

August 2023



# NEWS JOURNAL

LATEST NEWS AND PROJECT WORK  
FROM OUR PARTNER COMMUNITIES

**plan act**

*Towns & Cities Working For People*

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## Foreword

In less than two years, Planact will turn 40 years as a non-profit development organisation with a special place in the history of community development and democratisation in South Africa. Throughout its history, Planact has been both a resource for poor, marginalised communities and a place for debate, experimentation, professional development, and the formation of life-long values for those who have worked for the organisation.

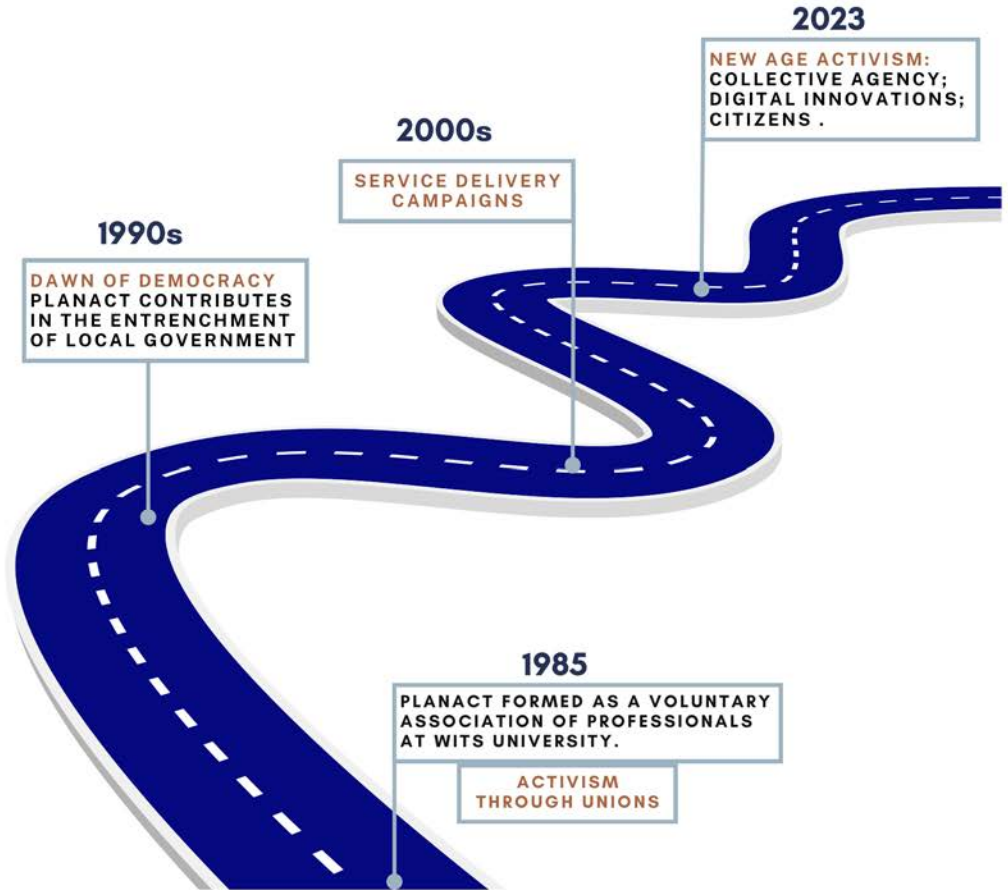
Planact's impact spans from Langa to Uitenhage, Lesotho to Duncan Village, Soweto to Wattville, Diepsloot to Vosloorus. The legacy continues with a dose of new age activism that collectively amplifies community voices and advocates for the provision of adequate basic services for all. This News Journal and many that follow will be a build up towards celebrating our 40 years of the Planact Way.

