



Centre for Affordable
Housing Finance
in Africa

LITERATURE SURVEY ON URBAN LAND ISSUES

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WITH SUPPORT FROM



Executive Summary

Twenty-five years into democracy, South Africa is still grappling with the need for more equitable spatial transformation, sustainable human settlements, and the demand for a more inclusive urban development agenda. Land reform policy, legislation and programmes have simply not achieved the transformation initially envisioned, resulting in the land question remaining an urgent and unresolved issue, made all the more urgent by increased urbanisation.

In order to provide an organised, comprehensive evidence base for the ensuing debate on urban land issues, the Centre for Affordable Housing Finance in Africa (CAHF) was appointed by the Cities Support Programme (CSP) of National Treasury to conduct a literature survey on relevant topics associated with the urban land reform agenda. This document presents a high-level assessment of the current state of knowledge on urban land issues in South Africa in order to inform the urban land policy process as coordinated under the Integrated Urban Development Framework (IUDF) Working Group and the National Department of Human Settlements, and to inform the urban land paper developed by the Cities Support Programme in the lead up to the Urban Land Summit in 2019. The purpose of this project is to compile the relevant resources—literature, research, policy, legislation, guidelines and tools—on topics related to the urban land reform agenda.

While not endeavouring to provide a full-scale literature review, this survey does aim to pull together the most relevant work—both published documents, as well as ‘grey’ literature that has played a role in governmental debate and thinking. Almost 450 resources have been collected. For ease of use, an online database/dashboard has also been developed and is available on CAHF’s website at <http://housingfinanceafrica.org/>

The state of knowledge and policy informing urban land reform is reviewed under eight main categories:

Use value and best-use value: Reports and analysis on the expropriation and compensation debate include legal positions for and against, as well as analysis which attempts to broaden to the scope of the question to consider obstacles to past land reform efforts and the impact of land redistribution on poverty and inequality. A further body of knowledge and guidelines examine the intergovernmental relations aspects of land assembly and disposal, including the legal, technical and institutional components. The CSP has spearheaded a great deal of work around investor relation promotion and development facilitation, while other research looks into land value capture and infrastructure finance and municipal finance more broadly. The literature emphasises the need for a shift from a ‘public works’ to ‘asset management’ approach, which is strategic in achieving the broader objectives of land reform, social transformation and economic development.

Urban and rural interdependence: The thinking around urban and rural dynamics has shifted from an urban-rural divide, towards the perception of a urban-rural *continuum* that emphasises the ongoing linkages between urban and rural. In this view, land reform must not create competitive dynamics between rural and urban areas, and the outcomes of land reform should rather promote a mutually-reinforcing relationship. The literature in this category also explores food systems and farming, as well as the role of urban agriculture in urbanisation and food security. There is a great deal of documentation exploring urbanisation, migration and mobility, in the context of the urban-rural value chain. Research in this area has studied the degree to which moving to the city improves household living conditions, and the role of informal property markets in providing an entry to the city for migrants.

People-centred approaches: The eventual outcome of any land reform programme should ultimately be the improvement of people’s living conditions and economic prospects. Isandla Institute is a leader in this area, developing resources on citizen participation in land reform and informal settlement upgrading. In practice, people-centred approaches to urban reform include putting value back in townships through renewal and other infrastructural upgrading initiatives. Another set of literature investigates safety as a public good, and how measures to improve public safety contribute to spatial transformation and community empowerment.

Equitable access to property markets: Urban Landmark and CAHF have done considerable work in this area to expand the understanding of the segmentation of residential property markets, informal trading of land and the performance and impact of government-subsidised housing in the residential property market. Literature has also explored the emerging small-scale rental market, including the notable increase in backyarding. In addition to studying the formal residential market, research has also been undertaken to understand incremental tenure, and informal processes for accessing, transacting and developing land in South African urban areas. Finally, there is considerable literature on the role of formal title deeds in securing land tenure and enhancing the economic value of the house to the owner. Studies also look at the challenge of addressing the

massive backlog in title deeds for government-subsidised housing, and its impact on property markets and the upward mobility of beneficiaries.

Spatial transformation: The IUDF identifies a range of levers to achieve the urban development vision it espouses, and transport and sustainable human settlements are two important aspects. Guidelines on packaging bankable land development projects, as well as planning and implementing catalytic projects, have been developed. Within the human settlements sector, there is a large body of work reviewing human settlements policies, programmes and instruments, as well as examination of the legal jurisprudence around the Constitutional right to access to adequate housing. Various planning reforms have revamped the approach to land use management and spatial transformation. To this end, a body of work explores the impact of the Spatial Planning and Land Use Management Act (SPLUMA) and the need for planning alignment in the built environment. Transport and transport-oriented development also play a key role in spatial transformation because of their potential to increase access to urban spaces for those who have been excluded from economic opportunities and social amenities due to high costs of travel and geographic distance.

Residential and economic informality: Extensive literature addresses the role of the informal economy in urbanisation, and how interventions by government can help or hinder its impact. Project Preparation Trust (PPT) has prepared a comprehensive toolkit on resources for informal settlement upgrading and informal settlements upgrading, while SERI has explored the linkages between informal settlement upgrading, livelihood creation, informal sector development and economic opportunity generation. In addition, the need to manage unauthorised land occupation in urban areas, and government's challenges in doing so, have been the subject of research and guidelines that look at the provision of services on private land, the obligations and role of local government, and the strategies available to private and public landowners for dealing with unauthorised land occupation and evictions.

Climate resilience and biodiversity conservation: Given that the effects of climate change—floods, fires, and droughts—often have an exaggerated impact on the poor who are unable to cushion themselves from income shocks, the management of climate change is a pro-poor issue and calls for cities and national government to proactively strategise to mitigate the impact of disasters and improve the resilience of urban centres. South Africa contains three globally exceptional biodiversity hotspots, and therefore land use management and land reform efforts must take into account the imperatives of biodiversity conservation. In the face of drought and other effects of climate change, city planning and urban development must prioritise resilience and sustainability while ensuring growth.

Policy and legislation: The final section of the literature survey draws together the legislation and policies which frame the debate on urban land. Legislation in the areas of human settlements, finance, public works, cooperative governance, land affairs and planning are all included.

This literature survey is thus intended to provide a foundation for further debate and exploration on the urban land reform agenda in South Africa, by laying out the library of relevant resources, policy and legislation that form the backdrop and evidence base for the crucial decisions which lie ahead. It is hoped this body of knowledge holds the key to enabling consensus and sound policy-making on land reform and development for the purposes of spatial transformation, human settlements delivery and urban development.

Acknowledgements

Acknowledgements: The inputs of a number of organisations and researchers are acknowledged in the drafting of this report and the compilation of the resource library. The National Department of Human Settlements (DHS) first assembled a range of approximately 100 grey documents (e.g. presentations, briefing notes, draft papers) not in the public domain for review. Furthermore, guidance was received from the project team consisting of Kecia Rust, Alison Tshangana, Seth Maqetuka and Ahmedi Vawda. The Land Transversal Working Group (chair by DHS) and the IUDF Working Group were also key in steering the project.

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Abbreviations

ACC	African Centre for Cities, University of Cape Town
ANC	African National Congress
CDE	Centre for Development and Enterprise
CSIR	Council for Scientific and Industrial Research
CSP	Cities Support Programme
DAG	Development Action Group
DCOG	Department of Cooperative Governance
DFID	Department for International Development, UK Government
DHS	Department of Human Settlements
DPME	Department of Planning, Monitoring and Evaluation
DRDLR	Department of Rural Development and Land Reform
FFC	Financial and Fiscal Commission
GCRO	Gauteng City Region Observatory
GIAMA	Government Immovable Asset Management Act
GIS	Geographic Information System
HDA	Housing Development Agency
HRC	Human Rights Commission
HSRC	Human Sciences Research Council
ICLEI	Local Governments for Sustainability
ISU	Informal Settlement Upgrading
IUDF	Integrated Urban Development Framework
LRC	Legal Resources Centre
LUMS	Land Use Management System
LVC	Land Value Capture
MOSS	Metropolitan Open Space System
MFMA	Municipal Finance Management Act
MILE	Municipal Institute for Learning (eThekweni Metropolitan Municipality)
NDP	National Development Plan 2030
NEMA	National Environmental Management Act
NUSP	National Upgrading Support Programme
NUA	New Urban Agenda
PDG	Palmer Development Group
PIE Act	The Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998
PPT	Project Preparation Trust
PLAAS	Institute for Poverty, Land and Agrarian Studies
PFMA	Public Finance Management Act
ROI	Return on Investment
SACN	South African Cities Network
SACPLAN	South African Council for Planners
SAHRC	South African Human Rights Council
SALGA	South African Local Government Association
SANBI	South African National Biodiversity Institute
SDF	Spatial Development Framework
SDG(s)	Sustainable Development Goals
SDI	Shack / Slum Dwellers International
SERI	Socio-Economic Research Institute
SHF	Social Housing Foundation
SHRA	Social Housing Regulatory Agency
SLF	Sustainable Livelihoods Foundation
SPLUMA	Spatial Planning and Land Use Management Act
TOD	Transit Oriented Development
UCT	University of Cape Town
ULI	Urban Land Institute (USA)
ULM	Urban LandMark
VPC	Inclusive Violence and Crime Prevention for Safer Public Spaces (VCP) Programme
VPUU	Violence Prevention through Urban Upgrading
WB	World Bank
WIEGO	Women in Informal Employment: Globalising and Organising

1 Introduction

The Centre for Affordable Housing Finance in Africa (CAHF) was appointed by the Cities Support Programme (CSP) of National Treasury to conduct a literature survey on relevant topics associated with the urban land reform agenda. This document presents a high-level assessment of the current state of knowledge on urban land issues in South Africa in order to inform the urban land policy process as coordinated under the Integrated Urban Development Framework (IUDF) Working Group and the National Department of Human Settlements (NDHS), and to inform the urban land paper developed by the Cities Support Programme in the lead up to the Urban Land Summit in 2019.

1.1 Urban land reform agenda

During the 54th policy conference of the African National Congress (ANC), resolutions concerning land reform were made as part of the broader economic transformation agenda. Amongst other resolutions, the ANC resolved that its land reform programme:¹

- Must be based on three elements: increased security of tenure, land restitution and land redistribution.
- Must consider expropriation of land without compensation as a key mechanism;
- Must be done in an orderly manner with a clear programme prioritising government-owned land and vacant, unused, or under-utilised land, and land held for speculation or 'hopelessly indebted land';
- Must create mechanisms for land reform which do not undermine future investment in the economy or damage agricultural production and food security; and
- Must not cause harm to other sectors of the economy.

The state has undertaken a number of key initiatives to identify the critical issues concerning land and urban development and to strengthen the state's capacity to address the range of challenges associated with land reform. Some of these recent initiatives include:

- **The High Level Panel on the Assessment of Key Legislation and the Acceleration of Fundamental Change:** Chaired by the former President Kgalema Motlanthe, the High Level Panel was mandated with assessing South Africa's legislative output since 1994, identifying gaps and areas of incoherence, and making proposals for intervention and reform. The focus was on interventions that "enable the transformation agenda and pursuit of the development state, as well as laws that impede this agenda."² In 2017 the Panel concluded its 14-month long investigation and stakeholder engagements on the topic of land reform, and published a 600-page report. Chapter 3 of the report, which is entitled *Land Reform – Restitution, Redistribution and Security of Tenure*, reviews South Africa's track record on policy and legislation relating to urban land, and specifically focuses on land reform. It engages the ongoing conversation of land reform, with a specific focus on Section 25 of the Constitution of the Republic of South Africa. In its conclusions, the report acknowledges that the progressive realisation of the constitutional rights to equitable access to land, tenure security, and restitution, is "concerning."³ The report findings and recommendations are presented in greater detail in section 2 below.
- **Budget Council Lekgotla:** More recently (mid 2018), the Budget Council Lekgotla agreed to a number of initiatives to bolster the state's capacity to intervene in land markets for the purpose of spatial transformation. These resolutions included:⁴
- Capacity building programme in local government for land acquisition;
 - Creation of Inter-governmental Relations (IGR) land reform framework;

¹ African National Congress (2017). *54th National Conference: Reports and Resolutions*. NASREC Johannesburg, Gauteng from 16th – 20th December.

² Parliament of South Africa (2017). *Report of The High Level Panel on The Assessment of Key Legislation and The Acceleration of Fundamental Change*. Republic of South Africa.
www.parliament.gov.za/storage/app/media/Pages/2017/october/High_Level_Panel/HLP_Report/HLP_report.pdf. Viewed January 2019 Pg. 30.

³ Ibid. Pg. 201.

⁴ Maqetuka, S. (2018). *Urban Land – Progress of Work Underway*. Presentation to the IUDF Working Group, 28 September 2018.

- Investigation and potential development of Urban Land Development Fund by National Treasury, alongside the exploration of a public-private partnership fund; and
 - Setting up of a technical team under the Integrated Urban Development Framework (IUDF) umbrella to coordinate an Urban Land Summit.
- **The South Africa Urbanisation Review (UR):** The review was prepared at the request of the Cities Support Programme (CSP) of the Intergovernmental Relations Division of the National Treasury with funding from the World Bank (WB), to inform national policy and specifically the IUDF on options for enhancing spatial integration. Ten topical papers were produced between 2015 and 2018.
 - **IUDF Working Group:** The IUDF Working Group has prepared a number of submissions, including the paper *Accelerating Transformation of Urban Land for Inclusive Growth* (IUDF WG 2018) which makes critical recommendations for actions around 1) institutional framework, 2) core processes, 3) state land, 4) fiscal, and 5) land administration.
 - **Policy alignment to global urban imperatives:** The South Africa Cities Network (SACN), the Department of Human Settlements (DHS) and the Department of Cooperative Governance (DCoG) worked together on a 'Localisation Framework' (2018) to align IUDF to Sustainable Development Goals (SDGs) and the New Urban Agenda (NUA).
 - Various papers and case studies presented at **conferences** including the South African Urban Conference (2015 – 2018) and the South African Transport Conference (2015 – 2018).

1.2 Principles framing the agenda

The land reform agenda as it pertains to urban development could be approached through multiple legal, financial, management and socio-economic 'lenses'. This literature survey has been structured around the seven principles developed by the IUDF Working Group:

- **Use value and best use:** The land reform agenda should be premised on 'catalytic land development' and respect existing legal frameworks such as the Government Immovable Asset Management Act (GIAMA) which sets out four key pillars: 1) financial, 2) social, 3) economic and 4) functional value of land. Critically these values need to be maximised for both public and private land.
- **Urban and rural interdependencies:** The interdependency of urban and rural areas should be enhanced by ensuring there is complementarity and linkage, rather than competition.
- **People-centred urban development:** The outcome of the reform process must be a radical improvement in people's quality of life. The government support programme of land reform should reduce dependency and work towards self-sufficiency.
- **Equitable access to property markets:** The delivery of government-subsidised and affordable housing is an important mechanism to enable access to property markets and to promote asset wealth creation. This requires the effective transfer of land between organs of state, efficient and effective transaction processes, and informal settlement upgrading.
- **Spatial transformation:** Investments in transport and human settlements are seen as drivers to spatial transformation. Municipal land use management schemes/systems (LUMS) must prioritise spatial transformation and be respected and supported by other spheres of government.
- **Residential and economic informality:** In the context of a majority urbanised country, the promotion of sustainable urbanisation is necessary, and the role of residential and economic informality is increasingly important to acknowledge.

In addition to these six areas identified by the IUDF Working Group, the following two categories have been added for the purposes of this literature survey:

- **Resilience and biodiversity conservation:** South Africa has three globally exceptional biodiversity hotspots, and therefore land use management and land reform efforts must take into account the imperatives of biodiversity conservation. City planning and urban development must prioritise resilience (e.g. with respect to water management) and sustainability while ensuring growth.

- **Policy and legislation:** This report also surveys South African legislation and policy relating to urban land issues and urban development, including critical legislation pre-dating 1994 which has subsequently been amended.

1.3 What is the difference between a literature survey and literature review?

A literature review can be described as “an objective, thorough summary and critical analysis of the relevant available research and non-research literature on the topic being studied.”⁵ Timmins & McCabe (2005) differentiate between traditional or narrative literature reviews, and systemic literature reviews.⁶ A traditional or narrative-based literature review provides the reader with a comprehensive background to the topic, and works towards identifying knowledge gaps and problem statements. Systemic literature reviews, on the other hand, begin with a set of specific questions and identify common themes and core elements.

The nature of this project is to assess the current state of knowledge, guidelines and tools, most-referenced academic research, and other commissioned or independent literature on topics related to urban land issues in South Africa. This document is therefore better characterised as a ‘literature survey’ since it does not endeavour to achieve the comprehensiveness and depth of a full-scale literature review.

1.4 The scope of the literature survey

This literature survey was undertaken within clear parameters to limit the volume of published works to a manageable degree and to ensure relevance.

- **Date range:** 2009 – 2018 (coinciding with national elections and ruling party election manifesto)
- **Sources of literature:**
 - Literature review (e.g. Google Scholar/ EBSCO Host)
 - ‘Grey’ or unpublished literature (e.g. presentations and minutes of meetings – selected)
 - Consultancy reports (e.g. World Bank)
 - Working papers (e.g. background papers to IUDF)
 - Conference proceedings and papers (e.g. Urban and Transport Conferences)
 - Technical assessments (e.g. FFC, CSP, SAHRC)
 - Guidelines and toolkits (e.g. HDA, NUSP, CSIR, PPT)
- **Drawing on previous literature reviews:** Where available, this literature survey makes reference to other existing literature reviews on a variety of topics. Some of these reviews were comprehensive in nature, and hence there is no need for duplication. Examples of such reviews include:
 - Marie Huchzermeyer, Margot Rubin, David Gardner, and Gemey Abrahams (various reports). *Human Settlements literature surveys for the periods pre 1999, 1999 – 2003, 2003 – 2007, 2008 – 2012*.
 - Socio Economic Rights Institute (SERI). 2010. *A Resource Guide to Housing in South Africa (1994-2010)*. Report by Kate Tissington.
 - African Centre for Cities (ACC) and Palmer Development Group (PDG). 2015. *Literature surveys on land value capture, housing and transport*.
- **Most current literature:** Where reports were updated, the latest version is referred to. This is especially true for ‘State of...’ studies (e.g. South African Cities; Transport; Environment; Municipal Finance, etc.).
- **Cross-cutting papers and resources:** Some publications did not easily fit into a specific category or sub-category due to the diversity of their chapters. Such publications were filed under the folder named ‘Other’. For example, the Financial and Fiscal Commission’s *Submission for the Division of Revenue 2018/19*⁷ includes over eleven chapters which cover a wide array of relevant topics and associated literature reviews.

⁵ Hart, C. (1998). *Doing a Literature Review*. Sage Publications, London.

