

## Planning and Sustainable Development of Low Income Human Settlements in KwaZulu-Natal, South Africa

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**ABSTRACT** Integrated Development Planning (IDP) is one of the key tools used by the South African Government to deal with its developmental role in the post-apartheid era. In contrast to the role of planning in the past, integrated development planning is now a function of municipal management for service delivery in the different sectors. It serves as the principal strategic management instrument for municipalities. In the housing sector numerous policies and programmes have been formulated for the planning and development of low income human settlements to meet the country's chronic shortage of housing for the homeless. Despite this, the provision of low income human settlements since 1994 has been unsustainable. The paper concludes by noting that subsequent attempts at policy reformulation have not significantly reduced the political, logistical and technical challenges within the low income human settlement sector.

### INTRODUCTION

The provision of livable and sustainable low income housing in South Africa is a highly contested social issue which has filtered into the new democracy posing major challenges for policy makers, development practitioners and agents. In terms of Section 26 (1 and 2) of the constitution the state is required to take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right (Constitution of the Republic of South Africa Act, No. 108 of 1996). In meeting this constitutional prerogative the state has over the years taken various steps to formulate and reformulate policies to honour its obligations to those excluded from adequate housing opportunities especially in the low income housing sector. A key national policy framework formulated in 1994 is the Housing White Paper (HWP). It is hailed as the first comprehensive policy to overcome the overwhelming housing backlogs inherited from the apartheid era. Given South Africa's political history, the HWP recognises that the wasteful settlement structure of the past imposes a wide range of technical, logistical and political constraints that need to be surmounted for livable and sustainable human settlements to impact positively on the lives of those challenged by homelessness in the post-liberation era. To overcome the technical, logistical and political constraints the planning and development of low income human settlements has been devolved to the Local Government

sphere which needs to ensure delivery through Integrated Development Plans (IDP).

This paper draws from data originating from multiple research approaches. It commences with a scan of the housing context both in the country and in the province. Different housing and settlement acts, policies, primary and secondary research studies at national, provincial and local government sphere are analysed in order to formulate a conceptual framework for the paper. This conceptual framework helps to delimit the study and provide parameters in the context of changing national and provincial housing policies. The most recent one emphasises the creation of sustainable and livable human settlements (Department of Housing 2004(a)). Primary data for this paper was obtained through a triangulated approach using both qualitative and quantitative research methods.

The paper commences by defining the methodological approach used in the study. This is followed by a review of low income housing policy framework of the state. Thereafter the current policy framework for a revitalised low income housing and sustainable livelihoods is discussed followed by a brief profile of the IDP status in the various research localities. Finally the results of the findings are discussed in the last section of the paper.

### METHODOLOGY

The research findings are informed by semi-structured interviews conducted with a wide

range of stakeholders in the planning and delivery of low income human settlements. Planners, housing specialists, community participation practitioners and housing project managers in three varied research localities including a deep rural municipality (Mtubatuba), a small town (Emnambithi) and metropolitan area (eThekweni municipality) were interviewed. In addition, discussions with housing specialists and practitioners at the provincial government sphere helped clarify and provide a context for the many challenges facing the housing delivery process. For purposes of this paper, the study commenced with informal discussions with local residents in the respective research sites in order to gain insight and an overview of the community structure and their social organisation. This was followed by more structured and formal interviews with key stakeholders engaged with the planning process (local and provincial government planners and policy makers, housing research specialists, housing planning specialists), special interest groups in the housing planning and delivery sector (housing forums, implementing agents, housing technical forums and ward committees) and individuals who have a special interest in championing housing delivery (councillors, community leaders, council executive committee members, community development officials and municipal officials involved in the different facets of housing planning and development).

The quantitative dimension of this study was informed by a structured survey questionnaire undertaken in all three research localities. The purpose of the survey questionnaire was to ascertain the perceptions of beneficiaries regarding the different aspects relating to livable and sustainable livelihoods as experienced in their newly acquired low income homes. All stakeholders including a steering committee that was established to oversee the study were provided with an opportunity to comment on the key elements of the questionnaire before operationalising its implementation. A series of meetings were held with local councilors and stakeholders to ensure entry into the community. In all three research localities, the respective communities were informed by the local councillors through their ward committees about the research project and the days on which fieldwork was to be undertaken. In addition, local field workers from the respective communities were selected to undertake the survey. They were

screened for field work and provided orientation on the overall study and the process of data collection. This process was undertaken in consultation with the councillors so that fieldworkers could gain access into the respective communities.

The sampling design for each of the research localities was informed by the physical characteristics of the housing settlements. For Mt Moriah, samples were drawn in three clusters, that is, areas close to the main arterial road, areas at the middle and the deep end of the housing settlement, and areas located at a distance from the main entrance to the settlement. Similarly, the cluster principle was adopted for Indlovu Village in Mtubatuba. For Emnambithi, the settlement was characterised by three distinct development cycles, that is, developed, developing and an area bordering on the rural part of the municipality. Hence, Steadville, St Chad's and Ezakheni housing settlements were selected respectively for this study in keeping with the development characteristics of the research locality. The breakdown of respondents for the quantitative part of the study is represented in Table 1.

**Table 1: Breakdown of study respondents by gender**

<i>Study locality</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Emnambithi	39	36	75
Indlovu Village	40	40	80
Mt Moriah	39	37	76
Total	118	113	231

Respondents for the study were randomly selected using a systematic sampling technique. The first and last house in the first street was selected followed by the middle house in the second street in each of the study locality. This process was repeated until the desired sample size was attained. Fieldworkers were debriefed on a daily basis on any new observations made beyond that contained in the structured questionnaires that were administered to respondents and were requested to record these accordingly. On completion of the survey, field workers were required to share their observation records for each locality in a group discussion with the researchers which was recorded. The completed questionnaires were analysed using a statistical software package (Statistical Package for Social Sciences Version 17) and analyzed to inform this paper.

### **Low Income Housing Policy Framework – An Overview**

The provision of low income housing is supported by a number of national, provincial and local legislative and policy frameworks to meet the changing needs and demands in the housing sector in the post-apartheid era. Given the state of South Africa's human settlements inherited from the past, it has concentrated housing needs in urban areas, resulted in inefficient and inequitable cities and created a dispersed rural settlement structure (Housing White Paper 1994:11-12).

