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**ALEXANDRA RENEWAL PROJECT  
JOHANNESBURG. SOUTH AFRICA  
PLANNING MANUAL**

Prepared by

Anthony Faud J. Mann  
Urban Planning Advisor

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Please direct all queries regarding this report to:

Mega-Tech/South Africa  
General Management Assistance Contract Office  
4<sup>th</sup> Floor  
Provisus Building  
523 Church Street  
Arcadia 0083 Pretoria  
South Africa  
Tel. (012) 341-7966  
Fax (012) 341-7968  
Email [megatech@intekom.co.za](mailto:megatech@intekom.co.za)

Or

Mega-Tech, Inc.  
180 South Washington Street, Suite 200  
Falls Church, VA 22046  
Tel. (703) 534-1629  
Fax (703) 534-7208  
Email [info@mgtech-world.com](mailto:info@mgtech-world.com)

## PLANNING MANUAL

### Preface

The Planning Manual is the second of the reports prepared by the Urban Planning Advisor under the USAID funded technical assistance package to the Alexandra Renewal Project (ARP). It was prepared at the conclusion of the second input to the ARP. The Urban Planning Advisor is one of a three person technical assistance team comprising also an Institutional, Policy & Finance Advisor and an Engineering & Implementation Advisor. This report should be read in conjunction with reports produced by the other two advisors, as well as with the Project Design Review Report produced by the Urban Planning Advisor.

In line with directives from the ARP Program Manager and discussions with ARP staff, the Planning Manual further investigates and sets out recommendations in respect of key aspects of ARP preparation and implementation, including:

**1. Precinct Management:** following on from recommendations made regarding the precinct approach to planning and implementation of the ARP in the Project Design Review, the Planning Manual provides recommendations on the scope and responsibilities of ARP precinct managers, with specific reference to backyard housing areas;

**2. Upgrading of Backyard Housing Areas:** again following on from the review of progress in resolving the transfer of properties issue in the Project Design Review, the Planning Manual provides a further update on progress together with specific recommendations on planning issues related to this critical aspect of ARP development;

**3. Housing Support Centre:** the Planning Manual also sets out recommendations on the staffing and skills required to meet the emerging need for support services.

**4. Relocation and Resettlement:** following on from the Project Design Review, the Planning Manual also sets out recommendations for dealing with the sensitive issue of relocation and resettlement, not so much from the technical standpoint, but more from the need to develop an approach to involuntary resettlement based on information and social preparation, backed up a package of support and incentives, that will encourage compliance with the resettlement requirements of the ARP and to view displaced families as an integral part of the urban renewal process.

## **ACCRONYMS AND ABBREVIATIONS**

ARP	Alexandra Renewal Project
AUDF	Alexandra Urban Development Framework
CBO	Community Based Organisation
CID	City Improvement District
DFA	Development Facilitation Act
DMU	Development Management Unit
DPTLUEM	Department of Transport, Land Use and Environmental Management
GJMA	Greater Johannesburg Metropolitan Area
IDP	Integrated Development Plan
LED	Local Economic Development
LIDP	Local Integrated Development Plan
NGO	Non-government Organisation
SDF	Spatial Development Framework
S MDF	Strategic Metropolitan Development Framework
PFA	Project Focus Area
THTT	Transfer of Houses Task Team

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## **1. INTRODUCTION**

The broad scope of involvement agreed for the second TA input of the Urban Planning Advisor was mainly to provide advice and assistance in: a) determining in more detail the scope of work and method of engagement of the three precinct management teams appointed in April 2002 for priority Precincts # 1, 2, and 7; b) defining an appropriate process for the planning, design and implementation of the upgrading programme for backyard housing areas in Old Alexandra.

The Planning Manual addresses these and related issues. It also discusses in more depth the issue of relocation, not so much from the physical standpoint (which was discussed in the Project Design Review), but from the perspective of recent international experience which emphasises the need for greater social preparation of households prior to relocation, both as a means of facilitating the entire relocation / resettlement process, and of ensuring a just and equitable solution to this most sensitive of housing issues.

The Planning Manual is produced at a stage in which a number of key ARP components are being finalised or significantly advanced. These include: a) the updating of functional area business plans; b) finalisation of the ARP housing strategy (including the upgrading of backyard housing areas); c) finalisation of ARP planning and engineering standards; d) mobilisation of priority precinct management teams; e) appointment of planning teams to prepare seven precinct development framework strategies, including that for the Pan Africa area, for which an integrated physical / economic development approach is beginning to emerge.

Given this concentration of ARP activity, the second urban planning TA input was made more as in the form of direct involvement with the ARP team, especially the Physical Cluster team. Thus much of the analysis and recommendations presented in the Report already forms part of the process by which ARP documentation is being produced, and by which development is being undertaken.

## **2. PRECINCT MANAGEMENT**

### **2.1 Introduction**

This section of the Report sets out recommendations for the detailed scope of work for the precinct managers engaged to assist in co-ordination and facilitation of (ARP) Project / sub-project implementation. It responds to a concern highlighted in the course of the first visit of the Urban Planning Advisor<sup>1</sup>, namely that the terms of reference (TOR) for priority precinct managers, which formed the basis for the bidding process, were not sufficiently detailed and precinct-specific.

The findings and recommendations set out in this section have been prepared in close

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<sup>1</sup> Urban Planning Advisor: Project Design Review Report. May2002. Part B. Section 3.2

coordination with the ARP Physical Cluster team, in particular with the Precinct Management Team (PMT). They are made at a critical juncture in Project development, at which precinct managers for the three priority precincts have been appointed. It is intended that these findings and recommendations, many of which have already been incorporated in ARP documentation or in the ongoing discussion surrounding this issue, will be of practical use in finalising the terms and conditions of priority precinct managers' engagement; also in drawing up appropriate terms of reference for the other precinct managers scheduled to be appointed before the end of the year.

## **2.2 Appointment of Priority Precinct Managers**

In April 2002, following an extended tendering process, three consultancy consortia were selected from a short list of ten, and were officially appointed to undertake precinct management responsibilities for the three priority precincts in Alexandra, namely:

- Precinct #1: Pan Africa, Wynberg and Kew.
- Precinct # 2: RCA.
- Precinct # 7: Marlboro, Marlboro South and Marlboro Gardens.

Selected precinct management consultants were given extensive (ARP) Project documentation and background data, much of it contained in a "Briefing Pack for Precinct Managers". This was followed up throughout May 2002 by a series of briefing sessions organised and led by the PMT. This process was initiated with a comprehensive briefing for all three precinct managers by ARP functional team representatives, followed by a more detailed precinct-specific briefing for each of the selected precinct management teams in turn. Further detailed briefing and clarification may be required as a more profound understanding of each precinct's specific characteristics and requirements emerges. Clearly further meetings with the JCC Project Manager, the DOH Programme Manager and the Region 7 Director, are also needed to get their respective insights into what they see as the role of the precinct managers. Further to these, it is essential that they receive a comprehensive briefing from the ARP Communications Management team to get first-hand direction on channels of communication and linkage to the community, (including the Alexandra Development Forum), clearly a critical consideration in terms of precinct managers' role.

On the basis of information gathered to date and ongoing research and investigation, each of the selected consortia will report back through the PMT to ARP programme / project management with more detailed technical proposals of how they intend to fulfil their management functions. These proposals should demonstrate a profound understanding of the tasks involved, and should include work programmes, staffing schedules and intended deliverables that will, subject to any appropriate ARP management requirements, form the basis for each teams' detailed scope of work and their ongoing involvement in the Project.

## 2.3 Recent TOR / Organisational Amendments

Since completion of the original TOR late in 2001, there have been some developments that will impact on the precinct managers' roles and responsibilities, as well as the organisational arrangements within which they will operate.

### 2.3.1 Amendments to the Terms of Reference (TOR)

#### *Original TOR*

The original TOR for precinct managers incorporated reproduced in the "Briefing Pack for Precinct Managers", and used as the basis for the tendering process, set out the roles and responsibilities of the precinct managers in terms of a four stage precinct development process:

**Phase 1: Design, data collection and strategy formulation:** precinct managers are assigned responsibility for the three main activities involved in this process: a) undertaking a comprehensive precinct survey including a review of existing physical and socio-economic conditions, and the registration of residents and beneficiaries; b) initiating and establishing effective communications and linkage with the community and all relevant stakeholder and private interest groups, and on the basis of this, initiation (and maintenance throughout subsequent phases of the Project ) of a meaningful consultative / participation process; c) preparation of a precinct development strategy involving consideration of ARP planning and design guidelines, the Alexandra Urban Development Framework (AUDF), functional area business plans, and physical and socio-economic survey data.

**Phase 2: Programming, performance milestones and budget preparation:** this entails refinement of the precinct development strategy prepared in Phase 1 in terms of identifying, prioritising and budgeting project (sub project) initiatives in line with community priorities, broad functional area objectives, a rational developmental approach, as well as cognisance of development initiatives in adjacent precincts.

**Phase 3: Project implementation, co-ordination and management:** this entails an essential co-ordinative role with the various implementing agencies involved in the Project including utilities agencies of provincial and local government, civil society, the community themselves and other private stakeholders. It will require precinct managers to ensure: a) extensive involvement of local (Alexandra based) contractors and service providers; b) co-ordination of implementation schedules to ensure that there is minimum disruption within the community and the optimum use of public resources; c) resolution of issues delaying the scheduled implementation of works at either the community, contractor, service provider or governmental levels; d) effective monitoring of progress and reporting to the ARP Project management on a regular monthly basis.

**Phase 4: Project hand-over:** upon completion, precinct managers will facilitate and otherwise oversee the hand-over of specific sub-projects to responsible agencies. As these agencies will have been involved in implementation, this process is not foreseen as problematic.

#### *Current Status*

Since preparation and dissemination of the TOR for precinct managers, the ARP-Planning Functional Team (PFT) has initiated the preparation by private planning consultants of precinct plans for seven precincts, including the priority precincts. These precinct plans clearly are an important first step in preparation of a precinct development strategy, and are scheduled to be complete within 3-4 months (by August-September 2002).

In view of this, precinct managers will no longer be responsible for this aspect of the original TOR. However, they will be required (at least in the priority precincts) to facilitate the preparation of the on-site physical surveys necessary to prepare the precinct plans. However, the general intention is that detailed registration and socio-economic surveys will not be undertaken until the precinct development plan stage, just prior to implementation. To the extent possible, precinct managers should also seek to apprise themselves of progress on the precinct planning process. This would be undertaken in co-ordination with the PFT. Informing themselves of the emerging precinct plan in this manner, will allow precinct managers to anticipate developments, refine preparation of their management programmes, and more effectively direct their social facilitation efforts. It would also allow them to make constructive inputs into the planning process based on their growing fund of local knowledge.

