


TOWARDS A VISION FOR THE URBAN LAND SECTOR IN SOUTH AFRICA BY 2020

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Urban LandMark

MAKING URBAN LAND MARKETS WORK FOR THE POOR

June 2007

CONTENTS

1 Introduction

"We are not wise enough to design the future. No one is or can be. But we can easily be wise enough to create conditions and systems that help communities to build a better future"

(Adapted from the Scenario and Visioning work. The Co-Intelligence Institute. http://www.co-intelligence.org)

In his State of the Nation speech of the 21 May 2004, President Mbeki indicated the need to "conduct a thorough review of the impact of socio-economic transformation on social cohesion within communities" and also to address "the broader question of spatial settlement patterns and implications of this in our efforts to build a non-racial society". This document responds to these comments and **sets out a vision of the urban land sector in South Africa by 2020.** The vision has been developed by the **Urban Land Markets Programme (Urban LandMark)** so as to **inspire stakeholders to take action to make South Africa more spatially and economically equitable.**

The urban land sector is defined as the institutions [including the markets] through which land is accessed, held and traded as an asset and as a commodity in urban areas.

Urban LandMark was set up in May 2006 with funding from the UK's Department for International Development. Urban LandMark is committed to an evidence-based process of discovery and advocacy around making urban land markets work better for the poor. The goal of the programme is to positively influence policies and practice in South Africa, so as to improve poorer people's access to well-located urban land, by making markets and land planning and land management systems work better, thus giving effect and meaning to the right to land.

As part of the process of formulating the vision, Urban LandMark held a **visioning workshop with key thinkers** on 10 May 2007 to identify trends in the urban land sector and how they are likely to change over time. Despite inviting a wide range of stakeholders from different sectors, the workshop was attended primarily by stakeholders from the NGO/CBO sector, as well as some property economists from the academic sector (see workshop participants Annexure A). Accordingly, Urban LandMark decided to draft two documents emanating from the discussions held at the workshop, namely:

- A document that sets out the current status of the land sector in South Africa and a vision based on an extension of the current status quo; and
- A document setting out the interventions proposed by the participants at the workshop and the future scenario that emanated as a result of these interventions.

The first document will be used as a basis for testing the analysis of the current status, as well as the vision based on the current status quo. It will also be used as a basis for incorporating a wider set of perspectives and other stakeholders.

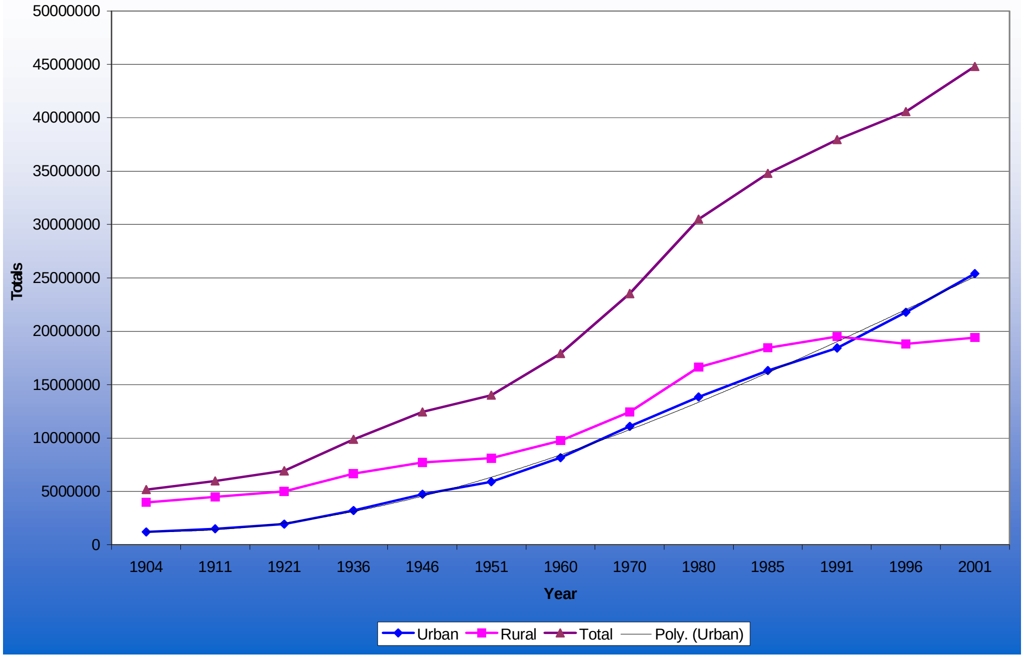
On the basis of the first workshop and the subsequent roundtables, Urban LandMark will develop a position to guide its own actions as well as advocacy with and to different stakeholders. This position will highlight points of consensus and identify main areas of difference amongst stakeholders. Urban LandMark will communicate this position in its dissemination and advocacy activities.

