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## GENERAL NOTICE

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### NOTICE 328 OF 2009

### DEPARTMENT OF HOUSING

### SECOND EDITION ENVIRONMENTAL IMPLEMENTATION PLAN (EIP)

**APRIL 2009**

Section 11 of the National Environmental Management Act (Act No. 107 of 1998) requires that the national and provincial departments exercising functions which may affect the environment, in terms of the *Schedule 1* of the Act, prepare an Environmental Implementation Plan (EIP) and to monitor the implementation on a regular basis. The Department of Housing is listed in *Schedule 1* and is therefore required to prepare an EIP. The plan needs to be reviewed at least every four years thereafter. The 1<sup>st</sup> edition EIP for the Department of Housing was gazetted in March 2001. The 2<sup>nd</sup> edition EIP has been prepared in pursuance of the imperatives of Act.

The Department hereby publishes in terms of section 15(2)(b) of the National Environmental Management Act (Act No. 107 of 1998) the Environmental Implementation Plan as recommended by the Committee for Environmental Co-ordination and adopted by this Department.

In terms of sub-section 15(2)(b) the plan becomes effective from the date of publication

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## LIST OF ACRONYMS

AU	African Union
CRU	Community Residential Units
DEAT	Department of Environmental Affairs
DFA	Development Facilitation Act
ECA	Environmental Conservation Act
EIA	Environmental Impact Assessment
EIP	Environmental Implementation Plan
EMP	Environmental Management Plan
EPWP	Expanded Public Works Programme
IBSA	India-Brazil-South Africa
IDP	Integrated Development Planning (Plans)
IRDP	Integrated Residential Development Programme
LDO	Land Development Objective
MEC	Provincial Member of the Executive Council responsible for housing
MINMEC	Committee of the Housing Minister, the nine Housing MECs and a Councillor representing organised local government
NDoh	National Department of Housing
NEMA	National Environmental Management Act
PHD	Provincial Housing Departments
SADC	Southern African Development Community
UN Habitat	United Nations Human Settlements Programme

## 1 INTRODUCTION

The National Environmental Management Act (NEMA), 1998 (Act 107 of 1998) sets out to provide for cooperative environment governance by establishing principles for decision making on matters affecting the environment, institutions that will promote cooperative governance, procedures for coordinating environmental functions exercised by organs of states, and to provide for matters connected therewith.

Furthermore NEMA requires that national and provincial departments exercising functions which may affect the environment, in terms of the *Schedule 1* of the Act, prepare an Environmental Implementation Plan (EIP) and to monitor and review their implementation on a regular basis. Also that national and provincial departments exercising functions involving the management of environment, in terms of *Schedule 2* of the Act, must prepare an Environmental Management Plan (EMP). The Department of Housing (DOH) is listed in *Schedule 1*, and is therefore required to prepare an Environmental Implementation Plan (EIP).

The 1<sup>st</sup> edition EIP for the Department of Housing was gazetted in March 2001. This 2<sup>nd</sup> edition EIP has been prepared in pursuance of the imperatives of Act and the guidelines provided by the Department of Environmental Affairs and Tourism (DEAT) have been utilised as far as possible taking into account the peculiarities of the housing sector.

### 1.1 Overview of the Department of Housing

#### 1.1.1 Housing Vision, Mission and Focus Areas

**Vision:** A nation housed in sustainable human settlements with access to socio-economic infrastructure.

**Mission:** To establish and facilitate a sustainable process that provides equitable access to adequate housing for all, within the context of affordability of housing and services, and access to social amenities and economic opportunities.

**Focus Areas:** Following an intensive review of housing policy and a consultation process, a Comprehensive Plan for the Development of Sustainable Human Settlements was drafted in 2004. The Plan builds on housing policy outlined in the 1994 White Paper

on Housing, and adds the imperative of ensuring that settlements are sustainable and habitable to the basic original goal of delivering affordable housing. The priorities of the plan are to:

- Accelerating the delivery of housing as a key strategy for poverty alleviation
- Utilising provision of housing as a major job creation strategy
- Ensuring property can be accessed by all as an asset for wealth creation and empowerment
- Leveraging growth in the economy
- Combating crime, promoting social cohesion and improving quality of life for the poor
- Supporting the functioning of an entire single residential property market to reduce duality within the sector by breaking the barriers between the first economy residential property boom and the second economy slump.

### **1.1.2 The Housing Environment**

Housing is defined as a variety of process through which habitable, stable and sustainable public and private residential environments are created for viable households and communities. This recognises that the environment within which a house is built on is as important as the house itself in satisfying the needs and requirements of the inhabitants.

The construction of a house is a culmination of many planning processes and legislative requirements that must be adhered to. Land development and spatial planning become critical to the housing process.

## **1.2 Functions of the Department of Housing**

### **1.2.1 Core Functions of the National Housing Department**

The National Department's core functions as set out in the Housing Act, 1997 are to establish and facilitate a sustainable national housing development process and to fund the National Housing Programmes. This requires that the Minister, through the National Housing Department, determines national housing and urban development policy, including national norms and standards, in respect of housing development.



To achieve this national government must:

- Develop national housing policy,
- Prepare and maintain a multi-year national plan, that sets broad national housing delivery and budgetary goals,
- Develop national norms and standards,
- Develop a national housing code,
- Establish a funding framework for housing development and negotiate the secure allocation from the state budget for housing. Allocate from the South African Housing Fund to provincial governments, municipalities and other national institutions so that national programmes are implemented,
- Monitor the performance of national, provincial and local governments against housing delivery goals and budgetary goals;
- Assist provinces and municipalities to develop their administrative capacity in respect of housing development;
- Support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and perform their duties in respect of housing development
- Promote effective communication in respect of housing development.

