

# CITIES WITHOUT SLUMS

Sub-Regional Programme for  
Eastern and Southern Africa

## SITUATION ANALYSIS OF INFORMAL SETTLEMENTS IN SOUTH AFRICA



CITY OF DURBAN (ETHEKWINI)  
UMLAZI & KENVILLE/SEA-COW LAKE





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OF INFORMAL SETTLEMENTS  
IN THE CITY OF DURBAN (ETHEKWINI)  
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CITIES WITHOUT SLUMS  
SUB-REGIONAL PROGRAMME FOR  
EASTERN AND SOUTHERN AFRICA

SOUTH AFRICA



United Nations  
Human Settlements Programme



Ethekwini Municipality

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## EXECUTIVE SUMMARY

### Project Background

The objective of the Situation Analysis is to present the state of slums and slum upgrading in selected wards in Umlazi and Kenville/ Sea Cow Lake, and the effectiveness of past and on-going upgrading initiatives, within the framework of the overall city development strategy and national poverty reduction program. Two key focus areas were selected in order to pilot alternative strategies because of their unique characteristics and having the largest number of informal settlements, Umlazi and Kenville/ Sea Cow Lake. Umlazi a formal township including the Umlazi Glebe area and portions of the tribal authority areas west of the proclaimed township. The study area forms part of the eThekweni Municipal area. Kenville/ Sea Cow Lake lies in the northern part of eThekweni Municipality borders the light industrial and commercial complexes along the North Coast Road activity spine. There are six informal settlements comprising approximately 2 000 families, which have been earmarked for upgrade in the area.

### Land Description

Land within Umlazi is vested in the eThekweni Municipality. Certain parcels of land within Umlazi may still vest in the Ingonyama Trust Board. The study areas identified in the Kenville / Sea Cow Lake area are all in private ownership with the exception of one or two parcels of land which are owned by the eThekweni Municipality. Land that is vested in the eThekweni Municipality within the study areas can readily be made available for development for implementation of the alternative strategies to be formulated and approved under this program. Privately owned land will

have to be acquired, by expropriation or negotiation. Problematic areas will only be those that fall outside the former R293 towns and cannot be vested in the eThekweni Municipality in terms of the Ingonyama Trust Amendment Act.

### Land and Gender Issues

In Umlazi and Kenville/ Sea Cow Lake 43% and 38% of the informal settlements respectively are headed by women. The social context within which women seek access to housing is informed by factors such as patriarchy, customary and religious laws and practices, domestic violence, and HIV/AIDS. Specific strategies and procedures must be devised to ensure that women are enabled to participate fully in the planning and implementation of land reform projects. These have yet to be adequately formulated.

### Geotechnical and Environmental Conditions

**Geotechnical** information is not readily available for the specific study areas however it should be noted that copies of detailed geotechnical reports could readily be obtained from surrounding developments.

**Environmental conditions** – The proposed development of these informal settlements does not constitute a change in land use and as such it is not envisaged that environmental authorisation will be required for the proposed residential development.

### Socio-economic Conditions

Umlazi and Kenville/Sea-Cow Lake areas have a total population of 403 435. Umlazi has the highest population of **388 687** and Kenville/Sea-Cow Lake **14 748**.

The households in Umlazi are composed of **51, 2% females** and **48, 8% males** whilst Kenville/Sea-Cow Lake's gender distribution is **50, 4% females** and **49, 6% males**. From a study done by the eThekweni Municipality "Quality of Life Survey", 2003-2004, it is stated that the majority of households in 2004 were made up of less than six members, and the average household size is 4,5 members. Educational levels show that over 50% of the population has a matric certificate. Educational levels show that over **50%** of the population within the study areas has higher educational levels (Grade 8-Grade12), 20% of the population has a matric certificate. Only **11%** of the population has tertiary level education. Umlazi's labour force is about **30%** and Kenville/ Sea Cow Lake is **33%**. **43%** of the population in Umlazi is employed compared to **57%** unemployed.

Of the total 90,196 households in Umlazi 58, 6% are living in formal, 38% informal and 3% are living in traditional dwellings. In Kenville/Sea Cow Lake 34% are living in formal, 63% informal and 2% are living in traditional dwellings.

## Social Dynamics

The UN Situation Analysis is ensuring that participation involves different stakeholders – community activists, professionals, politicians and government officials. A project Steering Committee has been formed which incorporates most stakeholders.

## Priority Issues

Historically the general strategy of the Ethekewini Municipality was to develop new green fields projects (vacant land). This strategy created a number of new housing opportunities for the poor but rarely translated into any impact in removing slums. A number

of important and valuable lessons have been learned during the period 1994-2005 with respect to housing delivery as well as the development of informal settlements or insitu upgrades. These are further outlined below.

## Current Housing Strategies

The National Department of Housing strategies are defined in terms of their policies outlined. Their main current strategy that relates to the project is to:

- Promote slums clearance and transformation, mainly by means of implementing and operationalising the Breaking New Ground Policy which creates a more enabling environment for alternative and more flexible strategies for upgrading informal settlements.

The Provincial Department has identified 'Cities without slums' projects as a top priority within the Province. eThekweni Municipality does have a housing plan and a spatial development framework which they follow for housing projects.

## Projects Planned

Phases 1&2 of the Slums Clearance Project addressed 50 informal settlements and resulted in the development of 5 greenfield projects comprising 10 500 sites. Phase 1 is nearing completion & Phases 2& 3 have already been planned & proposal has been submitted to the Province for approval. Phases 2 & 3 will result in the development of 80 000 units over the next 6 years. 70 settlements will be relocated to the Greenfield projects, 120 will be upgraded & 20 greenfield projects will be developed.

## Housing Delivery Issues

eThekweni Municipality adopted policies and practices for access to land and housing which are aimed at providing quality living environments and integrating the poor into the fabric of urban life through spatial improvement. The Housing Department is expected to champion the project of alternative upgrading strategies. Phase 1 of the 'Cities without slums' is an initiative of the eThekweni Municipality already spearheaded by the Housing Unit in conjunction with the KwaZulu-Natal Department of Housing (DOH). The Engineering Department will provide extensive experience on engineering project management services for low-income housing. The Housing Department will be assisting the project by providing input on how the communities are to be affected by this project and can benefit through projects/programmes that will take place. PPT will be playing an important oversight and project management role of this project.

The Department of Health will highlight all the issues that relate to communities' health issues in informal settlements. Issues of HIV/AIDS, poverty, malnutrition and sickness due to environmental problems need to be addressed when dealing with this housing project. The Department of Planning will be assisting by providing its expertise in the way best practices in terms of physical planning in informal settlements have been implemented and adding to the practices they have used in the past. The Department of Land Affairs will give input on their recent methods of addressing land issues.

Umlazi Development Forum consists of members of various organisations and interested persons who assist in ensuring consultation and communication with the community. Ward Councillors who serve the Umlazi and Kenville/Sea-Cow Lake wards will be bringing the interests of the people in the ward as they are in touch with the issues in their areas and Homeless People's

Federation will bring its experience of working with the informal communities. People-centred development is going to be the key to their involvement.

## Policy Environment Analysis

National housing policy has only recently recognised the need to formulate specific policies around the upgrading of informal settlements. A comprehensive strategy for the upgrading of informal settlements is currently being developed, however it is likely that as with all policies the practical realities can only be informed through implementation. Provincial policies are to a large extent informed and driven by National Policies and Programs. Whilst certain programs such as the slums clearance program have a strong KZN flavour the framework in which they have been delivered is largely in accordance with National Policy. There are relevant policies and/ or legislation emanating from national, provincial and local government, which affects housing delivery in KwaZulu Natal.

## Policy Successes

The strength of the various policies and legislation has however not always translated into enhanced or improved delivery on the ground. This phenomenon is more as a result of a lack of capacity at Local Government level than a deficiency in the policy environment. The successes of Government policy are more evident in greenfields projects, institutional projects and hostel redevelopment than in the upgrading of slums or informal settlements.

## Policy Constraints

The rigid and formal process of township establishment and development often makes the development of slums or the upgrading of informal settlements a very unattractive prospect for developers or local authorities. The conventional wisdom for the development of land cannot be applied and very few innovative solutions exist. The development and construction industry as a whole is very conservative and alternative strategies with respect to planning procedures, engineering designs and construction process's is often frowned upon.

Examples of constraints are eThekweni's fairly rigid and across the board minimum services level requirements (e.g.: with respect to level of road services and non acceptability of on site sanitation). It is acknowledged that these are, to some extent informed by:

- A desire to put in place long term, best practice infrastructural solutions (as opposed to interim or incremental ones);
- A desire to move away from certain forms of historical forms of development which were associated with apartheid (e.g.: site and service, on site sanitation).

Based on the initial discussions between the various stakeholders including Ethekewini Municipality, UN Habitat and the Department of Housing it is clearly evident that a radical rethink of current policies and strategies is required for development of informal settlements.

From past experiences during the period 1994 – 2005 and international experience the following should be given consideration during the pilot study and the development of a new development model;

- Informal settlement's and the definition of slums vary from area to area and region to region.

- Various categories of slums need to be defined and classified or graded.
- The reason for categorising various settlements will allow for more than a single model to be designed and implemented to suit the specifics of a particular area.
- At this early stage it is not envisaged that more than five different categories will be required.
- The previous ideal of individual free standing housing units as a solution should not be considered an option.
- Security of tenure through individual ownership should not be considered an imperative or a fundamental of the policy or development instrument.
- Transitional arrangements based on an institutional type set up should be considered.
- Double storey walk up units or multi storey units should be considered.
- Communal ablutions and community amenities should be the norm
- Areas should be developed on an incremental basis. In other words logical phases of development should be planned and implemented over a period.
- The previous policies of all or nothing with respect to township establishment process's and conditions of establishment should not be considered an option.
- Conventional levels of service and individual water and sewerage connections should not be an option at the early stages of incremental development
- Alternative zonings and regulations and by laws should be adopted to suit a specific area which is at a specific stage of development. In other words an area cannot progress from a slum to a fully-fledged suburb overnight.
- Realistic time frames for development should be agreed up front.

- The ultimate vision for an area needs to be determined at the inception stage with clearly defined stages of development being defined.

There needs to be great scale of capacity that needs to be in order to implement extensive upgrading strategies. Ethekwini Municipality has developed a matrix of solutions to be combined so that appropriate solutions can be used. The report outlines the alternative strategies with their pros and cons. These are the conventional one unit one site, site and service, management of existing informal settlement, medium density housing and high density housing. These will be the way forward to the formulation of the alternative strategies that the Eastern and Southern African Region implements for their future upgrading projects.



# SECTION A

## BACKGROUND AND STATUS QUO

### 1. Project Background

The eThekweni Municipality's proactive efforts in eradicating informal settlements through its Informal Settlement Programme, Slums Clearance Projects and Housing Plans is recognised and admired at a Provincial, National and International level. On an international level, the Municipality currently enjoys a growing association with public sector and community based housing bodies from various countries. Such associations, which aim to promote dialogue between community based organisations and their local governments on matters of secure tenure and pro-poor slum upgrading strategies, are recognised, encouraged and supported by the United Nations Human Settlements Programme (UN-Habitat) through its Global Campaign for Secure Tenure and its Millennium Development Goal of significantly improving the lives of at least 100 million slum dwellers by the year 2020.

It is through these associations, as well as the Municipality's impressive housing delivery track record and financial commitment to the cause, that the UN-Habitat recognised a solid foundation on which to launch the Inception Phase of its "Cities Without Slums" Sub-Regional Programme for Eastern and Southern Africa. After a field mission to the City in 2004, UN-Habitat chose Durban as a pilot city. The Municipality has already signed an Agreement of Co-operation with the UN-Habitat and has contributed funding towards

the Project over and above the funding committed by UN-HABITAT.

The Scope of Work will encompass the following elements and focus specifically on the key areas identified:

Conditions of informal settlements

- Institutional analysis
- Policy analysis
- Interpretative analysis of settlements
- Proposed upgrading strategies
- Follow-up proposals

One of the key objectives of this Project will be the re-evaluation of the way the Municipality currently implements housing projects with conventional engineering and design standards, often resulting in a significant number of relocations from in situ upgrade projects in the context of a limited number of well located green-field projects to accommodate the affected families.

For this purpose the UN Habitat appointed **Maluleke, Luthuli & Associates**, to assist in the synthesising and consolidation of the existing information and developing an example of good case study on upgrading of unplanned settlements. This study will also augment existing information through fresh analysis and documentation. The team includes the international community through UN Nations Habitat to share experience and help develop international best practice and also to learn from and assimilate international experience. National, Provincial and eThekweni Housing are to facilitate improved upgrading strategies. A Town Planner and a Housing Consultant as well as Project

Preparation Trust as the Project Managers have been appointed to the team to implement this project.

## 1.1 Purpose of the Situation Analysis

In order to take full advantage of a Project of this nature in the context of limited funding and a massive number of informal settlements in the City, two key focus areas were selected for their unique characteristics. These include Umlazi and the Kenville/Sea Cow Lake. Umlazi comprises the largest number of informal settlement communities in the Municipality with complex land issues while the Kenville-Sea Cow Lake area comprises a significant concentration of informal settlements in a very well established and very well located suburb which is only 8 km away from the City centre.

The Project presents an ideal opportunity to pilot unique upgrade and in fill projects which have never been attempted before at this scale. The Municipality is committed to avoid mass relocation of families where possible and provide its residents with a range of social and economic opportunities they currently enjoy in close proximity to their homes. Informal settlement upgrading is achieved with the active involvement of slum communities during the planning, implementation, monitoring and management process

## 1.2 Institutional Context

Institutional development for this project is to focus on the direct role and function of local authority. There is though going to be collaboration with Provincial and National levels of government. The "Slum dweller" organisation, Homeless People's Federation which has been actively involved with the City and NGO's such as People's Dialogue and Project Preparation Trust

(PPT) which is active in the housing environment will also be included in this process. In terms of the private sector involvement, UN – HABITAT has appointed Allan Gerber as its consultant to lead the process.

- eThekwini, will be responsible for supporting and managing the process of reaching agreement amongst stakeholders regarding the slum upgrading policy as well as establishing a Steering Committee for major decisions and to view and monitor the progress of the initiative. They will also be responsible for organisational aspects of the Stakeholders Workshop. eThekwini will also provide the consultant(s) with all needed official documents and logistics support to facilitate their field work missions and local consultations in the chosen communities.
- The Consultant's will work closely with the eThekwini Municipality and community representatives of Umlazi and Kenville/Sea Cow Lake in order to collect relevant information on slum dynamics.
- The Homeless People's Federation will make adequate contacts with the Umlazi and Kenville/Sea Cow Lake communities, undertake grassroots community workshops, and realise appropriate surveys in the selected slum areas in order to prioritise critical issues in a participative manner and integrate additional secondary source materials. They will drive the enumeration process.

## 1.3 Goals and Objectives of Analysis

The main objective of the Situation Analysis is to produce a clear, frank and well substantiated document on the present state of slums and slum upgrading in selected wards in Umlazi and Kenville/Sea Cow Lake, and the effectiveness of past and on-going upgrading initiatives, within the framework of the overall city



development strategy and national poverty reduction program. It will represent the basis for producing a first proposal for a Slum Upgrading Intervention Strategy or Action Plan which will be defined and agreed at the municipal level in close collaboration with the concerned governmental and municipal institutions. It will serve as discussion piece for diverse stakeholders to arrive at consensus about the conditions of slums; the conditions of governing slum upgrading and the actions needed to improve the conditions. The Situation Analysis will thus provide a realistic assessment of the political, social, physical, economic, cultural, and the institutional factors impacting on informal settlements. Previous efforts to improve the conditions of people who live and work in informal settlements will be included to give perspective of how the process has been carried out.

The Situation Analysis will address the following issues in Umlazi and Kenville/ Sea Cow Lake

- Conditions of Informal Settlements(dwelling count, household registration, detailed household survey);
- Land ownership and current tenure types;
- Impact of the current housing policy in these areas;
- Institutional Analysis: an investigation of all active organisations in the two communities willing to assist the programme; an indication of what resources such organisations have and what they will be contributing;
- Policy analysis: identification of any policies which can contribute towards the success of a housing project, especially those which relate to gender issues;
- Interpretative Analysis of Informal Settlements: to provide a useful background to the political, economic and socio-cultural dynamics within the identified settlements;
- Proposed Upgrading Strategies: explore creative sustainable strategies and approaches which are not confined by financial and engineering implications;
- Follow-up proposal: to upgrade the settlements in the most appropriate way and laying the foundation for setting up similar initiative throughout all areas affected by settlements in the city.

## 1.4 Methodology

In order to reach the above mentioned objectives, the Consultant(s) will work closely with the eThekweni Municipality. Representatives of Umlazi and Kenville/ Sea Cow Lake will provide their support to the consultants especially concerning the Situation Analysis. The eThekweni Municipality will be responsible for actively involving other crucial government departments in this initiative.

The study will include a desk study intended to consolidate secondary data on slum upgrading in Umlazi and Kenville/ Sea Cow Lake. The secondary data will include available census data, official documents, case studies on the settlements, and other relevant secondary literature.

The Consultant(s) will prepare a Proposal for Slum Upgrading Intervention Strategy in close collaboration with eThekweni, in which different stakeholders, such as slum dwellers, local organisations, NGOs, church organisations, private sector, professional associations, local and national government officials and international development cooperation agencies, will be present. During this workshop, contacts with donors will be made to solicit their contribution to the debate, request their views and gain their support in the implementation of the Action Plan that will emerge from

the Situation Analysis and the agreed Slum Upgrading Intervention Strategy.

## 1.5 Limitations

The two study areas, Umlazi and Kenville/Sea Cow Lake are areas that have not been researched to a great extent by the eThekweni Municipality. Kenville/Sea Cow Lake especially, which has outdated information that does not relate to the current situation. Due to this inconvenience gaps exist in the document. These will be looked at and researched as the progress of the project continues.

