



PORTFOLIO COMMITTEE ON HUMAN SETTLEMENTS – PARLIAMENT:

REPORT ON USDG, ISUPG AND LAND INVASION

08 March 2023

*Cllr Mxolisi Kaunda :
Honorable Mayor
EThekweni Municipality*



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JANUARY 2023 – TOTAL CAPITAL EXPENDITURE

| DEPARTMENT | Original Budget | Adjustment Budget | Monthly Budget | Dec-22 | Jan-23 | YTD Actuals | Balance Unspent | Monthly Spend | Monthly Target | % YTD Spend | % YTD Spend (Comparative Jan 2022) |
|--------------------------------------|------------------|-------------------|----------------|----------------|----------------|------------------|------------------|---------------|----------------|---------------|------------------------------------|
| Housing | 1091.34 | 1,091.34 | 90.945 | 117.413 | 56.915 | 475.551 | 615.789 | 5.22% | 8.33% | 43.57% | 37.04% |
| Engineering | 600.737 | 600.74 | 50.061 | 26.030 | 23.481 | 178.394 | 422.343 | 3.91% | 8.33% | 29.70% | 33.27% |
| Ethekwini Transport Authority | 715.716 | 715.72 | 59.643 | 32.000 | 16.060 | 239.277 | 476.439 | 2.24% | 8.33% | 33.43% | 52.09% |
| Water | 521.817 | 521.82 | 43.485 | 58.101 | 26.520 | 229.416 | 292.401 | 5.08% | 8.33% | 43.96% | 30.96% |
| Sanitation | 440.547 | 440.55 | 36.712 | 13.598 | 16.724 | 99.080 | 341.467 | 3.80% | 8.33% | 22.49% | 52.76% |
| Solid Waste | 295.374 | 295.37 | 24.615 | 18.691 | 5.125 | 87.309 | 208.065 | 1.73% | 8.33% | 29.56% | 43.84% |
| Electricity | 675.247 | 675.25 | 56.271 | 23.158 | 30.749 | 192.685 | 482.562 | 4.55% | 8.33% | 28.54% | 46.93% |
| CES: Health & Social Services | 200.453 | 200.45 | 16.704 | 10.199 | 5.629 | 47.811 | 152.642 | 2.81% | 8.33% | 23.85% | 27.20% |
| CES: Services - MMS | 36.071 | 36.07 | 3.006 | - | 0.039 | 0.067 | 36.004 | 0.11% | 8.33% | 0.19% | 18.58% |
| CES: Safety & Security Services | 45.286 | 45.29 | 3.774 | 6.006 | 0.148 | 2.723 | 42.563 | -0.33% | 8.33% | 6.01% | 3.73% |
| Economic Development & Planning | 369.121 | 369.12 | 30.760 | 19.976 | 0.828 | 54.781 | 314.340 | 0.22% | 8.33% | 14.84% | 39.81% |
| Finance | 327.492 | 327.49 | 27.291 | 107.430 | 0.067 | 217.090 | 110.402 | -0.02% | 8.33% | 66.29% | 12.63% |
| Governance & International Relations | 30.999 | 31.00 | 2.583 | 0.898 | 0.025 | 3.053 | 27.946 | 0.08% | 8.33% | 9.85% | 7.01% |
| Corporate & Human Resources | 11.485 | 11.49 | 0.957 | 0.011 | 0.043 | 0.389 | 11.096 | 0.37% | 8.33% | 3.39% | 8.79% |
| OCM -CMO - OSM | 170.676 | 170.68 | 14.223 | 25.285 | 7.051 | 40.485 | 130.191 | 4.13% | 8.33% | 23.72% | 25.30% |
| TOTAL | 5,532.361 | 5,532.361 | 461.030 | 446.785 | 188.972 | 1,868.110 | 3,664.251 | 3.42% | 8.33% | 33.77% | 37.98% |

JANUARY 2023 – CAPITAL GRANTS EXPENDITURE

| Name of Grant | 2022/23 Allocation | YTD Expenditure Excl. Vat | % YTD Expenditure | YTD Projected Expenditure | Required Expenditure by Year-end | VAT | YTD Expenditure Incl. Vat |
|---------------------------|----------------------|---------------------------|-------------------|---------------------------|----------------------------------|--------------------|---------------------------|
| USDG | 1,279,036,000 | 460,511,090 | 41.4% | 1,279,036,000 | 749,529,863 | 68,995,046 | 529,506,137 |
| ISUPG | 727,265,000 | 220,874,932 | 34.9% | 727,265,000 | 473,258,828 | 33,131,240 | 254,006,172 |
| PTNG | 680,725,000 | 228,928,412 | 33.6% | 680,725,000 | 451,796,589 | | 228,928,412 |
| NDPG | 52,368,000 | 16,372,858 | 31.3% | 52,368,000 | 35,995,142 | | 16,372,858 |
| EDMSG | 9,000,000 | 196,972 | 2.2% | 9,000,000 | 8,803,028 | | 196,972 |
| DOH | 600,113,000 | 334,091,378 | 55.7% | 600,113,000 | 266,021,622 | | 334,091,378 |
| Hostels | 65,000,000 | 14,118,417 | 21.7% | 65,000,000 | 50,881,583 | | 14,118,417 |
| Social Housing Grant | 8,000,000 | 7,739,706 | 96.7% | 8,000,000 | 260,294 | | 7,739,706 |
| EDE - Kzn Sports - EDP | 10,000,000 | 3,155,054 | 31.6% | 10,000,000 | 6,844,946 | | 3,155,054 |
| KZN Department of Environ | 1,800,000 | - | 0.0% | 1,800,000 | 1,800,000 | | - |
| Cogta | 15,000,000 | 4,976,851 | 33.2% | 15,000,000 | 10,023,149 | | 4,976,851 |
| Disaster Recovery Grant | 185,000,000 | 49,923,172 | 27.0% | 185,000,000 | 135,076,828 | | 49,923,172 |
| Total | 3,633,307,000 | 1,340,888,842 | 39.7% | 3,633,307,000 | 2,190,291,872 | 102,126,286 | 1,443,015,128 |

FEBRUARY 2023 – USDG PRELIMINARY EXPENDITURE

| USDG SUMMARY SPEND - FEBRUARY 2023 PRELIMINARY FIGURES | | | | | CASHFLOW PROJECTIONS | | | | |
|--|----------------------|----------------------|---------------------------|---------------|----------------------|--------------------|-------------------|--------------------|----------------------|
| Department | Original Budget | Adjusted Budget | YTD Expenditure Incl. Vat | % Spend | March 2023 | April 2023 | May 2023 | June 2023 | Total |
| HSI-Metro Housing & Hostels | 120,000,000 | 113,000,000 | 21,386,425 | 19% | 5,079,000 | 8,000,000 | 13,500,000 | 65,034,575 | 113,000,000 |
| HSI-Engineering | 301,154,000 | 351,055,576 | 185,623,434 | 53% | 12,299,672 | 4,000,000 | 4,000,000 | 145,132,470 | 351,055,576 |
| TRC-Water | 254,963,000 | 246,310,000 | 149,698,284 | 61% | 5,061,541 | 13,503,503 | 9,174,565 | 68,872,107 | 246,310,000 |
| TRC-Sanitation | 214,378,000 | 69,643,424 | 31,853,308 | 46% | 11,995,750 | 9,468,750 | 9,668,750 | 6,656,866 | 69,643,424 |
| TRC-Cleansing and Solid Waste | 125,462,000 | 126,528,000 | 56,987,024 | 45% | 9,753,693 | 18,093,792 | 10,883,179 | 30,810,312 | 126,528,000 |
| TRC-Electricity | 210,696,000 | 210,696,000 | 148,205,541 | 70% | 24,662,755 | 26,585,345 | 9,970,176 | 1,272,184 | 210,696,000 |
| CES-Parks, Recr, Cem & Culture | 42,383,000 | 42,383,000 | 31,658,195 | 75% | 5,410,000 | 5,314,805 | | | 42,383,000 |
| EDP- Catalytic Projects | 10,000,000 | 119,420,000 | 40,818,355 | 34% | 19,213,000 | 29,081,000 | 30,307,645 | | 119,420,000 |
| Total USDG | 1,279,036,000 | 1,279,036,000 | 666,230,566 | 52.09% | 93,475,411 | 114,047,195 | 87,504,315 | 317,778,514 | 1,279,036,000 |

FEBRUARY 2023 – ISUPG PRELIMINARY EXPENDITURE

| ISUPG ACTUAL EXPENDITURE SUMMARY REPORT : FEBRUARY 2023 PRELIMINARY | | | | | CASHFLOW PROJECTIONS | | | | |
|---|--------------------|--------------------|---------------------------|---------------|----------------------|--------------------|--------------------|--------------------|--------------------|
| Department | Original Budget | Adjusted Budget | YTD Expenditure Incl. Vat | % Spend | March 2023 | April 2023 | May 2023 | June 2023 | Total |
| HSI-Metro Housing & Hostels | 297,302,000 | 387,213,931 | 140,676,937 | 36.33% | 26,813,000 | 42,134,360 | 44,818,000 | 132,771,634 | 387,213,931 |
| TRC-Water | 105,815,000 | 82,790,000 | 61,727,573 | 74.56% | 7,232,808 | 7,232,808 | 6,021,000 | 575,811 | 82,790,000 |
| TRC-Sanitation | 135,429,000 | 155,200,000 | 29,190,095 | 18.81% | 29,600,000 | 32,750,000 | 31,900,000 | 31,759,905 | 155,200,000 |
| TRC-Electricity | 148,500,000 | 147,200,500 | 43,933,591 | 29.85% | 27,414,102 | 38,398,019 | 23,869,730 | 13,585,058 | 147,200,500 |
| OCM-City Manager's Office | 40,219,000 | - | - | 0.00% | | | | - | - |
| Engineering (CIP) | | 33,466,569 | 4,602 | 0.01% | 8,365,492 | 8,365,492 | 8,365,492 | 8,365,492 | 33,466,569 |
| ETA (CIP) | | 5,500,000 | - | 0.00% | 510,000 | 1,560,000 | 1,680,000 | 1,750,000 | 5,500,000 |
| Operating - Housing | | 8,000,000 | 709,746 | 8.87% | - | - | 2,600,000 | 4,690,255 | 8,000,000 |
| Total ISUPG | 727,265,000 | 819,371,000 | 275,537,400 | 33.63% | 99,935,402 | 130,440,679 | 119,254,222 | 193,493,553 | 819,371,000 |

MAJOR GRANTS - 5 YEAR EXPENDITURE TREND

| Grants (% spend) | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 |
|--|---------|---------|---------|---------|---------|
| Urban Settlement Development | 100% | 100% | 100% | 100% | 100% |
| Integrated Cities Development | 100% | 100% | 100% | 100% | - |
| Public Transport Network | 66,5% | 58% | 95% | 100% | 100% |
| Neighbourhood Development | 44% | 93% | 100% | 86% | 84% |
| Expanded Public Works Programme | 100% | 100% | 100% | 100% | 100% |
| Informal Settlement Upgrading Partnership (from 2021/22) | - | - | - | - | 100% |

- **Integrated Cities last received in 2020/21**
- **Informal Settlement upgrading Partnership introduced in 2021/22**

SUMMARY ON HUMAN SETTLEMENTS PROGRAMS



HUMAN SETTLEMENTS UNIT

OVERVIEW OF HOUSING PROGRAMMES – 2022/23 TO 2024/25

• **Fully subsidized programmes:**

- Service sites programme
- Breaking New Grounds
- Title deeds restoration
- **Rectification:**
- Maintenance of Council rental stock

Formal Housing priorities:

- Implementation Gap housing
- Social Housing
- Community Residential (new units and upgrading)

Informal Settlements priorities:

- 338 000 h/h to benefit in the 2022/23 Business plan.
- Iqhazalethu programme

Transit camps priorities:

- Eradication of short-, medium- and long-term transit camps.

