basis

2.4.2.9 The Housing Sub-Directorate shall assist approved applicants to complete housing subsidy application forms

## Section

# 3 Housing Database

## 3.1 Preamble

Without a database Council finds it difficult to know the extent of housing need within the Municipality. This complicates housing allocation. There is problem with housing applications that are not systematically recorded and no dedicated officials appointed to handle them. Furthermore, there is no one-stop centre of information of all sites and properties in Mangaung and this leads to double allocation of sites and site ownership disputes

## 3.2 Policy Objectives

- 3.2.1 Promotion of fair administrative justice in the administration of housing allocations
- 3.2.2 Centralisation of all housing information
- 3.2.3 The housing database shall serve as the core instrument in the implementation of housing allocation
- 3.2.4 The housing database shall serve as a planning tool to housing, planning and infrastructure departments

## 3.3 Establishment of the Housing Database

- 3.3.1 The Housing Sub-Directorate shall set up a computerized Housing Database
- 3.3.2 The Database shall be server based and will be stationed in the offices of the Housing Sub-Directorate
- 3.3.3 The Database shall be linked and accessible through computers in the satellite offices of the Housing Sub-Directorate
- 3.3.4 It shall be linked with the Housing Subsidy System for the purpose of receiving updated information about applicants granted housing subsidies



3.3.5 A dedicated officer shall be appointed to oversee the management of the Housing Database

## 3.4 Components of the Housing Database

3.4.1 For a start the Housing Database shall be made up of four main components with sub-components as illustrated in the **Annexure**

- (a) Legal occupants of residential dwellings (middle-income and high-income)
- (b) Occupants of Informal Settlements (stayed over six months and those who stayed less than six months)
- (c) Occupants of municipal rental housing accommodation
- (d) Occupants of government subsidized housing

3.4.2 In addition to the above, the Housing Database shall also contain three separate application lists

- (a) Housing Waiting List
- (b) Application List for Municipal Rental Housing Accommodation
- (c) Application List for Serviced Sites

3.4.3 The Housing Database shall be flexible enough to be able to accommodate new needs such as land ownership, sites serviced with different water and sanitation services, etc.

## 3.5 Usage of the Housing Database

3.5.1 The Housing Database shall serve as the main source of housing information in Mangaung Municipality

3.5.2 The Housing Database shall serve as a vital instrument in the decision-making process of the Housing Sub-Directorate and other Municipal departments

3.5.3 It shall be integral in deciding housing allocations to applicants

3.5.4 The Housing Database shall be easy to use and shall be able to generate reports through a variety of queries, e.g. list of names, list of site numbers and addresses, date of registration on the database, list of new applicants for subsidy housing, rental accommodation and serviced sites, income level of applicants, etc.

Section

# 4 Housing Finance Policy

## 4.1 Preamble

Council has noted that there is no strategic utilization of housing funds. There is no conscious effort taken in capitalizing on the sources of housing funding, especially setting the framework to be able to bargain for more funding from the province as well as maximizing rental accommodation as a source of income generation. To date rental income generated by the Municipality is not being redirected to improve the housing conditions of Mangaung's low-income residents. There is need to implement guidelines relating to the R2 479 beneficiary contributions as prescribed by the "Strategy for the Collection and Disbursement of the Housing Subsidy Beneficiaries' Cash Contribution". There is no policy to engage financial institutions to invest in housing including the necessary platform for public-private partnership in housing, be it rental housing, inner-city rejuvenation, infill planning, etc.

## 4.2 Policy Objectives

4.2.1 Income generated from rental accommodation shall be reinvested in housing as far as possible

- 4.2.2 Prior planning for housing shall serve as an instrument to bargain for more funding from the Province
- 4.2.3 The role of the private sector in housing shall be maximized
- 4.2.4 The Municipal debtor system shall be improved to increase income generated from rentals

### **4.3 Creating Conditions for Continuous and Increased Housing Subsidy Allocation from the Province**

- 4.3.1 Housing subsidy allocations from the Provincial Department of Local Government and Housing form the pillar of municipal housing finance
- 4.3.2 The Housing Sub-Directorate shall, together with the Property Management and the Planning Sub-Directorates, proactively identify, acquire and develop land for housing purposes
- 4.3.3 Once sites have been serviced, the Housing Sub-Directorate shall allocate and register sites in the names of applicants in terms of the housing allocation policy outlined in this document
- 4.3.4 The Housing Sub-Directorate shall explore an agreement with the Province to obtain a commitment for agreed annual subsidy allocations as guided by the Housing Sector Plan in the next five years
- 4.3.5 Having established the possible number of subsidies to be allocated the Housing Allocation Committee shall approve a list of applicants in the Housing Waiting List
- 4.3.6 The Housing Sub-Directorate shall assist approved applicants to fill subsidy application forms
- 4.3.7 The Housing Sub-Directorate shall capture the information into the Housing Subsidy System and wait for the Province to approve projects and issue project numbers
- 4.3.8 Once projects have been approved, the list of approved applicants shall be forwarded to the developer or any appointed implementing agent
- 4.3.9 The developer or implementing agent shall be required to implement the project right away
- 4.3.10 The above procedure is intended to streamline and speed up the implementation of housing projects in Mangaung so that the Municipality could obtain continuous and increased subsidy allocation from the Province

