



MUNISIPALITEIT CEDERBERG MUNICIPALITY

BEVESTIGING: BELEID

BEHUISSING TOEKENNINGS BELEID

Bovermelde beleid is goedgekeur op:

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Handtekening van Munisipale Bestuurder:
G Matthyse

Handtekening van Speaker:
J Engelbrecht

APPROVAL OF POLICY

HOUSING ALLOCATION POLICY

The above mentioned policy has been approved on:

Date: 17 August 2010

Council decision no: CM 191 / 17 - 08 - 2010

Signature of Municipal Manager:
G Matthyse

Signature of Speaker:
J Engelbrecht



CEDERBERG MUNICIPALITY

HOUSING ALLOCATION

DEFINITIONS

"Affordable or GAP Housing" – Affordable or GAP housing focuses housing delivery for beneficiaries with a monthly household gross incomes ranging between R 3 501.00 to R 10 000.00 (or as may be amended from time to time).

"Social Housing" – Housing constructed by the Council social housing partners in terms of the national housing policy.

"Emergency Housing" – Temporary housing for households who find themselves in defined emergency circumstances.

"Backyard dwellers" – Are persons/families resident in formal developed areas in backyards and/or overcrowded living conditions in need of their own housing.

"Housing Allocation" – This is where a specific rental unit or new state subsidised house is allocated to a specific applicant who has met the predetermined selection criteria for that dwelling or project.

"Housing Database" – The Housing Database is the Council's integrated housing database comprising the consolidation of all the legacy waiting lists or housing databases and lists of all those people who were victims of fires or floods and who were registered by the Municipality.

"Housing waiting list" – Housing waiting lists are subsets of the housing database.

"Housing programmes" – Housing programmes are housing projects as undertaken by the Council and may reflect various funding mechanisms available to the Council in terms of the National Housing Code.

"Informal settlements" – Informal settlements are defined as settlements, which may present different forms of informality in relation to urban development. The occupation of the land usually takes place with informal structures being erected without formal authorisation.

"In situ upgrading" – This is a process where a settlement is upgraded in its existing location.

"Project Steering Committee" – A project committee is established when a new housing project is planned consisting of all the stakeholders who buy-into the project by adopting and signing a memorandum of understanding. Project committees are instituted in accordance with approved Council policy.

"Selection criteria" – Selection criteria are the factors or parameters used in selecting a set of applicants from the Housing Database for housing opportunities. Each housing project shall have its own set of selection criteria.

"Target community" – A target community is the specific group of potential beneficiaries that may benefit from a new housing project. By implication, the target community is project specific.

"Vulnerable groups" – women-headed households, persons affected and infected by HIV/AIDS.

1. PREAMBLE

This policy gives guidance on how Cederberg Municipality plans and implements its housing projects, but also in the way existing waiting lists and/or the housing demand database are being managed.

2. POLICY PRESCRIPTS AND PROVISIONS

2.1 POLICY INTENT

The main objective of the policy is that it sets out the relevant processes and procedures that have to be followed for the selection of beneficiaries for new housing developments.

A further objective of the policy is that it advocates a project specific balance of beneficiaries between backyard dwellers and people living in informal settlements.

2.2 POLICY FRAMEWORK

This policy has been enhanced within the framework of the relevant clauses of the Housing Act, 1997 (Act 107 of 1997), amended National Housing Code, the Municipality's Integrated Development Plan and the recently approved National Guidelines for the allocation of Housing Opportunities created through the Integrated Residential Development Programme.

2.3 OVERALL POLICY PRINCIPLES

Housing Allocations Policy contained in this report is proposed in the following spirit and intent:

Equity: All persons applying must have an equal opportunity for housing assistance.

Transparency: Any person must be able to scrutinise the procedures utilised to allocate housing assistance, for evidence of irregular, unfair or corrupt practices.

Functionality: This Policy must be practical and understandable.

Social cohesion: The spirit of this policy is to minimise social conflict and optimise development progress.

2.4 INSTITUTIONAL ARRANGEMENTS

The following role players have been identified and may be involved in the identification, selection and approval of beneficiaries in new housing projects, amongst others:

2.4.1 The Allocation Committee

The Allocation Committee comprises of nominated officials from the administration of the Municipality, Members of the Council and the Provincial Department of Housing respectively, and its establishment arises from proposals made in the National Allocation Guidelines of the National Department of Housing. Essentially it will monitor the selection of potential beneficiaries according to the project-specific criteria. The Municipal Manager will be the Chairperson of the Committee.

The Committee will comprise of the following members:

- The Municipal Manager;
- The Executive Mayor;
- The Ward Councillor;
- Member of Mayoral Committee: Housing Portfolio Chairperson;
- The Internal Auditor;
- The Director: Responsible for Housing;
- The Manager: Housing;
- The Regional Manager;
- Housing Official; and
- Official from Provincial Department of Human Settlement.

