

Social Cohesion, Inclusivity and Livelihood in the Resettled Community of Mt Moriah, Durban

**People, Places and Infrastructure: Countering urban violence and
promoting justice in Mumbai, Rio, and Durban**

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Introduction

The provision of liveable 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 liveable 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 case study aims to ascertain whether the low income housing project in Mt Moriah has achieved its stated goal of creating a sustainable human settlement. It hopes to ascertain as to whether the previously homeless and marginalized citizens have been engaged in determining the nature and form of human settlement and the extent to which they enjoy a sense of inclusivity that can sustain their livelihoods in this newly created formal residential area. The actions of urban planners, political actors and urban specialists in the design of the human settlement are interrogated including the impact of relocation on the lives and livelihood of housing beneficiaries.

The case study is informed by examining select literature and policy documents on housing. Semi structured interviews undertaken with planners, housing specialists, community participation practitioners and housing project managers in the eThekweni municipality inform

empirical side of this case study. In addition, discussions with housing specialists and practitioners at the provincial level also inform this case study. During the initiation phase of this study, informal discussion with local residents were held in order to gain insight into each research locality and gain an overview of the community structure and its social organization. This was followed by more structured and focused interviews with stakeholders in 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, ward committees) and individuals who have a special interest in championing housing delivery (councillors, council executive committee members, community development officials and municipal officials) involved in the different facets of housing planning and development). Semi-structured interviews were undertaken with 100 housing beneficiaries within the different phases of the Mt Moriah settlement which is triangulated with the qualitative responses.

Historical Context of Informal Settlements in South Africa

The concept informal settlement has diverse meanings in different contexts in the globe. Informal settlements are known by various terms such as, favela in Rio de Janeiro, *barriadas* in Lima and *biddonvillas* in French-speaking African countries (Maasdorp and Haarhoff (1984:3). In South Africa it has come to be known as squatter settlements or shacks. No matter what they call it Huque (1982:31) asserts that the terms that are conventionally used include the following: squatters, unplanned, unauthorised, autonomous, spontaneous, uncontrolled, and informal settlements. These terms basically suggest that the settlement does not conform to formally or centrally imposed housing regulations, building codes and urban zone administrative, legal and planning requirements, and as such the settlement is illegal.

Having thrown some light on the characteristics and the various names given to the informal settlements, how can informal settlements be defined? Haarhoff (1983:1) defines them "as the structures that provide shelter for the poor, occupying the land of lower value, often (but not always) have peripheral location, are physically dominated by poor quality dwellings, are developed spontaneously and generally lack services and facilities normally available elsewhere in the city". An important feature in the emergence of informal settlements is the inability of governments to respond to urbanisation and the provision of human settlements.

South Africa contains features of both developed and developing countries. Cities such as Durban straddle the developing and developed world. It suffers from typical problems facing the industrial cities of the rich countries-pollution, urban sprawl-as well as those facing the Third World cities-high population growth among the lower-income groups and a lagging supply of physical services. South Africa's dualistic nature, its unique history in general and its urban policies in particular, all of which have been shaped by the apartheid planning, warrant a special attention for this country.

The conventional apartheid ideology gave blacks a temporary status in urban areas. According to Lupton and Murphy (1995:143) "blacks were doomed temporary sojourners" ministering to the labour needs of the white man in the city. These were migrants who would return to their native land having sold their labour. Blacks whose labour was not needed by the white ruling class were forbidden to stay in towns and those whose labour was needed were housed in poor locations. They were to enjoy no freehold tenure in locations. The 1923 Natives (Urban Areas) Act, which empowered local authorities to set aside sites for African occupation (but not ownership) in separate areas (locations) to provide accommodation for those working in towns, was amended in 1930 to make it extremely difficult for the African to access urban areas and stay with their families because they were there as long as their labour was needed by the white economy.

As a result of this, the South African black population was divided into 'insiders' and 'outsiders'. Housing served as a control mechanism for blacks in urban areas (areas that were regarded as the white people's zones) to keep outsiders in rural areas. From the 1950s housing was provided by the state and the private sector and was provided in two ways. Lupton and Murphy (1995: 145) argue that first, the government advanced finances to enable individuals and households to accommodate themselves. Secondly housing was provided on a rental basis by the state and the private sector only for those officially allowed to be in urban areas.

Up to 1968 blacks, in various ways, (freehold title and 30 year leasehold title) could own property in urban areas. From 1968 the concept of property ownership (housing included) for the black people in urban areas withered away. After 1968 the government policies required that Africans be housed in the nearby homelands rather than in 'white' (urban) South Africa. This put an end to the construction of government houses for Africans in urban areas (Stevens

and Rule, 1999: 107). As such the capacity of the municipalities to build houses in the "white" South Africa for blacks was curtailed. As a result of this policy change there was a severe housing backlog. What is important about these changes in government policies is the resultant emergence of informal settlements. Stevens and Rule (1999:107) state that the one response to the shortage of housing has been the growth of informal settlements. In essence, the emergence of informal settlements was inextricably linked to the race-based urban policies, in which housing played a vital role.

In the midst of the apartheid government's hostile attitude towards Africans, their subsistence economy in the reserves collapsed. In order to sustain a living they migrated to urban areas. Housing provision could not keep pace with this trend and due to its dearth many blacks accommodated themselves in informal settlements. This resulted in the collapse of the African reserves, rapid growth in the manufacturing sector and the associated demand for labour, high rate of urbanisation and the severe housing crisis of that time as being associated with the emergence of the informal settlements (Haarhoff (1983:2). Despite the government intervention the trend could not be reversed and as a result Haarhoff (1983:2) argues that in Durban informal settlements grew from 80 000 around 1950s to an estimated half a million persons living in informal settlements in 1980.