### **4.4 Improving Rental Income Collection**

#### **4.4.1 Entering into New Lease Agreements with Tenants of Municipal Rental Accommodation**

- 4.4.1.1 The Housing Sub-Directorate shall together with the Property Management Sub-Directorate determine the number of all occupants of Municipal rental accommodation
- 4.4.1.2 The information shall be verified by physical visits to all the rental dwellings
- 4.4.1.3 Crucial information to be verified include
  - (a) Name and surname
  - (b) Tenant's age
  - (c) Gender
  - (d) South African citizenship
  - (e) Date of occupying the dwelling
  - (f) Description of the dwelling
  - (g) Dwelling's physical address
  - (h) Contact details (phone, cell-phone, email, postal address)
  - (i) Household income
  - (j) Rent currently being paid
  - (k) Date when rent was last paid
- 4.4.1.4 The verified information shall be captured into the Housing Database
- 4.4.1.5 The Housing Sub-Directorate shall send the verified information to each tenant and request each tenant to sign a new lease with the Municipality
- 4.4.1.6 The Legal Sub-Directorate shall be requested to prepare lease agreements
- 4.4.1.7 Copies of completed lease agreements shall be forwarded to the Finance Department to capture tenants' information into their system to facilitate rental payment by tenants

- 4.4.1.8 The Finance Department shall provide the Housing Sub-Directorate with monthly financial statements about rental collections
- 4.4.1.9 The Housing Sub-Directorate shall bargain for an acceptable percentage of rental income to be used for the maintenance of the rental housing stock and the improvement of the living condition of low-income areas, in particular the tarring of access roads and streets
- 4.4.1.10 The Housing Sub-Directorate shall study the financial statements to identify variances and defaulting tenants
- 4.4.1.11 Defaulting tenants shall be given notices about their lack of payment together with warnings of possible eviction
- 4.4.1.12 Chapter 5 of the Rental Housing Act shall apply to lease agreements between tenants and landlords

#### **4.4.2 Eviction from Municipal Rental Accommodation**

- 4.4.2.1 Tenants are entitled to live in municipal rental housing accommodation to the extent agreed to in the lease agreement
- 4.4.2.2 The Housing Sub-Directorate shall issue warning notices to defaulting tenants every month
- 4.4.2.3 The Housing Sub-Directorate shall issue a last warning notice to a tenant who defaults for a successive period of two months
- 4.4.2.4 If there is no response by the tenant in the third month, the Housing Sub-Directorate shall initiate the process of evicting the tenant from its rental accommodation
- 4.4.2.5 The name of a defaulting tenant shall be forwarded to the Legal Sub-Directorate which will formally institute eviction procedures
- 4.4.2.6 All eviction action steps shall be carried out within the confines of the Rental Housing Act and the broader due process of law

### **4.5 Utilising Funds in the Municipal Separate Operating Account for Housing Purposes**

- 4.5.1 Chapter 15 and 16 of the national Housing Act, 1997 requires municipalities to establish separate operating accounts into which the proceeds of the sale, letting and disposal of municipal properties could be deposited, including the net proceeds of municipal infrastructure provided through loans, advances or other financing
- 4.5.2 Section 16(2) of the Housing Act specifies that the money deposited into the separate operating account shall be utilised by the municipality for housing development in accordance with the national housing policy and a housing development project approved by the MEC
- 4.5.3 The Housing Sub-Directorate shall, in consultation with the Department of Finance, ensure that the prescription of the Housing Act is complied with
- 4.5.4 The Housing Sub-Directorate shall utilise these funds for the maintenance of municipal rental accommodation, the improvement of infrastructure in low-income areas and the general improvement and development of housing

### **4.6 Regulating the R2 479 Beneficiary Contributions**

- 4.6.1 The new housing subsidy regime requires applicants to contribute an amount of R2 479 towards the acquisition of a subsidy house in the event that they choose not participate in People's Housing Process
- 4.6.2 The Housing Sub-Directorate shall collect beneficiary contribution in terms of the provisions of the "Strategy for the Collection and Disbursement of the Housing Subsidy Beneficiaries Cash Contribution" issued by the National Department of Housing dated 16 February 2004.
- 4.6.3 The Municipality shall apply to the MEC for Local Government and Housing to be accredited to manage housing programmes to create a legally enabling framework through which beneficiary contributions could be deposited into the municipal separate operating account
- 4.6.4 Beneficiaries who want to save towards the R2 479 shall be referred to NURCHA's national savings programme until such time the national Department of Housing has finalised the National Savings Programme for Housing
- 4.6.5 The R2 479 beneficiary contributions shall be used solely for the improvement of beneficiaries' top structures as prescribed

## 4.7 Promoting Private Sector Investment in Housing

- 4.7.1 The Housing Sub-Directorate shall devise strategies to attract private sector participation in housing
- 4.7.2 The Housing Sub-Directorate shall designate land portions as identified in the Housing Sector Plan for middle and high-income housing development
- 4.7.3 It shall, on its own or through inviting tenders, service these portions of land and sell sites to the public
- 4.7.4 Public and private sector developers shall be allowed access to the list of applicants who declared income when enlisting on the Housing Database and are in need of middle or high-income housing
- 4.7.5 Financial institutions shall also be allowed access to this information to enable them to explore funding possibilities
- 4.7.6 The money derived from the sale of serviced sites shall be used for the improvement of low-income areas, especially improving the road and street conditions
- 4.7.7 The Housing Sub-Directorate shall also promote public-private partnership in the management or disposal of rental housing as well as the development of institutional housing
- 4.7.8 The Local Government Municipal Finance Management Act of 2003 shall be complied with in promoting public-private partnerships

Section

**5**

# Regulating Informal Settlements, Land Invasion and Evictions from land

## 5.1 Preamble

Mangaung Local Municipality is faced with the continuous proliferation of informal settlements and land invasion, particularly on the periphery of the urban areas. Most of these informal settlements have developed through the invasion of privately or state-owned land which makes service delivery by the municipality difficult. The process of transferring some of this land to the municipality is cumbersome, thus restricting the municipality from exercising its mandate in rendering basic services to the affected communities.