### **2.3.2 Organisational Arrangements<sup>2</sup>**

#### ***Current Organisational Arrangements***

Precinct managers are appointed by the Provincial Department of Housing (DOH). The current organisational arrangement is that they will report through the Precinct management Team (PMT) to the DOH Programme Manager. In this sense they will operate on the same horizontal level as the functional teams. The PMT as presently conceived is an advisory unit that coordinates the activities of the precinct managers, facilitates upward linkage to ARP programme and project management, and horizontal linkage to the functional teams. The PMT presently comprises senior MLA consultants who fulfil this function as part of their wider technical assistance responsibilities to the Project.

#### ***Proposed Organisational Changes***

Precinct managers are essentially local area managers tasked with responsibility for facilitating and co-ordinating the implementation of physical works throughout Alexandra in accordance with ARP development plans, programmes and budgets. In view of the fact that overall responsibility for implementation of ARP interventions belongs to Johannesburg City Council (JCC), it is now proposed that precinct managers now report directly to the JCC Project Manager. This revised organisational structure has been agreed in principle and is reportedly now the subject of further discussion and finalisation.

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<sup>2</sup> Refer the Institution, Policy & Financial Advisors reports for details of existing and proposed organisational arrangements.

## 2.4 Precinct Demarcation

The rationale for the precinct approach to planning, design and implementation of the ARP is primarily linked to the opportunity to focus attention on smaller geographical units with similar characteristics and development potential. On this basis, ten precincts covering the entire (ARP) Project area are identified in the AUDF.

The intention is that implementation of physical works in each of these ten precincts will be managed by a separate precinct manager. However in the inception reports of both the Urban Planning and Institutional, Policy and Financial advisors, recommendations were made that Precinct # 8 (Juskei River) and the bulk engineering infrastructure and services components within Alexandra remained the management responsibility of the JCC Engineering Functional Team<sup>3</sup>. Proposed adjustments to the organisational framework within which precinct managers will operate within the ambit of JCC (refer section 2.3 2) appear to support this recommendation.

A further recommendation made by the Urban Planning advisor was that Precincts # 9 and 10, which in physical terms appear relatively similar (primarily low / medium density housing) and in management terms appears relatively straightforward, should be combined to form a single management precinct. No decision regarding this recommendation has been made as yet, further to which it is not on the critical path at present as the second tranche of precinct management contracts will not be bid until the last quarter of 2002. In addition, precinct plans presently being prepared for both the East Bank and Far East Bank (Precincts #9 & 10) by PFT-appointed planning consultants, will help inform this decision.

Because of its special multi-use characteristics and strategic location, the Pan Africa area, presently incorporated in Precinct #1, could be considered as a special area possibly outside present precinct boundary demarcations. An ARP strategic team meeting regarding Pan Africa held on 29 May 2002, served to further emphasise the considerable strategic importance of the area, providing a link between Alexandra and the wider metropolitan fabric and acting as a catalyst of economic opportunity and regeneration.

## 2.5 Precinct Development Typologies

Alexandra is essentially an extensive, densely developed urban area, much of which comprises residential areas in extremely degraded environmental condition. The main thrust of the ARP therefore, is to upgrade the prevailing sub-standard living conditions and uplift the quality of life of the more than 350,000 population to acceptable levels, through interventions which include security of tenure and improved housing, infrastructure and service provision, as well as parallel social, welfare and economic regeneration programmes. Given this emphasis on improved living conditions, most of the proposed physical development sub-projects concern housing and related infrastructure and services, although there are physical interventions proposed in the social-welfare sector, as well as in the commercial / industrial sectors, the latter mostly in peripheral areas outside of Old Alexandra.

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<sup>3</sup>: Urban Planning Advisor: Project Design Review Report: Part B. Section 3.7

Given the widely differing conditions on the ground, the range of housing typologies is wide and includes: a) upgrading of backyard housing areas and informal settlements (mostly confined to Old Alexandra and including settlements along the tributaries); b) upgrading of hostels and flats for rental, (again mostly in Old Alexandra; c) redevelopment and upgrading of existing warehouses and commercial / industrial properties, mostly in peripheral areas such as Kew / Bramley (Precinct #1) and Marlboro South (Precinct #7); and d) construction of new housing and / or infill development (densification) of existing housing areas, again mostly in peripheral areas such as East Bank / Far East Bank (Precincts # 9 & 10) and Marlboro Gardens (Precinct # 7), although there is also new housing development presently taking place in RCA (Precinct #2).

These housing typologies are described in detail in the ARP Housing Strategy.

In addition to housing, there are a number of other development typologies that form part of the ARP physical development programme. These include bulk infrastructure and services, public open space provision (especially along the Juskei River), a range of social-welfare facilities, and various commercial interventions designed as a means of stimulating the economic revitalisation of Alexandra, especially in and around such key focal areas such as Pan Africa.

## **2.6 Roles and Responsibilities of Precinct Managers**

As defined, the ten precincts in Alexandra represent a management framework for the preparation, implementation, and eventual operations and maintenance of the various physical, social and economic development components that make up the ARP. However, in order to better define the scope of work for each precinct manager, a more detailed description is needed not only of their functional responsibilities, but of the specific development typologies that each precinct manager will encounter.

The development interventions proposed in response to the range of typologies in each precinct (refer section 2.5), are derived from the business plans prepared for each of the (physical, social and economic) functional teams. However, precinct management responsibility as defined will only extend to physical works. Most of these physical works relate to housing, infrastructure and services, that is to sub-project components identified in the physical functional cluster. However, as discussed, a number of physical interventions are proposed in the social-welfare and local economic development functional areas. These include for example, the construction and / or upgrading of local clinics, schools, community and welfare centres, public markets, retail stalls, public open space, and heritage interventions, together with related infrastructure and services. Capital works involved in these sub-projects will form part of the precinct managers' area of concern.

Whatever the extent of their involvement in co-ordinating and facilitating the construction and /or improvement of social, welfare and commercial facilities, precinct managers will not have any direct responsibility for any of the supporting ARP social-welfare or economic regeneration programmes. Nevertheless, with their increasingly profound first-hand local knowledge, precinct managers will be expected to inform appropriate functional teams of relevant information concerning for example, emerging needs and / or perceived impact, in a manner that will aid the improved design, delivery and operations of the various programmes.

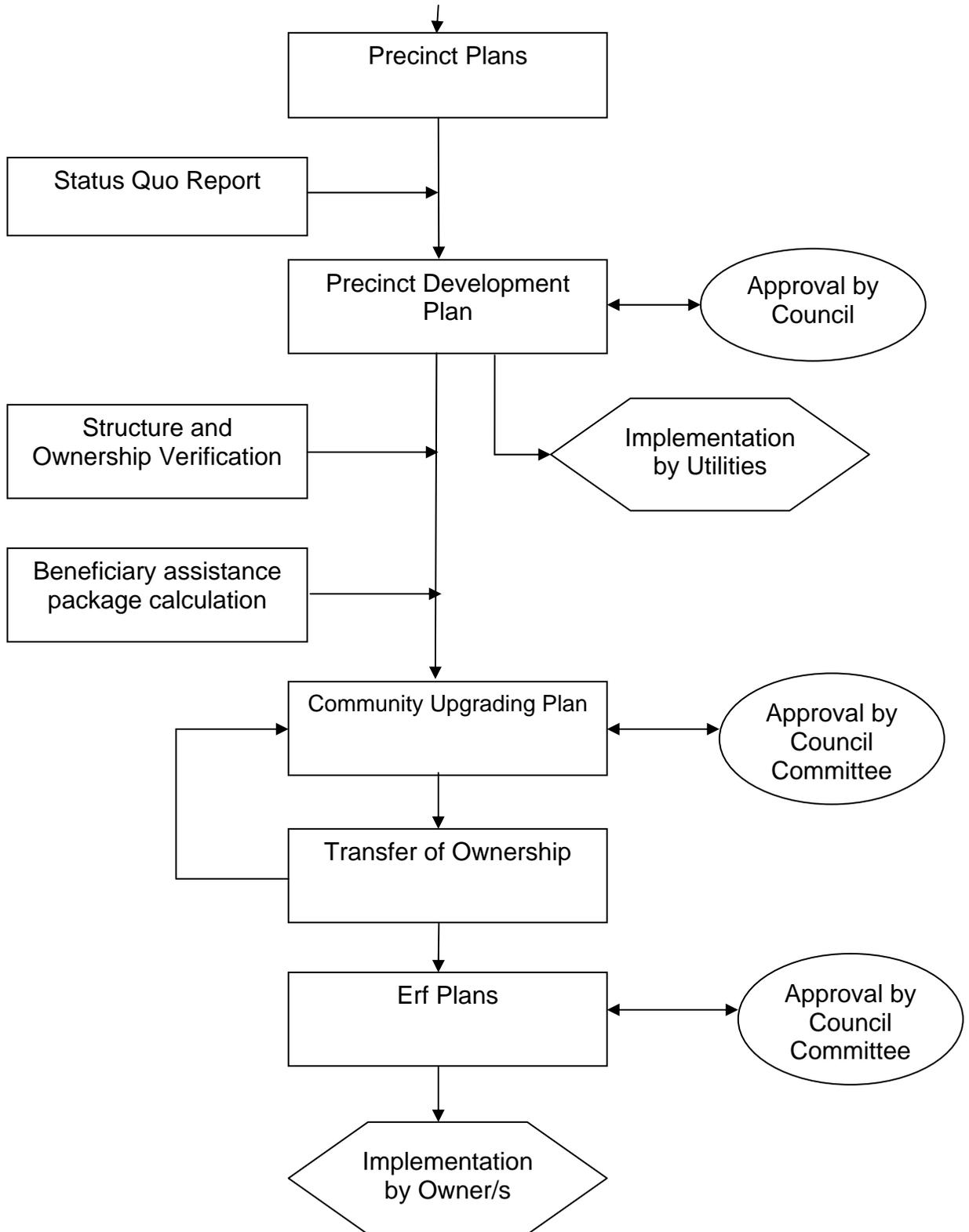
In terms of arriving at a better general understanding of precinct managers' roles and responsibilities, an initial definition can be made on the basis of the four phase development process forming part of their original TOR (refer section 2.3.1). Table 2.1 presents this reinterpretation of the precinct managers' role in terms of the backyard housing upgrading process.

However, the backyard housing is just one of the potential development scenarios that precinct managers will have to address. In addition to this, there is a wide range of other ARP interventions, each of which carries different management implications. Furthermore, in addition to managing the development process for each specific development typology, managers will have to co-ordinate parallel streams of activity for different scenarios within the same precinct, while at the same time ensuring continuity with development activity in elsewhere, especially in adjacent precincts.