**HAPPY WOMEN'S MONTH**  
**to all the women in South Africa**

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# OUR ROAD TO 40 YEARS

*of making local government work for people.*



# EXPANDING ADVOCACY AVENUES TO MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC)

*Project Intervention Theme: Community Based Social Movements to achieve improved municipal transparency & accountability*

Planact's work involves partnerships with various informal settlements in Mpumalanga and Gauteng provinces to promote and advocate for transparency and accountability in municipalities.

To expand on this advocacy work, Planact has identified Section 79 oversight committees as important bodies to engage with as their purpose is to increase the effectiveness and efficiency of municipalities as provided for in the Local Government: Municipal Structures Act.

According to the Municipal Systems Act 32 of 2000, the community is a legal component of the municipality. Public inputs in decision-making processes are as equally important as those of the political and administrative structures that form part of the municipality.

For this reason, residents from informal settlements in the City of Ekurhuleni attended the MPAC public hearing at the Council chambers earlier in the year. They intended to experience the process first-hand.

Although they found that this exercise brings clarity to the public on various development projects that have been stagnant with no explanation from the municipality, it still does not fulfil the public enquiry aspect of the exercise. The public is not directly involved in the discussions.

Planact and its partner communities in Middelburg have also been engaging with the MPAC chairperson in Steve Tshwete Local Municipality with the aim to understand the work of the committee and how the communities can contribute in the transparency and accountability of the process.



*Community Facilitators at the City of Ekurhuleni Council Chambers for the MPAC Standing Committee meeting*

Planact has identified gaps in policy and practice of MPAC and is currently conducting a study on the work of the committee and public participation opportunities thereof.

The Municipal Public Accounts Committee (MPAC) was identified as it is an oversight instrument meant to enforce transparency and accountability regarding municipal expenditure, involving unauthorised, irregular, fruitless and wasteful expenditures within various municipal departments and entities.

One of MPAC's mandate is to conduct public hearings as engagement platforms with all stakeholders including the public, where active and meaningful public participation is expected.

Therefore, Planact together with partner communities intends on making input to the processes of MPAC. Planact is engaging with MPAC because this committee has the ability to make remedial recommendations to the council for consideration.

# DIGITAL INCLUSION THROUGH THE RIGHT TO AN ADDRESS

*Project Intervention theme: Promoting Inclusive Democracy for Vulnerable Communities*

The right to the city affords all inhabitants to enjoy, occupy and inhabit an inclusive, sustainable and safe city.

Affording residents a street address has proven to be one of the ways in which people can enjoy the civic identity, access to municipal services, access to emergency services and inclusion in general economic development and e-commerce.

Recently, Planact launched 3762 new digital addresses for residents in Thembelihle informal settlements, in the south of Johannesburg.

The launch was officiated by the Member of the Mayoral Committee for Development Planning in the City of Johannesburg Councilor Eunice Mgcina who praised the digital innovation for its potential to ensure that residents receive quicker and more efficient services from the City of Johannesburg as they now can be located.

Speaking during the launch of the digital addresses, Planact's Senior Programme Coordinator, Mike Makwela, said that the feat was not an easy one, but it was achieved.



*Launch of the digital addresses in Thembelihle informal settlement. MMC for Development Planning in the City of Joburg, Cllr Eunice Mgcina is cutting the ribbon.*

*"We are very excited because this is the first project in the City of Johannesburg to deal with the challenges faced by people who live in informal settlements. It is important that we recognise the importance of an address and we give our people back their dignity because if you have an address, you have dignity," Makwela said.*

*"This is going to improve the lives of people who live in informal settlements. We need more resources to scale it up," he said. Makwela also thanked the Google team for not only donating the technology to the initiative but also donating the over 3000 address boards.*

Planact supports responsive living environments for partner communities by facilitating access to land and housing with security of tenure and basic services in order for them to acquire habitable environments and sustainable neighbourhoods.

## PICTURES FROM THE DIGITAL ADDRESS EXERCISE IN THEMBELIHLE

Volunteers from Thembelihle implementing Plus Code addresses in their community.