Storm Disaster Interventions

- Minor repairs to BNG houses
- Roll-out of rural housing developments
- Rebuilding houses
- Material supply for TRA's and IS
- Establishment of TEA's
- Repairs to R293 houses

CAPITAL BUDGET MTREF 2020/2021 – 2022/23

| DESCRIPTION | 2019/20 | 2020/21 | 2021/2022 | 2022/2023 | 2023/2024 | 2024/2025 |
|------------------------------|----------------------|----------------------|----------------------|-------------------------|-----------------------|-----------------------|
| New Housing Development | 601 760 000 | 672 000 000 | 682 913 000 | 608 113 000 | 279 852 000 | 372 814 000 |
| Social Housing | 3 969 000 | 35 167 000 | 41 000 000 | 0 | 0 | |
| Hostels | 68 031 000 | 71 000 000 | 27 000 000 | 65 000 000 | 45 000 000 | 45 000 000 |
| USDG Infrastructure | 518 026 000 | 207 758 000 | 225 016 000 | 100 000 000 | 0 | 0 |
| USDG/UISP Infrastructure | 484 335 000 | 167 935 000 | 77 688 000 | 297 302 000 | 198 611 000 | 160 718 000 |
| Land | 33 691 000 | 10 731 000 | 10 000 000 | 20 000 000 | | |
| Property plant and equipment | 2 600 000 | 3 275 000 | 1 316 000 | 925 000 | 873 000 | 232 000 |
| TOTAL BUDGET | 1 194 395 000 | 1 167 866 000 | 1 064 933 000 | 1,091,340,000.00 | 524,336,000.00 | 578,762,000.00 |

MTREF DELIVERY PLAN FOR THE UNIT

| Housing Programs | MTA 2021-22 | 2022/23 | 2023/24 | 2024/25 |
|---|--------------|---------------|---------------|---------------|
| Top structures BNG | 2207 | 1279 | 2000 | 2000 |
| Social Housing and Gap | 0 | 200 | 200 | 355 |
| Gap Housing (FLISP) | 0 | 200 | 300 | 350 |
| Community Residential Units new Units | 64 | 70 | 250 | 300 |
| Community Residential Units - Upgrading | 25 | 50 | 150 | 150 |
| Services sites for top structure | 1021 | 1100 | 1500 | 2000 |
| Infrastructure Incremental Interim services | 1087 | 11 867 | 8000 | 8600 |
| (Pre 1994) R293 programme – Rectification | 202 | 500 | 1000 | 1000 |
| Post 1994 Stock - Rectification | 173 | 368 | 600 | 600 |
| Eradication of Transit Facilities | 30 | 1500 | 2500 | 3000 |
| Disaster interventions (material supply, repairs and rebuilds, roof repairs) | 1500 | 3000 | 1500 | 1500 |
| Tittle deeds Restoration | 1870 | 1500 | 1800 | 2000 |
| TOTAL HOUSING OPPORTUNITIES : 2022/23 | 8 079 | 21 634 | 19 800 | 21 855 |

2019/24 MTSF DELIVERABLES

| | INDICATORS | | | | | | | | | |
|--------------|---------------------|----------------|---------------|------------------|-----------------------------|---------------------|--------------|--------------------------------|------------------------------|------------------|
| Year (FNY) | Housing Units built | Sites serviced | Land acquired | Houses Allocated | CRUs upgraded and new units | Social Housing /Gap | Sales | Pre-1994 rental units upgraded | Title Deeds issued to owners | Interim Services |
| 2019/20 | 1 295 | 1797 | 5,852 | 2514 | 33 | 1300 | 1530 | 190 | 1056 | 2988 |
| 2020/21 | 1954 | 766 | 6,547 | 3230 | 58 | 285 | 2347 | 130 | 996 | 9939 |
| 2021/22 | 2269 | 1,021 | 8,070 | 4,528 | 89 | 316 | 3,101 | 202 | 1,870 | 1,087 |
| TOTAL | 4223 | 3,584 | 20,469 | 10,272 | 180 | 1,901 | 6,978 | 522 | 3,922 | 14,014 |
| 2022/23 | 3277 | 1085 | 320,000 | 3,277 | 120 | 640 | 2079 | 500 | 2,200 | 11 867 |
| 2023/24 | 4000 | 1212 | 320,000 | 4000 | 150 | 1150 | 3500 | 800 | 2200 | 11 000 |
| TOTAL | 11723 | 8253 | 360938 | 23821 | 480 | 3691 | 16035 | 1544 | 10044 | 28028 |

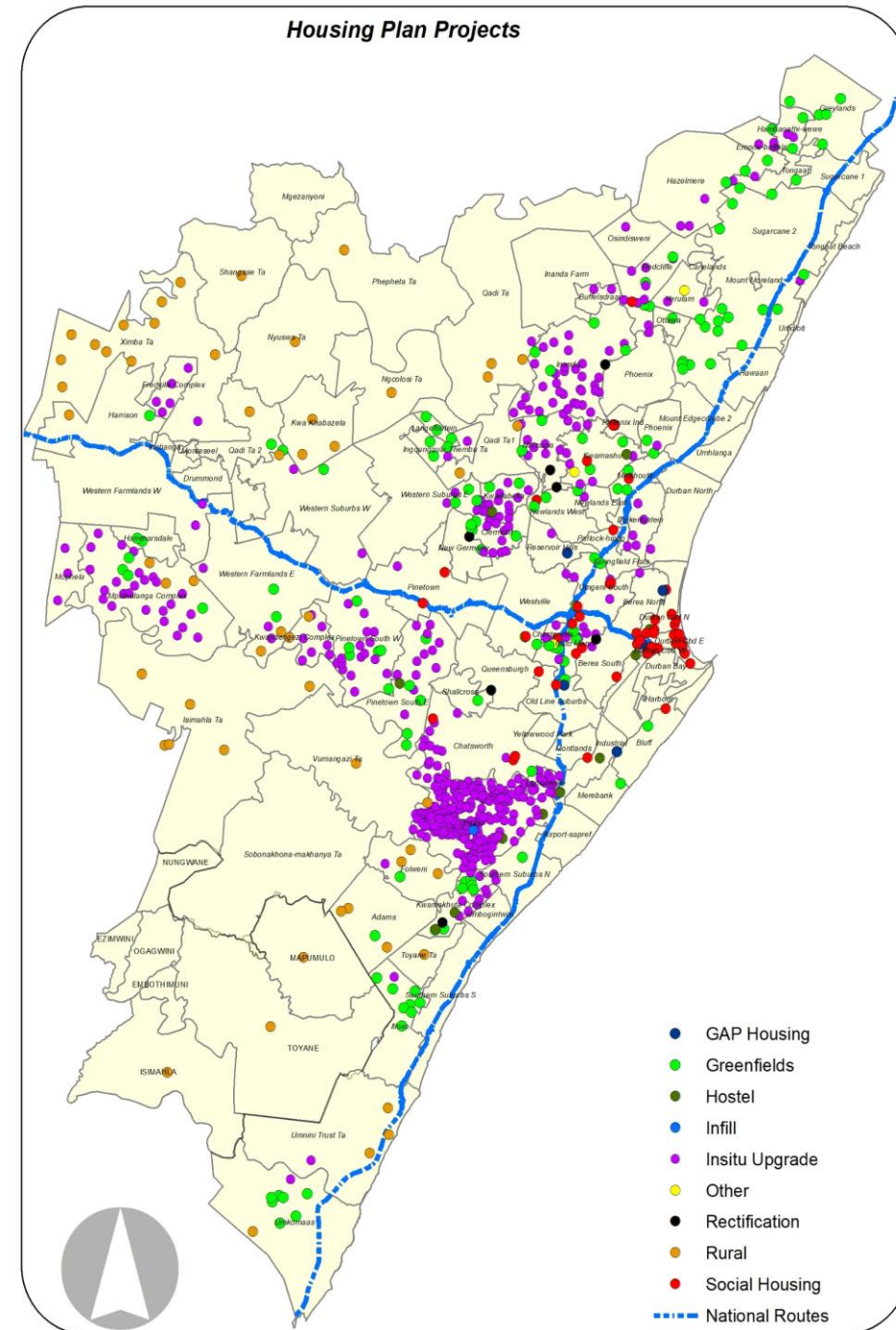
Housing Backlog

- Informal settlements: 316,000 h/hs
- Transit facilities: 8,500 h/hs
- Backyard shacks: 49,000 h/hs
- Traditional dwellings: 96,000 h/hs
- Estimated Total: 469,500 h/hs

With a sum total of R1b for all programs allocated for 2021/22, R752,5m is dedicated to BNG units - translating to only 4,336 units to address the backlog. With limiting funding and an ever-growing backlog, it will take over 80 years to meet the backlog

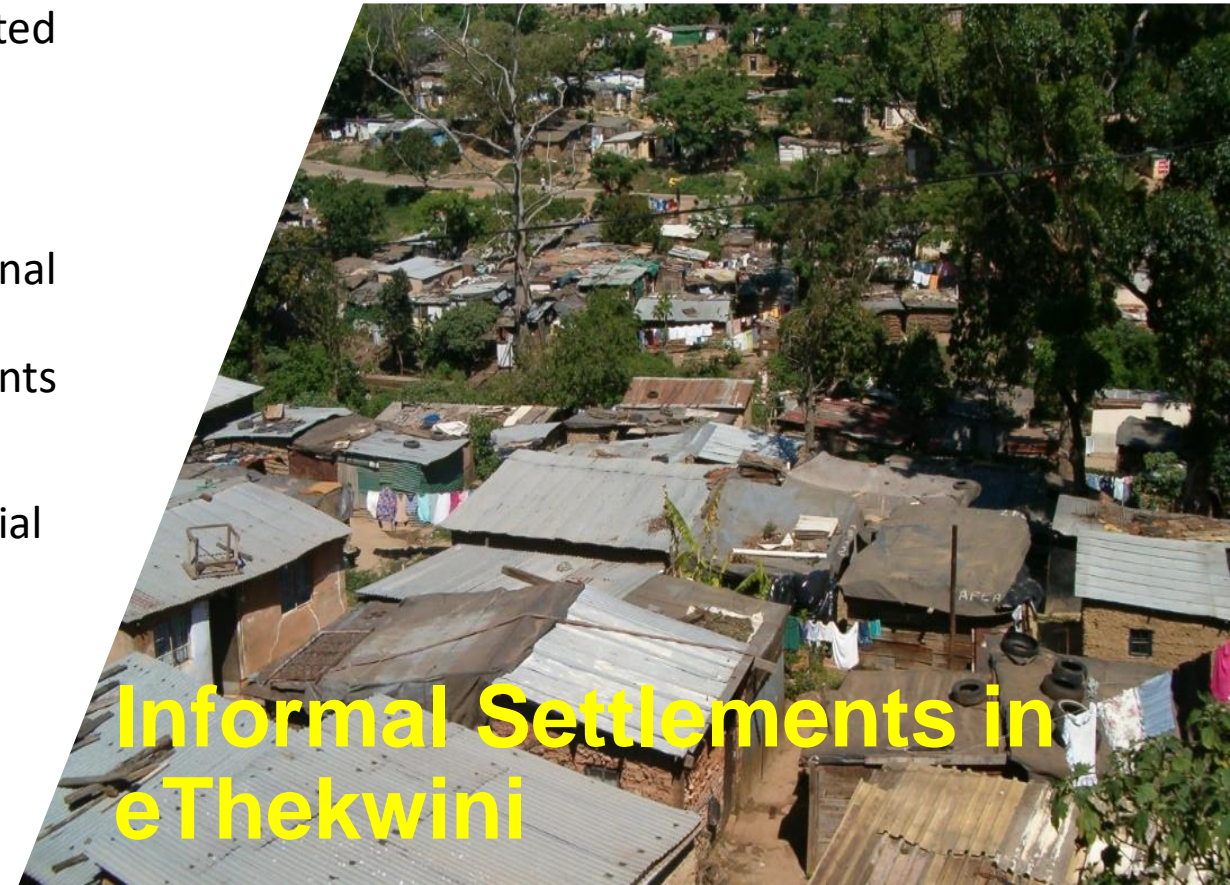
All Subsidy Housing Completed, Underway and Proposed to Date

