

**Draft Report of the Portfolio Committee on Human Settlements on its activities undertaken during the 5th Parliament (May 2014 – March 2019)**

**Key highlights**

1. **Reflection on committee programme per year and on whether the objectives of such programmes were achieved**

**Monitor the following:**

* 1,495 million more households living in new or improved housing conditions by 2019.
* 110 000 new housing units delivered in the affordable gap market by 2019.
* 49 municipalities assigned or accredited with the housing function,
* 63 000 new subsidy units will receive title deeds and the backlog of 900 000 title deeds in the integrated residential housing programme will be transferred over the five-year period.
* 750 000 households will benefit from the informal settlement upgrading programme, ensuring basic services and infrastructure in about 2 200 informal settlements.
* Existing housing instruments and subsidies to be reviewed and improved to better direct housing and human settlements investments.
* Public transport planning aligned with residential development is key to achieving social and economic transformation.
* A multi-segmented social-rental housing programme envisaged, which includes backyard rentals.
* Barriers to more rapid residential construction will be addressed, together with support for broadening access to housing credit, especially for first time home buyers.
* In mining towns, housing solutions will be sought thought partnership between Government, municipalities, employers and financial institutions.
* Improving access to affordable housing within the public service and private sector could be supported through remuneration allowances or credit enhancement.

1. **Committee’s focus areas during the 5th Parliament**

**Focus areas were the following:**

* 1,495 million more households living in new or improved housing conditions by 2019.
* 110 000 new housing units delivered in the affordable gap market by 2019.
* 49 municipalities assigned or accredited with the housing function,
* 63 000 new subsidy units will receive title deeds and the backlog of 900 000 title deeds in the integrated residential housing programme will be transferred over the five-year period.
* 750 000 households will benefit from the informal settlement upgrading programme, ensuring basic services and infrastructure in about 2 200 informal settlements.
* Existing housing instruments and subsidies to be reviewed and improved to better direct housing and human settlements investments.
* Public transport planning aligned with residential development is key to achieving social and economic transformation.
* A multi-segmented social-rental housing programme envisaged, which includes backyard rentals.
* Barriers to more rapid residential construction will be addressed, together with support for broadening access to housing credit, especially for first time home buyers.
* In mining towns, housing solutions will be sought thought partnership between Government, municipalities, employers and financial institutions.
* Improving access to affordable housing within the public service and private sector could be supported through remuneration allowances or credit enhancement.
* Monitoring performance on set-asides, military veterans

1. **Key areas for future work**

**Monitor the following:**

* Households living in new or improved housing conditions.
* New housing units delivered in the affordable gap market by 2019.
* Municipalities assigned or accredited with the housing function,
* New subsidy units will receive title deeds and the backlog of 900 000 title deeds in the integrated residential housing programme will be transferred over the five-year period.
* Households benefited from the informal settlement upgrading programme, ensuring basic services and infrastructure in about 2 200 informal settlements.
* Existing housing instruments and subsidies to be reviewed and improved to better direct housing and human settlements investments.
* Public transport planning aligned with residential development is key to achieving social and economic transformation.
* A multi-segmented social-rental housing programme envisaged, which includes backyard rentals.
* Barriers to more rapid residential construction will be addressed, together with support for broadening access to housing credit, especially for first time home buyers.
* In mining towns, housing solutions will be sought thought partnership between Government, municipalities, employers and financial institutions.
* Improving access to affordable housing within the public service and private sector could be supported through remuneration allowances or credit enhancement.

1. **Key challenges emerging**

* Lack of implementation of existing legislation, policy and processes
* Perceived lack of skilled and qualified individuals to implement policy and legislation.
* Lack of integrated, forward-looking, and implementation of human settlements.
* Lack of a deep reflection on the implications of the current human settlements policy on future generations.
* Disregard for the National Development Plan and Outcomes-based agreements with the President.

1. **Recommendations**

* Promote the rule of law by punishing bad behaviour while acknowledging good behaviour.
* Ensure that qualified and skilled people are employed in key positions in the human settlements sector.
* Decision-makers, policy makers, and implementers should consider integration, forward-looking in the implementation of human settlements policy.
* Ensure the implementation of the National Development Plan objectives through human settlements.

1. **Introduction**
   1. **Department/s and Entities falling within the committee’s portfolio**

Narrative on the department(s) and entities falling within the committee’s portfolio and if there were any changes during the term. Example of new entities being established and/or shifted from or to the Department; department being split and/or newly established.