Council also does not have a policy to deal effectively with the proliferation of informal settlements. The only policy currently in operation (Council resolution EC15.17 – 18 August 1998) deals with the illegal occupation of council land. It is believed that land invasion and thus the proliferation of informal settlements, is driven by the following issues:

- (a) A perception by rural migrants and people from poor small towns that settling in informal settlements in urban areas will usher them to a better life
- (b) Initial occupants of informal settlements often rally the support of other potential occupants to strengthen their negotiation power with the land owner
- (c) The perception that people in informal settlements are helped first before those on a housing waiting list also fuels the spread of informal settlements
- (d) The lack of timeous planning to accommodate population growth
- (e) Community ignorance on the intended use of vacant land or open areas earmarked for development within existing settlements.
- (f) The lack of a co-ordinated approach among spheres of government to release land and/or funding for the planning and servicing of priority areas.
- (g) The lack of policy and enforcement by authorities.

## 5.2 Policy Objective

Mangaung Local Municipality acknowledges that many of its citizenry stay in informal settlements. It recognises that many of these informal settlements offer shelter to the poor and destitute but that it creates undesirable urban environments due to the lack of services and security of tenure. It is for this reasons that the policy aims to address the following:

- 5.2.1 To contain and prevent land invasion and the spread of informal settlements
- 5.2.2 To plan for sustainable human settlements through the rapid release of land for development

## 5.3 Addressing Land invasion

### 5.3.1 The Policy: Land Invasion

- 5.3.1.1 Council shall not tolerate the illegal occupation of land within its area of jurisdiction.
- 5.3.1.2 All measures available to Council shall be exhausted to prohibit the illegal occupation of land.
- 5.3.1.3 Council shall apply to court for the eviction of illegal occupants and prosecute those who initiated the process.
- 5.3.1.4 Ward councillors, in collaboration with ward committee members shall, as a matter of urgency, report all cases of illegal occupation of land within their wards, whether it is council property or not
- 5.3.1.5 Once a case of illegal occupation of land has been reported by the ward councillor to the Executive Mayor, the administrative procedures outlined in the policy shall be adhered to.
- 5.3.1.6 Council shall only recognise illegally occupied land as an existing informal settlement if:
  - (a) The land has been illegally occupied before the adoption date of this policy and an eviction order was not granted by the court
  - (b) It is a priority identified in the Integrated Development Plan (IDP) of the Municipality
  - (c) It conforms to the Housing Sector Plan (HSP) and the Spatial Development Framework (SDF) of the Municipality
  - (d) It will create a habitable sustainable human settlement
  - (e) It is in the interest of those staying in the area as well as the rest of the community to be upgraded
  - (f) It conforms to the general principles outlined in the policy.

### 5.3.2 Administrative Procedures: Land Invasion

#### 5.3.2.1 Pro-Active measures: Land Invasion

- (a) Council shall take all possible measures to prohibit the illegal occupation of land. The following pro-active measures shall therefore be put in place:
  - (i) Sub-directorate: Municipal Police to erect signboards on all open and undeveloped pieces of land stating the purpose of the land and that land invasion or dumping on the site is illegal.
  - (ii) Sub-directorate Municipal Police: regularly patrol all council property and report invasions immediately.
  - (iii) Directorate Economic Development and Planning together with the Directorate Infrastructure Services shall budget for the planning, pegging and servicing of new residential areas.
  - (iv) Sub-directorate Planning together with the Sub-directorate Land and Property Management and the Directorate Infrastructure Services shall timeously identify land needed for future development and budget to acquire the land.
- (b) Where the above pro-active measure have failed to prohibit the illegal occupation of land, a distinction shall be made between land that has been illegally occupied for less than 6 months and those occupied for a period longer than 6 months, as required by the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998 (Act No 19 of 1998).
- (c) Furthermore, there shall be a distinction between administrative procedures applicable to Council properties and those applicable to any other property.

#### 5.3.2.1.1 Administrative procedures: Illegal occupation of land for less than 6 months

<b>Land Invasion on Council properties</b>	<b>Land invasion of property other than that of Council</b>
a) Ward committee members shall report any land invasion within their wards to the ward councillor.	a) Ward committee members shall report any land invasion within their wards to the ward councillor.
b) The ward councillor and if in a tribal area, the Chief, shall report the case in writing to the Mayoral Committee (MAYCO).	b) The ward councillor and if in a tribal area, the Chief, shall report the case in writing to MAYCO.
c) Once a case has been reported, the Executive Mayor shall immediately	c) Once a case has been reported, the Executive Mayor shall immediately inform the Municipal Manager (MM) of

<b>Land Invasion on Council properties</b>	<b>Land invasion of property other than that of Council</b>
<p>inform the Municipal Manager (MM) of the situation.</p> <p>d) The MM shall inform the Executive Director: Economic Development and Planning and the Executive Director: Community and Social Development as well as the Executive Director: Strategy and Transformation.</p> <p>e) The Executive Directors shall in turn inform the various sub-directorates, namely Planning, Land and Property Management, Municipal Police and Legal Services, of the situation.</p> <p>f) The Sub-directorate Land and Property Management shall investigate and verify the land ownership.</p> <p>g) If it is Council property, the Sub-directorate Legal Services shall apply to court for an eviction order as well as for the prosecution of those who initiated the land invasion process.</p> <p>h) The process shall then unfold in terms of the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, Act No 19 of 1998.</p>	<p>the situation.</p> <p>d) The MM shall inform the Executive Director: Economic Development and Planning as well as the Executive Director: Community and Social Services and the Executive Director: Strategy and Transformation.</p> <p>e) The Executive Directors shall in turn inform the Sub-Directorates Planning, Land and Property Management, Municipal Police and Legal Services of the situation.</p> <p>f) The Sub-directorate Land and Property Management shall investigate and verify the land ownership.</p> <p>g) If it is not Council property, the Sub-directorate Legal Services shall give notice to the owner of the land 14 days in advance to apply to court for an eviction order as well as for the prosecution of those who initiated the land invasion process.</p> <p>h) The process shall then unfold in terms of the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, Act No 19 of 1998.</p>