⁶ Timmins, F. & McCabe, C. (2005). How to conduct an effective literature review. *Nurs Stand* 20(11): 41–7.

⁷ Financial and Fiscal Commission (FFC). 2018. *Technical Report: Submission for the Division of Revenue 2018/19*. Available online at: <http://www.ffc.co.za/submissions/commission-submissions>

Nearly 450 resources have been collected. For ease of use, an online database has been developed where filters can be used to navigate to specific authors/ organisations, categories, sub-categories. The online database is available at www.housingfinanceafrica.org. Where possible, URL addresses for the documents are included. In addition, CAHF has collected electronic copies of all the documents where possible. This document and the summary tables included in the sections below should therefore be read in conjunction with the online database which provides complete details on each resource mentioned.

8 Categories	25 Sub categories	Number of resources
Use Value and Highest Use	Expropriation and compensation debate	21
	IGR in land release	4
	Investor relations	9
	Land-based finance	26
	Municipal finance and infrastructure	13
Urban – Rural Interdependence	Food security and farming	15
	Urbanisation dynamics	18
People – Centred Urban Development	Participatory planning and governance	11
	Safety as a public good	11
	Township renewal	25
Access to Property Markets	Governance and markets	46
	Pro-poor land markets and incremental tenure	16
	Small-scale rental	19
	Title deeds and formalisation	9
Spatial Transformation and Urban Planning	Catalytic projects	22
	Human settlements	18
	Planning reform & LUMS	25
	Transport & TOD	26
Residential and Economic Informality	Informal economy	27
	Informal settlement upgrading	22
	Land occupations and evictions	10
Climate Resilience and Biodiversity Conservation	Climate resilience and biodiversity conservation	7
Policy and Legislation	Governance	4
	Human Settlements	15
	Rural development and land reform	29
Total Resources		448

2 Use Value and Best Use

The surveyed literature emphasises that the urban land reform agenda must contribute positively to urban renewal, housing delivery and security of tenure, and that leveraging state-owned land is a key strategy for realising this vision. The IUDF Working Group has proposed the following approaches with regard to value creation:⁸

- Each metropolitan government to create a publicly available, transparent and regularly updated land value asset register that incorporates financial, social, economic and functional value of all properties (see **Text Box 1**);
- Develop and implement a best use policy to guide land use management, through effective use of IGR mechanisms to ensure three spheres of government work together;
- Shift from “public works” to “asset management” approach to property management. By viewing property as an asset that must be managed, government can promote the strategic role of land in achieving the broader objectives of social transformation and economic development.

This category has four sub-categories, namely:

- Expropriation and compensation debate
- IGR in land assembly and release
- Investor relations
- Land-based finance
- Municipal finance and infrastructure

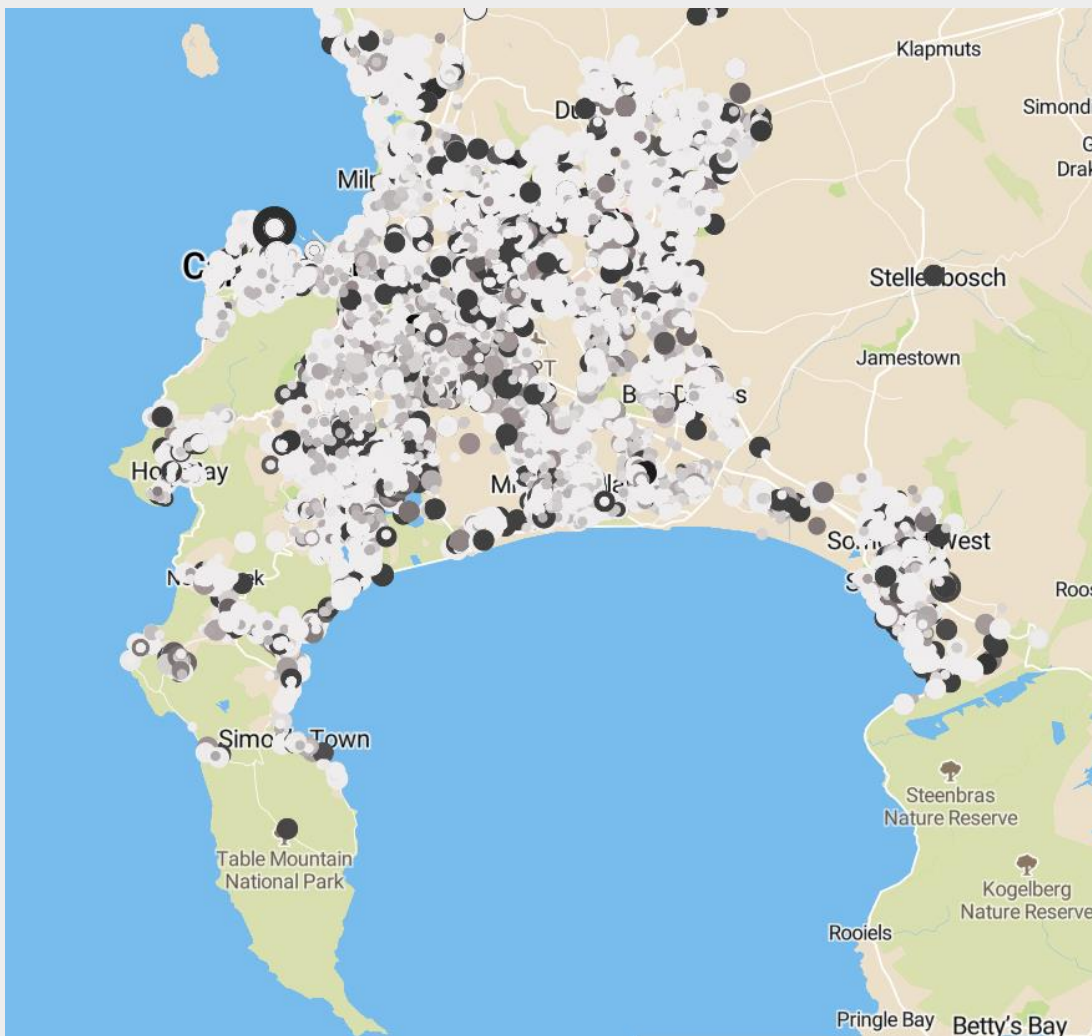
⁸ Maqetuka, S. (2018). Urban Land – Progress of Work Underway. Presentation to the IUDF Working Group, 28 September 2018.

Text Box 1: Portal of properties owned by the City of Cape Town

Activist groups such as Ndifuna Ukwazi (Reclaim the City campaign) have placed pressure on the City of Cape Town and the Western Cape government to consider the development of vacant or underutilised land for social housing. Hotly contested reviews of development applications at the Planning Tribunal resulted in then-mayor Patricia de Lille committing to introduce affordable housing components in new residential developments.⁹

The City of Cape Town announced in 2017 that it seeks to enter into public-private partnerships with property developers to implement affordable housing projects on a number of sites in the city-centre neighbourhoods of Woodstock and Observatory.

OpenUp, a civic tech company based in Cape Town, analysed valuation roll data and created an online visual representation of properties belonging to the City of Cape Town.



Visit this portal here: <https://openup.org.za/visualisations/capetown-properties.html>

2.1 Expropriation and compensation debate

This sub-category covers the literature and writing on the debate around expropriation with or without compensation, including the legal positions for and against. Since the resolutions of the ANC at its policy conference in December 2017, the debate on expropriation without compensation has been intense, with some

⁹ GroundUp (2018). Patricia de Lille proposes affordable housing in Cape Town's tallest skyscraper. 20 May 2018. GroundUp. Available online: <https://www.groundup.org.za/article/patricia-de-lille-proposes-affordable-housing-cape-towns-tallest-skyscraper/>

reviewing the legal basis of such a proposition (Spruikhuizen 2018), and some arguing against its application (CDE 2018). Thembela Kepe and Prof. Ruth Hall (2014), who served on Mr. Motlanthe's land reform panel, reviewed existing practices and literature on the topic, and found several gaps in knowledge, including:

- Is land redistribution reducing poverty and inequality?
- How equitable or inequitable is the distribution of budget?
- How equitable or inequitable is the redistribution of land?
- How many long-term leases are in place on state-acquired farms?

The Department of Rural Development and Land Reform (DRDLR) undertook a comprehensive land audit in 2017 which confirmed that land ownership is still not shifting into the ownership of previously disadvantaged groups and individuals. At the same time, new evidence has proven that the land restitution programme is fraught with corruption and elite capture (Genesis Analytics 2014; Hall & Kepe 2017). Furthermore, the question of what is fair and equitable in the reform agenda requires attention (Boshof et al 2017; AgriSA 2017).

2.2 IGR in land assembly and release

A body of knowledge and practice guidelines exists on the IGR aspects of land assembly and disposal. Although considerable work has been published, there are still further legal, technical and operational dynamics that require well-considered solutions.

The Housing Development Agency (HDA) put forward a Terms of Reference for the production of a 'Land Concept Note' on 22 June 2018 with the intention of creating a land assembly strategy, policy framework and programme-level interventions. This follows a number of concept notes (HDA 2015, 2018) on the renumeration of State-Owned Enterprises and IGR in land assembly and disposal of non-core land for spatial transformation and urban land reform.

Another relevant initiative, from the CSP, is *Strategy and Programme for Accelerating Land Availability within Integration Zones* which sets out a process for the fast-tracking of land availability in the integration zones of the eight Category A municipalities.¹⁰ The project involved formulating and implementing an urban land availability strategy that promotes inclusive human settlement development in more integrated, mixed-income developments, including affordable/gap housing.

2.3 Investor relations

During the period 2016 – 2018, the CSP did a considerable amount of work on investor relation promotion and development facilitation. These research activities were also translated into a series of capacity-building workshops with global expertise supported by the World Bank and partners. These initiatives were also supported by COGTA when the Urban Development Conference was hosted by SACN in 2017.

2.4 Land-based finance

The context and legal pre-conditions for successfully applying land value capture (LVC) have been studied over the past five years (McGaffin 2011; McGaffin et al. 2014; Berrisford et al. 2018). One of the key literature reviews and case study overviews can be found in '*Harnessing land values for urban infrastructure*', funded by DFID and researched by ACC and PDG. These resources include detailed recommendations on using LVC tools relating to housing and public transport provision. In this project, a total of 187 documents were reviewed, 68 of which were found in peer-reviewed journals, followed by research documents of multinational and regional organisations. Furthermore, in the submission of the Fiscal and Financial Commission on the 2018/19 DORA, the chapter on 'Financing urban development' presents a number of options for LVC in the South African context (FFC 2018:105).

2.5 Municipal finance and infrastructure

Development charges are still hotly contested in South Africa as a means of topping up municipal revenue for critical infrastructure development (SACN 2015, 2016, 2018; Mulamba 2016). Numerous assessments of the capacity of municipalities to deliver critical infrastructure (Palmer et al. 2014) have turned the spotlight on the need for alternative strategies for financing infrastructure expansion (SACN & City of Tshwane 2017).

¹⁰ See <https://csp.treasury.gov.za/Resource%20Centre/Cities/Pages/City%20of%20Cape%20Town/HS10-CPT10.aspx>

2.6 Summary table of documents

Sub – category	Harvard Citation	Summary
EXPROPRIATION AND COMPENSATION DEBATE	AgriSA. 2017. Compensation: What is fair and equitable in the context of land reform? Report by Annelize Crosby	Should current land owners be compensated at all when their land is targeted for land reform purposes and, if so, what is fair and equitable? This report unpacks some of the issues related to compensation.
	Boshoff, T.; Sihlobo, W. & Ntombela, S. 2017. Redistribution of Agricultural Land: Expropriation Without Compensation Debate. Conference Paper	The paper sketches various policy trajectories that the ANC could follow to give effect to its decision; four potential scenarios are envisaged. The first scenario is a self-help scenario in which the rule of law has collapsed; the second scenario involves one of gradual economic decline; the third scenario is the economic sustainability (business-as-usual) scenario; and the fourth scenario involves a hybrid approach.
	Centre for Development and Enterprise (CDE). 2018. Why land 'expropriation without compensation' is a bad idea. ViewPoints, Vol. 2, by Wandile Sihlobo and Tinashe Kapuya	Sihlobo and Kapuya argue that land reform (through both the state and the market) has made more progress than experts and policy makers care to admit, that expropriation without compensation is a catastrophically bad idea, and that trust between government and private sector is essential for the success and sustainability of effective land reform.
	DHS. 2018. Land expropriation conceptual framework for human settlements. Draft unpublished report.	A conceptual framework developed by DHS on expropriation for human settlements development.
	DHS. 2018. Presentation: Human Settlements and Land Question. Unpublished.	Key recommendations and legal review for expropriation for human settlements development.
	DRDLR. 2017. Land Audit Report: Private land ownership by race, gender and nationality. Available online.	The Land Audit reveals the relationship of South Africans to one another through the management of land as a resource for sustainable development and nation-building.
	DRDLR. n.d. Presentation: 54th conference on land redistribution and Motlanthe's High Level Report.	Presentation outlining the major findings of Motlanthe's Panel and 54th Conference on Land Distribution.
	du Toit, P & Haffajee, F. 2017. How Land Expropriation Works: Your Questions Answered. Huffington Post.	Opinion piece by Pieter du Toit and Ferial Haffajee in the Huffington Post on expropriation. The op-ed considers responses to some of the more generic topics discussed in popular media.
	Genesis Analytics. 2014. Implementation Evaluation of the Restitution Programme: Final evaluation report by Genesis Analytics for the DPME. Unpublished Report.	The restitution programme has managed to settle approximately 85% of the claims lodged since its inception, however, the findings of this evaluation reveal a range of systemic and operational weaknesses which compromise its efficiency and effectiveness.
	Government of South Africa. 2017. Report of the High Level Panel on the Assessment of Key Legislation and the Acceleration of Fundamental Change. Chaired by Mr Kgalema Motlanthe.	600-page report on the findings of the Motlanthe Panel on Land Reform and Fundamental Change.
	Hall, R. and Kepe, T., 2017. Elite capture and state neglect: New evidence on South Africa's land reform. Review of African Political Economy, 44(151), pp.122-130.	The most recent incarnation of South Africa's land reform is a model of state purchase of farms to be provided on leasehold, rather than transferring title. This briefing presents headline findings from field research in one district.
	HDA. 2015. Framework for the Compensation of State Owned Enterprises for Immovable Property Applied to the Development of Sustainable Human Settlements. Unpublished document.	The aim of this document is to outline a Compensation framework for immovable property transferred from State Owned Enterprises (SOEs) for the development of sustainable human settlement (SHS).
	HDA. 2018. Compensation Framework for the Release of Non-Core Land by State Owned Entities for Sustainable Human Settlements. Unpublished presentation.	Strategy for the disposal of state-owned enterprises and other government agencies and Entities tasked to manage land and other non-core properties.
	IUDF Working Group. 2017. Urban land reform and restitution – Key issues: Memo on Residential Property Markets. Unpublished Report.	This paper provides a framework and a guide for urban land release, restitution and assembly which was commissioned by the IUDF Political Steering Committee.
IUDF Working Group. 2018. Accelerating Transformation of Urban Land For Inclusive Growth. Available online.	Makes critical recommendations for actions around 1) institutional framework, 2) core processes, 3) state land, 4) fiscal, and 5) land administration	

	<p>IUDF Working Group. 2018. Accelerating transformative urban land development for inclusive growth: Considerations relating to expropriation without compensation as a tool for urban land reform and release. Unpublished paper.</p> <p>Kepe, T. & Hall, R. 2014. Land Redistribution in South Africa. Commissioned report for High Level Panel on the assessment of key legislation and the acceleration of fundamental change - An initiative of the Parliament of South Africa.</p> <p>Spruihuizen, J. 2018. Land expropriation without compensation (LEWC); Is it the way to go? Think Piece. Unpublished research report.</p>	<p>As policy makers consider the possibility of expropriation of urban land without compensation, the principles guiding such an approach need to be clearly established. Expropriation is one of a spectrum of interventions that the state can assert in pursuit of its urban land reform goals.</p> <p>The report reviews existing practices and literature on the topic, and found several gaps in knowledge, including:</p> <ul style="list-style-type: none"> • Is land redistribution reducing poverty and inequality? • How equitable or inequitable is the distribution of budget? • How equitable or inequitable is the redistribution of land? • How many long-term leases are in place on state-acquired farms? <p>This report argues that the main issue will be to determine, whether Section 25 should be amended to allow for LEWC. There is a perception that Section 25 offered sufficient recourse as it stands and must, for the first time, be properly be used to enable effective land reform, while there are also perceptions for slight amendment in line of an explanatory amendments.</p>
IGR IN LAND RELEASE	<p>DHS. 2018. Presentation to EMT on a wide variety of urban land issues. No further details available.</p>	<p>Presentation incorporating a number of issues on urban land from the perspective of DHS.</p>
	<p>HDA. 2014. Enabling Local Government and The Housing Development Agency Access Land from State Owned Entities And Other Organs Of State. Unpublished Report.</p>	<p>Together with SALGA and SACN, HDA prepared a proposal for the release of non-core land for municipal needs. The purpose of this report was three-fold:</p> <ol style="list-style-type: none"> To illustrate the difficulties encountered by local government and the HDA in acquiring strategically well-located land from State Owned Entities (SOEs) To present some solutions on how this problem can be resolved To seek resolutions on the implementation of such solutions.
	<p>HDA. 2018. Land Assembly Strategy and Programme Intervention. Presentation.</p>	<p>Presentation outlining the approach of HDA as it relates to land assembly for human settlements, addressing the identification, acquisition, holding, preparation and release of land for integrated sustainable human settlements development purposes.</p>
	<p>SACN & HDA 2014. Land Acquisition Study: Case Studies on the Acquisition of Urban Land by Municipalities from State Owned Companies and Other Organs of State. Available online.</p>	<p>An overview of the legislative and policy framework informing the acquisition of land from state-owned companies and other organs of state by municipalities and/or the HDA for developmental purposes, reflecting on the experience of four metros (eThekweni, Buffalo City, Mangaung and Ekurhuleni).</p>
INVESTOR RELATIONS	<p>Farole, T.; Sharp, M. 2017. Spatial Industrial Policy, Special Economic Zones, and Cities in South Africa. Paper for CSP, National Treasury.</p>	<p>This paper argues that agglomeration economies are the starting point for understanding how cities enhance productivity. A firm set up in an isolated location can benefit from internal economies of scale: the larger it is, the more it can exploit fixed costs and increase efficiency through the division of labour.</p>
	<p>National Treasury. 2016. Investment Climate Reforms: Best Practice Lessons on Investment Climate Reform Structures from Global Top Reformers. Available online.</p>	<p>Several competitiveness indicators rank South Africa as among the top places to do business in Sub-Saharan Africa, yet South Africa's performance has been declining over the past years, especially compared to the pace of reforms observed in the region. This note provides an overview of the importance of investment climate reforms and shares global best practice lessons in terms of designing and driving such reforms.</p>
	<p>National Treasury. 2016. Investment Promotion Strategy Development for Cities. Available online.</p>	<p>Whilst the overall attractiveness of the country obviously remains important, investors are much more focused on the granular comparisons of specific cities, often in several different countries, or even continents.</p>
	<p>National Treasury. 2016. Investor Facilitation. Available online.</p>	<p>It is generally viewed as an important economic stimulus and complimentary to the myriad of other strands of economic activity such as micro enterprises, small and medium enterprises, large scale local industries and services, government and state activities.</p>
	<p>National Treasury. 2016. Policy Review: Municipal Borrowing and Financial Emergencies. Available online</p>	<p>Lenders invest in municipal debt instruments at their own risk, based on the credit-worthiness of municipalities. This avoids over-borrowing and bailouts that have plagued other emerging economies.</p>
	<p>SACN. 2017. South African Urban Development: Conference Report. Available online.</p>	<p>The 2017 South African Urban Conference took place at the Moses Mabhida Stadium, Durban on 30 October 2017. This report outlines the major recommendations.</p>