| Project Type | No of Projects | Total Yield and Opportunities |
|------------------------------------|----------------|-------------------------------|
| GAP Housing Areas | 10 | 3,563 |
| Greenfields | 135 | 140,678 |
| Hostel / CRU | 10 | 10,110 |
| In situ Upgrade | 408 | 207,138 |
| Other (e.g. Special Needs Housing) | 5 | 1,112 |
| Rectification Areas | 7 | 7,306 |
| Rural | 55 | 168,468 |
| Social Housing | 57 | 15,281 |
| Total | 682 | 614,997 |

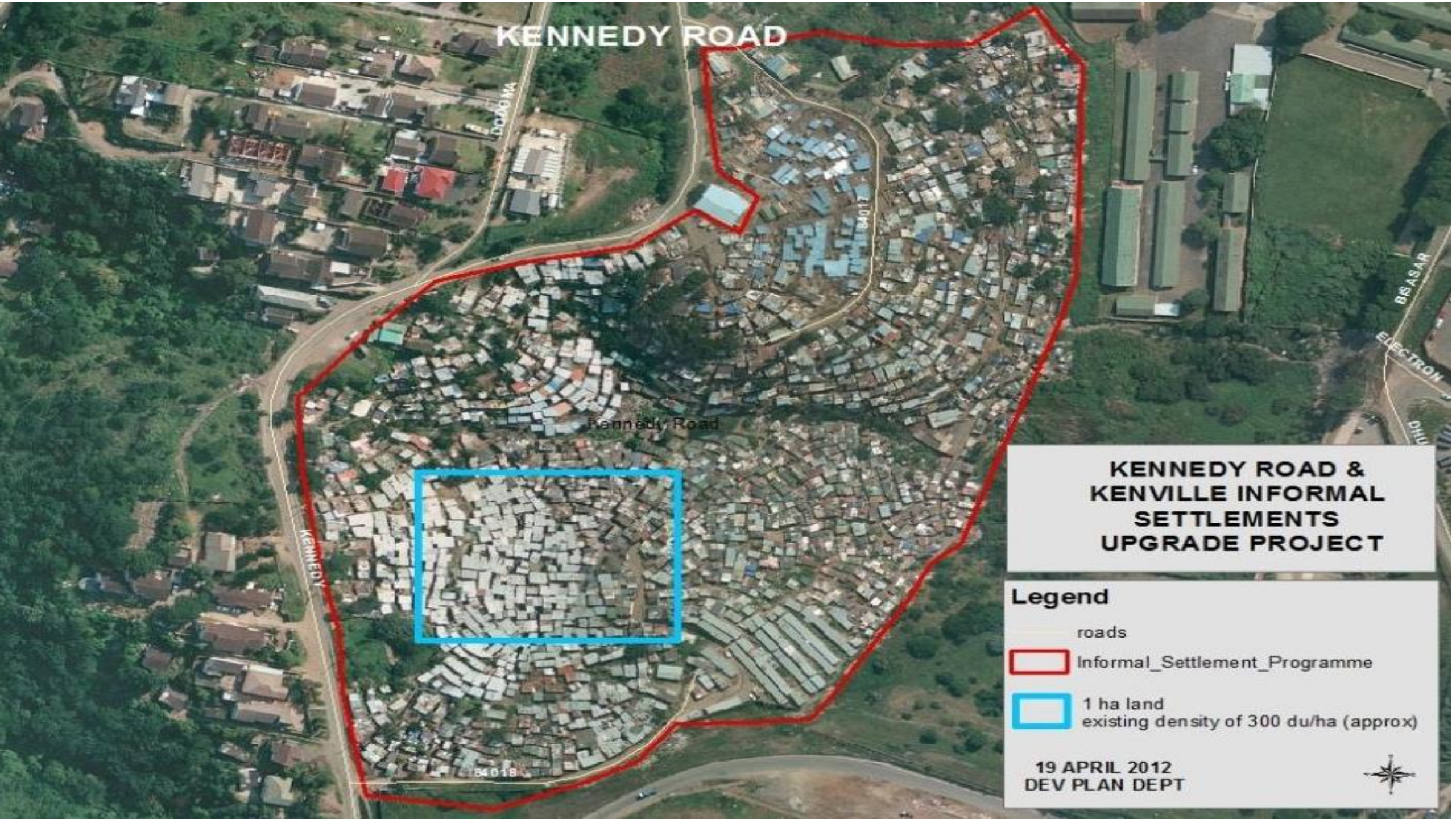




- Over 590 urban informal settlements comprising an estimated 316,000 households in eThekweni,
 - Nearly a quarter of the City's population.
 - Continued urbanization and scarcity of well located land.
 - Over 90 years to overcome the backlog by means of conventional housing delivery.
 - Challenging topography, high densities and many settlements within environmentally sensitive areas
-
- 80% are category B1 (incremental in-situ upgrade with essential services) - 370 settlements, nearly 255,000 hhs
 - Many are very dense (200+ du per hectare)
 - Less than 3% of households earmarked for relocation (due mainly to sites being unsafe for habitation)
 - 41% of land is privately owned (only 18% city-owned)




KENNEDY ROAD




KENNEDY ROAD & KENVILLE INFORMAL SETTLEMENTS UPGRADE PROJECT

Legend

roads

 Informal_Settlement_Programme

 1 ha land
existing density of 300 du/ha (approx)