In responding to these challenges, the White Paper set as its principle objective to provide future human settlements through a variety of processes through which habitable, stable and sustainable public and private residential environments are created for viable households and communities. It strives for the establishment of socially and economically integrated communities, situated in areas that allow for convenient access to economic opportunities as well as health, educational and social amenities (Housing White Paper 1994:19).

In so far as the applicability of the concept of low income housing on a sustainable basis in the South African context is concerned, Wallis (2010:118-123) asserts two types of affordability constraints to ensure access to basic goods and services on the part of persons or households with low incomes. Firstly, it implies a number of conditions associated with poverty such as hunger, dependency, limited upward mobility, lack of personal growth and social exclusion as well as homelessness, poor housing and poor living conditions. Secondly, is the capacity of the state to find resources required for expenditure on housing, a problem intensified by the global crisis which also affected the South African public sector. Hence in the provision of low income human settlements in the context of resource constraints, the HWP and the Comprehensive Plan for the Sustainable Development of Human Settlements often referred to as Breaking New Ground (BNG) targets those with a monthly income of not more than R3 500 per month for state subsidised housing (Adebayo 2008:13).

In terms of Section 126 of the Constitution of South Africa Amendment Act No. 2 of 1994, the HWP makes provision for certain institutional arrangement within the different spheres

of government to be in place for the planning and delivery of low income human settlements. Provincial legislatures have been accorded concurrent competence with parliament to make laws with regard to all matters on human settlements defined in Section 7 of the Act. Hence, all aspects relevant to housing, such as consumer protection, public transport, regional planning and development, and urban and rural development fall within the purview of Provincial Governments (Housing Act 107 of 1997).

One of the underlying principles for the establishment of sustainable and livable human settlements is the recognition by the HWP that future housing delivery in the country needs to be approached using integrated processes involving co-ordinated and integrated action by a range of stakeholders in the public and private sectors. It acknowledges the breakdown of housing processes in the apartheid era as a result of inadequate co-ordination and integration of efforts between the function of housing and functions such as education, health services, transport and local government. Hence, there is a major emphasis on integration and inter-sectoral co-ordination to permeate the process of planning and delivery of low income housing settlements (Cameron et al. 1994: 311).

The physical processes of planning and delivery of human settlements is devolved to the local government sphere. The role of the metropolitan and district level local governments in enabling, promoting and facilitating the provision of human settlements to all segments of the population within its jurisdiction provides it with an opportunity to plan at a local specific level taking into consideration technical, logistical and political factors. Notwithstanding the opportunity for the planning and development of human settlements being conceived at a local level, the absence of legitimate, functional and viable local authority structures are perceived by the HWP to be potentially jeopardising both the pace and quality of the implementation of the housing delivery program. This in part has been inherited from the apartheid experience of centralised planning and development, driven from the national sphere and excluded housing beneficiaries from participating in the process of planning and delivery of human settlements at a local level. Hence it is not surprising that the challenge of planning and development of human settlements in the South African context received

a policy paradigm shift with mechanisms and processes in place for the achievement of sustainable and livable low income housing. It is expected that policies, public administrative practice and legislation should promote efficient and integrated development at a local level.

In the post-apartheid era the Development Facilitation Act (DFA, 67 of 1995) is a key legislation that helps to break away from apartheid forms of planning and development. It provides for the establishment of a Development and Planning Commission in respect of land use planning and usage for sustainable human settlements. Section 3 of the DFA provides for mechanisms to be put in place at provincial and local government spheres to ensure co-ordinated planning and budgeting on a multi-year basis involving all relevant government stakeholders and the non-state (private) sector. In so far as resource provision of low income human settlements are concerned, the South African Housing Development Board (SAHDB) and the Provincial Housing Boards (PHBs) under the new name of Provincial Housing Development Boards (PHDBs) is tasked with the fiscal responsibility of financing national human settlement programs (Housing Act 1997) within larger metropolitan and local authority areas including rural districts. The main rationale is to devolve the decision making and funding allocation processes to the closest local level (Housing Act 1997).

In order to deliver on the rights of South African citizens through development initiatives, Section 157 of the Constitution encourages the involvement of communities and community organisations in matters of local government through an electoral process. It takes a people-centered approach in terms of the manner in which the public service interacts with citizens. Section 3(d) of the DFA of 1995 aims to fast track development immediately after democracy, by making provision for those affected by land development initiatives to “actively participate in the process of land development”. This aspect of the act may be extended to include the identification of land for housing development. More specifically, the White Paper on Local Government (1998); the Municipal Structures Act of 1998 (Chapter 3) and the Municipal Systems Act of 2000 (Section 5(1) clearly define the level, nature and extent of participation. Collectively these policy documents provide for both the institutional involvement of the community and partic-

ipation of community organisations in local government matters, as well as consultation with communities through processes involving consultative meetings and public hearings. For example, the White Paper on Local Government emphasises the importance of community participation at the local sphere of government and to this end it states that:

*“Building local democracy is a central role of local government, and municipalities should develop strategies and mechanisms (including, but not limited to, participative planning) to continuously engage with citizens, business and community groups”* (RSA 1998: 33).

The key document that formalises public participation at the local sphere within the parameters of clear mechanisms and procedures for participation is Chapter Four Section 16(1) of the Municipal Systems Act of 2000. It emphasises that government must contribute to building the capacity of the local community and enable it to participate in the affairs of the municipality. In this respect, councillors and local government staff are required to foster community participation by helping to develop:

*“A culture of municipal governance that complements formal representative government with a system of participatory governance, and must for this purpose, encourage, and create conditions for the local community to participate in the affairs of the municipality; and contribute to building the capacity of the local community to participate in the affairs of the municipality”* (Municipal Systems Act 2000, Chapter Four 16(1)).