	Urban LandMark. 2009. Voices of developers and municipalities: Creating more inclusive cities through cooperation. Available online.	The study also reveals that truly inclusive cities are unlikely to become a reality in South Africa without the development of greater synergy, cooperation and mutual understanding between municipalities and developers, and municipal attention to developmental outcomes.
	Urban LandMark. 2011. Urban Land Development in Practice: Developers and municipalities share experiences. Available online.	Developers study the property market carefully and then, based on the property cycle, and risk and profit calculations, they acquire land and develop it, with a specific product in mind.
	Viruly, F. & McGaffin, R. 2016. The Development Process. Presentation at the National Treasury CSP Technical Assistance Workshop.	Presentation on the different lenses through which the development process can be understood.
LAND-BASED FINANCE	Abland. 2015. Hazeldean - Catalytic Land Development: Tax Increment Financing (TIF) Proposal. Presentation to City of Tshwane.	Presentation on the TIF proposal for Hazeldean land development by Abland. TIF schemes are one example of land-based finance, and this case study provides insights into the financing structure of Hazeldean development.
	ACC & PDG. 2015. Urban infrastructure in Sub-Saharan Africa – harnessing land values, housing and transport (12 papers). Available online	This series of research papers funded by DFID on Land-Based Finance in Sub-Saharan African presents a comprehensive framework to understand the application of Land-based finance in Africa. For the purpose of urban land reform in South Africa, the following papers are identified as holding the most value in terms of designing a contextually appropriate model: Report 1.1 – Land-based financing overview Report 2 – Planning and LUR literature review Report 3 – Housing Literature Review Report 4 – Public Transport Literature Review
	Berrisford, S., Cirolia, L.R. and Palmer, I. 2018. Land-based financing in sub-Saharan African cities. <i>Environment and Urbanization</i> , 30(1), pp.35-52.	High-level scan of 29 developments in various African cities, showing how land-based finance is being implemented in practice and discussing the potential for wider uptake.
	Dinnie, A. 2016. Public Land Value Capture: A source of funding for catalytic projects. Presentation by Alan Dinnie, City of Joburg Property Company, March 2016.	Presentation on facilitated property development undertaken by the Johannesburg Property Company.
	ensAfrica. 2016. Alternative tools to Finance Urban Redevelopment Tax Increment Financing - Regulatory issues. Presentation to National Treasury.	Presentation by Consultant on TIF regulatory issues for National Treasury.
	Lombard, S., Behrens, R. & Viruly, F. 2017. Value creation around transport infrastructure in South Africa: the case of Gautrain. Southern African Transport Conference.	The paper seeks to understand potential value creation in the case study of the Gautrain project in Gauteng.
	McGaffin, R., 2011. Value creation? Value capture? An assessment of three different types of transport interchanges. In Proceedings of the 30th Southern African Transport Conference. Vol. 11, p. 14.	The extent to which land value has been created through the provision of public transport services and the applicability of LVC mechanisms in the South African context.
	McGaffin, R., Napier, M. and Gavera, L. 2014. Value capture in South Africa—Conditions for their successful use in the current legal context. <i>Urban Forum</i> , Vol. 25, No. 3, pp. 375-387.	Outlines the necessary pre-conditions and theoretical framework of applying LVC in South Africa.
	McGaffin, R.; Kirova, M.; Viruly, F & Michell, K. 2016. Value Capture in South Africa – A way to overcome urban management challenges and unlock development opportunities? Project Report	This paper outlines the urban management problem relating to funding infrastructure and introduces a possible way in which this challenge can be addressed.
	Santos, V. 2016. Overview Of Common “Land Value Capture” Tools Alternative Sources To Help Fund Urban Infrastructure, Catalyze Local Economic Development. Presentation to National Treasury	Presentation by Senior Urban Specialist of the World Bank on LVC for National Treasury.
	Santos, V; Alorro, R.; Goliath, G. 2017. Land-based financial tools to support urban development in South Africa. Report for City Support Programme, National Treasury	Land-based financing generally refers to policy and regulatory mechanisms that allow the public sector to participate in the appreciation of real estate values resulting from public and, at times, private improvements.

	Turok, I., 2016. Getting urbanization to work in Africa: the role of the urban land-infrastructure-finance nexus. <i>Area Development and Policy</i> , 1(1), pp.30-47.	This paper argues that a better understanding of the urban land-infrastructure-finance nexus could result in reformed arrangements governing the allocation and taxation of land, major investment in urban infrastructure and stronger local institutions to coordinate land and property development.
	Urban LandMark & SACN. 2011. Creating and capturing value around transport nodes. Available online.	Transport infrastructure can add significant value to land. It is most often funded from the public purse, yet very often it is local landowners, developers and investors who profit most from such investments. One could argue that a good share of this added value should rightfully be returned to the public. This case study asks how this could be achieved. It suggests that a first step is for authorities to take a more proactive role in understanding and directing development.
	Urban LandMark. 2012. Improving access to the city through value capture. Available online.	Such potential increase in land value surrounding public infrastructure offers major opportunities for cities to promote development and for local government to accumulate some of the value created by using various 'value capture' mechanisms.
	van Heerden, C., 2015. The applicability of mineral and mining rights concepts in facilitating value capture in South Africa (MSc Dissertation, University of Cape Town).	Master's dissertation at UCT exploring the potential of value capture to be implemented as a mechanism to raise additional funding from mineral licensing. Value capture depends on maximising land value.
MUNICIPAL FINANCE AND INFRASTRUCTURE	Boex, J. & Karger-Lerchl, T. 2017. The Composition and Sustainability of Urban Finance in South Africa. Paper 4, <i>South African Urbanisation Review</i> , National Treasury.	Paper part of the South African Urbanisation Review funded by the World Bank.
	Boex, J. 2018. Urban Public Finances, Urbanization and the Inclusiveness of Urban Space in South Africa. Paper 8, <i>South African Urbanisation Review</i> , National Treasury.	Paper part of the South African Urbanisation Review funded by the World Bank.
	Mulamba, C. 2016. National Development Charges Policy Framework. Presentation to National Treasury.	Presentation outlining the intended approach of a national framework for development charges.
	National Treasury. 2017. Supporting the Development of Metro Long-Term Financial Strategies the Importance of Strategic Financial Decisions. Report by CSP.	The financial model will be able to project a baseline scenario (business as usual) into the future and help the metro understand its fiscal position over the long-term, its headroom for investment and borrowing, as well as main drivers of revenues and costs going forward.
	Palmer, I; Graham, N.; Swilling, M; Robinson, B; Eales, K; Fisher-Jeffes, L; Käsner, S. & Skeen, J. 2014. South Africa's Urban Infrastructure Challenge. Contribution to the Integrated Urban Development Framework.	New approaches to infrastructure service provision that treat ecosystems with care and use resources prudently can save on the costs of resource inputs and waste treatment, making services more affordable to government and the public in the longer term whilst contributing to a greener economy.
	SACN. 2014. The Changing State of Cities Finances (Briefing Note). Available online.	This document presents a set of key indicators highlighting the main trends in city finances, using the SACN city finances database, which is based on the Annual Financial Statements produced by the cities.
	SACN. 2015. Assessing the fiscal impacts of development. Report and Assessment tool by PDG. Available online.	Review of current practices related to Development Charges and Cost Impact assessment tools, and the development of a new Fiscal Impact Tool developed by PDG.
	SACN. 2015. State of City Finances. Available online.	Assessment of municipal finance system. Note: Updated in the State of South African Cities Report 2016
	SACN. 2016. Scoping Study: State of the City Infrastructure. Available online.	Scoping Study: State of the City Infrastructure is part of a five-year programme seeking to determine the content and the nature of the first State of the Cities Infrastructure Report (SOCIR), which will be used by SACN to frame the compilation of the actual SOCIR.
	SACN. 2016. The Annual Compendium (2015 - 2016): South African Conversations on Infrastructure. Available online.	The Annual Compendium: South African Conversations on Infrastructure is a distillation of all the infrastructure dialogues held from 2015 – 2016, presenting key themes and issues that preoccupy those who are involved in improving SA's infrastructure.
	SACN. 2017. Towards an Alternative Financing Model for Metropolitan Cities in South Africa. Available online.	The SACN in collaboration with the City of Tshwane initiated an expert panel-based study to explore potential innovations and alternatives in city financing that will address the perpetual gap and tension between fiscal space and development priorities.
	SACN. 2018. The Annual Compendium (2017 - 2018): South African Conversations on Infrastructure. Available online.	The Annual Compendium: South African Conversations on Infrastructure is a distillation of all the infrastructure dialogues held from 2017 – 2018, presenting key themes and issues that preoccupy those who are involved in improving SA's infrastructure.
	Urban LandMark & SACN. 2011. The financing of city services in Southern Africa. Available online.	The aim of the project was to promote more effective city financial planning and management, better credit ratings and improved access to capital markets for infrastructure investment purposes.

3 Urban and Rural Interdependencies

One of the key resolutions of the 54th policy conference of the ANC (2017) was that land reform should not create competitive dynamics between rural and urban areas, and that the outcomes of land reform should rather promote a mutually-reinforcing relationship.¹¹

This category has two sub-categories, namely:

- Food systems, security and farming
- Urbanisation dynamics

3.1 Food systems, security and farming

There is a misconception that urban agriculture is a panacea to food security. Municipalities should view urban agriculture as part of the wider food system, strengthen linkages between urban agriculture and other parts of the urban food system, seek to develop alternative food security programmes and policies within their existing mandates, and develop food security strategies which address the multiple drivers of food insecurity in order to achieve food security for all (Battersby et al. 2017; Blay-Palmer et al. 2017). Battersby (2013) argues for a comprehensive public health approach to food security.

A number of working papers by the DST-NRF Centre of Excellence in Food Security contribute to a better understanding of the economic forces that shape the food environment in South Africa. From a food supply perspective, food security and nutrition policy are effectively governed by economic policy actors – this includes agriculture, trade, finance, investment and commerce/industry (Thow 2017; May 2017; Durojaye & Chilemba 2018).

3.2 Urbanisation dynamics

This sub category includes documents on urbanisation, migration, mobility, and the urban-rural value chain. A number of analytical reports of Census 2011 show that migration between provinces is still occurring, despite the country having a highly urbanised population. Researchers have investigated whether moving to the city from the countryside has contributed to improved living conditions (Ndabeni 2016; Turok & Visagie 2017, 2018; Shilpi et al. 2018). There is also a body of knowledge on the social ties in informal property markets and urban vulnerabilities (SACN 2015; ULM 2011).

There is a robust international debate about how best to tackle spatial inequalities within nations and regions. Some research referenced discusses three contrasting approaches: spatial rebalancing, space-neutral and place-based (Todes & Turok 2018). In 2017 Parliament commissioned researchers to study these dynamics and the *Report to the High Level Panel on the assessment of key legislation and the acceleration of fundamental change* contains a number of recommendations on reducing spatial inequalities (Turok et al. 2017).

Other papers have considered South Africa’s unique spatial form as a legacy of oppressive apartheid-era spatial planning interventions. This literature calls attention to settlement dynamics and differentiated social, economic and political systems that have exerted a powerful influence over urbanisation trends (Baffi et al 2018). Turok & Visagie (2018) also reviews an approach to measuring the level of inclusivity of urbanisation in South Africa.

3.3 Summary table of documents

Sub-category	Harvard Citation	Summary
—	Battersby, J. & McLachlan, M. 2013. Urban food insecurity: A neglected public health challenge. <i>South African Medical Journal</i> , Vol 103, No 10.	Given the increasing evidence of the health challenges triggered by the changing food system in SA, and with the experience of our urban areas acting as a precursor for the rest of the country – the ‘canary down the mine’ – it is clear that we need a comprehensive public health approach.

¹¹ African National Congress (2017). *54th National Conference: Reports and Resolutions*. NASREC Johannesburg, Gauteng from 16th – 20th December.

FOOD SYSTEMS, SECURITY AND FARMING	Battersby, J.; Haysom, G.; Kroll, F.; & Marshak, M. 2017. Looking beyond urban agriculture Extending urban food policy responses. Sustainable Cities Programme. South African Cities Network (SACN).	Municipalities should view urban agriculture as part of the wider food system, strengthen linkages between urban agriculture and other parts of the urban food system, seek to develop alternative food security programmes and policies within their existing mandates, and develop food security strategies which address the multiple drivers of food insecurity in order to achieve food security for all.
	Battersby, J.; Haysom, G.; Kroll, F.; & Marshak, M. Towards Democratic Urban Food Systems Governance: Re-Interpreting the Urban Food Security Mandate. Sustainable Cities Programme. South African Cities Network (SACN).	This policy brief calls for national government to formally acknowledge the mandate for food security to local government, and for provincial government to provide more scope for local government to drive the provincial urban food security agenda.
	Blay-Palmer, A.; Renting, H. & Duebbling, M. 2017. City Region Food Systems: A Literature Review. Report for RUA Foundation City Food Tools project.	The aim of this report is to briefly and concisely analyse and systematise the content, definitions and delimitations of the concept of City Region Food Systems on the basis of a review of literature, ongoing experiences and analysis of scientific and policy debates.
	Durojaye, E. & Chilemba, E.M. 2018. Accountability and the right to food: A comparative study of India and South Africa. Food Security Working Paper #003, SDT-NRF Centre of Excellence in Food Security.	This report shows that South Africa can learn from the Indian experience by using litigation as a tool for holding the government accountable to its obligation under international and national laws.
	Greenberg, S. 2017. Enhancing Food and Nutrition Security in a Corporate Dominated Food System. PLAAS Policy Brief 47, SDT-NRF Centre of Excellence in Food Security.	This policy brief looks at the role of the highly concentrated corporate structure of the South African food system and looks at the kinds of interventions that are needed to ensure that poor people can have an adequate diet.
	May, J. 2017. Food security and nutrition: Impure, complex and wicked? Food Security Working Paper #002, SDT-NRF Centre of Excellence in Food Security.	This paper reveals food to be an outcome from a complex problem-determined food eco-system. The problems are ill-defined, the solutions uncertain and food itself is a commodity, predominantly privately produced and purchased. As a result, governments are compelled to take account of competing interests of actors within the food system when considering any intervention.
	Pereira, L. 2014. The future of South Africa's food system: What is research telling us - a systematic literature review. South African Food Lab.	An overarching theme in many of the papers in the review was the need for multi-stakeholder engagement in the governance of the food system. The food system is being contested on many levels and by many different groups. What is generally being advocated is the need to bring various points of view together in order to chart a way forward for a food system that is both sustainable and equitable
	SACN. 2015. Agro-food Value Chain. Available online.	An assessment of South Africa's urban and rural agro-food value chains and their interdependencies.
	SACN. 2015. Current and Future Realities for Urban Food Security in South Africa. Report by Jane Battersby, Gareth Haysom, Godfrey Tawodzera, Florian Kroll and Maya Marshak. Available online.	The study focuses on urban agriculture as this is the most common programmatic response by municipalities to food insecurity.
	SACN. 2015. Series of Papers on Rural - Urban Linkages: Agro-food value chain. Available online.	The study was conducted over a three-month period and interviews were conducted with value chain participants in person, telephonically and over electronic mail.
	Thow, A. 2017. Food trade and investment in South Africa: Improving coherence between economic policy, nutrition and food security. Working Paper 50, SDT-NRF Centre of Excellence in Food Security.	This paper analyses the policy agendas that shape the food environment in South Africa. From a food supply perspective, food security and nutrition policy are effectively governed by economic policy actors – this includes agriculture, trade, finance, investment and commerce/industry.
	Thow, A.M., Greenberg, S., Hara, M., Friel, S.; du Toit, A. & Sanders, D. 2018. Improving policy coherence for food security and nutrition in South Africa: a qualitative policy analysis.	The authors identified three coalitions of actors related to food security and nutrition in South Africa: the dominant Economic Growth coalition, the Food Security coalition, and the Health coalition.
	Visser, M. & Godfrey, S. 2017. Are trade unions and NGOs leveraging social codes to improve working conditions? A study of two locally developed codes in the South African fruit and wine farming sectors. Working Paper 49, SDT-NRF Centre of Excellence in Food Security.	The paper explores one aspect of the food security question, namely the livelihoods of farmworkers, which ultimately speaks to the sustainability of farms and the provision of food.
	Ziervogel, G. & Erickson, P. 2010. Adapting to climate change to sustain food security. Advanced Review, Vol. 1.	This article surveys the multiple components of food security, particularly those relating to access and utilization, which are threatened by the complex responses of food systems to the impacts of climate change.

