*Sixth International Conference on Construction in the 21st Century (CITC-VI)*
*"Construction Challenges in the New Decade"*
*July 5-7 2011, Kuala Lumpur, Malaysia*

# Seventeen Years of Learning in the Upgrading of Informal Settlements in South Africa

Clinton Ohis Aigbavboa
*PhD Candidate, University of Johannesburg, Johannesburg, Gauteng, South Africa*
*caigbavboa@uj.ac.za*

Wellington D. Thwala
*Professor, University of Johannesburg, Johannesburg, Gauteng, South Africa*
*didibhukut@uj.ac.za*

## Abstract

*Purpose:* The aim of this paper is to give an insight into lessons learnt in the upgrading and eradication of informal settlements in South Africa. The paper looks into the experiences gained to date on the upgrading of informal settlements. The paper will investigate the challenges that have been encountered upgrading to informal settlements. The paper will further evaluate the reasons why the problem of informal settlement still persist in South Africa despite the numbers of housing delivered to date. The research was conducted with reference to existing theoretical literature, and published and unpublished South African research. The study is mainly a literature survey/review and looks at challenges that have been overcome to bring about the success made to date, thus achieving the goals and objectives of a city without slum. The paper ties up the identified gap with solutions to the problems to enhance the reality of having a city without slum in 2014.

*Findings/Implications:* One of the primary findings that emanated from the study revealed that all development where people have to be displaced or inconvenienced has all come with problems. Other findings attribute the success so far to a well-structured housing system. Though policy made is not well implemented for the betterment of all, progress has been made nonetheless. Also, it was discovered that since 2004 to date, the progress made is not laudable because in most cases rights to housing have been violated, but strengths needs to be drawn from the success to achieve the ultimate goal of a society without slum.

*Originality/Value:* The upgrading and eradication of informal settlements has long been a subject of global discussion and have taken a firmer root since it was declared as one of the millennium development goals agenda. The paper will explore and reveal the progress made so far with the lesson learnt to date in informal settlement upgrading and eradication.

## Keywords

Informal settlement, Upgrading/eradication, Housing

## 1. Background

The 1997 South Africa Housing Act defines "Housing" as a variety of processes through which habitable, stable and sustainable public and private residential environments are created for viable households and communities. South Africa is just one of the more than 30 countries that include the right to housing in its Constitution (The UN Committee on Economic, Cultural and Social Rights, General Comment, 2001).

The right to housing is subject to progressive realization and the South African government has worked as effectively as possible to achieve this right, (Financial & Fiscal Commission Submission for the Division of Revenue 2006/07). However the State has also taken reasonable legislative and other measures within its available resources to achieve the progressive realization of the right to adequate housing (Department of Housing, 2006). The debate over South Africa's national housing policy has tended to focus on quantitative delivery and the government has failed to meet its self-set targets in this regard. Housing is meant to address the basic human need for shelter and security by providing protection against excessive climatic conditions and unwanted intrusion from insects, rodents, and environmental nuisances, such as noise that may be injurious to health and well-being (Roderick, 2004).

The South African government since 1994 has initiated and implemented several housing delivery programmes and subsidy mechanisms to provide houses to its citizens thus eliminating the incidence of slum housing which is associated with poverty. This is done to fulfill the vision of adequate housing for all as reflected in the National Housing Policy framework, which is to increase housing's share in the total State budget to five percent and to increase housing delivery on a sustainable basis to a peak level of 338 000 units per annum, within a five year period, thereby achieving the target of the Government of National Unity of 1,000,000 houses in five years (South African Government, 1994). South Africa's housing programme was redirected when the comprehensive plan for sustainable human settlements was introduced in October 2004 to address the problem of informal settlement in the country. The plan builds on the 1994 White Paper on Housing, but shifts the focus of the national housing programme from simply ensuring the delivery of affordable housing units to qualifying beneficiaries, but to also provide housing for those living in informal settlements thereby ensuring that adequate housing is provided for settlements that are both sustainable and pleasant (Department of Housing, 2004).

International literature (UN-Habitat, 2003; Payne & Majale, 2004) has identified two key areas through which to unlock the upgrading and inclusion of slums (informal settlements that qualify as 'slums' in the international terminology): on the one hand, institutional and regulatory change; on the other, governance. For South Africa, a 2004 review of the legal framework (Roux, 2004) during the conceptualization of the new Informal Settlement Upgrading Programme (Department of Housing, 2004) found that it is indeed possible to undertake participatory in situ upgrading of informal settlements in South Africa, as per international best practice. However, the motivation to do so does not exist. Thus 'addressing the problem of mindsets' was identified as an important prerequisite for Informal Settlement Support (Huchzermeyer et al., 2004). Five years after the enactment of the informal settlement intervention act, it is yet to any new ground as intended in the national housing policy refinement in 2004 and as also contextualized in the breaking new ground policy. Instead, motivation to eradicate or eliminate informal settlements through their removal has intensified.