19 APRIL 2012
DEV PLAN DEPT

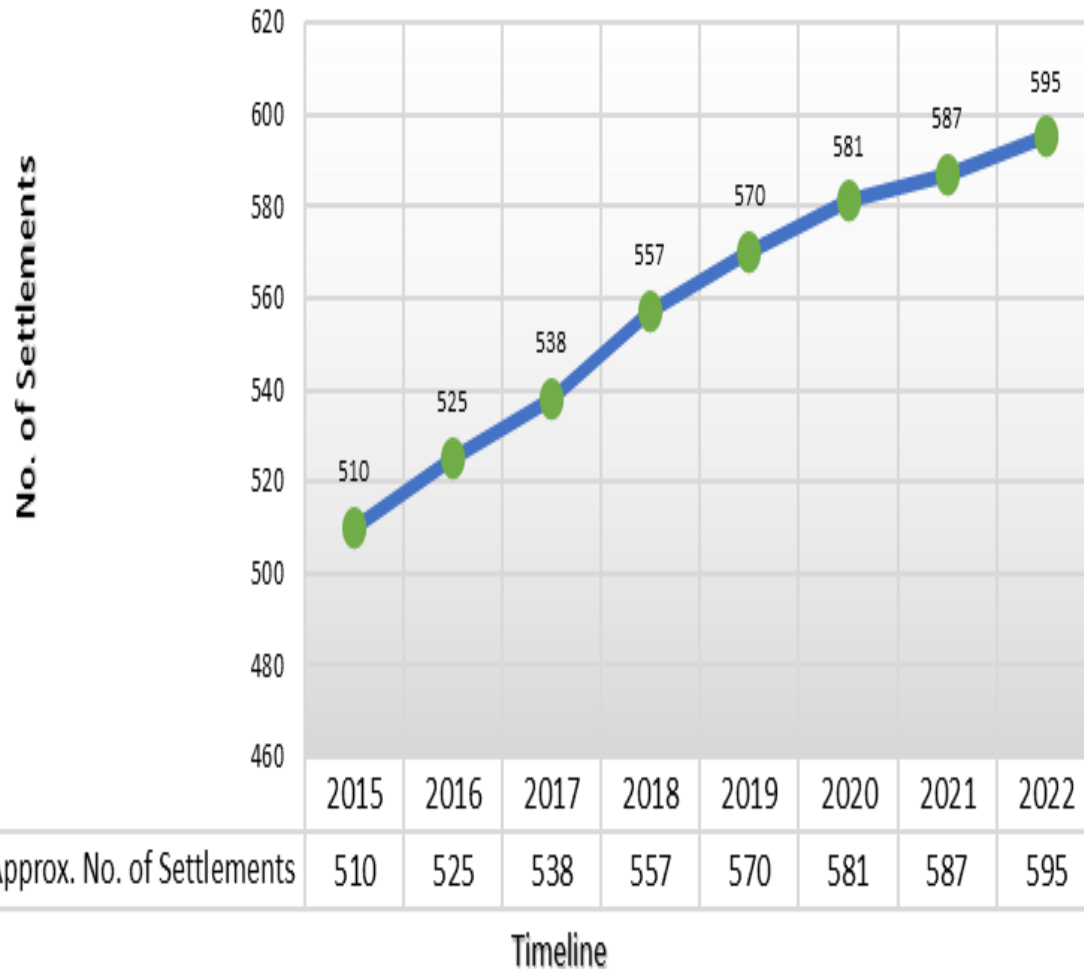




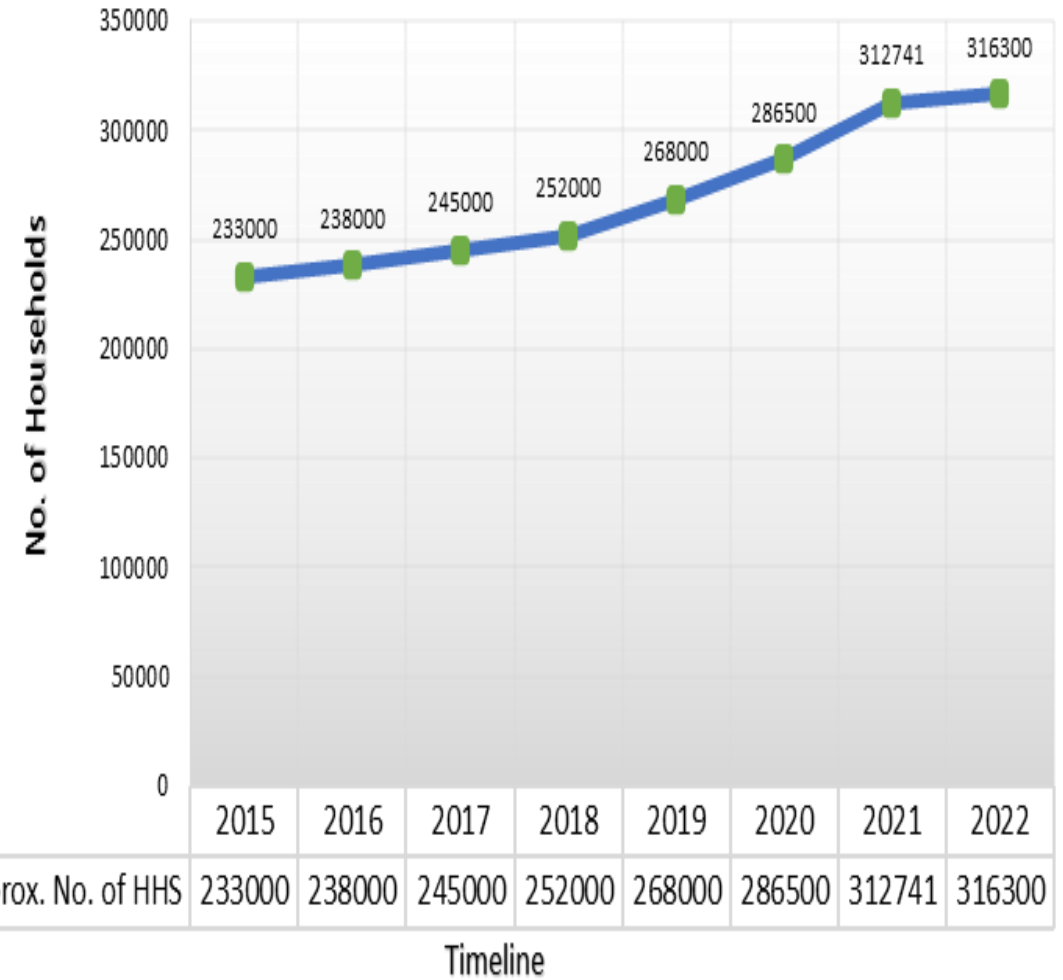
Informal Settlement Growth: 2015 – 2020

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Estimated Settlement Growth



Estimated Household (HHS) Growth

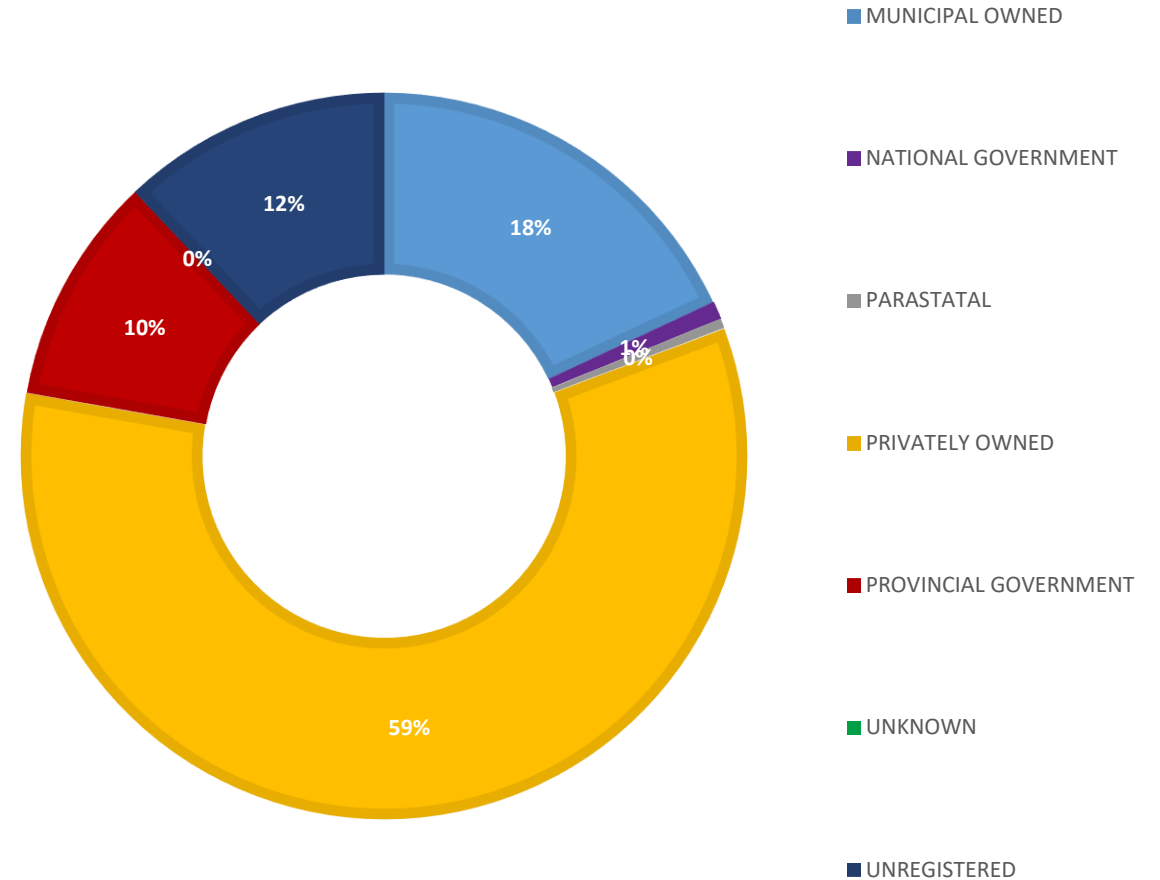




Land Occupied: Ownership

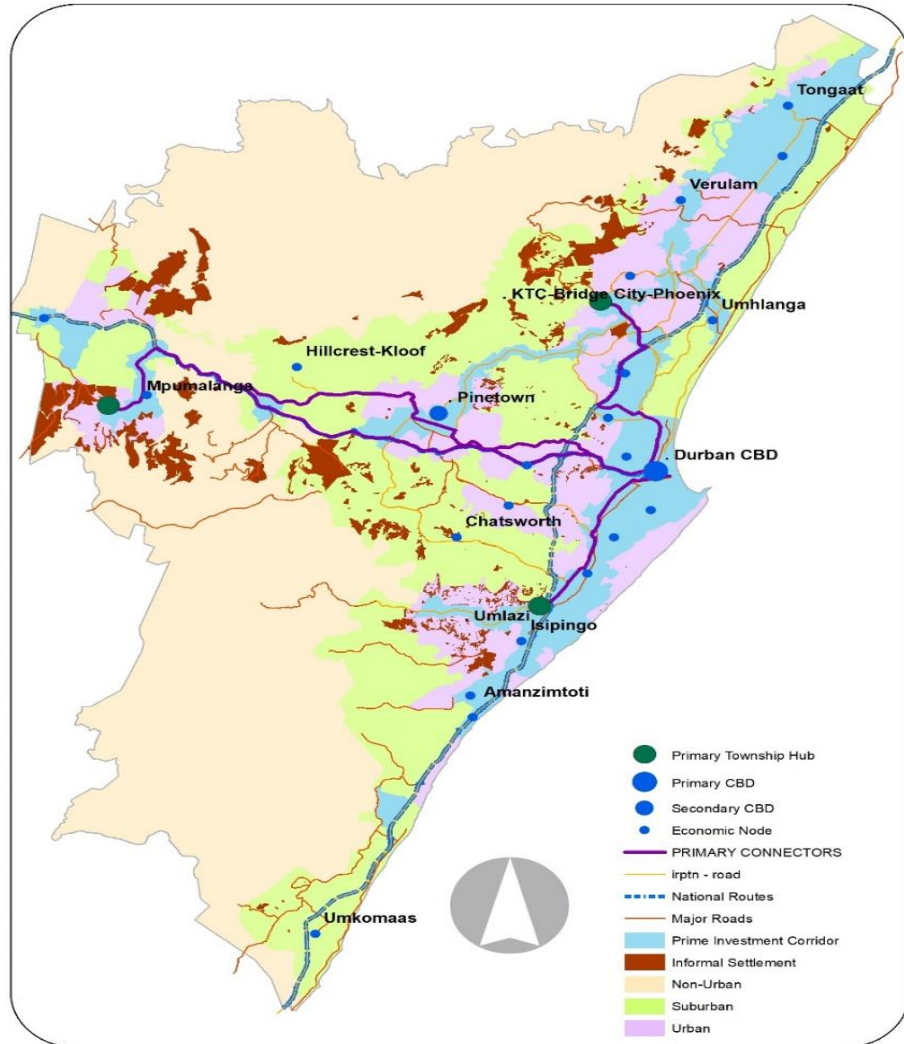
| OWNER CATERGORY | 2018 | | 2020 | |
|-----------------------|---------------|--------------|----------------|--------------|
| | AREA HA | % AREA | AREA HA | % AREA |
| MUNICIPAL OWNED | 1743,0 | 17,7 | 1854,1 | 18,1 |
| NATIONAL GOVERNMENT | 71,6 | 0,7 | 79,8 | 0,8 |
| PARASTATAL | 44,6 | 0,5 | 45,9 | 0,4 |
| PRIVATELY OWNED | 5750,5 | 58,5 | 5926,3 | 57,7 |
| PROVINCIAL GOVERNMENT | 1028,4 | 10,5 | 1085,2 | 10,6 |
| UNKNOWN | 0,01 | 0,00 | 0,31 | 0,00 |
| UNREGISTERED | 1200,1 | 12,2 | 1277,5 | 12,4 |
| TOTAL | 9838,2 | 100,0 | 10269,0 | 100,0 |

JULY 2020



Settlement Overview eThekweni – The scale of the challenge

The scale of informal settlements in the Municipality is a key factor informing the Strategy. This has significant strategic implications including the impossibility of addressing the ‘backlogs’ by means of formal housing provision or comprehensive upgrading and the necessity for an optimized incremental approach.



| NUSP Categorisation | No. settlements | Est. households | % Settlements | % households |
|--|-----------------|-----------------|----------------|----------------|
| A (full conventional upgrading i.e. housing project) | 55 | 22 633 | 9,26% | 7,16% |
| B1 (Incremental upgrade with essential services)** | 370 | 254 938 | 62,29% | 80,64% |
| B2 (Deferred relocation with emergency services) | 135 | 30 219 | 22,73% | 9,56% |
| C (Imminent relocation) | 34 | 8 369 | 5,72% | 2,65% |
| | 594 | 316 159 | 100,00% | 100,00% |

*** 36% of B1s are best located (inside Prime Investment Corridor (PIC) and Urban Zone) - 202 settlements, 97,113hhs, 34% of all settlements, 31% of all hhs.*



Strategic Responses

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Strategy Emphasis of the Housing Sector Plan

- Access to basic services for all (incl. Incremental Services to Informal Settlements)
- Freedom for the poor from the fear of eviction if residing in informal settlements earmarked for in situ upgrade

Program Emphasis of the Housing Sector Plan

- Dense housing in catalytic projects and mixed-use catalysts
- Incremental services to informal settlements
- Upgrades of informal settlements and greenfields projects in-progress

However ...

- eThekweni unlike many metros has a myriad of land constraints esp. steep topography which inhibits large scale “land release” initiatives to cater for the huge influx.
- High densities within informal settlements inhibit allocation of stands and tenure unless significant relocations are undertaken ... but would people wish to relocate away from current opportunities? Well located developable land is scarce as well!
- Higher density projects (beyond double storeys) are more costly to implement including the challenge of establishing viable and functional building management institutions.
- Bulk of settlements located on privately owned land and therefore difficult to provide secure interim tenure.