URBANISATION DYNAMICS	Arndt, C.; Davies, R.; & Thurlow, J. 2018. Urbanization, Structural Transformation and Rural-Urban Linkages in South Africa. Paper 3, South African Urbanisation Review, National Treasury.	This paper considers three broad strategies for national development and urban planning. First, more investment in major cities to accommodate migrants and prevent urban poverty from worsening. Second, maintain (or expand) investments in rural areas to provide job and income opportunities for poor rural households who would otherwise migrate to cities. Third, invest in towns and secondary cities given their supposedly stronger linkages to the rural poor.
	Baffi, S.; Turok, I.; & Vacchiani-Marcuzzo, C. 2018. The South African Urban System. Rozenblat C., Pomain D., Velasquez E. International and Transnational perspectives on Urban Systems, Springer, pp.285-314.	The heterogeneous settlement dynamics and differentiated social, economic and political systems have exerted a powerful influence over urbanisation trends.
	David, A., Guilbert, N., Hamaguchi, N., Higashi, Y., Hino, H., Leibbrandt M., Shifa, M. 2018. Spatial poverty and inequality in South Africa: A municipality level analysis. Cape Town: SALDRU, UCT. (SALDRU Working Paper Number 221).	Analysis of 2011 Census shows that both income and multidimensional poverty and inequality vary significantly across municipalities in South Africa. In general, areas that are historically characterized by low economic and welfare outcomes still experience significantly higher poverty and deprivation levels.
	Kihato, C., 2013. Migrant Women of Johannesburg: Everyday life in an in-between city.	Through rich stories of African migrant women in Johannesburg, this book explores the experience of living between geographies.
	National Treasury. 2017. Managing urbanisation for inclusive growth. Framing Paper, South African Urbanisation Review, National Treasury.	Paper part of the South African Urbanisation Review funded by the World Bank.
	Ndabeni, L.L., 2016. An analysis of rural-urban linkages and their implications for policies that sustain development in a space continuum.	Typically, rural-urban linkages are often articulated in the nature and forms of migration, production, consumption, financial and some investment linkages that occur within the rural-urban symbiosis.
	SACN. 2015. Migration, Mobility and Urban Vulnerability – Implications for Urban Governance in South Africa. Available online.	This research report explores the challenges and opportunities associated with migration and mobility into and within South African cities, and the implications for urban governance. It identifies and analyses the links between these challenges/vulnerabilities and the current forms of urban instability.
	SACN. 2015. Planning and Governance Challenges of Cities with Extensive Rural Geographies. Available online.	Research into the challenges faced by three metropolitan municipalities with extensive rural geographies: Buffalo City, eThekweni and Tshwane.
	SACN. 2015. Social Value Chains. Available online.	The study looks at seven areas located along the north-eastern migration corridor into Tshwane metro, to understand rural social value chains.
	SERI. 2016. Edged Out: Spatial mismatch and spatial justice in South Africa's main urban areas: Technical Report. Available online.	The modelling of spatial inequality data sets reveals a spatial mismatch and the need for spatial justice.
	Shilpi, F.; Xu, X.; Behal, R.; & Blankespoor, R. 2018. People on the Move: Spatial Mismatch and Migration in Post-Apartheid South Africa. Paper 1, South African Urbanisation Review, National Treasury.	This paper focuses on three key questions: (i) how pattern of migration and spatial distribution of population evolved during the post-Apartheid period; (ii) what factors motivate and help households to migrate (income, provision of infrastructure/services, ethnic and language differences etc.); and (iii) whether social transfers act as a disincentive to migration.
	Todes, A. and Turok, I., 2018. Spatial inequalities and policies in South Africa: place-based or people-centred? Progress in Planning, 123, pp.1-31.	There is a robust international debate about how best to tackle spatial inequalities within nations and regions. The paper discusses three contrasting approaches: spatial rebalancing, space-neutral and place-based.
	Turok, I & Visagie, J. 2017. Rural-Urban Migration as a Means of Getting Ahead. Econ3x3 Working Paper.	Assessment of the economic benefits of urbanisation.
	Turok, I. and Visagie, J., 2018. Does moving to a city mean a better life? New evidence. Econ 3x3 Working Paper.	Data that track changes over time indicates that as many as 385 000 people were lifted from poverty between 2008 and 2014 after moving from rural to urban areas—their poverty levels were halved together with a fall in unemployment.
	Turok, I. and Visagie, J., 2018. Inclusive Urban Development in South Africa: What Does It Mean and How Can It Be Measured?	Inclusive development is the seductive idea that a more dynamic and productive economy can go hand in hand with reduced inequality and exclusion.
Turok, I., 2012. Urbanisation and development in South Africa: Economic imperatives, spatial distortions and strategic responses. London: Human Settlements Group, International Institute for Environment and Development.	This paper outlines the experience of urbanisation in South Africa, which is now one of the most populous and urbanised countries in Africa.	

	Turok, I; Scheba, A; Visagie, J. 2017. Reducing spatial inequalities through better regulation. Report to the High Level Panel on the assessment of key legislation and the acceleration of fundamental change, Parliament of South Africa.	The balance of emphasis should be tilted from bureaucratic mechanisms designed to restrict and control social and economic actors, towards more flexible, problem-solving systems to enable balanced and inclusive development.
	Urban LandMark. 2011. The interaction between informal land markets and rural-urban migration. Available online.	Migration in the context of context of access to urban land markets, and investigates how migrant workers transact in informal land markets, whether households reconfigure after land market transactions, and whether the ability to transact successfully in informal land markets influences the nature of migration.

4 People-Centred Approach

The eventual outcome of any land reform programme should ultimately be the improvement of people's living conditions and economic prospects. This category therefore considers the following elements or aspects of a people-centred approach:

- Participatory planning and governance
- Safety as a public good
- Township renewal

4.1 Participatory planning and governance

Through its Urban Land Programme, Isandla Institute (2015 – 2017) created a number of resources on citizen participation in land reform, particularly informal settlement upgrading (ISU), including a Guide for Municipal Officials on ISU. A number of other organisations have also collaborated on toolkits for participatory planning and community empowerment (SAPI & SACN 2015).

4.2 Safety as a public good

The IUDF recognises urban safety as a key lever in contributing to the vision of spatial transformation, and the background paper to the IUDF outlined a literature review and overview of current practices in South Africa (Gotsch et al 2014). Two years later, the SACN published the first 'State of Urban Safety in South Africa' report (SACN 2016). The experiences of the Violence Prevention through Urban Upgrading programme, based in the Western Cape and having been awarded international recognitions, have been captured in a manual (VPUU 2015).

In addition, SaferSpaces is an online knowledge hub on community safety and violence prevention in South Africa. Most of the information is user-generated and provided by practitioners and organisations registered on the site.¹²

4.3 Township renewal

A people-focussed approach to land reform must consider the continuation and deepening of township renewal initiatives which were initiated in the early 2000's. As a part of the urban network strategy promoted by National Treasury, metropolitan municipalities identify Integration Zones in their annual Built Environment Performance Plans; a range of related resources around packaging new urban growth nodes have been prepared (ULM & SACN 2009; SACN & Shisaka 2009; NT 2013). At the same time, the potentially negative consequences of large retail malls on the informal economy (discussed in more detail in section 7 below) has also been observed (ULM & SACN 2011; SLF 2018).

¹² See <https://www.saferpaces.org.za/>

4.4 Summary table of documents

Sub-category	Harvard Citation	Summary
PARTICIPATORY PLANNING AND GOVERNANCE	Fieuw, W. and Mitlin, D., 2018. What the experiences of South Africa's mass housing programme teach us about the contribution of civil society to policy and programme reform. <i>Environment and Urbanization</i> , 30(1), pp.215-232.	Academic study on the influence of the South African Alliance associated with Shack/ Slum Dwellers International on South African housing policy and practice.
	Isandla Institute. 2012. Connecting the Dots Between Settlement Functionality Integrated and Incremental Upgrading and the Need for a Capacitated Network of Intermediary Organisations. Paper presented at Sustainable Human(e) Settlements: The Urban Challenge Conference, 17-21 September 2012, Hotel Lamunu, Johannesburg.	It argues that this approach enables the building of communities of practice between state officials, professionals, civil society organisations and community members in order to understand the opportunities and limitations of settlement functionality.
	Isandla Institute. 2014. Managing the interface: Exploring the need for intermediation in informal settlement upgrading.	Part of the Urban Land Programme series on participatory informal settlement upgrading.
	Isandla Institute. 2014. Participatory informal settlement upgrading in South Africa: Moving from theory to practice.	Part of the Urban Land Programme series on participatory informal settlement upgrading.
	Isandla Institute. 2014. Towards inclusive cities: Community-based planning for informal settlement upgrading.	Part of the Urban Land Programme series on participatory informal settlement upgrading.
	Isandla Institute. 2015. Cultivating community capability: making participation meaningful in informal settlement upgrading.	Part of the Urban Land Programme series on participatory informal settlement upgrading.
	Isandla Institute. 2015. Transformation through Partnerships: Unpacking the positive potential of multi-sectoral collaboration for informal settlement upgrading.	Part of the Urban Land Programme series on participatory informal settlement upgrading.
	Isandla Institute. Forthcoming. Guide for Municipal Officials on Participatory Informal Settlement Upgrading.	This guide is expected by end 2018 and will feature sections related to forward planning of land for incremental settlement upgrading.
	SACN & SAPI. 2015. Know Your Block toolkit: Work to make a great place. Available online.	The toolkit's aim is to deepen community involvement in local spaces by exposing South Africans to planning and empowering them to improve their neighbourhoods.
	SACN. 2014. The Role Community Based Planning (CBP) has had in Strengthening Citizen Participation in Cities Across the African Continent. Available online.	A summary of the proceedings of a workshop held with representatives of local municipalities and government with the aim of giving feedback on an evaluative and comparative study on the role of community-based planning (CBP) in African countries.
SACN. 2015. Youth Policy Field and Institutional Analyses at Municipal Level in South Africa. Available online.	Research report analysing the existing structures pertaining to youth development at municipal level and puts forward a number of recommendations based on the analysis.	
SAFETY AS A PUBLIC GOOD	Brown-Luthango, M., Reyes, E. and Gubevu, M., 2017. Informal settlement upgrading and safety: experiences from Cape Town, South Africa. <i>Journal of Housing and the Built Environment</i> , 32(3), pp.471-493.	Literature review and case studies of effective social crime preventions approaches in ISU.
	GIZ. 2014. Building Safer Communities - Toolkit for Participatory Safety Planning. Part of the Inclusive Violence and Crime Prevention for Safer Public Spaces (VCP) Programme. Available online.	The toolkit guides users in the systemic planning of violence prevention and safety measures at local level. It helps identify risk factors as well as sources of resilience to build on when planning measures and interventions towards promoting community safety.
	Gotsch, P; Katsaura, O.; Ugur, L. & Katsang, N. 2014. An Urban Approach to Safety and Integrated Urban Development in South Africa IUDF Background Paper.	Provides a literature review on urban safety issues.
	Landman, K. & Kruger, T. 2007. Crime and public transport - designing a safer journey. Available online.	One of the major concerns of the majority of South Africans is the relatively high levels of crime. The transport sector faces its own set of challenges in this regard.
	SACN. 2016. State of Urban Safety in South Africa Report 2016. Available online.	One of the most extensive reviews on the state of safety in South African cities.

	VPUU. 2015. A manual for safety as a public good. Available online.	Extensive guide on safety based on VPUU's international award-winning experience. The guide has 4 Sections: 1) Situational Crime Prevention—Urban Design; 2) Social Crime Prevention; 3) Community Operation, Maintenance and Management; 4) Community Participation; 5) Knowledge Management.
TOWNSHIP RENEWAL	National Treasury. 2013. Identification of the urban hub. Prepared by Akanya Development Solutions.	Series of guidelines on township renewal within the urban network strategy.
	National Treasury. 2013. Urban Hub Design Toolkit: Design methodology for the urban network strategy. Prepared by Nina Mammon and Associates.	Series of guidelines on township renewal within the urban network strategy.
	SACN & Shisaka. 2009. Township Transformation Timeline. Available online.	Provides a comprehensive literature review and historical background to township development under apartheid and the new democratic dispensation.
	Sustainable Livelihoods Foundation (SLF). 2018. Supermarkets, Informal Micro-Enterprises and Household Consumption. Available online.	An assessment of the township economics of food systems implications in the case of Philippi East.
	Urban LandMark & SACN. 2009. Training for Township Renewal Initiative: Sourcebook (6 modules, 3 case studies). Available online.	Training for Township Renewal Initiative (TTRI) aims to develop an understanding of the needs and dynamics of South Africa's townships, as well as the various ways of transforming them into functional and sustainable neighbourhoods. The Township Renewal Sourcebook was published by the SACN.
	Urban LandMark & SACN. 2011. Retail centres and township development. Available online.	The booklet provides an overview of the impact of such shopping centres on consumers and local enterprises in the light of this broader understanding of 'success'. It suggests some strategies that municipalities, planners and developers can consider to reduce the negative and increase the positive impact of a retail centre.
	Urban LandMark & SACN. 2011. The impact of the development of formal retail centres in 'emerging economy' areas in South Africa. Available online.	160 retail centres have been developed nationally in township and rural areas of South Africa between 1962 and 2009, covering about 2-million m ² of retail floor space. An estimated R2.4 billion worth of income taxes have been generated by these retail investments since the 1980s, while an estimated R166 million worth of property taxes have been collected from retail centres over the period
	Urban LandMark & SACN. 2015. South African Township Economies and Commercial Property Markets: A Conceptualisation and Overview. Available online.	The objective of this report is to develop a conceptual framework that can be used to better understand township economies and related commercial real estate markets. Existing research on township economies will also be reviewed in terms of this framework.
	Urban LandMark. 2010. Case studies on integration. Available online.	Land located close to economic opportunities is usually the most expensive land, and therefore the market tends to work against providing such land to low-income people, unless government intervenes or the poor themselves adopt strategies such as land invasions to access well-located land. Case studies include perspectives on provision of residential and commercial space (Mansel Road Night Market (Durban), West Street (Durban)) and a number of inner-city social housing regeneration projects (Belgravia, East London; Rondebosch Mansions, Johannesburg).
	Urban LandMark. 2015. Bolstering Township Transformation (7 papers). Available online.	To consolidate this range of research inputs and reflections, Urban LandMark published a shorter booklet, which was launched on 26 July at a workshop event, "Bolstering Township Transformation".
Urban LandMark. 2015. Developing Township Regeneration Strategies. Available online.	This case study reflects some practical experiences in generating TRSs. It aims to highlight experiences from which other practitioners may learn. It forms part of a series of case studies for the TTRI.	

5 Equitable Access to Property Markets

The transformation of property markets has been an identified policy objective since the 1994 White Paper on Housing. Initiatives such as Urban LandMark and the work of CAHF have expanded the understanding of the segmentation of residential property markets, informal trading of land and the performance and impact of government-subsidised housing in the residential property market. Literature has also explored the emerging small-scale rental market as backyard shacks have boomed between Census 2001 and Census 2011 (Turok 2014).

With respect to equitable access to property markets, the proposed approach of the IUDF Working Group is to:¹³

- Prioritise dedicated support and intergovernmental mechanisms to accelerate the Title Deeds Restoration Programme;
- Establish housing transaction support centres as a key human settlements sector intervention;
- Develop efficient and effective mechanisms to transfer public land between entities on a sustainable basis; and
- Plan and implement a focused programme to develop small-scale landlords and investors, including empowerment financing.

This category has four sub-categories, namely:

- Governance and markets
- Pro-poor land markets and incremental tenure
- Small-scale rental
- Title deeds and formalisation

5.1 Governance and markets

CAHF has been a leader in research on the formal property market while work by Urban LandMark has explored the informal property sector (see section 5.2). By triangulating various data sources, market segmentation studies have been produced by CAHF for secondary cities and three metros (Cape Town, eThekweni and Manguang). The management and governance of land has also been extensively studied in various publications (ULM & Isandla Institute 2012; ULM & SACN 2010). Furthermore, a Land Governance Assessment Framework was created by ULM and was applied to South Africa in a 2010 study (ULM 2010).

5.1 Pro-poor land markets and incremental tenure

Between 2006 and 2013, ULM undertook extensive work to understand informal processes of access, transacting and developing land in South African urban areas. This work has remained seminal, and an online portal called Urban Knowledge Exchange Southern Africa (UKESA) has recently been set up as a central repository of documents and other resources on urban issues, including land markets: <https://www.ukesa.info/>

5.2 Small-scale rental

Census 2011 revealed a boom in the number of backyard shacks, and over the past decade a small-scale rental sector has emerged which is providing a much-needed supply of housing stock in relatively well-located areas, closer to economic and social amenities (ULM & SHF 2010; DAG 2018). A few initiatives have studied these changes in township environments (Massyn et al. 2015; McGaffin et al. 2015), and resources such as Informal City (<http://informalcity.co.za/>) present a number of architectural, planning and urban design models. Other studies have pointed to the lack of affordable rental accommodation in inner city environments resulting in a 'spatial mismatch' (SERI 2015, 2016).

¹³ Maqetuka, S. 2018. Urban Land – Progress of Work Underway. Presentation to the IUDF Working Group, 28 September 2018.

Text Box 2: The Housing Economic Value Chain

David Gardner wrote a series of blogs on the CAHF website explaining the Housing Value Chain, and its implications for investment strategies. A more formal and complete version of these blog articles can be found in the report for the World Bank titled *Understanding Housing Markets: Using municipal data* (CAHF 2018). The titles of the blogs in this series are:

- What Role Does Housing Play in African Economies?
- The Story of Housing and the Economy: Decoding the Housing Construction and Housing Rental Value Chains
- The Story of Housing and the Economy: Exploring South Africa’s Housing Value Chains



See <http://housingfinanceafrica.org/projects/housing-and-the-economy/>

5.3 Title deeds and formalisation

There is considerable literature on the role of formal title deeds in securing land tenure and enhancing the economic value of the house to the owner. Studies also look at the challenge of addressing the massive backlog in title deeds for government-subsidised housing, and its impact on property markets and upward mobility of beneficiaries. To this end, a range of initiatives have been launched to ensure capital asset value of properties are realised, with mixed results (ULM & SACN 2010; Unknown 2017; Zayat 2018).

5.4 Summary table of documents

Sub-category	Harvard Citation	Summary
GOVERNANCE AND MARKETS	CAHF. 2017. Access, Performance and Profitability - A South African Mortgage Market Overview. Available online.	Over the course of more than ten years, CAHF has explored the progress of South Africa’s mortgage market from three angles: mortgage access, performance and profitability. This South African case is particularly useful in that the analysis was undertaken during the course of the Financial Sector Charter.
	CAHF. 2017. Blog series: Housing Value Chain Analysis. Available online.	A series of three blogs authored by David Gardner for CAHF on housing value chains in the context of investment strategies.
	CAHF. 2018. An Analytical Framework for Understanding Housing Markets. Available online.	This document provides an analytical framework for analyzing housing markets and was produced for the World Bank and the Cities Support Programme of the South African National Treasury.
	CAHF. 2018. Public property release and development for integration. Integration and Spatial Transformation of South African Cities - Paper series.	The paper looks very briefly at government’s property portfolios and the current trends and approaches to managing these portfolios. It also looks at the impact this has on delivery, and at the key issues and constraints in relation to realizing the value of these portfolios.