This report sets out the vision which was developed through the visioning workshop. It is intended that this document be used at Urban LandMark roundtables to **stimulate the views of urban land stakeholders with respect to their vision of the urban land sector in South Africa by 2020**. It is also intended that this document stimulate thought around interventions to change or improve on this scenario. As more views are obtained, **the vision as set out in this document will be revised,** so that it reflects the differences, as well as the broad consensus, of a range of stakeholders in the urban land sector.

2 The Facts

At the time of the last Census 2001, **more than half** [57%] of South Africa's population were living in urban areas. The urban population comprised a total of **25 million people**. This is the result of a steady increase in urbanisation that commenced at the start of the 19th century and has increased in momentum over time. Most significantly, since 1991 the number of people living in urban areas exceeded the number living in rural areas[1]. **This urbanisation trend is expected to increase**. Taking into account existing historical trends, assumptions for future growth and the impact of HIV/AIDS, South Africa's urban population is expected to increase to 30 million by 2010[2]. This is in line with international trends.

Diagram 1: Population changes since 1904 (Source: National Department of Housing, 2006)



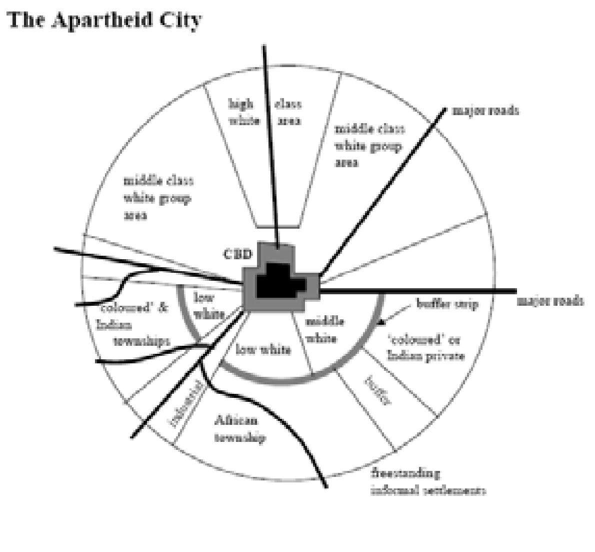
Many people living in urban areas are poor[3]. In 2004 in the nine largest cities of South Africa (SA Cities Network), 27% of individuals were unemployed. In addition, of all people living in the

[1] National Department of Housing (2006)
[2] National Department of Housing (2006)
[3] Statistics quoted from South African Cities Network, 2006

21 largest cities and towns of South Africa, 25% (5,8 million) live below the Minimum Living Level[4]. **South Africa has a history of urban land ownership that is characterised by segregation and distortion of the urban land market**. These land patterns were entrenched over the last century, particularly during the apartheid era, where there was active dispossession and prevention of ownership of land for specific racial groups (particularly African). The impact of this history on the urban land market in South African cities was as follows[5]:

- Africans (and to a lesser extent Coloureds and Indians) were denied access to land, adequate education and economic opportunities. This limited their earning capacity and resulted in high poverty and unemployment levels within these racial groups.
- By dividing the City into group areas, each with their own administrative systems, the resultant land holding and management systems are confused with competing arrangements and regulations. Generally, there are high degrees of formal regulation in formal "White" areas and low degrees in African townships and informal settlements. The reduced levels of regulation impact negatively on property prices in the affected areas.
- There was a higher investment in infrastructure in "White" areas and much lower levels in African, Colored and Indian areas. The lower levels of infrastructure impacted negatively on property prices in the affected areas.

Diagram 2: The apartheid city



After R.J. Davies. "The spatial formation of the South African city". GeoJournal (Supplementary Issue 2. 1981).

- Apartheid policies led to an inefficient, inverted density pattern, with population densities in the outer part of the city much higher than in the white central neighbourhoods. This pattern perversely concentrates the city's population far from its employment centre and led to a heavy reliance on transport systems. This led to a system of transport subsidies, which were required to underpin the system. These subsidies continue to this day, and in some cities cost double the housing budget.

Cities in South Africa are generally characterised in the following ways:

[4] The Minimum Living Level (MLL) is the minimum financial amount that a household needs to maintain an acceptable living standard, which is above the Poverty Line. Sufficient quantities of relevant expenditure items based on minimum health standards are allowed for when calculating the MLL, but rational expenditure on them is assumed. The MLL is measured in monetary value.