When the National Party took over in 1948 it became unequivocally clear that for it there was no alternative but to strictly control African urbanisation. Pass laws and housing permits were introduced and used to control African influx into the urban areas. de Looer (1992:61) states that after 1948 housing became an instrument for the implementation of the policy of separate development. Outside the homelands the administration of blacks was placed under a separate government department known as the Department of Native Affairs. Various measures were then enacted and new ones were introduced to make "white" South Africa less attractive for the black people. Amongst the steps that were taken was the decentralisation of the industries next to homeland borders so that homeland governments could accommodate their own people who would then commute daily to the industries of "white" South Africa. de Looer (1992:62) states that with the granting of greater autonomy for the homelands and self-governing territories in 1951, with the course of time they (homeland governments and the self-governing states) took full responsibility for housing from the central government authorities. Commuting between homes in the homelands and the jobs in town on its borders became common.

On the other hand measures to make South Africa less attractive were enacted. In 1951 the Prevention of Squatting Act, to prevent unlawful occupation of the land or building and to promote removal of persons involved to the emergency camp, was proclaimed. Unwanted blacks had to be in the reserves and those already in town were to be repatriated back to the reserves. For example, in 1956 the Minister of Native Affairs stated that 25331 blacks (over 2000 a month) had been turned away from Witwatersrand and Vereeniging (Morris, 1982: 43). The authorities responded outrageously to the emergency of the informal settlements. Byerley (1997:10) states that up to the early 1980s the general response to the informal settlements on the part of the authorities was to consider them a blight and to raze them down whenever possible.

In the townships there were various policies with regard to housing, the first of which was the sites and services schemes. The intention behind this scheme was to provide plots of land for the natives to build their own houses rather than to provide good houses for the few. But the authorities wanted to avoid the random mushrooming of unwanted forms of houses and as a result standards were introduced, strictly adhered to and properly supervised. Loans (to a maximum of 100 Pounds on a ten year basis) were made available to the blacks with the aim of giving them a chance to buy building materials or to a maximum of 400 Pounds on an economic basis for the building of better houses. In spite of these measures there was housing shortage, and those who managed to get accommodation were falling into arrears in terms of paying their rents. Shacks as a result sprang up. Baldoochii (1952 :47) states that owing to the shortage of accommodation in the location, natives arriving at the cities and towns settled in areas of their own choice, just outside the reach of the municipality control. In 1978, following the 1976 youth uprising, the concept of permanence of urban blacks was acknowledged and some improvements in the townships, like electrification took place.

In as far as informal settlements are concerned there was no change in government position, that is, it remained hostile. Prior to the 1980s the government had jettisoned in toto the upgrading of the informal settlements. Historically the upgrading of the informal settlements was not acceptable practice in South Africa (Hindson, Mc Carthy and Oelofse, 1995:1). The government's response to the rise of the informal settlements was to destroy them, remove and relocate their residents. The 1980s saw numerous changes, all of which culminated in a huge increase in informal settlements and attempts by the government to provide affordable shelter.

Planact (1997: 11) argues that the apartheid government abandoned its previous role of directly providing housing in the townships, consequently there was a massive spread of the shack settlements around South African cities. The government focused on the provision of serviced sites while the actual building was left to the individual who was expected to go ahead with building the house with the assistance from the private sector. But the rapacious private sector was reluctant to provide loans to the poor. As a result many poor people remained homeless. Hence the withdrawal of the state from the provision of low cost housing at a time when the Durban Functional Region was growing at a fast rate meant that people in need of accommodation were forced to house themselves informally on vacant sites (Ardington, 1992:6). Moreover, with influx control laws being repealed, it culminated in an unprecedented African exodus to urban areas. Informal settlements increased more than ever before.

Hindson et al (1995: 4) state that conventional housing delivery system in the country had proved incapable of matching the increasing demand for housing. This culminated in those who could not get formal accommodation having to settle elsewhere illegally. It was also clear that the authorities' attempts to successfully obliterate the informal settlements in urban areas were nothing more than just a fiasco. Harrison (1992: 15) argues that informal housing is a major element of South African landscape that can no longer be ignored or wished away. On the other hand de Loor (1992:63) states that from the beginning of the 1980s economic realities pointed towards the impracticalities of a geographically separation of various population groups. These facts coerced the policy makers as well as the authorities to review the economic disadvantages of a geographically separated South Africa and the role of the informal settlements. In this respect Harrison (1992: 16) states that the new and more positive attitudes towards the informal settlements began to develop within South Africa in the 1970s.

The Sunday Tribune, (11/12/94) stated that recognising the informal communities would help stabilise settlements, enable the delivery of basic resources and the consolidation of squatter camps into permanent residential areas. This could solve the housing needs of millions of people. In support of the same view, Byerley (1997 :13) states that the informal settlements are fulfilling the current need for shelter for over half of the African population of Durban Metropolitan Area. In so doing, however, they are unable to provide adequate level of services, environmental health, and housing to be considered an acceptable alternative. Nevertheless, they exist, they will not be wished away, and they perform a vital function. Rather than removals and relocations the need is both to prevent the emergence of new settlements or the

growth of the existing ones to ensure that a baseline standard of the environmental health, security, and safety requirements are met.

Post-Apartheid Low Income Housing Policy Framework

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 is characterised by:

- *concentrated need*: high rates of urbanisation have concentrated housing needs in urban areas;
- *inefficient and inequitable cities*: the geographic segmentation of living areas according to race and class, urban sprawl, and disparate levels of service provision and access to amenities in different areas make South Africa's cities very inequitable; inefficient and relatively expensive to manage and maintain; and
- *dispersed rural settlement structure*: the dispersed nature of many rural settlements hamper servicing and make access to socio-cultural amenities problematic. (Housing White Paper 1994:11-12).

