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CITY OF JOHANNESBURG



HOUSING AND REGULARIZATION

23 FEBRUARY 2011



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CITIES APPROACH TO HOUSING



The approach adopted is led by the objectives set out in the Cities Housing Sector Plan embodied in the 2010/11 IDP:

- All residents in inadequate housing to access affordable, safe and decent accommodation.
- Housing needs should be met at all levels through accelerated facilitation and supply.
- Effective management of a diverse range of products for purchase or rental.
- A fully functional secondary housing/property market in all parts of the city, so that all households can realize economic value from investing in their residential assets.



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CITIES APPROACH TO HOUSING



- Quality of the City's existing and future housing stock is enhanced and maintained.
- Increased livability and sustainability of all residential communities, with equitable access to urban facilities and opportunities
- Adoption of green housing practices and technologies.

The above objectives are general in nature, exclude external influences and are not time related and are therefore focused.

HOUSING DELIVERY

- One of the most important elements flowing out of the above objectives is the delivery 100 000 RDP units over 5 years commencing in 2006.

Indicator	Initial plan	Adjusted five-year target
Hostel Redevelopment	5 000	5 000
Mixed Income	50 000	30 000
Rental	15 000	15 000
CBP/PHP	30 000	50 000
Total	100 000	100 000

- At the end of 2009 a total of 58960 units have been delivered with the world wide economic crises negatively impacted on the rate of delivery and leading to a revision of the delivery targets for 5 year period.

ACHIEVEMENT

- The units built per category over the 4 year period are as follows:

Indicator	Five Year Adjusted Target	Progress Against Target	2010/11 Delivery Agenda	Five Year Delivery Agenda	Percentage Achievement for 2006/11
Hostel Redevelopment	5 000	1 350	600	1950	39%
Mixed Income	30 000	24 120	5 400	29520	98%
Rental	15 000	14 240	1 000	15240	101%
CBP/PHP	50 000	19 250	4 100	23 350	47%
Total	100 000	58 960	11 100	70 060	70%

STEERING COMMITTEE



- The city has 180 informal settlements with a population of some 200 000 that need to be formalized.
- With in-migration and natural increase it is estimated that some 90 000 units per annum are required of which 60 000 need to be subsidised.
- Current approaches are not going to reduce the backlog that is building up.
- To address this issue the city established the Informal Settlement Upgrade and Formalization Steering Committee in 2008.
- The task of the steering committee is to monitor the achievement of targets and to recommend ways and means of overcoming obstacles and give direction to new ways of doing things.



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CATEGORIES OF SETTLEMENTS



- Not all the 180 settlements can be dealt with in the same way and to accommodate the different requirements identified they grouped into 6 categories.

Type	Description	Number
Category 1	In-situ formalization	72
Category 2	Project linked relocation	34
Category 3	Regularization	10
Category 4	Programme linked	25
Category 5	Not linked to a project or programme	22
Category 6	Dealt with - finalized	17



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REGULARIZATION Objectives



The City recognises that informal settlements are a fast and affordable method of providing shelter and should be used as an initial step in achieving formalization

- To improve health and safety in general.
- To provide access to basic services.
- To create an environment conducive to investment by the state.
- To provide interim recognition to occupants within informal settlements while formalization processes are underway.
- To offer residents the right to occupy and use land.
- To have an address to be able to contract, locate and postal delivery

REGULARIZATION

4 Tasks

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- **Legal requirements to comply with MFMA**
 - Rezoning of land must permit use for informal settlement
 - Land in ownership of the city or land availability agreement
 - Other restrictions
 - **Preparation of Basic Layout Plans that will address**
 - Engineering Services provision (water, sanitation, etc)
 - Other Municipal Services provision (refuse collection, mobile clinics, etc.)
 - **Preparation of Business Plan that will include:**
 - How each settlement will be managed
 - Cost estimate for implementation and annual running costs
 - **Registration of households**
 - Billing or certificate of occupation or both
 - Street addresses



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REGULARIZATION Implementation



- **The 4 tasks can be divided into 3 implementation phases**
- **Phase 1** ○ Ownership
 - Legal impediments
 - Legislative restrictions e.g. Gautrans, Mining, Nema, land claims
 - Feasibility Studies undertaken re Availability of services, access, geotechnical conditions, flood lines, topography, SDF and RSDF, estimate of number of shelters and population
 - Recommendations on how to proceed with regularisation

