



# Wes-Kaapse Provinsiale Parlement Western Cape Provincial Parliament IPalamente yePhondo leNtshona Koloni

Ref number: WCPP 11/4/6

## COMMITTEE REPORT

Report of the Standing Committee on Infrastructure on the Annual Reports of the Department of Human Settlements and its Entity, the Western Cape Rental Housing Tribunal, for the 2022/23 financial year.

The Standing Committee on Infrastructure, having deliberated on the Annual Reports of the Department of Human Settlements (the Department) and its Entity, the Western Cape Rental Housing Tribunal (the Tribunal), for the year ended March 2023, referred to it, reports as follows:

### 1. Introduction

The 2023/24 Strategic Objectives of the WCPP linked to the Speakers Priorities, which impact committees, are as follows:

Priority 1: Building a credible WCPP; and

Priority 3: strengthening the core business.

As part of its oversight function, the Standing Committee on Infrastructure (the Committee) considered the Annual Reports of the Department of Human Settlements, and the Tribunal on 12 October 2023. Annual reports are the key instruments for departments to report on performance measured against their performance targets and budgets as outlined in their strategic plans and annual performance plans. In addition, hereto, it accounts for the success of each of the programmes that were implemented.

Standing Rule 111(1)(a) of the Western Cape Provincial Parliament provides the standing committees with the mandate to consider departmental Annual Reports submitted by the Public Finance Management Act, 1999 (Act 1 of 1999).

The Annual Report Programme for the 2022/23 financial year, was advertised in newspapers and social media to invite stakeholders and members of the public to attend and participate in the discussions.

The Committee deliberated on Part A: General Information, Part B: Performance Information, and Part D: Human Resource Management on the Annual Report of the Department of Human Settlements and its Entity, the Western Cape Rental Housing Tribunal.

The Minister for Infrastructure was allowed to provide an overview of the key issues contained in the reports.

## **2. Western Cape Rental Housing Tribunal**

### **2.1 Overview**

Minister Simmers informed the Committee that the Western Cape Rental Housing Tribunal (WCRHT) extended its services to the rural areas. The Western Cape Government E-service Portal was developed to digitise the services of the WCRHT and make it accessible to rural areas. Free Wi-Fi was made available to persons living in rural areas. The District Municipality in Mossel Bay was requested to avail office space for walk-in services for the public to interact with officials.

The Committee proceeded to discuss the Report.

### **2.2 Key issues discussed**

The Committee allowed the Housing Tribunal to provide input on its Annual Report.

- 2.2.1** The WCRHT recorded 2 552 cases for the year under review. Backlogged cases were reduced to 179 from approximately 1,000 backlogged cases. A total of 1,736 queries were made by members of the public and approximately 675 cases were opened for the year under review.
- 2.2.2** Members were informed that 95% of the cases reported at the WCRHT were from the metro and that 5% of the reported cases were from non-metro areas.
- 2.2.3** Information and Communication Technology (ICT) systems were implemented which enabled members of the public to engage with officials online to lodge their housing-related complaints. Free Wi-Fi access was given to people from the rural areas. This allowed them to access the ICT system to lodge their complaints. The WCRHT has an office in the Mossel Bay District Municipality to assist walk-in patrons who prefer in-person engagements.
- 2.2.4** The WCRHT held 49 hearings for the year under review. Hearings escalated systematically due to the number of complaints that were submitted. Approximately 151 cases were postponed due to medical reasons and the unavailability of legal representation. Members raised concerns regarding the persons who listed medical reasons for case postponement.
- 2.2.5** Approximately 109 warrants were issued, which amounted to R3 524 944,61 for the year under review. The number of warrants increased due to respondents that were not able to comply with the payment of the judgment debt.
- 2.2.6** A total of eight review applications were submitted to the Western Cape High Court dating back to 2021.

The Committee commended the Tribunal for its good work throughout the financial year.

### **3. Department of Human Settlements**

#### **3.1 Overview**

Minister Simmers was allowed to provide introductory remarks on the key issues contained in the Department's Annual Report.

He indicated that in the State of the Province Address in 2022, an announcement was made that the Department of Human Settlements and the Department of Transport and Public Works would no longer be individual departments. A new Department of Infrastructure was established from 1 April 2023. The Department of Infrastructure consists of the former Department of Human Settlements and components of the Department of Transport and Public Works to form the new Department of Infrastructure. The Committee would therefore be dealing with the Annual Reports of the Department of Human Settlements and its Entity, the Western Cape Rental Housing Tribunals for the last time for the year under review.

#### **3.2. Key Issues discussed**

**3.2.1** The Department received its fourth consecutive unqualified financial statement for the year under review.

**3.2.2** An underspending of R223 156 million was reported. The underspending was attributed to the social and economic environment, procurement delays, community unrest, extortion, service delivery protests and land invasion on current and planned projects, which resulted in delays in the timely delivery of projects and set targets. The Department intends to circumvent these challenges by improving its planning, management governance and accountability systems. The Committee was informed that there were at least eight extortion cases under investigation.

**3.2.3** The Department has implemented the following strategies to mitigate its underperformance:

**3.2.3.1** Conduct technical meetings with the municipalities to align performance reporting and deal with areas of concern;

**3.2.3.2** Conduct meetings with communities to address community issues;

**3.2.3.3** Identifying projects that could be accelerated to mitigate in-year challenges arising on projects with delivery challenges throughout the Business Plan process; and

**3.2.3.4** Exploring Hybrid Delivery Models.

**3.2.4** A title deed recovery plan was developed by the Department, to mitigate the difficulty in reaching its annual title deed targets. Approximately 3 727 title deeds were registered against a target of 10 150. Delays by the municipalities and the Deeds Office resulted in the Department under-performing in its registration of title deeds in other categories. The Department collaborated with the State Attorneys and private conveyancers to expedite and prioritise the registration of the pre-1994 title deeds. An Action Plan was developed and implemented to improve the support provided to municipalities. The Action Plan would improve the policy framework, provide professional resource support, and assist

with data cleansing. The Department advised that a dedicated project manager would be appointed, to improve the coordination between the Department and the municipalities. Collaborative engagements with other provinces, municipalities, national departments, and other relevant stakeholders will be entered into, to reduce the title deeds backlog.

3.2.5 The Beneficiary and her disabled son did not receive a housing opportunity as part of the priority group. Ms Bless and her son were overlooked when other beneficiaries were provided with a housing opportunity. Minister Simmer advised that, the matter would be addressed once all contracts were signed and construction of the housing project Ms Bless was selected for has commenced.

3.2.5 Challenges were reported regarding the transfer of land for human settlement. The Department informed the Committee that the Housing Development Agency (HDA) sits on a forum that discusses the transfer of land parcels with national departments and other relevant stakeholders. The HDA addresses the land parcels that the Department requires for human settlement projects with the forum to expedite the transfer.

#### 4. Conclusion

The Chairperson allowed Minister Simmers and the Head of Department to provide a word of thanks, after which she thanked the members of the Committee, the Minister, the Head of Department, and all the officials for their preparation and responses to the questions raised by the Committee.

**MS LM MASEKO (MPP)**  
**CHAIRPERSON: STANDING COMMITTEE ON INFRASTRUCTURE**

DATE: 14/11/2023