### **1.2.2 Core Functions of the Provincial Housing Departments**

Housing is an area of concurrent legislative competence for national and provincial government. This means that provincial governments can legislate in respect of housing matters that fall within their provincial boundaries, as long as such legislation does not undermine national legislation. The Housing Act sets out the following functions in respect of Provincial Housing Departments:

- To develop provincial housing policy and legislation,
- To coordinate housing development in the province,
- To prepare and maintain a multi-year plan detailing the implementation in the province of national and provincial housing programmes,



- To support and strengthen the capacity of municipalities in respect of housing development,
- To co-ordinate housing development in the province,
- Administer every national housing programme and every provincial housing programme which is consistent with national housing policy,
- Determine provincial housing development priorities in accordance with national housing policy.

### **1.2.3 Core Functions of Municipalities / Local Authorities with respect to housing**

The Housing Act, 1997 sets out the functions of municipalities / local authorities as follows:

- To initiate, plan, coordinate and facilitate appropriate housing development within its boundaries,
- Prepare a local housing strategy and set housing delivery goals,
- Set aside, plan and manage land for housing development,
- Create a financial and socially viable environment conducive to housing development,
- Facilitate the resolution of conflicts,
- Provide bulk engineering services where there are no service providers,
- Administer any national housing programme in respect of its area of jurisdiction.

### **1.2.4 Financing and Planning of the Housing Programme**

#### **1.2.4.1 South African Housing Fund**

Every year the National Department of Housing receives an allocation from the National budget for housing development and these funds are stored in the South African Housing Fund. The Minister of Housing allocates the money for the purposes of financing the implementation of the National Housing Programmes. The allocations to each province are made on the basis of criteria determined by the Minister after consultation with the nine MECs for housing including, housing backlog in the province, the number of households in the various subsidy bands, ratio of rural to urban areas and the performance of the provincial government.

**1.2.4.2 Multi- Year Housing Plans**

The multi-year plan is a financial planning tool required of national and provincial government in the Housing Act and is linked to the concept of a multi-year budget.

These plans outline the number and way in which housing will be developed over a three period and are based on estimated demand and supply. The multi-year housing plan outlines a further set of developments aimed at improving the quality of strategic and performance plans, while at the same time simplifying the process further. The most significant innovation is the proposed linking of the strategic planning process to the electoral cycle which has a number of implications for the structure and content of strategic and performance plans.

## **2 IDENTIFICATION AND DESCRIPTION OF HOUSING POLICIES, PLANS AND PROGRAMMES**

Since its introduction in 1994 the Housing Subsidy Scheme is the primary assistance measure of the National Housing Programme. Households with an income of up to R7 000 or less per month, who have not owned property previously, and who satisfy a range of other criteria, can apply for a subsidy and use it to get housing, either to own or to rent.

The housing subsidy is intended to help households to access housing with secure housing tenure, at a cost they can afford, and a standard that satisfies the norms and standards determined by the Minister of Housing. In each case the subsidy is intended to facilitate access to a wide range of residential property, including:

- Newly constructed, bondable, single housing units;
- Units in newly constructed multiple unit complexes, including flats;
- Units in reconditioned or refurbished building;
- Existing housing of any type; in situ upgrade of existing unserviced or minimally serviced settlements;
- Incremental housing scheme, where a serviced site is provided as the first stage, with the residual of subsidies being used for home building purposes.

### **2.1 Mandate of the Department of Housing**

#### **2.1.1 Habitat Agenda**

In 1996 the South African government committed itself to the Habitat Agenda for sustainable human settlement. It offers, within a framework of goals, principles and commitments, a positive vision of sustainable human settlements where all have adequate shelter, a healthy and safe environment, basic services and productive and freely chosen employment. The goals of the Habitat Agenda are adequate shelter for all and the development of sustainable human settlements.

### **2.1.2 The Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)**

Section 26 of the Constitution of the Republic of South Africa states that everyone has the right to have access to adequate housing, that the state must take reasonable legislative and other measures, with its available resources, to achieve the progressive realisation of this right, and that no one may be evicted from their home, or have their home demolished, without an order of court made after considering all the relevant circumstances. No legislation may permit arbitrary evictions.

Provincial Departments have concurrent competence with parliament for making laws for the province with regard to all matters that fall within the functional areas defined in *Schedule 4* of the Constitution, of which housing is a part of.

### **2.1.3 The White Paper on Housing, 1994**

The White Paper on a New Housing Policy and Strategy for South Africa sets out the fundamental principles and basic points of departure that Government must adhere to when developing and implementing housing policy and contains substantive policy approaches to meeting South Africa's housing vision. These are:

- Stabilising the housing environment in order to ensure maximum benefit of state housing expenditure and mobilising private sector investments,
- Mobilising housing credit and private savings (whether by individuals or collectively) at scale on a sustainable basis and simultaneously ensure adequate protection for consumers,
- Providing subsidy assistance to disadvantaged households to assist them to gain access to housing,
- Supporting the People's Housing Process entailing a support programme to assist people who wish to build or organise the building of their homes themselves,
- Rationalising Institutional Capacities in the housing sector within a sustainable long term institutional framework,
- Facilitating the speedy release and servicing of land, and
- Coordinating and integrating public sector intervention on a multi functional basis.