[5] Adapted from Mark Napier (2007)

- The *separation of households* on the basis of race, income and in some instances culture.
- *Upmarket, formal residential areas* owned and occupied by middle to upper income households who are largely "White".
- *Degraded formal residential areas* occupied by lower income households who are largely "Black". Some of the households own the properties in which they reside, while others rent the properties in a variety of different ways. There are often high levels of overcrowding.
- *Informal settlements* occupied by very low-income households who are largely "Black". These settlements are often located on the periphery of urban areas.
- *Upmarket, formal industrial and retail areas* predominantly owned by upper-income individuals (the majority of whom are "White") or large corporates (predominantly owned by "White" shareholders).
- *Degraded formal industrial and retail areas* occupied by middle-income individuals and small and medium enterprises. Such individuals and enterprises will either own or rent the property they occupy.
- *Informal traders* who occupy land (usually illegally) to undertake light to medium industrial or retail activities. These traders, particularly those in the retail sector, often operate at a subsistence level.
- *High concentrations of ownership* of residential, retail, office and industrial properties by large insurance companies and property funds.

There is currently no clear urban land vision for South Africa[6]. However, the **South African Government has, since 1994, committed itself to reversing the trends of apartheid and its impact on cities and the lives of individuals**.

A number of significant programmes and policies have been implemented to this end, including the following:

- Building a million houses in its first term through the provision of a housing grant, the National Subsidy Programme, which was introduced for low income earners;
- The removal of apartheid legislation;
- A land reform programme that seeks to address land restitution, land redistribution and tenure reform whereby people disposed of land during apartheid can make a claim on the land;
- A range of policies and programmes aimed at stimulating the economy and creating a social net for the poor; and
- Policy statements and documents focused on shifting patterns of property ownership so as to change spatial patterns and densities of residential areas (the Breaking New Ground Housing Policy, for example).

Partly as a result of the above, as well as other factors, over the last ten years **there have been shifts in land ownership patterns and the structure of the apartheid city**, some of which have been positive and others negative. Of these changes, the most significant have been as follows:

[6] Government's policies relating to urban development can be found in the Urban Development Strategy (1995) and the Urban Development Framework (1997). Both of these documents do not specifically focus on or set out a vision on urban land or policies relating to urban land markets. A new revised policy is expected to be available in mid 2007.

- **The number of households owning their own property increased significantly** from 3,9 million households in 2005 to 5,62 households in 2002. This is an increase of 44%. This was largely a consequence of the roll-out of the National Housing Subsidy programme (see table 1 below)[7]. However, the ability of many of these households to generate wealth from such ownership has been limited. For example, a study by Finmark (2003) found that the extent of residential property secondary market in "Black" townships, both overall and in terms of sub-markets like that of the subsidised housing market, is extremely limited with very few formal transactions occurring. The study found that there are **significant constraints in the process of transferring property** including, for example, the following:

  - There is a **lack of legal title** due in some cases to the informality of settlements and in others to the fact that township registers have not been opened in many areas.
  - There are **delays in transferring first generation title** to deemed owners. This is mainly as a result of delays in valuing township properties and opening municipal accounts.
  - There are **difficulties in obtaining municipal clearance certificates**. This is often because of significant arrears that accrued in respect of the payment for municipal rates and services, as a result of past payment boycotts.
  - The **provision prohibiting the sale of property** having had the benefit of a government housing subsidy as specified in the Housing Act, 1997, fundamentally undermines the sale of housing in the Incremental sub-market.
  - There are a **lack of service providers,** including estate agents and conveyancers, operating in "Black" townships.
  - The **affordability of transaction costs is problematic** for low-income households particularly when they are not able to access end user finance.

- As shown in Table 1, there has been **an increase in the number of female headed households and a reduction in the size of households**. This is particularly significant in respect of female headed households who own their own home. This may indicate that more women have been able, required or compelled, to set up households. Economic strategies and the effect of AIDS-related deaths may play a role here. It has also been suggested that the roll-out of the National Housing Programme may have actually split households, so that while part of the household lives in the new state-subsidised house, the rest continue to live where they were, so as to access work, schooling etc.

- Between 1995 and 2002, **the number of households living in informal settlements increased dramatically** from 424,000 to 945,000 (an increase of 123%). This was largely due to the pace of urbanisation outstripping formal housing delivery.

[7] All statistics quoted in this section relating to Table 1 from Finmark (2003)

Table 1: Ownership patterns of residential accommodation: 1995 -2002

TOTAL ACCOMMODATION	Owned	Formal rental	Informal rental	Informal	Total
1995					
Number of households	3900000	3200000	773000	424000	8297000
% of female heads	29	24	29	31	
No of h/h members [mean]	4.4	3.8	4.1	4.2	
2002					
Number of households	5626000	3194000	874000	945000	10639000
% of female heads	39	30	33	34	
No of h/h members [mean]	4.3	2.6	2.5	3.3	
Change in number of hholds	44.3%	-0.2%	13.1%	122.9%	28.2%
Change in % of female heads	34.5%	25.0%	13.8%	9.7%	
Change in no of h/h members	-2.3%	-31.6%	-39.0%	-21.4%	

- **Inner cities have seen a significant change in ownership and occupation.** However, due to the fact that urban management and development has not accommodated this shift, this has occurred within a context where these areas have also experienced significant degradation.