## 1.6 Umlazi

The Umlazi area was previously part of the Vumengazi tribal area. The establishment, planning and development of this township was based on the intention of providing accommodation for the required cheap labour. Whilst a fair amount of the township was used to accommodate development pressures and growth within the area itself, its main purpose was to serve as a dormitory town for people relocated from central areas in the government's forging of the apartheid city. Although Umlazi was initially conceived as a self-contained creation, it remained functionally linked with the rest of the city. Due to political reasons the administration and development of Umlazi rested with the previous KwaZulu Government and as such the area experienced many of the ills of homeland administration. Emphasis was not placed on creating a viable local community which required social and economic infrastructure but merely to create a place to store labour to be used when required. Umlazi like

many of the urban townships in the late 1980's, experienced substantial informal housing expansion.

The study area is defined as the formal township of Umlazi, including the Umlazi Glebe area and portions of the tribal authority areas west of the proclaimed township. The study area forms part of the eThekweni Municipal area. Umlazi is located approximately 18km south of the Durban CBD and constitutes one of the largest townships in South Africa. Being in extent of approximately 4500ha, Umlazi is located between the Umlazi River in the north and Ezimbokodweni River in the south. The surrounding areas include Isipingo in the east, Chatsworth in the north, the Vumengazi Tribal authority area in the west and the Sobonakhona Tribal Authority area in the south.

Umlazi like many South African cities is characterised by institutional problems. Historically administration has been fragmented and uncoordinated. Umlazi is no different to many townships now incorporated in local council areas where institutional responsibilities would shift from provincial level to a local council level.

Much of the development in the area is characteristic of townships in general with major deficiencies relating primarily to residential accommodation, provision of facilities and services, lack of urban and economic opportunities. In sum, whilst the historical influences in the development of Umlazi have to a large extent been mutually supportive, the effects have been quite profound and varied. Umlazi like many other townships finds itself in an unfortunate position of having to suffer the effects of various widely recognised failed policies and approaches.

At the moment Umlazi within the local council does not fall under any strategic areas in which small teams of professionals have been built to drive Area Based Management. However, it is important to note that the South Durban Basin (SDB) extends their services to the area if any development needs to take place.

## 1.7 Kenville/sea-cow Lake



KenvilleNeighbourhood. Photo: © UN-HABITAT

Kenville/ Sea Cow Lake lies in the northern part of the City of Durban and borders the light industrial and commercial complexes along the North Coast Road activity spine. It is one of the nine communities that fall under the Duikerfontein area which was incorporated into the City of Durban in 1932. Kenville/Sea Cow Lake is bounded by the Umgeni River, the Coronation Brick, the railway line, the Northern Sewage Works and the City Boundary. It is approximately 8km from the City centre. These areas were proclaimed for Indian ownership and occupation in terms of the Group Areas Act in 1959.

Kenville/Sea- Cow Lake was originally a settlement with market-gardens and extractive industry located nearby. Although the word sea-cow usually means 'sirenian' referring to the order of fishlike mammals that also includes 'walrus', **sea-cow** in this context is based on the Afrikaans word **seekoei**, meaning 'hippo'. It is said that there were hippos in the area in the former times. Kenville/Sea-Cow Lake is now a large dry area, only parts of which become marshy at certain seasons. Sea-Cow Lake's informal settlements are not that easily visible like the ones along National highways.

There are 6 informal settlements comprising approximately 2 000 families, which have been earmarked for upgrade in the area. A number of these families need to be relocated as the settlements are too densely developed to allow a reasonable level of service to be installed. Other informal settlements, in the area are to be relocated due to unsafe and unhealthy conditions.



## 2. LAND DESCRIPTION

### 2.1 land legal

#### 2.1.1. Land Ownership

Land within the study area comprises various informal settlements in Umlazi and Kenville / Sea Cow Lake. Most of the land within Umlazi is now vested within eThekweni Municipality. Certain parcels of land within Umlazi may still vest in the Ingonyama Trust Board and this will only be accurately determined during the enumeration and selection of pilot areas.

The study areas identified in the Kenville / Seacow lake area are all in private ownership with the exception of one or two parcels of land which are owned by the eThekweni Municipality.

#### 2.1.2. Land Availability

All land that is vested in the eThekweni Municipality within the study areas can readily be made available for development for implementation of the alternative strategies to be formulated and approved under this program.

Privately owned land will have to be acquired, by expropriation or negotiation, dependant on a number of issues such as land suitability and cost. The most problematic land issue could be those potential areas in Umlazi, which fall outside of the former R 293 towns and as such cannot be vested in the eThekweni Municipality in terms of the Ingonyama Trust Amendment Act.

The Ingonyama Trust Amendment Act of 1996 establishes a Board of Trustees with whom certain tribal land interests are vested. The Act creates mechanisms that will facilitate effective administration and development in the former KwaZulu areas. The board of Trustees administers land registered in the name of Ingonyama (excludes proclaimed townships, privately owned land and state owned land). The Ingonyama Trust Land Act places large tracks of land that was previously part of the former KwaZulu government under the trusteeship of the king, who administers it on behalf of the people. Should a pilot area be selected which falls on Ingonyama Trust Land then discussions will have to be entered into with the Trust to secure a land availability agreement. Alternatively the land could be expropriated in terms of the Housing Act or Local Authorities ordinance.

### 2.2 Land Use

Land comprising the study area is informally settled (slum conditions) with high densities of between approximately 45 and 75 structures/ households per hectare. The study area was identified and mapped by the eThekweni Municipality as areas requiring urgent intervention in terms of its slum clearance program. Current land use or zonings of the affected areas within Umlazi are predominantly public open space or undetermined infill areas. Land affected within the Kenville / Sea Cow lake area is predominantly zoned as residential or public open space. The land within all the study areas is currently being utilised for residential purposes and in all cases this has been occurring on site for an indefinite period of time.

## 2.3 Land and gender issues

Both colonial and apartheid laws and policies restricted black urbanisation, particularly African urbanisation. These laws disproportionately affected women's access to housing. In particular, influx control resulted in African men having easier access to urban areas as their labour was required on the mines and in industry. Women's labour in urban areas was meanwhile largely limited to domestic work. Explicit laws and policies to control the mobility of African women were enacted from the 1930s. These laws made women dependent on their male partners or fathers for their right to remain in urban areas. In 1964 African women who were not employed or legal residents could only enter white urban areas with a visitor's permit. The application for a visitor's permit required the permission of male relatives.

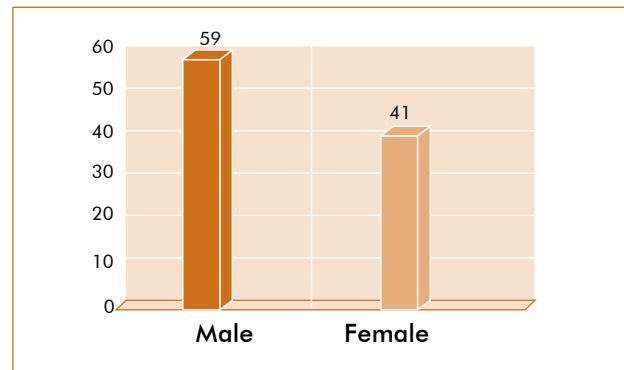


Stakeholder's meeting © UN-HABITAT

In addition to the explicit legislation and policies, officials had vast discretionary powers, which they exercised in an arbitrary manner often with negative consequences for women. For example, the allocation of housing to families via male household heads was the norm. This historical legacy has resulted in significant numbers of women residing in informal

settlements. Umlazi and Kenville/Seacow Lake are two examples of areas that show this tendency. The graph below shows that 43% and 38% of the informal settlements in Umlazi and Kenville/Sea Cow Lake respectively are headed by women.

Graph 2.3.1: Gender percentage for head of household



Source: StatsSA, 2001

The overall result has been that many women have been denied housing rights. Where they have been able to find housing, they have been relegated to the outskirts of economic centres, and have been disadvantaged by the poor quality of their housing.

In regards to land use females still have a problem when it comes to acquiring land tenure rights. The government is placed by the constitution to take reasonable steps to enable citizens be it male or female to gain equitable access to land, to promote security of tenure, and to provide redress to those who were dispossessed of property after June 1913. Policy issues should be addressed so that discrimination in women's access to land is eliminated.

The social context within which women seek access to housing is informed by factors such as patriarchy, customary and religious laws and practices, domestic violence, and HIV/AIDS.

### 2.3.1 Patriarchy

In most societies, including South African society, patriarchal norms and values underpin gender relations. These norms can have serious consequences in the area of housing. For example, most male partners register homes in their own names. This forces women to forge and remain in relationships to meet their housing needs. Further, housing policy often favours couples. Single female-headed households are often excluded or discriminated against in housing practices, as they do not fit the traditional concept of a family.

### 2.3.2 Customary and religious laws and practices

Discriminatory customary and religious laws and practices often work to the detriment of women's housing rights. In particular, patrilineal succession under customary law has had serious implications for women's rights to land and housing. In addition, customary land tenure practices are based on communal tenure with rights vested in male traditional leaders. The allocation of land and housing by traditional authorities is to heads of households, who are almost always male. Women's right to land and housing is, as a result, dependant on their relationship to male heirs. Polygamy, whether formal or informal, also has an adverse impact on women and housing.

### 2.3.3 Domestic violence

Domestic violence has a profound effect on women's housing rights. The fact that housing is usually in the name of the man makes women's housing situation particularly tenuous in instances of domestic violence. Shelters for battered women are limited to some urban areas. In addition, most shelters only provide accommodation for a limited period of time. Hence,

fleeing from an abusive situation brings with it the impossible choice between homelessness and staying in an abusive relationship.

### 2.3.4 HIV/AIDS

Women are disproportionately affected by HIV and AIDS and as a result when AIDS symptoms start, they are often precluded from formal work. This, in turn, adversely affects their financial position and ultimately their housing needs. Women's caring responsibility for those living with HIV/AIDS limits their employment prospects and renders access to housing increasingly unaffordable. The full and equal enjoyment by women of their housing rights requires that account be taken of women's historical, social and economic realities as described.

Specific strategies and procedures must be devised to ensure that women are enabled to participate fully in the planning and implementation of land reform projects. These have yet to be adequately formulated.

## 2.4 Geotechnical and Environmental Conditions

### 2.4.1 Geotechnical Conditions

Geotechnical information is not readily available for the specific study areas however it should be noted that copies of detailed geotechnical reports could readily be obtained from surrounding developments. The infill areas within Umlazi are mostly located close to the major arterial road or secondary roads as well as close to large institutions or more formal residential units. Geotechnical reports for these projects and formal areas are obtainable. Kenville/Sea Cow Lake has

not had many studies carried on the area but the City Engineers Report on the Plan of Duikerfontein area, 1971:5, gives an indication on what the geotechnical conditions were found to be. It is mentioned that an undulating terrain characterises the area. Apart from some deposits of Berea Road Sands, Middle Ecca Shale & Dwyka Tillite, much of the area is characterised by fine grained thin bedded shales of the lower Series. When weathering clay forms that expands and contracts as it becomes alternatively wet or dry.

Desktop Geotechnical appraisals will be conducted for the areas selected as pilot project areas and detailed assessments will be conducted during the pre feasibility and feasibility stages. Unstable areas will not be considered for insitu development but rather for relocation projects.

### 2.4.2 Environmental Conditions

The proposed development of these informal settlements does not constitute a change in land use and as such it is not envisaged that environmental authorisation will be required for the proposed residential development.

Notwithstanding the above it should be noted that a number of other issues would apply with respect to Environmental legislation and requirements of these include:

- Residential developments must be away from existing potential new sources of pollution. This may entail removing / resettling people that are close to hazardous substances and facilities such as gas pipelines, electrical substations, overhead powerlines and associated servitudes.
- Unauthorized occupation of servitudes.
- Preservation of sensitive areas where applicable.

- Preparation and maintenance of an environmental management plan.
- The Department of Agriculture and Environmental Affairs retaining its right to inspect the project during both the development and operational phase.
- Any other listed activity, besides residential requirements, under section 21 of the Environment Conservation Act 1989 (Act 73 of 1989) must comply with the requirements of Government Notice No. 1183 of 5 September as amended.

Open Space Planning in eThekweni shifted away from a primary concern for the implementation and management of socially, economically and environmentally sustainable open space system. This planning is informed by the Durban Local Agenda 21 programme (1994). In Umlazi, the Precinct Development Plan (1998) suggests an establishment of an urban open space system (DMOSS), i.e. the provision of a system of formal urban spaces representing a civic structuring element. This would be in addition to a major and minor open space system.

### 2.5 Availability of Bulk Services

A detailed report on the availability and capacity of bulk services for the study area has not been undertaken. Detailed information on the capacity of existing bulk services will be obtained from the City Engineers Department during the development of the alternative strategies for the development of these areas. Since the alternative strategies may involve some radical rethinking of conventional practices with respect to the provision of services and housing it would be premature to conclude that the existing bulk services are adequate or not.

Notwithstanding the above all of the informal settlements forming part of the study area are well located



with respect to public transport routes and access to existing supplies of water and electricity. The access to water and electricity is often based on informal or illegal connections to these supplies. The greatest challenge with respect to the supply of bulk services is therefore sanitation. Whilst waterborne sanitation would provide the ultimate solution, this may not be practically or economical achievable.

Solid waste disposal should not pose as a major problem where the settlements are in close proximity to road networks, which are currently servicing the more formal areas.

This would merely require an arrangement with the community to dispose of their solid waste in skips or bins, which are left at the roadside for weekly collection. Management of water, electricity and solid waste could be used as an opportunity to create economic opportunities to some within the community. For example the collection of solid waste could be undertaken by locals and compensation payable by the municipality.



### 3. SOCIO-ECONOMIC CONDITIONS

#### 3.1 Social Profile

##### 3.1.1. Social Overview

To gain insight into the two key focus areas that were selected Statistics South Africa (2001) data has been used to examine the basic socio-economic data for the population. Gender ratios, racial composition, age profiles, educational levels have been identified in order to ascertain the cohesiveness of the society in which the project is based.

Umlazi and Kenville/Sea-Cow Lake areas have a total population of 403 435. Umlazi has the highest population of **388 687** and Kenville/Sea-Cow Lake **14 748** as indicated in the table below.

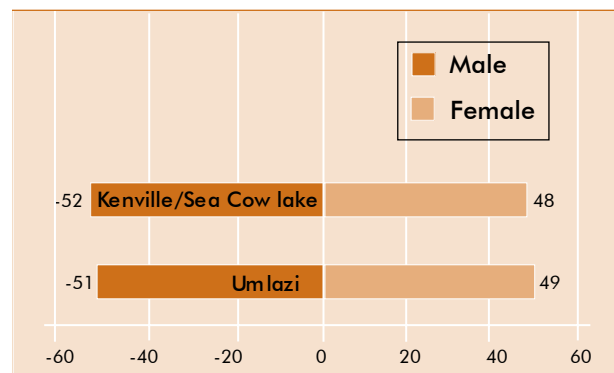
Table 1: Population distribution within the study areas.

Area	Population 2001
Umlazi	388 687
Kenville/Sea-Cow Lake	14 748
TOTAL (study areas)	403 426

Source: StatsSA, 2001

The households in Umlazi are composed of **51, 2% females** and **48, 8% males** whilst Kenville/Sea-Cow Lake’s gender distribution is **50, 4% females** and **49, 6% males**.

Graph 2: Gender distribution for both the study areas.

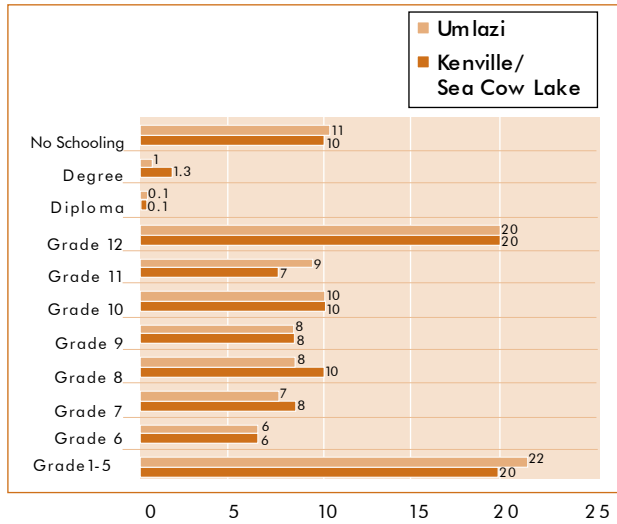


Source: StatsSA.2001

The population in both the project areas has a labour force that is nearly the same. Umlazi’s labour force is about **30%** and Kenville/Sea-Cow Lake is **33%**. From a study done by the Ethekwini Municipality, “Quality of Life Survey” , 2003-2004, it is stated that the majority of households in 2004 were made up of less than six members, and the average household size is 4,5 members.

Educational levels show that over **50%** of the population within the study areas has higher educational levels (Grade 8-Grade12), 20% of the population has a matric certificate. Only **11%** of the population has tertiary level education and nly 0.5% of the population has a university degree.

Graph 3: Educational Level for Kenville/Sea Cow Lake and Umlazi

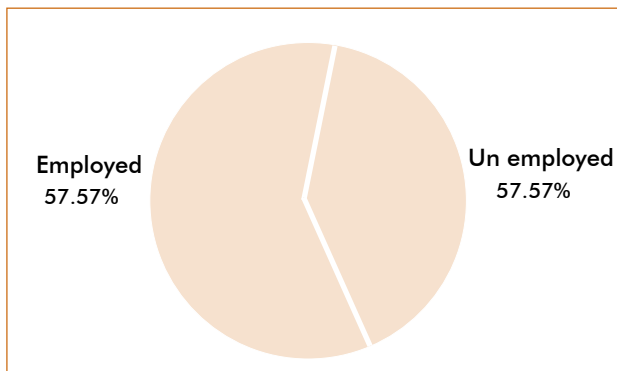


Source: Stats SA, 2001

### 3.1.2. Household Income

43% of the population in Umlazi is employed compared to 57% unemployed.