#### **2.1.4 The Housing Act, 1997 (Act No. 107, 1997)**

Flowing from the White Paper the Act expands on the provisions of the Constitution, prescribes general principles for housing development and defines the housing development functions of national, provincial and local governments. Accordingly Government renews its commitment to a democratic, sustainable process of housing development that, amongst others:

- Gives priority to the needs of the poor,
- Involves meaningful consultation with individuals and communities,
- Ensures as wide a choice of housing and tenure options as is reasonably possible,
- Is economically, fiscally, socially and financially affordable and sustainable,
- Is based on integrated development planning,
- Is administered in a transparent, accountable and equitable manner,
- Upholds the practice of good governance,
- encourage and support individuals and communities to fulfil their own housing needs by assisting them in accessing land, services and technical assistance in a way that leads to the transfer of skills to, and empowerment of, the community,
- Promotes:
  - education and consumer protection,
  - conditions in which everyone meets their housing obligations,
  - the establishment, development and maintenance of socially and economically
  - viable communities and of safe and healthy living conditions to ensure the elimination
  - and prevention of slums and slum conditions,
  - higher density to ensure the economical utilisation of land and services,
- Takes due cognisance of the impact of housing development on the environment,
- Furthermore government must encourage environmentally sustainable land use development practices and processes by generating as many as possible of the inputs required in settlements within, or close to, the settlement; making the greatest possible use of renewable resources and instituting practices which allow them to be renewed; clearly identifying primeval, rural and urban

landscapes and ensuring that interference from one to the other is minimised; avoiding settlements in places of hazard or high risk; avoiding settlements on unique habitats of flora and fauna; avoiding actions which irrevocably interfere with self-regulating ecological processes; controlling air and water pollution at source; recycling wastes, wherever possible productively, in forms that can be re-absorbed into the natural environment; and by promoting biodiversity.

### **2.1.5 The National Housing Code**

The National Housing Code sets the underlying policy principles, guidelines and norms and standards which apply to Government's various housing assistance programmes introduced since 1994 and updated. It provides a description of the policy principles, guidelines, qualification criteria and norms and standards for the implementation of housing programmes. It is a statement of present policy, providing an overview and confirmation of the existing policy in place.

### **2.1.6 The Comprehensive Plan for the Development of Sustainable Human Settlements**

The Comprehensive Plan for the Development of Sustainable Human Settlements introduces policy shifts towards more responsive and effective delivery, taking cognisance of socio-economic and demographic dynamics and placing greater emphasis on the creation of sustainable settlements.

Further to the focus areas mentioned in 1.2.1 above, the Plan sets out the following strategies to achieve the creation of sustainable human settlements:

- Supporting the entire residential housing market;
- Moving from housing to sustainable human settlements;
- Applying existing housing instruments;
- Adjusting institutional arrangements within government;
- Building institutions and capacity;
- Enhancing financial arrangements;
- Creating jobs and providing housing;
- Building awareness and enhancing information communication; and

- Implementing systems for monitoring and evaluation.

## **2.2 National Housing Programmes**

### **2.2.1 Accreditation Framework for Municipalities**

Accreditation of municipalities to administer National Housing Programmes is enshrined in the Constitution and by the logic of cooperative governance and current constraints in the housing delivery process. Accreditation aims at locating decision-making authority and funding capacity for housing development at the most local sphere of government.

The accreditation of a municipality involves the delegation and, subsequently, assignment of certain clearly defined functions in respect of the administration of National Housing Programmes, leading to eventual assignment of all the functions by formal proclamation of assignment by the Premier in the Government Gazette. This does not detract from any housing functions or powers a municipality may already have, as set out in Part 4, Section 9 of the Housing Act 1997; and, does not include the power to design housing programmes to be funded from national housing subsidy funds.

In order for accreditation to be effected, municipalities must have the capacity required to take on the ensuing functions, which implies:

- An enhanced capacity building, supporting and monitoring and evaluation role for the Provincial Housing Departments as they assist municipalities in taking on their new-delegated functions, and monitor and evaluate their progress in this regard.
- that the NDoH (assisted by the Provinces) will expand its financial administration, capacity building, monitoring and evaluation role beyond the nine provinces to also include accredited municipalities as they will become responsible for determining the focus of National Housing Programmes in their municipal areas.

In order to ensure that municipalities achieve the capacity necessary for assignment in the long term without compromising their delivery capacity in the short term, a process of progressive delegation towards ultimate assignment is adopted.



### **2.2.2 Enhanced Extended Discount Benefit Scheme**

The programme is aimed at supporting decisions made regarding the transfer of pre-1994 housing stock and is intended to stimulate and facilitate the transfer of public housing stock to qualifying occupants.

It was introduced to assist persons to acquire state financed rental housing, existing sales debtors to settle the balance on purchase prices of properties acquired from the public sector, or to assist persons to repay publicly financed credit that had been used for housing purposes.

### **2.2.3 Individual Subsidy Programme**

The programme provides access to funding for housing assistance to individual households who wish to acquire properties of choice. It accommodates both beneficiaries who wish to access only subsidy funding to acquire a residential property or who can afford a mortgage loan to finance a residential property. Persons who have acquired vacant serviced stands without State assistance and who need assistance with the construction of a house may also apply for an Individual Subsidy.

The Programme provides access to funding for the following two categories:

**Credit Linked Subsidies:** In cases where the applicant can afford mortgage loan finance, the applicant may apply for a subsidy that is linked to credit from a financial institution; and

**Non-Credit Linked Subsidies:** In cases where the applicant cannot afford mortgage loan finance, the applicant may apply for a subsidy to acquire an existing house entirely out of the subsidy bracket and may supplement this with other funds that may be available to him or her. Qualifying persons who bought vacant serviced stands from their own resources and needs assistance to construct a house may also apply for Non-Credit Linked Subsidies.

#### **2.2.4 Operational Capital Budget**

The programme provides for a funding framework for the reservation and application of a percentage of the annual housing allocation to provincial governments for the appointment of external capacity to support the implementation of the National and Provincial Housing Programmes.

To enable the achievement of the Government's priority housing development goals, the Programme provides support for the following:

- Funding for the appointment of external expertise by Provincial Departments and accredited municipalities to augment their capacity required for housing delivery at scale, with particular emphasis on the following programmes but not limited to:
- The Informal Settlement Upgrading Programme
- Projects that facilitate integrated delivery and the creation of a non-racial society
- The provision of primary social and economic amenities
- The unblocking of stalled projects.