ISUPG 2022/23 DETAILED SUMMARY

| CLUSTER/UNIT/DEPT | DESCRIPTION | TOTAL BUDGET | % OF ALLOCATION |
|-----------------------------------|---|---------------------|-----------------|
| WATER AND SANITATION UNIT: | Water provision (<i>Bulk services</i>) | R105 815 000 | 15% |
| | Sanitation provision (<i>Bulk services</i>) | R135 429 000 | 19% |
| ELECTRICITY | Electricity (<i>Connections & HV projects</i>) | R148 500 000 | 20% |
| OCM-City Manager's Office | Community Infrastructure Programme(CIP) (<i>Communal Ablution Blocks</i>) | R40 219 000 | 6% |
| HUMAN SETTLEMENTS | Roads, Footpaths & Stormwater (RFS) control | R80 055 000 | 11% |
| | Housing Engineering | R192 308 975 | 26% |
| | Land Acquisition | R8 000 000 | 1% |
| | Early Childhood Development Centres (ECDCs) | R17 000 000 | 2% |
| TOTAL | | R727 265 000 | 100% |

Role of Incremental Planning Arrangements & Alternative forms of individual tenure security in leveraging owner-driven housing

- Impossible for government to provide everyone with a subsidised, state-funded house
- Government already stretched to the limit of its capacity and fiscal resources just providing and maintaining municipal services
- Priority from a housing delivery point of view must therefore be on government providing an enabling environment and activation various enable 'levers' so people can build their own improved housing
- Incremental planning arrangements and individual tenure security are pivotal in this regard (along with adequate basic municipal infrastructure and a more enabling regulatory environment including owner-built housing i.e. greater accommodation and flexibility)

Additional land use norms which should apply to all informal settlements

- **Payment for services:** Residents should be expected pay for certain services. Currently the only service residents pay for is electricity (once their informal structure is connected). Other shared services such as communal ablutions are provided free of charge. The cost of operating maintaining services within informal settlements is high and financially unsustainable for the Municipality and new solutions need to be found, including the possibility of residents paying for a high level of shared service where it can be located closer to their dwelling (e.g. a mini-CAB shared by a small number of households).
- **Illegal connections:** Residents should desist from illegal connections including to the municipality's electrical, sewer or water grid. This relates closely to the issues of payment for services and operational sustainability thereof.
- **Further occupation of land:** Residents should assist the municipality in preventing further occupation of land and further densification of the settlement, especially where the settlement is already dense and further settlement makes servicing more difficult. This includes leadership immediately reporting any new settlement to the Municipality's Land Invasion Unit and working constructively with the Unit.
- **Responsible use of municipal services:** Residents should use municipal services responsibly and with appropriate care (e.g. avoid throwing foreign matter into toilets, desisting from vandalism and illegal connections). Community leadership should report incidents of vandalism or faults with services immediately to the Municipality and assist in discouraging such behavior. Local, community-based maintenance approaches can be considered to assist in achieving this objective.
- **Solid waste:** Residents must ensure that their own household solid waste is placed in black rubbish bags and moved to the nearest municipal collection point either inside or on the edge of the settlement. The Municipality will assist wherever possible in providing a certain number of black plastic bags to settlements and might also assist with stipends for waste collectors, but the responsibility remains with each household to manage its solid waste responsibly.
- **Building materials:** Residents should desist from using highly flammable building materials such as plastic and cardboard. At IDA2, it should be agreed that residents endeavor to build to a higher standard (e.g. either using the norms for BNG housing where sites are relatively flat or the lightweight wood-frame housing typology recently developed for steep slopes in eThekweni) and that they build double story structures where possible to make more efficient use of space and maintain access ways. Standard designs for selected typologies should be provided by the municipality to residents. Consideration will be given to establishing a PHP-type housing support programme to enable residents to build higher quality housing themselves

eThekwini Approach to dealing with Private land (as informed by two Senior Counsel legal opinions including Constitutional and High Court precedents)

The Municipality will provide basic/essential municipal infrastructural services for informal settlements on private land in B1 and B2 categories in advance of land acquisition subject to:

1. Settlements having been categorized.
2. Categorisation having been reflected in the SDF (or at least in progress).
3. Notice having been served on the landowner, a period for response given and any objections considered and noted.
4. A land acquisition programme being in the process of establishment.
5. A statutory servitude and related bylaw having been established (or in the process of establishment) to protect municipal services.
6. An incremental upgrading bylaw for incremental and temporary development areas.

*Note: For B1 settlements, **consideration may be given to a substantial if not full rates rebate** once notice has been given and the 30 day notice period referred to below has elapsed (unless it can be shown that the landowner is directly deriving rentals from informal settlement residents). The reasons for a possible rates rebate are as follows: a) the landowner no longer enjoys beneficial use of the land; b) the municipality has decided to upgrade the settlement over time; c) the municipality is deferring compensation.*

Evolution of Upgrading Approach since 2010

- **eThekweni incremental upgrading / interim services programme since 2010** (recognising that formal housing delivery too slow and costly). Large scale provision of communal ablutions, electrical connections etc. but 'interim' (temporary services) approach not sustainable
- **Council resolution adopting and mandating an optimised / new approach in Sept. 2019** including: National categorisation framework (A,B1,B2,C) adopted; pipeline planning with prioritisation criteria mandated; incremental planning solutions mandated; solutions for private land prioritised
- **City-wide Upgrading Strategy (Programme Description) developed in 2020/21** involving extensive engagement involving multiple line Departments (and in line with national programme upgrading toolkit) and as approved by the ISIUF in May 2021.
- **Senior Counsels legal opinions (x2)** regarding private land and incremental planning arrangements (SC Rosenberg 2017 and SC Annandale 2019).
- **Work with Legal Unit (2019-21)** regarding briefing of SC, strengthened notices to private landowner and development of bylaw for statutory servitudes to protect municipal services
- **Work with Planning Department (2019-20)** regarding incremental planning arrangements
- **ISIUF TOR (2019/20)** - Informal Settlement Incremental Upgrading Forum Terms of Reference including participating line departments
- **Development of Incremental Planning arrangements (SOPs) 2019-20** with Development Planning Unit as required by SPLUMA including SDF designation, incremental land use arrangements, and how to deal with private land.
- **Draft Strategy – November 2020**
- **Presentations to ISIUF 2021** – feedback obtained and assimilated (including incremental planning SOPs and pipeline approach)
- **Database enhancement and pipeline planning tool with criteria – 2020/21** – presentation to ISIUF March 2021 and inter-departmental pipeline workshop May 2021 (feedback received and assimilated)
- **Approval of draft Strategy by ISIUF 27 July 2021** – including differentiated pipeline, prioritisation criteria, incremental planning arrangements.
- **Approval of Strategy by Council - June 2022**

Strategic Constraints and Considerations

- **SCALE OF SETTLEMENTS:** Large numbers of settlements and substantial backlogs of services.
- **FISCAL CONSTRAINTS:** Insufficient budget to enable full or comprehensive upgrading of all settlements in short-medium term.
- **LAND CONSTRAINTS:** Insufficient land to relocate or de-densify all informal settlements in short-medium term. In addition, 41% of the land is privately owned (18% by the Municipality, 18% by provincial government and 18% by the Ingonyama Trust).
- **SPATIAL CONSIDERATIONS:** Although many settlements are well-located, the sites are often challenging.
- **TOPOGRAPHIC AND OTHER SITE CONSTRAINTS.** Sites are typically steep and often there are other constraints such as challenging geotechnical conditions or flooding.
- **RIGID NORMS AND STANDARDS:** Rigid first-world norms and standards inhibit innovation in informal settlements upgrading. Greater innovation and flexibility is required in terms of the norms and standards related to planning, servicing and buildings
- **BULK SERVICES CONSTRAINTS:** There are severe constraints relating to bulk services and in particular in respect of water and sanitation services (e.g. bulk sewer treatment works) and solid waste management (conveyance to and capacity at landfills).
- **OPERATING AND MAINTENANCE CHALLENGES:** The costs associated with the ongoing operating and maintenance of incremental services are high and solutions to this need to be found.
- **CAPACITY, INSTITUTIONAL AND COORDINATION CHALLENGES:** There is insufficient capacity to respond optimally to the scale of the challenge and also difficulties achieving effective transversal coordination across municipal line departments and with the other spheres of government.
- **GRANT INSTRUMENTS:** The new ISUPG, is non-programmatic in its orientation and overly prescriptive in several respects (e.g. regarding individual service connections and up front land acquisition). Greater flexibility, similar to the previous USDG, would be highly beneficial.
- **PROCUREMENT:** Slow and cumbersome procurement processes delivery. There are currently no programmatic and integrated procurement arrangements for city-wide incremental upgrading.
- **PARTICIPATION AND CSO PARTNERSHIPS:** More effective community and CSO partnership and 'co-driven' upgrading solutions are regarded as critical for success including in respect of more effective and sustainable O&M solutions.

Incremental Upgrading: Significant service delivery to date

- **Communal ablution facilities (CABs):** 1,368 facilities (pairs of CABs) delivered (approx. 100 000 households serviced). Approx. 192 000 households with inadequate access to sanitation and not accommodated in Cat A planned projects
- **Electricity:** 102 000 hhs electrified with pre-paid meters. Approx. 194 000 households not formally electrified
- **Water supply** (standpipes & via communal ablutions) to most settlements including 'relocation' settlements: at least 148,000hh have access
- **Roads, footpaths & storm-water (RFS):** 26,500hh in 40 settlements; >32km road, >27km footpaths



Summary of Interim services approach in eThekweni



Incremental Services: Electricity and Communal Ablution Blocks





**Communal Sanitation
& Water –
Containerised Ablution
Block (CAB)**





**Access Roads,
Footpaths & Storm-
water Controls –**

**Construction of
Priority Access Roads**





Pre-paid Electricity Provision

Improvements to Early Childhood Development (ECD) Centres in Informal Settlements



Impact of the Incremental Services Programme

- Informed by the Housing Spatial Prioritisation Model
- Revised Model focussing on vulnerability, services deficit, population coverage and other factors
- Comprise a combination of the following:
 - **Communal ablution blocks with access to water supply**
 - **Solid waste removal and emergency access**
 - **Basic road access and footpaths with related storm water controls**
 - **Electricity on a pre-paid basis**
 - **Early Childhood Development (ECD) Centres**
 - **Informal Business Support Centres**
 - **Feasibility and Land Acquisition**
- Although no formal security of tenure initially provided to residents, their right to stay on the occupied site is recognised. Resulting in **collective safety from eviction** and the right to benefit in the incremental upgrading process.
- **Land not acquired up front** – not a pre-requisite, this unblocks and enables rapid delivery, land acquisition is slow & costly - addressed later.
- Ability to prioritise the rapid delivery of basic services
- Services to 10-15 households for each housing unit built
- Acceptable engineering standards with limited budget available.
- Road and footpath layouts remain in place
- Avoid abortive costs
- Opportunities for Emerging Contractors
- Alignment with the Expanded Public Works Programme providing employment
- Caretakers employed from the local community for Ablution