The Municipal Systems Act of 2000 also states that participation from local communities must take place through political structures, and must include any other mechanisms established by the municipality, including elected councillors. Other areas of public participation in which the public should be included are the preparation, implementation and review of the IDPs; establishment, implementation and review of its performance management system; monitoring and review of its performance including outcomes and impact of such performance; preparation of its budget, and strategic decisions relating to the provision of services are contained in Sections 29 and 30 of MSA (2000). A prescribed form of participation in terms of the MSA is through *ward committees*. These committees are to be chaired by a ward councillor and may not



include more than ten other elected persons. These *ward committees* must have representation by women including a diversity of interests, and the council must provide administrative support for their effective functioning. Its role is to facilitate participatory democracy; disseminate information; help rebuild partnership for better service and development delivery; and assist with problems experienced by people at the ward level (Govender et al. 2007: 68).

Establishing ward committees is currently not mandatory for all municipalities. However, legislation makes it mandatory for municipalities to develop mechanisms to consult and involve communities in the affairs of the municipality and its processes. According to IDASA (2002), it would seem that most municipalities have chosen to establish ward committees to promote citizen participation. Not all municipalities have chosen to refer to community participation structures as ward committees. For instance some municipalities in KwaZulu-Natal refer to these structures as development forums or residents' associations that serves the dual purpose of a ward committee (Govender et al. 2007: 71).

In so far as the KZN Province is concerned, its Planning and Development Act (1998) was assented to in December 2008. The delay in following through the Act was due to changes made to the structure of municipal governments, the regulation of integrated development planning through national legislation, changes in provincial strategic planning and a change of mind on the merging of environmental management legislation and planning legislation. Now that the Act has been passed, it is anticipated to provide the Provincial Governments far reaching authority on planning and development matters (KwaZulu-Natal Planning and Development Act 2008: 2).

But the question one might ask is why some of the challenges present in the actual delivery are so difficult to surmount. In seeking to answer this perplexing question, it is necessary to provide an overview of the housing delivery context in the country.

### **Breaking New Ground – A Revitalised Policy for Low Income Housing and Sustainable Livelihoods**

Much debate has gone into making policy for a compacted and integrated developmental model so that basic services and infrastructure

are provided at scales of economy. To this end, national policy relating to urban development, housing, land and transportation, explicitly promotes densification and compaction of urban areas and discourages sprawl in the interest of efficient, equitable, sustainable and integrated development. Despite this, there has been growing concern amongst housing analysts and beneficiaries that low income housing development to a large extent was not occurring on suitably located land in terms of “compact development” and “integration” ideals, but was rather continuing to occur at low densities on the peripheries of towns and cities (Venter et al. 2006: 1-2).

After almost ten years of experimentation with the HWP and despite concerted efforts by the different tiers of government to fast track low income housing, the nagging question of insufficient houses for the historically homeless, unsustainable housing settlements, and lack of improvement on the quality of life of beneficiaries cast a spotlight in the political corridors of national government in 2003, sparking new debate on the state of housing delivery. Several housing analysts (Adebayo 2008; Charlton et al. 2003; Khan and Ambert 2003; Rust 2003; Zack and Charlton 2003) confirm that for various reasons, such as: poor location, cost of home ownership in the form of rates, service charges, unemployment and increased access to low-income housing by the poor, has had a limited impact on poverty alleviation. International experience of low cost housing delivery (for example Turkey, Zambia) also attest to the location of housing in relation to other human activities resulting in reduced thresholds for viable employment, income generation and investment in housing improvement (Adebayo 2008: 124). The consequence of inappropriate location of low income human settlements resulted in poor people being marginalised in terms of access to jobs, urban amenities and social networks, and required to spend disproportionate amounts of time and money on transportation. The costs of infrastructure and services provision were also generally higher for peripheral locations – thus increasing the financial burden on government. For instance, locating subsidised housing closer to job opportunities would produce savings in commuter transport subsidies for the state and it would more than off-set the higher housing costs involved (Venter et al. 2006: 1-2). With such analysis, the housing delivery programme in this form attracted much criticism and was identified as a contributing factor to increasing levels of

urban sprawl, perpetuating the marginalisation of the poor and for failing to play a key role in the compaction, integration and restructuring of apartheid created living spaces (Charlton and Kihato 2006: 255).

Consequently, a special investigation was commissioned by the National Minister of Housing in 2003 for a study into the support of informal settlements which concluded that these settlements were products of failed policies, ineffective governance, corruption, inappropriate regulation, exclusionary urban (economic) development/growth paths, poor urban management strategies, dysfunctional and inequitable land markets, discriminatory financial systems and a profound democratic deficit (Huchzermeyer and Karam 2006: 43).

Nonetheless, the delivery of low income housing took positive steps resulting in the adoption of a new Comprehensive Plan for the Sustainable Development of Human Settlements in 2004. Dubbed as Breaking New Ground (BNG) this policy was all embracing and included not only low income housing, but the entire spectrum of the residential property market. A key objective of this policy was the breaking down of barriers between the formal market (and first economy) where growth was located, and the informal market (second economy) which had experienced a slump in growth. It aimed to surmount the “dominant production of single houses on single plots in distant locations” (Department of Housing 2004a: 7).

The BNG proposed a new plan to redirect and enhance existing mechanisms to move towards more responsive and effective housing delivery. The new human settlements plan reinforced the vision of the DoH to promote the achievement of a non-racial, integrated society through the development of sustainable human settlements and quality housing (Department of Housing 2004a: 7)

Through this new plan, the DoH planned to shift focus towards a reinvigorated contract with the people and partner organisations for the achievement of sustainable human settlements. Sustainable human settlements refer to:

*well-managed entities in which economic growth and social development are in balance with the carrying capacity of the natural systems on which they depend for their existence and result in sustainable development, wealth*

*creation, poverty alleviation and equity* (Department of Housing 2004a: 6).

BNG introduced an expanded role for municipalities. In shifting away from a supply-driven framework towards a more demand-driven process, it placed increased emphasis on the role of the State in determining the *location* and *nature of housing* as part of a plan to link the demand for, and supply of housing. This approach enables municipalities to assume overall responsibility for housing programs in their areas of jurisdiction, through greater devolution of responsibility and resources. BNG assumes that municipalities will proactively take up their housing responsibilities given that clear guidelines and resources will be forthcoming from the national sphere of government (Rust 2006:11).