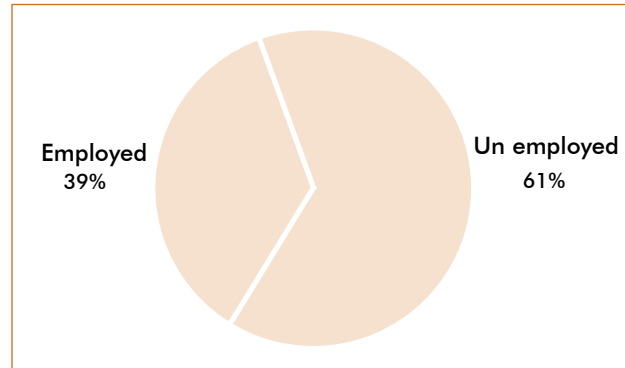
Graph 4: Employment status of Umlazi



Source: Stats SA, 2001

Kenville/Sea Cow Lake has more employed people (61%) compared to the 39% unemployed.

Graph 5: Employment status of Kenville/Sea Cow Lake



Source: Stats SA, 2001

The manufacturing sector and the community, personal service sector are the dominant sectors of employment within Umlazi. The largest source of household income assistance is from old age pensions with 20, 7% of households receiving assistance. When putting the two communities together 41, 5% of households live on less than R1 500 per month, which implies deep poverty or on the margins of it. 40, 4% earn between R1 501 and R6 000 whilst 7, 8% of households earn between R6001 and R11 000. The average monthly household income is R1 650, (eThekwini Quality of Life Survey, 2003-2004).

### 3.1.3. Umlazi and Kenville/Sea-Cow Lake Dwelling

The Census report stated that from 1996 to 2001 (Statistics SA), eThekwini has experienced a housing backlog which has been indicated by an increase of informal dwellings in the municipality. Using information collected from households during the Municipality's Annual Quality of Life Survey (2003-2004), ranked

results of ward needs assessment showed the following results.

**Table 2: Ranked Results of Ward Needs Assessment**

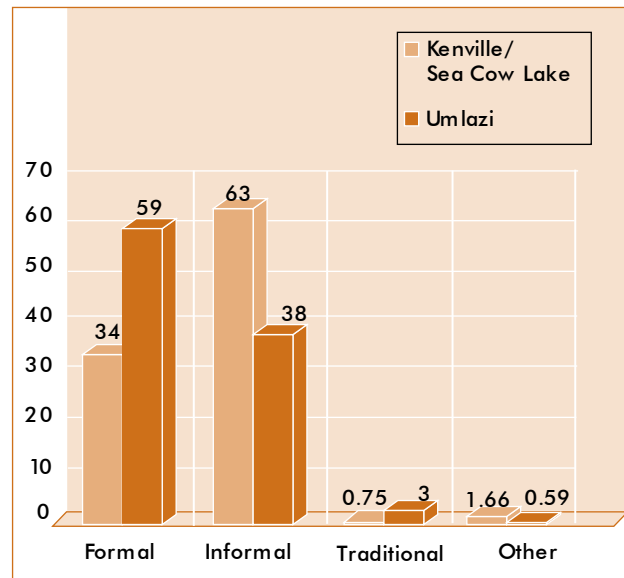
1. Housing & household services
2. Safety & security
3. Jobs/Economic development
4. Community infrastructure
5. Health services
6. Government issues
7. Transport
8. Education
9. Social issues

Source: eThekweni Integrated Development Plan

Of the total of 90,196 households in Umlazi **58, 6%** are living in formal, **38%** informal and **3%** are living in traditional dwellings. In Kenville/Sea-Cow Lake **34%** are living in formal, **63%** informal and **2%** are living in traditional dwellings.

The eThekweni Municipality is taking an initiative in meeting this backlog (**70%** Gross Backlog) by 2015 (eThekweni Quality of Life Survey, 2003-2004), through housing programmes. Housing programmes are being established to address needs within the informal settlement. These are going to include the formalisation of existing settlements that have not formed part of previous upgrading programmes. Emphasis is also being put on introducing additional forms of development that will provide greater choice for the community.

**Graph 6: Dwelling Types for Kenville/Sea Cow Lake and Umlazi**



Source: StatsSA.2001

### 3.1.4 Social Facilities

#### ■ Residential

Umlazi and Kenville/Sea-Cow Lake consist of medium & high density residential sites. The housing typologies vary considerably from informal structures to upper market residential homes.

Umlazi contains in the region of 36 000 formal residential sites some multi-storey hostels and approximately 19 000 informal residential structures. Umlazi comprises of 29 residential units, i.e unit A to unit DD as well as the Glebe area. The extent and character of residential units varies containing in the majority traditional 51/9 4 roomed standard townships houses

as well as the Glebe area consisting of multi-storey hostels and DD being a peri-urban tribal area.

### ■ Supporting Social Facilities

- Educational

Umlazi and Kenville/ Sea-Cow Lake both fall under the Umlazi District section in the KZN Department of Education region. There are 76 schools (50 primary and 26 high) in Umlazi whilst Sea-Cow Lake has five (2 primary and 3 high) schools. Umlazi also has three tertiary institutions, University of Zululand, Mangosuthu Technikon and Umlazi Technical College. A large number of both formal and informal crèches are also available within the two study areas.

- Health Services

Prince Mshiyeni is the only hospital available for the community's utilisation in Umlazi and clinics are allocated at the following sections, AA, G, N, D, V, K and U. Kenville/Sea-Cow Lake area has two clinics, Sea-Cow Lake and Clear Estate Clinic.

- Sports and Recreation

Umlazi schools are mostly allocated with large playing fields which are usually used as sports fields. There are altogether 14 sports fields with other sports facilities including netball, swimming and basketball facilities. A soccer stadium is located in section D, in Umlazi. Kenville/Sea-Cow Lake has two sport fields.

- Cemeteries

The greater Umlazi area has two cemeteries, in sections S and G which are said to be capacitating thus the community is using cemeteries from other areas. Kenville/Sea-Cow Lake community has to utilise the nearest cemetery which is located in Redhill.

- Religious

The study areas have places of worship from different denominations located therein.

- Other Community Facilities

Whilst Umlazi may contain in certain cases above local significant facilities such as a university, technikon, stadiums and hospital, it should not be assumed that the area is well serviced in terms of social facilities. Apart from the above, the study areas also have access to police stations, magistrate's offices, post offices, shopping centre, Telkom offices, community halls as well as welfare organisations.

## 3.2 Economic Profile

### 3.2.1. LED Activities

The vision established in the (Umlazi Integrated Development Framework, 1998), highlights economic development as one of the key aspects that have to transform Umlazi. Reinforcing sustainable economic growth and job creation and tackling matters of exclusion from economic processes that characterise many of our communities is a requirement that Ethekewini Municipality is focussing on so that that there is high economic growth and employment opportunities. (eThekewini Municipality, Reviewed Integrated Development Plan, 2004-2005).

The focus for the municipality is at three levels firstly households (and individuals), through pro-poor oriented interventions secondly concentrating on firms management in terms of equity supporting procurement reform and thirdly creating sectors/ (group of firms) by the enhancement of major new infrastructure

platforms and through the facilitation of improved educational and skills attainment.

Effective integration of the residents of the two study areas into formal economic opportunities within the metro and investigations for SMME potential growth, supporting LED growth and facilitating economic development through spatial restructuring is taking place.

### 3.3 Socio-Economic Dynamics

#### 3.3.1. Economic Aspects

##### Context of Umlazi

This section provides an overview of recent economic trends in the Durban Metropolitan Area whilst providing the economic context of the Umlazi Township. Umlazi forms a part of the South-Central Local Council of the Durban Metropolitan Area. Umlazi is linked to the Metropolitan Area by its linkage to the east i.e. the MR197 and the N2. Very limited commercial and industrial opportunities exist within Umlazi. It is in this context that commercial potential exists in areas such as Isipingo, South Coast Road and the CBD. Umlazi contains only a few light industrial areas located mainly in Unit W and unit V.

In metropolitan terms there exists a high degree of interdependence between Umlazi and the remainder of the metropolitan region. Umlazi is located in close proximity to the N2 corridor and the southern industrial areas. Employment opportunities are also dependant substantially on the sub-region and region

for employment, economic development, major facilities and infrastructure.

Main access to and within Umlazi is facilitated via the northern and southern spinal roads from South Coast Road and the N2. These represent the main carriers of movement. A series of internal collector roads link the various residential neighbourhoods with these spinal roads. Apart from these east-west linkages, which facilitate movement from the township to the core there, exist no major linkage opportunities north to Chatsworth or south and west to the adjacent tribal communities.

The community frequently uses rail transport. Five local stations exist and these provide adequate linkage to the remainder of the metropolitan area.

Much of the development in the area is characteristic of townships in general with major deficiencies relating primarily to residential accommodation, provision of facilities and services, lack of urban and economic opportunities. In sum, whilst the historical influences in the development of Umlazi have to a large extent been mutually supportive, the effects have been quite profound and varied. Umlazi like many other townships finds itself in an unfortunate position of having to suffer the effects of various widely recognised failed policies and approaches.

##### Context of Kenville/Sea Cow Lake

Kenville/Sea Cow Lake area is mostly surrounded by an industrial belt along the North Coast Road. These are separated from the study area by the North Coast railway line. Industries can have a positive impact on the communities because of employment opportuni-

ties. Section on employment issues Kenville/Sea Cow Lake has a 61% employment rate.

The proximity of Kenville/Sea Cow Lake to the Durban CBD gives opportunities for the community to access what is not available for them within their area. The movement system allows for both road and rail movement. Low-income communities benefit by having access to railway transport as it makes it cheaper for them to travel to their destinations.

### 3.3.2 Physical Services

The formal areas of the township are “fully” serviced, but there needs to be upgrading done on them. There is sufficient water supply, full waterborne sanitation. Electricity, telecommunications and postal services are functional within the area. Umlazi also has a well-established road structure. In the informal settlements that exist there has been some provision of physical services for communities. Standpipes and pit latrines serve the informal settlements that have been formalised in Umlazi.

### 3.3.3 Social and Economic Infrastructure

The substantial growth over the years in population numbers in Umlazi has resulted in pressures on the existing facilities to the extent that a large number of such facilities are now dysfunctional. Sites that had been set aside for community facilities have been taken up by the residential pressures. These are the sites that are currently informally settled on. This presents a problem in presenting social facility needs.

Umlazi does not contain substantial economic infrastructure. The town centre, located in the geographic centre has not flourished as an economic centre. There has been limited economic development in Unit V at the

entrance of the township. Umlazi is mainly dependent on the core and areas such as Isipingo for economic services. A major shopping and services centre is to be erected in Umlazi. eThekweni Municipality agreed to support the Umlazi Mega city development both financially and institutionally.

Umlazi Mega City is highly visible from the N2, opposite the Durban International Airport. It borders the main M30 arterial road (Mangosuthu Highway). It will not only serve the population of Umlazi but also attract consumers from the immediate residential and substantial industrial catchment areas of Lamontville, Isipingo, Sapref, Merebank West and Mobeni (Umlazi Mega City Development Report, 2003).

### 3.3.4 Social Dynamics

The UN Situation Analysis is ensuring that participation involves different stakeholders – community activists, professionals, politicians and government officials.

Making connections between the needs of the local community with development programmes and budgets and development programmes within the metro is an essential basis to ensure meaningful delivery. A well constituted representative structure with effective communication channels at a local level is essential in playing this role. In the case of Umlazi, while there exists a broadly represented development forum, effort has been required to assist the development forum in establishing roles and responsibilities, effective communication, and co-ordination with the local councillors and the community.



Institutional Profiles that exist within the study areas are:

- **Local Government(Local Council)**  
The local council departments are structured as separate business units and should have sufficient budgets in place. The services that are involved here are the Water and Electricity which have expanded their services into the areas.
- **Provincial Departments**  
Some provincial departments have operated within the study areas providing services such as Post and Telecommunications and protection service.

**Department of Social Welfare & Population Development**

Information collected from the Umlazi Welfare Branch shows that the department is participating at developing the community of Umlazi. The following initiatives have been taking place within the community.

There are a total number of 17 projects that have been planned in the area. The number of social development projects that have been funded is six and unfunded eleven. Beneficiary database for Umlazi per grant type is as follows:

*Table 3.1: Different types of benefits accesses by Umlazi community from the Department of Social Welfare*

Type of benefit	No. of people
Old age grant	11 130
Disability grant	8 612
War veteran	4
Foster care grant	1 371 (2 178 children)
Care dependency grant	921 (992 children)
Combination (FCG & CDG)	64 (64 children)
Children support grant	31 443 (44 693)
<b>TOTAL NUMBER</b>	<b>53 617</b>

*Source: Department of Welfare, Umlazi: 2005*

- **Development Forum**
- In Umlazi and Kenville/ Sea Cow Lake the development forum were formed through the peace initiatives within the areas. These structure attempts to merge the needs of the communities (via councillors) with other actors.
- **Other Institutions**
- Other actors that have been active in Umlazi include the DBSA and Ithala Bank who have their own development programme and focuses on large capital projects.



## SECTION B

### PRIORITY ISSUES

#### 4. Historic Housing Strategies

##### 4.1 Previous housing investigations

The study areas identified within this project, as well as many other similar projects / areas have been the topic of many debates and investigations in an attempt to secure development of these areas.

Unfortunately these attempts were often restrained by a number of factors including;

- Rigid policies of the Department of Housing with respect to funding mechanisms and the general approach to insitu upgrading.
- Rigid policies within the former Durban Metropolitan Council with respect to planning parameters and development methodology.
- A general approach that promoted individual free standing housing units with security of tenure as a pre requisite.
- A general approach that demanded the highest level of service and did not recognise the benefit of incremental development.
- Intense political activity and interference.

Insitu upgrades or informal settlement upgrades (slums) are undoubtedly the most difficult and intensive projects to implement as a result they are generally the projects avoided by the private sector and most Municipalities.

Historically the general strategy of the Ethekewini Municipality was to develop new green fields projects (vacant land). This strategy created a number of new

housing opportunities for the poor but rarely translated into any impact in removing slums. The reason for this was that in many instances land acquired for Greenfield development was located far from work opportunities making transport expensive.

As land has become scarcer and as a result more expensive the Municipality has realised that the insitu upgrading of informal settlements and partially developed settlements is critical to the success of the slums clearance program.

Current thinking at a National, Provincial and Local Government level indicates that the focus for housing should shift towards the following;

- A concerted effort to break the patterns created by the apartheid style of planning.
- Promote planning principles that will result in more compact and efficient cities and towns.
- Prevent urban sprawl and promote integrated development.
- Create sustainable human settlements.
- Eradicate all slums within the next decade.

##### 4.2 Previous housing efforts

The eThekewini Municipality has recently received many accolades for its slum clearance program. The program is to a large extent deemed to be one of the most successful in the country.

The model utilised by the eThekewini Municipality basically works as follows;

- All informal settlements within the eThekewini Municipality have been identified and broadly enumerated.
- Suitable land for development of new townships has been identified and acquired.

- Projects are developed and slums are relocated to the new projects or townships.
- Slums are then demolished and removed and the area is policed to avoid resettlement.

A number of projects have successfully been developed and slums removed, these include projects such as;

- Parkgate
- Welbedaght East and West
- Quarry Heights
- Mount Moriah
- Kwamashu Unit B
- Kwamashu Newlands Interface

Ethekwini Municipality has had limited success in dealing with existing slum settlements requiring insitu upgrading. The reasons for this are complex but generally include;

- High cost of development due to the current rigid requirements
- Historically the development of these areas has been left to the private sector with limited support from Municipalities and Government
- High numbers of relocations required due to the individual site approach.
- Time taken to develop these areas in terms of the conventional approach

### 4.3 Previous housing structures

Information is to be provided once stakeholder meetings are fully initiated.

### 4.4 Lessons learned

A number of important and valuable lessons have been learned during the period 1994 - 2005 with respect to housing delivery as well as the development of informal settlements or insitu upgrades.

These can be summarised as follows and should be used as a basis for formulating new strategies and approaches

- Conventional informal upgrading strategies typically result in a large number of relocations. If the remaining informal settlements were to be upgraded utilising such strategies then the scale of relocations to poorly located, peripheral areas would be vast. Such a strategy would probably not be workable or sustainable.
- Informal settlement upgrading / transformation is not viewed holistically and is usually not dealt with in an integrated fashion. Housing and infrastructure is typically prioritised and dealt with in isolation from other important supports or interventions (eg: economic development, health care, crime prevention, education, food security etc).
- Up until recently, the national policy framework for housing was relatively inflexible and was designed around greenfields (as opposed to upgrade) projects. This has recently changed with the Breaking New Ground Policy but alternative, more flexible and more creative approaches still need to be tested.

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- Informal settlement upgrading / transformation is not viewed holistically and is usually not dealt with in an integrated fashion. Housing and infrastructure is typically prioritised and dealt with in isolation from other important supports or interventions (eg: economic development, health care, crime prevention, education, food security etc).
- Up until recently, the national policy framework for housing was relatively inflexible and was designed around greenfields (as opposed to upgrade) projects.  
(This has recently changed with the Breaking New Ground Policy but alternative, more flexible and more creative approaches still need to be tested).
- Projects that had enjoyed previous funding from other sources (example planning grants etc) progressed better than those projects relying solely on subsidy funding.
- Servicing costs are generally 40 – 60 % higher than green fields development.
- Formal tenure arrangements with respect to the disposal of sites are not adhered to and sites are sold and resold on the informal market.
- Consolidation and the incremental development of sites by beneficiaries were far greater where a higher level of service was installed.
- The number of non South Africans residing in informal settlement sites on the increase to the extent that a number of projects would not be viable in terms of qualifying criteria.
- Large numbers of people are renting shacks from slumlords within these areas.



