

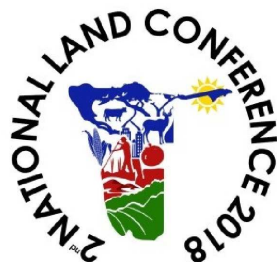


**MINISTRY OF LAND AND RURAL
DEVELOPMENT**

URBAN LAND DELIVERY

2ND NATIONAL LAND

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27 Years of Land Reform in Namibia

**1 - 5 OCTOBER 2018
SAFARI HOTEL, WINDHOEK**

OUTLINE

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Land Conference
interventions

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Overview

Pre-Independence

The urban sector was characterised by:

- ❑ The development of urban areas that were not proclaimed as local authorities or townships;
- ❑ Town or urban planning and development was geared towards the needs of minority white population resulting in the white population having access to and ownership of urban land and the suburbs designated for whites being well developed in comparison to the majority black population;
- ❑ The blacks did not have the right to own urban land and settled in townships (informal settlements), which lacked the basic municipal services, heavily regulated and their expansion was prohibited, resulting in overcrowding (backyard habitation and squatting).

Overview (cont..)

Post-independence

- ❑ End of apartheid rule and laws that restricted the movement and settlement of non-whites in certain parts of the country,
- ❑ An increase in or free movement of people from rural and peri-urban areas or small and less developed areas to urban especially major urban in the hope of finding employment and a better life.
- ❑ The Urban Land and Housing Sector is characterised by a huge backlog in the supply of and demand for serviced land and housing in urban areas in particular and the country in general
- ❑ A high rate of urbanisation (50% from 28% at independence) and consequent high demand for land and housing in urban areas
- ❑ Pressure and inability of local authorities to provide services and infrastructure (land and housing) to meet the demand.
- ❑ The landless and poor are pushed to settle in the outskirts or informal settlements with no basic municipal services

Challenges (Backlog

Causal Factors:

1. Low or slow delivery or supply rate due to:

- ❑ **High input costs** (material, labour, services, etc.) versus low budgetary or funding resources;
- ❑ Weak or **lack of integrated and pro-active urban planning** (master plans) setting out short, medium and long term planning and development targets, timeframes and implementation strategies;
- ❑ Cumbersome or **lengthy administrative and legal procedures** of acquisition, planning and development of urban land (proclamation of townships, surveying, subdivision, servicing, disposal and registering of immovable property);
- ❑ Limited or **weak institutional and technical capacity** (urban/town planners, surveyors, engineers, etc.) at the Central and local government to plan and

Challenges (Backlog) (cont..)

Causal Factors

1. Low or slow delivery or supply rate due to (cont..):

- ❑ Heavily **reliance on conventional construction materials, technologies** and methodologies which in some instances are expensive and cumbersome to acquire or use;
- ❑ Slow or **delayed execution of projects** due to among others delays in procurement of contractors or project managers or implementation capacity challenges and poor performance on the part of contractors and project managers;
- ❑ Overlaps or **lack of clarity between the jurisdictions** of Government (Central, regional and local) and traditional authorities resulting in conflicts and disputes and consequent delays in execution of planned capital projects in some cases; and
- ❑ Local authorities having **reached their set townland boundaries** and no longer have any land to service and provide, requiring the acquisition of either communally occupied or privately owned farmland (compensation).

Challenges (Backlog) (cont..)

Causal Factors

2. Affordability by the target end users:

- ❑ A **mismatch** between the types and pricing of **housing products** that are available in the market on the one hand and the needs and **affordability** levels of a large section of the needy on the other hand, especially the low to middle income earners;
- ❑ Limited affordable **housing financing** facilities especially for the low to middle income groups;
- ❑ The stringent and rigid **lending requirements** of the financial market that require collateral security, and the inability of the low and lower income earners to meet such financing requirements;
- ❑ **Unemployment** and poverty, which reduce potential buyers' purchasing power;
- ❑ Overpricing and **speculative activities** by some developers due to a lack of enforcement of regulatory controls on pricing;
- ❑ Unclear or **lack of transparency and inclusivity** in the manner or methods in which land (serviced or un-serviced) that is earmarked or available for sale by local authorities is communicated to the broad public.

POLICY INTERVENTIONS

1. Policy & Legal Instruments:

- Namibia Housing Policy of 1991 (revised in 2009);
- Local Authorities Act (Act No. 23 of 1992 as amended);
- Regional Councils Act (Act No. 22 of 1992 as amended);
- National Housing Enterprise Act (Act No. 5 of 1993);
- National Housing Development Act (Act No. 28 of 2000);
- Trust Fund for Regional Development and Equity Provisions Act (Act No. 22 of 2000);
- New Urban and Regional Planning Act (Act No. 5 of 2018);
- Flexible Land Tenure Act of 2012 (Act No. 4 of 2012);
- Adoption of a Compensation Policy, which provides for fair compensation to communal landholders

POLICY INTERVENTIONS (cont..)