## 2. South african approach to informal settlements

A country that is familiar with the problem of informal settlements is South Africa. Due to reasons such as the apartheid regime in South Africa and the high unemployment rate which has made many people live in an unstructured settlement. South African cities are hugely inadequate – shaped by discriminatory and repressive apartheid planning and further expanded by powerful and far from equitable market processes, driving apartheid's planned inequality and exclusion even deeper, and effortlessly overriding attempts at urban democratisation and integration (Turok, 2001 and Huchzermeyer, 2009). Informal settlements are never welcomed as informal land occupation by the poor has been seen as entirely ineffectual in shaping the city (Huchzermeyer, 2009).

Informal settlements are dense settlements comprising of communities housed in self-constructed shelters under conditions of informal or traditional land tenure. They are common features of developing countries and are typically the product of an urgent need for shelter by the urban poor and working migrants coming from rural areas to the cities in search of employment. The general characteristics of an informal

settlement are a dense proliferation of small, make-shift shelters built from diverse materials, the degradation of the local ecosystem and the presence of severe social problems (www.gausafety.gpg.gov.za). Informal settlement occupies contested spaces in South African cities – physically, legally and in public discourse (Huchzermeyer, 2009).

The occurrence of informal settlements is part of the urbanization process in third world countries. As elsewhere in Africa, the phenomenon is also present in South Africa. Informal settlements usually have not been officially planned, surveyed and proclaimed. Informal settlements occur when the current land administration and planning fails to address the accommodation needs of certain communities (www.gausafety.gpg.gov.za). Informal settlements are usually associated with rapid, unstructured and unplanned development.

Further research has shown that South Africa has a high rate of urban population growth that directly contributes to the mushrooming of squatter camps and informal settlements. In 1995 South Africa's total population was estimated at approximately 44 million with estimates for annual population growth for urban black Africans ranging from 2.4% to 3.5%. The majority of South Africa's poor are black Africans, as are the majority of informal settlement dwellers because of the government that existed before 1994. In 1994, approximately 1,06 million households comprising 7.7 million people lived in informal settlements (Muzondo et al., 2004). Coupled to with this, an estimated 720 000 serviced sites that were provided by provincial legislatures under the previous government required upgrading and 450 000 people lived in various, often inappropriate, forms of hostel accommodations (Republic of South Africa 1994, and South African Institute of Race Relations 1994). Cape Town's informal settlement, during the course of this research is growing at a substantial proportion of its population in formal properties that need improved shelter. In 1995 it was estimated that more than 400 000 people were inadequately housed in the Cape Town Metropolitan area (Mazur and Qangule, 1995). The Metropolitan Spatial Development Framework (1995) cited urban growth rates for Cape Town between 1.8% and 5% per annum. This was due to both organic growth and a major influx of people, predominantly Xhosa speakers, with the easing of the pass laws in 1986 (Mazur and Qangule 1995).

According to the 2001 Census figures, the total population living in informal settlements in South Africa was approximately 3,560,383, out of the country's total population of 44,819,776. These adverse living conditions are quite predominant in KwaZulu Natal, where the total population living in informal settlements was a staggering 1,016,596 in 2001 (Department of Housing, 2004). Informal settlements in South Africa have since increased from 3.560 million dwellings to some 4.4 million by 2008 (Department of Housing, 2008). The problem of adequately housing the residents of informal settlements and their quality of life is likely to be on the development agenda for some time.

By and large, informal settlements represent not only basic needs (the limitations of Maslow's 1943 concept of a hierarchy of needs are widely accepted – even by the business management fields that have made the most use of the concept; Business Knowledge Centre, 2002), but also universal human needs such as, community, individual and cultural expression, shelter and home-making, access to a livelihood and access to schooling. Therefore, in contrast to formally planned and established neighbourhoods that express a wide range of market interests, informal settlements in South Africa's cities portray primarily a human face (Ward & Macoloo, 1992).

The rapid growth of informal settlements in the urban areas of South Africa poses significant challenges to both the national and local level of government. The State's response to informal settlements over the last twelve years has been characterized by disaster management strategies in the period prior to 2004 and thereafter programmes to eradicate informal settlements through large-scale capital intensive structural interventions (often as Roll-Over or Greenfield developments) have been underway (Development Action Group, 2007).

Before 2004, South Africa did not have a clear cut policy to address the needs and priorities of people living in informal settlements. The following government programs provided aid in addressing the problem, such as the Housing Subsidy Program and the Human Settlement Redevelopment Program, and the Consolidated Municipal Infrastructure Program (Department of Provincial and Local Government, 2004).

However, informal settlements are a manifestation of the two main challenges facing human settlements' development in the new millennium; which are rapid urbanization and the urbanization of poverty. (UN-HABITAT, 2003). The UN-HABITAT (2006) estimates that in the year 2006 nearly one billion people lived in informal settlement areas in the cities of the world, most of these in the developing countries. A greater concern is that if not dealt with properly, the number of informal settlement dwellers is predicted to double by 2030. In response to these critical circumstances, the "Cities Without Slums" Action Plan was launched by the Cities Alliance in 1999, which later on was endorsed by the 150 heads of state and government attending the United Nations Millennium Summit in the year 2000, of which South Africa was a signatory. The plan was reflected in the United Nations Millennium Declaration, along with the other goals set to "Ensure Environmental Sustainability". The goal is to; "Achieve significant improvement in the lives of at least 100 million slum dwellers, by 2020" (United Nations, 2000) and not that the displacement and eradication of the settlement were necessary.