One of the programs linked to this objective was the Informal Settlement Upgrading Program which was designed to integrate informal settlements into the broader urban landscape. The basic principle of this program was to upgrade the quality of the living environment through *in situ* development of informal settlements or to relocate. In the case of the latter it resulted in disconnect between the relocatees source of livelihood from that established in the original settlement environment. *In situ* upgrading was perceived to be more responsive to poverty, reduced levels of vulnerability and the promotion of social inclusion as compared to relocation. However in instances where the original informal settlement site was not conducive to development (rehabilitation of land, overcrowding, and other environmental considerations) relocation needed to be considered as a last resort (Centre on Housing Rights and Evictions 2008: 24-25). This new paradigm envisaged that any new housing project in the future should be built within locational distance of the relocated inhabitants’ survival networks (work, transport and social amenities). Since the formulation of this policy, several provincial pilot projects have been undertaken nationally to test out its implementation. In the Province of KZN, the Mount Moriah relocation project north of the city was finalised in 2005.

Although the BNG was hailed as an invigorating policy striving towards an accelerated housing market for low income earners it was criticised for making reference to ‘eradication of informal settlements.’ This raised concerns about the measures municipalities may

resort to in order to 'eradicate' existing settlements and to stamp out any attempt on the re-emergence of informal settlements. In KZN the DoH of Housing passed a Bill in 2007 on the *Elimination and Prevention of Re-emergence of Slums* (dubbed the Slums Act) provoking widespread opposition from the 20 000 strong Shack Dwellers Association called the *Abahlali Base Mjondolo* who represented approximately 30 informal settlements in the City of Durban. Attempts by this informal settlement movement to seek judgment in the Durban High Court to oppose the Bill failed, resulting in judgment being passed in favor of the Minister of Housing allowing for the eradication of informal settlements by 2014. The Minister lauded this judgment as it allowed the province to speedily finalise legislation as to how government could manage the process of eradicating informal settlements and also stop their re-emergence in the interest of poor people (The Citizen, January 2009). Chapter Two of the Slums Act provided municipalities with wide ranging powers for the prohibition of unlawful occupation and use of substandard accommodation. In terms of this section the municipality having followed due process contained in the Act had the power to evict persons occupying buildings and properties that it considered unfit for occupation. Notwithstanding this provision, on the 14<sup>th</sup> October 2009, the Constitutional Court ruled in favor of the Shack Dwellers Association on the grounds that the Slums Clearance Act contradicted the National Housing Act and conflicted with the Bill of Rights.

#### **Brief Profile and IDP Status of the Research Localities**

Indlovu Village was chosen as a rural human settlement in the Mtubatuba municipality north of the Province of KwaZulu-Natal. It is some 180 kilometers from Durban and constitutes one of the municipalities of the five that forms the District Municipality of UMkhanyakude. It has an approximate population of 573 341 people. Development of this locality commenced in 2002 on a former white owned farm which was purchased by the municipality. The rationale for purchasing such land was primarily motivated by the fact that vast tracts of land within the municipality's jurisdiction was under the tutelage of the tribal authority system which deter-

mines land usage, settlement patterns and tenure agreements. The settlement comprises some 1 200 subsidized houses developed with government grants from the Provincial Department of Housing. The total population for this locality according to census 2001 was 7 185 persons. In terms of the socio-economic profile for the area based on the 2001 census data, 1530 people were unemployed and 1 358 were known to be economically inactive. Poverty levels are thus extremely high.

In so far as service delivery is concerned, only 204 households have access to flush toilets, 594 to pit latrines and 479 with no specified access. The physical plan for the area provides for two primary schools (both constructed and functioning), one high school and three pre-primary schools, a community hall, a clinic and service facilities, a municipal satellite office for general administration and services facilities, such as post cluster boxes and pay points, bus/taxi/trading foci, an undeveloped sports field, two vacant commercial sites and a bus and taxi rank. To date there is little progress in these amenities being developed although sites have been allocated in the physical layout plans for the settlement. According to the municipality's IDP (2009-2010:8) this settlement faced critical development challenges which remained unresolved since its establishment and awaits intervention. Some of these relate to sewerage and waste water disposal blockages, poor standard of the road infrastructure making access to the village difficult and poor storm water management systems resulting in flooding and structural damage to buildings. Dwellings without proper sanitation facilities have been provided and in some instances the houses were poorly constructed resulting in serious post development management of the settlement's housing stock.

Emnambithi, formerly known as Ladysmith, is a small town and a primary urban area located along the N11 National Route, 20 kilometres off the National N3 route. It is 370 kilometres from Johannesburg and 250 kilometres from Durban. Emnambithi constitutes one municipality of the five that falls under the jurisdiction of the UThukela District Municipality which has a total population of 656 986 as per 2001 census data. Emnambithi comprises various distinct areas with Ezakheni, Steadville and Colenso/Nkanyezi as the main urban nodes. The 2001 Census data estimated a total population of 225

452 for the municipality. Parts of Emnambithi municipality overlapped with the traditional authority system which land was incorporated into the municipal structure after the 2002 redemarcation exercise. A cursory examination of the socio-economic and service delivery status of residents in the municipality suggests wide disparities in development. Of the 51 881 households in the area only 16 834 have access to running water inside their houses with 12 034 depending on communal taps as their water source. The remaining households depended on boreholes, springs, and rivers and rain water tanks as sources for water. Only 23 303 households had access to flush toilets connected to a sewer system, 16 718 had access to pit latrines and 4662 had no toilets whatsoever. A total of 16 646 households did not have access to electricity while 24 456 households had no access to refuse collection services. Poverty levels are known to be high with more than half (28 086) of the households falling into the monthly income category of 0 – R800. In so far as housing delivery was concerned, more than half (15 166) of the households lived in traditional dwelling structures and 687 resided in shacks. Approximately 45 percent of the road surface area in Steadville comprised gravel and only parts of the road surface in Ezakheni had a black top. It was estimated that approximately R100 million was needed over the next five years to rehabilitate the road infrastructure in Emnambithi as a whole. Regular flooding of houses as a result of inadequate drainage as well as houses that have been constructed on natural watercourses was reported for Ezakheni. As a totality, the transport infrastructure for the area was underdeveloped and 64 924 people out of a population of 225 464 are reported to walk on foot to undertake basic activities (Emnambithi/Ladysmith Municipality IDP 2006 – 2007: 11-12).