GOVERNANCE AND MARKETS	CAHF. 2018. Realising social and economic integration in South Africa's residential property markets. Integration and Spatial Transformation of South African Cities - Paper series	The intention of this paper is to understand the concept of integration; to identify the factors that are prohibiting or limiting it; and to use this analysis to inform effective strategies and interventions.
	CAHF. 2018. Residential Property Markets in South Africa: Size, Activity and Performance in Cape Town, eThekweni and Manguang. Available online.	CAHF has completed three in-depth affordable housing market reports for the metros of Cape Town, eThekweni and Manguang. The reports are wide-ranging, providing market intelligence on opportunities and challenges in the housing market. Insights include, comments on the effects of rapid appreciation and production declines.
	CAHF. 2018. Understanding Housing Markets: using municipal data. Final Report to the World Bank.	This document describes the entire project for CSP (housing market framework, housing data system, house price index), and sets out the lessons learned. Its primary audiences are local municipal and national officials seeking ways to support metro municipality functions such as planning, fiscal management, human settlements oversight, and impact measurement.
	HDA & CAHF. 2017. Housing Market Overview Studies. Available online.	HDA and CAHF developed a series of housing market overviews on secondary cities. Hosted online at http://www.citysolve.co.za/
	Melzer, I. 2016. Housing Sector Performance: Overview of Demand. Presentation for CAHF.	Analysis of available data sets to quantify national housing demand and need for state assistance.
	Urban LandMark & Afesis Corplan. 2010. Land Access Manuals. Available online.	The Overview provides a short and simple introduction to the process. The Step offers more details on each of the steps involved in the process. The Options outlines the various options for how and when land can be accessed.
	Urban LandMark & Isandla Institute. 2012. Managing urban land: a guide for municipal practitioners. Available online.	Urban LandMark recently developed a guide for local government in South Africa to assist municipal officials involved in urban land governance to carry out their functions in ways that ensure pro-poor outcomes in the urban land market. The objective of the guide is to provide easily accessible material based on the urban land governance work of Urban LandMark over the past five years to provide practical ways of working differently. With clear examples and available tools, the guide shows municipal practitioners what they can practically do to manage urban land to achieve these outcomes.
	Urban LandMark & SACN. 2009. Municipal rates policies and the urban poor - How can municipal rates policies promote access by the poor to urban land markets? Available online.	In urban areas, the poor struggle to access well-located land in cities and legal, institutional and procedural constraints impede secondary residential property markets from functioning effectively in black townships. The purpose of this paper is to examine how municipal property rates policies are, or could be, used as an instrument to promote access by the poor to urban land markets.
	Urban LandMark & UN Habitat. 2010. Africa's Urban Land Markets: Piecing Together an Economic Puzzle. Available online.	The handbook introduces key economic and related concepts explaining the functioning of urban land markets. By introducing key classical economic concepts, the handbook provides foundational economic terms that are often referred to in relation to urban land markets.
	Urban LandMark. 2010. Land Governance and its Influence on Access to Urban Land. Available online.	This study provides the basis for recommendations that will help resolve these issues and make it possible for poorer people to access peri-urban land more easily and to build stable and sustainable communities.
	Urban LandMark. 2010. Land Governance Assessment Framework: South Africa. Available online.	The LGAF is a tool designed by the World Bank in collaboration with partners to help countries assess their policies and practices regarding land governance, setting a benchmark for comparison and monitoring of progress.
	Urban LandMark. 2010. Urban Land Markets in Southern African Cities. Available online.	The research that informs this case study drew on a wide range of studies related to how urban land markets operate in southern African countries.
Urban LandMark. 2013. Land Governance in South Africa: Implementing the Land Governance Assessment Framework. Available online.	The Land Governance Assessment Framework (LGAF) is an innovative and participatory diagnostic tool that assesses the state of land governance in a country. This report outlines the implementation imperatives for South Africa	

PRO-POOR LAND MARKETS AND INCREMENTAL TENURE	Hornby, D. 2017. Untitled: Securing Land Tenure in Urban And Rural South Africa. Presentation at HSRC conference.	Covering a wide range of issues relating to access to land.
	Isandla Institute. 2017. Incrementalism and Informal Settlement Upgrading: Towards inclusive urban development.	Part of the Urban Land Programme series on participatory informal settlement upgrading.
	Isandla Institute. 2017. Incrementalism and Informal Settlement Upgrading: Towards inclusive urban development.	Part of the Urban Land Programme series on participatory informal settlement upgrading.
	Isandla Institute. 2017. Tenure security in informal settlements: Exploring a meaningful approach.	Part of the Urban Land Programme series on participatory informal settlement upgrading.
	SERI. 2012. Informal Settlement Upgrading: Incrementally upgrading tenure under customary administration. Prepared for HDA and NUSP. Available online.	One of the key issues identified in the research was lack of awareness about IPLRA rights (the Interim Protection of Informal Land Rights Act) among the key stakeholders.
	Urban LandMark 2008. Access to Urban Land: a handbook for community organisations. Available online.	This booklet consists partly of an overview of the outcomes of these workshops and other research undertaken by Urban LandMark, and partly of information prepared in response to the information gaps identified in the workshops.
	Urban LandMark 2010. Voices of the Poor: Access to Urban Land: A Case Study. Available online.	This case study presents the perspectives and experiences of civil society organisations with regard to access to urban land by the poor as derived from the consultations.
	Urban LandMark. 2007. How the poor access, hold and trade land. Available online.	This research project investigated the extra-legal ways in which poor people access, trade and hold urban land in different types of settlements in the three South African metropolitan areas of Cape Town, Ekurhuleni and eThekweni.
	Urban LandMark. 2007. Voices of the Poor: community perspectives on accessing urban land. Available online.	Workshops were held in Port Elizabeth, Cape Town, Pietermaritzburg and Johannesburg and hosted by urban development NGOs active in the region. In all, 105 participants from more than 30 different civil society organisations participated.
	Urban LandMark. 2008. Land Biographies Project. Available online.	Case studies documenting how urban land is divided and re-divided within the context of the interaction between formal and informal land use management systems. It investigates the processes, practices, techniques and power required to make it possible to divide spaces into smaller or larger parcels.
	Urban LandMark. 2010. Formal residential markets in urban areas. Available online.	This case study examines the formal urban land and property market in South Africa, its institutions, “rules of the game” and functioning. It shows that the market functions well for those who are able to participate in it, but poorer people are excluded from participating because affordability is a critical requirement and thus represents a barrier.
	Urban LandMark. 2010. Informal Land Registration in Urban Areas: A Case Study. Available online.	This case study examines specific examples of localised and informal land registration practices. Such informal land registration often arises where people do not have access to the formal state system of land registration.
	Urban LandMark. 2010. Informal Urban Land Markets and the Poor. Available online.	The research included in-depth interviews with 74 households in nine settlements in three South African metropolitan areas – Cape Town (Western Cape), Ekurhuleni (Gauteng) and eThekweni (KwaZulu Natal).
	Urban LandMark. 2013. Co-existing Urban Land Use Management Practices. Available online.	The study showed that various land use practices and management systems co-exist, and in particular, that there is no clear distinction between formal and informal systems. Formal land use management is what is generally done by governments, for example, town planning, land use zoning and registration of deeds
	Urban LandMark. 2013. Incrementally Securing Tenure: Promising practices in informal settlement upgrading in southern Africa. Available online.	The case study looks at this conundrum in the South African context and suggests ways in which poor people can be spatially and economically integrated into cities by increasing their bidding power, including improving the intensity of land utilisation.

SMALL SCALE RENTAL	Borel-Saladin, J. and Turok, I., 2015. Backyard shacks and the urban housing crisis: stopgap or prototype solution. Urban Forum.	The number of households living in backyard dwellings increased by 55% during the previous decade, while the number living in free-standing shacks decreased by more than 120 000.
	Breimer, T.; & Napier, M. 2013. A Long way from home: Following 26 years of core housing consolidation and the struggle to achieve a sense of dignity. Available online.	Analysis the provision of core housing in Khayelitsha, specifically taking into account the residents' response to the state's delivery of core housing.
	DAG. 2018. Affordable Rental Housing A look at a vital yet often ignored sector. Available online.	A review of literature and statistics on the small scale housing market and series of recommendations, including work of DAG around supporting contractors.
	Joseph, S.L. 2012. Study on potential interventions in the small-scale rental market. In: The South African Informal City.	A series of case studies on small scale rental sector in a number of cities.
	Lategan, L.G. and Cilliers, J.E., 2016. Towards more compact South African settlements through informal housing: The case of backyard densification in Bridgton and Bongoletu, Oudtshoorn. Town and Regional Planning, 68, pp.12-26.	Results show that informal backyard rentals increase dwelling unit and population densities substantially in the case study, accommodating households who would otherwise occupy land illegally on the urban periphery, contributing to urban sprawl.
	Lategan, L.G., 2017. Informality and sustainability: reflecting on South Africa's informal backyard rental sector from a planning perspective (Doctoral dissertation, North-West University, Potchefstroom Campus).	Despite growth in informal backyard rentals post-apartheid, housing policies have discounted the sector, focussing on subsidised homeownership and eradicating informal settlements.
	Lategan, L.G., and Cilliers, E.J. 2013. South Africa's informal backyard rental sector: Linkages with smart growth and sustainability. In the Sustainable City VIII (Vol. 1, pp. 303-314). Southampton, UK: Wit Press.	Paper exploring the linkages with smart growth and sustainability in the rental sector.
	Massyn, M.W., McGaffin, R., Viruly, F. and Hopkins, N., 2015. The challenge of developing higher density, affordable housing in the inner city of Cape Town. International Journal of Housing Markets and Analysis, 8(3), pp.412-428.	The paper emphasises the need to maintain an appropriate balance between the viability and affordability of the product offered to the market and overcoming the value versus cost challenges.
	McGaffin, R., Cirolia, L.R. and Massyn, M., 2015. Overcoming the challenge of vertical consolidation in South Africa's low-income settlements: a case study of Du Noon. Urban Forum, Vol. 26, No. 1, pp. 59-75.	Du Noon offers an interesting counter position to this narrative. Unlike other Reconstruction and Development Housing Programme settlements, many property owners are demolishing the state-delivered units and erecting double-storey rental accommodation. Drawing from interviews conducted with 21 of these structure owners, this paper explores the drivers of this 'vertical consolidation' in Du Noon drawing lessons for housing policy and practice in South Africa.
	Rubin, M. & Gardner, D. 2013. Developing a Response to Backyarding. Report prepared for SALGA. Available online.	This report presents a framework for SALGA to advocate for the national backyard policy and provides definitions, key concepts, trend analysis, 14 local case studies and 4 international case studies.
	SERI. 2013. Tenants Guide to Rental Housing. Johannesburg: Wits School of Architecture and Planning.	Guide to tenants right's in rental contracts
	SERI. 2014. Minding the Gap: An Analysis of the Supply of and Demand for Low-Income Rental Accommodation in Inner City Johannesburg. Available online.	This report shows that there are few formal housing options available to low-income and poor inner city residents. The private rental market does not supply anything that is affordable.
	Shapurjee, Y. and Charlton, S., 2013. Transforming South Africa's low-income housing projects through backyard dwellings: Intersections with households and the state in Alexandra, Johannesburg. Journal of Housing and the Built Environment, 28(4), pp.653-666.	Backyard dwellings arguably contradict state housing objectives by symbolising informality and disorder; a symptom of inadequacy that the housing programme strives to overcome.

	Urban LandMark & SHF. 2010. New small-scale rental strategy promises to improve supply of affordable housing. Available online.	A project undertaken by the Social Housing Foundation (SHF) and Urban LandMark aims to provide greater understanding of, and exposure to, the small private dwelling rental (or small-scale rental) market within South Africa's human settlements framework.
	Urban LandMark. 2010. Small-scale Private Rental in South Africa. Available online.	This case study examines the small-scale private rental sub-sector and its potential to deliver housing in South Africa. The case study describes this subsector as a housing delivery system that is based on contracts between landlords and tenants, and exists on privately-held land.
TITLE DEEDS AND FORMALISATION	Barry, M. and Roux, L., 2016. Land ownership and land registration suitability theory in state-subsidised housing in two South African towns. <i>Habitat international</i> , 53, pp.48-54.	What is lacking are studies that examine where land titling does work and what the critical conditions are that have to exist or be created for it to work. A situation may be analysed in terms of these critical conditions and classified as a weak, semi-weak, semi-strong or strong fit.
	Cousins, B. and Hornby, D., 2005. Will Formalising Property Rights Reduce Poverty in South Africa's Second Economy? Questioning the Mythologies of Hernando de Soto.	Questioning the tenure regularisation approach espoused by economist De Soto.
	Lemanski, C., 2011. Moving up the ladder or stuck on the bottom rung? Homeownership as a solution to poverty in urban South Africa. <i>International Journal of Urban and Regional Research</i> , 35(1), pp.57-77.	An investigation of government subsidised housing contributing to social and economic empowerment.
	Parliament of South Africa. 2013. Title deeds within the context of sustainable human settlements. Report by the Research Unit.	Provides a status quo assessment and legal framework overview.
	Restitution Foundation. 2017. Title Deeds as Act of Empowerment: Different perspectives - Transcript of key speaker presentation. Available online.	Transcript of Neville Chaine's speech at the workshop.
	Unknown author. 2017. Take away points and recommendations: Workshop on title restoration, tenure security and economy. Presentation	Makes a number of recommendations on title deed restoration.
	Urban LandMark & SACN. 2011. Investigation into the delays in issuing title deeds to beneficiaries of housing projects funded by the capital subsidy. Available online.	The major cause is a failure by developers - both government and the private sector - to finalise the establishment and proclamation of new areas being developed for subsidised housing. Projects go ahead without the approval of a General Plan for the area.
	Zayat, A. 2018. Presentation: Registering Property Reform. Presentation to CSP.	An assessment of 'ease of doing business' indices and how it related to urban land management in South Africa.

6 Spatial Transformation

The IUDF identifies a range of levers to achieve the urban development vision it espouses, and transport and sustainable human settlements are two important aspects. Furthermore, the National Development Plan (NDP) in Chapter 8 advances a better understanding of inclusive urbanisation processes. CSP has been creating a range of support tools for the preparation and packaging of urban land development with potential to catalyse changes in the spatial structure of cities and towns.

The proposed approach of the IUDF Working Group with respect to spatial transformation is to:¹⁴

- Identify top 15 land parcels for immediate intervention and set up an Urban Land Tribunal, which will deal mainly with land earmarked for redistribution and expropriation on a case-by-case basis; and
- Develop mechanisms to support private sector investment in under-performing areas.

¹⁴ Maqetuka, S. 2018. Urban Land – Progress of Work Underway. Presentation to the IUDF Working Group, 28 September 2018.

This category has four sub-categories, namely:

- Catalytic projects
- Human settlements
- Planning reforms and Land Use Management Systems (LUMS)
- Transport and transit-oriented development (TOD)

6.1 Catalytic projects

There is a need for changes in the way local government transacts and prepares 'bankable' land development projects. Following a series of consultation workshops, the CSP prepared the *Catalytic Land Development Guideline* (NT 2018) which presents a process of preparing catalytic land development projects in three stages: Phase 1: Spatial planning and targeting; Phase 2: CLD programme preparation; Phase 3: Implementing projects within the catalytic programme. This work was influenced by work done by Johan Coetzee on *Catalytic Land Development Life Cycle* (2017). It should be noted that this stream of work by CSP on catalytic land development is different than the catalytic housing projects and spatial masterplan developed by the Department of Human Settlements.

6.2 Human settlements

Comprehensive literature reviews have been conducted by Marie Huchzermeyer, Margot Rubin, David Gardner and Gemey Abrahams for the periods pre 1999, 1999 – 2003, 2003 – 2007, and 2008 – 2012. Further review of the human settlements programmes and instruments can be found in the South African Urbanisation Review (Gardner & Graham 2018). SACN commissioned work on the post-Breaking New Ground period and called attention to evolving perspectives on what the human settlements programme should achieve and consist of (SACN 2015). Legal and jurisprudence perspectives have also evolved on the interpretation of Section 26 of the Constitution and the state's responsibility of ensuring the 'right to access to adequate housing' (Dugard et al 2017). At the same time, the allocation of houses according to a rational 'demand database' has also been questioned (SERI 2012).

6.3 Planning reform and land use management systems (LUMS)

Over the past five years, new planning instruments such as the Built Environment Performance Plan has been introduced as an annual guiding framework of aligning spatial policy and capital budget expenditure of all Schedule 4 grants (e.g. USDG, INEPG, PTNG, ICDG, NPDG, etc), which is significant, considering that such 'conditional grants' on average make up 45.5 percent of the eight metro's total budgets.¹⁵

These planning reforms has been celebrated to give spatial transformation ideals more 'teeth' (Turok 2015). The Planning Alignment Task Team of the City Budget Forum commissioned a discussion document on *Reforming the Regulatory Environment for Urban Planning* in mid-2016 (Berrisford 2016). The introduction of SPLUMA has also been highly regarded, and guidelines for its implementation have been prepared (DRDLR 2014). More recently, the *New Urban Agenda Localisation Framework* emphasises the IUDF as South Africa's national urban policy and provides details on the implementation of the NUA objectives within the framework of the IUDF.

6.4 Transport and transit-oriented development (TOD)

TOD and land-based bus rapid transport systems are also viewed as important levers to achieve spatial transformation in cities, and are emphasised in the urban network strategy approach promoted by CSP. Extensive literature reviews have been conducted on the changes in transport policy and practice. One such paper considers the four characteristics of the built environment (density, diversity, design and distance to transit) that are purported to have a significant impact on travel behaviour, accessibility, and financial viability (Cooke et al 2018; van Ryneveld 2018). Other resources give practical guidelines on TOD strategies and the operations of local public transport systems (NT 2018; SACN 2014, 2016). Proceedings and papers delivered at annual South African Transport Conference are also of relevance.¹⁶

¹⁵ See SACN *State of Cities 2016 Report*, Chapter 7: Finance.