#### **2.2.5 Housing Chapters of Integrated Development Plans**

The Programme provides guidelines for the inclusion of housing planning in Integrated Development Planning processes and suggests an approach to the formulation of Housing Chapters in Integrated Development Plans (IDPs). It contributes to the overall spatial development and integration objectives of the municipality by providing spatial guidance to housing investment by the Government; and also contributes towards the development of sustainable human settlements by providing for an IDP integration phase to ensure inter-sectoral agreement on integrated programmes.

Objectives for supporting the formulation of Housing Chapters of IDPs include:

- To support housing planning as a component/chapter of the IDP;
- To define the scope of the housing planning component of the IDP in relation to the Housing Act and housing policies;
- To outline and unpack clear roles and responsibilities of relevant stakeholders critical to achieving integration of housing planning with integrated development planning;

- To guide vertical and horizontal sector alignment;
- To provide an institutional structure to give effect to demand-defined and supply negotiated approach to housing provision;
- To introduce systems and procedures to support and reward strategic and operational planning by enforcing plan-led budgeting and implementation;
- To inform multi-year housing development plans of the provincial sphere as the basis for vertical alignment;
- To ensure that the housing planning activities which occur as part of the IDP are able to draw on existing housing related documentation and data resources;
- To ensure that the housing planning activities which occur as part of the IDP reflect community level concerns about housing demand;
- To ensure that the definition of housing demand as part of the IDP balances technical inputs with community-based inputs;
- To ensure the definition of housing demand is comprehensive and inform IDP objectives, strategies and project formulation and enable the specification of a municipal-wide picture of housing demand in the context of sustainable human settlements;
- To achieve agreement at municipal level about whether housing is a priority issue for the IDP or not and if so, to specify which aspects of the housing demand are to be prioritised for the IDP to also contribute towards overall strategic objectives of the municipalities; and
- To provide the rules for delivery and clarify the significance of planning in relation to delivery.

#### **2.2.6 Programme for the Provision of Social and Economic Amenities**

The main objective of the Programme is to facilitate the development of basic amenities which are normally funded by municipalities in cases where municipalities are unable to provide such facilities. It promotes the provision of certain basic social/community amenities and economic facilities within existing and new housing areas as well as within informal settlement upgrading projects in order to achieve the following policy objectives:

**Social development:** to facilitate the provision of social services through the development of primary, social amenities and community facilities such as parks,

playgrounds, sports fields, crèches, community halls, taxi ranks, municipal clinics and informal trading facilities.

**Economic development:** to facilitate the development of basic economic infrastructure such as transportation hubs, trading areas and/or informal markets.

**Job creation:** The Programme supports job creation by promoting community based labour-intensive construction methodologies, which is an economic development strategy with its foundations in the Expanded Public Works Programme.

**Social capital:** to encourage the development of social capital by supporting the active participation of communities in the design, implementation, management and evaluation of projects.

### **2.2.7 Rectification of certain residential properties created under the pre-1994 Housing Dispensation**

The Programme was created to facilitate the improvement of state financed residential properties created through State housing programme interventions during the pre-1994 housing dispensation that are still in ownership of the public sector institution and/or that were disposed off to beneficiaries, with specific focus on:

- The improvement of municipal engineering services where inappropriate levels of services were delivered; and
- The renovation and/or upgrading or the complete reconstruction of dwellings that are severely structurally compromised and that are regarded as inappropriate for transfer into ownership of the beneficiary or unfit for human habitation, thus posing a threat to the health and safety of the inhabitants.

### **2.2.8 Rural Subsidy: Communal Land Rights**

In areas of communal tenure and where traditional leaders allocate land for settlement to households or persons, freehold tenure can in most cases not be easily secured. This programme was developed to assist households in areas with communal tenure to access housing subsidies. Therefore the programme only applies for housing development on communal land registered in the name of the state or which will be held by community members subject to the rules or custom of that community.

The housing subsidy may be utilised for the development of internal municipal residential services where no alternative funds are available, house building, upgrading of existing services where no alternative funding is available, the upgrading of existing housing structures or any combination of these options.

### **2.2.9 Consolidation Subsidy Programme**

Before the introduction of the White Paper on a New Housing Policy and Strategy for South Africa in December 1994, a substantial number of households had received serviced sites in terms of state housing schemes instituted pre-1994.

In order to enable such households to access adequate housing, a consolidation subsidy was introduced which provides for the completion of houses on the serviced sites. Beneficiaries of such stands may apply under this Programme for further assistance to construct a house on their stands or to upgrade / complete a house they may have constructed from their own resources.

### **2.2.10 Housing Assistance in Emergency Circumstances**

The main objective of this Programme is to provide temporary assistance in the form of secure access to land and/or basic municipal engineering services and/or shelter in a wide range of emergency situations of exceptional housing need through the allocation of grants to municipalities in order to achieve the following policy objectives:

- To expedite action in order to relieve the plight of persons in emergency situations with exceptional housing needs;
- To provide for special arrangements in terms of which the Housing Programme will address the diversity of needs of households in emergency housing situations; and
- To maximise the effect of projects through this Programme to ensure that funds are effectively expended and the services provided could be converted for permanent residential development use.

### **2.2.11 Integrated Residential Development Programme (IRDP)**

The IRDP was developed to give effect to the objectives of the Comprehensive Plan for the Development of Sustainable Human Settlements, by incorporating the following:

- A comprehensive development approach to integrated township development which accommodates all the needs identified in a specific area or community. This relates to land use and the provision of municipal engineering services and sites for all land uses to ensure the development of integrated and sustainable human settlements;
- A phased development approach in terms of which a housing project is packaged in phases to facilitate effective project management and administration as well as effective expenditure and application of housing funds;
- The allocation and sale of serviced residential stands at the final stage of housing construction in a new development to qualifying beneficiaries, as well as the sale of other residential stands to persons who do not qualify for subsidies at a variety of prices depending on the income and profile of the households;
- Housing construction administered in terms of the basket of housing development options available within the National Housing Programmes for qualifying beneficiaries as the final phase; and
- The provision of serviced sites for a variety of non-residential use essential to integrated human settlements.