1. **Department of Human Settlements:**

Core mandate/strategic objectives

1. **Entities:**

| **Name of Entity** | **Role of Entity** |
| --- | --- |
| National Home Builders Registration Council (NHBRC) | Provide housing consumers with warranty protection against defects in new homes, and to provide protection against any failure of builders to comply with their obligations in terms of the Housing Consumer Protection Measures Act, 1998 (Act 95 of 1998). |
|  |  |
| Estate Agency Affairs Board (EAAB) | Regulate, maintain and promote the standard of conduct of estate agents; issue fidelity fund certificates to qualifying applicants; prescribe the standard of education and training of estate agents; investigate complaints lodged against estate agents, manage the Estate Agents Fidelity Fund. |
|  |  |
| Housing Development Agency (HDA) | Facilitate the release of land and landed properties for human settlements development  The Housing Agency is the Ministries, the Departments and Governments Human Settlements Developer of Choice.  It carries this mandate by being:   1. A fully fledged Developer; 2. An implementing agent; and 3. A project manager |
| National Urban Reconstruction and Housing Agency (NURCHA) | NURCHA ensures the availability of bridging finance to small, medium and established contractors and developers, building low and moderate income housing and related community facilities and infrastructure. |
|  |  |
| Social Housing Regulatory Authority (SHRA) | The SHRA is responsible for regulating the social housing sector in South Africa and approval, administration and disbursement of both institutional investment (capacity building grant) and capital grants (named the Restructuring Capital Grant). The SHRA must promote an enabling environment for the growth and development of the social housing sector |
|  |  |
| Rural Housing Loan Fund (RHLF) | Facilitate access to incremental housing finance for low income households in rural areas. Improve living conditions: new house, extension, and renovations, connect to services, fencing, etc.  Communal land, rural towns and small towns  Maximum R15 000  Focus remains under R3 500 |
|  |  |
| National Housing Finance Corporation (NHFC) | The National Housing Finance Corporation Soc Ltd (NHFC) is a state owned Development Finance Institution with a principal mandate to broaden and deepen access to affordable housing finance for the low- and middle-income households. |
|  |  |
| Community Schemes Ombud Service (CSOS) | To provide a dispute resolution service for community schemes, monitor and control the quality of all sectional title schemes governance documentation and to take custody of, preserve and provide public access to scheme governance documentation |

* 1. **Functions of committee:**

Parliamentary committees are mandated to:

* Monitor the financial and non-financial performance of government departments and their entities to ensure that national objectives are met.
* Facilitate public participation in Parliament relating to issues of oversight and legislation.
* The consideration of legislation referred to it;
* The initiation and amendment of legislation;
* exercising oversight over the Department of Human Settlements, its entities and implementing agents;
* the consideration of International Agreements referred to it;
* the consideration of the budget vote and annual reports of the Department of Human Settlements, its entities and implementing agents;
* facilitating public participation in its processes;
* facilitating appointments to statutory bodies; and
* the consideration of all matters referred to it in terms of legislation, the Rules of Parliament or resolutions of the House;
* to undertake oversight visits to provinces;
* to undertake international study tours; and
* to participate in international programmes or activities
  1. **Method of work of the committee (if committee adopted a particular method of work e.g. SCOPA.)**

None

* 1. **Purpose of the report**

The purpose of this report is to provide an account of the Portfolio Committee on Human Settlements work during the 5th Parliament and to inform the members of the new Parliament of key outstanding issues pertaining to the oversight and legislative programme of the Department of Human Settlements and its entities.

This report provides an overview of the activities the committee undertook during the 5th Parliament, the outcome of key activities, as well as any challenges that emerged during the period under review and issues that should be considered for follow up during the 6th Parliament. It summarises the key issues for follow-up and concludes with recommendations to strengthen operational and procedural processes to enhance the committee’s oversight and legislative roles in future.

1. **Key statistics**

The table below provides an overview of the number of meetings held, legislation and international agreements processed and the number of oversight trips and study tours undertaken by the committee, as well as any statutory appointments the committee made, during the 5th Parliament:

| **Activity** | **2014/15** | **2015/16** | **2016/17** | **2017/18** | **2018/19** | **Total** |
| --- | --- | --- | --- | --- | --- | --- |
| Meetings held | **15** | **21** | **20** | **22** | **27** | **105** |
| Legislation processed |  | **0** | **0** |  | **Property Practitioners Bill** | **1** |
| Oversight trips undertaken | **1** | **3** | **2** | **3** | **1** | **10** |
| Study tours undertaken | **0** | **0** | **0** | **0** | **1** | **1** |
| International agreements processed | **0** | **0** | **0** | **0** | **0** | **0** |
| Statutory appointments made | **0** | **0** | **0** | **0** | **0** | **0** |
| Interventions considered | **0** | **0** | **0** | **0** | **0** | **0** |
| Petitions considered | **0** | **0** | **0** | **7** | **0** | **7** |

1. **Stakeholders:** 
   * Government Departments
   * Business/Industry
   * Civil Society Organisations and NGOs
   * Academic institutions and
   * Members of the public
2. **Briefings and/or public hearings**

Any critical issues that were focused on, challenges and/or issues arising from these that needs to be followed up

Public Hearings on the Property Practitioners Bill [B 21-2018]

Critical issues raised:

* Transformation of the industry
* Stock availability for previously disadvantaged estate agents
* Issuing of the Fidelity Fund Certificates
* Opening of trust account by Estate Agents
* Private sales and illegal estate agents
* Qualification and or professionalization of the industry
* Training of estate agents

1. **Legislation**

The following pieces of legislation were referred to the committee and processed during the 5th Parliament:

| **Year** | **Name of Legislation** | **Tagging** | **Objectives** | **Completed/Not Completed** |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |
| **2014/15** |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| **2015/16** |  |  |  |  |
|  |  |  |  |  |
| **2016/17** |  |  |  |  |
|  |  |  |  |  |
| **2017/18** |  |  |  |  |
|  |  |  |  |  |
| **2018/19** | Property Practitioners Bill [B 21-2018] | Section 76 | To provide for the regulation of property practitioners; to provide for the continuation of the Estate Agency Affairs Board as the Property Practitioners Regulatory Authority; to provide for the appointment of the members of the Board and matters incidental thereto; to provide for the appointment of the Chief Executive Officer and other staff members of the Authority; to provide for the establishment, appointment, powers and functions of the Property Practitioner’s Ombud Office; to provide for compliance with and enforcement of the provisions of the Act; to provide for the continuation of the Estate Agents Fidelity Fund as the Property Practitioners Fidelity Fund; to provide for consumer protection; to provide for the repeal of the Estate Agency Affairs Act, 1976; and to provide for matters connected therewith. | Adopted, 20 November 2018 |