- As cities expand and grow with an ever-increasing population, **areas that were once on the periphery are now becoming more centralised.** In addition, many large cities are seeing new nodes developing, for example Sandton in Johannesburg. Some areas that were once marginalized, for example Mamelodi and Soweto, now find themselves with greater access to urban amenities.

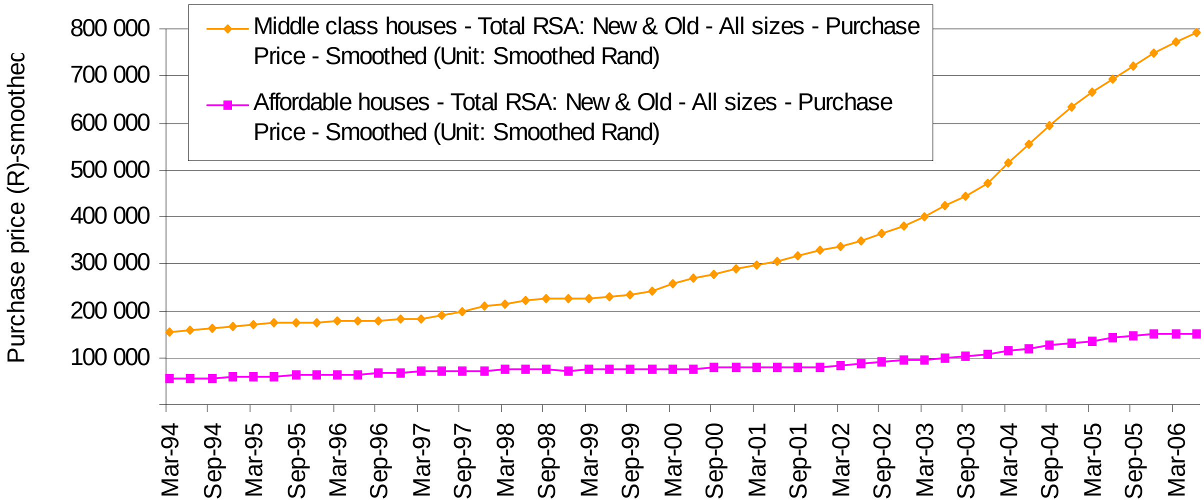
- There is increasing evidence to suggest that **urban land ownership in the formal urban property market is changing to incorporate an African middle-class**. Interviews with Brokers indicate that 20% to 30% of all residential property sales are to “Black” households. 22,7% of the year-on-year increase in house prices is attributed to the emergence of a rapidly growing “Black” middle-class[8]

Despite the above there are a number of disturbing factors that are undermining the ability of the poor to access such markets:

- In the last few years South Africa’s residential property market has seen **significant increases in property prices**. However, **these increases have not been distributed across all properties** with upper-market properties seeing greater increases than others. For example, on the residential resale market, property prices at the upper end have doubled (and in some cases trebled) in as few as five years. However, property price increases in what ABSA has classified as the “affordable” housing market – that is, houses between 40m² and 79m² – have been much more gradual, only increasing with any level of significance in the first quarter of 2005. This suggests a widening gap between the affordable housing market and the 80m² to 400m² housing market[9]. This indicates increasing difficulty to move from one segment to the next.

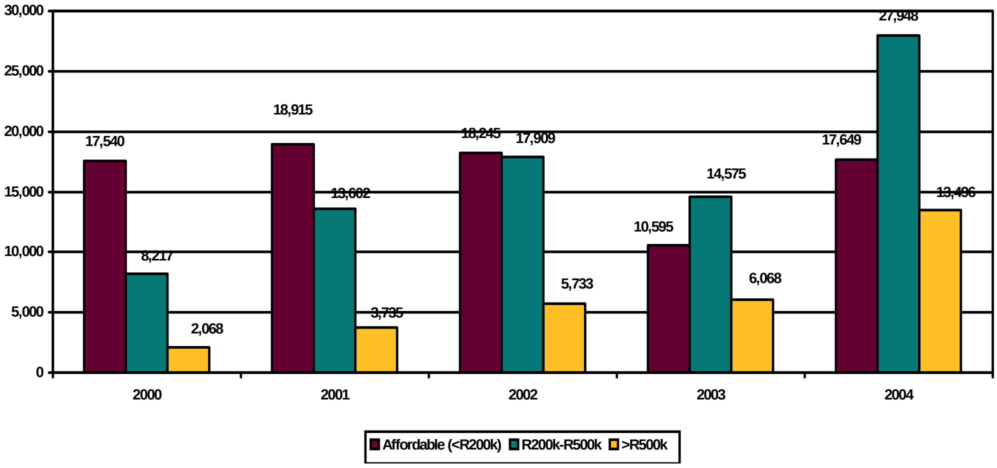
[8] Rumney and ABSA
[9] Banking Association of South Africa (2005)