But current interim approach not sustainable

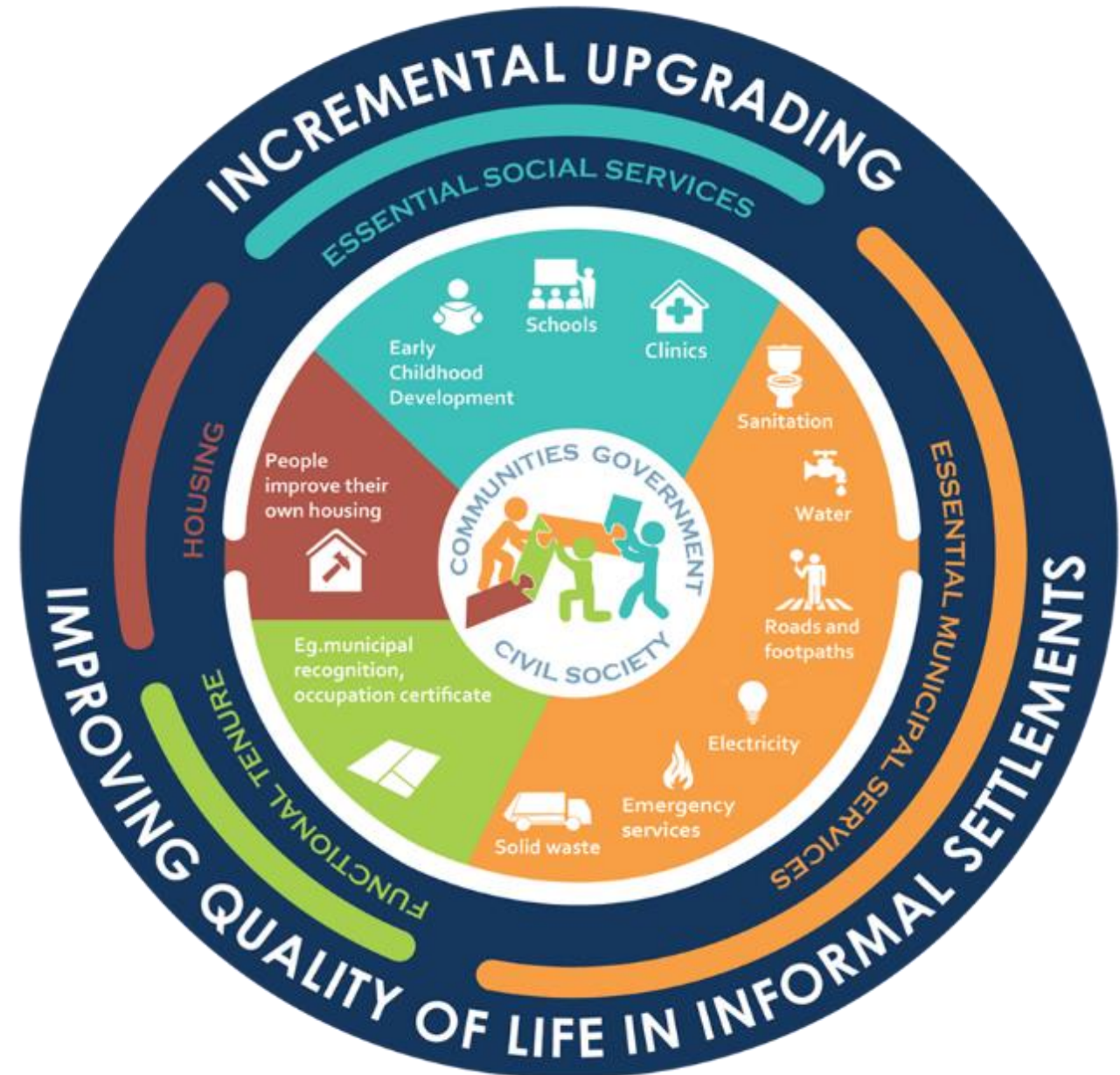
(despite large scale service delivery)

The historical interim services approach was temporary in its orientation. Given the significant delays and constraints with rapidly providing formal housing for all informal settlements, an optimised incremental upgrading approach is therefore required in order to overcome the following challenges:

- **High and unsustainable capital and operating servicing costs:** The cost structure of temporary and communal services is prohibitively high – e.g. Communal Ablution Blocks (CABs) is.
- **Limited spatial transformation :** There has been limited or no re-working of space (partial re-blocking) especially in well-located B1 settlements in order to improved access, services quality and layout.
- **No incremental planning arrangements:** Informal settlements currently fall entirely outside of all municipal planning frameworks even though SPLUMA dictates that they need to be accommodated in an incremental fashion.
- **No individual tenure security:** Residents lack individual tenure security. This represents a significant obstacle to owner-driven housing improvements and ultimately individual services connections and payment for services. If residents have tenure security and can transact (sell) their properties, this is expected to produce significant gearing of investment in improved housing stock and increased property values.
- **Limited owner-driven housing improvements :** Due to the above impediments, residents make limited effort to improve their own housing in stark contrast to what is occurring rural/peri-urban areas. This represents a major lost opportunity.

Optimized Approach to Upgrading

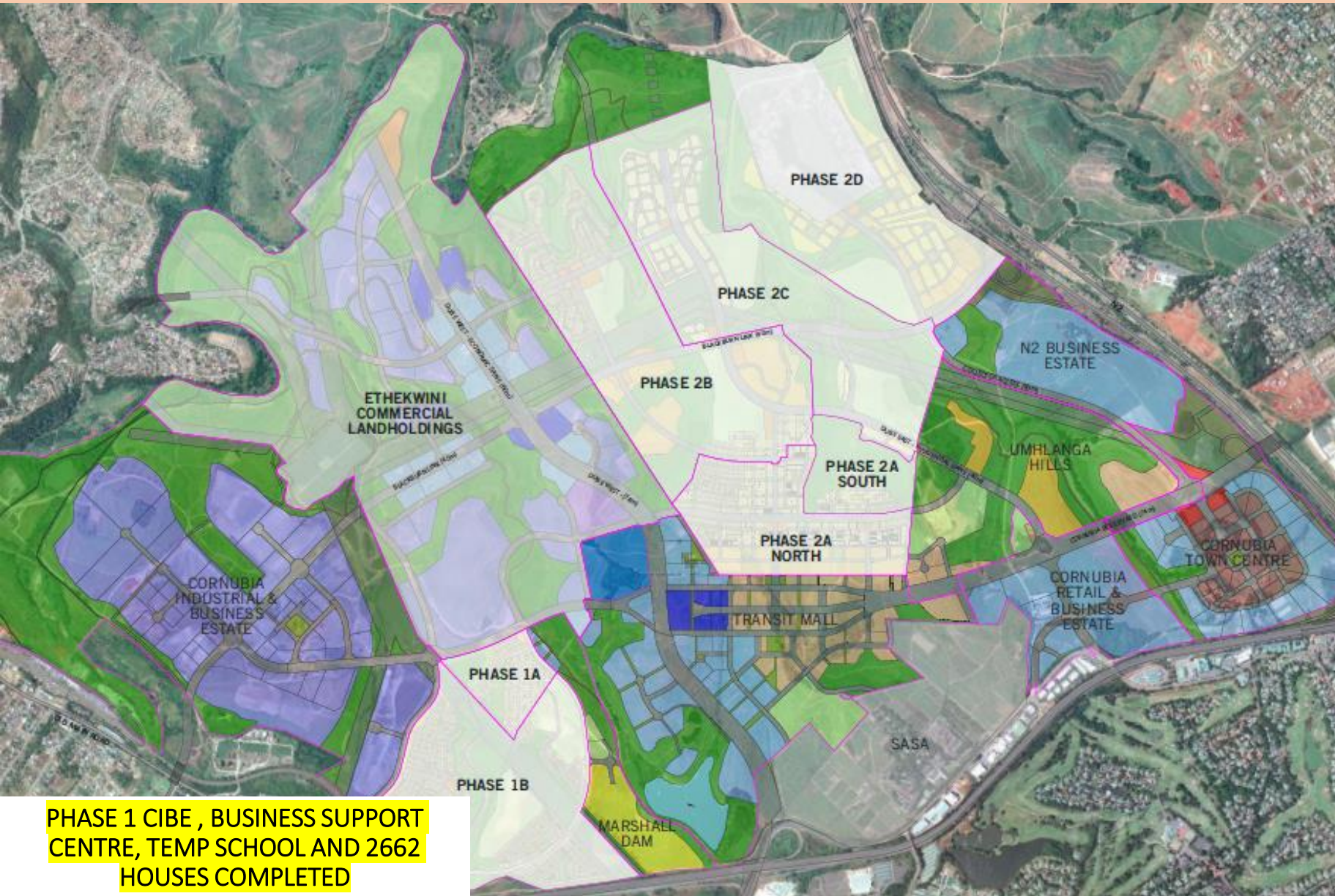
- **INCLUSIVE & CITY-WIDE** – reaches ALL informal settlements
- **INCREMENTAL** – improvements over time
- **IN-SITU** – relocations a last resort
- **PARTNERSHIP BASED** – municipality, communities, CSO/NGOs, universities etc.
- **PARTICIPATIVE** – communities are co-drivers
- **PROGRAMMATIC & AREA-BASED** – as opposed to project-delivery focussed
- **DIFFERENTIATED** – addresses a range of key local priorities, not one-size fits all
- **FLEXIBILITY** – statutory and regulatory, working with not against informality



CORNUBIA

BY 2030 ETHEKWINI WILL BE AFRICA'S MOST LIVEABLE CITY

CORNUBIA INTEGRATED HUMAN SETTLEMENT - WALL TO WALL IMPLEMENTATION



PHASE 1 CIBE , BUSINESS SUPPORT CENTRE, TEMP SCHOOL AND 2662 HOUSES COMPLETED

CORNUBIA RESIDENTIAL PHASING PLAN

PHASES

1A, - 482 houses completed

1B, - 2180 houses completed. School, hall, clinic & sportsfield in progress

2A (SOUTH AND NORTH), - construction in progress

2B, - planning completed and procurement in progress

2C – planning in progress AND

2D – planning in progress

CORNUBIA INTEGRATED HUMAN SETTLEMENT : PRESIDENTIAL PROJECTS



Previous Delays in the program;

- a) As a result of the IPTN , Corridor C9 alignment which came after the Phase 2B was conceptualized. It became prudent that these programs be intertwined so as to ensure the densification is achieved in relation of the BRT Strategy.
- b) The Procurement event for Phase 2B, came to a halt as a result of a tax non compliance of a recommended service provider. The varying opinion between 2 committee's took longer in which the City Manager then have to intervene.
- c) On a final decision not to recommend the non compliant SP, the matter was then taken to Court and interdicted the City not to proceed, which created a delay in moving with the phase in question.
- d) The City had to rescope the work and put a tender out through a conventional method.
- e) To make up for this time , we have put out 3 Contracts out to recover from the delays in curred, this contract are as follows;
 - **Bulks Phase 2A South 2** - Procurement for civil infrastructure and services to 302 BNG Sites – 50% value (Part 1), Service Provider is on the ground , since November 2022.
 - **Procurement for 302 top structures** - Two contractors appointed and are currently onsite
 - C9 has progressed , and the road has progressed accordingly.