The ARP team led by the PMT is presently drawing up details of the sequential processes involved in the programming, planning, design, implementation and turnover for maintenance and operations of each of the key ARP development interventions. Because they are the most widespread and densely populated, the initial focus of this endeavour has been on the backyard housing area upgrading process. Figure 2.1 shows the key elements of this process.

The sequence of activities outlined in Figure 2.1 has been transposed as the basis for a more detailed description of precinct managers' roles and responsibilities in the backyard housing upgrading process (refer Table 2.2). From this it is clear that precinct managers' responsibilities will extend beyond facilitation and co-ordination, to cover other responsibilities at the community level, including information dissemination, awareness-raising and the development of effective consultative processes and mechanisms. Clearly therefore, in addition to their technical and management capabilities, precinct management teams will need a high level of communications and public relations capability.

**Figure 2.1. ARP BACKYARD HOUSING UPGRADING PROCESS**  
(Source: Precinct Management Team (PMT))



**Table 2.1 Four Phase Precinct Managers’ TOR detailed in terms of the Backyard Housing Upgrading Process<sup>4</sup>**

Precinct Managers’ Four Phase TOR	Precinct Management Teams’ role in Backyard / Informal Housing Upgrading Process
<p><b>Phase1a</b> Undertake registration and technical precinct surveys</p>	<p><b>This is no longer a direct PM responsibility, but they will facilitate this process within the community.</b> Registration and technical surveys are part of the process by which the Precinct Development Strategy is formulated. At present this comprises a two stage process involving preparation of a :</p> <p><b>Precinct Plan:</b> based on existing IDP, AUDF, relevant strategic and sectoral studies, functional business plans, and technical survey data largely extrapolated from existing plans and aerial photography, verified on the ground where necessary. The Precinct Plan will be prepared by PFT-appointed planning consultants. PMs will be required to facilitate the work of the planners on the ground within the community, including any required verification or sample surveys. They should also constantly apprise themselves of the planing process and outputs, making relevant contributions on the basis of their local knowledge.</p> <p><b>Precinct Development Plan:</b> this will be prepared by combining data derived from a status quo report with the framework set out in the Precinct Plan. In terms of continuity, it is preferable that the same planning consultants undertake this process under the direction of the PFT. The process is likely to involve more in-depth technical surveys, including possible social intervention at the block / erven level in instances where there is encroachment into defined reservations and servitudes. Survey contractors may be engaged for this purpose. Again the PMs will be required to facilitate the work of the planners / surveyors on the ground within the community at the block and erven levels as required. PMs should constantly apprise themselves of the planing process and outputs. Their main contribution to this process however, will be to initiate the process of preparing Block Plans from the community level upwards, which in turn will inform the Precinct Development Plan on an iterative basis (refer Phase 1 c). Detailed registration and structural surveys will be undertaken in the course of preparing this Block Plan. These surveys will be undertaken by private contractors, but the PMs will have a direct role in facilitating this process in terms of individual respondents within each erf and structure.</p>
<p><b>Phase 1b</b> Identify stakeholders / interest groups and establish effective communication channels.</p>	<p>Identification of stakeholders and setting up of communication channels with appropriate counterpart ARP teams at precinct and block levels, is the first step in the PM’s essential responsibility for facilitating and co-ordinating all aspects of ARP planning, design and implementation. The main PM responsibility here will be to ensure the setting up of a representative and committed Steering Committee at the precinct and block levels, and specific sub-committees as required, with effective communication channels between them, and beyond to the Project / Programme management. The PMs will also have responsibilities for establishing and maintaining communication links with the Alexandra Development Forum (ADF).</p>
<p><b>Phase1c:</b> Preparation of Precinct Development Strategy</p>	<p>Preparation of the Precinct Development Strategy is no longer a direct PM responsibility, however they will facilitate all stages of the process, and through direct involvement with the community in drawing up Block Plans, will continually provide information to update the Precinct Development Plan. More detailed TOR setting out the process of Block Plan preparation and the PMs role in the process are needed.</p>

<sup>4</sup> Refer Section 2.3.1

**Table 2.1 (Continued): Four Phase Precinct Managers’ TOR detailed in terms of the Backyard Housing Upgrading Process<sup>5</sup>**

Precinct Managers’ Four Phase TOR	Precinct Management Teams’ role in Backyard / Informal Housing Upgrading Process
<p><b>Phase 2</b> Prepare detailed work programmes, implementation schedules, performance milestones, costs and budgets.</p>	<p>On the basis of the agreed Precinct Development Plan (PDP), PMs will identify all sub-project interventions (at precinct, block and erf level) and prepare detailed work programmes, implementation schedules and cost estimates for each of these. These will then be combined to form a precinct level work programme and implementation schedule in support of the precinct development strategy. Specific milestones and / or deliverables will be identified on the basis of this integrated precinct work programme / implementation schedule, and used as the basis for monitoring PM performance and disbursing payment. It is inevitable that this process will involve changes to the original programme estimates made by the PM at the outset. Project / programme management will need to be flexible on this issue as long as radical changes are not envisaged. Sub-project and in turn precinct level programmes and schedules will need to be regularly monitored, and will need to be periodically adjusted to reflect changes over time as a result of the iterative PDP-Block Plan process, emerging community concerns and priorities, top-down directives regarding budgetary constraints and changing management priorities. .</p>
<p><b>Phase3</b> Project implementation, co-ordination and management</p>	<p>The PMs will co-ordinate all aspects of municipal infrastructure &amp; services contracts by utilities agencies to ensure the rational and cost-effective implementation in accordance with agreed standards and schedules. This will involve coordination across precincts (with other PMs), and with utilities and implementing agencies. Through coordination with the appropriate block level committee, PMs will also ensure that residents facilitate implementation of infrastructure utilities’ contracts by the timely removal and realignment / relocation of structures and improvements that are located within servitudes or over access points (manholes, inspection chambers, valves, etc.) and thus obstructing contract works. At the same time they will liaise with utilities contractors to ensure to the extent possible minimal disruption and inconvenience to residents.</p>
<p><b>Phase 4</b> Project hand-over</p>	<p>Precinct management teams will liase with utilities agencies and (ARP) Project management to ensure the timely and efficient hand over of all completed contract works.</p>

**Table 2.2 Precinct Managers’ Roles and Responsibilities in the Backyard Housing Upgrading Process**

<sup>5</sup> Refer Section 2.3.1

Responsibility	Target Group	Purpose	Mechanism	Information Source	Support	Deliverable/ Performance Indicator
Information dissemination	All stakeholders & residents	To raise public awareness of the ARP and thus the potential for collaboration and participation in development the process	Meetings with ADF and ward councillors. Public meetings at precinct and block level involving key civic organisations, NGOs, CBOs & private interest groups	Relevant ARP documentation inc. AURF & precinct plans / development strategy	ARP-Communication Officer / CLOs	Meetings' reports with register of participants
Formation of stakeholder groups	Civic organisations, NGOs, CBOs, private interest groups & all residents	To ensure representative stakeholder participation in all aspects of precinct development.	Individual stakeholder group contacts followed by group meetings and formation of Precinct Steering Committee & Block Committees	Relevant ARP documentation.	ARP Communication Office / CLOs	Registered Steering Committee / Block Committees
Social facilitation (1) Precinct Development Plans (PDP)	Precinct Steering Committee / Block Committees	To ensure full stakeholder support of and participation in the planning and design process, specifically PDPs & supporting surveys as required.	Presentation of PDPs at key junctures. Interaction with residents at block level to support all on-site survey incursions, need for removal / realignment encroaching structures & cutting of illegal service connections.	Precinct plans and draft PDPs. Public utilities plans. & programmes. Survey instruments / questionnaires	ARP-PFT Planning & survey consultants Public utilities agencies. CLOs	Completed PDP endorsed by Precinct Steering Committee
Social facilitation (2) Block Plans	Block Committees and all residents & stakeholders	To ensure full stakeholder support of and participation in the preparation of Block Plans , including registration and technical surveys. Resolution of issues concerning: a) ownership-tenure arrangements; b) erf boundaries and improvements to comply with minimum standards; c) structure / household relocation requirements.	Meetings with individual residents at erf level followed by consolidation meetings with Block Committees and presentation of Block Plans at key junctures.	Precinct plans and PDP. ARP guidelines for transfer of properties, minimum planning / engineering standards, bye-laws & regulations, and subsidy assistance packages.	ARP-PFT, HFT, EFT planning & survey consultants Public utilities agencies. CLOs	Completed CUP endorsed by Precinct / Block Committees
Social Facilitation (3) and preparation. Implementation of municipal infrastructure & services	Precinct Committees, Block Committees & affected residents & stakeholders	Removal and realignment / relocation of structures & cutting of illegal connections required to allow the provision and / or upgrading of infrastructure & services in accordance with agreed schedules, standards and guidelines; also minimise adverse impact on affected persons.	Meetings with Precinct / Block Committees & affected erven / structure occupants to agree preliminary erven layout plans incorporating necessary removal , realignments & disconnections.	Public utilities plans & programmes. ARP standards & guidelines Block Plans Existing erven layout	ARP-PFT, HFT, EFT Public utilities agencies. CLOs Housing Support Centre (HSC)	Agreed preliminary erven / structure plans endorsed by Block Committee.

**Table 2.2. (continued) Precinct Managers' Roles and Responsibilities in the Backyard Housing Upgrading Process**

Responsibility	Target Group	Purpose	Mechanism	Information Source	Support	Deliverable/ Performance Indicator
Co-ordination of public infrastructure / services provision	Public utilities agencies.	To synchronise provision and / or upgrading of municipal infrastructure services at precinct & block levels to ensure ARP wide rational and cost effective implementation with minimal community disruption.	Regular coordinative meetings with relevant ARP team members & public utilities' contractors.	PDPs & Block Plans ARP and public utilities development plans and programmes.	Public utilities agencies. JCC Project Management. Other precinct managers	Completed public utilities plans & programmes as per schedules
Assistance for erven upgrading & improvement	Erven owners-developers	To ensure legal, cost effective & equitable development of erven & structures.	Advice & assistance to erven owner-developers leading to referral to HSC.	PDPs & Block Plans ARP guidelines, standards & relevant bye-laws Owner-tenant assistance packages & entitlements.	ARP-HSC	HSC referrals & agreed erven / structure improvement plans
Monitoring and reporting	JCC Project Manager . DOH Programme Manager	To ensure upgrading and development is in accordance with all agreed ARP guidelines, standards, implementation schedules and budgets. To ensure effective co-ordination throughout ARP. To identify key problems and issues.	Regular monitoring and monthly progress reporting	ARP programmes, implementation schedules & budgets. PDPs & Block Plans Relevant functional business plans.		ARP programmes inc. PDP & CUP completed on schedule & within budget

Note: 1. Precinct Management Team (PMT) to provide support for all activities as required.