5.3.2.1.2 Administrative procedures: Illegal occupation of land for more than 6 months

<b>Land Invasion on Council properties</b>	<b>Land invasion of property other than that of Council</b>
<p>a) Same process as with land occupied for less than 6 months (Points (a) – (f)) above</p> <p>b) If it is Council property, the Sub-directorate Land and Property Management shall identify alternative suitable land, in collaboration with the Sub-directorate Planning, to which the affected community could be relocated before an eviction order could be requested by the Sub-directorate Legal Services.</p> <p>c) The Executive Director: Economic Development and Planning shall table a report to MAYCO in which the various strategies for relocation or <i>in-situ</i> upgrading are explained.</p> <p>d) MAYCO shall recommend to Council a process of relocation or if it is viable to develop the land which has been illegally occupied, Council may consider a process of <i>in-situ</i> upgrading.</p> <p>e) If Council decides to relocate, the Executive Mayor shall be involved in negotiations with those affected by</p>	<p>a) Same process as with land occupied for less than 6 months (Points (a) – (f)) above</p> <p>b) However, if the land falls within the land identified for future development in the Housing Sector Plan and the SDF, the developer shall be encouraged to develop the land with the assistance of the municipality through a land and services agreement or Council could consider acquiring the land to develop it in the future.</p> <p>c) If the land falls outside the HSP and the SDF guidelines, the owner shall identify alternative suitable land to relocate those who invaded the property. The municipality may assist in this regard where possible.</p>

Land Invasion on Council properties	Land invasion of property other than that of Council
relocation. f) If Council decides for an <i>in-situ</i> upgrading process, the same process will be followed as with the upgrading of existing informal settlements.	

## 5.4 Addressing Existing Informal Settlements

### 5.4.1 The Policy: Existing Informal Settlements

5.4.1.1 Council will only recognise informal settlements that existed in its municipal area before the adoption of this policy or where the court did not grant a court interdict for eviction of illegal occupants.

5.4.1.2 Council will only consider *in-situ* upgrading of an existing informal settlement if:

- (a) It is recognised as an existing informal settlement
- (b) It is a priority identified in the Integrated Development Plan (IDP) of the Municipality
- (c) It conforms to the Housing Sector Plan and the Spatial Development Framework (SDF) of the Municipality
- (d) It will create habitable sustainable human settlements
- (e) It is in the interest of those staying in the area as well as the rest of the community
- (f) It conforms to the general principles outlined in the policy.

5.4.1.3 Council will give priority for relocation of residents from an informal settlement if:

- (a) The settlement does not comply with any of the conditions set out in 2 above.
- (b) The health and well-being of people staying in and around the area is adversely affected.
- (c) The area proves to be too small to accommodate all residents in a sustainable manner
- (d) The area proves to be inhabitable.
- (e) Basic services cannot be rendered in an affordable and efficient manner.

### 5.4.2 Administrative procedures: Existing Informal Settlements

#### 5.4.2.1 Pro-active measures: Existing Informal Settlements

- (a) The implementation of Council's Land Invasion Policy shall act as a pro-active measure to curb the proliferation of informal settlements.
- (b) The implementation of Greenfield developments shall also pro-actively address the need for residential sites, thus impacting on the proliferation of informal settlements.
- (c) Where this policy has failed to pro-actively address the proliferation of informal settlements, a distinction shall be made between areas that are suitable for human occupation and those that might adversely affect the health and well-being of the community or adjacent communities.
- (d) Those areas suitable for human occupation shall be treated as *in-situ* upgrading projects while those not suitable shall be treated as relocation projects.
- (e) A further distinction shall be made between the availability of council property for relocation and cases where suitable land will have to be acquired by council for the purpose of relocation.

#### 5.4.2.2 Administrative Procedures: *In-situ* upgrading project

- (a) If an eviction order fails in terms of the land invasion policy of Council or if Council decide to upgrade an existing informal settlement, the Sub-directorate Housing, in collaboration with the Ward Councillor and Ward Committee Members, shall compile a Site Register of all occupants of the informal settlement
- (b) A cut-off date must be decided by Council to include those residing in the informal settlement in the site register.
- (c) The site register shall make a distinction between occupants who qualify for housing subsidies and those who do not qualify, South African citizens and those who are illegal immigrants including those who desire to be relocated elsewhere, etc.
- (d) Sub-directorate Housing shall capture this information into the Housing Database
- (e) Sub-directorate Housing shall report all illegal immigrants to the Department of Home Affairs in terms of a MLM Compact signed between the two parties.
- (f) Sub-directorate Housing shall consult with the Sub-directorate Planning to investigate the suitability of the land.