In responding to these challenges, the White Paper set as its principle objective on providing 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 liveable 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, Odendaal and Todes 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 programme. 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. The Commission is charged with the sensitive and long-term challenge of reviewing all planning and related legislation in South Africa with a view to their amendment, repeal and replacement of inappropriate legislation. Section 3 of the DFA calls for mechanisms to be put in place at provincial and local government levels 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 programmes (Housing Act 1997) within larger metropolitan and local authority areas including rural districts. The main rationale is to devolve the decision making and fund allocation processes to the closest local level (Housing Act 1997).

In order to deliver on the rights of South African citizens through development initiatives, the 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 participation 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, Khan and Moodley 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, it's 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. Some of the key planning and development priorities addressed by this Act will be to:

- promote a uniform planning and development system that treats all citizens of the province equitably;
- provide a fair and equitable standard of planning and development to everyone in the province, while accommodating diversity such as urban and rural needs;
- incorporate and build on good practices and approaches to planning and development which have evolved outside of the formal planning and development system; and

- promote a planning and development system that redresses the historic injustices perpetuated by a fragmented planning and development system of the past (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 this 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, Biermann, and van Ryneveld 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, Silverman and Berrisford 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 (or 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 2004, 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. Within this broader vision, the DoH was committed to meeting the following specific objectives:

- accelerating the delivery of housing as a key strategy for poverty alleviation;
- utilising provision of housing as a major job creation strategy;
- ensuring that property can be accessed by all as an asset for wealth creation and empowerment;
- leveraging growth in the economy;
- combating crime, promoting social cohesion and improving quality of life for the poor;
- supporting the functioning of the entire single residential property market to reduce duality within the sector by breaking the barriers between the first economy residential property boom and the second economy slump; and
- utilising housing as an instrument for the development of sustainable human settlements, in support of spatial restructuring (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 programmes 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 programmes linked to this objective was the Informal Settlement Upgrading Programme which was designed to integrate informal settlements into the broader urban landscape. The basic principle of this programme 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 the '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 14th 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.

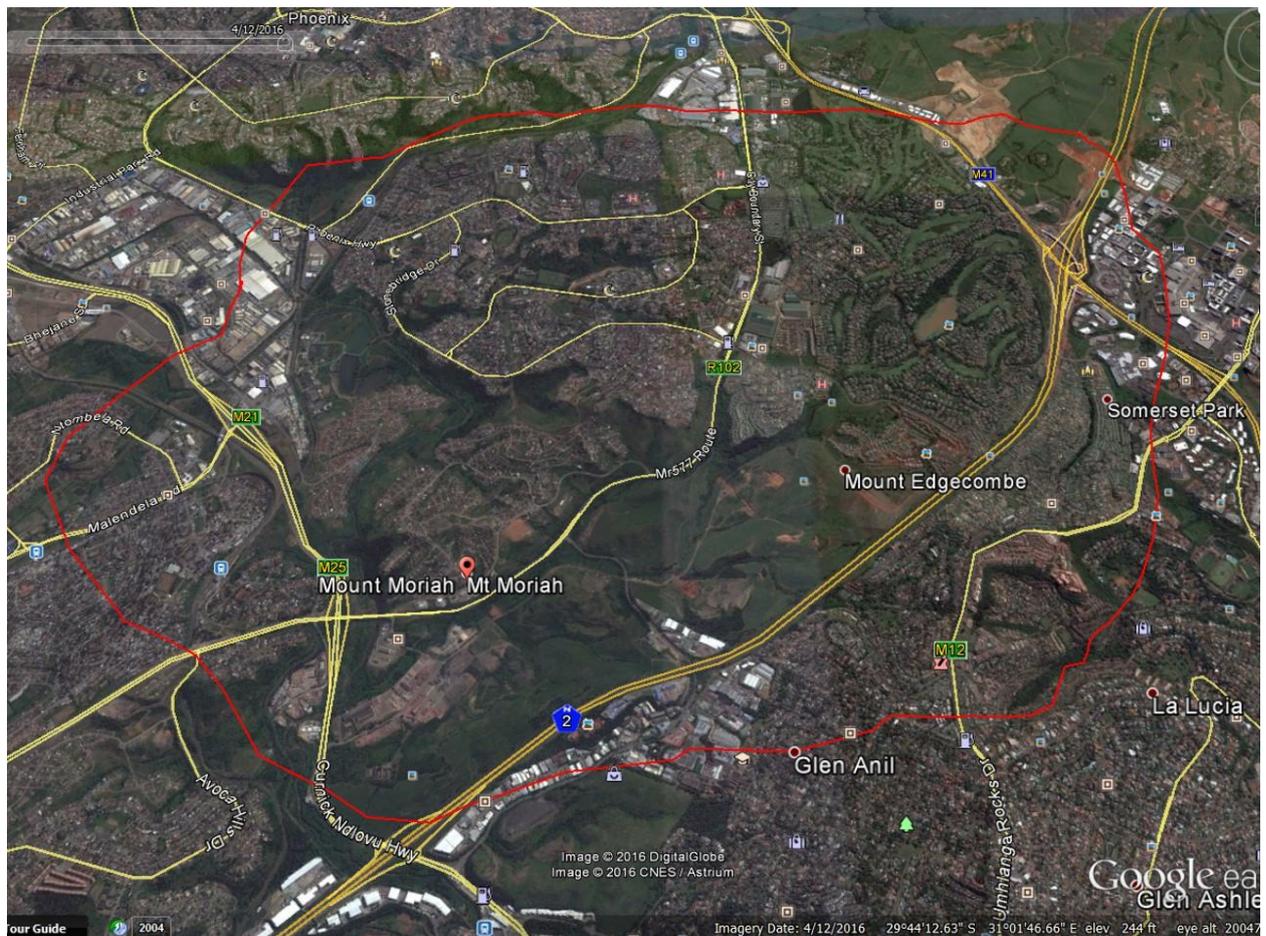
Mt Moriah and its Development Context

Mt Moriah is born out of an experimental project by the National Department of Housing (NDoH) to promote livable and sustainable human settlements in the north Durban area (Figure 1). It is a response to the post-apartheid government's failed housing policy, programmes and projects to meet the needs of countless homeless in the country. In keeping with the constitutional mandate to provide housing for all South Africans the NDoH revised its housing policy which it dubbed "Breaking New Ground" (BNG) in 2004. BNG is envisaged to be a comprehensive plan for the development of sustainable human settlements for low income earners. It represents a more updated version of the Reconstruction and Development Programme, or what is commonly come to be known as RDP housing.