1. **Challenges emerging**

The following challenges emerged during the processing of legislation:

* Technical/operational challenges that may have delayed legislation and/or complicated the processing thereof

Technical setting in some meeting venues were not appropriate for the meetings

* Content-related challenges

*None*

1. **Issues for follow-up**

The 6th Parliament should consider following up on the following concerns that arose:

* Monitor the implementation of legislation and policy
* Ensure that the legislation is supported and implemented

1. **Oversight trips undertaken**

The following oversight trips were undertaken:

| **Date** | **Area Visited** | **Objective** | **Recommendations** | **Responses to Recommendations** | **Follow-up Issues** | **Status of Report** |
| --- | --- | --- | --- | --- | --- | --- |
| 26 – 30 January 2015 | Limpopo: Polokwane, Tzaneen, Mopani and Lephalale | The objective of the visit is to continue the briefing sessions with the district municipalities and other stakeholders in relation to the implementation of the human settlements strategic plans, projects and programmes. In addition, the Committee continue with site visits. The focus of the oversight visit will be on the following key issues:  Implementation of a comprehensive, integrated human settlements strategy in the province;  Progress made towards the achievement of Outcome 8 outputs;  Budget expenditure and performance in meeting service delivery targets set for 2013/14;  Plans, programmes and service delivery targets for 2014/15;  Role of the public and private sectors in service delivery;  Progress in supporting disaster-affected communities;  Rural and farm worker assistance, co-operatives assistance programme as well as the People’s Housing Process;  Progress and plans on community residential units (CRUs);  Co-ordination and management of the beneficiary list and incorporation of backyard dwellers into the provincial housing database;  Use of alternative technologies in construction. | Based on the observations made, the Committee requests the Minister of Human Settlements to consider the following towards the attainment of Outcome 8 fundamentals. The Minister should ensure that the national Department of Human Settlements should:  Put strict measures to assist the provincial department to be able to spend and deliver houses;  Monitor the performance of the Limpopo Human Settlements Department;  Ensure coherent and consistent implementation of housing programme; this because it was uncovered, during the oversight visit, rectification programme and emergency housing programme were used interchangeably;  Must ensure the provision of sustainable houses in the mining town, this is due to fact that there is minimal appetite to provide houses in Ba-Phalaborwa municipality;  Strengthen cooperation between government officials and politicians;  Ensure close monitoring of tender processes;  Ensure coordination in human settlements planning;  Put majors to prevent land invasion and illegal occupation of government houses. |  |  | Adopted, 10 March 2015 |
| 19 – 24 July 2015 | Gauteng:  the City of Johannesburg, the City of Tshwane, and the City of Ekurhuleni. In addition, local municipalities such as the Sedibeng and West Rand District were also visited. | The oversight visit to the Gauteng Province was underpinned by the following objectives:  To ensure that provincial departments implement national imperatives as outlined in the National Development Plan (NDP);  To monitor the implementation of the comprehensive, integrated human settlements strategy in the Province;  To monitor progress made towards the achievement of the Outcome 8 outputs and targets set for 2015/16;  To oversee the budget expenditure and performance in meeting service delivery targets for 2015/16;  To oversee the role of the public and private sectors in service delivery;  To assess progress in supporting disaster – affected communities;  To monitor the implementation of rural and farm worker assistance, programme as well as the People’s Housing Process;  To monitor plans and progress in the delivery of the Community Residential Units (CRUs) programme;  To monitor the coordination and management of the beneficiary list and incorporation of backyard dwellers into the provincial housing database;  To monitor the use of alternative technologies in the human settlements construction. | The Committee having been briefed by the Gauteng Department of Human Settlements, three metropolitan municipalities, Sedibeng and West Rand District Municipalities and visited various projects recommends that, the Minister of Human Settlements should:   * Advise the provincial department to provide social housing to ensure that the non-qualifies and those who are looking for temporary accommodation are provided housing for; * Provide timeframes for mega projects; * Request national and provincial departments to assist municipalities to develop a strategy to prevent vandalism and illegal occupation of houses. This strategy would ensure a swift allocation of houses to deserving beneficiaries to prevent vandalism; * Ensure that the provincial department conform to 30 days’ timeframe set for paying contractors according to milestone achievements; * Ensure that the national, provincial departments and municipalities employ qualified and competent individuals to key positions; * Ensure that the national department work closely with the Department of Social Development in addressing social issues in human settlements such as destitute people, people with disabilities, child-headed households and vulnerable groups; * Ensure that the national department provide concrete plans on dealing with mining towns as these are strategic in the sector of the human settlements and the National Development Plan; * Ensure that the national department considers the drafting of a policy that will detail the allocation and rental cost of the Community Residential Units; * Utilise the USDG grants to ensure adequate bulk infrastructure before human settlements projects commence. This would have done to prevent project blockages; * Ensure that the national department accelerate the drafting of the backyard rental policy in order to regulate this housing space and the allocation. |  |  | Adopted,15 November 2016 |