- (g) The Sub-directorate Land and Property Management shall verify land ownership and identify alternative land for relocation if necessary.
- (h) The Directorate Infrastructure Services shall assess the possibility of servicing the land.
- (i) The Sub-directorate Environmental Management shall assess the potential impact of the proposed development.
- (j) The Executive Director: Economic Development and Planning shall table a combined report to council outlining the feasibility of upgrading the informal settlement versus the relocation of the affected community and shall incorporate the various recommendations made from the various directorates involved (outcomes of (d) to (g) above).
- (k) Council shall approve a budget and instruct the Directorates: Economic Development and Planning and Infrastructure Services to begin a process of tendering to plan, survey and service the land.
- (l) Once the process of formalization has been completed, the Sub-directorate Housing shall allocate sites to potential beneficiaries in terms of the housing allocation policy outlined in this document.
- (m) The construction of houses shall then begin.

#### 5.4.2.3 Administrative Procedures: Relocation to Council Property

- (a) The same process will be followed as with the *in-situ* upgrading project (Points (a) to (g)). However, if the Sub-Directorate Planning have identified that the area occupied by an existing informal settlement is not suitable for human settlement (point (f)) and land is available for relocation (point (g)), the Executive Director: Economic Development and Planning shall submit a report to council recommending relocation.
- (b) Council shall take a decision on the process of relocation and the way sites will be allocated in terms of the housing allocation policy
- (c) The Executive Mayor shall be involved in the in negotiating with the affected community around the modalities of relocation.
- (d) Before a community can be relocated, the Sub-directorate Planning shall prepare a preliminary layout plan for adoption by Council.
- (e) Once the preliminary layout plan has been adopted, the Sub-directorate Planning shall ensure that the sites are pegged and clearly identified for occupation.
- (f) The affected community shall be relocated onto the identified sites per guidelines set by the Council.
- (g) Once the community has been relocated according to the guidelines given by council, the Directorate: Infrastructure Services shall supply basic infrastructure to this community.
- (h) The Sub-directorate Planning shall lodge an application for township establishment with the relevant authorities to formalise the area.
- (i) The Sub-directorate Housing shall lodge a housing subsidy application for those beneficiaries who qualify.

#### 5.4.2.4 Administrative Procedures: Relocation to Other Property

- (a) The same process will be followed as with relocation to Council owned properties. However, if the Sub-directorate Planning has identified that the area occupied by an existing informal settlement is not suitable for human settlement and municipal land is not available for relocation, the Sub-directorate Land and Property Management, in consultation with the Sub-directorate Planning and Directorate Infrastructure Services, shall identify suitable land that could be acquired by council.
- (b) The Executive Director: Economic Development and Planning shall submit a report to council outlining the process of relocation to be adopted as well as the process of acquiring land for relocation purposes.
- (c) Council shall take a decision on the acquisition of the land and the process of relocation. Council shall also outline the steps to be followed in the relocation process.
- (d) The Executive Mayor shall be involved in negotiating with the affected community around the modalities of land acquisition and relocation.
- (e) If Council agrees to the acquisition of other land, the Sub-directorate Land and Property Management shall make an offer to the prospective seller. If the seller accepts the offer, the necessary administrative procedures to transfer the land shall be taken.
- (f) Once the land has been transferred, the Sub-directorate Land and Property Management shall inform Council so that the negotiated relocation process could begin.
- (g) Before a community could be relocated, the Sub-directorate Planning shall prepare a preliminary layout plan for adoption by Council.
- (h) Once the preliminary layout plan has been adopted, the Sub-directorate Planning shall ensure that the sites are pegged and clearly identified for occupation.
- (i) The affected community shall be relocated onto the identified sites in accordance with the guidelines set out by Council.
- (j) Once the community has been relocated according to the guidelines given by council, the Directorate: Infrastructure Services shall supply basic infrastructure to this community.



- (k) The Sub-directorate Planning shall lodge an application for township establishment with the relevant authorities to formalise the area.
- (l) The Sub-directorate Housing shall lodge a housing subsidy application for those beneficiaries who qualify.

Section

**6**

# **Integrated Approach to New Human Settlements/Housing Developments**

## **6.1 Preamble**

Most housing projects are not guided by the new principles for development. This results in almost all low-income housing projects located on the periphery of urban areas. This contributes to urban sprawl and fails to address the legacies of apartheid. Most current housing projects are targeted to green-field developments and little attention is paid to urban renewal or infill planning projects. Almost all the housing developments are concentrated in urban areas while the rural villages in areas like Thaba Nchu have been neglected.

While market forces also dictate middle and high-income developments, low-income developments are mostly driven by the proliferation of informal settlements and the availability of housing subsidies. There is little private sector investment in low-income areas.

Council also finds that housing development is still seen in isolation from the rest of the urban fabric and as such little co-operation and co-ordination exists among different spheres of government, municipal departments and developers. This leads to areas not being serviced with infrastructure timeously to allow for the development of housing in these areas whilst social and economic infrastructure trail behind the provisioning of housing infrastructure. The lack of criteria for the prioritisation of housing projects also hampers effective new housing developments.

The lack of serviced sites also hamstrung residential development. Council has not been active in the development of new residential areas for some time due to financial constraints whilst private sector initiatives are also limited by the huge costs involved in infrastructure provisioning. This has resulted in no residential sites being available for development in Bloemfontein in particular.