## 5. CURRENT HOUSING STRATEGIES

### 5.1 Current housing strategies and plans

#### 5.1.1 National strategies

The National Department of Housing strategies are defined in terms of their policies outlined in section 7 below. Their main strategies currently include the following:

- Focus on unblocking historically funded projects which are currently stalled, often due to a shortage of funding to complete the top-structure phase (which in turn is often a result of the impacts of inflation on project budgets).
- Promote slums clearance and transformation, mainly by means of implementing and operationalising the new Breaking New Ground Policy (which creates a more enabling environment for alternative and more flexible strategies for upgrading informal settlements).
- Whilst National Government has recognised the need for a more flexible and creative approach to housing process this is very slow in filtering down into practical applications.
- Part 4 of the Housing code relates to new developments in housing strategies and procedures and the former National Minister of Housing made the following statements "The National Housing Policy as detailed in the code identifies tremendous opportunities for creativity in housing delivery, for gearing resources, and for building new opportunities".

- "There is still much to be achieved before South Africa's Housing problem is solved, but the structure, vision, policies and legislation that is now in place creates the platform from which to move forward effectively.
- The word innovation and creativity have recently been repeated by the new National Minister of Housing and the breaking new ground policy reiterates this point.
- The unfortunate reality is that development practitioners can only be as flexible as allowed to by both officials and politicians within Local and Provincial Government Structures.
- Fortunately the eThekweni Municipality is a progressive and forward thinking institution which through this initiative is seeking creative and innovative housing solutions for slums

#### 5.1.2 Provincial strategies

The Provincial Department has identified Slum Clearance projects as a top priority within the Province. Unfortunately the strategies of the Province and the slums programme are affected by a number of issues which include;

- A lack of adequate planning by most municipalities at both an IDP and sector planning level.
- As a result projects have not been systematically planned and documented in a housing sector plan.
- This in turn has resulted in an incomplete and inadequate Provincial Housing plan.
- The first come first served basis for approving projects continues to exist.

- There are budgetary pressures as a result of the large numbers of existing projects requiring unblocking as well as the impact of the new rural programme.
- The approach of the Department in reserving subsidies to date has been completely ineffective and the “conditional approval” process has created huge expectation without any hope of delivery in the short term.
- The accreditation of the eThekweni Municipality by the National Department of Housing has created a lot of uncertainty around the future budgets for the eThekweni Municipality.
- Historically the Municipality has enjoyed more than its “equitable share” largely based on the fact that it had more capacity to prepare and produce projects.
- The eradication of slums over the next ten to twenty years, within the eThekweni Municipality as well as the province, depends largely on the availability of funding and funding programmes.
- The uncertainty relating to funding has resulted in a slowing down of delivery as the Municipality has limited capacity to bridge finance costs.

### 5.1.3 eThekweni strategies

Whilst the eThekweni Municipality does have a housing plan and a spatial development framework the manner in which housing projects are prioritised and delivered does not necessarily follow the “ideal” plan or the principles of “current best practice”.

The reasons for the complexities surrounding spatial planning and prioritisation of housing projects include.

- Historical factors and existing settlement patterns

- Political factors
- Need versus current planning parameters
- Relatively new municipal demarcations including Tribal Land
- Rapid urbanisation and the influx of foreign nationals
- Existing bulk services
- Capacity of the Municipality or individual components
- Integration of the cities various service delivery units
- Lack of planning at a provincial level

As a result of the above, the City has had to identify an urban edge or fringe and to limit the extent of new bulk services beyond this edge. In other words an attempt is being made to limit urban sprawl and create a more compact and efficient city in terms of service delivery.

Unfortunately this does not change existing settlement patterns and in particular those settlement patterns on tribal land outside of the Urban Fringe. The project areas identified for this project however, do not fall into this category.

The department is currently characterized by the following;

- Poor systems and structures with respect to reporting mechanisms and information technology.
- Poor administrative systems and weak contract documentation
- Non existent procurement procedures or strategies
- Reliance on municipalities with no capacity (almost without exception)



- Dysfunctional or non-existent Provincial Housing plan or strategy.
- A lack of technical and developmental capacity
- Fragmented structure with respect to regional and head office functions
- Lack of co ordination and co-operation between regions and head office and regions and Municipalities.
- Numerous systems and sub systems within the Department.
- Reliance on individuals to keep the “systems” up and running
- Poor record keeping and financial administration
- Weak management structures and complete lack of delegated authority.
- Complete lack of responsibility and accountability as a result of all decision being referred to the HAC and MEC.
- Multiple interpretations of housing policy resulting in numerous precedents and continuous management by exception such that exception and deviations have become the norm.

### Typical Examples

- Inability of the SMS (subsidy management system) and FMS (financial management system) to cope with issues such as escalation and the annual increase in subsidies.
- Contract documentation that completely disregards issue such as NHBRC enrolment and escalation. Contract documentation that still refers to the Provincial Housing Board, which was disbanded 7 years ago.
- Procurement strategy that completely disregards all recognized procurement

processes. R 36 million contracts are awarded based on oral presentations.

- Funds are transferred to municipalities who are unable to generate an invoice, bridge finance VAT or even remotely understand the development process.
- Subsidies continue to be approved without a Provincial Housing plan
- Most Municipalities are without a housing plan
- Projects are awarded to implementing agents and contracts signed prior to the projects being prioritized. This creates huge expectations on the ground.
- Lack of co ordination with other spheres of Government and funding agents.
- Regions do not know what special projects are doing, institutional support work in isolation of the regions.

## 5.2 Current housing structures

### 5.2.1 Structures

In South Africa the government is ‘constituted as national, provincial and local, spheres which are distinctive, interdependent and interrelated’ (Constitution of the Republic of South Africa, section 40(1)). National government, provincial governments and municipalities each play specific roles in the national housing development process. Government is the key role player required to support, facilitate, promote and/ or drive social housing development in South Africa.

### 5.2.2 National Government

National government establishes and facilitates a sustainable national housing development process. Primarily the national government establishes and facilitates a sustainable housing development process, after consultation with the nine MEC's for Housing, and the national organization representing municipalities (South African Local Government Association, SALGA).

In order to facilitate and establish a sustainable national housing development process, National Government

- Determines national policy, including norms and standards, in respect of housing development.
- Sets broad national housing delivery goals, facilitates the setting of provincial housing delivery goals and, where appropriate, facilitates the setting of housing delivery goals of municipality.
- Monitors the performance of the housing sector against housing delivery goals and performance indicators, in co-operation with every MEC.
- Assists provinces to develop their administrative capacity and supports municipalities to manage their own affairs, to exercise their powers and perform their duties in respect of housing development.
- Promotes consultation on matters regarding housing development and finances housing goods and services, provincial government and municipalities and any other stakeholder in housing development.
- Promotes effective communication in respect of housing development.

### 5.2.3 Provincial departments

Currently the Provincial Housing Department KZN is responsible for the evaluation of all housing applications received from the eThekweni Municipality.

The Provincial Department of Housing is structured as follows;

- Head office component in Pietermaritzburg and partly still in Durban
- Three Regional offices namely Northern (Ulundi) , Inland (Pietermaritzburg) and Coastal (Durban)The Coastal office in Durban is of importance to the eThekweni Municipality as all of its projects are evaluated by this office.
- New applications are directed to the Director Coastal Regional Office.
- The eThekweni Municipality is broken into three regions, by the DOH, namely the Northern Region, Southern and Central Region and the Western Region.
- The Department has various teams headed by a Deputy Director managing each region.

The projects to be selected from the study area will require evaluation and support from these structures. The eThekweni Municipality has recently been granted accreditation by the National Department of Housing. For the purpose of this study it will be assumed that the Department of Housing will still play a major role in the evaluation and recommendation of the selected projects.

The alternative strategies envisaged for these pilot projects will have to be agreed with the Department irrespective of the accreditation process.

The Department of Housing in its own right has already recognised the need for alternative strategies for the development of informal settlements and has already produced some material and policies relating to these issues.

#### 5.2.4 Municipal departments

A municipality is the local level, or sphere, of government and is generally referred to as the local authority. eThekweni local authorities have a central role to play in the launch and implementation of an integration programmes for irregular settlements. As part of the process of integrated development planning every eThekweni's Housing department is taking all reasonable and necessary steps within the framework of national and provincial housing legislation and policy to ensure that the right to have access to adequate housing is realised on a progressive basis. They also have to upgrade and regularize informal settlements within existing regulatory frameworks. The constitutional objectives of local authorities are:

- Providing democratic and accountable government for local communities;
- Ensuring the provision of services to communities in a sustainable manner;
- Promoting social and economic development
- Promoting a safe and healthy environment; and
- Encouraging the involvement of communities and community organisations in the matters of local government ( Constitution 152 (1))

These objectives are the ones that play a role in bringing closer the government to the South African citizens.

Projects have been managed in a way that facilitates holistic development with the resources they have.

Most Municipalities with the exception of very few are characterized by the following;

- A complete lack of capacity and total reliance on implementing agents and the Department for support.
- Unable to cope with the demands of communities with respect to service and housing delivery.
- Unrealistic expectations have been created as a result of the number of "conditional approvals" granted and projects advertised.
- Poor administrative systems and weak contract documentation
- Non existent procurement procedures or strategies
- Non-existent housing plans and strategies.
- Reliance on implementing agents who have been appointed without any formal accreditation process
- Unable to bridge finance VAT payments
- Reliance on individuals to keep the "systems" up and running
- Poor record keeping and financial administration
- Weak management structures and complete lack of delegated authority.

#### 5.2.5 Implementing Agents

- No accreditation process for implementing agents making it an easy entry industry which is now characterized by numerous first time operators and inexperienced practitioners.

- Very few agents with the exception of perhaps 5 or 6 have the ability to deliver and provide their own finance.
- Most agents are not developers or project managers but rather professionals such as Engineers and Planner attempting to secure work for their professions.
- The procurement of agents is often highly questionable in terms of process's and procedures
- Many agents have less capacity than the Municipality.
- The Department offers very little support to agents and in many instances agents are treated as the "enemy".

Within this target are various initiatives such as conventional in situ upgrade & greenfield projects, social housing & infill housing projects as well as the Slums Clearance Project. Phases 1&2 of the Slums Clearance Project addressed 50 informal settlements and resulted in the development of 5 greenfield projects comprising 10 500 sites. Phase 1 is nearing completion & Phases 2& 3 have already been planned & proposal has been submitted to the Province for approval. Phases 2 & 3 will result in the development of 80 000 units over the next 6 years. 70 settlements will be relocated to the Greenfield projects, 120 will be upgraded & 20 greenfield projects will be developed.

## 5.3 Current and planned housing projects

### 5.3.1 Projects planned

In order for the Municipality to successfully meet its housing backlog over the next 12-15 years, it has set a target of producing 16 000 units per annum. This is obviously dependent on it receiving the concomitant funding from the Provincial Department of Housing.

## 6. HOUSING DELIVERY ISSUES

eThekweni Municipality adopted policies and practices for access to land and housing which are aimed at providing quality living environments and integrating the poor into the fabric of urban life through spatial improvement. The intention is to maximise the opportunities for improving the poor household' quality of life through meeting their basic needs and by the provision of essential services and social infrastructure. The "Cities without Slums" Project has the same intentions where the poor are going to benefit by having their settlements upgraded in order to carry out these tasks there are stakeholders that have been invited to see that the process is carried out in a proper, collaborative manner. This is intended to avoid duplication, the sharing of resources, their different capacities and learn from one another in order to reach the desired goals of coming up with the strategy of upgrading unplanned settlements.

During the project the stakeholders will be reflecting on issues, which could be applied at local levels of society. Development institutions, such as government and the various civil society organisations will be more able to identify create and sustain useful partnerships during this project. In this way organisations will be able to conceptualise, plan, monitor and adjust their plans.

## 6.1 Housing Delivery Stakeholders

The different stakeholders that are going to assist in the progress of the project are:

### 6.1.1 eThekweni Housing

The Housing Department is expected to champion the project of alternative upgrading strategies. Phase 1 of the Slums Clearance is an initiative of the eThekweni Municipality is already spearheaded by the Housing Unit in conjunction with the KwaZulu-Natal Department of Housing (DOH).

### 6.1.2 eThekweni Development Engineering Unit

The Engineering Department has extensive experience on providing engineering project management services for low-income housing including evaluating engineering services required for low income housing, engineering design, contract administration, site supervision/ quality control for construction of engineering services, capital expenditure control.

### 6.1.3 Project Preparation Trust of KZN

PPT is an independent public interest organization that specializes in the preparation of projects for historically disadvantaged communities and special needs groups. The organisation takes an increasingly integrated approach to housing. This entails dealing with community needs in a holistic fashion and undertaking complementary forms of development simultaneously with housing. This includes responding to poverty alleviation and economic development needs, developing community skills and capacity. They also address HIV issues and ensuring that there is appropriate spatial planning in place.

PPT also focuses on settlement upgrades where communities already reside in an area, rather than on green-fields projects. This approach is partly a result of PPT's community centred approach and partly due to problems in ensuring appropriate locations for green-fields projects. The problems can include difficulties in access to job opportunities and social facilities, such as education and health, as well as dealing with the sensitive issue of relocations and beneficiaries selling their sites to return to better located informal settlements.

PPT will be playing an important oversight and project management role of this project.

### 6.1.4 Department of Welfare

This Department will be assisting the project by providing input on how the communities are to be affected by this project and can benefit through projects/programmes that will take place.

### 6.1.5 Department of Health

The department of Health will highlight all the issues that relate to communities' health issues in informal settlements. Issues of HIV/Aids, poverty, malnutrition and sickness due to environmental problems need to be addressed when dealing with this housing project.

### 6.1.6 Development Planning Unit

The Department of Planning will be assisting by providing its expertise in the way best practices in terms of physical planning in informal settlements have been implemented and adding to the practices they have used in the past. This department facilitates informed integrated development which in housing promotes social, physical, and economic integration of housing development into existing areas through the creation of quality living environments.

### 6.1.7 Department of Land Affairs

The Department of Land Affairs will give input on their recent methods of addressing land issues. The procedures they take in this regard with particular emphasis on the previously disadvantaged communities will be of importance to the context of the "Slums Clearance Project". These will include ways on how accessing and extending rights to land is provided. Land planning and land distribution issues will be highlighted during the process of the project.

### 6.1.8 Umlazi Development Committee

The Umlazi Development Forum is a long standing community based structure that has been instrumental in dealing with issues around housing and development in the area. The forum consists of members of various organisations and interested persons who assist in ensuring consultation and communication with the community is effectively undertaken. They also have the support of the local councillors. Members of this forum have been elected to the Stakeholder committee that has been formed for this project.

### 6.1.9 Ward Councillors (Umlazi and Kenville/Sea-Cow Lake)

Ward Councillors who serve the Umlazi and Kenville/Sea-Cow Lake wards will be bringing the interests of the people in the ward as they are in touch with the issues in their areas. They understand the key problems and monitor development and service delivery. Their presence during the process of the project will be of high value as they understand key problems in their particular area.

### 6.1.10 Homeless Peoples' Federation

The South African Homeless People's Federation is a network of autonomous community-based organisations with their own identities and decision-making structures. These organisations are rooted in shack settlements, mobilise membership around savings and prioritise the role of women.

In this project the Homeless People's Federation is bringing its experience of working with the informal communities. People-centred development is going to be the key to their involvement. The organisation has over the years created social development practices that can replicate themselves, which provides the basis for ongoing development. The organisation will also provide support mechanisms for bottom-up creation of procedures.





## SECTION C

### POLICY ENVIRONMENT ANALYSIS

#### 7. Housing Policy And Norms

##### 7.1 National Policies

National housing policy has only recently recognised the need to formulate specific policies around the upgrading of informal settlements. Historically the Department of Housing did not have a specific subsidy instrument or approach, which dealt with the upgrading of informal settlements.

Some of the more recent developments include a policy on emergency interventions for example where informal settlements are affected by fires or flooding. This policy allows for funding to provide temporary shelters for people affected.

A comprehensive strategy for the upgrading of informal settlements is currently being developed, however it is likely that as with all policies the practical realities can only be informed through implementation.

This pilot program could therefore be used as valuable tool to provide meaningful input and assist in guiding broader policies.

It is envisaged that some radical deviations from conventional development practice will be required.

#### The Interaction between UN Habitat and DoH National government.

UN Habitat through its global campaign has to review South Africa's process in implementation of the Habitat Agenda. They are mandated to carry out the following:

- To assist in reviewing the national plan of action for the implementation of the Habitat Agenda.
- To serve as a consultative mechanism for the review and evaluation of national, provincial and local implementation policies, plans and programmes in relation to the Habitat Agenda.
- To act as a focal point for sharing experiences and identifying good practice in sustainable human settlement development in South Africa.
- To champion the Habitat Agenda by creating awareness of critical social, economic and environmental issues relating to sustainable human settlement development.

##### 7.2 Provincial Policies

Provincial policies are to a large extent informed and driven by National Policies and Programs. Whilst certain programs such as the slums clearance program have a strong KZN flavour the framework in which they have been delivered is largely in accordance with National Policy. In other words the conventional approaches in the project linked subsidy instrument are still being largely adhered to.

A radical rethink of procedures will be required in order to develop informal settlements (slums) these include innovative approaches to;

- Limiting the displacement of people
- Delivery of basic services such as water and sanitation
- An incremental approach to development over a sustained period with a clear end objective in mind.
- A move away from conventional practice, which promotes individual freestanding units with individual security of tenure via a formal title deed.
- Moves towards blocks of flats or double storey walk up units with communal ablution facilities and other amenities.
- Providing more compact and efficient living environments.

## 7.3 Municipal Policies

### 7.3.1. Municipal policies

There are relevant policies and/ or legislation emanating from national, provincial and local government which affects housing delivery in KwaZulu Natal. These provide a summary of relevant policies and legislation, and they comment on how they affect housing delivery. The policies and laws together provide direction for more localised strategy formulation.

#### ■ White Paper On Local Government (1998)

- White Paper on Local Government has an underlying assumption that local government is the sphere of government closest to the people, and is best placed to respond to the challenge of delivery and development

at a local level. The White Paper has been developed to accommodate options for metropolitan local government these being, "Mega-City" and the second option is that of a metropolitan council with substructures.

- The White Paper also outlines key challenges facing local government as developmental and outlines ways to meet challenges of backlogs in service delivery and infrastructure; the need to recognise the economic links between rural and urban areas; and the need for municipalities to rebuild a relationship with communities. The (IDP) and budgeting are the first strategy, whereby plans for short to medium term planning are developed. Durban Metro's Local Councils have all formulated IDPs in consultation with Local Councils.