Therefore, given the significant scale of the predicted growth in the number of people living in informal settlements, the Millennium Development target on informal settlement should be considered as a main commitment that local, national and international institutions should aim for (Camilo, 2008).

## 3. Informal settlements in gauteng

In his 2004 State of the Nation Address, the President Thabo Mbeki, committed Government to the task of building a People's Contract for the eradication of poverty and underdevelopment as well as for improvement in the quality of life of people. The President indicated that a comprehensive programme dealing with human settlement and social infrastructure development should be prepared (Gauteng Department of Housing, 2005). The statement and mandate made the Gauteng Department of Housing initiate the registration of all inhabitants residing in informal settlements to record details of occupants to establish the backlog and subsequent challenges in terms of the eradication of all informal settlements by 2014 in the Gauteng Province (Gauteng Department of Housing, 2005).

The Gauteng Department of Housing went further to confirm this commitment by unveiling the Provincial plan for formalising all the informal settlements situated on safe, habitable and appropriately designed land, and said it would eradicate all the informal settlements in Gauteng by 2014 (Gauteng Department of Housing, 2005). A total of 405 informal settlements were visited in the Gauteng Province. In the process, 395 informal settlements were identified for eradication by 2014. Out of the 395 identified, only 122 of the settlements were suitable for in situ upgrading and the remaining were earmarked for relocation to identified projects (Gauteng Department of Housing, 2009). To date 363,791 families are registered, living in 312,280 structures and 124,803 structures were found to be locked, with no personal information recorded/captured. But today the Gauteng government estimates the number of informal households to be 870 246, currently more than the figure of Cape Town (Gauteng Department of Housing, 2009).

**Table 1: Gauteng Informal settlement population statistics and projection**

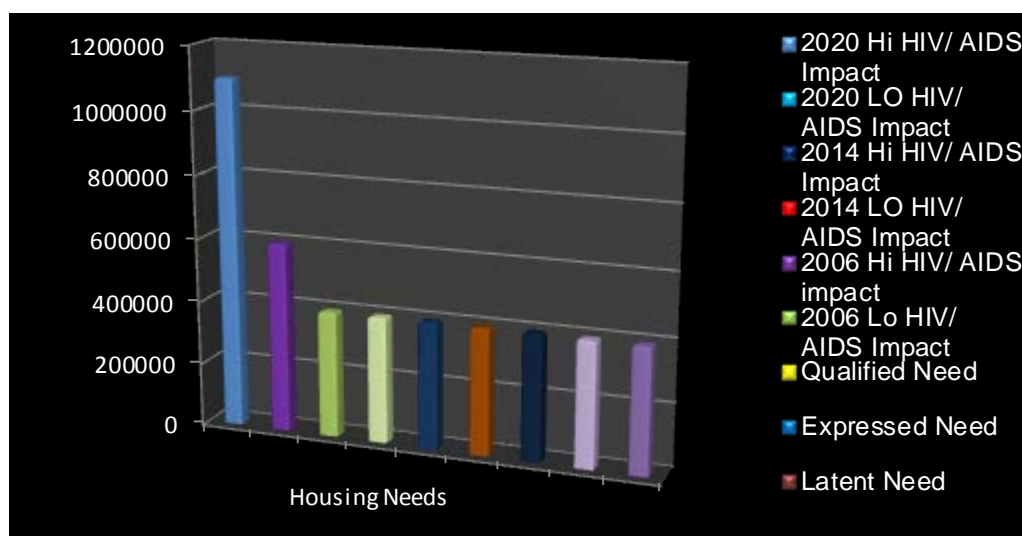| Total Informal Settlements | Total Waiting List | Total Qualified Need | 2006 | | 2014 | | 2020 | |
|---|---|---|---|---|---|---|---|---|
| | | | Low HIV/ AIDS Impact | High HIV/ AIDS Impact | Low HIV/ AIDS Impact | High HIV/ AIDS Impact | Low HIV/ AIDS Impact | High HIV/ AIDS Impact |
| 870,246 | 514,223 | 717,683 | 509,268 | 505,013 | 506,222 | 498,916 | 506,173 | 483,928 |



Figure 1: Gauteng Population projection (Adapted from: Gauteng Department of housing, 1995)

However, by August 2008, a total of 68 of 122 identified suitable for in situ upgrading had been formalised, with an additional 56 to be formalised by the end of 2009. In addition, only 12 informal settlements have been eradicated to date. A further 24 informal settlements are in the process of being eradicated, with housing construction underway. This will bring the provincial total of eradicated informal settlements to 36 in 2009 (Gauteng Department of Housing, 2009). The current confirmed figure for informal settlements in Johannesburg as of today is 235. Of these, 52 were targeted for formalisation in 2007.