| 13 – 17 September 2015 | Eastern Cape: Buffalo City and Nelson Mandela Metropolitan Municipality | * Implementation of a comprehensive, integrated human settlements strategy in the province; * Progress made towards the achievement of Outcome 8 outputs and targets set for 2015/16; * Budget expenditure and performance in meeting service delivery targets set for 2015/16; * Role of the public and private sectors in service delivery; * Progress in supporting disaster-affected communities; * Rural and farm workers’ assistance, co-operatives assistance programme as well as the People’s Housing Process; * Co-ordination and management of the beneficiary list and the incorporation of backyard dwellers into the provincial housing database; * The utilization of alternative technologies in housing construction. | The Committee having been briefed by the Eastern Cape Department of Human Settlements and two metropolitan municipalities and visited various projects, recommends that, the Minister of Human Settlements should:   * Ensure that there are improved Intergovernmental Relations between the two metropolitan municipalities and the provincial department; * Ensure that all the projects that were implemented are registered with NHBRC to curb poor or shoddy workmanship. This would also assist in ensuring that norms and standards were met; * Ensure that available land was monitored by the relevant department within the provincial or municipal offices to prevent it from land invasion or illegally occupied; * Intervene and assist the provincial and BCM municipality in ensuring that the de-densification of C Section in Duncan Village was done speedily as the community was residing under unsuitable conditions; * Intervene in the management of beneficiary list in the province as most projects were blocked and some delayed due to lack of proper allocation list; * Liaison with the Minister of Energy to prioritise the installation of electricity in the completed houses was necessary to prevent illegal occupation and vandalism. |  |  | Adopted, |
| 19 – 23 September 2016 | KwaZulu-Natal:  UMgungundlovu, ILembe and UThungulu and the eThekwini Metropolitan Municipality. | The objective of the visit was to conduct briefing sessions with the provincial department, eThekwini Metropolitan Municipality and the district municipalities (UMgungundlovu, Uthungulu and ILembe) and other stakeholders in relation to the implementation of human settlement strategic plans, projects and programmes. In addition, the Committee recognised a need to conduct site visits. The focus was on the following key issues:     * Implementation of a comprehensive, integrated human settlements strategy in the province and the budget; * Performance in meeting service delivery targets identified for 2015/16, as well as challenges encountered; * Role of public and private sector in service delivery; * Plans, programmes and service delivery targets for 2016/17; * Number of informal settlements, the plan and the progress in upgrading such settlements, including Community Residential Units (CRUs); * Implementation of Farm Worker Assistance Programme; * Co-ordination and management of the beneficiary list and incorporation of backyard dwellers in the provincial housing database; * Use of alternative technologies in construction. | * Based on the observations made, the Committee requests the Minister of Human Settlements to consider the following towards the attainment of Outcome 8 fundamentals. The Minister is further requested to ensure that a progress report on the recommendations is received by the Committee by the end of January 2017. The Minister should ensure that: * The restoration and the issuing of title deeds is implemented and fast-tracked. This would empower beneficiaries as registered housing asset and that can be used as “collateral”; in addition, the Minister should ensure that the Provincial Steering Committee report progress made on the restoration of pre-1994 and post- 1994 title deeds; * The Community Residential Units’ policy is reviewed to ensure affordability by prospective beneficiaries. This was an issue because the province reported that, generally beneficiaries cannot afford rent as most of them were dependent on government subsidy Grant; * The review of Finance Linked Individual Subsidy Programme (FLISP) is fast-tracked in order to address following issues; the qualification criteria, unwillingness by financial institutions to contribute to the programme, and to address high levels of indebtedness by prospective beneficiaries; * All spheres of government in human settlements are working collaboratively to ensure efficiency and effectiveness of housing projects; * The National Department of Human Settlements assists the KwaZulu-Natal province with human resources in order to fast-track project implementation; * There is improved coordination and alignment of policy and planning frameworks; * There is capacity in local government sphere is improved in order to perform developmental functions, in line with National Development Plan (NDP); * The USDG is utilised optimally and responds to its policy intent; * The department, in collaboration with the Housing Development Agency, assists in land identification and acquisition to fast-track housing delivery. Linked to this would be the fast-tracking of land reform processes and aligning land use planning and management systems to the broader human settlements problems; * All relevant stakeholders should be well informed of their role from the onset on the human settlements value chain. For example, the Department of Energy (Eskom) should be made aware of the project so that the installation of electricity is not delayed to prevent vandalism; * The utilisation of alternative technologies is promoted. This will assist in saving water, in the delivery of human settlements. This was important because KwaZulu-Natal was affected by the drought. |  |  | Adopted, 29 November 2016 |
| 29 January – 3 February 2017 | Free State:  The delegation visited three districts municipalities Fezile Dabi; Matjhabeng and Lejweleputswa as well as Mangaung Metropolitan Municipality | The objective of the visit is to conduct a briefing session with the provincial department, two metropolitan municipalities as well as other stakeholders in relation to the implementation of the human settlements strategic plans, projects and programmes. In addition, the Committee recognised a need to conduct site visits. The focus of the oversight visit will be on the following key issues:   * Implementation of a comprehensive, integrated human settlements strategy in the province; * Progress made towards the achievement of Outcome 8 outputs and targets set for 2016/17 * Budget expenditure and performance in meeting service delivery targets set for 2016/17; * Role of the public and private sectors in service delivery; * Progress in supporting disaster-affected communities; * Progress made in the construction of houses for military veterans; * Progress made on the construction of houses for destitute, special needs and vulnerable people; * Rural and farm worker assistance, housing co-operatives assistance programme as well as the People’s Housing Process; * Plans and progress on Community Residential Units (CRUs); * Co-ordination and management of the beneficiary list and incorporation of backyard dwellers into the provincial housing database; * Use of alternative technologies in construction.   