



# VOICES OF THE POOR

## WORKSHOP REPORT - PIETERMARITZBURG, 30 MAY 2007

Report produced for Urban LandMark by the Development Action Group

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**Urban LandMark**

MAKING URBAN LAND MARKETS WORK FOR THE POOR

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## Introduction

This is a report of a workshop held in Pietermaritzburg facilitated by the Built Environment Support Group (BESG) as part of an ongoing national initiative by Urban LandMark to collect and document information about the experiences and difficulties the poor experience in their efforts to access to well located land. This workshop is the third one in a series of workshops nationwide preceded by two similar workshops that were held in Western Cape (Cape Town) and Eastern Cape (Port Elizabeth). BESG invited CBOs and NGOs that work on land issues from Pietermaritzburg and Durban. Organisations were to present their views orally by attending the workshop or by written submissions. This report captures the oral submissions by organisations who attended the workshop. The workshop was divided into four sessions: first was the introductions and presentation of workshop purpose and objectives, second, presentations from CBOs and NGOs represented. Third, in the group session, participants were divided into three groups and asked to answer specific questions. The fourth session was a report back from groups and a plenary discussion.

## Presentations

### *Masisukume Community Organisation (France Settlement) - Bheki Magwaza*

This organisation was started in 2002 to try and deal with the need for housing in their settlement. They live in an RDP settlement about 13 km from the city centre and they represent 4500 household. They are not getting any support from the government around housing. The government did consult with them before they were relocated as a result most of them have to pay more money to get to work. There is only one primary school in the area and no shops, churches and childcare facilities.

Most of the members of this community were relocated from a settlement in the city that according to the municipality was not suitable for housing development. They are far from basic services and work. Some people do not stay permanently in their houses during the weekend they are away to their rural homes. This encourages criminals to burgle their houses. Not everybody supposed to get housing form the government. Houses must be close to important facilities. Women experience more problems in accessing housing due to discrimination by councilors.

### *Willow Gardens Flats - Allan Wolner*

The flats belong to the City Council they were built 42 years ago. The flats used to be whites only social housing rental accommodation. They rented anything between R20.00 to R120.00 a month and they had to earn R1200.00 to able to stay there. After 1994 people when all races were permitted to stay in the flats and the rent went up to R568.00. The currently salary requirements are that you have to earn R4500 to R7240. Most people rent these flats live on grants and can not afford the rental. 40 families have



been evicted and matter is in court - the Rental Tribunal in Durban. There are no consultations with residents on rental increments. The Council refuses to listen to people. The residents have formed an alliance with other communities in KZN including Abahlali Besemjondolo and others to fight this treatment by the Council.

*AFRA- Lisa del Grande*

The Association for Rural Advancement (AFRA) was formed in 1979 because of forced removals by the Apartheid regime. After 1994 AFRA has been involved in Land Reform programmes; to secure rights and access to land by rural people. They are a small organisation based in Pietermaritzburg but cater for all KwaZulu Natal. Since 1994 more than a million people have been evicted in South Africa. Farmers are employing less and less people and most people are moving to towns and cities to find jobs. Although the New Land Legislation gives rights for people to live in farms, people still move to towns and cities for employment. In the cities they look for temporary shelter. The cost of living in the cities is higher than in the farms. Farmers control their tenants and even count the members in a family if a number exceeds what the farmer wants, tenants can face eviction. AFRA believes that a home is more than having a house or land; it also includes the ability to make a living. Access to land in South Africa is very expensive. To stay and to keep the land is very expensive and it is a problem. The government can support you to get a house but cannot support you to stay. There needs to be a system of support

*Mkhondeni - Dineo*

They started their organisation when they faced an eviction. The members of this community built their informal settlement in a vacant land close to an industrial area where they are working. One of their members' live stock was taken away by a 'land owner'. One thousand people are served by one stand pipe of water in this settlement. There are a growing number of orphans and many people without ID documents and birth certificates because they cannot afford to go to the home affairs offices in the city. It is difficult for females to get access to land. Many people in this area are also having some other houses in the rural areas and do not cooperate with the other community members fighting for the development of the area. They want the government to help them avoid the pending eviction by the private land owner which is in the hands of the Pietermaritzburg High Court.