## 4. Informal settlements - Comparison between South Africa & BRAZIL

The Cities Without Slums campaign would not be used as a reference by South African decision- Makers if it did not resonate with the dominant internal political and bureaucratic thinking (Huchzermeyer, 2009). The thinking that the task of hosting the 2010 Soccer World Cup requires the elimination of informal structures in order to welcome international spectators is shaping approaches in high offices of the provincial and local governments. This thinking is distant from contemporary policy in Brazil, a country to which the South African government, business and academia look for a south - south comparison, inspiration and partnership. In response to the market-driven fragmentation of its cities, Brazil has

embraced informal land occupation as a process that can yield desirable results in terms of land use and land distribution. In 1988, an amendment to the Brazilian Constitution introduced an innovative legal provision that transfers ownership rights to informal occupants of private land after a period of five peaceful and uncontested years of occupation (Fernandes & Rolnik, 1998, Huchzermeyer, 2009). Thus, unlike the case in South Africa, de facto use of the land in Brazilian cities has influence in the planning process. Although far from ideal, Brazilian cities are visibly shaped by informal processes driven by the poor, as much as they are by the market. Time and again, Brazilian urban scholars are surprised by the harsh control maintained over the South African urban environment, particularly Johannesburg, many years after apartheid (Huchzermeyer, 2009). They question the widespread un-cooperativeness by the local and provincial government to recognise informality as a process that can positively shape urban space

## 5. Informal settlement upgrading programme

The Minister of Housing in 2004 highlighted the need for government intervention to improve conditions in informal settlements (Sisulu, 2004). A lack of infrastructure and effective governance are two key areas that were identified as being in need of improvement (Richard et al., 2006). Informal dwellings are deficient mostly in water, sanitation, electricity, ventilation, food preparation and storage and such conditions are associated with a range of health risks including diarrhoeal and respiratory diseases (Richard, 2006). The hazards of fire in informal settlements have also been highlighted by researchers (Bank and Mlomo, 1996).

In addition, the Nelson Mandela/HSRC Study of HIV and AIDS (2002) showed that residents in informal settlements were more prone to diseases such as HIV/AIDS than were residents in formal suburbs (Robin et al., 2006). Social problems, such as crime, also affect residents in informal settlements where they become more fearful at night due to the lack of basic policing, services and infrastructure which increases the risk of victimisation (Shaw et al., 2001). Another manifestation of stress as a result of poor access to services and infrastructure is social unrest as seen from a series of protests happening in different informal settlements.

Housing policy at the national level underwent a revision after the first 10 years of democracy (Department of Housing, 2004). The continued unnecessary segregation of low-income settlements (Mabin, 1995; Sihlongonyane & Karam, 2003; Huchzermeyer, 2003, 2009), low-density sprawl and deepening urban poverty were concerns that the policy revision sought to address, as was the absence of a dedicated policy instrument for informal settlement upgrading. The revised housing programme, which was included as Chapter 13 of the Housing Code as Informal Settlement Upgrading Programme (Department of Housing, 2004), was appropriately termed Breaking New Ground. While practitioners and analysts have found the new Housing Programme to be largely in continuity with previous policy (Charlton & Kihato, 2006), the Informal Settlement Upgrading Programme explicitly calls for a paradigm shift (Department of Housing, 2004) and indeed puts forward a radically different approach to dealing with informal settlements.

Under this programme government subsidies are neither calculated as a standardised amount per household, nor are to be drawn down on the basis of individual households' housing subsidy eligibility. Instead, grant funding for land, infrastructure and community facilities is applied to the community as a whole (with the exception of the individualised or household-linked subsidy in the fourth phase of the programme for improving top-structures or houses). The funding mechanism is therefore inclusive of those previously not qualifying for subsidies under the national housing subsidy programme (Huchzermeyer, 2009). The programme requires an investigation by the municipality into the feasibility of in situ upgrading and assumes that relocation is necessary in some cases, but only as a last resort. Its principles and funding apply to the in situ development as well as the development of the relocation site. It makes available funding for the immediate provision of basic services, for community empowerment

and participation in decision making, for the provision of basic community facilities (not only infrastructure and housing), and for assistance with relocation where this is required. In an attempt to ensure that the benefits of upgrading are not reaped by the market through a process of down-raiding or gentrification, it encourages alternatives to individual freehold tenure that would be less desirable to the middle class (Department of Housing, 2004 and Huchzermeyer, 2009).