Diagram 3: Property prices March 1994 to 2006



- **Private sector home builders are migrating out of the affordable housing market in favour of higher priced units**. An analysis of data from the National Home Builders Registration Council (NHBRC) indicates that the private sector delivered a total of 196,206 houses between 2000 and 2004, with an overall increase in the total number of housing units being delivered from 28 000 in 2000 to 59 000 in 2004[10]. The affordable housing markets share (<R200k) over this period was 42,25% or 82,944 units. However, the proportion of affordable housing delivery has declined from 63% of total delivery in 2000 to 29% in 2004, a reduction of over 32%, even though actual unit numbers have remained almost constant at about 17500 units. The decline in delivery is more significant for housing units below R100 000, with a 40% decline in housing products in this category and below. The most dramatic growth in both numbers as well as overall delivery ratios has occurred in the R200k plus and especially the R500k plus segments.

Diagram 4: NHBRC Enrolments 2000-2004



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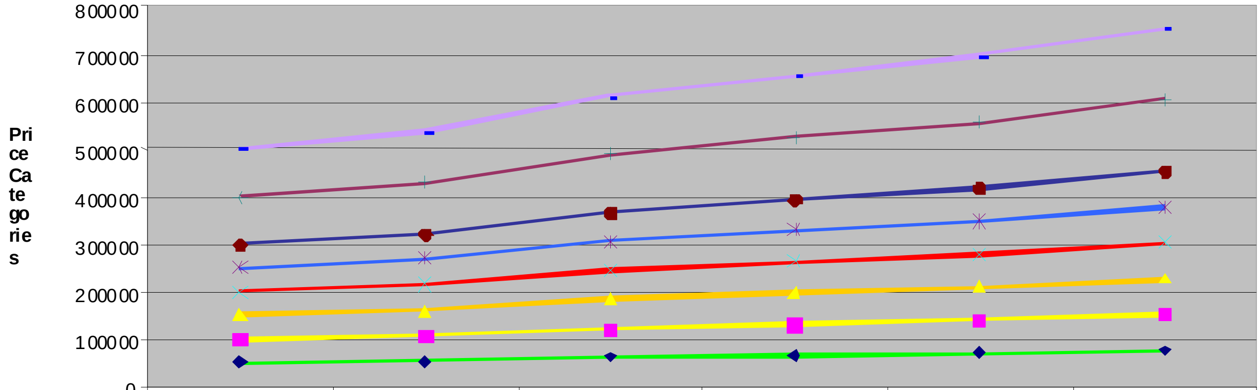
[10] It should be noted that the inclusion of RDP units, while legally prescribed, is not consistent across the Provinces. However it is likely that a portion of the R50k and below units [only 637 delivered in 2004] are RDP units

Between 2000 and 2004, delivery in the R500k plus category increased fivefold. The reason for this is partly the gradual increase in property prices as detailed above, but is also due to the following key factors:

- **Limited access to well located and reasonably priced land** due to the fact that neither public nor private sector land is being shaped in favour of the affordable housing sector.
- **Increasing time delays and high risk** due to delays in obtaining clearance certificates from local authorities as a result of capacity constraints, delays in the registration of title and mortgages as a result of inadequate capacity in Deeds Offices and changing lending criteria being applied by the banks.
- **Price increases reducing product affordability** due to the fact that building and construction inflation is increasing more rapidly than average income increments**.** Over the period 2000 to 2005, building and construction inflation increased prices by just over 50%.

Diagram 5: Construction cost inflation impact on house prices



	2000	2001	2002	2003	2004	2005 proj
50000	50000	53708	61079	65725	69646	75662
100000	100000	107417	122158	131450	139292	151325
150000	150000	161125	183238	197175	208938	226987
200000	200000	214833	244317	262900	278583	302650
250000	250000	268542	305396	328625	348229	378312
300000	300000	322250	366475	394350	417875	453975
400000	400000	429667	488633	525800	557167	605300
500000	500000	537083	610792	657250	696458	756625

- The increasing house prices detailed above, together with highly inflated stand prices due to land costs, shortages and municipal contributions **are eroding value for money for housing products in the affordable housing sector when compared to a subsidised house**. This results in distorting demand and willingness to invest, as many consumers are reluctant to pay a significantly higher price for only a slightly better product than that which they can get for free.

▪ **Bulk service constraints** (water, sewerage and electricity) are being experienced in many of the larger cities of South Africa. This is due to increased demand as a result of increasing densities, a lack of existing bulk services capacity, poor maintenance of existing systems and an inability on the part of local and provincial governments to increase bulk services capacity within committed time periods. While government has initiated a programme to address this issue, it will take many years to eradicate these capacity constraints.