Historically Mt Moriah was a slum clearance project established in 1994 to house 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. It is also centrally situated to the multi-million rand Gateway shopping complex which serves the consumer needs of adjacent middle and upper class residents.

The Mt Moriah human settlement project was originally initiated by the private sector Moreland Development Estate responsible for middle and upper class property development in adjacent neighborhoods, with Murray and Roberts being the delivery agent and Nedcor Bank as financiers. This joint venture with the private sector aimed to develop affordable houses and flats for people for those that met the criteria for low income housing. 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 technical quality and in 2001 the eThekweni Municipality's housing department commissioned engineering consultants to evaluate the housing problems in the settlement. Problems with the planning, design specifications and the quality of workmanship in the housing project was noted.

Figure 1 Location of Mt Moriah



In 2005 the area was once again identified for an expanded low income housing settlement development. This time round the housing development was envisaged to be founded on BNG principles. The aim was to ensure that the project design and layout conform to the principles of promoting sustainable and livable human settlements. It was accorded special project status by the national housing ministry resulting in the development of the area in several phases. Phase 2 included 981 houses followed by Phase 3 with 971 houses and finally Phase 4 with 217 houses). Phase 2 was sub-divided into Phase 2a, 2b, 2c and 2d whilst Phase 3 was subdivided into 3a, 3b, and 3c.

Community Participation as Determinant for a Sustainable and Livable Habitat

In Durban a Housing Committee at the municipality level represents the view of all ward councillors on housing and related issues for their respective areas. This committee is chaired by a councillor who meets monthly. Considering the size of the municipality and the scale of housing delivery projects undertaken, (some 200 housing projects at any given time) it is somewhat better resourced administratively to facilitate community participation on housing design and its location. A special administrative unit is tasked to facilitate community participation which is superseded by a planning unit. The community participation unit identifies community needs and provides vital data to its planning unit for the management of existing informal settlements, prevention of future informal settlements from emerging and the planning of future low income housing settlements.

In so far as the level of people's participation in the design of low income housing and choice of locality is concerned it is dependent on the nature of housing development pursued by the local authority. A distinction needs to be made between infill housing projects and insitu upgrades which is a determining factor to the extent to which people will participate in the design and choice of housing settlements. In Durban, a vast proportion of low income housing settlements are in the form of infill projects which to date has been the tradition based on the principle of social compaction and increasing economies of scale in the provision of physical infrastructure and services. This from an economic perspective attempts to break away from apartheid models of housing planning by promoting social compaction, increasing densities and desegregating human settlement spaces.

In infill sites one finds very little opportunity for beneficiaries to be consulted on the design and the locality of the housing settlement. This is because beneficiaries originate from different parts of the municipality and priority is often given to those that are on the housing waiting list. Considering that insitu development is only beginning to take priority given the emphasis contained in the 2004 BNG policy document, it is not surprising that this approach to planning low income human settlements is only beginning to gain momentum and shape within the municipality. However, the viability of insitu housing development projects can only be made possible in informal settlements that have low population densities and if the site conforms to

the different technical, geographical and development planning pre-requisite within the municipality

In Mt Moriah people's participation in the conception of the housing settlement did not feature due to the fact that it was considered an infill project on a buffer zone created by apartheid planning. On the other hand when insitu upgrades are being considered for human settlement it requires population densities proportionate to the available spatial landscape to accommodate development. In instances where population densities are greater than the surface area of the settlement, decongestion through relocation becomes an important pre-requisite for insitu upgrades. A planner confirmed that in a settlement comprising 2000 households, 70% of its population had to be relocated to make way for the housing needs of the remaining residents. Those with special needs (the aged, disabled and orphans) and those dependent on old age grants, war veterans grants, foster care and child support grants are often given priority attention in terms of their housing needs as they are not considered economically vulnerable and not considered dependent on social and economic networks in their former localities due to them being in receipt of social pensions.

However, those residents remaining in insitu upgrade development sites are subjected to wide consultative processes through the local leadership with a view to formulating some criteria on who should be the beneficiary of insitu upgrade housing. This is especially in light of the overwhelming demand for housing in informal settlement localities. Very often, length of stay in the settlement, those with children in neighboring schools and those with established social and economic networks in and around the settlement are accorded preference to continue to stay in insitu upgrade housing settlements. The remaining have no choice but to relocate to other housing settlement projects within the city.

Relocation from insitu development sites is often politically contested. When a large section of the population are targeted for relocation, political leadership in the insitu development sites often resist such moves for fear of losing their political hegemony amongst the informal dweller constituency. It is in such instances that community participation is found to be most heightened so that some agreement is reached with the political leadership in terms of relocating their subjects. Some of the concerns addressed through engagement in community participation processes amongst those identified for relocation are loss of income through informal trading, loss of revenue to the shack lord and loss of income from subletting shacks.

Communities engaged in participation processes are expected to arrive at an agreement to curb any further population growth within the existing informal settlements. In instances where several housing development projects are taking place within the city, beneficiaries are provided with an opportunity to decide on the settlement to which they would like to be resettled. In Durban one finds housing projects are taking place throughout the metropolitan area and as such, beneficiaries are given a choice to relocate to a housing settlement site in any part of the city. In Mt Moriah it is estimated that 90% of the residents have been relocated from other informal settlements in the city.