¹⁶ Papers from the 2018 South African Transport Conference are available at <http://www.satc.org.za/previous.html> and <http://www.satc.org.za/documents.html>

6.5 Summary table of documents

Sub-category	Harvard Citation	Summary
CATALYTIC PROJECTS	Coetzee, J. 2017. Catalytic Land Development Life Cycle Presentation. Unpublished presentation.	This presentation formed the basis of CSP's ongoing work on catalytic land development, especially the project preparation phase.
	HDA. 2018. Briefing note: PHDA (Priority Housing Development Areas). Unpublished report.	The purpose of this note is to provide a brief reflection of declaring a PHDA and the benefit of having a PHDA declared.
	National Treasury. 2016. Conference Report: Accelerating the Preparation and Implementation of Catalytic Urban Redevelopment Projects: Institutional and Financial Tools (7 - 9 March 2016).	This interactive technical workshop was aimed at enhancing city decision-makers' knowledge and technical capacity to implement a range of institutional and financing tools for catalytic urban land development projects. The training was designed to provide a conceptual and practical overview of
	National Treasury. 2017. Technical Assistance Workshop on Catalytic Urban (Re)Development Programs and Projects: Summary Report. Pretoria, South Africa, 24-26 July 2017.	Summarising conference proceedings with a focus on Catalytic Programme Inception and Concept stages; Catalytic Programme Pre-Feasibility and Feasibility stages; and the Catalytic Programme Preparation Finalization Stage.
	National Treasury. 2018. Catalytic Land Development Guidelines. Available online.	This guideline presents a process of preparing catalytic land development projects in three stages: Phase 1: Spatial planning and targeting; Phase 2: CLD programme preparation; Phase 3: Implementing projects within the catalytic programme
HUMAN SETTLEMENTS	Charlton, S., 2018. Spanning the spectrum: infrastructural experiences in South Africa's state housing programme. <i>International Development Planning Review</i> , 40(2), pp.97-120.	State development interventions in cities of the global South can attract criticism for imposing norms at odds with ordinary people's needs and practices. Yet complex relations with state-provided infrastructure can emerge, as shown in people's interactions with South Africa's state housing programme.
	DHS. 2009. Housing Project Process Guide: A process guide for the National Housing Programmes. Available online.	Covers detailed process guides on the programme: Integrated Residential Development Programme; The Upgrading of Informal Settlement Programme; The Rural Subsidy: Communal Land Rights Programme.
	DHS. 2016. Master Spatial Plan for Human Settlements. Unpublished presentations.	Outlining the spatial vision for mega projects in housing delivery.
	Dugard, J; Clark, M; Tissington, K; & Wilson, S. 2017. The Right to Housing in South Africa. Report for the Foundation for Human Rights (FHR).	This paper assesses the situation pertaining to basic water services in South Africa, first reviewing the legal, policy and functional frameworks, before undertaking a rights-based fault-line analysis of the systemic problems.
	Gardner, D & Graham, N. 2018. The Human Settlements Programme and its Subsidy Instruments. Paper 6, South African Urbanisation Review, National Treasury.	Paper part of the South African Urbanisation Review funded by the World Bank.
	HDA. 2015. Guidelines for the identification of well-located land for human settlements Guideline series. Available online.	The LIAC are based on a well-located land continuum with four dimensions: context; suitability; integration; and alignment.
	Huchzermeyer, M.; and Karam, A. 2016. SA Housing Policy over Two Decades: 1994-2014. <i>Twenty Years of Freedom Review</i> .	Review of South African housing policy over two decades (1994 - 2014)
	Marie Huchzermeyer, Margot Rubin, David Gardner, and Gemey Abrahams. Housing (inc. land) literature survey (pre 1999, 1999 – 2003, 2003 – 2007, 2008 - 2012).	Four literature reviews related the South African human settlements debates since 1994 to 2012.
	SACN. 2015. From Housing to Human Settlements: Evolving Perspectives. Available online.	This book explores what moving from housing to human settlements means, and reflects on the policy, legislative and financial frameworks that govern and inform how human settlements are planned and delivered in South Africa.
	SERI. 2012. 'Jumping the Queue', Waiting Lists and other Myths: Perceptions and Practice around Housing Demand and Allocation in South Africa. Available online.	SERI analyses perceptions and practice around housing demand and allocation in South Africa, looking at the policies and processes operating at national, provincial and local level.
	Simkins, S & Fonkam, A. 2018. Simkins Report: Human Settlements and Urban Land Reform. Report for the Helen Suzman Foundation.	Drawing on statistical sources, this report outlines the needs for human settlements in the urban land reform agenda.
Tissington, K. 2013. A Review of Housing Policy and Development in South Africa since 1994. Available online.	Comprehensive guide to housing policy and practice since 1994.	

	Tiwari, P., Rao, J. and Day, J., 2016. Housing in South Africa. In Development Paradigms for Urban Housing in BRICS Countries (pp. 183-219). Palgrave Macmillan, London.	This chapter presents a comprehensive review of housing institutions in South Africa. Since the end of apartheid, the political leadership has had the task of meeting a huge housing backlog and doing so in a way that is sensitive to cultural expectations
PLANNING REFORM AND LUMS	Berrisford, S. 2016. Reforming the regulatory environment for urban planning: taking stock and moving forward. A discussion document for the City Budget Forum's Planning Alignment Task Team.	This report examines the regulatory framework governing city planning and identifies areas for reform in the design and implementation of this legislation.
	Berrisford, S. 2016. Revised draft strategy for urban planning regulatory and policy reform. Report prepared on behalf of PREFE for National Treasury's Cities Support Programme.	Planning Alignment Task Team of the City Budget Forum commissioned a discussion document on Reforming the Regulatory Environment for Urban Planning in mid-2016. This strategy builds on findings and recommendations of that discussion document.
	CAHF. 2018. Case Studies: Integration and Spatial transformation of South African Cities. Paper series.	Paper series and case studies assessing how property (not necessarily public) can be used to realise land value. Two of the selected projects are located on private land and, although the focus is on public land, these demonstrate interesting approaches to the actual development which could be applied to public land.
	CAHF. 2018. Key instruments, approaches and strategies to integrate cities. Integration and Spatial Transformation of South African Cities - Paper series.	Paper argues that two aspects – best-use/value and city objectives and priorities—need to come together in an approach and development process.
	DRDLR. 2014. SDF Guidelines: Guidelines for the Development of Provincial, Regional and Municipal Spatial Development Frameworks and Precinct Plans. Prepared by GAPP Architects and Urban Designers.	Comprehensive guidelines on the compilation of hierarchies of spatial plans required by SPLUMA.
	Laubscher, N.; Hoffman, L.; Drewers, E. & Nysschen, J. 2017. SPLUMA: A Practical Guide. Published by Lexis Nexis South Africa.	This publication provides practical guidance on the day to day implementation of SPLUMA and its regulations. This guidebook is applicable to professional and government planners, lawyers and other built environment professions.
	Rabe, C., McGaffin, R. and Crankshaw, O., 2015. A diagnostic approach to intra-metropolitan spatial targeting: Evidence from Cape Town, South Africa. Development Southern Africa, 32(6), pp.726-744.	This article ascribes poor returns from place-based economic policy to prevailing spatial norms and causal assumptions which continue to influence its deployment across South African cities.
	SACN DHS; & DCOG. 2018. New Urban Agenda Localisation Framework (NUA-LF). Available online.	As South Africa's national urban policy, the IUDF needs to be contextualised within the NUA, through interpreting and localising the NUA directives.
	SACN. 2013. South African Urban Strategies Alignment Study. Available online.	The study analyses how various long-range development strategies and plans of relevance to South Africa's large (primary and secondary) cities align (or not) and reflects upon national urban development and settlement planning.
	SACN. 2015. Outside the Core: Towards an Understanding of Intermediate Cities in South Africa. Available online.	This study builds upon the 2013 secondary cities study with the aim of contributing to our understanding of what might be different or unique about these places.
	SACN. 2015. SPLUMA as a tool for spatial transformation. Published report.	Review of the implementation of SPLUMA.
	SACN. 2015. Urban Land Paper Series - Vol 1. Available online.	Series of eight papers on Urban Land with a particular focus on IGR. The first volume of the Urban Land Paper Series by SACN (2015) also draws attention to the following points: Land justice is not just about ownership How land is valued and used is essential Land is required for everything A transformative land-use system is needed The economics of land must be acknowledged
	SACN. 2016. The Spatial Strategies Alignment Paper. Available online.	The Spatial Strategies Alignment Paper is a summary of a detailed study undertaken by the CSIR for the SACN and the Department of Cooperative Governance and Traditional Affairs as part of the process of developing the IUDF and the SoCR.
	SACN. 2016. City Development Strategy - Guidelines. Available online.	The purpose of this guideline is to provide local government officials, councillors, practitioners, with a suggested methodology for implementing City Development Strategies based on SACN's experience and that of its member cities.

	Turok, I., 2016. South Africa's new urban agenda: Transformation or compensation? <i>Local Economy</i> , 31(1-2), pp.9-27.	The paper provides a critical and constructive assessment of what lies behind these contrasting agendas.
	Urban Land Institute. 2014. Expert Panel Review of Integration Zone plans of Cape Town, Nelson Mandela Bay and eThekweni (3 reports). Commissioned by City Support Programme. Available online.	Expert and independent panel review of Voortrekker Road Corridor (Cape Town), Baakens River Valley (NMBM) and Warwick Junction (eThekweni).
TRANSPORT AND TRANSIT-ORIENTED DEVELOPMENT	Brown-Luthango, M, De Vries, L, Naudé, L & Jennings, G. 2017. Spatial dimensions of equitable access: Planning for sustainable transport, case study for WWF-SA, Low-Carbon Passenger Transport Solutions, WWF-SA. Cape Town, South Africa.	Paper provides: (a) examples of South African practice, (b) lessons from past and current planning challenges to apply to future interventions, and (c) the opportunity to address past spatial inequalities and contribute to an equitable and low-carbon society and economy.
	Bickford, J. 2013. Literature review on public transport and mobility in municipalities. Available online.	Extensive literature review.
	Cooke, S., Behrens, R. and Zuidgeest, M., 2018. The Relationship Between Transit-Oriented Development, Accessibility and Public Transport Viability In South African Cities: A Literature Review And Problem Framing.	In this paper, literature is reviewed regarding four characteristics of the built environment (density, diversity, design and distance to transit), that are purported to have a significant impact on travel behaviour, accessibility, and financial viability
	Joubert, J. 2018. Logistics and freight patterns, constraints to productivity, and network mapping. Paper 7, South African Urbanisation Review, National Treasury.	Paper part of the South African Urbanisation Review funded by the World Bank.
	M Suleman, M Gaylard, S Tshaka and C Snyman. 2015. Accelerating the Transition to Green Transport: Towards a South African Cities Network Green Transport Programme. Green Economy Research Report No. 1, Green Fund, Development Bank of Southern Africa, Midrand.	Research in support of sustainable transport since a key imperative for South African cities is to move away from privately owned cars towards mass public transport, cycling and walking.
	National Treasury. 2018. Towards sustainable city transport systems: BRT and City Bus Systems. Available online.	The purpose of the Toolkit is to provide information and procedures to enable cities to improve their BRT operational efficiencies in both the planning and operations phases.
	SACN. 2014. Developing a Public Transport Investment Assessment Framework. Available online.	This report explores how cities can more effectively begin to assess whether public transport investments are yielding desired land development returns and should be read in conjunction with the How to Build Transit Oriented Cities publication.
	SACN. 2014. How to Build Transit Oriented Cities. Available online.	This book explores what is needed to achieve transit-oriented city growth and provides useful insights for cities striving to restructure apartheid spatial patterns.
	SACN. 2015. Move the City 2035: Minibus Taxi Scenarios. Available online.	Move the City 2035: Minibus Taxi Scenarios is based on a scenario exercise that brought together mobility thought leaders to explore the possibilities for collaboration, with a focus on innovation, service improvement and integration with other public transport modes.
	SACN. 2016. Accelerating the Transition into Green Transport in South African Cities. Available online.	Accelerating the Transition into Green Transport in South African Cities is a report on green economy research and aims to support the establishment of a cities' green transport programme.
	SACN. 2016. BRT Impacts at a Neighbourhood Level (Volumes 1 and 2). Available online.	BRT Impacts at a Neighbourhood Level (Volumes 1 & 2) is a study outlining the perception and observation insights from Soweto's Diepkloof and Thokoza Park BRT stations and providing a baseline analysis for a longer-term narrative on the transformation of BRT corridors.
	SACN. 2016. Developing a collective approach to mixed use development in Transit Orientated Development (TOD) Precincts. Available online.	Developing a collective approach to mixed use development in Transit Orientated Development (TOD) Precincts is a guideline that provides a ten-year review of city experience in using TOD approaches to land development in the vicinity of public transport stations.
	SACN. 2016. The Transit Oriented Density Framework. Available online.	The Transit Oriented Density Framework is a report that seeks to engage with the notion of higher density in relation to public transport. The report is accompanied by a pull out poster and video outlining and explaining the framework
SACN. 2016. The Transport User Experience Poster. Available online.	The Transport User Experience Poster seeks to elevate the lived experiences and voices of people using multiple transport systems on a daily basis. Photographic observation and travel diaries were used to map, record and reflect on their travel experience.	

SACN. 2017. Transit Oriented Density Framework: Towards a Deeper Understanding of Density. Available online.	TOD in the context of spatial transformation.
SACN. 2017. Urban Land Paper Series - Vol 2: Transit Oriented Development. Available online.	Volume 2 takes a transit oriented development approach as a lens through which to explore various land questions facing cities because TOD is unequivocally urban in its nature.
van Ryneveld, P. 2018. Analysis of urban transport in South Africa. Paper 9, South African Urbanisation Review, National Treasury.	Paper which is part of the South African Urbanisation Review funded by the World Bank.

7 Residential and Economic Informality

Residential and economic informality is both a symptom of our oppressive past and a signal of progress and entrepreneurial activity and social resilience. The IUDF Working Group has proposed the following approach for working with informality:¹⁷

- Accelerate in situ and incremental upgrading of informal settlements in well-located areas;
- Ensure both formal and informal tenure interventions in support of informal settlements through progressively enhancing tenure security; and
- Prioritise well-located land closer to the very dense informal settlement, for relocation and expropriation.

This category has three sub-categories, namely:

- Informal economy
- Informal settlement upgrading
- Land occupation and the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998 (PIE)

7.1 Informal economy

Research reports have examined the role that informal sector employment plays in poverty reduction using data from the National Income Dynamics Study (NIDS). Using a Shapley decomposition approach, the research suggests that government transfers and formal sector jobs are the dominant drivers of aggregate poverty reduction (Cichello & Rogan 2017). Other papers have analysed the nature of, and recent trends in, the South African informal sector using Quarterly Labour Force Survey (QLFS) data from 2008-2014 (Rogan & Skinner 2017).

Although the informal economy has a real impact on job creation and poverty reduction, well-located trading spaces have at times been oppressed by city governments. For example, Durban has been at the forefront of developing policies to manage and control informal economy activities; however, the effect of the push for formalisation is exclusionary and mimics the influx control regimes of the apartheid administration (SERI 2012). Some of these oppressive actions of prohibition or relocation affecting traders might be illegal as set out in the Businesses Act (SERI 2012).

7.2 Informal settlement upgrading

Project Preparation Trust (PPT) was recently commissioned by CSP to prepare a comprehensive Toolkit on ISU, which includes a downloadable zipped folder containing 368 resources. Only the reference sheet is included in this review.

Despite the wide range of resources available on ISU, the application of the Upgrading of Informal Settlements Programme (UISP), Part 3 of the National Housing Code has remained poor and underappreciated by government officials (CDE 2013). SERI (2014) prepared an up-to-date overview of the current landscape with regard to informal settlement upgrading in South Africa, particularly the linkages between informal settlement upgrading, livelihood creation, informal sector development and economic opportunity generation. A book project of ACC and Isandla Institute (Cirolia et al 2017) also advanced an understanding that ISU requires a

¹⁷ Maqetuka, S. 2018. Urban Land – Progress of Work Underway. Presentation to the IUDF Working Group, 28 September 2018.

special set of relationships and partnerships due to the complexity of in-situ upgrading (as opposed to relocations and removals to peripheral housing developments or temporary relocation areas).

7.3 Land occupation and evictions

Afesis-Corplan (2016) was appointed by the HDA to develop guidelines on '*Managing and Curbing Unauthorised Land Occupation*' which provide recommendations for the relevant national and provincial government departments to support and create an enabling environment for municipalities to deal with unauthorised land occupation. PPT also designed an approach for the rapid assessment of categorisation of informal settlements via four categories of upgrading, which are (subject to feasibility): A) full upgrade, B1) Full engineering services, B2) interim engineering services and C) imminent relocation.

Despite the existence of legislation and policies, cases where people are evicted and left homeless and despondent continue to surface. Established in June 2014 following the evictions in Nomzamo (Lwandle) in Cape Town, the Lwandle Commission concluded that land owners must proactively identify and secure their property and/or vacant land, so as to discourage invasion thereof. However, the issue of providing services to residents who recently occupied land is complex legal issue. To this end, legal opinions have been sought on, for example, the options for local government to invest in essential services for informal settlements on land it does not own (PPT 2018; Rosenberg & O'Sullivan 2014). Furthermore, case law has placed obligations on the local authority to deal with land invasions in a 'non-coercive manner' (also see SERI 2014).

7.4 Summary table of documents

Sub-category	Harvard Citation	Summary
INFORMAL ECONOMY	Cichello, P. & Rogen, M. 2017. Informal sector employment and poverty in South Africa: Identifying the contribution of formal' sources of income on aggregate poverty measures. RED3x3 Working paper.	Paper examines the role that informal sector employment plays in poverty reduction using data from the National Income Dynamics Study (NIDS). The main conclusion is that government transfers and formal sector jobs are the dominant drivers of aggregate poverty reduction.
	Crush, J. and Chikanda, A. eds., 2015. Mean streets: Migration, xenophobia and informality in South Africa. Southern African Migration Programme.	Critique of oppressive practices of state security in removing informal traders and entrepreneurs from well-located areas.
	Crush, J., Chikanda, A. and Skinner, C., 2015. Migrant entrepreneurship and informality in South African cities. SAMP, ACC and IDRC, pp.1-24.	Critique of oppressive practices of state security in removing informal traders and entrepreneurs from well-located areas.
	HDA & PPT. 2014. Informal settlements: improved livelihoods, the informal economy and local job creation. Available online.	Guidelines on developing the informal economy and livelihoods in the context of upgrading informal settlements.
	HDA & PPT. 2014. Informal settlements: Rapid Assessment and Categorisation. Available online.	Guidelines on executing a forward planning approach of assessment and categorising informal settlements in Categories A, B1, B2 and C.
	Isandla Institute. 2016. Supporting sustainable livelihoods through informal settlement upgrading. Available online.	Part of the Urban Land Programme series on participatory informal settlement upgrading.
	Rogan, M. and Skinner, C., 2017. The nature of the South African informal sector as reflected in the quarterly labour-force survey, 2008-2014 (No. 28). RED3x3 Working paper.	This paper presents an analysis of the nature of, and recent trends in, the South African informal sector using Quarterly Labour Force Survey (QLFS) data from 2008-2014.
	SERI. 2012. 'The End of the Street?' Informal Traders' Experiences of Rights and Regulations in Inner City Johannesburg. Available online.	The report shows that an investigation into how prohibition or relocation may effect traders, as set out in the Businesses Act, is both possible and necessary.
	SERI. 2012. Criminalising the Livelihoods of the Poor: The impact of formalising informal trading on female and migrant traders in Durban. Available online.	Durban has been at the forefront of developing policies to manage and control informal economy activities; however, as the report notes, the effect of the push for formalisation is exclusionary and mimics the influx control regimes of the apartheid administration.
	Skinner, C. 2014. Setting the scene: The South African informal sector. In workshop on urban informality and migrant entrepreneurship in southern Africa, pp. 10-11.	Review of debates surrounding the informal economy, including issues of land.
	Skinner, C. and Haysom, G., 2016. Informal Sector's Role in Food Security: A Missing Link in Policy Debates. Working Paper 44, PLAAS.	This paper aims to review what is currently known about the role played by the informal sector in general and informal retailers in particular, in the accessibility of food in South Africa.
	SLF. 2015. The impact of land systems on micro-economic investments. Available online.	Series of case studies on the impact of land management on investment in Ivory Park.