Mt Moriah is located in the metropolitan area of Durban some 15km from the CBD. It was a Slum Clearance Project established in 1994, to incorporate various informal settlements that had sprung up in and around the city. It is situated between the former Indian residential areas of Avoca and Phoenix and has easy access to the Durban CBD. The human settlement project was originally initiated by the private sector incorporating Moreland Development Estate, Murray and Roberts and Nedcor Bank. This joint venture aimed to develop affordable self-stand-

ing houses and flats for people from previously disadvantaged communities. It sought to develop an affordable high density urban environment which took the form of clustered living in flats. On completion, the project drew attention on its poor technical quality and in 2001 the eThekweni Municipality's housing department commissioned engineering consultants to evaluate the housing problems on this settlement site. Problems with the planning, design specifications and the quality of workmanship in the housing project were reported.

In 2005 Mt Moriah was once again identified for an expanded low income housing settlement development in keeping with the revised policy of the NDoH as contained in the BNG. It was accorded special project status by the national housing ministry. The aim was to ensure that the project design and layout conformed to the principles of promoting sustainable and livable human settlements as espoused in the BNG. Mount Moriah was divided into three phases, Phase 2 (981 houses), Phase 3 (971 houses), Phase 4 (217 houses). Phase 2 is sub-divided into Phase 2A, 2B, 2C and 2D. Phase 3 is sub-divided into 3A, 3B and 3C. Civil Infrastructure was 90 percent complete. The construction of top-structures was 99 percent complete. The project was scheduled to be completed in December 2009 resulting in 99 percent of the houses occupied predominantly by former shack dwellers originating from different parts of the metropolis. Considering its status as a special pilot project and the amount of political attention that this settlement had drawn, an evaluation of the different facets of the project was anticipated to assess whether the BNG principles had been conformed to in the planning and development of sustainable and livable human settlements. At the time of this study, no evaluation had been undertaken.

## RESULTS

### Implementation and its Challenges

When all three research localities were compared, the extent to which technical, logistical and political imperatives permeated the planning process in conceiving low income housing settlements was similar to some extent, but different in other ways especially those pertaining to the availability of resources, local conditions and



housing reality. There was unanimity amongst all housing related specialists interviewed in the study that the planning imperative should have been integrated as it would have promoted sustainable and livable human settlements for the beneficiaries of low income housing. It was widely felt that the IDP framework presented an ideal to which municipalities and the provincial government needed to aspire to. As much as municipalities have taken steps to ensure that the different technical, logistical and political imperatives were adequately considered before informing their respective IDPs, it was reported that implementation always had to measure up against a host of challenges and uncertainties which in the final analysis made this crucial planning instrument seem like an unrealistic ideal. In the words of one provincial housing specialist who asserted that *"the IDP is like a sponge used by municipalities to suck out any little resource to fund its projects and programmes given their precarious financial position"* best describes the reality of resource constraints prevalent at the local municipality level.

Similarly, one ward council chairperson stated that the IDP was *"a wish list on a piece of paper with no budget attached to it"*. In his many years of experience as a councillor he did not see any tangible benefit being derived from the IDP. Recently the national treasury approved R51m for urban renewal programmes as part of the national IDP strategy but this money did not filter down to the municipality from the province despite the fact that urban renewal was one of the key components of the IDP to prevent the municipality from further physical decay and from emerging sprawl. It was only on paper that such commitment was made but nothing concrete had come out of it in practice. In a smaller municipality, the Deputy Mayoress, stated that elected councillors were reduced to being *"post masters"* for the provincial government, forwarding IDPs and related documentary work with no expectation of a return response on progress. In the same context a councillor cynically stated that the financial position of his municipality did not allow them to send mails *"with a pre-paid, self addressed envelope to the provincial government"* in order to get a timeous response.

### Technical Issues

In so far as technical imperatives permeating the planning process in conceiving low income housing development was concerned, the two

smaller municipalities lamented that the IDP template was demanding and that their staff seldom came to terms with the different technical demands. Lack of staff capacity and changing template concepts made the technical aspects of the planning process difficult to conceive resulting in dependence on consultants. Often consultants did not provide any backup service. Once their tasks were completed, planners with little experience in the municipality had to make sense of the voluminous technical details of the planning instrument. In one municipality, the planner had just two years of experience and conceded that since her appointment she had to 'swim in the deep end' and had to make sense on her own on what was happening. It was only after her two year term in office that she finally came to grips with many of the planning dynamics in the municipal area.

Technical planning in respect of infrastructure development varied for different types of housing settlements in the municipalities studied. In infill sites where new housing settlements were conceived adjacent to established residential suburbs, the topography of land, environmental considerations and the capacity of existing housing settlement infrastructure to accommodate further service delivery loads presented complexities of differing extent. For example, infill sites that were left vacant during the apartheid era planning as racial buffer zones and similarly green field sites identified for development presented many technical restrictions. Although these sites were left vacant and presented themselves as possible opportunities for increasing densities and compaction, technically these sites were left vacant by the apartheid planning regime due to its geo-technical limitations resulting from poor soil quality, natural water ways, topography and the immense cost involved in housing development. The notion that these sites presented a major opportunity for low income housing settlements considering all of the above concerns and technical restrictions according to one planner was a myth that needed to be demystified as it created false expectations and notions on housing development opportunities for the beneficiaries.

To illustrate the technical restrictions imposed by infill sites, the case of Mt Moriah provides some insights. The councillor for the area confirmed that the preparation of sites for housing development was a costly exercise. The area

was known to have a rocky terrain and much money was spent on blasting rocks to create platforms for housing development, thereby increasing the cost for the establishment of the settlement. As consequence, the construction of storm water drains was presenting serious challenges as these required adaptation to the topography of the land in the settlement which was constrained by rocky surfaces. In the absence of storm water drains and given the topography of the settlement, constant flooding presented serious technical problems for home owners resulting in frequent interior floor and wall dampness, building cracks and soil erosion. Given the extent of earthworks undertaken to prepare housing sites, future expansion to these houses were restricted. These were especially in areas where large amounts of excavation had taken place to cut and fill sites. Consequently, homeowners were faced with large unreinforced terraces resulting in constant water seepage and soil erosion. The cost of reinforcing these terraces in the future was phenomenal and in many instances it far exceeded the cost of existing houses. Home expansion in the future was also restricted given the amount of engineering costs that needed to be incurred in order to make the site technically feasible for development.