REGULARIZATION Implementation



- **Phase 2**
 - Prepare layout plan for approval
 - Participation by relevant internal departments and external entities and other service providers
 - Consult with stakeholders and beneficiaries on an agreed basis
 - Prepare Business Plans for each settlement



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REGULARIZATION Implementation



- **Phase 3** ○ Budget as per the business plans
 - Implement services as per business plan
 - Hand over for formalisation

ZONING OF LAND



- **The Amendment Scheme provides for:**
 - Definition of a Transitional Residential Area and to which properties this applies
 - Layout Plan showing sites and buildings for human occupation
 - Numbering of sites and buildings and keeping of an occupation register (an official residential address for use by the occupant)
 - Provision of engineering services
 - Control of the erection of structures
 - Residential density
 - Alternative use of sites and building with Council's consent



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DEFINITION



Transitional Residential Settlements

- Land upon which informal settlements are established by the occupation of land and provision of residential accommodation in the form of self-help structures and some ancillary non-residential uses.

LAYOUT PLANS



Purpose of Layout Plan

- Identification of all sites and buildings and numbering on a plan
- Identification of shelters to be moved within settlement based on the plan
- Location and level of basic services to be provided i.e. water sewerage, electricity, stormwater, roads as per plan
- Land Uses e.g. residential, spaza shops, taverns, crèche's, churches, etc
- Plan will serve as Record of Consent Uses granted



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BUSINESS PLAN



- Need to specify the level and type of services and the format of provision
- To include costing and timing of infrastructure services provision (CAPEX)
- To include costing and frequency of operational services (OPEX)
- Management arrangements
- Management processes, responsibilities, record keeping.
- Lines of communication and communication requirements

REGISTRATION

- **Why Register**

- Security that they have permission to occupy and use the land
- Access to basic services
- Should they be charged for services and the permission given to occupy
- To be able exercise some level of growth management

- **How**

- Do we register (captured in Land Information System)?
- Should there be a rental/tenant agreement?
- Do we issue a certificate of occupation or an account on a monthly basis
- Households relocate of their own accord with a new renter or purchaser moving in. Who will keep and maintain such a register and how will this be done?



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THE HOW TO OF REGISTRATION

- Socio-economic survey
 - Name and ID of head of household and of spouse
 - Number of children etc
 - X and Y co-ords for each shelter
 - All captured in GIS spatially
 - Polygon for settlement
 - Polygons for neighbourhoods if large settlement
 - Polygon for each shack linked to database nested within the polygon for the settlement
 - Shack number
- Street Addresses (issued by GIS)
 - Neighbourhood name plus shack number if the layout is complicated
 - Street name and number plus Neighbourhood name if settlement is large.

TAS-LIS-SAP SYSTEM

The city has instituted a computerized system that controls the way in which its land management and billing system has to operate.

- TAS (Town planning Application System) feeds into LIS (Land Information System) that in turn feeds into SAP (the billing module)
- GIS Dept can capture households and issue street addresses but at this stage this information cannot be transferred to LIS and cannot therefore be passed onto billing. LIS can only handle information on a formalized basis.
- The billing module is designed for formalized erven and sectional title schemes, it is not designed to deal with sending out accounts to not linked to a rates base, water and electricity metering systems.
- Both need additional programming to accommodate informal settlements.
- At this point in time registration can only follow the route of a certificate of occupation

PILOT PROJECTS



- 3 Pilot projects were chosen to test the process namely
 - Heavenly Valley adjacent to Klipspruit West Ext 1
 - Meriteng in Lenasia
 - Lindhaven in Roodepoort
- Only Heavenly Valley can be proceeded with while Lindhaven is on hold pending successful negotiations with the land owner.
- Meriteng is now to be relocated to Sweetwaters when the land is ready to receive them.



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HAPPY VALLEY

- A layout plan has been prepared and approved by the Mayoral Committee.
- The budget been prepared but not yet approved.
- Stand pipes have been installed by JW from their budget.
- Alternative sources of energy are being investigated.
- The socio-economic survey has been completed and is in the process of being tested. This is a prerequisite for registration process.
- The business plan is in the course of preparation with progress dependant on the outcome of alternative energy sources, progress in sorting out registration process .