The quality of housing is in some cases poor. There is little attention paid to environmentally sensitive designs. Most designs are monotonous due to developers using the same material and finishing on several projects. This hampers variety and choice to the consumer. It is Council's view that,

- , Housing development shall be located closer to economic opportunities
- , Housing development shall lead to the compacting of the cities and avoid urban sprawl
- , Housing development shall be integrated with other municipal services – social, economic and infrastructure
- , All housing developments (low, middle and high-income) within the Municipality shall be approved by Council in line with the provisions of the Housing Sector Plan, the Spatial Development Framework and the Integrated Development Plan
- , All forms of housing development shall be promoted

## **6.2 Policy Objectives**

- 6.2.1 To ensure that sustainable housing development takes place.
- 6.2.2 To integrate housing with other municipal services in order to establish sustainable human settlement
- 6.2.3 To coordinate municipal departments to work together in planning and implementing housing projects
- 6.2.4 To promote middle and high-income housing which will in turn generate resources to improve low-income areas

- 6.2.5 To give equal preference to urban and rural development projects
- 6.2.6 To promote environmental sensitive and energy efficient housing

## **6.3 Establishing an Integrated Approach to New Human Settlements / Housing Developments**

- 6.3.1 The Policy: Integrated Approach to New Human Settlements/Housing Developments
  - 6.3.1.1 Council shall make available funding on an annual basis for Greenfield developments, infill planning, urban renewal or *in-situ* upgrading projects as prioritised in the Housing Sector Plan, the SDF and the IDP of the municipality.
  - 6.3.1.2 Council shall support and participate in, where feasible, the development of a variety of high, middle and low-income residential developments which combine single residential as well as cluster housing on both Greenfield and urban renewal, *in-situ* upgrading or infill planning sites.
  - 6.3.1.3 Council shall make available serviced sites through its *in-situ* upgrading or urban renewal schemes to individuals who have applied for housing or serviced sites and have been registered in the Housing Database. All other sites shall be made available by public auction.
  - 6.3.1.4 All future development proposals shall show how due consideration has been given to social, physical, environmental and economic aspects in the project design. An Environmental Impact Assessment or any other study to support decision-making in this regard may be required from the developer.
  - 6.3.1.5 Council shall support urban developments within the urban fringe. Rural development shall be supported if proven feasible.
  - 6.3.1.6 Council shall support developments that promote the optimum utilisation of infrastructure and resources
  - 6.3.1.7 Council shall support development that is located in close proximity to socio-economic opportunities
  - 6.3.1.8 New housing developments shall only be supported if in line with the Housing Sector Plan, Spatial Development Framework and the Integrated Development Plan of the municipality.
  - 6.3.1.9 Projects shall be designed to minimise the negative impact on the environment and environmentally sensitive developments shall get preference.
  
- 6.3.2 Administrative Procedures: Integrated Approach to New Human Settlements/Housing Developments
  - 6.3.2.1 Pro-active approach: New Human Settlements/Housing Developments
    - (a) It is recognised that sustainable human settlements can only be achieved through a co-ordinated and integrated approach to development. The Integrated Development Planning process (IDP) of the municipality is one such tool to ensure co-ordination and integration at a strategic level. Therefore all new human settlement/housing development needs shall be adequately addressed in the IDP of the municipality.
    - (b) Furthermore, the spatial relationship of proposed new development with that of the existing settlement shall be considered in the Spatial Development Framework (SDF) of the municipality. It is thus important that these two administrative and planning tools be used to plan timeously for human settlements / new housing developments.
    - (c) To enable successful co-ordination of newly planned human settlement developments the Directorate Economic Development and Planning shall establish an Interdepartmental Planning and Housing Development Committee (IPHDC) that comprises the different sub-directorates of the Directorate Economic Development and Planning as well as the Directorates Infrastructure Services and Community and Social Development.
    - (d) The IPHDC shall identify during the annual review of the IDP of the municipality both private and public land suitable for new human settlement / housing developments according to the needs identified in the Housing Sector Plan and amend the SDF of the municipality accordingly. A distinction shall be made between Greenfield development, infill planning, urban renewal and *in-situ* upgrading projects to allow for population growth whilst accommodating existing needs.
    - (e) A priority ranking order shall also be allocated to the different areas based on criteria such as feasibility, sustainability, serviceability, etc. This will be used to inform the budgeting process of council as well as the channelling of public investment for future housing developments. Proposed housing developments shall make provision for a selection of low-middle and middle-high income residential developments whilst combining single residential development with cluster housing.
    - (f) Consideration shall be taken to provide supporting infrastructure to the proposed housing developments in particular the road network, bulk infrastructure services including economic and social amenities. The financial implications of the supporting infrastructure shall be considered together with the financial implications of the proposed development. The IPHDC shall also lodge applications for grant funding to various organisations to ensure that money will be made available for new housing developments as well as the supporting infrastructure services and social amenities like clinics, schools, etc.

- (g) Besides planning in an integrated manner at strategic level, the same is required at an administrative level. It is thus necessary that clear administrative procedures be developed to ensure an integrated approach to new human settlement / housing development at implementation level. A distinction needs to be made between the various stages involved in the creation of sustainable human settlements / housing developments on public versus private land.