The Committee also met with the office of the Registrar of Deeds to get a presentation on the role it plays in the issuing the title deeds for human settlements projects, especially state-subsidised houses. | Based on the observations made, the Committee requests the Minister of Human Settlements to consider the following towards the attainment of Outcome 8 fundamentals. The Minister is further requested to ensure that a progress report on the recommendations is received by the Committee by the end of July 2017. The Minister should ensure that the national department:   1. Speed-up the accreditation process in order for municipalities to manage beneficiary administration. This would subsequently fast-track the issuing of title deeds; 2. Undertake punitive measures to officials who deliberately do not attend the Committee on Title Deeds. The Provincial Steering Committee should improve its communication in organising this meeting. This will ensure the attendance of the meeting by relevant officials; 3. Ensure visibility of entities to assist municipalities’ specific human settlements issues. These issues include: land acquisition and beneficiary administration. 4. Ensure funding or review current funding models for bulk infrastructure. 5. Assist the national, provincial department and municipalities with capacity and technical skills required in town establishment plans. 6. Fast-track the integration of communities through spatial planning. 7. Advocate for the environmental protection policy. This was because human settlement, through construction, affects the environment which should be preserved for future generations. 8. Conduct consumer education on alternative building technologies to ensure environmental protection. |  |  | Adopted, 9 May 2017 |
| 14 – 18 August 2017 | North West:  The delegation visited three districts municipalities Bojanala; Ngaka Modiri Molema and Dr Kenneth Kaunda | The objectives of the visit were to conduct a briefing session with the provincial department, three district municipalities and other stakeholders in relation to the implementation of the human settlements strategic plans, projects and programmes. In addition, the Committee recognised a need to conduct site or project visits. The focus of the oversight visit would be on the following key issues:   * Implementation of a comprehensive, integrated human settlements strategy in the province; * Progress made towards the achievement of Outcome 8 outputs and targets set for 2016/17; * Budget expenditure and performance in meeting service delivery targets set for 2016/17; * Role of the public and private sectors in service delivery; * Progress in supporting disaster-affected communities; * Progress made in the construction of houses for Military Veterans; * Progress made on the construction of houses for destitute, special needs and vulnerable people; * Rural and farm worker assistance, housing co-operatives assistance programme as well as the People’s Housing Process (PHP); * Plans and progress on Community Residential Units (CRUs); * Co-ordination and management of the beneficiary list and incorporation of backyard dwellers into the provincial housing database;   Use of alternative technologies in construction. | Based on the observations made, the Committee requests the Minister of Human Settlements to consider the following towards the attainment of Outcome 8 fundamentals. The Minister is further requested to ensure that a progress report on the recommendations is received by the Committee by the end of July 2017. The Minister should ensure that the national department:   * Assist the provincial department in formulating a Recovery Plan with clearly defined time-frames as well as the recommendations for it (the National Department of Human Settlements) to despatch a “rapid intervention” team to the Province in order to deal with the current challenges. * Fast-track the process of Accreditation of municipalities, revitalisation of distressed Mining Towns as well as Upgrading of Informal Settlements and furnish report on recent workshop on Distressed Mining Towns; * Furnish the report on the engagement with Eskom to resolve the issue of overhead electrical pylons; * Hold discussion with Department of Cooperative Governance and Traditional Affairs on provision of bulk infrastructure and services. To undertake assessment and registration of the remainder of houses affected by natural disaster as well as the solutions to assist the disaster affected communities due to earth tremor. * Ensures that the provincial department and the municipalities utilise the 2% of the Housing Development Grant set aside for bulk services; * Furnish reasons for the blockage regarding PHP projects in the Province as well as plans to unblock them; * Role of the Housing Development Agency in land acquisition, specifically two pieces of land in the Moses Kotane Local Municipality; * Engage mining houses on their role and commitment to agreements; * Prioritisation of the FLISP; * Ensures provincial department do Attendance of Provincial Steering Committee meetings to deal with Title Deeds Restoration Programme. * There is need to adjust the qualification criteria to ensure that people with a wide variety of housing circumstances are accommodated; * Ensure relevant and adequate capacity (administrative, financial and technical capacity) need to be improved to ensure smooth implementation and monitoring of housing programmes and projects; * Non-performing contractors must be terminated and poor performing contractors should be scaled down and blacklisted; * Ensure that the quantitative delivery of houses be in line with strategic plans and budgets. This was critical because it poses a direct threat to the National Development Plan (NDP) trajectory; * Find a way to addressing the difference in respect of the structure and quality of the Military Veterans houses and ultimately come with a uniform standardised plan for the houses; * Ensure that there are adequate funds for bulk infrastructure. Coupled with that, compliance with policy and programme principles should be closely monitored; * Improve intergovernmental relations within the human settlements sector. The National Department and Municipalities should align all grants to ensure bulk infrastructure was in place before the implementation of programmes and projects; * Assist the province with the Project Readiness Matrix. This would ensure project readiness or feasibility before project commencement; * Monitor closely (on quarterly bases) the performance of the provincial department until it was convinced that its performance was optimal. At this juncture, both the Department and Provincial Department should assist municipalities improve performance; * Ensure that the role of the NHBRC was explained and understood by officials. This because there seems to be a lack of understanding of the role of NHBRC. |  |  | Adopted, 17 October 2017 |