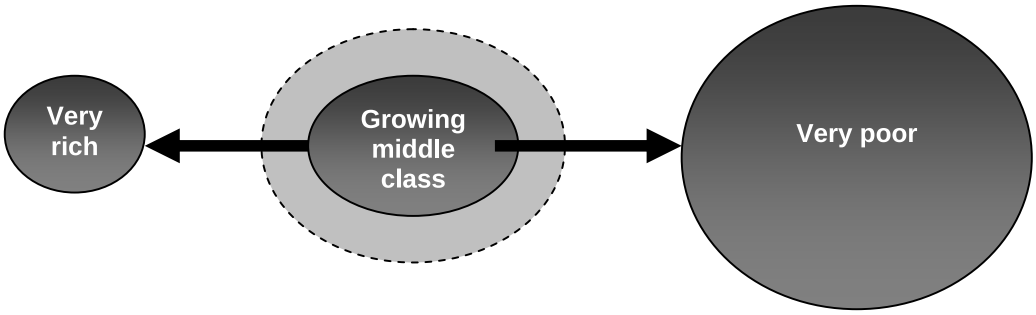
3 Towards a Vision for 2020

This section sets out a status quo vision for the urban land sector by 2020, assuming that the trends and current government interventions as detailed above continue.

The current pattern in terms of inequality, and racial and wealth polarisation, as it has manifested spatially in the apartheid city will continue and exacerbate. An exception will be accelerated growth and racial integration of the middle class. However, there will continue to be a significant number of individuals who remain poor and have limited access to urban opportunities. Access to urban amenities and wealth will therefore increase for a minority, but will remain inadequate and may even worsen for the larger mass of people.

Despite a growing middle-income sector, there will continue to be strong polarisation of the very rich and very poor.

Diagram 6: Projected economic inequality pattern in South Africa



Connections between the very rich and very poor will narrow, as the tendency among the wealthy to establish exclusive arrangements increases. As a result, the poor will become more marginalized as follows:

- The occupation of units within the residential areas of the rich by the very poor in the form of domestic workers will decrease, as they are perceived as a threat.
- The rich will increasingly close their neighbourhoods and prevalence of gated communities will increase. Privatisation of services will increase, including for example private health, education, security, municipal services etc. This will be in response to the perceived threat of crime and the need to protect property values.

The emerging nodal pattern of commercial and retail investment will reinforce and strengthen this polarisation. Public expenditure will follow private sector investment with high- and middle-income areas being developed in and around the nodal centres, for example Gateway in Durban and Sandton and Westgate in Johannesburg. The rich will start to move out of inner city suburbs to relocate into these areas. The nodal centres will alter the property markets in these places and will result in increased social and spatial polarisation in the city as a whole.

As the rich move out towards the periphery, it will impact on the people living in informal settlements. Depending on their accessibility to these nodes, some will win and some will lose. In addition, the movement of the rich out of inner city areas will create space for lower income people to move in. However, these households need a different social and economic infrastructure to the rich. Unless these migrations are handled properly, there is the risk of substantial urban blight occurring. This is already evident in the inner suburbs in many cities, for example Yeoville, Hillbrow, Bertrams etc. It is important that the quality of public space is protected and maintained in these neighbourhoods. If these areas are allowed to decline, land prices will collapse. Wealthy or cash-rich investors will be better placed to purchase properties in those areas as they are more liquid and less dependant on debt funding (for example, as is now happening in the Johannesburg inner city). This will further increase land ownership by corporates and the wealthier sectors of society.

The outward movement of households and the increased demand for land will put pressure on the urban periphery. Unless this boundary is relaxed, the supply of land will be further limited and land values in wealthy areas will increase. As a result, there will be a move away from Greenfield developments to a greater focus on developed and existing lands (brownfields), for example, densification of land in the inner suburbs. There will bring increasing pressure on government land. In addition, there will be increased formalisation and upgrading of the former townships. This will result in the improvement of conditions and property values in some lower- and middle-income areas. All of the above will further limit the ability of poorer households to access property in urban areas.

The difficulty for the poor to create wealth will continue, even in cases where they inherit housing, receive a previous state rental house or receive the housing subsidy. The social and statutory restrictions to trade these units and the lack of a market will mean that they are locked into a particular housing product and area. The subsidy, therefore, will provide access to place, but will not generally support wealth creation, thereby reinforcing inequality. The lack of a housing product in the R45,000 to the R200,000 range will further restrict the poor and their ability to “move up the housing ladder”, even in cases where they have the income and will to do so.