Above: A team of volunteers in the Digital Addressing project from Thembelihle.



Above: Bafana Tshabalala (Planact) and Mondli Msani (Community Facilitator: Thembelihle) holding a Plus Code address board.



Above: Volunteers putting up a Plus Code address board at one of the houses in Thembelihle

# PROGRESSIVE REALISATION OF SOCIO-ECONOMIC RIGHTS THROUGH THE CLUSTER APPROACH

*Project Intervention Theme: Community Based Social Movements to achieve improved municipal transparency & accountability*

South Africa has substantially advanced the well-being of its citizens since its transition to democracy in the mid-1990s, but the state of governance has deteriorated in the last decade.

This has left the country facing a number of socio-economic challenges which include high unemployment, poverty, social inequality, and limited access to basic municipal services.

The mounting violation of basic rights such as access to housing, inadequate access to basic services and electricity are contrary to the aim of the enshrinement of a wide range of justiciable socio-economic rights in the Bill of Rights.

The courts have played a big role in promoting the realisation of socio-economic rights in South Africa.

Planact is currently supporting a cluster of communities to litigate on three cases such as the right to housing, unlawful eviction and demanding dignified sanitation in informal settlements.

## Legal action on social rights

### **Kamgewana residents fight eviction**

The community of Kamgewana informal settlement in Emalahleni prepares for legal defence against the eviction threat from an apparent newer owner of the land

### **Winnie Mandela residents resort to legal action for housing allocation**

Residents from Winnie Mandela informal settlement in Tembisa took legal action against the City of Ekurhuleni.

### **Langaville fights for their right to dignified sanitation and housing**

The residents of Langaville informal settlement were compelled to re-approach the court to enforce yet again their right to decent sanitation and adequate housing.

## KaMgewana residents fight eviction by mining company

Residents of KaMgewana, an informal settlement in Emalahleni Local Municipality in Mpumalanga Province are preparing for legal defence against an eviction threat from an apparent newer owner of the land they currently occupy.

Despite having lived on the land since the early 1990s, in September 2022, some residents living in KaMgewana received written urgent notices from Seriti Powers Proprietary Limited which is a mining company and the apparent new owner of the land. Residents were asked to remove their built structures from parts of settlement.

In Emalahleni, Seriti's operations include coal mining however, it was unclear exactly when the company assumed ownership.

In the notice, Seriti stated that the "... land is privately owned, is not safe for human settlements due to historical underground mine workings which can lead to subsidence or sinkhole formation resulting in a collapse of ground".

Seriti's notice further noted that those concerned should remove their structures within seven days of placement of the notice and no longer than the 26 September 2022. The notice threatened that failure to comply will cause Seriti to demolish the structures, and will not be liable for resulting losses.

This came as a surprise to residents as it was apparently the first public communication that the land belonged to Seriti. Residents have raised concerns regarding Seriti's handling of the eviction process citing a disregard of the legal due process. Residents say that their right to housing and protection from an undue eviction which is protected under s26 of the Constitution was undermined.



*Demolition of the houses/structures reportedly by a mining company called Seriti in KwaMgewana.*

*Picture credit: Resident from KaMgewana.*

The ward Councilor could not be reached to intervene. Seriti's demolitions of structures is at variance with the s26 (3) of the Constitution.

A new notice was handed again to residents in March 2023 by Seriti. The new notice clearly stated that Seriti intends on approaching the court soon for an order of eviction as they claim that residents were not cooperative during an attempt to engage them.

This claim is one that residents are refuting.

Planact, working together with Mascom, a cluster of informal settlements communities in Emalahleni, approached the Socio-Economic Rights Institute (SERI) for legal support. SERI is looking into the matter and is on standby to act in defence of the rights of the residents should a need arise.