A further fundamental departure point is the fact that the creation of serviced stands in a new township is no longer subject to the identification and approval of a qualifying housing subsidy beneficiary.

### **2.2.12 Upgrading of Informal Settlements**

The integrated informal settlement-upgrading programme constitutes a targeted response to the proliferation of informal settlements and provides for the in-situ upgrading of informal settlements on land suitable for housing development. It also seeks to address the diversity of housing needs of these settlements by providing various housing solutions and supports the development of social and economic amenities required by the community.



The informal settlement-upgrading programme provides interim engineering services during its first phase to address emergency needs regarding basic services and permanent engineering services (water reticulation, sanitation, storm water management and roads) are provided during the subsequent phase of the project. The programme entails a tailored funding arrangement to ensure the special needs of upgrading projects are addressed. These include community participation facilitation, relocation assistance, temporary housing and project management funding.

### **2.2.13 Community Residential Units Programme (CRU)**

The programme aims to facilitate the provision of secure, stable rental tenure for lower income persons / households, and provides a coherent framework for dealing with the many forms of existing public sector residential accommodation. It supports the upgrading of government owned communal rental accommodation (hostels).

The grant funding provided by the CRU Programme focuses on the development of the following public rental housing assets:

- Public hostels that are owned by Provincial Housing Departments and municipalities;
- “Grey” hostels which are hostels that have both a public and private ownership component due to historical reasons;
- Public housing stock that forms part of the “Enhanced Extended Discount Benefit Scheme” but which cannot be transferred to individual ownership and has to be managed as rental accommodation by the public owner;
- Post 1994 newly rental developed public residential accommodation owned by Provincial Housing Departments and municipalities; and
- Existing dysfunctional, abandoned, and/or distressed buildings in inner city or township areas that have been taken over by a municipality and funded by housing funds.

The grant may also be utilised for the development of new public rental housing assets, if a viable opportunity to acquire and develop such new assets has been identified. It also includes funding for the capital costs of project development and future long-term capital maintenance costs.



### **2.2.14 Institutional Housing Subsidy Programme**

The Institutional Housing Subsidy Programme was primarily designed to provide affordable rental housing to optimise the use of available well located land. This can be achieved through densification and to meet the growing need for short term rental housing for persons required to be mobile and who prefer rental to ownership housing options.

The Programme forms part of a broader rental housing development strategy and provides for housing institutions with access to Government grants to provide and hold rental housing stock for a minimum of four years. The Programme applies nationally and also incorporates the option to sell the rental units to the tenants after four years from the initial occupation of the units. The tenants are also actively involved in the administration and management of the rental stock. Tenants of units created through the Programme may also apply for individual ownership subsidies should they wish to do so.

### **2.2.15 Social Housing Programme**

The social housing programme has two primary objectives:

- To contribute to the national priority of restructuring South African society in order to address structural, economic, social and spatial dysfunctionalities thereby contributing to Government's vision of an economically empowered, non-racial, and integrated society living in sustainable human settlements.
- To improve and contribute to the overall functioning of the housing sector and in particular the rental sub-component thereof, especially insofar as social housing is able to contribute to widening the range of housing options available to the poor.

The Programme applies only to restructuring zones which are identified by municipalities as areas of economic opportunity and where urban renewal/restructuring impacts can best be achieved. It also aims at developing affordable rental in areas where bulk infrastructure (sanitation, water, transport) may be under-utilised, therefore improving urban efficiency.

### 2.2.16 People's Housing Process

The Programme was developed to facilitate a self-built housing process. It provides assistance to qualifying beneficiaries in the form of technical advice, guidance and training to build their own houses. Apart from the capital subsidy amount for the construction of the houses, the Programme also funds facilitation initiatives and provides assistance for the employment of expertise to guide the project application process and obtain project approval.

The Programme is project oriented and the housing subsidy is not available on an individual beneficiary basis. Beneficiaries who wish to participate in the construction of their own houses must form themselves into a support organisation or acquire the services of such support organisation.

### 2.2.17 National Norms and Standards

The Minister of Housing is required to determine national policy, including national norms and standards in respect of housing development. All residential developments that will be undertaken through the finance provided in terms of the National Housing Programmes must comply with these norms and standards. The minimum norms and standards are contained in Table 1 below:

Type of Service	Minimum Level
Water	Single standpipe per stand (metred)
Sanitation	VIP or alternative system agreed to between the community, municipality and the MEC
Roads	Graded or gravel paved road access to each stand. This does not necessarily require vehicle access to each property
Storm water	Lined open channels
Street lighting	High mast security lighting for residential purposes where this is feasible and practicable, on condition that such street lighting is not funded from the MIG initiative or from other resources.

Table 1: Minimum Level of Services in terms of the National Norms and Standards

The minimum size of permanent residential structures to be provided by means of the housing subsidy is 40 square metres of gross floor area. Each house as a minimum must be designed on the basis of:

- Two bedrooms;
- A separate bathroom with a toilet, a shower and hand basin;
- A combined living area and kitchen with wash basin; and
- A ready board electrical installation where electricity supply in the township is available.

### **2.2.18 Guidelines on Environmentally Sound Housing**

Environmental issues are inherently linked with the quality of life. Settlements are often strongly influenced by access to resources in the environment. Settlements and the activities that take place in them alter the environment in which they are set. Environmentally sound human settlements are characterised by good air quality, energy and water efficient homes, with planting that provides green 'lungs' or even food security. These may be seen as healthy, sustainable settlements which provide quality living environments.