The Informal Settlement Upgrading Programme responds to concerns about housing rights violations raised in a number of court cases since 2000 (the year of Grootboom, the landmark housing rights case in the Constitutional Court), and is welcomed by human rights organisations (COHRE, 2005). The programme was launched through a pilot project in each of the nine provinces. In the Eastern Cape Province, the Duncan Village pilot project (Buffalo City Municipality, East London) has been completed and the municipality is moving to scale on implementing the Informal Settlement Upgrading Programme (C Sam, Director, Development Planning, Buffalo City Municipality, personal communication, 12 September 2006). However, cities such as Johannesburg, Ekurhuleni (the former East Rand), and Ethekwini (Durban), while professing to upgrade informal settlements in situ, do not apply the principles and funding mechanisms of the Informal Settlement Upgrading Programme. Instead, they deal with informal settlements in the conventional project-linked subsidy approach (based on subsidy eligibility of individual households), resulting in relocation or at best disruptive 'shack shifting' or rollover upgrading, mostly with the displacement of non-qualifiers of the housing subsidy. Thus city officials consciously or unwittingly act as servants of orderly development, global competitiveness and the market, rather than as implementers of the transformative aspects of the Constitution (De Vos, 2001 and Huchzermeyer, 2009) and of progressive policy and legislation that has been developed to ensure the realisation of constitutional rights.

The introduction of the Breaking New Ground framework in 2004 resulted in the first Upgrading Informal Settlement Programme providing a platform to initiate upgrading projects which do not require project-linked housing subsidy finances (Development Action Group, 2007). Since the introduction of the programme the government has focused on an approach aimed at eradicating informality (Department of Housing, 2004), either through evictions or highly technocratic and often market-driven infrastructure development upgrading programmes (Huchzermeyer, 2004). These approaches are premised on the assumption that informal settlements are transitory places, which can be eradicated through generalized programmes of resettlement onto site and serviced plots on the urban edge (Development Action Group, 2007). These approaches ignore the link between economic security and the growth of settlements and thus do not address the growing inequity in South Africa as they have marginal economic benefits for the poor and do not acknowledge and preserve investments which informal settlement dwellers place in their homes (Hardoy et al., 2001). More progressive detailed programmes of an in situ incremental nature are needed to offer improved household economic security and to integrate the poor into the fabric of the city (Development Action Group, 2007).

However, of the over 190 informal settlements in the city, only a small proportion of communities affected by plans for orderly development have legal representation. On the larger map of the city, these cases have very little impact. Therefore, despite damning declarations by judges about the City of Johannesburg municipality's violation of the constitutional right to housing, the City of Johannesburg can still demonstrate to its desired investment partners in global agencies and corporations that its commitment lies squarely with ensuring global competitiveness. Its discourse, which requires the eradication of what appears to be the greatest threat to the property market (shacks), is more powerful than constitutional obligations (Huchzermeyer, 2009)..

As represented in the Department of Housing policies and the policy supporting the eradication and upgrading of informal settlement of 2004, it is asserted that the Department's challenges and ability to eradicate the ever growing amount number of housing backlog and thus the informal settlement problem in the province lies with the following;

- An accurate assessment of the housing backlog.
- An accurate assessment of the beneficiary profiles (to determine affordability vs subsidy requirements).
- Suitable and alternative implementation mechanisms to maximise utilisation of relevant industry resources.
- Optimisation of the application of grant funding and alternative financing mechanisms.

Informal settlement upgrading programmes have not matched the rapid delivery of the housing pace by the coordinated supply of social infrastructure such as schools, clinics, sports and recreation facilities etc. One other problem is that the operational costs associated with managing and providing the needed services is not as easy to secure (Human Sciences Research Council, 2005). Since the inception of this programme in November 1999 until 31 March 2007, 141 projects with a total of 139 649 subsidies have been approved (National Department of Housing, 2007).

## 6. Challenges of Informal Settlement Upgrading

The tone of the government's current campaign against informal land development and informal house construction by the poor suggests that it is dealing with a sinister, undesirable, pathological and criminal process. Terminology otherwise applied to life-threatening epidemics and violent crime is officially used: 'eradication' (Palitza, 2005 - quoting the Minister of Housing), 'elimination' (Provincial Government of KwaZulu-Natal, 2007) and 'zero tolerance' (City of Johannesburg, 2002; Spadework Consortium, 2000, cited in Huchzermeyer, 2004). This aligns with the continued fixation with orderly and segregated development in South African cities (Huchzermeyer, 2003 & 2009).

Informal settlement 'eradication' is often justified with reference to the normatively inappropriate 'Cities Without Slums' campaign of the Cities Alliance, a joint programme of UN-Habitat and the World Bank, also incorporated into the Millennium Development Goals (UN-Habitat, 2003). The South African Minister of Housing was quoted in the media as stating that the country's plan to 'eradicate' informal settlements by 2014 is 'in line with United Nations Millennium Development Goals' (Palitza, 2005). Internationally, Millennium Development Goal Target 7 is increasingly referred to as the 'Cities without Slums' target (Tabaijuka, 2005, Huchzermeyer, 2009). Its official target of significantly improving the lives of at least 100 million slum dwellers by 2020 (United Nations, 2000), if reached, which is widely acknowledged to be unlikely (UN-Habitat, 2005), would affect only 10 per cent of the world's growing slum population of the year 2000, and would not achieve the cities without slums campaign of the cities alliance (Bazoglu, 2005). Several countries governments, South Africa's included, interpret the Millennium Development Goals to mean eradication of slums, rather than improvement of the lives of those living in them.