Grafting new housing settlements on infill sites adjacent to established residential settlements presented technical problems of their own. For instance, the capacity of existing infrastructure (sewer, storm water, water supply pipes, electricity grids and roads) were designed to accommodate limited service loads. A classical example cited by a municipal housing research specialist was the amount of damage caused to the main water lines in existing residential areas where infill housing settlements were being considered. Many of these main water lines were inherited from apartheid infrastructural investments which were now old and poorly serviced over the years. With new infill housing projects being developed, the water pressure on these lines had to be increased. Often, these old water pipes succumbed to increasing pressure loads and burst resulting in expensive repair work and loss of water. Hence the perception that infill sites offered enormous new housing development opportunities had to be weighed against the capacity of existing infrastructure to carry additional service loads. The same applied to other services (transport, sewer, electricity,

schools, recreational spaces, libraries and other local government services).

Technical considerations for *in situ* upgrades from a planning perspective were another challenge that had to be met. Often, informal settlements were found to have been established alongside sites considered technically undesirable and unsuitable for development (river banks, waste dump sites, steep land, unstable land, flood plains, and sensitive natural environments alongside national roads and along strategic economic nodes). From a planning perspective this provided enormous challenges. The lack of available sites within municipalities' created further challenges for the formulation of holistic housing development plans. For instance, in eThekweni, *in situ* upgrades were contingent on reducing densities in existing informal settlements to make way for housing development. The lack of parcels of land closer to the city for those earmarked for movement to transit camps to make way for development was a major challenge faced by planners. Temporary relocation to transit camps was in itself a politically contested matter but if land was available closer to transit camps, this would have helped cushion the political and social uncertainty that the homeless would have had to endure from the socially and economically devastating effects of having to relocate several times. From a planning perspective, this would have provided greater certainty to plan on scales of economy if land was readily available.

Environmental Impact Assessments (EIAs) have been cited by many planners in the study, including national and provincial government decision makers, to be delaying housing development. Often these were costly exercises and the environmental laws were too rigid placing constraints on planners to work around difficult options' resulting in tradeoffs that contribute to high costs in housing development so that the natural environment can be conserved.

Housing delivery implementing agents were found in the study to perform poor technical quality work, with very little conformity to project management principles. In a Human Settlement Forum meeting, the anger of local government officials, other state officials and councillors towards implementing agents in the private sector highlights non-conformity to some basic principles of project management. The implementing agent completed the building of houses with

plumbing being the only technical item to be attended to so that the homeless could be housed. For the past six months the implementing agent who was contracted by the province informed the Forum through a representative that his plumber was sick. In a burst of anger one councillor at the Forum meeting retorted that *“this is lies and lies and more lies and that the representative of the implementing agent must carry the bullet to his bosses that this is unacceptable and that they will inform the province to put the company on thirty day terms”*. The councillors stated that it was time that they did not place themselves at risk with the community’s frustrations on the quality and standard of houses provided by implementing agents and that they rather direct this frustration to the implementing agents. More forcefully, in identifying the real source of unsustainable low income housing settlements was a tendency to apportion blame on government officials. A representative of the Department of Rural Development and Land Reform at the Housing Forum meeting asserted that *“it is not the government that has failed but the officials have.”*

Councillors in general were skeptical as to how implementing agents with such poor development records were awarded contracts. In Emnambithi at the Human Settlement Forum meeting, councillors and the officials of the Department of Rural Development and Land Affairs felt strongly that the nomination of implementing agents was hardly a transparent process as local municipalities did not have much say in such appointments. Similarly, in the case of eThekweni Municipality, a public bus transport operator turned into a housing delivery agent raised the ire of local citizens including a coun-

cillor at an interview. This implementing agent was known to have undertaken housing development projects in the Phoenix area with a dismal record of providing good quality houses, with many residents complaining of having spent their savings on defective houses. The same contractor was awarded a contract to build houses in Newlands East and was known to have made scandalous news for the construction of defective buildings and bypassing certain technical by laws and processes. Despite attempts by local residents in this area to seek an audience with the municipality to lodge their views on the quality of houses being built, not much was achieved by way of intervention from the metropolitan housing department or its housing committee. In Mpofana District Municipality, the Provincial DoH in 2009 had to rebuild some 1462 houses which collapsed in a storm due to poor quality workmanship, resulting in people being relocated to transit camp houses. These cases are just a few that made headline news on the nomination of implementing agents, leaving many questions unanswered such as the award of tenders and conformity to procurement procedures.

Table 2 provides a breakdown of some of the technical problems experienced by beneficiaries in their newly acquired houses. It will be noted that plumbing, roof leaks, dampness, sewer and fittings such as door were the most frequently (70% and above) reported technical problems experienced by beneficiaries.

The findings contained in Table 3 derived from the beneficiary perception study on the state of infrastructure in low income housing settlements provides insight into the poor levels of hard infrastructure service. It will be noted

**Table 2: Technical problems experienced by beneficiaries in their newly acquired houses**

Structural Faults	Emnambithi			Indlovu Village			Mt Moriah		
	Yes	No	Some-times	Yes	No	Some-times	Yes	No	Some-times
Plumbing	57	31	12	73	21	6	71	5	24
Electrical work	51	38	11	69	16	15	37	41	22
Structural cracks	77	19	4	85	14	1	93	7	0
Roof leaks	79	14	7	84	12	4	41	36	23
Dampness	72	22	6	88	10	2	88	11	1
Sewer	16	62	22	80	13	7	42	28	30
Doors	45	49	6	75	24	1	59	37	4
Windows	37	55	8	60	38	2	44	55	1
Other: Landscaping; 11 storm water, soil erosion		74	15	34	23	43	46	45	9

**Table 3: Perception of respondents on the state of infrastructure**

Infrastructure	Emnambithi			Indlovu Village			Mt Moriah		
	Good	Average	Poor	Good	Average	Poor	Good	Average	Poor
Storm water drains	11	1	88	5	10	85	28	5	67
Pavements	5	3	92	27	10	63	5	1	94
Street lights	34	12	54	0	1	99	66	9	25
Traffic signs	12	10	78	0	4	96	3	0	97
Grass verges	10	9	81	4	14	82	1	1	98
Street names	32	10	58	4	1	95	0	0	100
Pedestrian crossing	19	11	70	22	8	70	0	0	100
Traffic calming measures	19	0	81	3	5	92	0	0	100

that in most instances, the state of the infrastructure across all three research localities were rated poorly.