The guidelines propose interventions in the housing product through two major aspects to the development of environmentally sound low cost housing, namely energy efficient and water efficient housing.

Energy efficient housing can be enhanced by design considerations for thermally efficient housing; the materials that reflect and absorb heat in the construction of energy efficient housing. These include aspects such as:

- House orientation – houses in South Africa should face towards North
- House plan and layout – units should be as close to a square shape as possible
- Insulation – installing ceilings to achieve a thermally efficient house
- Flooring – thermal efficient materials are good absorbers of heat
- Windows - large windows on the northern side of a house allow solar heat to penetrate and offer maximum heating

Factors to consider for water efficient low cost housing include:

- Layout of plumbing systems
- Pipe sizing
- Optimum water pressure supply
- Plumbing fittings

## **2.3 Housing Programme Enhancements**

Housing programmes are subject to a process of monitoring and evaluation, the results of which inform current policy revisions or recommend new policy development. Current programmes under research and being developed, with particular reference to environmental sustainability and energy efficient housing, include:

### **2.3.1 Strategy on Urban Greening**

In constant pursuit of the development of sustainable human settlements and addressing the productive urban greening shortcomings, a Strategy on Urban Greening is being finalised. This has been formulated as guidelines to assist municipalities on urban greening and articulating the associated benefits. It proposes planning for Parks and Open Spaces, Community Gardens, planting of trees in public and semi public spaces, planting trees and encouraging private food gardens.

### **3 ACTIONS TO ENSURE COMPLIANCE WITH ENVIRONMENTAL POLICIES AND LAWS**

#### **3.1 Sustainable Development**

**Development must be socially, environmentally and economically sustainable. The social, economic and environmental impacts of activities, including disadvantages and benefits, must be considered, assessed and evaluated**

The Housing Programme impacts on the environment through being the single largest public investment in land development, by contributing to the inefficient use of energy and water resources, the loss of topsoil during construction and by polluting the environment through the inappropriate provision of associated services. Solutions to the reduction of the impact of the housing programme on the environment lie in a range of policies and programmes, administered by a range of government departments, the political will and the administrative and financial capacity to implement them.

Unplanned informal settlements have a major impact on the environment. These are often situated on marginal land (such as steep slopes and the flood plains of rivers and streams) and impact heavily on sensitive ecosystems. Because they are not subjected to proper planning, evaluation and environmental impact assessment, their negative impacts on the environment are usually significantly more than formal housing development.

The Comprehensive Plan on the Development of Sustainable Human Settlements indicates the core programmes for housing delivery that need to be prioritised in working towards achieving sustainable human settlements. A number these were discussed above and include the following:

- Informal Settlement Upgrading
- Rental Housing Programme
- Provision of Social and Economic Amenities
- Promoting Densification and Integration
- Integrated Residential Development Programme

### **3.2 Integration of environmental considerations into decision-making**

**Environmental Management must be integrated, acknowledging that all elements of the environmental are linked and interrelated, and it must take into account the effects of decisions on all aspects of the environment and all people in the environment by pursuing the selection of the best practical environmental option.**

Housing project developments in terms of the Housing Programme are subject to the requirements of existing urban development legislation and procedures, including Environmental Impact Assessments (EIAs) as required in terms of Section 24 D of the National Environmental Management Act 107 of 1998 as amended (NEMA). EIA regulations have imposed delays and additional costs for low cost housing development. Environmental protection has therefore been placed above social and economic development.

The IDP process as required by the Local Municipal Systems Act 32 of 2000, encourages local authorities to integrate all other forms of planning such as the setting of Land Development Objectives (LDOs), transport plans, water services plans, etc, linking social, economic and environmental development into single integrated development plans.

### **3.3 Participation, empowerment and transparency**

**The participation of all interested parties in environmental governance must be promoted.**

**Decisions must take into account the interests, needs and values of all interested and affected parties, and this includes recognising all forms of knowledge.**

**Decisions must be taken in an open and transparent manner, and access to information must be provided.**

In meeting the above principles, the Housing Subsidy Programme requires that housing projects be based on inclusive agreements (social compacts) between relevant

stakeholders. Of particular importance is that beneficiary communities, suppliers of infrastructure, services, housing products and finance on a specific project, are parties to such an agreement. Housing decisions therefore take into account the interests, needs and values of all interested and affected parties. Communities are also empowered through this process.

**Community well being and empowerment must be promoted through environmental education, the raising of environmental awareness, the sharing of knowledge and experience.**

The People's Housing Process assists people who wish to build or organise the building of their homes themselves by accessing housing subsidies and technical, financial, logistical and administrative support on a basis which is sustainable and affordable. Key principles behind the programme are partnerships, and a people driven process, skills transfer and community empowerment.

**Actual or potential conflicts of interests between organs of state should be resolved through conflict resolution procedures.**

The Development Facilitation Act (DFA), 1995 provides for the establishment of provincial development tribunals which have the power to make decisions and resolve conflicts in respect of land development projects.

The MEC is responsible for instituting a process to enable PHDs to evaluate and access project applications to ensure a healthy balance between the priorities and needs of all stakeholders, development priorities and technical expertise.

**The vital role that women and youth in environmental management and development must be recognised and their full participation therein must be promoted.**

The Department of Housing has made significant progress in addressing the needs of women and the youth. The majority of the housing subsidy beneficiaries are female headed households. The department has also allocated a 30% quota of the housing



budget for women owned projects and has also developed Guidelines for Mainstreaming Gender in Housing and Human Settlements. In addition, a National Framework for the participation and Empowerment of Women in Housing has been developed to engage sector stakeholders, particularly women service providers to participate vigorously in the housing delivery value chain. On an annual basis a Women's Build is organised and is geared towards profiling women in the housing delivery value chain as well as mobilising key sector stakeholders to support women initiatives.