The following are challenges encountered in the upgrading of informal settlement in South Africa – Gauteng to be specific;
- Very expensive – serious budgetary constraints both from the Department of Housing as well as municipalities funding for bulk services and internal services top ups – means a long waiting time for most settlements
- Land legal issues relating to complex statutory land assembly processes
- High settlement densities making conventional servicing difficult and usually resulting in significant relocations
- Lack of bulk services infrastructure in many areas
- Relocation issues such as;
    - Most relocation and eradication were not well planned and have resulted in worse life living conditions due to the distance of the relocation sites from livehoods

- Disruption of social networks, livelihoods and schooling and even in some cases access to basic necessities such as water and shelter
- Developers have been reluctant to work on projects involving informal settlements
- Lack of classifications for different settlement types and finite definition of a slum or slums
- A huge implementation gap in terms of progressive legislation, with finances and technical skills lacking. Mobilizing funds is still a fundamental problem, particularly because financial institutions are still not willing to make loans to the low-income sector.
- Capacity building at the local level for integrated and participatory planning is still limited and requires dedicated capacity building on the part of the national and provincial government. This therefore inhibits progress with project implementation
- Eradication in most cases is a housing right violation as seen from a number of cases
- Lack of communication at all three tiers of government with the informal settlements

## 7. Lesson learned

A number of important and valuable lessons have been learned during the period 1994 – 2009 with respect to the upgrading of informal settlement or in situ upgrades of informal settlements in South Africa. They can be summarized as follows and can be used as a basis for formulating new strategies and approaches

- Conventional informal upgrading strategies have resulted 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 and as such government should adhere to the policy document for better implementation of the informal settlement upgrading programme.
- 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 field's 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 is on increasing to the extent that a number of projects would not be viable in terms of qualifying criteria.

## 8. Findings

The paper presents the following findings:
Findings that emanated from the study revealed that to a large extent the informal settlement upgrading programmes have been successful, but on the other hand what it was designed to accomplish has not been fully implicated. Overall, progress has been made but the programme implementation still needs

improvement in terms of application of the programme in different communalities. The following had been observed:

Most relocation sites present disadvantages in terms of access to schooling, livelihoods and the job market, public transport and recreational amenities. Large proportions of the residents fear, and therefore resist relocation because it threatens their livelihoods, schooling and community networks, and not least of all their homes (Huchzermeyer, 2009). Also, it has been observed that most informal settlement have been organised through the Landless People's Movement, which seeks a solution to these fears (M Mnisi, Convenor, Landless People's Movement, Protea South, personal communication, 27 March). Through the legal representation of most informal settlements resisting relocation, the community organisations have become aware of the national Department of Housing's new Informal Settlement Upgrading Programme, and they agree with its principles and approaches – immediate provision of basic services, inclusion of all residents, minimal disruption to livelihoods, community empowerment, community participation in decision-making, development of community facilities, alternative forms of tenure, and so on (Department of Housing, 2004).

Furthermore, other observations revealed that most of the informal settlements would like the feasibility of in situ upgrading to be investigated rigorously (as called for by the programme), and if relocation is found to be necessary for some or all of the residents 'as a last resort' (as stated in the programme), they would like the same principles and approaches to be applied to the relocation (as required by the programme). While detailed case studies of these settlements would provide deeper insight into the contradictions of local government intervention, as they are indicative of the dominant understanding and interpretation of informal settlements, and reveal important aspects of re-skilling or mindset change that need to be addressed in order for the Informal Settlement Upgrading Programme to be rolled out. Informal settlement relocation has been motivated on two separate fronts. One relates to the characteristics of the occupied land, the other to the perceived requirements for occupation of newly developed areas.

## 9. Conclusion and Recommendation

In informal settlements, upgrading by virtue of its nature, is not simply the responsibility of housing departments, but rather the multi-sectoral responsibility of a range of stakeholders or partners who should work collectively to address the community's development priorities through a range of complementary social and physical development initiatives that address urban livelihoods, land tenure, co-operative governance, social inclusion and environmental security. In this context, in situ upgrading creates an impetus for inclusive and integrated development, which has the potential to reduce poverty, and to socially, physically and economically integrate an informal settlement into the wider city. Also the government should know that community organization in South African 'informal' settlements must also be recognised as a primarily human endeavour (Huchzermeyer, 2009). This sensitisation must be informed by a deeper understanding of the spatial legacy of the apartheid city, orderly development and the market. It also calls for a deeper reform of urban planning beyond orderly development, so as to provide the tools to give South African cities a human face that is not contorted by repression and exclusion.

## 10. References

A Decade of Democracy - Housing and services in South Africa. (2004). Available from: http://richardknight.homestead.com/files/sisahousing.htm, [Accessed on 22/05/2008].

Annual submission for the division of revenue. (2006/07). Available from: www.ffc.co.za/docs/submissions/dor/2006/prelims, [Accessed on 22/05/2008].