Given the pressing demand for housing delivery, community participation is directed towards reaching agreement for those targeted for housing and setting time frames and negotiating crucial decisions on who will be remaining and who will relocate. Since housing is a highly contested political issue and the need to fast track delivery is pressing, the extent of community participation is confined largely to a consultative process. In the words of one community participation specialist “*community participation is a propaganda machine*” where consultation is designed to appease political interests. This suggests that the different and deeper aspects of community participation in the planning process are hardly a priority considering the pressure and urgency for delivery. Hence one finds that community participation at a planning level is aimed at meeting pre-determined housing targets compared to conforming to the real essence of community participation as understood in the development literature. The emphasis is on meeting housing backlogs and consequently participation processes are directed in favour of meeting the quantitative dimension of housing delivery at the expense of quality of life expectations held by beneficiaries. Considering the pressing need for housing delivery, it is not atypical to find the majority of the beneficiaries relocated into housing settlements have previously lived in informal settlements.

Varied Meaning of Participation

The problem of what participation really means is the lack of translation in practical terms on the form that participation should take. Several policy documents lay emphasis on community participation as a prerequisite to housing delivery, but do not translate these in practical terms. A housing researcher stated “*that we are within the institutional framework and consultation is done through representative democracy. This is at the level of councillors and politicians –*

our responsibility is to deliver houses.” Similarly, a planner commented that “participation is at a political level – providing legitimacy for development but not on the principle of promoting sustainable and livable settlements from the community’s perspective. The IDP is merely a wish list from the community and not consulted in keeping with the ideal of making priority decisions. Often their needs are interlinked and it is difficult to prioritise one from the other. Ultimately, it is the council that makes the decision”.

Another housing specialist was skeptical as to whether community consultation processes has any impact in improving community participation in the planning and delivery of low income houses. The specialist views this consultative process as a political legitimacy seeking exercise which is diligently undertaken every month within the municipality. He aptly stated that *“we comply with the Municipal Systems Act and have a forum for participation. But what happens thereafter and who puts this back into the planning process is questionable. We don’t have the resources for such deep engagement and under the circumstance, we do our very best”.*

Community participation in insitu upgrade sites is also viewed by certain housing specialists as a means to gather valuable data that helps planners in their task. Data collection exercises are aimed at constructing a demographic profile of informal settlement dwellers. It also serves as a policing function to contain further population growth in existing informal settlements. One planner commented that the involvement of the community in the planning process reduces them to *“...being active participants in community surveys and beyond this the planners take over the process. Our role is to gather vital data on community dynamics so that planning is done effectively”.*

One of the reasons cited by municipal officials on the superficial nature of community participation processes is the cost to time. Too much community participation is perceived to delay housing development considering the political pressures on the municipality to deliver on backlogs. The larger the community targeted for housing development the more prolonged and procrastinated became the planning process hence affecting the speed with which housing delivery takes place. To illustrate this argument a municipal official recalled the case of the Jimmy Carter housing project in Sherwood, neighboring Cato Manor, Durban where some 100 houses were built in situ. The church, universities, corporate sector and foreign volunteers engaged the local community on participation processes resulting in the physical delivery of houses. Each household was actively involved in the building process with the support of

volunteers. One major factor that contributed to community participation in the actual building of houses was the availability of land and secondly, the population density was lower creating the condition for active engagement in the housing delivery project. This project is considered as a best practice model by the city as it had support from a wide number of stakeholders and enjoyed a fair level of social and political profiling. However, when weighted against cost, this project would appear the most expensive low income housing project as the cost of labour was not factored into the overall development cost.

In other instances community participation in the planning and development of Self Help projects met with dismal failure. A case in point cited by a community development officer is the Dassenhoek Self Help Project in the city in which the community owned the land and wanted funding for the building of its top structure. After considerable planning exercises with the community, funding was provided to individual households to build houses. This project failed to realize its full potential as the community underestimated costs resulting in incomplete homes. In many instances, the community requested payment for building materials through local hardware stores only to find that these were not used timeously resulting in materials being damaged (cement hardening, building soil washed away through heavy rainfall, doors, windows and roofing timber rotting as these were not protected against inclement weather). It would appear that very little emphasis had gone into preparing the community in identifying and taking risks at the implementation level. In Siyanda at the entrance of KwaMashu, Durban, housing cooperative principles was used in which community members engaged in building houses for each other. This was found to be prolonged resulting in the community finding themselves exhausted having built a few houses, failure to sustain motivation over time and as the development progressed, the quality deteriorated due to member fatigue. A lack of commitment over time was cited to be the underlying cause in the failure to achieve its objective. In this model of community participation in housing delivery the respondent commented that *“members having built a few houses felt that when it was their turn to enjoy the comfort of their home, they would be too fatigued to enjoy such benefits, especially if one was at the tail end of the project life cycle”*.

Participation Challenges

The demographic profile of the homeless also militates against any indepth planning process that the municipality may intend. In the city, the profile of informal settlements according to one housing research specialist was that a large number of homeless people originate from the Eastern Cape. With such a large population of migrants across the province it is not known for certain as to whether they plan to settle permanently in the city since such a decision is contingent on finding stable employment and having established lasting social networks. With such uncertainty, one community development worker stated that often cross provincial migrants were not ready to provide any long term commitment about their stay in the city. Hence they were reluctant to engage in long term planning issues and often tended to remain on the periphery of any consultative process taking place in their respective informal settlements. Similar, patterns have been cited for relatively new migrants within the city who originate from distant towns in the province who are undecided in providing long term commitment to housing. Often they tend to keep strong family and kinship ties in their place of naturalization or birth. A profile of the original place of birth and naturalization extracted from the beneficiary survey is depicted in Table 1 which attests to this.