### Planning Issues

At an institutional level, it appears that the Housing Sector Plans at the Provincial level were only starting to be developed. According to the Provincial Department of Housing this was problematic as many municipalities did not provide housing sector plans in their IDPs. This may be due to the climate of political uncertainty facing the province which leaves a vacuum in the formulation of a strategic direction for future planning. Nonetheless, the province was confident that once Housing Sector Plans were completed, it would provide a comprehensive plan on the way forward in terms of housing delivery based on sustainable and livable housing settlement principles as contained in the BNG policy document.

The provinces' DoH experience with IDPs to date was most revealing in respect of the poor record of housing delivery. They alluded that it was not co-ordinated across different spheres of government. In the words of three housing officials, it appeared as if the concept of "silo" budgeting or "silo mentality" tended to pervade government departments which best described how the different levels of government have responded to the IDP to date. In subsequent interviews, this view was further confirmed by the Director of Rural Development and Land Reform who asserted that different departments competed for project funding at the expense of wider development objectives. Each department, according to these officials became gatekeepers of their own departmental resources and hence

did not interface with other departments. Communication and feedback between departments were infrequent and this was sometimes exacerbated by personality clashes, political differences and historical factors (conflict between planners coming from the different departments of the apartheid planning regimen).

In so far as IDP budgeting was concerned, the timelines for municipalities and the province were not synchronized with each other. In a rural municipality it was learnt that the year ending for budget submissions were in the months of June/July whereas for the province it was January/February. This affected the way in which finances were secured and expended, often resulting in expenditure just to make sure the programmes and projects conformed to the provinces' budget requirements.

A cursory analysis of the Provincial Situational Analysis of Housing Projects for 2009 illustrates that 687 projects involving 316 454 subsidies were committed to since 1994. If one took into consideration the total housing backlog for the province which stands at 906 000, it illustrates the amount of time needed in the future to process such a voluminous backlog. Two senior planners raised concern about the unrealistic time frames given to housing delivery from the conception phase to the actual delivery. In terms of the current rate of delivery over the past fourteen years, the turnaround time for project delivery was approximately eight years of which conception to planning and approval phases for subsidy purposes took about five years and the actual delivery was three years. An added dimension to the turnaround time in housing delivery was the changing nature of political will for delivery as the political term of office normally extended to five years.



The over bureaucratic way in which government worked was another factor that affected the planning process at the local level. The way that policies related to each other, the budgeting process, and the ability of government functionaries to carry out the mandate of developmental local government were crucial for local planning efforts to achieve that goal. The Provincial DoH identified that the main impediment to achieving this objective was the inability to deal with horizontal and vertical integration and alignment of the different planning instruments, processes and legal requirements. Participation in the Social and Economic Cluster of the KZN Cabinet to overcome the complexities of interfacing between and amongst departments was one of the measures adopted to promote the principles of establishing livable and sustainable human settlements.

To illustrate the problem of over-bureaucratization of state departments and the conflicting approach to deliver on IDP priorities, the case of Mt Moriah was instructive. This project started in 1994 in different phases. Although some of the phases had been completed and beneficiaries have moved into their newly developed houses, a gross absence of basic social amenities in the area was noted. Children traveled to neighboring township schools (KwaMashu and Phoenix) expending R160 per week per child. Most of the beneficiaries were unemployed and eked out a living through social pensions and grants. This assertion was confirmed in the beneficiary survey that suggests that in the absence of basic amenities such as schools in newly established housing settlements, the impact on scholars in terms of time and cost associated with travel became most financially pressing for poor households. The median distance traveled by scholars in Mt Moriah was more than three times higher than Indlovu Village and six times higher than Emnambithi as depicted in Table 4.

**Table 4: Median distance traveled by scholars after relocation**

Response	Emnambithi	Indlovu Village	Mt Moriah
Yes	9	36	50
No	91	64	50
Total	100	100	100
Median travel distance two ways	5km	8km	30km

A community development practitioner informed the study that delays in opening up a township register was a source for the lack of investments in much needed community infrastructure. In terms of the town planning ordinance, schools and other social infrastructure could only be considered when this register was opened. In the case of Savannah Park close to Shallcross in eThekweni where a township register was opened, the community benefited substantially from investments in social infrastructure.

**Local Governance Issues**

Unresolved land claims were cited as impediments to planners in identifying suitable land for housing development. In Mtubatuba, since most of the land adjacent to the town centre was under the tutelage of tribal authorities, the municipality had instead purchased a private farm in KwaMsane to build low income houses. The eThekweni municipality was also challenged by similar constraints in many of the tribal authority areas which were incorporated within its boundary in the year 2000. For instance, in Inanda, large tracts of land remained vacant due to absent Indian farmers who had to abandon their properties as a result of the late 1980 political riots. These lands were now being legally contested between squatters and the absent landlords.

In the absence of Spatial Development Frameworks within municipalities, abuse and fragmented land use was evident. In one rural municipality, the issue of tribal land ownership within the municipal boundary was far from being resolved to effect housing development. This resulted in the local *amakhosi* (tribal leader) providing land for housing development and those that developed on these plots did not disclose this to the municipality. From a planning perspective, in so far as the municipality was concerned the person was still on their housing data base waiting to be allocated a house in the same municipality. On the other hand many housing applicants remained on their data base but could not be traced. This was due to the prevalence of temporary migration of locals to neighboring towns to seek employment, death of applicants or the applicant having secured land for development in an area under the jurisdiction of the tribal authority.