*Read the full story on [www.planact.org.za/blog](http://www.planact.org.za/blog)*

## Winnie Mandela residents resort to legal action for housing allocation

A number of residents from Winnie Mandela informal settlement in Tembisa took legal action against the Ekurhuleni Metropolitan Municipality. They were compelled to do this after they were left out from the allocation of housing in a new development site in Esselen Park and Old Mutual.

The disgruntlement started when government encouraged residents to apply for housing subsidies in order to qualify for a house but residents were left out when the time for relocation to the new development site came in 2005. The affected residents alleged that there were irregularities from government officials in the allocation of houses. Some of the allegations included, double allocation in Esselen Park, and unauthorised selling of stand to non-qualifying beneficiaries.

At around the same period the community organised themselves under the umbrella of a community based organisation called Winnie Mandela Concerned Residents which was superseded by the Ekurhuleni Concerned Residents Association in 2008. These formations attempted to highlight their plight concerning the misallocation of houses. They engaged relevant government officials at various level to no avail. In 2012, they also attempted to reach out to the Public Protector for intervention without success.

This group of concerned residents had also managed to get the Special Investigative Unit (SIU) to launch an investigation into the matter. Part of the SIU findings in 2006 was that,

"It is evident that the current occupants of the RDP houses in Esselen Park are not entitled to occupy these houses and that the procedure followed was incorrect in regards to the procedure stipulated in the Housing Manual."



*Housing structures in Winnie Mandela, Tembisa*

In 2015, about 130 of the affected residents decided to approach the court for relief concerning their plight. They were part of those whose subsidy applications had been approved, but the corresponding plots of land given to others.

In 2017 in a scathing judgment, the High Court in Johannesburg ruled, inter alia, that residents be provided with a house in the new development in Tembisa Extension 25 or another agreed location by 31 December 2018. The judgment also stated that the EMM should register the residents as titleholders by 31 December 2019.

The judgement has not been implemented and the residents are exploring ways to put pressure with continued legal support from SERI. Planact is supporting the residents' rights to access to housing as expressed in the judgment.

*Read the full story on [www.planact.org.za/blog](http://www.planact.org.za/blog)*

## Langaville approach the court for their right to dignified sanitation and housing



Figure: Langaville community attends court virtually, with support of Planact.

Residents of Langaville informal settlement in the City of Ekurhuleni in Gauteng were compelled to reapproach the court to enforce yet again their right to decent sanitation and adequate housing.

In 2019, residents lodged a complaint with the South African Human Rights Commission (SAHRC) regarding their challenges with the chemical toilets.

The SAHRC recommended, inter alia, that the municipality should consider rezoning Langaville. Unfortunately, the municipality disregarded this recommendation.

The community lodged another case in 2020 to get the court to intervene in their proposal to have better sanitation facilities and rezoning of the erven 4710, 4737 and 4652 from community facility to residential use.

The matter is nearing the end, and the Judge reserved his judgment citing the need for the court to pay a site visit to Langaville to establish some facts.

Before approaching the courts, the community continued to engage various government officials concerning improved sanitation facilities other than chemical toilets. The municipality declined the request on grounds that the zoning of the land occupied did not allow for further development.

It is important to note that there are few more pieces of land that were identified by the municipality as “the bone of contention”. However, they do not form part of the court challenge above.

This important case may open up for a review of the municipality’s policy that emphasises chemical toilets as the main form of sanitation service in informal settlement. The community is calling for alternatives such as ablution facilities. If the land is rezoned, the affected residents may see a number of changes, not only on sanitation but also on possible upgrading of the informal part of Langaville.

The Langaville community is part of the Ekurhuleni cluster of informal settlements communities that collaborates with Planact.