| 11- 15 September 2017 | Mpumalanga:  The delegation visited three districts municipalities, namely; eHlanzeni, Gert Sibande and eNkangala. | The objective of the visit is to conduct a briefing session with the provincial department, two metropolitan municipalities as well as other stakeholders in relation to the implementation of the human settlements strategic plans, projects and programmes. In addition, the Committee recognised a need to conduct site visits. The focus of the oversight visit will be on the following key issues:  Implementation of a comprehensive, integrated human settlements strategy in the province;  Progress made towards the achievement of Outcome 8 outputs and targets set for 2016/17;  Budget expenditure and performance in meeting service delivery targets set for 2016/17;  Role of the public and private sectors in service delivery;  Progress in supporting disaster-affected communities;  Progress made in the construction of houses for military veterans;  Progress made on the construction of houses for destitute, special needs and vulnerable people;  Rural and farm worker assistance, housing co-operatives assistance programme as well as the People’s Housing Process;  Plans and progress on Community Residential Units (CRUs);  Co-ordination and management of the beneficiary list and incorporation of backyard dwellers into the provincial housing database;  Use of alternative technologies in construction. | Based on the observations made, the Committee requests the Minister of Human Settlements to consider the following towards the attainment of Outcome 8 fundamentals. The Minister is or was further requested to ensure that a progress report on the recommendations is or was received by the Committee by the end of January 2018. The Minister should ensure that the National Department:   * Advocate and motivate for the consideration of a grant for Secondary Cities similar to Urban Settlements Development Grant to be utilized for the installation of bulk infrastructure services. This would assist in fast-tracking the implementation of projects such as catalytic project; * Ensure that the intergovernmental relations (IGR) are or were maintained in all spheres in order to ensure seamless collaboration and cooperation; * Devise strategies and measures to mitigate potential and inherent risk such as land and property invasion, illegal occupation of completed housing units, non-payment for services and rental stock; * Instruct the provincial department to monitor the management of beneficiary list management by the municipalities to avoid the illegal occupation and vandalism of completed houses as this has a negative impact on the budget allocation; * Assist the provincial department in devising means to arrest and mitigate the mushrooming of informal settlements due to influx of job seekers as that was putting pressure on the existing infrastructure services including the demand of housing assistance; * Reflect and implement the NDP objectives such a radical economic transformation, youth employment, and women empowerment; * Ensure that capable and qualified officials employed and placed in key positions to manage the human settlements trajectory in South Africa; * Fast-track the restoration and issuing of title deeds to the rightful beneficiaries as this would boost economy as the title deed act as a collateral in most transitions. Punitive measures should be in place for those officials who do not attend the Provincial Steering Committees. Verification and rectification of some title deeds meaning the registration and deregistration should be fast-tracked; * Assist the provincial department in rectifying old houses that were cracking and with the replacement of asbestos roofing as this was a health hazard to the communities; * Provide site and serviced stands for those beneficiaries in the gap market to build for themselves. This would assist in reduce the backlog in the housing demand; * Instruct human settlements entities such as the Housing Development Agency to assist in land acquisition to fast-track the implementation of catalytic projects and in the upgrading of informal settlements; * Draft a full report together with the provincial department on the National Rapid Response Team on the informal settlements in the province and the relationship with the National Upgrading Support Programme. |  |  | Adopted, 24 October 2017 |
| 29 January – 2 February 2018 | Gauteng Province - Head of Estate Agency Affairs Board, Community Schemes Ombud Services, National Home Builders Registration Council and the City of Johannesburg | To receive presentation on the following entities Estate Agency Affairs Board, Community Schemes Ombud Services and the National Home Builders Registration Council on the challenges that led to poor performance in 2016/17 financial year. Regression on their financial reports as per the Auditor-General’s report as well as lack of capacity and to tour the offices.  To meet with the City of Johannesburg on challenges that led to poor performance on the Urban Settlements Development Grant and the delivery of houses. | The Minister should ensure that the National Department:  Ensure coordinated planning between the spheres of government;  Assist the City of Johannesburg in spending the funds allocated to it that is the USDG and HSDG;  Emphasize that the three entities should implement radical economic transformation by empowering the previously disadvantaged people such as women, people with disabilities and youth;  Ensure that the three entities have clear timeframes for their plans and projects;  Ensure that the three entities improve their ICT systems;  Ensure that the three entities safeguard that people acting in critical positions were employed on permanent bases;  Assist the CSOS to improve its communication and education of citizens of the its role and responsibilities. CSOS should see itself as part of the effort of nation building given it role in ensuring respecting and improving diversity in residential areas;  Ensure that EAAB develops and implement its turnaround strategy;  Ensure that EAAB and NHBRC fast-track the implementation of its stabilization Plan and Transformation Strategy;  Assist the CSOS in fast-tracking the implementation of the Revenue Management System and by filling all critical post within the entity to ensure stability;  Ensure that NHBRC eliminates irregular and fruitless expenditure;  Ensure investigation of misconduct and punitive measures are taken;  Ensure that NHBRC complies with supply chain policies and transformation of the entity. | The Committee has been meeting with the Gauteng Department of Human Settlements and the City of Johannesburg monitoring the implementation of the recommendation made. | The Committee will continue monitoring the City of Johannesburg | Adopted |