In two of the municipalities falling under a district council structure, the spirit of the planning process was encumbered by political influence. As much as municipalities reflected in their IDPs concrete needs and strategies, they had little say at the district council level to protect their municipal turf in light of serious political differences. In one municipality, funds received through the Municipal Infrastructure Grants were diverted by the district council to another municipality to appease its political constituency. In Indlovu Village in Mtubatuba the housing settlement commenced in 2002 and to date the community has not been connected to water in their homes. Most residents depended on water tanks alongside unpaved roads for their quota of water as the District Municipality water delivery program was directed to other municipalities due to political favoritism. This strained relationship also impacted on staff morale and distracted attention from their technical responsibility in the planning process. The voices of planners in such instances were overshadowed by political decision making at the expense of administrative expediency.

The after-effects of the demarcation of municipal boundaries continued to present challenges for planning at a technical level. This study highlights the complex and politically contested issue of redemarcation in the post apartheid era. The boundary of Hlabisa borders the Mtubatuba District Municipality. Although the residents of Hlabisa work on the periphery of this district municipality and engage in economic activities in the town centre, they had to travel to the Hluhluwe Home Affairs department to secure personal documentation such as registration of birth, death, marriage and identity documents. They expended about R45 on each per trip just to complete these personal documentation. Considering the lack of capacity in these administrative departments, several trips became necessary merely to secure a birth certificate. Nonetheless, negotiations were in the final stages for about twelve wards from adjacent Hlabisa to be incorporated into the Mtubatuba District Municipality. This, however, would have further planning and adjustment implications for this municipality given its already constrained human and financial resources.

A councillor in this municipality was of the view that the District Council system was an impediment to planning processes and that it

should be disbanded as it was another level of bureaucracy taking away the autonomy of his municipality.

Without wanting to belabour the impact of over bureaucratisation on the provision of sustainable and livable low income housing settlements, it becomes necessary to reflect on the power relationships between state officials and local councillors. In a group interview with local councillors in Emnambithi, the councillors were frustrated with the rate and quality of housing delivery in their area. Frustrated with their local officials in their municipality they chose to call personally on the DoH in the Province to seek an explanation regarding the state and quality of housing delivery. To their dismay, they were rudely "chased away" by senior officials who stated that they will speak only to local government officials and not councillors. They were informed that the role of the councillor in housing development was "*one of an oversight and not to interfere in the planning and development processes*". Further interviews with councillors highlighted their inability to deal with the bureaucratic power vested in the hands of state officials at various levels. Since almost all implementing agents were appointed by the Province, councillors felt helpless to ensure that quality standards were maintained and that the different technical requirements were also met. It appears, from such anecdotal reports made by councillors that very little regulatory mechanisms were in place to manage the quality and standard of work undertaken by implementing agents.

Councillors generally felt frustrated when dealing with state officials within the provincial and local government sphere. Often they felt disrespected as the public official appeared to have more information and insight on planning and development issues compared to themselves. They only become aware about new developments when some department convenes a workshop or sometimes provide them with lengthy technical reports and documents asking for their comment within a short space of time. Their helplessness may be captured by the view of one councillor in Mtubatuba who stated that the "*provincial government officials act like Gods who see us like uneducated children. They don't understand that when we ask them for information or clarity on a particular issue, it is because our people want these. We*

*have no joy in troubling them – they always appear very busy, hiding behind their cell phone message system, emails and secretaries, but we cannot hide as our people want to see us in the eye and we have to account or risk being killed*". Similar sentiments were also expressed by a local councillor in eThekweni who stated that he had on record copies of emails requesting municipal officials to respond on a particular issue. *"Nobody appears to be in a hurry to respond and sometimes they work in cliques providing support to certain councillors depending on which side of the fence you are. Some officials behave like untouchables as they are in good books with senior politicians"* he claimed. When the executive committee makes demands on its officials, they readily respond, compromising councillors who have pressing issues to sort out on behalf of their constituency. One councillor went so far as to suggest that the roles and responsibilities of municipal officials needed to be clarified and that they needed to understand that power rests with them as representatives of the people.

### CONCLUSION

The paper highlights that whilst there have been different policy attempts to provide sustainable and livable human settlements, at a planning and implementation level many challenges militate against their fulfillment. This is despite recent attempts by the state to resuscitate its failed housing policies through the introduction of BNG. Conformity to Integrated Development Planning, the key planning instrument envisaged to inform and interface the efforts of different stakeholders at the local, provincial and national government spheres is confronted by a set of complex technical, logistical and political factors that permeate the housing development sector in the province. The source of such complexities is to be found within the different tiers of government mainly due to the absence of inter-sectoral co-ordination mechanisms that promote and bring together different stakeholders onto a common platform that interfaces planning and development. In its present form, different stakeholders maintain rigid organisational boundaries resulting in competition, indifference and at times bordering on self preservation due to the lack of resources, capacity and clear departmental policy guidelines.

The paper further highlights the prevalence of many complex challenges at a local level in the delivery of sustainable and livable human settlements which are far from being addressed during its planning and implementation phases. Instead, the trend in the housing sectors has been to replace and readjust policies as without effectively addressing the key challenges in its planning and implementation phases. Too many policies can lead to over regulation especially in the absence of guidelines on how to operationalise them. This indeed appears to be the case in this study where too much energy has been expended on correcting policy deficiencies instead of addressing those factors that impinge on integrated planning and implementation within the housing sector. To this end, the study confirms that the lack of attention to the technical, logistical and governance factors at the planning and implementation phases of the housing delivery process in the province as a source of failure to achieve intended policy outcomes.

### RECOMMENDATIONS

From the three case studies analysed in this paper, it is evident that logistical, planning and technical issues are a source of poor delivery in the low income housing sector. The lack of synergy between the three spheres of government (national, provincial and local) is a major source for this challenge. In order for the low income housing sector to deliver on its mandate a need exists to break away from a silo planning practice to that of an integrated one. It appears that at an implementation level, many of these logistical, planning and technical issues are not anticipated and integrated in the low income housing delivery process. A need exists for constant evaluation of the implementation phases of the low income housing delivery process so that unanticipated logistical, technical and planning issues factored into the development process.

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