CORNUBIA INTEGRATED HUMAN SETTLEMENT TURNAROUND IMPLEMENTATION STRATEGY



| Project Phase | Scope & Activity | Brief Status | Planned Delivery 22/23 | Planned Delivery 23/24 | Budget required | Implementation / Commencement date |
|---------------------|--|--|------------------------|------------------------|------------------------------|------------------------------------|
| Phase 1B | 232 GAP Houses Procurement for GAP housing developments (Pilot) | Letter of Award issued 16 August 2022. Detailed planning finalised - awaiting comments and approval. Construction anticipated to commence February 2023 after building plans have been approved. | 10 | 150 units | Included in developers costs | Feb 23 |
| | First Primary Permanent school, multipurpose hall, clinic and sportsfields | Construction ongoing - Completion of school anticipated for February 2023. School opening targeted for 3rd term 2023 | To be Completed | N/A | R118,5 m | Sep-19 |
| | | Completion of Hall, Clinic and Sportsfield scheduled for completion June 2023 | | | | |
| | Community Retail Facilities - Construction of 38 trading facilities for local residents | Approved by BAC 12 Sept 2022 – LOAs issued December 2022 | 0 | To be Completed | R13m | Jan-23 |
| | ECD :Construction of ONE ECD facility to commence early 2023. | Detailed planning complete. Procurement of contractor commenced anticipate to award in April 2023 | 0 | To be Completed | R10m | April -23 |
| | Planning for SECOND ECD facility being undertaken. | Procurement for professional team commenced, | | | R10m | |
| Phase 2A South 2 | Procurement for civil infrastructure and services to 302 BNG Sites – 50% value (Part 1) | LOA issued on 14 July 2022. Statutory requirements finalized. Site establishment done and clearing of land commenced November 2022. | 100 sites | 50 sites | R65 m | Nov-22 |
| | Procurement for civil infrastructure and services to 302 BNG Sites – 50% value (Part 2) | Approved by Bid Spec 12 Sept 2022 - advertised 16 September 2022 - closed 21 October 2022 and is being evaluated | 0 | 152 units | R65 m | March-23 |
| | Procurement for 302 top structures | Two contractors appointed | 50 units | 252 units | R66 m | Feb-23 |

CORNUBIA INTEGRATED HUMAN SETTLEMENT IMPLEMENTATION PROGRAM



| Project Phase | Scope & Activity | Status | Planned Deliver 22/23 | Planned Delivery 23/24 | Budget required | Implementation / Commencement date |
|--|--|--|-----------------------|------------------------|--|------------------------------------|
| Phase 2A North and replanning of Ph 2A South 1 | 1294 BNG, 814 GAP houses and 490 Social housing : Detailed Planning to SPLUMA | This site required re-planning to include GAP and Social Housing to include the Cornubia Boulevard impact | N/A | N/A | Included in Planning Consortium contract | Feb-23 |
| | | SPLUMA Pre-submission to PSH 2 September 2022 – Approval was anticipated by December 2022 but is being delayed due to additional TIA requirements. | | | | |
| | Procurement for civil infrastructure for 1294 BNG Sites, and bulk sites for GAP and Social Housing | Tender process to commence closer to time of site readiness | 0 | 1000 sites | R270m (estimate) | Aug-23 |
| Phase 2B 976 BNG, 910 GAP houses and 1123 Social housing | Detailed Planning to SPLUMA | SPLUMA approved 10 October 2022. | N/A | N/A | N/A | Complete |
| | Bulk Civils - Portion 1 – Access Roads and related services | Tender for Portion 1 of the bulk services tender closed on 6 May 2022. Approved by BAC and in appeals period. Thereafter LOA to be issued. | N/A | To be Completed | R100 m (estimate) | Feb-23 |
| | Bulk Civils - Portion 2 – Access Roads and related services | Approved by Bid Spec 22 August 2022 – advertised 2 September 2022 – closed on 7 October 2022. Being evaluated. | N/A | To be Completed | R100 m (estimate) | Mar-23 |
| | Procurement for civil infrastructure for 976 BNG Sites | Tender document being prepared. | 0 | 100 sites | R200 m (estimate) | June-23 |

CORNUBIA INTEGRATED HUMAN SETTLEMENT IMPLEMENTATION PROGRAM



| Project Phase | Activity | Status | Planned Delivery22/23 | Planned Delivery23/24 | Budget required | Implementation / Commencement date |
|--|--|---|-----------------------|-----------------------|---|------------------------------------|
| Phase 2C | Anticipated yield 3034 to include BNG, GAP and Social Housing : Town Planning Consortium - to undertake detailed planning to SPLUMA Approval | LOA issued 26 May 2022 – Planning activities have commenced, SPLUMA | 0 | 0 | R15 m (Tender Amount) | Jun-22 |
| Phase 2D - Includes Blackburn Informal Settlement (Anticipated yield 2850 to include BNG, GAP and Social Housing) | Procurement for Town Planning Consortium - to undertake detailed planning to SPLUMA Approval | Approved by BAC 21 July 2022. Subject to a Section 24 process which has been concluded – LOA awaited | N/A | N/A | R15 m (Tender Amount) | Feb-23 |
| | Negotiations with THP for acquisition of adjoining and internal properties. | Acquisition approved by Council 7 June 2022. Challenge with Business Rescue Process. | N/A | N/A | R20,4 m | March-23 |
| | Incremental Services within Blackburn Informal Settlements. | Detailed Planning being undertaken for implementation in 2022/23 Fin Year. Private Sector interventions implemented – Soup kitchen has been provided and is now managed by Community Participation Unit. Upgrade of building at ITHUBA Centre for business and social interventions – complete and handed over 29 July 2022. Managed by Business Support Unit | N/A | To be Completed | R10 m (reduced to R4,5m for 2022/23 Fin Yr) | Nov-22 |

CORNUBIA INTEGRATED HUMAN SETTLEMENT CHALLENGES



| NO | ITEM | KEY CHALLENGE | IMPACTS / MITIGATION / INTERVENTION |
|----|--|--|---|
| 1 | Cornubia Boulevard (C9 –IPTN Route) – Budget Cuts | Funding shortfall of R2,1bn. This infrastructure is critical to the development and will integrate private sector and public sector precincts, and provide access to bulk services. | Application submitted to PICC and high level engagements are required with National Treasury |
| | | Business Review Process by private sector land owner resulting in inability to engage on cost sharing negotiations, as well as access to professional team (required for additional studies and tender document preparation) who were previously engaged by THD | High level intervention on the way forward required |
| | | Bulk earthworks within the Cornubia Boulevard precinct should be prioritized as the material is required for a valley infill to ensure integration | Possible phasing of the implementation of the entire Cornubia Boulevard should be considered |
| 2 | Availability of Bulk Infrastructure | Capacity constraints with PWWTW - requires functional upgrade; Water - Blackburn Reservoir requires rehabilitation and zonal transfer; and electricity - new substation to be constructed. In addition, bulk s of water and sanitation reticulation is to be constructed along the Cornubia Boulevard. | Ring-fenced USDG funding for bulk infrastructure and access road provision to ensure that the Cornubia development is prioritized – for both public sector housing and private sector investment opportunities. |
| 3 | Finalisation of institutional arrangements | 3M Protocol (between Minister, MEC and Mayor) to be concluded, this to support the vision of Cornubia as an integrated and sustainable human settlement. | Strategic guidance to ensure commitment in terms of prioritization and budgeting from key Sectorial Departments is obtained. |
| 4 | Provision of Education Facilities | Ensure that Department of Education aligns programs, prioritization and budgets for the provision of schools together with the delivery of houses | High level engagements with Dept of Education on future planning for required Primary and Secondary Schools in Cornubia |
| 5 | Development of Social Facilities Clusters | Ensure active engagements with various service departments (Health, Arts and Culture, Social Development, Sports, etc) for the provision of social and recreational amenities. | Critical Depts e.g. Dept of Health need to prioritize and budget for the clinics and Primary Health facilities, |

PROPOSED LAND INVASION INTERGRATED OPERATIONAL STRATEGY



PIE Act

www.durban.gov.za

Prevention of Illegal Eviction from and Unlawful Occupation of Land Act (PIE Act) – Act 19 / 1998

- Urgent amendment required if municipalities are to succeed in curbing land invasions.
- eThekweni and other metros provided a comprehensive amendment bill to National Government on this matter.
- Lack of a clear time period in which shacks can be demolished without a court order.
- For every eviction process even if private,(including people who were renting and can't afford rental anymore and those who have hijacked bad buildings.) Municipalities are required to provide alternative accommodation. This places a huge burden on the Municipalities financially. The Courts are clear in that Municipalities must assist and cannot for whatever reason say they cannot.
- Provision of alternative housing creates social issues in that this is seen as que-jumping as invaders are given priority over other households residing in informal settlements. In one of the previous financial years, the City was required to provide alternative accommodation to over 200 households affected by various Court Orders.

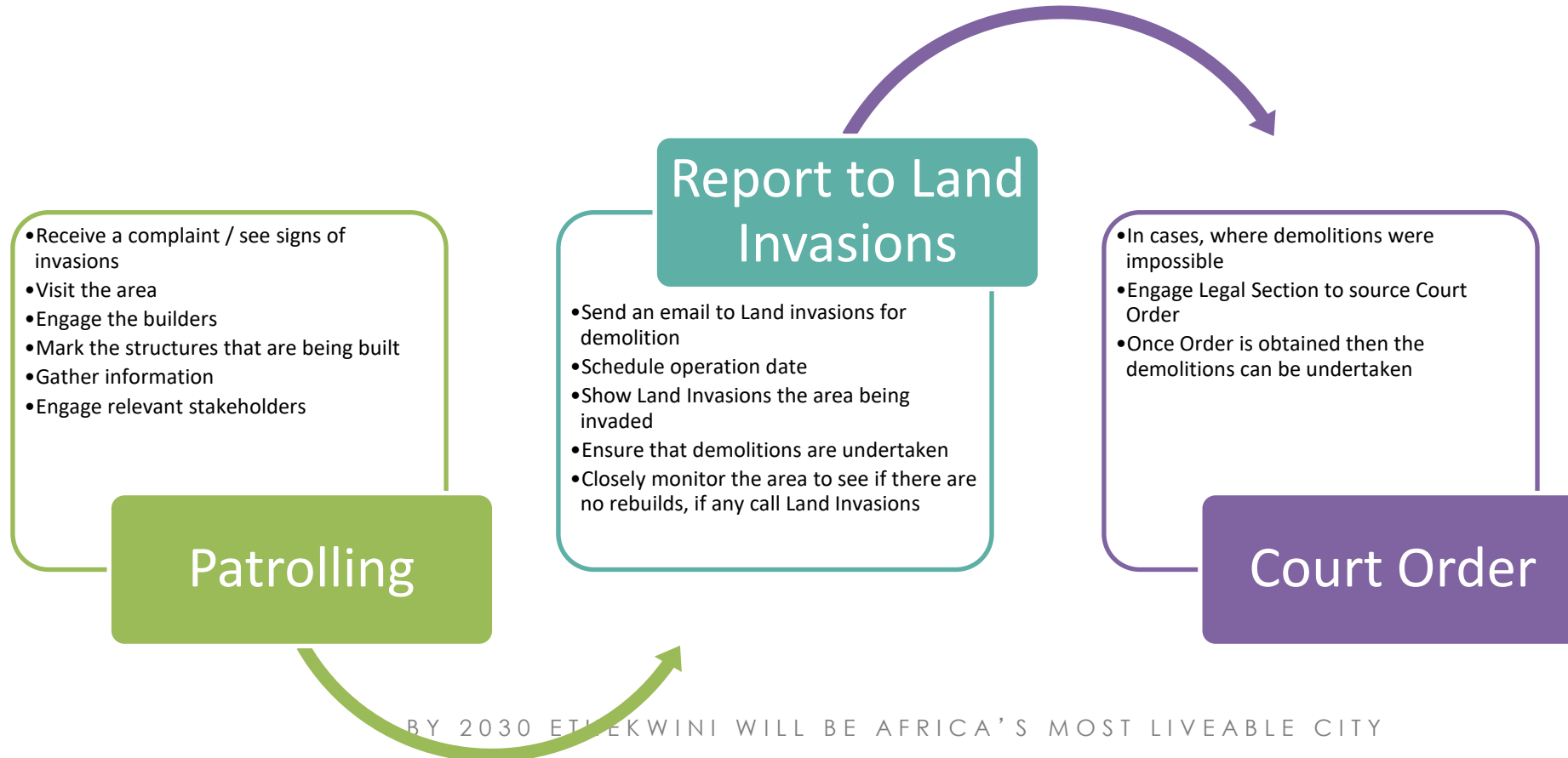


Broad Challenges

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- Judiciary systems and outcomes which favour land invaders due to current PIE Act.
- Land management within the HS sector is an unfunded mandate and not covered by the Housing subsidies.
- Lack of intelligence at a local level that would for example assist in identifying shack lords and invaders will benefit land management systems.
- Delays in obtaining eviction/ court orders leads to uncontrolled land invasion.
- Difficulty in monitoring informal settlements which are not easily accessible.
- Mushrooming of shacks after hours or during weekends.
- Safety of staff who are confronted by invaders who are often very violent and are fully armed.
- Burden on City to provide alternative accommodation as per current legislation when evicting from both State and private land.