#### ■ Local Government Transition Act (1996)

- This act provides for the involvement of the general public in the planning process. The IDPs are the requirements for the Local Government Transitional Act (1996). The objectives of the IDP must be made available for public comment and be evaluated and amended as required. They must also be informed of the achievements of the plans on an annual basis and revisions to the IDP on an annual basis.

#### ■ Proclamation No. 33 Of 1996

- This proclamation states that facilitation of housing delivery is currently a Local Council function and housing policy formulation a concurrent responsibility of Metro and Local Councils. It stipulates that in instances where there is non-delivery Metro may take over the delivery function from Local Councils.

### **Municipal Structures Bill (1998)**

The Provincial legislature has a mandate to determine for each category of municipality the different types of municipality that may be established in that category in the province. Eight different models for Metropolitan (Category A) municipalities, but all are some form of: mega-city" model.

### **Municipal Systems Bill (1998)**

The purpose of the Local Government Systems Bill is to give effect to the developmental vision for local government as envisaged in the Local Government White Paper by identifying and facilitating core planning, performance management, delivery, and reporting.

Residents of the Municipal area are the foundation, content and focus of municipal government. The municipal council is no longer the exclusive possessor and focus of political authority, but rather an instrument for the realisation of citizens' interests and priorities, and for communication between the municipality and the residents.

Delivery and development play a central issue for the new local government system. The Bill proposes that performance measurement, transparency and accountability of local government must be a requirement that applies to daily business of the municipal council. Municipalities are also required to establish performance management systems, the key elements of which are performance indicators, measurements of performance, reporting, and monitoring and evaluation.

Provision for appropriate mechanisms for citizen participation, integrating the activities of different municipal departments and agencies; aligning municipal planning with the plans of adjacent municipalities and other spheres of government, and national/provincial sectoral planning that has a direct impact on the municipality has to be accommodated in a single integrated development planning process at local level.



## 8. LEGISLATIVE ENVIRONMENT

### 8.1 Current Legislation

#### 8.1.1. Land and planning related legislation

The following land and related legislation will guide the development process.

- Prevention of Illegal Eviction from Unlawful Occupation of land Act, Act No. 19 of 1998.
- The Development Facilitation Act, Act No.67 of 1995
- The KZN Town Planning Ordinance
- Less Formal Township Establishment Act
- The Expropriation Act, Act No. 63 of 1975 and amendments thereto
- The Municipal Systems Act
- The Municipal Structures Act

### 8.2 Anticipated Legislation

#### eThekwini Housing Accreditation

The Housing Act, (Act 107 of 1997) stipulates that the first and foremost risk mitigation measure in any housing development is constituted by the proposed accreditation process. It incorporates strong incentives for Housing Institutions to ensure that their operational house will be in working order. This has implications that the institution can access the project capital grant, capacity building and establishment cost grants as well as preferential access to long-term credit through

National Housing Fund Council (NHFC). Therefore the anticipated early operationalisation of the accreditation process, linked to the grant funding is of utmost importance from a risk mitigation point of view.

In October 2000 the erstwhile Durban Metropolitan Council (now referred to as the eThekwini Municipality) made application to the KwaZulu-Natal Provincial Department of Housing for “level 2 accreditation” in terms of the Housing Act. This application followed an exhaustive process in which the municipality investigated the implications and resourcing requirements. This assessment involved substantial consultations and collaboration with the Provincial Housing Department, whereafter the accreditation application was favorably received by officials of that department.

Subsequently, however, the Department of Housing deferred accrediting the municipality citing “lack of capacity” as the reason. This was incomprehensible to the municipality as its application had presented adequate proof of substantial housing administration capacity and expertise.

In the preparation of the accreditation application the municipality had carried out a “Due Diligence” exercise culminating in a comprehensive Accreditation Business Plan.

The eThekwini Municipality’s housing capacity and initiatives have resulted in the Municipality being awarded the coveted SA Institute of Housing Regional Award for Housing Excellence on several occasions. In addition, the municipality has been awarded the

prestigious platinum Impumelelo Innovations Award for its Informal Settlement Programme.

### Refinement Of Breaking New Ground Policy

The new policy for informal settlements will have an effect on the “Cities Without Slums” project. It accommodates for the following advancement within informal settlements projects

- Increases the existing subsidy and widens eligibility (but no orphans, no illegal immigrants)
- Intends and rewards intensive community involvement from start of planning
- More money for quality top structure – R 25 000 +
- Planning and management vests at municipal level, with 10 percentage municipal contribution
- Area-based or community-based delivery, not individual access
- Fast track, either upgrade or greenfields

## 9. POLICY SUCCESSES AND CONSTRAINTS

### 9.1 Policy Successes

Arising from the strength of the Constitution of the Republic of South Africa a number of very sound policies and pieces of legislation are in existence.

The strength of the various policies and legislation has however not always translated into enhanced or improved delivery on the ground. This phenomenon is more as a result of a lack of capacity at Local Government level than a deficiency in the policy environment. However it is clearly evident that many policies and procedures are very sophisticated and complex by design, which makes implementation difficult and cumbersome in a third world or developing country environment.

The successes of Government policy are more evident in greenfields projects, institutional projects and hostel redevelopment than in the upgrading of slums or informal settlements.

### 9.2 Policy Constraints

#### 9.2.1. National Policy

The National Housing policy framework is by design a rigid and complex process involving numerous statutory requirements. These requirements are often very

necessary to ensure compliance with legislation and promote orderly development.

Typical Examples of these requirements are;

- Township establishment procedures
- Survey procedures and the Survey Act
- Environmental legislation
- Minimum levels of service prescribed by Municipalities and the Province
- Requirements for services agreements and social compacts
- Formal tenure arrangements and the registration of properties into individuals names
- Establishment and maintenance of Provincial data base
- Stringent qualifying criteria for subsidies.
- Planning approval process
- Engineering design approval process

The rigid and formal process of township establishment and development often makes the development of slums or the upgrading of informal settlements a very unattractive prospect for developers or local authorities.

The conventional wisdom for the development of land cannot be applied and very few innovative solutions exist. The development and construction industry as a whole is very conservative and alternative strategies with respect to planning procedures, engineering designs and construction process's is often frowned upon.

### 9.2.2. eThekweni Policy

The institutional set up of the eThekweni Municipality is of such a nature that there is still a huge resistance to new and innovative ideas. This is particularly true in components such as the Engineering branch, town planning, health and safety, real estate and the environmental branch. Service delivery units such as Housing, electricity and water appear to be more flexible in their approach based on operational experiences.

Examples of constraints are eThekweni's fairly rigid and across the board minimum services level requirements (e.g.: with respect to level of road services and non acceptability of on site sanitation). It is acknowledged that these are, to some extent informed by: a) a desire to put in place long term, best practice infrastructural solutions (as opposed to interim or incremental ones); b) a desire to move away from certain forms of historical forms of development which were associated with apartheid (e.g.: site and service, on site sanitation). One of the purposes of this project will be to systematically assess a range of different options along with the direct and indirect benefits and costs of various options (including extrapolation to delivery at scale). It is expected that such an approach will assist eThekweni in re-evaluating or refining certain of its policies.

## 9.3 Policy Impressions

Based on the initial discussions between the various stakeholders including Ethekewini Municipality, UN Habitat and the Department of Housing it is clearly evident that a radical rethink of current policies and strategies is required for development of informal settlements.

The study areas selected represent some of the worst concentrations of poverty and slum settlements within the greater Ethekewini area, thus provides a unique

opportunity to design and implement innovative strategies.

Based on past experiences during the period 1994 – 2005 and international experience the following should be given consideration during the pilot study and the development of a new development model;

- Informal settlement's and the definition of slums vary from area to area and region to region.
- Various categories of slums need to be defined and classified or graded.
- The reason for categorising various settlements will allow for more than a single model to be designed and implemented to suit the specifics of a particular area.
- At this early stage it is not envisaged that more than five different categories will be required.
- The previous ideal of individual free standing housing units as a solution should not be considered an option.
- Security of tenure through individual ownership should not be considered an imperative or a fundamental of the policy or development instrument.
- Transitional arrangements based on an institutional type set up should be considered.
- Double storey walk up units or multi storey units should be considered.
- Communal ablutions and community amenities should be the norm



- Areas should be developed on an incremental basis. In other words logical phases of development should be planned and implemented over a period.
- The previous policies of all or nothing with respect to township establishment process's and conditions of establishment should not be considered an option.
- Conventional levels of service and individual water and sewerage connections should not be an option at the early stages of incremental development
- Alternative zonings and regulations and by laws should be adopted to suit a specific area which is at a specific stage of development. In other words an area cannot progress from a slum to a fully-fledged suburb overnight.
- Realistic time frames for development should be agreed up front.
- The ultimate vision for an area needs to be determined at the inception stage with clearly defined stages of development being defined.



## 10. ALTERNATIVE UPGRADING STRATEGIES

As noted in previous chapters a number of interventions have taken place regarding informal settlement upgrading. The approaches have been varied but limited to issues of delivery within particular budgets and timeframes. Various challenges to the approaches were indicated, however, the input from this process requires alternatives to what has been learnt as well as definition of best practices in the event thereof. At this stage of the process we are unable to provide detailed conclusions and consensus on the alternatives as we have not finalised the enumeration process. This process provides vital detail in the socio – economic structure of settlement. The following are alternative strategies indicating the definition thereof, how they can be applied, and the pro’s and cons of each.

### 1. Conventional one site on house

#### Definition

This scenario considers the conventional and current way housing provision. An area is planned and designed to ensure that each household has his own plot and a subsidised unit is provided with full waterborne sanitation, water and electrification of the unit. This is currently undertaken through the National Housing subsidy which provides a certain amount of funds dependent on a household’s income. The house is usually a roomed unit constructed of concrete block.

#### Application

This can be applied firstly in Greenfield situations, as well as in situ upgrades. The implementation thereof

is usually undertaken in a rollover format and in areas where spaces allow for new site formation.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>● Ensures that acceptable health conditions prevail</li> <li>● Job opportunities for local people</li> <li>● Security of tenure</li> <li>● Provision of a starter home with opportunity to expand</li> </ul>	<ul style="list-style-type: none"> <li>● Disrupts family life not all households are accommodated</li> <li>● Low settlement densities, resulting in urban sprawl</li> <li>● Can be expensive</li> <li>● Not all households approved as beneficiaries i.e. Projects subsidy driven, with no options for non beneficiaries</li> </ul>

### 2. Management of existing settlements

#### Definition

Improved supervision of existing settlements by ensuring appropriate systems in place for management thereof. This would include provision of water and sanitation; refuse removal, containment of the settlement through numbering and a database. Provision of access to facilities.

#### Application

This would entail provision of appropriate manpower resources to manage each settlement or a group of settlements. This could include temporary employment of local people. This would require training and possibly provision of some resources, such as office space,

furniture, access to a telephone and support services such as security and policing.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>● cost effective</li> <li>● quick solution and easily applied</li> <li>● enables a managed development process</li> <li>● appeases communities in ensuring development is intended in future</li> <li>● cleaner, healthier and contained settlements</li> <li>● provides work opportunities for locals</li> <li>● guarantees a sense of security</li> <li>● sustainability of jobs</li> </ul>	<ul style="list-style-type: none"> <li>● additional funding required</li> <li>● can be a costly exercise</li> </ul>

### Application

This would entail temporary relocations and provision in areas which are vacant and rolling over development as required. The application of higher densities in highly trafficked areas and areas closer to major transportation routes or around nodal points. Topography of land occupied by settlements would also need to be considered.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>● limit of urban sprawl</li> <li>● economies of scale relating to infrastructure usage</li> <li>● In line with the Development Facilitation Act principles of infill development?</li> </ul>	<ul style="list-style-type: none"> <li>● cultural issues relating to high rise living will need to be addressed</li> <li>● affordability for beneficiaries</li> <li>● higher development cost</li> <li>● Requires cultural shift in terms of how people live</li> </ul>

## 3. Medium to High Density Housing

### Definition

This could take various forms of housing from semi-detached, row housing, duplexes to multi storey walk ups such as flats.

## SECTION D

### PILOT PROJECTS

#### 11. PILOT PROJECT SELECTION

After completion of the situation analysis, strategy and action planning phases of the project, two pilot up-grade projects will be selected, one from each of two targetted areas of Umlazi and Kenville / Seacow lake. Feasibilities will be undertaken for each project and applications for housing subsidies will be submitted in order to initiate the provision of improved shelter. In parallel with this process, other key interventions and support activities will be identified in order to promote more integrated and sustainable development (e.g.: focussing on micro enterprise development, urban agriculture, urban greening, skills development, adult basic literacy, provision of social services such as health care and education, improved community security, and the provision of improved care and shelter to those in special needs including those infected or affected by HIV AIDS and orphans and vulnerable children).

##### 11.1 Selection Criteria

Criteria for the selection of the two pilot projects are likely to include the following:

- Representivity of the settlement (ie: how typical is it and will its selection as a pilot project assist in developing a delivery methodology that is potentially replicable at scale). This implies that the settlement faces challenges which are typical of many other settlements (eg: land issues, relocations issues, high levels of poverty, high settlement density, low quality of topstructures).
- Scale of the settlement (the settlement should be big enough to have meaningful impact in its own right but not too big to be unmanageable as a project area – probably between 300 and 600 sites)
- Willing community leadership and community based organisations: it is critical that the communities selected are willing to participate pro-actively in development according to Masakhane principles as opposed to being passive recipients of development aid. Masakhane is a people-driven campaign that aims to accelerate delivery of basic services and housing by stimulating economic development in urban and rural areas. This campaign also aims to create conditions for large-scale investment in housing and services infrastructure, and local economic development. Potential for a pro-poor, asset based and integrated development approach.
- Absence of undue local political risks.

##### 11.2 Selected Pilot Areas

The following are the enumeration (socio-economic survey) boundaries, i.e. the name of the settlements where the enumeration (survey) would be done and the total number of structures in each settlement. These areas were chosen by the Ward Councillors as the enumeration boundaries for the Pilot Project.

*Table 11.1: Enumeration Boundaries*

Umlazi	Total no. of Structures	Kenville/ seacowlake	Total no. of Structures
V5	120	Johanna	208
JX6	88	Jamaica	407
K11	92	Gumtree	300
GX1 & GX2	125	Mysore/Temple Road	360
A3	106	Pakington (including Park Station)	215
Bx1 (Phola Place)&EX11 (Ekuthembeleni)	94		
NX1 (Elahlamenze) & NX2	93		
M12	122		
AAx4 (Power)	164		
P5 & PX3	140		
Z6 & Z7	53		
D18 (Extension) & DX5 (Godsbell)	135		
AX1	91		
	1423		1490

## ACTION PLAN REPORT

### CITIES WITHOUT SLUMS SUB-REGIONAL PROGRAMME

### FOR EASTERN AND SOUTHERN AFRICA

### ETHEKWINI MUNICIPALITY

This document is a discussion document illustrating the alternative strategies and their potential for the Umlazi and Kenville/Sea Cow Lake pilot areas.

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## 2. Problem statement

Informal settlements are growing at an alarming rate throughout the world. Their number is projected to double in 25 years (Cities Alliance, 2002). Peri-urban fringes of cities and urban centers are where urbanization pressures have given rise to the development of informal settlements in a variety of environments. Urban areas strongly influence the world of the 21st century and urban and rural populations are increasingly interdependent for their economic, social and environmental well-being. Population growth, cultural expectations, voluntary and involuntary migration, real and perceived employment opportunities, changing consumption, production patterns, economic and social factors have been influencing the urbanization process.

City slum populations are said to be growing fastest because they absorb about three-quarters of the population growth in African cities. By the year 2007 more than half of the world's population will live in urban areas and approximately 40% of them will be children below 15 years. A large percentage of these will live in African cities-mega villages that present little or no advantage over rural areas in terms of basic services (Urbanisation Challenges in Sub-Saharan Africa, UN-HABITAT, 2005).

In South Africa the history of racial segregation and repression contributed significantly to the current situation where nearly half the African population within the eThekweni Municipal Area (EMA) currently reside in informal settlements. While a number of in situ upgrade projects were initiated in the early 90's, the difficulties encountered have meant that many such projects have been subject to extensive delays and in some cases even abandoned. In situ upgrade projects are more complex to implement and thus perceived to be high risk. This is due to the following reasons:

- Results in significant relocations,

- Results in a requirement for alternative land
- Not integrated enough (usually focus is mainly housing and related infrastructure with limited **LED, social facilities, and health interventions**. Projects are often not integrated which impacts on long term sustainability...)
- Tend to view upgrade as a once off development as opposed to a process of change which needs to be managed in an integrated way over a period of many years
- Tendency to lump all types of slums and upgrades under a single category
- A range of barriers to conventional upgrade method:
  - i. Very expensive – serious budgetary constraints both from Department of Housing (DoH) as well as municipal funding for bulk services and internal services top ups – means a long waiting time for most settlements
  - ii. Land legal issues relating to complex statutory land assembly processes
  - iii. High settlement densities making conventional servicing difficult and usually resulting in significant relocations
  - iv. Lack of bulk services infrastructure in many areas
  - v. Problems with relocations
  - vi. Unstable communities can jeopardise projects
  - vii. Developers have been reluctant to work on projects involving informal settlements
  - viii. Formal tenure as a cornerstone to the state subsidised system
  - ix. Lack of classifications for different settlement types and finite definition of a slum or slums

- x. Rigid policies and mindsets with respect to development
- xi. Conservative approach of all or nothing as opposed to incremental processes
- xii. Rigid policies and inflexible attitudes with respect to incremental development
- The old concept, prevalent in the 1990's, of housing and infrastructure as a lead sector, has been largely undermined by practical experience – unless there are positive measures taken, low-income housing does not automatically trigger significant LED and other aspects of community upliftment. These initiatives have to be triggered via a conscious effort to create more integrated and sustainable habitats.
- Need to balance depth and breadth approaches

### **Breadth and depth approaches to upgrading – need for a balance**

When the new government came into existence in 1994, it inherited a huge housing backlog. In its attempt to reduce the backlog, the government committed itself to building million houses for people who had no access to shelter. The housing backlog in 1995 was estimated to 1.5 million units. This is when national policy frameworks Reconstruction and Development Programme (RDP) and the White Paper on Housing were published for the African National Congress (ANC). These two documents were produced with the aim of building up a new South Africa with sufficient housing conditions as well as eradicating the state of inhumanity.