1. **Challenges emerging**

The following challenges emerged during the oversight visit:

* Technical/operational challenges

There is a need for a tape recorder to ensure triangulation of information

Pre-visits are necessary to ensure that proposed projects to be visited are appropriate

* Content-related challenges

1. **Issues for follow-up**

The 6th Parliament should consider following up on the following concerns that arose:

* There must be a follow-up on all observations, resolutions and recommendations made to the Department and Entities. These recommendations can be found in the BRRR reports, Quarterly reports, and Committee minutes.

1. **Study tours undertaken: 1**

The following study tours were undertaken:

| **Date** | **Places Visited** | **Objective** | **Lessons Learned** | **Status of Report** |
| --- | --- | --- | --- | --- |
| 13 – 17 August 2018 | Singapore | To meet with state bodies, institutions and people seized with the delivery of housing and human settlements in Singapore with particular focus on the following:   * Housing and Human Settlements Policy Planning and Coordination; * Learn Best Practice with regards to Sustainable Human Settlements * Identify Possible Policy Approaches that could be adopted to ensure development of sustainable human settlements in South Africa. | * Citizens are encouraged to purchase apartment through the public housing and should hold it for five years before they sell again. * There were no homeless people and no free houses provided for the poor, the poor were offered jobs so that they can pay even if little money. * Government is owning 80% of the land. This makes it easier to make decision on housing development. * Hard work and dedication are key for prosperous country. * Intergovernmental relations and coordinated planning are a pre-requisite for successful implementation of projects. | **Not yet adopted** |
|  |  |  |  |  |

1. **Challenges emerging**

The following challenges emerged during the study tours:

* Technical/operational challenges

*None*

* Content-related challenges

*None*

There were no visible challenges during the study tour to Singapore. I challenge would be the lack of implementation of learning experiences in Singapore. These include comprehensive land planning, environmental consideration, forwards looking policy, rule of law, and involvement of civil society in decision making.

1. **Issues for follow-up**

The 6th Parliament should consider following up on the following concerns that arose:

* The Committee should visit Kigali, in Rwanda, to study the involvement of Singapore in Africa.

1. **International Agreements: None**

The following international agreements were processed and reported on:

| **Date referred** | **Name of International Agreement** | **Objective** | **Status of Report** | **Date of enforcement** |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |
|  |  |  |  |  |

1. **Challenges emerging**

The following challenges emerged during the processing of international agreements:

* Technical/operational challenges

*None*

* Content-related challenges

*None*

1. **Issues for follow-up**

The 6th Parliament should consider following up on the following concerns that arose:

1. **Statutory appointments: None**

The following appointment processes were referred to the committee and the resultant statutory appointments were made:

| **Date** | **Type of appointment** | **Period of appointment** | **Status of Report** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |

1. **Challenges emerging**

The following challenges emerged during the statutory appointments:

* Technical/operational challenges

*None*

* Content-related challenges

*None*

1. **Issues for follow-up**

The 6th Parliament should consider following up on the following concerns that arose:

1. **Interventions: None**

The following interventions were referred to and processed by the committee:

| **Title** | **Date referred** | **Current status** |
| --- | --- | --- |
|  |  |  |
|  |  |  |

1. **Challenges emerging**

The following challenges were experienced during the processing of interventions:

* Technical/operational challenges

*None*

* Content-related challenges

*None*

1. **Issues for follow-up**

The 6th Parliament should consider following up on the following concerns that arose:

1. **Petitions: 7**

The following petitions were referred to and considered by the committee:

**Papers referred to the Committee for consideration: 8 Petitions**

| **Title of the Paper** | **Analysis of the Paper in terms of government priorities and outcomes** | **Referral date** | **Consideration date.**  **Please indicate if there were public hearings** | **Adoption date** | **Publication date of report in the ATC[[1]](#footnote-1)** | **Consideration date by the House** |
| --- | --- | --- | --- | --- | --- | --- |
| Petition from residents of Friendship Town calling for an investigation into sale of Komati, Lethabong and Indlovu Flats to private companies (Mr M Waters) | Government Outcomes approach: sustainable human settlements and improved quality of household life | 5 May 2015 | 7 March 2017 | 9 May 2017 | 17 May 2017 |  |
| Petition from residents of Meadowland Hostel, Zone 11, Soweto, calling for assistance in acquiring social housing and improved service delivery  (Mr T W Mhlongo) | Government Outcomes approach: sustainable human settlements and improved quality of household life | 20 August 2015 | 7 March 2017 | 9 May 2017 | 17 May 2017 |  |
| Petition from residents of Johannesburg Central  (Mr T W Mhlongo) | Government Outcomes approach: sustainable human  settlements and improved quality of household life | 20 May 2015 | 7 March 2017 | 9 May 2017 | 17 May 2017 |  |
| Petition from backyard dwellers of Phomolong Wards 12 and 13, Ekurhuleni Metropolitan Municipality, Gauteng, calling for assistance in acquiring social housing (Mr M Waters MP). | Government Outcomes approach: sustainable human settlements and improved quality of household life | 7 September 2015 | 7 March 2017 | 9 May 2017 | 17 May 2017 |  |
| Petition from residents of Struisbult, Ekurhuleni  Metropolitan Municipality, Gauteng, calling for the eradication of their informal settlements and improved service delivery in respect of housing (Mr M Waters MP). | Government Outcomes approach: sustainable human settlements and improved quality of household life | 7 September 2015 | 7 March 2017 | 9 May 2017 | 17 May 2017 |  |
| Petition from residents of Soweto (Orlando, Diepkloof, Meadowlands,  Dube and Mzimhlope), calling for assistance to determine the delay in providing state-subsidised housing in the areas in question and to obtain an update from the Department of Human Settlements on progress with applications made in 1996-97 (Mr T W Mhlongo) | Government Outcomes approach: sustainable human settlements and improved quality of household life |  | 7 March 2017 | 9 May 2017 | 17 May 2017 |  |
| Petition from the community of Villa Liza informal settlements, Ekurhuleni, Ward 99, calling on the National Assembly to address the allocation of RDP houses in ward 99 and the publication of the list of beneficiaries (Mr M Gana). | Government Outcomes approach: sustainable human settlements and improved quality of household life |  | 7 March 2017 | 9 May 2017 | 17 May 2017 |  |
| Petition from residents of Koppewaai informal settlement in Ward 9, Bela-Bela, Limpopo, calling on the Assembly to investigate the delay by the Limpopo Housing Development Agency to utilize land earmarked for housing to build houses for the community  (Ms D Van der Walt) | Government Outcomes approach: sustainable human settlements and improved quality of household life |  | 12 March 2019 |  |  |  |