Read the full story on [www.planact.org.za/blog](http://www.planact.org.za/blog)

# BUILDING COMMUNITY POWER THROUGH UNDERSTANDING MUNICIPAL BUDGETS

Project Intervention Theme: Partnerships for Municipal Accountability



*Above: Community facilitators from the 3 metropolitan municipalities in Gauteng province attend the Municipal budget and procurement process, facilitated by Planact in partnership with IBP SA.*

As the quality of life deteriorates due to lack of accountability, weak institutional capacity, and instability of municipalities, residents relying on free basic municipal services are the most affected.

If public budgets are to work for people, then this is an important time than ever for reclaiming people's right to have a say in how public money is spent.

A greater say in the efficient management of municipal finances requires residents to engage with the integrated development plans, municipal budgets and public procurement processes. In turn, social accountability by municipalities is essential for citizens demanding transparency and accountability.

Through the nationwide Asivikelane initiative, Planact is empowering thirty Community Facilitators from Gauteng's three Metropolitan Municipalities to work with their elected community leadership and key municipal officials to actively monitor outsourced services.

In February and June 2023, community facilitators were trained to understand how public procurement processes work at municipal level and they were empowered to work with their communities to submit their collective budget demands during the IDP processes.

Some of the demands requested to be included in municipal budgets were water, sanitation and refuse removal services.

## PUBLIC PROCUREMENT TRAINING FOR COMMUNITY FACILITATORS

In June 2023, a procurement workshop was conducted Planact in partnership with the International Budget Partnership South Africa under the Asivikelane initiative with the following objectives:

- **Share an overview of procurement of basic services at municipal level.**
- **Identify basic services that are outsourced in their informal settlement.**
- **Identify where the problem lies with municipal public procurement.**
- **Identify stakeholders to target to solve the problem.**
- **Discuss possible areas of advocacy.**
- **Residents to be able to engage with government officials to discuss municipal procurement of basic services in their community.**

Through these capacity building workshops, residents are able to understand municipal IDP, budgeting, accounting, procurement, supply chain management, service delivery and social auditing – among others aspects of a municipality. Residents are leaving no financial stone unturned.

This knowledge assists them to constantly monitor outsourced services in their communities and to hold municipal and service providers accountable.

In the City of Ekurhuleni alone, Planact supports 28 communities and 15 community facilitators who are able to plough the knowledge back to their communities with the hope of influencing community-wide participation in municipal budget processes.

In this way, residents are able to understand what has been budgeted compared to the public municipal services they receive at the end of the process.



*Community Facilitator, Khanyi Gumbi from Vlaakplaas in Vosloorus during one of the procurement trainings.*

Through the partnerships for municipal accountability project, Planact aims to amplify the voices of women, people with disabilities and the elderly, since these groups tend to bear the brunt of poor service delivery.

Communities are able to hold the authorities on the ground accountable. The cleaner or the worker who has to ensure that services are delivered every day has to be accountable.

It is also about seeing value for money by the recipient of the services. Money that is spent by the local government in our name. Our name – us in the communities.

# AUDITOR GENERAL INITIATES PARTNERSHIP WITH PLANACT AND ITS PARTNER COMMUNITIES

*Project Intervention Theme: Community Based Social Movements to achieve improved municipality transparency & accountability*

Planact is pleased to be engaging with the Auditor General's (AG) office in Mpumalanga Province to collaborate on gathering information from the ground on development projects and progress.

This initiative falls under the new 'Accountability ecosystem' developed by the AG to provide affected communities with an opportunity to directly influence the audit reports and share lived experiences to enrich their work on risk assessment and recommendations to improve accountability and transparency.

For Planact and the community based movement – MASCOM this engagement with the AG's office in Mpumalanga is important for information sharing, timely site visits to informal settlements for first hand auditing, round table discussions with informal settlement clusters as well as affording Clusters to form part of the stakeholders to be briefed on Audit outcomes.

People want more say in government decisions, a more responsive and effective local government with effective service delivery. That is one of the main reasons why the community based social movement which is now known as MASCOM was formed in Witbank, Emalahleni Local Municipality. This cluster of informal settlements is supported by Planact since 2019 and its aim is to ensure that there is improved municipal accountability and transparency.