One of the RDP programmes was to meet basic needs, which set up a basic framework for the supply of housing for the people. It aimed to ensure the right to housing for all South Africans on an incremental basis. It also confirmed housing standards, which aimed for

housing that protects occupants from weather, which consisted of durable construction and enough space for living and privacy.

Seven criteria commonly used to clarify what adequate housing means are:

- Legal security of tenure
- Affordability
- Availability of services, materials, facilities and infrastructure
- Habitability
- Accessibility
- Location and
- Cultural adequacy

When one or more of the above attributes are not available, it can be said that housing is inadequate.

The unfortunate reality is that, between 1994 and 1999, the quantum of the subsidy was designed to provide a housing opportunity and not a clearly defined end product. Norms and standards were only introduced during 1999. This formalisation of a national norm of 30m<sup>2</sup> resulted in the product becoming defined.

The product produced via the Government subsidised program clearly reflects the breadth of the program i.e. some for all. This in turn often translates into disappointment with the end product.

Unfortunately the programs tended to perpetuate bad delivery goals with very little depth in terms of integration and sustainability related issues.

The Department of Housing has somehow, historically, failed to balance and make flexible programmes that

lend themselves to more integrated and sustainable types of development.

Within the broader housing and urban development policy environment, government has in the last decade tested a variety of implementation approaches and plans. Most recently (2004), the government introduced the Comprehensive Housing Plan for the Development of Integrated Sustainable Human Settlements – more popularly referred to as Breaking New Ground (BNG). The BNG policy has identified the abovementioned problems and seeks to remedy them (refer to Table 1) . In light of the above, it can be said that adequate housing is not just the roof over one’s head, but also include the other components mentioned above, such as security of tenure, affordability and habitability. The government is also required to take measures that are flexible and are able to address crises in the short, medium and long-term.

The housing programme has not succeeded in accommodating the needs of the vast majority of homeless people who had failed to qualify for the housing subsidy and those who qualified but failed to get funding. The provision of affordable and adequate housing still remains a challenge for the government to meet their obligations. Some of the issues that still prolong are the continuing location of low-cost housing away from areas of economic opportunities, limited success of housing policies in integrating racially divided settlements and the link between housing delivery and

economic development in order to make housing delivery process sustainable.

High expectations have been created as a result of the publicity given to slums and the associated political motives.

Promises to eradicate all slums by 2020 as well as a significant number prior to the 2010 soccer world cup has further driven expectations.

Current budgetary restraints and the high cost of formal conventional development methodologies has rendered the promises and expectations non feasible and delivery is very slow.



*Example of a greenfield development (30m2 units) that has been one of the DoH implemented strategies to eradicate slums.*

*Photo: © Maluleke, Luthuli Associates*

### 3. ENUMERATION FINDINGS

#### Main findings of the situation analysis and enumeration process

In order to pilot new approaches to the upgrading of informal settlements eThekweni Municipality recognised that the project’s situation analysis needs to be based on a detailed household socio-economic survey for approximately 1 500 households in each area. Phakamisa Collaborative and Siyamisana Planning were contracted by the municipality to undertake the surveys, capture and process the data and present the findings in the form of a report. The total population in the settlements surveyed in Umlazi was 7 198 people living in 1 434 structures and the total population living in the structures surveyed within Kenville was 5 871 people living in 1 492 structures. This implies an average household size of 5.02 people per household in Umlazi and an average household size of 3.93 people per household within the Kenville informal settlements. The following were the findings gathered through the enumeration process.

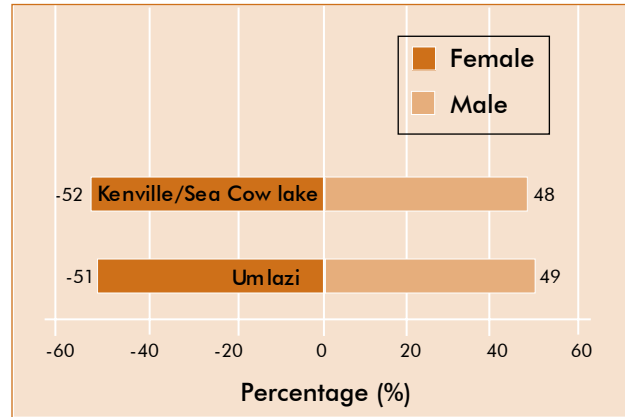
#### 3.1 Settlement Profile

Table 3.1: Population distribution within the study areas.

Total Area	Population 2001
Umlazi	388 687
Kenville/Sea-Cow Lake	14 748
TOTAL (study areas)	403 426

Source: StatsSA, 2001

Graph 3.1: Gender distribution for both the study areas.

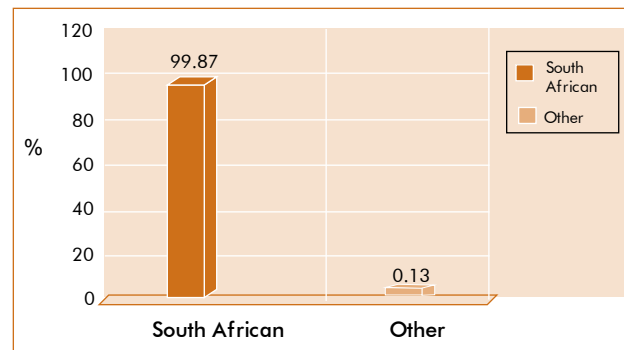


Source: StatsSA, 2001

During the enumeration process the following information with regards to informal settlement profile was gathered.

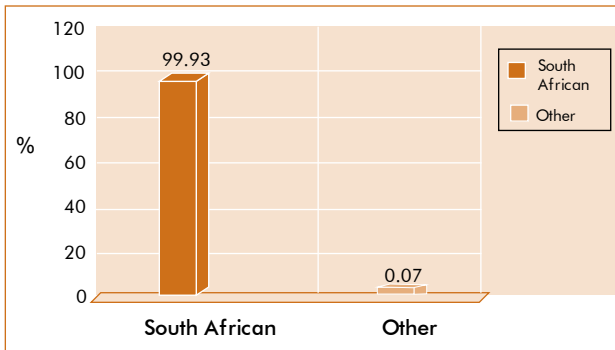
#### 3.1.1 Tenure Status

Graph 3.2: Kenville Citizenship



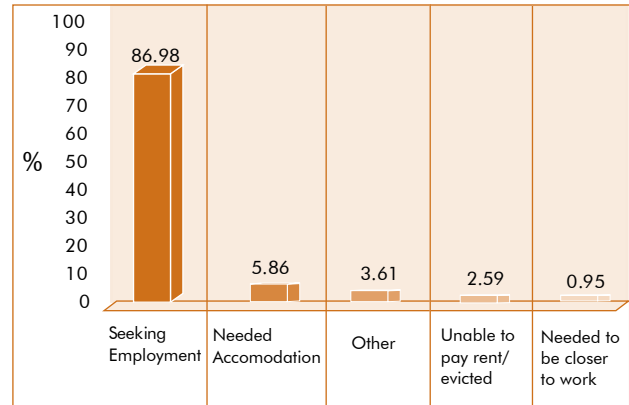
Source: Kenville Socio-Economic Findings, 2006

Graph 3.3: Umlazi Citizenship



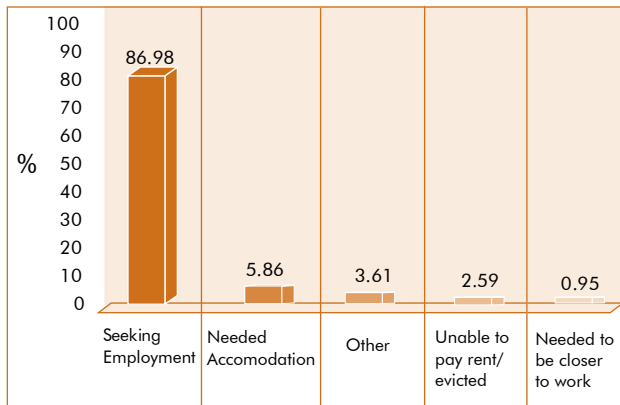
Source: Umlazi Socio-Economic Findings, 2006

Graph 3.5: Reasons for settling (Umlazi)



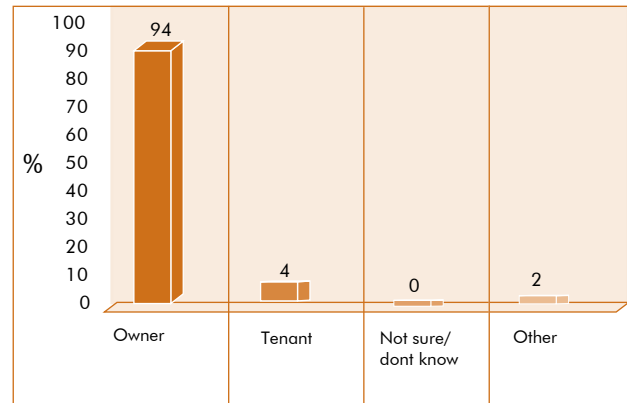
Source: Umlazi Socio-Economic Findings, 2006

Graph 3.4: Reasons for settling (Kenville)



Source: Kenville Socio-Economic Findings, 2006

Graph 3.6: Umlazi Status of Occupier



Source: Umlazi Socio-Economic Findings, 2006

No. of years	% Umlazi Respondents	%Kenville Respondents
0-2	3	5
3-5	7	23
6-10	18	54
11-15	39	16
15-20	10	2
21-25	7	1
25-30	3	0
>30	12	14
Total	100	100

Source: Umlazi Socio-Economic Survey, 2006

Table 3.3: Residence History

No. of years	% Umlazi Respondents	%Kenville Respondents
0-2	3	5
3-5	7	23
6-10	18	54
11-15	39	16
15-20	10	2
21-25	7	1
25-30	3	0
>30	12	14
Total	100	100

Source: Umlazi & Kenville Socio-Economic Survey, 2006

Graph 3.7: Kenville Status of Occupier

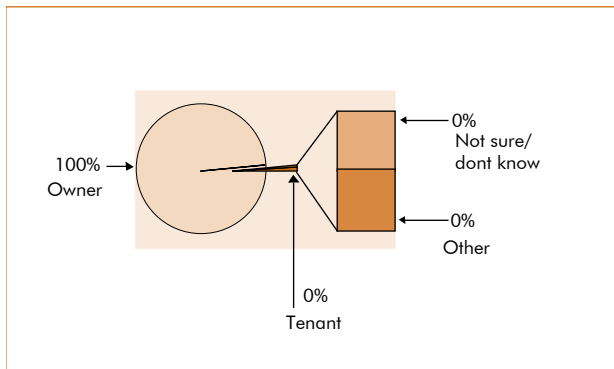
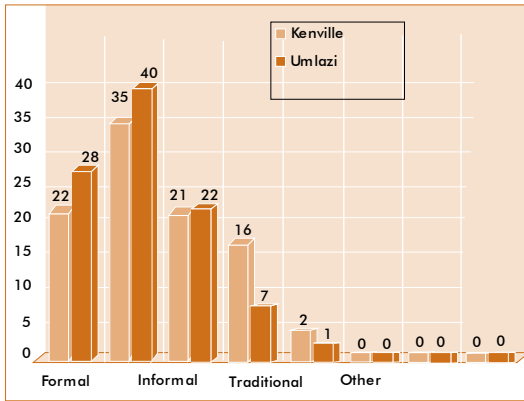


Table 3.2: Ownership Status for Umlazi & Kenville

Source: Kenville Socio-Economic Survey, 2006

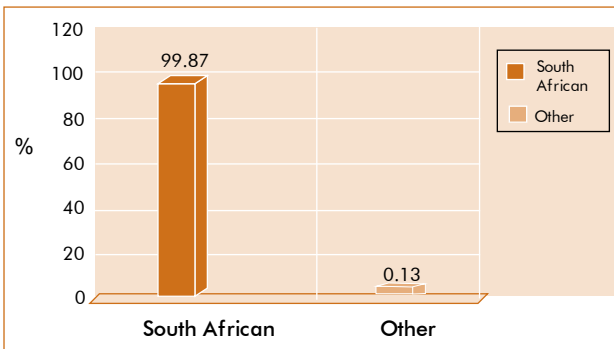
All non-privately owned land is now vested with eThekweni Municipality. Certain parcels of land within Umlazi may still vest in the Ingonyama Trust Board. The study areas identified in the Kenville / Sea Cow Lake area are all in private ownership with the exception of one or two parcels of land which are owned by the eThekweni Municipality. Land that is vested in the eThekweni Municipality within the study areas can readily be made available for development for implementation of the alternative strategies to be formulated and approved under this program. Privately owned land will have to be acquired, by expropriation or negotiation. Problematic areas will only be those that fall outside the former R293 towns and cannot be vested in the eThekweni Municipality in terms of the Ingonyama Trust Amendment Act.

Graph 3.8: No. of rooms in each structure



Source: Umlazi & Kenville Socio-Economic Status Survey, 2006

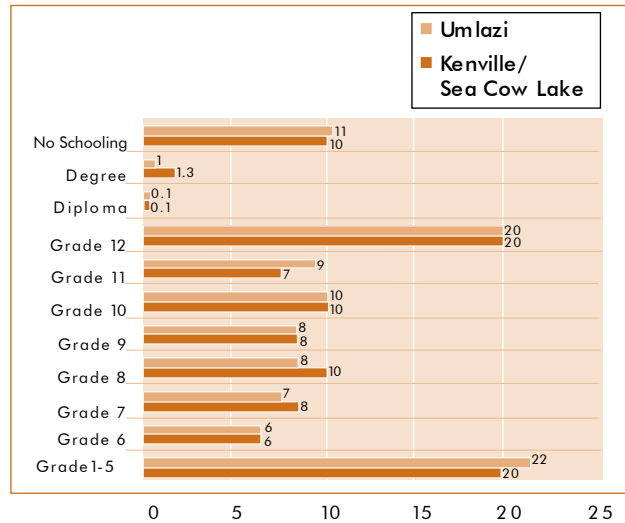
Graph 3.9: Construction material



Source: Umlazi & Kenville Socio-Economic Status Survey, 2006

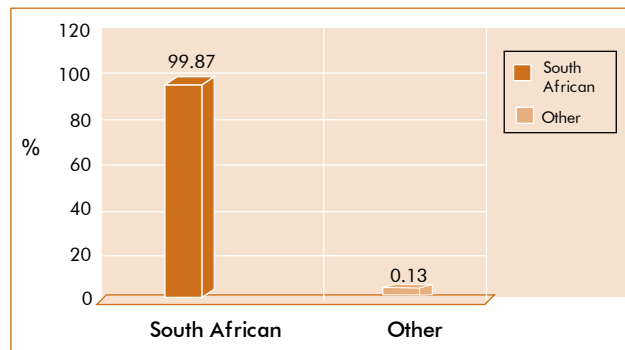
### 3.2 Socio-Economic Survey

Graph 3.10: Educational levels of both study areas



Source: Umlazi & Kenville Socio-Economic Survey, 2006

Graph 3.11: Employment Status for both Kenville and Umlazi



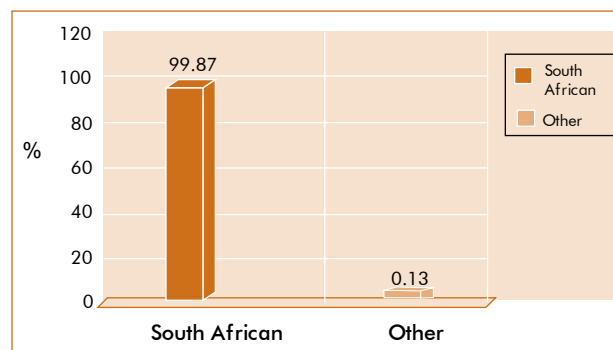
Source: Umlazi & Kenville Socio-Economic Status Survey, 2006

Table 3: Places of Employment

Kenville	%	UMLAZI	%
Kenville	10	Umlazi	5
Inner City	12	Inner City	4
Surrounding suburbs	12	South Durban Basin	17
Durban North	5	Durban North/Springfield	2
Springfield Park	14	Pinetown/New Germany/Marianhill	3
Umhlanga	2	Berea/Glenwood	2
Berea	9	Westville/Highway	2
Other	36	Other	65
<b>TOTAL</b>	<b>100%</b>		<b>100%</b>

Source: Umlazi & Kenville Socio-Economic Survey, 2006

Graph 3.9: Umlazi and Kenville Development Priorities



Source: Umlazi & Kenville Socio-Economic Survey, 2006

It is clear that both the study areas have “good houses” as their priority in terms of development for their particular areas.

### 3.3 Development Priorities of Slum Dwellers

The total number of respondents for both Umlazi and Kenville were 1 448 and 1492 respectively.



## ENUMERATION FINDINGS CHAPTER 4-6

## 4. Implications of bng housing policy

At its inception, the Housing Policy and Strategy (1994) focused on stabilizing the environment to transform the extremely fragmented, complex and racially based financial and institutional framework inherited from the previous government, whilst simultaneously establishing new systems to ensure delivery to address the housing backlog. The significant achievements of this programme have been recognised both nationally and internationally. Significant socio-economic, demographic and policy shifts have also occurred over the past 10 years.

“Breaking New Ground” policy deals with informal settlements through a new phased development approach that will deliver security of tenure, municipal engineering services and social and economic amenities.