Legend: PFT Planning Functional Team  
HFT Housing Functional Team  
EFT Engineering Functional Team  
PDP Precinct Development Plan  
CUP Community Upgrading Plan

### **3. HOUSING SUPPORT CENTRE**

#### **3.1 Introduction**

In order to facilitate successful implementation of the ARP Housing Strategy, which is being finalised at present, especially those components which have a “self-help” orientation and directly involve private owner-developers, the need for a range of housing support services has been identified. The intention is that, although the provision of these services would involve a high degree of field work, they would be co-ordinated and delivered by a group of suitably trained technicians (para-professionals), through at least one Housing Support Centre in Alexandra. This section briefly looks at initiatives that have already taken place in this regard, and gives a preliminary indication of the likely scope of services that are needed and the supporting skills required, based for the most part on requirements of the backyard housing areas.

#### **3.2 The Need for Housing Support Services**

The ARP Housing Strategy involves consideration of a range of housing typologies throughout Alexandra. These include the upgrading of backyard housing areas, informal settlements, hostels, flats and warehouses, as well as the provision of new and infill housing, and the development of relocation sites. However, at this stage of Project development (May 2002), a primary focus of the ARP Physical Development Cluster through its various planning, engineering and housing functional teams, is the in-situ upgrading of backyard housing and informal settlements. The reasons for this focus possibly include the fact that these areas presently house a high proportion of the total population of Alexandra and are spatially the most widespread.

Over and above general improvements to the environment and the quality of life of residents, through for example the provision of improved education, health, welfare and sports / recreation services and facilities, the approach to the upgrading of backyard and informal housing areas adopted by the Project is based on resolution of issues of tenure, and the upgrading (where necessary) of bulk infrastructure and services to provide sufficient capacity to ensure the attainment of acceptable minimum engineering standards. At the present, the housing strategy by which both the transfer and upgrading of properties will be undertaken, is being finalised.

Beyond these initiative however, the responsibility for all other improvements on privately owned land, rests squarely with identified owners. This responsibility extends to: a) the construction, extension, renovation, modification, movement and repair of all structures; b) all erven improvements such as drainage and landscaping; and c) the construction of such services and facilities as may be required to ensure compliance with agreed standards, bylaws or guidelines, such as the construction of additional toilet or ablution facilities.

#### **3.3 The Provision of Housing Support Services Business Plan**

A draft Business Plan for the Provision of Housing Support Services was produced in May 2002 by the Housing Functional Team (HFT). It is being reviewed at present. The Plan duly notes that the proposed Housing Support Centre (HSC) will be the focus for provision of a range of support services to the community, including services related to

the upgrading and development of backyard housing areas and informal settlements. However, it is recognised that although initially focusing on these areas, the range of housing services to be provided by the HSC will ultimately extend to all other housing typologies in which owner / developers, without recourse to other legal and technical assistance, are attempting to develop and improve their properties.

The stated purpose of the Business Plan is to appoint a service provider (consultant) to assist the ARP to: a) conceptualise, plan and establish the HSC; b) recruit and train the necessary staff; and c) set up management systems to allow the HSC to function effectively.

Following approval of the Plan, the intention is that the service provider will be in place by June / July 2002, and that following a period of feasibility analysis and planning, the HSC, together with the necessary systems and staffing, can begin to function some time within the first quarter of 2003. A budget estimate of R 1.2 million, covering all preparatory work, establishment, equipment and staffing and operational costs through to mid-2003 is proposed for this purpose.

### **3.4 Scope of Housing Support Services**

#### **3.4 1 General Housing Services Requirements**

Details of the ARP Housing Strategy that are beginning to emerge, especially those related to the transfer of properties and upgrading of backyard housing areas, give a clear indication of the likely scope of housing support services to be provided, at least in terms of this housing typology. Except in the case of default or non-compliance, there will be generally be no direct government development intervention on private property. Thus in order to achieve the ARP urban renewal objectives, there will be heavy reliance on the willingness of private owners to assume responsibility for erven development in accordance with ARP principles, guidelines and standards.

Clearly the majority of owner / developers will not have the legal or technical capability to take on these responsibilities unaided. Thus if the (ARP) Project is relying on their involvement to complete the upgrading process, some measure of assistance and support is called for. The provision of housing support services is designed to address this need by assisting owner / developers to (inter alia): a) maximise spatial utilisation of their erven; b) forge co-operation with adjacent owners as and when necessary; c) design and implement practical and cost effective solutions to their erven and structures; d) where required, engage reliable and accountable contractors, service providers and suppliers from within Alexandra to undertake improvements; e) beyond subsidy entitlements, access necessary housing finance; and f) comply with all appropriate planning and engineering standards, land use zoning, bye-law and building regulations requirements.

#### **3.4.2 Detailed Scope of Housing Services**

In terms of the backyard housing areas and informal settlements, the staff of the HSC in co-ordination with precinct managers, will provide a range of support services, which will include:

a) Assisting private owner-developers in achieving practical, least-cost solutions to a

range of design and implementation challenges, such as:

- Preparing erven layout plans for owner-developers, individually or in collaboration with neighbouring owners, in order to: i) maximise utilisation of space and ensure optimum placement of structures; ii) retain and enhance communal areas; iii) ensure optimum alignment and / or placement of required infrastructure and services, such as toilet and ablution blocks as required by minimum engineering standards; iv) resolve boundary or other owner-tenant disputes over erven development issues.
- Preparing architectural design, building plans and contract documents for new, renovated, expanded, or modified structures, and related on-erven civil works.
- The dismantling, removal and / or realignment of structures that encroach over erven boundaries, or into road reservations and infrastructure servitudes and access points, such as manholes or inspection chambers.
- Preparing necessary contract documents, drawings and specifications for proposed erven improvements, including the construction, expansion or modification of structures.

b) In co-ordination with the HFT, maintain and update a roster of Alexandra-based contractors, service providers and suppliers, and advise and assist owner-developers in selecting, negotiating with and appointing appropriate firms or individuals from this roster, where possible on the basis of formal agreements, to undertake erven or structural improvement works in accordance with agreed designs and cost estimates.

c) Assist owner-developers to supervise and manage contracts for building works on erven.

d) Advise and assist to owners and tenants on:

- Their respective rights and obligations under ownership and tenancy agreements drawn up under the Project, including where necessary, assistance in reaching owner-tenant agreement.
- Relevant details of the ARP beneficiary assistance programmes, including assistance in accessing these programmes.

e) Advise and assist all owner-developers in complying with:

- Relevant planning and engineering standards to be applied to the development of erven and structures, with information on incentives and penalties or sanctions to encourage compliance.
- Relevant local zoning and development control guidelines, building regulations and bylaws.
- Opportunities for access to housing finance as required supporting erven and / or structures' improvements.

### **3.5 HSC Staff Skill Requirements**

Skills needed to undertake these housing support functions include technical, legal, financial management, public relations and administrative skills, such as:

#### **Technical**

- Physical site (erven) planning.
- Building construction, including experience in all major trades such as bricklaying, carpentry, plumbing and drainage, sanitation, and electrical services.
- Contract preparation, negotiation, supervision and management.
- Cost estimation and budget preparation.
- Architecture and landscaping.
- ARP Planning and engineering standards.
- CAD (or similar) drafting skills.

#### **Legal and Financial**

- Housing subsidy entitlements.
- Land use zoning and development control regulations.
- JMC bylaws and building regulations.
- ARP incentive packages and sanctions.
- ARP owners / tenants rights and obligations.
- Arbitration procedures.
- Financial assistance and credit options and availability.

#### **Public Relations**

- Preparation and conduct of public meetings.
- Preparation and dissemination of information.

#### **General Administration**

- Internal ARP communications.
- Monitoring and reporting.
- Accounting.

### **3.6 Conclusion and Recommendations**

A programme for recruitment and training of HSC staff, and for the development of the necessary systems and procedures to support the delivery of housing services to the community, will be developed by the service provider engaged under the Provision of Housing Support Services Business Plan. The ARP functional teams, especially those in the physical planning and communications sectors, will have an important role to play as a valuable in-house resource in the training of HSC personnel.

The range of housing support services offered will eventually have extend to cover all forms of housing development by eligible Project beneficiaries. Consideration will also need to be given to the validity and feasibility of expanding the service to cover other forms of physical development which support the wider ARP developmental objectives of poverty alleviation and economic regeneration, such as those undertaken by small (locally based) entrepreneurs without ready access to other sources of advice and assistance. In doing so, care must be taken to avoid confusing the roles and responsibilities of the HSC with those of the People's Centres recently established within

Alexandra and at the Region 7 offices.

## **4. RELOCATION AND RESETTLEMENT**

### **4.1 Introduction**

The Project Design Review Report of the Urban Planning Advisor<sup>6</sup> touched briefly on issues of resettlement in Alexandra mainly from the physical planning standpoint. It noted that difficulties in acquiring affordable and suitably located relocation sites pointed to the need to: a) minimise relocation requirements and absorb displacement within Alexandra to the extent possible; b) to review planning and design standards, especially those related to residential densities and stand sizes; and c) better integrate estimates of the future land requirement for housing, especially low cost housing (including resettlement) in the strategic and spatial planning process at the provincial and city levels.

Clearly these concerns are well understood by the ARP Project team and feature extensively in team meetings concerning housing strategy, planning and engineering standards, and related subjects. The purpose of this section therefore is not to harp on these issues, but to set out the rationale for consideration of an alternative approach to relocation and resettlement, which takes full account of the social and economic condition of displaced persons, and fully integrates these as an integral part of project design. The value of this section may be less for the ongoing ARP, although hopefully some of the recommendations can be incorporated in the ongoing ARP relocation process, but as a guide to the identification and preparation of other similar projects in the national Urban Renewal Programme in the future.

### **4.2 The Present ARP Approach to Relocation**

#### **4.2.1 Relocation Requirements in Greater Alexandra**

Present estimates are that there will be a need to relocate approximately 20,000 families from Alexandra. Relocation will be undertaken in accordance with agreed criteria from within hazardous or dangerous areas or from areas needed for public infrastructure, services or facilities. To date approximately 7,500 families have been relocated as a result of improvements to the Juskei River. Relocation of eligible settlers from the Juskei River reserve has mostly been to Diepsloot and Durban Roodeport Deep both of which are around 35 to 40 kms. from Alexandra, and thus well beyond the desirable 15 kms. limit set out as a basis for ARP relocation. In this regard, it is important to note that distance as such is a somewhat arbitrary criterion for resettlement site selection: close proximity or good transportation linkage to employment centres and social facilities are more valid considerations.