The Youth in Housing programme engages young people in the construction of houses. This is a Ministerial initiative launched in 2005 allocating R7million for technical skills training of youth through the National Home Builders Registration Council (NHBRC) and entails partnerships with key sector stakeholders such as National Youth Commission and Umsobomvu Youth Fund.

The Government's Extended Public Works Programme (EPWP) is centred on addressing unemployment and increasing economic growth. The Department's EPWP is linked to Government's broader vision and is particularly geared around empowering the disadvantaged, women, the disabled and the youth in particular. Each housing project is required that expenditure on temporary workers comprises at least 60% of women and 20% of the youth.

### **3.4 Environmental justice and equity**

**Environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably.**

Housing subsidies are one of Government's main instruments that addresses the legacy of poverty and inequality. Furthermore as recognised in Section 26 of the Constitution:

- Housing, as adequate shelter, fulfils a basic human need
- Housing is both a product and a process
- Housing is a product of human endeavour and enterprise
- Housing is a vital part of integrated development planning
- Housing is a key sector of the national economy

- Housing is vital to the socio-economic well being of the nation.

The Housing Programme recognises that adequate shelter means more than a roof over one's head. It also means adequate space, security of tenure, adequate lighting, heating and ventilation; and; suitable environmental quality and health-related factors, adequate basic infrastructure such as water supply, waste management facilities and sanitation.

**Equitable access to environmental resources, benefits and services to meet basic human needs and ensure human well being must be pursued.**

The housing backlog, including the needs of the many informally housed households, is a moving target and cannot be reduced. Currently the housing programme can only meet the needs of households equivalent to its annual allocation of the housing budget. The continuing effects on the environment therefore also remain.

**Environmental justice must be pursued so that adverse environmental impacts shall not be distributed in such a manner so as to unfairly discriminate against any person, particularly vulnerable and disadvantaged persons.**

The majority of funds budgeted to finance capital housing projects are mainly utilised for housing subsidies which are available to people earning less than R3500 per month who have not yet received a Government subsidy.

**The environment is held in public trust for the people, the beneficial use of environmental resources must serve the public interest and the environment must be protected as the people's common heritage.**

The Housing Act stipulates that housing development must take due cognisance of the impact of housing development on the natural environment. Also that housing development must encourage environmentally sustainable land use development practices and processes by generating as many as possible of the inputs required in settlements within, or close to, the settlement; making the greatest possible use of renewable resources and instituting practices which allow them to be renewed; clearly identifying primeval, rural and urban landscapes and ensuring that interference from one to the other is minimised; avoiding settlements in places of hazard or high risk; avoiding

settlements on unique habitats of flora and fauna; avoiding actions which irrevocably interfere with self regulating ecological processes, controlling air and water pollution at source; recycled wastes, whenever possible productively, in forms that can be re-absorbed into the natural environment; and by promoting biodiversity.

**Responsibility for the environmental health and safety consequences of a policy, programme, project, process,**

Environmental issues are inherently linked with the quality of life. Settlements are often strongly influenced by access to resources in the environment. On the other hand, settlements and the activities that take place in them alter the environment in which they are set. Environmentally sound human settlements are characterised by good air quality, energy and water efficient homes, with planting that provides green 'lungs' or even food security. The Guidelines for Environmentally Sound Low Cost Housing were developed to address the issue of environmental health issues and safety.

**The costs of remedying pollution, environmental degradation and consequent adverse health effects and of preventing, controlling or minimising further pollution, environmental damage or adverse health affects must be paid for by those responsible for harming the environment.**

There are always cost implications for the setting of infrastructure standards. As a general rule, the higher or more restrictive the standard, the higher the cost to the community as a whole. Sensitivity to regional variation is also important and there may be instances where, in the responsiveness to such variation, alternative standards may have to be considered on a case by case basis. Generally, there are two types of standards that apply to infrastructure and housing development: physical or engineering standards and environmental standards. While many of the standards in terms of these two categories are governed by various departments and bodies other than the Department of Housing, they must be adhered to in all housing development initiatives.

### 3.5 Ecological Integrity

**Sensitive, vulnerable, highly dynamic or stressed ecosystems, such as coastal shores, estuaries, wetlands and similar systems require specific attention in management and planning procedures, especially where they are subject to significant human resource usage and development pressure.**

The housing backlog largely consists of large informal settlements which have a major impact on the environment. Unplanned, these settlements are often situated on marginal land (such as steep slopes and the flood plains of rivers and streams) and impact heavily on sensitive ecosystems, such as estuaries. Because they are not subject to proper planning, evaluation and environmental impact assessment, which formal housing have to comply with, their negative impacts on the environment are usually significantly more than formal housing development. These include pollution of run-off water and underground water due to inadequate sanitation and waste collection, the destruction of surrounding forests by residents in search of building materials and firewood, air pollution owing to the burning of fossil fuels for all heating, cooking and lighting purposes.

The Department has developed a programme on Informal Settlements Upgrading. This programme focuses on *in situ* upgrading of these settlements where possible, and recommends relocation for those settlements that situated in areas of unsuitable environmental and geological conditions.

**The right of workers to refuse work that is harmful to human health and the environment must be respected and protected.**

The use of asbestos, which has cancerous properties, was banned on all housing developments.

### **3.6 International responsibilities**

**Global and international responsibilities relating to the environment must be discharged in the national interest.**

The Department interacts with a number of international organisations relating to the promotion of the development of sustainable human settlements. These include the United Nations Human Settlements Programme (UN Habitat), the African Union, Southern African Development Community (SADC) and the India-Brazil-South Africa group (IBSA).