The programme focuses on,

- Accelerating delivery of housing as a key strategy for poverty alleviation
- Utilising provision of housing as a major job creation strategy
- Ensuring property can be accessed by all as an asset for wealth creation and empowerment
- Leverage growth in the economy
- Combating crime, promoting social cohesion and improving quality of life for the poor
- Utilizing housing as an instrument for the development of sustainable human settlements, in support of spatial restructuring
- Collapsing of subsidy bands so that all households earning below R3500 will be able to access a uniform subsidy amount.
- Shifting from product uniformity to demand responsiveness
- Enhancing the role of the private sector
- Provision of housing finance
- Project management and other support
- Creating linkages between the primary and secondary residential property market
- Progressive Informal settlement eradication
- Enhancing the housing product
- Upgrading of informal settlements on the basis of a holistic orientation, thus an area based approach of the past.
- Programme will harness fragile community networks, minimise disruption, facilitate community participation in all aspects of their development solution.
- Local Municipalities will have assistance from provinces
- External experts to assist in the implementation of the project.
- The programme to require the support of the Home Affairs, Education, Public Works Provincial and Local Government, environmental Affairs and Health
- Upgrading of informal on the basis of a holistic orientation, thus an area based approach as opposed to the individual subsidy beneficiary focused approach of the past.
- The programme will harness fragile housing solution options available under the programme
- Tenure options to be determined by the person’s status regarding income, previous residential property ownership and whether the person accessed a State financed housing subsidy in the past.



A view from the Kenville/Sea-Cow Lake Informal Settlements showing close proximity to employment opportunity to the study area. Photo: © Maluleke, Luthuli Associates.

## 5. Overview of upgrade strategies

A number of development strategies could be utilised to upgrade the so-called slums within the two study areas. The current traditional methodology to deal with the upgrading or removal of slums is generally one of the following strategies;

### 5.1 Conventional in situ upgrade

An informal settlement is allowed to stay and a commitment for an upgrade is pursued. This usually occurs where a settlement is well located in terms of job **opportunities** and **amenities**. This can also occur if there is little room for manoeuvring and if there are no spaces for relocations or rollover.

Existing structures have to be enumerated, flood lines determined, required relocations identified. Site

boundaries have to be established and movement passages defined around the existing shacks. The principle of minimal displacement is applied but coupled with a requirement of the installation of basic services. A Preliminary layout plan is developed by taking the status quo into account and design based on the de facto settlement to the extent possible. This preliminary plan is then adjusted by the engineers to allow for services such sanitation, water supply, road access and stormwater .

It is noted that, in the context of eThekweni municipality, high levels of minimum service generally apply, especially within the 'urban edge'. Within this edge, which includes both Umlazi and Kenville, water borne sewerage and individual household connections for water are generally the minimum accepted level of service. Reduced levels of road access (e.g.: pedestrianised access) are also only permitted as a last resort.

#### Advantages

- Many of the existing sites / households can be retained when using this strategy as well as other land uses (e.g.: local economic activity, worship etc).
- Improves the health conditions by means of water and sanitation provision.
- Job opportunities for local communities as tenders can be called for the provision of services.

#### Disadvantages

- The relatively high level of service requirements in eThekweni areas such as Umlazi and Kenville mean that the costs of upgrading are relatively high.
- On site logistics: Existing structures need to be removed/demolished the same day that people are being moved to their new houses in order to avoid resettlement (i.e.: rollover method). Alternatively a portion of the site has

to be set aside for temporary relocations.

- In many cases, land is owned by multiple landowners (often complicated by deceased estates), the land acquisition process can be delayed. [This is because the housing subsidy requires that full title is provided to the beneficiary].
- A significant level of relocations usually results from the upgrade process, partially because of the one house one plot housing typology and partially due to the loss of sites to make way for services (e.g.: roads).
- Sprawling city. Does not promote the concept of compact cities and towns.
- High incidence of residents migrating back to informal settlements. Promotes informal rental capacity to tap into newly provided services. Densities increase and slum conditions prevail.
- Poor access of relocatees to job opportunities and services
- Due to the relatively high per site and per project costs of this method, relatively few projects can be undertaken simultaneously due to budgetary constraints. This impacts negatively in respect of achieving a balance between 'depth' and 'breadth' of delivery
- Delivery strategies seldom focus on education and the creation of strong local management structures to protect the new developments.
- "Ownership" of the process and project is problematic and culture of dependence on the state exists

## 5.2 Medium Density Housing

Social housing and social housing policy must be clearly conceptualised and understood. This is a housing option for low-to-medium income persons that is provided by housing institutions, and that excludes immediate individual ownership. This housing option

allows for collective forms of ownership, on condition that the persons involved through collective ownership, are fully aware, understand and subscribe to collective ownership options. Social housing cannot be limited to specific income groups it should promote both low income and medium income persons. The government's funding objectives though remains to be focused on the lower income end of the target market. Housing institutions are enabled to access different operational programmes under the social housing programme such as the medium density-housing programme, for specific programme development.

Medium density housing could take various forms of housing from semi-detached, row housing; duplexes to multi storey walk ups such as flats. This would entail temporary relocations and provision in areas, which are vacant and rolling over development as required. The application of higher densities in highly trafficked areas and areas closer to major transportation routes or around nodal points. Topography of land occupied by settlements would also need to be considered.

### Advantages

- Improved yields and reduced relocations
- Reduced service cost per unit
- Promotes the concept of compact cities and towns and prevents urban sprawl and the associated costs to maintain

### Disadvantages

- High per unit cost.
- Inability to penetrate the bottom end of the market – not currently feasible for those earning below approx R2500pm, let alone residents of informal settlement who earn even less than this (it being noted that rentals have to be charged to ensure cost recovery / sustainability)

- Variable community receptiveness to double storey units or row housing often blamed on cultural views
- Inability to deliver at the necessary scale,
- Potential invasion of units or the surrounds are often problematic as informal settlements seek to tap into the services and opportunities provided by the development.
- Poor South African track record with respect to the sustainability and effective management of social housing stock (especially low levels of rental collection and low management capacity of social housing institutions).

### 5.3 Informal Settlement Management

#### Description

Improved supervision of existing settlements by ensuring appropriate systems are in place for the management thereof. This would include:

- Provision of temporary water and sanitation and refuse removal;
- Containment of the settlement through numbering of shacks, creation of a database of names, and monitoring of the settlement. Provision of access to social facilities (eg: health, education, recreation).
- Flexible tenure arrangements that help bridge the gap between the formal and the informal need to be put in place.
- Facilitation of other interventions to alleviate poverty including: local economic development; food security and HIV AIDS relief.

#### Application

This would entail promotion of self-management via formal mentorship programs with a view to communities ultimately managing and being responsible for their own settlements. Promote the development of people living within these settlements. This could include temporary employment of local people. This would require support services such as security and policing. LED opportunities created must however be sustainable such as those afforded by local community service contracts (e.g.: refuse removal, maintenance of roads) as well as training and mentorship for de-facto micro-enterprises.

#### Advantages

- Achieve breadth of delivery
- Minimises relocations
- Addresses short term health and other risks without massive infrastructure costs (i.e.: cost effective)
- Cleaner, healthier and contained settlements
- Guarantees a sense of security
- Promotes integrated development
- Promotes the concept of self management and a move from the syndrome of state reliance

#### Disadvantages

- Additional funding required
- Potential political sensitivity / resistance
- Dealing with community expectations of a fully subsidised house and plot (which is being delivered in some other areas).

- Need to focus only on settlements which are not targeted for short term relocation e.g. in immediate risk of natural disaster
- Provision of only rudimentary improved services
- Does not deliver title immediately and defers this to a later time
- Unless some form of limited intervention to improve top structure is included then there will be limited benefit from a shelter perspective
- Management of the process could be challenging.



Umlazi informal settlement. Photo: © Maluleke, Luthuli Associates.

## 6. An alternative strategy

There is significant potential for further development of a delivery model, which supplements the main existing strategies of conventional insitu upgrades, greenfields projects and social housing. This model / strategy is an incremental process which ensures better management of informal settlements and which has the following main advantages. The key factor being that interim / incremental measures should be pursued ahead of full-scale housing and infrastructure delivery. There is a need for a blend of different strategies, which complement each other:

- It entails limited capital expenditure and thereby achieves greater 'breadth' of delivery (balanced against the current strategies which focus mainly on 'depth' of delivery but which don't rapidly meet the needs of the large number of informal residents).
- It assists in stabilising informal settlements from a range of perspectives including improved health, access to certain rudimentary basic services, and local economic development.
- It creates improved pre-conditions for the conventional models such as full-scale upgrade once other preconditions (such as funding availability and land) are in place.

- It promotes and facilitates more integrated and sustainable development by viewing upgrading as a process of settlement change and transformation which looks beyond physical infrastructure and housing and which seeks to build human capital.
- It facilitates improved social justice – citizens who would otherwise not benefit from full scale upgrades will get other development benefits – this will also assist in managing community expectations and begin changing them over time so that there is not the same level of expectation as to housing delivery – and less pre-occupation with housing delivery as such an important factor which excludes other factors
- The incremental model / strategy would include the following elements which could be applied to varying degrees depending on the nature of each specific settlement:
  - Provision of rudimentary improved services including:
    - Sanitation (e.g.: communal ablutions or VIP's)
    - Water supply – standpipes
    - Pedestrian access
    - Improved services to prevent and contain fires
  - Up front land legal assessment and, where the City's housing programme indicates, commencement of work on land acquisition (usually at least one or two years in advance – significant lead in time required and this is usually radically under-estimated)
  - Micro enterprise business and sector skills training and business development support
  - Fruit tree establishment for urban greening and improved food security
  - Support for organic homestead gardens (training and on site support)
  - Facilitating improved access to health care and HIV AIDS relief
- Facilitating better access to education and educational facilities including ABET (adult basic education and training)
- Facilitate gender rights programmes (with NGO partnerships)
- Community savings mobilisation
- The introduction of more flexible standards and regulations (e.g.: recognition and mainstreaming of the incremental approach; earmarking certain informal settlements as incremental housing zones etc).
- Extension of town planning schemes such as the ordinance to recognise these zones and create a framework for these types of development.
- This would greatly assist in breaking down the stereotypical responses from various service units and Government Departments (i.e. the all or nothing approach).
- Medium to high densities are important to minimise relocations and as such road widths and space standards need to be adjusted.
- Formal tenure systems are coupled closely to planning conditions and these need to be amended to reflect a more flexible tenure system with a strong emphasis on de centralising the process.
- The system needs to be flexible so that the later transition from the secondary / informal to the primary / formal market is possible.

## 7. Recommendations for development strategies for the two study areas

A range of short and long-term interventions has been formulated as outlined below.

### 7.1 Kenville/Sea-Cowlake Short Term Strategy

In order for the medium-term vision to be realised an implementation strategy is required that provides practically implementable incremental development process's (solutions) in the short and medium term.

Whilst it is acknowledged that the eThekweni Municipality has already commenced with certain short-term projects in these areas these have not been linked to any broader plan for the area.

The success of the incremental development approach is dependant on a number of factors and the following needs to be undertaken / achieved;

- Political buy in with respect to incremental development and the associated time frames
- Manage expectations
- Community and Municipal support for the program
- Availability of funding linked to multi year programs and budgets
- Development of clearly defined projects with defined outcomes
- Definitive linkages between short term projects and the medium term vision

The short-term strategies would need to include the following incremental programs (projects) and sub programs;

- Enumeration
- Stabilising the settlement
- Establish management structures
- Establish linkages with funding agents including NGO'S, local and provincial Government
- Formulate definitive long term plan including spatial planning
- Formulate definitive short term programs and plans linked to the long term vision including physical planning
- Plan and implement short term programs and projects

Short and medium term planning and projects would include;

### Employment Creation and Skills Training

Employment levels in both Umlazi and Kenville are relatively low; therefore a way to help local people access economic opportunities, to gain employment, and to start their businesses would be important. Employment creation should be part of Umlazi and Kenville/SeaCow Lake vision. Initiatives to strengthen existing community organisations and to train people in basic life skills for urban living. Programmes that can be of assistance to local communities are as follows:

- Basic Business Management training project
- Multi-Skilling Project



- Home Ownership Education Project
- Crime prevention projects and programs
- LED initiatives
- HIV/AIDS awareness
- Food security programs
- Physical planning including land suitability studies, investigating alternative zonings and transitional / incremental type programs
- Provision of temporary services including considerations such as fire, solid waste removal, mobile clinics, communal ablutions
- Relocations within the settlement to create space for implementation of first phase of development
- Provision of temporary or semi permanent building materials

## Proposed Projects For Kenville/Sea-Cow Lake

No.	Intervention / Project	Purpose & proposed outcome	Action by*	Estimated budget
1	Pre-feasibility & project packaging	Including geotechnical, land audits, topographical, bulk services assessment, environmental scoping reports. Preparing submission of application for subsidies to the KZN Dept of Housing.	Project Team with Housing Unit	R100 K approved
2	Health & Sanitation	Education on sanitation and oral health hygiene. Potential to expand on communal ablutions, portable toilets, maintenance etc.	Health Unit with Water & Sanitation Unit	To be budgeted
3	LED for training & support for micro entrepreneurs	Building capacity of informal dwellers to promote local economic development. <ul style="list-style-type: none"> <li>● Fruit trees/gardening</li> <li>● HIV/special needs</li> <li>● Environmental- waste disposal</li> </ul> Pro-poor micro enterprises	Economic Dev Unit	To be budgeted
4	Soild Waste	Linked to job creation strategy as local people to be used to collect rubbish to main dumping areas. Cleaner healthier slums linked to job creation. Local labour / contracts to collect waste. Form of LED initiative.	Solid Waste & Cleansing Unit	To be budgeted
5	Water	Consumer education program. Potential to expand water reticulation.	Water & Sanitation Unit	To be budgeted
6	Electricity	Examples include high mast lighting, lighting to public spaces & community facilities etc	Electricity Unit	To be budgeted
7	Emergency roads / access	Create improved access for emergency services, transportation, improved security, storm water control	City Engineers Unit – Roads Dept	To be budgeted
8	Emergency relocations	Facilitate temporary and permanent relocations from unsafe unsuitable areas. Internal and external relocations i.e. within the project or to projects outside the area. Relocations to facilitate space for future initiatives.	Housing Unit	To be budgeted
9	Formalisation of tenure	Facilitate alternative tenure arrangements with a view to managing the transitional nature of the settlement, controlling crime and preventing the emergence of slumlords. Strong emphasis on local management and decentralising the tenure arrangements.	Housing Unit with Ward Dev Committee	To be budgeted
10	Housing in emergency circumstances	As per DOH policy & focussing on addressing problem in situ rather than relocation out of the area.	Disaster Mgt Unit, Housing Unit, KZN Dept of Housing	To be budgeted
11	Settlement management	Program to ensure the settlement remains stable and well managed, control influx, maintain functional tenure register and consolidate gains of previous years.	Ward Dev Committee	

## 7.2 Kenville/ Sea-Cowlake - Medium / Long Term Vision

Based on desk top studies the preferred model for the ultimate end product for this area would be a combination of medium to high-density units such as semi-detached, double storeys, terraced and row housing which would achieve a limited number of relocations if required. Part of the planning for the area would need to include the identification of all potential Greenfield / infill land usable for housing, in order to accommodate any relocations within the local area (to the extent possible).

In order for this medium term vision to be achieved a number of factors and development process's would need to be considered,

The model would have to be implemented on an incremental basis linked to funding availability by the provincial Department of Housing. The option of individual freestanding units should be dismissed.

The implementation of the proposed high-density model would first require the following detailed feasibility studies and process's to be concluded.

- Land Availability and firm commitments to purchase or lease.
- Extent of land versus required densities.
- Land suitability studies including geotechnical, topographical and environmental
- Acceptability of the model by the wider community and beneficiary community
- Detailed costing of the model including land, services, fees and building costs.
- Sources of funding and commitment to fund over a multi year program
- Sustainability and feasibility of the model
- Phasing in of the model

- Linkages to the short and medium term programs
- Impacts of HIV and Aids
- Should the model be based on an incremental basis then the following would have to be considered.
- Allocation procedure and qualifying criteria. Who benefits first and why? Who manages this process and how?
- Whilst incremental development is taking place how is the settlement stabilised and managed to ensure that the settlement does not attract new occupants hoping to secure a unit.
- How are the settlements managed and what measures are put in place to provide the informal settlement with basic services. This to avoid the entire community tapping into the new unit for sanitation, ablutions and electricity.
- How is overcrowding and management of the units enforced (local committees or municipal function).
- What are the tenure arrangements and are there repayments.

Other important factors to be considered are,

- The size of family units will have to be more than the 30m<sup>2</sup>, which has been the standard for communities.
- Cost of units. Current building costs are high, basic NHBRC (National Home Builders Registration Council) compliant
- From the above professional fees, services and land costs would be added
- Sustainability of the model
- Ongoing maintenance / rates and service charges.

From the outset it should be acknowledged that the total upgrading of slum conditions within the settlements of Kenville and Sea Cow Lake are short and medium term.

Whilst the ultimate vision for the area would be the development of medium to high density housing the short-term vision should be the creation of an enabling environment to receive such a development whilst affording short term poverty alleviation.

This would require that the existing settlement be stabilised and managed. The installation of rudimentary basic services as well as the establishment of strong management systems including those related to tenure arrangements should be put in place.

### 7.3 Umlazi – Short term Strategy

Refer to tables for Kenville/Sea Cow Lake

PROPOSED PROJECTS FOR UMLAZI (focus on the Main corridor and in particular portions of Umlazi S 1/2 , A, D & V) will be the same as in Kenville/ Sea Cow Lake.

### 7.4 Umlazi Strategy

Based on desk top studies the preferred model for this area would be a combination of medium to high-density units conventional insitu upgrading, limited relocations and management of the existing settlements.

This model would have to be implemented on an incremental basis linked to funding availability by the provincial Department of Housing. The option of indi-

vidual freestanding units should be discouraged but may be appropriate in certain instances.

## 7.5 Pilot Project – Kenville/ Seacow-lake

### Proposed Pilot –gumtree Road

#### Selection criteria

Based on a rudimentary desk - top assessment the settlement known, as Gum Tree road appears to be the most feasible settlement to commence with a pilot project.