*ISandla sethu Co-operative from Durban - Nono Zondi*

This co-operative was started in 2003. They work with people who live inside the CBD of Durban. Their members come from around Durban and they can not buy land to build houses. Land is not available for poor people. If we move people away from the city centre they come back again. The government should access land near our workplaces. People are aware of their rights. There is a place at Kenville but the government is not keen on developing for housing because they claim it is too steep. Most houses for



poor people are too small. There is no follow up on the government side on housing issues. The government must make land accessible so that we can build houses there. Plots are too small and sometimes too steep.

*Ntuthukoville - James Ndlovu*

The came to settle at Ntuthukoville in the 1980s from violent ridden areas in KZN. The area was a bush. Those times it was difficult the land was not theirs. They were told that the land they invaded belonged to PMB City Council or South African Railway of the time. Later on they discovered that the land belonged to City Council. The community got together elected a Development Committee. They fought eviction they faced everyday. They forced the City Council to negotiate with them. It was not easy. They wanted to buy the land from the Council. During that time, apartheid time, Africans had no information relating to land issues. Therefore they needed support from BEG. BEG supported them when they negotiated with the Council. The Ntuthukoville Development Trust was then formed and registered in 1995. They approached the Provincial Housing Department and the City Council for housing development. The Council gave them the land and the Housing Board provided housing subsidies for 166 families. The Trust managed the project. The Joint Services Board was approached for more funds which was a loan. The housing project was then launched and succeeded. The Development Committee has improved. The community was involved all the way, consultation with community is very important. They got R15 000 per family as housing subsidy. The basic infrastructure was provided from the subsidy. There was some money left and some households benefited on the top structure. They believe this was the first project of its kind in PMB to be run and managed by Africans, there was no fraud and everybody benefited. What they need now is funds for top structure for all house holds. Councilors do not work with the development committee. When you have information the councilors sideline or ignore you.

*Landless People's Movement - Tholakele*

Landless People's Movement was established in 2001 by people who are poor, who needed access to land. LPM is a national organisation with members from farms, those who waiting for land claims, rural people, those who live in commercial farms, and those who live in informal settlements and those who feel they need more land. LPM says people must have access to land. LPM asks for land for everybody. Government is not prepared to meet them. Meetings with farmers have not borne fruit. They fight evictions every day. Land is not available to poor people. The willing buyer-will seller is problem and is a capitalist agenda. Implementation of land reform policies is not happening. Land restitution must be hastened. Department of land affairs must treat people fairly. Women suffer more when it comes to accessing land. LPM works with AFRA.



*Oophindlela Co-operative - Siphso Dlamini*

Oophindlela deals with housing and agriculture. Due to the difficulties they experience in accessing land for human settlement and agriculture they have resorted to asking permission to use the vacant secured school land from neighbouring schools for gardening purposes but have a problem with transport, water and seeds. They also work with informal settlements that have no information about housing subsidy. Access to land is what they struggle to find.

*North East Sector 2*

This community was relocated from an informal settlement neighbouring an affluent Moslem suburb in the pretext of development. This happened more than ten years ago. They have problem with sanitation. They have been waiting for houses development for more than 10 years. They are tired of the empty promises from the local Council. Many meetings have taken place but there is no action.

*Madiba Section*

They have been waiting for housing for more than 13 years now. They have been told that their housing finance is not available for them. Their housing needs do not appear on the IDP.

*Lower Thornwood*

They had a development trust together with BESG which Durban City Council advised them to disband. Now the ward Councilor is running the project alone. They want to know how far true was the advice that they have to avoid working with NGO's and let the ward councilor handle all their development issues.