Photo:
Valley
riviercog 299 IO
113/209-10



INFORMAL SETTLEMENT REGULARIZATION HAPPY VALLEY

Scale 1:1000

LEGEND

-  TAXI LAYBY
-  ACCESS ROAD
-  ABLUTION FACILITIES
-  REFUSE AREA
-  FOOTPATH
-  FACILITIES AREA
-  OPEN AREA
-  STANDPIPE

NOTES

- 1 Refuse area bounded by pre-cast wall say 1.8m in height with dimensions of say 4m by 4m with compacted gravel surface. Could also be skip.
- 2 Ablution and facilities as per attached sketch.
- 3 Surface of facilities rolled crusher stone
- 4 Access road compacted gravel.
- 5 Open area to be cleared of rubbish by community.
- 6 Footpaths crusher stone with erosion on either side made good with stormwater drainage included if it can be seen that this is necessary.
- 7 Existing stand pipes to be repaired and upgraded with soakways or linked to stormwater drainage system if this is going to be installed.
- 8 VIP toilets to be inspected and pits cleared if required. Can be abandoned if too expensive.



AMENDMENT SCHEME

ANNEXURE 9999

Conditions applicable to a “Transitional Residential Settlements Area”

- 1) The local authority shall prepare a draft layout plan. For the purposes of this condition a “layout plan” means a basic layout plan which reflects access points to the settlement, separate land parcels with buildings and structures thereon with one or more land parcels designated as sites to be used for human occupation and economic and other activities as depicted through the means and assistance of aerial photography and in consultation with the community.
- 2) Once the basic layout plan has been prepared, its occupier shall in consultation with City officials, identify each structure and the structure shall be numbered. Each occupier will be issued with an “occupant permit for a residential unit” that identifies him/her as the official occupant of the building / structure and indicates what activities may be permitted on the site. A register shall be kept by the appropriate department as designated by the City e.g. Housing or by the proposed Informal Settlement Unit (Such register may include information about dependants sharing the residential unit and uses existing on the site).
- 3) The compilation of the basic layout plan shall include access to the various sites and the identification of social and community facilities, business services as well as access to the settlement and future services. Density and minimum sizes of sites for residential uses shall be determined as part of the basic layout plan. At this point the basic layout plan may proceed with additional formalization in respect of pegging and infrastructure provision.



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AMENDMENT SCHEME

- 4) For the purpose of this condition “structure” means any building or construction or premise that is intended or used for human occupation and use, irrespective of the material from which it has been manufactured or built.

The construction and sitting of these structures shall be regulated by the application of the ‘deemed to satisfy’ rules in SABS 0400 and SABS 0401 whereby rules and standards have been formulated to address informal settlements. These aspects are detailed in Annexure SABS 0401 – Building Regulations for Informal Housing. The local authority shall have the discretion to supplement these to apply in specific settlements, bearing in mind the intention for the progressive formalization and upgrading of these settlements.

- 5) The number of buildings / structures which will be permitted on the identified sites indicated on the basic layout plan shall be restricted to the number as depicted through the means and assistance of aerial photography and the subsequent numbering of structures, unless the written permission of the local authority is requested on application. The local authority reserves the right to decline or approve such application.
- 6) After the local authority has approved the basic layout plan, the occupier of a structure may apply in writing, to the local authority to permit an alternative land use. The identified occupier on the site as per approved register must submit such application in writing to the local authority. The application must be accompanied by written confirmation from all registered occupants of all adjacent structures that they have been notified and indicate their support or no support for such application.



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AMENDMENT SCHEME

The local authority may decline or approve such application subject to conditions. The local authority recording the decisions of such applications shall keep a register. If the application is granted, the basic layout plan shall be endorsed accordingly to reflect the additional land use rights.

- 7) If any site is used in contravention of these conditions the local authority may give the occupier notice in writing requiring him to rectify such condition or contrary use within a period of 30 days from such notification, failing which further legal action shall be instituted in terms of the relevant legislation.
- 8) The provisions and conditions as set out above shall prevail on the identified and demarcated “Transitional Residential Settlements Area” as indicated on the basic layout plan, notwithstanding whether a zoning is applicable or not.



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THANK YOU