2. Targeted Programmes

2.1 Establishment / Proclamation of Local Authorities

- 42 new Local Authorities from 15 at independence
- 411 townships (extensions) proclaimed since independence translating into some 123,400 plots countrywide;

2.2 Land Servicing

- 33,619 plots serviced during 2013/2014 to 2017/2018 FYs

2.3 Alienation Scheme - 4,000 houses were transferred/ sold to the tenants

2.4 Build Together Programme (BTP)

- 30,400 housing units have been constructed under this Programme since inception (1992)

POLICY INTERVENTIONS (cont..)

Targeted Programmes cont..

2.5 Mass Housing Development Programme (MHDP)

- 3,726 houses in various categories completed since the inception of the Programme in 2013,
- 750 more houses under construction

2.6 Financial Support to Community-Based Housing Organisations

- N\$44,7 million grant funding to the SDFN which has enabled the construction of some 1,901 affordable houses

2.7 Informal Settlement Upgrading Programme

- Implementation of Flexible Land Tenure System
- Participatory Slum Upgrading Programme

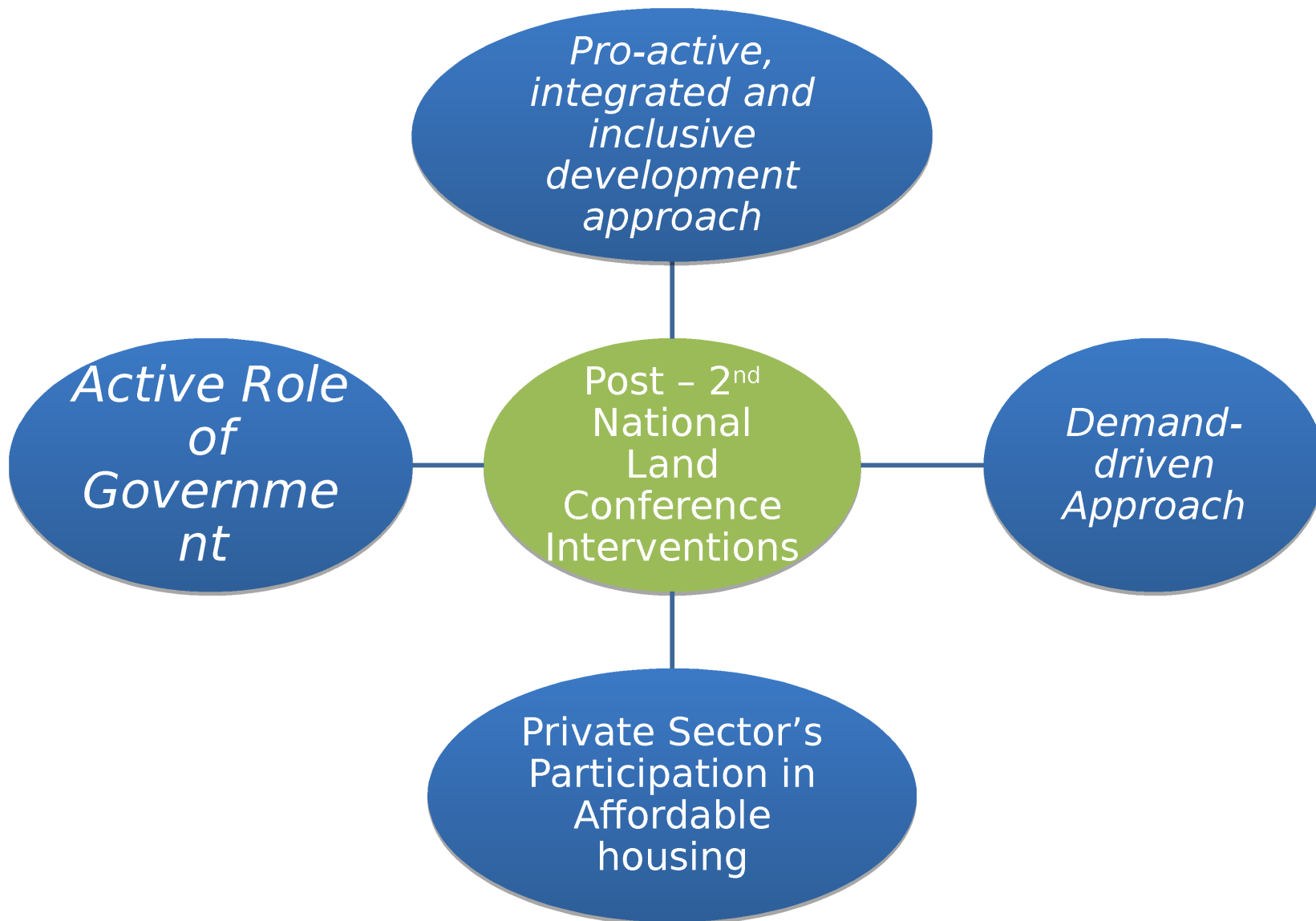
2.8 Private Investment and Public Private Partnerships (PPPs)