Bazoglu, N. (2005). "The need for a more ambitious target". *Habitat Debate*, September: 8.

Bank, L. and mlomo, B. (1996). "We live in paraffin and burn in it: Fire, fuel use and social dislocation in an East London township 1986–96". *Journal of Energy in Southern Africa*, November, pp. 118–123.

Business Knowledge Centre. (2002). "Maslow's hierarchy of needs". http://www.netmba.com/mgmt/ob/motivation/maslow/ Accessed 15 September 2009.

Camilo A.C. (2008). "Learning from Slum Upgrading and Participation". Available from www.infra.kth.se/fms [Accessed on 16/07/2009]

Centre on Housing Rights and Evictions. (2005). "Any room for the poor? Forced evictions in Johannesburg, South Africa". *Geneva: Centre on Housing Rights and Evictions*

Charlton, S & kihato, C. (2006). "Reaching the poor? An analysis of the influences on the evolution of South Africa's housing programme". In Pillay, U, Tomlinson, R & du Toit, J (Eds), Democracy and delivery: urban policy in South Africa. Cape Town: Human Sciences Research Council Press.

City OF Johannesburg. (2002). (2001/02). City of Johannesburg. http://www.joburg-archive.co.za/city_vision/annualreport2002-03/chapter10.pdf Accessed 15 September 2006.

City OF Johannesburg. (2004). "Database of informal settlements and housing projects". Department of Housing, City of Johannesburg.

City OF Johannesburg. (2005). "Lehae Relocation Strategy, Annexure to the Resolution of the City of Johannesburg". Concerning Thembelihle and Lehae, faxed to Planact in January 2006, Johannesburg.

De VOS, P. (2001). "Grootboom, the right to access to housing and substantive equality as contextual fairness". *South African Journal on Human Rights*, 17(2): 258–76.

Department of Housing. (2004). "Annual Report of Department of Housing". Gauteng Provincial Government, Johannesburg, South Africa Department of Housing, (2006)

Department of Housing. (2005). "Annual Report of Department of Housing". Gauteng Provincial Government, Johannesburg, South Africa Department of Housing, (2006)

Department of Housing. (2009). "Annual Report of Department of Housing". Gauteng Provincial Government, Johannesburg, South Africa Department of Housing, (2009)

Department of Housing. (2004). "Breaking new ground: a comprehensive plan for the development of sustainable human settlements". As approved by Cabinet and presented to MINMEC on 2 September 2004. Pretoria: DoH.

Department of Housing. (2004). "National Housing Programme: upgrading of informal settlements". National Housing Code. Pretoria: DoH, chapt. 13.

Development Action Group Programmes. (2007). "Informal settlement upgrading". Available from www.dag.org.za/docs/programmes/informadoc.pdf [Accessed on 16/09/2009].

Fernandes, E & Rolnik, R. (1998). "Law and urban change in Brazil". In Fernandes, R & Varley, A (Eds), Illegal cities: law and urban change in developing countries. London: Zed Books.

Hardoy, J, Mitlin, D and Sattherwaite, D. (2001). "Environmental Problems in an Urbanizing World, Finding Solution in Cities in Africa, Asia and Latin America". Second edition.

Huchzermeyer, M. (2003). "Housing rights in South Africa: invasions, evictions, the media and the courts in the cases of Grootboom, Alexandra and Bredell". *Urban Forum*, 14(1): 80–107.

Huchzermeyer, M. (2003). "Low income housing and commodified urban segregation in South Africa". In Haferburg, C & Ossenbruegge, J (Eds), Ambiguous restructurings of post-apartheid Cape Town: the spatial form of socio-political change. London: LIT Verlag.

Huchzermeyer, M. (2004). "From 'contravention of laws' to 'lack of rights': redefining the problem of informal settlements in South Africa". *Habitat International*, 28(3): 333–47.

Huchzermeyer, M. (2004). "Unlawful occupation: informal settlements and urban policy in South Africa and Brazil". Trenton, NJ: Africa World Press.

Huchzermeyer, M. (2006). "Challenges facing people-driven development in the context of a strong, delivery-oriented state: Joe Slovo Village, Port Elizabeth". *Urban Forum*, 17(1): 25–53.

Huchzermeyer, M. (2006). "The new instrument for upgrading informal settlements in South Africa: contributions and constraints". In Huchzermeyer, M & Karam, A (Eds), Informal settlements: a perpetual challenge? Cape Town: University of Cape Town Press.

Huchzermeyer, M. (2009). "The struggle for in situ upgrading of informal settlements: a reflection on cases in Gauteng". *Development Southern Africa*,26:1,59 — 73

Khan, F & Pieterse, E. (2006). "The homeless people's alliance: purposive creation and ambiguated realities". In Ballard, R, Habib, A & Valodia, I (Eds), Voices of protest: social movements in post-apartheid South Africa. Scottsville: University of KwaZulu-Natal Press.