Low-income households will therefore continue to opt for smaller accommodation in a number of different locations (multi nodal) as a strategy to tap into different amenities and opportunities in urban areas. In addition, they will continue to hold onto their traditional tenure, as it provides protection in a generally high-risk environment. As this tenure is only maintained if someone stays on the property, it locks family members onto their land, thereby contributing to family fragmentation and reinforcing multi-nodal residential patterns.

The dual economy of South Africa will continue with the rich investing and trading in formal, well maintained urban areas which sustain integrated family life and the poor investing in multi-nodal accommodation for dispersed families and trading informally in poorly maintained facilities or on the streets. The poor will continue to be locked out of the formal economy and will be restricted in their ability to maximise their investments as a result of inappropriate regulations, limited access to trading and manufacturing facilities, finance and markets.

Two decades of under-investment in infrastructure will begin to have significant consequences on different areas and on the economy. It will limit the extent to which Brownfield development can occur and the scale at which Greenfield investment can occur. The current plan to improve infrastructure could, however, over time address this issue.

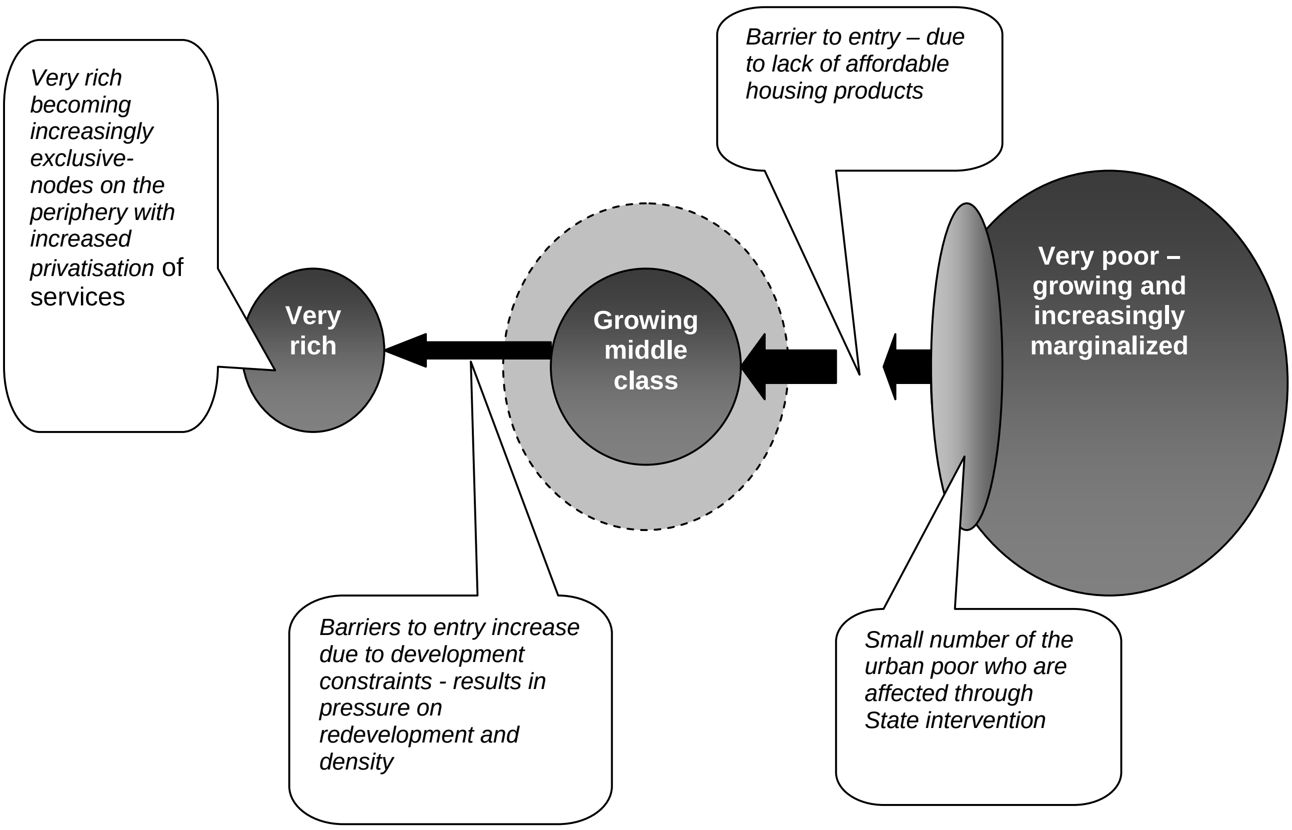
The regulatory system will increasingly become ineffective and will support continued polarisation between the rich and the poor, in that the rich will have their rights protected through the formal systems and the poor will continue to rely on informality. Unplanned development and informal transactions will continue to apply to the vast majority of urban dwellers.