The overriding reason for the selection of this area is based on the following criteria:

- The settlement can be upgraded i.e. there were no major physical development constraints
- The community had to be stable i.e. strong leadership preventing conflict and preventing further growth – settlement had to be static
- Vacant developable land available in the immediate vicinity for small number of relocations
- Services must be available to the settlement
- No major land legal issues
- Community to be willing to accept new alternatives

### Project typology

The area appears to be suitable (subject to detailed land suitability and related feasibility studies) for conventional upgrading strategies i.e. combination of insitu and green fields township type development.

However since the purpose of the study is to develop alternative strategies the concept of medium to high density " has potential subject to further feasibility studies.

The idea of temporary shelters in terms of the new National housing policy should also not be dismissed.

### Implementation strategy

A consultative process with respect to the final selection of the pilot area will need to be undertaken.

This process needs to be undertaken at both community and municipal level.

The early consultation is made more complicated by the lack of detailed information available (feasibility studies) as well as the fact that the development typology has not been defined.

Early consultation should therefore be limited to selecting an area and advising the community based structures that a product can only be defined once the necessary feasibility studies have been undertaken.

Consultation with community-based structures should focus on explaining the development process and the associated time frames.

### Feasibility studies required.

The viability of any project whether it be conventional or an alternative strategy will require that at least the

following studies be undertaken to a sufficient level of detail.

#### Land Audit

- Ownership details
- Restrictive conditions
- Endorsements bonds
- Valuations
- Options to purchase
- Current zonings

#### Land Suitability Studies

- Detailed Geo-technical
- Environmental
- Topographical
- Preliminary planning

#### Bulk services assessment

- Availability of bulk services
- Water
- Sewerage
- Storm water
- Roads

#### Preliminary designs and planning

- Defines levels of service and cost model
- Define type of development i.e. semi detached, multi storey or temporary housing
- Cost model
- Preliminary layout plan

### Funding applications and sources of funding

- Consult DOH and eThekweni re funding requirements.
- Package funding application (preparation funding)

### Assessment of feasibility

Once the necessary studies have been concluded and more detail is available the various proposed development typologies can be work shopped in more detail with the community based structures and the city officials responsible for development.

### Program and way forward

#### Step 1

- Agree on requirements for feasibility studies –

#### Step 2

- Appoint consultants to undertake feasibility studies – 3 weeks
- Conclude feasibility studies – 3 months

#### Step 3

- Agree on development typology – 3 weeks
- Prepare funding applications – 1 month

### Recommendations

The issue of identifying a pilot area was carefully managed in terms of obtaining community support.

Emphasis was placed on development processes and related time frames. Unnecessary expectations were not created in terms of the type of development and delivery time frames. This would be until such time

as the feasibility and development typology is clearly defined.

A real danger exists that the project will simply revert to a conventional project (i.e. insitu upgrade type development) with the associated problems and time frames.



Smoke highlighting evenings at Umlazi informal settlements.  
Photo: © Maluleke, Luthuli Associates

## 7.6 Pilot Project – Umlazi

### Proposed Pilot – S1/2 Emhlabeni And Ax2

#### Selection Criteria

Based on a rudimentary desktop assessment the areas known, as S1/2 Emhlabeni and AX2 appear to be feasible areas to commence with a pilot project.

The overriding reason for the selection of these two areas is based on the following criteria:

- The settlement can be upgraded i.e. there were no major physical development constraints

- The community had to be stable i.e. strong leadership preventing conflict and preventing further growth – settlement had to be static
- Vacant developable land available in the immediate vicinity for small number of relocations
- Services must be available to the settlement
- No major land legal issues
- Community to be willing to accept new alternatives

In addition the high visibility of these slums from the Mangosuthu Highway and the fact that this would form a logical starting point to upgrade the entire Mangosuthu corridor was also considered. This falls in line with the City's Urban Regeneration initiative for Umlazi.

The projects would also improve the profile of the Mangosuthu Technikon Campus and possibility resolve land related issues.

Both areas have good access to existing road and related services networks.

### **Project typology**

Both areas appear to be suitable (subject to detailed land suitability and related feasibility studies) for conventional upgrading strategies i.e. combination of insitu upgrading and "3-4 storey walk-ups".

The idea of temporary shelters in terms of the new National housing policy should also not be dismissed.

### **Implementation strategy**

A consultative process with respect to the final selection of the pilot area will need to be undertaken in conjunction with all stakeholders in Umlazi.

This process needs to be undertaken at both community, political and municipal level.

The early consultation is made more complicated by the lack of detailed information available (feasibility studies) as well as the fact that the development typology has not been defined.

Early consultation should therefore be limited to selecting an area and advising the community based structures that a product can only be defined once the necessary feasibility studies have been undertaken.

Consultation with community-based structures should focus on explaining the development process and the associated time frames.

### **Feasibility studies required.**

The viability of any project whether it be conventional or an alternative strategy will require that at least the following studies be undertaken to a sufficient level of detail.

### Land Audit

- Ownership details
- Restrictive conditions
- Endorsements bonds
- Valuations
- Options to purchase
- Current zonings

### Land Suitability Studies

- Detailed Geotechnical
- Environmental
- Topographical
- Preliminary planning

### Bulk services assessment

- Availability of bulk services
- Water
- Sewerage
- Storm water
- Roads

### Preliminary designs and planning

- Defines levels of service and cost model
- Define type of development i.e. semi detached, multi storey or temporary housing
- Cost model
- Preliminary layout plan

### Funding applications and sources of funding

- Consult DOH and eThekweni re funding requirements.
- Package funding application (preparation funding)

### Assessment of feasibility

Once the necessary studies have been concluded and more detail is available the various proposed development typologies can be work shopped in more detail with the community based structures and the city officials responsible for development.

### Program and way forward

#### Step 1

- Agree on requirements for feasibility studies

#### Step 2

- Appoint consultants to undertake feasibility studies – 3 weeks
- Conclude feasibility studies – 3 months

#### Step 3

- Agree on development typology – 3 weeks
- Prepare funding applications – 1 month

### Recommendations

Emphasis needs to be placed on development processes and related time frames. Unnecessary expectations should not be created in terms of the type of development and delivery time frames until such time as the feasibility and development typology is clearly defined.

A real danger exists that the project will simply revert to a conventional project (i.e. insitu – upgrade type development) with the associated problems and time frames.



Note: Although this report makes recommendations on the proposed pilot, due to the misunderstandings surrounding the intentions of the broader project by the umalzi councillors, a decision was taken by the management of the housing unit not to proceed with this pilot as an immediate intervention but rather to handover the recommendations to the housing projects department to implement when the umlazi councillors are ready to accept the concept of implementing alternative strategies.

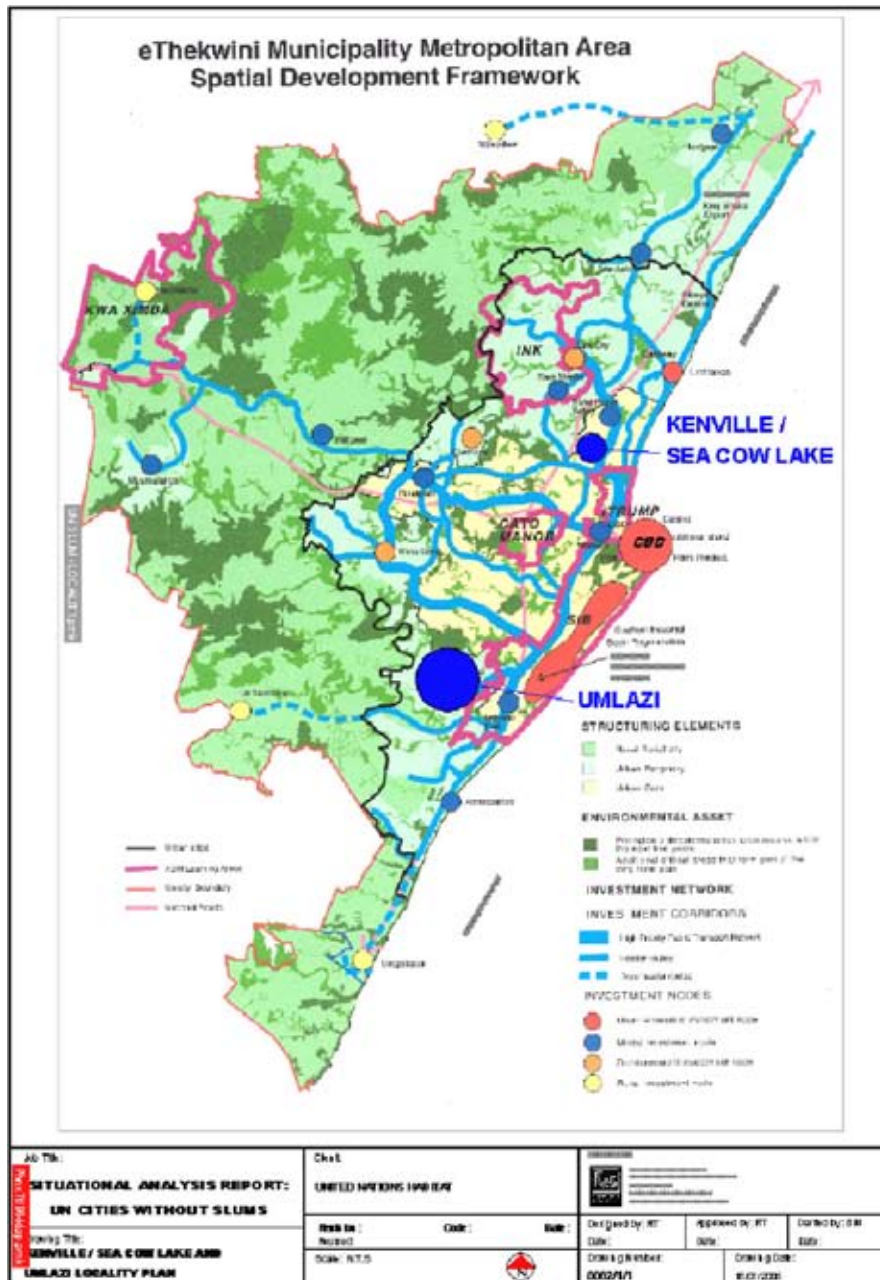
Table 7.1: Comparisons between “Breaking New Ground, Current Housing Initiatives and UN SLUMS proposed strategies

Breaking New Ground”	Current Housing Initiatives	Un Slums Proposed Strategies
Accelerating delivery of housing as a key strategy for poverty alleviation	Effort to break the patterns created by the apartheid style of planning	Combination of strategies using the best of existing combined with new including elements of BNG
Utilising provision of housing as a major job creation strategy	Creating sustainable human settlements	Recognising that housing initiatives alone do not resolve create sustainable and integrated environments
Ensuring property can be accessed by all as an asset for wealth creation and empowerment	Eradication of all slums by 2010	Recognising the limitations of the fiscus and establishing more realistic goals and objectives. Emphasis on sustained incremental development
Leverage growth in the economy	Prevention of urban sprawl and promotion of integrated development	Promote self-management by empowering communities to manage their own settlement. This may include community control of the tenure system.
Combating crime, promoting social cohesion and improving quality of life for the poor	Promotion of planning principles to create more compact and efficient cities and towns	Promote strong community structures within settlements with a view to instilling systems and procedures that are aligned with the principles of incremental development
Utilizing housing as an instrument for the development of sustainable human settlements, in support of spatial restructuring	To ensure job creation by housing programmes	Create jobs by assisting in providing municipal services such as solid waste removal
Collapsing of subsidy bands so that all households earning below R3500 will be able to access a uniform subsidy amount.	To create rental housing opportunities	Combination of high-density units comprising of multi storey walk up units. Utilising a combination of strategies over a sustained period in an effort to remove slum conditions
Shifting from product uniformity to demand responsiveness	Provision of housing for vulnerable groups including those affected by HIV/AIDS	Incremental basis linked to funding availability
Enhancing the role of the private sector		
Provision of housing finance		
Project management and other support		
Creating linkages between the primary and secondary residential property market		Linkages between primary and secondary markets to be viewed as long term strategies
Progressive Informal settlement eradication		Progressive improvements on tenure arrangement linked to incremental development. I.e. from transitional to ultimate full tenure or other form of secure tenure.
Enhancing the housing product		
Upgrading of informal settlements on the basis of a holistic orientation, thus an area based approach of the past.		

Breaking New Ground”	Current Housing Initiatives	Un Slums Proposed Strategies
Programme will harness fragile community networks, minimise disruption, facilitate community participation in all aspects of their development solution.		Realities of slum lords and informal rental schemes to be addressed via community based forums in association with local authorities, police service etc
Local Municipalities will have assistance from provinces		Realisation that reliance on state funding is not the only solution.
External experts to assist in the implementation of the project.		Acknowledge the limitations of external support and funding. Create a culture of self management and self reliance coupled with strong community structures and linkages to Local and Provincial Government
The programme to require the support of the Home Affairs, Education, Public Works Provincial and Local Government, environmental Affairs and Health		Measures to be put in place to assist foreign nationals i.e. subsidies etc

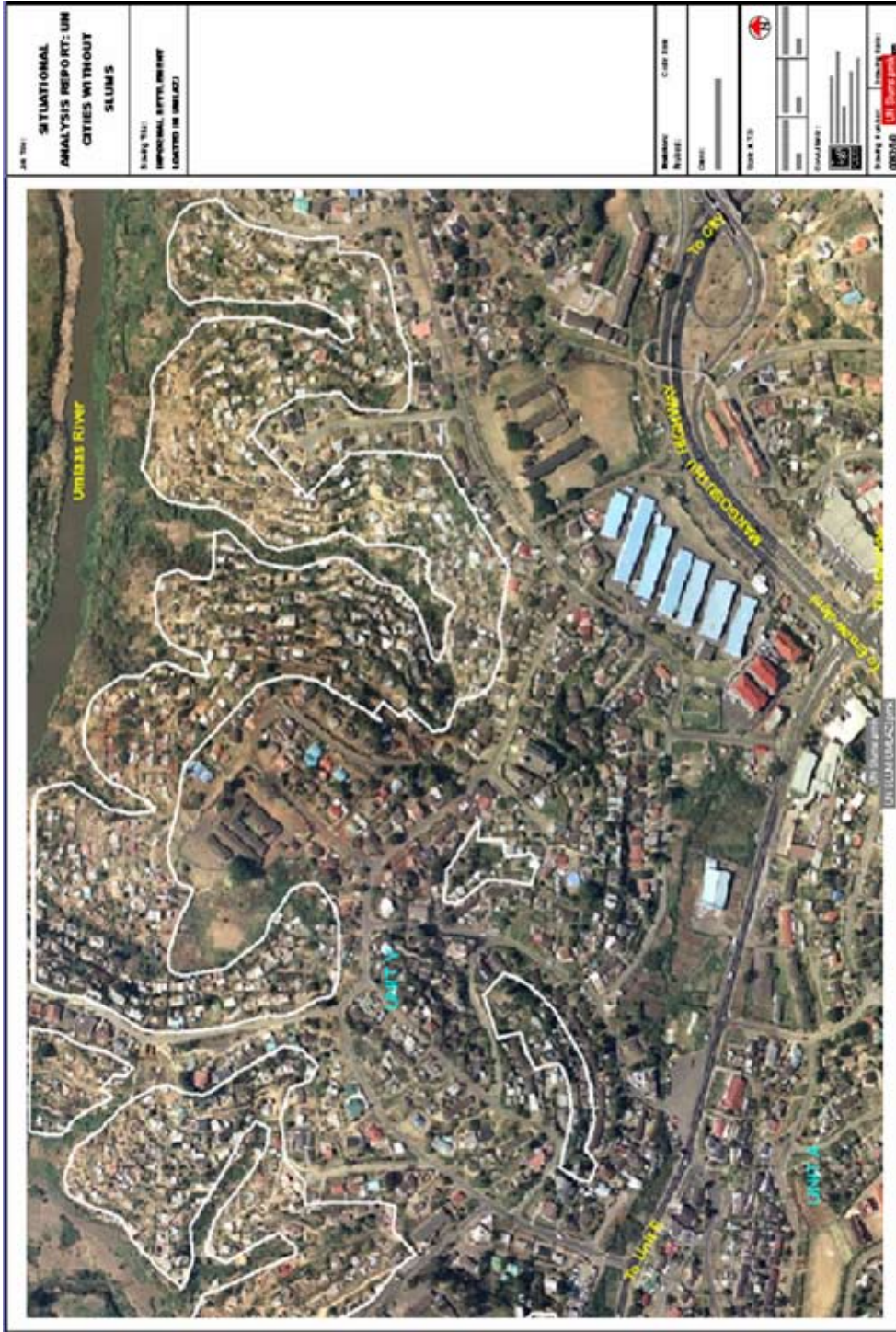
## 8 Durban Situation Analysis Plans

### Map A



Map B





The Cities without Slums Sub-regional Programme for Eastern and Southern Africa was initiated in the year 2000, in response to the situation of increasing poverty in the region. The programme seeks to assist Member States in the sub-region to realize the Millennium Declaration Goal 7 Target 11 of 'Cities without Slums', by strengthening institutional arrangements, building partnerships and supporting the improvement of conditions of people living and working in slums areas. The initiative is also based on the partnerships created in South Africa, India and the Philippines, in the Three Cities Project and supported by UN-HABITAT's Global Campaign for Secure Tenure.

In South Africa, the City of Durban through the eThekweni Municipality is collaborating with UN-HABITAT in this upgrading Programme that covers the Umlazi and Kenville/Sea-Cow Lake informal settlements.

In Durban, the first phase of this initiative was to prepare the Durban Situation Analysis, which is an in-depth analysis of the present and past conditions of the two informal settlements in eThekweni Municipality. The report is the culmination of several months of consultations with key stakeholders.

The purpose of the Situation Analysis is to serve as a discussion piece for diverse stakeholders to arrive at a consensus about the conditions of informal settlements and the conditions governing slum upgrading, and then to identify a way forward by developing a concrete Action Plan that illustrates alternative strategies and their potential for the Umlazi and Kenville/Sea-Cow Lake areas.

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