Table 1 Respondents Original Place of Birth in Mt Moriah

Mt Moriah	
Amouti	Mandeni
Bellair	Maphumolu
Bizana	Mayville
Bambai	Mtubatuba
Bulwer	Ndwedwe
Chatsworth	Newcastle
Claremont	Newlands East
Durban	Nongoma
Dukuduku	Northdene
Emkhabatini	Ntuzuma
Empangeni	Phoenix
Emthatha	Pietermaritzburg
Emzikhulu	South Coast Emnini
Eshowe	Springfield
Hammersdale	Umbumbulu
Harding	Umlazi
Inanda	Umtata
Ixopo	Umzinto
Johannesburg	Umkomaas
Kokstad	Verulam

Kwa Maphumulo	Wentworth
Kwa Mashu	

It will be noted from Table 1 that respondents in Mt Moriah originated from forty three localities within and outside of the city. With such disparity in the composition of residents raises questions about the level of social cohesiveness and participation in Mt Moriah.

Participation in newly established housing settlements according to one provincial planner presents challenges of different sorts in so far as reaching consensus for uniform plans being formulated for development related projects to be implemented. This is particularly true in settlements where residents are relocated from different informal settlements and geographical areas. In Mt Royal, adjacent to Mt Moriah in the municipality, the community organizer for the locality found it easier to facilitate planning decisions for projects as most of those resettled originated from a common locality in the apartheid created township of KwaMashu. They display a greater level of community solidarity, political allegiance and trust amongst themselves. In this area, a school building is already in progress and several urban gardening projects have been initiated through community participation in development projects.

However a stark contrast is noted in Mt Moriah, which is adjacent to Mt Royal which is characterized by challenges that are more pressing given the heterogeneous social composition of the community. The councillor for Mt Moriah described it as a “*potpourri*” lacking a sense of community which impacts negatively on any constructive collective engagement on creative forms of development to ameliorate the misery of poverty pervading the area. He stated that it is a “*mish-mash*” of people from adjacent Phoenix, the different informal settlements in the city and foreign migrants. The area is divided by strong ethnic kinship ties and varying political allegiances. Although the ANC is the dominant political party, the area has little pockets of Cope, DA, Minority Front, IFP and UDM supporters scattered throughout the area. Development Forum meetings are often characterized by contestations since each party aims to exercise their political hegemony in the locality instead of working towards the common good of the community as a whole. The community organizer for the area aptly identified the source of such intense political engagement within the community. He stated that given the high rates of unemployment in the area, people due to their financial vulnerability are led to believe that by engaging at a party political level, they will stand to benefit materially in the future should their political leader succeed in exercising control in the area. This sense of

political engagement was further strengthened amongst residents as they have the luxury of time to engage in narrow political interests in order to keep busy considering the vast majority of the population are not gainfully occupied. Instead of participating in constructive development discourse on the development of the settlement, party political issues take precedence.

It may be questioned the role that the ward councilor plays in promoting and sustaining community participation in these settlements on development related issues. In the beneficiary study on the question of whether councillors in the case study provide feedback on development and future plans for the area it was unanimous that they received no feedback. A total of 21% reported neither seeing nor *hearing about their councillor*” for their ward. Participation by beneficiaries on development related issues for the study locality varies. Only 5% of the respondents reported attending community meetings. Some of the broad reasons cited by respondents for not participating in development related community meetings are attributed to the lack of notice on meetings and personal constraints preventing them from participating. Interestingly an overwhelming number of respondents (95%) stated that they did not attend any IDP meetings for their locality. On the reason as to why people do not participate in IDP processes 77% of respondents reported that they ‘*did not know what this was about*’ and “*never heard about it*”.

Factors that make the Human Settlement Unsustainable

The extent to which technical, logistical and political imperatives contribute to the sustainability of human settlements is dependent on the availability of resources, local conditions and housing reality. There was unanimity amongst all housing related specialists in the study that the planning imperative should be integrated and promote 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 needs to conform to in order to promote this. As much as the city takes steps in ensuring that the different technical, logistical and political imperatives have been adequately considered before informing their respective IDPs, the implementation always has to meet up against a host of challenges and uncertainty which in the final analysis makes this crucial planning instrument an unrealistic ideal for any appreciable achievement. In the words of one provincial housing

specialist “*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 prevalent at the municipal level.

Technical planning in respect of infrastructure development varies for different types of housing settlements in the city. In infill sites where new housing settlements are 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 presents complexities of different proportions. For example, infill sites that have been left vacant during the apartheid era planning as racial buffer zones and greenfield sites comes with many technical restrictions. Although these sites were left vacant and present itself 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, and topography and the immense cost involved in housing development. The notion that this presents a window of opportunity for the establishment of sustainable low income housing settlements considering the technical restrictions according to one planner are a “*myth that needs to be demystified as it creates false expectations*”.

To illustrate the technical restrictions imposed by in infill sites the case of Mt Moriah provides some insights. A councillor confirmed that the preparation of sites for housing development was a costly exercise. The area is known to have a rocky terrain and much money was spent on blasting rocks to create platforms for housing development, hence increasing the cost for the establishment of the settlement. As consequence, the construction of storm water drains was presenting serious challenges as this required adaptation to the topography of land in the settlement which is constrained by rocky surfaces. In the absence of storm water drains and given the topography of the settlement, constant flooding present’s serious technical problems for home owners in the form of 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 are restricting. These are especially in areas were large amounts of excavations have taken place to cut and fill sites. Consequently, homeowners are faced with large unreinforced terraces resulting in constant water seepage and soil erosion. The cost of reinforcing these terraces in the future will be phenomenal and in many instances it will be

more than the cost of the existing houses. Home expansion in the future will also be restricted given the amount of engineering costs that needs to be incurred.