The private sector will continue to refrain from operating in the affordable and lower income housing sector due to market distortion as a result of the subsidy and high land and building prices. This will result in a decline in the delivery of new affordable formal housing stock for low-income households and a shrinking of the access frontier for privately provided housing. There will consequently be increased pressure on Government to provide housing for a wider range of lower income households.

Accordingly, there will be fewer and fewer options for the poor in respect of formal ownership. This will result in increased demand for rental accommodation, overcrowding in existing accommodation, pressure for informal settlements, demand for backyard accommodation, and subletting in flats. There will be increasing pressure on poor people to mobilise and to demand access to housing and urban amenities. A more confrontational relationship will grow between government and the poor who will occupy space informally, so as to access urban opportunities and amenities. The government will have to make increasingly difficult choices and will be forced to choose sides between the rich and the poor. The choice will be between maintaining an investment environment versus creating place for the poor in key urban locations.

The diagram below provides a summary of the scenario for the land sector by 2020.

Diagram 7: Land sector scenario for South Africa by 2020 in line with the status quo



4 Conclusion

This document sets out a scenario for the urban land sector in 2020 based on the current status quo and trends. This will be used as a basis for engagement in Urban LandMark's work.

Most importantly, this status quo scenario analysis will provide a context against which the impact and desirability of alternative interventions can be assessed by the different stakeholders in the urban land sector. This will encourage better understanding of what is needed to achieve a preferred vision for the urban land sector by 2020. Areas of common interest and necessary compromise can be identified in order to develop a broader-based consensus on a common longer-term vision for the urban land sector.

In developing an alternative vision for the urban land sector in 2020, it is acknowledged that South Africa is a wealthy country with a commitment to a developmental state, significant resources, strong governance structures and a strong economy. Compared to other countries, the problems that are set out in this document are not insurmountable.

With all stakeholders working together, a better future can be achieved, where urban areas are more equitable, spatially functional and investor-friendly. In order to achieve this, however, such stakeholders need to agree on the facts, the likely scenario should the status quo be assumed and the key interventions that need to be implemented in the immediate- to medium-term. It is hoped that this document is the start of creating and building this consensus.

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Annexure 1: Participants

Individuals who are active in the urban land sector were invited to the workshop from all sectors.

Participants who attended the workshop
Prof Francois Viruly, Viruly Consulting
Steve Kahanovits, Legal Resources Centre
Peter, Rutsch, Attorney in private practice
Asharf Adam, SAPI
Theunisen Andrews, Coalition of the Urban Poor
Kathleen Evans, UCT, Construction Economics & Management
Janet Love, Legal Resources Centre
Moegisen Hendricks, DAG
Lauren Royston, Independent Consultant: Development Works
Danya Pedra, Development Works
Mark Napier, Urban LandMark
Kecia Rust, Finmark
Stephen Beresford, Independent Consultant: SPC
Lerato Ndjwili Potele, Urban LandMark
Ahmedi Vawda, Independent Advisor
Kate Philip, DIFID
Rosy Mashimbye, Utshani
Dennis Matholengwe, LTM
Alfred Gabuza, FEDUP

Facilitators:
Matthew Nell, Matthew Nell and Associates
Ros Gordon, Matthew Nell and Associates

Participants who were invited but did not attend
Patrick Bond, Centre for Civil Society
Ben Cousins, PLAAS
Adam Habib, HSRC
Lungislie Ntsebeza, UCT
Rogier vd Brink, World Bank
Andile Mxgitima, Foundation for Human Rights
Mike Sutcliffe, eThekwini Municipality
Doreen Atkinson, Karoo
Samantha Hargreaves, Action Aid
Clarissa Augustinus, UN Habitat
Leila McKenna, Urban Skywalkers
Ann Bernstein, CDE
Hassen Mohamed, Chief Director, Presidency
Susan Parnell, Isandla Institute
Joel Bolnick, COURC/SDI
Colin Marx, Isandla Institute
Lisa Del Grande, AFRA
Neil Gopal, SAPOA
Sue Lund, Transnet, NPA
Nhlanhla Mjoli-Ncuba, Presidency
Jacques du Toit, ABSA
Cees Bruggemans, First National Bank

Maureen Mnisi, LPM Gauteng Chair
Jeff McCarthy, CDE
Chris Williams, TRAC
Ted Baumann, Utshani
Bill Rawson, Institute for Estate Agents
Edgar Pieterse, ISANDUA Institute
Taffy Adler, Johannesburg Housing Company
Nomonde Mapetla, EAAB
Elna Moolman, Standard Bank
Louis van der Walt, DoH
Pierre Venter, Banking Association of SA
Willie Marais, Institute for Estate Agents
David de Groot, World Bank
Oupa Bodibe, Naledi
Glen Thomas, DLA
Kate Philip, DFID
Frank Enslin, Group 5
Stuart Wilson, CALS