The next scheduled mass relocation requirement from Alexandra will be from areas around the hostels, from service easements along London Road, and from certain of the school sites adjacent to London Road. Relocation will be undertaken to allow the development and improvement of these areas. Indications are that at least some of the eligible displaced persons from these sites will be resettled in a site at Bramfisherville, also approximately 40 kms from Alexandra. Additional relocation requirements emerging

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<sup>6</sup> Urban Planning Advisor: Project Design Review Report. Section B4.

from consideration of the hostels upgrading programme and from high risk flood prone areas along tributaries of the Juskei River, begin to suggest that the original estimate of 20,000 families for relocation may well be exceeded.

#### **4.2.2 The ARP Relocation Strategy**

The ARP Relocation Strategy is incorporated as part of the ARP Overall Physical Development Strategy document<sup>7</sup>. The strategy is set out in three parts comprising: a) a general statement (focus); b) key principles; and c) a relocation programme. There is clear recognition in the strategy of the traumatic effect of relocation on displaced families. Arising from this however, the relocation strategy draws conclusions only as to the desirable extent of relocation, not the sensitivity of the process by which it is carried out and ways by which the trauma can be minimised. The strategy sets out the general principle that relocation in Alexandra will be minimised to the extent possible, and only undertaken in respect of families living in: a) dangerous or hazardous conditions; b) on land needed to develop public open space; or c) land needed to develop, upgrade or maintain engineering services.

Further to this, the ARP Relocation Strategy lists the key principles governing relocation from Alexandra as: a) resettlement sites with access to social amenities to be provided 15 kms. of Alexandra if possible, a requirement which is now generally recognised as being difficult if not impossible to meet; b) provision of a house with access to full servicing to be provided for every dwelling removed, regardless of household occupancy, and with no obligation to provide equivalent accommodation to that being vacated; c) the ineligibility of illegal immigrants and families who have previously owned property for relocation benefit; and d) the provision of transit facilities for eligible households for the interim period between removal and permanent resettlement.

Certain details of the manner in which relocation is to be undertaken is also set out. Relocations are to be undertaken in accordance with due legal process, with potential relocatee households being given written notice at least two weeks before the scheduled removal date. Households are to be transferred to a transit camp, where they will be offered a range of housing choices, and permitted to remain for up to six months pending completion of their allocated permanent housing unit in the relocation site.

While recognising the traumatic effect of relocation, the ARP Relocation Strategy as presently set out, is silent on a number of issues, for example the need for: a) any form of social preparation for affected households / persons, including counselling, information on the reasons for removal, and the relative benefits of the proposed resettlement destination; b) livelihood or subsistence support after removal; c) assistance with dismantling of structures and transportation of these and other personal property to the transit location or permanent resettlement site. While imposing a six month maximum stay in the transit facility, the Strategy also remains silent on what provisions are to be made if alternative accommodation is not ready for occupancy after that time.

#### **4.2.3 Draft ARP Standard Operating Procedures for Relocations**

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<sup>7</sup> ARP Overall Physical Development Strategy. August 2001. Section 4.2

The draft ARP Standard Operating Procedures for Relocation set out in a Project document dated April 2002, are considered in terms of two main phases: a) Phase 1: Preparatory work leading up to approval and issuance of the Court Order; and b) Phase 2: Implementation of relocations and follow-through activities, this phase being detailed in terms of involuntary relocation from Alexandra proper, and voluntary relocation from areas such as transit camps.

The draft standard operating procedures describe (inter alia) the sequence of activities involved in both phases, lead and supporting agencies' responsibilities, and estimated time frames for completion: around 3 to 4 months for preparatory activities, and about 2 to 3 months for Phase 2 activities depending on the number and types of relocatees. Understandably, the draft procedures lay heavy emphasis on ensuring conformity with due legal process, as well as the efficient planning and operations in close co-ordination with the Region 7 Manager, the ARP Public Safety Functional Team and the metropolitan police force, as a means of ensuring the smoothest possible relocation process and minimising the risk of confrontation and public disturbance.

However, as presently framed, the draft procedures are relatively silent on an need for any form of social preparation for households facing displacement and relocation, except in terms of the need during the Phase 1 registration process to undertake "an information / awareness campaign as to what kind of co-operation would be expected from residents", and in Phase 2 in terms of voluntary relocations, to "sensitise incumbents" in the course of reviewing the appropriate business plan.

#### **4.3 Integration of Resettlement in the Development Process**

People are at the centre of the development process. As such they should be fully consulted and participate in decisions that affect their way of life, especially when these decisions involve some form of adverse impact.

Many projects in the developing world involve the acquisition and reuse of land that is otherwise owned or occupied by individuals or communities. A high proportion of these projects involve various forms of urban development, which address such issues as: a) the rapid expansion of towns and cities; b) the growing demand for land, infrastructure and services; and c) the need for more efficient utilisation of scarce resources, including land. Many of these projects are directly concerned with the alleviation of urban poverty.

In some instances projects may give rise to conflicts between national, provincial or local development goals, and the interests of adversely affected communities and / or individuals. Where they do it is important to examine all feasible development options, and to seek those which reconcile these differences, and meet broader development objectives while minimising social and economic dislocation.

However, where resettlement is unavoidable, measures must be taken to: a) protect the lives and welfare of displaced persons; b) minimise adverse social and economic impact; and c) assist in developing the economic, social, and in some instances the cultural potential of affected communities and individuals.

#### **4.4. Rationale for a new Approach to Relocation / Resettlement**

Until recently, development-induced displacement was not seen as an essential part of the development process. Resettlement programmes were generally limited to monetary compensation for acquired land, and to occasional development of a resettlement site. The displacement of people for the “greater good” was in some instances viewed almost as a form of essential site clearance.

Perceptions are changing however. As a result of a growing awareness of how unsatisfactorily resolved resettlement issues can adversely impact on projects’ social, economic and environmental benefits, and in consequence of this its ultimate credibility, resettlement is increasingly viewed as a development issue. Policy makers and planners have come to accept that inadequate attention to resettlement does not pay in the long run, and that the cost of ignoring the issue can far exceed the cost of addressing it head on at the outset.

As demonstrated by the overarching goals of the Urban Renewal Programme in South Africa, poverty alleviation is an issue of national concern, which can not be tackled on the basis of a narrow geographical or social focus on one segment of a poor community at the expense of another. The approach has to be all embracing, covering all persons involved in the development process. There is therefore a need to reconsider the manner in which development projects are conceived, planned and implemented, to ensure that they are socially and environmentally acceptable. As well as being fair to all concerned, such an approach is in line with the twin objectives of poverty reduction and sustainable economic growth.

## **4.6 International Experience**

### **4.6.1 Overview**

Based on international experience, involuntary displacement and resettlement can be greatly facilitated and project credibility can be greatly enhanced by: a) ensuring that there is comprehensive support and assistance for affected households / persons at all stages of the process; b) early engagement with affected households / persons to fully explain the need for relocation and to inform them of available support and assistance, details of their resettlement site destination and housing options, and the manner in which relocation will be undertaken; and c) where appropriate comprehensive briefing of communities and officials at destination resettlement sites.

Ongoing WB projects in Asia are estimated to displace more than 1.5 million people. Many of these have potentially adverse social, economic, cultural and environmental impacts. Homes are demolished, dismantled or abandoned; assets and income sources are lost; family and kinship ties are broken or disrupted. Displaced people are often relocated to areas where their skills are less applicable, where the competition for resources is greater, and where the host population is hostile or culturally incompatible. As a result, displaced people may be forced to over-exploit ecologically fragile areas, thereby exacerbating environmental degradation.

Involuntary resettlement impacts on people of all ages and gender, some of whom may lack the initiative or resources to move and re-establish in a new location. Poor families, especially women and female-headed households, tend to be especially vulnerable, and without assistance, many resettled families can become even more impoverished.

Many countries, such as India and China (where more than 30 million people have been resettled to date for development purposes), have laws and regulations governing resettlement. However, much of the legislation in these countries is often subject to weak enforcement or abuse. In countries such as Malaysia and Thailand, strong institutional commitment takes the place of legislation, but only in some instances and not as a matter of standard procedure. In these instances, the role of NGOs and the media in forcing governments to make adequate provisions for resettlement is often of critical importance.

#### **4.6.2 World Bank Resettlement Policy**

The World Bank (WB) was one of the first international aid agencies to formulate a policy on involuntary resettlement. A review of WB projects carried out in 1994 indicated that good resettlement practice can prevent impoverishment and even reduce poverty by building sustainable livelihoods. By contrast, inadequate resettlement policy can; a) increase political tensions and local resistance to the project; b) cause significant project delays and cost overruns; c) postpone or otherwise diminish project benefits, sometimes in excess of the cost of good resettlement practice. In addition, poor resettlement policy and practice can also result in adverse publicity and a loss of credibility for the project and its sponsors, as many development agencies have found to their cost on a number of occasions.

Based on WB experience, the major factors that contribute to the success of resettlement are: a) political commitment in the form of laws, legislation, policies and resource allocations; b) close adherence to established resettlement guidelines in the course of project implementation; c) sound social and technical expertise in planning for resettlement; d) reliable cost estimates and secure fund sourcing for resettlement phased in line with construction activity; e) effective development agencies responsive to local development needs, opportunities and constraints; and f) meaningful people's participation in setting and implementing resettlement objectives and solutions.

#### **4.6.3 ADB Policy on Involuntary Resettlement**

In terms of the current ADB resettlement policy, the underlying considerations in addressing the issue of involuntary resettlement include: a) compensation for lost assets, livelihood and income; b) assistance in relocation, including the provision of resettlement sites with appropriate facilities and services; c) assistance in rehabilitation, to ensure displaced households achieve at least the same level of well-being with the project as they would have done without it.

For any project requiring relocation, resettlement is considered as an integral part of project design, and is dealt with from the outset taking into account the following basic principles:

- a) Involuntary resettlement should be avoided where feasible.
- b) Where population displacement is unavoidable, it should be minimised by exploring all viable project options.
- c) If individuals or a community lose their land, means of livelihood, social support systems, or way of life in order that a project might proceed, they should be compensated and assisted so that their economic and social future will generally be at least as favourable with the project as without it.

- d) Any involuntary resettlement should, as far as possible, be conceived and executed as an integral part of a development project or programme. Resettlement should be undertaken on the basis of appropriate time-bound action plans and budgets. Resettled households should be provided sufficient resources and opportunities to re-establish their homes and livelihoods as soon as possible.
- e) Adversely affected people should be fully informed and closely consulted on resettlement and compensation options. Where they are particularly vulnerable, resettlement and compensation decisions should be preceded by social preparation to build up their capacity to deal with the issues involved.
- f) Appropriate patterns of social organisation should be promoted, and the existing social and cultural institutions of those to be resettled, as well as those of any receiving community, should be supported and utilised to the extent possible. Resettled individuals or communities should be integrated economically and socially into host communities so that adverse impacts are minimised. One of the most effective ways of achieving this integration may be by extending development benefits to host communities.
- g) The absence of formal legal title to land by affected groups should not disqualify them from compensation. Those entitled to compensation and rehabilitation should be identified and registered as early as possible, preferably at the project identification stage, in order to prevent the further influx of those trying to take advantage of such benefits. Particular attention should be paid to the needs of the poorest and worst affected persons, including those without legal title, female-headed households and other vulnerable groups.
- h) The full costs of resettlement and compensation, including the costs of social preparation and livelihood programmes, as well as the incremental benefits over the "without project" situation, should be included in the estimates of project costs and benefits.