INFORMAL ECONOMY	SLF. 2016. Submission to the High Level Panel on the Assessment of Key Legislation. Available online.	The submission aims to highlight the prevailing legislative barriers that hinder the growth of micro-enterprises in the South African township context.
	SLF. 2017. Post-Apartheid Spatial Inequality: Obstacles of Land Use Management on Township Micro-Enterprise Formalisation. Available online.	Review of the land use constraints in ensuring a thriving informal economy.
	SLF. 2018. A Development Vision for Informal Microenterprises in Philippi East Industrial Area. Available online.	Report Prepared by the Sustainable Livelihoods Foundation for the Philippi Economic Development Initiative.
	SLF. 2018. Solutions Labs: Unlocking Land for Township Micro-Enterprises. Available online.	Unlocking Land for Micro-Enterprise Growth (ULMEG) Project aims to raise awareness on the land system constraints that impact on township micro-enterprises.
	SLF. 2018. South Africa's Informal Economy: Research findings from nine townships. Available online.	A write-up of SLF's work, covering 4 provinces, 9 township sites, 10 842 micro-enterprises surveyed, 9 956 micro-entrepreneurs and 3819 in-depth interviews.
	SLF. 2018. Supporting Township Microenterprises: Lessons for Business Development Practitioners. Available online.	Guidelines for supporting micro enterprises and entrepreneurs in townships.
	SLF. 2018. Understanding South Africa's Informal Economy (and 7 overviews of sub-sectors). Available online.	Review of the sectors in the township economies.
	Stats SA. 2017. Measuring informality in South Africa. Presentation by Desiree Manamela.	Presentation of statistical profile of informal economy and clarification of key terms used in Labour Force Surveys.
	Stats SA. 2018. Quarterly Labour Force Survey, Quarter 2: 2018.	Statistical release P0211.
INFORMAL SETTLEMENT UPGRADING	CDE. 2013. Learning to Listen: Communicating the Value of Urbanisation and Informal Settlement Upgrading. Available online.	The report provides some insights into the history of informal settlements and looks at the future of housing policy. Nine lessons are expanded upon.
	Cirolia, L.R.; Gorgens, T; van Donk, M; Smit, W; & Drimie, S. 2017. Upgrading informal settlements in South Africa: a partnership-based approach. UCT Press.	Book with wide range of perspectives on participatory informal settlement upgrading in South Africa.
	HDA. 2017. Practice Notes for the Application of Grant Funding for Informal Settlements Upgrading & Urban Management for Informal Settlements. Available online.	Guidelines on accessing grant funding for UISP.
	Huchzermeyer, M. 2011. Cities with 'Slums': From Informal Settlement Eradication to a Right to the City of Africa. Cape Town: University of Cape Town City Press.	A book on informal settlement upgrading in the context of the right to the city debate
	Huchzermeyer, M. 2014. Humanism, Creativity and Rights: Involving Henri Lefebvre's Right to the City in the tension presented by Informal Settlements in South Africa today. Transformation, 85, 64-89.	Paper investigating the links between right to the city and informal settlement upgrading in South Africa
	NUSP. 2016. NUSP Resources Kit (13 Chapters). Available online.	A comprehensive training manual on implementing the Upgrading of Informal Settlements Programme (UISP), Part 3, Chapter 13 of the National Housing Code.
	PPT. 2018. Informal Settlement Upgrading Toolkit. Prepared for CSP, National Treasury.	Project Preparation Trust was commissioned by CSP to prepare a comprehensive Toolkit on ISU. A downloadable zipped folder contains 368 resources. Only the reference sheet is included in this review. Contact Mark Misselhorn for download instructions.
	SERI. 2012. Informal Settlement Upgrading in South Africa: Linkages to Livelihood Creation, Informal Sector Development and Economic Opportunity Generation.	This working paper provides an up-to-date overview of the current landscape with regard to informal settlement upgrading in South Africa, particularly the linkages between informal settlement upgrading, livelihood creation, informal sector development and economic opportunity generation.
	Turok, I. 2015. Upgrade informal settlements: South Africa. New Agenda: South African Journal of Social and Economic Policy, Vol. 57, pp. 11-15	Swelling informal settlements are among the greatest social challenges facing South Africa, and thus, upgrading these areas is imperative to social change.
	World Bank. 2016. Innovation in Upgrading Practice: A Scoping Study South African Practices and the Potential to Scale Up Delivery. WB Working Paper.	Scoping Report forms part of the CSP's efforts to assist Metros in their efforts to scale up the incremental and participatory upgrading of informal settlements.

LAND OCCUPATIONS AND EVICTIONS	Afesis-Corplan. 2016. Managing and Curbing unauthorised land occupation. Final research report with annexures.	Recommendations will also be made as to what the relevant National and Provincial government departments (including the Housing Development Agency - HDA) can do to support and create an enabling environment for Municipalities to deal with unauthorised land occupation.
	DHS. 2014. The Lwandle Eviction: Ministerial Enquiry. Available online.	This report provides a detailed account of the investigation in respect of evictions that occurred on 2 and 3 June 2014, in Nomzamo (Lwandle), Strand, City of Cape Town on SANRAL land.
	HRC. 2017. Presentation: Constitutional Court's interpretation of the PIE Act and the crystallised principles. Unpublished presentation.	It is argued that The amendment Bill should be redrawn as it is at odds with the values of the new constitutional dispensation of equity, dignity and justice.
	PPT. 2017. Preliminary Briefing Document - Municipal investment in essential services for informal settlements on land it does not own (i.e. private, state or SOE owned). Unpublished document.	Review of suitability of providing services on private land
	Rosenberg, C. & O'Sullivan, M. 2014. Legal Opinion: City's obligation in respect of installing services on private property.	Legal counsel for the City of Cape Town on servicing privately-held land following a land eviction.
	SERI. 2014. Evictions and Alternative Accommodation in South Africa: An Analysis of the Jurisprudence and Implications for Local Government. Available online.	SERI responds to the fact that neither property owners nor municipalities have fully come to terms with the significant paradigm shift in the law relating to eviction and urban regeneration
	South African Human Rights Commission (SAHRC). 2015. Investigative Hearing Report: Access to Housing, Local Governance and Service Delivery. Available online.	Investigation report on the right to housing within the context of local government and service delivery requirements.

8 Climate Resilience and Biodiversity Conservation

South Africa contains three globally exceptional biodiversity hotspots, and therefore land use management and land reform efforts must take into account the imperatives of biodiversity conservation. In the face of drought and other effects of climate change, city planning and urban development must prioritise resilience and sustainability while ensuring growth.

The South African National Biodiversity Institute (SANBI) has been engaged in a multi-year project called the 'National Biodiversity Assessment' which will include updates to the Biodiversity GIS (BGIS) platform. This resource will prove instrumental as a first scan of national biodiversity assets in the assessment of development applications. The land reform agenda has not yet fully engaged with the potential use of expropriation for conservation and biodiversity asset/land management.

A number of guidelines (SANBI 2016; SACN 2016; Pool-Stanvliet, et al. 2017) have been developed to steer spatial planning for biodiversity and climate resilience in South Africa, and provide approaches to systemic planning for biodiversity, covering numerous relevant topics on land management.

8.1 Summary table of documents

Harvard Citation	Summary
Pool-Stanvliet, R., Duffell-Canham, A., Pence, G. & Smart, R. 2017. The Western Cape Biodiversity Spatial Plan Handbook . Stellenbosch: CapeNature.	Comprehensive guidelines on planning for current and future biodiversity conservation hotspots.
SACN. 2015. Cities Resilience to Climate Change . Available online.	This research study analysed cities' climate change resilience relating to food security, transportation and water provision, through three case studies: The City of Johannesburg, Mangaung Metropolitan Municipality and Ekurhuleni Metropolitan Municipality (EMM). The study links climate change issues at a municipal level to the daily operations of the cities with regards to service delivery and achieving the goals set out in these cities' planning documents.
SACN. 2016. Planning for Green Infrastructure: Options for South African Cities . Available online.	Planning for Green Infrastructure: Options for South African Cities is a report, which aims to inform and encourage South Africa's cities to find ways of embedding sustainability into their mainstream planning, management, monitoring and evaluation.

<p>SANBI. 2016. Mapping Biodiversity Priorities: a practical, science-based approach to national biodiversity assessment and prioritisation to inform strategy and action planning. Joint report by SANBI and the United Nations Environment Programme – World Conservation Monitoring Centre (UNEP-WCMC).</p>	<p>South Africa contains three globally exceptional biodiversity hotspots, and expropriation has not yet fully considered the options for biodiversity conservation. This guide provides an approach to systemic planning for biodiversity, and covers numerous relevant topics on land management.</p>
<p>SANBI. Forthcoming. National Biodiversity Assessment.</p>	<p>SANBI is currently undertaking the mammoth task of updating all biodiversity assets in South Africa. This project is called National Biodiversity Assessment and will include updates to the BGIS spatial database platform.</p>
<p>SANBI. 2018. Systemic Biodiversity Planning. Available online.</p>	<p>Guidelines for developing a systematic biodiversity plan through e.g. National Protected Areas Expansion Strategy</p>

9 Policy and Legislation

Policy and legislation on urban land issues in South Africa begins with a very particular history of dispossession and the systemic exclusion of the majority population from equitable access to land. *The Natives Land Act (Act 27 of 1913)* denied native South Africans access to 87 percent of the country's land.¹⁸ This law and other discriminatory acts were only repealed in 1991 by the Department of Public Works and Land Affairs' *Abolition of Racially Based Land Measures Act*. For a recorded 78-year period (and prior under colonialism), between 1913 and 1991, the majority of the population could not purchase or inhabit land outside of the reserved 13 percent which was mostly low-value land situated far away from the cities. This has resulted in racially skewed patterns of land urban ownership which persist and continue to shape patterns of development in urban and rural areas alike.¹⁹ This section summarises the policy and legislative context which shapes urban land issues today.

The category of Policy and Legislation is divided into three sub-categories:

- Governance
- Human settlements
- Planning and land reform

9.1 Governance

The *Public Finance Management Act No. 1 of 1999 (PFMA)*, the *Municipal Systems Act 32 of 2000*, and the *Municipal Finance Management Act 56 of 2003 (MFMA)* serve as the core legislative framework with respect to the powers and functions, roles and responsibilities of spheres of government, and their respective financial management and budget responsibilities. The PFMA regulates the management of the finances of national and provincial governments, while the MFMA establishes and regulates the norms and standards for local government.

Furthermore, the Municipal Systems Act "provides for the core principles, mechanisms and processes that are necessary to enable municipalities to move progressively towards the social and economic upliftment of local communities."²⁰ The Act outlines the legal nature, rights and duties of municipalities which are primarily to govern and finance their designated local communities. Local government is to be fundamentally developmental in its approach and play a central role in planning and service delivery. Chapter Five of the Act addresses integrated development planning, and states that municipalities ought to strive towards "the progressive realisation of the fundamental rights contained in sections 24, 25, 26, 27, and 29 of the constitution."²¹

In addition, the *Government Immoveable Asset Management Act No. 19 of 2007* sets out the framework for the management of property that is held or used by national or provincial departments, and aims to see the utilisation of these assets to further government's service delivery objectives. The GIAMA is important with respect to the alienation of state-owned land or its transfer between spheres of government.

¹⁸ South African History Online 2019. *The Natives Land Act of 1913*.

¹⁹ Report of the High Level Panel on the Assessment of Key Legislation and the Acceleration of Fundamental Change.

²⁰ National Treasury (2000). *Local Government Municipal Systems Act No. 32 of 2000*.

²¹ Ibid. Pg. 36.

9.2 Human settlements

Section 26 of the Constitution guarantees everyone the right to access to adequate housing. It is further stated in subsection 2, “The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.” Since 1994, the state has made numerous plans, commitments, and frameworks with provisions for the realisation of the right to access to adequate housing. In the first decade of democracy, these were articulated by the 1994 Reconstruction and Development Programme (RDP), the 1996 Growth, Employment and Redistribution Strategy (GEAR), the 2005 Accelerated and Shared Growth Initiative – South Africa (ASGI-SA) and *Housing Act No 107 of 1997*.²² The RDP was a socio-economic policy framework which sought to build a new and equitable South Africa using policies centred in redress and rebalancing.²³ Although the programme itself was subsequently overtaken by GEAR and ASGI-SA, its most notable legacy is RDP housing.

The 1994 White Paper on Housing in South Africa set out the overarching framework for housing policy and delivery. It presented a national housing strategy which was to be “a multi-faceted approach towards serving all segments of the market.”²⁴ As early as 1994, the state had acknowledged the challenging urban landscape inherited from policies of the past: an unstable housing environment and an overwhelming national housing backlog, lack of cohesive policies, uneven land distribution, and an economically disenfranchised majority.

The 1997 *Housing Act* followed from section 26 of the Constitution and outlines the principles and duties of all levels of government in the realisation of housing. The Act also called for the establishment of national housing programmes which were to “a) assist persons who cannot independently provide for their own housing needs, b) facilitate housing delivery, c) rehabilitate and upgrade existing housing stock.” In 2004, the *Comprehensive Plan for the Development of Human Settlements*—also known as the *Breaking New Ground* policy—was developed from the principles outlined in the 1994 White Paper.²⁵ The establishment of the Department of Human Settlements was intended to mark a shift from a focus on housing, to an emphasis upon the building of integrated human settlements with social and economic amenities. In 2017, the Department initiated work to develop a White Paper as a pre cursor to amending the Housing Act of 1997, in order to bring the Act in line with the principles of Breaking New Ground.

Two other key pieces of legislation in the human settlements sector have shaped the evolution of urban land issues. First, the *Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1997* sets out the procedures for the lawful eviction of illegal occupiers, ensuring that an eviction cannot take place without a court order, and that such eviction must be just and equitable. Subsequent jurisprudence has evolved to set out roles and responsibilities of spheres of government around evictions and the management of land invasions. Apart from a suite a legislation establishing the entities under the jurisdiction of the Department of Human Settlements (e.g. the Housing Development Agency, the Community Schemes Ombudsman, and the Estate Agencies Affairs Board), the other key piece of legislation, from an urban land perspective, is the *Deeds Registries Act of 1937* which established the deeds registry office and procedures for registration of property. The Act was subsequently amended in 2017.

9.3 Planning and land reform

The *Abolition of Racially Based Land Measures Act 108 of 1991* is perhaps the single most important piece of legislation passed before 1994 which reflected what was then a new commitment to the abandonment of the ideology of separate urban development. The Act repealed and amended laws to “abolish certain restrictions based on race or membership of a specific population group on the acquisition and utilisation of rights to land” and rationalised the phasing out of racially based institutions, frameworks and laws. Chapter 1 repealed land laws including the Native Land Act No. 27 of 1913.

The *Restitution of Land Rights Act 22 of 1994* was passed with the objective of restoring land rights to South Africans who were dispossessed of those rights after 19 June 1913 (Native Land Act). The Act sought to achieve equitable redress and established the Commission on Restitution of Land Rights and the Land Claims Court.

²² Department of Human Settlements (2009). *The National Housing Code. Part 2: The Policy Context*. http://www.dhs.gov.za/sites/default/files/documents/national_housing_2009/1_Simplified_Guide_Policy_Context/1%20Vol%201%20Part%201%20Simplified%20Guide%20to%20the%20National%20Housing%20Code.pdf. Viewed March 2019.

²³ Department of Housing (1994). *White Paper: A New Housing Policy Strategy for South Africa*.

²⁴ Ibid. Pg. 19.

²⁵ Department of Human Settlements (2004). ‘Breaking New Ground’: A Comprehensive Plan for the Development of Integrated Human Settlements. http://www.dhs.gov.za/sites/default/files/documents/26082014_BNG2004.pdf

The Restitution of Land Rights Amendment Act No. 15 of 2014 later amended the cut-off date of making a claim, extending it from 31 December 1998 to 31 June 2019. The Department of Rural Development and Land Affairs found that the 1994 Act and its subsequent 2014 Amendment Act excluded those dispossessed of their land before 19 June 1913 and those dispossessed by Betterment Planning Policies. Therefore a second *Restitution of Land Rights Amendment Bill* was tabled in 2017 to amend the 1994 Act and repeal the Restitution of Land Rights Amendment Act 15 of 2014. The 2017 Bill calls for the development of a public Land Restitution Register which is to record restitution claims.

The most critical legislation underpinning land use management and urban planning is the *Spatial Planning and Land Use Management Act 16 of 2013* (SPLUMA), which aims to provide a cohesive planning and regulatory framework to replace the disparate network of old legislation. After the abolition, repeal and amendments of apartheid planning laws and policies, the Republic of South Africa was left without a cohesive framework within which to think about spatial development. Therefore SPLUMA sets out progressive planning principles and provides a cohesive framework for “inclusive developmental, equitable and efficient spatial planning at the different spheres of government”;²⁶ coordination and review of the spatial planning and land use management system”;²⁷ and for “policies, norms, and standards for spatial development planning and land use management.”

The legal framework for titling and tenure is chiefly found in the *Land Title Adjustment Act, 1993* which addresses contested land ownership in situations where there is no registered title deed.

Section 25 of the Constitution, subsection (2) provides for expropriation of land “(a) for public purposes or in the public interest; and (b) subject to compensation.” At the ANC’s 54th National Conference, the party resolved “as a matter of policy” to “pursue expropriation without compensation.”²⁶ There have since been calls to amend section 25 of the Constitution to provide for the proposed approach to land expropriation. The Motlanthe Report however argues that the real impediment to progress on land reform is not necessarily compensation, but rather, constraints that are part and parcel of the current political moment which is charged with corruption, lack of political will, and lack of training and capacity: “The panel is of the view that government has not used the powers it already has to expropriate land for land reform purposes effectively, nor has used the provisions of the Constitution that allow compensation to be below market value in particular circumstances.”²⁷

On 21 December 2018 the Minister of Public Works published a draft *Expropriation Bill* which “provides for the expropriation of property for a public purpose or in the public interest.” The Bill engages with section 25 of the Constitution and interrogates the meaning and limitations of public interest. Public interest as provided for by subsection 4 of Section 25, “includes the nation’s commitment to land reform, and reforms to bring about equitable access to all South Africa’s natural resources.”²⁸ The draft Expropriation Bill vests powers to expropriate to the Minister of Public Works. It also provides for the valuation of property which is to be expropriated, stipulating that its suitability must be first evaluated, as well as the existence of rights associated therewith.²⁹ It further outlines the necessary legal procedures that must be followed before expropriation takes place. Some of these include the provision of served notice to the owner or owner-occupier of the property as well as the Directors General for Rural Development and Land Reform, Mineral Resources, and for Water and Sanitation, and the accounting authority of other organs of the state who may be materially affected by the expropriation.³⁰ Chapter 5 of the draft Expropriation Bill addresses compensation for expropriation:³¹

12(1) The amount of compensation to be paid to an expropriated owner or expropriated holder must be just and equitable reflecting an equitable balance between public interest and the interests of the expropriated owner or expropriated holder, having regard to all relevant circumstances, including –

- (a) The current use of the property;*
- (b) The history of the acquisition and use of the property;*
- (c) The market value of the property;*
- (d) The extent of direct state investment and subsidy in the acquisition and beneficial capital improvement of the property; and*

²⁶ African National Congress 2018, Report of the 54th National Conference 2018. Pg 11.

http://joeslovo.anc.org.za/sites/default/files/docs/ANC%2054th_National_Conference_Report%20and%20Resolutions.pdf

²⁷ Report of the High Level Panel on the Assessment of Key Legislation and the Acceleration of Fundamental Change.