1. **Challenges emerging**

The following challenges were experienced during the processing of petitions:

* Technical/operational challenges

Some petitions were written in Zulu

* Content-related challenges

*None*

1. **Issues for follow-up**

The 6th Parliament should consider following up on the following concerns that arose:

1. **Obligations conferred on committee by legislation:**

(Include BRRR process – recommendations and outcomes of these if any)

1. **Challenges emerging**

The following challenges emerged during the statutory appointments:

* Technical/operational challenges

*None*

* Content-related challenges

*None*

The time given to the BRRR process is not adequate to closely explore and communicate issues identified in the BRRR. E.g. The AGSA observations

1. **Issues for follow-up**

The 6th Parliament should consider following up on the following concerns that arose:

* Issues raised by the AGSA

1. **Summary of outstanding issues relating to the department/entities that the committee has been grappling with**

The following key issues are outstanding from the committee’s activities during the 5th Parliament:

| **Responsibility** | **Issue(s)** |
| --- | --- |
| Department of Human Settlements and its entities | Issuing of title deeds for pre and post 1994 |
|  | Transformation of the Property Sector |
|  | Implementation of One-Learner One Estate Agent |
|  | Improve corporate governance issues and Auditor-General finding especially entities |

1. **Other matters referred by the Speaker/Chairperson**

The following other matters were referred to the committee and the resultant report was produced:

| **Date of referral** | **Expected report date** | **Content of referral** | **Status of Report** |
| --- | --- | --- | --- |
| **5 April 2016** |  | Regulations of Community Scheme Ombud Services Act | **Adopted, 5 May 2016** |
| **6 April 2016** |  | Regulations of Sectional Titles Schemes Management Act | **Considered** |
| **6 June 2018** |  | High Level Panel | **Considered, 4 December 2018** |

1. **Challenges emerging**

The following challenges emerged during the processing of the referral:

* Technical/operational challenges

*None*

* Content-related challenges

*None*

1. **Issues for follow-up**

The 6th Parliament should consider following up on the following concerns that arose:

1. **Recommendations**

These recommendations are directed to the Committee and the human settlements sector as a whole:

* Coherent policy or legislative, programme investment and implementation framework between housing, human settlements and the built environment (like in the mining towns) to better incentivize private sector and social partners.
* Assist municipalities, especially Metropolitans, to invest in forward looking processes and systems that would enable such municipalities to accurately understand and disaggregate housing demand. Due to an increasing housing demand, planning for rental flats and creating new (or transform existing) neighbourhoods in intermediate suburbs, which have lower densities that in the inner city.
* Ensure that government’s housing subsidy prioritises the most vulnerable groups, which include poor female-headed households with children and households containing adults who were permanently out of the labour market.
* Ensure the acceleration of youth, child headed households, and women empowerment programmes. This would empower these groups to participate in the human settlements programmes that deliver technical capacity and economic benefit, as proposed by the National Development Plan. Preferential procurement programme, the 30% set-aside principle, should be enforced by the Department.
* Ensure that skilled and qualified personnel were placed in strategic position to implement the human settlements trajectory. Build concerted programme support (both financial and administrative support) for core housing instruments or programmes; develop new forms of adjudicating settlement level development and performance by building the requisite skills and mechanics across spheres, and the private sector and civil society.
* Spell out improved performance, better define targets and plans based on understating of the intervention logic that operates for housing, human settlements development and the built environment.
* Ensure that Customised Sector Indicators were used to assess the alignment of plans of the MTSF priorities, and also to verify and test the accuracy of the report information.
* Streamline the planning processes with Provinces and Metros to ensure aligned and responsive plans to the Medium Term Strategic Priories.
* Provide support to Provinces and Metros in the implementation of MTSF priorities and in managing risks associated with improved spending of the budget and achieving the targets.
* That NHBRC should improve visibility and accessibility in the market while enhancing interaction with human settlements stakeholders.
* Improve the issue tracking tool

1. **Committee strategic plan**
2. **Master attendance list**

**To be attached.**

1. **Conclusion**

The role of the committee oversight

Parliamentary Committees are established as instruments of the Houses in terms of the Constitution to facilitate oversight and monitor government. These Committees are the engine room of Parliament’s oversight and legislative work. They

* Conduct business on behalf of Parliament.
* Report on any matter referred to them by the Houses and table their reports to the relevant House at least once a year.

Furthermore, Parliamentary committees scrutinise legislation, oversee government action and facilitate public participation.

One of the most important aspects of the oversight function is the consideration by committees of annual reports of organs of State, and reports of the Auditor-General. Depending on the purpose of the oversight, the Committee will either request a briefing from the organ of State or undertake a site visit.

In the light of the above, the portfolio committee on human settlements, throughout this session of fifth parliament, has been to execute its mandate as per the provision of the constitution and worked amicably well with the Department of Human Settlements and its entities. This was achieved in an environment characteristic of the respect of gender equality and broadly the right to human dignity.

1. If the Committee decided not to report on a paper, please state so. If that is the case, plenary date would be Not Applicable. [↑](#footnote-ref-1)