*Sakhumnotho Co operative*

This is an umbrella body of many housing co-operatives in Durban. They provide skills to co-ops. The land issue is painful because nothing has changed since 2004. Land restitution is slow and very few have benefited from the initiative. Sakhumnotho helps people who have access to land. There is still the Ingonyama trust act that makes it difficult for many people to access finance for housing. Land ownership has not changed. They believe that self help initiatives can help improve access to land by the poor. There are too many researches and workshops but less implementation and change on the ground.



## Group discussions

Participants were then divided into three groups to discuss key questions relating to land.

### Group 1 discussion

*Question 1: What do you think are the major obstacles presenting access to urban land and markets by the poor?*

- National government policies are not implemented at the grass roots level
- People have no information about government's policies and programmes
- Officials tell us that the land we want to use is not suitable for housing
- Disputes between government and private land owners when it comes to selling the land
- Land is very expensive for poor people
- Lack of important documents like ID's, etc.

*Question 2: How well are informal arrangements for accessing land, e.g. establishing informal settlements, working? Why?*

- They work well because the government then is able to see that we do not have the land
- We do not pay rent in the informal settlements
- Informal settlements also help in organizing social services like schools and are closer to where we work.

*Question 3: How does the buying and selling of property (e.g. RDP houses) work for the poor? Is this working? Why?*

- It does not help because people misuse the privilege to have a house
- By selling the house people lose much more than the immediate need for money, the children's future and a place to live.
- We also do not have title deeds for the land we occupy therefore selling it becomes difficult
- This spoils the hard struggle fought for poor people

*Question 8: What are your suggested solutions of improving access to well-located urban land by the poor?*

- Poor people must come together and start their businesses and development projects
- There must be transparency on the Government side when it comes to selection of land



## Group 2 discussion

*Question 1: What do you think are the major obstacles preventing access to urban land and markets by the poor?*

- Poor communities cannot access land because of low affordability levels
- People with incomes of less than R2000 per month cannot afford to build top structures or pay for services in areas with high standards
- The willing buyer-willing seller approach is against the Constitution (and it was noted that even for expropriation one has to pay the estimated market value plus 10%, and only the State is able to expropriate)
- The unemployed are ignored - most policies do not accommodate them
- Government has land but gives it to the minority, who sell it at a high price
- People in informal settlements do not have title deeds

*Question 4: Is there adequate access to finance for accessing urban land and housing?*

- There is access to government housing subsidies, but the process is slow
- The RDP houses that are being built are too small for families - it is an insult that a father, mother, son and daughter should all have to sleep in one room
- The poor do not have access to finance from banks - there is too much red tape
- There are no policies in place to ensure that landowners reduce price of land (government only provides R900-R1000 funding per plot while landowners sell at R1500-R3000 per plot)
- Rates and services are unaffordable (even for properties with a very low value) - as a result people are being given finance on the one hand and the government then takes it back with the other hand (e.g. in Inanda Newtown people are about to lose their properties due to non-payment)

*Question 5: In what ways does access to urban land and housing (especially in terms of location) affect social and economic networks and activities?*

- Township areas do not have a vibrant economy, and commercial and industrial facilities are non-existent
- Investors do not go into townships because the value of the area is too low
- The subsidy eligibility criteria are problematic - they have a negative impact on social sustainability (e.g. the provision that one must be at least 21 or have dependents encourages teenage



pregnancy, and the uniform subsidy amount regardless of household size results in a 2 room house for a large family, thus there is no privacy).

- There is no policy for people affected by HIV/AIDS - housing policy should be revised for people affected by HIV/AIDS
- Land for parks and playgrounds is needed, as children have no place to play

*Question 8: What are your suggested solutions for improving access to well-located urban land by the poor?*

- We need government to come closer to the people, not through indabas but through sharing the daily challenges and problems that communities are suffering from
- The tendering process needs to be looked at - government must make people aware when land is being sold cheaply (but, at present, it is, for example, only advertised on the internet)
- Government should prioritise land for housing - 30% of land/housing should be set aside for the poor (e.g. an inclusionary housing policy)
- There should be upgrading of informal settlements so that people can get title deeds
- There needs to be land for agriculture in urban areas
- For any development there should be consultation (e.g. through imbizos and other processes). Government officials, rather than consultants, should consult with communities
- Government must be made accountable for its promises (democracy)
- Mobilizing/networking of people/ CBOs is important (e.g. the TAC model)
- Capacitation of people to understand the problem is a precondition for mobilization