#### 4 RECOMMENDATIONS FOR ENVIRONMENTAL MANAGEMENT

RECOMMENDED ACTION	OUTPUT	INDICATORS
1. Encourage environmentally sustainable land use development	<ul style="list-style-type: none"> <li>Densification and urban infill actively encouraged</li> <li>Introduce measures to make well located land available for low cost housing</li> </ul>	<ul style="list-style-type: none"> <li>Urbanisation (urban vs. population: numbers, % and rate of growth per year)</li> <li>New houses (number of new title deeds registered through the Housing Programme annually)</li> <li>Densification                             <ul style="list-style-type: none"> <li>a) Average residential densities in urban areas per municipality (measured every 3 to 5 years)</li> <li>b) Number and percentage of medium density housing units developed through the Housing Programme per Province per year</li> </ul> </li> </ul>
2. Promote Integrated Development Planning	Housing development and budgets linked with other sector requirements, with the entire process being streamlined to meet a set of minimum requirements	Planning <ul style="list-style-type: none"> <li>a) Housing Chapter of IDPs compiled (Y/N)</li> <li>b) Provincial Multi-year Housing Dev Plans (PHDPs) completed (Y/N)</li> <li>c) Compliance of PHDPs with local IDPs (Y/N)</li> <li>d) Citizen involvement in planning of housing developments (Description of participatory planning processes)</li> </ul>

		<p>Funding for integrated development</p> <p>a) Level of funding through Human Settlement Redevelopment Programme.</p> <p>b) Level of public investment in new bulk infrastructure</p> <p>c) Level of public investment in informal settlement upgrading.</p>
3. Address the needs and priorities of people in informal settlements	National housing budget increased	<ul style="list-style-type: none"> <li>• Security of tenure (Tenure types nationally – Census)</li> <li>• Access to services (No of households without clean drinking water, sanitation and electricity)</li> <li>• Housing Rights – are there impediments to any person owning or inheriting land?</li> </ul>
4. Promote environmentally sound low cost housing	<ul style="list-style-type: none"> <li>• Water and energy efficient housing</li> <li>• Planting of trees promoted in low cost housing projects</li> </ul>	<p>Resource use</p> <p>a) Water consumption (litres per day per person)</p> <p>b) Cost of water (median price per 1000l of water)</p> <p>c) Energy consumption (Domestic consumption per yr, by fuel type)</p> <p>d) Cost of energy (price per fuel type)</p> <p>e) Affordability (% of household income spent on energy – by income category)</p> <p>Quality of resources</p> <p>a) Air quality (number of days/year with unacceptable air quality)</p> <p>b) Water quality (number of cases of water-borne diseases per yr)</p> <p>Environmentally Sound Housing</p> <p>a) National Building Regulations reviewed to promote energy and water efficient construction.</p>



		b)Number of trees planted with new subsidised houses. c)Ceilings in subsidised housing units (as a % of the total built per year)
5. Planning for housing development	Land acquisition entity established	Proactive identification, acquisition, assessment and release of housing land

## **5 THE ROLE OF LOCAL GOVERNMENT**

Implementation of government programmes is at local level and as such, it becomes extremely important that local government structures are in place. Through Integrated Development Planning, municipalities have to allocate available and accessible resources to certain developments priorities and strategies.

Participation is a central part of IDPs. Individuals, groups and organisations should have access to information relevant to development and be able to participate in the decision-making processes for the areas in which they live and work. Local government is an enabler of participation and service delivery to communities, and are regarded as a vehicle for the delivery of sustainable human settlements.

Housing project developments are also subject to the requirements of existing urban development legislation and procedures, including EIAs. This is executed at local municipal level.

The most important aspect that municipalities should aim to achieve is to strike a balance among economic security, ecological integrity, quality of life, and empowerment of the poor in the context of creating sustainable human settlements.

## 6 MONITORING INDICATORS

### 6.1 RELEVANT SUSTAINABLE DEVELOPMENT INDICATORS

Information and reporting is very crucial in terms of monitoring the national housing policy and ensuring that funds are effectively and efficiently spent. Accordingly, the Housing Act requires that information is gathered and reporting occurs.

- **Housing Subsidy System (HSS):** This information system records progress of subsidy allocations made in terms of the various subsidy programmes. The information is provided by the provincial housing departments and transferred to the national department. The budget module assists the provinces to budget for their projects, and the HSS Online enables remote viewing of provincial data and in some cases remote capturing of information. On the basis of this system national government is able to determine funds spent and the progress of projects.
- **Housing and Urbanisation Information System (HUIMS):** This system is the business information portal and central source of information for all housing and housing related information for various user groups. It is used to monitor the performance of housing development and urbanisation, and is used for decision making.
- **National Housing Audit Database (NHADB):** This system facilitates the searches to the various databases, and verifies the credibility of the national housing waiting lists to assist in the compilation of a credible national database of housing needs to be accessed by all three spheres of government.
- **National Housing Subsidy Database (NHSDB):** This system keeps records of all approved applicants nationally. The purpose of the database is to prevent households from receiving more than one subsidy allocation. It includes information on all historical and current subsidies granted to individuals. The information is recorded in terms of the ID number of each individual.

- **National Housing Demand Database (NHDDDB):** This system is in the process of being developed and this will assist the provinces with social surveys to determine the number of people in need of government assisted housing, and gather information on the type of houses preferred by beneficiaries.
- **Geographic Information System (GIS):** This system facilitates the integration, manipulation, analysis and display of geographically referenced data. It enables users to spatially (geographically) locate, view and access information on housing projects and other housing related information. It determines the spatial distribution of housing development.
- **Housing Data Warehouse:** This system is core to the process of verifying, aligning and making available housing project information for reporting of information and statistics. Monthly backups of HSS data from each province are acquired and restored to the data warehouse.