6.3.2.2 Administrative Procedures: New human settlement/housing development

<b>Development of new human settlements on Council properties</b>	<b>Development of new human settlements on property other than that of Council</b>
<p><b>Stage 1: Establishing a new human settlement or extension</b></p> <p>a) The Sub-directorate Planning shall evaluate the areas identified for development in the HSP and the SDF in terms of the geo-technical and topographical conditions on the land and compile preliminary layout plan(s) for these priority area(s). If insufficient in-house expertise exists, this function shall be outsourced or, if council decides to use private developers, proposals by private developers could then be obtained for the planning and development of the land.</p> <p>b) These preliminary development plans and layout plans shall then be circulated to the Directorate Infrastructure Services, the Directorate Community and Social Development as well as the sub-directorates Housing, Land and Property Management and Environmental Management for comments.</p> <p>c) The Sub-directorate Planning or in the case of a private developer, the developer shall make any changes necessary to accommodate the comments received in (b) above.</p> <p>d) The Executive Director Economic Development and Planning shall then compile a report in collaboration with the Directorates Infrastructure Services and Community and Social Development indicating the financial and institutional implications of the proposed development to MAYCO for approval by Council.</p> <p>e) Once Council has approved the proposed development, the preliminary layout plan shall be tabled to the respective ward committee and/or public participation structure for input by the public.</p> <p>f) The Sub-directorate Planning in collaboration with the Directorates Infrastructure Services and Community and Social Development or the private</p>	<p>Council can decide to develop new human settlements on privately owned land. This process will entail that council first obtain the land from the owner. Once the land has been obtained, the same process as on council owned properties shall unfold. In the case of a private development on private land, the following administrative procedures shall prevail:</p> <p><b>Stage 1: Evaluation of an application for the establishment of a new human settlement or extension by a private developer</b></p> <p>a) The developer shall submit a detailed application of the proposed development to the Executive Director: Economic Development and Planning. The following shall accompany the application:</p> <ul style="list-style-type: none"> <li>▪ Title deed</li> <li>▪ Site layout plan to scale with 2 metre contour intervals indicating the land use mix prepared by a professional town and regional planner</li> <li>▪ An infrastructure service report</li> <li>▪ A geo-technical report</li> <li>▪ A flood line analysis prepared by a professional engineer and</li> <li>▪ An Environmental Impact Assessment, if required by law, prepared by a registered impact assessment consultant as well as</li> <li>▪ A town management plan if the proposed development will not be incorporated within the municipal area.</li> </ul> <p>b) Any additional supporting documentation that may be required to review the application can also be requested from the developer at his cost.</p> <p>c) The Sub-directorate Planning shall evaluate the proposal in terms of its compliance to the HSP, the SDF and the IDP and any other planning criteria within 1 week of receipt of the application.</p> <p>d) The application shall be forwarded to the Directorate Infrastructure Services, who shall review the services report and compliance to</p>

<b>Development of new human settlements on Council properties</b>	<b>Development of new human settlements on property other than that of Council</b>
<p>developer shall make the necessary changes to accommodate the comments received in (e) above before the final layout plan with cost estimates is tabled to MAYCO and Council.</p> <p>g) Once Council has approved the layout plan, the Executive Director: Economic Development and Planning in collaboration with the Directorate Infrastructure Services or the private developer shall prepare the necessary applications for approval of the layout plan to the relevant authorities</p> <p>h) Once approval has been obtained from the relevant authorities, a professional Land Surveyor (in-house or outsourced) can then peg the approved layout plan.</p> <p>i) Instructions shall be given to the Directorate Infrastructure Services to design the civil and electrical services whilst the Directorate Community and Social Services can also plan and apply for the development of any community facilities required in the area. In the case of a private developer he/she will be responsible for the design and construction of services according to the service agreement.</p>	<p>infrastructure design criteria within 1 week of receipt of the application. The directorate shall indicate the financial implications to council in terms of bulk infrastructure provisioning as well as the viability and institutional or financial implications of the town management plan to council.</p> <p>e) The application shall be forwarded to the Directorate Community and Social Development who shall evaluate the land use mix and provision of social amenities including parks and recreation facilities, or availability of such amenities in close proximity to the proposed development within 1 week of receipt of the application. Any financial or institutional implications to council shall also be highlighted.</p> <p>f) The application shall be forwarded to the Sub-directorate Environmental Management who shall evaluate the impact of the proposed development on the environment within 1 week of receipt of the application, taking into consideration the various comments made.</p> <p>g) The application shall then be forwarded to the Executive Director: Economic Development and Planning with all the comments / recommendations made by the various directorates. The ED can then decide to request the developer to amend the application according to the comments made by the various directorates if the proposed development is provisionally supported by all of the directorates or he can decide to table a report with recommendation by the various directorates to council.</p>
<p><b>Stage 2: Approval of survey diagrams</b></p> <p>a) Once the area has been pegged, the Land Surveyor shall compile and submit the necessary survey diagrams and/or general plans to the Surveyor General for approval.</p> <p>b) Once approval has been received the approved diagrams shall be handed to the Sub-directorate Legal Services for registration in the Deeds Office or the private developer shall appoint a conveyancer to register the properties in the deeds office.</p>	<p>h) The recommendations of council shall then be forwarded to the relevant authorities for the approval of the proposed development.</p> <p>i) Once approval has been obtained from the relevant authorities, the developer shall appoint a professional Land Surveyor to peg the approved layout plan.</p>
<p><b>Stage 3: Construction of infrastructure services</b></p> <p>a) Once the Executive Director: Infrastructure Services gets the notice that the layout plan has been approved, he shall invite tenders and make recommendations to Council according to Council's</p>	<p><b>Stage 2: Approval of survey diagrams</b></p> <p>a) Once the area has been pegged, the Land Surveyor shall compile and submit the necessary survey diagrams and/or general plans to the Surveyor General for approval.</p> <p>b) Once approval has been received the developer shall appoint a conveyancer to register</p>