New Settlement Identification





Land Invasion Control Branch – eThekweni Municipality

www.durban.gov.za

PURPOSE: TO PREVENT UNLAWFUL OCCUPATION OF LAND AT ETHEKWINI MUNICIPALITY

Function 1: Monitor and prevent illegal invasion of land in all Regions.

Function 2: Demolish and evict illegally built structures.

Function 3: Relocate beneficiaries of.

- Land Invasion Control Branch (LIC) forms part of the Security Management Unit (SMU).
- 3 Regions with deployment to over 60 key informal settlements out of 581.
- All 15 teams of the Branch are equitably deployed over all regions from 07:00 – 15:30, Monday to Thursday and 07:00 to 15:00 on Friday. Overtime is paid for weekend work.
- Current Branch structure comprises: Manager, Officers, Section Leaders, Security Guards, General Workers.
- Staff complement on the organogram accommodating approximately 100 posts with just over 80% of positions filled.



Responses and Possible Solutions

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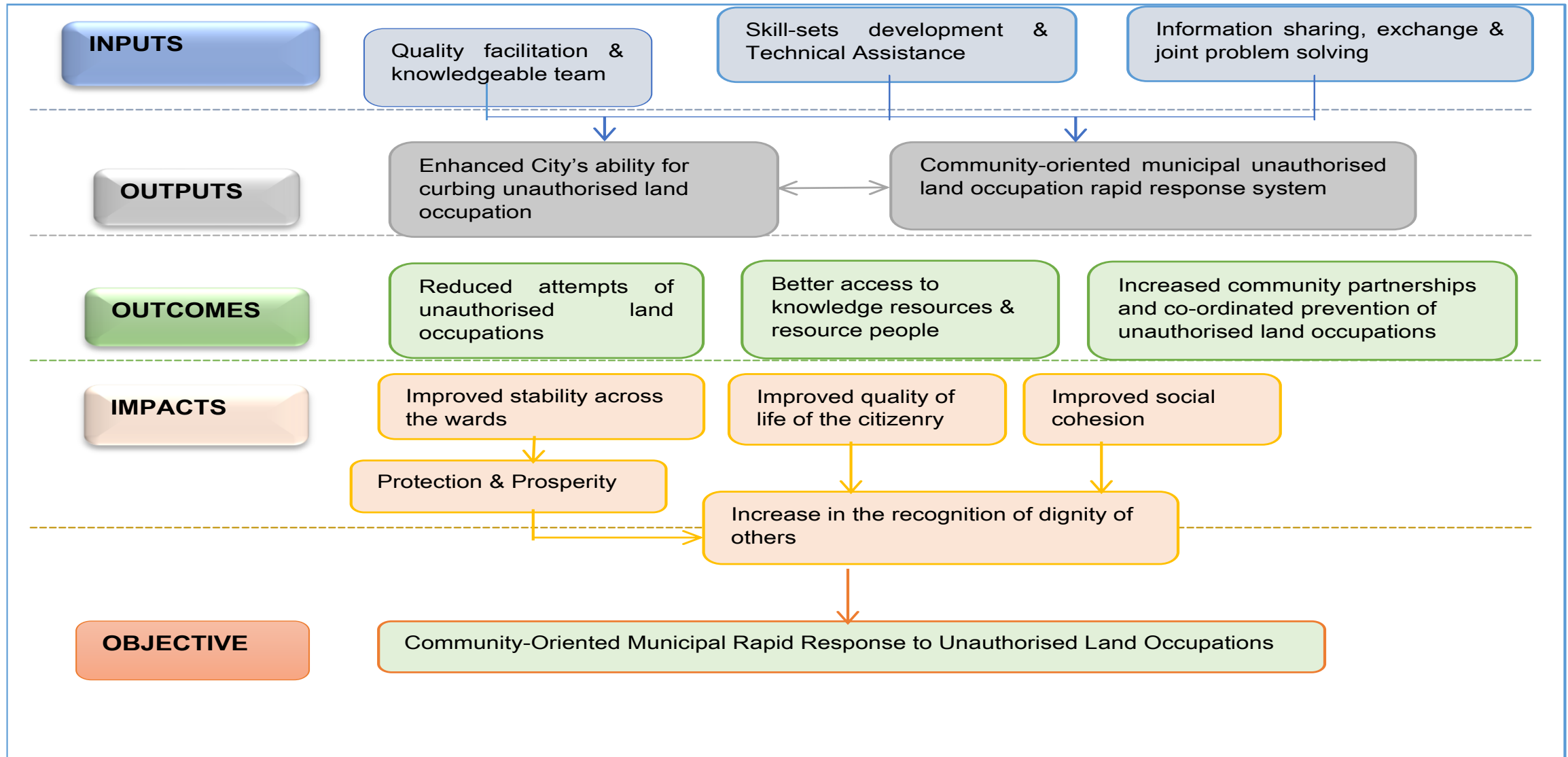
- Province to reactivate the Anti-Land Invasion Committee that includes affected municipalities.
- Enable communities/public to actively utilise vacant pieces of land for agricultural activities eg. market gardening to discourage land invasion as such land will be monitored and managed by those tending it.
- Dialogue and engagements with the CBOs, e.g. Abahlali BaseMjondolo, SANCO, SASDI/FEDUP, etc.
- Urgent amendment of the PIE Act to address timeframes to when to evict given challenges faced by municipalities and the responsibility placed on municipalities to provide alternative accommodation
- Increase staff complement and resources e.g. vehicles suitable to do the job.
- Adjust working hours for effective monitoring and response.
- Punitive punishment for people encouraging the invasion of land. (Some leaders and people in general are selling government land openly).
- Transversal engagements and funding commitments necessary to assist municipalities in curbing land invasions esp. going into elections shortly and with some groupings likely to take advantage of the situation.



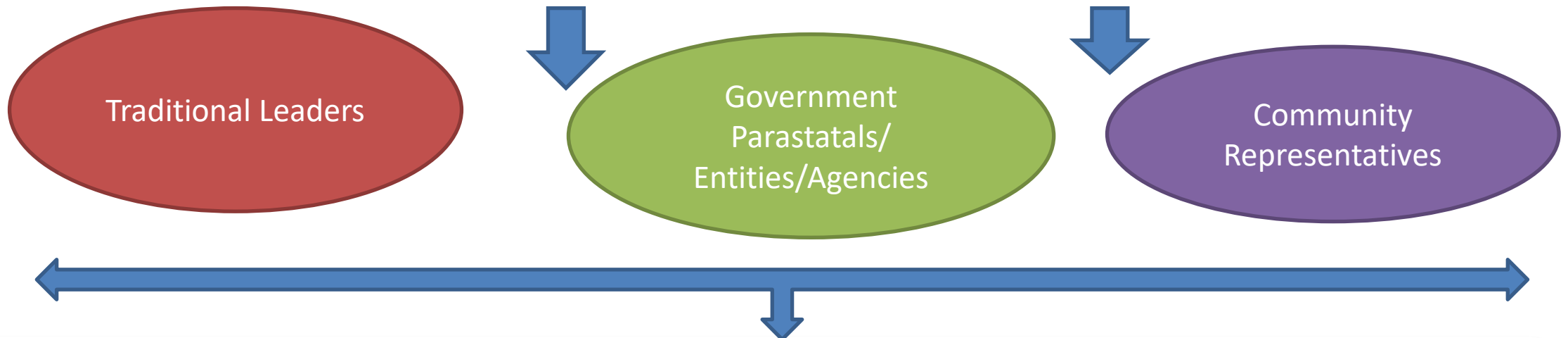
APPROACH OF THE PROPOSED LAND INVASION INTERGRATED STRATEGY

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Community-Oriented Municipal Rapid Response to Unauthorised Land Occupations



Establishing a working relationship with KEY LAND OWNERS



Improving communication between key landowners and the community with the goal of creating a platform to share information on the City's planned spatial development programs, land use, and tenure documents



PREVENTION OF LAND INVASION OPERATIONAL STRATEGY PHASE 2

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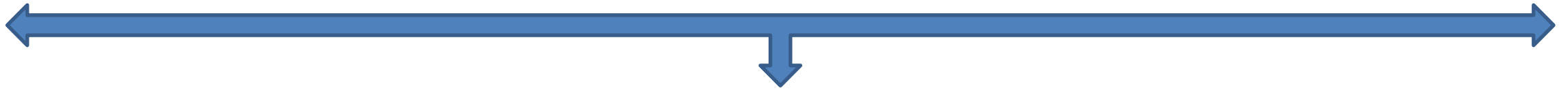
Improving Community Participation in Land invasion issues



Formation Community Based Forums



Establishment of Ward Committees



To assist in the early identification , detection and reporting of all invasion threats within vulnerable communities.



PREVENTION OF LAND INVASION OPERATIONAL STRATEGY

PHASE 3

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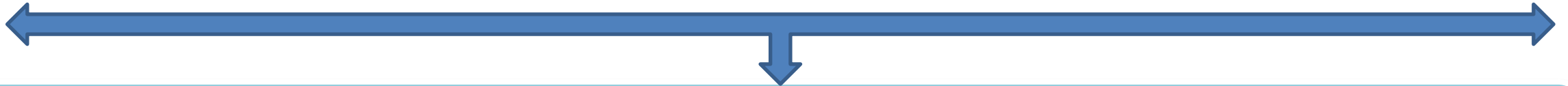
Engagement with Affected Stakeholders within the developmental areas



Shack Dwellers (Abahlali base Mjondolo)



Illegal Occupiers of land without necessary ownership certification (Invaders).



As the identification and development of permanent housing areas takes time, alternative options to unlawful occupation of land/land invasions will have to be identified.

- One such option would be to provide temporary, rudimentary serviced erven that can be used on a rollover basis.
- Other options would be to provide longer-term Rapid Land Release – cum – Managed Land Settlement Areas, where rudimentary services are also made available. Care would be taken that the same problems of the former transit areas do not take hold in these areas.



PHASE 4: DEVELOPMENT OF A RESOURCE PLAN

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DEVELOP THE RESOURCE PLAN AND COSTS REQUIRED TO IMPLEMENT THE OPERATIONAL STRATEGY EFFECTIVELY

Further investigations, and consultations with the Finance Cluster will be undertaken.

THE END

BY 2030 ETHEKWINI WILL BE AFRICA'S MOST LIVEABLE CITY