2.4.2 The Housing Steering Committee

2.4.2.1 For each new Housing and Informal Settlement Upgrade development the Council would ordinarily place an advertisement in the local community newspapers and municipal offices calling on interested parties to be part of the establishment of a Housing Steering Committee. This committee will be elected at a public meeting called by the Council and will comprise representatives from the following stakeholders:

- (i) Officials from the Municipality "Cederberg Municipality" (one of whom to be elected chairperson);
- (ii) The affected beneficiary community;
- (iii) Ward Councillor; and
- (iv) Representatives from Business-sector.

2.4.2.2. The Housing Steering Committee will recommend to the Allocation Committee a list of potential beneficiaries for approval in terms of the latter's current delegations and in addition, it will also play an advisory role and facilitate effective communication between the Council as developer and the approved beneficiaries for the duration of the project.

2.4.3 The Project Steering Committee

2.4.3.1 For each new housing and Informal Settlement Upgrade development there must be an establishment of a Project Steering Committee. This committee will comprise representatives from the following stakeholders:

- (i) Officials from the Municipality "Cederberg Municipality" (one of whom the Municipal Manager will be the chairperson);
- (ii) The Provincial Officials from Human Settlement responsible for West Coast District;
- (iii) Councillors; and
- (iv) Project Consultants.

2.4.3.2. The Project Steering Committee will monitor and advise on the development and progress of the Projects under construction.

2.4.4. The Municipal Housing Database/Administration Office

2.4.4.1. This section is responsible for administering the integrated Housing database and is responsible for providing Waiting lists of names for allocation to Allocation Committee and Housing Steering Committee. It must also ensure that information is regularly updated to the Housing Demand Database at the Municipal Administration office or Housing Department.

2.4.4.2. The maximum household incomes for qualifying beneficiaries will be the limit determined by the National Department of Housing from time to time.

2.4.4.3. Members of the public wishing to place their names on the housing database are encouraged to visit any of the housing offices in Cederberg to complete the required application form where he/she stays.

2.4.4.4. Councillors and NGO's or any other individuals or community organizations shall play no role in the procedures relating to the issuing of housing application or housing subsidy application forms in a specific housing project.

2.4.4.5 It is the responsibility of the beneficiaries who apply to be on the Housing Database / Waiting lists to request for proof of application from the Municipal Database/Administration Office.

2.4.5. The Provincial Department of Housing

The provincial Housing Department is responsible for the process that qualifies potential beneficiaries for housing subsidies from the list of beneficiaries submitted by the Project Consultant.

2.4.6. The National Department of Housing

The National Department of Housing is responsible for administering the Housing Subsidy System and National Housing Demand Database and may appoint external auditors to investigate a particular allocation process if of the opinion that such a measure is justified.

2.4.7. The Project Manager

The Project Manager is responsible for managing all aspects of the new housing development, including liaising with the Allocation Committee; Municipal officials; Province and the Project Steering Committee on matters relating to beneficiary allocation, selection and approval, amongst others.

3. PRINCIPLES OF ALLOCATION

3.1 All families, groups and individuals that receive housing assistance, of whatever form, in the Cederberg Area shall be from one of two sources:

- A Target Community.
- The Municipal Submission.

These are defined as follows:

3.1.1 The target community: This is the group of beneficiaries that gave rise to the new housing project in the first place. In projects where more families than just the target community can be accommodated, that additional number is referred to as the Municipal Submission. By implication thus the target community is project specific.

3.1.2 The municipal submission: These are names the municipality may submit to the project manager. This may only comprise families that derive as a result of a dedensification elsewhere or that a court might direct Council to accommodate.

The challenges

Multiple Waiting lists for Council Housing;

The range of housing waiting lists is wide. Each contains different personal details, applies to different areas and products. It is suggested that all lists currently in existence get regarded as the "Interim Housing Data Base" and that it is used to guide the allocation of housing in the immediate term. Simultaneously a process is

embarked on to integrate these lists and produce a single electronic Housing Data-Base.

Dated Information on the current / Interim Housing DataBase;

Council has found it ineffective to directly contact all persons on its database individually to ask whether they have an interest in a new project. In many instances the contact details have changed, while in others the applicant's circumstance has changed, which may mean they no longer qualify for a subsidy. Council would thus prefer to work with a set of records on the Data-base which has been regularly updated. To meet this need a bi-annual Registration process will be followed.

4. THE HOUSING REGISTRATION PROCESS

4.1. General purpose of the registration process is to;

4.1.1. Give effect to National Housing Policy, specifically the allocations procedure;

4.1.2. Provide Council with an updated set of names for planning purposes; and

4.1.3. Allow members of the public to record their desire to access a subsidy.

4.2. The product of the registration process shall be known as the Cederberg Housing Register (hereafter, Register). The Cederberg Municipality shall be the owner and custodian of such a Register.

4.3. The number of registrations admitted to the Register is not limited.

4.4. People applying to be on the register must exhibit proof of having resided in the Cederberg Municipal Area (CMA) for at least two (2) years. The onus for doing so lies with the applicant.