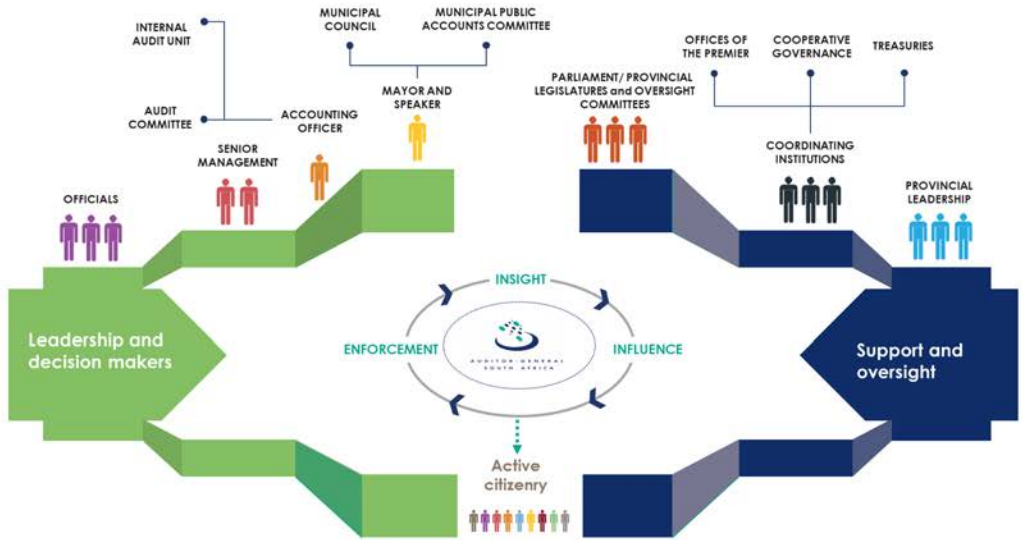
MASCOM cluster members know too well the financial crisis in Mpumalanga municipalities, highlighted by the Auditor General, caused by poor budgeting practices, ineffective financial management and a lack of sustainable revenue strategies.

They are also directly affected by the weak control environment and lack of leadership accountability which the Municipal Finance Management Act (MFMA) 2021 -22 report by the Auditor General highlights of Mpumalanga municipalities.

The financial situation is so dire that municipalities with unfunded budgets will need to use R9,44 billion from the 2024 budget to settle their obligations for 2023 – and for some, this will still not be enough. The negative impact caused by this deficit is felt on poor service delivery performance which affects any call for accountability, particularly in municipalities where Planact has tried to engage.

# LOCATING COMMUNITIES IN THE AUDITOR GENERAL ACCOUNTABILITY SYSTEM

"All have a role to play in accountability ecosystem"  
[AG, 2023]



Source: Auditor General Municipal Finance Report 2022 summary presentation

# UNSTABLE COALITIONS IN LOCAL GOVERNMENT IMPACT SERVICE DELIVERY

Opinion piece by Chelsea Ndlovu-Nachamba

While the coalition politics might be interesting to the neutral observer, it has devastating consequences for service delivery particularly for the nearly two million (40%) residents living in Johannesburg's informal settlements.



Residents living in Johannesburg's informal settlements

Coalitions are not an anomaly because the electoral system of proportional representation currently used for local government is not designed to produce an outright winner but it is a basis for consensus democracy. It has however been a tough ride for the residents governed by coalition governments since they started featuring in Gauteng following the 2021 local government elections.

The reshuffling of mayors has had a crippling impact on the City of Joburg's administration, not least on the officials who have faced consistent and disruptive turnovers of political leadership. Besides the obvious political instability and wastage of taxpayer's funds for every volatile council meeting, what has been most concerning is the visible result in deterioration of service delivery to the city's most vulnerable residents.