Grafting new housing settlements on infill sites adjacent to established residential settlements presents technical problems of its own. For instance the ability of existing infrastructure (sewer, storm water, water supply pipes, electricity grids and roads) can only accommodate limited service loads. A classic example cited by a municipal housing research specialist is the amount of damage caused to the main water lines in existing residential areas in the city were infill housing settlements were considered. Many of these main water lines were inherited from the apartheid installed infrastructure which were old and poorly serviced and with new infill housing projects being developed, the water pressure on these lines have to be increased. Often, these old water pipes succumb to increasing pressure loads and burst resulting in expensive repair work and loss of water. Hence the perception, that infill sites offers a window of opportunity for the establishment of new housing settlement has to be weighed against the capacity of existing infrastructure to carry additional service loads. The same applies to other services (transport, sewer, electricity, schools, recreational spaces, libraries etc).

Technical considerations for insitu upgrades from a planning perspective are another challenge that one has to deal with. Often, one finds that informal settlements have been established alongside sites considered technically undesirable and unsuitable for development (river banks, waste dump sites, steep land, unstable land, flood plains, sensitive natural environments, alongside national roads etc). This from a planning perspective provides enormous challenges and the lack of available sites within the municipality further places challenges for the formulation of holistic housing development plans. For instance in the city, insitu upgrades is 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 is a major challenge faced by planners. Temporary relocation to transit camps is in itself a politically contested matter but if land was available closer to transit camps, this would help cushion the political and social uncertainty that the homeless would have to endure from the socially and economically devastating effects of having to relocate several times. From a planning perspective, this would provide greater certainty to plan on scales of economy if land was readily available.

Environmental Impact Assessments (EIAs) have been cited to delay housing development. Often these are costly exercises to be undertaken and the environmental laws are too rigid placing constraints on planners to work around difficult options resulting in trading off between high costs for development in favor of conserving the environment.

The Provinces DoH experience with IDPs to date has been revealing. They find that it has not been coordinated across different spheres of government. Similarly, are policies and programmes at different levels of government. In the words of three housing officials, it appears the concept of “*silo*” budgeting or “*silo mentality*” pervading government departments, best describes 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 compete for project funding at the expense of holistic development objectives. Each department, according to these officials has become gatekeepers of their own resources and do not interface with other departments. Communication and feedback between departments is infrequent and this is sometimes exacerbated by personality clashes, political differences and historical factors (conflict between planners coming from the different departments of the apartheid planning regimen). In addition in so far as IDP budgeting is concerned, the timelines for municipalities and the province are out of synch with each other.

The over bureaucratic way in which government works is another factor that affects the planning process at the local level. The way that policies relate to each other, the budgeting process, and the ability of government functionaries to carry out the mandate of developmental local government are crucial for local planning effort to achieve its goal. The Provincial DoH identifies the main impediment to achieving this objective lies in the inability to deal with horizontal and vertical integration and alignment of the different planning instruments, processes and legal requirements. Hence, participation in the Social and Economic Cluster of Departments of the KZN Cabinet to overcome the complexities of interfacing between and amongst departments is 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 delivering on IDP priorities the case of Mt Moriah provides great insight. Although this project commenced in 1994 and beneficiaries have been relocated to this settlement, a gross absence of basic social amenities is noted. Children travel to neighboring township schools (KwaMashu and Phoenix) expending R160

per week per child. Considering that most of the beneficiaries are unemployed and eke out a living through social pensions it creates a major strain on their monthly budget. From the beneficiary survey it is noted that the average travel distance for scholars per day amounted to 71km.

A community development practitioner informed the study by stating that delays in opening up a township register is the source for the lack of investments in much needed community infrastructure. In terms of the town planning ordinance, schools and other social infrastructure can only be considered when this register has been opened. On the contrary, the case of Savannah Park close to Shallcross, Durban where a township register has been opened, one finds that the community has benefited substantially from investments in social infrastructure.

In view of the fact that there are continued capacity challenges at the municipality level and a general lack of alignment between departments and municipalities, the Shared Service concept is being used in planning for sustained development. In the city considering the shortage and unresolved land issue, it is not possible to identify sites needing extensive infrastructure such as schools, hospitals and recreation spaces. In the planning process, where new housing settlements are considered closer to developed areas, existing facilities are evaluated for possible expansion. For example schools are identified in neighboring settlements and additional class rooms or shared recreational facilities are used by the relocated community. Whilst this may be a cost effective way for the municipality, the burden of additional costs is passed onto the beneficiaries in the human settlement.

Without wanting to belabor the impact of over bureaucratization on the provision of sustainable and livable low income human settlements it becomes necessary to reflect on the power relationships between state officials and local councillors. The role of the councillor in housing development is relegated to being “*one of an oversight and not to interfere in the planning and development processes.*” Further discussions with councillors highlights their inability to deal with the amount of bureaucratic power vested in the hands of state officials. Since almost all implementing agents are appointed by the Province, councillors feel helpless to ensure that quality standards are maintained and all technical requirements are met. It would appear that very little regulatory mechanisms are in place to manage the quality and standard of work undertaken by implementing agents.

Councillors generally feel frustrated dealing with state officials both within the provincial and local government. Often they feel disrespected as public officials appear to have more information and insight on planning and development issues compared to themselves. They only hear about new developments when some department convenes a workshop or sometimes provide them with lengthy technical reports and documents asking them to comment within a short space of time. Their helplessness may be captured by the view of one councillor 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 was expressed by another local councillor who stated that he has records of emails asking 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 exclaimed. It would appear when the exco officials make demands on officials, they readily respond, compromising councillors who have demanding issues to sort out on behalf of their constituency. One councillor went insofar as suggesting that the roles and responsibility of municipal officials needed to be clarified and that they need to understand that the power lies with them as representatives of the people.