Budget - Expenditur



Financial Year	Compensation	Land servicing
2013/2014	50,000,000	739,099,000
2014/2015	120,000,000	698,359,000
2015/2016	100,000,000	1,019,811,000
2016/2017	50,000,000	797,500,000
2017/2018	30,000,000	523,100,000
2018/2019	12,000,000	683,180,155
Total	362,000,000	4,461,049,155

INTERVENTIONS: POST - 2ND NATIONAL LAND CONFERENCE



1. *Pro-active, integrated and inclusive development approach*



- ❑ Development of Structural/Master Plans;
- ❑ Development of a Database and information management system on urban land and housing;
- ❑ Development of institutional capacity and skills in urban land and housing; and
- ❑ Reduced reliance on private professionals – use of professionals in government including LAs/RCs as well as graduates/interns

2. Demand-driven Approach

- ❑ Participatory inputs from target community at design and development stages;
- ❑ Incremental development and provision of services taking into account the affordability, needs and priorities of beneficiaries;
- ❑ Densification and upgrading;
- ❑ A provision for rental housing with an option to own

2. Demand-driven Approach (cont..) Recommendations

- ❑ **Expedite the roll out of the Flexible Land Tenure System and Act of 2012 and the Massive Urban Land Servicing Project (MULSP) and the revised MHDP Blueprint and Implementation Strategy;**
- ❑ Expansion of local **community participation** in the housing process to both create economic opportunities and develop a demand-driven approach to housing delivery through among others continued grant funding to community group saving schemes (**SDFN**)
- ❑ Enhance affordability by for low income earners by among others:
 - Providing for **rental-to-own housing** development as well;
 - Adopting affordable **incremental design/layouts and building methods** - For example by leaving out the nice-to-have finishes to be added on by beneficiaries when their income permits and thereby giving them the opportunity to give their “own” character to the house;

2. *Demand-driven Approach (cont..)*

Recommendations (cont..)

- **Pre-allocation** of (un-serviced) - Land with only a few of the basic services (planned, surveyed and perhaps only serviced with sewer and water in the first phase and other services to follow later); and
- Introduction and enforcement of discriminatory pricing of land and **cross-subsidisation**.

3. Private Sector's Participation in Affordable housing

- ❑ **Private sector participation** in the provision of serviced land and low income (social) housing to reduce the backlog; and
- ❑ Private land and housing development must follow approved urban Master Plans

Recommendations:

- ❑ Encourage more **PPPs** in the servicing of urban land and housing in line with the provisions of the Public-Private Partnership Act, 2017 and on the basis of
 - **Clear pre-determined targets** (beneficiaries, product types and prices);
 - Open and **competitive procurement**; and
 - **Fair distribution of risk or costs and benefits** between the Government and private developers;
- ❑ Regulation of the sale of land to private developers especially to prevent land speculation and sale of large tracks of land to a few individuals and developers; and
- ❑ Local authorities should develop appropriate institutional capacity to guide, monitor and ensure integrated land use planning and urban development as well as environment protection.

4. Active Role of Government

- ❑ **Government** acting as a “**provider**” instead of a “facilitator” of serviced land and housing;
- ❑ Government’s role:
 - Allocating, consolidating, acquiring and planning land is key for promoting housing that is affordable to the Low Income/ Groups (LIG);
 - Ensuring appropriate and effective national policy, legal and regulatory framework on land and housing delivery;
 - Development and implementation of urban land and housing database and information management systems (planning tools);
- ❑ Redefine the role of the **National Housing Enterprise (NHE)**, its strategic direction and target market with a view to re-position and capacitate the NHE to enable it to effectively perform its assigned housing financing and development role.