**1 OUT OF 6**  
Households are affected by inadequate service delivery

While there was some hope that coalitions would provide better services, the inevitable formation of 'hung councils' after the 2021 Local Government elections plunged municipalities into unprecedented instability. Since then, in Gauteng, the City of Johannesburg has elected five mayors while the City of Tshwane in Pretoria and Ekurhuleni in the east, also experience their own share of political wrangling.

Data collected since the election of the first mayor of this administration, paints a dire picture for the living experience of residents in informal settlements in Joburg. A comparison of data measured by Asivikelane's service delivery index, which assessed the city's performance in providing access to water, sanitation and refuse removal, shows that there has been a decline in service delivery from February 2022 to February 2023.



## So, what should we do with coalitions which have become a fixture in SA's political landscape to ensure service delivery continues

There are a few practical recommendations that have been made on managing coalition politics in the local government. We require an urgent all hands-on deck approach to transform good intentions into action by all partners that form the local sphere of government.



The first suggestion is to **professionalise the public sector so that officials are less impacted by political disruptions**. The initiative by the SA Local Government Association (SALGA) to professionalise municipalities in their processes should start to provide change, but this requires willing and committed stakeholders so that trust can be restored in a “capable and developmental local government”.

Moreover, **residents should get more involved in municipal processes to influence budgets and ensure that a municipality truly prioritise what the people need**.

Organisations such as Planact advocate for participatory budgeting, where residents are actively involved in telling municipalities what they need to see prioritised in the budget. A practical example is where residents, under the Asivikelane campaign, mobilised and made submissions on the 2023/24 municipal budgets in all eight metros. In this regard, citizens can and should influence municipal planning and ensure that municipal budgets respond to community needs. Recent submissions by residents included requests to metros to allocate more money for access to water, sanitation and refuse removal.

Lastly, **residents should build advocacy around a similar social justice issue and exert pressure on their municipalities** to achieve a greater likelihood of better results.

For instance, Planact has partnered with approximately 58 informal settlement communities in Gauteng and Mpumalanga who have formed clusters to exert pressure on municipalities for improved services. Planact has documented positive responses on increased number of toilets and water tanks for residents. Johannesburg residents need to rise and demand that coalition parties put aside their squabbles and put the needs of community development ahead of politics.

## PLANACT CALLS FOR EFFECTIVE PUBLIC PARTICIPATION AT SALGA PROVINCIAL MEMBERS' ASSEMBLY (PMA)

Planact recently presented at the South African Local Government Association (SALGA) Provincial Members' Assembly (PMA) held in Witbank, Emalahleni Local Municipality in Mpumalanga.

Planact's presentation focused on the "Mechanisms to enhance inclusive governance and participatory democracy, bring communities to the centre of municipal governance".

SALGA Mpumalanga expressed their recognition of Planact's input in advocating for public participation.

Mike Makwela, Planact's Senior Programme Coordinator called for effective inclusion of communities in municipal processes. He emphasised that public participation still remains a 'blindspot' of local government despite there being laws governing the process.

The Provincial Members' Assembly attended by the following delegates from municipalities:

- Executive Mayor
- Speakers of Council
- Council Whips
- Municipal Managers

The role of civil society organisations that call for transparency and accountability at local government level such as Planact is key in advocating an inclusive local sphere of government.

# IMPACT OF PLANACT'S WORK IN COMMUNITIES

Over the last few years, PLANACT has **worked directly with communities** through an inclusive, bottom-up approach, strongly aligned to policy framework that empowered communities to participate in their own development.

Community organisations in informal settlements were trained and capacitated to advocate for their development priorities, address municipal officials directly, make submissions into municipal processes and engage with contractors.

Through this process, they became increasingly involved in municipal decisions affecting their lives. The government, in turn, increasingly recognised the development needs and priorities of informal settlements.