### Group 3 discussion

*Question 1: What do you think are the major obstacles presenting access to urban land and markets by the poor?*

- Information does not get to people in a proper manner
- The national government does not do follow up on Council on issues of housing
- Land is available but poor people have no right to access it. This is caused by poverty and lack of money

*Question 6: What are the linkages of urban - rural linkages (e.g. where a family has a rural home as well as an urban home) for access to urban land by the poor?*



- This makes the community to be divided around those who need the land those who are only focusing on short term shelter.
- It also contributes to crime
- The creates pressure on the very weak infrastructure

*Question 7: How does access to urban land and housing differ between men and women (and man-headed and woman-headed households?)*

- Policies prohibit discrimination but there is corruption

*Question 8: What are your suggested solutions for improving access to well-located urban land by the poor?*

- The government must be tough on implementation
- Land markets must be regulated so that land is affordable to all

## **Plenary discussion and way forward**

The plenary discussion focused on four issues. These issues had been dealt with groups and the plenary was emphasizing and stressing those same points. It must be noted however that the plenary session had fewer participants. Reason was most participants are not used to attending long workshops fatigue had set in. Nevertheless the session continued and dealt with the following points:

*Access to land is linked to political economy of this country*

Poor people have no access to anything and land is very expensive, and that explains lack of access for them. The current economic system, the free market system will not favour the poor. Land is a political sensitive issue in South Africa. Participants felt that most of the land is still owned by white people, especially farmers and they are not willing to let go of the land. Land problems need political and economic solutions.

*Willing buyer - willing seller*

This notion was criticized heavily. Participants felt that the government can not buy suitable land for poor people because land owners demand high prices and that are unaffordable. This result in many poor people being squashed on small pieces of land while there is plenty of land available some times unused. Willing buyer willing seller must be abolished.

*Land restitution programmes*

Land restitution was blamed. It is slow, favours a few and will not address access to land. It was suggested it must be driven by the people.



*Combine our struggles*

Participants felt a need to meet as different CBO to discuss ways and means of combining their struggle for access to and development. BESG undertook to initiate such meetings.

The workshop was then closed with comments from Warren and Khulekani of BESG.



## Annexure: Attendance register

Name and Surname	Organisation
Patience Jakalase	Sandlasethu
Duncan Khanyile	Oophindlela
Thandi Ngobe	N.E.S. Glenwood2
Cameron Brisbane	BESG
Warren Smit	DAG
Khulekani Mfeka	BESG
Nkosinathi J Ndlovu	Ntuthukoville
Julius Vidima	Madiba Vukuzithathe
Lucas Mphoho Dlamba	Mkhondeni
Joel Mudabe	Sandlasethu Co operative
Alfred Dludla	Ekhaya Co Operative
Sipho Dlamini	Oophindlela Co Operative
Nombulelo Zondi	Sandlasethu Co operative
Lindeni Nene	Landless People's Movement
Allan Wolner	Willow Gardens and Ash Road Committee
Lebista Mokoena	France
Thandeka Dlomo	Siyazama Thembalihle Eastwood
Thandeka Mlaba	Lihle'ithemba
Eunice Tshazwa	CBO Mkhondeni
Thobekile Radebe	Landless Peoples Movement
Tholakele Ndaba	Landless People's Movement
Mduduzi Dlamini	Development Committee North East Str Glenwood 2
Jabulani Ntuli	
Khinini Flora Tolo	
Robert Majozi	
Beauty Ndlovu	
Bheki Magwaza	
Lisa Del Grande	AFRA
Pat Zondi	BESG
Marc Epprecht	CEAD UKZN PMB
Nokuthula Duma	
Nkosinathi Mthethwa	Lower Thornwood Development Committee
Sfiso Smelane	Siyavuka CBO