4. Active Role of Government (cont..)

Recommendations:

- ❑ **Amend the Local Authorities Act, 1992 and the Regional Councils Act, 1992** to insert a provision **prohibiting the sale of land to foreign nationals**, and obliging those who are already in possession of urban land to give the State the first right of refusal when they want to bequeath;
- ❑ Continued role of Government (Central and sub-national governments) as a land provider for affordable housing targeting the ultra and low income groups;
- ❑ **Revision** of the **National Housing Development Policy 2009** and the **National Housing Act** (Act no. 33 of 2000) in order to make them responsive to the current housing situation and needs;
- ❑ MURD (stakeholders' consultations on) to finalise the **review** of the **Blueprint** on the **Mass Housing Development Programme (MHDP)** and **development** of an Implementation Strategy (review already underway with the help of NUST);

4. Active Role of Government (cont..)

Recommendations (cont..)

- ❑ **A Continued financial and technical support to regional councils and local authorities as well as the NHE towards land and housing delivery with specific set conditions and deliverables** such as:
 - The target groups (low income and other considerations);
 - Specifications (costs, sizes, etc.) of the products or services to be realized; and
 - The **establishment of dedicated revolving funds/accounts**, to be audited periodically by MURD and the Office of the Auditor General, into which proceeds from the sale of serviced land and houses are to be deposited for re-investment;
- ❑ Development and/or enforcement of **appropriate legal instruments that protect both landlords and tenants** - Tenants against arbitrary rental increases and guarantees an agreed level of service and maintenance, and the right for the landlord to collect on delinquent rent and the power to evict non-compliant tenants;

4. Active Role of Government (cont..)



Recommendations (cont..)

- ❑ MURD with technical support from NSA to conduct **a study on indigent people** in urban areas who are not in possession to pay for municipal services with a view to enable government to develop a viable incentive scheme;
- ❑ MURD, with the support of the Ministry of Justice and Office of the AG, to expedite the finalisation and promulgation of the **regulations to operationalise the Urban and Regional Planning Act, 2018;**
- ❑ MURD in partnership with the Ministry of Industrialisation, Trade and SME Development and institutions of higher learning (UNAM and NUST) to carry out research and development with a view to identify and promote the **manufacturing and use of cost-effective building materials** and technologies that meet set quality and safety compliance standards;

4. Active Role of Government (cont..)

Recommendations (cont..)

- ❑ Local authorities and regional councils, with support from MURD and other relevant authorities and agencies, to develop and put in place **up-to-date database on available serviced and un-serviced urban land** as well as verifiable lists of people in need or those who applied for serviced land and housing support;
- ❑ Government, through MURD and MLR, should finalise the **review** of the **land compensation valuation and implementation guidelines** in order to respond to current needs and developments in respect of land compensation and acquisition;
- ❑ **A revision** of the current **role and strategic direction of the NHE** with a view to re-position, capacitate and enable the company to enable it to effectively perform its assigned housing financing and development role as part of the overall housing delivery agenda, yet in a more targeted approach

TRADITIONAL AUTHORITIES AND AREAS OF JURISDICTIONS

- ❑ Administration of Traditional Authorities matters are governed and regulated by the Traditional Authorities Act, 2000 (Act No. 25 of 2000), and the Council of Traditional Leaders Act, 1997 (Act No. 13 of 1997);
- ❑ Land under traditional authorities is administered and regulated under the Communal Land Reform Act, 2002, which is administered by MLR;
- ❑ The Government is confronted with situations of:
 - Some **recognition of Traditional Authorities (10)** who **do not have areas of jurisdiction** and/or have **overlapping** (40) areas of jurisdiction; and
 - Disputes and conflicts between traditional authorities and local authorities over land administration and jurisdictions
- ❑ An **integrated national spatial and land use planning framework** is also expected to include and address the challenges related to areas of traditional authority jurisdictions and boundary demarcations

Conclusion

- ❑ There is a **strong case for increased State investment in the provision of urban land** as:
 - Many people reside in urban areas and many more continue to move to and settle in urban centres, and
 - Recognising that, a similar size of land in an urban area, based on a 300 square meter plot minimum size, will provide a home to many people in comparison to the same size in case of a farmland.
- ❑ In line with the provisions of the Urban and Regional Planning Act, 2018, I am in support for the **development and implementation of an integrated national land use (spatial) planning framework**, which sets out and designates land for various uses in the country – residential, institutional and commercial purposes,
- ❑ Equally, an effective way of addressing urbanisation or rural-urban migration, is for the Government to equally, if not **special, attention to and investment in rural areas.**



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“Difficulties are opportunities to better things; they are stepping stones to greater experience... When one closes, another always opens; as a natural law it has to balance” (former Canadian singer and songwriter, Mr Brian Adam)