**200 000**

**Households in Gauteng and Mpumalanga Provinces**

**90 - 100**

**Partner communities**

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**comprising roughly**

**750 000**

people

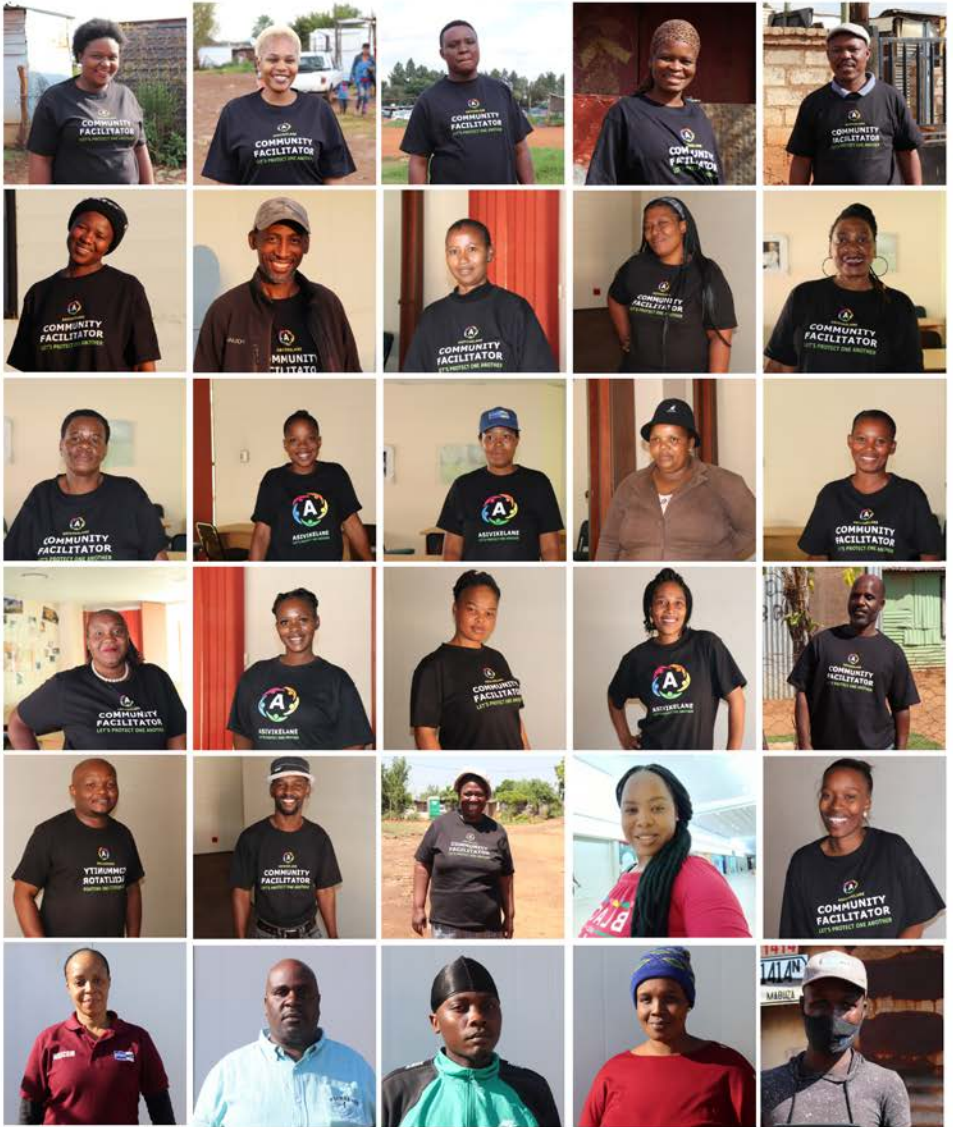
ROUGHLY

**10%**

**Of the population of the City of Johannesburg.**

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# PLANACT'S COMMUNITY FACILITATORS AND COORDINATORS



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