To encourage consideration of these principles, the ADB provides assistance to governments and other project sponsors to adopt and implement these resettlement policy guidelines as an integral part of the project identification / preparation process, and to strengthen their capacity and capability to plan and implement relocation / resettlement initiatives.

#### **4.6.4 ADB's Resettlement Action Plan (RAP)**

Where population displacement is unavoidable, the ADB requires a detailed resettlement plan incorporating time-bound action plans and budgetary requirements. Resettlement plans should be built around the core project development strategy. Compensation, resettlement and rehabilitation packages should be designed to generally improve or at least restore the social and economic base of those being displaced.

The contents and level of detail of resettlement plans will vary with circumstances, especially with the scale of resettlement, but will normally include a statement of objectives and policies, and cover the following essential elements: a) organisational responsibilities; b) community participation and integration with host populations; c) socio-economic survey requirements; d) the legal framework for resettlement, including mechanisms for the resolution of conflicts; e) the identification and selection criteria for alternative sites; f) valuation of and compensation for lost assets; g) land ownership, tenure, acquisition, and transfer; h) access to livelihood training, employment and credit; i) shelter, infrastructure and social services; j) environmental protection and management; and k) implementation schedules, monitoring and evaluation.

Cost estimates and budgets should be prepared for each of these activities. Implementation schedules should also be prepared in co-ordination with the main investment project.

### **4.7 Case Study: The Pasig River Relocation Project. Metro Manila. Philippines**

#### **4.7.1 Background to the Project**

The Pasig River runs through the heart of Metro Manila, a massive urban area spread over more than 600 kms<sup>2</sup>, with a present day population somewhere between 12 to 14 million. This population has more than doubled in the past 40 years and is now equivalent to almost 20 percent of the entire population of the Philippines. As a result of rapid largely uncontrolled urbanisation during this period, Metro Manila's infrastructure and services have been hopelessly overloaded, and the capacity of local government and other responsible government agencies to effectively manage the process of urbanisation has long been exceeded.

Estimates are that more than 40 percent of the population of Metro Manila presently below the poverty line. A high percentage of these poor urban households are forced to inhabit either illegal settlements or blighted areas, which nevertheless occupy only about 6 percent of the total metropolitan land area. Many poor households have squatted along the banks of the Pasig River and its tributaries. These households, together with a large number of commercial-industrial premises, many of which are also illegal, freely use the Pasig River as a convenient means of effluent and solid waste disposal, for which reason the river and the surrounding areas have become increasingly polluted and environmentally degraded.

Efforts to reverse this trend are gathering momentum. One of the more recent initiatives in this regard has been the ADB-funded Pasig River Rehabilitation Project. The main objectives of the Project are to: a) improve environmental management of the river (especially in relation to wastewater); and b) initiate a process of urban renewal along the river banks. A key sub-component of this process was the formation of

environmental preservation areas (EPA) along the banks of the Pasig River and its tributaries. EPAs were formed by clearing a 10 meter wide easement along the main river system to provide: a) an accessible service and infrastructure easement; b) opportunities for improved flood control measures; c) a means of access to the river as a potential cross-town transportation route; and linked to this, d) for development of a visible and accessible riverside public leisure and recreation amenity in a metropolitan environment sadly under-provided for in this regard at present.

Formation of an EPA corridor in this manner and exploitation of the social and economic opportunities it offered was seen as a means of stimulating the regeneration of adjacent communities, many of which were both physically and economically depressed. Nevertheless, it required the removal of more than 10,000 mostly poor urban households from along the river banks. The broad Project policy in respect of this relocation requirement was firstly to attempt some resettlement in other inner city locations. However, the lack of available land and the prohibitive cost of land ranging upwards of US\$ 200 per square meter, meant that inner city resettlement was not a realistic option in the majority of cases.

The only alternative therefore was to seek relocation sites beyond metropolitan boundaries, in some instances more than 50 kms. away from the original settlement location or place of work of many of the displaced persons. The selection of appropriate resettlement sites was undertaken on a somewhat ad hoc basis. The distant and sometimes remote locations of certain sites was in part an outcome of the rapid rate of urban expansion which had extended well beyond metropolitan boundaries into adjacent provinces. However, it was also a result of inadequate strategic planning to anticipate likely levels of population growth in and around Metro Manila in the early years (1960s and 70s) when the rate of urban expansion was becoming apparent.

#### **4.7.2 The Pasig River Rehabilitation Resettlement Action Plan (RAP)**

The ADB recognised the need for a large measure of relocation as part of the rehabilitation effort, but insisted on drawing up a comprehensive Resettlement Action Plan (RAP) prior to finalising loan negotiations, to ensure that relocation and resettlement formed an integral part of the Project. The Pasig River RAP basically incorporated the most of the provisions listed above (refer sections 4.6.2 and 4.6.3). More specifically, and in addition to the provision of a range of serviced housing units and financing options designed to meet the income and affordability levels of displaced households, the Pasig River RAP included guaranteed provisions for:

- assistance and the cost of dismantling of structures from riverside EPA locations;
- transportation of all displaced households, together with their personal possessions, to the identified resettlement site;
- compensation for any structure or improvement demolished in the course of the relocation process. This was not paid directly but absorbed into the amortisation payments for the allocated serviced plots and housing units at the resettlement locations;
- access to the full range of infrastructure, services and community facilities, including schools and health centres at the resettlement location. In some instances these were provided for through the expansion of existing facilities in neighbouring localities;

- a programme of livelihood training for displaced persons already un / underemployed or rendered so as a result of the relocation process;
- of a monthly food subsistence allowance for the poorest households for a specified period;
- free transportation to and from the resettlement site to an agreed destination in Metro Manila close to the vacated settlement. This provision was primarily designed to support those still working or schooling in Metro Manila.

Further summary details of assistance provided to households and / or persons displaced or otherwise affected by the Pasig River Resettlement Project are presented in fairly unabridged form for general information purposes in Attachments 4.1 and 4.2.

Under the provisions of the RAP for the Pasig River Rehabilitation Project, the details of the resettlement process and destination, as well as all potential relocatee households' rights and benefits, were the subject of intense social preparation undertaken by Project community development officers for many months prior to relocation. Briefing and preparation of the receiving local government and concerned utilities agencies were also undertaken, as well as of existing communities in or adjacent to the selected resettlement sites.

#### **4.7.3 Problems Encountered in the Relocation / Resettlement Process**

As of early 2002, the Pasig River Rehabilitation Commission (PRRC) had completed the resettlement of about half of the identified households in accordance with the provisions of the RAP. However, due in part to the innovative nature of the RAP itself, and the relative inexperience of certain of the implementing agencies in resettling such large numbers of people, certain problems were encountered. In addition to the slower-than-expected turnover of completed resettlement sites with serviced stands and housing units, and delays in the delivery of certain other RAP provisions, some of the key problems encountered to date include:

- Poor co-ordination between the completion of resettlement sites (including housing, infrastructure and social facilities), and the relocation of households from riverside locations. In some instances, this resulted in resettled families occupying partially serviced sites, a situation, which reinforced the tendency of some displaced persons to attempt to return to their original settlement location.
- Poor co-ordination between the removal of households from along the river banks and the subsequent development of vacated sites. In some instances, this resulted in instances of further squatter invasions of vacated site (sometimes by the original inhabitants), or in increased local government expenditure in securing the sites. It also generated a generally negative knock-on effect in terms of the willingness of other identified relocatee households to comply with the ongoing resettlement programme.
- Inadequate briefing of receiving local governments, especially on issues related to institutional responsibilities. This also delayed the relocation process in some instances. On occasions there was also inadequate preparation of host communities in or around the resettlement sites, which in turn led a measure of hostility and non-co-operation, especially when there was a sense that incoming Pasig River relocatees were receiving favourable treatment (as a result of the RAP).

- Poorly defined institutional responsibilities within the Project for certain aspects of the resettlement programme, especially for those aspects for which there was a demand for human or financial resource allocation. To be effective, RAP implementation needs firm senior government and budgetary support, and areas of responsibility need to be clearly defined and agreed at the outset.
- The inappropriate design of livelihood training programmes in some instances, without for example, adequate consideration of marketability of some generated products and services, and the need for access to potential markets. This resulted in the defection of some livelihood trainees over time.

#### **4.8 Conclusions / Recommendations**

The problems listed above are perhaps symptomatic of an innovative approach to the issue of resettlement in a densely developed urban situation. As such, lessons are being learned and adjustments are being made in the course of the ongoing Project implementation process. Possibly the most potentially damaging effect of the problems however is the adverse publicity it brings to a programme that is already controversial in some quarters.

Whether there are aspects of the RAP approach to the relocation and resettlement of displaced households and persons that are applicable to the South African situation, in particular to the demands of the Alexandra Renewal Project or other projects identified under the nation-wide Urban Renewal Strategy, is a matter for further discussion. However, it is recommended that this debate be held, to ensure that the ongoing Urban Renewal Programme is implemented in a socially equitable manner to address the concerns of poverty alleviation and economic sustainability for all disadvantaged persons.

## **ATTACHMENT 4.1**

### **PASIG RIVER REHABILITATION PROJECT. METRO- MANILA. PHILIPPINES. ENTITLEMENTS OF PERSONS DISPLACED OR AFFECTED BY THE PROJECT (Based on provisions of the ADB Resettlement Action Plan (RAP))**

Source: Pasig River Rehabilitation Commission. Office of the President. Philippines

#### **1. TRANSPORT ASSISTANCE**

##### **1.1 Transport Assistance During Relocation**

During relocation, trucks will be provided by the local government to help transport the families to the resettlement site. Other government agencies such as the Department of Public Works & Highways (DPWH) and the National Housing Authority (NHA) among others, will also be tapped for the use of their trucks.

##### **1.2 Transport Assistance After Relocation**

###### **1.2.1 Transport Assistance to Income Earners and Students**

One reason why resettlement projects have failed in the past, is that they have brought people further away from their jobs and source of livelihood. This has resulted in higher transport costs and longer commuting distance both for income earners and students. This cost adds to the family's daily expense and erodes their disposable income. To help families cope up with this additional expense, transportation assistance in the form of shuttle service to bring commuters to a major transport node within Metro Manila will be provided for workers and students. This assistance is to enable the workers maintain their employment, and to prevent disruption of the schooling of students enrolled in colleges and universities located in Metro Manila. A separate shuttle service will also be extended to high school and elementary students who will have to commute to schools nearest to the resettlement site, until such time that a school is established within the resettlement site itself, or until an affordable public transport system becomes available.