4.5. Having registered does not entitle the applicant to being on any particular project list.

4.6. No person or organisation may register on behalf of any other individual.

4.7. No person shall be registered without providing his/her Identity document.

4.8. Registrees shall complete a registration form that records their;

4.8.1. Personal details;

4.8.2. Current residential address, within Cederberg jurisdiction.

4.9. It remains the responsibility of the Registrees to inform Council of any change to personal particulars and circumstances.

4.10. Applicants shall be issued with proof that they are on the Register, in the form of a unique reference number.

4.11. Every six months (2 times every calendar year) Council shall invite beneficiaries to update their information on the Housing Database for future applications;

4.11.1. confirm the applicant's eligibility in terms of the Housing Code;

4.11.2. directly inform all persons not eligible, of this fact.

5. PROJECT APPLICATION PROCESS

5.1. The application process is considered a distinct and separate process from the registration process.

5.2. The purpose of the Application Process is to prepare an Initial Project List; which shall be forwarded to the Housing & Development Board, for approval.

5.3. The application process shall commence once project layout planning has been completed and the number of new residential sites determined.

5.4. Each project shall have its own set of selection criteria, subject to a decision by the Allocation Committee, and will be based on the nature and objective of the particular project.

5.5. Applications will be open to all persons resident in the specific CMA and who qualify for a national housing subsidy.

5.6. No person or organisation may apply on behalf of another to be on the initial project list. To be sure, this includes non-governmental organisations, community organisations, political parties, ratepayers associations, and Councillors.

5.7. Officials may not, in their personal capacity, apply on behalf of potential beneficiaries.

5.8. Applications are limited to persons already on the Register.

5.9. Applications are taken on selection as set out on selection criteria. And the number of applications taken is limited to the number of sites available in the project.

5.10. Having satisfied itself that the application process was fair and transparent, and having again verified each applicant's eligibility, the Allocation Committee refers the list to the Provincial Housing Board for approval.

5.11. Any vacancies that may arise from non-qualifiers during the Board's final verification and approval process shall be filled by further names submitted by the Council to the Housing Board.

6. PROCESS ON SELECTION OF BENEFICIARIES FOR NEW HOUSING DEVELOPMENTS

This policy applies to the identification and selection of beneficiaries for certain state subsidized new housing projects.

6.1. New Housing Developments

6.1.1. Selection of Beneficiaries

- (i) Every new New Housing Project will have its own set of criteria, as per approval from the Council, in consultation with Allocation Committee.
- (ii) The following is proposed criteria's, but not limited;
 - The selection of beneficiaries will be done on a project – specific split between residents living in informal settlements and applicants identified as "backyard dwellers" and those in overcrowded conditions on the Council's housing database.
 - i. Once the percentage split for backyard dwellers and those in overcrowded conditions have been **determined**, i.e. the percentage allocation that must come from the Council's housing database, the following sub-splits (also based on an agreed percentage) are proposed:
 - o Age (Elderly);
 - o Single with dependants;
 - o Married and/or living together;
 - o Farm workers and/or Elderly Farm workers.
 - Special consideration may be given to vulnerable groups and special needs cases;
- (iii) The prevailing qualification criteria as established by the National Department of Housing will apply;
 - The approved beneficiary list selected by the Allocation Committee for a specific project, must be made public for a reasonable time in the affected community for comment before final approval from Province; and
- (iv) Applicants currently on the Council's database may appeal their omission from selection for a project but, only on the grounds that due process had not been followed. Such an appeal must be directed to the Municipal Manager in terms of Section 62 of the Municipal Systems Act, No 32 of 2000.

7. IN SITU UPGRADE SUPPORT

With the limited number of subsidies being received it is unlikely that the Council will overcome the presence of informal settlements through the current housing delivery process.

7.1. Council will endeavour to assist all qualifying residents/families of an informal area earmarked for in situ upgrading where this permits in terms of the national housing subsidy scheme;

7.2. The families choosing to relocate (due to de-densification) be accommodated as part of a municipal submission to elsewhere.

7.3. Where plots have been acquired illegally, these beneficiaries have no choice if Council intends to relocate them.

7.4. The families assisted in this type of project, and not on the Register are deemed the "target community".

7.5. As a first step in the upgrade process a Settlement Register must be prepared. The register must list all members of that community, stipulating;

7.5.1. Those desiring to relocate elsewhere;

7.5.2. Those that would qualify for a subsidy;

7.5.3. Those that do not qualify for a subsidy.

8. GENERAL MATTERS

8.1. These policies shall be reviewed and amended from time to time once circumstances change and as the effect of their application become apparent.

9. ALLOCATIONS THAT FALL OUTSIDE THE SCOPE OF THIS POLICY

(i) Affordable or GAP Housing

Allocations are not prescribed by the Council and are based on the agreement with the relevant financial institution. In terms of current arrangements the Council undertakes to make land available to the institution at a value determined by the Council and the institution undertakes to make loans available to qualifying applicants.

(ii) Social housing

Allocations are not prescribed by the Council and are based on the agreement with the relevant social housing partner. The social partner may approach the Council for names from the Council's housing database.