Mabin, A. (1995). "On the problems and prospects of overcoming segregation and fragmentation in southern Africa's cities in the postmodern era". In Watson, S & Gibson, K (Eds), Postmodern cities and spaces. Cambridge: Blackwell.

Mazur R. E & Qangule V. N. (1995). "Africa Migration and Appropriate Housing Responses in Metropolitan Cape Town". Western Cape Community-based Housing Trust, Draft Report.

Muzondo, I.F., M. Barry, D. Dewar & J. Whittal. (2004). "Land Conflicts in Informal Settlements: Wallacedene in Cape Town, South Africa". FIG Working Week 2004, Athens, Greece.

Metropolitan spatial development framework. (1995). "A Guide for Spatial Development in the Cape Metropolitan Region". Draft for Discussion. Western Cape Economics Development Forum, Urban Development Commission

Palitza, K. (2005)." Rights: South Africa urged to stop eviction policy to clean up cities". *Inter Press News Agency (IPS),* 7 August.

Payne, G & Majale, M. (2004). "The urban housing manual: making regulatory frameworks work of the poor". London: Earthscan.

Pithouse, R. (2006). "Struggle is a school: the rise of a shack dwellers' movement in Durban, South Africa". *Monthly Review*, 57(9). http://www.monthlyreview.org/0206Pithouse.htm Accessed 20 August 2009.

Policing informal settlement in Gauteng, Available from http/www.gautsafety.gpg.gov.za/POLICING%20INFORMAL.doc [Accessed on 15/09/2009].

Provincial Government of kwazulu-Natal. (2007). "KwaZulu-Natal Elimination and Prevention of Re-Emergence of Slums Act". Pietermaritzburg: Provincial Legislature of KwaZulu Natal.

Republic of South Africa. (2003). "Towards ten years of freedom: progress in the first decade – challenges for the second decade". Pretoria: Government Printer.

Roderick, J.L. (2004). "Housing, Health and Well-Being: Moving Forward". Available from: http://www.euro.who.int/housing, [Accessed on 20/05/2008]

Robin, R., Brian O'LEARY & Kingstone, M. (2006). "Measuring quality of life in Informal Settlements in South Africa". *Social Indicators Research* (2007) 81: 375–388 _ Springer 2006 DOI 10.1007/s11205-006-9014-1

Roux, T. (2004). "Background report 2: review of national legislation relevant to informal settlement upgrading. Study into Supporting Informal Settlements". Prepared by the University of the Witwatersrand Research Team for the Department of Housing, Pretoria

South Africa Institute of Race Relations. (1996). "Race Relations Survey 1995/1996". Johannesburg, South Africa Institute of Race Relations.

Sisulu, L.N. (2004). "Speech by L.N. Sisulu Minister of Housing at the Public Policy Forum Meeting of Cities Alliance", Durban.

Shaw, R. A., Louw, M. Mashiyane, S. & Brettell. (2001). "Reducing Crime in Durban, Victim Survey and Safer City Strategy, Institute for Security Studies (ISS)", Pretoria, Monograph No 58.

Sihlongonyane, M & karam, A. (2003). "The impact of the national housing capital subsidy scheme on an apartheid city: the case of Johannesburg". Paper prepared for the Conference of the South African Planning History Study Group, 15–16 May, University of the Freestate Bloemfontein.

Souza, M. (2005). "Urban planning in an age of fear". *International Development Planning Review*, 27(1): 1–19.

Spadework Consortium. (2000). "Greater Johannesburg Metropolitan Council housing strategy", April, prepared for the City of Johannesburg.

Tabaijuka, A. (2005). "Situation analysis of informal settlements in Kisumu". Kenya Slum Upgrading Programme, Foreword. In Onyango, M, Wasonga, G, Asamba, I, Teyie, P, Abuya, J, Obera, B & Ooko, E (Eds), Cities Without Slums Sub-Regional Programme for Eastern and Southern Africa. Nairobi: Government of Kenya and UN-Habitat.

Turok, I. (2001). "Persistent polarisation post-apartheid? Progress towards urban integration in Cape Town". *Urban Studies*, 38(13): 2349–77.

UNDP. (2000). The Concept of Participation, Available from www.undp.org/csopp/CSO/Newfiles/docemppeople.html, [accessed on 05/06/2008].

UN-HABITAT. (2003). "The challenge of slums". Global report on human settlements 2003. *United Nations Human Settlement Programme*. London: Earthscan.

UN-HABITAT. (2005). "Slum challenge and shelter delivery: meeting the Millennium Development Goals". *United Nations Human Settlement Programme*. Background paper prepared by the UN-Habitat Regional Office for Africa and Arab States and delivered to the AMCHUD Expert Group. African Ministerial Conference on Housing and Urban Development (AMCHUD), 31 January–4 February, Durban, South Africa.

United Nations. (2000). "United Nations Millennium Declaration". *Resolution adopted by the General Assembly*, 18 September. New York: United Nations.

Ward, P & Macoloo, C. (1992). "Articulation theory and self-help housing practice in the 1990s". *International Journal for Urban and Regional Research*, 16(1): 60–80.