<b>Development of new human settlements on Council properties</b>	<b>Development of new human settlements on property other than that of Council</b>
<p>procurement policy on the appointment of contractors for the construction of civil and electrical infrastructure. If in-house expertise is lacking, this function shall be outsourced.</p> <p>b) Once approval has been obtained from Council, contractors shall be appointed.</p> <p>c) In the case of a private developer, the developer will appoint a contractor for the construction of civil and electrical services.</p> <p>d) Once the various services have been installed to the satisfaction of the Executive Director: Infrastructure Services, an Engineering Certificate shall be submitted to the Sub-directorate Legal Services or in the case of a private developer to the developer by the Executive Director: Infrastructure Services to accompany the application for registration in the Deeds Office.</p> <p><b>Stage 4: Registration of properties in the Deeds Office</b></p> <p>a) The Sub-directorate Legal Services or in the case of the private developer his conveyancer shall apply to the Registrar of Deeds for the opening of the township register or the registration of the relevant properties in the Deeds Office. If in-house capacity does not exist, this function shall be outsourced.</p> <p>Once the township register has been opened or the properties have been registered in the Deeds Office, the Sub-directorate Legal Services shall notify the Sub-directorate Land and Property Management as well as the Sub-directorate Housing in order to start with the allocation of sites and the application for housing subsidies.</p> <p>b) In the case of a private developer the site allocation process will be according to the agreement reached between him/her and the Council.</p> <p><b>Stage 5: Allocation of sites and application for housing subsidies</b></p> <p>a) Once the Sub-directorate Legal Services has notified the Sub-directorate Housing,</p>	<p>the properties in the deeds office.</p> <p><b>Stage 3: Construction of infrastructure services</b></p> <p>a) The developer shall appoint contractors for the construction of civil and electrical infrastructure.</p> <p>b) Once the various services have been installed to the satisfaction of the Executive Director: Infrastructure Services, an Engineering Certificate shall then be issued to the developer. This certificate shall accompany the application for registration in the Deeds Office.</p> <p><b>Stage 4: Registration of properties in the Deeds Office</b></p> <p>a) The conveyancer appointed by the developer shall apply to the Registrar of Deeds for the opening of the township register or the registration of the relevant properties in the Deeds Office.</p> <p>b) Once the township register has been opened or the properties have been registered in the Deeds Office, the developer shall sell the properties to prospective buyers.</p> <p><b>Stage 5: Building of top structures</b></p> <p>a) Once sites have been acquired by the prospective buyers, a building contractor shall be appointed by the owner of the site.</p> <p>b) The contractor or owner shall then submit building plans for the proposed development.</p> <p>c) If a contractor or owner develops more than 5 single residential units within a street block or develops a cluster development, the building plans for these proposed developments shall be submitted to the Aesthetical Committee of Council.</p> <p>d) The Aesthetical Committee of Council shall review the building plans using approved criteria which take into consideration the various aspects of the development like the scale of the development, the material used, the number of units in a complex, the environmental impact of the proposed development, etc.</p> <p>e) The criteria used shall in particular focus on the promotion of diversity and choice whilst</p>

<b>Development of new human settlements on Council properties</b>	<b>Development of new human settlements on property other than that of Council</b>
<p>the latter shall then allocate sites to the respective beneficiaries as per site register and the housing allocation policy of council.</p> <p>b) Serviced sites shall be made available to applicants of housing subsidies, informal settlements recognised for upgrading and applicants who only need to purchase serviced sites and will be able to build their own houses</p> <p>c) The Sub-directorate Housing shall apply for housing subsidies for those beneficiaries who qualify for housing subsidies. The various subsidy categories shall be utilised, where appropriate, i.e. institutional housing, rural housing, social housing, project-linked, rent to buy schemes, etc.</p> <p>d) The Housing Sub-Directorate shall register sites of applicants who qualify for government housing subsidies in the Deeds Office while those applicants who purchased sites from council and do not qualify for government housing subsidies shall register the sites for themselves</p>	<p>focusing on environmentally sensitive developments. Developments not adhering to these criteria shall not be recommended for approval.</p> <p>f) The Sub-directorate Housing shall ensure that building control measures are adhered to by the contractor / owner and that quality assurance is given during the construction of houses.</p>
<p><b>Stage 6: Building of top structures</b></p>	<p><b>Stage 6: Development of social and economic amenities</b></p>
<p>a) Once the sites have been registered in beneficiaries' names a building contractor / developer shall be appointed.</p> <p>b) The contractor / developer shall then submit building plans for the proposed development.</p> <p>c) If a contractor or developer develops more than 5 single residential units within a street block or develops a cluster development, the building plans for these proposed developments shall be submitted to the Aesthetical Committee of Council.</p> <p>d) The Aesthetical Committee of Council shall review the building plans using approved criteria which take into consideration the various aspects of the development like the scale of the development, the material used, the number of units in a complex, the environmental impact of the proposed development, etc.</p>	<p>a) Once the township register has been opened or the properties have been registered in the Deeds Office, the developer can offer social amenities or business sites per auction or private sale.</p> <p>b) Where public amenities like schools, clinics, etc. need to be developed; these developments will have to be secured from provincial or national government by the developer himself. These sites will then have to be transferred to these authorities as per agreement reached between the parties.</p> <p>c) The development of parks and sports facilities shall be as approved by council.</p>

<b>Development of new human settlements on Council properties</b>	<b>Development of new human settlements on property other than that of Council</b>
<p>e) The criteria used shall in particular focus on the promotion of diversity and choice whilst focusing on environmentally sensitive developments. Developments not adhering to these criteria shall not be recommended for approval.</p> <p>f) The Sub-directorate Housing shall ensure that building control measures are adhered to by the contractor / developer and that quality assurance is given during the construction of houses.</p> <p><b>Stage 7: Development of social and economic amenities</b></p> <p>a) Once the township register has been opened or the properties have been registered in the Deeds Office, council or a private developer shall put sites to public auction for developments other than housing.</p> <p>b) Where public amenities like schools, clinics, etc. need to be developed, these developments shall be secured from provincial or national government departments by the Directorate: Community and Social Development or the developer himself/herself.</p> <p>c) The development of parks and sports facilities shall also receive priority.</p>	