²⁸ Minister of Public Works. Draft Expropriation Bill. Government Gazette No. 42127. Pg. 119.

²⁹ Ibid. Pg. 133.

³⁰ Ibid. Pg. 140.

³¹ Ibid. Pgs. 150-151.

(e) *The purpose of expropriation.*

With respect to the compensation question, Section 12(3) of Chapter 5 of the Expropriation Bill states: "It may be just and equitable for nil compensation to be paid where land is expropriated in the public interest." The Bill has since been published and circulated to the public for engagement.

9.4 Summary table of documents

Sub-category	Harvard Citation	Summary
GOVERNANCE	National Treasury 1999. Public Finance Management Act No. 1 of 1999. Republic of South Africa. Available online.	Provides for the regulation of financial management on all levels of government; "to ensure that all revenue, expenditure, assets and liabilities of those governments are managed efficiently and effectively; to provide for the responsibilities of persons entrusted with financial management in those governments."
	National Treasury (2003). Municipal Finance Management Act No. 56 of 2003. Republic of South Africa. Available online.	"To secure sound and sustainable management of the financial affairs of municipalities and other institutions in the local sphere of government; to establish treasury norms and standards for the local sphere of government; to establish treasury norms and standards for the local sphere of government; and to provide for the matters connected therewith."
	National Treasury (2000). Local Government Municipal Systems Act No. 32 of 2000. Available online.	Provides for "the core principles, mechanisms, and processes that are necessary to enable municipalities to move progressively towards the social and economic upliftment of local communities."
	National Department of Public Works (2007). Government Immoveable Asset Management Act No. 19 of 2007. Republic of South Africa. Available online.	"To provide for a uniform framework for the management of an immovable asset that is held or used by a national or provincial department"
HUMAN SETTLEMENTS	Parliament of the Republic of South Africa (1996). Section 26 of the Constitution of the Republic of South Africa. Act No. 108 of 1996. Republic of South Africa. Available online.	Section 26 of the Constitution of South Africa promises everyone the right to access adequate housing and mandates the state to take reasonable measures "to achieve the progressive realisation of this right."
	Department of Housing (1997). Housing Act 107 of 1997. Republic of South Africa. Available online.	The National Housing Act follows on section 26 of the Republic of South Africa (Act 108 of 1996) outlines the principles and duties of all levels of government in the realisation of housing development.
	Department of Housing (2001). Housing Amendment Act No. 4 of 2001. Republic of South Africa. Available online.	Amends 1997 Housing Act to "provide for the abolition of the African Housing Development Board and Provincial Housing Development Boards and to "make the National Housing Code binding on all spheres of government."
	Parliament of the Republic of South Africa (1998). Prevention of Illegal Eviction from and Unlawful Occupation of Land Act No 19 of 1998. Republic of South Africa. Available online.	"To provide for the prohibition of unlawful eviction; to provide for procedures for the eviction of unlawful occupiers; and to repeal the Prevention of Illegal Squatting Act, 1951, and other obsolete laws."
	Department of Housing (2008). Housing Development Agency Act No. 123 of 2008. Available online.	Provides for the establishment of the Housing Development Agency (HDA) as a juristic person whose objectives and role include the creation of sustainable human settlements
	Department of Human Settlements (2011). Community Schemes Ombud Service Act No. 9 of 2011. Republic of South Africa. Available online.	"To provide for the establishment of the Community Schemes Ombud Service; to provide for its mandate and functions; and to provide for a dispute resolution mechanism in community schemes; and to provide for matters connected therewith."
	Department of Trade and Industry (1976). Estate Agency Affairs Act. 1976. Available online.	Provides for the establishment of the Estate Agency Affairs Board whose mandate is to regulate estate agents' activities in the interest of the public.
	Department of Human Settlements (2000). Home Loan and Mortgage Disclosure Act No. 63 of 2000. Republic of South Africa. Available online.	Promotes fair lending practices in the provision of home loans.

HUMAN SETTLEMENTS	Department of Human Settlements (2011). Sectional Titles Scheme and Management Act No. 8 of 2011. Republic of South Africa. Available online.	"To provide for the establishment of bodies corporate to manage and regulate sections and common property in sectional titles schemes and for that purpose to apply rules applicable to such schemes; to establish a sectional titles schemes management advisory council; and to provide for matters connected therewith"
	Department of Human Settlements (2014). Rental Housing Amendment Act No. 35 of 2014. Republic of South Africa. Available online.	Amends Rental Housing Act of 1999; promotes the increase of the provision of rental and facilitates fair relations between landlords and tenants.
	Department of Rural Development (1937). Deeds Registries Act No. 47 of 1937. Republic of South Africa. Viewed January 2019. Available online.	Provides for the establishment of a deeds registry office and procedures involved in the registration of property
	Department of Rural Development and Land Reform (2017). Deeds Registries Amendment Act No. 7 of 2017. Republic of South Africa. Viewed January 2019.	Amends Deeds Registries Act 47 of 1997.
	Department of Land Affairs (1986). Sectional Titles Act No 95 of 1986. South Africa. Available online.	Provides for "the division of buildings into sections and common property and for the acquisition of separate ownership in sections and joint ownership in common property", their management, control, disposal and related matters.
	Department of Land Affairs (1996). Communal Property Associations Act No 28 of 1996. Available online.	Enables communities to form "juristic persons" who can acquire, hold and manage property.
	Department of Human Settlements (2015): Towards a Policy Foundation for the Development of Human Settlements Legislation. Republic of South Africa. Available online.	Originally intended as a draft White Paper, The Department of Human Settlement's White Paper consolidates the first twenty years of housing policy and legislation in post-Apartheid South Africa and sets out the foundations for inclusive, sustainable human settlements legislation. This draft document was never finalised and approved, and has now been overtaken by a renewed policy and legislative review process initiated by the NDHS in late 2018.
PLANNING AND LAND REFORM	Natives Land Active Act No. 27 of 1913. (Repealed in 1991 by the Abolition of Racially Based Land Measures Act 108 of 1991).	The Natives Land Act No 27 of 1913 relegated land reserves (only 7,3 % of South Africa's Total Land Area) to the black population. The act prohibited Black South Africans from buying or occupying land beyond the reserves.
	Department of Public Works and Land Affairs (1991). Abolition of Racially Based Land Measures Act 108 of 1991. South Africa. Available online.	"To repeal or amend certain laws so as to abolish certain restrictions based on race or membership of a specific population group on the acquisition and utilization of rights to land."
	Department of Rural Development and Land Affairs (2014). Property Valuation Act No. 27 of 2014. Republic of South Africa. Available online.	Provides for the establishment of the Office of the Valuer-General.
	Department of Public Works and Land Affairs (1991). Upgrading of Land Tenure Rights Act No. 112 of 1991. Republic of South Africa. Available online.	"To provide for the upgrading and conversion into ownership of certain rights granted in respect of land; for the transfer of tribal land in full ownership to tribes and for matters connected therewith."
	Department of Land Affairs (1996). Upgrading of Land Tenure Rights Amendment Act No. 34 of 1996. Republic of South Africa. Available online.	Amends Upgrading of Land Tenure Act of 1991.
	Department of Land Affairs (1994). Restitution of Land Rights Act No. 22 of 1994. Republic of South Africa. Available online.	"To provide for the restitution of rights in land to persons or communities dispossessed of such rights after 19 June 1913 as a result of past racially discriminatory laws or practices; to establish a Commission on Restitution of Land Rights and a Land Claims Courts; and to provide for matters connected therewith.
	Department of Rural Development (1996). Interim Protection of Land Rights Act, 1996 Act No. 31 of 1996. Republic of South Africa. Available online.	"To provide for the temporary protection of certain rights to and interests in land which are not otherwise adequately protected by law; and to provide for matters connected therewith."
	Department of Rural Development and Land Reform (2014). Restitution of Land Rights Amendment Act No. 15 of 2014. Available online.	Amends the 1994 Restitution of Land Rights Act to extend the cut-off date for lodging claims from 31 December 1998 to 30 June 2019.
	Parliament of the Republic of South Africa (2017). Restitution of Land Rights Amendment Bill. Republic of South Africa. Available online.	"To amend the Restitution of Land Rights Act, 1994, so as to develop and keep a National Land Restitution Register...and to repeal the restitution of Land Rights Amendment Act, 2014."

PLANNING AND LAND REFORM	Department of Human Settlements (1996). Land Reform (Labour Tenants) Act No. 3 of 1996. Republic of South Africa. Available online.	Provides security of tenure of labour tenants and acquisition of land rights.
	Department of Land Affairs (1997). Land Survey Act No. 8 of 1997. Available online.	"To regulate the survey of land in the Republic; and to provide for matters connected therewith"
	Department of Rural Development and Land Reform (2002). Planning Profession Act No. 36 of 2002. Republic of South Africa. Available online.	Establishment of South African Spatial Data Infrastructure and frameworks for capturing, managing, publishing, and distributing spatial information
	Department of Land Affairs (1993). Transfer of Certain State Land Act No 119 of 1993. Republic of South Africa. Available Online.	"To regulate the distribution and to provide for the temporary protection of certain rights to and interests in land which are not otherwise adequately protected by law; and to provide for matters connected therewith" transfer of certain land belonging to the State and designated by the Minister as a land to be dealt with in accordance with the provisions of this Act; and to provide for matters connected therewith."
	Department of Agriculture and Land Affairs (1994). Kwa-Zulu Natal Ingonyama Trust Act No 3KZ of 1994. Republic of South Africa. Available online.	"To provide for the establishment of the Ingonyama Trust and for certain land to be held in trust; and to provide for matters incidental thereto"
	Department of Land Affairs (1995). Land Administration Act No. 2. of 1995. Republic of South Africa. Available online.	"To provide for the delegation of powers and the assignment of the administration of laws regarding land matters to the provinces; to provide for the creation of uniform land legislation; and to provide for matters incidental thereto."
	Department of Land Affairs (1993). Land Titles Adjustment Act No. 111 of 1993. Republic of South Africa. Available online.	"To regulate the allocation or devolution of certain land in respect of which one or more persons claim ownership, but do not have registered title deeds in respect thereof; and to provide for incidental matters."
	Department of Rural Development and Land Reform (2013). Spatial Planning and Land Use Management Act 16 of 2013. Republic of South Africa. Available online.	Framework for spatial; planning and land use management and provisions for inclusive developmental, equitable and efficient spatial planning at different government levels.
	Department of Rural Development and Land Reform (1998). Transformation of Certain Rural Areas Act 94 of 1998. Republic of South Africa. Available online.	The Act extends to "coloured rural areas" in four provinces and guides processes related to the management of communally owned land.
	Department of Land Affairs (1997). Extension of Security of Tenure Act 62 of 1997. Republic of South Africa. Available online.	Provides for the facilitation and regulation of long term security of land tenure and the conditions of residence on and eviction from land.
	Department of Rural Development and Land Reform (2011). Rural Development and Land Reform General Amendment Act 4 of 2011. Available online.	Amends various laws which fall under the administration of the Ministry of Rural Development and Land Reform.
	Department of Land Affairs (1997). White Paper on South African Land Policy. Republic of South Africa. Available online.	"Sets out the vision and implementation strategy for South Africa's land policy"
	Department of Rural Development and Land Reform. Green Paper: Policy Framework for Land Acquisition and Land Valuation in a Land Reform context and for the establishment of the office of the Valuer-General. Republic of South Africa. Available online.	Develops policy relating to land valuation and land acquisition by government for land reform and policy relating to the functions of the office of the valuer general.
	Department of Land Affairs (2004). Communal Land Rights Act No. 11 of 2004. Republic of South Africa. Available online.	Provides for legal security of tenure through redress and the transfer of communal land to communities.
	Department of Rural Development and Land Reform (2017). Communal Land Tenure Bill. No 510 of 2017. Republic of South Africa. Available online.	Provides for the transfer of communal land to communities.

PLANNING AND LAND REFORM	Department of Land Affairs 1999. Abolition of Certain Conditions Act No. 43 of 1999. Republic of South Africa. Available online.	"To provide for the abolition of certain conditions in terms which the consent or permission of the holder of an office under the Republic, the former Union of South Africa or any dominium, colony or republic which preceded the former Union of South Africa, is required for the alienation or transfer of immovable property from one person to another; and to provide for matters connected therewith"
	Department of Public Works (1975). Expropriation Act 63 of 1975. Republic of South Africa. Available online.	"To provide for the expropriation of land and other property for public and certain other purposes and to provide for matters connected therewith."
	Department of Public Works (2018). Draft Expropriation Bill, 2019. Republic of South Africa. Available online.	"Provides for the expropriation of property for a public purpose or in the public interest." Would replace Expropriation Act 63 of 1975.
	Department of Land Affairs (1993). Provision of Certain Land for Settlement Act 126 of 1993. Republic of South Africa. Available online.	"To provide for the designation of certain land; to regulate the subdivision of such land and the settlement of person thereon, to provide for the rendering of financial assistance for acquisition of land and to secure tenure rights, and to provide for matters connected therewith."
	Department of Land Affairs (1998). Provision of Certain Land for Settlement Amendment Act No. 26 of 1998. Republic of South Africa. Available online.	Amends Act 126 of 1993.

10 Conclusion

This paper has surveyed and, to a limited extent, analysed the state of knowledge on urban land issues in South Africa. This survey happens during a moment characterised by increasing pressure on the state to implement reforms with respect to how urban land is managed and utilised in South Africa. These pressures have been accompanied by the expression of the state's commitments to accelerate land reform, promote spatial integration and provide for more equitable ownership of land. Initiatives taken to this point include the appointment of the High Level Panel on the Assessment of Key Legislation and the Acceleration of Fundamental Change, the development and implementation of the Integrated Urban Development Framework, the South African Urbanisation Review, and various initiatives to align national policy to sustainable development goals and the New Urban Agenda.

The state of knowledge and policy informing land reform is reviewed under eight categories: Use value and best-use value; Urban and rural interdependence; People-centred approaches; Equitable access to property markets; Spatial transformation; Residential and economic informality; Resilience and biodiversity conservation; and Policy and legislation.

The *Use value and best-use value* category covered: the expropriation and compensation debate; IGR in land assembly and release; land-based finance, municipal finance and infrastructure. Notable in this framework, is the much-needed shift from 'public works' to 'asset management' which is strategic in achieving the broader objectives of land reform, social transformation and economic development. This set of resources unpacks the debate on expropriation with or without compensation, in the context of much larger questions about how government and society can utilise land as a scarce resource for broader development objectives.

The second category of literature—*Urban and rural interdependence*—argues that the urban-rural divide, is actually better understood as a *continuum* that emphasises the ongoing linkages between urban and rural. In this view, land reform must not create competitive dynamics between rural and urban areas, and the outcomes of land reform should rather promote a mutually-reinforcing relationship. The literature in this category also explores food systems and farming, as well as the role of urban agriculture in urbanisation and food security. There is a great deal of documentation exploring urbanisation, migration and mobility, in the context of the urban-rural value chain. Research in this area has studied the degree to which moving to the city improves household living conditions, and the role of informal property markets in providing an entry to the city for migrants.

The third category of a *People-centred approach* recognises the centrality of people to urban development and thus advocates for their empowerment through the promotion of participatory urban planning and governance. In practice, people-centred approaches to urban reform include putting value back in townships through renewal and other infrastructural upgrading initiatives.

The fourth and fifth categories are also related and have themselves been advocated as key principles in achieving land reform. *Promoting equitable access to property markets* includes: an analysis of the role of the state in residential property markets and access to housing; the behaviour of, and needed reforms to, land markets; the realisation of incremental tenure and informal settlement upgrading; the promotion of small-scale rental; and issues related to title deeds and the formalisation of housing transactions through housing transaction support centres. These efforts and others should then result in spatial transformation which was analysed under category five. *Spatial transformation and Urban Planning* is about fundamentally changing South Africa's legacy of racialised and inequitable planning processes which manifest as uneven socio-spatial forms. This requires radical planning reforms and changes in land use management. Changes in transport and transit-oriented systems also play a key role in spatial reform because of the potential to increase access to urban spaces for those who have been excluded from economic opportunities and social amenities due to high costs of travel and geographic distance. While striving for spatial transformation, there is a responsibility to address *Residential and economic informality* (category six).

Category seven, *Resilience and biodiversity conservation*, also holds significance in land reform and ought to be considered. Given that the effects of climate change—floods, fires, and droughts—often have an exaggerated impact on the poor who are unable to cushion themselves from income shocks, the management of climate change is a pro-poor issue and calls for cities and national government to proactively strategise to mitigate the impact of disasters and improve the resilience of urban centres.

Finally, category eight surveys and reviews South Africa's body of *Policy and legislation* concerning human settlements, rural development, and land reform. The survey goes back to policies passed under the Union of South Africa (1910-1993) and the Republic of South Africa (1994-present). The survey begins with racially discriminatory laws passed as acts in the Union, their abolishment and amendment in the Republic. It is now acknowledged that the progressive realisation of the rights to sustainable human settlements and spatial transformation has been slow, as emphasised by the High Level Panel on Urban and Land Reform. Following on the ANC commitment at its 54th National Conference to land reform through policy with expropriation without compensation as a key mechanism, government has undertaken multi-sectoral efforts and public engagements to grapple with the issue—the problem statement, its implications, and options for decisive reform. To this end, a report with recommendations from the President's Advisory Panel on Land Reform is expected at the end of March 2019.

This literature survey is thus intended to provide a foundation for further debate and exploration on the urban land reform agenda in South Africa, by laying out the library of relevant resources, policy and legislation that form the backdrop and evidence base for the crucial decisions which lie ahead. It is hoped this body of knowledge holds the key to enabling consensus and sound policy-making on land reform and development for the purposes of spatial transformation, human settlements delivery and urban development.