###### **1.2.2 Transport Assistance to High School and Elementary Students**

High school and elementary students affected by the relocation will be provided guaranteed accommodation in public schools nearest to the resettlement site. If there are no schools available within a distance of 5 kilometers, transportation assistance at the full discount rate will also be provided by PRRC. Assistance will be in the form of a school bus service to bring students to and from the school for the duration of the current school year, or until such time that an affordable public transport is available on site, or until a local transport cooperative is organized. Qualified students will be issued identification cards, which will allow them to use the service. Payment to the service provider will be based on the number of trips completed as certified by the National Housing Authority (NHA) Community Relations Office.

Other modes of transport such as pedicabs, tricycles and jeepneys to cover transport requirements for shorter distances will also be used, not only to make available an affordable public transport system, but also to provide income-generating opportunities for livelihood training program participants.

Monitoring and evaluation will be done on a monthly basis to determine the status of the beneficiaries, and assess whether they can graduate from this form of transport assistance. This too will also be evaluated periodically, to check if the fare structure should be adjusted and determine its responsiveness to the needs of the beneficiaries.

### **1.2.3 Qualification Criteria**

This assistance will be extended to the following: i) primary and secondary income earners currently employed in Metro Manila; ii) college students studying in Metro Manila; and, iii) high school and elementary students.

### **1.2.4 Implementing Mechanism**

The shuttle service will be provided by the Pasig River Rehabilitation Commission (PRRC) and the procurement of the (bus) service provider will be through competitive bidding. For purposes of determining the minimum cost for the procurement of bus services, the cost for a one person-round trip should be lower than P40.00 (approximately US\$0.80). It is estimated that at peak times, there will be 7,000 person-round trips daily broken down into 3,000 person-round trips for income earners with permanent employment, 2,000 person-round trips for those who are intermittently employed, and 2,000 person-round trips for college students. High school and elementary students will require a total of 9,000 person-round trips per day. Another alternative for providing transport is by allowing existing franchise holders in the locality to extend their coverage to include the resettlement site in their franchise.

Vouchers will be issued to qualified persons, which they will then use to pay for their fare. Employees and workers will be entitled to a 50 percent discount, while students will have a full discount. The Bus Company will submit the vouchers to PRRC for payment.

This form of transportation assistance should be made available as soon as the affected income earners and students are relocated, to avoid disruption in their employment and schooling. Assistance will be provided for a period of one year after relocation until a transport service cooperative operated by the beneficiaries of the livelihood component is established in the area, or until an affordable public transport system is provided by existing transport franchise holders. Assistance in establishing the local transport cooperative will be provided by the Cooperatives Development Authority (CDA).

## **2. LIVELIHOOD ASSISTANCE**

### **2.1 Rationale**

The livelihood assistance program comprises a package of income restoration interventions designed to assist affected persons recover their source of income that has been disrupted by relocation.

### **2.2 Qualification Criteria**

The livelihood assistance will be provided to families belonging to and below the 5<sup>th</sup> percentile income level, considered to be the most vulnerable group. This group includes families whose primary income earners have lost their jobs because of dislocation, female-headed households, the unemployed and underemployed. A total of 500 income earners is assumed to participate in the livelihood program either as individuals or as members of an organized group such as a cooperative or a peoples' organization. Members can pool their individual loans of P5, 000 (approximately US\$100) to enable them to borrow additional capital.

### **2.3 Income Restoration Interventions**

There will be four types of income restoration interventions depending on the economic status and assistance requirements of affected persons.

**1. Provision of vocational skills training:** those completing the skills training program will be provided with placement assistance or will be linked with industries for labor sub-contracting. The

Department of Trade and Industry (DTI) will handle placement assistance and link labor pools to industries needing labor sub-contracting arrangements.

**2. Provision of small business development training programs that will enable the participants to start their own income generating projects:** those who complete the training program will qualify for micro-credit financing. The Technology and Livelihood Resource Center (TLRC) will be responsible for the provision of training, credit and capital, in close coordination with NHA.

**3. Direct micro-credit program:** this provides a minimum amount of P5,000 for those who want to start small business enterprises. Other income earners, who were operating small-scale businesses in their former place of residence, will also be entitled to this assistance to help in re-establishing their business in the resettlement site. No training assistance is required since the beneficiary is assumed to possess the required skills to manage and operate the livelihood project. DTI will be responsible for implementing this assistance through its Bureau of Small and Medium Enterprise Business Development. An NGO will be tapped to administer the micro-credit program and serve as financial conduit between DTI and the beneficiaries.

**4. Assistance in forming cooperatives:** the Cooperatives Development Authority (CDA) will assist in the formation of cooperatives. As a strategy, the participants will be organized into credit, service or producer cooperatives to facilitate the implementation of micro-enterprise projects. This will be advantageous for beneficiaries since DTI and TLRC usually deals with organized groups, or with NGOs acting as conduits between government agencies and the beneficiaries. Relending operations and monitoring can be done through the cooperatives or NGOs. The credit cooperative is intended to encourage members to practice group savings, while skilled laborers and other service providers will be formed into service cooperatives in which members will be trained in strengthening and sustaining their organization.

### **3. FOOD ASSISTANCE**

#### **3.1 Form of Assistance**

Food assistance in the form of voucher in the amount of P 1,000.00 per month (approximately US\$ 20) will be given to cover the cost of food and other basic commodities. One kilo of rice is to be provided for each qualified family per day. This is equivalent to a total of 30 kilos per month valued at P600.00. The remaining P 400.00 will be used to cover other basic commodities.

#### **3.2 Qualification Criteria**

Food assistance will be given to families within the 5<sup>th</sup> percentile income bracket, income earners who have lost their jobs as a result of relocation, and income earners undergoing livelihood or skills training. The assistance is also provided to cushion the impact of relocation and provide direct assistance to nursing mothers and other vulnerable groups. It is also designed to compliment other food assistance being provided by either the sending or host local governments during the relocation process. Local governments can also request assistance from the regional offices of Department of Social Welfare (DSWD) to augment the food subsidy during relocation.

This assistance will be tied to the livelihood or skills training assistance programs. Affected persons entitled to food assistance will be required to undergo livelihood or skills training.

### **3.3.Implementing Mechanism**

Qualified families will be issued vouchers worth P1,000.00 per month that they can exchange for rice and other basic commodities from a buying center accessibly located. The buying center will be managed by the National Food Authority (NFA) through its Emergency Retail Assistance Program rolling store or through a local grocery store. The buying center should also sell other basic necessities to enable families to obtain their requirements at one location. Procurement of goods for the buying center should be done through competitive bidding.

### **4. MONITORING AND EVALUATION**

Monitoring and evaluation of all assistance packages will be undertaken every month by the Community Relations Office of NHA to determine those who should graduate from receiving assistance, and to examine the responsiveness of the assistance being provided. Each family receiving assistance will be monitored by a community worker. Monitoring will be done on a per family basis so that community workers will have a better appreciation of the total impact of the assistance on the family's socio-economic condition.

The income and expenditure patterns of entitled affected persons will be monitored to determine gaps, identify the type of assistance still needed, and determine whether the family should graduate from receiving the all or part of the package or continue as beneficiaries.

Base information secured during the registration stage for relocation will form the basis for household eligibility for the assistance program.

**ATTACHMENT 4.2:  
PASIG RIVER REHABILITATION PROJECT. METRO- MANILA. PHILIPPINES.  
ASSISTANCE BY CATEGORY OF PERSONS DISPLACED OR AFFECTED  
(Based on provisions of the ADB Resettlement Action Plan (RAP))**

Source: Pasig River Rehabilitation Commission (PRRC). Office of the President. Philippines

Category of Loss	Application	Entitled Persons	No. of APs	Assistance
<b>Loss of housing structure.</b>	Houses located along the Pasig River and within the 10-meter wide environmental preservation areas (EPAs).	Owners and renters.	500 families	<ul style="list-style-type: none"> <li>• Rent converted into equity</li> <li>• Home materials loan</li> <li>• Subsidized amortization for 10 years</li> <li>• Food assistance</li> <li>• Livelihood or skills training</li> <li>• Micro-credit or soft loan assistance</li> </ul>
<b>Loss of permanent income.</b>	Lost income derived from IGPs in previous communities.	Primary and secondary income earners.	250	<ul style="list-style-type: none"> <li>• Micro-credit or soft loan assistance</li> </ul>
	Lost income from employment that is given up due to higher transport cost and commuting distance.	Primary and secondary income earners.	250	<ul style="list-style-type: none"> <li>• Livelihood or skills training</li> <li>• Micro-credit or soft loan assistance</li> <li>• Job placement assistance</li> <li>• Labor sub-contracting</li> <li>• Food assistance during training</li> </ul>
Partial loss of disposable income due to increased transport cost.	Higher transport cost due to longer commuting distance between resettlement site and place of work.	Primary and secondary earners with existing jobs or employment.	5,000	<ul style="list-style-type: none"> <li>• Transportation assistance in the form of shuttle service.</li> </ul>
	Higher transport cost due to longer commuting distance between resettlement site and place of school.	College students enrolled in Metro Manila.	2,000	<ul style="list-style-type: none"> <li>• Transportation assistance in the form of shuttle service.</li> </ul>
<b>Disruption of schooling.</b>	Elementary and high school students who's schooling had been disrupted by relocation.	Elementary and high school students.	9,500	<ul style="list-style-type: none"> <li>• Accommodation for transfer with local schools.</li> <li>• Establishment of elementary and high schools in the resettlement sites.</li> </ul>
<b>Loss of social support systems and network.</b>	Community ties and social support systems affected and severed. This support system provides for the needs of the families in times of crisis for cost of education, hospitalization, death, etc.	All families.	10,000 families	<ul style="list-style-type: none"> <li>• Organizing community groups, associations, and cooperatives to restore community ties and network.</li> <li>• Community organizing activities to be provided by NGOs in coordination with NHA and other government agencies operating in the resettlement area.</li> </ul>

Legend: AP: Affected persons  
EPA: Environmental Preservation Area  
IGP: Income Generating Projects  
NGO: Non-government Organizations  
NHA: National Housing Authority.

