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**RECLAIM THE CITY
LAND FOR
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Ndifuna Ukwazi and Reclaim the City celebrate the sale of SABC's Rocklands Villa property in Seapoint to the Housing Development Agency

Today the South African Broadcasting Corporation ("SABC") has accepted an offer of R50 million from the Housing Development Agency ("HDA") for its Rocklands Villa property in Seapoint, Cape Town. The property, which is zoned for residential development and business, is situated in the well-located Atlantic Seaboard less than 5km away from the city centre, where the [average home sells for R6.5 million](#). The sale paves the way for this strategic property to be used for the development of affordable housing in line with a decade-long call from land and housing activists.

"The sale of the Rocklands Villa to the HDA for affordable housing, along with our recent prevention of the sale of the Tafelberg property, is a victory for Ndifuna Ukwazi and Reclaim the City in our efforts to turn the tide on apartheid geography in Cape Town and create access to housing within the centre of the city for Black, Indian and Coloured people" says Buhle Boo, head of political organising at land activist organisation Ndifuna Ukwazi.

The Rocklands Villa property was intended to be auctioned off as part of the SABC's business recovery strategy in May 2021. The auction was cancelled after the HDA and national Department of Human Settlements ("DHS") applied for an urgent interdict to stop the sale of the building to the highest bidder. The interdict, applied for an hour before the auction, was granted on the basis that the auction was in breach of the *State-Owned Enterprises' Non-Core Property Disposal Policy and Broad-Based Black Economic Empowerment Guidelines*, the policy that all State Owned Enterprises ("SOEs") including the SABC have to follow when selling their land and buildings. While the SABC denied that the policy applied to it, the interdict opened up space for negotiation between the state entities.

The policy states that an SOE may not sell or dispose of any property unless it has first offered that property to the State and other SOEs through the Department of Public Enterprises. The SABC, however, did not offer the property to other organs of state like the DHS and the HDA who rely on public land to deliver affordable homes and redress spatial apartheid. The SABC also breached the policy by planning to auction off Rocklands Villa, while the policy says that "under no circumstances will state immovable property be sold by auction".

Currently in the City of Cape Town, there is a backlog of over 365 000 households requiring affordable homes, with the average house (in 2019) costing R1 513 254. A whopping 95% of families in Cape Town are unable to afford homes at this price (the majority of whom are Black, Coloured and Indian families), perpetuating the apartheid legacy of keeping people of colour priced out of the well-located areas they were legally barred from under apartheid.

In light of this stark reality of spatial inequality, Ndifuna Ukwazi supports the HDA and the DHS's calls for land and spatial reform as stated in their founding affidavit and their tangible efforts to redress the apartheid-geography within the City of Cape Town and elsewhere.

Public land has the potential to promote spatial justice

Public land and buildings are key to advancing spatial justice. In the groundbreaking Tafelberg judgement, led by Reclaim the City and Ndifuna Ukwazi, the court found that the Western Cape Provincial Government and the City of Cape Town breached their constitutional obligations in terms of sections 25(5) and 26 of the Constitution by not urgently using public land to restructure our city and promote spatial, racial and economic inclusion. The judgment is significant not only for the Tafelberg site, but also for how public land - owned by all organs of state - should be utilised to address spatial inequality.

“As a public entity, the SABC is an organ of state, and is obligated through sections 25(5) and 26 Constitutional to advance spatial transformation through the use of its *own* land (which is public land),” says Booii.

In addition to constitutional obligations to promote spatial equality, the State Owned Enterprises' Non-Core Property Disposal Policy and Broad-Based Black Economic Empowerment (“B-BBEE”) Guidelines “apply to *all* SOEs and, within the mandate of these entities, must be complied with for the disposal of immovable assets.”

The B-BBEE Guidelines “[p]rovide the framework within which disposal processes and related transactions are to be implemented. The aim is ... to enable the SOE to prioritise preference not only in respect of value, but also in terms of beneficiary selection and method of disposal in order to achieve the best transformation objective, social, economic or other value from immovable asset disposal” and “[p]rovide for asset disposal for housing, land reform, local economic development and other socio-economic imperatives.”

Booi added, “We fundamentally believe that in the middle of the housing crisis that the SABC, as a state-owned enterprise, should have consulted with relevant state organs to dispose of the public building so that this public asset could be utilised for its social value, rather than being auctioned off to private entities.”

Interventions in preventing the sale of well-located land like Rocklands Villa and Tafelberg to the private sector sends an important signal to those wishing to maintain the apartheid spatial structure in the City of Cape Town, and heralds the winds of change for the city and its people. These show that not only is it necessary to reconsider a market-centric, exclusionary approach to property, but that it is also possible to use land for alternative, more just uses.

Arrests of housing activists at Rockland Villa

The news of the sale of Rockland Villa comes a day before Elizabeth Gqoboka, a Reclaim the City chapter leader for Sea Point who has been fighting for the SABC property since 2006, will appear in court, along with 3 co-accused for resisting the sale of this site on the day of the first auction in May 2021. Their calls for the site to be used for affordable housing are now being met through the HDA's commitment to develop the site for this purpose and yet they continue to face legal consequences for this call.

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