Councillors generally were skeptical as to how implementing agents with such poor development records were awarded contracts. In the case of the city, a public bus transport operator turned into a housing delivery agent raised the ire of local citizens including a councillor at an interview. This implementing agent was known to have undertaken housing development projects in the Phoenix area with a dismal record in providing quality houses, with many residents complaining of having spent their lives savings on defective houses. The same contractor was awarded a contract to build houses in Newlands East and is known to have made scandalous news for 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 came out of it by way of intervention from the metropolitan housing department or the housing committee. .

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, , dampness and structural cracks are the most frequently (70% and above) reported technical problems experienced by beneficiaries.

Table 2 Technical Problems Experienced by Beneficiaries on their Newly Acquired Houses

Structural Faults	Beneficiary Response		
	Yes	No	Sometime
Plumbing	71	5	24
Electrical Work	37	41	22
Structural Cracks	93	7	0
Roof leaks	41	36	23
Dampness	88	11	1
Sewer	42	28	30
Doors	59	37	4
Windows	44	55	1
Other: Landscaping; storm water, soil erosion	46	45	9

The findings contained in Table 3 derived from the beneficiary perception study on the state of infrastructure in Mt Moriah provide insight on the poor levels of hard infrastructure service. It will be noted that in most instances with the exception of street lighting the extent of service delivery in the human settlement has been rated poor.

Table 3 Perception of Respondents on the State of Infrastructure

Infrastructure	Beneficiary Response		
	Good	Average	Poor
Storm Water Drains	28	5	67
Pavements	5	1	94
Street lights	66	9	25
Traffic Signs	3	0	97
Grass Verges	1	1	98
Street Names	0	0	100
Pedestrian Crossing	0	0	100
Traffic Calming Measures	0	0	100

It is observed that in Mt Moriah there is a prevalence of backyard sheldters and traditional houses emerging. This is largely due to the fact that the existing house size does not have adequate room space to accommodate all members of the family. An overwhelming 70% of the respondents in the beneficiary survey confirmed that they do not have adequate space to accommodate all members of their family in their existing homes. With regard to prospects to extend their homes the same number of respondents suggested that they do not have the financial means to extend neither they will qualify for a bank loan given their meagre monthly income. Almost 50% of the respondents felt that the quality of the land made it impossible to extend their houses in a cost effective way.

Affordability and Ability to Sustain Livelihood

In so far as economic activity in Mt Moriah is concerned, a gross lack of formal activity is noted. The area has several numbers of spaza shops and street vendors. Big retail stores are largely located in neighboring suburbs which residents of Mt Moriah find it difficult to access due to the distance from their homes. However, spaza shops and street vendors are supported widely due to the freshness of the products sold, ability to purchase on credit and reduced travel costs.

An important indicator as to whether beneficiaries are in a position to sustain payments for basic services is contingent on their level of monthly income and expenditure. The distribution of respondent's average monthly income as depicted is not atypical to low income housing settlements in the country. In this study, 97% of respondents earn less than R3500 per month. However, when one considers the relative status of respondents in this study against the definition of income poverty in the country more than 50% fall into the category of absolute poverty. These are those that are dependent on social grants and the unemployed.

Notwithstanding the fact that only 19% of the respondents in the beneficiary study can afford paying for basic services such as water and electricity the remaining are dependent on the free life services provided for by the municipality. Respondents reported that they are often disconnected from these services once they utilize their subsidized quota of water and electricity.

The satisfaction levels of respondents in respect of provision of basic services by their respective municipalities vary. In Mt Moriah respondent's often complained of faulty prepaid electricity systems, problems with the water trickler system and faulty water tanks and geysers. They also complained of electricity disconnections due to cable thefts. Given the absence of visible policing in the area, theft of electricity cable has increased.

Conclusion

This case study set out to ascertain the level of social cohesion, inclusivity and livelihood in the resettled community of Mt Moriah. It highlights a number of socio-political and technical factors that militates against this. Since the dawn of democracy the community of Mt Moriah continues to suffer the effects of relocation impacting on low levels of social cohesion. With home owners originating from a wide number of informal settlements in the city, it is not atypical for low levels of social cohesion to be prevalent. Political fragmentation amongst the resettled community is another reason why social cohesion is lacking.

The paper highlights the lack of inclusivity of the resettled community in planning the human settlement. This is due to the fact that Mt Moriah has been modelled on the infill type of human settlement which seeks to compact and create densities within scales of economy. Notwithstanding the infill type of human settlement at Mt Moriah, the Durban Metropolitan government has experimented with participatory forms of human settlement development with remarkable success. Although this was considered to be a costly housing development programme, in the long run and the near future home owners participation in developing their home will not only provide them with a sense of belonging, but will also promote social cohesion and inclusivity through participation. Such innovative modes of developing human settlements will overcome the mono-functional and dormitory like character of settlements that were prevalent during the apartheid regime. In its present form after twenty one years, Mt Moriah is reminiscence of past development practices with backyard shacks mushrooming in the different precincts.

The lack of inclusivity and social cohesiveness plays itself out in the way the community of Mt Moriah champion their livelihood. It is evident from the case study that the majority of residents in this settlement are persons that are dependent on a variety of state pensions and accordingly considered vulnerable. As a vulnerable category, the residents are subjected to a culture of poverty that restricts their ability to achieve a level of livelihood. In the absence of a cohesive political voice on matters related to basic services and the lack of inclusivity on the development of the settlement, it is unlikely that the residents will experience appreciable advancement in their livelihood. The lack of basic infrastructure and deterioration in the existing ones impacts negatively on the quality of life which residents have anticipated since their migration from the informal to the formal settlement. In order for the residents to

experience a change in the quality of life, there has to be material change in their livelihood. For such material changes to take place, it is important for the metropolitan government to provide the necessary infrastructure that will impact on the quality of life.

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