## 5. UPGRADING OF BACKYARD HOUSING AREAS

### 5.1 Introduction

This section is based on notes prepared in the course of the second visit of the Urban Planning Advisor on issues pertaining to the upgrading of backyard housing areas. It forms part of an attempt to gain better understanding of the situation on the ground that needs to be addressed in order to arrive at an agreed approach. The notes are very much “work in progress”, and were prepared in the course of involvement with members of the ARP Physical Cluster Team, the Transfer of Housing Task Team (THTT) and other consultants<sup>8</sup> in this process. They are based for the most part on information derived from physical surveys carried out by the Planning Functional Team (PFT) in Blocks 38-40 of the backyard housing area in Old Alexandra, part of the area included in the THTT pilot survey<sup>9</sup>. These blocks are seen as being fairly typical of the conditions throughout backyard housing areas, and which will have to be addressed in order to seek a way forward on this aspect of the housing strategy.

Although much of the analysis and recommendations in this section has already been taken into consideration as part of the emerging ARP housing strategy, there is value in presenting it at this stage, both as a matter of record, and for possible use at a time when the lessons of Alexandra are applied to other projects identified in the national urban renewal programme.

The upgrading of backyard housing areas in Old Alexandra involves two closely inter-related processes, namely the a) legal process: the transfer of properties to resolve issues of ownership and tenure; b) physical upgrading process: of properties (erven) and structures in compliance with prevailing ARP byelaws, guidelines and standards.

This section deals primarily with physical upgrading issues.

### 5.2 General Characteristics of Backyard Housing Areas

The complex legal and physical upgrading issues surrounding the development of backyard housing areas, can be traced directly to the manner in which Alexandra itself has developed over the years<sup>10</sup>. The original layout for Old Alexandra, on which freehold title was issued, was made up of approximately 2,500 yards, each of more than 1,000 square meters. Following cancellation of all titles in 1948, the introduction of a leasehold permit system, and various abortive government interventions, a new layout for Alexandra was prepared in the mid-1980s incorporating approximately 6,000 erven. This layout roughly conformed to the original yard configuration as well as to the prevailing settlement pattern at that time. However, the accumulative effect of these events, coupled with lax development control and the increasing growth of the existing population and influx of new settlers, resulted in the present situation, whereby there is a

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<sup>8</sup> Most notably Matthew Nell, Development Consultant

<sup>9</sup> Refer to the Urban Planning Advisor's Project Design Review Report, Part B5.4.

<sup>10</sup> Refer to the Urban Planning Advisor's Project Design Review Report, Part A.3 for a more detailed historical background to the development of Alexandra.

proliferation of shacks in the backyards of most of the housing areas.

Backyard housing areas are mostly concentrated in Old Alexandra, mainly in Precincts # 2-6. Backyard housing is spread over approximately 120 blocks, made up of about 6,000 erven (originally about 2,500 erven). Development in these areas has taken place with little or no planning control and regulation, and the older formal structures built within the original yards are now mostly surrounded by numerous informal shacks, free-standing rooms and general improvements, many of which traverse both yard and erven property boundaries. In some instances, structures and improvements in these areas also encroach into road reserves and public utilities' servitudes.

Until detailed registration and technical surveys are undertaken there can be no accurate indication of the numbers of households and structures in these backyard housing areas. Present estimates are that the average gross residential density is approximately 770 persons per hectare. .

### **5.3 Existing Conditions in Backyard Housing Areas**

In terms of prevailing physical conditions, the issues that have to be resolved as part of the upgrading process in backyard housing areas, can be described in terms of:

- a) discrepancies between the demarcation of yard / erven boundaries;
- b) structures traversing erven boundaries;
- c) communal areas extending across erven boundaries;
- d) structures encroaching over public utilities servitudes.

These issues are dealt with in the following sections in terms of existing conditions and recommended approach. Each of the recommendations has legal implications linked to the parallel transfer of properties process.

#### **5.3.1 Demarcation of Yard / Erven Boundaries**

##### ***Existing Conditions***

As previously described (refer section 5.2), the approximately 2,500 yards incorporated in the original layout for Old Alexandra were subsequently superseded in a new layout prepared in about 1986 comprising approximately 6,000 erven. In preparing the new layout an attempt was made to align yard and erven boundaries. However, account was also taken of the prevailing settlement pattern, which in some instances did not conform, to the original yard boundaries. This has meant that yard and erven boundaries do not fully correspond in all instances.

##### ***Recommendations***

In spite of the fact that the registration of permits appears to have been mostly undertaken on the basis of the original yard boundaries<sup>11</sup>, it is recommended that the transfer of properties, and thus the upgrading of stands by owner-developers, is based on the current erven layout. This approach will generate a greater number of stands with

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<sup>11</sup> This analysis was drawn from the Transfer of Properties Pilot Study carried for the THTT in March / April 2002, and reported in the Urban Planning Advisor's Project Design Review Report, Section B5.4.

more owners, and is therefore generally more equitable in terms of potential claimants. In theory at least, it also offers the possibility of a reduced number of claimants and tenants per stand, and thus a potentially simplified transfer process and owner-tenant arrangements.

A disadvantage of this approach is that by generating more private ownership, it may prove more difficult to protect and enhance communal areas that presently transcend property boundaries (refer section 5.3.3), or in the future to increase densities through collaborative joint ventures and the exploitation of larger stand areas.

### **5.3.2 Structures Traversing Erven Boundaries:**

#### **Existing Conditions**

The rapid, largely uncontrolled growth of Alexandra since preparation of the current layout, has meant that many backyard structures traverse erven boundaries, in some instances also extending into road reservations and public utilities servitudes in these reservations.

#### **Recommendations**

In order to satisfactorily effect the transfer of properties and initiate the upgrading of private property by owner-developers, all structures will have to conform to defined erven for which there is a registered owner. Redefinition of erven boundaries to accommodate such structures is potentially too complex a process to consider. The creation of servitudes to accommodate encroaching structures could be considered in instances where the structure in question is in good condition and with a high investment value, or where it is a community facility of some description such as a church or community hall. However, the recommended approach is to remove encroaching structures and realign them within defined erven boundaries. In some instances, realignment can be achieved through partial dismantling of those parts of the structure that protrude across boundaries. If the realignment option is not feasible, then the structure will have to be removed and relocated in accordance with agreed relocation procedures.

Decisions regarding the preferred option will have to be taken in close consultation with concerned erven owners and of course structure occupants. In terms of the occupants, decisions will have to take account of their status in terms of the transfer of housing process, and their relationship to other residents and neighbours. In terms of the encroaching structures, consideration will have to be given to orientation, access, use, condition and value. These aspects of the condition of structures needs to be given emphasis in the course of the physical survey process.

### **5.3.3 Communal Areas extending across Erven Boundaries**

#### **Existing Conditions**

The spread of structures and shacks in the backyards of formal structures located within each of the original yards, mostly took place without any form of regulation or control. Many backyard structures were built on the basis of informal arrangements, sometimes between family and friends, as a result of which there was clear demarcation of communal open space shared by adjoining residents. Although in some instances these

local open spaces conform roughly to the original yard layout, they mostly transcend the more recent erven boundaries.

These communal spaces are important in determining the way in which housing areas function socially and practically at the neighbourhood level. They give the opportunity for pedestrian, and in some cases vehicular access to structures located internally within housing blocks. They also provide the necessary open space and ventilation for communal ablution / toilet facilities, act as areas for interaction between neighbours in the manner of more traditional settlements, and in some cases provide play areas for younger children away from the roads. Responsibility for maintenance of these communal areas is shared between residents in a manner that appears to be well understood, given the generally high levels of maintenance (especially of the ablution / toilet blocks) that is apparent throughout most of the backyard housing areas.

### **Recommendations**

In the course of the transfer of properties process based on the new erven layout, there is a need wherever possible, to maintain these communal areas. It is clearly impractical to attempt to oblige owners to maintain that portion of the communal space that falls within their property through some form of legal condition on the award of title. The preferred option appears to be to approach the transfer of properties on the basis of some form of collective ownership, in which all owners are persuaded to recognise the value of retaining and enhancing communal open space for the common good. The role of the ARP housing support services team, in co-ordination with precinct managers, will be critical in this regard, as they will have the opportunity of helping the owners develop optimum erven layouts, in which the retention of communal space is an essential feature. If communal ownership is not a realistic option, a similar attempt to convince individual owner-developers of the desirability of retaining communal open space will have to be undertaken, although clearly this will be a more difficult process.

### **5.3.4 Structures encroaching into Public Utility Servitudes**

#### **Existing Conditions**

The rapid rate of largely uncontrolled development throughout Alexandra not only resulted in structures traversing yard and erven boundaries, but in encroachment into public utility servitudes. Encroachment into road reservations and servitudes running within these reservations is readily apparent on the ground throughout the backyard housing areas. Less apparent however, because of the high residential densities, is the building of structures and shacks over mid-block sewer and drainage servitudes, as well as service and maintenance access points such as manholes and inspection chambers. Illegal connections to bulk water supply and main drains is also an issue to be resolved in these areas. The full extent of this problem will only become apparent once there has been comprehensive technical inspections of the existing infrastructure and services network as part of the precinct planning process.

#### **Recommendations**

**Structures encroaching into Road Reservations:** in terms of an upgrading approach based on the transfer of properties, it is essential that all structures are removed from road reservations, (as well as other public property such as school sites), irrespective of

their condition and investment value. The basic rationale for this is that it is not possible to effect the transfer of ownership for public land, nor is it possible to legally carry out improvements to structures in public land in the future. An additional consideration is the fact that there may well be the need to expand road rights of way or provide parking bays in some areas, to accommodate increased levels of vehicle ownership in the future.

**Structures encroaching over Infrastructure Servitudes:** those servitudes presently falling within road reservations are covered by the recommendations above. Clearly there is a need to ensure access to all public utilities for repair and maintenance purposes. It is therefore recommended that structures (or the relevant part of structures) be removed from over manholes and other access / inspection points in accordance with public utilities agencies' requirements and standards. If the structures in question are of good condition and represent a high investment value, the relevant public utility should be encouraged to seek alternative access in less disruptive locations if possible. However, notwithstanding this alternative option, the demands of unobstructed access to all public utilities in accordance with agreed standards must remain paramount.

Aside from the obstruction of public utility access points, the building over of water, sewer and drainage lines also has to be considered. At this stage, given the generally lightweight condition of most structures, no adverse impact is foreseen. However, with the transfer of ownership, and the formalisation of structures using permanent materials, (some possibly two or three storeys), the impact of housing improvements on subterranean utilities is potentially more damaging. Consideration needs to be given to this aspect of erf development by the relevant utilities agencies in co-ordination with the ARP Physical Cluster team, as well as by the ARP Housing Support Centre at the appropriate time.

**Illegal Connections:** preliminary surveys indicate that there are a number of illegal connections from existing structures and shacks to public utilities at present. The most serious of these from the environmental / public health standpoint, is the connection of toilet and ablution facilities into the drainage system. These, and all other illegal connections including connections to water and electrical services, should be cut prior to completion of the transfer of ownership.